

OFFICIAL
PROCEEDINGS

of the

Board of Commissioners

of

Kent County,

Michigan

2009

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PROCEEDINGS

of the
Kent County Board of Commissioners
January 6, 2009 – Organizational Meeting

Meeting called to order at 8:30 a.m. by County Clerk Mary Hollinrake.

County Clerk Mary Hollinrake administered the Oath of Office to County Commissioners as follows:

District 1	Theodore J. Vonk
District 2	Thomas Antor
District 3	Roger C. Morgan
District 4	Gary L. Rolls
District 5	Sandra Frost Parrish
District 6	Arthur S. Tanis
District 7	Stan Ponstein
District 8	Keith Courtade
District 9	Harold J. Voorhees
District 10	Bill Hirsch III
District 11	Dean Agee
District 12	Peter H. Hickey
District 13	Richard Vander Molen
District 14	Carol M. Hennessy
District 15	Dick Bulkowski
District 16	Jim Talen
District 17	James Vaughn
District 18	Brandon Dillon
District 19	Robert Synk

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Morgan, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees - 19.

Absent: None.

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

Amend Agenda

Motion by Commissioner Talen, seconded by Commissioner Dillon, to amend the agenda by adding a motion to amend the Standing Rules of the Board of Commissioners.

Motion carried by voice vote.

ELECTION OF OFFICERS

Chair

Clerk Hollinrake opened nominations for Chair of the Board of Commissioners. Commissioner Agee nominated Roger C. Morgan. Motion was seconded by Commissioner Vander Molen.

Motion by Commissioner Vander Molen, seconded by Commissioner Agee, that the nominations be closed and that a unanimous ballot be cast for Commissioner Roger C. Morgan.

Motion carried by voice vote.

Commissioner Roger C. Morgan was declared elected Chair of the Board of Commissioners.

Vice Chair

Chair Morgan opened nominations for Vice Chair.

Commissioner Agee nominated Commissioner Sandra Frost Parrish. Motion was seconded by Commissioner Dillon.

Motion by Commissioner Agee, seconded by Commissioner Voorhees, that the nominations be closed and that a unanimous ballot be cast for Commissioner Sandra Frost Parrish.

Motion carried by voice vote.

Commissioner Sandra Frost Parrish was declared elected Vice Chair of the Board of Commissioners.

PUBLIC COMMENT

Paul Mayhue, 244 Heritage Commons SE, Grand Rapids – As a former commissioner, he is proud of having worked on the proposed Veterans Affairs Commission. It will definitely enhance veteran's affairs in this community. He encouraged all commissioners to vote for this when it comes before the Board.

CONSENT AGENDA

- a) Approval of Minutes of December 11, 2008 Meeting
- b) December 16, 2008 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)

Motion by Commissioner Talen, seconded by Commissioner Vonk, that the consent agenda items be approved.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

STANDING RULES AMENDMENT

Motion by Commissioner Talen, seconded by Commissioner Dillon, to propose an amendment to the Standing Rules as follows:

Section 1.2: Minority Vice Chair of the Board of Commissioners (is added and reads):

The Board shall elect from its membership a Minority Vice Chair at the same time and in the same manner as provided for the election of the Vice Chair. The Minority Vice Chair shall be elected from a different political party than the Chair and have the same rights and responsibilities as any other member of the Board.

Commissioner Tanis - Does not disagree with creating a vice chair of the minority party, however, he questions the process. We have a procedure set forth in the Standing Rules and we are going against that procedure.

Commissioner Antor - Maybe the Board would be better served to consider this later. In the future, if one party had an overwhelming majority, it would be inappropriate to have to have someone from the minority party be elected to the position of minority vice chair.

Commissioner Dillon – The Standing Rules can be altered either by a majority vote at their adoption (every two years) or a 2/3 vote at any other time. If, at any point, either party has 13 members on the Commission, they can move to eliminate that position if they do not feel it's appropriate.

Commissioner Vander Molen - Agrees with Commissioners Tanis and Antor with regard to the process. Where does compensation fit into this new position?

Commissioner Talen - There is no additional compensation.

Commissioner Morgan – To clarify, this position would not be considered by the Officers Compensation Committee.

Commissioner Talen - That is correct.

Commissioner Voorhees - He would like a legal opinion with regard to the last sentence "have the same rights and responsibilities as any other member of the Board."

Counsel Ophoff - The Commission would be amending the Standing Rules and that is the Commission's call to amend the rules to make this a position that is merely a board member position or a position with similar compensation as the current vice chair position.

Commissioner Voorhees – Does the word "rights" mean that they do get it (additional compensation) and we would have to amend this amendment to define yes or no as to additional compensation?

Counsel Ophoff – As explained by Commissioner Talen, the motion to amend the Standing Rules would create the minority vice chair position but would not create any additional rights beyond those of an ordinary board member.

Commissioner Agee – Agrees that process is very important and it should only be under exceptional circumstances that something comes directly to the Board. In this case, we are now assembling the leadership team, which is the purpose of this meeting. And, because this person would be, presumably, a member of that leadership team for the year, he believes it appropriate to start the year with that person in place and that position created. There will be a time to address the Standing Rules, as required, in April. If there is something today that we have done incorrectly, we have an opportunity very shortly to fix it.

Commissioner Talen – To clarify, the proposed position would have the same rights and responsibilities as any other member of the Board, not those of the vice chair. This is standard language for both the chair and vice chair position in our Standing Rules. The rights and responsibilities refer to those of "members" of the Board. So, whatever those are, would be what this new position would possess.

Commissioner Vonk – For clarification, this proposed position would have no other special rights, i.e., if the vice chair could not attend a meeting or seminar, the minority vice chair would *not* stand in his place, is that correct?

Commissioner Talen – That is correct.

Commissioner Rolls – From a legal standpoint, can we make sure that the language is correct?

Counsel Ophoff – We can review the language if the Board would like. If the Board decides to amend the rules today, the intention is still to adopt the rules in April. So, between now and April, we would have a chance to look at this and give the Board further counsel on this provision.

Commissioner Parrish – For clarification, this would get reviewed at the same time that we review all other standing rules?

Commissioner Talen – Yes.

Motion to amend Standing Rules carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

ELECTION OF MINORITY VICE CHAIR

Chair Morgan opened nominations for Minority Vice Chair of the Board of Commissioners.

Commissioner Dillon nominated Carol Hennessy. Motion was seconded by Commissioner Bulkowski.

Motion carried by voice vote.

Commissioner Carol Hennessy was declared elected Minority Vice Chair of the Board of Commissioners.

RESOLUTIONS

1-6-09-01 – NOTICE OF INTENT TO ENTER INTO A LEASE CONTRACT WITH THE COUNTY BUILDING AUTHORITY – CORRECTIONAL FACILITY & JUVENILE DETENTION / 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 construction and furnishing of (a) approximately 520 replacement prison beds and ancillary facilities at the Kent County Correctional Facility and (b) the construction and furnishing of replacement kitchen/dining facilities and related support areas at the Kent County Juvenile Detention Facility (collectively, the “Project”); and

WHEREAS, the Building Authority is authorized by its Articles of Incorporation and Act 31 to construct and furnish 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 Thirty-Eight Million Dollars (\$38,000,000) (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 substantially the form attached hereto as Exhibit B, 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 Thirty-Eight Million Dollars (\$38,000,000) through the issuance by the Building Authority of the Bonds.

5. That the advancement to the Building Authority of up to One Million Two Hundred Thirty Thousand Dollars (\$1,230,000) 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 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 Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

APPOINTMENTS
2009 STANDING COMMITTEES

Finance & Physical Resources**Committee**

Dean Agee, Chair
 Carol Hennessy, Vice-Chair
 Dick Bulkowski
 Gary Rolls
 Jim Talen
 Art Tanis
 Dick Vander Molen
 James Vaughn
 Harold Voorhees

Legislative & Human Resources**Committee**

Sandi Parrish, Chair
 Brandon Dillon, Vice-Chair
 Tom Antor
 Keith Courtade
 Pete Hickey
 Bill Hirsch
 Stan Ponstein
 Bob Synk
 Ted Vonk

Motion by Commissioner Vander Molen, seconded by Commissioner Voorhees, that the appointments by Chair to Standing Committees be approved.

Motion carried by voice vote.

2009 COMMITTEE APPOINTMENTS BY CHAIR

A.C.S.E.T.

Roger Morgan (by virtue of office)
 James Vaughn

County/Township Liaison

Dean Agee

Grand Rapids – Kent County Convention / Arena Authority Liaison**Committee**

Gary Rolls
 Harold Voorhees

Grand Valley Metropolitan Council Transportation Division Policy**Committee**

Sandi Parrish

Greater Grand Rapids Convention Bureau

Roger Morgan

Human Services Committee

Roger Morgan (by virtue of office)

Pension Board

Roger Morgan

Resource Conservation & Development Committee

Gary Rolls
 Bill Hirsch

Senior Millage Review Committee

Art Tanis
 Harold Voorhees

Motion by Commissioner Vonk, seconded by Commissioner Vander Molen, that the Annual Chair Appointments to Various Committees be approved.

Motion carried by voice vote.

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Chair Morgan suggested postponing the Appointments to Boards, Commissions and Committees to a Board of Commission meeting on Thursday, January 8, 2009, to allow leadership to discuss possible appointments.

Motion by Commissioner Agee, seconded by Commissioner Hirsch, to postpone Appointments to Boards, Commission and Committees until January 8, 2009. Motion carried by voice vote.

MISCELLANEOUS**Historic Day**

Commissioner Dillon said that today was a historic day for Kent County in terms of how it was decided to conduct business in the next year. This is the first time that a Democrat has been vice chair of a standing committee.

Network 180 Legislative Breakfast

Commissioner Voorhees announced that the annual legislative breakfast will be held Monday, February 2, 2009. He encouraged all members to attend.

Minority Vice Chair

Commissioner Hennessy said that it is a privilege and honor to be the first Minority Vice Chair.

Welcome

Chair Morgan welcomed new Commissioners and said that he is looking forward to working with all.

Finance Committee Meeting


Chair Morgan announced a Finance Committee meeting will be held immediately following this meeting.

Introductions

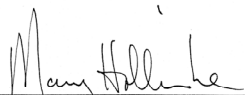
Commissioners Talen, Hennessy, Antor, Hickey, Ponstein, Hirsch and Synk introduced their families and friends present at today's meeting.

ADJOURNMENT

At 9:13 a.m., Commissioner Talen moved to adjourn, subject to the call of the Chairman, and to Thursday, January 8, 2009, at 8:30 a.m. for an Official Meeting. Seconded by Commissioner Dillon. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
January 8, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Morgan, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees - 19.

Absent: None.

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

PUBLIC COMMENT

1. Nancy Wilson, former Kent County Health Department employee (14 years), said she was fired from her job in August 2005. She was represented by the UAW in a lengthy arbitration process that's gone on for 3 ½ years. There have been 3 hearings and 2 appeals, 9 judges have reviewed the facts around her firing and all of them ruled in her favor. Recently, the Michigan Employment Relations Appeals Board upheld the original decision that ordered Kent County to reinstate her 2 years ago. The County is appealing to the Michigan Court of Appeals. She recently filed for bankruptcy and she is going to lose her home. The County is basing the latest appeal on her decision not to take her job back after the first arbitration hearing. The Human Resources Department offered no assurances to her that she would not be re-fired so she refused the job. It is wrong for the County to continue to spend time and resources arguing a technicality. Management employees made a terrible mistake in firing her and have caused her great harm. She asked the Board to step in and reinstate her job as ordered by MERC.
2. Steven Spiegel, 107 Arthur Ave NE, Grand Rapids - (character witness) A friend of Nancy Wilson's for a number of years, he believes that she is a truthful and good person.
3. John Wilson, 601 Windsor Terrace, Grand Rapids – (Son of Nancy Wilson) He moved in with his mother about one year ago to help with the bills. This situation has been very hard for his mother, and her job loss has caused financial hardship.
4. Matilde Nederhoed, 306 - 48th Street, Kentwood (character witness), A friend of Nancy Wilson's for 20 years. Nancy is a very good and caring person who has always been willing to share with others. Nancy was with the Health Department for 14 years and she never received discipline prior to Ms. Peacock's arrival as supervisor. Ms. Wilson has struggled physically, emotionally and financially. She believes that this is unfair and the Board should help Ms. Wilson recoup her job.
5. Luke Wilson, 829 Fairmount, Grand Rapids – (Oldest son of Nancy Wilson) Stated that his mother is honest and hardworking. She has fought and won

many times. She just wants her job back. Please give her back her job, which she rightfully deserves.

APPOINTMENTS

2009 COMMITTEE APPOINTMENTS BY CHAIR

A.C.S.E.T.

Keith Courtade
Roger Morgan (by virtue of office)
James Vaughn

County Township Liaison

Dean Agee

Grand Rapids – Kent County Convention / Arena Authority Liaison

Committee

Brandon Dillon
Gary Rolls
Harold Voorhees

Grand Valley Metropolitan Council Transportation Division Policy

Committee

Sandi Parrish

Greater Grand Rapids Convention Bureau

Tom Antor
Roger Morgan

Housing Commission

Raymond Dewey

Human Services Committee

Roger Morgan (by virtue of office)

Officers' Compensation Commission

Amy Freeburg
James Saalfeld

Pension Board

Roger Morgan

Resource Conservation & Development Committee

Bill Hirsch
Gary Rolls

Senior Millage Review Committee

Art Tanis
Harold Voorhees

The Right Place Inc.

Daryl Delabbio

VEBA Trust Board

Michelle Balcom
Matt Madonna

Motion by Commissioner Parrish, seconded by Commissioner Voorhees, that the Annual Chair Appointments to Various Committees be approved.
Motion carried by voice vote.

2009 BOARDS, COMMISSIONS, AND COMMITTEES

Aeronautics Board

Ted Vonk
Floyd Wilson

Agricultural Preservation Board

Jerry David
Dennis Heffron
Gary Rolls

Area Agency on Aging of Region VIII – Advisory Council

Frederick Deane
Jim Vaughn

Area Agency on Aging of Region VIII – Board of Directors

Carol Hennessy
Albert Page

Community Corrections Advisory Board

Kathy Berlin
Randy Demory
Kristen Gietzen
Alecia Lewis
Benjamin Logan
Rusty Merchant
Christine Tober

Community Health Advisory Committee

Brandon Dillon
Suzan Couzens
Candace Cowling
Pete Hickey
Lori Pearl-Kraus
Savator Selden-Johnson
Mark Swan

Community Mental Health Authority Board

Brian Chisholm
Barbara Koetsier
Stan Ponstein
Jim Talen

Concealed Weapons Licensing Board

Wallace Duffin

County Building Authority

Sean Fitzgerald
Richard Rankin

Fire Commission

Tom Antor
Don Hilton
Dennis Hoemke

Fire Commission (continued)

James McIntyre
Art Tanis
Jean Wahlfield

Foreign Trade Zone Board (Kent, Ottawa, Muskegon)

Paul Howland
Pete Hickey

Friend of the Court Advisory Committee

Sandy Harmon
Bruce McCoy
Nicole Thompson

Grand Rapids – Kent County Convention/Arena Authority

Joseph Tomaselli

Grand Valley Metropolitan Council

Dick Bulkowski (filling unexpired term)

John Ball Zoo Advisory Board

Dick Bulkowski
Jon Nunn
Dean Pacific
Sandi Parrish (by virtue of office)

Kent County Family and Children's Coordinating Council

Sue Broman
Candace Cowling
Lynne Ferrell
Lynn Heemstra
Carol Paine-McGovern
Bernard Taylor

Kent District Library Board

Scott Petersen
Denise Van Eck

Kent Hospital Finance Authority

James Saalfeld

Millennium Park Architectural Advisory Review Board

Vernon Ohlman
Peter Secchia

Pension Board

Harold Voorhees

Public Works Board

Gary Rolls
Bob Synk
Art Tanis
Dick Vander Molen (filling unexpired term)

Road Commission

John Weiss

Veterans Affairs Committee

Fred Chambers
Harold Mast
Bill Milzarski
Paul Potter
John Rideout

Motion by Commissioner Hirsch, seconded by Commissioner Ponstein, that Commissioner Hirsch be considered for the Agricultural Preservation Board in place of Commissioner Rolls.

Motion failed by show of hands:

Yeas: 6. Nays: 13.

Motion by Commissioner Parrish, seconded by Commissioner Agee, that the Various Appointments to Boards, Commissions, Committees be approved.

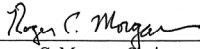
Motion carried by voice vote.

MISCELLANEOUS

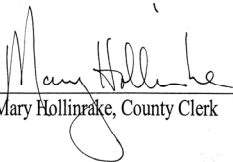
There were no miscellaneous comments.

ADJOURNMENT

At 8:58 a.m., Commissioner Parrish moved to adjourn, subject to the call of the Chair, and to Thursday, January 22, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Agee. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
January 22, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Morgan, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees - 18.

Absent: Vander Molen – 1 (Excused).

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

PUBLIC COMMENT

1. Nancy Wilson, 601 Windsor Terrace, Grand Rapids – A former Kent County Health Department employee who appeared before the Board two weeks ago, said that she appreciates Commissioners' willingness to help. She has heard two negative comments made by County staff and believes the County has lost sight of the real issue. She will continue to seek job reinstatement.
2. Kathy Denton, 144 S. Main, Rockford (Sister of Nancy Wilson) – Believes that her sister, Nancy, was a good and caring employee, who was wrongfully fired and should have her job reinstated.

SPECIAL ORDER OF BUSINESS

Appointed Board – Citizens Recognition

Chair Morgan thanked the following citizens for their service on County boards:
Sandra Wisniewski – Kent District Library Board (Jan 2001 – Dec 2008)
Michael Scruggs – Department of Human Services (Nov 2005 – October 2008)
Roger Williams – Soldiers' and Sailors' Relief Commission (May 2003 – Dec 2008)
Peter Ondersma – Soldiers' and Sailors' Relief Commission (Jan 2003 – Dec 2008)

Regional Jail Report

Assistant Administrator Wayman Britt stated that, in July 2007, the Board approved a Regional Jail Feasibility Study (copy of that completed study is on file in the County Clerk's Office). Allegan, Kalamazoo and Kent counties agreed to look at long-term capacity and potentially partnering to build a facility. Mr. Britt introduced Rod Miller from CRS Inc. to present the findings.

Mr. Miller explained that each county's situation, needs and options were explored. The following was done for each county: 1) reviewed existing facilities and operations; 2) analyzed historical jail occupancy and operational data; 3) examined inmate characteristics using local data; 4) developed projected bed space needs; 5) identified the range of options to meet projected needs; and, 6) estimated 30-year life cycle costs for each option.

Site visits were made and meetings were held with the steering committee. Along with the three counties, other potential partners were identified, including; other counties, municipalities, the State of Michigan, federal agencies, private for-profit and non-profit entities.

Various types of benefits were identified, including; financial, effectiveness, quality of services or facilities, flexibility to adapt to changing needs and situations, and criminal justice system benefits such as expanding sentencing options.

The steering committee realized that the purpose of the study was not to "find a need for a regional facility," but rather to identify potential partnerships that would be beneficial for individual counties.

Kent County is nationally recognized for its innovative programming, justice system coordination and collaboration, and effective jail reporting. Kent County brings the only acceptable number of jail beds to the table in discussions with Allegan and Kalamazoo counties. Both Allegan and Kalamazoo face complete replacement of their substandard facilities, or major renovation and expansion, Kent County must replace several outmoded and decaying units that comprise nearly half of its secure beds.

The jail system is near its functional capacity. The current site has been master planned to accommodate future expansion. The current capacity is 1,478 in three facilities. In August 2008, county voters approved a millage renewal for the jail which will generate approximately \$27 million for construction/renovation, in addition to maintaining operating levels.

Recommendations for Kent County: 1) plan for the future and redo a master plan; 2) balance immediate and long-term costs; 3) increase net bed gain; and, 4) watch what neighbors are doing and possibly contract extra beds. The study showed that a regional facility does not offer benefits at this time; however, it should be reviewed in the future along with exploring partnerships.

CONSENT AGENDA

- a) Approval of Minutes of January 6 & 8, 2009 Meetings
- b) January 6, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

1-22-09-2 – ACCEPT GRANT AGREEMENT FROM MICHIGAN DEPARTMENT OF HUMAN SERVICES / PROSECUTOR'S OFFICE – JUVENILE IV-E FUNDING

WHEREAS, the Michigan Department of Human Services provides funding to counties to provide legal consultation to and establish protocol with Department of Human Services (DHS) staff in court proceedings regarding the abuse and/or neglect of children; and

WHEREAS, the Michigan Department of Human Services has provided the Kent County Prosecutor's Office with a FY 2009 Title IV-E Client Services Contract to conduct these services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the grant agreement from the Michigan Department of Human Services for a FY 2009 Title IV-E Client Services; and

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the Board Chair to sign all grant documents; and

BE IT FURTHER RESOLVED that the Board of Commissioners appropriates \$66,022 to the Prosecutor's Office FY 2009 Budget.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the consent agenda items be approved.

Motion carried:

Yeas: Voorhees, Vonk Vaughn, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

1-22-09-3 – PURCHASE OF DEVELOPMENT RIGHTS SELECTION CRITERIA AND APPLICATION CYCLE FOR 2009 / ADMINISTRATOR'S OFFICE

WHEREAS, the Purchase of Development Rights (PDR) Ordinance adopted by the Board of Commissioners in November 2002 established procedures for the administration of the PDR program. By ordinance, the Kent County Agricultural Preservation Board is responsible for much of the program administration with certain items presented to the Board of Commissioners for approval; and

WHEREAS, the Agricultural Preservation Board has prepared 2009 selection criteria to be used to rank and prioritize PDR applications. Per the ordinance, the Board of Commissioners must approve the criteria; and

WHEREAS, this year's selection criteria continues to focus on preservation efforts in areas with large blocks of agricultural land and considers factors such as soil type, parcel size, proximity to water and sewer, and proximity to other public or private preserved land. The criteria was updated to increase the points awarded for public access from 2 to 4 which increased the total number of points possible. Also changed was the language describing qualifications for "unique features," however there was no impact on the scoring; and

WHEREAS, the Agricultural Preservation Board intends to seek funding to preserve qualifying applications to the Michigan Agricultural Preservation Fund and the USDA NRCS Farm and Ranch Lands Protection Program in 2009. All applications need to proceed through the County process in order to be eligible for submittal to the Michigan Agricultural Preservation Fund and Farm and Ranch Land Protection Program. The deadlines for submittal to the state and federal program have not yet been announced. It is recommended that the County application cycle be from March 1 – April 30, 2009, to allow sufficient time to score and appraise priority properties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners to approve the Kent County Purchase of Development Rights (PDR) selection criteria and to authorize an application cycle of March 1 – April 30, 2009.

Motion by Commissioner Dillon, seconded by Commissioner Parrish, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk Vaughn, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

1-22-09-4 – APPROVE AGREEMENTS WITH DISTRICT – LOCAL CONTROL UNITS FOR JAIL PER DIEM AND ARREST PROCESSING FEES / FISCAL SERVICES

WHEREAS, in 1998 the County entered into Memorandums of Understanding concerning jail per diem and arrest processing fees with the District Court – Local Control Units located within the corporate boundaries of Kent County; and

WHEREAS, these District Court – Local Control Units represented by the cities of Grand Rapids, Kentwood, Wyoming, Grandville and Walker have petitioned for amendment of the terms and conditions under which the County houses city ordinance violators at the County's Correctional Facilities; and

WHEREAS, the proposed agreement, if approved, provides for changes to the rate setting methodology which will significantly reduce the 2009 billing rates when compared to the current calendar year 2008 billing rates; and

WHEREAS, Corporate Counsel has reviewed and approved the agreements.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the agreements regarding jail per diem fee and arrest processing fee and authorizes the Board Chair to sign the agreements.

Motion by Commissioner Tanis, seconded by Commissioner Vonk, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk Vaughn, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

1-22-09-5 – COMMUNICATIONS TOWER – LEASE OF PROPERTY / FACILITIES MANAGEMENT – JOHN BALL ZOO

WHEREAS, the County of Kent owns the property commonly known as John Ball Park; and

WHEREAS, the City of Grand Rapids is promoting a Wi-Max system to provide and increase wireless communications within the City and the County; and

WHEREAS, Clearwire is the vendor constructing the Wi-Max system and Clearwire has determined that the system would benefit from the location of Wi-Max equipment in the John Ball Park area; and

WHEREAS, Clearwire has requested to lease a portion of property within John Ball Park for the location and operation of the wireless communications equipment and Clearwire and the County have negotiated a lease for such property; and

WHEREAS, the estimated costs of construction of the necessary tower is \$110,000 and such funds are available in the Capital Improvement Fund.

NOW, THEREFORE, BE IT RESOLVED:

1. The Kent County Board of Commissioners hereby authorizes the County Administrator/Controller to enter into a lease for the location and operation of wireless communications equipment in John Ball Park and further authorizes the

appropriation of approximately \$110,000 from the Capital Improvement Fund for the costs of construction as negotiated by the County Administrator/Controller.

2. The Board Chair and/or the County Administrator/Controller are authorized and directed to finalize and sign the lease agreement and associated documents for and on behalf of the County.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk Vaughn, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

1-22-09-6 – COMMUNICATIONS TOWER – LEASE OF PROPERTY / FACILITIES MANAGEMENT – HUMAN SERVICES COMPLEX

WHEREAS, the County of Kent, acting through its Building Authority, is building a new Human Service Complex; and

WHEREAS, the City of Grand Rapids is promoting a Wi-Max system to provide and increase wireless communications within the City and the County; and

WHEREAS, Clearwire is the vendor constructing the Wi-Max system and Clearwire has determined that the system would benefit from the location of Wi-Max equipment on the roof of the new Human Services Complex; and

WHEREAS, Clearwire has requested to lease a portion of the roof and the penthouse at the Human Services Complex for the location and operation of the wireless communications equipment and Clearwire and the County have negotiated a lease for such property; and

WHEREAS, all costs of construction and operation will be paid by Clearwire; and

WHEREAS, the County will lease the property from the Building Authority and the County will sublease the property to Clearwire.

NOW THEREFORE, BE IT RESOLVED:

1. The Kent County Board of Commissioners hereby authorizes the County Administrator/Controller to enter into a lease for a portion of the roof and penthouse at the Human Services Complex with the Building Authority and enter into a sublease for the same property for the location and operation of wireless communications equipment with Clearwire; and
2. The Board Chair and/or the County Administrator/Controller are authorized and directed to finalize and sign the lease agreement with the Building Authority and the sublease with Clearwire and associated documents for and on behalf of the County.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk Vaughn, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

REPORTS

There were no reports.

MISCELLANEOUS

Invitation

Commissioner Voorhees extended an invitation from former noted sports writer Bob Becker to Commissioners, to be his guest at the Cornerstone vs. Madonna basketball game on Wednesday, February 4, 2009, at 7:30 p.m.

Public Works Board Meeting

Commissioner Tanis announced that a Public Works Board meeting will follow this meeting in Room 311.

Drain Commissioner

Bill Byl introduced himself to new Commissioners and extended an open invitation to all Commissioners to tour the Drain Commission offices.

Sub-Committees

Chair Morgan announced the following Sub-Committee Appointments:

Bargaining/Benefits Sub-Committee

Commissioners Morgan (Chair), Parrish, Agee, Hennessy, Bulkowski, Tanis

Staff: Daryl Delabbio, Don Clack, Tom Drenth

Open Space/PDR Sub-Committee

Commissioners Parrish (Chair), Agee, Rolls, Antor, Dillon, Talen, Vander Molen

Staff: Mary Swanson, Dan Ophoff

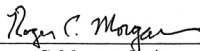
Standing Rules Sub-Committee

Commissioners Vonk (Chair), Morgan, Talen, Ponstein, Bulkowski

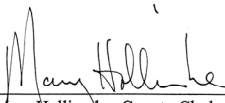
Staff: Dan Ophoff, Jim Day

ADJOURNMENT

At 9:22 a.m., Commissioner Vaughn moved to adjourn, subject to the call of the Chair, and to Thursday, February 12, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Agee. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
February 12, 2009 – Budget Priority
Planning Session

Meeting called to order at 8:03 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Chair Morgan - 16.

Absent: Vonk, Voorhees, Vander Molen – 3 (Excused).

PUBLIC COMMENT

There was no public comment.

INTRODUCTION

Administrator Delabbio stated that Budget Priority Planning sessions will be held for the next several months prior to the regular Board of Commission meetings. The purpose of these sessions is to provide information to Board Members that they will then use to review information related to constructing the 2010 budget. Commissioners have been provided a binder of information (copy of which is on file in the County Clerk's Office) and will receive additional information at each meeting. In May, the Board will have an opportunity, based on information received in the Budget Priority Planning Sessions, to determine: 1) how to move forward developing the 2010 budget; and, 2) what the funding priorities of the Board are. The goal is to see policy and budget numbers "connect." Administrator Delabbio introduced Assistant Administrator Mary Swanson to review information.

Ms. Swanson stated that a lot of the information available today is information that Bob White has provided over the years. Various department directors are present and can answer Board Members' questions. If time does not allow for questions during this session, Commissioners may contact either Daryl, herself, or department directors. They want to be able to answer questions and get that information back to Commissioners by the May meeting.

The goal for today is a short budget overview & then focus on the three departments in the first functional area to be presented.

BUDGET OVERVIEW

2009 – County Budget

All Funds – Revenue: \$383,062,792 (see chart)

32.5% - Taxes, 15.7% - Intergovernmental, 24.1% - Charges (what funds the DPW), since many funds are limited as to what they may be spent on, the Board really doesn't have much input.

(Revenues & Expenditures have been adjusted to minimize non-operationally significant variances and differences due to fund accounting and financial reporting or changes.)

General Fund Revenue: \$169,620,618 (see chart)
6% - Intergovernmental – money from the state for grants and services, transfers
51% - Taxes (property)
10% - Taxes – Dedicated Corrections & Detention Millage (comes into the general fund for operations)
7% - Revenue Sharing Reserve Fund
1% - General Fund Reserves (the 2008 deficit drew down the fund balance to balance the budget)
20% - Others (Delinquent Tax, Other, Reimbursements, Investment Earnings, etc.)

74% of revenues may be vulnerable. When forecasting future allocating, keep in mind those vulnerable revenue sources, which need close monitoring.

General Fund Expenditures: \$169,620,618 (see chart)
36% - Public Safety
24% - Judicial
19% - General Government
11% - Health & Welfare
6% - Cultural & Recreation
4% - Other (special projects grants, economic development, intergovernmental transfers)

The question going forward is: As revenues decrease, the pie will become a smaller pie. As the pie gets smaller, do we still want the slices to be of the same proportion?

In the next three months, we will review these “slices” and have the Commissioners provide some direction as to the Board’s priorities.

We will provide information on program costs. We are not looking at how we do it, we are looking at what we do.

Question:

Commissioner Agee: Don’t we need to determine how big the pie is before we decide how to divide it up? We could keep the pie the same size and continue to subsidize it, right?

M. Swanson: That will be part of the priority setting in May. What kind of revenue enhancing, if any, use of fund balance, how much, will be questions we will be asking the Board. It has been a long time since the Board talked about how much funding goes to each functional area. Even if the pie stays the same, do you still want these proportions?

About 60% of the revenues that the Board has control over are from property taxes. Certain departments have other revenue sources.

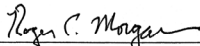
Administrator Delabbio said that revenue sharing will be in the Governor’s 2010 budget but that doesn’t mean that the legislature will approve that budget. What is critical about 2010 is that Wayne County is included in the distribution for revenue sharing that year. How much Wayne gets will be an indicator as to what may be reinstated for Kent in 2011. The key number in the state budget is \$53 million for county revenue sharing to fund totally or partially the 8 counties scheduled to go back online in the 2010 fiscal year.

CULTURE & RECREATION

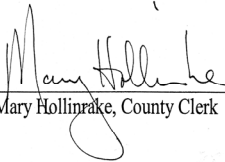
Ms. Swanson reviewed the Culture & Recreation functional area. This is the smallest and one of the less complex functional areas. The budget for Culture & Recreation for 2009 is \$9,475,075 or 6% of the budget. This area includes: 1) John Ball Zoological Garden; 2) Parks Department; 3) Kent/MSU Cooperative Extension (see department breakdown sheets).

ADJOURNMENT

At 8:28 a.m., Chair Morgan adjourned the Budget Priority Planning session until Thursday, February 26, 2009, Room 310, County Administration Building, at 8:00 a.m.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
February 12, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Chair Morgan - 16.

Absent: Vonk, Voorhees, Vander Molen – 3 (Excused).

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

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

- a) Approval of Minutes of January 22, 2009 Meeting
- b) January 20 and February 3, 2009 Finance Committee Meeting Minutes (Reports of Claims and Allowances)
- c) Resolutions:

2-12-09-7 – SPECTRUM HEALTH HOSPITALS GRANT FOR REGION 6 PANDEMIC INFLUENZA PLANNING FOR FY 2009 / HEALTH DEPARTMENT

WHEREAS, Spectrum Health Hospitals has approved funding of \$4,250 to support the Region 6 Pandemic Influenza planning project; and

WHEREAS, the project is titled *How to Deliver Essential Health Care Services During an Influenza Pandemic*, and the goal is to develop a cohesive set of guidelines that Region 6 will use to define essential health care services during an eight week influenza pandemic cycle. Region 6 consists of the following counties: Ottawa, Osceola, Oceana, Newaygo, Montcalm, Mecosta, Clare, Ionia, Isabella, Kent, Lake, and Mason; and

WHEREAS, the planning project will be completed by September 2009 and will include monthly work sessions to develop the plan. Funding will be used to reimburse Health Department staff time and travel costs to attend these work sessions; and

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners to accept \$4,250 in funding from Spectrum Health Hospitals for Region 6 Pandemic Influenza planning and appropriate \$4,250 to the FY 2009 Health Department budget.

**2-12-09-8 – UNIVERSITY OF MICHIGAN GRANT FOR IMMUNIZATION
REMINDER / RECALL PROGRAM FOR FY 2009 / HEALTH
DEPARTMENT**

WHEREAS, the University of Michigan, in participation with the Centers for Disease Control and Prevention (CDC), has approved funding of \$7,500 to support Kent County's existing Immunization Reminder/Recall program; and

WHEREAS, in an effort to increase the immunization rates of Kent County, the Health Department utilizes a reminder/recall program where a letter is sent to Kent County citizens reminding them of immunizations that are needed; and

WHEREAS, funding reimburses \$1 for every letter that is sent to cover the cost of postage and supplies. It is estimated that 7,500 letters will be sent out during FY 2009.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners accepts \$7,500 in funding from the University of Michigan for the Immunization Reminder/Recall program and appropriate \$7,500 to the FY 2009 Health Department budget.

**2-12-09-9 – AMENDMENT TO THE DEPARTMENT OF HUMAN SERVICES
HEALTHY START GRANT FOR FY 2009 / HEALTH
DEPARTMENT**

WHEREAS, the Department of Human Services (DHS) has approved additional funding of \$8,000 to support the delivery of Health Department Healthy Start services; and

WHEREAS, the Health Department, through the Healthy Start program, provides assessment services to women who are parents for the first time and reside in Kent County. Based on the completed assessment, Health Department staff determines the family's eligibility for community services that will best fit their needs; and

WHEREAS, the additional funding will provide 28 additional assessment services to meet the demands of the increase in the number of referrals into the program; and

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners accepts \$8,000 in additional funding from DHS for the delivery of Healthy Start services and appropriate \$8,000 to the FY 2009 Health Department budget.

**2-12-09-10 – AMENDMENT TO THE NETWORK 180 SUBSTANCE ABUSE
PREVENTION GRANT FOR FY 2009 / HEALTH DEPARTMENT**

WHEREAS, Network 180 has approved additional funding of \$109,180 to support the delivery of Health Department substance abuse prevention programs; and

WHEREAS, the grant funds will be used to deliver additional services for two existing Health Education and Promotion programs, Fetal Alcohol Syndrome (FAS) classes of \$8,101 and Life Skill classes of \$33,974; and

WHEREAS, Wellness Outreach at Work (WOW) is a new Health Education and Promotion initiative that has been funded for \$47,059. This program is a pilot wellness intervention program targeted to one employer within Kent County with a workforce where screenings have shown a higher prevalence of moderate to heavy drinkers. This program has been shown to be effective in lowering the risk of adult heavy drinking; and

WHEREAS, funding in the amount of \$20,046 has also been received for the development of a new data system. The Communicable Disease/Epidemiology unit of the Health Department will work in conjunction with

partners of the Kent County Substance Abuse Prevention Leadership Coalition to enhance the data available to substance abuse prevention programs in Kent County.\

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners accepts \$109,180 in additional funding from Network 180 for the delivery of substance abuse disorder direct prevention services, and appropriate \$109,180 to the FY 2009 Health Department budget; and

2-12-09-11 – AMENDMENT TO THE COMPREHENSIVE PLANNING AND BUDGETING CONTRACT (CPBC) FOR FY 2009 / HEALTH DEPARTMENT

WHEREAS, the Health Department has received notice from Michigan Department of Community Health (MDCH) that \$94,499 in additional grant funds are available to the Health Department for various programs included in the Comprehensive Planning and Budgeting Contract (CPBC) agreement for FY 2009; and

WHEREAS, the amendment to the CPBC agreement has been received from MDCH that has changed funding for several programs, including the following additional funds:

- \$9,242 to cover increased caseloads for the Breast and Cervical Cancer Control Program and the Joint Demo project;
- \$18,895 in additional funding to cover costs of the Childhood Lead Poisoning Prevention Program;
- \$48,678 to cover additional costs in the Tuberculosis Directly Observed Therapy (TB DOT) program;
- \$13,000 for the Healthy Communities Cardiovascular funding from MDCH to provide supplies, support travel and other program expenses related to the program;
- \$4,684 in increased funding for the Bioterrorism planning and laboratory services programs.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners accepts \$94,499 in additional funding from the MDCH for public health programs contained within the Department's CPBC with MDCH and appropriate \$94,499 to the FY 2009 Health Department budget.

2-12-09-12 – BUDGET AMENDMENT – VACCINES FOR CHILDREN FUNDING / HEALTH DEPARTMENT

WHEREAS, the Kent County Health Department (KCHD) receives a significant amount of federally-funded vaccines; and

WHEREAS, the number of Vaccines for Children (VFC) doses continues to climb as the KCHD is serving more children; the number of new vaccines received continues to increase; and the costs of vaccines continue to rise; and

WHEREAS, the original Health Department budget provided an allowance of \$3,300,000 for distribution of federally provided vaccines; the Health Department estimates it will receive \$6,000,000 in federally funded vaccines for FY 2009 and is requesting an additional \$2,700,000 budget appropriation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the appropriation of \$2,700,000 to the FY 2009 Health Fund budget from the Federal Government.

2-12-09-13 – FY 2008 INTERGOVERNMENTAL – INDIGENT CARE BUDGET / ADMINISTRATOR'S OFFICE

WHEREAS, the Kent Health Plan contracts with Kent County to provide indigent health care programming; the County subcontracts with providers to provide prevention programming services; and

WHEREAS, the total FY 2008 budget appropriation of \$650,000 for the Indigent Care was based on \$650,000 in estimated revenues from the Kent Health Plan final revenue from the Kent Health Plan is \$777,000; and

WHEREAS, Fiscal Services is requesting that the additional \$127,000 in revenues and expenditures be appropriated to the FY 2008 Intergovernmental – Indigent Care budget in the General Fund.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the appropriation of an additional \$127,000 in unbudgeted revenue from the Kent Health Plan.

2-12-09-14 – GRAND RAPIDS COMMUNITY FOUNDATION – GRANT FOR EMERGENCY NEEDS TASK FORCE / KENT / MSU COOPERATIVE EXTENSION

WHEREAS, the Grand Rapids Community Foundation has awarded Kent/MSU Extension a grant in the amount of \$9,800 to support a Food Security Coordinator for the Emergency Needs Task Force-Food Security Program; and

WHEREAS, Michigan State University (MSU) currently employs a part-time coordinator and will expand the hours of the position through this grant and other sources to support the Emergency Needs Task Force Food Security subcommittee in its goal to provide access to whole healthy foods in pantries to all citizens, especially those with chronic disease; and

WHEREAS, MSU will continue to be the employer of record for this position and no County staff positions or funds are involved.

NOW, THEREFORE, BE IT RESOLVED, that Kent County accepts a \$9,800 grant from the Grand Rapids Community Foundation and appropriates those funds to Kent/MSU Extension for the Emergency Needs Task Force – Food Security Program.

2-12-09-15 – FY 2008 PROBATE COURT BUDGET / PROBATE COURT

WHEREAS, the Kent County Probate Court provides mandated services in matters relating to: the estates of decedents, trusts, guardianships of developmentally disabled persons, legally incapacitated adults and minors, conservatorships for legally incapacitated adults and minors, protective proceedings, accounts of other fiduciaries, and petitions for hospitalization of developmentally disabled or mentally ill persons; and

WHEREAS, the total FY 2008 budget appropriation for the Probate Court budget in the General Fund was \$1,315,926; the final cost to close out FY 2008 expenditures will not exceed \$1,318,426; and

WHEREAS, Fiscal Services is requesting an additional \$2,500 appropriation from the FY 2008 Undesignated/Unreserved General Fund reserves; and

WHEREAS, the additional funds are required for legal expenses: primarily court-appointed attorneys, but also guardians ad litem, physicians, interpreters and social workers. The vast majority of legal expenses

are incurred in connection with involuntary commitments, and the remainder in connection with guardianships

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners appropriates an additional \$2,500 from the Unreserved/Undesignated General Fund to the FY 2008 Probate Court budget.

**2-12-09-16 – PURCHASE OF PROPERTY AT 1230 BRADFORD STREET NE –
CREATE CIP AND APPROPRIATE FUNDS / FACILITIES
MANAGEMENT**

WHEREAS, in accordance with its on-going development plan for the Fuller Campus, the County has actively sought to acquire parcels adjacent to the Campus on the south side of Bradford Street NE between Fuller and Bradford Streets, as such parcels become available; and

WHEREAS, the owners of 1230 Bradford NE have offered to sell the property to the County for \$125,000 plus closing costs. Network 180 has agreed to contribute \$14,580 toward the acquisition; and

WHEREAS, on January 26, 2009, the County Administrator/Controller accepted and secured the offer on the parcel pending Board of Commissioners approval of the purchase agreement; and

WHEREAS, the Agreement has been approved by Corporate Counsel.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves the purchase of property at 1230 Bradford Street NE (PPN 41-14-20-284-006) for the sum of \$125,000 plus closing costs estimated at \$1,500; and authorizes the Board Chair or his designee to execute all legal documents necessary to complete the purchase; and

BE IT FURTHER RESOLVED that the Board approves the addition of a project within the 2009 Capital Improvement Program (CIP) to account for the purchase and appropriate \$126,500 to the CIP, including \$111,920 from the Unreserved, Undesignated Capital Improvement Fund balance and \$14,580 from Network 180.

Motion by Commissioner Dillon, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Hirsch, Agee, Hickey, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 16.

Nays: 0.

RESOLUTIONS

**2-12-09-17 – COUNTY OF KENT – AIRPORT REVENUE REFUNDING BOND,
SERIES 2009 / AERONAUTICS**

WHEREAS, the Board of Commissioners of the County of Kent (the "County"), by resolution adopted on March 23, 1995, as supplemented on January 6, 1998, December 17, 1998 and August 23, 2007 (the "Resolution"), pursuant to Act 327, Public Acts of Michigan, 1945, as amended ("Act 327"), authorized the issuance of revenue bonds (the "Bonds") in accordance with Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), for any lawful purpose relating to the Gerald R. Ford International Airport, formerly known as the Kent County International Airport (the "Airport"); and

WHEREAS, by the terms of Act 327 and Act 94, and pursuant to the Resolution, the County has previously issued (i) its Airport Revenue Bonds, Series 1995, in the aggregate principal amount of \$40,000,000 (the "Series 1995 Bonds"), the proceeds of which were used to finance runway improvements to the Airport (the "1995 Project"), (ii) its Airport Revenue Bonds, Series 1998, in the aggregate principal amount of \$56,180,000 (the "Series 1998 Bonds"), the proceeds of which were used to finance the renovation, reconstruction and expansion of the main terminal building of the Airport, including ground transportation and parking facilities related thereto (the "1998 Project"), (iii) its Airport Revenue Refunding Bonds, Series 1999 in the aggregate principal amount of \$37,480,000 (the "Series 1999 Bonds"), the proceeds of which were used to refund a portion of the then outstanding Series 1995 Bonds, and (iv) its Airport Revenue Bonds, Series 2007 in the aggregate principal amount of \$117,360,000 (the "Series 2007 Bonds"), the proceeds of which are to be used to finance a new parking structure and related improvements (the "2007 Project"); and

WHEREAS, the Resolution provides that any Bonds issued thereunder will be revenue bonds secured by and payable solely from the Net Revenues (except to the extent payable from the proceeds of a Credit Facility or from the proceeds of Bonds); and

WHEREAS, the Series 1999 Bonds remain outstanding in the aggregate principal amount of \$31,530,000, mature in various principal amounts on January 1 in the years 2010 through 2025 and bear interest at rates per annum ranging from 4.50% to 5.00%; and

WHEREAS, the Resolution authorizes the issuance of Additional Bonds in one or more series for the purpose of, among other things, refunding all or any part of previously issued Bonds which are then outstanding; and

WHEREAS, the County desires at this time to authorize the issuance of Additional Bonds to pay the costs of refunding all or a portion of the outstanding Series 1999 Bonds.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF KENT, MICHIGAN, as follows:

1. 2009 SUPPLEMENTAL REFUNDING RESOLUTION. This resolution (hereinafter referred to as the "2009 Supplemental Refunding Resolution") is adopted in accordance with Section 32(a)(1) of the Resolution and pursuant to the authority contained in Act 94.

2. DEFINITIONS. All terms which are defined in Section 1 of the Resolution shall have the same meanings in this 2009 Supplemental Refunding Resolution including the preambles thereto. In addition, the following terms shall have the following meanings in this 2009 Supplemental Refunding Resolution:

(a) "Director of Aeronautics" or "Aeronautics Director" means the Executive Director of the Department of Aeronautics of the County, formerly known as the Aeronautics Director of the County.

(b) "Refunding Fund" means the fund established pursuant to Section 15 hereof.

(c) "Series 2009 Refunding Bonds" means the Airport Revenue Refunding Bonds, Series 2009, as authorized by this 2009 Supplemental Refunding Resolution.

(d) "Series 2009 Refunding Issue Date" means the date on which the Series 2009 Refunding Bonds are issued and delivered to the original purchaser(s) upon receipt of payment therefor.

3. AUTHORIZATION OF SERIES 2009 REFUNDING BONDS - PURPOSE. The Series 2009 Refunding Bonds, aggregating the principal sum of not to exceed Thirty-Four Million Dollars (\$34,000,000) shall be issued and sold as revenue bonds pursuant to the provisions of Act 327 and Act 94, for the purpose of refunding all or a portion of the outstanding Series 1999 Bonds (the

"Series 1999 Bonds To Be Refunded"), as determined by the Chairperson of the Board of Commissioners at the time of sale, paying the costs of issuing the Series 2009 Refunding Bonds, including the cost of obtaining a Cash Equivalent for the Bond Reserve Account, and making a deposit to the Bond Reserve Account to the extent that the County does not obtain a Cash Equivalent therefor.

4. SERIES 2009 REFUNDING BOND DETAILS. The Series 2009 Refunding Bonds shall be designated "Airport Revenue Refunding Bonds, Series 2009;" shall be dated as of such date as shall be determined by the Chairperson of the Board of Commissioners at the time of sale; shall be numbered from 1 upwards in order of authentication; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 5.5% per annum to be determined by the Chairperson of the Board of Commissioners upon the sale thereof, payable on July 1, 2009 or such later date determined by the Chairperson of the Board of Commissioners at the time of sale and semi-annually thereafter on the first days of January and July in each year; and shall be issued as Serial Bonds or Term Bonds, or both, which shall mature or be subject to Mandatory Redemption Requirements on each January 1 and in such amounts, all to be determined by the Chairperson of the Board of Commissioners at the time of sale.

5. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the Series 2009 Refunding Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Series 2009 Refunding Bonds to the Bond Registrar as they severally mature. Interest shall be paid to the registered owner of each Series 2009 Refunding Bond as shown on the registration books of the County kept by the Bond Registrar at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due (the "Record Date"). Interest shall be paid when due by check or draft drawn upon and mailed by the Bond Registrar to the registered owner on the Record Date at the registered address as of said Record Date; provided, however, the registered owner of Series 2009 Refunding Bonds in the aggregate principal amount of \$1,000,000 or more as of the close of business on the Record Date preceding any interest payment date, may by prior written instructions filed with the Bond Registrar on or before such Record Date (which instructions shall remain in effect until revoked by subsequent instructions), instruct that interest payments for any period be made by wire transfer to any bank located in the continental United States. Interest on the Series 2009 Refunding Bonds shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

6. BOOK-ENTRY SYSTEM. Initially, one fully-registered bond for each maturity of each series of the Series 2009 Refunding Bonds, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC") for the benefit of other parties (the "Participants") in the book-entry-only transfer system of DTC. In the event the County determines that it is in the best interest of the County not to continue the book-entry system of transfer or that the interests of the holders of the Series 2009 Refunding Bonds might be adversely affected if the book-entry system of transfer is continued, the County may notify DTC and the Bond Registrar, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the Bond Registrar shall deliver, transfer and exchange bond certificates as requested by DTC and any Participant or "beneficial owner" in appropriate amounts in accordance with this 2009 Supplemental Refunding Resolution. DTC may determine to discontinue providing its services with respect to the Series 2009 Refunding Bonds at any time by giving notice to the County and the Bond Registrar and discharging its responsibilities with respect thereto under applicable law or the County may determine that DTC is incapable of discharging its duties and may so advise

DTC. In either such event, the County shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the County and the Bond Registrar shall be obligated to deliver bond certificates in accordance with the procedures established by this 2009 Supplemental Refunding Resolution. In the event bond certificates are issued, the provisions of this 2009 Supplemental Refunding Resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the County and the Bond Registrar to do so, the County and the Bond Registrar shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Series 2009 Refunding Bonds to any Participant having Series 2009 Refunding Bonds certificated to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Series 2009 Refunding Bonds.

Notwithstanding any other provision of this 2009 Supplemental Refunding Resolution to the contrary, so long as any Series 2009 Refunding Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on the Series 2009 Refunding Bonds and all notices with respect to the Series 2009 Refunding Bonds shall be made and given, respectively, to DTC as provided in the Blanket Issuer Letter of Representations previously entered into by the County and DTC, and the Aeronautics Director is authorized to execute such additional documents with DTC as he deems necessary or appropriate in order to accomplish the issuance of the Series 2009 Refunding Bonds in accordance with law and this 2009 Supplemental Refunding Resolution.

7. PRIOR REDEMPTION. (a) Optional Redemption. The Series 2009 Refunding Bonds shall be subject to redemption prior to maturity at the option of the County, in whole or in part, in such order of maturity as the County shall direct and by lot within a maturity, at any time on and after a date to be determined by the Chairperson of the Board of Commissioners at the time of sale of the Series 2009 Refunding Bonds, which date shall not be earlier than January 1, 2014. The redemption price shall be the par value of the Series 2009 Refunding Bond or portion of the Series 2009 Refunding Bond called to be redeemed plus accrued interest to the date fixed for redemption and a premium, if any, not to exceed 2% of the principal amount of the Series 2009 Refunding Bonds being redeemed, as determined by the Chairperson of the Board of Commissioners at the time of sale of the Series 2009 Refunding Bonds.

(b) Mandatory Redemption of Term Bonds. Any Series 2009 Refunding Bonds that are designated by the Chairperson of the Board of Commissioners at the time of sale as Term Bonds shall be subject to mandatory redemption prior to maturity on each January 1 at the par value thereof plus accrued interest to the date of redemption in such amounts as shall be determined by the Chairperson of the Board of Commissioners at the time of sale. The Series 2009 Refunding Bonds to be so redeemed shall be selected by lot.

