

KENT COUNTY BOARD OF COMMISSIONERS

*Thursday, March 13, 2003
Administration Building - Room 310*

Meeting called to order at 7:01 p.m. by Chair David J. Morren.

Present: Commissioners Agee, Boelema, Bulkowski, Hiddema, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, Vaughn, Vonk, Wahlfield, Chair Morren – 16.

Absent: Horton, VanderMolen, Voorhees - 3 (Excused).

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

PUBLIC COMMENT

Bob Holman, 7750 Alpine Avenue NW, Alpine Township – Asked how many organizations were asked to fund/name the Convention Center and whether it was a conflict of interest to have an employee of a downtown hotel serve on the Convention Arena Authority?

Scott Atchison, 2251 South Saulk Trail, Grand Rapids – Again asked Commissioners to consider his request for a city/county directions and information booth downtown.

Bruce Butgereit, 1691 Summerfield Street SE, Kentwood – Reiterated his request to the Board for a contribution of \$50,000 to the Civil War Monument Restoration Project.

Marsha Butgereit, 1691 Summerfield Street SE, Kentwood - President of the Women's Relief Corp., the auxiliary to Grand Army of the Republic which was established in 1883. The Women's Relief Corp. supports the restoration project of the Civil War Monument and asked Commissioners for the recommended contribution of \$50,000 for this worthy cause.

Chester Trybus, 7635 Woodvale SE, Cascade Township – Editor of the Schubert Male Chorus of Grand Rapids Newsletter. The Schubert Male Chorus has sung in Grand Rapids for the last 120 years. In September of 1885, the Chorus sang for the dedication of the Civil War Monument and will sing at the rededication on September 6, 2003. He urged Commissioners, on behalf of the Schubert Male Chorus, to contribute towards the restoration.

Dan Jose, 611 Ariebill, Wyoming - As a Godwin Heights Parent and Boy Scout Troop leader, he encouraged the Board of Commission to fund the Civil War Monument Restoration.

SPECIAL ORDER OF BUSINESS

Convention Arena Authority Update – Steve Heacock

Steve Heacock, a county-appointed member of the Grand Rapids – Kent County Convention Arena Authority gave the CAA's update (copy of which is on file in the Office of the County

Clerk). The Grand Center, despite ongoing construction, had a very successful year in 2002 - its most successful year yet. The construction for the new convention center is on time and within budget. The center will host its first convention in December. 2002 was the Van Andel Arena's most successful year.

Health Department – Smallpox & West Nile Virus Update – Cathy Raevsky

Cathy Raevsky, Administrative Health Officer, gave a Smallpox & West Nile Virus update (copy of which is on file in the Office of the County Clerk). **Smallpox** - A Regional Smallpox Planning Team ("RSPT") for Region 6 has been identified and cleared through background checks. Security has been enhanced at the KCHD laboratory. Supplies for clinics and vaccine recipients purchased. Region 6 vaccination program can be implemented immediately.

West Nile Virus ("WNV") – The first human case in Michigan was reported in 2002. Michigan ranked 5th in U.S. for WNV rates in 2002 and Kent County ranked 3rd among counties in Michigan. In 2002, mosquito traps were set and mosquito surveillance conducted at various sites in Kent County. Educational materials were developed in English and Spanish and posted on the Kent County website. Information and presentations were given to community and health care provider groups. Kent County hosted that Regional Conference on WNV in February of this year. Developed proactive surveillance for mosquito identification, dead crow identification, equine infection and human infection. Kent County Health Department recommendations are prevention and control.

(Commissioner Wahlfield left the meeting at this time)

Annual Investment Report – Treasurer Ken Parrish

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

PUBLIC HEARING

Lake Naming in Plainfield Township

Motion by Commissioner Koorndyk, supported by Commissioner Morgan, to go into a Public Hearing for the purpose of naming a lake in Plainfield Township.

Motion carried by voice vote.

At 8:17 p.m. a public hearing began and Chair Morren acknowledged a letter received from Andy Dykema, which all Commissioners received, asking that the lake be named Crystal Waters Lake.

