

KENT COUNTY BOARD OF COMMISSIONERS

*Thursday, October 24, 2002
Administration Building - Room 310*

Meeting called to order at 8:30 a.m. by Vice Chair David J. Morren.

Present: Commissioners Agee, Boelema, Buege, Hiddema, Horton, Koorndyk, Kuhn, Kuipers, Mast, Mayhue, McGuire, Morgan, Morren, Postmus, Sak, Vaughn, Vonk, Wahlfield – 18.

Absent: Chair Heacock - 1 (Excused).

Invocation: Commissioner Sak introduced Reverend Dick Termaat, Other Way Ministries, who gave the invocation.
The Pledge of Allegiance followed.

PUBLIC COMMENT

Diana Sieger, President of Grand Rapids Community Foundation and Chair, Kent County Family & Children's Coordinating Council – Thanked Commissioners for their creation of the Prevention Programming & Evaluation Fund.

Dan Hibma, 7955 Byron Station Court SW, Byron Center – Expressed opposition to the Purchase of Development Rights program ("PDR"). He questioned how the taxes for this program will be raised. The Board of Commissioners ("BOC") should listen to the opposition and resolve the issue of how to pay for the initiative before proceeding any further.

Candace Cowling, Executive Director of the Child & Family Resource Council - Thanked the Commissioners for creating the Prevention Programming & Evaluation Fund.

Harold Voorhees, 5380 Kenowa, Wyoming - What are the long-term impacts of the PDR program with regard to affordable housing and more government control of land? He requested that Commissioners not rush into a PDR program.

Mick McGraw, 5333 Settlers Pass SE, Kentwood - Is supportive of some form of a PDR program. His concern is the magnitude of the program and unintended consequences. The goals of saving/preserving farmland are admirable, but identifying the costs associated is needed.

Judy Barnes, Executive Vice President of the Home & Building Association ("HBA") of Greater Grand Rapids - The HBA has asked for time before the BOC to put forth its concerns regarding the PDR program. She believes that the five or fifteen minute limit during the public hearing will not allow them the proper time to address concerns.

Denny Heffron, 7724 Ashley Avenue NE, Belding (Grattan Twp.) – Commended the BOC for looking into PDR's. If agriculture is to survive in Kent County, something needs to be done. For 2 ½ years, a group traveled around the United States gathering information on this issue. Over a

year ago, they asked the HBA to participate in a trip, but it was not interested. Why now does the HBA say it needs more time to study this issue? It is time to make a decision.

David Veenstra, 1800 Rossman SE, Grand Rapids - Farmland preservation is very important to him and many other people in the City of Grand Rapids. The farmers markets, green space and wild life habitats are enjoyed by many citizens. This would not be an unfunded mandate. At this time, we are not requiring any money be spent. This is the right thing to do since once the land is gone, it is gone forever.

Nancy Benner, Grattan Township - A member of the PDR workgroup and one who has spent many months developing the program. She is very encouraged by the support they have received. A "yes" vote on this issue is needed to preserve farmland in the county. 93,000 acres is not asking for too much - the farmers need our support.

Vice Chair Morren announced that a public hearing will be held on the issue of PDR's on November 7, 2002, at 7:00 p.m., Room 310, County Administration Building, 300 Monroe Avenue NW, Grand Rapids.

SPECIAL ORDER OF BUSINESS

4-H Recognition

Betty Blase, Cooperative Extension Director, announced that through her office there are some excellent educational programs. Today she highlights 4-H Youth Development. She introduced Tiffany Wieland and Trish Albert, 4-H ambassadors. Miss Wieland, a 9 year 4-H member, in honor of the 100th anniversary of 4-H, thanked Commissioners for the support they continue to give to the youth development program. Commissioners signed a proclamation last year declaring 2002 The Year of 4-H. The Commissioners each received a centennial coffee mug as a token of appreciation.

Public Health Update

Cathy Raeovsky, Administrative Health Officer, gave the West Nile Virus and Small Pox Vaccination Clinics updates.