(c) Extraordinary Redemption. The Series 2009 Refunding Bonds are subject to redemption at the option of the County at any time, in whole or in part in such order as the County may determine, in the event of destruction or taking of or damage to the Airport, but only if (i) the Airport has been restored to substantially the same condition as prior to such damage, destruction or taking and excess condemnation or insurance proceeds remain; or (ii) the County has determined that the portion of the Airport damaged, destroyed or taken is not necessary to the operation of the Airport and that the failure of the County to repair and restore the same will not impair or otherwise adversely affect the revenue-producing capability of the Airport; or (iii) the Airport Consultant cannot provide a statement that condemnation or insurance proceeds, together with other funds made available or to be made available by the County, are projected

to be sufficient to pay the costs of the replacement, repair, rebuilding or restoration of the Airport. Such redemption shall be at a price equal to the principal amount of the Series 2009 Refunding Bonds to be redeemed plus interest accrued to the date of redemption.

(d) General. Series 2009 Refunding Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the Series 2009 Refunding Bonds subject to redemption maturing in any one year are to be redeemed, the Series 2009 Refunding Bonds or portions of Series 2009 Refunding Bonds to be redeemed shall be selected by lot. Not less than thirty days notice of redemption shall be given to the registered owners of Series 2009 Refunding Bonds called to be redeemed by mail to each registered owner at the registered address. Series 2009 Refunding Bonds or portions of Series 2009 Refunding Bonds called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the Bond Registrar to redeem the same.

8. BOND REGISTRAR AND PAYING AGENT. The Board of Aeronautics has previously designated, and entered into an agreement with, The Bank of New York Trust Company, N.A. (successor to Old Kent Bank) as bond registrar and paying agent for the Bonds. The Board of Aeronautics may from time to time designate a similarly qualified successor bond registrar and paying agent, which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan.

9. EXECUTION, AUTHENTICATION AND DELIVERY OF SERIES 2009 REFUNDING BONDS. The Series 2009 Refunding Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and authenticated by the manual signature of an authorized representative or signer of the Bond Registrar and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the Series 2009 Refunding Bonds. After the Series 2009 Refunding Bonds have been executed and authenticated for delivery to the original purchaser(s) thereof, they shall be delivered by the County Treasurer to the purchaser(s) upon receipt of the purchase price. Additional Series 2009 Refunding Bonds bearing the facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and upon which the seal of the County (or a facsimile thereof) is impressed or imprinted may be delivered to the Bond Registrar for authentication and delivery in connection with the exchange or transfer of Series 2009 Refunding Bonds. The Bond Registrar shall indicate on each Series 2009 Refunding Bond the date of its authentication.

10. EXCHANGE AND TRANSFER OF SERIES 2009 REFUNDING BONDS. Any Series 2009 Refunding Bond, upon surrender thereof to the Bond Registrar with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or his or her duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Series 2009 Refunding Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Series 2009 Refunding Bond.

Each Series 2009 Refunding Bond shall be transferable only upon the books of the County, which shall be kept for that purpose by the Bond Registrar, upon surrender of such Series 2009 Refunding Bond together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or his or her duly authorized attorney.

Upon the exchange or transfer of any Series 2009 Refunding Bond, the Bond Registrar on behalf of the County shall cancel the surrendered Series 2009 Refunding Bond and shall authenticate and deliver to the transferee a new Series 2009 Refunding Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same

rate of interest as the surrendered Series 2009 Refunding Bond. If, at the time the Bond Registrar authenticates and delivers a new Series 2009 Refunding Bond pursuant to this section, payment of interest on such Series 2009 Refunding Bond is in default, the Bond Registrar shall endorse upon the new Series 2009 Refunding Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____."

The County and the Bond Registrar may deem and treat the person in whose name any Series 2009 Refunding Bond shall be registered upon the books of the County as the absolute owner of such Series 2009 Refunding Bond, whether such Series 2009 Refunding Bond shall be overdue or not, for the purpose of receiving payment of the principal of such Series 2009 Refunding Bond and for all other purposes, except that the Record Date shall control as to payment of interest on any Series 2009 Refunding Bond, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 5 of this 2009 Supplemental Refunding Resolution shall be valid and effectual to satisfy and discharge the liability upon such Series 2009 Refunding Bond to the extent of the sum or sums so paid and neither the County nor the Bond Registrar shall be affected by any notice to the contrary. The County agrees to indemnify and save the Bond Registrar harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence, in so treating such registered owner.

For every exchange or transfer of Series 2009 Refunding Bonds, the County or the Bond Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The Bond Registrar shall not be required to transfer or exchange Series 2009 Refunding Bonds or portions of Series 2009 Refunding Bonds which have been selected for redemption.

11. Form of Series 2009 Refunding Bonds. Each of the Series 2009 Refunding Bonds shall be in substantially the following form, with such changes and additions as shall be determined to be appropriate by the Board of Aeronautics:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF KENT
AIRPORT REVENUE REFUNDING BOND
SERIES 2009

INTEREST RATE	MATURITY DATE	DATE OF ORIGINAL ISSUE	CUSIP
		_____, 2009	

Registered Owner:

Principal Amount:

The County of Kent, State of Michigan (the "County"), acknowledges itself indebted to, and for value received, promises to pay to the Registered Owner, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at _____, _____, Michigan, the bond registrar and paying agent, or at such successor bond registrar and paying agent as may be designated pursuant to the Bond Authorizing Resolution (as defined herein), and to pay to the Registered Owner as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount from the Date of Original Issue or such later date through which interest shall have been paid until the County's obligation with respect to the payment of the Principal Amount is discharged at the Interest Rate per annum specified above. Interest is payable on the first days of January and July in each year, commencing on July 1, 2009. Principal and interest are payable in lawful money of the United States of America. For the prompt payment of such principal and interest, the revenues of the Gerald R. Ford International Airport (the "Airport") and earnings on investments of funds of the County pertaining to the Airport, after provision has been made for reasonable and necessary expenses of operation, maintenance and administration of the Airport (the "Net Revenues") are irrevocably pledged and a statutory first lien thereon has been created. In addition, if the Net Revenues and amounts on deposit in the Bond Reserve Account established pursuant to the Bond Authorizing Resolution are not sufficient to pay such principal and interest, the County has agreed to advance sufficient funds out of its general funds to pay such principal and interest, subject to constitutional and statutory limitations on the taxing power of the County to levy taxes to advance such funds. Interest on this bond shall be computed on the basis of a 360 day year of twelve 30-day months.

This bond is one of a series of bonds (the "Series 2009 Refunding Bonds") of even date and like tenor, except as to denomination, rate of interest and date of maturity, aggregating the principal sum of \$_____, issued pursuant to the Airport Revenue Bond Resolution adopted by the Board of Commissioners of the County on March 23, 1995, as supplemented on January 6, 1998, December 17, 1998, August 23, 2007, and _____, 2009, and an order approving the sale of the Series 2009 Refunding Bonds executed by the Chairperson of the Board of Commissioners of the County (collectively the "Bond Authorizing Resolution") and pursuant to and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94,

Public Acts of Michigan, 1933, as amended, for the purpose of paying the cost of refunding certain of the bonds outstanding under the Bond Authorizing Resolution and paying the costs of issuing the Series 2009 Refunding Bonds. For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing hereafter may be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the Bond Authorizing Resolution.

Series 2009 Refunding Bonds maturing prior to January 1, 20__, are not subject to optional redemption prior to their respective dates of maturity. Except as stated below, Series 2009 Refunding Bonds maturing on and after January 1, 20__, are subject to redemption prior to maturity at the option of the County, in such order as shall be determined by the County, in whole or in part at any time on and after January 1, 20__, at the redemption prices (expressed as percentages of the principal amount to be redeemed) set forth below plus accrued interest to the date of redemption [and a premium as follows:

% of the par value if called for redemption on or after _____, _____, but prior to _____, _____; No premium if called for redemption on or after _____, _____.]

Series 2009 Refunding Bonds maturing on January 1, ____ and ____ are subject to redemption commencing on January 1, ____ and ____, respectively, in accordance with redemption requirements set forth in the Bond Authorizing Resolution at a redemption price of par, without premium, plus accrued interest to the date of redemption.

Series 2009 Refunding Bonds are subject to extraordinary redemption in whole or in part at any time following damage to or destruction of the Airport or any portion thereof or a taking by eminent domain of all or part of the Airport, as set forth in the Bond Authorizing Resolution, at a redemption price of par, without premium, plus accrued interest to the date of redemption.

Series 2009 Refunding Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the Series 2009 Refunding Bonds maturing in any year are to be redeemed, the Series 2009 Refunding Bonds or portions of Series 2009 Refunding Bonds to be redeemed shall be selected by lot.

Notice of call of Series 2009 Refunding Bonds for redemption shall be mailed to the Registered Owner not less than 30 days prior to the date fixed for redemption at the address shown on the registration books of the County. Failure to receive such notice shall not affect the validity of the proceedings for redemption. Series 2009 Refunding Bonds called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the Series 2009 Refunding Bonds called for redemption.

This bond is payable, both as to principal and interest, solely from the Net Revenues of the Airport or, if the Net Revenues are not sufficient to pay such principal and interest, from funds advanced by the County from its general funds as described above. The principal of and interest on this bond are secured by a statutory lien on the Net Revenues.

The County has covenanted and agreed, and does hereby covenant and agree, to fix and maintain at all times while any bonds payable from the Net Revenues shall be outstanding, such rates for service furnished by the Airport as shall be sufficient to provide for payment of the interest on and the principal of the Series 2009 Refunding Bonds and any other bonds payable from the Net Revenues as and when the same shall become due and payable, and to maintain a bond reserve fund therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the Airport as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the Airport as are required by the Bond Authorizing Resolution.

This bond is transferable only upon the books of the County kept for that purpose at the office of the bond registrar and paying agent by the Registered Owner hereof in person, or by his attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new registered Series 2009 Refunding Bond or Bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Bond Authorizing Resolution and upon the payment of the charges, if any, therein prescribed. The County and the bond registrar and paying agent shall not be required to register the transfer of or exchange any Series 2009 Refunding Bond selected for redemption.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the Series 2009 Refunding Bonds have been done and performed in regular and due time and form as required by law.

IN WITNESS WHEREOF, the County of Kent, State of Michigan, by its Board of Commissioners, has caused this bond to be executed with the facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and a facsimile of its corporate seal to be printed on this bond, all as of the Date of Original Issue. This bond is not valid or obligatory for any purpose until the Certificate of Authentication on this bond has been manually executed by an authorized representative of the bond registrar and paying agent.

COUNTY OF KENT

(SEAL)

By: _____ By: _____
 County Clerk Chairperson,
 Board of Commissioners

CERTIFICATE OF AUTHENTICATION

This bond is one of the Series 2009 Refunding Bonds described in the within mentioned Bond Authorizing Resolution.

THE BANK OF NEW YORK TRUST COMPANY, N.A.,
 Bond Registrar and Paying Agent

By: _____
Authorized Signer

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

_____ (please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____

attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

12. SECURITY. The Series 2009 Refunding Bonds shall be Additional Bonds as provided in the Resolution and shall be secured as provided in Section 13 of the Resolution. In connection with the issuance of the Series 2009 Refunding Bonds, Section 13(a) of the Resolution is hereby amended to read as follows:

"(a) Except as hereinafter provided in this Section 13, the principal of and interest on the Bonds shall be payable solely from the Net Revenues (except to the extent payable from the proceeds of a Credit Facility or from the proceeds of Bonds). To secure the payment of the principal of and interest on the Bonds and all Credit Facility Obligations, there is hereby created in favor of the holders of the Bonds and each provider of a Credit Facility, equally and ratably, a first lien, by Act 94 made a statutory lien, upon the whole of the Net Revenues. If the Net Revenues and amounts on deposit in the Bond Reserve Account are not sufficient to pay the principal of and interest on the Series 1999 Bonds, the Series 2007 Bonds, the Series 2009 Refunding Bonds or Credit Facility Obligations relating to the Series 1999 Bonds, the Series 2007 Bonds or the Series 2009 Refunding Bonds when due, the County hereby agrees to advance sufficient funds out of its general funds to make such payment. If the County pays principal of or interest on the Series 1999 Bonds, the Series 2007 Bonds, the Series 2009 Refunding Bonds or Credit Facility Obligations relating to the Series 1999 Bonds, the Series 2007 Bonds or the Series 2009 Refunding Bonds from taxes or general funds pursuant to its agreement to advance in the preceding sentence, it shall be reimbursed from the Net Revenues subsequently received as provided in Section 19(b)(ii). The County's ability to levy taxes to advance such funds is subject to constitutional and statutory limitations on the taxing power of the County."

13. INVESTMENTS. Except as herein otherwise provided, moneys in the funds and accounts established herein and moneys derived from the proceeds of sale of the Series 2009 Refunding Bonds may be invested by the County in Investment Obligations.

14. DEPOSIT OF SERIES 2009 REFUNDING BOND PROCEEDS. On the Series 2009 Refunding Issue Date, the proceeds of the sale of the Series 2009 Refunding Bonds shall be deposited as follows:

(a) First, an amount equal to the accrued interest, if any, received on the delivery of the Series 2009 Refunding Bonds shall be deposited in the Redemption Fund, and the County may take credit for the amount so deposited against the amount required to be deposited in the Redemption Fund for payment of the next maturing interest on the Series 2009 Refunding Bonds.

(b) Next there shall be deposited in the Bond Reserve Account an amount sufficient, when added to any other deposits made by the County or Cash Equivalents made available by the County therefor, to meet the Bond Reserve Requirement. The Bond Reserve Requirement may be satisfied entirely by Cash Equivalents, in which case it shall not be necessary to deposit any such proceeds in the Bond Reserve Account.

(c) Next there shall be deposited in the Refunding Fund the balance of the proceeds of the sale of the Series 2009 Refunding Bonds, which shall be used to pay the costs of refunding the Series 1999 Bonds To Be Refunded as provided in Section 15.

15. REFUNDING FUND; ESCROW FUND. The balance of the proceeds of the sale of the Series 2009 Refunding Bonds, as described in Section 14(c) hereof, shall be deposited in the Refunding Fund and used to pay the costs of issuing the Series 2009 Refunding Bonds and to establish an escrow fund for the Series 1999 Bonds To Be Refunded. After the costs of issuance have been paid or provided for the remaining proceeds, together with moneys in the Redemption Fund allocated to the Series 1999 Bonds To Be Refunded, shall be used to establish an escrow fund (the "Escrow Fund") consisting of Sufficient Cash and Sufficient Government Obligations

that will be used to pay the principal of, interest on and redemption premiums on the Series 1999 Bonds To Be Refunded. The Escrow Fund shall be held by an escrow agent (the "Escrow Agent") in trust pursuant to an escrow agreement (the "Escrow Agreement") which irrevocably shall direct the Escrow Agent to take all necessary steps to pay the principal of and interest on the Series 1999 Bonds To Be Refunded when due prior to redemption and to call the Series 1999 Bonds To Be Refunded for redemption at such time as shall be determined in the Escrow Agreement. The Chairperson of the Board of Commissioners shall approve the Escrow Agreement at the time of sale of the Series 2009 Refunding Bonds. The amounts held in the Escrow Fund shall be such that the cash and the investments and the income received thereon will be Sufficient without reinvestment to pay the principal of, interest on and redemption premiums on the Series 1999 Bonds To Be Refunded when due at maturity or call for redemption as required by the Escrow Agreement.

16. APPROVAL OF MICHIGAN DEPARTMENT OF TREASURY. The issuance and sale of the Series 2009 Refunding Bonds shall be subject to permission being granted therefor by the Department of Treasury of the State of Michigan and the Aeronautics Director is authorized and directed, if necessary, to make application to the Department of Treasury for permission to issue and sell the Series 2009 Refunding Bonds as provided by the terms of this 2009 Supplemental Refunding Resolution.

17. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF SERIES 2009 REFUNDING BONDS. The Bonds shall be sold pursuant to a negotiated sale to an underwriter to be selected by the Aeronautics Director and the County Administrator/Controller (the "Underwriter") as hereinafter provided, and it is hereby determined that such negotiated sale is in the best interests of the County and is calculated to provide the maximum flexibility in pricing the Series 2009 Refunding Bonds. The Chairperson of the Board of Commissioners is authorized to enter into a Bond Purchase Agreement with the Underwriter, which Bond Purchase Agreement shall set forth the principal amount, principal maturities and dates, interest rates and interest payment dates, redemption provisions, purchase price to be paid by the Underwriter and compensation to be paid to the Underwriter with respect to the Series 2009 Refunding Bonds, as well as such other terms and provisions as the Chairperson of the Board of Commissioners determines to be necessary or appropriate in connection with the sale of the Series 2009 Refunding Bonds. The approval of the Bond Purchase Agreement, as well as the foregoing provisions with respect to the Series 2009 Refunding Bonds, shall be set forth in an order authorizing the sale of the Series 2009 Refunding Bonds to be executed by the Chairperson of the Board of Commissioners, which order shall constitute a "resolution authorizing the sale of Bonds" within the meaning of the Resolution. The members of the Board of Aeronautics, the Aeronautics Director, the Chairperson of the Board of Commissioners and other appropriate County officials are authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Series 2009 Refunding Bonds in accordance with the provisions of this 2009 Supplemental Refunding Resolution. In making the determination in the order authorizing the sale of the Series 2009 Refunding Bonds and in the Bond Purchase Agreement with respect to principal maturities and dates, interest rates, redemption provisions, purchase price of the Bonds and compensation to be paid to the Underwriter, the Chairperson of the Board of Commissioners shall be limited as follows:

(a) The interest rate on any Series 2009 Refunding Bond shall not exceed 5.5% per annum.

(b) The final maturity date of the Series 2009 Refunding Bonds shall not be later than January 1, 2025.

(c) The present value of the savings (net of issuance costs) to be realized by the issuance of the Series 2009 Refunding Bonds shall be equal to or greater than 5.0% of the principal amount of the Series 1999 Bonds To Be Refunded unless the Chairperson of the Board of Commissioners determines at the time of the sale of the Series 2009 Refunding Bonds that a lesser amount of savings is in the best interests of the County.

(d) The purchase price of the Series 2009 Refunding Bonds shall not be less than 98.5% of the principal amount thereof.

(e) The Underwriter's discount with respect to the Series 2009 Refunding Bonds or the compensation to be paid to the Underwriter shall not exceed 0.75% of the principal amount of the Series 2009 Refunding Bonds.

18. TAX COVENANT. The County agrees to take all action, and refrain from taking any action, that is necessary, including paying any rebates to the United States government that may be required by the Code, which are hereby authorized to be paid from the Operation and Maintenance Fund as an expense of the Airport, so as not to impair the exclusion of the interest on the Series 2009 Refunding Bonds from gross income for federal income tax purposes.

19. OFFICIAL STATEMENT. The Aeronautics Director is authorized to cause the preparation of a nearly final official statement and a final official statement for the Series 2009 Refunding Bonds for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") by the Underwriter and to do all other things necessary to enable compliance with the Rule by the Underwriter. The Aeronautics Director and the Chairperson of the Board of Commissioners are authorized to execute and deliver the final official statement on behalf of the County. After the award of the Series 2009 Refunding Bonds, the County shall provide copies of the final official statement on a timely basis and in reasonable quantity as requested by the Underwriter to enable the Underwriter to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

20. CONTINUING DISCLOSURE. The County Treasurer is authorized to execute a certificate of the County to comply with the continuing undertaking of the County with respect to the Series 2009 Refunding Bonds pursuant to paragraph (b)(5) of the Rule and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. The remedies for any failure of the County to comply with and carry out the provisions of the Continuing Disclosure Certificate shall be as set forth therein.

21. CREDIT FACILITIES. The Chairperson of the Board of Commissioners may obtain a Credit Facility in respect of all or part of the Series 2009 Refunding Bonds or in respect of any required deposit to the Bond Reserve Account which, if obtained, shall be provided for in the order authorizing the sale of the Series 2009 Refunding Bonds. The provider of such Credit Facility may be afforded certain rights and remedies to direct the proceedings with respect to the enforcement of the payment of the Bonds as shall be provided in the order authorizing the sale of the Series 2009 Refunding Bonds.

22. SEVERABILITY; PARAGRAPH HEADINGS. If any section, paragraph, clause or provision of this 2009 Supplemental Refunding Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this 2009 Supplemental Refunding Resolution. The paragraph headings in this 2009 Supplemental Refunding Resolution are furnished for convenience of reference only and shall not be considered to be part of this 2009 Supplemental Refunding Resolution.

23. PUBLICATION AND RECORDATION. This 2009 Supplemental Refunding Resolution shall be published in full in The Grand

Rapids Press, a newspaper of general circulation in the County qualified under State law to publish legal notices, promptly after its adoption and shall be recorded in the official proceedings of the Board of Commissioners and such recording shall be authenticated by the signature of the Chairperson of the Board of Commissioners and the County Clerk.

24. RATIFICATION OF RESOLUTION; CONFLICTING RESOLUTIONS. The Resolution, as amended and supplemented herein, is hereby ratified and confirmed. All other resolutions and parts of other resolutions insofar as they may be in conflict herewith are hereby rescinded.

25. EFFECTIVE DATE. This 2009 Supplemental Refunding Resolution shall take effect immediately.

Motion by Commissioner Agee, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Hirsch, Agee, Hickey, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 16.

Nays: 0.

2-12-09-18 – REAPPRAISAL SERVICES CONTRACT WITH GRAND RAPIDS TOWNSHIP / BUREAU OF EQUALIZATION

WHEREAS, Grand Rapids Township has established a goal to perform a Township-wide reappraisal of its commercial and industrial properties, and has requested the County to perform the reappraisal, citing the County's extensive knowledge and experience in this area. Benefits to the Township include timely, accurate appraisals on accelerated time schedule than would otherwise be possible with existing staff levels; and

WHEREAS, the benefits to the County include obtaining current records on all township commercial/industrial parcels for equalization study purposes. Performing the work allows the County to ensure that valuation standards, equalization factors and final project costs comply with State law directly, eliminating the need for the County to do a separate verification/audit; and

WHEREAS, it is expected that the services of an existing .35 FTE Appraiser III time and .05 FTE Administration time can be directed to the project; and

WHEREAS, the proposed contract outlines the scope of work and the responsibilities of the two parties, and provides that all costs (personnel, mileage and cost allocation) associated with the function estimated at \$40,443 shall be paid by Grand Rapids Township over two years in eight (8) quarterly installments.

WHEREAS, the Reappraisal Services Agreement has been approved by Corporate Counsel.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the contract with Grand Rapids Township for Reappraisal Services, and authorizes the Board Chair or his designee to execute the Reappraisal Services Agreement.

Motion by Commissioner Rolls, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried by voice vote.

**2-12-09-19 – FEE WAIVER FOR BIRTH CERTIFICATES / COUNTY CLERK
/ CIRCUIT COURT / SHERIFF'S DEPARTMENT**

WHEREAS, the "Jail Offender Identification Subcommittee" of the Community Corrections Advisory Board is requesting that the \$10 fee for a birth certificate be waived for inmates of the Kent County Correctional Facility, that were born in Kent County, and who are seeking to obtain a Michigan State Identification card from the Secretary of State.

WHEREAS, inmates that are released from custody of the Sheriff's Department without proper identification are at a serious disadvantage to securing employment and accessing government benefits including SSI, Section 8 Housing, and food assistance. Securing a state identification can provide them with significant opportunities that might reduce their likelihood of returning to jail; and

WHEREAS, the Sheriff's Department estimates that there are approximately 500 individuals annually that would benefit from the fee waiver. At a cost of \$10 each it is estimated that the County could forgo \$5,000 in revenue but potentially save significant costs by reducing the likelihood of the offender returning to jail; and

WHEREAS, the County Clerk, Chief Judge of the Circuit Court, and the Sheriff agree that the waiver of this fee may assist offenders in reentering the community and in obtaining necessary services to reduce the rate of recidivism.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners waive the fee for issuing birth certificates for inmates of the Kent County Correctional Facility, that were born in Kent County, and that are reentering the community and need to obtain a Michigan State ID.

Motion by Commissioner Vaughn, seconded by Commissioner Rolls, that the resolution be adopted.

Motion carried by voice vote.

REPORTS

There were no reports.

MISCELLANEOUS

Grand Valley Metro Council Transit Study

Commissioner Bulkowski announced that the Grand Valley Metro Council will be holding a meeting at 10:30 a.m., regarding transportation and the latest needs analysis.

Coast Guard

Commissioner Ponstein was a guest of the U.S. Coastguard arranged by the employee support group of the guard and reserve. Since 1972, with the elimination of the draft, we've relied on the reserve and the guard more and more. One of their main concerns is to get people to reenlist and the number one reason cited for not reenlisting is problems with employers.

Agricultural Preservation Board Golf Outing

Commissioner Hirsch thanked Commissioner Ponstein for attending the Agricultural Preservation Board meeting yesterday and his offer to help coordinate a golf outing as a fundraiser.

MAC Conference

Commissioner Antor attended the MAC Conference and was very impressed. Several Kent County individuals, including Administrator Delabbio, gave presentations at the conference, which speaks well of Kent County.

Walk for Warmth

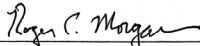
Commissioner Courtade announced that he will participate in the Walk for Warmth on February 28th and encouraged others to participate. This event raises funds for heating bills for low income people.

Cornerstone Students

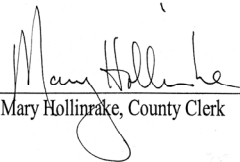
Commissioner Rolls asked Commissioners to take time after the meeting to talk with students from Cornerstone University.

ADJOURNMENT

At 8:44 a.m., Commissioner Dillon moved to adjourn, subject to the call of the Chair, and to Thursday, February 26, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Parrish. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
February 26, 2009 – Budget Priority
Planning Session

Meeting called to order at 8:03 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Antor, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 18.

Absent: Bulkowski – 1 (Excused).

PUBLIC COMMENT

There was no public comment.

INTRODUCTION

The purpose of these sessions is to provide information to Board Members that they will then use to review the drafting of the 2010 budget. Commissioners have been provided a binder of information (copy of which is on file in the County Clerk's Office) and will receive additional information at each meeting. In May, the Board will, based on information received in the Budget Priority Planning Sessions, determine: 1) how to move forward developing the 2010 budget; and, 2) what County funding priorities are. The goal is to "connect" policy and budget numbers.

Administrator Delabbio stated that today's Budget Priority Planning session will focus on the Public Safety budget and introduced Assistant Administrator Mary Swanson to review information.

BUDGET OVERVIEW

Ms. Swanson did a quick overview of the Budget for those not at the last session.

2009 – County Budget
All Funds – Revenue: \$383,062,792 (see chart)
General Fund Revenue: \$169,620,618 (see chart)
General Fund Expenditures: \$169,620,618 (see chart)

PUBLIC SAFETY

Ms. Swanson reviewed Public Safety which includes Corrections (22%) and Non-Corrections (14%) or \$62,936,175 (36% of the budget).

Sheriff

The Sheriff is an elected office mandated by Article 7, Sec. 4 of the Michigan Constitution. This office provides law enforcement and corrections programs along with services to the community with its 608 full-time employees.

Mandated Services (see breakdown sheet)

Corrections:

- Operate a correctional facility
- Transport inmates to/from circuit & district court proceedings
- Provide court security
- Perform extraditions for persons accused of state law violations

Administration:

- Conduct administrative functions (e.g., concealed weapons permits, sex offender registry, etc.)

Enforcement:

- Patrol/monitor traffic violations, provide emergency assistance, investigate accidents on county roads
- Enforce criminal laws of the state while patrolling county roads
- Enforce state liquor laws

Dispatch:

- Although not a mandated service, it is considered necessary for the County to provide dispatch services to support its road patrol operations.

Emergency Management:

- Develop/coordinate emergency operations plans & programs with federal & state agencies
- Administer the Local Emergency Planning Committee (LEPC)

Marine Patrol:

- Inspect boat livery operations
- Recover drowning victims

Non-Mandated Programs and Services (see breakdown sheet)

Corrections:

- House municipal ordinance violations
- Administer cadet program
- Operate honor camp and Community ReEntry Center

Enforcement (Road Patrol and Investigation):

- Offer enhanced law enforcement services
- Offer community-based public safety programs (e.g., COPS, DARE, etc.)
- Patrol county parks
- Operate a reserve program or special reserve units
- Operate specialized investigative units or participate in collaborative investigative units (e.g., Metropolitan Enforcement Unit, Kent Narcotics Team, Children's Assessment Center, etc.)

Dispatch (provide dispatch for other jurisdictions):

- **Police departments** – Cedar Springs, East Grand Rapids PS, Kentwood, Rockford, Sand Lake, Sparta
- **Fire departments** – Ada, Algoma, Alpine, Alto, Cannon, Cascade, Cedar Springs, Courtland – Oakfield, Grand Rapids, Grattan, Plainfield, Solon, Kent City, Lowell, Rockford, Sand Lake, Sparta

- **Other** – Animal Control, Kent County Department of Public Works

Marine Patrol:

- Provide patrols on inland lakes

Funding

Corrections: Funded by General Fund, Corrections and Detention Millage, and charges for services, room and board, reimbursements, and other fees.

Enforcement (Road Patrol & Investigation): Funded by General Fund, contracts with local units/school districts for enhanced services, fees, and state grants funds.

- Special Projects/Teams:
 - Metropolitan Enforcement Team: grant funds and seizure revenues
 - Kent Narcotics Enforcement Team: grant funds and seizure revenues
 - Joint Terrorism Task Force, Warrant Task Force, and DEA: Overtime expense only, is reimbursed by the Federal Government. Grant funds and seizures also fund Kent Narcotics Enforcement Team.

Dispatch: General fund, contracts from local units for police dispatch services.

Emergency Management: General fund, state grants.

Marine Safety: General fund and state grant funds, contract for services (Lake Bella Vista).

Question

Commissioner Ponstein: How will the closing of prisons impact Kent County?

M. Swanson: That concern is under discussion now.

Commissioner Vander Molen: It is estimated that 70% of the people released will repeat and probably go to local jails. A mandated responsibility of the Sheriff's Department is to provide transportation to/from circuit and our district court. Is it mandated also to provide to the other district courts?

M. Swanson: yes

Commissioner Vander Molen: How will the new enhanced 9-1-1 system impact the dollars Kent puts into 9-1-1?

M. Swanson: There may be no reduction. That will be explained to the Board.

Commissioner Talen: Some of the non-mandated services that we perform have the intention of reducing future services. Therefore, they are important. How do we deal with that?

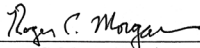
M. Swanson: In the May overview, Dr. Harvey will go into data and more detail.

Commissioner Tanis: It is estimated that prison closings could cost Kent \$300,000.

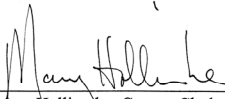
ADJOURNMENT

Due to time constraints, Ms. Swanson will review the Fire Commission at the next session.

At 8:29 a.m., Chair Morgan adjourned the Budget Priority Planning session until Thursday, March 12, 2009, Room 310, County Administration Building, at 8:00 a.m.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
February 26, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 18.

Absent: Bulkowski – 1 (Excused).

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

PUBLIC COMMENT

1. Mr. Miller (refused to give full name and address) – Considers himself a transit “watchdog.” The Rapid is seeking another millage at the May election. He believes that The Rapid misrepresents its facts on ridership.
2. Sidney Deans, 843 Dickinson Street SE, Grand Rapids – Concerned about landfill pollution. Landfill leakage impacts human health along with wildlife. Fish in the Grand River have become diseased and died off. What are the County’s plans when the South Kent landfill is full?

CONSENT AGENDA

- a) Approval of Minutes of February 12, 2009 Meeting
- b) February 17, 2009 Finance Committee Meeting Minutes
 (Reports of Claims and Allowances)
- c) Friend of the Court Citizens Advisory Committee Appointment – Chuck Riley
- d) Resolutions:

2-26-09-20 – SPECIAL PROJECT FUND REMONUMENTATION GRANT – BUDGET AMENDMENT / BUREAU OF EQUALIZATION

WHEREAS, pursuant to State Statute (PA 345 of 1990 as amended), the State offers an annual grant to counties for providing survey, monumentation, and remonumentation of public land survey corners consistent with the County’s plan; and

WHEREAS, the FY 2009 budget, as adopted by the Board of Commissioners (Resolution #12-11-08-129), included a \$155,200 appropriation for the Remonumentation Grant; and

WHEREAS, the Bureau of Equalization has since been notified that the actual Remonumentation Grant is \$186,677; and

WHEREAS, no Unreserved, Undesignated, General Fund reserves are required.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves an additional appropriation of \$31,477 to the Remonumentation Program budget in the Special Project Fund.

2-26-09-21 – MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS (MCACA) GRANT / JOHN BALL ZOOLOGICAL GARDEN

WHEREAS, the John Ball Zoological Garden receives funding annually from Michigan Council for Arts and Cultural Affairs (MCACA); and

WHEREAS, the John Ball Zoological Garden is authorized to annually seek MCACA grant funds; and

WHEREAS, for the FY 2009 adopted budget, the County anticipated \$25,000 would be awarded from MCACA; and

WHEREAS, for FY 2009, MCACA awarded the John Ball Zoological Garden \$34,300; and

WHEREAS, the grant funding will be used for ongoing programs to enhance the visitor experiences and visitor education programs, expansion of promotional and marketing efforts, providing permanent and seasonal zoo graphics, and use of Michigan artists in zoo programs.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the appropriation of an additional \$9,300 from the State of Michigan Council for Arts and Cultural Affairs to the FY 2009 John Ball Zoological Garden budget in the General Fund.

Motion by Commissioner Synk, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

2-26-09-22 – FY 2008 CIRCUIT COURT BUDGET AMENDMENT / CIRCUIT COURT

WHEREAS, the Circuit Court is a division of the state judiciary and serves as a trial court of general jurisdiction serving the citizens of Kent County; the Court hears both civil and criminal cases, as well as appeals from the District Court, Probate Court and administrative agencies; the Court also has jurisdiction on certain family matters; and

WHEREAS, the total FY 2008 budget appropriation for the Circuit Court budget in the General Fund is \$18,315,964; the final cost to close out FY 2008 expenditures will not exceed \$18,370,964; and

WHEREAS, the additional funds for FY2008 are required for indigent defense expenses associated with family division cases: child protective cases filed increased 4.0%; the number of delinquency cases filed increased 9.2%; and adoption cases increased 10.5%.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the appropriation of an additional \$55,000 from the Unreserved/Undesignated General Fund balance.

Motion by Commissioner Tanis, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 18.

Nays: 0.

2-26-09-23 – ADMINISTRATIVE POLICY – ENERGY USE REDUCTION PROGRAM / ADMINISTRATOR'S OFFICE

WHEREAS, in June 2008, the County Administrator/Controller appointed a Work Group to develop and recommend a program of initiatives to reduce the County's use of energy in all its forms; and

WHEREAS, the work group provided a comprehensive report to the County Administrator/Controller in December 2008, which detailed their recommended strategy for moving forward; and

WHEREAS, this strategy included projects to be implemented immediately and throughout 2009, as well as the establishment of a continuing "Energy Use Reduction Program" through the adoption of an administrative policy; and

WHEREAS, the key components of the policy are to set annual goals for reducing energy use as a part of the County's budget parameters; to establish a fund on an annual basis to pay implementation costs for approved projects to reduce energy use; and to establish an annual review process for proposed projects; and

WHEREAS, the policy will create a program that will ensure the reduction of energy use by the County, and the establishment of the County as a local government leader in the effort to reduce the use of fossil fuels.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners adopt the Administrative Policy – Energy Use Reduction Program, and authorize the County Administrator/Controller to establish any procedures and standards necessary for its implementation.

Motion by Commissioner Tanis, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried by voice vote.

2-26-09-24 – ENERGY USE REDUCTION PROGRAM FUNDING – 2009 / ADMINISTRATOR'S OFFICE / FACILITIES MANAGEMENT

WHEREAS, in 2008, the County Administrator/Controller appointed an Energy Use Reduction Work Group comprised of County employees from 10 different departments, and gave them the charge to identify ways in which the County could achieve significant reductions in its energy use and the associated cost; and

WHEREAS, the Administrative Policy – Energy Use Reduction, recommended by the Work Group, states that Kent County will, "establish and maintain an Energy Use Reduction Program for the purpose of reducing the County's use of energy..."; and

WHEREAS, the Energy Work Group selected 11 initiatives from over 60 originally developed by the group, to be implemented in 2009. These initiatives were selected based on their relatively low cost to implement, rapid return on investment, and maintenance of service levels and quality of life. One of these initiatives will be submitted for consideration in the CIP request for 2010. Several of the initiatives do not require funding for implementation. The Work Group is requesting funding in 2009 for the following:

- o Schedule HVAC, lighting, etc. to shut down when unoccupied
- o Tune HVAC and process equipment to most efficient energy use
- o Replace manual thermostats with programmable
- o Conduct internal energy audits and implement findings
- o Implement mowing reduction strategies
- o Conduct employee awareness and information program
- o Train drivers of County vehicles in fuel-efficient vehicle operation; and

WHEREAS, the initiatives to be funded by this request, if approved, will cost the County approximately \$19,000 to implement, and are projected to save over \$200,000 in the first twelve months after implementation.

WHEREAS, funds in the amount of \$19,000 will be transferred from the utility and fuel budgets impacted by the expected savings, to a new account, assigned to the Administrator's Office, to be named "Energy Use Reduction Program."

NOW, THEREFORE, BE IT RESOLVED, Board of Commissioners to approve funding of Energy Use Reduction Program Projects to be completed in 2009, pursuant to the Board Policy on the Energy Use Reduction Program, and to amend the budget to reflect the transfer of funds from current General Fund departments to the Special Projects Fund.

Motion by Commissioner Tanis, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried by voice vote.

CLOSED SESSION

At 8:49 a.m., Commissioner Parrish, seconded by Commissioner Agee, moved to meet in closed session for the purposes of discussing a legal opinion. The opinion and discussions are subject to the attorney-client communication privilege.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 18.

Nays: 0.

At 9:22 a.m., Commissioner Parrish, seconded by Commissioner Agee, moved to go back into open session.

Motion carried by voice vote.

RESOLUTIONS

2-26-09-25 – ACCEPT MEDIATION AWARD

WHEREAS, Fred Boggiano was involved in a traffic accident with a County vehicle driven by a County employee; and

WHEREAS, Fred Boggiano has claimed serious and permanent injury resulting from that traffic accident; and

WHEREAS, this claim was submitted to facilitative mediation for purposes of alternative dispute resolution before litigation was filed; and

WHEREAS, the facilitative mediation has resulted in a recommended settlement of \$300,000.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves acceptance of the facilitative

mediator's recommendation and authorizes the County Administrator/Controller to execute the appropriate documents to accomplish this resolution in a form approved by Corporate Counsel.

Motion by Commissioner Parrish, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 18.

Nays: 0.

REPORTS

There were no reports.

MISCELLANEOUS

South Kent Landfill

Commissioner Tanis said that, with regards to Mr. Deans' comments on landfills, Mr. Deans does not know all of the precautions the County is taking at the landfills. The South Kent landfill facility will very soon be a gas-to-energy site. He invited Commissioners to tour the waste-to-energy facility next Thursday, March 5th, at 8:00 a.m.

Dyer-Ives Foundation Report

Commissioner Dillon commended the Dyer-Ives Foundation report regarding foreclosures. It is a synopsis/analysis including recommendations for a response locally to the foreclosure crisis in Kent County. A report will be made at the March 12th Board meeting, and he encouraged Commissioners to read the report before then.

Walk for Warmth

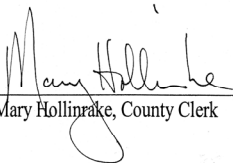
Commissioner Courtade announced that he and Commissioner Synk will participate in the Walk for Warmth on February 28th and encouraged others to participate. This event raises funds for heating bills for low income people in Kent County.

ADJOURNMENT

At 9:26 a.m., Commissioner Synk moved to adjourn, subject to the call of the Chair, and to Thursday, March 12, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Rolls. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
March 12, 2009 – Budget Priority Planning
Session

Meeting called to order at 8:00 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 19.

Absent: None.

PUBLIC COMMENT

There was no public comment.

PUBLIC SAFETY

Assistant Administrator Mary Swanson reviewed the Fire Commission, a division of Public Safety for which time did not allow at the last work session.

Fire Commission

Established in 1942 the Fire Prevention Fund is a collaborative but non-mandated program between the County and participating municipalities. Funded through the general fund and participating member's contributions, in 2009, the County contributed \$196,000. The County pays for half a fire truck every year and the participating communities the other half and get a truck on rotation. The County pays 50% of the insurance and maintenance for the truck until it is paid off.

JUDICIAL

The Judicial budget is \$42,000,000, or 24% of the general fund. Another \$10,000,000 of revenues is received from the state and other funds. This is the largest single use of our property taxes.

17th Circuit Court (117 FTEs)

The Circuit Court is the largest of all the courts. It's five divisions are under the control of the Chief Judge including Court Services, Community Corrections, Child Care Fund (delinquency), and adjudication. The Court handles cases involving more than \$25,000, all felony criminal cases, serious misdemeanors and legal matters pertaining to the family division (delinquency, neglect and abuse, adoption, emancipation, divorce, support and paternity). There are 13 judges and 6 referees plus staff. The Court has service level mandates. It must meet requirements from the State Court Administrator's Office (SCAO) for how quickly cases must be processed and there is also a mandated service level that the County agrees to. When the SCAO recommends a new judge based on our case load and processing times, the County does have to approve that because the County pays for staff. We pay about 60% of the cost to operate the Court. We are mandated to pay the cost for attorneys for individuals who cannot afford them (a little over \$5 million a year).

Court Services (24 FTEs)

A department within the Court which plans, develops, and administers cost-effective alternatives to incarceration for defendants/offenders. Community Corrections funds \$230,000 of the Court Services budget. It is mandated to conduct pretrial screening and assessment. It runs programs to help people stay out of the jail preventing jail overcrowding.

Community Corrections (2.5 FTEs)

Seeks to limit state prison commitments for county offenders and prevent local correctional facility overcrowding through probation and intermediate sentencing alternatives, and provides information, data analysis and public education on the offender population. Coordinates and facilitates the collaborative process to develop the Jail Bend Allocation Agreement. The Kent County Community Corrections Advisory Board directs planning and policymaking.

Child Care Fund (129 FTEs)

Collaborative effort between the State and County to provide services for abused, neglected or delinquent youth. Funding for programs for delinquent youth is managed by the Court and consists, primarily, of out-of-home care and in-home care programs to prevent out-of home placement. The state pays 50% of the cost of a child in placement or programs to prevent placement. Placement of children who need intense programming and are removed from their home costs about \$7,000,000. Community probation is one of our larger in-home care programs. Probation officers go into the community and to schools to check up on the child. There is less recidivism for children who go through this program. Other in-home programs are run by an agency that we contract with and are designed to help children with specific issues overcome them so that they stay out of placement.

Friend of the Court (104 FTEs)

Responsible for enforcing the domestic relations orders of the Family Division of the Circuit Court and delivering services related to divorce, paternity, family support and interstate actions. The state pays the County 2/3 of the net cost of FOC programs. Some federal dollars go off the top before that 2/3 is calculated. There are a couple of special programs within FOC including the Medical Support Enforcement.

The judges are state employees but get county benefits as well so it is a co-employer status situation. They are paid by the state. They are in the state retirement program.

Court operations are funded by state and federal grants and funding, fees, and the general fund.

Question

Commissioner Vonk: Has the judicial portion of the budget grown faster than the rest of the budget over the past 5 years?

M. Swanson: If you take out the new judges (their staff and added prosecutors), no. Indigent defense costs have increased. Overall, I would not say that they have grown at any greater pace than the rest of the budget. But will look at the numbers and get you that information.

Commissioner Voorhees: We have the budget divided into mandated and non-mandated services. Do we have a breakdown on the employee numbers in this manner as well?

M. Swanson: Don't have the information right now, but we can work to get you an estimate. We don't budget or account for our employees that way.

Commissioner Dillon: For the Circuit Court referees, we get some reimbursement from the federal government on FOC services. Do you have an estimate on how much the County actually gets reimbursed?

M. Swanson: I don't have that information here, but I will get you that information for the last couple of years.

Commissioner Antor: "Other" services are \$2 million plus. How much do we spend on contracting out for tethering, etc.? Is that broken down?

M. Swanson: Yes, we have to turn in an estimate in to the state each year. I will get a list of in-home services and whether they are contracted or performed by County staff.

Commissioner Voorhees: Any sworn officers at the Friend of the Court?

M. Swanson: Don't believe so, but will check.

Commissioner Hickey: Is there a number that we are thinking of for resizing the budget? Is it too soon for that?

Chair Morgan: Yes, too soon.

Commissioner Vaughn: Public Defenders - (sic. He probably meant court appointed attorneys.) how much do we pay them per hour and how many public defenders are there?

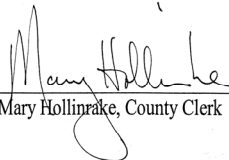
M. Swanson: Depends on what they are doing. I will get a breakdown from the court.

ADJOURNMENT

At 8:28 a.m., Chair Morgan adjourned the Budget Priority Planning session until Thursday, March 26, 2009, Room 310, County Administration Building, at 8:00 a.m.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
March 12, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 19.

Absent: None.

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

PUBLIC COMMENT

1. Commissioner Vaughn – 17th District (read the following statement) - "I would like to apologize to the constituents of the 17th District and my colleagues on the Board of Commissioners for any embarrassment this situation has created. I have always attempted to represent my district and the County in a positive manner, and believe that my history of service has demonstrated that commitment. My desire is to continue to serve my constituents and the public while the process continues. Again, my sincere and genuine apologies to my friends and colleagues."

SPECIAL ORDER OF BUSINESS

Foreclosure Update

Kym Spring, Coordinator of Foreclosure Response, gave an update on foreclosures in Kent County. Foreclosure Response is a non-profit effort connecting residents with various community resources and advocating to stop foreclosures in Kent County. Recently, the Dyer-Ives Foundation issued a report on the foreclosure crisis in Kent County titled "A Call for a Comprehensive Response." In Kent County, over the past 10 years, there have been 10,000 foreclosures. Each day, 10 homes go to foreclosure, 50% of these homes are in Grand Rapids. Foreclosure Response wants to look at systematic changes to help with this crisis. They will ask the County for \$50,000 to help create a plan for a comprehensive response.

CONSENT AGENDA

- a) Approval of Minutes of February 12 Work Session, February 26, 2009 Meeting & Work Session
- b) March 3, 2009 Finance Committee Meeting Minutes (Reports of Claims and Allowances)
- c) Resolutions:

3-12-09-26 – JUVENILE ACCOUNTABILITY BLOCK GRANT / CIRCUIT COURT – FAMILY DIVISION

WHEREAS, since 1999 the federal government has made funds available through the State for local governments to increase the accountability of juvenile offenders and the juvenile justice system; and

WHEREAS, funding is determined according to a formula based on the governmental unit's justice expenditures and reported violent crime data. According to the State funding formula, only the County and the City of Grand Rapids qualify for funding; and

WHEREAS, the Family Division of Circuit Court proposes to use the funds to continue to support the Court-Community Policing Partnership. Juvenile Accountability Block Grant (JBAG) funds will support a portion of the existing Juvenile Probation Officers to provide an accountability-based sanction program; and

WHEREAS, grant funds may only be used to pay for 90 percent of the program costs with remaining costs paid for by the participating units; and

WHEREAS, if grant funding ceases, the positions will be eliminated unless continuation funding is approved pursuant to the Fiscal Policy on Grants and Contracts.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the grant application to the Michigan Department of Human Services for JABG and appropriates \$51,707 to the 2009 JABG Special Project Budget including \$3,360 from the Circuit Court

3-12-09-27 – ACCEPT A 2007 STATE HOMELAND SECURITY GRANT AND BUDGET AMENDMENT / SHERIFF

WHEREAS, the Michigan Department of State Police – Emergency Management Division provides federal pass-through funds for homeland security programs; and

WHEREAS, the purpose of the 2007 Homeland Security Grant Program is to prevent, deter, respond to and recover from incidents of national significance, including but not limited to, threats and incidents of terrorism; and

WHEREAS, the fiduciary of the grant funds has been West Michigan Shoreline Regional Development Commission (WMSRDC) "Region 6" group made up of 13 counties; and

WHEREAS, WMSRDC has agreed to continue as the fiduciary for the grant; and

WHEREAS, in August of 2008, the County received funding approval for its "Regional Planner Position" within the Emergency Management Office with the understanding that additional funding would be forthcoming; and

WHEREAS, the Region 6 Homeland Security Board has now approved and authorized WMSRDC to fund three new activities; and

WHEREAS, the activities are Incidental Planning (\$3,500), NIMS Specific Training (\$55,908) and Exercise (\$20,000) expenses; and

WHEREAS, the grant period is July 1, 2007, to March 31, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners accepts a State Homeland Security Grant from the Michigan Department of State Police; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners authorizes the County Administrator/Controller to sign all grant related documents; 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 hereby appropriates \$79,408 from the Michigan Department of State Police – Emergency Management Division to the Sheriff's Emergency Management Budget – Special Projects Fund, contingent upon award and execution of a contract.

Motion by Commissioner Vonk, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

RESOLUTIONS

3-12-09-28 – PURCHASE OF DEVELOPMENT RIGHTS – WEGE FOUNDATION / KENT / MSU EXTENSION

WHEREAS, in December 2008, the Board authorized the County to submit a grant application and accept any funds that were subsequently awarded up to \$274,000 and appropriate the funds to the Farmland Preservation Budget; and

WHEREAS, the Kent County Agricultural Preservation Board received notice that the grant was awarded for \$8,500 more than the authorized amount and the additional funds must now be accepted and appropriated to the Farmland Preservation Fund; and

WHEREAS, the funds will be for the preservation of three (3) farms in Vergennes Township which total 303 acres. Option agreements have been extended by the County and accepted on all three properties.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners accepts and appropriates an additional \$8,500 in grant funding from the Wege Foundation to the Farmland Preservation Budget for the Purchase of Development Rights.

Motion by Commissioner Rolls, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried by voice vote.

3-12-09-29 – COUNTY OF KENT – REVENUE REFUNDING BONDS, SERIES 2009 / AERONAUTICS

WHEREAS, the Board of Commissioners of the County of Kent (the "County"), by resolution adopted on February 12, 2009 (the "2009 Supplemental Refunding Resolution"), authorized the issuance by the County of bonds designated "Airport Revenue Refunding Bonds, Series 2009" (the "Series 2009 Refunding Bonds") in the aggregate principal amount of not to exceed \$34,000,000 for the purpose of refunding all or a portion of the County's outstanding Airport Revenue Refunding Bonds, Series 1999, paying the costs of issuing the Series 2009 Refunding Bonds, including the cost of obtaining a Cash Equivalent for the Bond Reserve Account, and making a deposit to the Bond Reserve Account to the extent that the County does not obtain a Cash Equivalent therefor; and

WHEREAS, the Board of Commissioners of the County has determined that it is necessary to amend the 2009 Supplemental Refunding Resolution as hereinafter provided.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF KENT, MICHIGAN, as follows:

1. AMENDMENT TO SECTION 2(c) OF 2009 SUPPLEMENTAL REFUNDING RESOLUTION. Section 2(c) of the 2009 Supplemental Refunding Resolution is hereby amended by substituting the following for and in the place thereof:

“(c) “Series 2009 Refunding Bonds” means the Revenue Refunding Bonds, Series 2009, as authorized by this 2009 Supplemental Refunding Resolution.”

