

Please be advised that the Barry County Board of Commissioners has scheduled a Committee of the Whole meeting on November 22, 2016 at 9:00 a.m. for the purpose of:

AGENDA for
Barry County Board of Commissioners - Committee of the Whole
November 22, 2016; 9:00 a.m.; Commission Chambers
For more information go to: www.barrycounty.org

- 9:00 Pledge of Allegiance
- 9:00 Public Comment
- 9:00 Bob Van Putten, Landmark Design Group – Review of Final Drawings for Bids on Courthouse Renovations, Initiative One of the Barry County Master Facilities Plan
- 9:15 Tim Vandermark – 2016 Apportionment Report
- 9:20 Billie Jo Hartwell - Request to Remove Crematorium and Utilize Noah's Pet Cemetery for Future Cremations
- 9:30 Jim McManus -
 - 1) P.A. 116 Applications for Matthew and Rachelle Henney
 - 2) Proposed Fee Schedule Changes for Planning Office
- 9:50 David Shinavier – Request to Sell Surplus Vehicles
- 9:55 Michael Brown - Resolution to Approve Agreement for Professional Services with Land & Resource Engineering for the Gun Lake Dam Project
- Public Comment
- Adjournment

Unless otherwise posted in accordance with the Open Meetings Act, Board of Commissioners meetings are held at the Barry County Courthouse, Commissioners Chambers, 220 W. State St., Hastings, MI 49058. Questions regarding the meeting may be addressed to Michael Brown, Barry County Administrator, Barry County Courthouse, 220 W. State St., Hastings, MI 49058; (269) 945-1284.

Meetings of the Barry County Board of Commissioners are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, political affiliation, sexual orientation, gender identity or disability. Barry County will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting/hearing, to individuals with disabilities at the meeting/hearing upon four (4) business days notice to the County. Individuals with disabilities requiring auxiliary aids or services should contact the County by writing or calling: Michael Brown, County Administrator, Barry County, 220 W. State St., Hastings, MI 49058; 269-945-1284.

Only members of the Barry County Board of Commissioners shall be given the floor to speak during any Board meeting, except 1) Anyone who desires to speak under Limited Public Comment; 2) County officials and/or personnel may speak with the consent of the Chairperson; 3) Any person, with the consent of the Chairperson and/or a majority of the Board; 4) Public comment shall be limited to no more than three minutes per individual and at the times designated as stated above, except where extended privileges are granted by the Chairperson.

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: COW 11/22/2016

DEPARTMENT: County Administration

PREPARED BY: Michael Brown, County Administrator

SUBJECT: Master Facility Plan: Initiative One, Circuit Court Building Improvements
– Revised Construction Drawings.

SPECIFIC ACTION(S) REQUESTED: To approve the final drawings for the Circuit Court Building Improvements project (Circuit Court Holding Area, Circuit Courtroom and Security Entrance) before Landmark Design Group seeks competitive bids for the construction.

<u>SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):</u>
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DESCRIPTION OF ACTION: At the July 26, 2016 Board of Commissioners meeting the Board approved proceeding with the contractor bidding phase for the Master Facilities Plan Initiative One Circuit Court Building Improvements project (Circuit Court Holding Area, Circuit Courtroom and Security Entrance). Bob Van Putten has prepared revised final drawings and will be at the meeting to review those and seek approval before going out to bid. Attached to this agenda request form are the final revised drawings for your approval (labeled FINAL REVISED and dated 11-23-2016) and the revised drawings (titled REVISED; dated 7-21-2016; approved by the Board 7-26-2016) for comparison purposes. Bob will be attending the meeting to review the changes with you. A full set of construction drawings (demolition, floor plan, finish plan, millwork, plumbing, mechanical, hvac & electrical) is available in my office if you wish to review them in more detail.

TIME FRAME OF ACTION: Immediate.

FUNDING REQUIRED: Funding was approved at the July 26, 2016 Board of Commissioners meeting in the amount of \$308,000.

IF YES, ANSWER THE FOLLOWING:

1. FUNDING SOURCE (Federal, State, or Local): _____
2. IF LOCAL, SPECIFY FUND: _____
3. AMOUNT REQUESTED: _____
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) _____
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: _____

PERSONNEL IF REQUIRED: NA.

NEW OR RENEWAL: New

ANY OTHER PERTINENT INFORMATION: NA.

CONTACT PERSON WITH PHONE NUMBER: Bob Van Putten, Architect/Owner, Landmark Design Group PC, 616-956-0606, or Michael Brown, County Administrator, 269-945-1284.

Michael Brown

From: Bob VanPutten <bob@landmark.us.com>
Sent: Tuesday, November 15, 2016 4:04 PM
To: Michael Brown
Cc: Luella Dennison
Subject: Barry County Courthouse-Revised Drawings
Attachments: Barry-Final Board Review Drawings.pdf

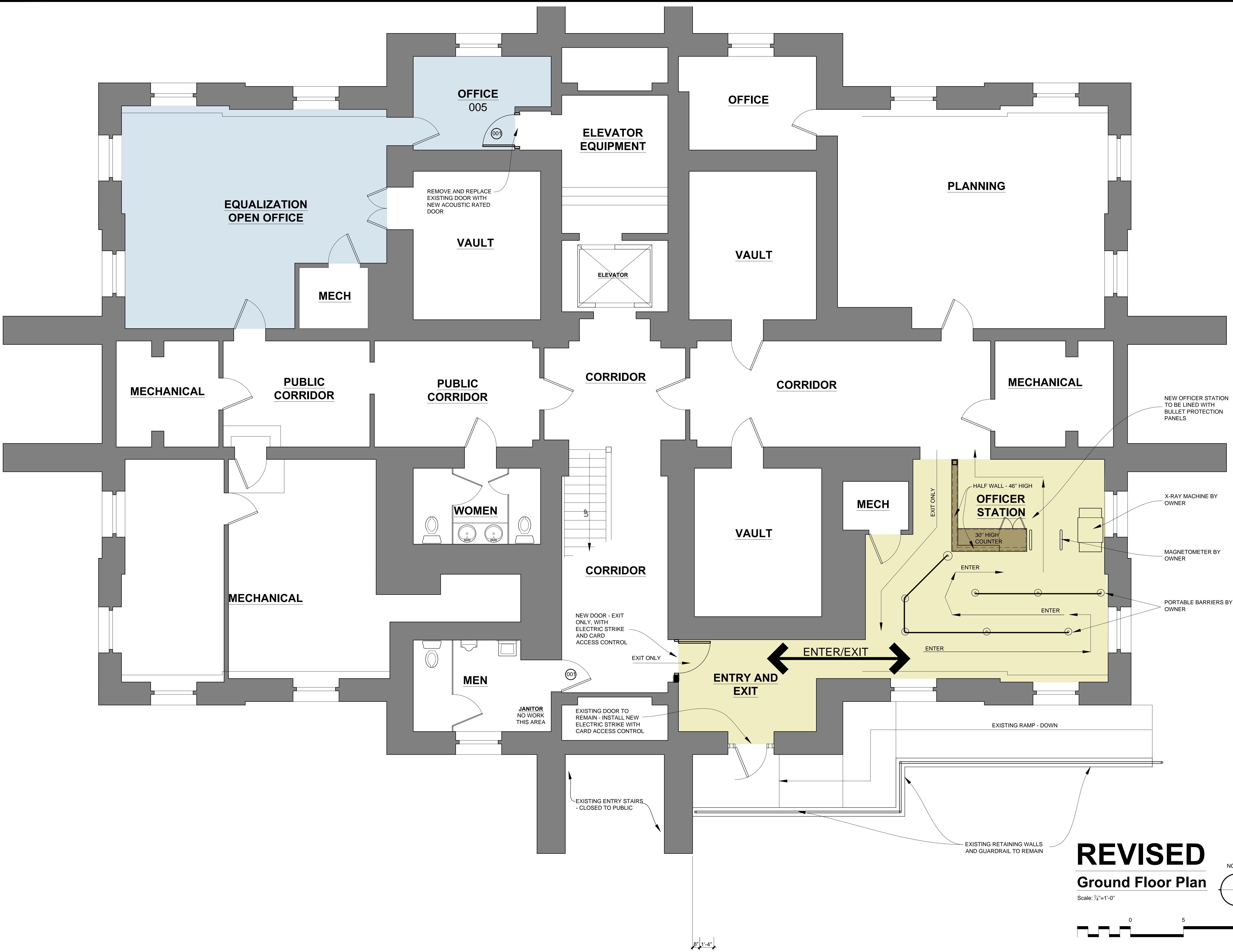
Hello Michael.

Attached are the revised drawings to be included in the County Board packet. The first two drawings are the plans that the Board approved on July 21, 2016. The next two floor plans, labeled "Final" and dated November 22, 2016, represent the revisions. They offer a side by side comparison of the changes.

I hope this is helpful.

Thanks.

Bob Van Putten, President
Landmark Design Group, PC



REVISED

Ground Floor Plan

Scale: 1/4"=1'-0"

0

5

10

NORTH

Consultant:

Barry County

Circuit Court Building Improvements

220 W. State St.
Hastings, MI 49058

Project Title:

Landmark Design Group, P.C.

3883 Linden Ave. SE, Suite A, Grand Rapids, MI 49548-3406
v. (616) 956-0606

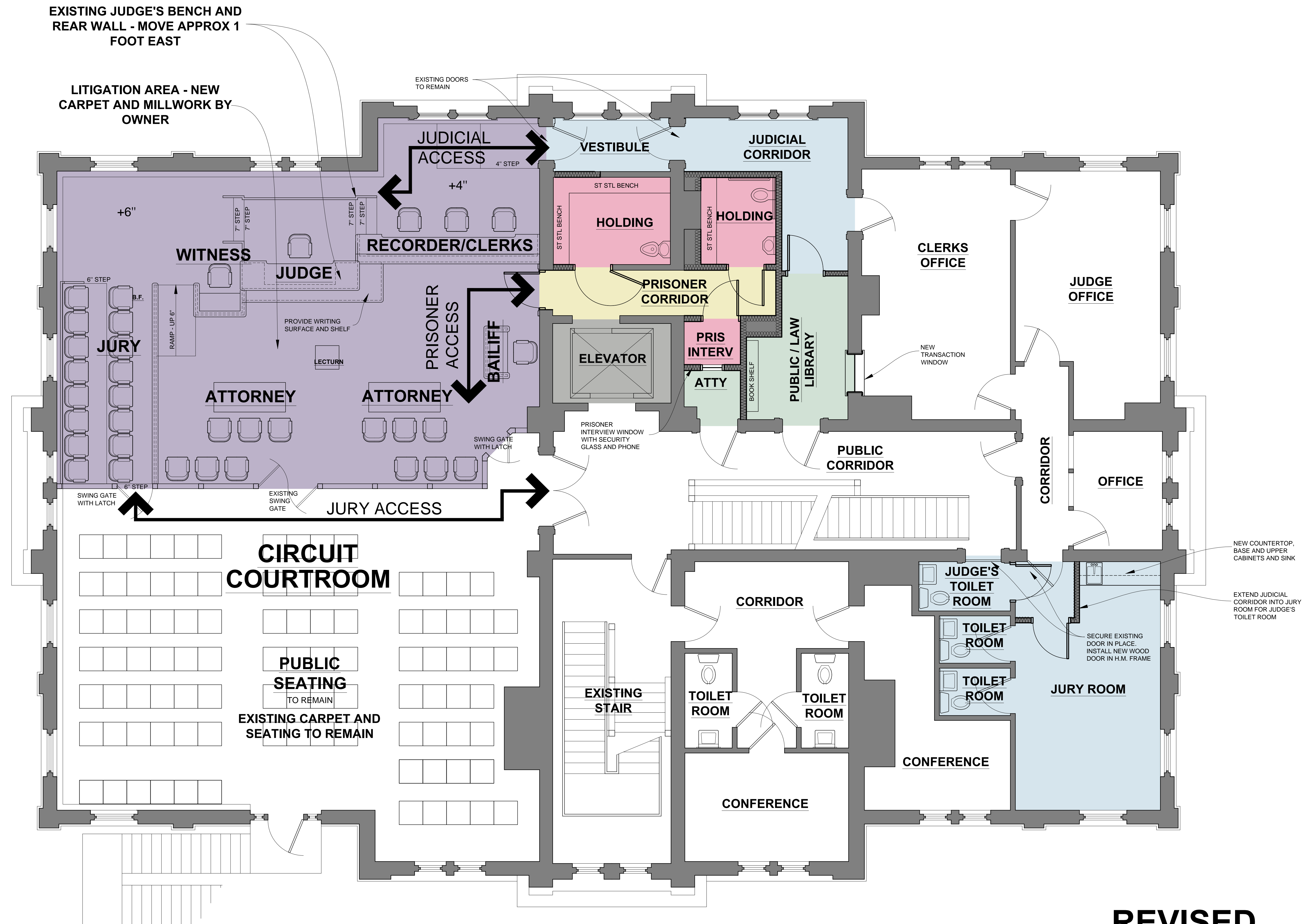
Issued for:	C.O.W. Review
date:	07/06/2016
	07/21/2016

Seal:	
Project Number:	
Landmark Project Number:	15-009

© 2015 Landmark Design Group P.C.

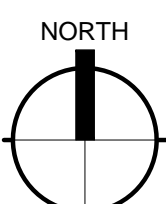
2

Revised



REVISED
Second Floor Plan

Scale: 1/4"=1'-0"



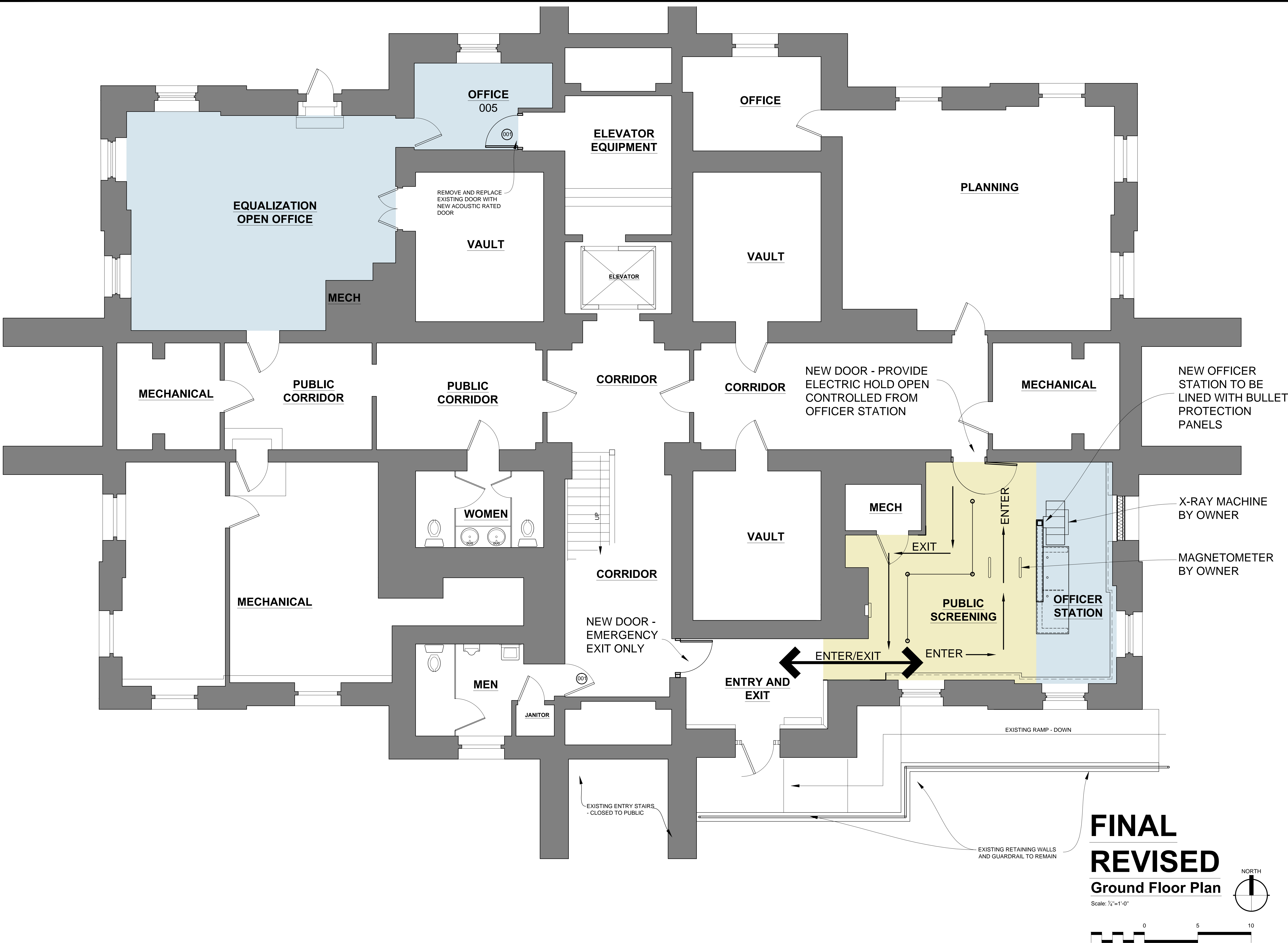
Barry County
Circuit Court Building Improvements
220 W. State St
Hastings, MI 49058

Landmark Design Group, P.C.
3883 Linden Ave, S.E. Suite A, Grand Rapids, MI 49548-3406
v. (616) 956-0606

issued for:	C.O.W. Review
date:	07-05-2016
	07-21-2016

15-009

4
Revised



Consultant:

Barry County

Circuit Court Building Improvements

220 W. State St.
Hastings, MI 49058

Project Title:

Landmark Design Group, P.C.