West Nile Virus ("WNV") – Currently, 463 cases reported in Michigan have resulted in 36 deaths. Michigan is second only to Illinois in case count. Kent County has had 50 cases resulting in 2 deaths. There have been over 800 reports of dead birds, the location of which are pinpointed on a map. First reported in the U.S. in 1999, WNV had been commonly found in Africa, east Europe, west Asia and the Middle East. We will see this virus next year. Kent County is collecting and analyzing the data from this year. They will look at the distribution and occurrence of both the dead animals and the individuals who became sick, and are making plans for prevention efforts for next year. The focus of prevention plans: a) public education and b) begin to investigate cost effective ways of eradicating the larvae in water pools. Currently, there is no vaccine for humans. Spraying is very costly and may not be cost effective because it kills only the adult mosquitos.

Small Pox Vaccination Clinics - There has been a lot of contradictory information coming from the federal government regarding small pox clinics in the U.S. Several issues are still in debate. There are two plans on the table: 1) Pre-event plan – this would include issuing vaccines before an actual case occurs. That plan has been the most discussed, and would be staged with health care/emergency care workers getting vaccines first and then moving on to the general population. No national policy has been finalized. The plan in Michigan is to do these vaccinations on a regional basis. However, questions remain regarding liability for the people who are giving the shots. This is creating difficulties in Lansing and at the national level. 2) Post-event – a case of small pox actually occurs in the United States and then gearing up to put into place a massive vaccination program within a very short period of time. That plan calls for vaccinating every citizen in Kent County (574,000 people) within five days. It is not an unmanageable or undoable event, but the logistics are huge. They would include: location of sites large enough to handle that many individuals; and, the designation of a hospital that would only see those cases. The belief nationally is that if we see one case of small pox in the U.S., we have to assume that it is a case of terrorism and that others will follow. Kent County began the initial planning three weeks ago. Currently, there are 15 million doses of vaccine available nationally that can be diluted to cover the entire population. There would be enough vaccine available, but in terms of how we would implement would depend on the type of vaccine that arrived here.

Purchase of Development Rights

Commissioner Postmus commented that well attended public meetings were held in Sparta and Lowell. A workshop was held on Tuesday, and the information gained was assimilated into the report. He introduced Dr. David Skjaerlund, Executive Director of Rural Partners of Michigan and facilitator of the County's PDR workgroup, to go over the draft program structure and the PDR Workgroup Report (copy of which is on file in the Office of the County Clerk).

The purpose of the farmland preservation task force was to develop a framework for a farmland preservation program and a draft PDR ordinance. The PDR workgroup has met every two weeks since June. The workgroup was open to all interested parties. The plan is to preserve 92,000 acres of farmland. This represents just 18% of the county and 50% of the remaining farmland in Kent County.

Dr. Skjaerlund reviewed the process, state requirements, the main segments of the report, administration procedure, agricultural preservation board makeup and duties, the role of the BOC, staffing options, selection criteria, and the preliminary factors to proceed.

The next steps include: 1) the public hearing on November 7, 2002; 2) adoption of PDR ordinance; 3) appointment of agricultural preservation board; 4) adoption of operating guidelines; 5) approval of selection criteria; and, 6) receive applications.

CONSENT AGENDA

- a) Approval of the Minutes of October 10, 2002, Meeting
- b) October 15, 2002, Finance Committee Meeting Minutes
(Reports of Claims and Allowances)

c) Resolutions:

10-24-02-148 – APPROPRIATE DONATIONS TO COMMUNITY PROBATION / DAY TREATMENT SCHOOL BUDGET / CIRCUIT COURT – FAMILY DIVISION

WHEREAS, the County has received donations totaling \$7,500 in the years 2000, 2001, and 2002 for the Community Probation/Day Treatment School Budget from Alticor; and

WHEREAS, funds were accumulated until a need was identified; and

WHEREAS, the Court is requesting that the funds be appropriated to the Community Probation/Day Treatment School 2003 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby appropriates donations in the amount of \$7,500 to the Community Probation/Day Treatment School 2003 budget.

10-24-02-149 – APPROVE CONTRACT WITH DISABILITY ADVOCATES OF KENT COUNTY AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, this would be the tenth year that Community Development Department has utilized the services of Disability Advocates of Kent County and its predecessor; and

WHEREAS, this non-profit agency will develop and maintain a list of handicap-accessible properties, provide accessibility modification designs to participating residential properties, and assist participants in obtaining resources to fund accessibility; and

WHEREAS, the contract period is September 1, 2002, to August 31, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners contract with Disability Advocates of Kent County; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners authorizes the Board Chair to sign the agreement.