2. AMENDMENT TO SECTION 4 OF 2009 SUPPLEMENTAL REFUNDING RESOLUTION. Section 4 of the 2009 Supplemental Refunding Resolution is hereby amended by substituting the following for and in the place thereof:

“4. SERIES 2009 REFUNDING BOND DETAILS. The Series 2009 Refunding Bonds shall be designated “Revenue Refunding Bonds, Series 2009;” shall be dated as of such date as shall be determined by the Chairperson of the Board of Commissioners at the time of sale; shall be numbered from 1 upwards in order of authentication; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 5.5% per annum to be determined by the Chairperson of the Board of Commissioners upon the sale thereof, payable on July 1, 2009 or such later date determined by the Chairperson of the Board of Commissioners at the time of sale and semi-annually thereafter on the first days of January and July in each year; and shall be issued as Serial Bonds or Term Bonds, or both, which shall mature or be subject to Mandatory Redemption Requirements on each January 1 and in such amounts, all to be determined by the Chairperson of the Board of Commissioners at the time of sale.”

3. AMENDMENT TO SECTION 11 OF 2009 SUPPLEMENTAL REFUNDING RESOLUTION. The form of the Series 2009 Refunding Bonds in Section 11 of the 2009 Supplemental Refunding Resolution is hereby amended by substituting “Revenue Refunding Bonds, Series 2009” for and in the place of “Airport Revenue Refunding Bonds, Series 2009” in each place in Section 11 where such latter phrase appears.

4. DEFINITIONS. Capitalized terms used herein and not otherwise defined shall have the same meanings set forth in the 2009 Supplemental Refunding Resolution.

5. PUBLICATION AND RECORDATION. This resolution amending the 2009 Supplemental Refunding Resolution shall be published in full in The Grand Rapids Press, a newspaper of general circulation in the County qualified under State law to publish legal notices, promptly after its adoption and shall be recorded in the official proceedings of the Board of Commissioners and such recording shall be authenticated by the signature of the Chairperson of the Board of Commissioners and the County Clerk.

6. RATIFICATION OF 2009 SUPPLEMENTAL REFUNDING RESOLUTION; CONFLICTING RESOLUTIONS. The 2009 Supplemental Refunding Resolution, as amended herein, is hereby ratified and confirmed. All

other resolutions and parts of other resolutions insofar as they may be in conflict herewith are hereby rescinded.

7. EFFECTIVE DATE. This resolution amending the 2009 Supplemental Refunding Resolution shall take effect immediately.

Motion by Commissioner Voorhees, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

**3-12-09-30 – LABOR AGREEMENT: POLC (COURT REPORTERS) /
CIRCUIT COURT / HUMAN RESOURCES**

WHEREAS, the County of Kent and the Police Officers Labor Council, representing the Court Reporters, have negotiated a labor agreement; and

WHEREAS, the agreement provides for a 2.0% increase to base wages (effective retroactively to January 1, 2009) and a 1.0% increase effective July 1, 2009, a 2.25% increase effective January 1, 2010, and a 2.5% increase effective January 1, 2011; and

WHEREAS, the Court Reporters unit will have the new 2009 County health care plan options and will be responsible for the additional employer premium portion for January 2009; and

WHEREAS, the total addition to base salary costs over the life of the contract is \$66,695 and a 2009 net reduction in health care benefit costs of \$2,400; and

WHEREAS, the proposed contract has been ratified by the membership.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves the three-year labor agreement for the period January 1, 2009 – December 31, 2011, between the County of Kent and the Police Officers Labor Council representing Court Reporters.

Motion by Commissioner Courtade, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

**3-12-09-31 – FACILITIES MANAGEMENT STAFFING – HUMAN SERVICES
COMPLEX / FACILITIES MANAGEMENT**

WHEREAS, at the request of the Facilities Management Department, Human Resources reviewed a staffing reallocation proposal originating from the anticipated transfer of client services to the new Human Services Complex; and

WHEREAS, based on the review and needs of the department, Human Resources recommends the following positions be added:

1. One Full-Time Maintenance Repair Worker (UAW 18)
2. One Part-time Maintenance Repair Worker (UAS 18); and

WHEREAS, based on the review and needs of the department, Human Resources recommends the following position be eliminated:

1. One Building Custodian II (UAW 12); and

WHEREAS, the results of the review have been examined with the Facilities Management Department and they are in agreement; and

WHEREAS, the annual expense in salary and benefit costs from re-allocating of the Facilities Management Department is \$37,640 (pro-rated amount of \$28,230 for 2009), based on current rates of pay; and

WHEREAS, the lease agreements provide funding for these specific facilities management services.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the reallocation of positions within the Facilities Management Department through the addition of two positions (one Full-Time Maintenance Repair Worker – UAW 18 and one Part-Time Maintenance Repair Worker – UAW 18) and the elimination of one existing position (Building Custodian II – UAW 12) to provide specific facility management services within the new Human Services Complex.

Motion by Commissioner Ponstein, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

CLOSED SESSION

At 9:05 a.m., Commissioner Parrish, seconded by Commissioner Agee, moved to meet in closed session for the purposes of discussing pending litigation. The opinion and discussions are subject to the attorney-client communication privilege.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

At 9:35 a.m., Commissioner Parrish, seconded by Commissioner Dillon, moved to go back into open session.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 19.

Nays: 0.

RESOLUTIONS

3-12-09-32 – SETTLE PENDING LITIGATION

WHEREAS, Kent County is a party to pending litigation entitled "Kent County v UAW Local 2600, COA # 289674;" and

WHEREAS, this pending litigation involves issues of an unfair labor practice and the reinstatement of former County employee Nancy Jo Wilson without back pay; and

WHEREAS, Kent County and UAW Local 2600 desires to resolve, settle, and compromise any and all issues and claims related to this pending litigation for the sum of \$175,000.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves resolution and settlement of any and all claims relating to the referenced litigation for the sum of \$175,000; and

BE IT FURTHER RESOLVED that the County Administrator/ Controller is authorized to execute an agreement which accomplishes this purpose in a form approved by Corporate Counsel.

Motion by Commissioner Parrish, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Chair Morgan – 18.

Nays: Voorhees - 1.

REPORTS

There were no reports.

MISCELLANEOUS

KALE Benefit Hockey Game

Commissioner Ponstein said that the 13th Annual Kent Area Law Enforcement (KALE) benefit hockey game will be held March 21st at 3:00 p.m. at the Southside Community Ice Center. This year, proceeds will go to the Mental Health Foundation of West Michigan.

DDA Refunding Article

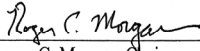
Commissioner Vander Molen questioned the Downtown Development Authority's refinanced bonds and the money they will save. He asked whether Kent County is the fiduciary or responsible if they fail.

Administrator Delabbio said that the money saved is the DDAs. The County did not issue bonds for the Van Andel Arena.

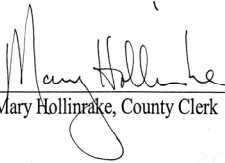
Commissioner Talen, who serves as the County's representative on the DDA, commented that the money saved will be used for projects which were already in place prior to the refinancing.

ADJOURNMENT

At 9:39 a.m., Commissioner Vonk moved to adjourn, subject to the call of the Chair, and to Thursday, March 26, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Parrish. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
March 26, 2009 – Budget Priority Planning
Session

Meeting called to order at 8:00 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 18.

Absent: Dillon - 1.

PUBLIC COMMENT

There was no public comment.

JUDICIAL

Assistant Administrator Mary Swanson reviewed the 63rd District Court & Probate Court, a divisions of Judicial for which time did not allow at the last work session.

63rd District Court (34.5 FTEs)

The District Court with its \$2.8 million budget handles civil suits of \$25,000 or less, adult criminal misdemeanor offenses punishable by up to one year's imprisonment, civil infractions, traffic violations, small claims (\$3,000 or less), etc.

Its one non-mandated program is probation (drug testing, referral program, house arrest, etc.).

The Court is fully funded by charges for services, fines and forfeitures, state grants, and reimbursements for mandated services, but the General Fund must cover probation costs.

Probate Court (15 FTEs)

One Probate judge handles the estates of decedents; trusts; guardianships of developmentally disabled persons, legally incapacitated adults and minors; conservatorships for legally incapacitated adults and minors; protective orders; accounts of other fiduciaries; and, petitions for hospitalization of mentally ill persons. Non-mandated programs and services include name changes (mandate of the circuit court) and collection of reimbursable expenses.

This Court receives revenue from state (judicial salaries), fees for services, reimbursements and General Fund tax revenues.

GENERAL GOVERNMENT- ELECTED

The General Government – Electeds' budget is \$6,160,562 of the general fund. Included in this group are the Prosecutor, County Clerk/Register of Deeds, Drain Commissioner and Treasurer.

Prosecuting Attorney (85 FTEs)

The Prosecutor's budget is \$6.2 million or 4%. State grants support approximately \$1.3 million or 17% of the total budget. Non-mandated programs and services include representing: 1) the County in contested forfeiture actions; and 2) the Secretary of State when a request is made for a judicial review of a revocation or suspension of a driver's license.

County Clerk/Register of Deeds (50.5 FTEs)

The Clerk & Register of Deeds are both elected positions mandated by the Michigan Constitution. The Clerk performs mandated functions in the areas of elections, vital records, and circuit court. The Clerk of the Court receives, processes files, and maintains all court cases and pleadings, collects, distributes and maintains accounts of all criminal and juvenile assessments, receipts and disburse bail bond funds, creates & maintains juvenile court files and preserves all adoption files.

Each division of the Clerk's Office collects various fees for services and receives reimbursements. Revenue for certified copies was \$560,000 last year. The Register of Deeds collects fees related to property transactions, providing revenue to the General Fund, collects & sends state transfer taxes and fees for deposit into the state's remonumentation fund.

Drain Commissioner (6.5 FTEs)

Mandated by the Michigan Drain Code, the Drain Commissioner duties include the receipt of petitions for the establishment, improvement or maintenance of over 532 miles of drains and 356 storm water detention ponds in Kent County. The Drain Commission reviews storm water plans for 50 plats a year and maintains records on over 1,800 plats. The office administers 19 lake levels under the Lake Level Act. Non-mandated programs include: overseeing contracts for functions which improve water quality in lakes; paying 100% (vs. 50%) for Road Commission share of Drain Assessments; financially participating in local unit storm water management planning; and, assists in monitoring & evaluation of proposed State legislation for Michigan Association of Drain Commissioners and Michigan Association of Counties.

Treasurer (17 FTEs)

The Treasurer serves as the custodian of all County funds and is responsible for receipting, recording, and investing all money deposited with the County. The Treasurer collects delinquent property taxes and, following a court order, conducts the sale of properties which are more than 24 months delinquent. Non-Mandated programs/services include collecting hotel/motel taxes and investing local government investment pool funds.

Question

Commissioner Rolls: (Probate Court) There is only 1 judge for Probate?

M. Swanson: Yes, only one dedicated for only Probate (three Probate judges act as Circuit Court Judges in the Family Division).

Commissioner Vander Molen: (Elections) How are expenses divided for elections?

Clerk Hollinrake: Depends on what type of election. The election in May will have The Rapid, GRCC and municipalities so that each pays a third of the cost.

Commissioner Voorhees: (Register of Deeds) Are the projected Register of Deeds figures accurate?

M. Swanson: No, figures are from Fall 2008. Updated figures will be given next Tuesday on revised 2009 revenue estimates for the General Fund.

Commissioner Voorhees: (Drain Commission) Do local units pay 100% of drain assessments if they own property within the assessment district?

M. Swanson: Believes that they are assessed like any other property owner, but will confirm that.

Commissioner Vander Molen: (Drain Commission) Do we still have a revolving fund and what type of shape is it in?

M. Swanson: Yes, we have a revolving fund. We will provide that information to Commissioners.

Commissioner Talen: (Drain Commission) What administration level are we required as a Commission to pay for?

M. Swanson: With all elected officials, the Board of Commission is the funding unit. The Drain Commissioner presents a budget for Board of Commission approval. The mandated functions cannot be zeroed out. The service level funded is at the discretion of the Board of Commission, if it is not mandated by law.

Commissioner Ponstein: (Drain Commission) There is talk around the State if there is a need for a Drain Commissioner?

M. Swanson: It is a mandated function. The work would need to be done. There has been a lot of debate around this question for years.

Commissioner Ponstein: (Treasurer) Has the County looked at collecting all taxes in Kent County and take the 1% fee all cities charge to collect?

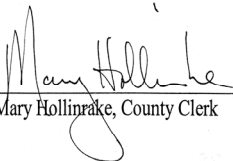
M. Swanson: There is legislation requiring, but will have to get that information.

ADJOURNMENT

At 8:26 a.m., Chair Morgan adjourned the Budget Priority Planning session until Thursday, April 23, 2009, Room 310, County Administration Building, at 8:00 a.m.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
March 26, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 19.

Absent: None.

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

PUBLIC COMMENT

1. David Jacobs, 1349 Benjamin Avenue SE, Grand Rapids – Executive Director of Home Repair Services of Kent County. He thanked Commissioners for their support of Home Repair Services. Its mission is to stop the loss of homeowners in the community. In 2008, it served more than 3,100 Kent County homeowners and stopped 300 foreclosures. The foreclosure crisis requires preventative and corrective measures.

SPECIAL ORDER OF BUSINESS

National Public Safety Proclamation

Commissioner Tanis announced that the week of April 12-18, 2009, is National Public Safety Telecommunicators Week. Sheriff Stelma thanked and acknowledged the tremendous group of communications officers. Captain Young introduced and thanked the communications officers who were present.

Local Emergency Planning Committee Annual Plan and Update

Deborah Alderink, Chair, Kent County LEPC, gave the 2008 Annual Report (copy of which is on file in the Office of the County Clerk). This year, 2009, the LEPC will celebrate its 20th year anniversary. In May, a disaster exercise will be conducted in Wyoming, and on October 9th, they will hold an industry outreach seminar. The LEPC 2009 Work Plan consists of 1) Emergency Plan Development and Maintenance; 2) Disaster Exercise; 3) Community Awareness; 4) Industry Education; and, 5) General Administration. LEPC educational materials and information are available at www.accesskent/lepc.

Treasurer's Update

1. Annual Investment Report - Treasurer Parrish reviewed the Annual Investment Report (copy of which is on file in the Office of the County Clerk).

2. Land Bank Authority - Treasurer Parrish stated that he is considering a Land Bank Authority for Kent County. A Land Bank Authority is a public authority created to acquire, hold, manage and develop tax foreclosed property along with vacant and abandoned property. He introduced Dan Kildee, Genesee County Treasurer, and an expert in Land Banks to explain what the Genesee County Land Bank Authority has done.

CONSENT AGENDA

- a) Approval of Minutes of March 12 Work Session & Meeting
- b) March 17, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

3-26-09-33 – APPROVE CONTRACT WITH LIGHTHOUSE COMMUNITIES, INC. AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, the Kent County Board of Commissioners approved acceptance of HOME Investment Partnership Program funds from the United States Department of Housing and Urban Development (HUD) as part of the Annual Action Plan for FY 2007-2008; and

WHEREAS, up to five percent of the annual HOME allocation may be awarded within five years of the award to a Community Housing Development Organization (CHDO) for use on "reasonable and necessary costs for the operation"; and

WHEREAS, Lighthouse Communities, Inc. is a Kent County CHDO; and

WHEREAS, the proposed contract, if approved, will provide for funding of non-project administrative costs to allow Lighthouse Communities, Inc. to continue providing affordable housing to eligible households within Kent County; and

WHEREAS, the agreement provides for \$40,000 in operating funds to assist in building organizational capacity at Lighthouse Communities, Inc. and obligates Lighthouse Communities, Inc. to enter into a project agreement to carry out the development of eligible HOME assisted housing activities in Kent County within 24 months of this agreement; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period commences upon execution of this agreement and shall remain in effect for a period of one year.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners contract with Lighthouse Communities, Inc; and

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

3-26-09-34 – ACCEPT A COVERDELL GRANT AND BUDGET AMENDMENT / SHERIFF

WHEREAS, the U.S. Department of Justice/Office of Justice Programs provides grants to state and local governments to fund the tools needed to reduce crime; and

WHEREAS, the goals of this project are to increase the quality and volume of footwear evidence collected at crime scenes while improving the timeliness of preparing that evidence for dissemination to investigators to expedite identifications; and

WHEREAS, grant funds will be used to purchase a high resolution scanner (\$84,006) and high intensity light source kits (\$10,927); and

WHEREAS, in addition, the equipment and associated training will be extended to other forensic investigators from area local law enforcement agencies; and

WHEREAS, the grant period expires September 30, 2009.-

NOW, THEREFORE, BE IT RESOLVED that the Kent

County Board of Commissioners accepts a Paul Coverdell Forensic Science Improvement Grant from the U.S. Department of Justice/Office of Justice Programs; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners authorizes the County Administrator/Controller to sign all grant related documents; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners hereby appropriates \$94,933 from the U.S. Department of Justice/Office of Justice Programs to the Sheriff's – Special Projects Fund contingent upon award and execution of a contract.

**3-26-09-35 – ACCEPT A FY 2008 STATE HOMELAND SECURITY –
EMERGENCY MANAGEMENT PERFORMANCE GRANT /
SHERIFF**

WHEREAS, the Michigan Department of State Police – Emergency Management Division provides federal pass-through funds for homeland security programs; and

WHEREAS, the Office of Emergency Management and appointment of the Emergency Management Coordinator was delegated (resolution 1-28-93-12) to the Sheriff's Office in 1993; and

WHEREAS, the Office of Emergency Management is responsible for coordinating countywide disaster preparedness and provides the means to discharge the responsibilities vested in the Board by Public Act 390 of 1976; and

WHEREAS, the purpose of this grant is to provide funds to defray a portion of the salary and benefits of the existing Emergency Management Coordinator; and

WHEREAS, for FY 2008, the allocation for Kent County was determined to be 35.8 percent of its emergency program manager's salary and benefits of \$41,101; and

WHEREAS, the grant period is October 1, 2007, to September 30, 2008.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners accept a FY 2008 State Homeland Security – Emergency Management Performance Grant; and

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

Motion by Commissioner Antor, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 19.

Nays: 0.

RESOLUTIONS

**3-26-09-36 – RENEWABLE ENERGY RENAISSANCE RECOVERY ZONE IN
THE CITY OF KENTWOOD / FISCAL SERVICES**

WHEREAS, the County of Kent desires to expand economic activity, and increase the number of jobs and income available to residents of the County; and

WHEREAS, the Michigan Renaissance Zone Act, P.A. 376 of 1996 was amended to permit the creation of Renewable Energy Renaissance Recovery Zones such as Heat Transfer International (HTI), an eligible business

that is primarily involved in the manufacture of process equipment that produces renewable energy; and

WHEREAS, the County of Kent has suffered from reduced economic activity, decreasing of employment opportunities, and depressed business expansion; and

WHEREAS, the designation of the property located at 4720 – 44th Street SE and described in Attachment "A" as a Renewable Energy Renaissance Zone will help attract new business, increase economic development, and expand business and employment opportunities in the County of Kent for years to come; and

WHEREAS, the City of Kentwood, Heat Transfer International, and local citizens are committed to improving the area, should a Renewable Energy Renaissance Zone be designated; and

WHEREAS, the commitment extends to making new investments and marketing of the area to other investors; and

WHEREAS, should the area be designated a Renewable Energy Renaissance Zone, residents and property within that zone that are engaged in renewable energy production would be exempt from taxes levied by the township, village, county, and other units of government as provided under PA 376 of 1996, as amended, which will provide a stimulus to develop the area; and

WHEREAS, the state government, under the Act, will reimburse local schools, community colleges, intermediate school districts, and public libraries for any revenue lost due to the exemption provided by the Act; and

WHEREAS, the County has estimated the foregone tax revenue resulting from the designation of a renaissance recovery zone as shown on the Exhibit "B", and has determined that the benefit of the designation of the renaissance recovery zone outweighs the revenue lost by the designation; and

WHEREAS, a public hearing was held by the City of Kentwood on February 17, 2009 with respect to said request for a resolution consenting to the creation of a renaissance recovery zone, at which time the general public, city staff and the applicant were granted a hearing on the renaissance recovery zone designation.

NOW, THEREFORE, BE IT RESOLVED that the County of Kent does hereby request the State of Michigan to designate the real property described in Attachment "A" as a Renewable Energy Renaissance Recovery Zone under Public Act 376 of 1996 as amended for a period of fifteen (15) years beginning January 1, 2010 and ending December 31, 2024.

BE IT FURTHER RESOLVED that the County's approval is contingent on the County and HTI entering into a development agreement satisfactory to the County to ensure that HTI will be in compliance with the commitments and representations made to the County in its application for the Renewable Energy Renaissance Zone.

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

Motion carried by voice vote.

**3-26-09-37 – DELINQUENT 2008 REAL PROPERTY TAXES / AUTHORIZE
ISSUANCE OF "GENERAL OBLIGATION LIMITED TAX
NOTES, SERIES 2009" / TREASURER**

WHEREAS, the Board of Commissioners of the County of Kent (the "County") has heretofore adopted a resolution establishing the Kent County Delinquent Tax Revolving Fund (the "Fund") pursuant to Section 87b of Act No. 206, Public Acts of Michigan, 1893, as amended ("Act 206"); and

WHEREAS, the purpose of the Fund is to allow the Kent County Treasurer (the "County Treasurer") to pay from the Fund any or all delinquent real property taxes that are due and payable to the County and any school district, intermediate school district, community college district, city, township, special assessment district, the State of Michigan or any other political unit for which delinquent tax payments are due; and

WHEREAS, it is hereby determined to be necessary for the County to borrow money and issue its notes for the purposes authorized by Act 206, particularly Sections 87c, 87d and 87g thereof; and

WHEREAS, it is estimated that the total amount of unpaid 2008 delinquent real property taxes (the "delinquent taxes") outstanding on March 1, 2009, will be approximately \$40,000,000, exclusive of interest, fees and penalties.

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

Authorization of Borrowing

1. Pursuant to and in accordance with the provisions of Act 206, Public Acts of Michigan, 1893, as amended, and especially Sections 87c, 87d and 87g thereof, the County shall borrow the sum of not to exceed Forty Million Dollars (\$40,000,000) and issue its notes (the "notes") therefor for the purpose of continuing the Fund for the 2008 tax year. The exact amount to be borrowed shall not exceed the amount of delinquent taxes outstanding on March 1, 2009, exclusive of interest, fees and penalties. The County Treasurer shall designate the exact amount to be borrowed after the amount of the 2008 delinquent taxes outstanding on March 1, 2009, or the portion of the 2008 delinquent taxes against which the County shall borrow, has been determined.

Note Details

2. Pursuant to provisions of applicable law and an order of the County Treasurer, which order is hereby authorized, the notes may be issued in one or more series; shall be known as "General Obligation Limited Tax Notes, Series 2009"; shall be in fully registered form in denominations not exceeding the aggregate principal amounts for each maturity of the notes; shall be sold for not less than 98% of the face amount of the notes; shall bear interest at fixed or variable rates not to exceed the maximum interest rate permitted by applicable law; shall be dated, payable as to interest and in principal amounts, be subject to redemption in whole or in part prior to maturity, including any redemption premiums, and be subject to renewal, at such times and in such amounts, all as shall be designated in the order of the County Treasurer. Notes or portions of notes called for redemption shall not bear interest after the redemption date, provided funds are on hand with the note registrar and paying agent to redeem the same. Notice of redemption shall be given in the manner prescribed by the County Treasurer. If any notes of any series are to bear interest at a variable rate or rates, the County Treasurer is hereby further authorized to establish by order, and in accordance with law, a means by which interest on such notes may be set, reset or calculated prior to maturity, provided that such rate or rates shall at no time be in excess of the maximum interest rate permitted by applicable law. Such rates may be established by reference to the minimum rate that would be necessary to sell the notes at par; by a formula that is determined with respect to an index or indices of municipal obligations, reported prices or yields on obligations of the United States or the prime rate or rates of a bank or banks selected by the County Treasurer; or by any other method selected by the County Treasurer.

Payment of Principal and Interest

3. The principal of and interest on the notes shall be payable in lawful money of the United States from such funds and accounts as provided herein. Principal shall be payable upon presentation and surrender of the notes to the note registrar and paying agent when and as the same shall become due, whether at maturity or earlier redemption. Interest shall be paid to the owner shown as the registered owner on the registration books at the close of business on such date prior to the date such interest payment is due, as is provided in the order of the County Treasurer. Interest on the notes shall be paid when due by check or draft drawn upon and mailed by the note registrar and paying agent to the registered owner at the registered address.

Note Registrar and Paying Agent

4. The County Treasurer shall designate, and may enter into an agreement with, a note registrar and paying agent for each series of notes that shall be the County Treasurer or a bank or trust company that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The County Treasurer may from time to time designate a similarly qualified successor note registrar and paying agent.

Disposition of Note Proceeds

5. The proceeds of the sale of the notes shall be deposited into a separate account in the Fund (the "2009 Account") and shall be used to continue the Fund. The County Treasurer shall pay therefrom and from unpledged funds in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, if the notes are sold at a discount, the full amount of the delinquent tax roll against which the County has borrowed, delivered as uncollected by any tax collector in the County and that is outstanding and unpaid on or after March 1, 2009, in accordance with the provisions of Act 206.

2009 Collection Account

6. There is hereby established as part of the Fund an account (hereby designated the "2009 Collection Account") into which account the County Treasurer shall place delinquent taxes against which the County has borrowed, and interest thereon, collected on and after March 1, 2009, all County property tax administration fees on such delinquent taxes, after expenses of issuance of the notes have been paid, and any amounts received by the County Treasurer from the County and any taxing unit within the County, because of the uncollectibility of such delinquent taxes. The foregoing are hereby established as funds pledged to note repayment.

Note Reserve Fund

7. There is hereby authorized to be established by the County Treasurer a note reserve fund for the notes (the "2009 Note Reserve Fund") if the County Treasurer deems it to be reasonably required as a reserve and advisable in selling the notes at public or private sale. The County Treasurer is authorized to deposit in the 2009 Note Reserve Fund from proceeds of the sale of the notes, unpledged moneys in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, an amount not exceeding ten percent (10%) of the face amount of the notes.

Security for Payment of Notes

8. All of the moneys in the 2009 Collection Account and the 2009 Note Reserve Fund, if established, and all interest earned thereon, are hereby pledged equally and ratably as to each series to the payment of the principal of and interest on the notes and shall be used solely for that purpose until such principal and interest have been paid in full. When moneys in the 2009 Note Reserve Fund, if established, are sufficient to pay the outstanding principal of the notes and the interest accrued thereon, such moneys may be used to retire the notes.

Additional Security

9. Each series of notes, in addition, shall be a general obligation of the County, secured by its full faith and credit, which shall include the County's limited tax obligation, within applicable constitutional and statutory limits, and its general funds. The County budget shall provide that if the pledged delinquent taxes and any other pledged amounts are not collected in sufficient amounts to meet the payments of principal and interest due on each series of notes, the County, before paying any other budgeted amounts, will promptly advance from its general funds sufficient moneys to pay that principal and interest. The County shall not have the power to impose taxes for payment of the notes in excess of constitutional or statutory limitations. If moneys in the 2009 Collection Account and the 2009 Note Reserve Fund, if established, are not sufficient to pay the principal of and interest on the notes, when due, the County shall pay the same in accordance with this section, and may thereafter reimburse itself from the delinquent taxes collected.

Release of Pledge of 2009 Collection Account

10. Upon the investment of moneys in the 2009 Collection Account in direct non-callable obligations of the United States of America in amounts and with maturities that are sufficient to pay in full the principal of and interest on the notes when due, any moneys in the 2009 Collection Account thereafter remaining may be released from such pledge created pursuant to Section 8 hereof and may be used to pay any or all delinquent real property taxes that are due the County and any school district, intermediate school district, community college district, city, township, special assessment district, the State of Michigan or any other political unit to which delinquent tax payments are due for any other year or for any other purpose permitted by law.

Sale of Notes

11. The County Treasurer is hereby authorized to offer the notes at public or private sale as determined by order of the County Treasurer and to do all things necessary to effectuate the sale, delivery, transfer and exchange of the notes in accordance with the provisions of this resolution. Notes of one series may be offered for sale and sold separately from notes of another series. If the notes are to be sold publicly, sealed proposals for the purchase of the notes shall be received by the County Treasurer for such public sale to be held at such time as shall be determined by the County Treasurer and notice thereof shall be published in accordance with law, once in *The Bond Buyer* or the *Detroit Legal News*, both of which are hereby designated as being a publication printed in the English language and circulated in this State that carries as a part of its regular service, notices of sale of municipal bonds. Such notice shall be in the form prescribed by the County Treasurer.

The County Treasurer is hereby authorized to cause the preparation of an official statement for the notes for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the notes, the County will provide copies of a final official statement (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the successful bidder or bidders to enable such successful bidder or bidders to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

Continuing Disclosure

12. The County Treasurer is hereby authorized to execute and deliver in the name and on behalf of the County (i) a certificate of the County to comply with the requirements for a continuing disclosure undertaking of the County pursuant to subsection (b)(5) or (d)(2) of the Rule, as applicable, and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. The remedies for any failure of the County to comply with and carry out the provisions of the Continuing Disclosure Certificate shall be as set forth therein.

Execution and Delivery of Notes

13. The County Treasurer is hereby authorized and directed to execute the notes for the County by manual or facsimile signature and the County Treasurer shall cause the County seal or a facsimile thereof to be impressed or imprinted on the notes. Unless the County Treasurer shall specify otherwise in writing, fully registered notes shall be authenticated by the manual signature of the note registrar and paying agent. After the notes have been executed and authenticated, if applicable, for delivery to the original purchaser thereof, the County Treasurer shall deliver the notes to the purchaser or purchasers thereof upon receipt of the purchase price. Additional notes bearing the manual or facsimile signature of the County Treasurer and upon which the seal of the County or a facsimile thereof is impressed or imprinted may be delivered to the note registrar and paying agent for authentication, if applicable, and delivery in connection with the exchange or transfer of fully registered notes. The note registrar and paying agent shall indicate on each note that it authenticates the date of its authentication. The notes shall be delivered with the approving legal opinion of Dickinson Wright PLLC, attorneys of Detroit, Michigan.

Exchange and Transfer of Fully Registered Notes

14. Any fully registered note, upon surrender thereof to the note registrar and paying agent with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney, at the option of the registered owner thereof, may be exchanged for notes of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note.

Each note shall be transferable only upon the books of the County, which shall be kept for that purpose by the note registrar and paying agent, upon surrender of such note together with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney.

Upon the exchange or transfer of any note, the note registrar and paying agent on behalf of the County shall cancel the surrendered note and shall authenticate, if applicable, and deliver to the transferee a new note or notes of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note. If, at the time the note registrar and paying agent authenticates, if applicable, and delivers a new note pursuant to this section, payment of interest on the notes is in default, the note registrar and paying agent shall endorse upon the new note the following: "Payment of interest on this note is in default. The last date to which interest has been paid is [place date]."

The County and the note registrar and paying agent may deem and treat the person in whose name any note shall be registered upon the books of the County as the absolute owner of such note, whether such note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such note and for all other purposes, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 3 hereof shall be valid and effectual to satisfy and discharge the liability upon such note to the extent of the sum or sums so paid, and neither the County nor the note registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the note registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of notes, the County or the note registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The note registrar and paying agent shall not be required to transfer or exchange notes or portions of notes that have been selected for redemption.

Book Entry System

15. At the option of the County Treasurer and notwithstanding any provisions of this resolution to the contrary, the County Treasurer is hereby authorized to enter into an agreement with a custodian or trustee for the purpose of establishing a "book entry" system for registration of notes to be fully registered. Pursuant to provisions of such agreement, the notes may be registered in the name of the custodian or trustee for the benefit of other persons or entities. Such agreement shall provide for the keeping of accurate records and prompt transfer of funds by the custodian or trustee on behalf of such persons or entities. The agreement may provide for the issuance by the custodian or trustee of certificates evidencing beneficial ownership of the notes by such persons or entities. For the purpose of payment of the principal of and interest on the notes, the County may deem payment of such principal and interest, whether overdue or not, to the custodian or trustee as payment to the absolute owner of such note. Pursuant to provisions of such agreement, the book entry system for the notes may be used for registration of all or a portion of the notes and such system may be discontinued at any time by the County. The note registrar and paying agent for the notes may act as custodian or trustee for such purposes.

Issuance Expenses

16. Expenses incurred in connection with the issuance of the notes, including without limitation any premiums for any insurance obtained for the notes, note rating agency fees, travel and printing expenses, fees for agreements for lines of credit, letters of credit, commitments to purchase the notes, remarketing agreements, reimbursement agreements, purchase or sales agreements or commitments, or agreements to provide security to assure timely payment of the notes, fees for the setting of interest rates on the notes and bond counsel, financial advisor, paying agent and registrar fees, all of which are hereby authorized, shall be paid by the County Treasurer from County property tax administration fees on the delinquent taxes, from any other moneys in the Fund not pledged to the repayment of notes and general funds of the County that are hereby authorized to be expended for that purpose.

Replacement of Notes

17. Upon receipt by the County Treasurer of satisfactory evidence that any outstanding note has been mutilated, destroyed, lost or stolen, and of security or indemnity complying with applicable law and satisfactory to the County Treasurer, the County Treasurer may execute or authorize the imprinting of the County Treasurer's facsimile signature thereon and thereupon, and if applicable, a note registrar or paying agent shall authenticate and the County shall deliver a new note of like tenor as the note mutilated, destroyed, lost or stolen. Such new note shall be issued and delivered in exchange and substitution for, and upon surrender and cancellation of, the mutilated note or in lieu of and in substitution for the note so destroyed, lost or stolen in compliance with applicable law. For the replacement of authenticated notes, the note registrar and paying agent shall, for each new note authenticated and delivered as provided above, require the payment of expenses, including counsel fees, which may be incurred by the note registrar and paying agent and the County in the premises. Any note issued under the provisions of this section in lieu of any note alleged to be destroyed, lost or stolen shall be on an equal basis with the note in substitution for which such note was issued.

Issuance of Refunding Notes

18. The County shall refund all or part of the notes authorized hereunder and/or notes previously issued by the County to continue the Fund for prior tax years if and as authorized by order of the County Treasurer through the issuance of refunding notes (the "Refunding Notes") in an amount to be determined by order of the County Treasurer. Proceeds of the Refunding Notes may be used to redeem such notes and to pay issuance expenses of the Refunding Notes as authorized and described in Section 16 hereof. The County Treasurer shall have all the authority with respect to the Refunding Notes as is granted to the County Treasurer with respect to the notes by the other Sections hereof, including the authority to select a note registrar and paying agent, to apply to the Michigan Department of Treasury for approval to issue the Refunding Notes, if necessary, to cause the preparation of an official statement and to do all other things necessary to sell, execute and deliver the Refunding Notes. The Refunding Notes shall contain the provisions, shall be payable as to principal and interest and shall be secured as set forth herein and as further ordered by the County Treasurer. The Refunding Notes may be sold as a separate issue or may be combined in a single issue with other obligations of the County issued pursuant to the provisions of Act 206 as shall be determined by the County Treasurer. The County Treasurer is authorized to prescribe the form of Refunding Note and the form of notice of sale, if any, for the sale of Refunding Notes.

Form of Notes

19. The notes shall be in the form approved by the County Treasurer, which approval shall be evidenced by the County Treasurer's execution thereof.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 19.

Nays: 0.

3-26-09-38 – ACCEPTANCE OF DONATED PROPERTY FOR RECYCLING FACILITY / PUBLIC WORKS

WHEREAS, the County, acting through the Department of Public Works (DPW), owns and operates a recycling facility on Market Avenue; and

WHEREAS, DPW desires to increase capacity for the processing of recyclable materials and has determined that a new, larger facility is needed; and

WHEREAS, property on Wealthy Street available for redevelopment and the use of this site as a recycling facility is supported by the City of Grand Rapids; and

WHEREAS, the current property owner, 3900 Corp., is willing to sell the property to the County to be used for a public purpose for the sum of \$1.00 and to donate the remainder of the property's value to the County; and

WHEREAS, the proposed purchase/donation of property has been approved by the Board of Public Works on December 18, 2008, and would be confirmed and accomplished through documents approved by Corporate Counsel.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the purchase and receipt of donated property (PPNs 41-13-26-456-028; 41-13-26-456-029; 41-13-26-457-015; 41-13-26-457-018) on Wealthy Street and authorizes the Board Chair and/or the County Administrator to execute the necessary documents, after receipt of final site plan approval from the City of Grand Rapids.

Motion by Commissioner Tanis, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 19.

Nays: 0.

REPORTS

There were no reports.

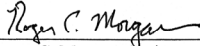
MISCELLANEOUS

Transparency Subcommittee

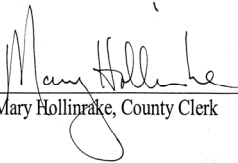
Commissioner Agee thanked Commissioners Voorhees (Chair), Bulkowski, Rolls, and Hennessy for their willingness to serve on the Transparency Subcommittee.

ADJOURNMENT

At 9:54 a.m., Commissioner Antor moved to adjourn, subject to the call of the Chair, and to Thursday, April 23, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vonk. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
April 23, 2009 – Budget Priority Planning
Session

Meeting called to order at 8:05 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Parrish, Rolls, Tanis, Vonk, Voorhees, Vander Molen, Chair Morgan - 13.

Absent: Antor, Hirsch, Ponstein, Synk, Talen, Vaughn - 6.

PUBLIC COMMENT

There was no public comment.

HEALTH & WELFARE

Assistant Administrator Mary Swanson stated that this will be the last review session. There has been a lot of information to work through. She thanked department heads and staff for helping to pull the information together. Commissioners will meet with Dr. Harvey who will conduct the two priority setting sessions in May.

Ms. Swanson reviewed the Health & Welfare portion of the budget.

Department of Human Services

Although a state agency, DHS has a relationship with the County, the Health Department and the Veterans Affairs Department.

Social Welfare Fund - The General Fund transfers general fund support. The mandate for the County, with respect to human services, is that we provide for the DHS Board's administrative expenses. The County makes two appointments and the State makes one to the board. Statute requires the County to provide for administrative expenses. We provide funding for hospital and inpatient hospital care for indigents that is not already provided for through the DHS state budget. The County serves as the custodian of its funds.

Child Care Fund – DHS manages programs for children who are at risk or victims of abuse & neglect. Its responsibility is to put the child in a safe place and provide services to the home so that the child can return. The County has no say in the management or the operation of that program, but we must pay 50% of the cost. The state sets provider rates. It is most expensive to take a child out of their home but, removal may be needed.

Prevention Initiative

In 2001, the Board created the Prevention Subcommittee to look at what the County could do to stem the rise of these expenses. The Prevention Initiative was born bringing people from throughout the community together for meetings about what can/should we do. This resulted in 3 areas in which certain programming would have an impact: 1) Primary Prevention – for children ages 0 – 5 and their parents helping them be effective parents right from the beginning; 2) Early Intervention – studies have shown that putting resources in earlier can

prevent out-of-home placement later, and; 3) Family Engagement Program - aimed at breaking the cycle of substance abuse. Children of substance abusers frequently grow up to be substance abusers.

The intergovernmental transfer in the Kent Health Plan can be used to garner health care match dollars from the state and federal government for indigents.

Health Department (FTE's 255)

The Public Health Code mandates that counties have a health department. Our health department is responsible for: vision and hearing screening; public water supply testing; private and type II ground water supply testing; food services sanitation; immunizations; services involving sexually transmitted diseases; on-site sewage disposal management; and general communicable disease control.

The administration supports the mandated duties of the Health Department and its services are charged off to the Department of Community Health.

Community Clinical Services

Kent County is not a primary care health department. Clinical services focus on immunization, nutrition for expectant mothers (WIC), lead screening, sexually transmitted diseases, and HIV.

Community Nursing

Focuses on preventing health problems and includes the Nurse Family Partnership and Maternal Infant Health programs. We are mandated to provide vision and hearing screenings.

Environmental Health

Includes land use evaluation, well and septic system assessment, ground water monitoring, and radon hazard reduction. Animal Shelter priorities are bite prevention education, animal control and enforcement, and pet overpopulation reduction.

Medical Examiner

The Medical Examiner provides forensic investigation of all suspicious deaths, as well as all deaths that take place unexpectedly or without the attendance of a physician. We rent ME facilities from Spectrum Health.

Veterans Affairs Department (FTE's 1)

Newly established in 2009, it replaces the Soldiers' Relief Commission. It provides information, referrals and support services to veterans and their families. This mandated service is 100% funded by the general fund.

Non-Departmental - Transfers - Contracts – Misc.

These services/payments are for services/programs outside the scope of any single county department or operation (General Fund, Capital Improvement Program Fund, & the Lodging Excise (Hotel/Motel) Tax Fund).

Mandated services:

- Allocate to Network 180 an amount equal to the general fund appropriation in the year in which the mental health authority was established (\$2,025,942).
- Allocate 50% of Liquor Tax revenues to the designated substance abuse coordinating agency (i.e., Network 180).

Questions

Commissioner Bulkowski: (DHS) Can we get the actual numbers of clients and how that has changed over the years?

M. Swanson: Yes, we can get the number of children who have gone through the system. We might even have information on average length of stay. The rates are set by a state contract and the County has no say in negotiating those rates.

Commissioner Tanis: Will the lawsuit that the State just settled ("Children's Rights") hit us monetarily?

M. Swanson: Yes. Because of this lawsuit, we are not sure that the \$12.2 million budget will hold this year. It might go higher. We are watching it very closely.

Commissioner Voorhees: (DHS) Didn't the Prevention Initiative start out at \$500,000?

M. Swanson: No, it started out as \$2 million and it was reduced down to the \$1.8 million

the first year. \$500,000 was the portion of the \$2 million that was dedicated to substance abuse now managed through Network180.

Commissioner Voorhees: (Animal Shelter) Our expenses continue to climb yet our fees seem to be reduced from 2007. What percentage of the cost of the animal shelter should be born by those who use it? Is the reason for the reduction because fewer licenses are being issued?

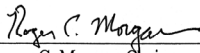
M. Swanson: We will ask the Board in the Priority Setting Sessions if there should be standards for user fees as opposed to tax dollar support for certain programs. As far as reduction in revenue, we will get this information.

Commissioner Agee: (Medical Examiner) Transport costs \$90,000. Does the County pay to transport bodies or transport the MEs to scenes? Do we pay a per autopsy fee? Are the administrative personnel still located at the Fuller Campus?

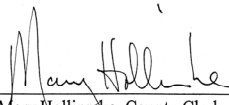
M. Swanson: Transport bodies – if there is a fatality at a scene, because it is unattended or unexpected death, the body has to be taken to the morgue. There are different rates for a full, SIDS, and view only autopsies. Yes, personnel are at the Fuller Campus.

ADJOURNMENT

At 8:28 a.m., Chair Morgan adjourned the Budget Priority Planning session. There will be Priority Setting Sessions on May 14 & 28, 2009, Room 310, County Administration Building, following the regular board meetings.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
April 23, 2009 – Regular Meeting

Meeting called to order at 8:31 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Parrish, Rolls, Tanis, Vonk, Voorhees, Vander Molen, Chair Morgan - 13.

Absent: Antor, Hirsch, Ponstein, Synk, Talen – 5 (Excused)
Vaughn

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

PUBLIC COMMENT

1. First Lieutenant Chris McIntire – Michigan State Police Post Commander – Rockford Post – Introduced himself and said he looks forward to working with the Board of Commissioners.

SPECIAL ORDER OF BUSINESS

Dispatch Authority Update

Curtis Holt, Wyoming City Manager & Chair of the Kent County Dispatch Authority, gave the Dispatch Authority update (copy of which is on file in the County Clerk's Office).

Although the Authority was created in 2007, local government units have been working on improving 911 services for over 20 years. Improving the handling of emergency 911 calls will eliminate cumbersome call transfers, enhance public safety response and establish system-wide performance standards. Initiatives include enhancing 9-1-1 infrastructure changes, accountability for 9-1-1 call taking, emergency medial dispatch qualification and computer aided dispatch. The benefits will 1) resolve short term requirements; 2) enhance service to public; 3) enhance service to public safety responders; 4) enable evolution of dispatch consolidation; and, 5) provides for effective capital investments.

A 911 surcharge (approved in February 2008) went into effect July 1, 2008 (45 cents on all devices). There is also a state 911 surcharge apportioned to Kent County for answering all 911 wireless calls. The KCDA has reimbursed cities for initial start-up funding. They hold update meetings for fire/police chiefs and EMS agencies and local government officials. A website has been established: www.kent911.org, KCDA has hired an interim executive director and issued a detailed RFP for a computer aided dispatch system.

The next steps for the Authority: 1) Computer Aided Dispatch System RFP (responses due April 30, 2009); 2) Select Primary PSAPs; 3) 911 Equipment Improvements; 4) EMD Coding/Training; 5) Installation of computer aided dispatch; 6) Training for use of computer aided dispatch; 7) continue to keep police/fire/EMS agencies & government officials updated; 8) Consolidated Call-Taking "Go-Live" in late 2010 or early 2011.

CONSENT AGENDA

- a) Approval of Minutes of March 26, 2009 Work Session & Meeting
- b) March 26 & 31, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

**4-23-09-39 – APPROVE THE COMMUNITY DEVELOPMENT ANNUAL
ACTION PLAN & 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 28th year as an entitlement community; and

WHEREAS, the five-year Consolidated Plan for July 1, 2005, through June 30, 2010, consists of a needs assessment, market analysis and related goals and objectives, and is a prerequisite of obtaining Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and American Dream Downpayment Initiative (ADDI) funding from HUD; and

WHEREAS, the grant application, referred to as the Annual Action Plan, contains a description and budget for CDBG, HOME, and ADDI-funded activities proposed to be undertaken between July 1, 2009, and June 30, 2010, including CDBG projects requested by 33 local units of government as well as one project requested by the Kent County Parks Department for the expansion of Gordon Park (\$50,000); and

WHEREAS, the application seeks \$2,219,778 in funding that includes CDBG \$1,539,669, HOME \$598,980, ADDI \$6,129, and recognizes an additional \$75,000 anticipated as income from the CDBG 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, 2009, through June 30, 2010; 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 \$2,219,778 in estimated revenues to the 2009-10 CDBG, HOME, and ADDI programs contingent upon award and execution of a contract.

**4-23-09-40 – CITY OF GRAND RAPIDS HUD LEAD HAZARD CONTROL
PROGRAM / HEALTH DEPARTMENT**

WHEREAS, the City of Grand Rapids has made \$138,184 in funding available through its Community Development Department for the Kent County Health Department to be a partner in the HUD grant for the Lead Hazard Control Program; and

WHEREAS, the Health Department will provide professional case-work services to individuals and/or families who are owner- occupants or lessees of properties with lead paint hazards and are eligible for the Program. These services include working with referrals, coordinating lead blood testing of children, and assisting clients in completing the Lead Hazard Reduction applications. In addition, the Health Department will be responsible for generating awareness of 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 creation of 1.0 FTE Outreach Worker position (UAW 15) is being recommended. The proposed cost for salary and benefits is \$50,797 per year, totaling \$114,293 for the entire 27 month award period; and

WHEREAS, the remaining \$23,891 will also be used to support operating costs of supplies, travel, telephone and overhead; and

WHEREAS, the term of the award is April 1, 2009, through June 30, 2011; and

WHEREAS, in the event that grant funding is decreased or eliminated after June 30, 2011, the positions will be eliminated unless continuation funding is approved, pursuant to the fiscal policy regarding grants.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners accepts \$138,184 in funding from the City of Grand Rapids for the HUD Lead Hazard Control Program and appropriate \$138,184 to the FY 2009 Health Department budget.

4-23-09-41 – AMENDMENT TO THE COMPREHENSIVE PLANNING & BUDGETING CONTRACT (CPBC) FOR FY 2009 / HEALTH DEPARTMENT

WHEREAS, the Michigan Department of Community Health (MDCH) has increased the base funding in the Children's Special Healthcare Services (CSHCS) program based on caseload and population; and

WHEREAS, the increased funding allows the Health Department to strive to enable individuals with special health needs to have improved health outcomes and an enhanced quality of life through the appropriate use of the CSHCS system of care; and

WHEREAS, the CSHCS program assists approximately 2,200 individuals with special health needs in accessing the broadest range of appropriate medical care, health education and support. An additional service available through the program is the development of an individualized plan of care by a public health nurse that assists the individuals in accessing all of the available services in a coordinated manner; and

WHEREAS, to support the work required by the program, the addition of 1.0 FTE Public Health Nurse position (Teamsters) is being recommended. The cost for salary and benefits is \$68,144. The remaining \$4,981 will be used to cover the additional operating costs for supplies, travel, and overhead; and

WHEREAS, the term of the award is January 1, 2009, through September 30, 2009, and is included as an amendment to the existing CPBC agreement with MDCH; and

WHEREAS, in the event that grant funding is decreased or eliminated after June 30, 2011, the positions will be eliminated unless continuation funding is approved, pursuant to the fiscal policy regarding grants.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners accepts \$73,125 in additional funding from the Michigan Department of Community Health for the Children's Special Healthcare Services program contained within the Department's Comprehensive Planning and Budgeting Contract (CPBC) with MDCH and appropriate \$73,125 to the FY2009 Health Department budget.

Motion by Commissioner Rolls, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

RESOLUTIONS**4-23-09-42 – STANDING RULES / BOARD OF COMMISSIONERS**

WHEREAS, the Standing Rules were adopted by the Board of Commissioners on April 12, 2007, and amended January 6, 2009; and

WHEREAS, the Board is required to adopt the Standing Rules no later than the second meeting in April of each odd-numbered year; and

WHEREAS, the Board of Commissioners' Standing Rules Subcommittee reviewed the Standing Rules with suggestions and changes being solicited from all Commissioners; and

WHEREAS, the proposed Standing Rules are a result of Commissioners' input and routine language reviewed by Corporate Counsel.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby adopts the Standing Rules.

Motion by Commissioner Vonk, seconded by Commissioner Parrish, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

**4-23-09-43 – NEIGHBORHOOD STABILIZATION PROGRAM (NSP)
STAFFING / COMMUNITY DEVELOPMENT**

WHEREAS, the Human Resources Department reviewed a staffing proposal to increase staff in the Office of Housing and Community Development to effectively administer the Neighborhood Stabilization Program (NSP) which originated from the Housing and Urban Development (HUD) funds under Title III of the Housing and Economic Recovery Act of 2008; and

WHEREAS, this request is a continuation of the initial November 18, 2008, Finance and Physical Resources Committee action request which indicated, "The NSP program is still in the development stages and any positions or other approvals required will be brought back to the appropriate committee at a later date"; and

WHEREAS, based on the needs of the Office of Housing and Community Development, the Human Resources Department is in agreement with the staffing proposal and recommends the following positions be added for a two-year period:

- One Full-Time Community Development Manager (MPP C41)
- One Full-Time Clerk II (UAW 15); and

WHEREAS, the additional expense in salary and benefit costs is approximately \$135,425 annually (\$78,998 pro-rated amount for June through December 2009) based on the 2009 Management Pay Plan (MPP) Pay Scale and the projected 2009 United Auto Workers (UAW) wage structure; and

WHEREAS, these positions will be HUD funded under the 2009-2010 Community Development Block Grant (CDBG) budget; and

WHEREAS, in the event that grant funding is decreased or eliminated after 2010, the positions will be eliminated unless continuation funding is approved, pursuant to the fiscal policy regarding grants.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the addition of one full-time Community Development Manager and one full-time Clerk II within the Community Development Department to provide for the administration of the U.S. Housing and Urban

Development (HUD) funding of the Neighborhood Stabilization Program (NSP) under Title III of the Housing and Economic Recovery Act of 2008.

