

KENT COUNTY BOARD OF COMMISSIONERS

*Thursday, February 22, 2007
Administration Building - Room 310*

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

Present: Commissioners Agee, Boelema, Bulkowski, Dillon, Hennessy, Hiddema, Klein, Mast, Mayhue, Morgan, Parrish, Rolls, Vander Molen, Vaughn, Vonk, Voorhees, Wahlfield - 17.

Absent: Morren, Tanis – 2 (Excused).

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

PUBLIC COMMENT

There was no public comment.

SPECIAL ORDER OF BUSINESS

Kent County Update

Chair Morgan, along with Vice Chair (Chair of the Finance Committee) Dick Vander Molen and Commissioner Agee, Chair of the Legislative Committee, presented an update on Board of Commission 2006 accomplishments and 2007 priorities.

Chair Morgan reviewed major accomplishments of 2006: 1) Creation of the West Michigan Sports Commission; 2) agreement on a new Department of Human Services (DHS) facility; 3) County Dispatch Authority; 4) Dedication of Wahlfield Park and Millennium Park's updated master plan; 5) new Circuit Court judgeship; and 6) County Services Report.

Vice Chair Vander Molen reviewed topics facing the Finance Committee: 1) Corrections and Detention Millage renewal; 2) Revenue Sharing now and the future; 3) Hotel/Motel Tax Fund; 3) Building Task Force's continued improvement to county facilities including new DHS building and the Fuller Campus renovations; 4) Medical Examiner Review Team report; and, 5) 2008 Budget.

Commissioner Agee reviewed 2006 legislative accomplishments: 1) corrected technical issue with the Hotel/Motel Tax; 2) counties now have the option to change fiscal year; and, 3) counties may increase road commission boards from 3 members to 5. He added that 2007 will be a challenging year as the budget outlook for the state looks dim.

Legislative issues for 2007: 1) inmate medical expenses; 2) consolidation of government services; 3) State Convention Facility Development Act; 4) telecommunications 911 surcharge; 5) TIFAs, Brownfields, DDAs – opt out provisions; 6) DHS Board – allow board size to increase from 3 to 5 members.

The Legislative Committee will also continue to monitor performance measures for county departments.

Chair Morgan recognized the County's staff for their work and thanked Commissioners Vander Molen and Agee for their reports.

CONSENT AGENDA

- a) Approval of the Minutes of February 8, 2007 Meeting
- b) February 6, 2007 Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Resolutions:

2-22-07-18 – LABOR AGREEMENT – TEAMSTERS – PARKS / HUMAN RESOURCES

WHEREAS, the Negotiating Committee recommends approval of a three-year labor contract for the period 1/1/2006 through 12/31/2008 with the Teamsters bargaining unit representing the Parks; and

WHEREAS, the wage increase for 2006 is 2.75%, which is comparable to that for other bargaining units; and

WHEREAS, the wage increase is 2.75% for 2007 and for 2008; and

WHEREAS, the employees share of the premium cost for medical and prescription coverage is increased to 10%, comparable to that for other employee groups effective 12/01/06; and

WHEREAS, the total addition to base salary costs over the life of the contract is \$124,884 and the net addition to total benefit costs is \$24,610; and

WHEREAS, the total three-year increase to salary and benefit costs is \$149,494; and

WHEREAS, total annual base wages including the 2.75% per year increases will rise to approximately \$868,000; and

WHEREAS, the contract affects 17 full-time employees who work at Kent County Parks and the proposed contract has been ratified by the membership.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the three-year labor agreement for the period of January 1, 2006, through December 31, 2008, between the County of Kent and the Teamsters representing Local 214 (Parks); and

BE IT FURTHER RESOLVED the Board of Commissioners approves the appropriation of an additional \$24,700 from the Unreserved/Undesignated General Fund balance to the 2007 Parks budget for 2006 contract expenses paid in 2007.

2-22-07-19 – GRANT OF EASEMENT TO MICHCON / JOHN BALL ZOOLOGICAL GARDENS

WHEREAS, pursuant to County Board's approval, John Ball Zoological Society (JBZ) provided for a new service drive at the rear of the John Ball Zoological Garden (Zoo). The

new road has facilitated construction of new exhibits and the ability to service the Zoo from the back rather than requiring trucks to drive through visitor areas; and

WHEREAS, the construction of the new road required MichCon to relocate a major gas main pipeline that existed on a prior easement, granted by the County to MichCon under the Right-of-Way agreement dated August 1, 1962. The Zoo agrees to provide MichCon with a new 20 feet wide easement on County property bearing parcel number 41-13-26-301-001 reflecting the movement of the pipeline; and

WHEREAS, Corporate Counsel has reviewed and approved execution of the easement agreement and the release.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the grant of gas main easement to Michigan Consolidated Gas Company (MichCon) and accepts release of right-of-way from MichCon; and

BE IT FURTHER RESOLVED THAT the Chair and the Clerk, or Vice-Chair or Deputy Clerk, in their absence, are hereby authorized and directed to execute the said easement agreement.