The following individuals spoke during public comment:

Mike Berg, 2700 28th Street SW, Grand Rapids - (Crystal Waters Lake) Employed by Grand Rapids Gravel representing Andy Dykema, he gave the clerk the original letter from Mr. Dykema. He summarized Mr. Dykema's letter. The lake extraction began in the late 1950s by Grand Rapids Gravel on the VersSluis property, which represented about 46 acres. As the extraction moved southerly towards property that was acquired by Grand Rapids Gravel, the lake then was expanded to its current size, which is 100 acres. Grand Rapids Gravel's interest in the property represents about 120 acres total and was acquired over time and did represent an

expansion of the lake, which is currently 100 acres. Numerous maps reference the lake as VerSluis Lake, however it was never officially named and some of the current owners have expressed a desire in participating in the naming of the project. Because of its clarity, they named the condo project Waterford, after Waterford crystal.

Sue Morrow, Plainfield Township Clerk – (VerSluis Lake) Acknowledged a letter that David Groenleer, Supervisor of Plainfield Township, wrote regarding keeping the name of the lake VersSluis. This lake has been referred to as VerSluis Lake ever since Leonard VerSluis donated the property. She has received a lot of local support for the name VerSluis.

Mindy Quade, 840 Crescent Street NE, Grand Rapids – (VerSluis Lake) A great granddaughter of Leonard VerSluis, she reviewed his many lifetime accomplishments

David Quade, 840 Crescent Street NE, Grand Rapids – (VerSluis Lake) Discussed the U.S. Geological Suvery's criteria and noted that, historically, this lake is recognized as VerSluis Lake.

Ken Chester, 2564 Rockhill Drive NE, Grand Rapids – (VerSluis Lake) A member of the Plainfield Township Planning Commission, also supports the name VerSluis Lake. Who would bear the financial cost to change all the maps, etc. that bear the VerSluis name?

Gail VerSluis Mees, 9101 Courtland Drive NE, Rockford – (VerSluis Lake) As the granddaughter of Leonard VerSluis, she discussed his dreams and desires for the property in question and asked the Commission to keep the VerSluis name.

Linda Truskowski, 2370 Glenn Valley NW, Walker – (VerSluis Lake) Also a granddaughter of Leonard VerSluis. She stated that he was a very generous man and it is the family's wish to keep VerSluis Lake and thanked Commissioners for their support.

Deb Truskowski, 2370 Glenn Valley NW, Walker – (VerSluis Lake) A great granddaughter who stated that the historical aspect should take precedence.

Motion by Commissioner Koorndyk, supported by Commissioner Postmus, to go out of a Public Hearing.

Motion carried by voice vote.

At 8:48 p.m., the public hearing was declared closed by Chair Morren. This issue will go before the Legislative & Human Resources Committee on Tuesday, March 25th and then to the full Board on April 10, 2003.

CONSENT AGENDA

- a) Approval of the Minutes of February 27, 2003, Meeting
- b) March 5, 2003 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Reports of Cemetery Trust Fund and Unknown Legatee Account – Receive and File

d) Resolutions:

3-13-03-28 – APPROPRIATE DONATIONS TO HEALTH FUND BUDGET – ANIMAL SHELTER / HEALTH DEPARTMENT

WHEREAS, the Animal Shelter currently has a gift account in the Trust and Agency Fund used to account for gifts received; and

WHEREAS, the Animal Shelter has accumulated gift funds totaling \$11,722 in this account over the course of several years; and

WHEREAS, the Health Department is requesting that the accumulated gift funds be appropriated to the Animal Shelter Budget in the Health Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby appropriates donations in the amount of \$11,722 to the 2003 Animal Shelter Budget in the Health Fund.

3-13-03-29 – 2002 DELINQUENT TAX NOTES / TREASURER'S OFFICE

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 89 thereof; and

WHEREAS, it is estimated that the total amount of unpaid 2002 delinquent real property taxes (the "delinquent taxes") outstanding on March 1, 2003, will be approximately \$30,000,000, 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

Pursuant to and in accordance with the provisions of Act 206, Public Acts of Michigan, 1893, as amended, and especially Sections 87c, 87d and 89 thereof, the County shall borrow the sum of not to exceed Thirty Million Dollars (\$30,000,000.00) and issue its notes (the "notes") therefor for the purpose of continuing the Fund for the 2002 tax year. The exact amount to be borrowed shall not exceed the amount of delinquent taxes outstanding on March 1, 2003, exclusive of interest, fees and penalties. The County Treasurer shall designate the exact amount to be borrowed after the amount of the 2002 delinquent taxes outstanding on March 1, 2003, or the portion of the 2002 delinquent taxes against which the County shall borrow, has been determined.

