

HARBOR COMMISSION AGENDA
MEETING Monday, May 8, 2017
BEGINS AT 7PM
AT 315 BRIDGE ST, 231-264-9274

- 1) CALL TO ORDER**
- 2) APPROVAL OF MINUTES**
 - a. Harbor Commission Meeting held April 10, 2017**
- 3) REPORTS**
 - a. Staff – Harbormaster Crissman**
 - b. Council – Doug Bronkema**
 - c. Treasurer’s Report**
- 4) CITIZENS COMMENTS**
- 5) OLD BUSINESS**
 - a. Harbor Ordinance Review**
- 6) NEW BUSINESS**
 - a. June Harbor Commission Meeting**
- 7) ADJOURNMENT**

PUBLIC NOTICE ANNOUNCEMENT VILLAGE OF ELK RAPIDS
NOTICE OF COMPLIANCE WITH ADA MEETINGS

The Village of Elk Rapids shall provide reasonable auxiliary aids and services, such as signers for the hearing impaired and individuals with disabilities at meetings/hearings upon five (5) days’ notice to the Village. Individuals requiring auxiliary aids or services should contact the Village of Elk Rapids by writing or calling the following: William Cooper / PO Box 398, 315 Bridge St., Elk Rapids, MI 49629 / (231) 264-9274

With seven days advance notice, accommodations can be made for persons with disabilities and/or limited English speaking ability, and persons needing auxiliary aids of services of interpreters, signers, readers or large print.

Con siete días de anticipación, el alojamiento se pueden hacer las personas con discapacidad y / o capacidad limitada de habla Inglés, y las personas que necesitan ayudas auxiliares de servicios de intérpretes, los firmantes, lectores o en letra grande.

Với bảy ngày thông báo trước, phòng có thể được thực hiện cho người khuyết tật và / hoặc hạn chế khả năng nói tiếng Anh, và những người cần hỗ trợ các dịch vụ phụ trợ của thông dịch viên, những người ký tên, người đọc hoặc in lớn.

Nrog xya hnuv ua ntej daim ntawv ceeb toom, kev kho kom haum yuav ua rau cov neeg muaj kev tsis taus thiab / los yog tsis tau lus Askiv hais lus muaj peev xwm, thiab cov neeg hu ua deductible lwm yam kev pab ntawm cov kev pab cuam ntawm cov neeg txhais lus, signers, txawj nyeem ntawv los yog sau loj loj.

與7天前通知，住宿可以為殘疾人和/或有限的英語口語能力，並需要口譯，簽名，讀者或大型印刷服務的輔助器材的人的人進行。

او قارئین، الاشارة بلغة مختصين، مترجمين توفير يمكن، ايام سبعة من مسبق اشعار وجود مع بطلاقة الانجليزية اللغة يتكلمون لالذين وهؤلاء، الخاصة الاحتياجات لذوي الحجم كبيرة حروف.

DRAFT

HARBOR COMMISSION MINUTES: April 10, 2017

PRESENT: Fisher, Berck, Blesma, Bronkema, Wiltse, Reynolds

ABSENT: Hansen

CALL TO ORDER: Meeting called to order at 7:00 pm.

APPROVAL OF MINUTES:

- a. **Regular Harbor Commission meeting March 13, 2017:**
Commissioner Wiltse motioned and Commissioner Berck seconded to approve minutes from the regular meeting on March 13, 2017. All members present voting yes. Motion carried.

REPORTS:

- a. **Staff:** Harbormaster Crissman reported that he has completed the hiring of seasonal dock attendants. Staff has returned and started opening the harbor for the 2017 season. Crissman reported the number of individuals on each waiting list.
- b. **Council:** Bronkema reported that Council issued recognition of Maribeth Westcott, Village will be applying for grants for new restrooms at the dam beach, and the TART trail has seen some resistance by area farmers and local units of governments.
- c. **Treasurer:** Financial report provided.

CITIZENS COMMENT: None

NEW BUSINESS:

- a. **Approve Work Order Change for Power Pedestal Project:** Harbormaster Crissman reported the new power pedestal bases are smaller than the old ones. The new pedestals do not fit around a majority of our conduits at pedestal locations. Crissman reported that the pedestal manufacturer and engineer recommended manufacturing a new base the size of the old pedestals to mount the new pedestals on. Crissman reported the cost to do all pedestals would be \$41,158.00 and the harbor cost would be fifty percent of the total. With approval from Chairman Fisher, Manager Cooper, President Janisse, and DNR Waterways staff, Crissman has already given approval for this change order due to the urgency to keep the project on time. Commissioner Berck motioned and Commissioner Wiltse seconded to approve and recommend to Council to approve the power pedestal work order change #1 at a total cost of \$41,158.00. All members present voting yes. Motion carried.
- b. **Approve 2016 Harbor Commission Annual Report:** Harbormaster Crissman asked if there were any questions regarding the annual report and that three accomplishments needed to be selected and offered to Council. Commissioner Wiltse motioned and Commissioner Bronkema seconded to approve the 2016 Harbor Commission Annual Report and submit increased transient revenue and traffic for the past three years, purchased a new shuttling van for visitors to get to businesses in the Village, and the harbor received a fifty percent matching grant for the amount of \$197,000.00 to install new power pedestals with electric ground fault protection. All members present voting yes. Motion carried.
- c. **Harbor Commission Bylaws:** Chairman Fisher presented draft bylaws that he had written based upon existing Village of Elk Rapids Planning Commission bylaws. Commissioner Wiltse motioned and Commissioner Reynolds seconded to accept the Harbor Commission bylaws. All members present voting yes. Motion carried.

