

**Agenda**  
**Planning and Policy Committee**  
**West Olive Administration Building – Board Room**  
**12220 Fillmore Street, West Olive, Michigan 49460**  
**Thursday, March 10, 2011**  
**9:30 AM**

**Consent Items:**

1. Approval of the Agenda
2. Approval of February 10, 2010 Planning and Policy Committee Minutes

**Action Items:**

3. Update Park Rules  
Suggested Motion:  
To approve and forward to the Board of Commissioners the revised Park Rules to be adopted as Ordinance No. 11-1.
4. Update to Open Space Rules  
Suggested Motion:  
To approve and forward to the Board of Commissioners the revised Open Space Rules to be adopted as Ordinance No. 11-2.
5. Grant Application – Historic Ottawa Beach Waterfront Walkway  
Suggested Motion:  
To approve and forward to the Board of Commissioners the resolution authorizing submittal of the Historic Ottawa Beach Waterfront Walkway grant proposal to the Michigan Natural Resources Trust Fund.
6. Purchasing Card Policy  
Suggested Motion:  
To approve and forward to the Finance and Administration Committee the Purchasing Card Policy for review and comment.
7. Resolution Authorizing Proceedings to Establish Lake Level Special Assessment Districts  
Suggested Motion:  
To approve and forward to the Board of Commissioners the Resolution to authorize the Ottawa County Drain Commissioner to establish lake level special assessment districts for Kenowa Lake, Rushmore Lake and Sunnyview Lake, all located within Georgetown Charter Township, Ottawa County, Michigan, as provided for in Part 307 of the Natural Resources and Environmental Protection Act, MCL 324.30701 et seq., as amended.

**Discussion Item:**

None

**Adjournment**

**Comments on the day's business are to be limited to three (3) minutes.**

**PLANNING AND POLICY COMMITTEE**

**Proposed Minutes**

DATE: February 10, 2011

TIME: 9:30 a.m.

PRESENT: Roger Rycenga, Stu Visser, Dennis Swartout, Jane Ruiter

ABSENT: James Holtvluwer

STAFF & GUESTS: Alan Vanderberg, Administrator; Keith VanBeek, Assistant Administrator; Sherri Sayles, Deputy Clerk; Greg Rappleye, Corporation Counsel; Curt Ter Haar, Parks & Recreation; John Scholtz, Parks & Recreation Director

**SUBJECT: CONSENT ITEMS**

PP 11-007 Motion: To approve the agenda of today as presented.  
Moved by: Swartout **UNANIMOUS**

PP 11-008 Motion: To approve the minutes of the January 13, 2011, meeting as presented.  
Moved by: Ruiter **UNANIMOUS**

**SUBJECT: ADOPT THE "2011 OTTAWA COUNTY PARKS, RECREATION AND OPEN SPACE PLAN"**

PP 11-009 Motion: To approve and forward to the Board of Commissioners the resolution adopting the 2011 Ottawa County Parks, Recreation and Open Space Plan as a reference document for future decision-making and recommending transmittal of the plan to the Michigan Department of Natural Resources.  
Moved by: Swartout **UNANIMOUS**

**SUBJECT: CLOSED SESSION TO DISCUSS PROPERTY ACQUISITION**

PP 11-010 Motion: To go into a closed session at 9:57 a.m. for the purpose of discussing property acquisition. (2/3 roll call vote required)  
Moved by: Ruiter **UNANIMOUS**

Roll call vote: Yeas: Mrs. Ruiter, Messrs. Swartout, Visser, Rycenga. (4)

PP 11-011 Motion: To rise from closed session at 10:22 a.m.  
Moved by: Swartout **UNANIMOUS**

**SUBJECT: ADJOURNMENT**

The meeting adjourned at 10:22 a.m.

# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 3/10/2011

**Requesting Department:** Parks and Recreation

**Submitted By:** Bob Spaman

**Agenda Item:** Update Park Rules

## SUGGESTED MOTION:

To approve and forward to the Board of Commissioners the revised Park Rules to be adopted as Ordinance No. 11-1.

## SUMMARY OF REQUEST:

Park rules and regulations are updated periodically to make them as clear and understandable as possible and keep them current with state legislation and societal trends. Most recently, changes in firearm laws at the state level referred to as "open carry" create the need for changes to park rules which currently prohibit firearms in county parks and open spaces when not related to hunting. State law indicates that park rules cannot prohibit the carry of firearms but can limit discharge of firearms and other weapons. While making this particular change, the Parks Commission took the time to make a thorough review of all park rules and regulations and compared them to top park systems in the region. This review resulted in numerous wording changes which are reflected in red in the attached document. Adjustments include minor modifications to park hours to limit the amount of time parks are open during periods of darkness, restrictions on the use of metal detectors, clarification of the use of ground blinds for hunting, and numerous other changes as indicated.

## FINANCIAL INFORMATION:

Total Cost: \$0.00      General Fund Cost: \$0.00      Included in Budget:     Yes     No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated       Non-Mandated       New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 3: To Contribute to a Healthy Physical, Economic, & Community Environment.

Objective: 3: Continue initiatives to preserve the physical environment.

**ADMINISTRATION RECOMMENDATION:**     Recommended     Not Recommended     Without Recommendation

County Administrator: **Alan G. Vanderberg**

Digitally signed by Alan G. Vanderberg  
DN: cn=Alan G. Vanderberg, o=US, ou=County of Ottawa, ou=Administrator's Office, email=vanderberg@ottawa.org  
Reason: I am approving this document.  
Date: 2011.03.03 14:32:23 -0500

Committee/Governing/Advisory Board Approval Date:



## MEMORANDUM

Date: February 28, 2011  
To: Ottawa County Board of Commissioners  
From: John Scholtz, Parks and Recreation Director  
RE: Update to Park Rules

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Park rules and regulations are updated periodically to make them as clear and understandable as possible and keep them current with state legislation and societal trends. Most recently, changes in firearm laws at the state level referred to as “open carry” create the need for changes to park rules which currently prohibit firearms in county parks and open spaces when not related to hunting. State law indicates that park rules cannot prohibit the carry of firearms but can limit discharge of firearms and other weapons. While making this particular change, the Parks Commission took the time to make a thorough review of all park rules and regulations and compared them to top park systems in the region. This review resulted in numerous wording changes which are reflected in red in the attached document. Adjustments include minor modifications to park hours to limit the amount of time parks are open during periods of darkness, restrictions on the use of metal detectors, clarification of the use of ground blinds for hunting, and numerous other changes as indicated.

Proposed motion:

To approve and forward to the Board of Commissioners the revised Park Rules to be adopted as Ordinance No. 11-1.

This request relates to a non-mandated activity and supports Goal 3 of the Board of Commissioner’s Strategic Plan: *To contribute to a healthy physical, economic, and community environment.*

**ORDINANCE NO. 11-1**  
**(last update 7-14-06)**

**PARK RULES**

**Revised Language Shown in Red**

An ordinance to establish rules and regulations for **public parks and park facilities** under the jurisdiction of the Ottawa County Parks and Recreation Commission, to establish violations of those rules and regulations as municipal civil infraction violations, to establish penalties therefore, and to provide for the enforcement thereof.