3883 Linden Ave. SE, Suite A, Grand Rapids, MI 49548-3406
v. (616) 956-0606

Issued for:	Final Board Review
date:	11-22-2016
Seal:	

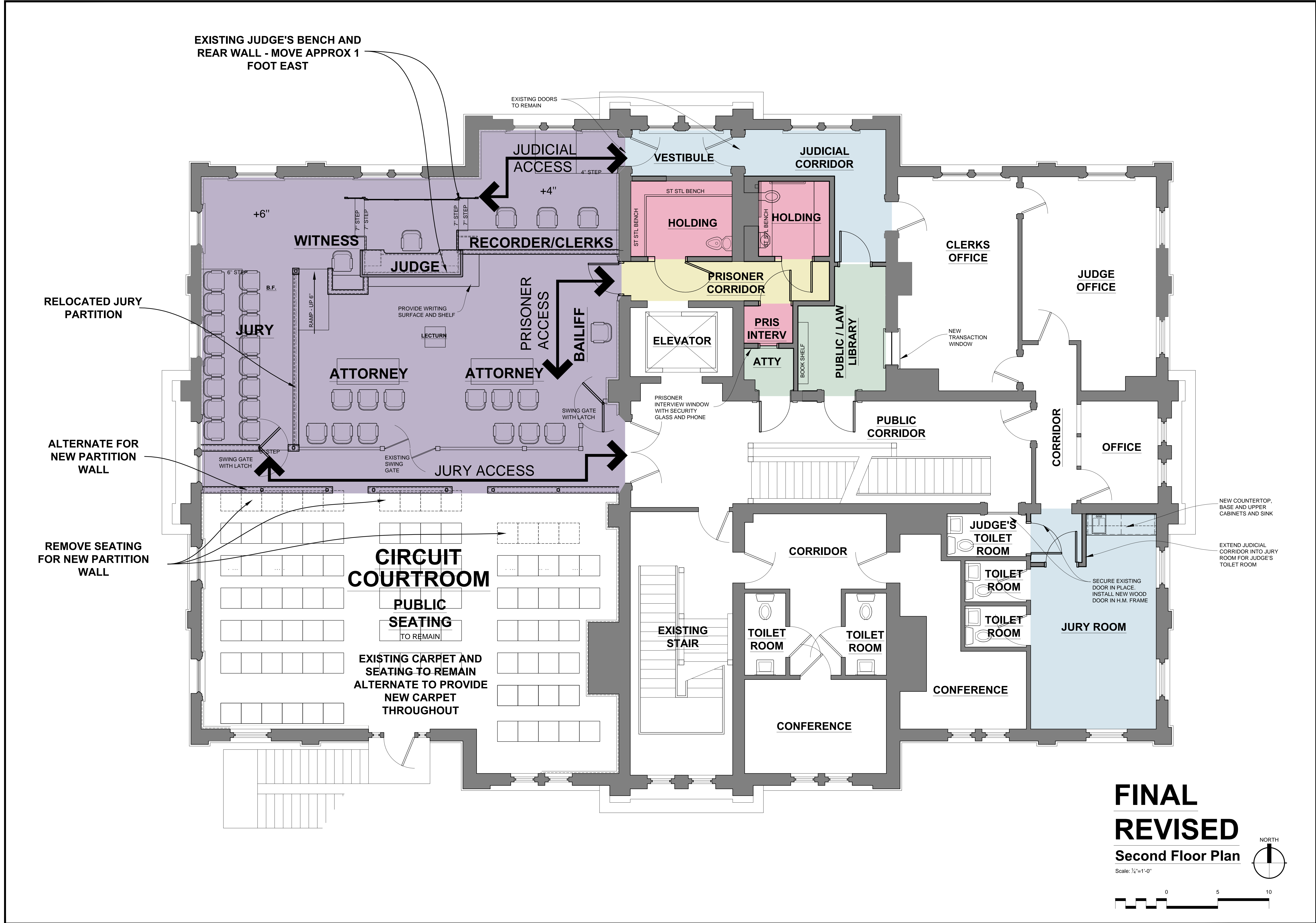
Project Number:

Landmark Project Number:

15-009

© 2015 Landmark Design Group P.C.

A101



Barry County

Circuit Court Building Improvements

220 W. State St
Hastings, MI 49058

Project Title:

Landmark Design Group, P.C.

3883 Linden Ave, S.E. Suite A, Grand Rapids, MI 49548-3406
v. (616) 956-0606

issued for:	Final Board Review
date:	11-22-2016
scale:	

Project Number:

Landmark Project Number:

15-009

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A102

Barry County Board of Commissioners
July 26, 2016; 9:00 a.m.; Commission Chambers
MINUTES

1. Chair Stolsonburg called the regular session of the Barry County Board of Commissioners to Order at 9:00 a.m. in the Barry County Commission Chambers.
2. Moment of Silence/Invocation by Commissioner Conner.
3. Those present stood and said the Pledge of Allegiance to the Flag of the United States of America.
4. Roll Call was taken. The following members were present: Vivian Conner, James Dull, Ben Geiger, Howard Gibson, Jon Smelker, David Jackson and Craig Stolsonburg. Also present: Clerk Pam Palmer.
5. APPROVAL OF WRITTEN AGENDA: (including consent items & items for discussion)
Moved by Gibson, seconded by Smelker to approve the written agenda. All ayes. Motion carried.
6. LIMITED PUBLIC COMMENT: (3 minutes per person)
 - Julie DeBoer commented on a crime victim incident that was posted on Facebook.
 - Matt Houchlei responded to the previous public comment and also commented as to the election negativity on social media.
 - Joan Miller responded and commented on the Facebook postings referred to above.
7. VARIOUS CORRESPONDENCE: None.
8. CONSENT ITEMS (voted upon at one time by roll call vote):
 - a. Approval of July 12, 2016 Board of Commissioners meeting minutes.
 - b. Approval of July 19, 2016 Committee of the Whole meeting minutes.
 - c. Approval of the 2017-2019 Multi-year Plan for Region 3B Area Agency on Aging.
 - d. Approval of Grant number EMC-2016-EP-00001 State of Michigan FY 2016 Emergency Management Performance Grant, Grant Agreement and authorize the Chairman and Administrator to sign.
 - e. Approval for Barry County to become the sub-grantee for the MI-TRT-5 equipment and training purchases during the FY 2015 Homeland Security Grant period not to exceed \$65,000.00.
 - f. Approval to increase the amount approved in the 2016 Capital budget for Trial Court vehicle replacement from \$22,000 to \$23,048, and to amend the Vehicle Fund budget for line item 661-000-981-030, Vehicle Purchase, accordingly from \$299,579 to \$300,627.

- g. Approval to appoint Vivian Conner as the Officer Delegate and Ben Geiger as the Officer Alternate to attend the 2016 Municipal Employees Retirement System Annual meeting, and to approve paying the expenses for the Officer Delegate and the Employee Delegate to attend on September 28 and 29, 2016 at the Grand Traverse Resort in Acme, Michigan.
(roll call vote)

Moved by Dull, seconded by Conner to approve the consent items listed above. Roll call vote. Ayes: Conner, Dull, Geiger, Gibson, Jackson, Smelker & Stolsonburg. Motion carried.

9. PRESENTATIONS: 1) Travis Alden, President - Barry County Economic Development Alliance Strategic Goals
2) Russ Yarger, Drain Commissioner – 2015 Annual Drain Commission Report

Recess at 9:45 am. Resume meeting at 9:54 am with all commissioners present.

10. PUBLIC HEARINGS: None

11. ITEMS FOR CONSIDERATION: (roll call vote indicated)

- a. Approval of transfers and disbursements:
Approval of claims in the amount of \$147,471.78 **(roll call vote)**

Moved by Smelker, seconded by Gibson for approval of claims in the amount of \$147,471.78. Roll call vote. Ayes: Conner, Dull, Geiger, Gibson, Jackson, Smelker & Stolsonburg. Nays: None. Motion carried.

- b. Approval of Resolution #16-06, Resolution in Support of the Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails. **(roll call vote)**

Moved by Smelker, seconded by Geiger for approval of Resolution #16-06, Resolution in Support of the Stepping Up Initiative to Reduce the number of People with mental Illnesses in Jails. Roll call vote. Ayes: Conner, Dull, Geiger, Gibson, Jackson, Smelker & Stolsonburg. Nays: None. Motion carried.

- c. Approval to proceed with the contractor bidding phase for Initiative One, Circuit Court building improvements from the Barry County Master Facilities Plan as identified in the attached memorandum from Bob VanPutten, Landmark Design Group, dated July 21, 2016, at an estimated cost of \$308,000.00 with funds to be paid from the Building Rehabilitation Fund.
(roll call vote)

Moved by Smelker, seconded by Geiger for approval to proceed with the contractor bidding phase for Initiative One, Circuit Court building improvements from the Barry County Master Facilities Plan as identified in the attached memorandum from Bob VanPutten, Landmark Design Group, dated July 21, 2016, at an estimated cost of \$308,000.00 with funds to be paid from the Building Rehabilitation Fund. Discussion.

Moved by Smelker, seconded by Jackson to amend the motion to pay for the Circuit Courtroom expenditure in the amount of \$40,000 from the Diverted Felon Fund with the balance coming from the Building Rehabilitation Fund. Roll call vote. Ayes: Conner, Geiger, Gibson, Jackson, Smelker & Stolsonburg. Nays: Dull. Motion carried.

Moved by Smelker, seconded by Geiger for approval to proceed with the contractor bidding phase for Initiative One, Circuit Court building improvements from the Barry County Master Facilities Plan as identified in the attached memorandum from Bob VanPutten, Landmark Design Group, dated July 21, 2016, at an estimated cost of \$308,000.00 with \$40,000 for the Circuit Courtroom coming from the Diverted Felons Fund and the balance to be paid from the Building Rehabilitation Fund. Discussion. Roll call vote. Ayes: Geiger, Gibson, Smelker, Jackson & Stolsonburg. Nays; Conner & Dull. Motion carried.

12. UNFINISHED BUSINESS: None.
13. NEW BUSINESS: None.
14. LEGISLATIVE UPDATE: None.
15. COUNTY ADMINISTRATOR'S REPORT: None.
16. CHAIRPERSON'S REPORT: Commissioner Stolsonburg reported that there was no Michigan Works meeting this month, and there will be a Board of Health meeting on Thursday.
17. VICE CHAIRPERSON'S REPORT: Commissioner Conner attended the Prairieville and Yankee Springs Township meetings. She attended the Commission on Aging luncheon at Senior day at the fair and drove the courtesy golf cart at the fair. She attended the contractor's meeting for the community room, and although a few days were lost waiting for Consumer's Energy to complete the outside service, the project is still scheduled for completion by October 24, 2016. The new project total is \$801,978.85. The Parks and Recs Board had a successful No Family Left Indoors event at McKeown Bridge Park last week & the Board approved their 2017 budget to be submitted for the County's budget process. Commissioner Conner went on a tour of the Courts & Law Building, and was a judge at the car show at Charlton Park last Saturday. She also reminded everyone of the Cruise In Car Show at the Gilmore Car Museum on August 10, with RSVP's due by August 3, 2016.
18. COMMISSIONER REPORTS: (FOR ITEMS NOT ON THE AGENDA) - Each commissioner reported on their various committees, meetings and events.
19. LIMITED PUBLIC COMMENT: (3 MINUTES PER PERSON)
 - Bill Norris commented on his disappointment in the negative comments regarding courthouse security.
 - Patricia Johns commented on the successful No Family Left Indoors event, but will look into different scheduling for next year. She also commented on the problems with broadband in Barry County.
 - Chuck Reid commented about the Facebook remarks made in the first public comment section of the meeting. He also commented that the TOST Ordinance is not working and that the inspections are not being done fairly.
20. OTHER BUSINESS: Commissioner Dull commented that Kent County is offering recycling for old televisions.
21. ADJOURNMENT: Moved by Smelker, seconded by Dull to adjourn at 10:25 am. Motion carried.

Craig Stolsonburg, Chair
Barry County Board of Commissioners

Pamela A. Palmer
Barry County Clerk

Approved: 8/9/2016 PPalmer
Date & Initial when approved

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: November 22, 2016, COW

DEPARTMENT: Equalization

PREPARED BY: Timothy Vandermark

SUBJECT: 2016 Apportionment Report

SPECIFIC ACTION(S) REQUESTED: To recommend to the Board of Commissioners approval of the 2016 Apportionment report.

SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):

DESCRIPTION OF ACTION: It is necessary that the county board of commissioners approve all the local tax rates otherwise taxes can not be collected.

TIME FRAME OF ACTION: Due to the State of Michigan by Nov. 30th.

FUNDING REQUIRED: YES _____ NO x _____

IF YES, ANSWER THE FOLLOWING:

1. FUNDING SOURCE (Federal, State, or Local) _____
2. IF LOCAL, SPECIFY FUND: _____
3. AMOUNT REQUESTED: _____
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) _____
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: _____

PERSONNEL IF REQUIRED: NA

NEW OR RENEWAL: This is an annual report.

ANY OTHER PERTINENT INFORMATION: None

CONTACT PERSON WITH PHONE NUMBER:

Timothy Vandermark, Equalization Director, 517-543-4101

L-4028 Barry County

(A) County Name	(B) Taxable Value	Total County		Extra Voted Operating Rate	(F) Est. County EV Oper. Tax Dollars	(G) Total County Debt Rate	(H) Est. County Debt Tax Dollars	(I) Total Est. County Tax Dollars	(BB) Total RenZone Taxable Value
		(C) County Allocated Rate / SET	(D) Est. County Allocated / SET Tax Dollars						
Barry	1,995,311,763.00	5.4165	10,807,606.16	1.7623	3,516,337.93	0.7459	1,512,602.87	15,836,546.96	16,288,925.00
STATE ED. TAX	1,972,065,657.00	6.0000	11,832,393.94	0.0000	0.00	0.0000	0.00	0.00	0.00

(J) Local Unit Name Townships Cities Villages Listed Alphabetically	(K) Taxable Value	Total Other		(M) Est. Local Allocated / Charter Tax Dollars	(O) Est. Local EV / GL Oper. Tax Dollars	(P) Total Debt Rate	(Q) Est. Local Debt Tax Dollars	(R) Total Est. Local Tax Dollars	(KK) Total RenZone Taxable Value
		(L) Total Allocated / Charter Rate	(N) Extra Voted / General Law Operating Rate						
Assyria	55,964,086.00	0.8522	0.0000	47,692.59	0.00	0.0000	0.00	47,692.59	0.00
Baltimore	49,599,329.00	0.8938	0.3000	44,331.88	14,879.80	0.0000	0.00	59,211.68	0.00
Barry	119,320,807.00	0.8620	4.0000	102,854.54	477,283.23	0.0000	0.00	580,137.77	0.00
Carlton	69,810,223.00	0.9000	1.5000	62,829.20	104,715.33	0.0000	0.00	167,544.53	0.00
Castleton	61,178,439.00	0.8731	1.6721	53,414.90	102,296.47	0.0000	0.00	155,711.37	0.00
Hastings	81,114,030.00	0.7282	1.5864	59,067.24	128,679.30	0.0000	0.00	187,746.54	0.00
Hope	124,185,411.00	0.8312	2.0000	103,222.91	248,370.82	0.0000	0.00	351,593.73	0.00
Irving	100,979,258.00	0.8493	1.4804	85,761.68	149,489.69	0.0000	0.00	235,251.37	0.00
Johnstown	98,848,204.00	0.9488	2.6000	93,787.18	257,005.33	0.0000	0.00	350,792.51	0.00
Maple Grove	45,428,113.00	0.8912	3.0000	40,485.53	136,284.34	0.0000	0.00	176,769.87	0.00
Orangeville	132,399,724.00	0.9002	1.4848	119,186.23	196,587.11	0.0000	0.00	315,773.34	0.00
Prairieville	151,135,014.00	0.8594	2.6374	129,885.43	398,603.49	0.0000	0.00	528,488.92	0.00
Rutland	133,765,161.00	0.7469	2.0763	99,909.20	277,736.60	0.0000	0.00	377,645.80	0.00
Thornapple	267,495,488.00	0.9359	1.7500	250,349.03	468,117.10	0.6223	166,462.44	884,928.57	0.00
Woodland	69,498,912.00	0.9133	3.9986	63,473.36	277,898.35	0.0000	0.00	341,371.71	16,288,925.00
Yankee Springs	250,036,479.00	0.8916	0.4977	222,932.52	124,443.16	0.0000	0.00	347,375.68	0.00
Hastings	184,553,087.00	16.0174	0.7500	2,956,060.62	138,414.82	0.0000	0.00	3,094,475.44	0.00
FREEPORT	9,486,847.00	7.8173	0.0000	74,161.53	0.00	0.0000	0.00	74,161.53	0.00
MIDDLEVILLE	91,887,380.00	12.5000	0.0000	1,148,592.25	0.00	0.0000	0.00	1,148,592.25	0.00
NASHVILLE	21,479,932.00	9.3391	13.0747	200,603.23	280,843.67	0.0000	0.00	481,446.90	0.00
WOODLAND	6,843,884.00	7.6876	6.0000	52,613.04	41,063.30	0.0000	0.00	93,676.34	0.00

(A) Authority (Dist. Libraries, DDAs, Transit, Metro, Fire, etc.)	(B) Taxable Value	(C) Total Operating Rate	(D) Est. Authority Oper. Tax Dollars	(E) Total Debt Rate	(F) Est. Authority Debt Tax Dollars	(G) Est. Total Authority Tax Dollars
LIBRARY - FREEPORT DIST.	170,789,479.00	0.4918	83,994.27	0.0000	0.00	83,994.27
LIBRARY - PUTNAM DIST.	106,606,552.00	0.5000	53,303.28	0.0000	0.00	53,303.28
LIBRARY - WILLARD BARRY CO.	4,745,436.00	2.0000	9,490.87	0.0000	0.00	9,490.87

(A) Local K12 School District Name	(B) Total Taxable Value	(C) Total NonHomestead Taxable Value	(D) Total Commercial Personal Taxable Value	(E) HH / Supplemental Rate	(F) Est. HH / Supplemental Tax Dollars	(G) Non Homestead Operating Rate	(H) Est. NH Operating Tax Dollars	(I) Total Debt / Sinking Fund / Bldg Site Rate	(J) Est. Debt / Sinking Fund / Bldg Site Tax Dollars
BELLEVUE COMM SCH DIST	38,178,106.00	4,691,989.00	0.00	0.0000	0.00	18.0000	84,455.80	9.1200	348,184.33
CALEDONIA COMMUNITY SCHOOLS	13,005,535.00	1,229,093.00	0.00	0.0000	0.00	18.0000	22,123.67	7.0000	91,038.74
DELTON KELLOGG SCHOOL DIST	456,377,739.00	150,123,294.00	2,446,400.00	0.0000	0.00	17.9334	2,706,736.55	5.0500	2,304,707.58
GULL LAKE COMMUNITY SCHOOLS	93,320,764.00	19,445,294.00	199,600.00	0.0000	0.00	18.0000	351,212.89	4.6871	437,403.75
HASTINGS AREA SCHOOL DIST.	552,003,675.00	162,937,036.00	9,262,400.00	0.0000	0.00	17.9262	2,975,732.72	9.1500	5,050,833.63
LAKEWOOD PUBLIC SCHOOLS	107,626,785.00	19,805,391.00	973,900.00	0.0000	0.00	18.0000	362,340.44	7.0000	867,409.97
MAPLE VALLEY SCHOOL DISTRICT	89,934,824.00	20,583,178.00	570,500.00	0.0000	0.00	18.0000	373,920.20	7.0000	629,543.77
MARTIN PUBLIC SCHOOLS	10,413,909.00	2,429,971.00	0.00	0.0000	0.00	18.0000	43,739.48	7.0000	72,897.36
PENNFIELD SCHOOL DISTRICT	4,745,436.00	840,185.00	2,700.00	0.0000	0.00	18.0000	15,139.53	10.6000	50,301.62
PLAINWELL COMMUNITY SCHOOLS	4,171,663.00	575,763.00	0.00	0.0000	0.00	18.0000	10,363.73	7.2800	30,369.71
THORNAPPLE KELLOGG SCH DIST	537,395,400.00	132,480,310.00	3,469,900.00	0.0000	0.00	18.0000	2,405,464.98	9.6500	5,185,865.61
TR-PENN FROM BELLEVUE	120,772.00	0.00	0.00	0.0000	0.00	18.0000	0.00	17.8500	2,155.78
WAYLAND UNION SCHOOLS	87,899,102.00	30,161,542.00	459,000.00	0.0000	0.00	18.0000	545,661.76	8.4000	738,352.46

