

KENT COUNTY BOARD OF COMMISSIONERS

*Thursday, April 22, 2004
Administration Building - Room 310*

Meeting called to order at 8:30 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, Voorhees, Wahlfield, Chair Morren – 19.

Absent: None.

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

PUBLIC COMMENT

There was no public comment.

SPECIAL ORDER OF BUSINESS

Annual Employee Service Award Presentations

Chair Morren presented the following employees with service awards:

Dusty Stauffer - Airport (absent)	25 years
John Corbett – Circuit Court	25 years
James Koetsier - Circuit Court	25 years
Heidi Gustafson - Circuit Court Services	25 years
Douglas Shoemaker – Friend of the Court	25 years
Matthew Fenske – Juvenile Court	25 years
Colleen Jillson – Health Department	30 years
Sandra Walls – Health Department	25 years
David Kraker – Health Department	25 years
William Boluyt – Parks Department	55 years
Gary Wallin – Prosecutor’s Office (absent)	30 years
Bruce Hahn – Prosecutor’s Office	25 years
Mark VanderMolen – Prosecutor’s Office (absent)	25 years
Curt Kemppainen – Public Works	25 years
Carol Hoogerhyde – Purchasing	25 years
Edward Westhouse – Sheriff’s Department	30 years
David Snyder – Sheriff’s Department	30 years
Thomas Musch – Sheriff’s Department	30 years
Michael Breen - Sheriff’s Department	30 years
David Jones - Sheriff’s Department	30 years
James Vanbendegom - Sheriff’s Department	30 years
Bruce Partridge - Sheriff’s Department (absent)	30 years
Larry Quakkelaar – Sheriff’s Department	25 years

2004 Financial Overview

Bob White, Fiscal Services Director, announced that Kent County was recently awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada (“GFOA”) for its Comprehensive Annual Financial Report and presented the award to Chair Morren.

He then reviewed the 2004 Financial Overview (copy of which is on file in the Office of the County Clerk).

CONSENT AGENDA

- a) Approval of the Minutes of March 25, 2004 Meeting
- b) Drain Commission Report – Receive and File
- c) Family Independence Agency Board Appointment – Joan Krause
- d) Resolutions:

4-22-04-35 – AMENDMENT OF KENT COUNTY EMPLOYEES’ RETIREMENT PLAN / HUMAN RESOURCES

WHEREAS, the Kent County Employees’ Retirement Plan has been amended from time to time since its adoption in 1948, the latest amendment occurring in September 2003; and

WHEREAS, the amendment is a result of legislation known as the Economic Growth and Tax Relief Act of 2001 and is intended to bring the plan into compliance with that legislation.

- Section 2.01(h), the definition of Compensation, is modified in format and makes changes to the maximum compensation to match the amount set forth in the Code.
- Section 6.04 amends the maximum annual county-funded benefit payable to the amount set forth in the Code. However, actual plan maximum cannot exceed 75% of the participant’s final average salary.
- Section 7.09 is amended to allow for additional options for rollover of accumulated contributions. Specifically, after-tax contributions can now be rolled over to an IRA or another retirement trust as stipulated in the amendment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves an amendment of the Kent County Employees’ Retirement Plan to incorporate the changes required by the Economic Growth and Tax Relief Reconciliation Act of 2001.

4-22-04-36 – QUITCLAIM DEED TO ROAD COMMISSION / ADMINISTRATOR’S OFFICE

WHEREAS, County has title to parcel number 41-10-07-428-028, Lots 1, 2, 3, and 14 of Pine Ridge Subdivision, Town 8 North, Range 10 West in Plainfield Township by

virtue of a 1940 quitclaim deed; and

WHEREAS, the Road Commission is the tax payer for this parcel; and

WHEREAS, Ted and Sue Jensen, adjoining subdivision property owners, have approached the Road Commission with a request to buy these lots; and