10-24-02-150 – APPROVE CONTRACT WITH HOME REPAIR SERVICES OF KENT COUNTY, INC AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, the Community Development Department has used the services of Home Repair Services of Kent County, Inc., (HRS) for the provision of an Emergency Minor Home Repair Service Program for seventeen years; and

WHEREAS, the U. S. Department of Housing and Urban Development has recognized HRS, a not-for-profit agency, as a sole provider of these services; and WHEREAS, the new contract, if approved, will continue the Emergency Home Repair (\$60,000), Builder's Abundance (\$17,000), Accessibility Modifications (\$26,000), Tool Lending Library (\$1,000), and Volunteer Coordination (\$6,000) programs; and

WHEREAS, the contract period is September 1, 2002, to September 30, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners contract with Home Repair Services of Kent County, Inc., and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners authorizes the Board Chair to sign the agreement.

10-24-02-151 – SEWER PIPE RELINING PROJECTS / PUBLIC WORKS DEPARTMENT

WHEREAS, the Department of Public Works performs various maintenance projects for local units having municipal systems for which they are reimbursed for the expenses; and

WHEREAS, Public Works has received requests for sewer pipe relining in excess of expectations for the 2002 operating budget; and

WHEREAS, the level of work performed year to date in 2002 and projects initiated and yet to be completed will require an additional \$500,000 in the 2002 operating budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners appropriate an additional \$500,000 to the 2002 Operating budget of the Public Works Water & Sewer Fund and amend the corresponding revenue budget by a like amount.

(Commissioner Koorndyk requested that Resolution 10-24-02-151 be removed from the Consent Agenda.)

Motion by Commissioner Sak, supported by Commissioner Mast, to approve the remaining consent agenda items.

Motion carried:

Yeas: Buege, Morgan, Horton, Vonk, Hiddema, Boelema, McGuire, Wahlfield, Postmus, Agee, Mast, Kuhn, Sak, Vaughn, Mayhue, Koorndyk, Kuipers, Vice Chair Morren - 18.

Nays: 0.

10-24-02-151 – SEWER PIPE RELINING PROJECTS / PUBLIC WORKS DEPARTMENT

WHEREAS, the Department of Public Works performs various maintenance projects for local units having municipal systems for which they are reimbursed for the expenses; and

WHEREAS, Public Works has received requests for sewer pipe relining in excess of expectations for the 2002 operating budget; and

WHEREAS, the level of work performed year to date in 2002 and projects initiated and yet to be completed will require an additional \$500,000 in the 2002 operating budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners appropriate an additional \$500,000 to the 2002 Operating budget of the Public Works Water & Sewer Fund and amend the corresponding revenue budget by a like amount.

Motion by Commissioner Sak, supported by Commissioner Koorndyk, that the resolution be adopted.

Motion carried:

Yeas: Buege, Morgan, Horton, Vonk, Hiddema, Boelema, McGuire, Wahlfield, Postmus, Agee, Mast, Kuhn, Sak, Vaughn, Mayhue, Koorndyk, Kuipers, Vice Chair Morren - 18.

Nays: 0.

RESOLUTIONS

10-24-02-152 – APPROVE CONTRACT WITH FAIR HOUSING CENTER OF GRAND RAPIDS AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, as a recipient of Community Development Block Grant (CDBG) funds, the County is committed to fair housing in its service area; and

WHEREAS, Fair Housing Center of Greater Grand Rapids' (FHC) mission is to promote equal housing opportunity throughout the Grand Rapids metropolitan area; and

WHEREAS, this is the nineteenth year that the Community Development Department will use the services of FHC; and

WHEREAS, FHC is the sole provider of fair housing services in Kent County; and

WHEREAS, the contract period is October 1, 2002, to September 30, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners enter into a contract with Fair Housing Center of Greater Grand Rapids; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners authorizes the Board Chair to sign the agreement.

Motion by Commissioner Wahlfield, supported by Commissioner Morgan, that the resolution be adopted.