2-22-07-20 – GRANT OF EASEMENT TO MICHCON / PARKS

WHEREAS, Michigan Consolidated Gas Company (MichCon) desires to construct a pipeline for transportation of gas, oil, or other substances in, under and across property owned by the County in Byron Township, along Kent Trails; and

WHEREAS, to accomplish the said construction, MichCon has requested a 10 feet wide easement on County's property bearing parcel number 41-21-04-503-002; and

WHEREAS, MichCon has negotiated the terms of the easement agreement with the Parks Department. Under the agreement, MichCon assumes all obligations associated with the use and maintenance of the gas pipeline, and has agreed to provide legally sufficient indemnification to the County for any claims and liabilities that may arise out of the use of the easement; and

WHEREAS, MichCon has also agreed to pay the County a sum of One Thousand (\$1,000.00) dollars for the repaving of the affected section of Kent Trails necessitated by the construction of the gas pipeline; and

WHEREAS, the Parks Department is agreeable to the terms of the easement agreement with MichCon; and

WHEREAS, the easement agreement has been approved by Corporate Counsel.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the grant of easement to MichCon; and

BE IT FURTHER RESOLVED THAT the Chair and the Clerk, or Vice-Chair or Deputy Clerk, in their absence, are hereby authorized and directed to execute the easement agreement.

2-22-07-21 – PURCHASE OF DEVELOPMENT RIGHTS – EDUCATIONAL GRANT / KENT /MSU COOPERATIVE EXTENSION

WHEREAS, Kent/MSU Cooperative Extension has received a grant in the amount of \$2,438 from the American Farmland Trust awarded through the Agricultural Preserve

Boards of Michigan; and

WHEREAS, the grant requires a 25 percent local match in the amount of \$812 which will be provided by the Citizens for Kent County Farmland and Open Space Preservation; and

WHEREAS, the grant will be used to provide Purchase of Development Rights education.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners accepts a grant from the Agricultural Preserve Boards of Michigan and appropriates \$3,250 to the Kent County Agricultural Preservation Fund.

Motion by Commissioner Vander Molen, seconded by Commissioner Klein, to approve the consent agenda items.

Motion carried:

Yeas: Klein, Dillon, Vaughn, Mayhue, Bulkowski, Hennessy, Vander Molen, Mast, Agee, Voorhees, Boelema, Hiddema, Parrish, Rolls, Wahlfield, Vonk, Chair Morgan – 17.

Nays: 0.

RESOLUTIONS

2-22-07-22 – FEE ADJUSTMENTS / COUNTY CLERK/REGISTER OF DEEDS

WHEREAS, as required by Fiscal Policy “Fees & Charges,” departments are to review fees annually and to recommend changes to the Board of Commissioners; and

WHEREAS, most of the fees charged in the Clerk/Registers Office are set by statute; and

WHEREAS, their request is to increase two fees, approve one new fee, and approve one existing fee; and

WHEREAS, MCL 551.103(a) now allows the Board of Commissioners to set a fee for waiving the 3-day waiting period for a marriage license; and

WHEREAS, MCL 55.285 allows a charge of up to \$10 for notarizing documents which would only be charged when notarizing documents not being filed with the County and allows a charge of up to \$10 for certifying that someone is a notary; and

WHEREAS, one fee denoted with asterisks is currently being charged, but there is no formal evidence of Board of Commissioners’ approval; and

WHEREAS, the County Clerk estimates an increase in revenue of at least \$2,800 annually; and

WHEREAS, the Clerk recommends that any approved fee increases take effect March 1, 2007.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the fee schedule (attached) for the Clerk/Register of Deeds’ Office.

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

Motion carried:

Yeas: Klein, Dillon, Vaughn, Mayhue, Bulkowski, Hennessy, Vander Molen, Mast, Agee, Voorhees, Boelema, Hiddema, Parrish, Rolls, Wahlfield, Vonk, Chair Morgan – 17.

Nays: 0.

2-22-07-23 – BYRON TOWNSHIP PROPOSED DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT AMENDMENT / FISCAL SERVICES

WHEREAS, the Byron Township Downtown Development Authority (DDA) has proposed to amend the boundaries of its Downtown Development Authority District; and

WHEREAS, a public hearing on the proposed amendment was held by Byron Township on January 22, 2007; and

WHEREAS, Kent County annually contributes over \$6 million of its tax levy in the form of either tax payment or tax capture by all taxing increment authority districts, to support economic development initiatives, which represents 5.8% of the County's tax levy; and

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

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

WHEREAS, Act 197, P.A. of 1975, as amended, provides that not more than sixty days after a public hearing, the governing body of the jurisdiction levying property taxes that would otherwise be subject to capture, may exempt its taxes from capture by adoption of a resolution to that effect.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Kent, that the County of Kent hereby exercises its options, pursuant to the provisions of Act 197, P.A. of 1975, as amended, to exempt its property taxes from capture in the area to be added to the Byron Township Downtown Development Authority District by the proposed boundary amendment, which was the subject of the public hearing held on January 22, 2007; and

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

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

Motion carried:

Yeas: Klein, Dillon, Vaughn, Mayhue, Bulkowski, Hennessy, Vander Molen, Mast, Agee, Boelema, Hiddema, Parrish, Rolls, Wahlfield, Vonk, Chair Morgan – 16.