- d. **Harbor Ordinance Review:** A copy of the harbor ordinances with edits from zoning administrator Ravezzani was included in the packet. Commission will review and discuss at the next meeting.

CORRESPONDENCE:

- a. **Water Level Update:** Crissman reported that water levels are predicted to be the same as last year
- b. **Five Year Recreation Plan Scope of Work:** For Information only

ADJOURNMENT: Meeting adjourned at 7:17 pm.



Date: 5/8/2017
To: Harbor Commission
From: Eric Crissman
RE: Harbormasters Report

HARBOR UPDATE:

1. Capital Improvement Updates:
 - a. Pedestal Project: Pedestals started to be installed last week. Contractor is working diligently to be done before May 15.
 - b. WiFi: Fully installed new equipment, but we are waiting for a new modem from Charter for the system.
 - c. Air Conditioning: Fully installed and operational
 - d. Dredging: Will be complete or nearly complete as of Monday 5/8/17.
2. Water system is being chlorinated and samples tested 5/8 to 5/11.
3. Staff is busy prepping the harbor
 - a. Mulching and preparing gardens
 - b. Mowing the grounds
 - c. Power washing the main docks
 - d. Refinishing picnic tables
 - e. Cleaning and painting in buildings
4. New drinking fountains with bottle fill stations have been installed inside the bathhouse.
5. A new ADA accessible curb ramp has been installed where the main walkway hits the bathhouse curb. This will allow wheelchairs or those that have difficulty stepping up to easily walk to the bathhouse.
6. New dock carts have been purchased.
7. Three new grills have been purchased for the picnic area at the docks.
8. Installed 2 bike racks at the Upper Harbor Elk River Landing sidewalk at each end.
9. Installed 2 new returnable recycling containers at the Upper Harbor Elk River Landing and the shoreline along Harbor Drive.
10. New bulletin boards were installed and new artwork has been order for the bathhouse lobby areas for each side.

11. Surplus mower and surplus pedestals have been advertised and pedestal bids are due this Wednesday 5/10/17 at 10:00 am and mower bids are due this Thursday 5/11/17 at 10:00 am.

New Business:

June Harbor Commission Meeting: I recommend cancelling the regularly scheduled June Harbor Commission meeting and scheduling a special meeting to be held on Saturday June 24, 2017 at 11:00 am as an "Open Boater Forum" for any boaters to provide any feedback to Commissioners. The ERYC is having a potluck dinner in the pavilion on this day and we may have better attendance. This meeting was held in July in the past, but due to events and low attendance, I would like to try this June date.

**ELK RAPIDS HARBOR ACCOUNTS
CASH BALANCE REPORT
Monday, May 8, 2017**

FUND 407 - HARBOR CAPITAL

CASH BALANCE	(22,020.69)
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FUND 594 - HARBOR ENTERPRISE

CASH BALANCE	613,138.55
CERT. OF DEPOSIT	
PREPAID CONTRACTS	<u>3,594.00</u>
TOTAL	<u>616,732.55</u>

FUND 794 - HARBOR CONSTRUCTION

CASH BALANCE	<u>456,460.59</u>
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FUND 795 - HARBOR DEBT

CASH BALANCE	<u>137,479.13</u>
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TOTAL	<u><u>1,188,651.58</u></u>
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BALANCE 4/10/2017	<u><u>1,303,114.54</u></u>
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CHANGE IN BALANCE FROM 4/10/17	(114,462.96)
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CASH SUMMARY BY ACCOUNT FOR ELK RAPIDS VILLAGE
 FROM 03/01/2017 TO 05/31/2017
 FUND: 407 594 794 795
 CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 03/01/2017	Total Debits	Total Credits	Ending Balance 05/31/2017
Fund 407 003-000	HARBOR CAPITAL FUND CASH ACCOUNT/Harbor Capital	74,914.44	13.12	96,948.25	(22,020.69)
Fund 594 003-000 004-000	HARBOR FUND CASH ACCOUNT/Enterprise Harbor PREPAID HARBOR CONTRACTS	225,838.48 555,516.77	571,832.60 0.00	184,532.53 551,922.77	613,138.55 3,594.00
	HARBOR FUND	781,355.25	571,832.60	736,455.30	616,732.55
Fund 794 003-000	HARBOR CONSTRUCTION BREAKWATER CASH HARBOR CONSTRUCTION	456,380.70	79.89	0.00	456,460.59
Fund 795 003-000	HARBOR BOND DEBT FUND CASH ACCOUNT/Harbor Debt	121,922.50	123,042.88	107,486.25	137,479.13
	TOTAL - ALL FUNDS	1,434,572.89	694,968.49	940,889.80	1,188,651.58