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(BB)
Community College Name	Taxable Value	Total Operating Rate	Est. Community College Oper. Tax Dollars	Total Debt Rate	Est. Community College Debt Tax Dollars	Est. Total Community College Tax Dollars	Total RenZone Taxable Value
GRAND RAPIDS CC	550,400,935.00	1.7865	983,291.27	0.0000	0.00	983,291.27	0.00
KALAMAZOO VALLEY CC	93,320,764.00	2.8135	262,557.97	0.0000	0.00	262,557.97	0.00
KELLOGG CC	4,984,261.00	3.6136	18,011.13	0.0000	0.00	18,011.13	0.00

(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)
Intermediate School District Name	Taxable Value	ISD Allocated Rate	Est. ISD Allocated Tax Dollars	ISD Total EV Operating Rate	Est. ISD EV Operating (Spec Ed/Voc/Enh) Tax Dollars	ISD Total Debt Rate	Est. ISD Debt Tax Dollars
ALLEGAN	102,484,674.00	0.1157	11,857.48	4.8300	495,000.98	0.0000	0.00
BARRY	1,008,381,414.00	0.1193	120,299.90	1.8244	1,839,691.05	0.0000	0.00
CALHOUN	43,162,367.00	0.2519	10,872.60	5.9538	256,980.10	0.0000	0.00
EATON	89,934,824.00	0.1843	16,574.99	3.6935	332,174.27	0.0000	0.00
IONIA (LAKEWOOD SD) NO VOC ED	107,626,785.00	0.1318	14,185.21	4.3378	466,863.47	0.0000	0.00
KALAMAZOO	93,320,764.00	0.1446	13,494.18	5.8970	550,312.55	0.3650	34,062.08
KENT	550,400,935.00	0.0898	49,426.00	4.7005	2,587,159.59	0.0000	0.00

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: November 22nd, 2016, Committee of the Whole

DEPARTMENT: Animal Shelter

PREPARED BY: Billie Jo Hartwell

SUBJECT: Crematorium

SPECIFIC ACTION(S) REQUESTED: To recommend to the Board of Commissioners approval to remove the crematorium at the Barry County Animal Shelter, due to safety issues, and to start using Noah's Pet Cemetery for future cremations.

SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):

DESCRIPTION OF ACTION: The crematorium was purchased used in 2007 for a total price of \$28,177.93. Over the years the crematorium's condition has drastically deteriorated causing safety issues and requiring parts to be replaced consistently, for example the grates inside need to be replaced every 3-4 months at a cost of \$500 for 3 of them. The last several months the crematorium has been running either too cold (making it so we have to run it 4 times longer than we should have to) or too hot (causing 5 foot flames to shoot out of the chimney, front of the crematorium and the back of the crematorium which is a fire hazard). I notified the company where we had purchased the crematorium from (FC Industries) to see about an inspection for the crematorium, at which time I was requested to send pictures of the crematorium. They then instructed me the crematorium was not worth fixing, as the sides of the crematorium had bubbled.

The replacement cost for a new crematorium range from \$40,000 (used) to \$77,000 new. The cost to replace the exact unit we have is \$59,450. Due to the shelter now being low euthanasia, I do not feel spending this kind of money is necessary. Noah's Pet Cemetery will service all the needs of the County and the Shelter will still be able to provide cremation services to the County Residents.

TIME FRAME OF ACTION: Removal of crematorium in spring, but use of Noah's Pet Cemetery immediately.

FUNDING REQUIRED: YES _____ NO X _____

IF YES, ANSWER THE FOLLOWING:

1. FUNDING SOURCE (Federal, State, or Local) Local _____
2. IF LOCAL, SPECIFY FUND: _____
3. AMOUNT REQUESTED: _____
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) _____
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: _____

PERSONNEL IF REQUIRED: None

NEW OR RENEWAL:

ANY OTHER PERTINENT INFORMATION: See attached emails between myself and FC Industries. Also, the pricing for Noah's Pet Cemetery.

CONTACT PERSON WITH PHONE NUMBER: Billie Jo Hartwell ext 1700 Or 269-948-4885.

BARRY COUNTY ANIMAL CONTROL

540 N INDUSTRIAL PARK RD

HASTINGS MI 49058

(269) 948-4885



SEPTEMBER 7, 2007

CREMATORY COST
FROM DONATION FUND

4/11/07	F C INDUSTRIES INC	DOWN PAYMENT	\$8,904.50
7/10/07	F C INDUSTRIES INC	BALANCE	\$11,063.50
2/22/07	CITY OF HASTINGS		\$300.00
7/30/07	CONSUMERS ENERY		\$850.00
8/1/07	BRUSH WORKS		\$272.00
8/2/07	COLIN CRUTTENDEN ELECTRIC		\$1,287.00
8/28/07	COLIN CRUTTENDEN ELECTRIC		\$280.80
8/30/07	BARRY CO ROAD COMMISSION		\$65.34
9/7/07	HASTINGS AUTOMATIC HEATING		\$5,154.79
			<hr/>
TOTAL			\$28,177.93

Billie Jo Hartwell

From: Billie Jo Hartwell
Sent: Friday, October 28, 2016 1:56 PM
To: 'Ty Mead'
Subject: RE: Crematory

Great! Thank you!!

Billie Jo Hartwell, Director
Barry County Animal Shelter
540 N Industrial Pk Dr
Hastings, MI 49058
269-948-4885

-----Original Message-----

From: Ty Mead [<mailto:tmead@fcindustries.net>]
Sent: Friday, October 28, 2016 1:52 PM
To: Billie Jo Hartwell
Subject: Re: Crematory

The pictures confirm it is not worth fixing

On 10/28/2016 12:42 PM, Billie Jo Hartwell wrote:

> Hello Ty-

>

> Here is all the pics of our crematorium. If you could review them and send me an email back letting me know what you think I would appreciate it.

>

>

> Thank you,

> Billie Jo Hartwell, Director

> Barry County Animal Shelter

> 540 N Industrial Pk Dr

> Hastings, MI 49058

> 269-948-4885

>

>

>

>

> -----Original Message-----

> From: Ty Mead [<mailto:tmead@fcindustries.net>]

> Sent: Friday, October 28, 2016 12:54 PM

> To: Billie Jo Hartwell

> Subject: Crematory

>

> Attached is pricing for some possible replacement units. You can see the units on our site.

>

> Thanks,

FC Industries, Inc.
 13508 Oak St.
 Kansas City, MO 64145
 Ph: 816-941-2009
 800-345-0847

EQUIPMENT PRICING

Effective Jan. 1, 2016

	Therm-Tec <u>S-27-G</u> * ⁴	Therm-Tec <u>S-27-T</u> * ⁵	Firelake <u>C6-200</u>	Firelake <u>P16-2GN-T</u>
Batch Load Capacity * ¹	200 lbs.	450 lbs.	200 lbs.	400 lbs.
Unit Only * ²	\$49,900.00	\$47,750.00	\$32,750.00	\$49,750.00
Chart Recorder, Indoor Rated * ³	2,550.00	2,550.00	2,950.00	2,950.00
Freight	2,500.00	2,500.00	1,400.00	2,400.00
Start-Up & Tech. Service	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>
TOTAL	\$59,300.00	\$57,150.00	\$41,450.00	\$59,450.00

*¹ All models are versatile and efficient for conducting the stated batch load capacity, and private or segregated individual cremations.

*² Includes clean-out tools.

*³ Required by State air quality agency to record the secondary temperature. For outdoor rated add \$700.00.

*⁴ Typically used for witnessed private cremations and segregated individual cremations.

*⁵ Most common unit purchased for start-up cremation service.

OPTIONAL EQUIPMENT

BB-1 cremains processor; 110 volt or 220 volt	\$3,150.00
Elevating table and dust collection accessories	<u>\$ 545.00</u>
TOTAL	\$3,695.00

FC Industries, Inc.
 13508 Oak St.
 Kansas City, MO 64145
 Ph: 816-941-2009
 800-345-0847

EQUIPMENT PRICING

Effective Jan. 1, 2016

	<u>S-18</u>	<u>S-27</u>	<u>S-27-GF</u> * ⁴	<u>G-12-PF</u> * ⁴	<u>S-27-T</u> * ⁵
Batch Load Capacity * ¹	300 lbs.	400 lbs.	200 lbs.	1,100 lbs.	450 lbs.
Unit Only * ²	\$38,750.00	\$43,750.00	\$51,750.00	\$66,850.00	\$47,750.00
Chart Recorder, Indoor Rated * ³	2,550.00	2,550.00	2,550.00	2,550.00	2,550.00
Freight	2,500.00	2,500.00	2,500.00	3,100.00	2,500.00
Start-Up & Tech. Service	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>
TOTAL	\$48,150.00	\$53,150.00	\$61,150.00	\$76,850.00	\$57,150.00

*¹ All models are versatile and efficient for conducting the stated batch load capacity, and private or segregated individual cremations.

*² Includes clean-out tools.

*³ Required by State air quality agency to record the secondary temperature. For outdoor rated add \$700.00.

*⁴ Typically used for witnessed private cremations and segregated individual cremations.

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OPTIONAL EQUIPMENT

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Elevating table and dust collection accessories	<u>\$ 545.00</u>
TOTAL	\$3,695.00

FC Industries, Inc.
 13508 Oak St.
 Kansas City, MO 64145
 Ph: 816-941-2009
 800-345-0847

10/28/2016

EQUIPMENT PRICING

Effective Jan. 1, 2016

	<u>S-18</u>	<u>S-27</u>	<u>S-27-G</u> * ⁴	<u>S-27-GM</u> * ⁴	<u>S-27-T</u> * ⁵
Batch Load Capacity * ¹	300 lbs.	400 lbs.	200 lbs.	300 lbs.	450 lbs.
Unit Only * ²	\$38,750.00	\$43,750.00	\$49,900.00	\$54,700.00	\$47,750.00
Chart Recorder, Indoor Rated * ³	2,550.00	2,550.00	2,550.00	2,550.00	2,550.00
Freight	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
Start-Up & Tech. Service	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>	<u>4,350.00</u>
TOTAL	\$48,150.00	\$53,150.00	\$59,300.00	\$64,100.00	\$57,150.00

*¹ All models are versatile and efficient for conducting the stated batch load capacity, and private or segregated individual cremations.

*² Includes clean-out tools.

*³ Required by State air quality agency to record the secondary temperature. For outdoor rated add \$700.00.

*⁴ Typically used for witnessed private cremations and segregated individual cremations.

*⁵ Most common unit purchased for start-up cremation service.

OPTIONAL EQUIPMENT

BB-1 cremains processor; 110 volt or 220 volt	\$3,150.00
Elevating table and dust collection accessories	<u>\$ 545.00</u>
TOTAL	\$3,695.00

Noah's Pet Cemetery

Communal Cremation NO RETURN

	Clinic Price	Owner Price
Pocket pets	\$10.00	\$15.00
up to 25lbs	\$20.00	\$30.00
26 - 74	\$45.00	\$55.00
75 - 124	\$65.00	\$75.00
125 - 150	\$85.00	\$95.00
over 150	\$85.00	\$95.00 plus \$1.00 per lb over 150
alpaca, lama, min-horse etc	\$110.00	\$135.00

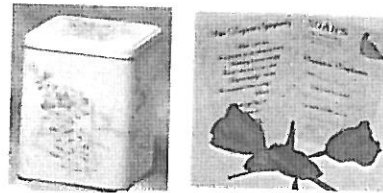
1- 10⁰⁰
15⁰⁰

Semi-Private

pocket pets ferrets, mice, rats,
guinea pig, small birds etc.

	Clinic Price	Owner Price
up to 12lb's	\$15.00	\$25.00
13 - 25	\$30.00	\$40.00
26 - 50	\$48.00	\$63.00
51 - 75	\$62.00	\$81.00
76 - 100	\$78.00	\$101.00
101 - 125	\$100.00	\$130.00
126 - 150	\$115.00	\$150.00
over 150	\$131.00	\$170.00 plus \$1.00 per lb over 150
alpaca, lama, min-horse etc	\$200.00	\$250.00
package add	\$45.00	\$45.00

Semi-Private includes a decorative tin, certificate of cremation & sympathy card

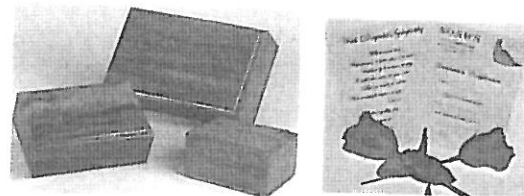


Private

pocket pets ferrets, mice, rats,
guinea pig, small birds etc.

	Clinic Price	Owner Price
up to 12lb's	\$65.00	\$75.00
13 - 25	\$80.00	\$90.00
26 - 50	\$98.00	\$113.00
51 - 75	\$112.00	\$131.00
76 - 100	\$128.00	\$151.00
101 - 125	\$150.00	\$180.00
126 - 150	\$165.00	\$200.00
over 150	\$181.00	\$220.00 plus \$1.00 per lb over 150
alpaca, lama, min-horse etc	\$250.00	\$300.00
Package add	\$45.00	\$45.00

Private cremation includes a "Teak Wood" wooden urn, certificate of cremation, & Sympathy card



Clay Paw Print Each

Optional

\$8.00 \$8.00

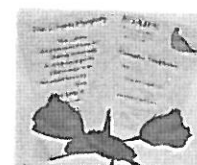
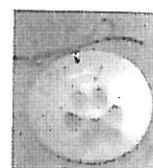
Urn Name Plate

\$12.00 \$15.00



Ionia
"My Little Girl"

Package includes Photo Urn and Clay Paw Print (burch color)



AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: COW/November 22nd, 2016

DEPARTMENT: Planning

PREPARED BY: James McManus, AICP
Director, Planning & Zoning

SUBJECT: Henney Farmland Preservation Request (PA 116)

SPECIFIC ACTION(S) REQUESTED:

To recommend to the Board of Commissioners approval of the Michigan Department of Agriculture Farmland and Open Space Preservation Program applications (more commonly known as PA 116) 16-11 and 16-12 for Matthew and Rachelle Henney in Section 1 of Castleton Township.

SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):

DESCRIPTION OF ACTION:

On October 24th, 2016, The Barry County Planning Commission reviewed the request and recommended that it be approved.

TIME FRAME OF ACTION: Immediate

FUNDING REQUIRED: YES _____ NO x _____

IF YES, ANSWER THE FOLLOWING:

1. FUNDING SOURCE (Federal, State, or Local) _____
2. IF LOCAL, SPECIFY FUND: _____
3. AMOUNT REQUESTED: _____
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) _____
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: _____

PERSONNEL IF REQUIRED: None

NEW OR RENEWAL: New

ANY OTHER PERTINENT INFORMATION:

CONTACT PERSON WITH PHONE NUMBER:

James McManus, Director, Barry County Planning & Zoning – 269-945-1290



**FARMLAND AND OPEN SPACE
PRESERVATION PROGRAM**

Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

OFFICIAL USE ONLY

Local Governing Body: _____

Date Received 9-26-16

Application No: 16-11

State: _____

Date Received _____

Application No: _____

Approved: _____ Rejected _____

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

I. Personal Information:

1. Name(s) of Applicant: Henney Matthew J.
Last First Initial

(If more than two see #15) Henney Rachelle L.
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 3623 W. Needmore Hwy. Charlotte MO 64613
Street City State Zip Code

3. Telephone Number: (Area Code) 517 749-1267

4. Alternative Telephone Number (cell, work, etc.): (Area Code) 517 507-6586

5. E-mail address: Rachellehenney@gmail.com

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Barry 7. Township, City or Village: Carleton

8. Section No. 1 Town No. 3 Range No. 7

III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: _____

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: _____

Name the types of mineral(s) involved: _____

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: _____

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers): _____

Name: _____

Address: _____

Street

City

State

Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date _____

Signature of Land Contract Vendor(s) (Seller) _____

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land
☐ Corporation ☐ Limited Liability Company ☐ Partnership
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

- IV. Land Eligibility Qualifications: Check one and fill out correct section(s)
This application is for:

☒ a. 40 acres or more → complete only Section 16 (a thru g);
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

_____ Cash crops
 b. Total number of acres on this farm 89.67
 c. Total number of acres being applied for (if different than above): _____
 d. Acreage in cultivation: 74
 e. Acreage in cleared, fenced, improved pasture, or harvested grassland: _____
 f. All other acres (swamp, woods, etc.) 15.67 Woods
 g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings _____ Residence: _____ Barn: _____ Tool Shed: _____
 Silo: _____ Grain Storage Facility: _____ Grain Drying Facility: _____
 Poultry House: _____ Milking Parlor: _____ Milk House: _____
 Other: (Indicate) _____

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ 21,534.⁰⁰ : 74 = \$ 291. (per acre)
 total income total acres of tillable land

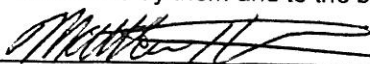
18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ _____

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

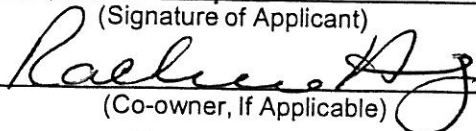
19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.



(Signature of Applicant)



(Co-owner, If Applicable)

9-17-2016

(Date)

(Corporate Name, If Applicable)

(Signature of Corporate Officer)

(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: _____ (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: _____

☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: _____

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: _____

Property Appraisal: \$ _____ is the current fair market value of the real property in this application.