Note Details

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 2003"; 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

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

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

The proceeds of the sale of the notes shall be deposited into a separate account in the Fund (the "2003 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, 2003, in accordance with the provisions of Act 206.

2003 Collection Account

There is hereby established as part of the Fund an account (hereby designated the "2003 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, 2003, 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

There is hereby authorized to be established by the County Treasurer a note reserve fund for the notes (the "2003 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 2003 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

All of the moneys in the 2003 Collection Account and the 2003 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 2003 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

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 2003 Collection Account and the 2003 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 2003 Collection Account

Upon the investment of moneys in the 2003 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 2003 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

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

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

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

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

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

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

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

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

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

3-13-03-30 – LOWER GRAND RIVER 319 PROJECT LOCAL MATCH /
ADMINISTRATOR’S OFFICE

WHEREAS, the Grand Valley Metro Council was awarded a Section 319 Watershed Management Planning Grant by the Michigan Department of Environmental Quality to facilitate the development of a watershed management plan for the Lower Grand River Watershed; and

WHEREAS, Grand Valley Metro Council is the grantee and project administrator and has contracted with the Annis Water Resources Institute and Fishbeck, Thompson, Carr & Huber to assist with the plan; and

WHEREAS, the \$250,000 MDEQ grant is to be matched by \$150,000 in local funds, which are being provided by local governments in Kent and Ottawa Counties; and

NOW, THEREFORE BE IT FURTHER RESOLVED that in addition to assisting the County in meeting its obligations under the National Pollution Discharge Elimination System (NPDES) Phase II Stormwater Regulations, the project will: provide a coordinated watershed management plan for the ten-county Lower Grand River watershed, identify pilot project areas, recommend best management practices, provide information and education, establish evaluation standards, create a resource library, and ensure sustainability for future watershed efforts; and.

BE FURTHER RESOLVED that the Kent County Board of Commissioners approves the appropriation of \$30,000 from the Management Studies budget for local match funding of the Lower Grand River Watershed project; and

3-13-03-31 - CITY OF WALKER ASSESSMENT SERVICES AGREEMENT EXTENSION /
BUREAU OF EQUALIZATION

WHEREAS, the Board of Commissioners approved an Assessment Services Agreement with the City of Walker on February 28, 2002, and

WHEREAS, the City of Walker is desirous of extending this agreement on a month to month basis, not to exceed a year in term, and

WHEREAS, the contract will terminate at the end of the month in which the City of Walker either has an employee that has achieved Level IV assessment certification or has contracted with an individual or firm for that purpose, and

WHEREAS, the City of Walker is willing to pay \$2,083.33 in monthly payments for services.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners hereby approves the extension of the Assessment Services Agreement with the City of Walker on a month to month basis and authorizes Chair Morren to execute necessary contract documentation.

3-13-03-32 – JUVENILE COMMUNITY SERVICE PROGRAM / CIRCUIT COURT

WHEREAS, through the 2003 budget process, \$7,000 was appropriated to the General Fund-Court Services budget to pay temporary staff to assist the Juvenile Community Service program operation during evenings and weekends; and

WHEREAS, many of the juveniles in this program are on surveillance, the Court is proposing that Surveillance Officers monitor these cases during non-traditional hours. This activity would be provided for through the Community Probation Department in the Child Care

Fund, therefore making this activity eligible for 50% reimbursement; and

WHEREAS, providing this service in the Child Care Fund will enable the County to provide additional hours of community service at no additional cost to the County General Fund; and

WHEREAS, the Court is requesting \$7,000 appropriated to the General Fund-Court Services budget be transferred to the Child Care Fund and an additional appropriation of \$7,000 from the State of Michigan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby transfers the \$7,000 appropriation from the 2003 General Fund-Court Services budget and appropriates an additional \$7,000 from the State of Michigan to the Child Care Fund.

3-13-03-33-L.E. KAUFMAN GOLF COURSE 2003 FEE SCHEDULE / PARKS DEPARTMENT

WHEREAS, the L.E. Kaufman golf course is maintained and rated at a very high standard and provides an excellent value for area golfers, and

WHEREAS, L.E. Kaufman greens fees have not been increased since prior to the 2001 season, and

WHEREAS, the proposed fee increase would increase nine-hole rates by \$1 and eighteen hole rates by \$2, increase the senior rate by \$2, practice range price by \$1 per bucket, and

WHEREAS, the increase in fees will help offset increased expenses and still provide and excellent value; and

WHEREAS, the proposed increases will generate an estimated \$52,000 for increased revenue during the 2003 season.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners hereby approves the L.E. Kaufman golf fee schedule for the 2003 season.