User: ERIC

DB: Elk Rapids

GL NUMBER	DESCRIPTION	2017-18 AMENDED BUDGET	YTD BALANCE 04/30/2017	ACTIVITY FOR MONTH 04/30/2017	AVAILABLE BALANCE	% BDGT USED
Fund 407 - HARBOR CAPITAL FUND						
Dept 000						
407-000-672-000	INTEREST	0.00	13.12	0.00	(13.12)	100.00
407-000-691-106	FROM/HARBOR/594	290,000.00	0.00	0.00	290,000.00	0.00
407-000-692-201	PEDESTAL REPLACEMENT GRANT	197,000.00	0.00	0.00	197,000.00	0.00
407-000-699-000	PRIOR YR/ENDING CASH BALANCE	77,500.00	0.00	0.00	77,500.00	0.00
Net - Dept 000		564,500.00	13.12	0.00	564,486.88	
Dept 544-HARBOR						
407-544-769-000	STRIPE PARKING LOT	3,000.00	0.00	0.00	3,000.00	0.00
407-544-964-000	WEED CONTAINMENT	5,000.00	0.00	0.00	5,000.00	0.00
407-544-973-000	DREDGING	65,000.00	0.00	0.00	65,000.00	0.00
407-544-975-100	STORAGE BUILDING	50,000.00	0.00	0.00	50,000.00	0.00
407-544-975-475	PEDESTAL REPLACEMENT	394,000.00	86,848.00	86,848.00	307,152.00	22.04
407-544-975-801	BATH HOUSE AIR CONDITIONING	20,000.00	0.00	0.00	20,000.00	0.00
407-544-975-802	MOWER/GARDEN POWER TOOLS	10,000.00	8,400.25	0.00	1,599.75	84.00
407-544-975-803	CREDIT CARD SOFTWARE/EQUIP	1,500.00	0.00	0.00	1,500.00	0.00
407-544-975-804	WI-FI UPGRADE	12,000.00	0.00	0.00	12,000.00	0.00
407-544-975-805	SIDEWALK MODIFICATION	5,000.00	0.00	0.00	5,000.00	0.00
407-544-975-806	BATH HOUSE UPGRADES	3,000.00	1,700.00	1,700.00	1,300.00	56.67
407-544-975-807	WEBCAM	2,000.00	0.00	0.00	2,000.00	0.00
407-544-975-808	FIVE-YEAR RECREATION PLAN	2,000.00	0.00	0.00	2,000.00	0.00
407-544-981-300	TO/MOTOR VEHICLE/661	1,000.00	0.00	0.00	1,000.00	0.00
Net - Dept 544-HARBOR		(573,500.00)	(96,948.25)	(88,548.00)	(476,551.75)	
Fund 407 - HARBOR CAPITAL FUND:						
TOTAL REVENUES		564,500.00	13.12	0.00	564,486.88	0.00
TOTAL EXPENDITURES		573,500.00	96,948.25	88,548.00	476,551.75	16.90
NET OF REVENUES & EXPENDITURES		(9,000.00)	(96,935.13)	(88,548.00)	87,935.13	1,077.06