II. Please verify the following:

____ Upon filing an application, clerk issues receipt to the landowner indicating date received.

____ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909

***Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (sending a copy to reviewing agencies is required):

COPY SENT TO:

____ County or Regional Planning Commission

____ Conservation District

____ Township (if county has zoning authority)

____ City (if land is within 3 miles of city boundary)

____ Village (if land is within 1 mile of village boundary)

**Before forwarding to State Agency,
FINAL APPLICATION SHOULD INCLUDE:**

____ Copy of Deed or Land Contract (most recent showing current ownership)

____ Copy of most recent Tax Bill (must include tax description of property)

____ Map of Farm

____ Copy of most recent appraisal record

____ Copy of letters from review agencies (if available)

____ Any other applicable documents

Questions? Please call Farmland Preservation at (517) 284-5663

Map of Farm with Structures and Natural Features:

- A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft² (1 mile²) Section)
B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

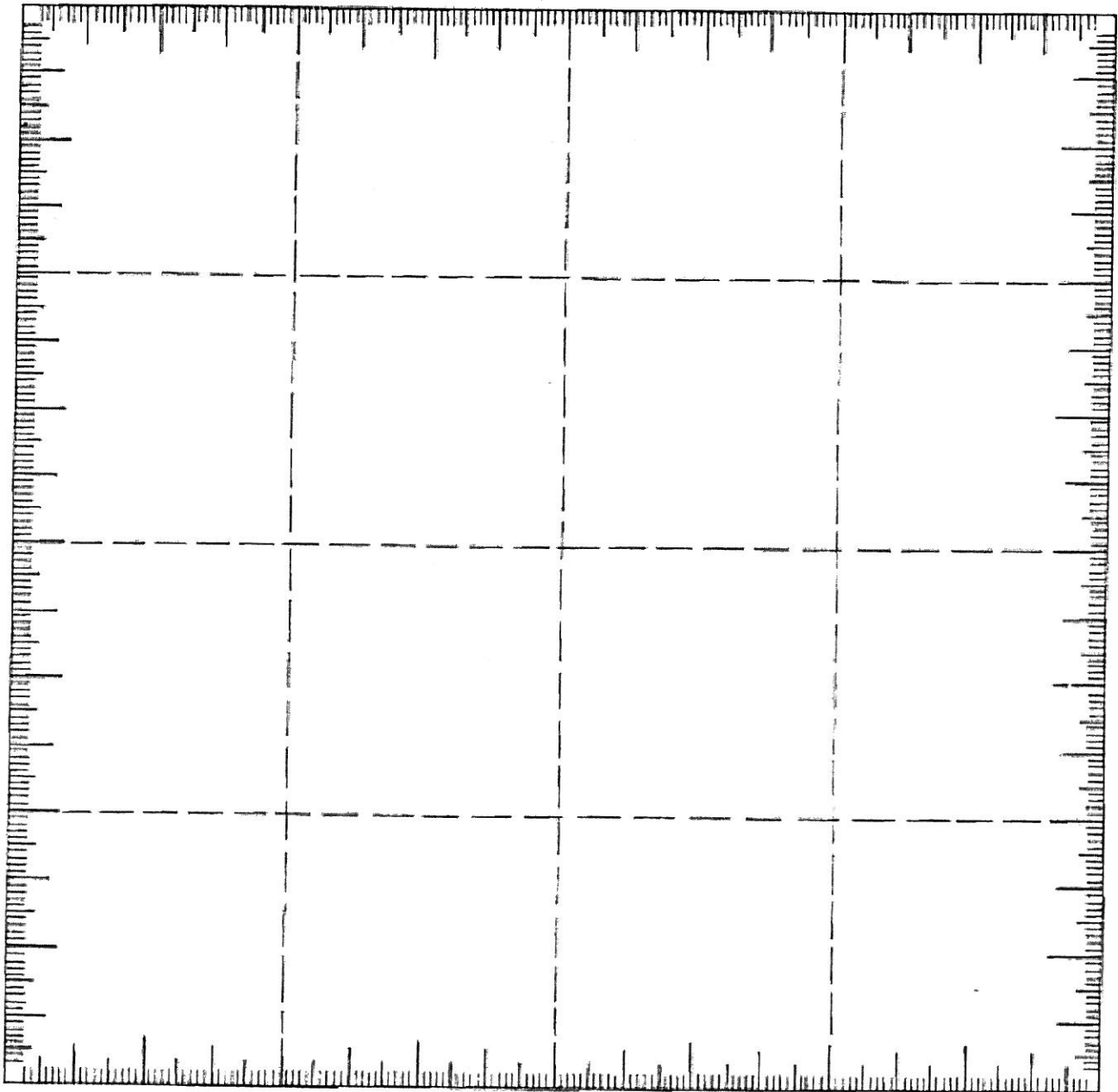
Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

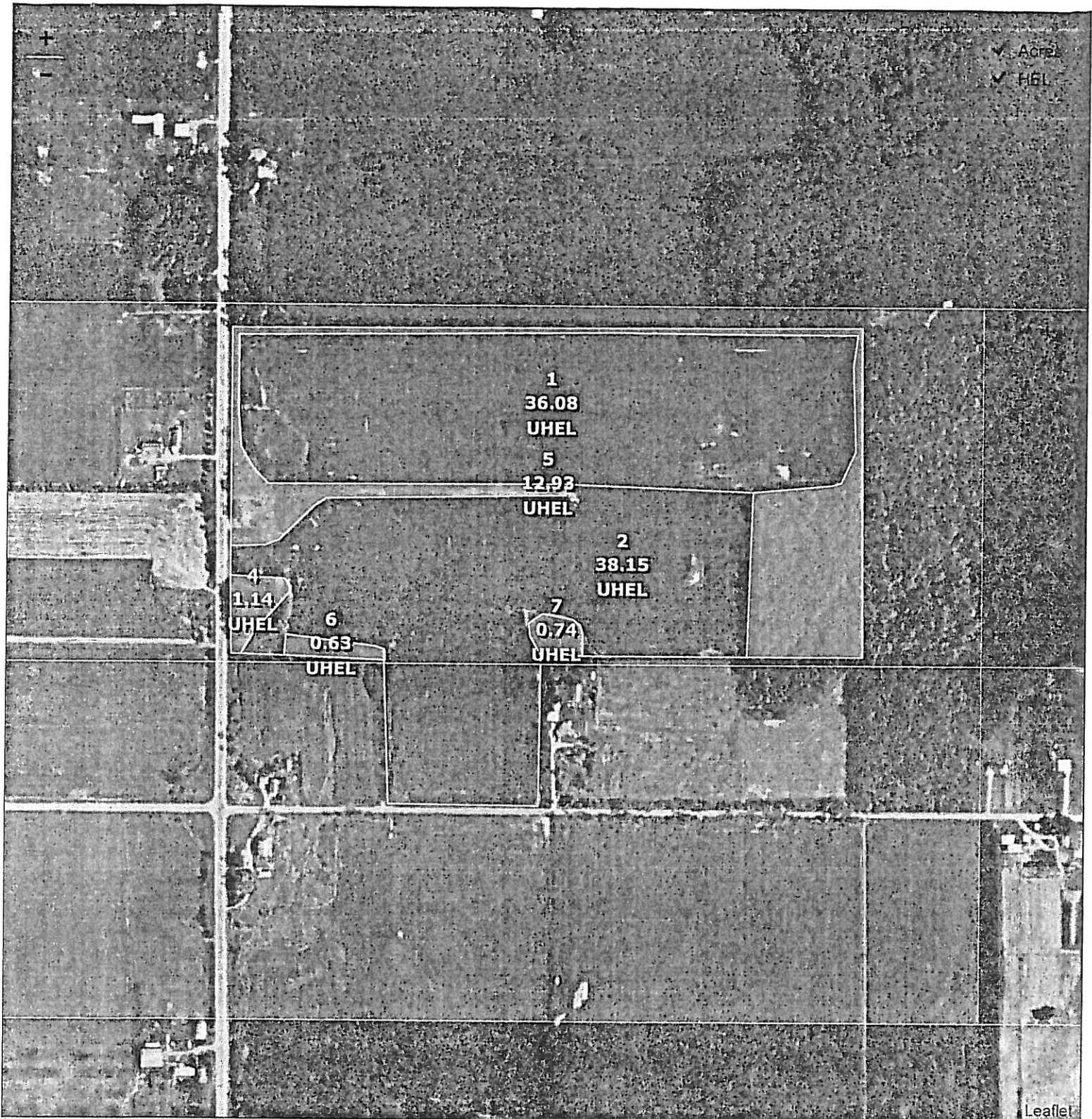
County Barry

Township Castleton

T 1 R 3 Section 7

↑ North





Common Land Unit
 Cropland Non-cropland CRP

Farm 9575
Tract 8009

Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

2016 Crop Year



Tract Page: 1 of 1

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

<https://intranet-apps.fsa.usda.gov/cars/setupReports.do?dispatchTo=report&report=fsa578Map&farmNum...> 9/9/2016

RECEIVED FOR RECORDING

Register of Deeds, Barry County, MI

On this Date 01/21/2014 At this time 3:58 p.m.

Hastings, Michigan Feb 10, 2014
Barry County, Treasurer's Office

I hereby certify that there are no tax liens or titles on the lands herein described and that all taxes have been fully paid for the five years preceding the date of said instrument. This certificate does not apply to taxes, now in process of collection by township or city or village collecting officers.

[Signature] County Treasurer

RECEIVED FOR RECORDING

Register of Deeds, Barry County, MI

On this Date 02/10/2014 At this time 10:45 a.m.

WARRANTY DEED

MONELLA, LLC, a Michigan Limited Liability Company, whose address is 8796 Riverside Drive, Brighton, Michigan 48116 (Grantor) conveys and warrants to MATTHEW J. HENNEY and RACHELLE L. HENNEY, husband and wife, whose address is 3623 W. Needmore Highway, Charlotte, Michigan 48817, (Grantee) the following premises situated in Township of Castleton, County of Barry, Michigan, described as:

Land situated in the Township of Castleton, County of Barry and State of Michigan to wit:

The North 1/2 of the South 1/2 of the Southwest 1/4 of Section 1, Town 3 North, Range 7 West, EXCEPTING THEREFROM, commencing at the Northwest corner of the North 1/2 of the South 1/2 of the Southwest 1/4 of said Section 1, Town 3 North, Range 7 West, (the point of beginning) thence South in the Center of the highway 175 feet. Thence East 212 feet, thence North 175 feet, thence West 212 feet to the point of beginning, containing 39.15 acres, more or less, Castleton Township, Barry County, Michigan, being Tax Parcel ID# 08-05-001-075-00

Also: The South 1/2 of the North 1/2 of the Southwest 1/4 of Section 1, Town 3 North, Range 7 West, Castleton Township, Barry County, Michigan, being Tax Parcel ID# 08-05-001-060.

Also: 10 Acres of land described as Commencing at the Southwest corner of the Southwest 1/4 of Section 1, Town 3 North, Range 7 West, thence East 40 rods to the place of beginning thence North 40 rods, thence East 40 rods, thence South 40 rods, thence West 40 rods to the place of beginning, being in Town 3 North, Range 7 West, Castleton Township, Barry County, Michigan, being Tax Parcel ID# 08-05-001-065-00

All parcels totaling approximately 89.15 acres

OFFICIAL SEAL Barry County Register of Deeds, MI
2014-001196 DW

02/10/2014 02:52 PM Page 1 of 1 Fees: \$14.00



for FIVE HUNDRED SIXTY THOUSAND, TWO HUNDRED EIGHTY-THREE AND 00/100 DOLLARS (\$560,283.00) subject to easements and building and use restrictions of record and further subject to any encumbrances that have arisen under or through Grantee since January 21, 2013, the date of the land contract pursuant to which this deed is given in fulfillment of and termination of the land contract.

Grantor grants to Grantee the right to make all divisions under section 108 of the Land Division Act, MCL 560.108.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices that may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

MONELLA, LLC

Dated: 1-15-14

By: *[Signature]*
Sallea Tisch, Member

STATE OF MICHIGAN)

COUNTY OF Barry)SS

The foregoing instrument was acknowledged before me on January 15, 2014, by Sallea Tisch, Member of Monella, LLC, a Michigan limited liability company, on behalf of the limited liability company.

encumbrances that have arisen under or through Grantee since January 21, 2013, the date of the land contract pursuant to which this deed is given in fulfillment of and termination of the land contract.

Grantor grants to Grantee the right to make all divisions under section 108 of the Land Division Act, MCL 560.108.

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MONELLA, LLC

Dated: 1.15.14

By: Sallea Tisch
Sallea Tisch, Member

STATE OF MICHIGAN

COUNTY OF Barry)
SS

The foregoing instrument was acknowledged before me on January 15, 2014 by Sallea Tisch, Member of Monella, LLC, a Michigan limited liability company, on behalf of the limited liability company.

DARCY J. WELTON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF BARRY

My Commission Expires October 19, 2015
Acting in the County of Barry

Darcy J. Welton
_____, Notary Public
_____, County, Michigan

My commission expires: _____
Acting in _____ County, Michigan

Prepared by and when recorded return to:

Frank J. Mancuso, Jr.
MANCUSO & CAMERON PC
722 East Grand River Avenue
Brighton, MI 48116
(810) 225-3300

State Transfer Tax _____
County Transfer Tax _____
Recording Fee _____

2014-001196 Receipt# 14-915
02/10/2014 02:52 PM Barry County, MI
Real Estate Transfer Tax
County Tax: \$616.55 State Tax: \$4203.75



MESSAGE TO TAXPAYER

TAXES ARE DUE SEP 14, 2015. PAY BY MAIL OR AT TOWNSHIP HALL ON MONDAYS 9AM-4PM (EXCEPT AUG 10 AND HOLIDAYS); OTHER TIMES BY APPOINTMENT. FOR YOUR CONVENIENCE, COLLECTING AT HALL ON SATURDAY, SEP 12 (9-NOON) AND ON MONDAY SEP 14 TILL 5PM. WHEN PAYING BY MAIL, INCLUDE SASE FOR RECEIPT. NON-SUFFICIENT FUNDS VOID PAYMENT. BRING EXACT CHANGE WHEN PAYING WITH CASH. DROP BOX IS AVAILABLE--PLEASE NO CASH IN BOX. QUESTIONS? CALL 517-852-9479 OR 517-852-4212(C).

PAYMENT INFORMATION

This tax is due by: 09/14/2015

Pay by mail to: CASTLETON TOWNSHIP
DOROTHY SEMRAU, TREASURER
PO BOX 679, 915 REED STREET
NASHVILLE, MI 49073

PROPERTY INFORMATION

Property Assessed To:
HENNEY MATTHEW & RACHELLE
3623 W NEEDMORE HWY
CHARLOTTE, MI 48813

MAPLE VALLEY

School: 23065

Prop #: 0805-001-075-00

Prop Addr: 6602 HAGER RD

QUALIFIED AGRICULTURAL PROPERTY EXEMPTION

Legal Description:

N 1/2 S 1/2 SW 1/4 SEC 1-3-7 EX COM NW COR N 1/2 S 1/2 SW 1/4 SEC 1
TH S IN CEN HWY 175 FT TH E 212 FT TH N 175 FT TH W 212 FT POB 39.15
ACRES

TAX DETAIL

Taxable Value:	15,358	AGRICULTURAL
State Equalized Value:	56,400	Class: 101
PRE/MBT %:	100.0000	

Mort Code:

Taxes are based upon Taxable Value.
1 mill equals \$1.00 per \$1000 of Taxable Value.
Amounts with no millage are either Special
Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
STATE EDUC TAX	6.00000	92.14
COUNTY OPERATING	5.42960	83.38

PAID
FEB 27 2016

BY: Ch 3112

Dorothy Semrau
Treasurer

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County:	JANUARY 1	-	DECEMBER 31
Twn/Cty:	APRIL 1	-	MARCH 31
School:	JULY 1	-	JUNE 30
State:	OCTOBER 1	-	SEPTEMBER 30

Does NOT affect when the tax is due or its amount

Total Tax	11.42960	175.52
Administration Fee		1.75
TOTAL AMOUNT DUE		177.27

Please detach along perforation. Keep the top portion.

MESSAGE TO TAXPAYER

TAXES ARE DUE SEP 14, 2015. PAY BY MAIL OR AT TOWNSHIP HALL ON MONDAYS 9AM-4PM (EXCEPT AUG 10 AND HOLIDAYS); OTHER TIMES BY APPOINTMENT. FOR YOUR CONVENIENCE, COLLECTING AT HALL ON SATURDAY, SEP 12 (9-NOON) AND ON MONDAY SEP 14 TILL 5PM. WHEN PAYING BY MAIL, INCLUDE SASE FOR RECEIPT. NON-SUFFICIENT FUNDS VOID PAYMENT. BRING EXACT CHANGE WHEN PAYING WITH CASH. DROP BOX IS AVAILABLE—PLEASE NO CASH IN BOX. QUESTIONS? CALL 517-852-9479 OR 517-852-4212(C).

PAYMENT INFORMATION

This tax is due by: 09/14/2015

Pay by mail to: CASTLETON TOWNSHIP
DOROTHY SEMRAU, TREASURER
PO BOX 679, 915 REED STREET
NASHVILLE, MI 49073

PROPERTY INFORMATION

Property Assessed To:
HENNEY MATTHEW & RACHELLE
3623 W NEEDMORE HWY
CHARLOTTE, MI 48813

MAPLE VALLEY

Prop #: 0805-001-060-00

School: 23065

Prop Addr: 6602 HAGER RD

QUALIFIED AGRICULTURAL PROPERTY EXEMPTION

Legal Description:

S 1/2 N 1/2 SW 1/4 SEC 1-3-7 40 ACRES

TAX DETAIL

Taxable Value:	18,555	AGRICULTURAL
State Equalized Value:	64,700	Class: 101
PRE/MBT %:	100.0000	
		Mort Code:

Taxes are based upon Taxable Value.
1 mill equals \$1.00 per \$1000 of Taxable Value.
Amounts with no millage are either Special
Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
STATE EDUC TAX	6.00000	111.33
COUNTY OPERATING	5.42960	100.74

PAID
FEB 27 2016

BY: Ch # 3112

Dorothy Semrau
Treasurer

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County:	JANUARY 1	-	DECEMBER 31
Twn/Cty:	APRIL 1	-	MARCH 31
School:	JULY 1	-	JUNE 30
State:	OCTOBER 1	-	SEPTEMBER 30

Does NOT affect when the tax is due or its amount

Total Tax	11.42960	212.07
Administration Fee		2.12

TOTAL AMOUNT DUE		214.19
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Please detach along perforation. Keep the top portion.

