

KENT COUNTY BOARD OF COMMISSIONERS

*Tuesday, November 25, 2003
Administration Building - Room 310*

Meeting called to order at 8:40 a.m. by Chair David J. Morren.

Present: Commissioners Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren – 18.

Absent: Voorhees – 1 (Excused).

Invocation: Commissioner Morgan introduced Commissioner Hiddema who gave the invocation.
The Pledge of Allegiance followed.

PUBLIC COMMENT

1. Roosevelt Tillman, 1001 South Division, Grand Rapids – Commented that the Purchasing's minority vendor report is confusing. It indicates that the list of minority vendors has increased, however, the dollars received by the group as a whole did not go up. It appears like it is getting better, but it really isn't. He volunteered to work with the County to truly expand inclusion.
2. Don Zerial, 7377 Cascade Terrace Drive SE, Grand Rapids - Represents a group of men who are trying to combat anti-Christian behavior (copies of letters that he read from are on file in the Office of the County Clerk).

CONSENT AGENDA

- a) Approval of the Minutes of November 13, 2003 Meeting
- b) November 18, 2003 Finance Committee Meeting Minutes (Reports of Claims and Allowances)
- c) Resolutions:

11-25-03-158 – MiCSES 2.4 CHILD SUPPORT ENFORCEMENT SYSTEM POST CONVERSION / FRIEND OF THE COURT

WHEREAS, all Michigan Friends of the Court are required to use the statewide computer system to track clients and administer the child support enforcement program. The current system, known as the Child Support Enforcement System (CSES) has experienced several problems, and the process to introduce a new, improved product, which would meet federal requirements, has been difficult but is occurring throughout the State; and

WHEREAS, in September 2003, the State converted Kent County from CSES to the new version – MiCSES 2.4, and provided funding to support the conversion. Now the Michigan Family Independence Agency has made additional funds available to support the MiCSES 2.4 Post Conversion Clean-up activities; and

WHEREAS, this additional funding increases Kent County's allocation to \$132,334 from the \$92,805 originally estimated by the Michigan Family Independence Agency and appropriated via Resolution 10-23-03-128; and

WHEREAS, the funding provides reimbursement to the County for FY 2004 overtime and/or temporary staff required for post conversion activities.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves and appropriates an additional \$39,529 in State funding to the Friend of the Court for data post conversion clean-up activities.

11-25-03-159 – APPROVAL OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AGREEMENT FOR FY 2004 / HEALTH DEPARTMENT

WHEREAS, the DEQ contract is an annual agreement between the State and the County to provide certain technical services related to non-community water supply, drinking water long-term monitoring, radon activities, public swimming pools, on-site sewage, and drinking water supply; and

WHEREAS, the contractual requirements set forth in this agreement are consistent with past program requirements. Payments will be made to the Health Department on a monthly basis with the Health Department providing quarterly reporting; and

WHEREAS, revenues and expenses related to the DEQ agreement were used to prepare the Health Department's Environmental Health Division's 2004 budget; and

WHEREAS, the contract term is October 1, 2003, to September 30, 2004.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the Department of Environmental Quality Agreement for FY 2004.

11-25-03-160 - APPROVE ACCEPTANCE OF A LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE U.S. DEPARTMENT OF JUSTICE / SHERIFF

WHEREAS, the U.S. Department of Justice has funds available under the Local Law Enforcement Block Grant Program; and

WHEREAS, funds are considered a one-time award and require a 10 percent cash match; and

WHEREAS, funds may be used to hire or train law enforcement personnel (sworn officers or support personnel); for overtime, equipment or technology; and to support drug courts, enhanced adjudication of violent offenders, establishing multi-jurisdictional task forces, crime prevention programs or purchasing indemnification insurance for law enforcement officers; and

WHEREAS, the Sheriff's Department is proposing to use these funds to purchase various technology improvements including in-car video systems as well as a rescue/dive operation response vehicle and funding for a new part-time "rangemaster" position; and