Motion by Commissioner Courtade, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

4-23-09-44 – 2008 – 2011 LABOR AGREEMENT – UAW GENERAL & COURTS / HUMAN RESOURCES

WHEREAS, the County of Kent and the United Auto Workers (UAW) Local 2600, representing various employees in the County, 17th Circuit Court, 63rd District Court, and Probate Court have negotiated a four-year labor agreement; and

WHEREAS, the agreement provides for a \$0.45 per hour increase to base wages (effective retroactively to January 1, 2008), a 2.0% increase effective retroactively to January 1, 2009, a 2.25% increase effective January 1, 2010, and a 2.5% increase effective January 1, 2011; and

WHEREAS, the addition to base wage costs over the life of the contract is \$8,227,468. Due to a change in vendors and plan design changes in 2009, there is a net reduction in medical and prescription drug costs of \$343,973 for 2009; and

WHEREAS, the total four-year increase to salary and benefits is \$9,367,108; and

WHEREAS, the UAW Local 2600 unit will be covered under the new 2009 County health care plan options and will be responsible for the additional employer premium portion for January 2009 through March 2009; and

WHEREAS, the proposed contract has been ratified by the membership, which includes 835 full-time and 82 part-time employees.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the four-year labor agreement for the period January 1, 2008 – December 31, 2011, between the County of Kent and the UAW Local 2600 representing various employees in the County, 17th Circuit Court, 63rd District Court, and Probate Court; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners approves the appropriation of an additional \$102,000 to the FY 2008 General Fund Budget from the Unreserved/Undesignated General Fund Balance (\$90,000 to the Circuit Court and \$12,000 to Probate Court). Additional funds to provide for future contract wages and benefits will be included in the 2010 and 2011 recommended budgets.

Motion by Commissioner Courtade, seconded by Commissioner Bulkowski, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

4-23-09-45 – FY 2009 CHILD CARE FUND BUDGET AMENDMENT / ADMINISTRATOR'S OFFICE

WHEREAS, each year the 17th Judicial Circuit Court – Family Division and the Kent County 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; and

WHEREAS, the County desires to maximize reimbursement for the Multi-Systemic Therapy (MST) program.

NOW, THEREFORE, BE IT RESOLVED, that the County amend the Child Care Fund Annual Plan for FY09; and

BE IT FURTHER RESOLVED, that the County appropriate an additional \$155,000 to the DHS Child Care Fund; and

BE IT FURTHER RESOLVED, that the County authorizes the Board Chair to sign all appropriate documents

Motion by Commissioner Voorhees, seconded by Commissioner Rolls, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

4-23-09-46 – 2009 EQUALIZATION REPORT / EQUALIZATION

WHEREAS, the Kent County Bureau of Equalization has completed its review of the 2009 assessment rolls of the twenty-one (21) townships and nine (9) cities of Kent County; and

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

Real Property:		
Agricultural	\$	312,259,200
Commercial		4,620,558,426
Industrial		1,967,772,900
Residential		15,014,691,834
Developmental		0
TOTAL REAL		21,915,282,360
TOTAL PERSONAL		1,895,241,711
GRAND TOTAL	\$	23,810,524,071

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 2009 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 Vander Molen, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

**4-23-09-47 – FY 2009 GENERAL FUND & DELINQUENT TAX FUND
BUDGET AMENDMENT / FISCAL SERVICES**

WHEREAS, the FY 2009 General Fund Amended Budget of \$169,661,497 is based on \$167,643,656 in estimated revenues and \$2,017,841 in General Fund Reserves; and

WHEREAS, the following FY 2009 General Fund revenue estimates are written down by \$3,315,600 based on the mid-March revenue estimates; and

WHEREAS, the Transfer In from the Delinquent Tax Fund be increased by \$440,000; the construction of the Parks Administration Building (\$1,516,999) and Fleet Services Facility (\$1,715,353) be suspended at this time with the remaining \$3,232,352 returned to the General Fund; the total offset is \$3,672,352; and

WHEREAS, the net impact is a \$356,752 reduction to General Fund reserves required to balance the FY 2009 budget - from \$2,017,841 to \$1,661,089.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the write down of General Fund revenue estimates by \$3,315,600; the suspension of the Parks Administration Building and Fleet Services Facility construction projects; and the return of the remaining funds to the General Fund; and

BE IT FURTHER RESOLVED, that the Board of Commissioners approves the appropriation of an additional \$440,000 to the Delinquent Tax Fund from Delinquent Tax Fund reserves.

Motion by Commissioner Rolls, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

**4-23-09-48 – INMATE HEALTH CARE CONTRACT RENEWAL / SHERIFF /
CIRCUIT COURT – JUVENILE**

WHEREAS, in 2006, the County entered into a three-year contract with Prison Health Services for inmate health care and the Sheriff's Department and Juvenile Detention would like to renew the contract for services; and

WHEREAS, inmate services provided under this agreement include physician, nursing, psychiatric and dental care, along with all costs for pharmacy, X-ray, hospitalization, blood draws, mental health, dialysis, T.B. testing and liability insurance; and

WHEREAS, a review committee consisting of County Administration, Fiscal, Corporate Counsel, Juvenile Center, Sheriff Administration and Corrections personnel have been actively involved in both the evaluation and review of the healthcare services provided by PHS and in the review and discussion of the contract renewal; and

WHEREAS, the contract reflects a nominal 3.3 percent increase over the 2008 projected costs, and is therefore lower than estimated for

the original 2009 budget submission. When combined with other cost-control measures, one-time reimbursements and other health service contracts and expenses budgeted in this line, it is projected that the adopted budget for this line item can be reduced by \$455,280, and it is recommended that this amount be de-appropriated from the Sheriff's Department Budget; and

WHEREAS, the County will be reimbursed by the State for 50% of the costs of medical services for juveniles. This funding was previously included in the Sheriff's Department budget. It is therefore recommended that the Board de-appropriate \$150,000 from the Sheriff's Department budget. This will not require an increase in the Child Care Fund as the previous appropriations to the Child Care Fund will be sufficient to cover this expense.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners enter into an agreement with Prison Health Services for the provision of health care for inmates at the Kent County Correctional Facilities and at Juvenile Detention Center and to authorize the Board Chair to sign all appropriate documents;

BE IT FURTHER RESOLVED, that the Sheriff's Department budget be amended to reflect the reduction in projected costs by de-appropriating \$605,280 from the 2009 Health Services budget.

Motion by Commissioner Voorhees, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 13.

Nays: 0.

4-23-09-49 – ROAD COMMISSION APPOINTMENTS / ROAD COMMISSION

WHEREAS, on December 11, 2008, the Board of Commissioners approved increasing the size of the Road Commission from 3 to 5 members as allowed under Act 598, Public Acts of 2006; and

WHEREAS, solicitation of citizens interested in serving on the Road Commission took place in December and January with thirty eight citizens submitting resumes to be considered for possible appointment; and

WHEREAS, the sub-committee of Commissioners Vonk (Chair), Antor, Parrish, and Synk reviewed and interviewed selected candidates and recommended Bill Stellin and Mark Rambo be appointed as the initial commissioners for the 2 new seats on the Road Commission and that they be appointed to staggered terms; and

WHEREAS, the Legislative and Human Resources Committee concurred in this recommendation; and

WHEREAS, state law states boards of commissions may stagger the initial terms of appointed road commissioners by resolution.

NOW, THEREFORE, BE IT RESOLVED, the Kent County Board of Commissioners approves staggering the terms of the two additional road commission slots as follows:

Position 1: expires December 31, 2011

Subsequent appointment to be a six-year term

Position 2: expires December 31, 2013
Subsequent appointment to be a six-year term

BE IT FURTHER RESOLVED, the Board of Commissioners appoints Mark Rambo (position 1) and Bill Stellin (position 2) to the Kent County Road Commission effective June 1, 2009.

Motion by Commissioner Dillon, seconded by Commissioner Parrish, that the resolution be adopted.

Motion carried:

Yeas: Vonk, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Dillon, Chair Morgan – 12.

Nays: Rolls - 1.

REPORTS

There were no reports.

MISCELLANEOUS

Military Open House

Commissioner Tanis is on the Employer Support for the Guard and Reserves Committee. He extended an invitation to Commissioners for Friday, May 15th, 1:00-4:00 pm to an open house at the airport (Amway Hangar) where military equipment will be on display to the public.

National Guard & Reserve

Commissioner Agee went to San Antonio two weeks ago with the National Guard. The purpose of the trip was for employers to see and understand how the Guard and Reserve is used. He learned that nothing happens in the military today without the Guard & Reserve and the quality and service of men and women serving today are outstanding.

Graduations

Commissioner Hennessy congratulated all upcoming graduates from local colleges and high schools.

Priority Setting Sessions

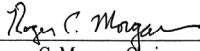
Chair Morgan stated that Budget Priority Setting Sessions will follow both May Board of Commission meetings (14 & 28).

Bond Rating

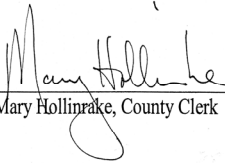
Chair Morgan announced that the County received a AAA bond rating.

ADJOURNMENT

At 9:38 a.m., Commissioner Rolls moved to adjourn, subject to the call of the Chair, and to Thursday, May 14, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Parrish. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
May 14, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 19.

Absent: None.

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

PUBLIC COMMENT

1. Tom Mullaney, (Alpena County Commissioner) First Vice President of Michigan Association of Counties (MAC) – Thanked Commissioners for their participation in MAC. As part of his duties as First Vice President, he is traveling to counties to reach out and gather ideas and information.

2. Janay Brower, 1436 Wilcox Park Drive, Grand Rapids - Coordinator for Coalition to End Homelessness - She thanked Commissioners for their support and consideration of adopting a resolution to receive funds for homelessness prevention and rapid re-housing. The Coalition to End Homelessness (CEH) works to prevent and end homelessness by coordinating our community's resources and services for homeless and precariously-housed families and individuals. The Coalition will focus on a systems change to support homeless prevention and quick re-housing. Prevention works and is cheaper and more effective.

SPECIAL ORDER OF BUSINESS

Mental Health Month Proclamation

Vice Chair Parrish presented and read a proclamation to Kristy Buck, Executive Director of the Mental Health Foundation, proclaiming May, 2009, as Mental Health Month.

The Right Place Inc. Update

Birgit Klohs, President of The Right Place, gave an annual update of accomplishments and new goals. The Right Place exceeded its 2004-2008 strategic plan goals despite a tough economy. Their strategic priorities for the next five years (2009-2013) include \$500 million in capital investment, 5,000 new jobs, and \$175 million in new payroll and assisting 7,500 companies. (A copy of the Strategic Plan 2009-2013 is on file in the County Clerk's Office.)

CONSENT AGENDA

- a) Approval of Minutes of April 23, 2009 Work Session & Meeting
- b) April 21, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

5-14-09-50 – BIENNIAL UPDATE OF FISCAL POLICIES / FISCAL SERVICES

WHEREAS, the Policy and Procedures manual of Kent County includes a requirement that a review of all established policies be conducted on a biennial basis; and

WHEREAS, a team consisting of Gail Brink – Health Department, Paula Taylor – Circuit Court, Brian Picardat – Aeronautics, Dan Kendall – Department of Public Works, Bob Papp – Parks, Jennifer DeHaan – Administrator's Office, Ken Parrish – County Treasurer, Francine Farrington, Marvin VanNortwick, Steve Duarte and Robert White - all from Fiscal Services Office, reviewed all current Fiscal Policies of the County; and

WHEREAS, the staff team has recommended certain changes to the following policies:

- Accounting and Auditing
- Annual Budget
- Asset Capitalization
- Debt
- Fund Balance/Fund Equity
- Grant, Contracts and Donations
- Investments
- Credit Cards (New Policy); and

WHEREAS, these changes are intended to provide further clarification and understanding concerning the guidelines contained therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners thereby approves the revised Fiscal Policies as submitted.

Motion by Commissioner Parrish, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 19.

Nays: 0.

RESOLUTIONS

5-14-09-51 – CHILDREN'S RIGHTS LAWSUIT SETTLEMENT / HOLD COUNTIES HARMLESS / BOARD OF COMMISSIONERS

WHEREAS, Michigan counties are the funding source for one-half of the costs of foster care and juvenile justice services when placed through private agencies. The State of Michigan's Department of Human Services (MDHS) was sued by Children's Rights regarding the care of children in the child welfare system. Without consultation or consent from Michigan counties, the MDHS settled the case out of court; and

WHEREAS, the result of the settlement agreement is Michigan counties will be required to pay up to \$32 million annually of calculable known costs. Kent County's known calculable costs exceed \$4 million annually. There is evidence there will be additional costs to Kent and all counties, however, these costs are not yet calculable; and

WHEREAS, the Michigan Association of Counties and our lobbyist (Public Affairs Associates) are encouraging formal communications to our legislators to hold Kent County and other counties harmless during the State's annual budget process; and

WHEREAS, sending a resolution to our legislators in this case is in keeping with the Board's practice of considering a resolution and sending it to our legislators when there is a direct impact on Kent County. There is a minimum \$4 million annual impact on Kent County.

NOW, THEREFORE, BE IT RESOLVED, the Kent County Board of Commissioners does hereby urge the legislature of the State of Michigan and the Governor to hold counties harmless from the increased County Child Care Fund expenses associated with the agreement reached between the State of Michigan's Department of Human Services and Children's Rights; and

BE IT FURTHER RESOLVED, this resolution be copied and sent to Kent County's legislators, Governor, and the Michigan Association of Counties for their consideration and action.

Motion by Commissioner Courtade, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 19.

Nays: 0.

5-14-09-52 – FY 2009 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT / SHERIFF'S DEPARTMENT

WHEREAS, Kent County and the participating cities have been allocated \$1.4 million through a formula grant made available through the American Recovery and Reinvestment Act (Federal Economic Stimulus Package); and

WHEREAS, if awarded, Kent County will receive \$294,495, Grand Rapids \$871,046, Grandville \$11,932, Wyoming \$148,926, Walker \$22,807, and Kentwood \$80,807; and

WHEREAS, the funds will be used by the Sheriff's Department to fund two projects that will improve the technical resources in the Computer Forensic Unit and enhance security at the Honor Camp; and

WHEREAS, the Department of Justice requires a joint application and approval of the Memorandum of Understanding stating how the funds will be managed; and

WHEREAS, the City of Grand Rapids will act as the fiduciary for this grant; and

WHEREAS, Corporate Counsel has reviewed and approved the Memorandum of Understanding.

NOW, BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners approves a joint grant application and Memorandum of Understanding for the Byrne Memorial Justice Assistance Grant between the Kent County Sheriff's Department and the cities of Grand Rapids, Grandville, Wyoming, Walker, and Kentwood.

Motion by Commissioner Rolls, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried by voice vote.

**5-14-09-53 – AUTHORIZATION OF A SUMMER 2009 (JULY 1, 2009)
GENERAL OPERATING PROPERTY TAX LEVY / FISCAL
SERVICES**

WHEREAS, pursuant to MCLA 141.412 and 141.413 notice of a public hearing concerning the 2009 County Budget was published in a newspaper of general circulation on November 10, 2008, and a public hearing concerning the budget was held on November 18, 2008; and

WHEREAS, the Kent County Board of Commissioners adopted a Fiscal Year 2009 Appropriation on December 11, 2008; and

WHEREAS, the budget as adopted requires the levy of 4.2803 mills for general operating purposes to be authorized for the 2009 summer tax billing which has a tax levy date of July 1, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby certifies a July 1, 2009 levy of taxation of 4.2803 mills for general operating purposes for the County of Kent and the County Clerk is directed to provide City/Township Treasurers with a certified copy of this resolution.

Motion by Commissioner Rolls, seconded by Commissioner Courtade, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 19.

Nays: 0.

**5-14-09-54 – APPROVE AMENDMENT TO THE CONSOLIDATED 2008
ACTION PLAN AND BUDGET AMENDMENT / COMMUNITY
DEVELOPMENT**

WHEREAS, as a qualified Urban County, Kent County is eligible to receive Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds from HUD as authorized under Title XII of the American Recovery and Reinvestment Act of 2009 ("Recovery Act"); and

WHEREAS, Congress has provided \$639,448 for communities in Kent County to provide financial assistance and services to either prevent individuals and families from becoming homeless or help those who are experiencing homelessness to be quickly re-housed and stabilized; and

WHEREAS, the grant application, referred to as a Substantial Amendment to the Housing and Community Development Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program; and

WHEREAS, the application contains a description and budget for the activities proposed to be undertaken and mandates that 60 percent of the funding allocation be spent within 2 years of the date of executing the agreement with HUD and 100 percent within 3 years; and

WHEREAS, HPRP funds will be allocated directly through the Salvation Army Booth Family Services; and

WHEREAS, the Salvation Army will serve as the lead agency for central intake through its Housing Assessment Program (HAP); and

WHEREAS, the HUD agreement must be executed by September 1, 2009 and grant activities completed by September 30, 2012.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners approve the Substantial Amendment to the Housing and Community Development Annual Action Plan for July 1, 2008 through June 30, 2009; and

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

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appropriates \$639,448 in estimated revenues to the 2008-2009 CDBG budget contingent upon award and execution of a contract.

Motion by Commissioner Agee, seconded by Commissioner Hennessy, that the resolution be adopted.

Motion carried by voice vote. (Abstain – Parrish)

REPORTS

There were no reports.

MISCELLANEOUS

Sympathy

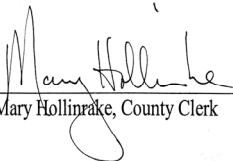
Commissioner Courtade thanked Commissioners for the expressions of sympathy shown after the passing of his grandmother.

ADJOURNMENT

At 9:23 a.m., Commissioner Parrish moved to adjourn, subject to the call of the Chair, and to Thursday, May 28, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Talen. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
May 28, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 18.

Absent: Talen – 1 (Excused).

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

PUBLIC COMMENT

There was no public comment.

SPECIAL ORDER OF BUSINESS

Drain Commission Annual Report

Drain Commissioner Bill Byl gave the annual Drain Commission Report (copy of which is on file in the Office of the County Clerk). The Drain Commissioner's primary responsibility is storm water management. There are 560 miles of county drain, some of which were created in 1875, and 350 retention ponds. About half the population of Kent County resides in drain districts. The 2008 record precipitation of 48.8" caused a high demand for service and two emergency declarations.

CONSENT AGENDA

- a) Approval of Minutes of May 14, 2009 Work Session & Meeting
- b) May 5 & 14, 2009 Finance Committee Meeting Minutes
 (Reports of Claims and Allowances)
- c) Resolutions:

5-28-09-55 – SUBMIT GRANT APPLICATION TO MICHIGAN DEPARTMENT OF HUMAN SERVICES - FY 2010 TITLE IV-D COOPERATIVE REIMBURSEMENT / PROSECUTOR

WHEREAS, the Michigan Department of Human Services 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, 2009, to September 30, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve the Prosecutor's request to submit an application to the Michigan Department of Human Services for a FY 2010 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.

Motion by Commissioner Tanis, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

5-28-09-56 – HUMAN SERVICES COMPLEX RECOGNITION EXHIBIT FUNDING / ADMINISTRATOR'S OFFICE

WHEREAS, the Administrator's Office has received notice that grant funding is available from the Grand Rapids Community Foundation, Steelcase Inc., and Custer Workplace Interiors to support funding of the Human Services Recognition Exhibit; and

WHEREAS, over the past 20 years it has been known that the current Department of Human Services (DHS) building at 415 Franklin SE has been deemed a less-than-desirable facility for the important work that takes place there. The new Human Services Complex (HSC) at 121 Franklin SE will house the DHS office, a Kent County Health Clinic, and ACSET community and employment services in a one-stop opportunity for human services; and

WHEREAS, the Recognition Exhibit, to be located in the lobby of the Human Services Complex, will serve as a focal point that honors and recognizes Kent County health and human service leaders while educating and inspiring community members about the impact they have made locally. This recognition display will also document major initiatives and the impact that they have had on the Kent County Human Services System; and

WHEREAS, the Building Authority previously designated \$75,000 for exhibit construction. Funding from the Grand Rapids Community Foundation, Steelcase Inc., and Custer Workplace Interior will add \$17,500 to support the construction, research, photography, and production of displays for the Exhibit.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners accepts \$10,000 from the Grand Rapids Community Foundation, \$5,000 from Steelcase Inc., and \$2,500 from Custer Workplace Interiors for funding of the Human Services Complex Recognition Exhibit, and to appropriate \$17,500 to the Building Authority Construction Fund.

Motion by Commissioner Vaughn, seconded by Commissioner Vander Molen, that the resolution be adopted.

Motion carried by voice vote.

5-28-09-57 – DEPARTMENT OF ENERGY – ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT / ADMINISTRATOR'S OFFICE

WHEREAS, the County has received notification of a block grant award of \$2,796,700 in stimulus funding from the U.S. Department of Energy (DOE) for the purpose of funding an energy efficiency and conservation program and associated activities; and

WHEREAS, the County must apply for the grant funding, and will receive the award contingent upon the successful completion and DOE approval of an Energy Efficiency and Conservation Strategy (EECS); and

WHEREAS, this grant, if approved, will provide funds for the following activities:

- o Program management
- o Assistance with preparation of an Energy Efficiency and Conservation Strategy
- o Various projects to reduce the County's use of energy; and

WHEREAS, after review of the initial submittal, the County will receive a minimum of \$250,000. Upon approval of the County's EECS, the County will receive at least 50 percent of the total allocation, with the balance to be paid as funds are obligated and expended to pay for the approved projects; and

WHEREAS, while there is not a "match" requirement for this grant, grantees are encouraged to seek partners as they develop the EECS. If outside funds are identified that need additional appropriations to the program, those requests will come back to the Board of Commissioners; and

WHEREAS, the grant period is for 36 months from the date of award.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approve submission and acceptance of an Energy Efficiency and Conservation Block Grant from Department of Energy, appropriate \$2,796,700 from the stimulus funds to the Special Project Fund if awarded, and authorize the County Administrator/Controller to sign documents associated with application for and acceptance of the grant

Motion by Commissioner Tanis, seconded by Commissioner Courtade, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 18.

Nays: 0.

5-28-09-58 – FORECLOSURE RESPONSE FUNDING REQUEST / ADMINISTRATOR'S OFFICE

WHEREAS, on Thursday, March 12, 2009, *Foreclosure Response*, a collaborative of several non-profit organizations, banks, foundations, churches and government agencies, made a presentation regarding the status of foreclosures in Kent County to the Board of Commissioners. During the presentation, a verbal funding request of \$50,000 was made to develop a Comprehensive Foreclosure Response for Kent County; and

WHEREAS, the Comprehensive Foreclosure Response Plan is intended to address four major areas – Prevention, Intervention, Stabilization, and Reinvestment. The Plan will be developed through a series of stakeholder meetings within 10-12 weeks after funding is approved. To aid in the development and implementation of the Plan, certain elements of data are necessary that do not currently exist; and

WHEREAS, after reviewing the written funding request, it was determined that the data elements requested were needed by the Kent County Community Development office and City of Grand Rapids Community Development Department for reports to HUD as part of the funds received for various grants resulting from the stimulus programs. An allowance of \$12,000

was requested for data elements that were not yet identified and not necessary for reports to HUD; and

WHEREAS, the City of Grand Rapids has also agreed to provide \$19,000 to the Fair Housing Center of West Michigan for the development of the Plan since they will benefit from the information collected. This item is scheduled to go before the City Commission on May 26, 2009.

WHEREAS, the Fair Housing Center of West Michigan is the fiduciary for *Foreclosure Response*, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves a contract with the Fair Housing Center of West Michigan for \$19,000 for the purpose of creating a Comprehensive Foreclosure Response Plan for Kent County.

Motion by Commissioner Vaughn, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried by voice vote.

5-28-09-59 – FY 2009 LODGING EXCISE TAX FUND BUDGET AMENDMENT / FISCAL SERVICES

WHEREAS, the County has levied a Lodging Excise Tax fee in the amount of 5% on hotel/motel facilities in Kent County since the late 1970's; and

WHEREAS, since FY 2001, the County's Lodging Excise Tax Fund has incurred an annual operating deficit ranging from \$447,360 (FY 2003) to \$1,366,280 (FY 2005); and

WHEREAS, in FY 2009, the Lodging Excise Tax Fund Adopted Budget of \$5,942,032 was appropriated based on \$5,648,200 in revenue estimates and \$293,832 in Lodging Excise Tax Fund reserves; and

WHEREAS, based on First Quarter estimates the Lodging Excise Tax Fund will generate \$5,068,168 in revenue, a \$580,032 budget shortfall, requiring a General Fund subsidy of \$161,282 to comply with the Fund Balance/Fund Equity policy as established by the Board bringing the projected Fund Balance to \$415,630.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve the appropriation of an additional \$580,032 from Lodging Excise Tax Fund reserves and \$161,282 from the Unreserved/Undesignated General Fund balance.

Motion by Commissioner Vander Molen, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Rolls, Synk, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 17.

Nays: Ponstein - 1.

5-28-09-60 – ADMINISTRATIVE POLICY – REPLACING PERSONNEL VACANCIES / HUMAN RESOURCES

WHEREAS, the County, along with most other local units of government, is facing a serious revenue shortfall in 2009; and

WHEREAS, in order to increase efficiencies in County staffing, and to reduce the total annual cost of wages, salaries, and benefits, County Administration has formulated a policy to suspend the replacement of vacancies created through voluntary or involuntary termination, in order to

conduct a thorough analysis of the alternatives to hiring a replacement and the impact of not filling the position; and

WHEREAS, the policy creates a Personnel Review Committee and establishes a process for reviewing the need for the position, and an analysis of other alternatives to replace the activities of the position without hiring a replacement. Such alternatives may include, but not be limited to:

- o New technologies
- o Process changes to reduce the need for the position
- o Elimination of a non-mandated service or a reduction in the level of service
- o Use of current staff to fill position functions
- o Identification of alternative funding options for the position; and

WHEREAS, the process proposed is also designed to foster a shared understanding of the challenges faced by all County departments, and to promote a collaborative and supportive network of accountability and problem-solving; and

WHEREAS, the policy, if adopted, will provide for immediate, short-term cost reductions and provides a process that could make County operations more efficient and less costly in the long term.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the adoption of the *Administrative Policy - Replacing Personnel Vacancies*; and authorizes the County Administrator/Controller to establish any procedures and standards necessary for its implementation.

Motion by Commissioner Synk, seconded by Commissioner Courtade, that the resolution be adopted.

Motion carried by voice vote.

5-28-09-61 – DESIGN AND RECONSTRUCTION OF KENT TRAILS / PARKS

WHEREAS, Kent Trails is the first non-motorized, off-road trail in the county, and was developed as a result of a partnership among Kent County, and the cities of Grand Rapids, Grandville, Wyoming, Walker and Byron Township that dates back to the 1980's. An inter-local agreement between these partners stipulates that Kent County will pay 43.8 percent of trail costs, while the other partners pay for the remaining 56.2 percent; and

WHEREAS, as the managing agency for Kent Trails, Kent County Parks has been awarded a grant from MDOT to pay 50 percent of the cost to repave the trail, up to \$440,000; and

WHEREAS, the partner municipalities have been annually contributing to a reconstruction fund for Kent Trails since 1992. The current balance of the fund is \$250,065; and

WHEREAS, an additional \$150,000 is required to complete the re-paving work required, and as a match for the MDOT grant. In keeping with the inter-local agreement, 56.2 percent of this \$150,000 (\$84,300) will be reimbursed by Kent County's municipal partners. The Parks Department is proposing to use funds available in the Parks Acquisition and Development Fund as its portion of the match (\$65,700); and

WHEREAS, the project supports the County's long range plans for regional trail development.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners appropriates an additional \$840,065 to the Kent Trails Reconstruction Program in the Special Project Fund; \$440,000 from the Michigan Department of Transportation (MDOT); \$84,300 from the local unit partners; \$65,700 from the Parks Acquisition and Development CIP Project; and \$250,065 from the Kent Trails Reconstruction Program Reserves.

Motion by Commissioner Voorhees, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 18.

Nays: 0.

5-28-09-62 – COMMUNITY REENTRY CENTER – DISCHARGE PLANNER / SHERIFF'S DEPARTMENT

WHEREAS, to assist offenders in transitioning back to the community and connecting them with appropriate services and resources to reduce the rate of recidivism, the Sheriff's Department and the Community Reentry Coordinating Council, a subcommittee of the Community Corrections Advisory Board, is recommending that a case manager who will function as a discharge planner be assigned to the CRC; and

WHEREAS, this case manager will work one-on-one with residents at the CRC who have been screened and identified as being at a high risk of recidivism. The discharge plan will be organized into a series of action steps that anticipate the resident's eventual return to the community. The importance of discharge plans is well documented in the reentry literature; and

WHEREAS, funding for this position is made available through dedicated payments from inmate work programs and through revenue from commissary sales. No General Fund appropriation is necessary and in the event that funding is not available, this Agreement will not be renewed; and

WHEREAS, this agreement begins June 1, 2009, and ends May 31, 2010.

WHEREAS, Corporate Counsel has reviewed and approved the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approve an agreement between the Sheriff's Office and the Family Outreach Center; and

BE IT FURTHER RESOLVED, that the Board Chair and/or Sheriff are hereby authorized to sign the agreement with Family Outreach Center.

Motion by Commissioner Agee, seconded by Commissioner Rolls, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 18.

Nays: 0.

5-28-09-63 – APPROVE SUBSTANTIAL AMENDMENT CDBG ANNUAL ACTION PLAN AND BUDGET AMENDMENT / COMMUNITY DEVELOPMENT

WHEREAS, as a qualified Urban County receiving funds from the U.S. Department of Housing and Urban Development (HUD), Kent

County is eligible to receive Community Development Block Grant Recovery Act (CDBG-R) funds as authorized under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (Recovery Act); and

WHEREAS, the grant application, referred to as The CDBG-R Substantial Amendment to the FY 2009 Housing and Community Development Annual Action Plan, contains a description and budget for CDBG-R program activities proposed to be undertaken between the date of the release of funds by HUD and September 30, 2012; and

WHEREAS, CDBG-R funding is intended to address critical employment and economic development needs, particularly through investment in infrastructure that will create or sustain jobs in the near-term and generate maximum economic benefits in the long-term; and

WHEREAS, the funds, if approved, will be used to fund seven construction projects that will create temporary jobs in the construction trades; and

WHEREAS, these positions will be paid at prevailing wages as required by the Davis Bacon and Federal Related Acts; and

WHEREAS, the remainder of the funds will be used to provide foreclosure counseling and to cover administrative costs.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves the Substantial Amendment of the Annual Action Plan for July 1, 2008 through June 30, 2009, an element of the Consolidated Housing and Community Development Five-Year Strategic Plan for July 1, 2005 through June 30, 2010; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners hereby authorizes the Board Chair to sign the grant application and all documents related to the plan; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners hereby appropriates \$418,186 in estimated revenues to the CDBG-R program for 2008-2009, contingent upon award and execution of the contract.

Motion by Commissioner Agee, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan – 18.

Nays: 0.

REPORTS

Community Corrections Board

Commissioner Rolls expressed the Community Corrections Board's appreciation to the County Clerk for her cooperation with the jail release program and the Board of Commissioner's support.

MISCELLANEOUS

Subcommittee Consideration

Commissioner Synk thanked Chair Morgan for his consideration of a request by Commissioners Courtade, Hickey & Synk for a subcommittee to look into utilizing local businesses for County contracts and building projects first. Spending those dollars locally benefits us.

Millennium Park Trail Event

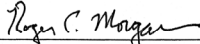
Chair Morgan announced that the dedication of the Millennium Park Trail will be on Tuesday, June 9, at 5:00 p.m.

Human Services Complex

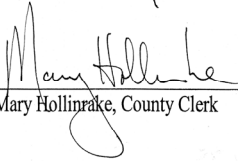
Chair Morgan announced that the dedication ceremony for the new Human Services Complex (121 Franklin St., S.E.) will be Thursday, June 4, at 10:00 a.m.

ADJOURNMENT

At 9:10 a.m., Commissioner Tanis moved to adjourn, subject to the call of the Chair, and to Thursday, June 11, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vaughn. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
May 28, 2009 – Budget Priority Planning
Session

Meeting called to order at 9:18 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 18.

Absent: Talen – 1 (Excused).

PUBLIC COMMENT

There was no public comment.

INTRODUCTION

(Note; The Priority Planning Session on May 14th was cut short due to technical difficulties with the software.) On May 14, Administrator Delabbio reiterated that, since January, commissioners had been briefed at prior sessions on functional areas and the budgets associated with each. The priority setting exercises will help gauge where the Board stands on some issues, understanding that priorities may change with emergent situations.

Daryl introduced Assistant Administrator Mary Swanson to introduce Dr. Lynn Harvey. Dr. Harvey is a professor emeritus in the Department of Agricultural Economics at MSU. A former associate director of MSU Extension, he also served as interim chairman of that department. In 1980, his position in the Department of Agricultural Economics focused on state and local government. In addition, Dr. Harvey taught "Public Sector Budgeting and Program Evaluation."

Professor Harvey retired in June 2005, after 37 years with the University. Professor Harvey is a frequent conference and workshop presenter for the Michigan Township Association, Michigan Municipal League, and Michigan Association of Counties. As co-author and instructor for the "New County Commissioner Training" program, he has authored over 175 articles, papers and research reports related to county and municipal government administration, alternative community service delivery and taxation. His primary subject areas of expertise include: budgeting and finance of state and local government; intergovernmental contracting; county and municipal administration; and strategic planning for county and municipal governments.

SESSION / SURVEY

Dr. Harvey began the priority planning session by telling Commissioners that the software technology he is using will help the Board go through information in a short period of time. The voting is anonymous, and the items voted on were compiled by the administrative staff.

The subject will be non-mandated programs and services. Everything county government does has either a statutory or constitutional mandate behind it or it is permissive under law or Kent County wouldn't be doing it. Every program and

service engaged in by Kent County can be argued to have some sort of legal authority to exist and be funded.

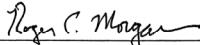
The voting will give us instant feedback. This is an opportunity to help focus on areas where there is consensus, but more importantly, on areas where there is disagreement. Those areas of disagreement will require further discussion. Responses to the questions will be yes/no; multiple choice; priority ranking and a Likert scale (preference ranking). Each commissioner was given a keypad to convey their answers. Dr. Harvey said that he is seeking gut responses.

The Board participated in the exercise to which they responded to questions and ranked priorities. They looked at specific programs and services and were asked general operational questions.

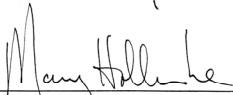
Dr. Harvey will give the results to Ms. Swanson to be used for sorting data for further response and discussion. He will return in two weeks for a follow-up session (June 11).

ADJOURNMENT

At 9:55 a.m., Chair Morgan adjourned the Priority Planning session. A follow-up session will be held on Thursday, June 11th, Room 310, County Administration Building, at which the Board will vote on select issues.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
June 11, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 19.

Absent: None.

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

PUBLIC COMMENT

1. Diana Sieger, Grand Rapids Community Foundation – Kent County's support for the Prevention Initiative has been terrific. The child welfare budget is at crossroads due to state cuts and this puts our child welfare system, an awarding winning program that has been in place for three decades, at risk. She requested that the Board of Commissioners contact state legislators and ask for their help to rectify the situation.
2. Sidney Deans, 843 Dickinson Street SE, Grand Rapids – Concerned about landfill seepage and pollution, he would like to see the County and the City of Grand Rapids work together to enforce incineration regulations and end landfills.
3. Donna Abbott, Bethany Christian Services – She, too, is concerned about child welfare in our community and asked Commissioners to contact legislators. The state is sending crossed messages by saying that they support prevention-based services, but then they cut funding. 30 years of work is being dismantled.
4. Sharon Loughridge, DA Blodgett for Children – We have an exemplary child welfare system based on collaboration between agencies in Kent County. In Kent County, 90% of foster care and adoption has been privatized already. She thanked the Commissioners for their past and future support.
5. Candace Cowling, Child & Family Resource Council, 118 Commerce – We need to address the current child welfare issue with the state or dismantling of programs will occur, and we will have more governmental bureaucracy. We need to take action, and notify DHS that the state needs to change course.
6. Mary Dengerink, 2337 Jefferson, Grand Rapids – A child welfare professional who values collaboration between public and private organizations. She has seen the devastation that occurs when children are separated from families. Let's keep the communication going between County and state and try to rectify this situation.
7. Don Zerial, 7377 Cascade Terrace SE, Cascade Township – Concerned with taxes and burdening children and grandchildren with debt, he posed questions to Commissioners to which he would like individual responses.

8. Veneese Chandler, Family Outreach Center – Also thanked Commissioners for their support of families. She encouraged Board members to contact legislators.

SPECIAL ORDER OF BUSINESS

Millennium Park / Sports Commission Updates

Ambassador Peter Secchia gave a report on Millennium Park. On June 9, 2009, a ribbon cutting ceremony was held for Phase I of the Meijer Millennium Park Trail. Phase II of the trail will be completed this summer with Phase III completed next summer. The County currently owns 98% of the land in Millennium Park which is roughly 1,500 acres. \$36 million has been spent on the Park thus far (\$15.3 million from private donations). This is truly a landmark that our children's children will enjoy for years to come. Next on the drawing board for the Park is a boating center and those plans will be announced in the future. Chair Morgan thanked Ambassador Secchia for his support and commitment to Millennium Park.

Ambassador Secchia (joined by Dave Hoogendorn, Sports Commission Executive Committee member and Mike Guswiler, Executive Director of the Sports Commission) reported on the West Michigan Sports Commission. This Commission focuses on bringing more regional and national events to the area, such as the NCAA Division I men's basketball tournament to which they submitted a bid to host in 2011, 2012 and/or 2013. The Sports Commission is proposing a baseball complex in Plainfield Township. Every weekend, from April to October, a hundred families or more leave Kent County and travel elsewhere to participate in recreational sports, particularly baseball and softball. The proposed baseball complex would keep those families and their wallets here in Kent County and bring in others. In a ten year period, they believe that the County could generate lodging excise tax revenue of over \$2.5 million. The complex would host 12 fields including a championship field. He suggested that the Board appoint a subcommittee to evaluate the proposal.

Commissioner Dillon: With the projections given by the Sports Commission, the County's \$1 million out of the hotel/motel tax won't be "paid off" for at least 20 years. Is that a reasonable return on investment?

Mike Guswiler: In terms of U.S. travel, with the down turn in the economy, sports tourism is holding its own while both leisure and corporate travel are down. The current pace would not return the direct investment from the County but there is benefit when we talk about the entire economic impact. There are only two complexes like the proposed one in the state (Bailey Park in Battle Creek and Canton).

Commissioner Agee: The softball/baseball complex is a business proposition for the County. It is all about how many beds we fill, jobs created, and tax that we receive for our bonds. On Tuesday, the Finance Committee will appoint a sub-committee to take a look at this proposal.

Commissioner Antor: Asked if the fields would/could be both baseball and softball fields and what the fields would be made out of (skins or grass)?

Ambassador Secchia: Yes, we can move the bases and fence back depending on which level of sports. The pitchers mound can move as well. As far as the field surface, we have not gotten into those details yet. Also, part of the Sports Commission challenge was to help fill the smaller hotels/motels and businesses on the outskirts of downtown because the Convention & Visitors Bureau works to fill the downtown area.

Commissioner Vander Molen: What is the multiplier that we use to estimate income?

Mike Guswiler: Beyond the hotel/motel tax there is certainly an economic benefit. The formula used by the National Association of Sports Commission has been adopted by WMSC and we have worked through with the CVB so that we are talking about the same numbers. There is a benefit beyond people just staying in the hotel rooms – increased business, for example. The formula takes into account the number of days of the tournament, the number of attendees, and locals spending their dollars in our community (any way). The result is multiplied by an average dollar spent per person while they are here.

Commissioner Courtade: Does not have a problem with forming a committee to look at this or anything else. He does have a problem with comments made about unions.

CONSENT AGENDA

- a) Approval of Minutes of May 28, 2009 Meeting & Priority Planning Session
- b) May 19 & June 2, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

6-11-09-64 – AUTHORIZATION TO SUBMIT A GRANT APPLICATION AND CONTRACT APPROVAL – COMPREHENSIVE PLAN / COMMUNITY CORRECTIONS

WHEREAS, Public Act 511 of 1988 provides funding for Community Corrections Advisory Boards to administer and operate programs to provide alternatives to incarceration for offenders; and

WHEREAS, the administrative amount requested represents the full amount of funds available to Kent County. Since administration costs exceed the cap imposed by the grantor, an allocation of general fund dollars will be included in the County's 2010 budget to support the full cost of the program; and

WHEREAS, if approved, funding will be provided to the following local programs: Alternative Directions, GRCC Learning Corner, Jubilee Jobs, Family Outreach Center, Homeward Bound, Berghuis Psychological Services, Arbor Circle, Pine Rest Mental Health Services, network 180, and the 61st District Court; and

WHEREAS, funds will be appropriated from the Office of Community Corrections (OCC) in the 2010 budget for the Kent County Court Services Department (Pretrial Programs, Work Crew and Community Service Programs, Case Management and Risk Assessment), and the Kent County Sheriff's Department - Correctional Facility (OUIL III Housing); and

WHEREAS, the anticipated grant period is October 1, 2009, to September 30, 2010. It is expected that the grant will be renewable.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the annual Community Corrections' Comprehensive Plan and application for funding under PA 511 of 1988, and authorizes the Board Chair to sign contracts with the proposed vendors not-to-exceed the recommended funding amount.

**6-11-09-65 – APPROVE CONTRACT WITH AREA COMMUNITY SERVICE
EMPLOYMENT AND TRAINING AND AUTHORIZE BOARD
CHAIR TO SIGN / COMMUNITY DEVELOPMENT**

WHEREAS, this is the fourth year Community Development has proposed using Area Community Service Employment and Training (ACSET) for the provision of weatherization services and emergency home repair and related services; and

WHEREAS, the contract, if approved, will provide for a home weatherization program as well as minor home repair; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to June 30, 2010.

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

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

**6-11-09-66 – APPROVE CONTRACT WITH SENIOR MEALS PROGRAM, INC.
AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY
DEVELOPMENT**

WHEREAS, the Community Development Department has used the services of Senior Meals Program, Inc. since 1993; and

WHEREAS, the proposed contract provides funding for home-delivered meals to diabetic seniors and disabled persons residing in the 33 CDBG-participating communities within Kent County; and

WHEREAS, approximately 7,900 meals would be provided under this proposed contract at a cost not to exceed \$20,030; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to June 30, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners enter into a contract with Senior Meals Program, Inc.; and

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

**6-11-09-67 – APPROVE CONTRACT WITH DISABILITY ADVOCATES OF
KENT COUNTY AND AUTHORIZE BOARD CHAIR TO SIGN /
COMMUNITY DEVELOPMENT**

WHEREAS, this would be the sixteenth year that the 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, assist participants in obtaining resources to fund accessibility, and collaborate with community partners such as Home Repair Services, Inc. to perform the necessary construction and modifications; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to June 30, 2010.

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.

6-11-09-68 – APPROVE CONTRACT WITH FAIR HOUSING CENTER OF WEST MICHIGAN 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, the mission of the Fair Housing Center of West Michigan (FHCWM) is to promote equal housing opportunity throughout the Grand Rapids metropolitan area; and

WHEREAS, this is the twenty-sixth year that the Community Development Department will use the services of FHCWM; and

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

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to June 30, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners contract with the Fair Housing Center of West Michigan; and

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

6-11-09-69 – 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 24 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 Minor Home Repair (\$76,333), Accessibility Modifications (\$30,000), Builder's Abundance (\$25,000), and Foreclosure Intervention (\$43,088) programs; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to June 30, 2010.

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.

**6-11-09-70 – APPROVE CONTRACT WITH KENT COUNTY DEPARTMENT
OF HUMAN SERVICES AND AUTHORIZE BOARD CHAIR TO
SIGN / COMMUNITY DEVELOPMENT**

WHEREAS, HUD requires entities seeking funds for homelessness activities to prepare a Continuum of Care strategy detailing the needs and proposed responses to those needs as the basis of any funding application; and

WHEREAS, since December 1, 1999, a staff position at The Salvation Army has been responsible for providing the coordination and consultation needed to develop and write the Continuum of Care strategy; and

WHEREAS, this process involves more than 70 support service agencies, shelter providers and interested local government agencies; and

WHEREAS, because the problems associated with homelessness would most likely increase in severity if funding from HUD was curtailed or lost, the Kent County Department of Human Services (KCDHS) agreed to act in a fiduciary capacity to collect the funds needed to cost-share a staff position at The Salvation Army to develop and write the Continuum of Care strategy; and

WHEREAS, the Board of Commissioners has annually approved funding for this position since December 1, 1999; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to June 30, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve the Community Development Department's request to enter into a contract with the Kent County Department of Human Services; and

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

**6-11-09-71 – APPROVE INCREASED FUNDING AND BUDGET AMENDMENT
/ COMMUNITY DEVELOPMENT**

WHEREAS, the Board of Commissioners adopted the Housing and Community Development Annual Action Plan in April of this year; and

WHEREAS, the plan contains a description and budget for Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and American Dream Downpayment Initiative (ADDI)-funded activities proposed to be undertaken between July 1, 2009, and June 30, 2010; and

WHEREAS, the application sought \$2,219,778 in funding that included CDBG \$1,539,669, HOME \$598,980, ADDI \$6,129, and recognized an additional \$75,000 anticipated as income from the CDBG Housing Rehabilitation Program; and

WHEREAS, HUD has since provided revised funding amounts increasing CDBG by \$20,587 to \$1,560,256, HOME by \$64,936 to \$663,916, and reducing ADDI by \$6,129 to zero; and

WHEREAS, all other grant funding amounts remain unchanged.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approve the increased funding for the Housing and Community Development Annual Action Plan for July 1, 2009, through June 30, 2010; 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 \$85,523 in estimated revenues to the 2009-10 CDBG (\$20,587) and HOME (\$64,936) programs contingent upon award and execution of a contract.

(Note: Commissioner Parrish stated that she will abstain because Resolution 6-11-09-67 -Disability Advocates of Kent County is a client of hers.)

Motion by Commissioner Ponstein, seconded by Commissioner Vonk, that the Consent Agenda items be approved.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

Abstain: Parrish – 1.

RESOLUTIONS

6-11-09-72 – COUNTYWIDE 911 DISPATCH BUDGET / FISCAL SERVICES

WHEREAS, in 2006, the County and the cities of Grandville, Grand Rapids, Walker, and Wyoming entered into an agreement to create the Kent County Dispatch Authority (KCDA) to implement technology integration and operational compatibility of dispatch of emergency police, fire, and ambulance services; and

WHEREAS, in Resolution 02-28-08-27, the Board of Commissioners approved a surcharge of \$0.45 on communication devices with billable addresses in Kent County pursuant to Public Act 164 of 2007. This surcharge generates an estimated \$3,645,000 annually; and

WHEREAS, funding from the surcharge is used to support emergency 911 communications under the direction of the Authority. Each municipality will retain the responsibility for existing non-emergency calls and all other duties not associated with the call-taking function of 911.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the appropriation of \$3,645,000, from estimated revenues, to the FY 2009 Countywide 911 Dispatch Budget.

Motion by Commissioner Vaughn, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 19.

Nays: 0.

REPORTS

Transparency in Government Subcommittee

Commissioner Voorhees reported that the Transparency in Government Subcommittee (Commissioners Bulkowski, Hennessy, Rolls & Voorhees) met and established its goals. Established by Finance Committee Chair Agee, the committee is looking for input from Commissioners.

Downtown Development Authority (DDA)

Commissioner Talen (county representative on the DDA) reported that at a meeting yesterday of the Grand Rapids DDA, the City of Grand Rapids requested that the DDA commit \$500,000 each year for the next three years to

help cover costs (Police, Fire and some Park Maintenance) for the downtown development area. A compromise resolution passed as follows: recognizing the City's budget crisis; agreeing to one year of that funding; and, agreeing to enter into conversation again with the County about a number of the issues County Commissioners have regarding the appropriateness of those kinds of funding and how long the County will continue to contribute \$1 million dollars a year to the DDA.

MISCELLANEOUS

Convention & Visitor's Bureau Breakfast & Agricultural Tour

Commissioner Ponstein attended the Convention Visitor's Bureau annual breakfast yesterday. Also, the Ag Board is putting on an agricultural tour on June 19th. Kendra Wills at Cooperative Extension is the contact. Commissioners interested in the tour should contact her.

Subcommittee Consideration

Commissioner Synk thanked Chair Morgan for his letter of response to a request by Commissioners Courtade, Hickey & Synk for a subcommittee to investigate local first purchasing. He stated that even though the Chair disagrees with their request, he appreciates his response and the fact that they can be respectful to each other.

Child Care Fund Update - DHS

Commissioner Bulkowski asked for an update from Administration on the Department of Human Services issue (in light of public comment by several individuals).

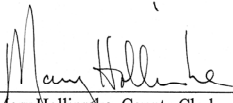
Matthew VanZetten, Management Analyst and Coordinator of the Family & Children's Coordinating Council, distributed a memo (copy of which is on file in the Office of the County Clerk) to Commissioners regarding the Child Care Fund. Mr. VanZetten and Assistant Administrator Britt explained in detail the current situation (see memo).

ADJOURNMENT

At 10:18 a.m., Commissioner Ponstein moved to adjourn, subject to the call of the Chair, and to Thursday, June 25, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Agee. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
June 11, 2009 – Priority Planning Session

Meeting called to order at 10:25 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 19.

Absent: None.

PUBLIC COMMENT

There was no public comment.

SESSION / SURVEY

Dr. Harvey explained how this priority planning session will proceed. The Board will vote on: 1) general questions on finances and fund balance; 2) priority setting in which the Board will have choices, which will be ranked within the groups of services of programs; and 3) paired comparisons (also by group but more so by collection of expenditure level) with the services taken two at a time and compared one against the other.

Dr. Harvey noted a new feature this session is the ability to toggle between the votes versus the percentages.

In the priority ranking section, more weight is given to a Commissioner's first choice. Commissioner Hennessy objected to the fact that early childhood home visitation was classified in the same section as home well and septic inspections. Dr. Harvey explained that both of these categories are under the Health Department. Commissioner Agee also objected by saying that the question is do you want well & septic or do you want child care surveillance and it is really going to nuance those. Dr. Harvey explained that the choices are descending order. If a Commissioner's priority is a certain area, that would be his/her first choice. Subsequent choices would be ranked in descending order, giving each less weight. Ms. Swanson stated that the Health Department resources have to be divided up. It doesn't mean that the low priority ones will not be funded, but with finite resources, how do you spread them across the various services. Commissioner Agee said that there is a big disconnect between Commissioners putting the numbers on the sheet and how you actually execute. Dr. Harvey stated that this is only information for Commissioners, as policy makers, and the administration staff to enter into discussions. Everyone has different sets of values and priorities. All the survey is doing is giving information on where the Board's focus is.

Commissioner Tanis noted that, with the priority setting section, there was no indication of how much money is spent on each program. He felt it impossible to put it into a proper perspective. He feels as if Commissioners are being asked to make split second decisions. Dr. Harvey indicated that Commissioners did receive the financial information in their 2009 Priority Setting budgeting book, which consisted of both inputs and outcomes. At this point, it is not an expenditure question, but rather a focusing and valuing in terms of the Board's

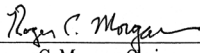
priority and in terms of that particular service, regardless of level of expenditures. At some point, you do have to get expenditure comparisons.

Dr. Harvey conducted the polling as prepared. However, in the Paired Comparisons Section, Group III was omitted from voting due to time constraints.

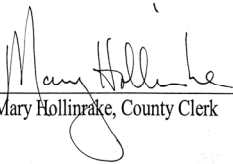
Dr. Harvey will give the results to Ms. Swanson to be used for sorting data for further response and discussion.

ADJOURNMENT

At 11:27 a.m., Chair Morgan adjourned the Priority Planning session, subject to the call of the Chair, and to Thursday, June 25, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Agee. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
June 25, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Synk, Talen, Tanis, Vaughn, Voorhees, Vander Molen, Chair Morgan - 17.

Absent: Rolls, Vonk -2 (Excused).