Motion carried:

Yeas: Buege, Morgan, Vonk, Hiddema, Boelema, McGuire, Wahlfield, Postmus, Agee, Mast, Sak, Vaughn, Mayhue, Koorndyk, Kuipers, Vice Chair Morren - 16.

Nays: 0.

Abstain: Kuhn – 1.

Absent from room: Horton – 1.

10-24-02-153 – CREATION OF PREVENTION PROGRAMMING AND EVALUATION FUND / ADMINISTRATOR'S OFFICE

WHEREAS, in September 2001, the Board of Commissioners approved the report of the Prevention Subcommittee, and directed the Administrator/Controller to develop a plan to fund the implementation of the report; and

WHEREAS, the County's Prevention Initiative requires that County departments and agencies that provide prevention programs have a plan to evaluate their effectiveness, including both short-term and long-term (e.g. up to 20 years or as appropriate) measures. It also establishes three specific areas for service expansion:

1. Primary prevention family support services
2. Services for families where child abuse or neglect has been reported but has not been substantiated to the degree necessary to warrant intervention by the State
3. All levels of substance abuse prevention (primary, secondary and tertiary).

WHEREAS, the proposed funding mechanism will help the County develop the infrastructure necessary to provide long-term outcome data, and to fund service expansion in the three priority areas. The two are presented together to respond to the Board's emphasis on accountability and the expectation that program expansion funding would be contingent upon establishment of an evaluation plan; and

WHEREAS, the plan takes into account an increased role for the Human Services Committee and Kent County Family and Children's Coordinating Council (KCFCCC). The evaluation component has the consensus of the Human Services Committee and the key players in each of the three priority prevention areas; and

WHEREAS, the Fund Balance Review Subcommittee recommends the creation of the fund and the requested transfer.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby creates a Prevention Programming and Evaluation Fund and appropriates \$305,759 to the fund for 2002 and \$1,099,250 for 2003, from the Undesignated, Unreserved General Fund Balance with any balance at the end of 2002 being re-appropriated to 2003 budget; and

BE IT FURTHER RESOLVED that the Board authorizes an amendment to the budget to account for expenditures associated with the project.

Motion by Commissioner Wahlfield, supported by Commissioner Buege, that the resolution be adopted.

Motion carried:

Yeas: Buege, Morgan, Horton, Vonk, Hiddema, Boelema, McGuire, Wahlfield, Postmus, Agee, Mast, Kuhn, Sak, Vaughn, Mayhue, Koorndyk, Kuipers, Vice Chair Morren - 18.

Nays: 0.

10-24-02-154 – 82 IONIA / ADMINISTRATION / BOARD OF COMMISSIONERS

WHEREAS, Kent County has leased approximately 72,000 square feet of the building and associated parking at 82 Ionia from SIBSCO, LLC for ancillary functions of the County Courthouse since 1998; and

WHEREAS, the 20-year lease provides for opportunities to exercise an option to purchase the property throughout the term of the lease; and

WHEREAS, the next option period is March 2003; and

WHEREAS, County staff prepared a report, which outlines the rationale for the County to exercise its option to purchase the property; and

WHEREAS, the Finance & Physical Resources Committee reviewed the report on June 4, 2002, and the consensus of the Committee was to recommend to the Board of Commissioners to exercise the option to purchase the property when the next opportunity presented itself (2003); and

WHEREAS, after further consideration, it is recommended that an amendment to the lease agreement with SIBSCO, LLC be approved to exercise the option to purchase 82 Ionia in 2005, rather than in 2003; and

WHEREAS, SIBSCO, LLC agrees to the change being proposed.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the amended agreement regarding the purchase option under lease with SIBSCO, LLC to exercise the option to purchase 82 Ionia in February 2005; and

BE IT FURTHER RESOLVED, that the Board Chair be authorized to sign the agreement on behalf of the County; and

BE IT FURTHER RESOLVED, that this resolution supercedes Resolution 7-11-02-85.

Motion by Commissioner Wahlfield, supported by Commissioner Postmus, that the resolution be adopted.