WHEREAS, the Road Commission proposes to reserve a right of way on 33 feet of land on Lot 1 and a corner of Lot 2 parallel to the existing 33 feet platted right of way for future construction ; and

WHEREAS, the County Director of Facilities Planning and Management has reviewed the Road Commission's proposal, and does not foresee the County's need for this property; and

WHEREAS, Civil Counsel has reviewed the conveyances, property transfer affidavits, and approved the quitclaim deeds for execution; and

WHEREAS, quitclaim of County property to the Road Commission requires prior approval of the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the execution of Quitclaim deed in favor of Road Commission over parcel number 41-10-07-428-028, Lots 1 and a corner of Lot 2 in Pine Ridge Subdivision, Town 8 North, Range 11 West, in Plainfield Township; and

BE IT FURTHER RESOLVED that the Chair and the Clerk, or vice-chair or deputy clerk, in their absence, are hereby authorized and directed to execute and deliver a quitclaim deed to said land, and such other ancillary documents as may be necessary to consummate the transaction.

4-22-04-37 - APPROVE THE COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN AND BUDGET AMENDMENT / COMMUNITY DEVELOPMENT

WHEREAS, Kent County has qualified as an Urban County which, makes it eligible to receive funds from the US Department of Housing and Urban Development (HUD) for its 23rd year as an entitlement community; and

WHEREAS, the five-year Consolidated Plan for July 1, 2000, through June 30, 2005, approved by HUD on June 12, 2000, consists of a needs assessment, market analysis and related goals and objectives, which is a prerequisite for obtaining Community Development Block Grant (CDBG) funding from HUD; and

WHEREAS, the grant application, referred to as the Annual Action Plan, contains a description and budget for CDBG-funded activities proposed to be undertaken between July 1, 2004, and June 30, 2005, including projects requested by 32 local units of government as well as two projects requested by Kent County Departments:

1. Parks Department for handicap accessibility improvements at Long Lake and Dwight Lydell Parks (\$50,000); and
2. Sheriff's Department for improvements at its Honor Camp (\$40,000); and

WHEREAS, the application seeks \$1,838,000 in federal funds and recognizes an additional \$62,000 that will be provided by re-programming previous funds and \$100,000 anticipated as income from the Housing Rehabilitation Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approve the Housing and Community Development Annual Action Plan for July 1, 2004, through June 30, 2005; and

BE IT FURTHER RESOLVED that the Board of Commissioners authorize the Board Chair to sign all documents related to the plan; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appropriates \$2,000,000 in estimated revenues to the 2004-05 Community Development Block Grant contingent upon award and execution of a contract.

Motion by Commissioner Hiddema, supported by Commissioner Agee, to approve the consent agenda items.

Motion carried:

Yeas: Wahlfield, Voorhees, Vonk, Vaughn, VanderMolen, Tanis, Rolls, Postmus, Morgan, Mayhue, Mast, Kuipers, Koorndyk, Horton, Hiddema, Bulkowski, Boelema, Agee, Chair Morren – 19.

Nays: 0.

RESOLUTIONS

4-22-04-38 – SOLUTION AREA PLANNER – 2003 STATE HOMELAND SECURITY GRANT PROGRAM PART II / SHERIFF’S DEPARTMENT – EMERGENCY MANAGEMENT

WHEREAS, the 2003 State Homeland Security Grant Program (SHSGP) Part II provides federal pass-through funds to the County to hire a “Solution Area Planner” to perform research and provide data to support community Homeland Security activities; and

WHEREAS, there is currently no classification in the County that performs the functions specified in the Grant Agreement; and

WHEREAS, the classification “Solution Area Planner” has been documented and assigned to UAW Range 24 based on job functions and required knowledge and skills; and

WHEREAS, adding a position in this classification will enable the Sheriff’s Department to comply with the requirements of the grant; and

WHEREAS, the total annual salary cost for the position, \$53,987, will be funded by the grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners accept a SHSGP Solution Area Planner Grant from the Michigan Department of State Police and appropriates \$73,000 from Estimated Revenues to the Sheriff’s 2004 Special Projects budget; and