**Section 1. PURPOSE**

The purpose of this Ordinance is to establish rules and regulations for public parks and park facilities under the jurisdiction of the Ottawa County Board of Commissioners and the Ottawa County Parks and Recreation Commission, as permitted by MSA 5.331, as amended, MCLA 46.11, as amended, to further provide that violations of such rules and regulations shall be municipal civil infractions, as provided for by MSA 5.331(m) as amended; MCLA 46.11(m), as amended, to provide civil infraction penalties for the violation thereof, and to further authorize the enforcement of said ordinance by employees of the Ottawa County Parks and Recreation Commission.

**Section 2. RULES AND REGULATIONS**

The Ottawa County Board of Commissioners adopts the following rules & regulations for the use, protection, regulation and control of public parks & park facilities owned & operated by Ottawa County.

**Section 3. DEFINITIONS**

- 3.1 "Commission" shall mean the Ottawa County Parks and Recreation Commission.
- 3.2 "Commission Park Property" shall mean all lands, waters and property administered by the Ottawa County Parks and Recreation Commission as park areas.
- 3.3 "Agent" shall mean the Parks and Recreation Director, **Coordinator of Maintenance and Operations or Parks Manager.**
- 3.4 "Designee" shall mean Parks Supervisors or other Commission staff as designated by the Commission, Director, **Coordinator of Maintenance and Operations, or Parks Manager.**
- 3.5 "Person" shall mean individuals male or female, singular or plural, or any group or gathering of individuals.
- 3.6 "Camping" shall mean the **establishment of a** lodging or sleeping **site for** a Person on the ground or in any other manner, or in any sleeping bag, tent, trailer, vehicle camper, motor vehicle, boat or in any other conveyance erected, parked or placed on Commission Park Property **for overnight, or day use.**
- 3.7 "Written Permission" shall mean a park permit, a written note or letter signed by the Chairperson of the Commission or its Agent.
- 3.8 **"Posting" shall mean the display of a sign or other device which is of size, shape and wording as to convey a clear message to reasonable people.**

**Section 4. PARK HOURS AND PUBLIC USE**

- 4.1 No person shall:
  - 4.1a Enter a Commission Park Property except during park hours unless prior permission is obtained from the Commission or its Agent. Park hours are 7:00 a.m. - 10:00 p.m. from **March 1** through **October 15**; 7:00 a.m. - 8:00 p.m. from **October 16** through **the last day of February** or as posted.
  - 4.1b Willfully remain on Commission Park Property outside of park hours unless prior **written** permission is obtained from the Commission or its Agent.
  - 4.1c Re-enter Commission Park Property once expelled for reason of rule violation for a period of time determined by the Commission or its Agent.
  - 4.1d Enter or use a County Park or portion thereof which has been closed by the Commission **or its Agent** and posted as such.

- 4.2 Any person may use specific areas or facilities within Commission Park Property to the exclusion of others by making application per established Commission procedures and being granted a permit by the Commission or its Agent.

**Section 5. FEES AND CHARGES**

- 5.1 No person shall:
- 5.1a Use any facility, land, area or service for which a fee or charge has been established by the Commission without payment of such fee or charge per Commission procedures.
- 5.1b Fail to display or affix a valid permit in the manner established by the Commission when entering or using a Commission Park Property requiring such a permit.

**Section 6. PROHIBITED ACTIVITIES**

- 6.1 No person, while on Commission Park Property shall:
- 6.1a Deposit or abandon any garbage, refuse, trash, waste or other obnoxious materials except in receptacles specifically provided for such purposes.
- 6.1b Deposit or abandon in any way, any garbage, refuse, trash, waste or other obnoxious materials originating outside the Commission Park Property.
- 6.1c Engage in organized activities such as contests, shows, exhibitions; organized sporting or musical events, children's day camp, parades, or any other activity to the exclusion of others, without prior written consent of the Commission, or its Agent.
- 6.1d Use a park area, structure, play area or amenity for a use other than its intended or designed use.
- 6.1e Conduct any activity, including an authorized use, in any manner that unduly threatens the safety of any individual or threatens to damage or harm Commission Park Property or the natural resources therein.
- 6.1f Occupy or use a reserved facility when that facility is reserved by another person per established Commission procedures and is posted as such.
- 6.1g Hinder, interrupt, or interfere with any authorized use; or any use for which a permit has been granted, including a permit that allows the use of Commission Park Property to the exclusion of others.
- 6.1h Build fires except in grills, fireplaces, fire rings or other areas specifically provided and identified for that purpose.
- 6.1i Engage in the activity of Camping, unless prior written permission is obtained from the Commission or its Agent.
- 6.1j Peddle or solicit business of any nature whatever; distribute handbills or other advertising matter; post unauthorized signs on any lands, waters, structures, or other Commission Park Property; or use Commission Park Property for the purpose of commercial operations unless prior written permission is obtained from the Commission or its Agent.
- 6.1k Make use of loudspeakers or audio devices which produce sound at a level which bothers or annoys other park users, park neighbors, or in any way disturbs the peace and order of a park area.
- 6.1l Possess or discharge fireworks.
- 6.1m Be allowed to bring any glass bottle or container into a swimming beach or sunbathing area.
- 6.1n Fish from a swimming beach or be in possession of any fishing hooks or tackle while in a designated swimming beach area.
- 6.1o Trespass onto adjacent private property.
- 6.1p Smoke or use a tobacco product in any beach area, including sand areas, grass areas, decks, overlooks and other structures; or adjoining areas, as designated by signing.
- 6.1q Dispose of smoking waste or tobacco product waste in any beach area, including sand areas, grass areas, decks, overlooks and other structures; or adjoining areas, as designated by signing.

**Section 7. PUBLIC CONDUCT**

- 7.1 No person, while on Commission Park Property shall:
- 7.1a Commit, make or engage in noisy, boisterous, disorderly, lewd, lascivious or indecent conduct.
  - 7.1b In any manner disturb the peace and quiet or good order of a park area; disturb another person or park neighbor.
  - 7.1c Enter into a restroom intended for the opposite gender, or enter into or remain in any restroom or on any commission property for the purpose of committing any sexual act.
  - 7.1d Be present on any Commission Park Property with completely or partially exposed or visible genitals, pubic region, buttock, or completely exposed female breast.
  - 7.1e Be allowed to remain on Commission Park Property with a blood alcohol level that exceeds the legal limit; or when under the influence of illegal drugs or controlled substances.
  - 7.1f Be allowed to conduct or participate in any form of gambling or games of chance.
  - 7.1g Resist or obstruct, or be abusive or address in a profane or obscene manner any Commission Agent or Designee.
  - 7.1h Allow any Person under 8 years of age to use, enter or be in a playground or swimming beach area without the supervision of an adult.
- \* *\* DELETE ALL OF e.*
- 7.1e *Be allowed to loiter when it is detrimental to the good order of the Park or preservation of Commission Park Property*
- 7.1i Travel at a speed on paths, trails, driveways or other areas on a horse, bicycle or any other conveyance at a speed that endangers any park visitor or may cause damage to park property.