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GL NUMBER	DESCRIPTION	2017-18 AMENDED BUDGET	YTD BALANCE 04/30/2017	ACTIVITY FOR MONTH 04/30/2017	AVAILABLE BALANCE	% BDGT USED
Fund 594 - HARBOR FUND						
Dept 000						
594-000-454-000	CONTRACTUAL/SEASONAL UPPER HAF	30,600.00	30,600.20	(9,136.00)	(0.20)	100.00
594-000-454-500	CONTRACTUAL/SEASONAL/NEW/UPPEI	38,824.00	36,544.00	9,136.00	2,280.00	94.13
594-000-455-000	CONTRACTUAL/SEASONAL LOWER HAF	499,800.00	494,203.32	6,470.50	5,596.68	98.88
594-000-456-000	SALES/GAS	190,000.00	0.00	0.00	190,000.00	0.00
594-000-457-000	FEES/DIESEL	60,000.00	0.00	0.00	60,000.00	0.00
594-000-458-000	FEES/SEASONAL RAMP PASSES	8,000.00	0.00	0.00	8,000.00	0.00
594-000-458-100	FEES/DAILY RAMP PASSES/LOWER HA	8,000.00	0.00	0.00	8,000.00	0.00
594-000-458-200	FEES/DAILY RAMP PASSES/UPPER HAF	3,000.00	0.00	0.00	3,000.00	0.00
594-000-500-000	FEES/PUMP-OUT	3,500.00	0.00	0.00	3,500.00	0.00
594-000-500-200	FEES/ICE	4,500.00	0.00	0.00	4,500.00	0.00
594-000-500-300	FEES/POP	300.00	0.00	0.00	300.00	0.00
594-000-501-000	MERCHANDISE	100.00	0.00	0.00	100.00	0.00
594-000-504-000	FEES/PAVILION RENTAL	3,000.00	450.00	100.00	2,550.00	15.00
594-000-505-000	FEES/COMMERCIAL RAMP PASS	2,250.00	600.00	600.00	1,650.00	26.67
594-000-600-000	FEES/TRANSIENT	160,000.00	0.00	0.00	160,000.00	0.00
594-000-672-000	INTEREST	0.00	112.69	0.00	(112.69)	100.00
594-000-689-000	FROM/GEN/101/BATHROOM CLEANING	9,500.00	0.00	0.00	9,500.00	0.00
594-000-693-250	REIMBURSEMENT/LIBRARY UTILITIES	3,000.00	689.94	232.91	2,310.06	23.00
594-000-694-000	MISCELLANEOUS	2,000.00	0.00	0.00	2,000.00	0.00
594-000-694-250	FEES/HARBOR WAITING LIST	1,000.00	200.00	60.00	800.00	20.00
594-000-695-100	LAUNDRY	500.00	0.00	0.00	500.00	0.00
594-000-695-200	UP HARB BOX	2,000.00	0.00	0.00	2,000.00	0.00
594-000-699-000	PRIOR YR/ENDING CASH BALANCE	200,000.00	0.00	0.00	200,000.00	0.00
Net - Dept 000		1,229,874.00	563,400.15	7,463.41	666,473.85	
Dept 544-HARBOR						
594-544-700-000	SALARY & WAGES	185,000.00	9,545.73	7,739.14	175,454.27	5.16
594-544-701-000	OVERTIME	5,000.00	0.00	0.00	5,000.00	0.00
594-544-705-000	WAGE/HARBORMASTER	52,200.00	7,846.40	3,923.20	44,353.60	15.03
594-544-706-000	TO/GEN/101/POLICE WAGES	15,000.00	0.00	0.00	15,000.00	0.00
594-544-715-000	SOCIAL SECURITY	18,850.00	1,330.49	892.15	17,519.51	7.06
594-544-716-000	HEALTH INSURANCE	35,000.00	7,463.31	5,426.60	27,536.69	21.32
594-544-718-000	RETIREMENT	12,000.00	1,176.82	588.42	10,823.18	9.81
594-544-719-000	SICK & ACCIDENT	2,964.00	280.10	160.75	2,683.90	9.45
594-544-720-000	WORKER'S COMPENSATION	4,200.00	0.00	0.00	4,200.00	0.00
594-544-722-000	UNEMPLOYMENT INSURANCE	4,000.00	3,960.00	3,960.00	40.00	99.00
594-544-751-000	FUEL GAS	175,000.00	32.92	32.92	174,967.08	0.02
594-544-752-000	DIESEL GAS	50,000.00	0.00	0.00	50,000.00	0.00
594-544-754-000	MERCHANDISE	500.00	0.00	0.00	500.00	0.00
594-544-756-000	DUMPSTER	2,200.00	0.00	0.00	2,200.00	0.00
594-544-757-000	SUPPLIES	18,000.00	391.10	7.98	17,608.90	2.17
594-544-758-700	ICE MAKERS	3,000.00	0.00	0.00	3,000.00	0.00
594-544-759-500	POP PURCHASE	300.00	0.00	0.00	300.00	0.00

User: ERIC

DB: Elk Rapids

GL NUMBER	DESCRIPTION	2017-18 AMENDED BUDGET	YTD BALANCE 04/30/2017	ACTIVITY FOR MONTH 04/30/2017	AVAILABLE BALANCE	% BDGT USED
Fund 594 - HARBOR FUND						
594-544-760-300	PROPANE	1,000.00	0.00	0.00	1,000.00	0.00
594-544-803-000	AUDITOR	1,300.00	0.00	0.00	1,300.00	0.00
594-544-818-000	CONTRACTUAL FEES	13,000.00	503.32	41.82	12,496.68	3.87
594-544-818-500	PROF SVC/SOFTWARE/SUPPORT	500.00	534.59	116.59	(34.59)	106.92
594-544-853-000	PHONE	3,300.00	294.70	196.36	3,005.30	8.93
594-544-854-000	CABLE FEES	9,000.00	549.06	274.53	8,450.94	6.10
594-544-855-000	CREDIT CARD PROCESSING FEES	12,000.00	30.00	0.00	11,970.00	0.25
594-544-864-000	TRAINING/CONFERENCES	2,000.00	810.00	810.00	1,190.00	40.50
594-544-880-000	COMMUNITY PROMOTION	2,500.00	0.00	0.00	2,500.00	0.00
594-544-900-000	PRINTING/PUBLICATION	3,000.00	1,313.32	26.25	1,686.68	43.78
594-544-910-000	INSURANCE/LIABILITY	8,500.00	3,753.21	0.00	4,746.79	44.16
594-544-920-000	UTILITIES	56,500.00	3,727.16	1,452.60	52,772.84	6.60
594-544-930-000	REPAIRS AND MAINTENANCE	23,000.00	514.35	514.35	22,485.65	2.24
594-544-932-200	PURCHASE LUMBER	5,000.00	0.00	0.00	5,000.00	0.00
594-544-941-000	RENT/BLDG/HARBOR/SUPPLIES	3,000.00	0.00	0.00	3,000.00	0.00
594-544-956-000	MISCELLANEOUS	1,500.00	125.00	125.00	1,375.00	8.33
594-544-958-200	HARBOR ACTIVITIES	3,500.00	0.00	0.00	3,500.00	0.00
594-544-965-200	TO/GEN/101/ADMIN	2,800.00	0.00	0.00	2,800.00	0.00
594-544-965-250	TO/GEN/101/TART TRAIL	5,000.00	0.00	0.00	5,000.00	0.00
594-544-965-400	TO/HARBOR CAP/407	290,000.00	0.00	0.00	290,000.00	0.00
594-544-967-500	HARBOR CONTRACT REFUNDS	10,000.00	0.00	0.00	10,000.00	0.00
594-544-970-800	COMPUTER/SOFTWARE PURCHASE	4,000.00	3,850.00	3,850.00	150.00	96.25
594-544-972-400	SMALL EQUIPMENT	1,000.00	0.00	0.00	1,000.00	0.00
594-544-996-000	TO/HARBOR BOND DEBT/795	123,000.00	123,000.00	0.00	0.00	100.00
Net - Dept 544-HARBOR		(1,167,614.00)	(171,031.58)	(30,138.66)	(996,582.42)	
Fund 594 - HARBOR FUND:						
TOTAL REVENUES		1,229,874.00	563,400.15	7,463.41	666,473.85	45.81
TOTAL EXPENDITURES		1,167,614.00	171,031.58	30,138.66	996,582.42	14.65
NET OF REVENUES & EXPENDITURES		62,260.00	392,368.57	(22,675.25)	(330,108.57)	630.21