MESSAGE TO TAXPAYER

PAY TAXES EITHER BY MAIL, OR AT THE TOWNSHIP HALL ON MONDAYS 9AM-4PM (EXCEPT HOLIDAYS), OR BY APPOINTMENT. ALSO COLLECTING AT THE HALL SAT, FEBRUARY 27TH, 9AM-NOON, & MON, FEBRUARY 29TH, 9AM-5PM. BRING CORRECT CHANGE IF PAYING WITH CASH. DROP BOX IS AVAILABLE--PLEASE NO CASH IN BOX. WHEN MAILING PAYMENT, INCLUDE SASE FOR RECEIPT. NON-SUFFICIENT FUNDS VOID PAYMENT. ALL SUMMER AND WINTER TAXES WILL BE COLLECTED AT THE TOWNSHIP THROUGH FEBRUARY 29TH. QUESTIONS? CALL 517-852-9479 OR 517-852-4212(C)

PAYMENT INFORMATION

This tax is due by: 02/29/2016

Pay by mail to: CASTLETON TOWNSHIP
DOROTHY SEMRAU, TREASURER
PO BOX 679, 915 REED STREET
NASHVILLE, MI 49073

Princ. Residence Exemption Has Reduced Bill By: 276.44
~~SUMMER TAXES OWING~~

PROPERTY INFORMATION

Property Assessed To:
HENNEY MATTHEW & RACHELLE
3623 W NEEDMORE HWY
CHARLOTTE, MI 48813

MAPLE VALLEY

Prop #: 0805-001-075-00

School: 23065

Prop Addr: 6602 HAGER RD

QUALIFIED AGRICULTURAL PROPERTY EXEMPTION

Legal Description:

N 1/2 S 1/2 SW 1/4 SEC 1-3-7 EX COM NW COR N 1/2 S 1/2 SW 1/4 SEC 1 TH S IN CEN HWY 175 FT TH E 212 FT TH N 175 FT TH W 212 FT POB 39.15 ACRES

TAX DETAIL

Taxable Value: 15,358 AGRICULTURAL
State Equalized Value: 56,400 Class: 101
PRE/MBT %: 100.0000

Mort Code:

Taxes are based upon Taxable Value.
1 mill equals \$1.00 per \$1000 of Taxable Value.
Amounts with no millage are either Special
Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
CH PARK VOTED	0.22590	3.46
C.O.A. VOTED	0.49070	7.53
E911 VOTED	0.87500	13.43
TRANSIT VOTED	0.24810	3.81
TH MANOR DEBT	0.70830	10.87
TWP ALLOCATED	0.88770	13.63
FIRE EQUIP VOTED	0.50000	7.67
AMB EQUIP VOTED	0.20000	3.07
EMS OPER VOTED	1.00000	15.35
PUTNAM LIBRARY	0.50000	7.67
MAPLE VAL OPER	18.00000	EXEMPT
MAPLE VAL DEBT	7.00000	107.50
EATON ISD OPER	0.18430	2.83
EATON ISD SP ED	2.77040	42.54
EATON ISD VOC ED	0.82310	14.17

PAID
FEB 27 2016

BY: Ch H 3/12

Total Tax	34.51350	253.53
Administration Fee		2.53
TOTAL AMOUNT DUE		256.06

Dorothy Semrau
Treasurer

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: JANUARY 1 - DECEMBER 31
Twn/Cty: APRIL 1 - MARCH 31
School: JULY 1 - JUNE 30
State: OCTOBER 1 - SEPTEMBER 30
Does NOT affect when the tax is due or its amount

Please detach along perforation. Keep the top portion.

MESSAGE TO TAXPAYER

PAY TAXES EITHER BY MAIL, OR AT THE TOWNSHIP HALL ON MONDAYS 9AM-4PM (EXCEPT HOLIDAYS), OR BY APPOINTMENT. ALSO COLLECTING AT THE HALL SAT, FEBRUARY 27TH, 9AM-NOON, & MON, FEBRUARY 29TH, 9AM-5PM. BRING CORRECT CHANGE IF PAYING WITH CASH. DROP BOX IS AVAILABLE--PLEASE NO CASH IN BOX. WHEN MAILING PAYMENT, INCLUDE SASE FOR RECEIPT. NON-SUFFICIENT FUNDS VOID PAYMENT. ALL SUMMER AND WINTER TAXES WILL BE COLLECTED AT THE TOWNSHIP THROUGH FEBRUARY 29TH. QUESTIONS? CALL 517-852-9479 OR 517-852-4212(C)

PAYMENT INFORMATION

This tax is due by: 02/29/2016

Pay by mail to: CASTLETON TOWNSHIP
DOROTHY SEMRAU, TREASURER
PO BOX 679, 915 REED STREET
NASHVILLE, MI 49073

Princ. Residence Exemption Has Reduced Bill By: 89.06

~~SUMMER TAXES~~ OWING

PROPERTY INFORMATION

Property Assessed To:
HENNEY MATTHEW & RACHELLE
3623 W NEEDMORE HWY
CHARLOTTE, MI 48813

MAPLE VALLEY

Prop #: 0805-001-065-00

School: 23065

Prop Addr: 6602 HAGER RD

QUALIFIED AGRICULTURAL PROPERTY EXEMPTION

Legal Description:

E 1/2 W 1/2 S 1/2 S 1/2 SW 1/4 SEC 1-3-7 10 ACRES

TAX DETAIL

Taxable Value:	4,948	AGRICULTURAL
State Equalized Value:	20,700	Class: 101
PRE/MBT %:	100.0000	

Mort Code:

Taxes are based upon Taxable Value.
1 mill equals \$1.00 per \$1000 of Taxable Value.
Amounts with no millage are either Special
Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
CH PARK VOTED	0.22590	1.11
C.O.A. VOTED	0.49070	2.42
E911 VOTED	0.87500	4.32
TRANSIT VOTED	0.24810	1.22
TH MANOR DEBT	0.70830	3.50
TWP ALLOCATED	0.88770	4.39
FIRE EQUIP VOTED	0.50000	2.47
AMB EQUIP VOTED	0.20000	0.98
EMS OPER VOTED	1.00000	4.94
PUTNAM LIBRARY	0.50000	2.47
MAPLE VAL OPER	18.00000	EXEMPT
MAPLE VAL DEBT	7.00000	34.63
EATON ISD OPER	0.18430	0.91
EATON ISD SP ED	2.77040	13.70
EATON ISD VOC ED	0.92310	4.56

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: JANUARY 1 - DECEMBER 31

Twn/Cty: APRIL 1 - MARCH 31

School: JULY 1 - JUNE 30

State: OCTOBER 1 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount

Total Tax BY: *ck # 3112* 81.62
Administration Fee 0.81

TOTAL AMOUNT DUE *Dorothy Semrau* 82.43
Treasurer

FEB 27 2016

Please detach along perforation. Keep the top portion.

0.*

Summer 177.27+
57.10+
214.19+
003 448.56*

Winter 309.40+
82.43+
256.06+
003 647.89*

647.89+
448.56+
002 1,096.45*



**FARMLAND AND OPEN SPACE
PRESERVATION PROGRAM**

Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

OFFICIAL USE ONLY

Local Governing Body: _____

Date Received: 9-28-16

Application No: 16-12

State: _____

Date Received: _____

Application No: _____

Approved: _____

Rejected: _____

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

I. Personal Information:

1. Name(s) of Applicant: Henney Matthew J

Last

First

Initial

(If more than two see #15) Henney Rachelle L.

Last

First

Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married

☐ Single

2. Mailing Address: 3623 W. Needmore Hwy Charlotte NC 4813

Street

City

State

Zip Code

3. Telephone Number: (Area Code) 517 749-1267

4. Alternative Telephone Number (cell, work, etc.): (Area Code) 517 507-6586

5. E-mail address: rachellehenney@gmail.com

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Barry

7. Township, City or Village: Castleton

8. Section No. 1 Town No. 3 Range No. 7

III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: _____

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: _____

Name the types of mineral(s) involved: _____

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes? ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: _____

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers):

Name: _____

Address: _____

Street

City

State

Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

- ☐ 2 or more persons having a joint or common interest in the land
☐ Corporation ☐ Limited Liability Company ☐ Partnership
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more _____ complete only Section 16 (a thru g);
☐ b. 5 acres or more but less than 40 acres _____ complete only Sections 16 and 17; or
☐ c. a specialty farm _____ complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

Cash crops

b. Total number of acres on this farm 118.3

c. Total number of acres being applied for (if different than above): _____

d. Acreage in cultivation: 105.3

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: _____

f. All other acres (swamp, woods, etc.) 13 Woods

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings _____ Residence: _____ Barn: _____ Tool Shed: _____

Silo: _____ Grain Storage Facility: _____ Grain Drying Facility: _____

Poultry House: _____ Milking Parlor: _____ Milk House: _____

Other: (Indicate) _____

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ 29,400.⁰⁰ : 105.3 = \$ 280.⁰⁰ (per acre)
 total income total acres of tillable land

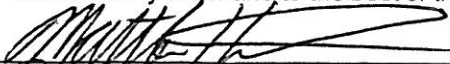
18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ _____

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

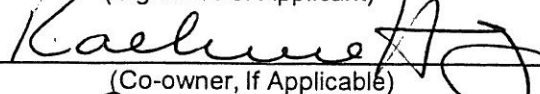
19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.


(Signature of Applicant)

(Corporate Name, If Applicable)


(Co-owner, If Applicable)

(Signature of Corporate Officer)

Sept. 20, 2016
(Date)

(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: _____ (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: _____
☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected Date of approval or rejection: _____

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: _____

Property Appraisal: \$_____ is the current fair market value of the real property in this application.

II. Please verify the following:

____ Upon filing an application, clerk issues receipt to the landowner indicating date received.

____ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909

***Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (sending a copy to reviewing agencies is required):

COPY SENT TO:

- ____ County or Regional Planning Commission
____ Conservation District
____ Township (if county has zoning authority)
____ City (if land is within 3 miles of city boundary)
____ Village (if land is within 1 mile of village boundary)

**Before forwarding to State Agency,
FINAL APPLICATION SHOULD INCLUDE:**

- ____ Copy of Deed or Land Contract (most recent showing current ownership)
____ Copy of most recent Tax Bill (must include tax description of property)
____ Map of Farm
____ Copy of most recent appraisal record
____ Copy of letters from review agencies (if available)
____ Any other applicable documents

Questions? Please call Farmland Preservation at (517) 284-5663

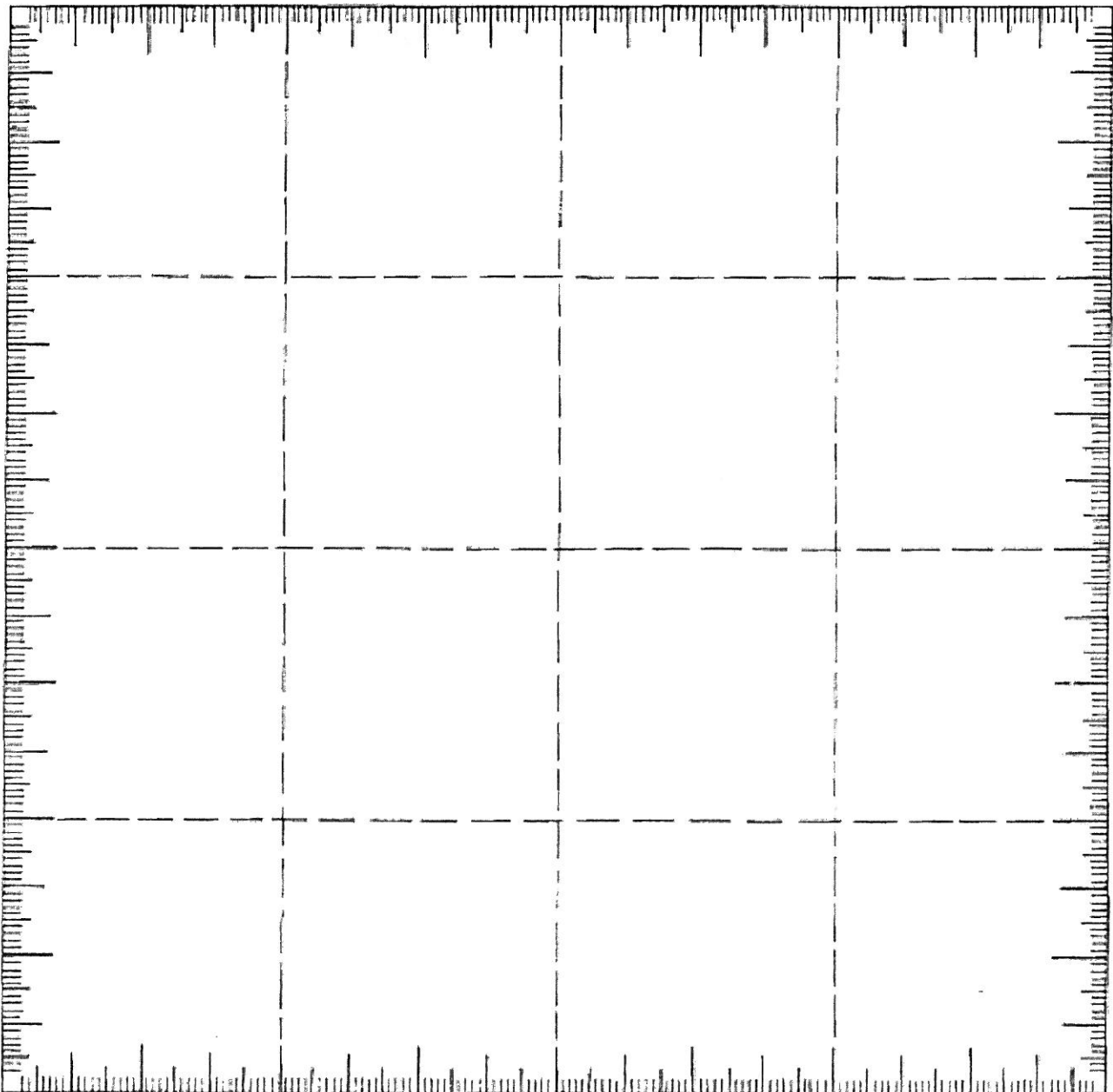
Map of Farm with Structures and Natural Features:

- A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft² (1 mile²) Section)
- B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
- C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
- D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

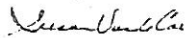
County Barry
Township Castleton
T 3 R 7 Section 1

↑ North





I hereby certify that there are no tax liens or titles on the lands herein described and that all taxes have been fully paid for the five years preceding the date of said instrument. This certificate does not apply to taxes, now in process of collection by township or city or village Collecting officers.



County Treasurer

PP# 08-05-001-095-00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Orvin H. Moore and Nancy Kay Moore, Trustees of "Orvin H. Moore and Nancy Kay Moore Trust" u/t/a dated October 13, 2000, whose address is 7551 Hager Road, Nashville, MI 49073 convey(s) and warrant(s) to Matthew Henney and Rachelle Henney, husband and wife, whose address is 3623 W Needmore Highway, Charlotte, MI 48813, the following described premises:

Land situated in the Township of Castleton, County of Barry, Michigan, described as follows:

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 1, TOWN 3 NORTH, RANGE 7 WEST, CASTLETON TOWNSHIP, BARRY COUNTY, MICHIGAN; AND THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWN 3 NORTH, RANGE 7 WEST, CASTLETON TOWNSHIP, BARRY COUNTY, MICHIGAN.

Commonly known as: 7551 Hager Road, Nashville, MI 49073
Parcel ID No(s): 08-05-001-095-00

For the full consideration of Five Hundred Ninety-Seven Thousand And No/100 Dollar(s) (\$597,000.00) subject to easements and restrictions of record, if any, and further subject to liens, encumbrances and other matters subsequent to the date of this notice.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right of Farm Act.

Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto.

SUBJECT to easements and restrictions of record, zoning laws and ordinances affecting the premises, and rights of the public and of any governmental entity in any part thereof taken, used or deeded for street, road, right of way, or highway purposes, and subject to taxes and future installments of special assessments payable hereafter.

The Grantors herein convey to Grantees all rights of division under Section 108 of the Michigan Land Division Act.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Orvin H. Moore and Nancy Kay Moore, Trustees of "Orvin H. Moore and Nancy Kay Moore Trust" u/v/a dated October 13, 2000, whose address is 7551 Hager Road, Nashville, MI 49073 convey(s) and warrant(s) to Matthew Henney and Rachelle Henney, husband and wife, whose address is 3623 W Needmore Highway, Charlotte, MI 48813, the following described premises:

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Commonly known as: 7551 Hager Road, Nashville, MI 49073
Parcel ID No(s): 08-05-001-095-00

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This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right of Farm Act.


Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto.

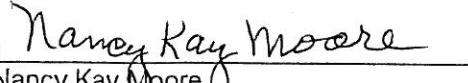
SUBJECT to easements and restrictions of record, zoning laws and ordinances affecting the premises, and rights of the public and of any governmental entity in any part thereof taken, used or deeded for street, road, right of way, or highway purposes, and subject to taxes and future installments of special assessments payable hereafter.

The Grantors herein convey to Grantees all rights of division under Section 108 of the Michigan Land Division Act.

Dated this 27th day of April, 2016.

Orvin H. Moore and Nancy Kay Moore, Trustees of "Orvin H. Moore and Nancy Kay Moore Trust" u/t/a dated October 13, 2000

BY: 
Orvin H. Moore
Trustee

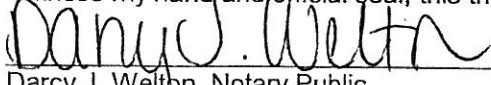
BY: 
Nancy Kay Moore
Trustee

STATE OF MICHIGAN

COUNTY OF BARRY

The foregoing instrument was acknowledged before me this day by Orvin H. Moore and Nancy Kay Moore, Trustees of "Orvin H. Moore and Nancy Kay Moore Trust" u/t/a dated October 13, 2000.

Witness my hand and official seal, this the 27th day of April, 2016.


Darcy J. Welton, Notary Public
Barry County, acting in Barry County
State of Michigan
My Commission Expires: October 19, 2022

(SEAL)

Prepared by:

Orvin H. Moore and Nancy Kay Moore, Trustees of "Orvin H. Moore and Nancy Kay Moore Trust" u/t/a dated October 13, 2000
7551 Hager Road
Nashville, MI 49073

Assisted By:

Lighthouse Title, Inc.
203 S. Michigan Avenue
Hastings, MI 49058

When recorded mail to:

Lighthouse Title, Inc.
203 S. Michigan Avenue
Hastings, MI 49058

PAGE 8

0805-001-095-00	
Tax	2,484.13
S Admin	10.17
NW Admin	14.66
Due	2,508.96
Interest	0.00
Total	2,508.96
2/22/22/14	1,027.46
0001468	
2/22/22/14	1,481.50
0000348	
Tot Pd	2,508.96
al Due	0.00

1,027.46
1,481.50
2,508.96
0.00

PAGE 8

0805-001-095-00	Totals
Tax	2,096.30
min	10.01
min	10.85
due	2,107.16
st	0.00
total	2,107.16
14	1,011.30
54	
14	1,095.86
45	
Pd	2,107.16
ue	0.00

1,011.30
1,095.86
2,107.16
0.00

**Barry County Planning Commission
Minutes –October 24th, 2016**

The meeting was called to order at 7:00 p.m. by Chairperson Clyde Morgan in the Central Dispatch Community Room, located at 2600 Nashville Road, in Hastings, Michigan. The Planning Commission members in attendance included Clyde Morgan, Jack Miner, Craig Stolsonburg, Jack Nadwornik, Michael Barney, and Robert Vanderboegh. Levi Bolthouse was absent. Also in attendance were Doug Gannett, Cameron Horvath, Austin Shapiro, James McManus, who is the Barry County Planning Director, and other interested people.