**Section 8. ALCOHOLIC BEVERAGES**

- 8.1 No person, while on Commission Park Property shall possess any alcoholic beverage of any kind except at specific times and at specific locations by making application per established Commission procedures; and being granted a permit by the Commission or its Agent.

**Section 9. ANIMALS**

- 9.1 No person, while on Commission Park Property, shall:
- 9.1a Bring into, have or keep on any Commission Park Property any animal, except for leader dogs for the blind and horses used for mounted patrols; except in areas and at such times as specifically designated by the Commission or its Agent; on a leash not more than ten feet in length and under the immediate control of a competent person who shall remove and properly dispose of any waste produced by the animal immediately and completely.
  - 9.1b Bring onto Commission Park Property or be in possession of any animal that is vicious or dangerous to park visitors or other animals.
  - 9.1c Ride or allow horses or other riding animals, without written permission, except on designated bridle trails.

**Section 10. PRESERVATION OF PARK PROPERTY AND NATURAL FEATURES**

- 10.1 No person, while on Commission Park Property shall:
- 10.1a Destroy, injure, deface, disturb, remove or defoul any part of a park area, building, sign, equipment or other property therein; nor shall any tree, turf, grass, dune grass, flower, shrub or any other plant; rock or any other mineral; be removed, injured or destroyed.
  - 10.1b Release animals, pets or dispose of plants in a Commission Park Property without prior written consent of the Commission or its Agent.
  - 10.2 The use of a metal detector is allowed only on sand beaches, during regular park hours unless prior written permission is obtained from the Commission or its Agent. Metal detecting is not allowed in any beach area with established vegetation. Holes created as part of the act of metal detecting must be promptly filled in.

**Section 11.        HUNTING, FISHING & TRAPPING**

- 11.1 No person, while on Commission Park Property shall **remove**, hunt, trap, wound, kill, molest or in any other way harm any living thing, unless prior written permission is obtained from the Commission or its Agent, or Designee.
- 11.2 Hunting is allowed during special archery deer hunting programs at selected park sites during specific time periods per specific archery deer hunting program rules and regulations; per State of Michigan DNRE laws, and per other applicable County Park rules.
- 11.3 Fishing on Commission Park Property shall be permitted in accordance with Commission guidelines and the laws of the Department of Natural Resources of the State of Michigan in such areas designated by the Commission for such purposes.

**Section 12.        FIREARMS AND WEAPONS**

- 12.1 **No person while on Commission Park Property shall:**
  - 12.1a **Discharge or set off a pistol, rifle, shotgun, slingshot or any other instrument which discharges a projectile by air, explosion or any other force except for any deputy sheriff, police officer or other duly appointed law enforcement officer carrying out the duties and responsibilities of their position; unless prior written permission is obtained from the Commission or its Agent.**
  - 12.2 **The possession of firearms shall be permitted on Commission Park Property in accordance with the laws of the State of Michigan.**
- 12.3 Weapons associated with fishing shall be allowed in park areas and at such times as provided for those activities by the Commission, and in accordance with all applicable Federal and State laws and regulations.

**Section 13.        MOTOR VEHICLES**

- 13.1 No person, while on Commission Park Property shall:
  - 13.1a Operate a motor vehicle unless the vehicle is duly authorized and licensed for operation on public roads.
  - 13.1b Operate a motor vehicle except on roads, parking lots and other areas expressly designed **and designated** by the Commission for that purpose.
  - 13.1c **Operate a motor vehicle in any way which does not give right of way to pedestrians, bicyclists and equestrians; or endangers the safety of people or property.**
  - 13.1d Park or leave unattended any automobile, truck, bus, motor home, trailer or any other similar device except in designated parking spaces or spaces assigned by a Commission designee and during regular park hours.
  - 13.1e Park or leave unattended any motor vehicle **in a manner that blocks in another parked vehicle; blocks, restricts or impedes the normal flow of traffic; where parking is prohibited; on or in a turf area, wetland, meadow, prairie, marsh, field woodland; for the purpose of washing or making any repairs or alterations except those of an emergency nature; or in such a way as to occupy more than one provided parking space.**
  - 13.1f Use a motor vehicle or any other motorized device to continuously cruise into, out of or through any area, roadway or parking lot.
  - 13.1g Exceed **20 mph or posted speed limits, or exceed a reasonable speed for given traffic conditions and special hazards such as trail crossings, entrances to parking areas, hills, or curves.**
  - 13.1h Commit an act of property destruction with a motor vehicle or any other motorized device.
  - 13.1i Operate a snowmobile, off-road vehicle, any motor-driven vehicle or any motorized device in any **park** area unless specifically designated for such purpose.
  - 13.1j Park any vehicle in a Commission administered parking lot or space for a period exceeding the designated time limit as determined by the Commission and identified by posted signs noting the applicable time limitation.

**Section 14.        WATERCRAFT**

- 14.1 No person, while on Commission Park Property shall:



- 14.1a Launch, navigate or use any boat, canoe, jet ski, sailboard, raft or other similar device upon any lake, pond or watercourse except at such times and places provided by and designated for such purpose by the Commission.
- 14.1b Enter a posted swim area with any boat, canoe, jet ski, sailboard or other similar device.
- 14.1c Beach, moor, or store any boat, raft, canoe, jet ski, sailboard or other similar device outside of regular park hours unless prior written permission is obtained from the Commission or its Agent.

**Section 15. BICYCLES, SKATEBOARDS, SCOOTERS, ROLLER-SKATES OTHER DEVICES**

- 15.1 No person, while on Commission Park Property shall:
  - 15.1a Use a bicycle, tricycle or other similar conveyance except upon roadways, parking areas and designated paths or trails.
  - 15.1b Use a skateboard, scooter, roller-skates or similar device except where it is specifically allowed by the Commission.
  - 15.1c At any time obstruct vehicle or pedestrian traffic into, out of or through Commission Park Property by the use of a bicycle, skateboard, roller-skates or similar devices.
  - 15.1d At any time use a bicycle, skateboard, roller-skates or similar device in a careless manner which may result in injury to a person or damage to property.

**Section 16. SPORTS, GAMES AND HOBBIES**

- 16.1 No person, while on Commission Park Property shall:
  - 16.1a Engage in any sport, game or similar activity while on Commission Park Property which unreasonably interferes, annoys or bothers the use and enjoyment of an area by others.
  - 16.1b Use or operate any amusement device while on Commission Park Property that would threaten the safety of any person or potentially damage park property; or would interfere, annoy or bother the use and enjoyment of an area by others.
  - 16.1c Use or operate any motorized model airplane, car, boat or similar device unless prior written permission is obtained from the Commission or its Agent.
  - 16.1d Launch, land, operate or otherwise engage in the use of hot air balloons, parachutes, hang gliders, or other similar conveyances without obtaining prior written permission from the Commission or its Agent.