REVENUE AND EXPENDITURE REPORT FOR ELK RAPIDS VILLAGE
 PERIOD ENDING 04/30/2017

GL NUMBER	DESCRIPTION	2017-18 AMENDED BUDGET	YTD BALANCE 04/30/2017	ACTIVITY FOR MONTH 04/30/2017	AVAILABLE BALANCE	% BDGT USED
Fund 794 - HARBOR CONSTRUCTION BREAKWATER						
Dept 000						
794-000-672-000	INTEREST	0.00	79.89	0.00	(79.89)	100.00
794-000-699-000	PRIOR YR/ENDING CASH BALANCE	455,000.00	0.00	0.00	455,000.00	0.00
Net - Dept 000		455,000.00	79.89	0.00	454,920.11	
Fund 794 - HARBOR CONSTRUCTION BREAKWATER:						
TOTAL REVENUES		455,000.00	79.89	0.00	454,920.11	0.02
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		455,000.00	79.89	0.00	454,920.11	0.02

REVENUE AND EXPENDITURE REPORT FOR ELK RAPIDS VILLAGE
PERIOD ENDING 04/30/2017

GL NUMBER	DESCRIPTION	2017-18 AMENDED BUDGET	YTD BALANCE 04/30/2017	ACTIVITY FOR MONTH 04/30/2017	AVAILABLE BALANCE	% BDGT USED
Fund 795 - HARBOR BOND DEBT FUND						
Dept 000						
795-000-672-000	INTEREST	0.00	42.88	0.00	(42.88)	100.00
795-000-691-115	FROM/HARBOR/594/CONTRACTS	123,000.00	123,000.00	0.00	0.00	100.00
795-000-699-000	PRIOR YR/ENDING CASH BALANCE	121,579.00	0.00	0.00	121,579.00	0.00
Net - Dept 000		244,579.00	123,042.88	0.00	121,536.12	
Dept 795-HARBOR BOND DEBT						
795-795-804-200	PROFESSIONAL SERV/ DEBT AGENT FE	300.00	250.00	0.00	50.00	83.33
795-795-980-400	2012/CAP/IMP/REF/BOND/INT	23,689.00	12,236.25	0.00	11,452.75	51.65
795-795-980-450	2012/CAP/IMP/REF/BOND/PRIN	95,000.00	95,000.00	0.00	0.00	100.00
Net - Dept 795-HARBOR BOND DEBT		(118,989.00)	(107,486.25)	0.00	(11,502.75)	
Fund 795 - HARBOR BOND DEBT FUND:						
TOTAL REVENUES		244,579.00	123,042.88	0.00	121,536.12	50.31
TOTAL EXPENDITURES		118,989.00	107,486.25	0.00	11,502.75	90.33
NET OF REVENUES & EXPENDITURES		125,590.00	15,556.63	0.00	110,033.37	12.39
TOTAL REVENUES - ALL FUNDS		2,493,953.00	686,536.04	7,463.41	1,807,416.96	27.53
TOTAL EXPENDITURES - ALL FUNDS		1,860,103.00	375,466.08	118,686.66	1,484,636.92	20.19
NET OF REVENUES & EXPENDITURES		633,850.00	311,069.96	(111,223.25)	322,780.04	49.08

CHAPTER 8

VILLAGE HARBOR AND ~~MARINA~~ BOATING FACILITIES

ARTICLE I. - IN GENERAL

ARTICLE II. – **REGULATIONS AND REQUIREMENTS**

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ARTICLE I. IN GENERAL

Sec. 8-1. Authority of Village Council.