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

PUBLIC COMMENT

1. Kenneth Buford, 1273 60th Street, Kentwood – Inquired about his property which is in Condo Master Plan 37. He was referred to the Register of Deeds' Office.
2. Don Zerial, 7377 Cascade Terrace SE, Cascade Township – Concerned with spendthrift politicians. He is upset with those elected officials who supported the Silver Line millage. He read a FOIA request, regarding the Silver Line Millage Ballot Proposal, that he sent to the Mayor of Grandville. He asked Commissioners for their responses to the questions he had submitted on June 11, 2009. (Questions emailed to each Commissioner.)

SPECIAL ORDER OF BUSINESS

Kent District Library Annual Report

Martha Smart, Director, Kent District Library ("KDL") distributed the 2008 Annual Report (copy is on file in the Office of the County Clerk). KDL became an independent library in 1994. There are currently 18 branch locations which serve 26 municipalities. In the economic downturn, people of all ages are using library tools more than ever. In 2008, 160,000 people attended more than 5,000 free library programs, an increase of 40% over the previous year. Ms. Smart acknowledged that Shirley Bruursema, Chair of the KDL Board of Trustees, received an award from the American Association of Libraries.

Ms. Bruursema thanked the Board for their support. In 2008, Kentwood voters approved a millage to build a new 40,000 square foot library. The completion date is scheduled for the summer of 2010. The Caledonia Campaign Committee kicked off a public fundraising "Next-Chapter" campaign in September to raise \$1 million for a new Caledonia Library. Donations to the KDL Annual Fund in 2008 purchased an Early Literacy Computer Station for the Kentwood Branch.

CONSENT AGENDA

- a) Approval of Minutes of June 11, 2009 Meeting & Priority Planning Session
- b) June 16, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)

- c) Friend of the Court Citizens Advisory Committee Appointments – Leah Brinks & Lupe Ramos-Montigny
- d) Resolutions:

6-25-09-73 – APPROVE (SPONSOR - BASED) CONTRACT WITH COMMUNITY REBUILDERS, INC. AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, as part of the Shelter Plus Care (S+C) Program, the United States Department of Housing and Urban Development (HUD) has awarded funds to Kent County for sponsor-based rental assistance (SRA) for homeless persons; and

WHEREAS, the Community Development Department recommends contracting with Community Rebuilders, Inc., to administer an SRA component of the S+C Program; and

WHEREAS, this contract, if approved, commits \$366,108 in funding necessary to subsidize fifty sponsor-based units for eligible participants needing rental assistance, as well as allowable administrative fees; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to July 31, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners enter into a contract with Community Rebuilders, Inc.; and

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

6-25-09-74 – APPROVE (TENANT – BASED) CONTRACT WITH COMMUNITY REBUILDERS, INC. AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, as part of the Shelter Plus Care (S+C) Program, the United States Department of Housing and Urban Development (HUD) has awarded funds to Kent County for tenant-based rental assistance (TRA) for homeless persons; and

WHEREAS, the Community Development Department recommends contracting with Community Rebuilders, Inc., to administer an TRA component of the S+C Program; and

WHEREAS, this contract, if approved, commits \$743,832 in funding necessary to subsidize ninety-three tenant-based units for eligible participants needing rental assistance, as well as allowable administrative fees; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to July 31, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners enter into a contract with Community Rebuilders, Inc.; and

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

6-25-09-75 – APPROVE CONTRACT WITH DWELLING PLACE OF GRAND RAPIDS, INC. AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, as part of the Shelter Plus Care (S+C) Program, the United States Department of Housing and Urban Development (HUD) has awarded funds to Kent County for sponsor-based rental assistance (SRA) for homeless persons; and

WHEREAS, the Community Development Department recommends contracting with Dwelling Place of Grand Rapids, Inc., to administer an SRA component of the S+C Program; and

WHEREAS, this contract, if approved, commits \$139,440 in funding necessary to subsidize twenty sponsor-based units for eligible participants needing rental assistance, as well as allowable administrative fees; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period is July 1, 2009, to July 31, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners enter into a contract with Dwelling Place of Grand Rapids, Inc.; and

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

6-25-09-76 – MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS (MCACA) GRANT / JOHN BALL ZOOLOGICAL GARDEN

WHEREAS, the John Ball Zoological Garden receives funding annually from Michigan Council for Arts and Cultural Affairs (MCACA); and

WHEREAS, the FY 2009 General Fund Budget as Adopted included an appropriation of \$34,300 from the MCACA; and

WHEREAS, for FY 2009, the MCACA awarded the John Ball Zoological Garden \$33,000, \$6,000 of which was received at the end of FY 2008; and

WHEREAS, it is recommended that FY 2009 budgeted revenues from MCACA be reduced by \$7,300, from \$34,300 to \$27,000; corresponding program expenditures be reduced by \$1,300, from \$34,300 to \$33,000; and the use of Unreserved/Undesignated General Fund be increased by the \$6,000 received from the MCACA in FY 2008; and

WHEREAS, the grant funding will be used for ongoing programs to enhance the visitor experiences and visitor education programs, expansion of promotional and marketing efforts, providing permanent and seasonal zoo graphics, and use of Michigan artists in zoo programs.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves the acceptance of \$27,000 from the MCACA and the appropriation of \$6,000 from the Unreserved/Undesignated General Fund Balance to the FY 2009 John Ball Zoological Garden budget in the General Fund.

Motion by Commissioner Courtade, seconded by Commissioner Tanis, that the Consent Agenda items be approved.

Motion carried:

Yeas: Antor, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

RESOLUTIONS**6-25-09-77 – NEIGHBORHOOD STABILIZATION PROGRAM – APPROVE AGREEMENTS AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT**

WHEREAS, the Kent County Board of Commissioners approved the acceptance of Neighborhood Stabilization Program funds from the United States Department of Housing and Urban Development (HUD) for FY 2008-09; and

WHEREAS, the County's Amendment to the Consolidated Housing and Community Development Strategic Plan, known as the Annual Action Plan, budgeted funds for the acquisition and rehabilitation of foreclosed properties; and

WHEREAS, currently the proposed contracts, if approved, provide funding for acquisition and rehabilitation of approximately 34 housing units which will provide housing for families earning less than 120% of Area Median Income (AMI); and

WHEREAS, the contract provides that the units will remain as affordable housing units, as defined by HUD, for a term of up to 15 years; and

WHEREAS, Corporate Counsel has reviewed and approved the agreements.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners contract with Habitat for Humanity of Kent County; Inner City Christian Federation, Lee Kitson Homes, Lighthouse Communities, Inc and MoHawk Construction; and

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

Motion by Commissioner Parrish, seconded by Commissioner Dillon, that the resolution be adopted.

Motion carried:

Yeas: Antor, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

6-25-09-78 – KENT COUNTY ROAD COMMISSION AGREEMENT – KENT TRAILS RECONSTRUCTION / PARKS

WHEREAS, on May 28, 2009, the Board of Commissioners appropriated \$840,000 for the design and reconstruction of Kent Trails. This funding came from various sources, including the Michigan Department of Transportation, local unit partners, the Parks Acquisition and Development Fund, and the Kent Trails Reconstruction Fund; and

WHEREAS, MDOT funding requires a transportation agency to administer grants. The Kent County Road Commission has agreed to provide design, construction and grant administration services for this project; and

WHEREAS, the proposed agreement with the Kent County Road Commission matches in form agreements in place between the County Board of Commissioners and the Road Commission Board regarding the design and construction of the Fred Meijer M-6 Trail and the 4 Mile Trail Connector; and

WHEREAS, the project supports the County's long range plans for regional trail development; and

WHEREAS, Corporate Counsel has approved the agreement as to form.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves an agreement with the Kent County

Road Commission for the purposes of designing and reconstructing Kent Trails, including portions in Grand Rapids, Walker, Grandville, Wyoming and Byron Township; and

BE IT FURTHER RESOLVED that funds (\$840,065) are available in the Kent Trails Reconstruction Program Special Project Fund.

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

Motion carried:

Yeas: Antor, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

6-25-09-79 – SALE AND LEASE BACK OF MATERIALS RECYCLING FACILITY PROPERTY – 322 BARTLETT SW / PUBLIC WORKS

WHEREAS, the County of Kent, acting through its Board of Public Works (“BPW”) pursuant to Public Act 185 of 1957, as amended, owns and operates a Material Recycling Facility at 322 Bartlett SW, Grand Rapids, Michigan (the “MRF”); and

WHEREAS, the County is in the process of constructing a new Material Recycling Facility on Wealthy SW, Grand Rapids; and

WHEREAS, the construction of the new facility renders the MRF surplus property; and

WHEREAS, the Interurban Transit Partnership (“ITP”) owns property immediately adjacent to the MRF and has indicated interest in purchasing the MRF; and

WHEREAS, representatives of the ITP discussed with representatives of the County the terms of a sale of the MRF to ITP and a lease back of the MRF to the County until construction of the new facility is completed; and

WHEREAS, the discussions between ITP and the County have resulted in a verbal agreement for the sale of the MRF for the sale price of \$960,000 and a lease back to the County at the rental rate of \$1.00 per month and such agreements have been reduced to writing; and

WHEREAS, on June 3, 2009, the BPW Board approved the Real Estate Purchase and Sale Agreement and Lease and recommended the Board of Commissioners approve the same.

NOW THEREFORE, BE IT RESOLVED the Kent County Board of Commissioners hereby approves the Real Estate Purchase and Sale Agreement and Lease in forms substantially similar to that approved by the BPW Board on June 3, 2009; and

BE IT FURTHER RESOLVED, the Board Chair and/or the County Administrator/Controller are authorized and directed to sign the Real Estate Purchase and Sale Agreement and Lease and associated and necessary documents for and on behalf of the County.

Motion by Commissioner Tanis, seconded by Commissioner Talen, that the resolution be adopted.

Motion carried:

Yeas: Antor, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

REPORTS

There were no reports.

MISCELLANEOUS**Child Care Fund Update - DHS**

Commissioner Bulkowski asked for an update from Administration on the Department of Human Services issue.

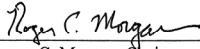
Assistant Administrator Britt explained:

- County officials met June 24, 2009, with Senators Hardiman and Jansen;
- Kent is asking State to "remedy" the \$1.5 million cut it was threatening to make;
- State attempting to move some children into less expensive housing;
- Ongoing conversations;
- State seems more cooperative re: cost containment plan;
- Letter went out cutting \$220,000 in contract cuts. However, the state held up sending out the letters cutting \$1.5 million;
- Met with local DHS Board, which will send a letter to Lansing asking that cuts not be made; and to "remedy" the double-headed office.

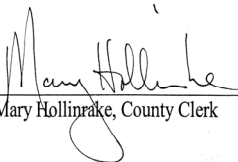
Mr. Britt thanked Commissioners for contacting state legislators. He does not expect Kent to be made whole in 2010.

ADJOURNMENT

At 9:10 a.m., Commissioner Courtade moved to adjourn, subject to the call of the Chair, and to Thursday, July 9, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Parrish. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
July 9, 2009 – Regular Meeting

Meeting called to order at 9:00 a.m. by Chair Roger C. Morgan.

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Vander Molen, Chair Morgan - 18.

Absent: Dillon -1 (Excused).

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

PUBLIC COMMENT

1. Jack Greenfield, 116 Union, Grand Rapids - Director of Arbor Circle and the Chair of the Family & Children's Coordinating Council. He recognized that the vote today by the Finance and Physical Resources Committee was very difficult in terms of the Child Welfare Fund. As an agency, and representing in some ways other agencies, we are all definitely committed to trying to make sure that we can provide quality care and safety to children in our community within a budget. He encouraged the Board to continue working with the state on budget issues.

2. Jeremy De Roo, 1224 Alexander, Grand Rapids - Executive Director of Lighthouse Communities – which has been working together with the County's Community Development Department. Lighthouse Communities began in 2002 working primarily in southeast Grand Rapids addressing issues of housing. They have renovated 500 homes over the last 7 ½ years. They also offer some foreclosure counseling as well as other homeownership counseling programs.

CONSENT AGENDA

- a) Approval of Minutes of June 25, 2009 Meeting
- b) Resolutions:

**7-9-09-80 – SUBMIT AMENDED GRANT APPLICATION TO MICHIGAN
DEPARTMENT OF HUMAN SERVICES – TITLE IV – D /
PROSECUTOR'S OFFICE – COOPERATIVE REIMBURSEMENT
PROGRAM**

WHEREAS, the Michigan Department of Human Services provides funding to counties to operate a Cooperative Reimbursement Program designed to establish paternity and secure support orders; and

WHEREAS, an additional \$127,276 is needed to cover eligible costs under the County's 2007 Cost Allocation plan for the Prosecutor's Family Law Division; and

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

WHEREAS, the grant period is October 1, 2008, to September 30, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve the Prosecutor's request to submit a grant amendment application to the Michigan Department of Human Services for a FY 2009 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 appropriate \$127,276 in increased revenues (\$84,002 from the State of Michigan and \$43,274 transferred from the Prosecutors General Fund budget) to the Prosecutors - Title IV-D Budget; and

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

Motion by Commissioner Voorhees, seconded by Commissioner Antor, that the Consent Agenda items be approved.

Motion carried:

Yeas: Synk, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

7-9-09-81 – APPLY FOR NEIGHBORHOOD STABILIZATION PROGRAM 2 FUNDS AND AMEND ANNUAL ACTION PLAN / COMMUNITY DEVELOPMENT

WHEREAS, as a qualified Urban County, Kent County is eligible to apply for Neighborhood Stabilization Program 2 (NSP2) funds from HUD as authorized under Title III of the Housing and Economic Recovery Act of 2008; and

WHEREAS, NSP2 provides funding for the purchase, rehabilitation and resale of abandoned foreclosed homes and properties for the benefit of households earning at or below 120% of Area Median Income (AMI); and

WHEREAS, twenty-five percent of each grant must be used for the purchase and redevelopment of abandoned or foreclosed upon homes or residential properties that will be used to house individuals or families whose incomes do not exceed 50% of AMI; and

WHEREAS, an analysis was completed of areas within the Kent County jurisdiction that have the greatest need for redevelopment efforts in order to stem the deterioration of neighborhoods caused by foreclosed and abandoned properties within those areas; and

WHEREAS, Community Development used data received from HUD and Community Research Institute (CRI) to compare Estimated Foreclosed Abandonment Risk Scores, Predicted 18-Month Foreclosure Rates, and Total Foreclosures as a Percent of Parcels; and

WHEREAS, based on that analysis, the impacted areas are the City of Grand Rapids, City of Wyoming, City of Kentwood, and the area near and including the Village of Kent City; and

WHEREAS, the grant application contains a description and budget for proposed NSP2 activities; and

WHEREAS, each recipient will have two years to expend 50% of its allocated NSP2 funds and three years to expend all of its allocated funds from the time HUD signs its NSP2 grant agreement; and

WHEREAS, the NSP2 program is still in the development stages and any positions or other approvals required will be brought back to the appropriate Standing Committee at a later date.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve submission of the Substantial Amendment to the FY2009 Housing and Community Development Annual Action Plan; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners authorizes the Board Chair to sign the amendment and all related documents; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners appropriate \$20,000,000 in estimated revenues to the 2009-2010 CDBG budget, contingent upon award and execution of a contract.

Motion by Commissioner Agee, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Synk, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 18.

Nays: 0.

7-9-09-82 – ELIMINATION OF FISCAL YEAR 2008 FUND DEFICITS FOR RISK MANAGEMENT – HEALTH INSURANCE AND HEALTH DEPARTMENT / FISCAL SERVICES

WHEREAS, the Health Dept. – Special Revenue Fund has reported a \$3,284 deficit in its Unreserved/Undesignated Fund Balance at December 31, 2008; and

WHEREAS, the Risk Management (Health Insurance – Internal Service Fund) has reported a deficit of \$785,549 in net assets at December 31, 2008; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by a local unit of government and filed with the Michigan Department of Treasury.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves an additional appropriation of \$3,284 to be transferred from the Unreserved/Undesignated Balance of the General Fund to the Health Dept. – Special Revenue Fund; and

BE IT FURTHER RESOLVED, that the Risk Management (Health Insurance – Internal Service Fund) revenue estimate be increased by \$595,867 with appropriations reduced by \$207,101; and

BE IT FURTHER RESOLVED, that the Administrator/Controller be authorized to submit this "Deficit Elimination Plan" to the Michigan Department of Treasury for certification.

by Commissioner Agee, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Synk, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Vonk, Chair Morgan – 18.

Nays: 0.

7-9-09-83 – CHILD CARE BUDGET AMENDMENT / DEPARTMENT OF HUMAN SERVICES

WHEREAS, the Department of Human Services (DHS) Child Care Fund operates on a fiscal year beginning October 1 and ending on September 30; and

WHEREAS, the FY 2009 budget was adopted by the County Board of Commissioners on September 25, 2008; and

WHEREAS, during FY 2008 DHS Child Care expended approximately \$11.7 million; and

WHEREAS, DHS is requesting an additional \$1,369,100 be appropriated, to the FY 2009 DHS Child Care Fund, from the State of Michigan (\$684,550) and the County's Unreserved/Undesignated General Fund Balance (\$684,550); and

WHEREAS, for FY 2009, the DHS budget as amended is \$12.4 million, which represents an increase of 6.0% over FY 2008; and

WHEREAS, DHS is forecasting \$13.7 million in spending for FY 2009, which represents an increase of 17.1% over FY 2008; and

WHEREAS, the additional funding will be used to cover forecasted budget deficits for Family Foster Care (\$257,627), Institutional Foster Care (\$852,562), In Home Care (\$92,297), and Independent Living (\$166,614); and

WHEREAS, the additional appropriation to be posted to the budget upon release by the County Administrator/Controller.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve an additional appropriation up to \$1,369,100, to the FY 2009 DHS Child Care Fund budget, \$684,550 from the Unreserved/Undesignated General Fund Balance and \$684,550 from the State of Michigan.

Motion by Commissioner Agee, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Synk, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Parrish, Antor, Vonk, Chair Morgan – 17.

Nays: Rolls – 1.

REPORTS

Network 180

Commissioner Voorhees announced that Network 180 will have a ribbon cutting ceremony this morning for their new building addition on Fuller. He thanked the Board for allowing him to serve on the Network 180 Board in the past and hats off to the great work that they do in meeting the needs in our community. (Commissioners Courtade, Talen & Ponstein will serve on this Board.)

Public Works

Commissioner Tanis announced that August 20th will be the ground breaking for the new recycling facility on Wealthy Street.

Sports Commission Subcommittee

Commissioner Tanis said the Baseball Subcommittee will meet following this meeting in Room 311.

Open Space Committee

Commissioner Parrish said the Open Space Committee will meet in the Training Room on the 2nd Floor at 10:15 a.m. this morning.

Downtown Development Authority

Commissioner Talen reported that representatives from the County and the City will be meeting to talk about ongoing issues.

MISCELLANEOUS

Subcommittee Consideration

Commissioner Synk sent another letter to Chair Morgan regarding the local first initiative and looks forward to hearing from him.

Susan G. Komen Race

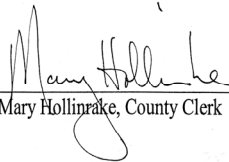
Commissioner Parrish stated that earlier she challenged commissioners to join her for the Susan G. Komen 5K race. She is happy to announce that Commissioner Ponstein has accepted her challenge, and she hopes that others will join them.

ADJOURNMENT

At 9:13 a.m., Commissioner Voorhees moved to adjourn, subject to the call of the Chair, and to Thursday, July 23, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Tanis. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
July 23, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Chair Morgan - 18.

Absent: Vander Molen -1 (Excused).

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

PUBLIC COMMENT

1. Doug Wood, Director, Department of Public Works - Invited commissioners and other elected officials to the new single stream recycling center groundbreaking ceremony on August 20th, at 9:00 a.m.

SPECIAL ORDER OF BUSINESS

The Rapid Annual Update

Peter Varga, CEO, The Rapid, gave the annual update (copy of which is on file in the County Clerk's Office). The Rapid transit services include: fixed route buses, PASS, Go!Bus Paratransit Service, University Services, DASH Shuttles, RideLink, Park and Ride Lots, Vanpools and Carpools, County Connection, Community Mental Health, Specialized Services, and Township Transportation. Ridership has doubled since the Rapid was created (2000), and is up almost 11% from last year with an anticipated 10.1 million rides. Looking ahead, The Rapid will: a) expand the Wealthy Street Operations Facility; b) do a Street Car Feasibility Study; and, c) draft a Transit Master Plan (by Fall 2010).

CONSENT AGENDA

- a) Approval of Minutes of July 9, 2009 Meeting
- b) July 9, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Appointments: network180 / Community Mental Health Authority Board –
Clyde Sims Jr. & Commissioner Courtade
- d) Fiscal Services – Rehman Robson – 2008 Audit Report – Receive & File
- e) Resolutions:

7-23-09-84 - LABOR AGREEMENT: GERALD R. FORD INTERNATIONAL AIRPORT (GRFIA) COMMAND OFFICERS' ASSOCIATION / AERONAUTICS / HUMAN RESOURCES

WHEREAS, the County of Kent and the Gerald R. Ford International Airport (GRFIA) Command Officers' Association have negotiated a labor agreement; and

WHEREAS, retroactive to January 1, 2009, the agreement establishes a two-step rate structure where the start rate is 5.0% below the maximum rate of \$61,000, then a 2.25% increase effective January 1, 2010, and a 2.5% increase effective January 1, 2011; and

WHEREAS, the total addition to base salary and benefit costs over the life of the contract are \$57,734 and \$8,187 respectively; and

WHEREAS, the annual base wage with the total three-year scheduled increases is approximately \$313,622 and the total to salary and benefit costs is \$65,921; and

WHEREAS, the proposed contract has been ratified by the membership.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the three-year labor agreement for the period January 1, 2009 – December 31, 2011, between the County of Kent and the GRFIA Command Officers' Association.

Motion by Commissioner Hirsch, seconded by Commissioner Tanis, that the Consent Agenda items be approved.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

7-23-09-85 – REFUSE DISPOSAL SYSTEM BONDS (LIMITED TAX GENERAL OBLIGATIONS), SERIES 2009 / PUBLIC WORKS

WHEREAS, pursuant to the provisions of Act 185, Public Acts of Michigan, 1957, as amended ("Act 185"), the Board of Commissioners of the County of Kent (the "County") authorized and directed that there be established, maintained and operated a countywide system of refuse disposal and services to be known as the "Kent County Refuse Disposal System" for the purpose of serving all areas in the County, and designated the Board of Public Works of the County to be the agency of the County for the purposes set forth in Act 185; and

WHEREAS, by the terms of Act 185, the County is authorized to contract for the acquisition, construction and financing of refuse disposal system improvements to serve the County and for the payment of the cost thereof by the County, with interest, and the County is then authorized to issue its bonds to provide the funds necessary therefor; and

WHEREAS, pursuant to Act 185, the County intends to acquire and construct a new material recovery facility (the "2009 Project"); and

WHEREAS, there has been submitted for approval and adoption by this Board, plans, specifications and estimates of the cost and period of usefulness of the 2009 Project; and

WHEREAS, this resolution constitutes a contract and provides for the issuance of bonds by the County to defray the cost of the 2009 Project, said bonds to be secured by the contractual obligation of the County to pay amounts sufficient to pay the principal of and interest on the hereinafter

authorized bonds and to pay such paying agent fees and other expenses as may be incurred on account of the bonds.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF KENT, MICHIGAN, as follows:

1) DEFINITIONS. Unless the context otherwise requires, the terms defined in this Section 1 shall, for all purposes of this Bond Resolution and the recitals herein, have the following meanings:

(a) "Act 34" means Act 34, Public Acts of Michigan, 2001, as amended.

(b) "Act 185" means Act No. 185, Public Acts of Michigan, 1957, as amended.

(c) "Additional Bonds" means bonds or other evidences of indebtedness issued by the County to finance the costs of improvements to the Facilities or to refund any of the Bonds, which bonds or other evidences of indebtedness shall be secured by a pledge of the full faith and credit of the County and shall be a limited tax general obligation of the County.

(d) "ARRA" means the American Recovery and Reinvestment Act of 2009, being Public Law No. 111-5, 123 Stat. 115 (2009), enacted on February 17, 2009 by the Congress of the United States.

(e) "Bond Resolution" means this resolution, as it may be amended and supplemented from time to time in accordance with the terms hereof.

(f) "Bonds" means, collectively, the Series 2009 Bonds and any Additional Bonds.

(g) "Build America Bonds" means Series 2009 Bonds that meet the definition of a "build America bond" in Section 54AA(d) of the Code and the definition of a "qualified bond" under Section 54AA(g)(2) of the Code and for which the County will be allowed a Refundable Credit, all as authorized by Section 1531, Title 1 of Division B of ARRA.

(h) "Code" means the Internal Revenue Code of 1986, as amended.

(i) "County" means the County of Kent, Michigan.

(j) "Debt Service Fund" means the fund established pursuant to Section 14 of this Bond Resolution.

(k) "Existing Material Recovery Facility" means the Kent County Recycle Facility located at 322 Bartlett in the City of Grand Rapids, Michigan, which facility will be replaced by the 2009 Project.

(l) "Facilities" means, collectively, the 2009 Project, the Existing Material Recovery Facility, the South Kent Landfill located in the Township of Byron in the County and the North Kent Transfer Station located in the Charter Township of Plainfield in the County.

(m) "Interest Payment Date" means the dates on which interest shall be payable on the Series 2009 Bonds, to be set forth in the Sale Order.

(n) "2009 Project" means the acquisition and construction of a new material recovery facility to be located at 977 Wealthy Street, S.W. in the City of Grand Rapids, Michigan.

(o) "Refundable Credit" means with respect to the Build America Bonds, if any, an amount equal to 35 percent of the interest due on the Build America Bonds on each Interest Payment Date, to be paid to the County by the United States Department of Treasury in accordance with Sections 54AA and 6431 of the Code.

(p) "Revenue Fund" means the fund established pursuant to Section 17 of this Bond Resolution.

(q) "Revenues" means all moneys and revenues received by the County directly or indirectly from or with respect to the operation of the Facilities, including but not limited to all revenues and other amounts derived from tipping fees to be charged by the County at the Facilities for services rendered at the Facilities to any user thereof, all revenues and other amounts derived from the sale of electricity or other energy or by-products recovered at or generated by the Facilities, and all investment income derived from moneys on deposit in the Revenue Fund.

(r) "Sale Order" means the written order of the Chairperson of the Board of Commissioners approving the sale of the Series 2009 Bonds and making certain

determinations regarding the final terms thereof within the parameters of this Bond Resolution.

(s) "Series 2009 Bonds" means the bonds of the County authorized to be issued pursuant to Section 3 of this Bond Resolution.

(t) "Tax-Exempt Bonds" means Series 2009 Bonds the interest on which is excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

(u) "Underwriter" means Citigroup Global Markets Inc.

2. PLANS AND SPECIFICATIONS; ESTIMATES OF PERIOD OF USEFULNESS AND COST. The plans and specifications for the 2009 Project and the estimates of \$13,500,000 as the cost thereof and of 20 years and upwards as the period of usefulness thereof, as submitted to this Board of Commissioners, are approved and adopted.

3. AUTHORIZATION OF BONDS; PURPOSE. Bonds of the County in the aggregate principal amount of not to exceed Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) (the "Series 2009 Bonds"), as determined by the Chairperson of the Board of Commissioners in the Sale Order, shall be issued and sold in one or two series pursuant to the provisions of Act 185, and other applicable statutory provisions, for the purpose of paying the costs of the 2009 Project, including the costs of issuing the Series 2009 Bonds. The Series 2009 Bonds may be issued as Tax-Exempt Bonds or as Build America Bonds, or a combination of both, as determined and designated by the Chairperson of the Board of Commissioners in the Sale Order. The interest on the Build America Bonds, if issued, will be includable in gross income for federal income tax purposes.

4. SERIES 2009 BOND DETAILS. If only one series of Series 2009 Bonds is issued, the Bonds shall be designated "Refuse Disposal System Bonds (Limited Tax General Obligation), Series 2009," and if two series of Series 2009 Bonds are issued, the Series 2009 Bonds shall be designated "Refuse Disposal System Bonds (Limited Tax General Obligation), Series 2009A" and "Refuse Disposal System Bonds (Limited Tax General Obligation), Series 2009B," respectively, as determined by the Chairperson of the Board of Commissioners in the Sale Order. Each series of the Series 2009 Bonds shall be dated as of such date set forth in the Sale Order; shall be issued as serial bonds; shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 6% per annum, in the case of Tax-Exempt Bonds, if any, and 8% per annum, in the case of Build America Bonds, if any, to be determined by the Chairperson of the Board of Commissioners in the Sale Order, payable on such Interest Payment Dates as shall be determined by the Chairperson of the Board of Commissioners in the Sale Order; shall mature in such principal amounts and on such Principal Payment Dates as shall be determined by the Chairperson of the Board of Commissioners in the Sale Order; and shall be sold at a purchase price to be determined by the Chairperson of the Board of Commissioners in the Sale Order.

5. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the Series 2009 Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Series 2009 Bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each Bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due (the "Interest Payment Record Date"). Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner on the Interest Payment Record Date at the registered address as of said Date.

6. BOOK-ENTRY SYSTEM. Initially, one fully-registered bond for each maturity of each series of the Series 2009 Bonds, in the aggregate amount

of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC") for the benefit of other parties (the "Participants") in the book-entry-only transfer system of DTC. In the event the County determines that it is in the best interest of the County not to continue the book-entry system of transfer or that the interests of the holders of the Series 2009 Bonds might be adversely affected if the book-entry system of transfer is continued, the County may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange bond certificates as requested by DTC and any Participant or "beneficial owner" in appropriate amounts in accordance with this Bond Resolution. DTC may determine to discontinue providing its services with respect to the Series 2009 Bonds at any time by giving notice to the County and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the County may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the County shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the County and the bond registrar and paying agent shall be obligated to deliver bond certificates in accordance with the procedures established by this Bond Resolution. In the event bond certificates are issued, the provisions of this Bond Resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the County and the bond registrar and paying agent to do so, the County and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Series 2009 Bonds to any Participant having Series 2009 Bonds certificated to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Series 2009 Bonds.

Notwithstanding any other provision of this Bond Resolution to the contrary, so long as any Series 2009 Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on the Series 2009 Bonds and all notices with respect to the Series 2009 Bonds shall be made and given, respectively, to DTC as provided in the Blanket Issuer Letter of Representations between the County and DTC. The Chairperson of the Board of Commissioners or the Chairman or Secretary of the Board of Public Works is authorized to sign additional documents on behalf of the County in such form as the Chairperson of the Board of Commissioners or the Chairman or Secretary of the Board of Public Works deems necessary or appropriate in order to accomplish the issuance of the Series 2009 Bonds in accordance with law and this Bond Resolution.

7. PRIOR REDEMPTION.

(a) Optional Redemption. The Series 2009 Bonds may be subject to optional redemption prior to maturity as provided in the Sale Order. The Series 2009 Bonds subject to optional redemption may be redeemed on any date at least ten (10) years after the date of issuance thereof at a redemption price of 100% of the principal amount thereof plus accrued interest to the redemption date. Series 2009 Bonds to be so redeemed shall be selected as provided in the Sale Order.

(b) Notice of Redemption. Not less than thirty days' notice of redemption shall be given by mail to the registered owners of Series 2009 Bonds to be called at the registered address. Series 2009 Bonds or portions of Series 2009 Bonds called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

8. BOND REGISTRAR AND PAYING AGENT. The Bank of New York Mellon Trust Company, N.A. is hereby appointed as the bond registrar and paying agent for the Series 2009 Bonds and the Chairman or Secretary of the Board of Public Works of the County is authorized to enter into an agreement

with such bond registrar and paying agent. The Board of Public Works may from time to time designate a successor bond registrar and paying agent for the Series 2009 Bonds, which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan.

9. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS. The Series 2009 Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and authenticated by the manual signature of an authorized representative or signer for the bond registrar and paying agent and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the Series 2009 Bonds. After the Series 2009 Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the County Treasurer to the purchaser upon receipt of the purchase price. Additional Series 2009 Bonds bearing the facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and upon which the seal of the County (or a facsimile thereof) is impressed or imprinted may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of Series 2009 Bonds. The bond registrar and paying agent shall indicate on each Series 2009 Bond the date of its authentication.

10. EXCHANGE AND TRANSFER OF BONDS. Any Series 2009 Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Series 2009 Bonds of any other authorized denominations of the same series and aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Series 2009 Bond.

Each Series 2009 Bond shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such Series 2009 Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney.

Upon the exchange or transfer of any Series 2009 Bond, the bond registrar and paying agent on behalf of the County shall cancel the surrendered Series 2009 Bond and shall authenticate and deliver to the transferee a new Series 2009 Bond or Bonds of any authorized denomination of the same series and aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Series 2009 Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new Series 2009 Bond pursuant to this section, payment of interest on such Series 2009 Bond is in default, the bond registrar and paying agent shall endorse upon the new Series 2009 Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____."

The County and the bond registrar and paying agent may deem and treat the person in whose name any Series 2009 Bond shall be registered upon the books of the County as the absolute owner of such Series 2009 Bond, whether such Series 2009 Bond shall be overdue or not, for the purpose of receiving payment of the principal of such Series 2009 Bond and for all other purposes, except that the Interest Payment Record Date shall control as to payment of interest on any Series 2009 Bond, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 5 of this Bond Resolution shall be valid and effectual to satisfy and discharge the liability upon such Series 2009 Bond to the extent of the sum or sums so paid and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the bond registrar and paying agent harmless from and

against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence, in so treating such registered owner.

For every exchange or transfer of Series 2009 Bonds, the County or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange Series 2009 Bonds or portions of Series 2009 Bonds which have been selected for redemption.

11. FORM OF SERIES 2009 BONDS. The Series 2009 Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
 STATE OF MICHIGAN
 COUNTY OF KENT
 REFUSE DISPOSAL SYSTEM BOND
 (LIMITED TAX GENERAL OBLIGATION), SERIES 2009[]

INTEREST RATE MATURITY DATE DATE OF ORIGINAL ISSUE CUSIP

Registered Owner:

Principal Amount:

The County of Kent (the "County"), State of Michigan, acknowledges itself indebted to, and for value received, promises to pay to the Registered Owner, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at the corporate trust office of _____, _____, Michigan, the bond registrar and paying agent, and to pay to the Registered Owner, as shown on the registration books of the County maintained by the bond registrar and paying agent, as of the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on the Principal Amount from the Date of Original Issue or such later date through which interest shall have been paid until the obligation of the County with respect to the payment of the Principal Amount is discharged at the Interest Rate per annum specified above. Interest is payable on the first days of _____ and _____ in each year, commencing on _____ 1, 20___. Principal and interest are payable in lawful money of the United States of America. Interest shall be computed on the basis of a 360 day year of twelve 30-day months.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars (\$_____) issued by the County under and pursuant to and in full conformity with the Constitution and statutes of Michigan (especially Act No. 185, Public Acts of 1957, as amended) and a bond authorizing resolution adopted by the Board of Commissioners of the County on July 23, 2009 (the "Resolution") for the purpose of paying the cost of acquiring and constructing a new material recovery facility to be located in the City of Grand Rapids, Michigan. The Bonds shall be issued in anticipation of payments to be made by the County pursuant to law. The full faith and credit of the County [and certain refundable tax credits to be received from the United States] are hereby pledged to such payments and to the payment of the principal

of, premium, if any, and interest on the Bonds. The County is obligated and hereby agrees to make such payments from its general funds as a first budget obligation and is obligated, and hereby agrees, to levy a tax, if necessary, on all taxable property in the County in an amount sufficient to make such payments, subject to applicable constitutional and statutory limitations on the taxing power of the County. Taxes levied by the County to pay the principal of, premium, if any, and interest on the bonds of this series are subject to constitutional and statutory tax limitations.

This bond is transferable, as provided in the Resolution, only upon the registration books of the County upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his or her attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

Bonds maturing prior to _____ 1, 20__, are not subject to redemption prior to maturity. Bonds maturing on and after _____ 1, 20__, are subject to redemption prior to maturity at the option of the County, in whole or in part, in such order of maturity as the County shall direct and by lot within a maturity, on any date on or after _____ 1, 20__. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus accrued interest to the date fixed for redemption.

Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot.

Not less than thirty days notice of redemption shall be given by first-class mail to the registered owners of bonds called to be redeemed at their registered addresses. Failure to receive notice of redemption shall not affect the proceedings for redemption. Bonds or portions of bonds called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

It is certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the County, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Kent, Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and its County seal (or a facsimile thereof) to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

COUNTY OF KENT

(SEAL)

By: _____
County Clerk

By: _____
Chairperson,
Board of Commissioners

CERTIFICATE OF AUTHENTICATION

This bond is one of the Series 2009[] Bonds described in the within mentioned Resolution.

Bond Registrar and Paying Agent

By: _____
Authorized Signer

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

_____(please print or type name, address and taxpayer identification number of transferee) the within bond and all rights hereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

END OF BOND FORM

12. SECURITY. The Series 2009 Bonds shall be issued in anticipation of payments to be made by the County pursuant to Act 185, which provides that the County may contract to pay the costs of the 2009 Project. The full faith and credit of the County and, if all or any part of the Series 2009 Bonds are designated as Build America Bonds, the Refundable Credit, are hereby pledged to such payments and to the payment of the principal of, premium, if any, and interest on the Series 2009 Bonds. The County is obligated and hereby agrees to make such payments from its general funds as a first budget obligation and is obligated, and hereby agrees, to levy a tax, if necessary, on all taxable property in the County in an amount sufficient to make such payments, subject to applicable constitutional and statutory limitations on the taxing power of the County.

13. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Series 2009 Bonds, shall have been deposited in trust, this Bond Resolution shall be defeased and the owners of the Series 2009 Bonds shall have no further rights under this Bond Resolution except to receive payment of the principal of, premium, if any, and interest on the Series 2009 Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

14. DEBT SERVICE FUND. There shall be established for the Series 2009 Bonds and any Additional Bonds a Debt Service Fund which shall be kept in a separate bank account. From the proceeds of the sale of the Series 2009 Bonds there shall be set aside in the Debt Service Fund any accrued interest received from the purchasers of the Series 2009 Bonds at the time of delivery thereof. All payments to be made by the County pursuant to Act 185 and other applicable law to pay the principal of, premium, if any, and interest on the Bonds and all Refundable Credits, if any, shall be placed in the Debt Service Fund. The moneys on deposit in the Debt Service Fund shall be used to pay the principal of, premium, if any, and interest on the Bonds when due and for no other purpose. In the event and to the extent that the moneys transferred to the Debt Service Fund pursuant to Section 17 of this Bond Resolution and the Refundable Credits, if any, are not sufficient to pay the principal of, premium, if any, and interest on the Series 2009 Bonds when due, then the County, pursuant to and as provided in Section 12 of this Bond Resolution, shall pay the amount of such deficiency from its general fund.

15. CONSTRUCTION FUND. The remainder of the proceeds of the sale of each series of the Series 2009 Bonds shall be set aside in a construction fund for the 2009 Project and used, together with other moneys available to the County, if any, to acquire and construct the 2009 Project in accordance with the plans and specifications therefor. After completion of the 2009 Project and payment of all costs thereof, any surplus remaining from the sale of the Series 2009 Bonds shall be retained by the Board of Public Works and used for the payment of principal of the Series 2009 Bonds in accordance with Section 1.142-2 of the Treasury Regulations on Income Tax, or in the alternative, the surplus funds may be used to improve, enlarge and extend the Facilities on the approval by resolution of the Board of Commissioners of the County and by an opinion of nationally recognized bond counsel to the effect that (i) if any of the Series 2009 Bonds are issued as Tax-Exempt Bonds, the use of such surplus funds will not impair the exclusion of the interest on such Series 2009 Bonds from gross income for federal income tax purposes and (ii) if any of the Series 2009 Bonds are issued as Build America Bonds, the use of such surplus funds will not cause such Series 2009 Bonds to lose their status as "build America bonds" within the meaning of Section 54AA(d) of the Code and "qualified bonds" under Section 54AA(g)(2) of the Code.

16. OPERATION AND MAINTENANCE OF FACILITIES; BUDGETS.

(a) The County will operate and maintain, and/or cause to be operated and maintained, the Facilities and all components as required by all applicable laws so that the Facilities will be, and continue to be, in good repair and working condition. The County covenants that it will not use or permit the use of the Facilities, or any part or component thereof, for any unlawful purpose.

(b) Not less than two months prior to the beginning of each operating year of the County, the Department of Public Works shall prepare a budget for the Facilities which shall be submitted to and approved by the Board of Public Works, and which shall include for the next operating year (1) estimated operating and maintenance costs, (2) annual debt service requirements on the Bonds, (3) estimated amounts needed for improvements in or repairs or major replacements of the Facilities as deemed necessary by the Board of Public Works, (4) rates to be charged for the use of the Facilities and (5) projected Revenues.

17. REVENUE FUND.

(a) There is hereby established a Revenue Fund for the Facilities. All Revenues shall be deposited by the County as received in the Revenue Fund. Moneys on deposit in the Revenue Fund shall be used to pay the costs of the operation, maintenance, repair and improvement of the Facilities as determined by the Board of Public Works of the County and, to the extent available after the payment of such costs, to make the transfers to the Debt Service Fund as hereinafter described.

(b) On the first business day of each month, the County shall transfer from the Revenue Fund to the Debt Service Fund an amount equal to one-sixth (1/6) of the interest due on the Bonds on the next Interest Payment Date and one-twelfth (1/12) of the principal due on the next Principal Payment Date, subject to any credit for moneys already on deposit in the Debt Service Fund and not otherwise allocated to a prior transfer.

(c) In the event and to the extent that the moneys on deposit in the Revenue Fund are sufficient to make the foregoing transfer on the first business day of any month and if there exists after such transfer a deficiency in the Debt Service Fund and there are funds available in the Revenue Fund that are not otherwise needed to pay the costs of the operation, maintenance, repair and improvement of the Facilities, then an additional transfer shall be made from the Revenue Fund to the Debt Service Fund to the extent of such deficiency.

(d) In the event and to the extent that the moneys on deposit in the Revenue Fund are sufficient to make the foregoing transfers in subsections (b) and (c) on the first business day of any month and there is no deficiency in the Debt Service Fund, the County shall thereafter be entitled to withdraw moneys from the Revenue Fund, to the extent available and not otherwise needed to pay the costs of operation, maintenance, repair and improvement of the Facilities, to reimburse the County, without interest, for moneys advanced from the County's general fund to pay the principal of, premium, if any, and interest on the Bonds.

18. APPROVAL OF MICHIGAN DEPARTMENT OF TREASURY.

The issuance and sale of the Bonds shall be subject to permission being granted therefor by the Department of Treasury of the State of Michigan pursuant to Act 34 and, if necessary, the Director of the Department of Public Works is authorized and directed to make application to the Department of Treasury for permission to issue and sell the Series 2009 Bonds as provided by the terms of this Bond Resolution.

19. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF SERIES 2009 BONDS. The Series 2009 Bonds shall be sold pursuant to a negotiated sale to the Underwriter as hereinafter provided, and it is hereby determined that such negotiated sale is in the best interests of the County and is calculated to provide the maximum flexibility in pricing the Series 2009 Bonds. The Chairperson of the Board of Commissioners is authorized to enter into a Bond Purchase Agreement with the Underwriter, which shall be approved in the Sale Order. The Sale Order shall be executed by the Chairperson of the Board

of Commissioners at the time of sale of the Series 2009 Bonds and shall set forth the number of the series of the Series 2009 Bonds to be issued and, with respect to each such series of the Series 2009 Bonds, the principal amount, principal maturities and Principal Payment Dates, interest rates and Interest Payment Dates, redemption provisions, if any, purchase price to be paid by the Underwriter and compensation to be paid to the Underwriter, designation as Tax-Exempt Bonds and/or Build America Bonds, as the case may, as well as such other terms and provisions as the Chairperson of the Board of Commissioners determines to be necessary or appropriate in connection with the sale of the Series 2009 Bonds. The members of the Board of Public Works, the Chairperson of the Board of Commissioners and other appropriate County officials are authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Series 2009 Bonds in accordance with the provisions of this Bond Resolution. In making the determination in the Sale Order with respect to principal maturities and dates, interest rates, redemption provisions, purchase price of the Series 2009 Bonds, compensation to be paid to the Underwriter, and designation of the Series 2009 Bonds as Tax-Exempt Bonds or Build America Bonds, or both, the Chairperson of the Board of Commissioners shall be limited as follows:

(a) The interest rate on any Tax-Exempt Bond shall not exceed 6% per annum and the interest rate on any Build America Bond shall not exceed 8% per annum.

(b) The final maturity date of the Series 2009 Bonds shall not be later than December 1, 2029.

(c) The purchase price of the Series 2009 Bonds shall not be less than 99% nor more than 101% of the principal amount thereof.

(d) The Underwriter's discount with respect to the Series 2009 Bonds or the

compensation to be paid to the Underwriter shall not exceed 1% of the principal amount of the Series 2009 Bonds.

(e) The Chairperson of the Board of Commissioners shall be authorized to make an irrevocable election to designate all or any part of the Series 2009 Bonds as Build America Bonds, as provided in Section 54AA of the Code, only if he shall determine in the Sale Order that, based on information furnished to him at the time of sale, that the true interest cost of the Build America Bonds, after taking into account the Refundable Credit, would be less than the true interest cost on Series 2009 Bonds of comparable maturities that would otherwise be sold as Tax-Exempt Bonds.

20. REPLACEMENT OF SERIES 2009 BONDS. Upon receipt by the Secretary of the Board of Public Works of proof of ownership of an unmatured Series 2009 Bond, of satisfactory evidence that the Series 2009 Bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity which complies with applicable law and is satisfactory to the Secretary of the Board of Public Works, the Secretary of the Board of Public Works may authorize the bond registrar and paying agent to deliver a new executed Series 2009 Bond to replace the Series 2009 Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured Series 2009 Bond is lost, apparently destroyed or wrongfully taken, the Secretary of the Board of Public Works may authorize the bond registrar and paying agent to pay the Series 2009 Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement Series 2009 Bond. The bond registrar and paying agent, for each new Series 2009 Bond delivered or paid without presentation as provided above, shall require the payment by the bondholder of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the County in replacing or paying the lost, destroyed or wrongfully taken Series 2009 Bond. Any Series 2009 Bond delivered pursuant the provisions of this Section 20 in lieu of any Series 2009 Bond lost, apparently destroyed or wrongfully taken shall be of the same form

and tenor and be secured in the same manner as the Series 2009 Bond in substitution for which such Series 2009 Bond was delivered.

21. TAX COVENANTS.

(a) The County covenants to comply with all requirements of the Code necessary to assure that the interest on the Tax-Exempt Bonds, if any, will be and will remain excludable from gross income for federal income tax purposes. The Board of Public Works and other appropriate County officials are authorized to do all things necessary to assure that the interest on the Tax-Exempt Bonds, if any, will be and will remain excludable from gross income for federal income tax purposes.

(b) The County covenants to comply with all requirements of the Code necessary to assure that the Build America Bonds, if any, will be and will remain "build America bonds" within the meaning of Section 54AA(d) of the Code and "qualified bonds" under Section 54AA(g)(2) of the Code. In furtherance thereof, the County covenants (i) to comply with all requirements of the Code necessary to assure that the interest on the Build America Bonds, if any, but for the provisions of Section 54AA of the Code, would be and would remain excludable from gross income for federal income tax purposes under Section 103 of the Code, and (ii) to use 100% of the available project proceeds of the Build America Bonds, if any, only for capital expenditures. The Board of Public Works and other appropriate County officials are authorized to do all things necessary to assure (i) that the interest on the Build America Bonds, if any, but for the provisions of Section 54AA of the Code, would be and would remain excludable from gross income for federal income tax purposes and (ii) that 100% of the available project proceeds of the Build America Bonds, if any, will be used only for capital expenditures.

22. OFFICIAL STATEMENT. The Board of Public Works of the County is authorized to cause the preparation of an official statement for the Series 2009 Bonds for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") and shall do all other things necessary to enable compliance with the Rule. After the award of the Series 2009 Bonds, the County shall provide copies of a "final official statement" (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the Underwriter to enable the Underwriter to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

23. CONTINUING DISCLOSURE. The County Treasurer is authorized to execute a certificate of the County to comply with the continuing undertaking of the County with respect to the Series 2009 Bonds pursuant to paragraph (b)(5) of the Rule and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate").

The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. The remedies for any failure of the County to comply with and carry out the provisions of the Continuing Disclosure Certificate shall be as set forth therein.

24. SUPPLEMENTAL RESOLUTIONS NOT REQUIRING CONSENT OF BONDHOLDERS.

(a) The County may, without the consent of the holders of the Series 2009 Bonds, adopt resolutions supplemental to this Bond Resolution that shall not be inconsistent with the terms and provisions hereof for any one or more of the following purposes:

- (1) To add covenants of the County for the purpose of further securing the payment of principal of or interest on the Series 2009 Bonds or to maintain or improve the then applicable rating on the Series 2009 Bonds;
- (2) To cure any ambiguity or formal defect or omission in this Bond Resolution; or

(3) To make such modifications in the provisions of this Bond Resolution if, in the opinion of nationally recognized bond counsel filed with this Board of Commissioners, such modifications do not result in materially diminishing the security hereby granted to the holders of the Series 2009 Bonds at the time outstanding.

(b) Before any supplemental resolution under this Section 24 shall become effective, a copy thereof shall be filed with the Michigan Department of Treasury, if then required by law, and an opinion of nationally recognized bond counsel to the effect that such supplemental resolution complies with the provisions of this Section 24 shall be delivered to this Board of Commissioners.

25. NO RECOURSE UNDER BOND RESOLUTION. All covenants, agreements and obligations of the County contained in this Bond Resolution shall be deemed to be covenants, agreements and obligations of the County and not of any member of the Board of Commissioners or the Board of Public Works or any officer or employee of the County in his or her individual capacity, and no recourse shall be had for the payment of principal or interest on the Series 2009 Bonds or for any claim based thereon or on this Bond Resolution against any member of the Board of Commissioners or the Board of Public Works or any officer or employee of the County or any person executing the Series 2009 Bonds in his or her individual capacity.

26. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

27. EFFECTIVE DATE. This Bond Resolution shall take effect immediately.

Motion by Commissioner Tanis, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vaughn, Vonk, Voorhees, Chair Morgan – 18.

Nays: 0.

7-23-09-86 – FACILITY USE – APPROVAL OF USE BY OUTSIDE ORGANIZATION / ADMINISTRATOR'S OFFICE

WHEREAS, pursuant to the Facility Use Policy, requests for use of County-owned properties by an outside organization are subject to the approval of the Board of Commissioners; and

WHEREAS, the County has received a request to use County-owned property located within the boundaries of the ArtPrize competition for the display of artwork. This request has been referred to "ArtPrize," who has agreed to be responsible for matching artists with public display venues; and

WHEREAS, Facilities Management staff has identified four potential County-owned properties within the ArtPrize boundaries that may be suitable for art work display. These potential properties include: the North Monroe properties, the clock tower area outside the Courthouse, the lobby area on the Plaza level of 300 Monroe, and the upper level parking area adjacent to the IT building. John Ball Park may also provide a suitable venue, but it is outside the boundaries of the core ArtPrize area; and

WHEREAS, under the terms of an agreement currently being negotiated, County participation is contingent upon ArtPrize, its hosts, or the artist covering all costs and potential liabilities associated with the use of County property and provision of acceptable indemnification and/or insurance for the protection of the County. County operations will continue during set-up,

display, and removal of any artwork. Placement of art and location will be subject to final approval by County Administration; and

WHEREAS, all documents will be reviewed and approved by Corporate Counsel prior to their execution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the use of County owned facilities by ArtPrize for the display of artwork and to authorize the County Administrator/Controller to sign the necessary Agreements.

Motion by Commissioner Parrish, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried by voice vote.