**Section 17. PENALTIES**

- 17.1 Any person who violates the Rules and Regulations of the Ottawa County Parks and Recreation Commission may be expelled from Commission Property and be responsible for municipal civil infraction violations punishable by a municipal civil infraction penalty not to exceed \$100 and costs of prosecution.

**Section 18. ENFORCEMENT**

- 18.1 Notice To Appear.
  - 18.1a Any Ottawa County Sheriff's Deputy, and any Agent or designee of the Commission are authorized to issue and serve municipal civil infraction citations with respect to municipal civil infraction violations if the Deputy, Agent or Designee has reasonable cause to believe that a person has committed a municipal civil infraction violation of this Ordinance.
- 18.2 Nothing in these rules and regulations shall:
  - 18.2a Prohibit or hinder any Commission employee or agent, or any peace officer from performing their official duties.
  - 18.2b Prohibit the Commission, its Agent or Designee from establishing any emergency rules required to protect the health, welfare and safety of park visitors; to protect Commission Park Property; or to maintain order.
  - 18.2c Prevent other officers from carrying out their sworn duties within the Commission park properties or facilities as defined by the applicable laws of the State of Michigan and the United States or by the ordinances, resolutions and policies of Ottawa County Michigan or in accord with any policing agreement approved by the Board.

**Section 19.**     CONFLICT WITH CRIMINAL LAWS

Nothing in this Section shall be construed to conflict, contravene, enlarge or reduce any criminal liability or responsibility, including fines imposed by a judge for any criminal offense under Michigan law.

**Section 20.**     SEVERABILITY

The phrases, sentences, sections and provisions of this Section are severable and the finding that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this Ordinance.

**Section 21.**     REPEAL OF CONFLICTING ORDINANCES

All other Ordinances, part of Ordinances, or amendments thereto, any of which are in conflict with the provisions of this Ordinance, are hereby repealed in their entirety to the extent of such conflict.

**Section 22.**

This Ordinance was approved and adopted by the Ottawa County Board of Commissioners on  
, and shall be effective on

# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 3/10/2011

**Requesting Department:** Parks and Recreation

**Submitted By:** Bob Spaman

**Agenda Item:** Update to Open Space Rules

## SUGGESTED MOTION:

To approve and forward to the Board of Commissioners the revised Park Rules to be adopted as Ordinance No. 11-1.

## SUMMARY OF REQUEST:

As with Park rules and regulations, Open Space rules and regulations are also updated periodically to keep them current. Open Space rules are very similar to Park Rules but vary in a number of important ways. Differences include hunting rules (more lenient on Open Space lands and permits not required for hunting), hours of operation (open at 5 a.m. rather than 7 a.m. to benefit hunters), and dog rules (dogs are not required to on a leash in Open Space lands).

## FINANCIAL INFORMATION:

Total Cost: \$0.00      General Fund Cost: \$0.00      Included in Budget:     Yes     No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated       Non-Mandated       New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 3: To Contribute to a Healthy Physical, Economic, & Community Environment.

Objective: 3: Continue initiatives to preserve the physical environment.

**ADMINISTRATION RECOMMENDATION:**     Recommended     Not Recommended     Without Recommendation

County Administrator: **Alan G. Vanderberg**

Digitally signed by Alan G. Vanderberg  
DN: cn=Alan G. Vanderberg, o=US, ou=County of Ottawa, ou=Administrator's Office, email=vanderberg@micttaw.org  
Reason: I am approving this document  
Date: 2011.03.03 14:38:26 -0500

Committee/Governing/Advisory Board Approval Date:



## MEMORANDUM

Date: February 28, 2011  
To: Ottawa County Board of Commissioners  
From: John Scholtz, Parks and Recreation Director  
RE: Update to Open Space Rules

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As with Park rules and regulations, Open Space rules and regulations are also updated periodically to keep them current. Open Space rules are very similar to Park Rules but vary in a number of important ways. Differences include hunting rules (more lenient on Open Space lands and permits not required for hunting), hours of operation (open at 5 a.m. rather than 7 a.m. to benefit hunters), and dog rules (dogs are not required to be on a leash in Open Space lands).

Proposed changes and updates to Open Space Rules are similar to those recommended for Park Rules. See attached rules for changes outlined in red.

Proposed motion:

To approve and forward to the Board of Commissioners the revised Open Space Rules to be adopted as Ordinance No. 11-2.

This request relates to a non-mandated activity and supports Goal 3 of the Board of Commissioner's Strategic Plan: *To contribute to a healthy physical, economic, and community environment.*

**ORDINANCE NO. 11-2**

**(last update 7-14-06)**

**OPEN SPACE RULES**

**Revised Language Shown in Red**

An ordinance to establish rules and regulations for **public open space lands** under the jurisdiction of the Ottawa County Parks and Recreation Commission, to establish violations of those rules and regulations as municipal civil infractions, to establish penalties therefore, and to provide for the enforcement thereof.

THE COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

**Section 1.**        PURPOSE

The purpose of this Ordinance is to establish rules and regulations for public open space lands under the jurisdiction of the Ottawa County Board of Commissioners and the Ottawa County Parks and Recreation Commission, as permitted by MSA 5.331, as amended, MCLA 46.11, as amended, to further provide that violations of such rules and regulations shall be municipal civil infractions, as provided for by MSA 5.331(m) as amended; MCLA 46.11(m), as amended, to provide civil infraction penalties for the violation thereof, and to further authorize the enforcement of said ordinance by employees of the Ottawa County Parks and Recreation Commission and by deputies of the Ottawa County Sheriff's Office.

**Section 2.**        RULES AND REGULATIONS

The Ottawa County Board of Commissioners adopts the following rules and regulations for the use, protection, regulation and control of public open space lands owned and operated by Ottawa County.

**Section 3.**        DEFINITIONS

- 3.1        "Commission" shall mean the Ottawa County Parks and Recreation Commission.
- 3.2        "Open Space Land" shall mean lands, waters and property administered by the Ottawa County Parks and Recreation Commission as open space areas distinct from lands and facilities designated as County Parks.
- 3.3        "Agent" shall mean the Parks and Recreation Director, **Coordinator of Maintenance and Operations or Parks Manager.**
- 3.4        "Designee" shall mean Parks Supervisors or other Commission staff as designated by the Commission, Director, **Coordinator of Maintenance and Operations, or Parks Manager.**
- 3.5        "Person" shall mean individuals, male or female, singular or plural, or any group or gathering of individuals.
- 3.6        "Camping" shall mean the **establishment of a lodging or sleeping site for** a Person on the ground or in any other manner, or in any sleeping bag, tent, trailer, vehicle camper, motor vehicle, boat or in any other conveyance erected, parked or placed on Commission Park Property **for overnight, or day use.**
- 3.7        "Written Permission" shall mean a park permit or a written note or letter signed by the Chairperson of the Commission, or it's Agent.
- 3.8        **"Posting" shall mean the display of a sign or other device which is of size, shape and wording as to convey a clear message to reasonable people.**

**Section 4.**        OPEN SPACE HOURS AND PUBLIC USE

- 4.1        No person shall:
  - 4.1a        Enter Open Space Land except during permitted hours unless prior **written** permission is obtained from the Commission or its Agent. Permitted hours are 5:00 a.m. to 10:00 p.m. or as posted.
  - 4.1b        Willfully remain on Open Space Land outside of permitted hours unless prior **written** permission is obtained from the Commission or its Agent.
  - 4.1c        Re-enter Open Space Land once expelled for reason of rule violation for a period of time to be determined by the Commission or its Agent.

