

KENT COUNTY BOARD OF COMMISSIONERS

*Thursday, June 24, 2004
Administration Building - Room 310*

Meeting called to order at 8:31 a.m. by Chair David J. Morren.

Present: Commissioners Agee, Boelema, Bulkowski, Hiddema, Horton, Koorndyk, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, VanderMolen, Vaughn, Vonk, Voorhees, Chair Morren – 17.

Absent: Kuipers, Wahlfield - 2 (Excused).

Invocation: Commissioner Agee introduced Reverend Miles Fish, President & CEO of International Aid, who gave the invocation.

PUBLIC COMMENT

There was no public comment.

SPECIAL ORDER OF BUSINESS

GVMC – Metropolitan Development Blueprint Award – Millennium Park

Administrator Delabbio announced that the County received one of the two annual Metropolitan Development Blueprint Awards, presented by the Grand Valley Metro Council, for Millennium Park. Chair Morren presented the award to Parks Director, Roger Sabine.

CONSENT AGENDA

- a) Approval of the Minutes of June 10, 2004 Meeting
- b) June 15, 2004 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Appointment to the Community Mental Health Authority Board – Nadia Brigham
- d) Resolutions:

6-24-04-59 – APPROVAL OF SPECIAL ASSESSMENT ROLLS – ZIEGENFUSS LAKE

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DRAIN COMMISSION

WHEREAS, the Inland Lake Level Act of 1961 mandates that dams and outlet structures within the County's jurisdiction that have a court-determined normal level established, be inspected every three years by a licensed professional engineer; and

WHEREAS, during the 2003 inspection, it was disclosed that Ziegenfuss Lake had dropped below the court-determined normal lake level; and

WHEREAS, the Kent County Drain Commissioner, acting as the delegated authority, hired a contractor to repair the outlet structure of Ziegenfuss Lake. The total cost incurred for repairs was \$2,700; and

WHEREAS, pursuant to the Inland Lake Level Act of 1961, the cost must be levied against the properties in the established special assessment district; and

WHEREAS, a public hearing on the assessment roll was held on May 28, 2004, by the Drain Commissioner, and since no objections were received, the roll was approved and confirmed by the Drain Commissioner.

NOW, THEREFORE, BE IT RESOLVED that in accordance with MCL§324.20714(3) the County Board of Commissioners approves the special assessment roll relating to Ziegenfuss Lake.

6-24-04-60 – APPROVAL OF SPECIAL ASSESSMENT ROLLS – FIVE LAKES / DRAIN

COMMISSION

WHEREAS, the Inland Lake Level Act of 1961 mandates that dams and outlet structures within the County's jurisdiction, that have a court-determined normal level established, be inspected every three years by a licensed professional engineer; and

WHEREAS, during the 2003 inspection, it was disclosed that Five Lakes had dropped below the court-determined normal lake level; and

WHEREAS, the Kent County Drain Commissioner, acting as the delegated authority, hired a contractor to install a steel sheet piling check dam to serve as a permanent control for the Five Lakes. The total cost incurred for repairs was \$8,500; and

WHEREAS, pursuant to the Inland Lake Level Act of 1961, the cost must be levied against the properties in the established special assessment district; and

WHEREAS, a public hearing on the assessment roll was held on May 28, 2004 by the Drain Commissioner, and since no objections were received, the roll was approved and confirmed by the Drain Commissioner.

NOW, THEREFORE, BE IT RESOLVED that in accordance with MCL§324.20714(3) the County Board of Commissioners approves the special assessment roll relating to Five Lakes.

6-24-04-61 – APPLY FOR A FY 2005 TITLE IV-D COOPERATIVE REIMBURSEMENT GRANT / FRIEND OF THE COURT

WHEREAS, the Michigan Family Independence Agency provides funding to counties to operate a Cooperative Reimbursement Program designed to secure and enforce support orders; and

WHEREAS, the Friend of the Court's Cooperative Reimbursement Program will operate with 101 full-time positions plus 7 FTEs in support services from the Circuit Court – Family Division (Referees & clerical); and

WHEREAS, the anticipated grant period is October 1, 2004, to September 30, 2005.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the Friend of the Court's request to apply for a FY 2005 Title IV-D Cooperative Reimbursement Grant from the State Family Independence Agency; and

BE IT FURTHER RESOLVED, that in the event grant funding is eliminated or decreased, the position(s) will be eliminated unless continuation funding is approved pursuant to the Fiscal Policy on Grants; and

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

6-24-04-62 - SUBMIT GRANT APPLICATION TO STATE FAMILY INDEPENDENCE AGENCY / PROSECUTOR'S OFFICE

WHEREAS, the Michigan Family Independence Agency provides funding to counties to operate a Cooperative Reimbursement Program designed to establish paternity as well as to secure and enforce support orders; and

WHEREAS, the Prosecutor's Cooperative Reimbursement Program will continue with 19 full-time positions; and

WHEREAS, the grant period is October 1, 2004, to September 30, 2005.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the Prosecutor's request to submit an application to the State Family Independence Agency for a FY 2005 Title IV-D Cooperative Reimbursement Grant; and

BE IT FURTHER RESOLVED, that in the event grant funding is eliminated or decreased, the positions will be eliminated unless continuation funding is approved pursuant to the Fiscal Policy on Grants; and

