

KENT COUNTY BOARD OF COMMISSIONERS

*Thursday, November 16, 2006
Administration Building - Room 310*

Meeting called to order at 8:30 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Boelema, Bulkowski, Hiddema, Klein, Koorndyk, Mast, Mayhue, Morren, Postmus, Rolls, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Wahlfield, Chair Morgan – 18.

Absent: Horton – 1 (Excused).

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

PUBLIC COMMENT

1) Nancy Nielsen, 14130 Keller Avenue NE, Cedar Springs – As Chair of the Senior Millage Review Committee, she thanked Commissioners for their past support and encouraged their support today as they vote to adopt Senior Millage Allocations for 2007. She specifically thanked Commissioner Koorndyk for his years of effort with the Senior Millage.

SPECIAL ORDER OF BUSINESS

The Rapid Annual Update

Jennifer Kalczuk, Manager of Communications and External Relations, presented the update (copy of file in the Office of the County Clerk). In fiscal year 2006, ridership jumped from 6.4 million rides to 7.4 million rides making it the biggest single-year increase on record. In twelve months ridership grew 15%, with a 13.9% growth the previous year. The Rapid launched its new, totally revamped website (www.ridetherapid.org) which now includes new features such as on-line farecard purchasing, an interactive route map, and printer-friendly schedules. An e-mail alert system allows visitors to sign up for notices of pages that interest them; such as individual routes and schedules, job openings, public meeting notices, and vendor opportunities. The Rapid will purchase 5 hybrid-electric buses in 2007 and bus route information kiosks are being installed at all bus stops. In May 2007, Central Station will feature a concession area.

CONSENT AGENDA

- a) Approval of the Minutes of October 26, 2006 Meeting
- b) November 7, 2006 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

11-16-06-121 – APPOINTMENTS TO THE KENT COUNTY DISPATCH AUTHORITY /
BOARD OF COMMISSIONERS / SHERIFF

WHEREAS, at its July 27, 2006 meeting, the Board of Commissioners approved the amended and restated Kent County Dispatch Authority (KCDA) Agreement. The participating municipalities, Cities of Grand Rapids, Wyoming, Walker and Grandville, also approved the KCDA Agreement; and

WHEREAS, the KCDA will be responsible for the implementation of technology integration and operational compatibility of E911 dispatch in Kent County; and

WHEREAS, the general policies governing the KCDA are established by the Administrative Policy Board. The board will consist of twelve members: a representative of Kent County and a representative from the Sheriff Department; two representatives from the City of Grand Rapids, one representative each from the cities of Grandville, Walker, and Wyoming, two representatives from supporting cities, two representatives from supporting townships, and a representative from the Michigan State Police; and

WHEREAS, Commissioner Art Tanis and Sheriff Larry Stelma served as members of the interim KCDA board.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners appoints Commissioner Art Tanis and Sheriff Larry Stelma to serve on the KCDA Administrative Policy Board.

11-16-06-122 – CHILD CARE FUND ANNUAL PLAN APPROVAL / CIRCUIT COURT –
FAMILY DIVISION / DEPARTMENT OF HUMAN SERVICES

WHEREAS, each year the Kent County Circuit Court – Family Division and Department of Human Services (DHS) are required to prepare a plan showing how the Child Care Fund dollars will be spent by each agency; and

WHEREAS, the plan encompasses in-home and out-of-home placement costs (e.g., foster care, detention, etc.) for children at risk of abuse or neglect as well as children determined to be delinquent; and

WHEREAS, the law provides that each county will receive a reimbursement from the State of 50 percent of the annual net expenditures for certain costs related to placement and efforts to reduce placement.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the Child Care Fund Annual Plan for FY 2007 and authorizes the Board Chair to sign the document; and

BE IT FURTHER RESOLVED, that the Board appropriates an additional \$306,129 in State Grant funding, \$125,000 in other revenues, and \$181,129 from the Undesignated General Fund Balance to the Child Care Fund for the FY07 Budget.

11-16-06-123 – LEGAL ASSISTANCE CENTER CONTRACT / FISCAL SERVICES

WHEREAS, the Legal Assistance Center provides a centralized location where citizens of Kent County can receive assistance in educating themselves on civil matters, find information on area nonprofit agencies and other community agencies, lawyer referral services as well as materials designed to allow the pro se litigants to file their own civil cases; and

WHEREAS, the center has served over 10,000 individuals annually since its inception in 2002. The Board of Directors of the Legal Assistance Center has requested that the County provide operating support to partially underwrite the services provided by the center; and

WHEREAS, the County has leased space in the Courthouse building to the Center since January 2002 through a separate lease agreement for the sum of \$1 per annum.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners does hereby approve a contract with the Legal Assistance Center for FY2007 to provide operating support in the amount of \$40,000 to underwrite their services; and

BE IT FURTHER RESOLVED, that the Chair of the Kent County Board of Commissioners be authorized to execute said agreement for and on behalf of the County of Kent.