BE IT FURTHER RESOLVED that the Board approves the creation of the classification “Solution Area Planner” in UAW Range 24 and the addition of one Solution Area Planner position to the Emergency Management Division of the Sheriff’s Department; and

BE IT FURTHER RESOLVED that pursuant to the County’s Fiscal Policies on Grants, coupled with the current moratorium on adding new positions requiring a general fund appropriation, in the event that funding is eliminated or reduced, the position will be eliminated unless continuation of funding is approved pursuant to the Fiscal Policy on Grants.

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

Motion carried:

Yeas: Wahlfield, Voorhees, Vonk, Vaughn, VanderMolen, Tanis, Rolls, Postmus, Morgan, Mayhue, Mast, Kuipers, Koorndyk, Horton, Hiddema, Bulkowski, Boelema, Agee, Chair Morren – 19.

Nays: 0.

4-22-04-39 – 2004 EQUALIZATION REPORT / BUREAU OF EQUALIZATION

WHEREAS, the Kent County Bureau of Equalization has completed its review of the 2004 assessment rolls of the twenty-one (21) townships and nine (9) cities of Kent County; and

WHEREAS, the Director of Bureau of Equalization recommends the adoption of the equalized value of real and personal property as follows:

Real Property:	Agricultural	\$ 289,393,050
	Commercial	3,712,068,000
	Industrial	1,758,004,100
	Residential	13,349,088,650
	Developmental	3,856,000
	TOTAL REAL	19,112,409,800
Personal Property:	TOTAL PERSONAL	1,818,289,490
	GRAND TOTAL	20,930,699,290

NOW, THEREFORE, BE IT RESOLVED that in compliance with Section 211.34 M.C.I.A., 1984, as amended, the Kent County Board of Commissioners does hereby approve the 2004 Kent County Equalization Report attached to this resolution; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners hereby appoints Mr. David G. Jager, Equalization Director, to represent Kent County in matters of equalization before the State Tax Commission pursuant to MCL 209.7.

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

Motion carried:

Yeas: Wahlfield, Voorhees, Vonk, Vaughn, VanderMolen, Tanis, Rolls, Postmus, Morgan, Mayhue, Mast, Kuipers, Koorndyk, Horton, Hiddema, Bulkowski, Boelema, Agee, Chair Morren – 19.

Nays: 0.

4-22-04-40 – PURCHASE OF DEVELOPMENT RIGHTS OPTION, GRANT APPLICATION, BUDGET APPROPRIATION AND PURCHASE AGREEMENT / KENT / MSU EXTENSION

WHEREAS, the Board of Commissioners approved the Purchase of Development Rights Ordinance on November 26, 2002, and on October 23, 2003, approved selection

criteria

for the purchase of development rights by the County, and authorized the Agricultural Preservation Board to accept applications from landowners to participate in the program; and

WHEREAS, the County Agricultural Preservation Board received 44 applications for more than 5,300 acres from 11 townships; 27 out of the 44 applications met the federal criteria of the United States Department of Agriculture-National Resources Conservation Service (USDA-NRCS), Michigan Farm & Ranch Land Protection Program, a federal program which provides up to 50 percent of the cost of the development rights through a competitive grant program. Applications to the federal program are due on May 3, 2004; and

WHEREAS, as of April 16, 2004, the County has secured \$854,400 in local matching funds which are available for this grant cycle. In addition to the 50 percent share which is not eligible for federal grant funding, the local grant dollars are being used for appraisals, closing costs and option fees; and