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Sec. 8-7_8-20. Reserved.

Sec. 8-1. Authority of Village Council.

- a. The Village Council shall have and retain full authority over the affairs of **the all** harbor **and boating** facilities, and nothing contained in this section shall be deemed to waive such authority. The council shall specifically retain contractual powers by law.
- b. The Village Council **may shall** from time to time by resolution promulgate such regulations as it deems necessary for the governing of the use of **the municipal marina all village harbor** and boating facilities, and such regulations, when made by the Village Council and posted upon such piers for the period of six days, shall be considered as supplemental to this article. **(Relocated from Art. II)**

(Code 1985, § 12.155)

Sec. 8-2. Village Manager to supervise harbor operations.

- a. Pursuant to the direction of the Village Council, the Village Manager shall maintain supervising control over the **daily** operations of **all the** harbor **and boating facilities.** **and shall be the immediate supervisor of the harbormaster.**
- b. **The Village Manager may** appoint a Harbormaster **of the village to supervise daily operations of all harbor and** boating facilities and **marina shall have authority to remove, direct, and supervise the Harbormaster, pursuant to Section 2-43.a., of this General Code of Ordinances.**

(Code 1985, § 12.156)

Sec. 8-3. Harbormaster.

The president may nominate and the council may appoint a harbormaster of the village boating facilities and marina. The harbormaster shall have the authority to enforce the provisions of this article and any regulation promulgated under this article governing the operations and use of the municipal facilities and marina as set forth in this article, and

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~~make complaints for violation of this article.~~ (This function is now under the authority of the Village Manager, see 7-2. above)

(Code 1985, ch. 3040, § 20.101)

- a. ~~The president may nominate and the council may~~ **Village Manager may appoint a harbormaster of the village boating facilities and marina.** The Harbormaster shall have the authority to enforce the provisions of this article and any regulation promulgated under this article governing the operations and use of ~~the municipal~~ **all harbor and boating** facilities ~~and marina~~ as set forth in this article, and make complaints for violation of this article. ~~The village manager shall have authority to remove, direct, and supervise the harbormaster, pursuant to Section 2-7 and Section 2-93(4) of the village general code of ordinances.~~ (Relocated to Sec. 6-2., above)

Sec. 8-4. Definitions.

- a. ~~The following~~ Words, terms and phrases, when used in this article, shall have the **following** meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- Beaching or beached: Placing or securing a watercraft on or against the shore on village property.
 - Boat or vessel: Any floating object capable of carrying people as a means of transportation in water with or without propulsion that is required to be registered by the State of Michigan.
 - Boating facility: The boating facility will be as set forth in a boundary map maintained at the village offices and, in general shall extend and include all publicly owned docks, boardwalks, seawalls and land bordering water in the village. It also includes boat launch sites and any other village owned slip or boating sites within and directly adjoining Elk River.
 - Commercial purposes: The taking, catching or killing or attempt to take, catch or kill any fish or species of fish for the purpose of selling, processing or in any way utilizing in any business or profit-making undertaking.
 - Docking: The anchoring, or mooring of watercraft directly to a pier, structure, designated areas, platform, pole, anchor, dock, and includes overnight beaching of a watercraft.
 - Launching sites: **Launching sites requiring permits are** The launch ramp at Edward C. Grace Memorial Harbor and the launch ramp at North Bridge Street on Elk River.

(Code 1985, ch. 3040, § 20.120; Ord. No. 347, 5-3-2004)

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Sec. 8-5. Boundaries of marina harbor and boating facility.

- a. The boundaries of the harbor marina and boating facility shall constitute the Edward C. Grace Memorial Harbor, other village owned slip or dockage sites (Upper Harbor), and all boat launch sites within and directly adjoining the Elk River. A map showing the boundaries shall be posted in the harbor office ~~harbormaster's office at the marina,~~ and a copy will also be available at the village office. ~~In addition,~~ A specific legal description will be maintained at the clerk's office, and, in the event of a difference between such map and the legal description, the map description shall control. **(Relocated from Article II.)**
- ~~b. The boating facility will be as set forth in a boundary map maintained at the village office and, in general, shall extend and include all of the boat launch sites and any other village-owned slip or boating sites within and directly adjoining Elk River as between Dexter Street and Bridge Street. Included in a.~~

(Code 1985, ch. 3040, § 20.121)

Sec. 8-6. Penalty for violation of article.

- a. Any persons, firms, partnerships or associations violating any of the provisions of this article shall be deemed guilty of a civil infraction and, upon conviction, shall be punished as provided in **Chapter 5 of this Code of Ordinances. Sec. 1-17.** All violations of this article shall be considered as separate offenses.

(Code 1985, ch. 3040, §§ 20.119, 20.122)

~~**Cross reference** — Officers and employees, § 2-76 et seq.~~

Sec. 8-7. 8-20. Reserved.