- 4.1d Enter or use Open Space Land or a portion thereof which has been closed by the Commission and posted as such.
- 4.2 Any person may use specific areas or facilities within Open Space Land to the exclusion of others by making application per established Commission procedures and being granted a permit by the Commission or its Agent.

**Section 5. FEES AND CHARGES**

- 5.1 No person shall:
- 5.1a Use any facility, land, area or service for which a fee or charge has been established by the Commission without payment of such fee or charge per Commission procedures.
- 5.1b Fail to display or affix a valid permit in the manner established by the Commission when entering or using an Open Space Land requiring such a permit.

**Section 6. PROHIBITED ACTIVITIES**

- 6.1 No person, while on Open Space Land shall:
- 6.1a Deposit or abandon any garbage, refuse, trash, waste, or other obnoxious materials except in receptacles specifically provided for such purposes.
- 6.1b Deposit or abandon in any way, any garbage, refuse, trash, waste or other obnoxious materials originating outside the Open Space Land.
- 6.1c Engage in organized activities such as contests, shows, exhibitions, organized sporting or musical events, ceremonies, children's day camp, parades, or any other activity to the exclusion of others, without prior written consent of the Commission, or its Agent.
- 6.1d Conduct any activity, including an authorized use, in any manner that unduly threatens the safety of any individual or threatens to damage or harm Open Space Land or the natural resources therein.
- 6.1e Hinder, interrupt, or interfere with any authorized use; or any use for which a permit has been granted, including a permit that allows the use of Open Space Land to the exclusion of others.
- 6.1f Occupy or use a reserved facility when that facility is reserved by another person per established Commission procedures and is posted as such.
- 6.1g Peddle or solicit business of any nature whatever; distribute handbills or other advertising matter; post unauthorized signs on any lands, waters, structures, or other Open Space Land; or use Open Space Land for the purpose of commercial operations unless prior written permission is obtained from the Commission or its Agent.
- 6.1h Make use of loudspeakers or audio devices which produce sound at a level which bothers or annoys other users, neighbors, or in any other way disturbs the peace and order of an Open Space Land.
- 6.1i Build fires except in grills, fireplaces, fire rings or other areas specifically provided and identified for that purpose.
- 6.1j Engage in the activity of Camping, unless prior written permission is obtained from the Commission or its Agent
- 6.1k Possess or discharge fireworks.
- 6.1l Be allowed to bring any glass bottle or container into a swimming beach or sunbathing area.
- 6.1m Fish from a swimming beach or be in possession of any fishing hooks or tackle while in a designated swimming beach area.
- 6.1n Trespass onto adjacent private property.
- 6.1o Engage in the activities of sledding, skating, skiing or other similar activities except in areas designated by the Commission.

**Section 7. PUBLIC CONDUCT**

- 7.1 No person, while on Open Space Land shall:

- 7.1a Commit, make or engage in noisy, boisterous, disorderly, lewd, lascivious or indecent conduct.
- 7.1b In any manner disturb the peace and quiet or good order of an Open Space Land area; disturb another person or Open Space Land neighbor.
- 7.1c Enter into a restroom intended for the opposite gender, or enter into or remain in any restroom or on any commission property for the purpose of committing any sexual act.
- 7.1d Be present on any Open Space Land with completely or partially exposed or visible genitals, pubic region, buttock, or completely exposed female breast.
- 7.1e Be allowed to conduct or participate in any form of gambling or games of chance.
- 7.1f Resist or obstruct a Commission Agent or Designee in the performance of that person's duties.

Delete all of 7.1e

- 7.1e Be allowed to loiter when it is detrimental to the good order of the Open Space Land or preservation of Open Space Lands.
- 7.1e Be allowed to remain on Open Space Land with a blood alcohol level that exceeds the legal limit; or when under the influence of illegal drugs or controlled substances.
- 7.1g Travel at a speed on paths, trails, driveways or other areas on a horse, bicycle or any other conveyance at a speed that endangers any park visitor or may cause damage to Open Space Land.

**Section 8. ALCOHOLIC BEVERAGES**

- 8.1 No person, while on Open Space Land shall possess any alcoholic beverage of any kind except at specific times and at specific locations by making application per established Commission procedures; and being granted a permit by the Commission or its Agent.

**Section 9. ANIMALS**

- 9.1 No person, while on Open Space Land shall:
  - 9.1a Ride or allow horses or other riding animals, without written permission, except on designated bridle trails or areas designated for such purposes.
  - 9.1b Bring in or allow dogs or other pets in areas that are posted as closed to dogs or other pets.
  - 9.1b Bring onto Open Space Land or be in possession of any animal that is vicious or dangerous to Open Space Land visitors or other animals.

**Section 10. PRESERVATION OF OPEN SPACE LAND AND NATURAL FEATURES**

- 10.1 No person, while on Open Space land shall:
  - 10.1a Destroy, injure, deface, disturb, remove or befoul any part of an Open Space Land area, building, sign, equipment or other property therein; nor shall any tree, turf, grass, dune grass, flower, shrub or any other plant; rock or any other mineral; be removed, injured or destroyed.
  - 10.1b Release animals, pets or dispose of plants on an Open Space Land without prior written consent of the Commission or its Agent.
- 10.2 The use of a metal detector is allowed only on sand beaches, during regular open space hours unless prior written permission is obtained from the Commission or its Agent. Metal detecting is not allowed in any beach area with established vegetation. Holes created as part of the act of metal detecting must be promptly filled in.

**Section 11. HUNTING, FISHING AND TRAPPING**

- 11.1 Commission Open Space Lands shall be open to hunting in accordance with the laws of the Department of Natural Resources of the State of Michigan except when designated otherwise. Specific Open Space Lands may be designated as open to permit hunting only, open to archery hunting only, closed to all hunting, or may be designated otherwise.
- 11.2 No person while on Open Space Land shall be allowed to hunt within ninety (90) feet of the boundary between an Open Space Land and private property.

- 11.3 The use of bait to attract deer for the purpose of hunting is prohibited.
- 11.4 Tree stands and **ground blinds (type 1 only) may be used according to the laws of the Department of Natural Resources of the State of Michigan.**
- 11.5 Fishing on Commission Open Space Land shall be permitted in accordance with Commission guidelines and the laws of the Department of Natural Resources of the State of Michigan in such areas designated by the Commission for such purposes.
- 11.6 Trapping is prohibited on Open Space Lands unless prior written permission is obtained from the Commission or its Agent.