Motion carried:

Yeas: Buege, Morgan, Horton, Vonk, Hiddema, Boelema, McGuire, Wahlfield, Postmus, Agee, Mast, Kuhn, Sak, Vaughn, Koorndyk, Kuipers, Vice Chair Morren - 17.

Nays: Mayhue - 1.

10-24-02-155 – 2002 APPORTIONMENT REPORT / BUREAU OF EQUALIZATION

WHEREAS, the Finance and Physical Resources Committee has reviewed the supporting documents setting forth the necessary millage required by the several taxing jurisdictions in the County of Kent, townships, local school districts, intermediate school districts and community colleges; and

WHEREAS, the Committee has further examined the dollar requirements necessary to fund the assessments for drains and rejected taxes and finds them in proper order.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby certify the millage rates of these governmental jurisdictions and directs that the millage rates of the County of Kent, townships, local school districts, intermediate school districts and community colleges, and the dollar amounts for the drains and rejected taxes be spread on the respective township and city rolls; and

BE IT FURTHER RESOLVED, that the Board of Commissioners does hereby authorize and direct the Chair and the Clerk of the Board to sign the millage rate certificates.

Motion by Commissioner McGuire, supported by Commissioner Sak, that the resolution be adopted.

Motion carried:

Yeas: Buege, Morgan, Horton, Vonk, Hiddema, Boelema, McGuire, Wahlfield, Postmus, Agee, Mast, Kuhn, Sak, Vaughn, Mayhue, Koorndyk, Kuipers, Vice Chair Morren - 18.

Nays: 0.

10-24-02-156 – PARKS DONOR RECOGNITION POLICY / PARKS DEPARTMENT

WHEREAS, due to the increased emphasis placed on land acquisition and development of County parks, there is a need for a policy on recognition for individuals and organizations that make donations to the parks system; and

WHEREAS, although donations are significant and appreciated, because taxpayers provide most of the funding for parks acquisition and operation, naming opportunities for donors would only be available at the discretion of the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners adopts the Parks Donor Recognition policy, a copy of which is attached, but need not be included with the minutes as it is on file with the County Clerk.

Motion by Commissioner Wahlfield, supported by Commissioner Sak, that the resolution be adopted.

Motion carried:

Yeas: Buege, Morgan, Horton, Vonk, Boelema, McGuire, Wahlfield, Postmus, Agee, Mast, Kuhn, Vaughn, Koorndyk, Kuipers, Vice Chair Morren - 15.

Nays: Hiddema, Sak, Mayhue - 3.

REPORTS

Urban Sprawl

Commissioner Postmus stated that they are moving ahead with the urban sprawl recommendations. He met a week ago with those looking at the septic and water infrastructure of the county. Additional information will go to the Board shortly.

Purchase of Development Rights

Vice Chair Morren announced that a public hearing would be held on the Purchase of Development Rights issue November 7, 2002, at 7:00 p.m., County Administration Building.

MISCELLANEOUS

Purchase of Development Rights

Commissioner Agee stated that he is undecided on the PDR program and has many questions. An opportunity for the opposition to be heard should be given.

Commissioner Horton stated that adopting an ordinance is not the same as appropriating the money, that is a secondary step. Our first step is to be out front and adopt an ordinance that allows this to work. Secondly, what is the cost in terms of infrastructure and total taxpayer expense if we do nothing? If we continue to sprawl at the current rate, with unplanned growth, what is the long-term cost to the whole community? The public hearing will allow individuals to voice their opinions. He challenged the opposition to come to the Board with specific recommendations for improvement, or admit that there is no way to improve this to their satisfaction. It is time to lead.

Commissioner Vonk said that as Commissioners they have a duty to fully understand the proposal and opposing views should be heard.

Sympathy

Administrator Delabbio announced that Civil Counsel Sherry Batzer's father passed away.

Fiscal Services Director

Administrator Delabbio announced that the position of Fiscal Services Director has been filled by Bob White, formerly the Grand Rapids Assistant City Manager – Fiscal Services, beginning on December 30, 2002.

ADJOURNMENT

At 10:12 a.m., Commissioner Sak moved to adjourn, subject to the call of the Chair, and to Thursday, November 14, 2002, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Agee. Motion carried.

David J. Morren, Chair

Mary Hollinrake, County Clerk