7-23-09-87 - FEE FOR ELECTION PROGRAMMING / COUNTY CLERK

WHEREAS, currently, and through 2010, the State of Michigan pays the election programming software maintenance expense for each county. Beginning in 2011, the annual charge for such software maintenance will become the obligation of each county; and

WHEREAS, Kent County's cost for calendar year 2011 will be approximately \$24,000; and

WHEREAS, under Michigan Administrative Code Rule 168.772(7) & (8), "(a) city or township and a county may enter into a mutual agreement that the county shall provide programming..."; and

WHEREAS, in order to help offset this new annual expenditure, the County Clerk desires to institute the following computer programming charges for each election as follows:

- \$500 for each KISD school district and other taxing entities holding any election (such as KDL or ITP)
- \$200 for each non-KISD school district for which the County programs
- \$300 + \$10 per precinct for each city, township and village

WHEREAS, the Clerk desires the school election charges to take effect on January 1, 2010, and the fees for local governmental units and other taxing entities on January 1, 2011. The estimated revenue from the fee collection over a 2-year election cycle is \$49,000.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves charging a fee to local school districts, cities, townships, villages and any other taxing entities for any election for election programming.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried by voice vote.

REPORTS

Downtown Development Authority

Commissioner Talen reported that the County Chair and Vice Chair met recently with the Chair and Vice Chair of the DDA. Those representatives will continue to meet and discuss ongoing issues.

Open Space Committee

Commissioner Parrish reported that the Open Space Committee produced the July 2009 Interim Update (copy of which is on file in the County Clerk's Office). She reviewed the report and recommendations.

MISCELLANEOUS**Introduction**

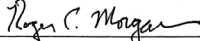
Commissioner Hirsch acknowledged his son, Nick, attending today's meeting.

Thanks for Service

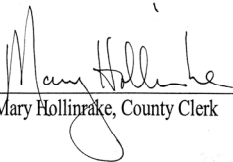
Commissioner Ponstein thanked Commissioner Voorhees for his service on the Network180 Board and welcomed his replacement, Commissioner Courtade.

ADJOURNMENT

At 9:22 a.m., Commissioner Hirsch moved to adjourn, subject to the call of the Chair, and to Thursday, August 13, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vaughn. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the Kent County Board of Commissioners August 13, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Voorhees, Chair Morgan - 18.

Absent: Vonk -1 (Excused).

Invocation: Commissioner Agee introduced Pastor Bob Manuel with First Evangelical Free Church, Grand Rapids, who gave the invocation. The Pledge of Allegiance followed.

PUBLIC COMMENT

1. Honorable Paul Sullivan, Circuit Court Chief Judge, introduced Judge Paul Denefeld recently appointed by Governor Granholm to fill the vacancy created when Judge Steve Pestka resigned.
2. Judge Denefeld thanked Judge Sullivan and said that it is a pleasure to join the County government, and a privilege to serve the citizens of Kent County. He has an open door policy and so if anyone has questions or concerns, please do not hesitate to contact him.

CONSENT AGENDA

- a) Approval of Minutes of July 23, 2009 Meeting
- b) July 21 and August 4, 2009 Finance Committee Meeting Minutes (Reports of Claims and Allowances)
- c) Resolutions:

8-13-09-88 – ACCEPT A FY 2009 STATE HOMELAND SECURITY – EMERGENCY MANAGEMENT PERFORMANCE GRANT / SHERIFF

WHEREAS, the Michigan Department of State Police – Emergency Management Division provides federal pass-through funds for homeland security programs; and

WHEREAS, the Office of Emergency Management and appointment of the Emergency Management Coordinator was delegated (Resolution 1-28-93-12) to the Sheriff's Office in 1993; and

WHEREAS, the Office of Emergency Management is responsible for coordinating countywide disaster preparedness and provides the means to discharge the responsibilities vested in the Board by Public Act 390 of 1976; and

WHEREAS, the purpose of this grant is to provide funds to defray a portion of the salary and benefits of the existing Emergency Management Coordinator; and

WHEREAS, for FY 2009, the allocation for Kent County was determined to be 35.6 percent of its emergency program manager's salary and benefits of \$41,610; and

WHEREAS, the grant period is October 1, 2009, to September 30, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners accept a FY 2009 State Homeland Security – Emergency Management Performance Grant; and

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

Motion by Commissioner Agee, seconded by Commissioner Vander Molen, that the Consent Agenda items be approved.

Motion carried:

Yeas: Voorhees, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

8-13-09-89 – DESIGNATION OF THE ENTIRE COUNTY OF KENT AS A RECOVERY ZONE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 / FISCAL SERVICES

WHEREAS, the federal government enacted the American Recovery and Reinvestment Act of 2009, Public Law No. 111-5, 123 Stat. 115 (2009) (the "ARRA") effective February 17, 2009, which allows for the issuance of recovery zone economic development bonds and recovery zone facility bonds (collectively, the "Bonds") at advantageous net interest costs; and

WHEREAS, it is a requirement of the ARRA that in order for a project to be eligible for the issuance of such Bonds, the County must designate the area within which the project will be located as a "recovery zone" prior to commencement of the project; and

WHEREAS, pursuant to the ARRA a "recovery zone" is an area which has significant unemployment or a significant number of home foreclosures; and

WHEREAS, as last reported, the unadjusted unemployment rate in the County is 11.3% and the percent of residential unit foreclosures is 6.7%; and

WHEREAS, it is determined the entire County meets the criteria to have it designated as a "recovery zone."

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

1. That it is determined that the County has significant unemployment and a significant number of home foreclosures.

2. That it hereby designates the entire County a "recovery zone" pursuant to the ARRA.

3. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

Motion by Commissioner Vaughn, seconded by Commissioner Dillon, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

**8-13-09-90 – AMENDMENT TO THE HEALTH DEPARTMENT BUDGET FOR
FY 2009 / HEALTH DEPARTMENT**

WHEREAS, the Health Department has received notice from the Michigan Department of Community Health (MDCH) that \$287,255 in additional grant funds are available for three programs: \$191,148 for the Women's, Infant and Children's (WIC) Program; \$43,273 for HIV testing; and \$52,834 for Public Health Emergency Response Pandemic Flu planning; and

WHEREAS, the additional \$191,148 in WIC funding will be used to cover costs related to increased caseloads and to increase the base rate per participant from \$133 to \$135 per year; and

WHEREAS, the additional HIV funding of \$43,273 will be used to expand targeted outreach activities and to increase HIV testing performed at the Health Department as well as support community level promotional activities designed to increase residents' knowledge of HIV testing services provided by the Health Department; and

WHEREAS, the remaining \$52,834 in Public Health Emergency Response funds will be used to offset costs incurred for planning and implementing a H1N1 mass vaccination campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners accepts \$287,255 in additional funding from the Michigan Department of Community Health and appropriates \$287,255 to the FY2009 Health Department Budget.

Motion by Commissioner Voorhees, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

**8-13-09-91 – 2009 – 2011 LABOR AGREEMENT – KENT COUNTY DEPUTY
SHERIFF'S ASSOCIATION (KCDSA) / SHERIFF / HUMAN
RESOURCES**

WHEREAS, the County of Kent and the Kent County Deputy Sheriff's Association (KCDSA), representing Correction Officers, Scientific Support Unit (SSU) Specialists, SSU Team Leaders, Sergeants, and Registered Nurses have negotiated a three-year labor agreement; and

WHEREAS, the agreement provides for a 2.50% increase effective retroactively to January 1, 2009, a 2.25% increase effective January 1, 2010, and a 2.00% increase effective January 1, 2011; and

WHEREAS, the addition to base wage costs over the life of the contract is \$1,852,767. Due to a change in vendors and plan design changes in 2009, there is a net reduction in medical and prescription drug costs of \$110,125 for 2009; and

WHEREAS, the total three-year increase to salary and benefits costs is \$2,045,514; and

WHEREAS, the KCDSA unit will be covered under the new 2009 County health care plan options and will be responsible for the additional employer premium portion for January 2009 through July 2009; and

WHEREAS, the proposed contract has been ratified by the membership, which includes 241 full-time employees.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves the three-year labor agreement for the period January 1, 2009 – December 31, 2011, between the

County of Kent and the KCDSA representing the employee positions as noted above, and authorizes the Chair of the Board to sign the agreement.

Motion by Commissioner Vaughn, seconded by Commissioner Courtade, that the resolution be adopted.

Motion by Commissioner Vander Molen, seconded by Commissioner Antor, to amend the resolution by removing all retroactivity from the contract.

Motion failed:

Yeas: Voorhess, Vander Molen, Antor – 3.

Nays: Vaughn, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Agee, Chair Morgan – 15.

Motion to adopt resolution carried:

Yeas: Voorhees, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 18.

Nays: 0.

REPORTS

Sports Commission Subcommittee

Commissioner Tanis announced the Sports Commission Subcommittee meeting directly after this meeting.

Recycle Facility Groundbreaking Ceremony

Commissioner Tanis reminded Commissioners that the groundbreaking ceremony for the material recycle facility on Wealthy Street will be held at 9:00 a.m. on Thursday, August 20th.

Finance Committee

Commissioner Vander Molen said that the Finance Committee will meet next Thursday, August 20th at 7:30 a.m. to accommodate the groundbreaking ceremony.

MISCELLANEOUS

Big League World Series

Commissioner Antor spent a few days in Kalamazoo for the Big League World Series (Girls' softball) which was terrific. If Kent County could get something like that through the Sports Commission, it would be great.

Youth Fair

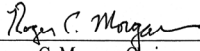
Commissioner Hirsch announced that the Kent County Youth Fair is this week. His sons took first and second place in their market class for their pigs.

Commissioner Vonk Update

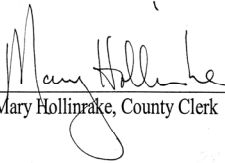
Commissioner Tanis updated the Board on Commissioner Vonk's recent surgery due to a motorcycle accident.

ADJOURNMENT

At 9:17 a.m., Commissioner Agee moved to adjourn, subject to the call of the Chair, and to Thursday, August 27, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vaughn. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
August 27, 2009 – Regular Meeting

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

Present: Commissioners Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Voorhees, Chair Morgan - 17.

Absent: Agee, Vonk - 2 (Excused).

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

PUBLIC COMMENT

There was no public comment.

SPECIAL ORDER OF BUSINESS

Kent Conservation District Update

Don Otten, Chair of the Kent Conservation District Board of Directors, stated that Kent Conservation District programs and services leveraged over \$800,000 for FY2009. The KCD programs include the oversight of the Howard Christensen Nature Center to tree seedling and native plant sales. He introduced Robert Holst, Project Coordinator, to review the Annual Report (copy of which is on file in the County Clerk's Office), and discuss upcoming projects. In fiscal year 2010, due to state funding cuts, the KCD office hours will be cut back to 25-30 hours per week. Mr. Holst explained that grant funds have decreased, and, so, the KCD will provide only basic services until funding increases again.

CONSENT AGENDA

- a) Approval of Minutes of August 13, 2009 Meeting
- b) August 20, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

8-27-09-92 – FY 2010 TITLE IV-D COOPERATIVE REIMBURSEMENT GRANT / FRIEND OF THE COURT

WHEREAS, the Michigan Department of Human Services provides funding to counties to operate a Cooperative Reimbursement Program designed to enforce all orders for child support; and

WHEREAS, the Friend of the Court's Cooperative Reimbursement Program will operate with 101 full-time positions. In addition, the grant will cover the cost of 12 staff in support services from the Circuit Court – Family Division (Referees & Referee Clerks); and

WHEREAS, in the event that 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

WHEREAS, the grant period is October 1, 2009 to September 30, 2010. The final amount appropriated to the Friend of the Court for the FY 2010 IV-D grant is subject to approval by the Board during the annual budget process.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the Friend of the Court's request to accept and appropriate an FY 2010 Title IV-D Cooperative Reimbursement Grant from the Michigan Department of Human Services and to authorize the Board Chair to sign all grant documents.

8-27-09-93 - PUBLIC HEALTH ACCREDITATION BOARD BETA TEST GRANT / HEALTH DEPARTMENT

WHEREAS, the Public Health Accreditation Board will initiate a voluntary public health accreditation program beginning in 2011; and

WHEREAS, the PHAB is requesting applications from state, local, and tribal health departments to participate in a beta test of their accreditation process; and

WHEREAS, participation in the beta test will run from October 15, 2009, through December 2010 with reimbursements to a participating health department being \$27,280 to support staff time, consultant time, travel, and quality improvement initiatives.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves applying for a Public Health Accreditation Board grant for the Health Department to participate as a beta test site and to appropriate \$27,280 in grant funds to the Health Department budget contingent upon grant award.

8-27-09-94 – FOOD NETWORK GRANT / KENT/MSU COOPERATIVE EXTENSION

WHEREAS, the Mississippi Food Network received a grant from the Kellogg Foundation to increase the effectiveness of nutrition education for youth and to empower children and their parents with the knowledge and skills needed to make healthy lifestyle choices; and

WHEREAS, the grant is being implemented in pilot programs in five states, with the Kent/MSU Extension office as the site for Michigan; and

WHEREAS, the programming will be implemented over three years in 12 elementary buildings of the Grand Rapids Public Schools; and

WHEREAS, funding will be awarded over a three year period beginning with an award of \$35,830 in 2009, \$48,801 in 2010, and \$35,708 in 2011. MSU will also be able to match this grant with federal SNAP-ed nutrition dollars which will double the amount and allow MSU to pay for a half-time contract employee as well as all program supplies and mileage; and

WHEREAS, MSU will continue to be the employer of record for this position and no County staff positions or funds are involved.

NOW, THEREFORE BE IT RESOLVED that the Kent County Board of Commissioners accept and appropriate a three-year grant in the amount of \$120,339 from the Mississippi Food Network, and to appropriate \$35,830 to Kent/MSU Extension 2009 budget, \$48,801 will be included in the 2010 budget, and \$35,708 will be included in the 2011 budget.

8-27-09-95 – PURCHASE OF DEVELOPMENT RIGHTS – SPARTA TOWNSHIP / KENT/ MSU COOPERATIVE EXTENSION

WHEREAS, the Kent County Agricultural Preservation Board received notice that Sparta Township had allocated \$1,000 to cover the costs of appraisals for farmland located in Sparta Township that qualifies for the Purchase of Development Rights Program; and

WHEREAS, the funds must now be accepted and appropriated to the Agricultural Preservation Fund.

NOW, THEREFORE BE IT RESOLVED that the Kent County Board of Commissioners accepts and appropriates \$1,000 from Sparta Township to the Agricultural Preservation Fund for the cost of appraisals on farmland located in Sparta Township that qualifies for the Purchase of Development Rights Program.

8-27-09-96 – ADA TRAIL EASEMENT THROUGH SEIDMAN PARK / PARKS

WHEREAS, Ada Township is in the process of developing a network of non-motorized trails in an area of the county that is not well served by existing inter-community trails; and

WHEREAS, the Township has asked to route a key segment of the trail through Seidman Park. This extension of existing trail would begin at the park's north parking lot and continue south along Honey Creek Ave. to Conservation Rd. The trail would head east passing the park's south parking lot, before exiting the park at its eastern border. This trail will improve access to this popular County park; and

WHEREAS, the trail will be constructed and maintained at no cost to the County; and

WHEREAS, due to topography, the trail alignment uses a combination of existing road right-of-way as well as a utility easement for AT&T phone lines just east of the right-of-way. The trail will also follow an existing Consumer's Energy easement within the park. The final alignment will be determined by mutual agreement between the engineer and park staff. Final legal description will be based upon that alignment; and

WHEREAS, both utility companies have approved the easement for the new trail; and

WHEREAS, the County's Corporate Counsel has approved the trail easement as to form.

NOW, BE IT FURTHER RESOLVED that the Board of Commissioners grants an easement to Ada Township for a non-motorized trail through parts of Seidman Park.

8-27-09-97 – EASEMENT AT MILLENNIUM PARK TRAILHEAD / PARKS

WHEREAS, new development associated with the Fred Meijer Millennium Trail Network includes the construction of a trailhead facility adjacent to Kent Trails at the north end of Millennium Park; and

WHEREAS, electrical service at the trailhead building and parking lot requires the installation of a transformer on site and the extension of a utility company-owned power line to the site; and

WHEREAS, an easement to Consumer's Energy is required to accommodate installation of the power line and transformer; and

WHEREAS, final location of the easement will be mutually agreed upon between Consumer's Energy and Kent County Parks; and

WHEREAS, the legal description of the easement will be based upon the mutually agreed-upon final location; and

WHEREAS, all documents will be reviewed and approved by Corporate Counsel prior to their execution.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners grants an easement to Consumers Energy for the purpose of providing utility service to the north trailhead to be constructed at Millennium Park.

8-27-09-98 – REFUSE DISPOSAL SYSTEM BONDS (LIMITED TAX GENERAL OBLIGATION), SERIES 2009 / PUBLIC WORKS

WHEREAS, pursuant to Act 185, Public Acts of Michigan, 1957, as amended, and Misc. Resolution No. 7-23-09-85 adopted on July 23, 2009 (the "Bond Resolution"), the Board of Commissioners of the County of Kent (the "County") authorized the issuance of bonds of the County designated "Refuse Disposal System Bonds (Limited Tax General Obligation), Series 2009" in the principal amount of not to exceed \$13,500,000 for the purpose of paying the costs of acquiring and constructing a material recovery facility to be located in the City of Grand Rapids, Michigan; and

WHEREAS, on the advice of bond counsel, it is necessary for the Board of Commissioners to ratify and confirm the Bond Resolution.

THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the following:

RATIFICATION OF BOND RESOLUTION. The Bond Resolution is ratified and confirmed and approved.

CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

EFFECTIVE DATE. This resolution ratifying, confirming and approving the Bond Resolution shall take effect immediately.

Motion by Commissioner Hickey, seconded by Commissioner Vauhn, that the Consent Agenda items be approved.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

RESOLUTIONS

8-27-09-99 – UPDATE OF FISCAL POLICY – EMPLOYEE BUSINESS EXPENSES / FISCAL SERVICES

WHEREAS, the Policy and Procedures manual of Kent County includes a requirement that a review of all established policies be conducted on a biennial basis; and

WHEREAS, a team consisting of Gail Brink – Health Department, Paula Taylor – Circuit Court, Brian Picardat – Aeronautics, Dan Kendall – Department of Public Works, Bob Papp – Parks, Jennifer DeHaan – Administrator's Office, Ken Parrish – County Treasurer, Francine Farrington, Marvin VanNortwick, Steve Duarte and Robert White - all from Fiscal Services Office, reviewed all current Fiscal Policies of the County; and

WHEREAS, on May 14, 2009 the Board of Commissioners adopted a resolution (No. 5-14-09-50) amending/adopting eight fiscal policies; and

WHEREAS, the staff team has recommended an additional change to the following policy:

- Employee Business Expense

WHEREAS, this change is intended to provide further clarification and understanding concerning the guidelines contained therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the revised Fiscal Policy as submitted.

Motion by Commissioner Tanis, seconded by Commissioner Rolls, that the resolution be adopted.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

CLOSED SESSION

At 8:40 a.m., Commissioner Parrish, seconded by Commissioner Tanis, moved to meet in closed session pursuant to the Open Meetings Act, Section 8E (to consult with legal counsel regarding litigation or settlement strategy), as an open meeting would have a detrimental affect on the litigation or settlement position of the County and, pursuant to Section 8H of the Open Meetings Act, to consider written communications protected by attorney client privilege and exempt from disclosure under Section 13-1H of the FOIA).

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

At 9:33 a.m., Commissioner Parrish, seconded by Commissioner Vander Molen, moved to go back into open session.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 17.

Nays: 0.

RESOLUTION

8-27-09-100 – CORPORATE COUNSEL – LEGAL ACTIVITY / ADMINISTRATOR'S OFFICE

WHEREAS, the County of Kent provides certain child welfare services to children in Kent County; and

WHEREAS, State law obligates the State and the County to pay one-half of the cost of the child welfare services provided to children in Kent County; and

WHEREAS, the State Constitution's Headlee Amendment states in pertinent part: The state is hereby prohibited from reducing the state financed proportion of the necessary costs of any existing activity or service required of units of Local Government by state law. A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the legislature or any state agency of units of Local Government, unless a state appropriation is made and disbursed to pay the unit of Local Government for any necessary increased costs.

WHEREAS, the State of Michigan was sued in Federal Court for alleged deficiencies in Michigan's Child Welfare System including the Foster Care System, litigation to which the County was not a party; and

WHEREAS, the State settled that lawsuit and stipulated to the entry of a Settlement Agreement by which the State agreed to significant

changes to the existing children's welfare system in Michigan and the addition of significant new services and activities and

WHEREAS, the State entered into this Settlement Agreement without consulting the County despite the fact that the County will be required, by state law, to provide and fund the changes to existing services and the additional services and activities required by the Settlement Agreement; and

WHEREAS, despite numerous meetings, which have occurred over the last year, the State has refused or neglected to protect and insulate the County from the new expenses incurred and to be incurred by the County under the terms of the Settlement Agreement; and

WHEREAS, the County has consulted with outside counsel to determine the viability of litigation challenging the State's apparent violation of the Headlee Amendment; and

WHEREAS, outside counsel has indicated that it may be possible to file litigation against the State in the form of a class action suit since the Settlement Agreement will apply to each county in the State;

NOW THEREFORE, be it hereby resolved as follows:

The Kent County Board of Commissioners hereby authorizes:

1. County Administrator and Corporate Counsel to prepare for possible litigation and if necessary file, in appropriate format, litigation challenging the State's apparent violation of the Headlee Amendment.
2. That such litigation, when filed request:
 - a. A determination that the imposition of additional new requirements by the Settlement Agreement without additional State funding is in violation of the Constitution of the State of Michigan, Headlee Amendment
 - b. The reimbursement of added expenses imposed on the County as necessitated by the State of Michigan's implementation of the Settlement Agreement.
3. The County Administrator is authorized to use funds for the purposes of prosecuting any lawsuit.
4. The Board Chair and/or the County Administrator/Controller are authorized and directed to sign all necessary documents to initiate any legal challenge for and on behalf of the County.

Motion by Commissioner Parrish, seconded by Commissioner Vander Molen, that the resolution be adopted.

Motion by Commissioner Dillon, seconded by Commissioner Hirsch, to amend the resolution by authorizing the preparation of pleadings necessary to commence a lawsuit and costs associated with it, but then the County Administrator and Corporate Counsel would be required to seek approval from the Board of Commissioners to actually file the lawsuit.

Motion to amend failed:

Yeas: Ponstein, Hirsch, Dillon, Synk – 4.

Nays: Antor, Rolls, Parrish, Tanis, Courtade, Voorhees, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Chair Morgan – 13.

Motion to adopt resolution carried:

Yeas: Antor, Rolls, Parrish, Tanis, Courtade, Voorhees, Hirsch, Hickey,
Vander Molen, Bulkowski, Talen, Vaughn, Synk, Chair Morgan – 14.

Nays: Ponstein, Hennessy, Dillon - 3.

REPORTS

There were no reports.

MISCELLANEOUS

Clerk of the Year

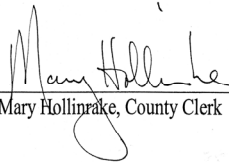
Commissioner Dillon presented, on behalf of all Commissioners, a proclamation to Kent County Clerk Mary Hollinrake acknowledging her recent selection as Clerk of the Year by the Michigan Association of County Clerks.

ADJOURNMENT

At 9:45 a.m., Commissioner Hickey moved to adjourn, subject to the call of the Chair, and to Thursday, September 10, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vaughn. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
September 10, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hickey, Hirsch, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Voorhees, Chair Morgan - 16.

Absent: Hennessy, Parrish, Vonk - 3 (Excused).

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

PUBLIC COMMENT

1. Don Zerial, 7377 Cascade Terrace SE, Cascade Township – He believes that the Silver Line millage was irresponsible and incompetent, and the public was not fully informed of all the facts.

SPECIAL ORDER OF BUSINESS

Convention Arena Authority Update

Steve Heacock [Chair of the Grand Rapids-Kent County Convention/Arena Authority (CAA)], and Rich MacKeigan (SMG's - Regional General Manager & Executive Director of CAA), gave an update. Established in March, 2000, the CAA's seven-member board administers Van Andel Arena, DeVos Place and DeVos Performance Hall. Its mission is to encourage economic development within the West Michigan region, create jobs, and provide facilities for the entertainment, enjoyment, and/or benefit of the citizens in an economical manner by developing and operating convention, entertainment, and sports facilities within Kent County.

In fiscal year 2009, DeVos Hall hosted 140 events; DeVos Place hosted 392 events; and Van Andel Arena hosted 115 events. 2010 capital improvements include a fire wall curtain in the DeVos Hall, parking automation for all three buildings, suite upgrades, ribbon board (LED board) and a concourse expansion study for the Van Andel Arena.

CONSENT AGENDA

- a) Approval of Minutes of August 27, 2009 Meeting
- b) September 1, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

9-10-09-101 – ACCEPT AN FY 2010 ACCESS AND VISITATION GRANT AND BUDGET AMENDMENT / FRIEND OF THE COURT

WHEREAS, the Michigan State Court Administrative Office (SCAO) provides funding to counties to facilitate parental access and visitation including but not limited to improving relationships between children and noncustodial parents; and

WHEREAS, the FOC will contract with Journies, LLC and/or the YWCA to supervise the parenting time visits where the court feels there is a need for supervision; and

WHEREAS, in addition, Journies will also provide parenting time exchanges for a safe transfer of children between the non custodial parent and the custodial parent and the YWCA will assess safety, help develop safety plans, and assist in the psychological preparation of the child for parenting time to occur; and

WHEREAS, the anticipated grant period is October 1, 2009, to September 30, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the Friend of the Court's request to accept an Access and Visitation Grant from the Michigan State Court Administrative Office; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners hereby appropriate \$15,000 to the Friend of the Court's – Special Projects budget; and

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

Motion by Commissioner Dillon, seconded by Commissioner Vaughn, that the Consent Agenda items be approved.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Rolls, Antor, Chair Morgan – 16.

Nays: 0.

RESOLUTIONS

9-10-09-102 – 2008 – 2011 LABOR AGREEMENT – CIRCUIT COURT REFEREE ASSOCIATION / HUMAN RESOURCES / CIRCUIT COURT

WHEREAS, the County of Kent and the Circuit Court Referee Association, representing the Attorney Referees and Staff Attorney-FOC have negotiated a labor agreement; and

WHEREAS, the agreement provides for a retroactive 2.25% increase to base wages effective January 1, 2008, a retroactive 2.00% increase effective January 1, 2009, a 2.25% increase effective January 1, 2010, and a 2.50% increase effective January 1, 2011; and

WHEREAS, the total addition to base salary and benefit costs over the life of the contract are \$114,051 and \$15,130 respectively; and

WHEREAS, the annual base wage with scheduled increases is approximately \$615,800 and the total four-year increase to salary and benefit costs is \$129,181; and

WHEREAS, the proposed contract has been ratified by the membership.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the four-year labor agreement for the period January 1, 2008 – December 31, 2011, between the County of

Kent and the Attorney Referee Association representing Attorney Referees and Staff Attorney-FOC.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Rolls, Antor, Chair Morgan
– 16.

Nays: 0.

**9-10-09-103 – PURCHASE OF PROPERTY – 124 FRANKLIN SE,
GRAND RAPIDS / HUMAN SERVICES / FACILITIES
MANAGEMENT**

WHEREAS, the County of Kent, acting through its Building Authority, and constructed the new Human Services Complex at 121 Franklin, SE, Grand Rapids, Michigan; and

WHEREAS, property in the vicinity of the new Human Services Complex is desirable for use as additional parking for patrons and employees of the Human Services Complex; and

WHEREAS, following the County's practice of offering property owners twice the established State Equalized Value for property that is desired by the County, an offer of \$93,200 has been recommended by staff to acquire the real property bearing permanent parcel numbers 41-14-31-302-002, 41-14-31-302-003, and 41-14-31-302-004, which are collectively known as 124 Franklin SE, Grand Rapids, Michigan (the "Property"); and

WHEREAS, funds for this acquisition are available in the Human Services Complex CIP account; and

WHEREAS, the current owners of the Property have indicated a willingness to sell the Property to the County for \$93,200.

NOW THEREFORE, be it resolved as follows:

The Kent County Board of Commissioners hereby authorizes:

1. County staff to make an offer to purchase the Property from the current owners for \$93,200; and
2. Complete the purchase of the Property using \$93,200 from the Human Services Complex CIP fund; and
3. Transfer the Property to the Kent County Building Authority after acquiring it from the current owners; and
4. The Board Chair and/or the County Administrator/Controller are authorized and directed to sign the purchase documents associated documents for and on behalf of the County.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Rolls, Antor, Chair Morgan
– 16.

Nays: 0.

**9-10-09-104 – PURCHASE OF PROPERTY – 114 MAJOR PLACE SE,
GRAND RAPIDS / HUMAN SERVICES / FACILITIES
MANAGEMENT**

WHEREAS, property in the vicinity of the new Human Services Complex recently came into possession of the Kent County Treasurer as a result of tax foreclosure; and

WHEREAS, according to the General Property Tax Act, the State has the right of first refusal to purchase the delinquent property. If the State doesn't exercise its right, then the local municipality has the right, and then the County; and

WHEREAS, following the State and City of Grand Rapids' decision not to purchase the property, the County has the option of purchasing the foreclosed properties by paying the minimum bid amount of \$3,425; and

WHEREAS, given the proximity of the property to the Human Services Complex, staff is recommending purchasing the property for the minimum bid and transferring the property to the Kent County Building Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners authorizes the purchase of a tax foreclosed property at 114 Major Place SE, Grand Rapids (PPN 41-14-31-302-005) for \$3,425 plus closing costs from the Kent County Treasurer; and

BE IT FURTHER RESOLVED, that the Board authorizes the transfer of the property to the Kent County Building Authority.

Motion by Commissioner Tanis, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Vander Molen, Hickey, Agee, Hirsch, Voorhees, Courtade, Ponstein, Tanis, Rolls, Antor, Chair Morgan
– 16.

Nays: 0.

REPORTS

There were no reports.

MISCELLANEOUS

Commissioner Vonk

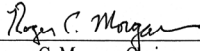
Commissioner Tanis gave a quick update on Commissioner Vonk's health.

Golf Outing

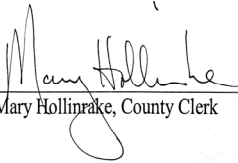
Commissioner Antor thanked Commissioner Ponstein for all of his work on the first annual "Tee It Up for Ag" golf scramble, in support of the Kent County Agriculture Preservation Endowment Fund, on Wednesday, September 9th.

ADJOURNMENT

At 9:20 a.m., Commissioner Dillon moved to adjourn, subject to the call of the Chair, and to Thursday, September 24, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vaughn. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
September 24, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Vander Molen, Vaughn, Voorhees, Chair Morgan - 17.

Absent: Tanis, Vonk - 2 (Excused).

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

PUBLIC COMMENT

1. Dave Uhrbrock, (Sheriff's Department Maintenance Electrician and Trustee for Local 2600) –At the Sheriff's quarterly meeting held on September 3, 2009, the main subject of concern was the budget. The Sheriff informed employees that if they could not come up with alternative ways to solve the budget crunch for 2010, then there would be job cuts. The estimated job loss would be 33 FTE's and 2 PTE's 25 of which would be support staff. The 100+ civilian employees are the sheriff's department's unsung heroes. Their dedication is what makes that department what it is. The maintenance staff handles 13,000 work orders annually. They do an amazing job rebuilding, refurbishing and reconstructing. Due to this staff, the department has cut almost all of its outside contractors. He asked the Board to look at other cost saving measures to meet the budget without cutting jobs.

2. Mary Serba, 911 Coldbrook, Grand Rapids, (Kitchen - Sheriff's Department) - The kitchen staff at the sheriff's department is experienced and skilled at not only preparing thousands of meals daily, but supervising inmates who work along side them all the while looking out for weapons that could be made from spices, utensils, pots and pans. If you cut workers, safety could become an issue. Maintaining jobs helps boost the economy, and keeps Michigan a state people want to live in.

3. Greg Dean (Oakfield Township Supervisor) - Elected officials are the keepers of the public coffers and it is our job to support the citizens of Kent County, spend their tax dollars wisely and protect the workers of Kent County who have given their time and dedication. These workers have done a great job for the sheriff's department, and their jobs should not be cut. Currently, it takes an hour to get a sheriff's car to Oakfield – Kent is already short road patrol officers. The taxpayers passed a millage a year ago for operational expenses and to tear down and replace part of the jail. During the campaign for that millage it was indicated that the County needed the millage to retain jobs, *not* lose them. Perks should go before jobs.

4. Lauri Baker (Jail Intake Booking Clerk – Sheriff's Department) - As one of 8 booking clerks who cover 24/7, the proposed cut cuts 5 positions! The booking clerk positions would cover from 12 (noon) to 4 a.m. and some of that would only be half-time. The duties of the booking clerk positions would be given to

deputies. This would cross union lines and, currently, the deputies make up to double what a booking clerk makes. This is not efficient. In eliminating these positions, the deputies would be taken away from ensuring the safety and security of the jail intake area, which can be a very volatile area.

5. Amy Babbins (Booking Clerk - Sheriff's Department) - The proposed staff cut reduces the 8 FTE's with 24/7 coverage down to 3 FTE's. There will be hours not covered at all. The job still has to get done; someone will have to do it. The proposed time period that there would be no coverage is from 4 am until 12 noon. The day after this proposal came out, 58 people were brought into the jail during that 4 am to 12 noon period. They are the first line: they intake the people, screen them to see if they are safe to come in, if they are suicidal, if they should be taken to the hospital. We need an experienced booking clerk to prevent lawsuits. If the deputies do it, then we are paying someone almost twice as much. Dump 5 people and you will have a much more dangerous situation.

6. Matthew Kramer (Custodian - Sheriff's Department) - Although his job is not one of the positions targeted for layoff, he supports his coworkers whose jobs are. Whether it is a call to 911, an accident, or someone looking for services at the Health Department, a dedicated, loyal, Kent County employee is there. They are the faces and the voices and the backbone of this County, we are viable assets, not dollars to be cut from the budget. It is a shame and an embarrassment that we are looking at having our coworkers lose their jobs. West Michigan needs leadership that Michigan has not provided. Citizens need someone to step up and say it is time to turn this ship around. It is time to retain jobs, it is time to show the country that Michigan is coming back. There are solutions that do not involve layoffs, and we have to find them.

7. John Battaglio, 1120 – 84th Street, Byron Center (Sheriff's Department) – Asked if there is any way to make this budget balance other than laying off the good people who work for the sheriff's department?

SPECIAL ORDER OF BUSINESS

H1N1 Update – Health Department

Cathy Raevisky, Administrative Health Officer, gave an update (copy of which is on file in the County Clerk's Office) on steps the Health Department is taking regarding the H1N1 virus. There has been a local increase in flu activity. Since over 98% of the flu activity nationally is novel H1N1, she believes that we are only at the beginning of the season. The groups at highest risk are: pregnant women, caregivers for children younger than 6 months, healthcare and emergency medical services workers, those 6 months - 24 years of age, and persons aged 25 - 64 years with health conditions. The vaccine has been approved. Prevention is paramount. People with influenza-like illness should remain at home until at least 24 hours after they are free of fever, or signs of a fever without the use of fever reducing medications. She described the "Stick It to the Flu" program and announced that additional information can be found on the County's website (www.accesskent.com) under "Health Department."

CONSENT AGENDA

- a) Approval of Minutes of September 10, 2009 Meeting
- b) September 15, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Board of Canvassers Appointments: Bonnie Rae Bowers & Jane Uyl

d) Resolutions:

9-24-09-105 – PURCHASE OF PROPERTY FOR NEW COMMUNICATION TOWER / SHERIFF'S DEPARTMENT

WHEREAS, the Kent County Sheriff's Department has determined that it needs to upgrade the communications equipment that it uses to serve the south portion of the County; and

WHEREAS, the Sheriff's Department has identified an existing communications tower on which they could locate the additional antennae and other communication infrastructure it needs to provide better communication in the southern portion of the County; and

WHEREAS, the identified tower is at 730 – 92nd Street, Caledonia, Michigan, permanent parcel number 41-22-30-200-005 (the "Property"); and

WHEREAS, the current owners of the Property have indicated a willingness to sell the Property to the County for \$54,000 with standard split of anticipated closing costs; and

WHEREAS, the anticipated cost of the necessary antennae, associated equipment and installation is \$55,000 bringing the anticipated total project cost to \$109,000; and

WHEREAS, funds for this acquisition are available in the Capital Improvement Program Fund; and

WHEREAS, the final closing documents will be approved prior to closing by Corporate Counsel.

NOW THEREFORE, BE IT RESOLVED as follows:

The Kent County Board of Commissioners hereby authorizes:

1. County staff to make an offer to purchase the Property from the current owners for \$54,000; and
2. Complete the purchase of the Property using \$54,000 plus closing costs from the Capital Improvement Program Fund; and
3. Complete the acquisition and installation of antennae and associated equipment; and
4. The Board Chair and/or the County Administrator/Controller are authorized and directed to sign the purchase documents associated documents for and on behalf of the County; and
5. Appropriate the sum of \$109,000 from the Unreserved/Undesignated Fund Balance of the Capital Improvement Program Fund.

Motion by Commissioner Bulkowski, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Vander Molen, Vaughn, Voorhees, Chair Morgan – 17.

Nays: 0.

RESOLUTIONS

9-24-09-106 – APPROVE CONTRACT WITH THE SALVATION ARMY AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT AND HOUSING COMMISSION

WHEREAS, as part of the American Recovery and Reinvestment Act of 2009, the United States Department of Housing and Urban Development (HUD) has awarded funds under the Homelessness Prevention

and Rapid Re-Housing Program (HPRP) for communities in Kent County which provide financial assistance and services to either prevent households from becoming homeless or help those who are experiencing homelessness to be quickly re-housed and stabilized; and

WHEREAS, on May 14, 2009, the Board of Commissioners approved accepting the HPRP funds as part of the Substantial Amendment to the Annual Action Plan for July 1, 2008, through June 30, 2009; and

WHEREAS, the Community Development Department recommends allocating and administering the HPRP funds through The Salvation Army. The Salvation Army oversees the Housing Assessment Program (HAP) which is the centralized intake process for individuals and families with a housing crisis in the community. The HAP model will integrate HPRP funding into an existing service delivery system. The Salvation Army has agreed to work in cooperation with the Coalition to End Homelessness using the Coordinated Community Response model to provide an efficient and effective system which will prevent homelessness and promote housing stabilization; and

WHEREAS, the proposed agreement with The Salvation Army will be for a period of three (3) years commencing on September 30, 2009, and ending on September 29, 2012, and commits \$618,026 in HUD funding; and

WHEREAS, the agreement will be executed after review and approval of the Corporate Counsel.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves Community Development's request to enter into an agreement with The Salvation Army to provide services and administer the Homelessness Prevention and Rapid Re-Housing Program; and

BE IT FURTHER RESOLVED that the Chair, or Vice-Chair, in his absence, be hereby authorized and directed to execute the agreement and such other ancillary documents as may be necessary.

Motion by Commissioner VanderMolen, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Ponstein, Rolls, Synk, Talen, Vander Molen, Vaughn, Voorhees, Chair Morgan – 16.

Nays: 0.

Abstain: Parrish – 1.

9-24-09-107 – FISCAL YEAR BUDGETS FOR FY 2010 / FISCAL SERVICES

WHEREAS, the Finance and Physical Resources Committee will begin to review the Recommended FY 2010 Budget in detail on November 3, 2009; and

WHEREAS, the resolution for the FY 2010 General Appropriation Act resolution will be presented to the Kent County Board for adoption on December 10, 2009; and

WHEREAS, estimated total sources and appropriations for the October 1, 2009, through September 30, 2010, fiscal year Budgets are recommended as follows:

<u>Special Revenue Funds</u>	<u>Sources</u>			<u>Appropriations</u>
	<u>Non-Gen Fund</u>	<u>General Fund</u>	<u>Reserves</u>	
Health	\$20,892,725	\$ 7,423,767	\$ -	\$28,316,492
Childcare	10,772,112	11,026,116	-	21,798,228
DHS Childcare	7,019,094	6,972,689	-	13,991,783
Friend of the Court	6,752,695	2,273,879	-	9,026,574
Special Projects	2,998,948	676,719	387	3,676,054
Veterans Trust	75,715	-	-	75,715
Total	\$48,511,289	\$28,373,170	\$ 387	\$76,884,846

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby appropriates \$76,884,846 from estimated sources and Special Projects Fund reserves to Special Revenue Funds for the October 1, 2009, through September 30, 2010, budgets for FY 2010.

Motion by Commissioner Vaughn, seconded by Commissioner Talen, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Vander Molen, Vaughn, Voorhees, Chair Morgan – 17.

Nays: 0.

9-24-09-108 – DEPARTMENT OF VETERANS' AFFAIRS RESTRUCTURE / DEPARTMENT OF VETERANS' AFFAIRS

WHEREAS, at the request of the Administrator's Office, Human Resources conducted a study of the organizational structure and audits of the existing position for the Department of Veterans' Affairs; and

WHEREAS, based on audit results and the needs of the department, Human Resources recommend the following:

- o Creation and addition of a Veterans' Affairs Office Manager (MPP B23) position and the elimination of a Social Worker I (UAW 19) position within the Department of Veterans' Affairs; and

WHEREAS, the results of the audit have been reviewed with the Administrator's Office; and

WHEREAS, the additional annual expense in salary and benefit costs from re-structuring of the Department of Veterans' Affairs is \$2,300, based on current rates of pay.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the reallocation of staffing resources within the Department of Veterans' Affairs by replacing a full-time Social Worker I with the creation of a full-time Veterans' Affairs Office Manager position.

Motion by Commissioner Hirsch, seconded by Commissioner Courtade, that the resolution be adopted.

Motion carried by voice vote.

REPORTS

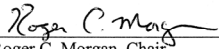
There were no reports.

MISCELLANEOUS

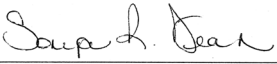
There were no miscellaneous comments.

ADJOURNMENT

At 9:24 a.m., Commissioner Bulkowski moved to adjourn, subject to the call of the Chair, and to Thursday, October 8, 2009, Room 310, County Administration Building, at 6:00 p.m., for an Official Meeting. Seconded by Commissioner Dillon. Motion carried.



Roger C. Morgan, Chair



Sonya R. Dean, Chief Deputy County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
October 8, 2009 – Annual Meeting

Meeting called to order at 6:02 p.m. by Vice Chair Sandra Parrish.

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Voorhees, Chair Morgan - 16.

Absent: Hickey, Vaughn, Vonk - 3 (Excused).

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

PUBLIC COMMENT

1. Scott Kroes, (Sheriff's Department – Cook) – Ten years ago, the budget for food supplies at the jail was \$1.8 million. Over the past seven years, with help from new food service directors and staff, they reduced that number to \$1.3 million and maintain operating at that level. The cost for a new vendor contract is \$1.3 million saving \$551,000 in wages and benefits for eleven employees who pay taxes and shop locally. The best way to run a safe and secure facility is to understand what inmates desire, want and need. Food has always been a important tool in behavior control. The private sector is more interested in doing well financially than doing good correctional work. When he started at the County 10 years ago, he was 100% sure that he would be a retired Kent County employee in 30 years. Now he is not even sure if he will have a job in the next few months.

2. Brian Bosak, International Representative for the UAW, here to discuss the impact of proposed cuts to not only the Sheriff Department's, but to the entire County. UAW Local 2600 represents about 900 employees from the airport to the courts, including the food service workers in the Sheriff's Department. We have known for awhile that there is a budget crisis. The union meets bi-weekly with Human Resources personnel. The union has indicated that they are open to discussing options other than lay offs. The union received a memo from the Sheriff's Department on August 25th regarding possible issues, since the County was facing a \$15 million dollar deficit. It requested the union to delay shift bid process. The UAW never said that they weren't interested, but they needed to let the membership vote and they could not get it done by 9/3. A notice on 9/10 indicated that the KCSD would eliminate 23 UAW positions (20 FTE & 3 PTE). Based on the UAW contract, the union was to get formal notice of any outsourcing, which they have not. The UAW made a FOIA request to find out exactly what is being considered. The response received indicated that a request for proposal would go out. Brian learned that the budget proposal had been approved by the Operating Budget Review Committee and that Commissioner approval would take place in the near future. KCSD UAW members are willing to forego wage increases, if it saves jobs. The general fund budget elimination document handed out on 10/6 was the first formal notice to the union showing what types of jobs are going to be eliminated.

With regard to outsourcing, the contract requires a formal notice at least 10 days in advance of when a decision may be considered. Today, the union sent a formal request to open up a dialogue to look at other options. He asked Commissioners to realize that these are jobs and families, and we need to consider the impact to the community.

3. Greg Dean (Oakfield Township Supervisor) – When the County outsourced medical at the jail, County staff underestimated the cost - it was \$1.3 million, it is now pressing \$5 million! As far as the projected cost savings in the food service department, the County hasn't even taken bids. Also, he requests that the public be shown exactly where the money comes from that supports the traffic squad and the mounted division. He wants to know that these are funded by donations and not his tax dollar.

SPECIAL ORDER OF BUSINESS

4-H Proclamation

Vice Chair Parrish read and presented a proclamation to Betty Blase, Director – MSU Cooperative Extension, proclaiming October 4-10, 2009, National 4-H Week in Kent County. Vice Chair Parrish encouraged everyone in the community to take advantage of the opportunities to become more aware of the contributions of 4-H's in the past, its innovative programming and its continuing commitment to the future of our communities' youth. Ms. Blase thanked the Commissioners for their support of 4-H and introduced the 4-H educators present tonight: Sandra Springer, Farris Withers, Glenda Kilpatrick and Morgan Gudino.

2010 Census Update

Pat McDonald, Partnership Specialist - U.S. Census, stated that the Census is mandated by the U.S. Constitution. Every ten years, a complete count of those persons residing in the United States is taken. Census forms will be mailed in mid-March 2010 to 130 million households. The same ten-question survey (copy of which is on file in the Office of the County Clerk) will go to each household. Those households which do not complete and return the survey will receive a visit from a census worker. Census data is used for political redistricting, and to allocate between \$300-\$400 billion in federal revenue each year.

(Chair Morgan entered the meeting at 6:27 p.m.)

CONSENT AGENDA

- a) Approval of Minutes of September 24, 2009 Meeting

Motion by Commissioner Talen, seconded by Commissioner Agee, that the Consent Agenda item be approved.

Motion carried:

Yeas: Voorhees, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee,
Chair Morgan – 16.

Nays: 0.

RESOLUTIONS

10-08-09-109 – AUTHORIZATION OF A WINTER 2009 (DECEMBER 1, 2009) DEDICATED MILLAGE PROPERTY TAX LEVY / FISCAL SERVICES

WHEREAS, the County Administrator/Controller is considering a recommended budget for the year 2010, which outlines

requirements for revenues and expenditures to support operations/capital programming; and

WHEREAS, the preliminary recommended budget includes spending requests for the operating/debt service requirements of the County Corrections/Detention and programming for Senior Services; and

WHEREAS, the preliminary recommended budget requires the levy of 0.7893 mills for Correctional and Detention operations/debt service and 0.3244 mills for Senior Services.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby certifies a December 1, 2009, levy of taxation of 1.1137 mills which includes the levy 0.7893 mills for debt service and operation of facilities for County Corrections/Detention as approved by County electors on August 5, 2008, and 0.3244 mills for Senior Services as approved by County electors on August 8, 2006.

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

Motion carried:

Yeas: Voorhees, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 16.

Nays: 0.

10-08-09-110 – ACCEPT AN FY 2010 CHILD SUPPORT SPECIALTY COURT GRANT AND BUDGET AMENDMENTS / FRIEND OF THE COURT

WHEREAS, State Court Administrative Office (SCAO) provides funding to counties to enforce child support orders including this pilot project to empower non-custodial parents to meet their child support obligations by removing employment, educational, financial issues, and providing substance abuse programs and mental health counseling; and

WHEREAS, Friend of the Court (FOC) if approved, will retain a Caseworker I position, planned for deletion due to the elimination of state funding for the Work First Program, to identify cases with large arrearages, assess barriers for non-payment and link non-custodial parents to useful services and will contract with other agencies to provide treatment and counseling services; and

WHEREAS, Title IV-D CRP grant will fund 66% of the costs for the new position and 66% of assessment costs, with the SCAO grant funding the remaining 34%, thereby eliminating any General Fund match; and

WHEREAS, in addition, SCAO will pay 100% of the cost of providing services such as local transportation to attend programs, drug testing, substance abuse treatment, counseling and day reporting services; and

WHEREAS, the anticipated grant period is October 1, 2009, to September 30, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the Friend of the Court's request to accept Child Support Specialty Court Grant from the Michigan State Court Administrative Office; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners hereby appropriates \$100,000 to the Friend of the Court's – Special Projects budget; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners hereby appropriates \$77,757 to Friend of the Court - Title IV-D budget; and

BE IT FURTHER RESOLVED that the Kent County Board of Commissioners approves the retention of Caseworker I position previously recommended for deletion; and

BE IT FURTHER RESOLVED that in the event grant funding is eliminated or decreased, the position 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.

Motion by Commissioner Agee, seconded by Commissioner Voorhees, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 16.

Nays: 0.

REPORTS

Open Space/PDR Sub-committee Interim Report

Motion by Commissioner Parrish, seconded by Commissioner Agee, to receive and file the Open Space/PDR Sub-committee Interim Report (copy of which is on file in the County Clerk's Office).

Motion carried by voice vote.

MISCELLANEOUS

Commissioner Vonk Health Update

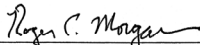
Commissioner Tanis reported that Commissioner Vonk's health is improving and he was told that by Thanksgiving he should be walking with a cane and be able to attend Commission meetings.

Introduction

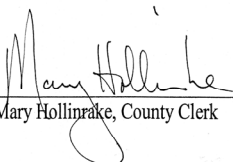
Commissioner Rolls introduced his father, Gary Rolls, who is attending the meeting this evening while visiting from Florida.

ADJOURNMENT

At 6:35 p.m., Commissioner Talen moved to adjourn, subject to the call of the Chair, and to Thursday, October 22, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Agee. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
October 22, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Voorhees, Chair Morgan - 18.

Absent: Vonk - 1 (Excused).

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

PUBLIC COMMENT

1. David Cook (Sheriff's Department – Food Services), 1221 Diamond Avenue NE, Grand Rapids – He objects to the Sheriff Department layoffs and wants to know why the food service division is being cut. He asked that they look for budget cuts other than in food services division.

(Commissioners Rolls and Courtade entered meeting at 8:35 a.m.)

2. Jason Kroon (Sheriff's Department – Food Services), 3050 Boone Avenue, Wyoming – He asks: if the food service division is cut, will the jail continue to be as safe and secure? He believes that less well paid and less dedicated providers could be swayed to bring contraband to prisoners.

3. Scott Kroes (Sheriff's Department – Food Services), 656 Lydia, Grand Rapids – The food services budget, which was \$1.8 million a few years ago, has been trimmed to \$1.3 million. Not all in this budget is food – it includes cleaning supplies and gloves. New vendor contract is \$1.3 million or \$0.90 per tray. Other counties with Canteen pay \$0.98 per tray. His calculations show the KCSD is now at \$1.05 tray. He believes the savings to be only \$100,000, not the projected \$550,000 projected.

4. John Battaglio (KCSD Local 2600 Steward), 1120 – 84th Street, Byron Center – He asked if anyone has thought about offering an early-out retirement incentive to eliminate some layoffs.

5. Steve Black (Sheriff's Department – Custodial) - As an 18 year employee, he has never seen department morale so low and tensions so high. He suggested eliminating cars and gas for certain top sheriff's department employees. He thanked Commissioners Talen, Synk & Hennessy for attending a recent UAW meeting.

6. Dave Uhrbrock, (KCSD Maintenance Electrician and Local 2600 Trustee), 15360 Snauble Avenue, Cedar Springs – He, too, acknowledges that there is a lot of stress within the department. He said there is a heavy burden on his heart for others facing layoff. He thanked the Board for what is being done.