**Section 12. FIREARMS AND WEAPONS**

- 12.1a **Discharge or set off a pistol, rifle, shotgun, slingshot or any other instrument which discharges a projectile by air, explosion or any other force except for the purpose of hunting in accordance with Section 11 of these rules and the laws of the State of Michigan.**
- 12.1 **The possession of firearms shall also be permitted on Commission Open Space Land in accordance with the laws of the State of Michigan.**
- 12.2 Weapons associated with fishing shall be allowed in Open Space Land and at such times as provided for those activities by the Commission, and in accordance with all applicable Federal and State laws and regulations.

**Section 13. MOTOR VEHICLES**

- 13.1 No person, while on Open Space Land shall:
  - 13.1a Operate a motor vehicle unless the vehicle is duly authorized and licensed for operation on public roads.
  - 13.1b Operate a motor vehicle except on roads, parking lots and other areas expressly designed by the Commission for that purpose.
  - 13.1c Park or leave unattended any motor vehicle except in designated parking spaces and during regular open space hours.
  - 13.1d **Operate a motor vehicle in any way which does not give right of way to pedestrians, bicyclists and equestrians; or endangers the safety of people or property.**
  - 13.1e Park or leave unattended any automobile, truck, bus, motor home, trailer or any other similar device except in designated parking spaces or spaces assigned by a Commission designee and during regular park hours.
  - 13.1f **Park or leave unattended any motor vehicle in a manner that blocks in another parked vehicle; blocks, restricts or impedes the normal flow of traffic; where parking is prohibited; on or in a turf area, wetland, meadow, prairie, marsh, field woodland; for the purpose of washing or making any repairs or alterations except those of an emergency nature; or in such a way as to occupy more than one provided parking space.**
  - 13.1g Use a motor vehicle or any other motorized device to continuously cruise into, out of or through any area, roadway or parking lot.
  - 13.1h **Exceed 20 mph or posted speed limits, or exceed a reasonable speed for given traffic conditions and special hazards such as trail crossings, entrances to parking areas, hills, or curves.**
  - 13.1i Commit an act of property destruction with a motor vehicle or any other motorized device.
  - 13.1j Operate a snowmobile, off-road vehicle, any motor-driven vehicle or any motorized device in any area unless specifically designated for such purpose and signed accordingly.

**Section 14. WATERCRAFT**

- 14.1 No person, while on Open Space Land shall:
  - 14.1a Launch, navigate or use any boat, canoe, jet ski, sailboard, raft or other similar device upon any lake, pond or watercourse except at such times and places provided by and designated for such purpose by the Commission.



- 14.1b Launch or operate a motorized watercraft in an area designated for non-motorized watercraft only.
- 14.1c Enter a posted swim area with any boat, canoe, jet ski, sailboard or other similar device.
- 14.1d Beach, moor, or store any boat, raft, canoe, jet ski, sailboard or other similar device outside of regular hours unless prior written permission is obtained from the Commission or its Agent.

**Section 15. BICYCLES, SKATEBOARDS, SCOOTERS, ROLLERSKATES AND OTHER DEVICES**

- 15.1 No person, while on Open Space Land shall:
  - 15.1a Use a bicycle, tricycle or other similar conveyance except upon broadways, parking areas and designated paths or trails.
  - 15.1b Use a skateboard, scooter, roller-skates or similar device except where it is specifically allowed by the Commission.
  - 15.1c At any time use a bicycle, skateboard, roller-skates or similar device in a careless manner which may result in injury to a person or damage to property.

**Section 16. SPORTS, GAMES AND HOBBIES**

- 16.1 No person, while on Open Space Land shall:
  - 16.1a Engage in any sport, game or similar activity while on Open Space Land which unreasonably interferes, annoys or bothers the use and enjoyment of an area by others.
  - 16.1b Use or operate any amusement device while on Open Space Land that would threaten the safety of any person or potentially damage Open Space Land; or would interfere, annoy or bother the use and enjoyment of an area by others.
  - 16.1c Use or operate any motorized model airplane, car, boat, or similar device unless prior written permission is obtained from the Commission or its Agent.
  - 16.1d Launch, land, operate or otherwise engage in the use of hot air balloons, parachutes, hang gliders, or other similar conveyances without obtaining prior written permission from the Commission or its Agent.

**Section 17. PENALTIES**

- 7.1 Any person who violates the Rules and Regulations of the Ottawa County Parks and Recreation Commission may be expelled from Open Space Land and be responsible for municipal civil infraction violation punishable by a municipal civil infraction penalty not to exceed \$100.00 and costs of prosecution.

**Section 18. ENFORCEMENT**

- 18.1 Notice to Appear.
  - 18.1a Any Ottawa County Sheriff's Deputy and any Agent or designee of the Commission are authorized to issue and serve municipal civil infraction citations with respect to municipal civil infraction violations if the Deputy, Agent or Designee has reasonable cause to believe that a person has committed a municipal civil infraction violation of this Ordinance.
- 18.2 Nothing in these rules and regulations shall:
  - 18.2a Prohibit or hinder any Commission employee or agent or any peace officer from performing their official duties.
  - 18.2b Prohibit the Commission, its Agent or Designee from establishing any emergency rules required to protect the health, welfare and safety of park visitors; to protect Commission Open Space Land; or to maintain order.
  - 18.2c Prevent other officers from carrying out their sworn duties within the Open Space Land or facilities as defined by the applicable laws of the State of Michigan and the United States or by the ordinances, resolutions and policies of Ottawa County Michigan or in accord with any policing agreement approved by the Board.

**Section 19. CONFLICT WITH CRIMINAL LAWS**

Nothing in this Section shall be construed to conflict, contravene, enlarge or reduce any criminal liability or responsibility, including fines imposed by a judge for any criminal offense under Michigan law.

**Section 20.**        SEVERABILITY

The phrases, sentences, sections and provisions of this Section are severable and the finding that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this Ordinance.

**Section 21.**        REPEAL OF CONFLICTING ORDINANCES

All other Ordinances, parts of Ordinances, or amendments thereto, any of which are in conflict with the provisions of this Ordinance, are hereby repealed in their entirety to the extent of such conflict.

**Section 22.**

This Ordinance was approved and adopted by the Ottawa County Commission on

# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 3/10/2011

**Requesting Department:** Parks and Recreation

**Submitted By:** Bob Spaman

**Agenda Item:** Grant Application – Historic Ottawa Beach Waterfront Walkway

## SUGGESTED MOTION:

To approve and forward to the Board of Commissioners the resolution authorizing submittal of the Historic Ottawa Beach Waterfront Walkway grant proposal to the Michigan Natural Resources Trust Fund.

## SUMMARY OF REQUEST:

The Ottawa County Parks and Recreation Commission is requesting authorization from the Board of Commissioners to submit a grant application to the State of Michigan through the Michigan Natural Resources Trust Fund for funding assistance to continue implementing the Park 12 Master Plan at the Historic Ottawa Beach Parks in Park Township. Grant funds would be used to fund the Historic Ottawa Beach Waterfront Walkway which will link two previously constructed sections to complete the waterfront walkway on County owned property. The waterfront walkway will feature a combination of wood and concrete walkway with overlooks, interpretive displays, benches and other amenities. Estimated cost of the total project is \$600,000. A grant of \$300,000 will be requested with \$300,000 in matching funds coming from the Parks and Recreation millage.