11-16-06-124 – SALLY PORT EXPANSION AT JUVENILE DETENTION / JUVENILE DETENTION / FACILITIES MANAGEMENT

WHEREAS, the Juvenile Detention Center, located on Cedar Street NE, includes a “sally port” which is intended to allow for secure transfer from the facility to a transportation van in a secure (enclosed) environment; and

WHEREAS, the transport vans currently being utilized by law enforcement agencies are longer in length than the dimensions of the existing sally port; and

WHEREAS, on August 15, 2006, the Finance and Physical Resources Committee approved a budget line item transfer in the Childcare Fund in the amount of \$30,000 to provide for the sally port expansion. The project was not initiated in time to be included in the FY 2006 Childcare budget and the appropriation has lapsed; and

WHEREAS, the sally port expansion project has since been sent out for bid, the revised cost of expanding the sally port is estimated at \$51,700.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the appropriation of an additional \$51,700 to the FY 2006 Capital Improvement Program (CIP) Fund Budget, for the Sally Port Expansion at Juvenile Detention, from the Undesignated General Fund Reserves.

11-16-06-125 – SHERIFF’S DEPARTMENT BUDGET AMENDMENT – SPECTRUM HEALTH / KENT COMMUNITY HOSPITAL BILLINGS / SHERIFF / FACILITIES MANAGEMENT

WHEREAS, since September, 1999 Spectrum Health has received periodic billings from the City of Grand Rapids for the provision of the water/sewer services to Kent County’s Community Reentry Center and had unknowingly paid for same from the initiation date through December 31, 2005; and

WHEREAS, these payments by Spectrum Health on behalf of Kent County were identified in a recent internal audit taken by Spectrum Health, the summary of which totals \$85,841; and

WHEREAS, after discussion with county staff, Spectrum Health has submitted a request for reimbursement by the payment of same in three equal annual installments without interest; and

WHEREAS, Facilities Management staff has reviewed and accepted the documentation submitted by Spectrum Health concerning services rendered and payments made.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the appropriation of an additional \$28,614 each year to the Facilities Management/General Fund - Fiscal Years 2006 & 2007 Budgets and expresses its intent to make an appropriation sufficient to provide for the balance due in Fiscal Year 2008.

Motion by Commissioner Hiddema, seconded by Commissioner Vonk, to approve the consent agenda items.

Motion carried:

Yeas: Wahlfield, Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Rolls, Postmus, Morren,

Mayhue, Mast, Koorndyk, Klein, Hiddema, Bulkowski, Boelema, Agee, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

11-16-06-126 – SENIOR MILLAGE ALLOCATIONS FOR 2007 / ADMINISTRATOR'S OFFICE

WHEREAS, the Area Agency on Aging of West Michigan, Inc. (AAAWM) holds three-year contracts with more than 25 agencies to provide services with funding from the Kent County Senior Millage. Under the terms of the contracts, the funding level is evaluated annually based on new program proposals, current year operations and available funding; and

WHEREAS, in early October 2006, the Kent County Senior Millage Review Committee reviewed 2007 funding requests and made recommendations regarding funding for each service. These recommendations were forwarded to the AAWM Executive Committee on October 23, 2006, which is now recommending them to the County for approval; and

WHEREAS, in addition to the annual contracts, Senior Millage funds will also be used to provide in-home services and prescription assistance to seniors through purchase of service arrangements. Amounts to be allocated through this process have been included on the attached bid tabulation and recommendation sheet; and

WHEREAS, medication management service and flu vaccinations were not proposed by any agency in this current process. Funding is set aside and AAWM will seek out providers of these services to address these health issues of the older adult.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners Board approves the allocation of \$6,100,000 in Senior Millage funds for 2007 as recommended by AAWM.

Motion by Commissioner Postmus, seconded by Commissioner Koorndyk, that the resolution be adopted.

Motion carried:

Yeas: Wahlfield, Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Rolls, Postmus, Morren, Mayhue, Mast, Koorndyk, Klein, Hiddema, Bulkowski, Boelema, Agee, Chair Morgan –

18.