7. Brian Bosak (UAW International Representative), 5351 Flyby Drive, Caledonia – He extended an invitation for all to attend the next membership meeting of Local 2600 on Tuesday, October 27th, 5:30 p.m., at UAW Offices, 4330 Stafford. Let's use tools and skills to save jobs, homes and families.

8. Matthew Kramer (Sheriff's Department - Custodial) – The employees at the Sheriff's Department play a vital role in the safety and security of the facility. The 3 proposed cuts for the custodial division is 25% of their work crew. It is these employees who provide a safe, clean and sanitary facility for the persons housed at the jail. They make sure that diseases don't spread. His concern is how much it will cost the County should an epidemic break out within the facility due to staff cuts. He asked the Board to look at other ways to save money because cutting staff will hurt the County.

SPECIAL ORDER OF BUSINESS

Sheriff Department – Transition from Jail to Community Initiative

Sheriff Stelma is pleased and honored to announce that Kent County has been selected as one of six jurisdictions nationwide to participate in the Transition from Jail to Community Initiative (TJC) project. The TJC project began in 2007, by the National Institute of Corrections (NIC). NIC partnered with The Urban Institute to develop a transition model to address how local reentry collaboratives can implement effective transition strategies. The TJC Project Team will work to improve public safety and enhance reintegration. Targeted outcomes include: reduced reoffending, reduced substance abuse, reduced homelessness, improved health, increased employment, increased family connectedness and increased systems collaboration. Rehabilitation is a big part of the Sheriff's mission with 30 programs to help prisoners with community reentry. The cost per day per inmate is \$80.

Kevin Warwick (The Urban Institute) explained that the goal is to reintegrate repeat inmates into the community. In some communities, these programs have helped in a big way. This two year effort is funded by the federal government.

Grand Rapids DDA Update

Kayem Dunn, Chair of the Grand Rapids Downtown Development Authority, stated that Kent County and the DDA have partnered together since 1979, and she thanked the Board for the support. Downtown Grand Rapids has made tremendous progress in recent years.

Jay Fowler, Executive Director, explained that 70 buildings have been renovated in the last 10 years. Downtown Grand Rapids now contains 3 historic districts, 5 historic sites and 22 landmark buildings. Thirty years of improvements include: Plaza Towers, Van Andel Arena, Monroe Center Reconstruction, street improvements, buildings renovated, DASH parking program, Rosa Parks Circle, river walkways, DeVos Place, new art museum, and way finding signs. Priorities include: development support, marketing plan, streetscape improvements, parks, open space, cultural improvements and building reuse incentive program.

The DDA also contributes financially to support the Convention and Visitors Bureau and looks forward to continuing talks with Kent County and other shareholders as they move forward.

CONSENT AGENDA

- a) Approval of Minutes of October 8, 2009 Meeting

- b) October 6, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Appointment: Pension Board – Bill Walker
- d) Resolutions:

**10-22-09-111 – 2009 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.

**10-22-09-112 – AMEND COMMUNITY CORRECTIONS / COURT SERVICES
GRANT FY 2009 BUDGET / CIRCUIT COURT – COMMUNITY
CORRECTIONS / COURT SERVICES**

WHEREAS, the Kent County Office of Community Corrections (OCC) receives grant funding from the Michigan Department of Corrections (MDOC) to administer and operate programs to provide alternatives to incarceration for offenders; and

WHEREAS, Court Services will receive \$10,600 more than the \$229,900 anticipated from a Kent County Office of Community Corrections Grant; and

WHEREAS, as a result of the increase in funding, an additional \$10,600 will be allocated to Court Services to support pre-trial services and must be appropriated to their budget.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners does hereby approve accepting an additional \$10,600 from a Kent County Office of Community Corrections Grant and appropriates the \$10,600 to the Community Corrections Court Services FY 2009 Budget in the Special Projects Fund.

**10-22-09-113 – CHILD CARE FUND ANNUAL PLAN APPROVAL / CIRCUIT
COURT – FAMILY DIVISION / DEPARTMENT OF HUMAN
SERVICES**

WHEREAS, each year the 17th Judicial Circuit Court – Family Division and the Kent County 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% of the annual net expenditures for certain costs related to placement and efforts to reduce placement; and

WHEREAS, the budget amounts provided for in the proposed agreements are based on the most current budget estimates available from the State of Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the Child Care Fund Annual Plan for FY10 and authorize the Board Chair to sign the document.

10-22-09-114 – APPROVE CONTRACT WITH ICCF AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, the Kent County Board of Commissioners approved acceptance of HOME Investment Partnership Program funds from the United States Department of Housing and Urban Development (HUD) as part of the Annual Action Plan for FY 2008-2009; and

WHEREAS, up to five percent of the annual HOME allocation may be awarded within five years of the award to a Community Housing Development Organization (CHDO) for use on "reasonable administrative and necessary planning costs for the operation of the HOME program"; and

WHEREAS, Inner City Christian Federation (ICCF), a non-profit housing corporation is a Kent County CHDO; and

WHEREAS, the proposed contract, if approved, will provide for funding of non-project administrative costs to allow ICCF to continue providing affordable housing to eligible households within Kent County; and

WHEREAS, the agreement provides for \$40,000 in operating funds to assist in building organizational capacity at ICCF, and obligates ICCF to enter into a project agreement to carry out the development of eligible HOME assisted housing activities in Kent County within 24 months of this agreement; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement; and

WHEREAS, the contract period commences upon execution of this agreement and shall remain in effect for a period of one year.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners contract with ICCF Non Profit Housing Corporation; and

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

Motion by Commissioner Vaughn, seconded by Commissioner Vander Molen, that the Consent Agenda items be approved.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 18.

Nays: 0.

RESOLUTIONS

10-22-09-115 – FY 2009 LODGING EXCISE TAX FUND BUDGET AMENDMENT / FISCAL SERVICES

WHEREAS, the County has levied a Lodging Excise Tax fee in the amount of 5% on hotel/motel facilities in Kent County since the late 1970's; and

WHEREAS, since FY 2001, the County's Lodging Excise Tax Fund has incurred an annual operating deficit ranging from \$447,360 (FY 2003) to \$1,366,280 (FY 2005); and

WHEREAS, in FY 2009, the Lodging Excise Tax Fund current amended budget of \$5,922,204 was appropriated based on \$5,068,100 in revenue estimates, a General Fund Subsidy of \$161,282, and use of \$692,754 in Lodging Excise Tax Fund reserves; and

WHEREAS, based on Third Calendar Quarter estimates the Lodging Excise Tax Fund will generate \$4,692,663 in revenue, resulting in an additional budget shortfall of \$375,505, requiring an additional General Fund subsidy of \$344,380 to comply with the Fund Balance/Fund Equity policy as established by the Board bringing the projected Fund Balance to \$384,505.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approve the appropriation of an additional \$344,380 from the Unreserved/Undesignated General Fund balance for transfer to the Lodging Excise Tax Fund.

Motion by Commissioner Vaughn, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Rolls, Parrish, Tanis, Voorhees, Agee, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Synk, Chair Morgan – 12.

Nays: Antor, Ponstein, Courtade, Hirsch, Hickey, Dillon - 6.

10-22-09-116 – EMPLOYEE POLICIES AND PROCEDURES / HUMAN RESOURCES

WHEREAS, the County established an Employee Policy Manual through Board Resolution in 1994; and

WHEREAS, in 2000, the Employee Policy Manual was rewritten as *The Kent County Human Resources Policies and Procedures Manual*, and adopted by the Board; and

WHEREAS, the manual has been thoroughly revised to reflect current law, technology changes and general practices; and

WHEREAS, Department Directors, Elected Officials and the Judiciary have been informed that the manual has been revised and the 17th Circuit Court has agreed to adopt the revised manual by Local Administrative Order to promote the consistent treatment of County employees; and

WHEREAS, the revised manual will be effective for all County employees on January 1, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby adopts *The Kent County Human Resources Policies and Procedures Manual*.

Motion by Commissioner Dillon, seconded by Commissioner Parrish, that the resolution be adopted.

Motion carried by voice vote.

10-22-09-117 – ALLOCATION OF A PORTION OF THE COUNTY'S RECOVERY ZONE ECONOMIC DEVELOPMENT BOND VOLUME CAP ALLOCATION / ADMINISTRATOR'S OFFICE – FISCAL SERVICES

WHEREAS, the American Recovery and Reinvestment Act of 2009, Public Law No. 111-5, 123 Stat. 115 (2009) (the "ARRA") effective February 17, 2009, permits the issuance of recovery zone economic development bonds ("RZED Bonds") for the construction of public facilities at advantageous net interest costs; and

WHEREAS, in order for a project to be eligible for the issuance of RZED Bonds, the County is required to designate pursuant to the ARRA the area where the project will be located as a recovery zone prior to the commencement of the Project; and

WHEREAS, on August 13, 2009, the Board of Commissioners designated the entire County as a recovery zone (the "Recovery Zone"); and

WHEREAS, the County has previously determined to construct and furnish (a) approximately 520 replacement beds and ancillary facilities at the Kent County Correctional Facility and (b) replacement of kitchen/dining facilities and related support areas at the Kent County Juvenile Detention Facility (collectively, the "Project"); and

WHEREAS, the costs of financing the Project will be financed through bonds to be issued by the Kent County Building Authority (the "Building Authority"); and

WHEREAS, the Project will be located entirely within the Recovery Zone; and

WHEREAS, pursuant to the ARRA the County has been allocated a volume cap allocation of \$36,571,000 for RZED Bonds (the "RZED Bonds Volume Cap"); and

WHEREAS, the County, upon review and approval of the Chair of the Board of Commissioners and the Chair of the Finance and Physical Resources Committee, desires to allocate a portion of the RZED Bonds allocation to the Building Authority for the Project, permitting the Building Authority, if advantageous to do so, to issue RZED Bonds to pay for all or a portion of the cost of financing the Project.

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

1. That the County hereby allocates, subject to the review and approval of the Chair of the Board of Commissioners and the Chair of the Finance and Physical Resources Committee, an amount not to exceed \$32,000,000 of the County's RZED Bonds Volume Cap allocation to the Building Authority so it may issue RZED Bonds to pay all or a part of the cost of the Project.

2. That all resolutions or parts of resolutions in conflict herewith shall be and same are hereby rescinded.

Motion by Commissioner Vander Molen, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Courtade, Voorhees, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 16.

Nays: Ponstein, Hirsch - 2.

**10-22-09-118 – AGRICULTURAL PRESERVATION ENDOWMENT FUND –
INTEREST APPROPRIATION / BOARD OF COMMISSIONERS
/ KENT / MSU COOPERATIVE EXTENSION**

WHEREAS, in November 2008, the Board of Commissioners approved an agreement with the Grand Rapids Community Foundation to establish a permanent endowment fund for Agricultural Preservation; and

WHEREAS, the Agricultural Preservation Board desires to withdraw the interest earned in FY 2009 to fund appraisals for the Purchase of

Development Rights Program, which are unable to be paid for by State or Federal grant funds; and

WHEREAS, this is a one time request as interest earnings will be included in future years' budget for the Agricultural Preservation Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners accept \$3,100 in interest earnings from the Kent County Agriculture Preservation Endowment Fund which is managed by the Grand Rapids Community Foundation and to appropriate those funds to the Kent County Agricultural Preservation Fund.

Motion by Commissioner Vander Molen, seconded by Commissioner Rolls, that the resolution be adopted.

Motion carried by voice vote.

**10-22-09-119 – OPEN SPACE AND AGRICULTURAL PRESERVATION
GRANT ACCEPTANCE / BOARD OF COMMISSIONERS /
KENT / MSU COOPERATIVE EXTENSION**

WHEREAS, in July 2009, the Open Space and Agricultural Preservation Subcommittee presented an interim update to the Board which provided both short and long-term recommendations for the County to develop a strategy to support land preservation and identify and recommend suitable and sustainable funding sources; and

WHEREAS, as a part of this process, the Subcommittee identified the need to complete a baseline survey that will assist the committee in gauging community attitudes and perceptions about open space and agricultural preservation; and

WHEREAS, grant funds were subsequently requested and awarded by the Grand Rapids Community Foundation, the Wege Foundation, and the Frey Foundation to conduct the baseline survey; and

WHEREAS, the subcommittee anticipates working with EPIC-MRA to develop and administer the survey.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners accepts and appropriates grants totaling \$14,175 to the Agricultural Preservation Fund for the purpose of conducting a baseline survey of attitudes and perceptions about open space and agricultural preservation.

Motion by Commissioner Vander Molen, seconded by Commissioner Rolls, that the resolution be adopted.

(Commissioner Hirsch requested a roll call vote.)

Motion by Commissioner Bulkowski, seconded by Commissioner Dillon, that the resolution be amended to replace "attitudes and perceptions" with the word "understanding" in the second WHEREAS and NOW, THEREFORE, BE IT RESOLVED as follows:

**10-22-09-119 – OPEN SPACE AND AGRICULTURAL PRESERVATION
GRANT ACCEPTANCE / BOARD OF COMMISSIONERS /
KENT / MSU COOPERATIVE EXTENSION**

WHEREAS, in July 2009, the Open Space and Agricultural Preservation Subcommittee presented an interim update to the Board which provided both short and long-term recommendations for the County to develop a strategy to support land preservation and identify and recommend suitable and sustainable funding sources; and

WHEREAS, as a part of this process, the Subcommittee identified the need to complete a baseline survey that will assist the committee in

gauging community understanding about open space and agricultural preservation; and

WHEREAS, grant funds were subsequently requested and awarded by the Grand Rapids Community Foundation, the Wege Foundation, and the Frey Foundation to conduct the baseline survey; and

WHEREAS, the subcommittee anticipates working with EPIC-MRA to develop and administer the survey.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners accepts and appropriates grants totaling \$14,175 to the Agricultural Preservation Fund for the purpose of conducting a baseline survey of understanding about open space and agricultural preservation.

Motion to amend resolution carried:

Yeas: Antor, Parrish, Tanis, Ponstein, Courtade, Hirsch, Agee, Hickey, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 15.
Nays: Rolls, Voorhees, Vander Molen - 3.

Motion by Commissioner Dillon, seconded by Commissioner Bulkowski, to call the question.

Motion to call passed by voice vote.

Motion to adopt amended resolution carried:

Yeas: Antor, Rolls, Parrish, Tanis, Agee, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Chair Morgan – 12.
Nays: Ponstein, Courtade, Voorhees, Hirsch, Hickey, Synk - 6.

**10-22-09-120 – PURCHASE OF PROPERTY – 111 MAJOR PLACE SE,
GRAND RAPIDS / HUMAN SERVICES / FACILITIES
MANAGEMENT**

WHEREAS, the County of Kent, acting through its Building Authority, and constructed the new Human Services Complex at 111 Major Place SE, Grand Rapids, Michigan; and

WHEREAS, property in the vicinity of the new Human Services Complex is desirable for use as additional parking for patrons and employees of the Human Services Complex; and

WHEREAS, following the County's practice of offering property owners twice the established State Equalized Value for property that is desired by the County, an offer of \$28,000 has been recommended by staff to acquire the real property bearing permanent parcel numbers 41-14-31-303-051, which is known as 111 Major Place SE, Grand Rapids, Michigan (the "Property"); and

WHEREAS, funds for this acquisition are available in the Human Services Complex CIP account; and

WHEREAS, the current owners of the Property have indicated a willingness to sell the Properties to the County for \$28,000.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners authorizes the purchase of 111 Major Place SE for the sum of \$28,000, plus closing costs and the transfer of the Property to the Kent County Building Authority; and

BE IT FURTHER RESOLVED that the Board Chair and/or the County Administrator/Controller are authorized and directed to sign the purchase documents associated documents for and on behalf of the County.

Motion by Commissioner Voorhees, seconded by Commissioner Talen, that the resolution be adopted.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 18.

Nays: 0.

10-22-09-121 – PURCHASE OF PROPERTY – 112 AND 118 MAJOR PLACE SE, GRAND RAPIDS / HUMAN SERVICES / FACILITIES MANAGEMENT

WHEREAS, the County of Kent, acting through its Building Authority, and constructed the new Human Services Complex at 121 Franklin, SE, Grand Rapids, Michigan; and

WHEREAS, property in the vicinity of the new Human Services Complex is desirable for use as additional parking for patrons and employees of the Human Services Complex; and

WHEREAS, following the County's practice of offering property owners twice the established State Equalized Value for property that is desired by the County, an offer of \$34,600 has been recommended by staff to acquire the real property bearing permanent parcel numbers 41-14-31-303-009 and 41-14-31-303-010, which are known as 112 Major Place SE, Grand Rapids, Michigan and 118 Major Place SE, Grand Rapids, Michigan (the "Properties"); and

WHEREAS, funds for this acquisition are available in the Human Services Complex CIP account; and

WHEREAS, the current owners of the Property have indicated a willingness to sell the Properties to the County for \$34,600.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners authorizes the purchase of 112 Major Place SE, Grand Rapids and 118 Major Place SE for the sum of \$34,600, plus closing costs and the transfer of the Properties to the Kent County Building Authority; and

BE IT FURTHER RESOLVED that the Board Chair and/or the County Administrator/Controller are authorized and directed to sign the purchase documents associated documents for and on behalf of the County.

Motion by Commissioner Voorhees, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried:

Yeas: Antor, Rolls, Parrish, Tanis, Ponstein, Courtade, Voorhees, Hirsch, Agee, Hickey, Vander Molen, Hennessy, Bulkowski, Talen, Vaughn, Dillon, Synk, Chair Morgan – 18.

Nays: 0.

REPORTS

There were no reports.

MISCELLANEOUS

Commissioner Vonk Health Update

Commissioner Tanis reported that Commissioner Vonk had more surgery last Tuesday.

Resolution 10-22-09-119

Commissioner Antor said that he is in favor of the baseline survey in this Resolution.

Professional Emergency Manager of the Year

Commissioner Ponstein announced that Lt. Jack Stewart was named Professional Emergency Manager of the Year.

Employee Support

Commissioner Courtade stated that he fully supports the jail employees and the rest of the County employees and hopes that no jobs are lost. He wants to cut "waste at the top."

Transition from Jail to Community Initiative

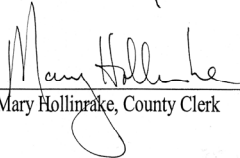
Commissioner Talen attended an informational meeting on the Jail to Community Initiative. This is an incredible opportunity, and he is very excited that Kent County was chosen to participate.

ADJOURNMENT

At 10:21 a.m., Commissioner Vaughn moved to adjourn, subject to the call of the Chair, and to Thursday, November 5, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Tanis. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
November 5, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan - 16.

Absent: Hickey, Vonk, Voorhees - 3 (Excused).

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

PUBLIC COMMENT

1. Matthew Kramer (Sheriff's Department - Custodial) – He thanked Commissioners who attended last week's UAW meeting. Stress levels are up where cuts are being made. He is proud to be an employee of the KCSD, and wants to be able to continue to provide his services. He asks commissioners, county administration and department heads to find solutions without job cuts.

(Commissioner Agee entered the meeting at 8:35 a.m.)

2. Brenda Stringer, Executive Director, John Ball Zoological Society - She encouraged the Board, with budget cuts, to sit down and discuss how to make the zoo sustainable, grow & flourish. She announced the kick-off of a fundraising campaign to raise \$100,000 so that the County doesn't raise entrance fees in 2010.

3. Scott Kroes (Sheriff's Department – Food Services), 656 Lydia, Grand Rapids – Does not understand how the Sheriff can reduce staff when the UAW wage contract was passed by the Board of Commission in April.

4. Steve Black (Sheriff's Department – Custodial), 2470 Omega Drive NE, Plainfield Township – Believes that the number of cars driven home nightly by Sheriff's employees should be reduced. Also, does not believe that outsourcing food service will cut dollars as outsourcing health care did not prove to reduce costs.

5. David Cook (Sheriff's Department – Food Services), 1221 Diamond Avenue NE, Grand Rapids – Doubts that privatizing food service will really save all that is promised. He listed programs that are funded that aren't required by law to fund, and wonders if some of them should be cut?

SPECIAL ORDER OF BUSINESS

Prevention Initiative Update

Assistant Administrator Wayman Britt, introduced Project Director Cynthia Klein, PhD. Dr. Klein reviewed the Prevention Initiative Year 2 Report (copy of which is on file in the office of the County Clerk).

Key findings of Evaluation Year 2 are:

- Individual program success
- Reduced child welfare involvement
- Reduced emergency department usage
- Positive cost benefit ratio

CONSENT AGENDA

- a) Approval of Minutes of October 22, 2009 Meeting
- b) October 20, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Establish Public Hearing Date and Time – November 19, 2009, 8:30 a.m.
 - 1) Proposed 2010 Budget
- d) Resolutions:

11-05-09-122 – CREEKSIDE PARK COMMUNITY FORESTRY GRANT / PARKS DEPARTMENT

WHEREAS, the Parks Department continually strives to diversify and improve tree plantings to guard against selective diseases, and enhance tree canopies and visual screening; and

WHEREAS, the Community Forestry Grant Program sponsored by the Michigan Department of Natural Resources responds to community level needs for tree replacement and forestry improvements by assisting communities with funding for tree plantings; and

WHEREAS, Kent County Parks applied for and received a \$2,000 grant award to plant 16 trees at Creekside Park; and

WHEREAS, this grant requires at least a 50 percent match, and the County is providing a match of \$3,280 including labor, equipment use and \$685 in cash, already available in the Parks Department Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners accepts a Community Forestry Grant, appropriates these funds to the Parks Department budget, and appropriates an additional \$2,000 to the FY 2009 Parks budget.

11-05-09-123 – KENT/MSU DYER-IVES GRANT FOR EMERGENCY NEEDS TASK FORCE / KENT / MSU COOPERATIVE EXTENSION

WHEREAS, each year, the Dyer-Ives Foundation honors the services of its Board of Directors by encouraging them to designate unsolicited grants to community organizations of their choice; and

WHEREAS, Kent/MSU Extension's Emergency Needs Task Force-Food Security Program was selected by David Schroeder to receive a \$500 unrestricted grant; and

WHEREAS, this grant supports The Food Security Program which provides access to whole healthy foods in pantries to all citizens, especially those with chronic disease.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners accept a \$500 grant from the Dyer-Ives Foundation, and to appropriate those funds to Kent/MSU Extension for the Emergency Needs Task Force – Food Security Program

**11-05-09-124 – AUTHORIZATION FOR GRANT SUBMISSION AND
APPROPRIATION OF FUNDS – JUVENILE JUSTICE
SYSTEM DIVERSION PROGRAM / 17TH
CIRCUIT COURT**

WHEREAS, in 2007, the Circuit Court – Family Division was awarded a three year grant to implement a diversion project and the collection of data to reduce disproportionate minority contacts (DMC) in the juvenile justice system; and

WHEREAS, the Circuit Court – Family Division will use the funding to contract with School-to-Career Progressions to create a program to divert up to 60 police-referred youth (ages 13-16) per year to the Juvenile Success Center as an early intervention strategy and alternative to formal court involvement; parents/guardians will also participate in the program. The youth will be assigned a success coach who will guide them in their personal and academic growth. Coaches will provide team and one-on-one support through in-school, after-school, and weekend activities such as life and cognitive-skills workshops, home visits, and fieldtrips; and

WHEREAS, while the grant program is designed to reduce the disproportionate minority representation, the diversion program will be available to all eligible referrals within the geographic target area; and

WHEREAS, a DMC Reduction Steering Committee has been established which consists of community leaders and 17th Circuit Court staff. The Committee collaborates with the following organizations: Grand Rapids Police Department, Pine Rest Christian Services, and Institute for Systematic Change, GVSU, Cascade Engineering, Grand Rapids African American Roundtable, and Brown-Hutcherson Ministries; and

WHEREAS, GVSU School of Social Work will design, conduct, and report an outcome evaluation of the Juvenile Success Center Program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners appropriate \$162,111 in State Grant Funds to the Circuit Court to continue a diversion program aimed at reducing minority contacts in the juvenile justice system

**11-05-09-125 – LEASE OF PROPERTY FOR INSTALLATION OF
COMMUNICATIONS TOWER – HUMAN SERVICES
COMPLEX / FACILITIES MANAGEMENT**

WHEREAS, the County of Kent, acting through its Building Authority, constructed the new Human Services Complex; and

WHEREAS, the Building Authority leased the entire Human Services Complex back to the County; and

WHEREAS, Metro PCS Michigan, Inc. ("Metro PCS") has requested to sublease a portion of the roof and the penthouse at the Human Services Complex for the location and operation of the wireless communications equipment. Metro PCS and the County have negotiated a sublease for such property, a copy of which is attached as Exhibit A; and

WHEREAS, all costs of construction and operation will be paid by Metro PCS; and

WHEREAS, Metro PCS shall pay rent at an initial annual rate of \$20,000.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Kent County Board of Commissioners hereby authorizes the County to enter into a sublease with Metro PCS for a portion of the roof and penthouse at the Human Services

Complex in accordance to a sublease substantially similar to that attached as Exhibit A.

2. The Board Chair and/or the County Administrator/Controller are authorized and directed to finalize and sign the sublease agreement and associated documents for and on behalf of the County.

Motion by Commissioner Hennessy, seconded by Commissioner Dillon, that the Consent Agenda items be approved.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Agee, Hirsch, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Chair Morgan – 16.

Nays: 0.

RESOLUTIONS

11-05-09-126 – APPROVAL OF THE COMPREHENSIVE PLANNING AND BUDGETING CONTRACT (CPBC) FOR FY 2010 / HEALTH DEPARTMENT

WHEREAS, the Comprehensive Planning and Budgeting Contract (CPBC) is an annual agreement between the State and the County to provide certain required Public Health services including immunizations, infectious and sexually transmitted disease control, hearing and vision screening, food protection, drinking water and on-site sewage monitoring, as well as several other State-funded programs; and

WHEREAS, funding for some CPBC activities has been reduced by Governor Granholm's Executive Order late in FY2009, as well as by reductions proposed in the Governor's FY2010 budget. Funding reductions include Local Public Health Operations, Childhood Lead Poisoning Prevention, Infant Mortality – Interconception Care Project, and Maternal and Child Health. Costs associated with these programs have been reduced by the appropriate funding reduction; and

WHEREAS, the budget amounts provided in the proposed agreement are based on the most current budget estimates available from the State; and

WHEREAS, revenues and expenses related to the CPBC agreement were used to prepare the Health Department's 2010 budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the Health Department's Comprehensive Planning and Budgeting Contract for FY 2010, and authorizes the Chair of the Board to sign the contract.

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Agee, Hirsch, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Chair Morgan – 16.

Nays: 0.

11-05-09-127 – AMENDMENT TO THE COMPREHENSIVE PLANNING AND BUDGETING CONTRACT (CPBC) FOR FY 2010 – H1N1 / HEALTH DEPARTMENT

WHEREAS, the Health Department has received notice from the Michigan Department of Community Health (MDCH) that \$1,178,658 in additional grant funds is available to the Health Department for Public Health Emergency Response - Novel H1N1 Phase III implementation; and

WHEREAS, Novel H1N1 Phase III implementation dollars will be used to administer the Novel H1N1 vaccine to clients. The vaccine is being provided through the federal government at no cost to providers to help prevent the spread of novel-H1N1 (formerly known as Swine Flu). The vaccine will be distributed to the Center for Disease Control target populations first, which includes pregnant women, care givers and close contacts of children under the age of 6 months, health care workers, and children ages 6 months to 18 years old. It will then be available to all others; and

WHEREAS, vaccine will be available in a combination of settings such as vaccination clinics organized by the Kent County Health Department, healthcare provider offices, and other private settings such as pharmacies; and

WHEREAS, the additional funding will be used to cover the cost of staff time for after-hours clinics, temporary staff that will provide assistance, media coverage to promote the importance of being vaccinated, and supplies and equipment necessary to operate the vaccine clinics.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners accept \$1,178,658 in additional funding from the Michigan Department of Community Health for Novel H1N1 Phase III implementation; to appropriate \$1,178,658 to the FY2010 Health Department Budget; and authorize the Board Chair to sign the agreement.

Motion by Commissioner Tanis, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Synk, Dillon, Vaughn, Talen, Bulkowski, Hennessy, Vander Molen, Agee, Hirsch, Courtade, Ponstein, Tanis, Parrish, Rolls, Antor, Chair Morgan – 16.

Nays: 0.

11-05-09-128 – EXTENSION OF LEASE / LICENSE TO JOHN BALL ZOO SOCIETY / JOHN BALL ZOOLOGICAL GARDEN

WHEREAS, the County of Kent and the John Ball Zoological Society (“Society”) are parties to a certain Lease and License Agreement, the terms of which allow the Society to use portions of the Zoo for the Society’s activities which are intended to support the Zoo; and

WHEREAS, the current Lease and License Agreement will expire on February 11, 2010; and

WHEREAS, County staff and the Society believe it would be in the best interests of the Zoo, the County, and the Society to undertake and complete a 5-year Strategic Plan for the Zoo before entering into a new lease and license for the use of County property by the Society, which will provide a framework for development of a future understanding and agreement; and

WHEREAS, the Society and County staff believe the strategic planning process and development of an agreement can be completed by December 31, 2010, at which time a new agreement can be executed; and

WHEREAS, the Society and County Staff have negotiated an extension to the current Lease and License Agreement which would keep the current agreement in place until December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the Lease and License Extension Agreement and that the Board Chair and/or the County Administrator/Controller, or their designee, are authorized and directed to sign the Lease and License Extension.

Motion by Commissioner Vander Molen, seconded by Commissioner Agee, that the resolution be adopted.

Motion by Commissioner Hennessy, seconded by Commissioner Parrish, to remove the "Experience" requirements on Exhibit A (Request for Proposals Elements).

Motion carried by voice vote.

Motion to adopt resolution carried by voice vote.

REPORTS

There were no reports.

MISCELLANEOUS

Commissioner Vonk

Commissioner Tanis arranged for Commissioner Vonk to speak, via telephone, to the Board and thank them for their support and cards.

Sheriff's Department Employees

Commissioner Dillon thanked the Sheriff's Department Correctional staff who appear at each Board meeting and standing committees.

Letter to DHS

Commissioner Tanis asked the Board to send a letter to the Governor, legislators and the head of the Department of Human Services asking that Andy Zylstra remain in Grand Rapids and not be transferred to Lansing. Chair Morgan agreed to draft the letter.

Zoo Society Fundraising

Commissioner Hennessy said that she appreciates the Zoo Society's fundraising campaign and she will contribute.

Take home vehicles

Commissioner Hirsch said that he is troubled by the number of vehicles that go home nightly and believes that there are hidden costs in privatizing. He encourages the Sheriff to not cut jobs.

Sheriff's Department

Commissioner Courtade believes that privatization often costs more in the end. He wants the Sheriff to re-look at priorities.

Commissioner Agee said that the Finance Committee is looking closely at the number of vehicles overall and the number of take-home vehicles. A few Commissioners met with Sheriff Stelma last week to discuss budget items, and Agee encouraged any members who still have questions/concerns, to contact the Sheriff.

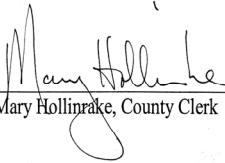
Commissioners Rolls concurred with Commissioner Agee and repeated that if Commissioners have more questions or concerns, to contact the Sheriff.

ADJOURNMENT

At 9:22 a.m., Commissioner Hennessy moved to adjourn, subject to the call of the Chair, and to Thursday, November 19, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vaughn. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
November 19, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan - 17.

Absent: Vonk, Voorhees - 2 (Excused).

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

PUBLIC COMMENT

1. Mary Serba, 911 Coldbrook, Grand Rapids, (Kitchen - Sheriff's Department) - She read the definitions of "layoff" and "replace." She doesn't think what is happening meets the definition of "layoff" in the contract. She reminded everyone that the kitchen staff is in 100% compliance with the Department of Corrections and Health Department. The cost of the kitchen was at \$1.8 million; it is now at \$1.3 million, which is quite amazing since the cost of the food has increased 20%. In 2008, they were encouraged to vote for the millage to keep their jobs. Sheriff Stelma got reelected, the jail is being rebuilt, but jobs are being lost so are we simply going to say two out of three aren't bad?

2. Steve Black (Sheriff's Department - Custodial), 2470 Omega Drive NE, Plainfield Township - He asked if his tax dollars are being used appropriately and would like to know where the \$16 million from the tax millage is going. As previously said, he too was told to tell everybody to vote for the jail millage and there would be no layoffs at the jail. Things will be good. Those were basically the words of the Sheriff. Well, what happened? It is layoffs galore. The millage was specifically for the Sheriff's Department but that department has the highest number of people going to be laid off. Honesty and integrity, what happened to those words? The KCSD recently hired 6 deputies, 5 sergeants, 2 lieutenants - where did the money come from? Nobody seems to know. We're broke, times are tough, we've got to layoff the kitchen. It's amazing; we are going to save \$500,000 by laying off the kitchen help. Nobody factors in the fact that when these people get laid off, they will go on unemployment. How much is that going to cost the County? Also, you are going to have to put deputies in the kitchen like they do for commissary and for medical. How much is that going to cost?

3. Jason Kroon (Sheriff's Department - Food Services), 3050 Boone Avenue, Wyoming - Why is the kitchen area being cut when it is always under budget and has a perfect record with Health Department and DOC. Will outsourcing the kitchen result in savings? Taking a kitchen that runs smoothly with no problems, has had 100% compliance with DOC and Health Department and replacing them with someone who does not have a perfect record may increase the chance of fines or lawsuits. It will then cost more. If you're going to compare apples to apples, then these private companies need to add in everything that is in the current budget, such as honor camp food, chemicals and wages, food service

gloves for the whole jail, razors, laundry soap, catering to other departments. If these companies are not including these costs, then you will need to look at our cost of just food and staff. At the current staffing levels, the cost with food, wages and benefits is around \$1 a tray. And once again, that \$1 tray comes with no fines or lawsuits and 100% compliance with DOC and Health Department.

4. David Cook (Sheriff's Department – Food Services), 1221 Diamond Avenue NE, Grand Rapids – As the deadline to eliminate several highly efficient and professional individuals from the Sheriff's Department approaches, he was told to come talk to the Commissioners because they are the only ones who can save jobs. By now, the bids are in for the RFP. He discovered that for 2010, the Sheriff's Department intends to operate food service in the same way it runs it now - same kitchen, same equipment, same food service director (FSD), the only exception being the vendor performs all the work and responsibilities of the FSD and its former staff. He doesn't understand what the FSD will do if nearly all of the staff is gone and someone else is performing his duties but that is what this new contract will do. It was Cook's impression that the BOC has the final authority on all areas of the County government. He thanked the Board for working on the kitchen staff's behalf.

5. Brian Bosak (UAW International Representative), 5351 Flyby Drive, Caledonia – He met with the Sheriff, but unfortunately it does not appear that they will be able to reach any agreement regarding saving these positions prior to the December 10th deadline for the budget approval. The deadline for the RFPs was November 17th, so they have not been evaluated yet. Since we do not have all the information, such as whether it's been approved or what's in the proposals, we do not know what to negotiate against to see if we can save these jobs. That information may not even be available through a FOIA request for another week, so we will be up against the deadline to try to come up with a solution. The Sheriff is in charge of running his budget, we understand that and don't want to over supervise and get too involved in his budget. If the Board has control or approval of the money that the Sheriff gets to use for his budget, the union is asking for more time. He hopes that the Board can seriously consider, by December 10th, the possibility of ear-marking money or trying to approve additional monies to save these jobs. Everyone knows that there is a big budget crisis looming next year. He applauds the County for making great strides to try to protect jobs. They have identified quite a few open positions, and we know that those will be gone next year. Solutions need to be reached quickly and early, and he is hopeful that the union will have the opportunity to discuss this early next year.

SPECIAL ORDER OF BUSINESS

Annual Employee Service Recognition

Chair Morgan presented the following employees with service awards:

<u>Department</u>	<u>Service Employee</u>	<u>Years of Service</u>
Circuit Court	Theodore Ndawillie	25
	Michael Robinson	40
	Michael Suchowolec	30

Friend of the Court	Julie Haveman Patricia Stubbs	25 25
Aeronautics	Bryan Kimble Eric Vanderstel	30 25
Bureau of Equalization	Chris Waichum	25
Clerk's Office	Mary Dusendang	30
Health Department	Ann Lemieux Thomas Paniwozik	25 25
Sheriff's Department	Bruce DeVries	30
Zoo	Joan Ryskamp	30

2010 Budget Public Hearing

County Administrator Daryl Delabbio presented an overview of the budget (copy of which is on file in the Office of County Clerk).

Motion by Commissioner Parrish, seconded by Commissioner Agee, to go into a public hearing on the 2010 budget.

Motion carried by voice vote.

At 9:28 a.m., the hearing began on the proposed 2010 budget.

There was no public comment.

Commissioner Agee: What would the budget look like if the jail millage, which was renewed last year, had not been renewed?

Administrator Delabbio: The millage that was voted on in August 2008 will be levied in December 2010. Therefore, it will effect the 2011 fiscal year and beyond. We are still living off the millage that was approved in 1990.

Commissioner Dillon: Can you explain, in the fund balance, how much we have in undesignated and unreserved, how much in cash flow and how much in emergency fund balance?

Administrator Delabbio: The unreserved/undesignated budget is about \$6 million. The cash flow fund is \$35 million (which is what takes the County from January to September when we start collecting property taxes for the fiscal year which started in January). There is about \$22 million in the emergency designation, pursuant to the Board of Commissioners' policy.

Commissioner Dillon: Does the Board's policy define "emergency"?

Administrator Delabbio: No.

Commissioner Dillon: Have we ever dipped into the emergency fund?

Administrator Delabbio: Not to my knowledge.

Commissioner Dillon: (Addressed to Sheriff Stelma) We presented budget recommendations to the Sheriff that had reductions, and I don't necessarily fault the Sheriff for trying to find efficiencies in the budget, the question is: If we were somehow able to find the money that we asked to be cut from the Sheriff's budget, perhaps out of our emergency fund (for the first time ever we've had a reduction in SEV), would the Sheriff be able to save the jobs that we are talking about today, or would that money goes towards a different purpose?

Administrator Delabbio: What the Board of Commissioners does is appropriate funds to each department, then it is up to the department to administer those funds as the department director deems appropriate.

Sheriff Stelma: Certainly the workforce reduction portion of the savings in our budget was based on a priority of how to carry out our mandated services. Part of the reduction was also from efficiencies within the organization that did not involve employee reductions. Those efficiencies that did not involve employee reductions would, under the scenario that you brought up, certainly remain. I would not alter those efficiencies. We will live with those. As far as the employees that we would bring back, it would have to be in a reverse order as to the priority of our mandated functions. Certainly some of the positions that have been eliminated are more critical to public safety endeavors than others, and we would have to return people based on that priority.

Commissioner Courtade: I was given a figure by the Sheriff of \$1.5 million that he needs in order to save those jobs. From Administrator Delabbio I got a figure that those jobs come to a little bit less than \$1.2 million. The question for the Sheriff is why the difference?

Administrator Delabbio: Not sure what the Sheriff included, it could be apples and oranges. I looked at wages and benefits.

Commissioner Courtade: Is there a way that we can put money into a fund that can only be used for the purpose of saving those jobs where the Sheriff has the option of using that money to save the jobs or not using the money?

Administrator Delabbio: I will have to do some research on that.

Commissioner Vaughn: Have we done a survey as how many people have 25, 30, 40 years who might retire next year?

Administrator Delabbio: We have information as to who is eligible to retire.

Commissioner Hennessy: We have a couple of different fee increases. I know that we've given our department directors budget guidelines and so some of these fee increases are in response to that. If we were to turn down any of these fee increases, would that directly impact those specific departments? That is, would they have to go back and take it out of the hide of the employees?

Administrator Delabbio: They would have to find the money somehow. Or, the Board would have to appropriate an additional amount.

Commissioner Talen: This has been an incredibly long, arduous process and a very difficult one. I want to express my appreciation to the staff. I've never been through anything like this and the amount of work that has gone into this budget, the quality that I've seen out of most departments, the way department heads have been able to find efficiencies, a lot of them have used their employees to help identify those and it's been very impressive to me. We have an amazing staff. We all feel terrible about the reductions and we've heard from a number of those being laid off, but we have reductions in other departments that we haven't heard from and those are just as painful. Those folks are feeling this just as much and I want to remember them and acknowledge that we do have the final decision, but the staff has done an amazing job of putting this together and I want to express my appreciation for that.

Motion by Commissioner Parrish, seconded by Commissioner Agee, to go back into general session.

Motion carried by voice vote.

Chair Morgan declared the hearing closed at 9:37 a.m.

CONSENT AGENDA

- a) Approval of Minutes of November 5, 2009 Meeting
- b) November 3, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

11-19-09-129 – PREVENTION INITIATIVE / SYSTEM OF CARE / ADMINISTRATOR'S / NETWORK 180

WHEREAS, as part of the Prevention Initiative, the Constella Group (now SRA, Inc.) was tasked with identifying federal grant opportunities that Kent County and its partners could apply for to strengthen the social service system within the County; and

WHEREAS, one of the identified opportunities was the SAMHSA System of Care (SOC) grant – a competitive 6-year, \$6 million grant opportunity that coordinates services between mental health, child welfare, juvenile justice and education systems that was recently awarded, and

WHEREAS, the grant intends to expand the Kent School Services Network and provide additional services that more closely coordinate services between the providers of children and families with severe emotional disturbances; and

WHEREAS, to support the writing of the grant, network180 agreed to provide Kent County with up to \$10,000 to amend its contract with SRA to assist in the writing of the grant proposal.

NOW, THEREFORE, BE IT RESOLVED that Kent County accepts \$10,000 from network180 to support the Prevention Initiative evaluation and submission of the System of Care Grant; and

FURTHER BE IT RESOLVED that Kent County appropriate \$10,000 to the Prevention Initiative Contractual Services budget for the purpose of expanding the scope of work conducted by SRA, Inc.

11-19-09-130 – 2009 APPORTIONMENT REPORT AMENDMENT / 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; and

WHEREAS, as a result of the November 3, 2009, election the millage rates for Rockford Public Schools, Grattan Township, and the Grand Rapids Public Schools were revised.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners does hereby certify the amended millage rates of the Rockford Public Schools, Grattan Township, and of the Grand Rapids Public Schools 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 amended millage rate certificates.

11-19-09-131 – FIRE COMMISSION BUDGET APPROPRIATION / FISCAL SERVICES / FIRE COMMISSION

WHEREAS, the Fire Commission Fund was established in 1942 and is permitted by MCLA 46.301 to oversee the purchase of fire extinguishing apparatus and equipment for 15 participating townships on a rotating basis; and

WHEREAS, the law permitting such activity limits the County's contribution to 50 percent of the cost of such equipment, with townships required to contribute the remaining 50 percent. Custom equipment is funded 100 percent by the townships; and

WHEREAS, \$126,000 was included in the FY 2009 budget for custom equipment in the Fire Commission Fund while the total cost for custom equipment came in at \$150,350; and

WHEREAS, an additional \$24,350 appropriation is required to cover custom equipment costs for FY 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners appropriates an additional \$24,350 from estimated revenues to the FY 2009 Fire Commission budget.

Motion by Commissioner Synk, seconded by Commissioner Agee, that the Consent Agenda items be approved.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan – 17.

Nays: 0.

RESOLUTIONS

11-19-09-132 – SENIOR MILLAGE ALLOCATIONS FOR 2010 / ADMINSTRATOR'S OFFICE

WHEREAS, the Area Agency on Aging of Western Michigan, Inc. (AAAWM) holds three-year contracts with 30 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 mid October 2009, the Kent County Senior Millage Review Committee reviewed 2010 funding requests and made recommendations regarding funding for each service. These recommendations were forwarded to the AAWM Executive Committee on October 26, 2009, 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, prescription assistance, flu and pneumonia vaccinations and emergency needs funding to seniors through purchase of service arrangements. Amounts to be allocated through this process have been included on the bid tabulation and recommendation sheet.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the allocation of \$6,641,922 in Senior Millage funds for 2010 as recommended by the Area Agency on Aging of Western Michigan, Inc.

Motion by Commissioner Tanis, seconded by Commissioner Hennessy, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Courtade, Dillon, Hennessy, Hickey, Hirsch, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan – 15.

Nays: 0.

Abstain: Bulkowski, Parrish – 2.

**11-19-09-133 – 2010 DISCRETIONARY AND CURRENT UNMET NEEDS
FUNDS / DEPARTMENT OF HUMAN SERVICES**

WHEREAS, the Board of Commissioners annually allocates funds to the Department of Human Services (DHS) to be awarded by the DHS Board following a review of proposals submitted by various community or social service agencies. Funds are separated into two categories: Discretionary and Current Unmet Needs; and

WHEREAS, programs funded by Discretionary Funds are those that are not traditionally recurring expenses, and the DHS Board recommends funding \$43,500 to five agencies for projects in this category; and

WHEREAS, programs included in the Current Unmet Needs category are those agencies and programs that annually receive assistance due to an absence of other funding sources, their ability to leverage significant other resources, or are in support of a cooperative effort of multiple funding sources. The 2010 recommendation includes \$362,388 to fund 14 programs for Current Unmet Needs.

NOW, BE IT FURTHER RESOLVED that the Board of Commissioners approves the allocation of \$405,888 in funding for human services programs as recommended by the Department of Human Services (DHS) Board.

Motion by Commissioner Vaughn, seconded by Commissioner Dillon, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan – 16.

Nays: 0.

Abstain: Parrish – 1

**11-19-09-134 – 2010 MANAGEMENT PAY PLAN (MPP) COMPENSATION
PROGRAM / HUMAN RESOURCES**

WHEREAS, the Human Resources Department recommends allowing funds to be available for performance merit increases to all Management Pay Plan (MPP) staff members in the lowest pay ranges (bands A and B, and staff members below the midpoint of band C) receive merit increases based on the employee's current position in the pay range and performance evaluation score; and

WHEREAS, this recommendation provides for a reasonable course of action as compared to recently approved bargaining unit agreements; and

WHEREAS, Human Resources recommends that no adjustments be made to the current MPP pay ranges; and

WHEREAS, the 2010 estimated MPP salary increase cost is \$205,836, and these funds have been included in the recommended 2010 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the recommendations from the Human Resources Department to approve MPP performance based salary adjustments representing 1% of the MPP payroll effective January 1, 2010, and that no adjustment be made to the current MPP pay ranges; and

BE IT FURTHER RESOLVED that if there are any concessions for bargaining units for 2010, the Legislative and Human Resources Committee may revisit the MPP plan.

Motion by Commissioner Dillon, seconded by Commissioner Parrish, that the resolution be adopted.

Motion by Commissioner Courtade, seconded by Commissioner Dillon, to amend the resolution by adding:

FURTHERMORE in order for these increases to take effect there can be no layoffs within the MPP group of employees in the 2010 budget.

Motion by Commissioner Courtade, seconded by Commissioner Dillon, to amend the amendment by replacing the word "layoffs" with the word "terminations."

FURTHERMORE in order for these increases to take effect there can be no terminations within the MPP group of employees in the 2010 budget.

Motion to amend failed:

Yeas: Courtade, Dillon, Hirsch, Synk – 4.

Nays: Agee, Antor, Bulkowski, Hennessy, Hickey, Parrish, Ponstein, Rolls, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan – 13.

Motion to adopt resolution failed (measure required majority vote of members elect):

Yeas: Bulkowski, Dillon, Hennessy, Hickey, Parrish, Talen, Tanis, Vander Molen, Chair Morgan - 9.

Nays: Agee, Antor, Courtade, Hirsch, Ponstein, Rolls, Synk, Vaughn - 8.

Motion by Commissioner Dillon, seconded by Commissioner Hickey, to reconsider the motion. (Motion out of order because motion was not made by a commissioner who had voted "no," as the motion failed.)

Motion failed (measure required 2/3 vote of members elect):

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Rolls, Synk, Talen, Vaughn – 12.

Nays: Parrish, Ponstein, Tanis, Vander Molen, Chair Morgan – 5.

Motion by Commissioner Ponstein, seconded by Commissioner Dillon, to call the question. (Motion out of order because motion to reconsider was out of order.)

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Ponstein, Rolls, Synk, Tanis, Vander Molen, Vaughn, Chair Morgan – 16.

Nays: Talen - 1.

Motion to adopt resolution 11-19-09-134 failed: (Motion out of order because motion to reconsider was out of order.)

Yeas: Dillon, Parrish, Rolls, Talen, Tanis, Vander Molen, Chair Morgan – 7.

Nays: Agee, Antor, Bulkowski, Courtade, Hennessy, Hickey, Hirsch, Ponstein, Synk, Vaughn – 10.

**11-19-09-135 – LABOR AGREEMENT: TEAMSTERS LOCAL 214 / HUMAN
REOURCES / PARKS**

WHEREAS, the County of Kent and the Teamsters Local 214, representing the Parks Department have negotiated a labor agreement; and

WHEREAS, the agreement provides for a retroactive 2.0% increase to base wages effective January 1, 2009, no increase effective January 1, 2010, and a 2.25% increase effective January 1, 2011; and

WHEREAS, the total addition to base salary and benefit costs over the life of the contract are \$63,898 and \$6,076 respectively. Due to a change in vendors and plan design changes in 2009, there is a net reduction in medical and prescription drug costs of \$6,583 for 2009; and

WHEREAS, the annual base wage with scheduled increases is approximately \$790,754 and the total three-year increase to salary and benefit costs is \$69,974; and

WHEREAS, the bargaining agreement includes up to 26 furlough days in 2010 to meet department budget requirements, where each day reflects savings of \$3,482; and

WHEREAS, the proposed contract has been ratified by the membership.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the three-year labor agreement for the period January 1, 2009, through December 31, 2011, between the County of Kent and the Teamsters Local 214 representing various positions within the Parks Department.

Motion by Commissioner Dillon, seconded by Commissioner Agee, that the resolution be adopted.

Motion carried:

Yeas: Agee, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Parrish, Synk, Talen, Vaughn – 10.

Nays: Antor, Hirsch, Ponstein, Rolls, Tanis, Vander Molen, Chair Morgan – 7.

**11-19-09-136 – LAND BANK AUTHORITY INTERGOVERNMENTAL
AGREEMENT / TREASURER'S OFFICE**

WHEREAS, the Michigan Land Bank Fast Track Authority ("Authority") was created as a public body corporate and politic within the Michigan Department of Energy, Labor and Economic Growth, a principal department of the executive branch of the state government, under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and is authorized to enter into intergovernmental agreements with county foreclosing governmental units providing for the creation of a county authority to exercise the powers, duties, functions, and responsibilities of an authority under that act; and

WHEREAS, the Treasurer of the County of Kent, Michigan is a foreclosing governmental unit under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and Section 78 of The General Property Tax Act, 1893 PA 206, MCL 211.78; and

WHEREAS, the Authority and the Treasurer and the Board of Commissioners of the County of Kent, Michigan desire to establish a county authority for Kent County as a separate legal entity and as a public body to exercise within Kent County, Michigan the powers, duties, functions and responsibilities of an authority under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to MCL 124.774.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the attached proposed Intergovernmental Agreement between the Michigan Land Bank Fast Track

Authority and the Treasurer of the County of Kent, Michigan creating the Kent County Land Bank Authority, subject if necessary, to technical, typographical, or non-substantial modifications approved by the executive Director of, or legal counsel for, the Michigan Land Bank Fast Track Authority and Kent County Corporate Counsel before the formal signature of the Intergovernmental Agreement.

Motion by Commissioner Dillon, seconded by Commissioner Courtade, that the resolution be adopted.

Motion carried by voice vote.