Approval of Agenda: Motion by Miner to approve the agenda as printed. Support by Barney. All ayes – motion carried

Minutes: The Planning Commission reviewed the minutes of September 26th, 2016. Motion by Stolsonburg to approve the minutes as written. Support by Nadwornik. All ayes – motion carried.

Business

Morgan explained the procedures of a public hearing.

Site Plan Review

Case No. PR -8-16

Gun Lake Ventures LLC

Morgan asked Gannett to explain the plan.

Gannett noted they had bought the park out of foreclosure. He said they have already replaced 22 or 23 homes. He said they would like to upgrade the number of pads from 52 to 93. He said they have improved the storage facility, repaved the roads, and removed some of the trees on site. He continues that the park would have a tenant secretary and they be completing background checks on new applicants.

Morgan asked if anyone wished to speak in favor of the request. There was no response. Morgan asked if anyone was opposed.

Raymond Ramos said he did not want the additional homes. He noted the park occupants throw trash over the fence. He also noted it is hard to get in and out of the park.

Ron Knoll questioned the necessity of adding trailers to the park. He noted there are 7 or 8 trailers that are currently vacant. He said there is only one egress and ingress out of the park, and there are traffic issues.

Sandy Knoll asked if they would be going back further in the field. Gannett said yes.

Robert Chase questioned the safety of the community. He noted there are police there on a monthly basis. He said there are 2 sex offenders living in the park and there was a possible

meth lab. He said if the park size is doubled, the crime will increase. He noted the capacity is an issue for the road traffic, and people would be added to the lake.

Gannett said they are targeting families. Chase said there will still be sex offenders and meth addicts in the park.

Shapiro said he was the receiver of the foreclosed park, and he has sold it to Gun Lake Ventures. He acknowledged that there would be people grandfathered in the community that had not been screened.

Gannett said the company has seen an increase in demand for the housing.

Chase asked about the vacant lots. Gannett said they are waiting to see if the expansion can be approved before replacing the homes on those lots.

Knoll said the previous owner said they would do things that were never done. He noted the occupants would be accessing Gun Lake through his property.

Harold Barnum asked if there was any other entrance and exit. Horvath said no.

McManus read a letter from Michelle Buchholz in opposition to the request.

Gannett rebutted by noting that they have hauled out 22 old trailers and replaced them with new homes. He said they will have a million dollar plus investment into the park, and they will replace the sign. He noted there is a significant demand for the housing.

Morgan closed the public hearing and reconvened the Planning Commission.

Miner asked if the trees west of the dumpster would be removed. Gannett said yes. Miner asked about the new drives. Gannett said they would be 24 ft. wide asphalt drives that meet state requirements.

Barney asked for a staff report. McManus noted the property had been rezoned for a Mobile Home Park prior to his arrival...likely in the late 80's. He noted he could not find a record of the rezoning, but he noted some of the records had been inadvertently destroyed. He noted the addition is within the zoning area and is part of the existing park property. He continued that the County has very little oversight of mobile home parks, and the Planning Commission can only review ancillary issues like access and landscaping. He said lot size, road and other interior issues are reviewed by the state. He noted his primary issue was the drive onto Marsh Road and the traffic pattern in the older part of the park.

Barney said neighbor issues are important and asked how they intended to protect the neighbors. Gannett said they would install fencing and will maintain it. He said they would try to screen the backyards, but he noted he could not discriminate against families with kids.

Barney asked if there would be any lot line buffers. Horvath said the homes would be setback 40-50 feet off of the property line. He said they would plant trees along the rear line. Barney suggested using fir trees.

Barney asked how many more people would inhabit the park. Gannett said approximately 100.

Barney asked if they would have a site manager on site all of the time. Gannett said he hoped to.

Barney asked about the traffic control. Gannett said they 24 foot wide roads in the new portion of the park. He said there is a one way for ingress into the park. He noted there is an easement to the west, but it has never been used. He said they will be adding signage on the roads.

Barney asked if it was keyholing. McManus noted the park was rezoned years ago before any keyholing ordinances were introduced. Since the state ultimately approves the interior of the community, he did not feel the ordinance applied.

Stolsonburg asked if there was a site manager on site to answer any concerns. Gannett said not currently.

Vanderboegh asked if the plan was ready for submittal to the state. Horvath said no. He noted the utilities still need work.

Vanderboegh asked if the Road Commission needed to approve the drawings. Horvath said yes. Vanderboegh asked about the Drain Commissioner. Horvath said yes as well. Vanderboegh asked if there were any other agencies that needed to review the documents. Horvath said the Sewer Authority, DEQ and the Fire Department. Horvath said he felt the surface site plan was a final plan.

Vanderboegh commented that the Planning Commission had a limited site plan review for manufactured home parks. He said there are many other agencies that have authority to review the plans.

Morgan noted modern fire trucks are larger than planned when the park was first operated.

Barney said they may want to have water access on site.

Gannett said there are a few homes that are owned by residents who rent the pad.

Morgan said he would like to see the fire report.

Nadwornik asked about the time frame for completion and when the on site manager would arrive. Gannett said at least next summer.

Nadwornik asked if the homes would be hooked up to public sewer. Gannett said yes.

Morgan asked about any lighting on site. Gannett said there would be street lights.

Miner asked if they were planning on a limit of cars per residence. Shapiro said not at the moment, but he noted many parks have a two vehicle per residence cap. Gannett said each home site would have 2 pads for cars.

Ramos said there was a lot of traffic on site and suggested a cap on the number of vehicle pads in the park.

Motion by Vanderboegh to approve PR-8-16 with the stipulations that the Planning Commission receive reports and documents from all of the aforementioned agencies, that the final drawings meet all state guidelines for review, that the drawings identify the lake access location, and that a screening plan be included. Support by Stolsonburg. Roll call vote taken: 6 ayes – 0 nays, motion carried.

Farmland Agreement

#16-11, 16-12

Matthew and Rachelle Henney

McManus noted the two requests are in Sections 1 of Castleton Township. He noted both properties are planned and zoned as Agricultural (A) which allows agricultural use. He noted the properties have been farmed for a long time, and Henney recently purchased the properties.

Motion by Barney to recommend approval of farmland agreement 16-11 and 16-12 for Matthew and Rachelle Henney in Section 1 of Castleton Township. Support by Nadwornik. All ayes – motion carried.

Motion by Stolsonburg to adjourn. Support by Vanderboegh. All ayes – motion carried. Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Michael Barney, Secretary

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: COW/November 22nd, 2016

DEPARTMENT: Planning

PREPARED BY: James McManus, AICP, Director, Planning & Zoning

SUBJECT: Fee Schedule Changes

SPECIFIC ACTION(S) REQUESTED: To recommend to the Board of Commissioners approval of the attached amended fee schedule for the Barry County Planning Office to go into effect on January 1st, 2017.

<u>SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):</u>
--

DESCRIPTION OF ACTION: The Planning Department has noticed that it has been spending more time in the review and approval of Land Division applications. We have also noticed that the Soil Erosion review timetable for new homes is significantly greater than for other types of projects. The fees for these two activities need to be amended to reflect the cost to the county in the administration of these activities.

As part of the review, the Planning Department obtained the fee schedules of the jurisdictions that were used in the classification study as well as a couple of neighboring communities. The table clearly shows that the county fees for Land Divisions and Soil Erosion Permits are less than our comparable jurisdictions. We are not recommending that the fees be exactly the same, but the proposed fees will more accurately represent the cost to the county.

The fees for the Zoning Ordinance and the Zoning maps were not adjusted when the ordinance and maps were updated in 2008.

TIME FRAME OF ACTION: The new fee schedule will go into effect on January 1st, 2017.

FUNDING REQUIRED: YES _____ NO x _____

IF YES, ANSWER THE FOLLOWING:

1. FUNDING SOURCE (Federal, State, or Local) _____
2. IF LOCAL, SPECIFY FUND: _____
3. AMOUNT REQUESTED: _____
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) _____
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: _____

PERSONNEL IF REQUIRED: None

NEW OR RENEWAL: New

ANY OTHER PERTINENT INFORMATION:

CONTACT PERSON WITH PHONE NUMBER:

James McManus AICP, Director, Barry County Planning & Zoning – 269-945-1290

Barry County Planning Office Fee Schedule
Effective November 9, 2005
Directed by the Barry County Board of Commissioners

After The Fact Permit Fee \$250.00

Zoning Permits

Decks, Porches, Signs, Farm Buildings, Lean-to (standing alone) \$25.00

Any other construction (Houses, In-ground Swimming Pools,
Detached Accessory Buildings over 200 sq ft,
and lean-to attached to existing building) \$40.00

Land Division Permit (1 parcel) \$50.00 — **\$75.00**
Each additional proposed parcel \$20.00

Appeals

Construction Board of Appeals \$250.00
Special Use or Variance \$250.00
Site Plan Review \$200.00
Rezoning Request (Map Change) \$500.00
Text Amendment \$400.00
Special Meeting of the Planning Commission or Zoning
Board of Appeals plus the regular fee listed above
(for meetings other than normally scheduled) \$400.00
Master Plan Amendment \$250.00
Rehearing Fee \$100.00

Publications

2005 Master Land Use Plan (Full text and maps) \$75.00
2005 Electronic Master Land Use Plan (CD Version) \$10.00
Zoning Ordinance (with amendments or revised) ~~\$25.00~~ **\$75.00**
Set of Zoning Maps ~~\$20.00~~ **\$50.00**
Single Map ~~\$3.00~~ **\$5.00**
Copying Fee per page \$1.00

An “**After the Fact Permit Fee**” shall be charged when construction or plan is started prior to obtaining a zoning, land division, or soil erosion permit.

Soil Erosion & Zoning Permits are valid for a maximum of twelve (12) months from the date issued. A permit may become invalid or be revoked before the end of the twelve (12) month period under conditions stipulated in the Zoning Ordinance or when the final inspection has been approved.

Land Division Permits are valid for a maximum of six (6) months from the date issued (deeds or surveys must be recorded within that time frame).

Soil Erosion & Sedimentation Control Fee Schedule
Effective November 9, 2005

PROJECT TYPE	PLAN REVIEW	PERMITS W/ INSPECTIONS (Up to 10 Inspections)
Single family residential, Two family residential		\$60.00 \$100.00 up to 10 acres
Farm Buildings, Decks, & Porches		\$25.00
Additions, garages, accessory buildings, In-ground swimming pools, other similar uses		\$50.00
Transportation Facilities Including private roads, streets, highways, railroads, mass transit facilities, except normal maintenance procedures. Common carrier pipelines, except normal maintenance procedures	 \$25.00 \$25.00	 Up to 1 mile = \$100.00; each additional mile or fraction \$30.00 Up to 1 mile = \$75.00; each additional mile or fraction = \$10.00
Subdivisions Plat developments, mobile home parks, multiple housing units (more than 2 housing units) & planned unit developments	\$150.00 up to 10 acres; \$10.00 for each additional acre or fraction thereof	Up to 10 acres = \$100.00; each additional acre or fraction = \$10.00
Industrial & Commercial Developments Except normal maintenance problems	\$150.00 up to 10 acres; \$10.00 for each additional acre or fraction thereof	Up to 10 acres = \$100.00; each additional acre or fraction = \$10.00
Service Facilities Including but not limited to sanitary landfills, airports, churches, schools, except normal maintenance procedures	\$150.00 up to 10 acres; \$10.00 for each additional acre or fraction thereof	Up to 10 acres = \$100.00; each additional acre or fraction = \$10.00
Recreational Facilities Including but not limited to campgrounds, golf courses, parks, ski slopes & trails, except normal maintenance procedures	\$150.00 up to 10 acres; \$10.00 for each additional acre or fraction thereof	Up to 10 acres - \$100.00; each additional acre or fraction - \$10.00

PROJECT TYPE	PLAN REVIEW	PERMITS W/ INSPECTIONS
<p align="center">Utilities</p> <p>Including but not limited to underground cables, conduit or pipelines, except pole installation, service lines & normal maintenance procedures</p> <p>Including but not limited to substation construction & pumping stations, except normal maintenance procedures</p>	<p align="center">\$25.00</p> <p align="center">\$25.00</p>	<p>Up to 1 mile = \$75.00; each additional mile or fraction = \$10.00</p> <p>Up to 1 mile = \$75.00; each additional mile or fraction = \$25.00</p>
<p align="center">Water Impoundments & Ponds</p> <p>Except normal maintenance procedures</p>	<p align="center">\$25.00</p>	<p>Up to 1 acre = \$30.00; each additional acre or fraction = \$10.00</p>
<p align="center">Wells</p> <p>New residential water wells, oil, gas & mineral wells except the installation of wells under permit from the supervisor of wells & wherein the owner operator is found by the supervisor of wells to be in compliance with the conditions of the sediment act</p>	<p align="center">\$25.00</p>	<p>Up to 10 acres = \$75.00; each additional acre or fraction = \$10.00</p>
<p align="center">Miscellaneous Earth Movements</p> <p>(Not included in above fee schedule); Includes removing soil from one location to another, etc.</p> <p>Additional inspections requested by permit holder or inspections required by weather conditions that might occur through laxity on the part of the permit holder in his/her control of temporary erosion practices</p>	<p align="center">\$25.00</p>	<p>Up to 5 acres = \$25.00; each additional acre or fraction = \$5.00</p> <p align="center">\$25.00 each</p>

**FEE SCHEDULE
INFORMATION**

Fee Listing	Barry	Eaton	Battle Creek	Ionia	Kalamazoo	Cascade
Zoning Permit	\$40	\$20	\$20-\$50		\$55	
Special Use	\$250	\$400	\$600	\$200	\$303	\$500
Variance	\$250	\$350	\$100-\$200		\$275	\$100
Rezoning	\$500	\$500	\$600		\$550	\$150-\$500
Site Plan Review	\$200	\$200	\$150-\$250		\$275-\$500	\$150-\$500
Sign	\$25				\$72	\$40
Land Division	\$50		\$100	\$75	\$200	\$40-\$100
Soil Erosion	\$25-\$250	\$75-\$750		\$40-\$250	\$125-\$600	

Fee Listing	Calhoun (Pennfield)	Cass	Kent/Grand Rapids	Kentwood	Ross Township	St. Joseph
Zoning			\$22-\$223			
Special Use	\$375		\$1930	\$780	\$700	
Variance	\$295		\$1320	\$130-\$330	\$1000	
Rezoning	\$375		\$2743	\$1560	\$2000	
Site Plan Review	\$350		\$1574	\$530	\$400	
Sign	\$75		\$279	\$60		
Land Division	\$125		\$70		\$200	
Soil Erosion	\$45-1320	\$110-\$850	\$200-\$2000	\$115-\$400		\$75-\$500

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: Committee of the Whole, 11/22/2016

DEPARTMENT: IT

PREPARED BY: David Shinavier

SUBJECT: Surplus Auto Sales and Vehicle Transfer

SPECIFIC ACTION(S) REQUESTED: To recommend to the Board of Commissioners approval to transfer use of a 2005 F-150 pickup truck VIN 1FTRX14W55NB44337, formerly assigned to the Drain Commission to Charlton Park, and to approve selling the following surplus vehicles via highest sealed bid: 2005 Chevrolet Tahoe VIN 1GNEC13Z95R208093 and 2006 Chevrolet Tahoe VIN 1GNEC13Z26R146148.

SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):

DESCRIPTION OF ACTION: Seek approval of sales of surplus vehicles via sealed bid. The vehicles will be advertised for sale in the Reminder and the Banner for two weeks with items available for visual inspection at Sheriff's Office.

TIME FRAME OF ACTION: 3-4 weeks

FUNDING REQUIRED: YES _____ NO X _____

IF YES, ANSWER THE FOLLOWING:

1. FUNDING SOURCE (Federal, State, or Local) _____
2. IF LOCAL, SPECIFY FUND: Telephone _____
3. AMOUNT REQUESTED: _____
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) _____
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: _____

PERSONNEL IF REQUIRED: IT Coordinator

NEW OR RENEWAL: New

ANY OTHER PERTINENT INFORMATION: NA

CONTACT PERSON WITH PHONE NUMBER: David Shinavier, 269-945-1413

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: COW / 11-22-16

DEPARTMENT: County Administration

PREPARED BY: Michael Brown, County Administrator

SUBJECT: Resolution to Approve Professional Services Agreement with Land & Resource Engineering and to Declare Official Intent to Reimburse Expenditures with Bond Proceeds.

SPECIFIC ACTION(S) REQUESTED:

To recommend to the Board of Commissioners approval of Resolution No. 16-17, Resolution to Approve Professional Services Agreement with Land & Resource Engineering and to Declare Official Intent to Reimburse Expenditures with Bond Proceeds.

SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):

DESCRIPTION OF ACTION: Please see attached Resolution No.16-17, including by way of attachment a Professional Services Agreement with Land & Resource Engineering to conduct an engineering study of the Gun Lake Dam, including assessment of the dam's structural integrity, the identification of potential improvement alternatives and related implementation strategies and correspondence from James White dated November 17, 2016 to Michael Brown, County Administrator.

TIME FRAME OF ACTION:

FUNDING REQUIRED: YES X NO _____

IF YES, ANSWER THE FOLLOWING:

1. FUNDING SOURCE (Federal, State, or Local) Local
2. IF LOCAL, SPECIFY FUND: General
3. AMOUNT REQUESTED: \$24,950
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) Not to Exceed amount
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: _____

PERSONNEL IF REQUIRED: None.

NEW OR RENEWAL: New

ANY OTHER PERTINENT INFORMATION: None.