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

6-24-04-63 - APPROVAL OF AREA AGENCY ON AGING FY 05 ANNUAL PLAN / ADMINISTRATOR'S OFFICE

WHEREAS, the Area Agency on Aging of Western Michigan, Inc. (AAAWM) serves the nine counties (Allegan, Ionia, Kent, Lake, Mason, Mecosta, Montcalm, Newaygo, and Osceola) of Region 8; and

WHEREAS, since its inception in 1974, the agency has operated under three-year plans with annual funding and service components. Plans must be prepared according to a format prescribed by the State Commission on Aging; and

WHEREAS, the State Office of Services to the Aging requires AAWM to request approval of the three-year plan and subsequent annual implementation plans by the Board of Commissioners of each county in its service area; and

WHEREAS, the annual budget reflects only Older Americans Act, Older Michiganian Act dollars, and local funding required to meet the minimum match funding requirement. No millage funds from Kent County (or other counties within the region) are included in the budget, nor are local match dollars in excess of the minimum required. Kent County annually contributes \$14,546 toward the match and operating expenses; and

WHEREAS, AAWM estimates that 44 percent of its Older American Act and

Older Michiganian Act funds are paid to Kent County service providers, and that 55 percent of its Medicaid Waiver funds are expended for Kent County residents. Based on the 2000 census,

55 percent of the region's population aged 60 and older resides in Kent County.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the Area Agency on Aging of Western Michigan's Annual Implementation Plan for Fiscal Year 2005.

6-24-04-64 – 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 inception in 1948, the latest amendment occurring in April of 2004 ; and

WHEREAS, the amendment will allow the use of monies from an IRA and/or the Kent County Deferred Compensation Plan for the purchase of Military Service Credit under the Kent County Employees' Retirement Plan.

- Currently, the plan's payment options for the purchase of Military Service Credit are (1) by a single cash deposit or (2) by an increased rate of participant contributions.
- Section 9.02(g) of the plan adds the following payment options; (3) by a direct plan-to-plan transfer from the participant's account under the Kent County Deferred Compensation Plan and (4) by a rollover contribution, as defined in Code Section 408(d)(3), from the participant's individual retirement account, as defined in Code Section 408(a) (an "IRA").
- The use of IRA and Deferred Compensation dollars for the purchase of permissive service credit under a defined benefit governmental plan became available with legislation known as The Economic Growth and Tax Relief Reconciliation Act of 2001.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves an amendment of The Kent County Employees' Retirement Plan that will provide two additional payment options, IRA and 457 dollars, for the purchase of Military Service Credit.

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

Motion carried:

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

Nays: 0.

RESOLUTIONS

6-24-04-65 – REVENUE SHARING – STATE LEGISLATURE / BOARD
OF

COMMISSIONERS

WHEREAS, Michigan's unrestricted revenue sharing program has a long history, beginning in 1933, with retail liquor license tax collections, and moving on to intangibles tax receipts (1939) to offset the removal of intangible property from local tax rolls, further to Sales Tax receipts (1946) and, finally, sharing of State Income Tax receipts (1967); and

WHEREAS, the Governor has proposed that statutory revenue sharing payments to counties be "suspended" and that the millage levy of counties be shifted from December to July; and

WHEREAS, the initial reaction to the Governor's proposal met with considerable resistance from counties and legislators; and

WHEREAS, a revised proposal has surfaced which would provide for a three-year phase in of the shift from December tax levies to July tax levies; and

WHEREAS, the Finance & Physical Resources Committee of the Kent County Board of Commissioners has reviewed information related to the revised proposal and believes that it is in the best interests of Kent County to oppose the revised proposal and to work with state legislators to preserve statutory revenue sharing and to work toward the development of a long-term solution that would insure funding from the state as originally envisioned.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby expresses its opposition to any plan or program that would result in the shift of property tax levy collections from December to July; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners opposes any reduction in statutory revenue sharing and urges our legislators to work diligently to preserve statutory revenue sharing.

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

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, VanderMolen, Tanis, Rolls, Postmus, Morgan, Mayhue, Koorndyk, Horton, Bulkowski, Boelema, Agee, Chair Morren – 15.

Nays: Mast, Hiddema - 2.

REPORTS

There were no reports.

MISCELLANEOUS

Thank you

Commissioner Boelema thanked Board members for their expressions of sympathy over the recent passing of his brother-in-law.

New Revenue

Administrator Delabbio explained that the County was able to capture \$400,000 in new revenues. He thanked Kelly Berendsen and Sangeeta Ghosh for their work on the unclaimed property that had escheated to the State that resulted in revenue totaling \$245,000. They will review the state's unclaimed property list every six months.

Management Analyst Introduction

Assistant Administrator Mary Swanson introduced Darwin Baas, the new management analyst for the Administrator's Office.

Appearance Tickets

Commissioner Mayhue commented that, with a recent Supreme Court ruling, he believes that the County should talk with area police chiefs regarding the issuance of appearance tickets to prevent jail overcrowding. Commissioner Boelema said that the Jail Diversion for the Mentally Ill Committee is considering this issue and will formally address it in the future.

ADJOURNMENT

At 9:08 a.m., Commissioner Agee moved to adjourn, subject to the call of the Chair, and to Thursday, July 22, 2004, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Postmus. Motion carried.

David J. Morren, Chair

Mary Hollinrake, County Clerk