WHEREAS, the rangemaster position may be either a new County position or a contract employee, whichever is deemed most cost-effective; and

WHEREAS, if it is determined that a new County position is the most cost-effective solution, the position request will be submitted to the Legislative and Human Resources Committee for its recommendation to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve the Sheriff's request to accept a Local Law Enforcement Block Grant from the U.S. Department of Justice; and

BE IT FURTHER RESOLVED, the Board of Commissioners hereby appropriates \$61,637 in estimated revenues to the Special Projects – Local Law Enforcement Block Grant budget, contingent upon award and execution of a contract.

11-25-03-161 – PICKEREL LAKE DAM REPAIR / PARKS DEPARTMENT

WHEREAS, Pickerel Lake was created by blocking the natural flow of water with an earthen dam; and

WHEREAS, the dam south of the Pickerel Lake dam washed out last winter; and

WHEREAS, the Michigan Department of Environmental Quality regulates the dam and is requiring that it be repaired; and

WHEREAS, County consultant Materials Testing Consultants verifies the DEQ requirement by recommending that immediate structural improvement be required in the form of strengthening the dam with sheet pile installation; and

WHEREAS, the estimated cost of construction is \$150,000.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the expenditure of \$150,000 to strengthen the Pickerel Lake dam; and

BE IT FURTHER RESOLVED that the Board of Commissioners approves the transfer of \$150,000 from the Parks Acquisition/Development Fund to the 2003 Parks Budget Repair and Maintenance Account.

Motion by Commissioner Morgan, supported by Commissioner Tanis, to approve the consent agenda items.

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

RESOLUTIONS

11-25-03-162 – USE OF COUNTY FACILITY AT 836 FULLER NE (ACSET) AND AMEND CIP / FACILITIES MANAGEMENT

WHEREAS, in January 2002, the Board of Commissioners approved an agreement with ACSET and the City of Grand Rapids to pay for half of the health and safety improvements at the three facilities occupied by ACSET. An architectural study of the three facilities, owned by the City of Grand Rapids and leased to ACSET, identified and prioritized the repairs required at each complex – Northeast, West Side and Sheldon; and

WHEREAS, repairs required at the Northeast Complex were not cost efficient given the configuration and age of the building. At the same time as the study was being reviewed, the County vacated 836 Fuller NE (formerly occupied by Kent/MSU Cooperative Extension). Funds to upgrade the facility for any potential County uses were included in the 2004 CIP Budget approved by the Board of Commissioners in October; and

WHEREAS, County Facilities Management staff, in consultation with other County departments and agencies, determined that there was no County use identified for this building over the foreseeable future. The facility is in the geographic location required by ACSET to replace its existing Northeast complex, and has several structural and design features which make it ideal for this use. Remodeling this facility would be a more cost efficient investment than remodeling the current Northeast facility; and

WHEREAS, City and County administrative and facilities staff, as well as ACSET, have recommended that the facility be assigned to ACSET and remodeled according to the terms of the Facilities Agreement between the City, County and ACSET. Upon completion of the renovation, a lease will be entered into with ACSET which will be consistent with the County's Facility Use Policy.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the use of the facility at 836 Fuller NE by Area Community Services Employment and Training (ACSET) and approves an agreement with the City of Grand Rapids to provide for repairs and remodeling of the facility for use by ACSET; and

BE IT FURTHER RESOLVED that the Board of Commissioners also hereby appropriates an additional \$175,000 for the project to the 2004 CIP – 836 Fuller Facility Upgrade.

Motion by Commissioner Vaughn, supported by Commissioner Mast, that the resolution be adopted.