WHEREAS, the Agricultural Preservation Board is recommending that options for the purchase of development rights be extended to five properties, based on their compliance with the federal criteria, the County criteria, and the availability of matching funds.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves offering an option for the purchase of development rights on the following five parcels as recommended by the Agricultural Preservation Board: Joseph Merriman, 5214 Bancroft Ave SE, Lowell MI 49331 (PPN: 41-20-33-200-001); Richard Seif Estate, 4515 Gavin Lake, Ada MI 49301, (PPN: 41-12-29-300-025, 41-12-29-300-023, and 41-12-29-300-021); Timothy Howard, 2063 Parnell NE, Lowell MI 49331, (PPN: 41-16-07-200-002, 41-16-07-400-005); John Vandenberg, 1538 Parnell NE, Lowell MI 49331, (PPN: 41-16-17-300-001); and John McCabe, 2129 Wyoming Ave., Wyoming MI 49509, (PPN:41-16-09-300-001).

BE IT FURTHER RESOLVED that the Board approves submission of a grant application for 50 percent of the cost of the development rights, and appropriates any federal grant funds received to the Farmland Preservation Budget; and

BE IT FURTHER RESOLVED that the Board authorizes the exercise of the option and the purchase of the development rights on any of the above lands approved for funding by the USDA NRCS Michigan Farm & Ranch Land Protection Program and for which local match (including the local share of development rights, appraisals, closing costs and option fees) has been secured, in the order of ranking as established by the Agricultural Preservation Board (1-Merriman, 2-Seif, 3-Howard, 4-Vandenberg and 5-McCabe).

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

Motion carried:

Yeas: Wahlfield, Vonk, Vaughn, VanderMolen, Tanis, Rolls, Postmus, Morgan, Mayhue, Mast, Kuipers, Koorndyk, Horton, Bulkowski, Boelema, Agee, Chair Morren – 17.

Nays: Voorhees, Hiddema – 2.

Commissioner Horton presented the following resolution:

4-22-04-

RESOLUTION BY COMMISSIONER HORTON

WHEREAS, the Kent County Board of Commissioners adopted a Purchase of Development Rights Program ordinance on November 26, 2002 for the purpose of protecting farmland in order to maintain a long-term business environment for agriculture in the county, to preserve the rural character and scenic attributes of the county, to enhance important environmental benefits and to maintain the quality of life of county residents.

WHEREAS, the Frey Foundation and the Farm Bureau have offered challenge matching grants to local units of government, including Kent County, to assist in funding Kent County's Purchase of Development Rights Program; and

WHEREAS, local matching grants are essential to funding the Purchase of Development Rights Program during its first year and they enable the County to apply for 50% federal matching funds through the Farm and Ranch Land Protection Program; and

WHEREAS, Kent County is in position to demonstrate its leadership in the State of Michigan on how a PDR Program can be effective in an urbanized area.

NOW, THEREFORE, BE IT RESOLVED, the Kent County Board of Commissioners does hereby allocate \$500,000 to the Kent County Agricultural Preservation Fund for the purposes of providing grant matching funds and additional dollars to permanently preserve prime farmland through the PDR Program.

Motion by Commissioner Horton, supported by Commissioner Bulkowski, that the resolution be adopted.

Motion by Commissioner Koorndyk, supported by Commissioner Agee, to refer the resolution to the Finance and Physical Resources Committee.

Motion to refer to Finance Committee carried:

Yeas: Wahlfield, Vaughn, Tanis, Rolls, Postmus, Morgan, Mast, Koorndyk, Horton, Bulkowski, Boelema, Agee, Chair Morren – 13.

Nays: Voorhees, Vonk, VanderMolen, Mayhue, Kuipers, Hiddema – 6.

REPORTS

There were no reports.

MISCELLANEOUS

Food Service Industry

Regarding the Health Department's licensing fees for the food service industry, Commissioner Postmus does not think it fair that a local chain be required to pay more in fees than a national chain.

Chemical Awareness Week

Commissioner Tanis announced that May 2-8, 2004 is chemical awareness week.

ADJOURNMENT

At 9:50 a.m., Commissioner Hiddema moved to adjourn, subject to the call of the Chair, and to Thursday, May 13, 2004, 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