Nays: 0.

11-16-06-127 – 2007 CONVENTION & VISITORS BUREAU TOURISM PROMOTION
PLAN AND BUDGET / BOARD OF COMMISSIONERS

WHEREAS, the Kent County Board of Commissioners, by resolution and agreement entered into in September 2002, provided for annual contributions from the Lodging Excise (Hotel/Motel) tax collections to the Grand Rapids/Kent County Convention & Visitors Bureau; and

WHEREAS, the Board of Commissioners has, pursuant to the agreement between the County and the Grand Rapids/Kent County Convention & Visitors Bureau, received the 2007 proposed budget and Tourism Promotion Plan, which includes a request for a contribution from the Lodging Excise Tax Fund in the amount of \$914,165 for 2007, for the promotion of convention business throughout Kent County.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves a 2007 contribution of \$914,165 from the Lodging Excise (Hotel/Motel) Tax Fund and approves the appropriation of an additional \$60,782 in FY2007 from the fund balance of the Lodging Excise Tax Fund.

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

Motion carried:

Yeas: Wahlfield, Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Rolls, Postmus, Morren, Mayhue, Mast, Koorndyk, Klein, Hiddema, Boelema, Agee, Chair Morgan – 18.

Nays: Bulkowski – 1.

11-16-06-128 – CITY OF CEDAR SPRINGS DDA PROPOSED DISTRICT AMENDMENT /
FISCAL SERVICES

WHEREAS, the City of Cedar Springs Downtown Development Authority (DDA) has proposed to amend the boundaries of its Downtown Development Authority District; and

WHEREAS, a public hearing on the proposed amendment was held on by the City of Cedar Springs on October 12, 2006; and

WHEREAS, Kent County individually contributes over \$6 million of its tax levy in the form of either tax abatement or tax capture by Tax Increment Authority Districts in the various units of local government within the County; and

WHEREAS, the proposed amendment will result in an increase of the County's tax levy being captured by the City of Cedar Springs DDA; and

WHEREAS, the County of Kent is required to assess the impact on the County's financial condition, which would result from expansion of this Tax Increment District; and

WHEREAS, Act 97, P.A. of 1979, as amended, provides that not more than sixty days after a public hearing, the governing body of the jurisdiction levying property taxes that would otherwise be subject to capture, may exempt its taxes from capture by adoption of a resolution to that effect.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Kent, that the County of Kent hereby exercises its options, pursuant to the provisions of Act 197, P.A. of 1975, as amended, to exempt its property taxes from capture in the area to be added to the Downtown Development Authority District by the proposed boundary amendment, which was the subject of the public hearing held on October 12, 2006; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Clerk of the City of Cedar Springs, as required by Act 197, P.A. of 1975, as amended.

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

Motion carried by voice vote.

11-16-06-129 – RESOLUTION AUTHORIZING NOTICE OF INTENT TO ENTER INTO A LEASE CONTRACT WITH THE KENT COUNTY BUILDING AUTHORITY / FISCAL SERVICES

WHEREAS, the Board of Commissioners (the “Board”) of the County of Kent, Michigan (the “County”), has established the Kent County Building Authority (the “Building Authority”) pursuant to Act 31 of the Public Acts of Michigan of 1948 (First Extra Session), as amended, MCL 123.951 et seq. (“Act 31”); and

WHEREAS, the Board deems it necessary and advisable for the County to cause the acquisition, construction, furnishing and equipping of a human services complex including parking and other ancillary facilities to be used by (a) the State of Michigan Kent County Department of Human Services, (b) the Area Community Services Employment and Training (ACSET) and (c) the Kent County Sheldon Health Clinic to be located at 121 Franklin Street, S.E. in the City of Grand Rapids (the "City") including additional property located at 801 and 811 Jefferson Avenue, S.E. in the City to be used for parking (the “Project”) for use for public purposes; and

WHEREAS, the Building Authority is authorized by its Articles of Incorporation and Act 31 to acquire, construct, furnish and equip the Project on behalf of the County and to lease the same to the County pursuant to a limited full faith and credit general obligation contract of lease; and

WHEREAS, the County intends to enter into a limited full faith and credit general obligation contract of lease with the Building Authority substantially in the form attached as Exhibit A hereto (the “Lease Contract”) pursuant to which the Building Authority will issue bonds in accordance with Act 31 in an amount not to exceed Twenty-Seven Million Dollars (\$27,000,000) (the "Bonds") for the Project; and