CONTACT PERSON WITH PHONE NUMBER: Michael Brown, County Administrator 269-945-1284

RESOLUTION NO. 16-17

COUNTY OF BARRY

STATE OF MICHIGAN

**RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT
WITH LAND & RESOURCE ENGINEERING, INC. AND TO DECLARE OFFICIAL
INTENT TO REIMBURSE EXPENDITURES WITH BOND PROCEEDS**

Minutes of a regular meeting of the Board of Commissioners of the County of Barry,
Michigan, held in the County Building in Hastings, Michigan on the ____ day of _____,
2016, at _____.m. Local Time.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and resolution were offered by Commissioner
_____ and supported by Commissioner _____:

WHEREAS, the County of Barry (the "County") has jurisdiction over the dam that is
adjacent to and north of Marsh Road on the outlet to Gun Lake (the "Gun Lake Dam"); and

WHEREAS, the County, following a request for qualifications procedure, has selected
Land & Resource Engineering, Inc. (the "Engineer") to conduct an engineering study of the Gun
Lake Dam, including and not limited to an assessment of the dam's structural integrity, the
identification of potential improvement alternatives and related implementation strategies (the
"Phase I Services"); and

WHEREAS, a proposed form of Professional Services Agreement between the County
and the Engineer that provides the terms and conditions under which the Engineer shall perform
the Phase I Services for the County for the not-to-exceed sum of \$24,950 (the "Professional
Services Agreement") is attached to this resolution as Attachment 1; and

WHEREAS, it is anticipated that the County will advance the cost of the Phase I Services prior to issuance of any bonds or evidence of indebtedness by or on behalf of the County which may be necessary with respect to the Gun Lake Dam (the "Bonds"), such advance to be reimbursed, without interest, to the County from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of financing proceeds, and the County intends by this resolution to qualify monies so advanced by the County for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Board of Commissioners of the County, by a majority vote of its members-elect, hereby approves the Professional Services Agreement.
2. The Chairperson of the County Board of Commissioners and the County Clerk are authorized and directed to execute and deliver the Professional Services Agreement for and on behalf of the County in the form approved by this Resolution together with such additions and deletions as said officers deem to be appropriate and in the best interests of the County (in such number of counterparts as may be desirable).
3. The Professional Services Agreement, as presented to the County Board of Commissioners on this date, shall be kept on file at the office of the County Clerk for public inspection together with a certified copy of this resolution.
4. The question of whether any Bonds must be issued by or on behalf of the County with respect to the Gun Lake Dam and, if so, in what amount, is expected to depend in part on the results of the Phase I Services, and should it be necessary for any Bonds to be issued by or on

behalf of the County for the Gun Lake Dam, such Bonds shall be authorized by proper proceedings undertaken pursuant to state law.

5. It is reasonably expected that the County has or will advance funds for the Gun Lake Dam, including without limitation, for the Phase I Services to be provided by the Engineer, prior to issuance of Bonds, if any, including items exempt from the Reimbursement Regulations, from monies on hand in the County's General Fund in the estimated amount of \$100,000.

6. The County hereby declares its official intent, and reasonable expectation, to reimburse all or a portion of the amounts so advanced by the County for the Gun Lake Dam from the proceeds of any Bonds.

7. All resolutions or parts of resolutions in conflict herewith are hereby rescinded.

YEAS: Members: _____

NAYS: Members: _____

ABSTAIN: Members: _____

RESOLUTION DECLARED ADOPTED.

Pamela A. Palmer, County Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF BARRY)

I, the undersigned, the duly qualified and acting Clerk of the County of Barry, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the County Board of Commissioners at a regular meeting thereof held on the ____ day of _____, 2016, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed my official signature this ____ day of _____, 2016.

Pamela A. Palmer, County Clerk

ATTACHMENT 1
PROFESSIONAL SERVICES AGREEMENT

PROFESSIONAL SERVICES AGREEMENT
[Engineering services related to the Gun Lake Dam/Control Structure]



This Professional Services Agreement ("Agreement") is made this ____ day of _____, 2016, by the COUNTY OF BARRY, a municipal corporation, with offices located at 220 W. State St., Hastings, MI 49058 (County) and Land & Resource Engineering located at 3800 West River Dr., Suite A, Comstock Park, MI 49321 (Engineer).

WHEREAS, the County owns Gun Lake Dam, located north of Marsh Road in Orangeville Township, Barry County, Michigan (the "Dam"); and

WHEREAS, Engineer has submitted a proposal to the County to conduct an engineering study of the Dam including, but not limited to, an assessment of the Dam's structural integrity, the identification of potential improvement alternatives, and related implementation strategies, for the Dam ("the Phase I Services"); and

WHEREAS, Engineer is willing and able to perform the Phase I Services upon the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the promises below, the parties mutually agree as follows:

ARTICLE I – SCOPE OF PHASE I SERVICES

The scope of Phase I Services is described in Engineer's proposal dated November 4, 2016 attached hereto and incorporated herein by reference as Exhibit A (the "Scope of Services").

ARTICLE II – COMPENSATION

Total compensation for the Phase I Services shall not exceed the sum of Twenty-Four Thousand Nine Hundred Fifty (\$24,950) dollars, inclusive of expenses. Invoices shall be submitted in the manner described in Exhibit A.

ARTICLE III - REPORTING OF ENGINEER

- Section 1 The Engineer shall periodically report to the Barry County Drain Commissioner and will cooperate and confer with him/her as necessary to insure satisfactory work progress. These period reports shall be made at least weekly, or more frequently at the Drain Commissioner's request. The County reserves the right to demand on-site inspections and/or review of documents, which shall be conducted or presented by Engineer's representative.
- Section 2 All reports, estimates, memoranda and documents submitted by the Engineer must be dated and bear the Engineer's name and the name of the individual(s) who performed the Services.
- Section 3 All reports made in connection with these services are subject to review and final approval by the Barry County Drain Commissioner.
- Section 4 The County may review and inspect the Engineer's activities during the term of this Agreement; however, such review and inspection shall not constitute supervision of the Engineer's work or substitution of the County's judgment for Engineer's, and it shall not relieve Engineer of its responsibility to perform the Phase I Services in accordance with the standard of care specified in Article XVI.
- Section 5 The Engineer will submit a final, written report to the County in accordance with the Scope of Services.
- Section 6 Upon receipt of at least 48 hours' notice, the Engineer shall allow County to inspect any of Engineer's internal documents, correspondence, records, reports, and/or insurance policies pertaining to this Agreement and the Scope of Services.

ARTICLE IV – TERM

This Agreement shall be effective upon approval by County's Board of Commissioners (the "Effective Date") and the Scope of Services shall be completed by Engineer not later than twelve (12) weeks after the Effective Date. Engineer acknowledges that accurate and timely performance of the Phase I Services is of the essence in this Agreement.

ARTICLE V – SUBCONTRACTOR; INDEPENDENT CONTRACTOR STATUS

- Section 1 Engineer will provide the Phase I Services and will not sub-contract its obligations under this Agreement except as specifically stated in Exhibit A. All agreements between Engineer and its subcontractors shall incorporate

the requirements of this Agreement, including but not limited to indemnification of the County and the Board of County Road Commissioners of the County of Barry (the "County Road Commission") in accordance with Article VI and the insurance requirements specified in Article VII. Engineer is responsible for all costs, fees and expenses incurred by its subcontractors and the costs, fees and expenses incurred by Engineer's subcontractors shall not entitle Engineer to an increase of the maximum compensation payable to Engineer in accordance with Article II. Engineer shall provide County with copies of all agreements with subcontractors within a reasonable time of execution thereof.

Section 2 It is understood by the parties that Engineer is an independent contractor with respect to County, and not an employee of County. County will not provide fringe benefits, including without limitation health insurance benefits, paid vacation, or any other employee benefits, for the benefit of Engineer or any of its employees, agents, contractors, subcontractors or assigns. . With respect to its employment of employees, Engineer shall be solely responsible for paying any and all applicable federal, state and local taxes. Engineer shall take all necessary and/or appropriate steps to notify its employees that County is not an employer of Engineer's employees. Nothing contained in this Agreement shall be construed to create a partnership or joint venture between County and Engineer, or to authorize either County or Engineer to act as a general or special agent of the other party in any respect that would involve employment. Nothing in this Agreement that may cause an employer-employee relationship between the parties shall be enforceable by either party.

ARTICLE VI - INDEMNIFICATION

Engineer will protect, defend and indemnify the County and the County Road Commission, together with their respective elected or appointed officials, officers, agents, servants, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, of whatsoever kind and nature which may result in injury or death to any persons, including the Engineer's own employees, and for loss or damage to any property, including property owned or in the care, custody or control of the County, the County Road Commission or any department of the County or the County Road Commission in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this Agreement resulting in whole or in part from negligent acts or omissions of Engineer, any sub-contractor to Engineer, or any employee, agent or representative of the Engineer or any sub-contractor to Engineer. Engineer will also protect, defend and indemnify Barry County and its officers, agents, servants, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, arising from any allegation or premise that Barry County is an employer of Engineer, Engineer's employees, and/or Engineer's subcontractors' employees.

ARTICLE VII - INSURANCE REQUIREMENTS

Engineer will maintain at its own expense during the term of this Agreement, the following insurances:

1. Workers' Compensation Insurance with Michigan statutory limits and Employers Liability Insurance with a minimum limit of \$100,000 each accident for any employee.
2. Comprehensive/Commercial General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage. The County and the County Road Commission shall each be added as "additional insured" on Engineer's general liability policy with respect to the services provided under this agreement.
3. Automobile Liability Insurance covering all owned, hired and non-owned vehicles with Personal Protection Insurance and Property Protection Insurance to comply with the provisions of the Michigan No Fault Insurance Law, including residual liability insurance with a minimum combined single limit of \$1,000,000 each accident for bodily injury and property damage.
4. Professional Liability coverage with a minimum limit of \$1,000,000 each occurrence. The County and the County Road Commission shall each be added as "additional insured" on the Professional liability policy with respect to the services provided under this agreement.
5. Insurance companies, named insureds and policy forms shall be subject to the approval of the the County Administrator. Such approval shall not be unreasonably withheld. Insurance policies shall not contain endorsements or policy conditions which reduce coverage provided to the County or the County Road Commission. Engineer shall be responsible to the County and the County Road Commission or insurance companies insuring the County or the County Road Commission for all costs resulting from both financially unsound insurance companies selected by Engineer and their inadequate insurance coverage. Engineer shall furnish the Barry County Administrator with certificates of insurance or a certified copy of the policy, in each case acceptable to the County if requested by the County Administrator.

No payments will be made to Engineer until the current certificates of insurance have been received and approved by the County. If the insurance as evidenced by the certificates furnished by the Engineer expires or is canceled during the term of the Agreement, services by Engineer and related payments to Engineer will be suspended. Engineer shall furnish the County Administrator with certificates of insurance evidencing such coverage and endorsements at least ten (10) working days prior to commencement by Engineer of services under this Agreement. Certificates shall be addressed to the County of Barry and the Board of County Road Commissioners of the County of Barry, shall be sent to Barry County Administration, 220 W. State St., Hastings, MI 49058 and shall provide for 30 day written notice to the Certificate holder of cancellation of coverage.

ARTICLE VIII - COMPLIANCE WITH LAWS AND REGULATIONS

Engineer will comply with all applicable federal, state and local regulations, including but not limited to all applicable OSHA/MIOSHA requirements and the Americans with Disabilities Act.

ARTICLE IX – PROPERTY ACCESS AND RESTORATION OF WORK SITES

Engineer shall be responsible for securing and maintaining any and all easements and right-of-way consents permitting access to or use of property necessary for Engineer to perform the Phase I Services. Costs for obtaining such easements and right-of-way consents shall be borne exclusively by Engineer, irrespective of the maximum compensation payable to Engineer as specified in Article II of this Agreement. The County, at the expense of the Engineer, agrees to reasonably cooperate with the Engineer to obtain such necessary easements and/or right-of-way consents.

Should Phase I Services be provided in the field, for example, when taking soil boring samples, it is understood that, in accordance with generally accepted engineering practices, Engineer will be solely and completely responsible for working conditions on the job site, including safety of all persons and property during the performance of the work, compliance with OSHA regulations, and site clean-up, and that these requirements will apply continuously and not be limited to normal working hours. Any monitoring of the Engineer's performance conducted by County personnel shall be subject to the terms of Article III, Section 4.

Engineer shall maintain a neat and orderly work site and endeavor to minimize noise and other disturbances when possible. Engineer represents, warrants and covenants that it will return the condition of all of its work sites to substantially the same or better condition as existed prior to the performance of services by Engineer on such sites.

ARTICLE X - INTEREST OF ENGINEER

The Engineer represents, warrants and covenants that neither it, any of its officers, agents, employees, affiliates or assigns nor any subcontractor engaged by Engineer has, or shall have, an interest that would conflict with the performance of the Phase I Services required by this Agreement.

ARTICLE XI - EQUAL EMPLOYMENT OPPORTUNITY

The Engineer will not discriminate against any employee or applicant for employment because of race, creed, color, sex, gender identity and expression, sexual orientation, national origin, age, height, weight, marital status, veteran status, religion, disabilities unrelated to the ability to perform the required work, or any other federal or state mandated protected status. The Engineer shall apply this policy to all phases of employment, including advertising positions, recruiting, application, selection, compensation and benefits, training, assignment, promotion, demotion, corrective action

and termination. Employment opportunities shall be open to all qualified applicants solely on the basis of job-related factors, including but not limited to, experience, aptitudes, abilities, personality, fit, business needs, etc. The Engineer agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the Engineer, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, gender identity and expression, sexual orientation, national origin, age, height, weight, marital status, veteran status, religion, disabilities unrelated to the ability to perform the required work, or any other federal or state mandated protected status.

ARTICLE XII - EQUAL ACCESS

The Engineer shall provide the services set forth in Article I without discrimination on the basis of race, creed, color, sex, gender identity and expression, sexual orientation, national origin, age, height, weight, marital status, veteran status, religion, disabilities unrelated to the ability to perform the required work, or any other federal or state mandated protected status.

ARTICLE XIII - OWNERSHIP OF DOCUMENTS AND PUBLICATION

All documents and work product developed by Engineer or the County as a result of this Agreement shall be property of the County. Such documents or work product may not be copyrighted by the Engineer. During the performance of the Phase I Services, Engineer will be responsible for any loss of or damage to such documents or work product while they are in its possession and must restore the loss or damage to such documents or work product at its expense. No documentation or reports may be reproduced or shared by Engineer without the prior written approval of County. Engineer acknowledges that County is a public body subject to the Michigan Freedom of Information Act (FOIA), that under FOIA certain disclosures may be required by law, and that such disclosures made by County do not in any way constitute a breach of this Agreement. Engineer agrees to cooperate, if requested by County, to assist County in fulfilling its obligations under FOIA.

ARTICLE XIV - ASSIGNS AND SUCCESSORS

This agreement is binding on the County and the Engineer, their successors and assigns. Engineer represents, warrants and covenants that it will not assign or transfer its interest in this Agreement without County's prior written consent.

ARTICLE XV - TERMINATION OF AGREEMENT

The County may terminate this Agreement for any reason upon ten (10) days' written notice to Engineer.

ARTICLE XVI – STANDARD OF CARE

Engineer shall perform the Phase I Services in accordance with the Scope of Services in accordance with the standard of care customarily exercised by consulting engineers in the course of providing similar professional services in the State of Michigan.

ARTICLE XVII – AMENDMENTS; PROJECT PHASING

This Agreement may be amended by mutually acceptable written amendments duly authorized on behalf of the County and the Engineer.

The parties contemplate that the Phase I Services will constitute the first of three phases of work to be performed by the Engineer with respect to the Dam. This Agreement covers only the terms related to the Scope of Services for the Phase I Services. Subsequent agreements or amendments to this Agreement may, in the discretion of the Engineer and the County, be entered by the parties with respect to subsequent phases, including but not limited to matters such as scope of work and compensation.

ARTICLE XVIII - CHOICE OF LAW AND FORUM: ALTERNATIVE DISPUTE RESOLUTION

This agreement is to be interpreted by the laws of Michigan. The parties agree that the proper forum for litigation arising out of this agreement is in Barry County, Michigan. Notwithstanding the foregoing provision, claims, disputes or other matters in question arising out of the performance of the Phase I Services or otherwise related to this Agreement or breach thereof of which the aggregate amount of the claim or dispute is \$250,000 or less shall be settled by mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise. The County, the County Road Commission, Engineer, and Engineer's subcontractors, if any, who have an interest in the dispute shall be joined as parties to the proceeding, including any dispute resolution proceeding required under this Article. This Agreement and the Engineer's subcontracts with the subcontractors, if any, shall require such joinder. The location of the mediation and arbitration shall be in Grand Rapids, Michigan.

ARTICLE XIX - NOTICES

Unless otherwise specified, any notices concerning this Agreement shall be made in writing to the following individuals at the addresses below:

To County: Jim Dull, Drain Commissioner
220 W. State Street
Hastings, MI 49058
(269) 945-1385

with a copy to:
Michael Brown, County Administrator
220 W. State Street
Hastings, MI 49058

and with a copy to:
Brad Lamberg, Engineer/Manager
Barry County Road Commission
1725 West M-37 Highway
PO Box 158
Hastings, MI 49058

To Engineer: Land & Resource Engineering
3800 West River Drive, Suite A
Comstock Park, MI 49321
(616) 301-7888

ARTICLE XX – MISCELLANEOUS PROVISIONS

- Section 1 This agreement represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.
- Section 2 Execution of this Agreement constitutes Engineer's representation that Engineer, as of the date of the Engineer's proposal to County for the Phase I Services and as of the date of the Agreement, was not, and is not, an "Iran linked business" as that term is defined in Act 517 of the Public Acts of Michigan of 2012.
- Section 3 This Agreement is solely for the benefit of County and Engineer, and it shall not be construed to create any benefits for or rights in any other person or entity, except that the County Road Commission shall be a third-party beneficiary of this Agreement.
- Section 4 If any term of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then this Agreement, including all of the remaining terms, will remain in full force and effect as if such invalid or unenforceable term had never been included.
- Section 5 The headings in this Agreement are inserted for convenience only and shall not be used to define, limit or describe the scope of this Agreement or any of the obligations herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the dates set opposite their signatures.

COUNTY OF BARRY:

By: _____ Date: _____
Craig Stolsonburg
Its: Chair, Barry County Board of Commissioners

By: _____ Date: _____
Pamela A. Palmer
Its: County Clerk

**ENGINEER:
Land & Resource Engineering**

By: _____ Date: _____
Pete Buurstra, P.E.
Its: President

EXHIBIT A
Scope of Services
LAND & RESOURCE
+-----+
ENGINEERING

November 4, 2016

Michael Brown, County Administrator
Barry County Administration
220 W. State St.
Hastings, MI 49058

**Re: Proposal to Provide Professional Engineering Services
for the Gun Lake Dam – Study Phase
Orangeville Township, Barry County, Michigan**

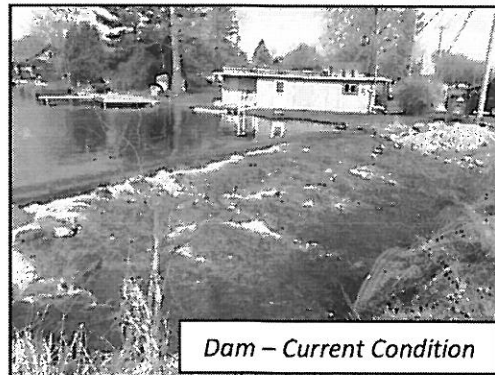
Dear Michael:

Land and Resource Engineering (LRE) is pleased to present this proposal for professional services to conduct an engineering study of the Gun Lake Dam in Orangeville Township, Barry County, Michigan.