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

11-25-03-163 – SHELDON CLINIC REMODELING AND 2004 CIP AMENDMENT / FACILITIES MANAGEMENT

WHEREAS, in January 2002, the Board of Commissioners approved an agreement with ACSET and the City of Grand Rapids to pay for half of the health and safety improvements at the three facilities occupied by ACSET. An architectural study of the three facilities, owned by the City of Grand Rapids and leased to ACSET, identified and prioritized the repairs required at each complex – Northeast, West Side and Sheldon; and

WHEREAS, the Health Department operates a clinic at the Sheldon Complex, which serves approximately 4000 clients annually. The clinic has not been upgraded, other than paint and carpeting, in more than 10 years. As services have changed and the number of clients increased, the clinic needs to be remodeled to achieve functional efficiencies; and

WHEREAS, since submission and approval of the project, staff from ACSET and City and County administrative and facilities staff, have refined plans and scheduling of work required at the Sheldon Complex, which is slated to begin after July 1, 2004, and continue through 2005; and

WHEREAS, in order to facilitate coordinated construction and accounting of the project in the clinic and non-clinic areas, Fiscal Services has recommended that a new CIP be created, and that all County funds for the project be placed in the one account. The project will be managed by the City of Grand Rapids, as owner of the building. The City will match County funding for the non-clinic portion of the project. An additional \$45,000 will be required for the clinic upgrade portion of the project than was initially identified at the time the CIP was prepared. Rather than delay construction to seek additional funding through the 2005 CIP, staff is recommending that a portion of County's General Funds previously appropriated to the 836 Fuller Facility Upgrade, but no longer required, be transferred to this project.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the creation of a 2004 CIP for Improvements and Enhancements to the Sheldon Complex, and

BE IT FURTHER RESOLVED that the Board appropriates \$485,000 to the project, with funding to be transferred from the approved 2004 CIP for the Sheldon Clinic (\$355,000), the transfer of \$68,000 in General Funds previously appropriated for the 836 Fuller Facility Upgrade, and transfer of \$65,000 included in the 2004 Area Community Services Employment and Training (ACSET) budget for repairs and maintenance of buildings.

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

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

11-25-03-164-- MILLENNIUM PARK CIP APPROPRIATIONS MDNR – MDEQ – PRIVATE
/ PARKS DEPARTMENT

WHEREAS, development of the Millennium Park Project is a priority of the Kent County Board of Commissioners; and

WHEREAS, the Board of Commissioners has previously approved Resolutions 03-23-00-28, 07-12-01-88, and 12-13-01-188, thereby appropriating a total of \$14,500,000 of County General Funds to the Millennium Park Project in the CIP Fund; and

WHEREAS, grant approvals have been received in the total amount of \$5,750,000 from the Michigan Department of Natural Resources and Michigan Department of Environmental Quality for the Millennium Park Project; and

WHEREAS, \$5,000,000 in private sector contributions for the Millennium Park Project have been raised; and

WHEREAS, the additional funding increases the Millennium Park Project appropriation from \$14,500,000 to \$25,250,000.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves and appropriates an additional \$10,750,000 to the CIP Fund for the Millennium Park Project.

Motion by Commissioner Agee, supported by Commissioner VanderMolen, that the resolution be adopted.

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

11-25-03-165– MEMORANDUM OF UNDERSTANDING WITH KENT COUNTY PARKS FOUNDATION / PARKS DEPARTMENT

WHEREAS, the Kent County Parks Foundation was founded by former Board Chair Steven Heacock in order to create a future funding source for Kent County Park Department parkland acquisition and development activity; and

WHEREAS, a Memorandum of Understanding (MOU) is necessary to define the relationship between the County and the Foundation; and

WHEREAS, the MOU contains terms related to representation, fundraising activity and assistance with land acquisition; and

WHEREAS, at times it is desirable for the Foundation to act as an intermediary in the purchase of parkland; and

WHEREAS, the MOU includes a commitment on the part of the County to bear costs and expenses resulting from lawsuits related to the Foundation in its role as intermediary; and

WHEREAS, the term of the MOU shall be one year and will automatically renew for successive one year terms unless either party acts to terminate.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the MOU with the Kent County Parks Foundation and authorizes the Board Chair to execute the final document.