(Commissioner Hiddema requested that Item C be removed from the Consent Agenda. Commissioner Kuipers requested that Resolution 3-13-03-32 be removed.)

Motion by Commissioner Koorndyk, supported by Commissioner Postmus, to approve the remaining consent agenda items.

Motion carried:

Yeas: Agee, Boelema, Bulkowksi, Hiddema, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, Vaughn, Vonk, Chair Morren - 15.

Nays: 0.

Item C

Reports of Cemetery Trust Fund and Unknown Legatee Account – Receive and File

Motion by Commissioner Koorndyk, supported by Commissioner Vonk, that the Cemetery Trust Fund and Unknown Legatee Account be received and filed.

Motion carried by voice vote.

3-13-03-32 – JUVENILE COMMUNITY SERVICE PROGRAM / CIRCUIT COURT

WHEREAS, through the 2003 budget process, \$7,000 was appropriated to the General Fund-Court Services budget to pay temporary staff to assist the Juvenile Community Service program operation during evenings and weekends; and

WHEREAS, many of the juveniles in this program are on surveillance, the Court is proposing that Surveillance Officers monitor these cases during non-traditional hours. This activity would be provided for through the Community Probation Department in the Child Care Fund, therefore making this activity eligible for 50% reimbursement; and

WHEREAS, providing this service in the Child Care Fund will enable the County to provide additional hours of community service at no additional cost to the County General Fund; and

WHEREAS, the Court is requesting \$7,000 appropriated to the General Fund-Court Services budget be transferred to the Child Care Fund and an additional appropriation of \$7,000 from the State of Michigan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby transfers the \$7,000 appropriation from the 2003 General Fund-Court Services budget and appropriates an additional \$7,000 from the State of Michigan to the Child Care Fund.

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

Motion carried:

Yeas: Agee, Boelema, Bulkowksi, Hiddema, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, Vaughn, Vonk, Chair Morren - 15.

Nays: 0.

RESOLUTIONS

3-13-03-34 – STANDING RULES / BOARD OF COMMISSIONERS

WHEREAS, the Standing Rules were adopted by the Board of Commissioners on April 26, 2001; 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 in January and February of 2003; and

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

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

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

Motion carried:

Yeas: Agee, Boelema, Bulkowski, Hiddema, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, Vaughn, Vonk, Chair Morren - 15.

Nays: 0.

3-13-03-35- PAUL I. PHILLIPS RECREATION CENTER LEASE / BOARD OF COMMISSIONERS / FACILITIES MANAGEMENT

WHEREAS, the County has leased the Paul I. Phillips Recreation Center to the City since 1974 for \$1 annually; and

WHEREAS, the most recent lease expired in June 2002, but the City has continued to use the facility while a new agreement was being negotiated; and

WHEREAS, in 1999, the Board of Commissioners adopted a Facility Use Policy, which requires that lessee's pay for costs associated with operating a facility; and

WHEREAS, the City of Grand Rapids is requesting that the County grant a waiver to continue to be able to use the Paul I. Phillips Center as it has since 1974; and

WHEREAS, given the current fiscal climate and the tight fiscal constraints faced by the City of Grand Rapids, the County recognizes the importance of this facility and is interested in continuing to work cooperatively with the City; and

WHEREAS, the City of Grand Rapids will staff and operate an organized recreation program for youth and adults; and

WHEREAS, the City of Grand Rapids will provide all janitorial and day-to-day maintenance for the facility.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners hereby approves the lease agreement between the County of Kent and the City of Grand Rapids for a three year period, beginning July 1, 2002 and ending June 30, 2005, for the Paul I. Phillips Recreation Center located at 415 Franklin Street, SE, Grand Rapids, Michigan.

BE IT FURTHER RESOLVED that Board Chair David Morren execute said agreement on behalf of the County.

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

Motion carried by voice vote.