## FINANCIAL INFORMATION:

Total Cost: \$600,000.00      General Fund Cost: \$0.00      Included in Budget:     Yes     No

If not included in budget, recommended funding source: Parks and Recreation Fund

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated       Non-Mandated       New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 3: To Contribute to a Healthy Physical, Economic, & Community Environment.

Objective: 4: Continue initiatives to positively impact the community.

**ADMINISTRATION RECOMMENDATION:**     Recommended     Not Recommended     Without Recommendation

County Administrator: **Alan G. Vanderberg**

Digitally signed by Alan G. Vanderberg  
DN: cn=Alan G. Vanderberg, o=OS, ou=County of Ottawa, ou=Administrator's Office, email=avanderberg@mottawa.org  
Reason: I am approving this document  
Date: 2011.03.03 14:32:51 -0500

Committee/Governing/Advisory Board Approval Date:



## MEMORANDUM

Date: February 28, 2011  
To: Ottawa County Board of Commissioners  
From: John Scholtz, Parks and Recreation Director  
RE: Grant Application – Historic Ottawa Beach Waterfront Walkway

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The Ottawa County Parks and Recreation Commission is requesting authorization from the Board of Commissioners to submit a grant application to the State of Michigan through the Michigan Natural Resources Trust Fund for funding assistance to continue implementing the Park 12 Master Plan at the Historic Ottawa Beach Parks in Park Township. Grant funds would be used to fund the Historic Ottawa Beach Waterfront Walkway which will link two previously constructed sections to complete the waterfront walkway on County owned property. The waterfront walkway will feature a combination of wood and concrete walkway with overlooks, interpretive displays, benches and other amenities. Estimated cost of the total project is \$600,000. A grant of \$300,000 will be requested with \$300,000 in matching funds coming from the Parks and Recreation millage.

Proposed motion:

*To approve and authorize the Board Chairperson and Clerk to sign the resolution authorizing submittal of the Historic Ottawa Beach Waterfront Walkway grant proposal to the Michigan Natural Resources Trust Fund.*

This request relates to a non-mandated activity and supports Goal #3 “To contribute to a healthy physical, economic and community environment.”

*Grant Summary Sheet*

**HISTORIC OTTAWA BEACH WATERFRONT WALKWAY**

*Granting Agency:* Michigan Natural Resources Trust Fund (MNRTF)

*Grant Deadline:* April 1, 2011

*Project Summary:* Ottawa County Parks is seeking funding assistance for development of a walkway along the Lake Macatawa waterfront at its Historic Ottawa Beach Parks (Park 12). Considerable progress has been made in implementing the 2005 Park 12 Master Plan and this project represents an important step in linking recently improved areas. This proposed project will improve and develop a 1300' section of the Lake Macatawa shoreline extending from the Holland Harbor Fishing Project (construction to be completed in 2011) eastward to the existing Black Lake Boardwalk site adjacent to the Holland Coast Guard Station. The waterfront walkway will feature a combination of wood and concrete walkway with overlooks, interpretive displays, benches and other amenities.

*Project Budget:*

Total Project:	\$600,000
Proposed MNRTF Grant:	\$300,000
Proposed County Cost:	\$300,000

*Resolution:* See proposed resolution (attached) authorizing submittal of the grant project.

COUNTY OF OTTAWA

STATE OF MICHIGAN

RESOLUTION

At a regular meeting of the Ottawa County Board of Commissioners of the County of Ottawa, Michigan, held in the Ottawa County Fillmore Street Complex, West Olive, Michigan, in said County on the 22<sup>nd</sup> day of March, 2011 at 1:30 o'clock p.m. local time.

PRESENT:

ABSENT:

It was moved by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_ that the following Resolution be adopted:

WHEREAS, the Parks and Recreation Commission has completed a long range plan for the Ottawa County park system identifying the need for expansion and improvement of Ottawa County parks and recreation facilities; and

WHEREAS, the Parks and Recreation Commission has identified the Historic Ottawa Beach Waterfront Walkway Project as a high priority for the 2012 fiscal year; and

WHEREAS, the County of Ottawa will be responsible for supplying a 50% local match (\$300,000 of the \$600,000 total project cost) for the proposed park improvement project; and

NOW THEREFORE, BE IT RESOLVED, that the Ottawa County Board of Commissioners authorizes submittal of the grant application for the Historic Ottawa Beach Waterfront Walkway Project to the Michigan Department of Natural Resources and Environment and fully intends to carry out the project if awarded.

Adopted/Issued this date by the Ottawa County Board of Commissioners

YEAS:

NAYS:

ABSTENTIONS:

RESOLUTION ADOPTED.

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Philip Kuyers  
Chairman, Ottawa County  
Board of Commissioners

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Daniel C. Krueger  
Ottawa County Clerk

CERTIFICATION

I, the undersigned, duly qualified Clerk of the County of Ottawa, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Board of Commissioners of the County of Ottawa, Michigan, at a meeting held on March 22, 2011 the original of which is on file in my office. Public Notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereto affixed my official signature this \_\_\_\_th day of June, A.D., 2011.

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Daniel C. Krueger, Ottawa County Clerk

# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 3/10/2011

**Requesting Department:** Fiscal Services

**Submitted By:** Bob Spaman

**Agenda Item:** Purchasing Card Policy

## SUGGESTED MOTION:

To approve and forward to the Finance and Administration Committee the Purchasing Card Policy for review and comment.

## SUMMARY OF REQUEST:

During a recent banking services Request for Proposal (RFP) our selected vendor, Chase Bank, as well as the other contenders, quoted Ottawa County for this service. A purchasing card allows selected county employees the opportunity to purchase items under \$1,000. Currently employees have the vendor bill the County for these items. Each invoice must then go through the Accounts Payable process creating a check or multiple checks to these vendors.

A purchasing card will allow items to be charged to the employees County purchasing card. The vendor receives their money shortly after the charge is processed and the balance due on all cards will be paid monthly to the bank. Purchasing cards have been an effective modern method of purchasing goods and services since the 1990's. It has many safety features as well other advantages that are detailed in the attachment. The approval process is the same as an invoice. The purchasing card offers advantages to the County, the cardholder and our vendors as listed in the attachment. This program also offers advantages in purchases in many areas as well.

Employees are trained on the use of the purchasing card, the limits they will have, processing of the invoices on a monthly basis and the penalties for misuse of the purchasing card. (see attachment for this information)

The cost of the program is \$350 for imprinting the County logo on the purchasing cards. The card will also have the employees name and the County tax exempt number.