Motion by Commissioner Tanis, supported by Commissioner VanderMolen, that the resolution be adopted.

Motion carried by voice vote.

11-25-03-166– MILLENNIUM PARK LAND PURCHASE – DOMTAR WEST / PARKS DEPARTMENT

WHEREAS, the former Domtar West Plant property, currently owned by Developers, Inc. consists of approximately 80 acres and is strategically located in the Millennium Park master plan; and

WHEREAS, a purchase agreement has been negotiated for purchase of the land and approved by Developers, Inc.; and

WHEREAS, terms of the purchase agreement provide for a \$900,000 purchase price, in the form of an interest free promissory note due seven years from the date of execution of the purchase agreement; and

WHEREAS, the County will lease the property to Developers Inc. for a period of seven years, at a lease cost of \$1 per year; and

WHEREAS, Developer's Inc. shall pay all property taxes due for the seven year period; and

WHEREAS, Developer's Inc. shall remove buildings, cap gypsum deposits and grade the northern portion of the property prior to the County assuming possession; and

WHEREAS, Developer's Inc. shall immediately apply for Michigan Department of Environmental Quality approval to mine the twenty nine southernmost acres of the property for gravel and sand and will turn this property over for Millennium Park use within two years of issuance of the permit.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the purchase agreement for the former Domtar West Plant property and further agrees to deliver an interest free promissory note, in the amount of \$900,000, payable seven years from the date of execution of the purchase agreement; and

BE IT FURTHER RESOLVED that the Board Chair is hereby authorized to execute the purchase agreement and other required documentation on behalf of the County.

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

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

11-25-03-167 – FALLASBURG PARK LAND ACQUISITION / PARKS DEPARTMENT

WHEREAS, Parks Director Roger Sabine has discussed purchase of land located adjacent to Fallasburg Park with owners Ray and Carmen Miller since 1998; and

WHEREAS, Mr. and Mrs. Miller are desirous of selling said land to the County; and

WHEREAS, the subject property meets the criteria of the 2003 Kent County Parks, Recreation, and Natural Areas Master Plan as it is adjacent to Fallasburg Park, an existing County regional park; and

WHEREAS, the subject property is rich in natural resources including rolling topography, wetlands, and is heavily wooded; and

WHEREAS, the purchase includes two purchase agreements, one for nine acres and the other for the balance of 30 acres for the total price of \$515,000; and

WHEREAS, the price of the undeveloped land was established by appraisal and the price of a rental home and primary residence of the seller equates to twice SEV plus 7%, a formula used for initial offers on other parkland acquisitions, including those for Millennium Park; and

WHEREAS, the Miller's will receive a life lease on their residential premise including one to two acres of property; and

WHEREAS, funds are available in the 2002 Parkland Acquisition CIP.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby authorizes the purchase of property from Ray and Carmen Miller including the life lease; and

BE IT FURTHER RESOLVED, that the Board Chair is authorized to sign necessary documentation to complete the purchase.

Motion by Commissioner Rolls, supported by Commissioner Vonk, that the resolution be adopted.

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

11-25-03-168 – WAHLFIELD PARK GRANT AGREEMENT / PARKS DEPARTMENT

WHEREAS, the County has established the Wahlfield Park CIP account; and
WHEREAS, the County applied for and was approved for a Michigan Department of Natural Resources (DNR) grant for Wahlfield Park Development; and

WHEREAS, the Wahlfield Park CIP has sufficient funds to cover the \$236,500 match requirement; and

WHEREAS, the DNR requires Board of Commissioner approval of the grant agreement prior to commencing project activity.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Kent County, Michigan, does hereby accept the terms of the Agreement as received by the Michigan Department of Natural Resources, and that the Board of Commissioners does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide two hundred thirty six thousand and five hundred dollars (\$236,500) to match the grant authorized by the DNR.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DNR for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