Nays: Voorhees - 1.

2-22-07-24 – PURCHASE OF DEVELOPMENT RIGHTS SELECTION CRITERIA AND
APPLICATION CYCLE FOR 2007 / KENT / MSU COOPERATIVE
EXTENSION

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 2007 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, unchanged from 2006, continue to focus on preservation efforts in areas with large blocks of agricultural land and consider factors such as soil type, parcel size, proximity to sewer and water, and proximity to other public or preserved land; and

WHEREAS, the Agricultural Preservation Board will submit qualifying applications to the Michigan Agricultural Preservation Fund and the USDA NRCS Farm and Ranch Lands Protection Program. 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 deadline for submittal to the state program is anticipated in October 2007 and for the federal program in March 2008. It is recommended that the County application cycle be from March 1 – April 30, 2007 to allow sufficient time to score and appraise priority properties.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves the 2007 Purchase of Development Rights (PDR) selection criteria and authorizes the application cycle of March 1 – April 30, 2007, for the 2007/08 Michigan Agricultural Reserve Fund grant application submission and 2007 USDA NRCS Federal Farm & Ranch Land Program grant application submission.

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

Motion carried:

Yeas: Klein, Dillon, Vaughn, Mayhue, Bulkowski, Hennessy, Vander Molen, Mast, Agee, Voorhees, Boelema, Hiddema, Parrish, Rolls, Wahlfield, Vonk, Chair Morgan – 17.

Nays: 0.

2-22-07-25 – KENT INTERMEDIATE SCHOOL DISTRICT PARTNERSHIP – “GREEN

SCHOOLS” CERTIFICATION PROGRAM / ADMINISTRATOR’S OFFICE

WHEREAS, Public Act 146 of 2006 provides opportunity for schools across Michigan to demonstrate their efforts to both conserve energy and provided environmental education for students through a “Green Schools” certification program; and

WHEREAS, Act 146 requires counties designate a department or intermediate school district to administer the certification program. Many school districts within the Kent Intermediate School District (Kent ISD) have implemented significant energy conservation programs to reduce their use of fossil fuels. Most also include energy awareness and environmental education as an integral component of their curriculum; and

WHEREAS, Kent ISD has requested to work in partnership with Kent County to implement and administer programs to recognize the important conservation and education efforts made by the schools; and

WHEREAS, Kent ISD will be responsible for verifying the conservation and curriculum efforts identified by the school teachers and administrators who apply for certification; and

WHEREAS, the County will recognize those schools obtaining “Green School” status once a year. This partnership will serve a valuable purpose in furthering the environmental education of our children and our community.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approve a partnership with the Kent Intermediate School District for implementation and administration of the “Green Schools” certification program.

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

Motion carried by voice vote.

APPOINTMENT

2008 Budget Sub-Committee

Chair Morgan announced the formation of the 2008 Budget Sub-Committee: Vice Chair Vander Molen (Chair) and Commissioners Agee, Boelema, Hiddema, Klein and Voorhees.

REPORTS

Standing Rules

Commissioner Klein announced that the Standing Rules Sub-Committee will meet next Tuesday after the Legislative & Human Resources Committee Meeting.

Sports Commission

Commissioner Vander Molen reported that the Sports Commission held its first meeting last Thursday. The work ahead includes completing the appointments and creating a fiscal framework. The logo was decided on and will be revealed at a later date.

63rd District Court

Commissioner Wahlfield reported that they hope to complete the purchase of the property for the 63rd District Court building in the next 30 days.

MISCELLANEOUS

Correctional Facility Open House

Commissioner Wahlfield announced that the open house for the Correctional Facility – Mental Health Unit will be held today.

County Directory

Clerk Hollinrake reported that each Commissioner received a 2007-08 Kent County Directory and additional copies are available through her office. And, that Administrative Assistant Kim Stout deserves credit for the directory.

ADJOURNMENT

At 9:05 a.m., Commissioner Vander Molen moved to adjourn, subject to the call of the Chair, and to Thursday, March 8, 2007, Room 310, County Administration Building, at 7:00 p.m., for an Official Meeting. Seconded by Commissioner Klein. Motion carried.

Roger C. Morgan, Chair

Mary Hollinrake, County Clerk