3-13-03-36 – BUDGET TRANSFERS / REGISTER OF DEEDS / FISCAL SERVICES

WHEREAS, as part of the prior CIP budgets, the Board has appropriated funds to pay for back imaging and other improvements to land records information processing and retrieval; and

WHEREAS, since the Board made those appropriations, the State has adopted a statute (Act No. 698, Public Acts of 2002) that provides for the levying of a fee that is specifically earmarked for upgrading technology in the Register of Deeds office; and

WHEREAS, over the next three years and nine months, the new fee will provide adequate funding to complete all aspects of automating the Register of Deeds record keeping function; and

WHEREAS, since the technology fee will fund the automation of the land records, the County may de-appropriate \$600,000 in unspent funds and transfer them back to the General Fund Unreserved/Undesignated fund balance; and

WHEREAS, it will require an estimated \$1.2 million in 2003 to complete the Register of Deeds' component of the land records system, which includes back imaging to 1989; and

WHEREAS, in anticipation of future fee collections, it is recommended that the General Fund advance up to \$600,000 to the Register of Deeds Automation Fund on an as needed basis.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby de-appropriates \$337,000 from CIP - Back Conversion of Data/Images budget and \$263,000 from CIP – Land Records System; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners hereby authorizes the transfer of the \$600,000 in de-appropriated funds to the General Fund Unreserved/Undesignated fund balance; and

BE IT FURTHER RESOLVED, that the Kent County Board of Commissioners hereby appropriates \$600,000 from General Fund unreserved/undesignated fund balance to be transferred to the Register of Deeds Automation Fund on as needed basis.

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

Motion carried:

Yeas: Agee, Boelena, Bulkowski, Hiddema, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, Vaughn, Vonk, Chair Morren - 15.

Nays: 0.

3-13-03-37 – REGISTER OF DEEDS AUTOMATION FUND APPROPRIATION MEASURE / REGISTER OF DEEDS

WHEREAS, the County began a project in September 1999 to identify a long-term solution to eliminate backlogs associated with the processing of land records; and

WHEREAS, on December 30, 2002, the Governor signed into law a bill (Act No. 698, Public Acts of 2002) that provides for the levying of a fee that is specifically earmarked for upgrading technology in the Register of Deeds office; and

WHEREAS, the statute requires that until December 31, 2006, the Register of Deeds shall deposit \$5 for each document recorded into the automation fund, which must be a separate fund and subject to a Board approved appropriation; and

WHEREAS, the Register of Deeds office estimates it will collect \$600,000 in fees for the nine months the fee will be collected in calendar 2003; and

WHEREAS, these funds will be used to supplement and complete the Land Records Project; and

WHEREAS, it will require an estimated \$1.2 million in 2003 to complete the Register of Deeds' component of the land records system, which includes back imaging to 1989; and

WHEREAS, in anticipation of future fee collections, it is recommended that the General Fund advance up to \$600,000 to the Register of Deeds Automation Fund on an as needed basis; and

WHEREAS, the General Fund will receive reimbursement for any advances made before any additional projects may be initiated within the Register of Deeds Automation Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Kent County Board of Commissioners hereby appropriates \$1,200,000 from Estimated Revenues to the 2003 Register of Deeds Automation Fund budget.

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

Motion carried:

Yeas: Agee, Boelema, Bulkowksi, Hiddema, Koorndyk, Kuipers, Mast, Mayhue, Morgan, Postmus, Rolls, Tanis, Vaughn, Vonk, Chair Morren - 15.

Nays: 0.

REPORTS

There were no reports.

MISCELLANEOUS

Walker Senior Program

Commissioner Tanis stated that due to the lack of funds, the local churches in Walker will strive to supplement the millage.

Public Officials Conference

Commissioner Tanis announced that on Tuesday, March 18th, a Public Officials Conference on Homeland Security will be held at the Walker Fire Station on 3 Mile Road from 2:30 – 4:30 p.m.

Local Emergency Planning Commission

Commissioner Tanis, Vice Chair of the LEPC, presented to Commissioner Vonk a certificate of appreciation for his work on the LEPC.

St. Patrick's Day Parade

Commissioner Morgan announced that the St. Patrick's Day parade will be held on Saturday.

ADIJOURNMENT

At 9:13 p.m., Commissioner Koorndyk moved to adjourn, subject to the call of the Chair, and to Thursday, March 27, 2003, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Postmus. Motion carried.

David J. Morren, Chair

Mary Hollinrake, County Clerk