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ARTICLE II – REGULATIONS AND REQUIREMENTS

Sec. 18-21. Definitions. Moved To Art. I. In General

Sec. 6-21. Boundaries of marina harbor and boating facilities. Moved To Art. I. In General

Sec. 18-23. Harbormaster. Moved To Art. I. In General

Sec. 6-22. Supplemental regulations. Moved To Art. I. In General

Sec. 18-25. Penalty for violation of article. Moved To Art. I. In General

Sec. 8-21. Registration of boats.

Sec. 8-22. Docking spaces; land for incoming and outgoing craft.

Sec. 8-23. Small craft.

Sec. 8-24. Launching.

Sec. 8-25. Wake.

Sec. 8-26. Trespass.

Sec. 8-27. Polluting waters.

Sec. 8-28. Water skiing; surfboarding.

Sec. 8-29. Swimming; diving.

Sec. 8-30. Commercial fishing.

Sec. 8-31. Watercraft; maintenance and mooring.

Sec. 8-32. Motor vehicles.

Sec. 8-33. Commercial watercraft.

Sec. 8-34. Dockage charge.

Sec. 8-35. Disturbing marina or boating facility.

Sec. 8-36. Use of propellers.

Sec. 8-37_8-50. Reserved.

Sec. 8-21. Registration of boats.

- a. All boat owners using the **harbor** facilities ~~of the municipal pier and marina~~ shall register the name and **MC registration** number of their boat with the Harbormaster, **who and** will **assign be designated** a dock or anchorage space. ~~by the Harbormaster.~~ All boats in the **harbor marina** shall be governed in accordance with such directions as the Harbormaster may give.

(Code 1985, ch. 3040, § 20.102)

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Sec. 8-22. Docking spaces; land for incoming and outgoing craft.

- a. No vessel shall be docked in the **village harbor** ~~the marina~~ or boating facilities except those docked at regularly allotted spaces along the dock or breakwater and/or within ~~the~~ spaces designated by regulation and marked by the Harbormaster as being docking space. At all times, a lane for the ingress and egress of boats shall be kept clear for ~~the use of~~ incoming and outgoing craft. ~~Violation of this regulation shall be deemed a civil infraction, with a fine of up to \$100.00, together with the costs of enforcement.~~ (covered in sec. 8-6, above)

- b. **No** watercraft ~~vessels~~ shall ~~not~~ be beached overnight on village property. ~~Violation of this regulation shall be deemed a civil infraction, with a fine of up to \$100.00, together with the costs of enforcement.~~ (covered in sec. 8-6, above)

- c. Docking spaces in the upper and lower harbors may be designated by the harbormaster as short-term "shopper docks" by either signage (permanent or temporary), or verbally by a member of the harbor staff. Verbal designation will be made directly to the operator of any watercraft wishing to use a shopper dock space that lacks signage. Such designated spaces, intended for use only by persons while shopping in the village, shall not be occupied by the same watercraft, of any type, for more than three consecutive hours. Violation of this section shall be deemed a civil infraction and a fine imposed of up to \$50.00 for each additional three-hour period, or any part thereof, beyond the established three-hour limit.

- d. ~~Any person violating section 18-27 shall be guilty of a civil infraction. In the event of any offense that continues more than one day, each day shall be considered a separate violation.~~ (covered in sec. 8-6, above)

(Code 1985, ch. 3040, § 20.103; Ord. No. 347, 5-3-2004; Ord. No. 377, 4-2-2007)

Sec. 8-23. Small craft.

- a. Rowboats and other small craft must be tied only in designated areas. Any rowboats, canoes, dinghies, rafts or other small craft found beached at any other place within the village **harbor marina** or boating facilities will be impounded. The owner of such impounded craft shall pay all costs involved in removing such craft to the pound area designated by the Village Council.

(Code 1985, ch. 3040, § 20.104)

Sec. 8-24. Launching and loading.

- a. **Launching and loading of** all boats and vessels shall **take place only at designated sites** ~~be launched in the water only at the places~~ provided for such purpose. ~~All loading of boats and vessels onto trailers shall also take place at designated sites,~~ **and** There shall be no power launching or loading (the acceleration of the watercraft onto

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or off of the trailer) **allowed**. All launching and loading of boats and vessels from trailers shall be accomplished safely and efficiently and there shall be no parking of vehicles on the launch ramp other than for the limited time necessary to launch or load boats and vessels.

- b. Persons launching or loading boats and vessels at launch sites requiring permits by the village shall purchase either a seasonal ramp pass or a daily ramp pass. This pass must be displayed in the window of the vehicle launching or loading the boat while parked in the Edward C. Grace Memorial Harbor parking lot.
- c. **Any person violating section 18-29 shall be guilty of a civil infraction. Violation of this section shall carry a minimum fine of \$25.00 for the first offense, a fine of \$50.00 for the second offense, and a fine of \$100.00 for the third and subsequent offense, together with the cost of prosecution.**

Covered in Chapter 4.

(Code 1985, ch. 3040, § 20.105; Ord. No. 347, 5-3-2004)

Sec. 8-25. Wake.