WHEREAS, said Lease Contract may not become effective until forty-five (45) days after a notice of intent to enter into said contract of lease pursuant to Section 8(b) of Act 31 has been published in a newspaper of general circulation in the County; and

WHEREAS, the County desires to express its intent to reimburse itself the costs related to the Project through the issuance by the Building Authority of tax-exempt bonds; and

WHEREAS, the County has determined to advance funds to the Building Authority to cover Project costs until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Kent, Michigan:

1. That the Lease Contract substantially in the form attached hereto as Exhibit A is hereby approved.

2. That the obligations of the County set forth in the Lease Contract shall be the full faith and credit limited general obligation of the County, it being understood that any tax levy of the County to meet these obligations is subject to existing statutory and constitutional tax limitations.

3. That the County Clerk is authorized and directed to publish a Notice of Intent to Enter into a Full Faith and Credit General Obligation Lease Contract in *The Grand Rapids Press*, a newspaper of general circulation in the County, determined to be the newspaper reaching the largest number of persons to whom said notice is directed.

4. That the County, pursuant to Section 1.150-2 of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended, declares its intent to reimburse itself the costs of the Project and costs related thereto in an amount not to exceed Twenty-Seven Million Dollars (\$27,000,000) through the issuance by the Building Authority of the Bonds.

5. That the advancement to the Building Authority of up to Two Million Four Hundred Sixty Thousand Dollars (\$2,460,000) from the general funds of the County is authorized to cover initial Project costs to be reimbursed to the County by the Building Authority from proceeds of the Bonds at the time the Bonds are issued.

6. That staff is directed to promptly upon issuance of the Bonds acquire the property upon which the Project will be located pursuant to an Option Agreement dated August 30, 2006, between the County and the City of Grand Rapids.

7. That a copy of this resolution shall be available for public inspection at the Office of the County Clerk, 1st Floor, County Administration Building, 300 Monroe Avenue, N.W., Grand Rapids, Michigan 49503.

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

Motion carried:

Yeas: Wahlfield, Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Rolls, Postmus, Morren,

Mayhue, Mast, Koorndyk, Klein, Hiddema, Bulkowski, Boelema, Agee, Chair Morgan – 18.

Nays: 0.

11-16-06-130 - MILLENNIUM PARK MASTER PLAN 2006 UPDATE / PARKS

WHEREAS, with a majority of Millennium Park property acquired and the first phase construction of the Recreational Core complete, it became necessary to review the original 2001 Millennium Park Master Plan; and

WHEREAS, in April 2006, the Parks Department initiated a process to update the Millennium Park Master Plan. The County engaged the services of Conservation Design Forum and their team of local planning, engineering and design firms; and

WHEREAS, during this process input was received from park users and

community stakeholders, as well as members of the Millennium Park Community Committee and the Architectural Advisory Review Board. On September 7, 2006, the Parks Department hosted a community open house to receive input on draft concepts of the master plan update; and

WHEREAS, the Master Plan 2006 Update will provide a common vision and guide to evaluate and implement specific development plans and environmental restoration and management strategies; and

WHEREAS, the plan identifies suitable areas for development, trails, amenities, phasing, remediation and habitat restoration.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves the Millennium Park Master Plan Update 2006.

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

Motion carried by voice vote.

REPORTS

Sports Commission Subcommittee

Commissioner Koorndyk reported that the Sports Commission Subcommittee's Final Report will go to Finance Committee on Tuesday, November 21st and then, if approved, on to the December 14th Board meeting.

Transportation Subcommittee

Commissioner Vander Molen announced that the Transportation Subcommittee will meet following this meeting.

Health Care Benefits Subcommittee

Commissioner Klein said that the Health Care Benefits Subcommittee is finalizing its recommendations.

MISCELLANEOUS

Equal Employment Opportunity Report

Commissioner Mayhue urged Commissioners to let the community know, with the recent adoption of the Equal Employment Opportunity Report, of the County's goals and efforts in this area.

Republican Caucus

Chair Morgan announced that the Republican Caucus meeting will be Monday, December 4, 2006, 5:00 p.m., at Republican Headquarters, 264 Leonard Street NW, Grand Rapids.

ADJOURNMENT

At 10:25 a.m., Commissioner Hiddema moved to adjourn, subject to the call of the Chair, and to Thursday, December 14, 2006, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Koorndyk. Motion carried.

Roger C. Morgan, Chair

Mary Hollinrake, County Clerk