Gun Lake (Lake) encompasses roughly 2,680 acres primarily within Yankee Springs Township and Orangeville Township, Barry County. The southwest corner of the Lake is located in Wayland Township and Martin Township, Allegan County. The Lake is governed by the Gun Lake Improvement Board and the Gun Lake Protective Association is very active in efforts to protect the Lake and increase property values.

In 1921, the legal level of the Lake was established at 744.32-feet above sea level. The Gun River serves as the primary outlet for the Lake. The Gun River is an established Intercounty Drain (Allegan and Barry Counties) downstream (southwest) of Patterson Road.

The Gun Lake Dam (Dam) is located just north (upstream) of Marsh Road in Section 6 of Orangeville Township. A recent legal opinion by Clark Hill PLC confirmed that the Dam is owned by Barry County. While no formal construction drawings exist, it is our understanding that the current Dam was constructed in 1951 and consists of a pile-supported concrete wall approximately 6-feet deep and 72-feet long. It is our understanding that the Dam historically operated such that the downstream water level was approximately 2- to 4-feet below the crest. Steel sheeting was installed along the east side of the Dam to prevent flanking. The Dam is regulated under Part 307, Inland Lake Levels, of the Natural Resources and Environmental Protection Act, (P.A. 451 of 1994, as amended).



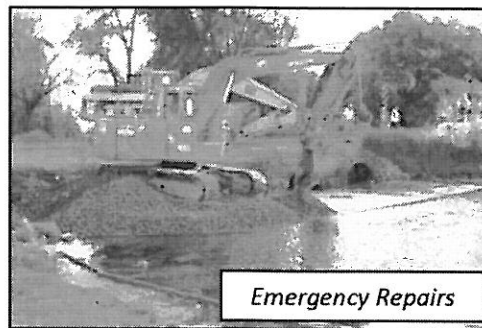
Land & Resource Engineering
3800 West River Drive Suite A, Comstock Park, MI 49321
Phone: 616.301.7888

On May 27, 2015, seepage was observed near the center of the Dam creating a boil above the downstream water surface which increased in diameter from a few inches to several feet within hours. A rod was used to probe the area of the observed boil where a 12-foot deep hole (below the Dam crest) was measured indicating approximately 6-feet of scour had occurred below the bottom of the Dam.



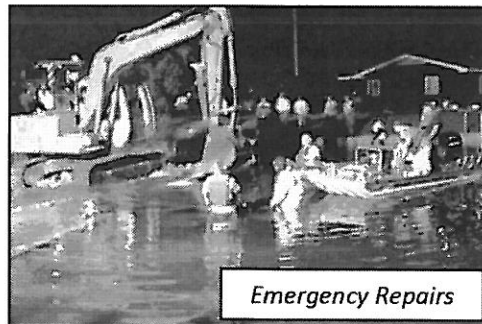
Dam Seepage / Boil

Emergency measures included placing stone along the downstream side of the Dam to fill the void; however, the lateral force of the stone upon the Dam resulted in the Dam bowing approximately 2-feet towards the Lake, necessitating additional stone placement upstream to stabilize the Dam. Geotextile fabric was also utilized during stone placement. A total of approximately 200 tons of rock were placed to stabilize the Dam.



Emergency Repairs

LRE was selected by Barry County in October 2016 to conduct an engineering study of the Dam. Our project team includes Materials Testing Consultants (MTC) and Tricon Engineering Group (TEG), which will be providing geotechnical and structural engineering services respectively.



Emergency Repairs

LRE and our project team met with the Barry County Administrator and Barry County Drain Commissioner on October 28, 2016 to review the proposed scope of work. It was decided that a phased project approach would be best, consisting of a preliminary engineering study, followed by final design and bidding and ultimately constructing the recommended solution.

This proposal outlines the services included in the engineering study phase of the project. The primary purpose of the study is to analyze the condition of the existing Dam, evaluate potential improvement alternatives and implementation strategies, and summarize our findings into a final report for stakeholder input and Barry County approval.

Following is the **Scope of Services**, which includes a description of the tasks included in this proposal, as well as the associated **Professional Fee** and **Project Schedule**.

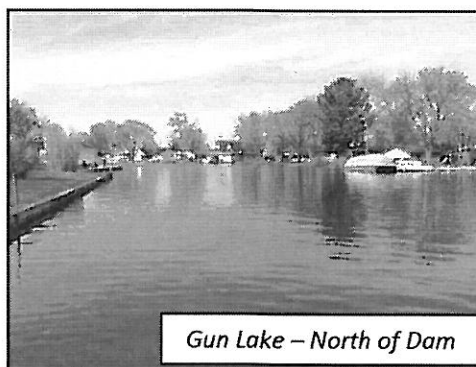
Land & Resource Engineering
3800 West River Drive Suite A, Comstock Park, MI 49321
Phone: 616.301.7888

Scope of Services

Resource Information: LRE will obtain and review all available resource information provided by your office including but not limited to: inspection reports, legal opinions, easement documents, assessment district maps and rolls, historic record drawings (including downstream culverts), wetland maps, and GIS data. In addition, we will also make use of aerial imagery and USGS topographic maps.

Stakeholder Interviews: LRE will interview project stakeholders to build on our understanding of the Dam as well as the goals and objectives of each interested group. Aside from Barry County, potential stakeholders include the Drain Commissioner, Townships (primarily Yankee Springs and Orangeville), Road Commission, Conservation District, Gun Lake Improvement Board, Gun Lake Protective Association and other interested citizens.

Topographic Survey: A detailed topographic survey of the Dam and surrounding area from 100-feet upstream of the Dam to Marsh Road will be conducted. A bathymetric survey will be provided for areas underwater. The location and elevation of critical features, including the Dam crest, limits of riprap (stone), sheet piling, Marsh Road culverts and adjacent structures will be recorded.



Gun Lake – North of Dam

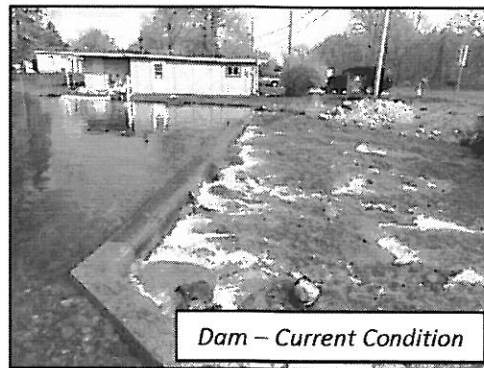
In addition, a topographic survey of the Gun River (River) will be conducted from Marsh Road to approximately 250-feet downstream of Patterson Road. The purpose of this survey is to evaluate the potential for fish passage improvements, which could be incorporated into the Dam project and provide grant opportunities to help offset project costs. The centerline of the River will be surveyed at no less than 500-foot intervals to accurately document both the horizontal and vertical alignment of the River. Typical cross sections of the open channel will be recorded. Each cross section will include the top of bank, inner berm (if applicable), bottom of bank, centerline of channel (thalweg) and water surface. The invert elevations, dimensions, material type, road surface and general condition of each crossing will also be recorded.

Survey Drawings: A set of topographic survey drawings will be prepared. Both a 24-inch by 36-inch hard copy and electronic copy of the existing survey drawings will be delivered. The drawings will be used to locate deficiencies along the existing Dam and downstream water course. In addition, the survey drawings will serve as a base-map for conceptual drawings or renderings depicting potential Dam improvements.

Land & Resource Engineering
3800 West River Drive Suite A, Comstock Park, MI 49321
Phone: 616.301.7888

Geotechnical Analysis / Stability Analysis: A detailed physical inspection of the Dam will be conducted to assess the overall stability of the Dam. Evaluating seepage/scour locations and magnitude will be challenging due to the placement of stone downstream and upstream of the Dam. The stone may obstruct accurately detecting the affected area by means of geophysical measurements (ground-penetrating radar) or scuba diver observation. Additionally, coring through the Dam and probing to evaluate the void depth may also be difficult due to the presence of stone within the suspected former void below the Dam. If water levels in the Lake subside below the crest of the Dam, dye testing could be conducted to evaluate where seepage flow below the Dam may be present. At a minimum, the rate of seepage will be estimated by measuring the flow rate over the Dam crest and comparing it to the downstream flow through the River.

Two soil borings are proposed, performed on each side of the Dam to evaluate the subsurface conditions and the feasibility of repair or replacement alternatives. Each soil boring will be taken to a depth of 40-feet (80 linear feet of drilling total). We assume that access to both the west and east sides of the Dam is feasible under the current easement agreement. We will mobilize an all-terrain drill rig to provide better access to the boring locations. The cost for mobilizing an all-terrain drill rig to the site is included in our estimated fee.



Flow Monitoring: A significant concern of residents around the Lake is that the Dam is “leaking”. LRE will conduct flow monitoring to estimate the rate of seepage beneath the Dam. Measurements will be recorded to estimate the flow rate over the Dam crest compared to flow measurements through the River, immediately downstream of Marsh Road. The difference between the discharge measurements will provide a reasonable estimate of the rate of seepage that is occurring beneath the Dam.

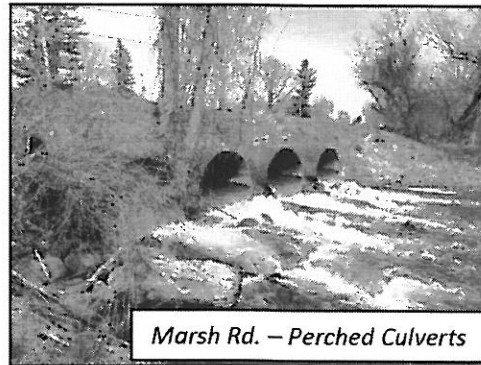
Evaluation of Alternatives: LRE and our project team will evaluate the feasibility as well as pros and cons of various alternatives for the Dam, including:

1. Do Nothing (if Dam is structural sound)
2. Repairs to ensure the structural integrity and/or reduce seepage
3. Replacement structure constructed of steel and/or concrete

The feasibility (if desired) of improving fish passage and/or incorporating improvements to downstream road crossing(s) will also be evaluated. Preliminary design configurations / renderings and associated cost estimates will be provided for each alternative.

Land & Resource Engineering
3800 West River Drive Suite A, Comstock Park, MI 49321
Phone: 616.301.7888

Grant Funding: LRE will identify potential grants to help offset costs to repair or replace the Dam. It is our understanding that the Barry County Conservation District is currently investigating potential fish passage grants through the Michigan Department of Natural Resources (MDNR) as well as United States Fish and Wildlife Service (USFWS). Any fish passage improvement will require replacement of the Marsh Road crossing at a minimum, and possibly the Patterson Road crossing, both of which currently act as barriers to fish passage.



Marsh Rd. – Perched Culverts

The proposed project may also qualify for a MDNR Dam Management Grant Program, which provides funding for the repair or reconstruction of dams that serve an economic purpose and cause minimal environmental impacts.

Assessment District: It is our understanding that the Gun Lake Improvement Board has established a special assessment district for the Lake. LRE will review the existing special assessment district and make specific recommendations on how to alter or adapt the district for use in assessing improvements to the Dam. A 24-inch by 36-inch hard copy and electronic copy of the preliminary assessment district map for the Dam will be provided.

Letter of Report: Results of the engineering study, including geotechnical analysis, evaluation of alternatives, grant opportunities, permitting considerations, project financing and assessment, and recommendations will be presented in a letter of report. LRE will develop a report outline that will set up the presentation of material in a logical, succinct, and understandable manner. A draft report will be prepared, including all tables, renderings and figures necessary to present the basis of evaluation and preliminary recommendations. A range of probable project costs will be provided for each alternative.

An implementation strategy will also be developed. Considerations for the necessity of additional design information, permits, coordination with other agencies/stakeholders, and potential funding sources will be included as part of the final recommendation.

Meetings: Three meetings are included in this proposal. The first meeting will be a status update with the Barry County Administrator and project stakeholders to review our preliminary findings and discuss specific alternatives that will be evaluated. After the draft engineering report is complete, LRE will prepare a PowerPoint and present our results and recommendations to the County Board of Commissioners (Board) for their review and input. LRE will finalize the engineering report based on comments from the Board. Upon the Board's approval, we will also present our recommendations to the Gun Lake community at a public meeting. The primary purpose of the meeting will be to solicit public comment and gather support for the recommended course of action.

Land & Resource Engineering
3800 West River Drive Suite A, Comstock Park, MI 49321
Phone: 616.301.7888

Professional Fee and Schedule:

The professional fee to complete the tasks included in the scope of services is **Twenty Four Thousand Nine Hundred Fifty Dollars (\$24,950)**. The format of this proposal is: **Lump Sum, Not-to-Exceed** Exceed with expenses included. LRE will provide invoices on a monthly basis, which will reflect the expenses and charges for the previous month.

Below is a budget breakdown by task including sub-consultant (MTC and TEG) fees and reimbursable expenses.

Professional Fee Matrix

	Project Manager	Project Engineer	Computer Aided Drafting	Field Surveying	Sub-Consultants / Expenses	Per Task Cost
Meetings / Services to Date	6.5				\$ 120.18	\$ 847.20
Compile Resource Information	4		2		\$ 50.00	\$ 865.00
Stakeholder Interviews (Twp, RC, Res.)	8				\$ 100.00	\$ 990.00
Topographic Survey	0.5		16	10	\$ 200.00	\$ 2,835.00
Geotechnical Investigation / Analysis	4				\$ 8,000.00	\$ 9,240.00
Flow Monitoring	1	4			\$ 75.00	\$ 552.50
Evaluation of Alternatives / Cost Estimate	8	8	6		\$ 2,000.00	\$ 4,310.00
Grant Investigation	4				\$ 75.00	\$ 522.50
Assessment District	4	4	4			\$ 1,140.00
Letter of Report	12	8	2			\$ 2,210.00
PowerPoint & Meetings (3)	12		2		\$ 150.00	\$ 1,855.00
Hour Subtotal	64	24	32	10	\$ 10,770.18	
Hourly Rate	\$110	\$90	\$85	\$120	1.1	
	\$ 7,040.00	\$ 2,160.00	\$ 2,720.00	\$ 1,200.00	\$ 11,847.20	\$24,967

We are ready to begin work immediately and will complete our engineering study within 12 weeks of being authorized to proceed.

Please review the enclosed information, and contact our office if there are any questions or concerns. If the information is acceptable, please sign the professional services agreement and forward it to my attention to authorize LRE to proceed.

Sincerely,

Land & Resource Engineering



Daniel J. Fredricks, P.E.
Project Manager

Land & Resource Engineering
3800 West River Drive Suite A, Comstock Park, MI 49321
Phone: 616.301.7888

Mika Meyers PLC

James K. White
Direct Dial/Fax (616) 632-8034
E-mail jwhite@mikameyers.com

900 Monroe Ave NW Grand Rapids, MI 49503
Tel (616) 632-8000 Fax (616) 632-8002
Web mikameyers.com

Attorneys at Law

November 17, 2016

Mr. Michael Brown
Administrator
County of Barry
220 W. State Street
Hastings, MI 49058

Re: Gun Lake Dam

Dear Michael:

In follow-up to our telephone conversation of Monday, I have prepared a proposed resolution (enclosed) to approve the Professional Services Agreement with Land & Resource Engineering, Inc., the form of which is attached as Attachment 1 to the Resolution. If the agreement is further negotiated by the County with Land & Resource Engineering, Inc. beyond the form of the draft sent to you last week, the updated draft will need to be substituted and attached as Attachment 1.

We have also provided reimbursement language in the resolution consistent with the reimbursement regulations of the Internal Revenue Code to preserve to the County the ability to reimburse itself from any future bond issue for preliminary expenditures incurred with regard to the improvement of the Gun Lake Dam, including the monies to be paid to Land & Resource Engineering, Inc. under the terms of the Professional Services Agreement.

Please note in Paragraph 5 of the resolution that I have designated that these monies will be paid from the County General Fund in an estimated amount of \$100,000. Please review this carefully. You may want to designate a different County fund from which the payments to Land & Resource Engineering, Inc. will be paid. You may also want to modify the amount of the anticipated advances, which I have estimated to be \$100,000. Of course, at the current time we only have the proposal from Land & Resource Engineering for the Phase 1 Services in the amount of \$24,950. Other costs incurred by the County, which could also be reimbursed from a future financing, would include legal fees paid to this firm for preliminary work.

Under the terms of the federal reimbursement regulations, such preliminary expenses, unless otherwise qualified as an exception to the reimbursement regulations, must be reimbursed from the proceeds of County debt for Gun Lake Dam Project not later than 18 months after the

Mr. Michael Brown
November 17, 2016
Page 2

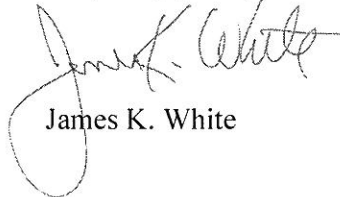
dam project is placed in service, but in no event more than 3 years after the payment of the original expenditures.

As we have discussed and assuming there is a project for the Gun Lake Dam in an amount that necessitates the County to borrow money and issue bonds or notes to cover the cost, the exact statutory procedures to be followed, as you know, have not yet been worked out. However, a likely statutory procedure to utilize for the project is provided by Part 307 of Act 451 of the Public Acts of Michigan of 1994 (MCL 324.30701 et. seq.), which was a recodification of the former lake level statute in the State of Michigan. In this regard, based on documents I previously reviewed for the County, a legal lake level was established for Gun Lake by order of the Barry County Circuit Court in 1921 in accordance with a predecessor statute to Part 307.

As you know, Barry County has previously worked with Part 307 to address dam maintenance, repair and financing issues for the Algonquin Lake Dam. Under Part 307, there is statutory authorization to defray the necessary costs to establish and maintain a normal lake level by the establishment of a special assessment district and the levy of special assessments against lands benefited by such a project.

If you have questions regarding these matters, please call.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James K. White", with a large, stylized loop at the bottom.

James K. White

sgc

By E-Mail

Enclosure

cc: Russ Yarger, Barry County Drain Commissioner
Brad Lamberg, Engineer/Manager, Barry County Road Commission