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

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

11-25-03-169 – RESERVATION FEE INCREASE / PARKS DEPARTMENT

WHEREAS, Parks Department reservation fees were last increased for the 2001 season; and

WHEREAS, rate increases for some fees are recommended to keep the fee schedule at market and to not undercut private sector recreation providers; and

WHEREAS, the proposed rate schedule will raise an estimated \$31,246 in increased FY 2004 revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the following rate schedule for Parks Department reservation fees:

Picnic Area	\$ 50
Townsend Park Open Shelter	\$ 75
Open Shelters, Other Parks	\$100
Millennium Park Open Shelter	\$125
Enclosed Shelters – Week Days	\$150
Enclosed Shelters – Week Ends	\$200
Douglas Park Enclosed Shelter – Winter	\$250
Wabasis Park – Cottage	\$450
Wabasis Park – Full Hook Up	\$ 27
Wabasis Park – Electric	\$ 22

Motion by Commissioner VanderMolen, supported by Commissioner Tanis, that the resolution be adopted.

Motion carried by voice vote.

11-25-03-170 – BUDGET AMENDMENT AND STAFF ADDITION FOR LEAD HAZARD CONTROL PROGRAM / HEALTH DEPARTMENT

WHEREAS, the City of Grand Rapids has made funding available through its Housing Rehabilitation Office for the Kent County Health Department to be a partner in a HUD grant for the Lead Hazard Control Program; and

WHEREAS, the Health Department will provide professional casework services to individuals and/or families eligible for the Lead Hazard Control Program; and

WHEREAS, the casework services include working with referrals; conducting dust samplings to determine at-risk households, assisting clients in completing Lead Hazard Reduction application forms and locating off-site housing for families during remediation; and

WHEREAS, the Health Department will also be responsible for generating awareness for the Lead Hazard Control Program with the public and healthcare community by conducting educational classes in lead-safe work and cleaning practices; and

WHEREAS, to support the work required by the program, the Health Department has proposed the addition of a .8 FTE Social Worker I position (UAW 19) at an average salary and benefit cost of \$32, 307 per year for three and a half years; and

WHEREAS, the Health Department will also utilize .1 FTE of an existing Program Supervisor (MPP 24) to oversee the program at an average salary and benefit cost of \$6,860 per year for three and a half years; and

WHEREAS, in the event funding is eliminated, the Social Worker I will be eliminated unless continuation of funding is approved pursuant to the Fiscal Policy on Grants.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves funding from the City of Grand Rapids for the Health Department's Lead Hazard Control Program and to appropriate \$175,907 (\$51,652 in 2004) over forty-two months to the Health Department Budget.

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

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Wahlfield, Chair Morren - 18.

Nays: 0.

REPORTS

Legislative Committee

Commissioner Koorndyk reported that the Parks Ordinance/Set Public Hearing Date agenda item was pulled from the Legislative Committee agenda this morning and sent to a subcommittee for review. The subcommittee consists of Commissioners Postmus (Chair), Vonk and Horton. Any comments from Commissioners regarding the ordinance should be forwarded to the subcommittee.

Purchase of Development Rights Program

Commissioner Horton commented that one of the provisions in the state statute in the ordinance for the Purchase of Development Rights Program is that there needs to be a planning tool countywide. They have designated the Grand Valley Metro Council's Blueprint II as that plan. They will be meeting on December 1, 2003 to officially adopt the Blueprint II.

MISCELLANEOUS

Thanksgiving

Chair Morren extended a Happy Thanksgiving to all.

ADIJOURNMENT

At 9:13 a.m., Commissioner Morgan moved to adjourn, subject to the call of the Chair, and to Thursday, December 11, 2003, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Koorndyk. Motion carried.

David J. Morren, Chair

Mary Hollinrake, County Clerk