**11-19-09-137 – OPTION AGREEMENT WITH THE WEST MICHIGAN
SPORTS COMMISSION FOR POTENTIAL PURCHASE
OF PROPERTY / ADMINISTRATOR'S OFFICE /
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the West Michigan Sports Commission (WMSC) approached the County about the opportunity to purchase and/or lease property for the purpose of building a twelve field baseball/softball complex; and

WHEREAS, the property is owned by the County, but was paid for through revenue secured by the rate payers of the Department of Public Works (DPW) since the site functioned as the North Kent Landfill between 1975 and 1986; and

WHEREAS, a Sports Commission Complex Subcommittee was created by the Finance Committee to determine whether Kent County should enter into an agreement with the Sports Commission to establish a baseball/softball complex and after reviewing the various options (i.e. leases, land swaps, sale of property), the Sports Commission Complex Subcommittee determined that the sale of the property to the WMSC was the best course of action; and

WHEREAS, on Wednesday, August 5, 2009, the Board of Public Works approved a \$100 option for a period of two years that would allow the WMSC to purchase approximately 80 acres of property from the County and DPW for a purchase price of \$400,000 with the potential option extension of one year for an additional \$5,000 payment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves an Option Agreement with the West Michigan Sports Commission for the purchase of approximately 80 acres of County-owned property located at 3300 10 Mile Road NE, and authorizes the Chair of the Board to sign the agreement.

Motion by Commissioner Tanis, seconded by Commissioner Vander Molen, moved the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein,

Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan – 17.

Nays: 0.

**11-19-09-138 – REVISIONS TO THE HEALTH DEPARTMENT AND MEDICAL
EXAMINER FEE SCHEDULE / HEALTH DEPARTMENT**

WHEREAS, Public Act 368 of 1978 (the Public Health Code), as amended, allows a local government to "...fix and require the payment of fees for services authorized or required to be performed by the local health department." Said fees should not be more than the reasonable cost of providing the service; and

WHEREAS, the Health Department has attempted to create a fair and equitable fee structure for services that is consistent with surrounding counties and captures the cost of services provided. As a result, the Health Department is proposing fee adjustments to better align fees with associated costs and fees charged by the counties surrounding Kent; and

WHEREAS, the Health Department is recommending changes to 58 existing fees and the establishment of 45 new fees. The Medical Examiner is recommending changes to 6 existing fees. All of these recommendations are detailed in the attached schedule; and

WHEREAS, a public notice was placed in the Grand Rapids Press and sent to the County Clerk's Office to announce the new fees and the Public Hearing date. The Public Hearing was held on October 19, 2009, to educate the public concerning the new fees. No public comment was received; and

WHEREAS, the proposed fee changes will generate an additional \$481,000 for the Health Department and \$23,400 for the Medical Examiner.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approve amendments to the Health Department and Medical Examiner fee schedule effective December 1, 2009, for all fees except the Medical Examiner, which have an effective date of January 1, 2010.

Motion by Commissioner Vaughn, seconded by Commissioner Courtade, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Parrish, Ponstein, Rolls, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan – 11.

Nays: Courtade, Dillon, Hennessy, Hickey, Hirsch, Synk – 6.

11-19-09-139 – JOHN BALL ZOOLOGICAL GARDEN – CONTRIBUTION FROM ZOO SOCIETY / JOHN BALL ZOOLOGICAL GARDEN

WHEREAS, as a result of the continued budgetary constraints being placed on all departments of the County, the recommended budget for 2010 for the John Ball Zoological Garden included revenues based upon a proposed increase to the fee schedule; and

WHEREAS, the John Ball Zoological Society has approached Board Chair Roger Morgan with a proposal to raise and contribute \$100,000 to the Zoo to reduce its 2010 budget year operating requirements and thereby reduce the pressure to increase fees for the 2010 season; and

WHEREAS, the Zoological Society has offered to reimburse the County \$100,000 for food and medical supplies for the animals if the Board of Commissioners agrees to maintain the existing admission fees for the 2010 season.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby accepts the generous contribution from the John Ball Zoological Society and agrees to maintain the current admission fee schedule for the John Ball Zoological Garden for the 2010 season.

Motion by Commissioner Bulkowski, seconded by Commissioner Tanis, that the resolution be adopted.

Motion carried by voice vote.

11-19-09-140 – PROPOSED PARKS FEE INCREASES FOR 2010 / PARKS

WHEREAS, as required by the County Fiscal Policy – Fees and Charges, departments are required to review their fees and charges annually and to forward recommended changes to the Board of Commissioners; and

WHEREAS, the Parks Department is recommending changes to the rates for some enclosed shelter houses, some camp rates at Wabasis Park, and access for the beach and splash pad at Millennium Park to remain consistent with the market; and

WHEREAS, the increases are projected to generate an additional \$84,000 in revenue; and

WHEREAS, shelter and picnic fee increases are targeted to areas in highest demand.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners does hereby approve the following amendments to the Parks Department fee schedule with effective dates for shelters beginning with reservations made for or after January 1, 2010; and for Millennium Park Beach and Splash pad admission, and Wabasis Campground, effective beginning with the 2010 season.

	Current Fees	Proposed Fees		Current Fees	Proposed Fees
Millennium Park Beach and Splash pad			Enclosed Shelter Houses		
<i>Saturday of Memorial Day weekend through Labor Day</i>			<i>Weekends (Friday-Sunday)</i>		
<i>Day rate</i>			<i>Half day</i>		
Adult	\$3.00	\$4.00		\$255.00	\$275.00
Senior	\$2.00	\$3.00		\$480.00	\$495.00
Child	\$1.00	\$2.00	<i>Weekdays (Monday-Thursday)</i>		
Under 3	free	<i>no change</i>	<i>Half day</i>		
<i>Season Pass</i>			<i>Full day</i>		
Family	\$40.00	\$50.00		\$150.00	\$175.00
Individual Adult	\$35.00	\$40.00		\$300.00	\$325.00
Individual Senior	\$20.00	\$25.00	<i>Douglas Walker winter rates</i>		
Nonprofit/Agency*	n/a	\$50.00	<i>Half day</i>		
Campground Rentals			<i>Full day</i>		
Cottage	\$525.00	\$575.00		\$275.00	\$300.00
Full hook-up sites	\$32.00	\$34.00		\$550.00	\$575.00
Electric only sites	\$27.00	\$28.00	Open Shelters		
Primitive sites	\$16.00	\$18.00	Townsend Park		
Walk-in Primitive	\$12.00	<i>no change</i>	Millennium Park		
Reservation fee	\$5.00	<i>no change</i>	All other parks		
			Picnic Areas		
			Per day		
				\$50.00	<i>no change</i>

* Nonprofit organization or government agency providing daily care to special needs children or adults; previously they have been issued passes at the family rate.

Motion by Commissioner Vaughn, seconded by Commissioner Parrish, that the resolution be adopted.

Motion carried:

Yeas: Agee, Antor, Bulkowski, Parrish, Ponstein, Rolls, Talen, Tanis, Vander Molen, Vaughn, Chair Morgan – 11.

Nays: Courtade, Dillon, Hennessy, Hickey, Hirsch, Synk – 6.

REPORTS

There were no reports.

MISCELLANEOUS

Donation to Zoo Society

Commissioner Bulkowski announced that he will give 14.2% (the amount of the Zoo's 2010 budget cut) of his 2010 salary to the Zoo Society. Commissioner Vaughn said that he will, too.

Commissioner Pay Cut

Commissioner Dillon stated that he supports a pay reduction.

Commissioner Courtade said that he, too, supports a decrease in Commissioners' wages.

PDR Meeting

Commissioner Parrish stated that the PDR meeting scheduled for 9:30 a.m. this morning will be rescheduled.

Veterans Day

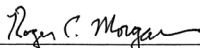
Commissioner Tanis said that Commissioner Synk joined him for the Veteran's Day parade.

Health Update

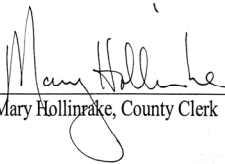
Commissioner Tanis said that Commissioner Vonk walked 50 steps this week and his spirits are up.

ADJOURNMENT

At 10:54 a.m., Commissioner Synk moved to adjourn, subject to the call of the Chair, and to Thursday, December 10, 2009, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Vaughn. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk

PROCEEDINGS

of the
Kent County Board of Commissioners
December 15, 2009 – Regular Meeting

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

Present: Commissioners Agee, Antor, Bulkowski, Courtade, Dillon, Hennessy, Hickey, Hirsch, Parrish, Ponstein, Rolls, Synk, Talen, Tanis, Vander Molen, Vaughn, Vonk, Voorhees, Chair Morgan - 19.

Absent: None.

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

PUBLIC COMMENT

1. Steve Black, 2470 Omega Drive NE, Plainfield Township – At the November 19, 2009, Board of Commission meeting, Mr. Black made a comment that led to his suspension from his job at the County jail. He has since retired from his job, and claims that he had the right to say what he did due to the First Amendment.
2. W. Paul Mayhue, 244 Heritage Commons, Grand Rapids – He is against the funding of the PDR (Purchase of Development Rights) Program as many in the community are in immediate need. He recommends that the Board restore laid-off workers and fund projects for the inner city youth.
3. Harold Mast, 4914 Curwood SE, Kentwood – As a member of the Veteran's Advisory Committee, he announced that they have hired a new manager for the Veteran's Affairs Department - Carrie Jo Roy. Also, he is against the Board reducing dues payment to the Grand Valley Metro Council.
4. Lance Climie, 2569 Holtman Drive NE, Plainfield Township – He supports PDR. Kent County lost more than 40,000 farm acres between 1982 -1997. Kent County has been working on this issue for over 7 years; it is time to do something. Once farmland is gone, it is gone forever.
5. Michael B. Scruggs, 921 Fulton, Grand Rapids - Speaking on the Child Welfare lawsuit. He served on the Department of Human Services Board for three years. Michigan is failing its children who are mistreated by their parents. He has heard that Kent County may challenge the child welfare settlement and, if so, he urges that Kent proceed, but be specific (sic).
6. Scott Atchison, 2251 South Saulk Trail, Grand Rapids – He supports farmland preservation. We need agriculture, but he wants to know if the acres preserved will continue to be farmed. He suggests using some of the land for community gardens.
7. Jason Kroon (Sheriff's Department – Food Services), 3050 Boone Avenue, Wyoming – Thanked the Board for listening to the Sheriff's Department staff voice their concerns and issues with outsourcing.

8. Bill Ryan, 1870 Laraway Lane, Cascade Township – Supports the Sports Commission. He serves on the executive board of the West Michigan Sports Commission, the Indiana Sports Corporation and the Detroit Metro Sports Commission. Sports commissions have proven to be viable in many communities. We are working to create jobs and to bring people into this community who spend money, and we are capable of bringing in hundreds of events.

9. Scott Mouthaan, 260 W. Muskegon Street, Kent City (Tyrone Township Trustee) – He supports PDRs. Michigan is number 2 in agricultural diversity because of our different soil types and micro climates due to the Great Lakes. Once agriculture land is gone, it's gone. We need the urban/rural balance. Agriculture is a growing business in Michigan. Let Kent County set the example in Michigan.

10. Hattie Patterson, 1640 Pembroke, Kentwood – Here on behalf of the "Family that's United for Justice" which tries to prevent children from being abused in foster homes. She asked that the Board re-look at the laws pertaining to incarceration for child support when there are no jobs which makes it difficult for people to pay what they owe.

11. Dan Tietema, 2145 Edgewood, Grand Rapids – He read a statement opposing public funding of PDRs. The decision to spend taxpayer dollars on this program is reckless. The Board is cutting jobs while raising spending. Now is not the time. Kent County doesn't have the money – vote "no."

12. Sue Lighthead, 8566 Winterforest Drive, Rockford – She is a general contractor who owns a design/building company. People in this county have been laid off. Before we can move forward with something that is as narrow as PDRs, we need to reinstate our public safety officers. This is not the time to fund PDR.

13. Lisa Pothumus Lyons, Grand Rapids Association of Realtors and the Commercial Alliance of Realtors – Urged Commissioners to vote "no" on the PDR funding proposal. She is the fourth generation to live on her family's farm. However, with Kent County facing a multimillion dollar shortfall next year and laying off employees, now is not the time. Government at all levels should focus its limited resources on putting people to work.

(Commissioner Ponstein entered the meeting at 9:15 a.m.)

14. Dan Hula, 17 W. Oak Street, Sand Lake – Served on an environment development committee back in the late '80s that spent countless hours on land preservation issues, PDRs, TDRs, impact fees, easements, storm water management, etc. They put together a guide for land preservation in 1992. He supports farmland preservation, but is against using public dollars to support it. Believes Board members do not have all of the information and asked that they consult more.

15. Dale Sugars, 1185 Tannenger, Oshtemo Township (Executive VP of the Home and Building Association of Greater Grand Rapids) - As everyone is aware, building permits have dropped 80% in the last couple of years. We've lost over 69,000 construction jobs in Michigan. He encouraged the Board not to spend tax dollars on development rights. Urges looking at the land bank to create construction jobs and get taxpayers in foreclosed homes.

16. Andy DeVries, 2632 Railside Circle, Byron Center - Supports the Sports Commission funding. Moved to Indianapolis a couple of years ago and discovered that its downtown was so vibrant due, in part, to its sports commission. People in Grand Rapids had the vision to replicate something like the Indiana Sports Commission in the West Michigan Sports Commission. It's brought in thousands of people for events who stay in hotels, eat in restaurants and spend millions of dollars in this area, all on a shoestring budget.

17. Ryan Steffens, 934 Flat Street, Grand Rapids – Owns an energy solution business in Grand Rapids and is also a partner in an interstate travel company. He asked the Board not to cut funding to Grand Valley Metro Council. Also, he asked the Board of Commissioners to please help with dairy farm bio-gas incentives.

18. Marsha Rapp, 158 Campau Circle, Grand Rapids – Supports PDRs. It is about leverage and economic development since agriculture is a growing business. We must look long term. She has reviewed many studies which show that a strong urban core along with strong rural surroundings make for vibrant communities - sprawl kills the vibrancy.

19. Mick McGraw, 5333 Settlers Pass, Kentwood – He fully supports the farming industry and values the contributions it makes to this county. He has championed open space and land conservation for years. He has donated 100s of acres for parks, open space and trails. However, he objects to the use of tax dollars to support the PDR program. He is against more government intervention and buying land that does not give taxpayers much in return. It is not the right time to spend money on this program.

20. John Postma, 1301 Royal County Down, Cascade (President of Grand Rapids Association of Realtors) – Against public dollars for PDRs. At this time, we need to focus on other issues in this county.

21. Jordan Bush, 2602 Blaine, Grand Rapids - Kent County doesn't have the money for PDRs. As core functions of the County are not being funded, we can't create new expenditures. Again, we do not have the money.

22. Sharon Steffens, 6690 Walker Ave NW, Grand Rapids – Encouraged Board to fund PDR. Served on the Alpine Township board for 24 years, serving as clerk, supervisor and trustee and is also a farmer. Agriculture and tourism are key to the success of this community. The balance between urban/rural is important; this is seed money for the future. It is time for the County to step up to the plate. Also, she encouraged the Board to support the Grand Valley Metro Council funding.

23. Sister Lucille Janowiak, 2025 E. Fulton, Grand Rapids – She has been involved with supporting farms for decades and she supports PDRs. The amount that we are investing for this program is quite minimal compared to the whole budget. It is a way to show farmers that we support their efforts. She acknowledges these are tough economic times, but this is to preserve the future.

24. Eric Fouch, 2339 84th Street, Gaines Township Trustee – He supports PDRs. He visited Lancaster, PA and Carroll County, MD, and these are the same issues those two counties dealt with 20 years ago. They have built the shining example of farmland preservation and that is what this PDR model is fashioned after. The Agricultural Preservation Board considers all applications for PDR. The farmers interested in PDR want to continue to farm and make sure there families can farm. He urged Board members to vote in support of PDR.

25. Deanna Kloostra, Kentwood – She is a non-custodial mom who hasn't seen her children in one year. She is angry. She feels that Judge Gardner should have been removed from office years ago and if so she would not have been in a position to make the decisions she has made in Kloostra's lawsuit. She will file a lawsuit in the U.S. District Court in 2010.

SPECIAL ORDER OF BUSINESS

Recognition of Fiscal Services Director Bob White

Chair Morgan read a proclamation acknowledging Bob White's significant contribution to Kent County as Fiscal Services Director during his 7 years of service. He has 38 years of public service and is recognized as one of the premier public finance officers in the state. The Board declares today, December 15, 2009, "Robert J. White Day in Kent County."

Mr. White thanked the Board and said that he has thoroughly enjoyed his time at Kent County. He found staff & the Commissioners to be very positive. He encouraged recognition of hardworking employees, as it pays off significantly.

CONSENT AGENDA

- a) Approval of Minutes of November 19, 2009 Meeting
- b) November 17, 2009 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

12-15-09-141 – BUDGET AMENDMENT – DISPATCH COLLECTION FUND BUDGET / FISCAL SERVICES

WHEREAS, in January and February 2009, the County received revenue that was levied in 2008 (October, November, December) for the 911 surcharge. These revenues were accounted for in 2009 using cash basis accounting; and

WHEREAS, in January and February of 2010, the County will receive surcharge revenues that were levied in 2009 (October, November, December). These funds will be accounted for in 2009 using the accrual basis of accounting, which means that the County will account for 18 months of revenue in one year as a result of the change in the basis of accounting; and

WHEREAS, to comply with auditing and accounting standards, the 2009 appropriation for the Dispatch Collection Fund is recommended to be amended to include an additional \$2 million; and

WHEREAS, no additional funds have or will be levied by approving this appropriation which is a result of a change to the basis of accounting. Future year budgets will reflect 12 months of revenue and the revenue will be accrued to the prior year.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners approves an additional appropriation of up to \$2,000,000 to the 2009 Dispatch Collection Fund Budget.

Motion by Commissioner Voorhees, seconded by Commissioner Tanis, that the Consent Agenda items be approved.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee, Chair Morgan – 19.

Nays: 0.

RESOLUTIONS**12-15-09-142 – 2010 GENERAL APPROPRIATION ACT / ADMINISTRATOR'S OFFICE**

WHEREAS, this resolution shall be known as the FY 2010 General Appropriation Act; and

WHEREAS, pursuant to MCLA 141.412 and 141.413, notice of a public hearing on the proposed budget was published in a newspaper of general circulation on November 9, 2009, and a public hearing on the proposed budget was held on November 19, 2009; and

WHEREAS, the Kent County voters authorized millages of 0.7893 mills for correctional facility operations and debt service, and 0.3244 mills for senior services; and

WHEREAS, the Board of Commissioners will authorize in May 2010, a general property tax levy on all real and personal property within the County upon the current tax roll for County general operations; and

WHEREAS, the Kent County Finance and Physical Resources Committee has reviewed the recommended 2010 Budget in detail; and

WHEREAS, estimated total revenues and appropriations for the various funds are recommended as follows:

Fund	Sources		Appropriation
	Revenues	Reserves	
General Fund	\$165,049,910	\$ 2,733,293	\$167,783,203
Special Revenue Funds*	40,030,693	12,735,614	52,766,307
Capital Project Funds	3,232,889	1,545,000	4,777,889
Internal Service Fund	24,641,079	1,446,799	26,087,878
Debt Service Funds	2,139,853	700	2,140,553
Component Unit Funds	42,473,811	-	42,473,811
Proprietary Funds	40,540,873	7,305,701	47,846,574
Total	\$318,109,108	\$25,767,107	\$343,876,215

* Includes Revenue Sharing Reserve Fund of \$11,970,290

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby adopts the FY 2010 Appropriation Act as the official budget for FY 2010; and

BE IT FURTHER RESOLVED, that County officials responsible for the appropriations authorized in the Act may expend County funds up to, but not to exceed, the total appropriation authorized for each department or activity; and

BE IT FURTHER RESOLVED, that the Kent County Board adopts the FY 2010 budgets for the various governmental funds by department or activity as follows:

**2010 General Appropriations Act
County of Kent, Michigan**

GENERAL FUND	Appropriation	Memorandum	Total
Estimated Revenues			
Taxes	\$ 85,694,728	\$ -	\$ 85,694,728
Licenses & Permits	93,800	-	93,800
Intergovernmental	9,342,031	-	9,342,031
Charges for Services	18,403,902	-	18,403,902
Fines & Forfeitures	167,000	-	167,000
Investment Earnings	1,891,450	-	1,891,450
Reimbursements	12,681,754	-	12,681,754
Other	4,616,868	-	4,616,868
Transfers In	32,158,377	-	32,158,377
Total Estimated Revenues	165,049,910	-	165,049,910
Fund Balance Usage (Deposit)	2,733,293	-	2,733,293
Total Estimated Revenues & Other Sources	\$167,783,203	\$ -	\$167,783,203
Appropriations			
Circuit Court	\$ 17,312,853	\$ -	\$ 17,312,853
Clerk/Register of Deeds	3,405,225	-	3,405,225
District Court	2,822,217	-	2,822,217
Drain Commission	559,322	-	559,322
Facilities Management	14,207,970	-	14,207,970
Fiscal Services	3,453,822	-	3,453,822
Information Technology	5,183,126	-	5,183,126
Policy/Administration	4,151,127	-	4,151,127
Sheriff's Department	60,847,410	-	60,847,410
Treasurer's Office	1,068,750	-	1,068,750
Parks Department	3,726,713	-	3,726,713
Probate Court – Mental & Estate Division	1,346,130	-	1,346,130
Intergovernmental	4,567,404	-	4,567,404
DHS Social Welfare	700,000	-	700,000
Bureau of Equalization	1,498,566	-	1,498,566
Human Resources	1,803,090	-	1,803,090
Prosecutor's – Criminal/Juvenile	6,114,963	-	6,114,963
Cooperative Extension Service	583,233	-	583,233
Medical Examiner	1,234,334	-	1,234,334
Veterans' Affairs Department	176,285	-	176,285
John Ball Zoological Gardens	3,861,231	-	3,861,231
Transfers Out	31,299,762	-	31,299,762
Total Appropriations before Lapse	169,923,533	-	169,923,533
Estimated Appropriation Lapse	(2,140,330)	-	(2,140,330)
Total Appropriations	\$167,783,203	\$ -	\$167,783,203

**2010 General Appropriations Act
County of Kent, Michigan**

SPECIAL REVENUE FUNDS	Appropriation	Memorandum*	Total Appropriation
Estimated Revenues			
Taxes	\$28,209,999	\$ -	\$ 28,209,999
Licenses & Permits	70,000	1,348,900	1,418,900
Intergovernmental	3,344,273	43,244,430	46,588,703
Charges for Services	4,670,608	1,712,163	6,382,771
Fines & Forfeitures	443,765	244,657	688,422
Investment Earnings	436,900	-	436,900
Reimbursements	642,000	5,008,918	5,650,918
Other	247,606	515,773	763,379
Transfers In	1,965,542	28,373,170	30,338,712
Total Estimated Revenues	40,030,693	80,448,011	120,478,704
Fund Balance Usage (Deposit)	12,735,614	387	12,736,001
Total Estimated Revenues & Other Sources	\$52,766,307	\$80,448,398	\$133,214,705
Appropriations			
Fire Commission	\$ 570,928	\$ -	\$ 570,928
Friend of the Court	-	9,026,574	9,026,574
Health Department	-	28,316,492	28,316,492
Lodging Excise Tax	6,433,876	-	6,433,876
Correction & Detention Millage	17,915,320	-	17,915,320
Senior Millage	6,941,022	-	6,941,022
Register of Deeds Automation Fund	728,851	-	728,851
Central Dispatch Collection	3,900,000	-	3,900,000
Drug Law Enforcement Fund	168,803	-	168,803
Community Development	-	3,548,552	3,548,552
Child Care	-	21,798,228	21,798,228
DHS Child Care	-	13,991,783	13,991,783
DHS Social Welfare	3,362,000	-	3,362,000
Revenue Sharing Reserve Fund	11,970,290	-	11,970,290
Veteran's Trust	-	75,715	75,715
SP - Circuit Court Com Corrections Admin	-	912,892	912,892
SP - Circuit Court Com Corrections Grant	-	229,900	229,900
SP - Circuit Court Family Counseling	70,000	-	70,000
SP - Circuit Court Juv Accountability	-	387	387
SP - Circuit Court DMC Inter and Reduction	-	126,696	126,696
SP - Drain Commission Special Assessment	73,805	-	73,805
SP - FM Fallasburg Dam	13,531	-	13,531
SP - Cooperative Extension Mississippi Food Net	48,801	-	48,801
SP - FOC Access & Visitation Grant	-	15,000	15,000
SP - Prosecutor's Cooperative Reimbursement	-	1,799,828	1,799,828
SP - Remonumentation Program	140,000	-	140,000
SP - Sheriff Drug Enforcement	-	103,957	103,957
SP - Sheriff Gifts Honor Camp	5,000	-	5,000
SP - Sheriff Gifts Jail	92,830	-	92,830
SP - Sheriff DARE	5,000	-	5,000
SP - Sheriff Local Correction Officers Train	243,250	-	243,250
SP - Sheriff Michigan Dispatch Training	33,000	-	33,000
SP - Sheriff Michigan Justice Training	50,000	-	50,000
SP - Sheriff Secondary Road Patrol	-	502,394	502,394
Total Appropriations	\$52,766,307	\$80,448,398	\$133,214,705

*These Memorandum Budgets were previously appropriated by the Kent County Board of Commissioners via resolutions 04-23-09-39, 06-11-09-71, 09-10-09-101, and 09-24-09-107.

**2010 General Appropriations Act
County of Kent, Michigan**

CAPITAL PROJECT FUNDS	Appropriation	Memorandum	Total Appropriation
Estimated Revenues			
Taxes	\$3,107,889	\$ -	\$3,107,889
Intergovernmental	125,000	-	125,000
Investment Earnings	-	-	-
Reimbursements	-	-	-
Other	-	-	-
Transfer In	-	-	-
Total Estimated Revenues	3,232,889	-	3,232,889
Fund Balance Usage (Deposit)	1,545,000	-	1,545,000
Total Estimated Revenues & Other Sources	\$4,777,889	\$ -	\$4,777,889
Appropriations			
Capital Improvement Program	\$4,777,889	\$ -	\$4,777,889
Building Authority Construction	-	-	-
Bond Capital Improvement	-	-	-
Total Appropriations	\$4,777,889	\$ -	\$4,777,889

INTERNAL SERVICE FUND	Appropriation	Memorandum	Total Appropriation
Estimated Revenues			
Charges for Services	\$ 1,250,000	\$ -	\$ 1,250,000
Investment Earnings	152,000	-	152,000
Reimbursements	23,204,079	-	23,204,079
Other	35,000	-	35,000
Total Estimated Revenues	24,641,079	-	24,641,079
Fund Balance Usage (Deposit)	1,446,799	-	1,446,799
Total Estimated Revenues & Other Sources	\$26,087,878	\$ -	\$26,087,878
Appropriations			
Risk Management	\$26,087,878	\$ -	\$26,087,878
Total Appropriations	\$26,087,878	\$ -	\$26,087,878

DEBT SERVICE FUNDS	Appropriation	Memorandum*	Total Appropriation
Estimated Revenues			
Intergovernmental	\$ -	\$ 784,978	\$ 784,978
Investment Earnings	-	300	300
Other	-	9,742,524	9,742,524
Transfers In	2,139,853	959,417	3,099,270
Total Estimated Revenues	2,139,853	11,487,219	13,627,072
Fund Balance Usage (Deposit)	700	(17,203)	(16,503)
Total Estimated Revenues & Other Sources	\$ 2,140,553	\$11,470,016	\$13,610,569
Appropriations			
Building Authority Debt Service Fund	\$ -	\$11,470,016	\$11,470,016
Debt Service Fund	2,140,553	-	2,140,553
Total Appropriations	\$ 2,140,553	\$11,470,016	\$13,610,569

*The Building Authority Debt Service Memorandum Budget was previously appropriated by the Kent County Building Authority.

**2010 General Appropriations Act
County of Kent, Michigan**

COMPONENT UNIT FUNDS	Appropriation	Memorandum*	Total Appropriation
Estimated Revenues			
Intergovernmental	\$ 639,380	\$2,512,910	\$ 3,152,290
Charges for Services	38,154,605	-	38,154,605
Investment Earnings	1,208,398	-	1,208,398
Other	2,471,428	-	2,471,428
Total Estimated Revenues	42,473,811	2,512,910	44,986,721
Fund Balance Usage (Deposit)	-	-	-
Total Estimated Revenues & Other Sources	\$42,473,811	\$2,512,910	\$44,986,721
Appropriations			
Housing Commission	\$ -	\$2,512,910	\$ 2,512,910
Public Works	42,473,811	-	42,473,811
Total Appropriations	\$42,473,811	\$2,512,910	\$44,986,721

*The Housing Commission's Memorandum Budget was previously appropriated by the Kent County Board of Commissioners via the signature approval of the Kent County Board Chair.

PROPRIETARY FUNDS	Appropriation	Memorandum	Total Appropriation
Estimated Revenues			
Taxes	\$ 4,180,522	\$ -	\$ 4,180,522
Intergovernmental	4,000,000	-	4,000,000
Charges for Services	18,840,059	-	18,840,059
Fines & Forfeitures	5,000	-	5,000
Investment Earnings	1,152,250	-	1,152,250
Reimbursements	235,000	-	235,000
Other	12,128,042	-	12,128,042
Total Estimated Revenues	40,540,873	-	40,540,873
Fund Balance Usage (Deposit)	7,305,701	-	7,305,701
Total Estimated Revenues & Other Sources	\$47,846,574	\$ -	\$47,846,574
Appropriations			
Aeronautics	\$40,251,324	\$ -	\$40,251,324
Delinquent Tax Fund	7,595,250	-	7,595,250
Total Appropriations	\$47,846,574	\$ -	\$47,846,574

BE IT FURTHER RESOLVED, that appropriations made for the available balances and outstanding encumbrances at fiscal year end for grants are continued in full force and effect and shall carry over to successive fiscal years until the grants are completed or otherwise terminated; and

BE IT FURTHER RESOLVED, that appropriations made for the available balances and outstanding encumbrances at fiscal year end for capital projects are continued in full force and effect and shall carry over to successive fiscal years until the projects are completed or otherwise terminated; and

BE IT FURTHER RESOLVED, that appropriations made for the outstanding purchase orders and contractual encumbrances at fiscal year end in the operating funds are continued in full force and effect and shall carry over to successive fiscal years until the projects are completed or otherwise terminated; and

BE IT FURTHER RESOLVED, that the County Administrator/Controller shall provide the Kent County Finance and Physical Resources Committee, at the end of each fiscal quarter, a report of year to date revenues and expenditures compared to the budgeted amounts in the various funds of the County; and

BE IT FURTHER RESOLVED, that this resolution supersedes all previous resolutions related to the General Fund and Lodging Excise Tax Fund appropriations and/or commitments; and

BE IT FURTHER RESOLVED, that whenever it appears to the Kent County Administrator/Controller or the Kent County Board that the actual

and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, or when it appears that expenditures will exceed an appropriation, the County Administrator/Controller shall present to the County Board recommendations to prevent expenditures from exceeding available revenues and reserves or appropriations for the budget year. Such recommendations may include proposals for reducing appropriations, increasing revenues or a combination thereof.

Motion by Commissioner Tanis, seconded by Commissioner Vonk, that the resolution be adopted.

Motion by Commissioner Courtade, seconded by Commissioner Dillon, to amend the resolution by adding the following:

To take \$1.5 million from the undesignated, unreserved fund balance to be added to the Kent County Sheriff Department operation budget.

Motion ruled out of order by Chair Morgan, as it is in violation of the County's Annual Budget Policy and/or the Board's Standing Rules, specifically Rule 4.0W.

Motion by Commissioner Dillon, seconded by Commissioner Talen, to appeal the Chair's ruling.

Motion "Shall the ruling of the Chair be sustained?"

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Rolls, Parrish, Bulkowski, Antor, Agee – 10.

Nays: Talen, Synk, Ponstein, Hirsch, Hickey, Hennessy, Dillon, Courtade – 8.

Motion by Commissioner Courtade, seconded by Commissioner Dillon, to amend the resolution by adding the following:

To reduce the Appropriation lapse by \$140,330 to be added to keep two MPP positions which will be split, (1 position each) between Information Technology and Human Resources. The two positions to be chosen by county administrator and each department head.

Motion ruled out of order by Chair Morgan, as it is in violation of the County's Annual Budget Policy and/or the Board's Standing Rules, specifically Rule 4.0W.

Motion by Commissioner Dillon, seconded by Commissioner Talen, to appeal the Chair's ruling.

Motion "Shall the ruling of the Chair be sustained?"

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Rolls, Parrish, Bulkowski, Antor, Agee – 10.

Nays: Talen, Synk, Ponstein, Hirsch, Hickey, Hennessy, Dillon, Courtade – 8.

Motion by Commissioner Ponstein, seconded by Commissioner Hirsch, to call the question.

Motion carried by voice vote.

Motion to adopt resolution 12-15-09-142 carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Bulkowski, Antor, Agee, Chair Morgan – 16.

Nays: Synk, Dillon, Courtade – 3.

**12-15-09-143 – FUNDING FOR OPEN SPACE AND AGRICULTURAL
PRESERVATION ACTIVITIES / BOARD OF COMMISSIONERS
- KENT/ MSU COOPERATIVE EXTENSION**

WHEREAS, in February 2009, the Open Space and Agricultural Preservation Subcommittee was appointed to recommend strategies for open space (developed and undeveloped parkland) and agricultural preservation. In July, the Subcommittee presented an interim update to the Board which provided both short- and long-term recommendations for the County to develop a strategy to support open space and agricultural land preservation and identify and recommend suitable and sustainable funding sources; and

WHEREAS, these short- and long-term recommendations were based upon the following three principles: land preservation must be a coordinated result of planning and preservation efforts; land preservation must be supported by a sustainable funding source; and local units of government must be supportive of efforts towards land preservation; and

WHEREAS, among the recommendations was that the Board appropriate \$275,000 to the Agricultural Preservation Fund for 2010, as part of a multi-year commitment to build and strengthen the Purchase of Development Rights (PDR) program while more long-term and sustainable funding sources are researched and identified by the Subcommittee; and

WHEREAS, local foundations have been enthusiastic supporters of the PDR program since its inception. It is expected that Kent County can leverage additional short-term support by appropriating funds that can be used as match while it pursues long-term funding sources for open space and agricultural land preservation that could include philanthropic contributions, grants, a dedicated millage or bonding; and

WHEREAS, the Subcommittee and the Agricultural Preservation Board have already begun to leverage the potential of this funding by securing financial support to gauge community perceptions about open space and agricultural preservation and by pursuing other funding requests to develop a long-term sustainable funding strategy.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners amends the 2010 Budget by appropriating \$275,000 from the Unreserved Undesignated General Fund balance to the Agricultural Preservation Fund.

Motion by Commissioner Talen, seconded by Commissioner Rolls, that the resolution be adopted.

Motion by Commissioner Voorhees, seconded by Commissioner Vander Molen, that the resolution be amended by adding the following language to the end of the existing NOW, THEREFORE, BE IT RESOLVED:

and to establish a millage election date of November 2, 2010, for the purpose of placing on the ballot a millage question regarding the funding of the PDR Program.

Motion by Commissioner Ponstein, seconded by Commissioner Dillon, to call the question.

Motion carried by voice vote.

Motion to amend failed:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Chair Morgan – 6.

Nays: Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee - 13

Motion to adopt resolution 12-15-09-143 carried:

Yeas: Talen, Synk, Rolls, Ponstein, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Bulkowski, Antor, Agee – 13.

Nays: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Chair Morgan – 6.

12-15-09-144 – ACSET LEASE FOR SPACE IN THE HUMAN SERVICES COMPLEX / FACILITIES MANAGEMENT / HUMAN SERVICES COMPLEX

WHEREAS, ACSET and its service providers are tenants of the new Human Services Complex; and

WHEREAS, the sublease agreement incorporates discussions between the City of Grand Rapids, ACSET and the County which have taken place regarding funding, use, and equipping of the building.

- o The term of the sublease is for 20 years, with two additional 5-year renewal options.
- o ACSET's share of the base rent (bond payments) shall be split equally between the City and the County, and ACSET is relieved of that obligation of base rent as long as those payments are made.
- o ACSET is responsible for paying its share of operating costs, based on square footage, and any additional costs incurred for direct, after-hours services.
- o As required by the State of Michigan, ACSET has the right to terminate the sublease if its funding is terminated or substantially reduced through no fault of its own; and

WHEREAS, the document reflects all final details of the project, including square footage, furnishings, and business hour determinations; and

WHEREAS, Assistant Corporate Counsel has reviewed and approved the document as to form.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves a sublease with the Area Community Services Employment and Training (ACSET) Council for the space in the Kent County Human Services Complex at 121 Franklin St. SE, Grand Rapids.

Motion by Commissioner Vaughn, seconded by Commissioner Vonk, that the resolution be adopted.

Motion carried by voice vote.

12-15-09-145 – PROPERTY EXCHANGE WITH THE CITY OF GRAND RAPIDS / HUMAN SERVICES / FACILITIES MANAGEMENT

WHEREAS, the County owns the former Department of Human Services location at 415 Franklin together with 2 remote parking lots that served 415 Franklin. This complex also includes the Paul I. Phillips Gymnasium (the "County Properties"). The City of Grand Rapids owns or otherwise controls 5 parcels of property along Franklin St. (the "City Properties"); and

WHEREAS, since 2008, a subcommittee consisting of Commissioners VanderMolen, Vaughn, and Voorhees - joined by Commissioner Talen in 2009 - have worked with County staff and the firm of Grubb and Ellis to develop a plan to "dispose" of the County Properties; and

WHEREAS, while the current economy has limited the interest in the County Property, the City of Grand Rapids had indicated a desire to acquire the site, but expressed concern over the costs required to acquire, develop, and operate the site. As a result, representatives from the two

organizations began to discuss the potential of a non-cash transfer whereby the City would convey to the County the City properties adjacent to the County-owned land adjacent to the new Human Services Complex in exchange for the 415 Franklin properties. Acquisition of the property will enable the County to add additional parking for the facility, which has been required by the State's hiring of additional staff at the site and the increase in clientele; and

WHEREAS, an agreement in concept on the terms of the transfer was reached in early August, and on August 27, 2009, the Subcommittee approved it for recommendation to the Finance and Physical Resources Committee; and

WHEREAS, final documents incorporating the following terms will be approved by Corporate Counsel prior to execution by the Board Chair or County Administrator.

1. Subject to the following terms, the City of Grand Rapids (the "City") will convey clear title to the following five parcels, PPNs: 41-14-303-001, 41-14-31-303-002, 41-14-31-303-003, 41-14-31-303-005 and 41-14-31-302-001 (the "Properties") to the County of Kent (the "County"), with the understanding that the County plans to use the Properties for the development of a surface parking lot.
2. The City will undertake, using its best efforts, to vacate or abandon the street known as Major Place, and pay the costs thereof.
3. The City will support and facilitate approval of the County's Special Land Use permit application to allow the development of the Properties and the area currently occupied by the street known as Major Place as an anticipated future surface parking lot.
4. The County will convey clear title to 415 Franklin and associated properties (PPNs: 41-14-31-254-008, 41-14-31-254-010, 41-14-31-183-012 and 41-14-31-251-001), (the "415 Franklin Properties"), to the City.
5. The County may continue to use, without cost, the parking lot at the corner of Madison and Franklin (the "Madison parking lot") for parking and/or snow storage for the County Human Services complex. The County will be responsible for any snow plowing of the Madison parking lot that the County deems necessary for its own purposes, for the duration of the County's use of the Madison parking lot. The City reserves the right to terminate the County's right to use the Madison parking lot, upon 30 days advance written notice to the County.
6. With regard to the requirements of the City's Sidewalk Ordinance and its point-of-sale inspection program, the parties agree to allocate responsibilities for and costs of required sidewalk repairs as follows. The City shall be responsible for sidewalk repairs with regard to the public sidewalk adjacent to the 415 Franklin Properties, in conformance with the City's Sidewalk Ordinance. The County shall be responsible for sidewalk repairs with regard to the public sidewalk adjacent to the Properties and the area currently occupied by the street known as Major Place, in conformance with the City's Sidewalk Ordinance. The County shall apply for and the City shall grant a deferment to complete the sidewalk repairs as referenced in this paragraph. Such deferment shall last until demolition and/or construction activities on the Properties are completed, or two years after the County received clear title to the Properties, whichever is sooner.
7. Although the County does not have any reason to believe the 415 Franklin Properties constitutes a 'Facility,' if, through its due diligence, the City determines that any portion of the 415 Franklin Properties constitutes a Facility, the City may prepare a grant application for Brownfield funds for the demolition and/or remediation and/or redevelopment of the 415 Franklin Properties. The County will cooperate in the submission of said grant application to the State of

Michigan. All costs or fees associated with the preparation and/or submission of any grant application under this paragraph shall be paid by the City

8. The parties agree that the intent of this agreement is a mutually beneficial, non-revenue generating transaction. If within five (5) years after receiving clear title to the 415 Franklin Properties, the City places the 415 Franklin Properties, in whole or in part, into a different use than that originally envisioned by the City and the County at the time of the development of this term sheet (i.e., continued operation of the Paul I. Phillips Recreation Center by the City and creation of a neighborhood park), the parties agree to meet in good faith and discuss a course of action that will be fair to both parties and that will effectuate the intent of this agreement. If, during the five (5) year period referenced above, the City sells, transfers, leases or otherwise allows the use of the 415 Franklin Properties, in whole or in part, for commercial or for-profit uses, the City shall provide the County with one-half of the net profit received by the City for such sale, transfer, lease or other transaction.

9. The County and the City will evenly split any real estate commission due to Grubb and Ellis Paramount Commerce, the County's real estate listing agent. However, the City's obligation under this paragraph shall not exceed Two Thousand and 00/100 Dollars (\$2,000).

10. The City will be responsible for its own costs of conducting due diligence regarding the 415 Franklin Properties, including any environmental site assessments or surveys it desires. The County will order and pay for a title commitment on the 415 Franklin Properties which commitment will show clear title in the County. All other standard closing costs will be handled in the customary manner by the County and the City.

11. The parties agree to close on this exchange of properties and diligently prepare all closing documents as soon as possible. The County agrees that if any of the Properties the City has agreed to exchange do not have clear and marketable title as the date of closing, those parcels without clear and marketable title will be closed in escrow subject to a final Court order quieting title to that parcel. Marketable title to the parcel closed in escrow shall be transferred by the City to the County after entry of the Court order quieting title. As of closing or **March 31, 2010** (whichever is sooner) the City will be responsible for all of the operating and maintenance costs of the Paul I Phillips Recreation Center. The City agrees that it will be responsible for all of the costs of operating all of the 415 Franklin Properties, except as provided in paragraph 6 of this term sheet, as of the first day of the month following the parties closing on the 415 Franklin Properties.

12. The County and the City agree to be bound by the provisions of this term sheet, it being understood that such provisions, along with other normal and customary provisions, shall be incorporated into a purchase agreement which will be executed by the parties hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves transferring the 415 Franklin Parcels (PPNs 41-14-31-254-008, 41-14-31-254-010, 41-14-31-183-012 and 41-14-31-251-001) to the City of Grand Rapids in exchange for the following parcels 41-14-303-001, 41-14-31-303-002, 41-14-31-303-003, 41-14-31-303-005 and 41-14-31-302-001 pursuant to the terms and conditions above; and

BE IT FURTHER RESOLVED, that the Board authorizes the transfer of the properties acquired to the Kent County Building Authority; and

BE IT FURTHER RESOLVED, that the Board authorizes and directs the Board Chair or the County Administrator to sign all necessary purchase documents, in a form approved by Corporate Counsel, for and on behalf of the County.

Motion by Commissioner Vaughn, seconded by Commissioner Voorhees, that the resolution be adopted.

Motion carried by voice vote.

**12-15-09-146 – CONVENTION AND VISITOR'S BUREAU CONTRACT
APPROVAL / ADMINISTRATOR'S OFFICE / BOARD OF
COMMISSIONERS**

WHEREAS, the Kent County Board of Commissioners, by resolution and agreement entered into in December 2007, provided for annual contributions from the Lodging Excise (Hotel/Motel) Tax collections to the Grand Rapids/Kent County Convention & Visitor's Bureau; and

WHEREAS, the current contract will expire on December 31, 2009; and

WHEREAS, the Board of Commissioners desires to continue to support the activities of the Grand Rapids/Kent County Convention & Visitor's Bureau by continuing to contract for the promotion and encouragement of tourism and convention business in the County.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves the contract with the Grand Rapids/Kent County Convention & Visitor's Bureau for a three-year period beginning January 1, 2010, and extending through December 31, 2012, and that the Chair of the Board of Commissioners and the County Clerk are hereby authorized to sign the same on behalf of the County.

Motion by Commissioner Vander Molen, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion by Commissioner Bulkowski to amend the resolution to make the contract for a one-year period instead of three years. (Because the motion was not seconded, it was not considered.)

Motion to adopt resolution 12-15-09-146 carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Antor, Agee, Chair Morgan – 16.

Nays: Bulkowski - 1.

Absent from room: Rolls, Ponstein – 2.

12-15-09-147 – TAX SHARING AGREEMENT – BYRON TOWNSHIP / FISCAL SERVICES

WHEREAS, Byron Township has adopted a development and tax increment financing plan for its Corridor Improvement Authority – Tax Increment Financing District; and

WHEREAS, Kent County, under resolution number 2-14-08-19, exercised its option, pursuant to the provisions of Act 280 PA of 2005, as amended, to exempt its property taxes from capture in the area to be established as the tax increment financing district; and

WHEREAS, this action was taken by the Board of Commissioners to maintain control of utilization of its property tax revenues in future fiscal years; and

WHEREAS, under the Economic Development Participation policy previously established by the Kent County Board of Commissioners, staff was authorized and directed to negotiate a tax sharing agreement with Byron Township providing for limited participation in the newly formed tax increment financing district.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves a tax sharing agreement with

Byron Township and the Division Avenue Corridor Improvement Authority of Byron Township for a ten year period, commencing on date of execution of the agreement and that the Chair of the Board of Commissioners and the County Clerk are hereby authorized to sign the same on behalf of the County.

Motion by Commissioner Vaughn, seconded by Commissioner Voorhees, that the resolution be adopted.
Motion carried by voice vote.

12-15-09-148 – TAX SHARING AGREEMENT – GAINES CHARTER TOWNSHIP / FISCAL SERVICES

WHEREAS, Gaines Charter Township has adopted a development and tax increment financing plan for its Corridor Improvement Authority – Tax Increment Financing District; and

WHEREAS, Kent County, under resolution number 2-14-08-18, exercised its option, pursuant to the provisions of Act 280 PA of 2005, as amended, to exempt its property taxes from capture in the area to be established as the tax increment financing district; and

WHEREAS, this action was taken by the Board of Commissioners to maintain control of utilization of its property tax revenues in future fiscal years; and

WHEREAS, under the Economic Development Participation policy previously established by the Kent County Board of Commissioners, staff was authorized and directed to negotiate a tax sharing agreement with Gaines Charter Township providing for limited participation in the newly formed tax increment financing district.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby approves a tax sharing agreement with Gaines Charter Township and the Division Avenue Corridor Improvement Authority of Gaines Charter Township for a ten year period, commencing on date of execution of the agreement and that the Chair of the Board of Commissioners and the County Clerk are hereby authorized to sign the same on behalf of the County.

Motion by Commissioner Vaughn, seconded by Commissioner Voorhees, that the resolution be adopted.
Motion carried by voice vote.

12-15-09-149 – PROPERTY TRANSFER AND LEASE BACK – 105 MAPLE ST., ROCKFORD / FACILITIES MANAGEMENT

WHEREAS, the County of Kent owns 105 Maple St., Rockford, Michigan (the "Property") which housed the First Division of the 63rd District Court; and

WHEREAS, the County constructed a new building to house both divisions of the 63rd District Court and the new building is dedicated and open; and

WHEREAS, the County will continue to house certain judicial and law enforcement services in the Property; and

WHEREAS, the anticipated law enforcement or judicial services will not require the use of the entire Property; and

WHEREAS, the City of Rockford owns property immediately adjacent to the Property and has indicated interest in obtaining the Property; and

WHEREAS, City representatives discussed with County representatives the terms of a transfer of the Property to the City and a lease back of a portion of the Property to the County for judicial or law enforcement use; and

WHEREAS, the discussions between the City and the County have resulted in an agreement for the transfer of the Property to the City for public or governmental uses and a lease back of a portion of the Property to the County for 75 years and such agreements have been reduced to writing.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Kent County Board of Commissioners hereby approves the Property Transfer Agreement and Lease with the City of Rockford; and
2. The Board Chair and/or the County Administrator/Controller are authorized and directed to sign the Property Transfer Agreement and Lease and associated and necessary documents for and on behalf of the County.

Motion by Commissioner Voorhees, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried by voice vote.

12-15-09-150 – ESTABLISH CIP PROJECT AND APPROPRIATION FOR REMODELING OF 105 MAPLE ST., ROCKFORD / FACILITIES MANAGEMENT

WHEREAS, pursuant to the transfer agreement negotiated between the County and the City of Rockford, the County will be leasing a portion of the former 63rd District Court building in Rockford for the provision of judicial or law enforcement activities or services; and

WHEREAS, under the terms of the lease, the County is responsible for remodeling the facility to separate the two areas and for remodeling its suite to meet its needs; and

WHEREAS, while the remodeling plan is currently geared toward accommodating use by 63rd District Court and Circuit Court Probation, it is being designed to be flexible for future uses consistent with the lease; and

WHEREAS, Facilities Management has received estimates that the remodeling can be accomplished for no more than \$53,000.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the establishment of a project in the 2009 CIP for the remodeling of the former 63rd District Court building located at 105 Maple St., Rockford, and approves the transfer of \$53,000 from the CIP Fund Balance to fund the remodeling.

Motion by Commissioner Rolls, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Antor, Agee, Chair Morgan – 16.

Nays: 0.

Absent from room: Rolls, Ponstein, Bulkowski – 3.

12-15-09-151 – APPROVE CONTRACT WITH INNER CITY CHRISTIAN FEDERATION (ICCF) AND AUTHORIZE BOARD CHAIR TO SIGN / COMMUNITY DEVELOPMENT

WHEREAS, the Kent County Board of Commissioners approved the acceptance of HOME Investment Partnership Program funds from the United States Department of Housing and Urban Development (HUD) for FY 2005-06 through FY 2008-09; and

WHEREAS, the County's Consolidated Housing and Community Development Strategic Plan, known as the Annual Action Plan, budgeted funds for 2005 through 2009 for the development of affordable rehabilitation for sale; and

WHEREAS, the proposed contract, if approved, provides funding for land acquisition and construction of five residential homes to provide housing for families earning less than 80% of Area Median Income (AMI); and

WHEREAS, the contract provides that the units will remain as affordable ownership, as defined by HUD, for the term of 15 years; and

WHEREAS, Corporate Counsel has reviewed and approved the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners contract with Inner City Christian Federation, and

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

Motion by Commissioner Voorhees, seconded by Commissioner Vaughn, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vaughn, Vander Molen, Tanis, Talen, Synk, Parrish, Hirsch, Hickey, Hennessy, Dillon, Courtade, Antor, Agee, Chair Morgan – 16.

Nays: 0.

Absent from room: Rolls, Ponstein, Bulkowski – 3.

REPORTS

There were no reports.

MISCELLANEOUS

Thanks

Commissioner Vonk said that he is glad to be back after a four-month medical leave. He thanked Board members for their support during his convalescence after his motorcycle accident.

Chair

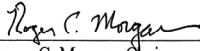
Commissioner Antor thanked Chair Morgan for his leadership over the past four years.

Chair Recognition

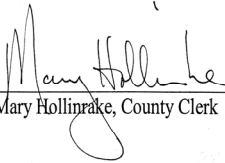
Vice Chair Parrish read a proclamation acknowledging Chair Morgan's leadership over the past four years, and proclaiming December 15, 2009, as "Roger C. Morgan Day in Kent County."

ADJOURNMENT

At 11:23 a.m., Commissioner Voorhees moved to adjourn, subject to the call of the Chair, and to Tuesday, January 5, 2010, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Agee. Motion carried.



Roger C. Morgan, Chair



Mary Hollinrake, County Clerk