- a. **Subject to the requirements of Article III., of this Chapter**, each operator and/or owner of a watercraft shall be responsible for the wake of such craft, and will control his craft in such manner as not to damage or tamper with property, personal or real.

(Code 1985, ch. 3040, § 20.106)

Sec. 8-26. Trespass.

- a. No person shall trespass upon or in any way tamper with any boat while moored in the village **harbor marina** or **boating** facilities.

(Code 1985, ch. 3040, § 20.107)

Sec. 8-27. Polluting waters.

- a. The waters of village **harbor marina** or **boating** facilities shall not be fouled in any way. **Toilet facilities emptying into the marina waters shall not be used while the boat is in the marina.** No garbage, oil, sludge, refuse matter, sewage or waste materials of any kind shall be thrown, deposited or permitted to fall in the water or upon the piers, docks or shore areas of **any the marina, village harbor or boating facility.**

(Code 1985, ch. 3040, § 20.108)

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Sec. 8-28. Water skiing; surfboarding.

- a. Water skiing, water sledding, surfboarding or other similar activities shall not be allowed within the areas of the village **harbor marina** or boating facility.

(Code 1985, ch. 3040, § 20.109)

Sec. 8-29. Swimming; diving.

- a. Swimming, diving, scuba diving or skin diving shall not be allowed **within the areas of the village harbor or boating facilities at, off or adjacent to any property of the village**, except **as may be authorized by at designated swimming beaches or with permission of** the Harbormaster.

(Code 1985, ch. 3040, § 20.110)

Sec. 8-30. Commercial fishing.

- a. It shall be unlawful for any person to take, catch or kill, or attempt to take, catch or kill any fish or any species of fish, for commercial purposes, within the waters of the village **harbor marina** or **boating facilities** or within 200 feet either side of the marked entrance channel of the village **harbor marina**.

(Code 1985, ch. 3040, § 20.111)

Sec. 8-31. Watercraft; maintenance and mooring.

- a. All watercraft using the village **harbor marina** or **boating facilities** shall be maintained in a safe and seaworthy condition and equipped in accordance with Coast Guard regulations. They shall be moored in a manner satisfactory to the Harbormaster and which will avoid fouling any other craft.

(Code 1985, ch. 3040, § 20.112)

Sec. 8-32. Motor vehicles.

- a. All vehicles servicing or used in connection with any type of craft must remain in the regularly established roads or parking areas. When not in actual use, all cars, trailers, trucks and other motor vehicles must be parked in designated parking areas. Automobiles and bicycles are hereby prohibited from traveling on the pier.

(Code 1985, ch. 3040, § 20.113)

Cross reference—Traffic and vehicles, ch. 58.

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Sec. 8-33. Commercial watercraft.

- a. No watercraft operating commercially shall be permitted in the **harbor marina** at any time except for emergency or with permission from the Harbormaster or the Village Council.

(Code 1985, ch. 3040, § 20.114)

Sec. 8-34. Dockage fee charge.

- a. There shall be imposed upon all boats using the **municipal- village harbor marina** or **boating facilities** a dockage and/or anchorage **fee charge**, in such amount which as from time to time shall be set by the Village Council, which charge shall be applied towards maintenance of such **harbor marina** or **boating facilities**. Such **fee charge** shall be payable in advance upon registering with the Harbormaster, and upon failure to pay such **fee charge**, the craft owner may be denied regular dockage or anchorage space for his craft.

(Code 1985, ch. 3040, § 20.115)

Sec. 8-35. Disturbing marina or boating facility.

- a. It shall be unlawful to alter or disturb any part of the **harbor marina** or **boating facilities** without permission of the Village Council.

(Code 1985, ch. 3040, § 20.116)

Sec. 8-36. Use of propellers.

- a. Watercraft moored in the village **harbor marina** or **boating facilities** shall not have propellers operating except to enter or leave mooring position.

(Code 1985, ch. 3040, § 20.117)

Sec. 8-37_8-50. Reserved.

ARTICLE III – ELK RIVER NO WAKE SPEED REGULATION

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Sec. 8-51. Antrim County Regulation No. 5—WC-05-12-001 Elk River—No wake speed.

Sec. 8-52._8-60. Reserved

Sec. 8-51. WC-05-12-001 Elk River—No wake speed.

- a. On the waters of the Elk River, commencing at the Elk Rapids Power Dam, Latitude: 44.90096 Longitude: 85.41226, extending upstream to a piece of land formerly connected to Government Lot #3, known as "the Island," Latitude: 44.89555 Longitude: 85.40456, within Section 21, Town 29 North, Range 9 West, within the Village of Elk Rapids, County of Antrim, State of Michigan, it is unlawful for the operator of a vessel to exceed a slow—no wake speed.
- b. Slow-no wake speed: **means** a very slow speed whereby the wake or wash created by the motorboat would be minimal.
- c. The boundaries of the area described above shall be marked with signs and/or with buoys. Any buoys must be placed as provided in a permit issued by the Department of Natural Resources and be in conformance with the State Uniform Waterway Marking System.

(Ord. No. 438, 3-18-2013)

Sec. 8-52._8-60. Reserved.