## FINANCIAL INFORMATION:

Total Cost: \$350.00 | General Fund Cost: \$350.00 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: #1 - To Maintain and Improve the Strong Financial Position of the County

Objective: #2 - Implement Processes and Strategies to deal with operational budget deficits.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator: Alan G. Vanderberg

Digitally signed by Alan G. Vanderberg  
DN: cn=Alan G. Vanderberg, ou=County of Ottawa, ou=Administrator's Office, email=avanderberg@ottawacounty.org  
Reason: I am approving this document  
Date: 2011.03.03 14:15:18 -0500

Committee/Governing/Advisory Board Approval Date:





# County of Ottawa

*Fiscal Services Department*

**Robert Spaman**  
*Fiscal Services Director*

**Marvin Hinga**  
*Fiscal Services Assistant Director*

12220 Fillmore Street • Room 331 • West Olive, Michigan 49460

West Olive (616) 738-4847

Fax (616) 738-4098

e-mail: [rspaman@miottawa.org](mailto:rspaman@miottawa.org)

[mhinga@miottawa.org](mailto:mhinga@miottawa.org)

March 2, 2011

To: Planning & Policy Committee  
Finance & Administration Committee

From: Bob Spaman, Fiscal Services Director

Subject: Concerns and Opportunities with a Purchasing Card

I would like to address a couple of issues with a Purchasing Card program request for Ottawa County.

## SECURITY & MISUSE

A Purchasing Card program, which has been available for many years in the public and private sector, has many safety features built in to the program.

- 1) There are limiters that only allow transactions up to a certain amount per employee, per day and per month. Presently we do not have those controls in our purchasing system for smaller purchases.
- 2) There are many Merchant Category Codes (MCC) or store codes that prohibit employees from using the vendor services such as party stores, massage parlors, gaming areas and other non-work related vendors.
- 3) There are many product codes that prohibit employees from purchasing particular items such as alcohol and other non-work related items.
- 4) The program allows our Program Administrator in the Purchasing Department to access the previous day's activities or any other day's activities as needed. Right now an employee can charge to the county and we may not discover for several weeks or months.
- 5) The penalty for any misuse can cause the employees dismissal or other punishment per the agreement he/she signs when they are given the purchasing card. This is explained at the training sessions where the policy and procedures are reviewed.
- 6) There is no ability to get cash advances.
- 7) The Program Administrator has the ability to suspend the card if misuse is suspected at any moment.

## PROGRAM OPPORTUNITIES AND ADVANTAGES

The Purchasing Card program has several opportunities, advantages and protection features that enhance the program.

- 1) The Purchasing Card program has the opportunity for significant rebates based on purchasing volume. These rebates range from approximately .5% to 1.2%, depending on volume. Our proposed vendor is our current bank of record, Chase Bank. They did a vendor match based on the 2010 invoices and found that we could have approximately \$14,000,000 worth of activity in a given year. Based on the rebate for that volume, we could have a rebate of approximately \$160,000. They do say that the initial activity will probably be ½ of that amount.
- 2) Based on the aforementioned vendor match study, we have received almost 7,000 invoices in the less than \$1,000 amount that could be eliminated from our process through Accounts Payable, thus saving significant amount of time processing and lowering the number of checks we produce. The upload of the Purchasing Card transactions to our General Ledger is significantly faster than the inputting of individual invoices and the checks that are produced.
- 3) The volume of petty cash activity goes down as well in that employees will use the card for small purchases and not have to use their own money and stop by for reimbursement. So we may be able to reduce the amount of money in the petty cash accounts at various locations in the county.
- 4) The payment terms for the expenses incurred in one month are not paid until the 25<sup>th</sup> of the following month which provides an opportunity for interest on those funds. At today's interest rates that may not be significant but under normal interest rates it could be significant.
- 5) When using the purchasing card, the following benefits are included:
  - a. \$400,000 life insurance when using a common carrier
  - b. \$1,250 for lost or stolen luggage
  - c. \$50,000 for rental car damage or stolen
  - d. \$5,000 legal service referral if needed
  - e. 24 hour road assistance
  - f. \$2,500 emergency medical insurance and assistance
  - g. \$100,000 reimbursement for employee misuse of the card.

## IMPLEMENTATION

We would begin with a pilot program tentatively scheduled for around May 1, 2011. We would use the Administration, Fiscal Services, Information Technology and Parks Departments in this pilot program. In two months, after the successful implementation of those departments, we would plan to roll out the program to the rest of the departments with full implementation expected to be completed by the end of August.



# County of Ottawa

## PURCHASING CARD POLICY

### I. POLICY

A policy to define, authorize and regulate the use of purchasing cards, and to establish procedures for utilizing purchasing cards for appropriate expenses in the conduct of official County of Ottawa business and empowering selected employees with the responsibility for protection, custody and proper usage of purchasing cards.

### II. STATUTORY REFERENCES

MCL 4.11 (I)

### III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

The original Board policy on this subject matter was adopted in

Board of Commissioners Resolution Number and Policy Adoption Date:

Board of Commissioner Review Date and Resolution Number:

Name and Date of Last Committee Review:



# County of Ottawa

## IV. PROCEDURE

- A. The Fiscal Services Director or Program Administrator designated by the Fiscal Services Director, is responsible for the issuance of purchasing cards for use by selected County employees; the accounting, monitoring, retrieval and general overview of this Purchasing Card Policy; and the establishment of Purchasing Card Program Procedures consistent with this Policy and applicable laws and ordinances (referred to below as the “Purchasing Card Program Procedures”).
- B. Purchasing cards may be used only by an employee for the purchase of goods or services for official County of Ottawa business in accordance with the provisions of the Purchasing Card Program Procedures and within spending limitations authorized for each employee. Purchasing cards may not be used for cash advances or personal use. Purchases may not be divided into several transactions in order to avoid compliance with this Policy or the Purchasing Card Program Procedures.
- C. The employee using the purchasing card is responsible for its protection, custody and proper usage, and for compliance with this Policy and the Purchasing Card Program Procedures. The employee shall enter into an agreement with the County of Ottawa, for the use and care of the purchasing card, before such purchasing card shall be placed in the employee’s custody for use. The agreement shall, among other things, hold the employee responsible for immediately notifying the Fiscal Services Director if the card is lost or stolen.
- D. The employee using the purchasing card must submit documentation detailing the goods or services purchased, cost, date of the purchase and the description of the official business transacted as outlined in the Purchasing Card Program Procedures.
- E. Employees to whom purchasing cards are issued will, upon request of their Supervisor, Department Director, or the Fiscal Services Director cooperate and furnish information documenting the use of the card.
- F. Department Directors are responsible for all activities relating to purchasing cards in their department including, but not limited to the following:
  1. Selection of employees authorized to use County purchasing cards.
  2. Execution of the Agreement between the County of Ottawa and the employee for the use and care of the purchasing card, before such purchasing card is placed in the employee’s custody for use.
  3. Review of and proper implementation of this Policy and the provisions of the Purchasing Card Program Procedures.
  4. Determination of the specific official County business for which purchasing cards may be used by departmental employees.



# County of Ottawa

5. Determination of the type of categories of goods or services within the department for which the purchasing cards may be used to purchase.
  6. Determination of spending authorization limits for each employee receiving a purchasing card in compliance with the Purchasing Card Program Procedures.
  7. Review and authorize all documentation necessary submitted by the employee using a County purchasing card including, but not limited to: (1) documentation of the goods or services purchased (2) the cost of the goods or services (3) date of purchase (4) the official County business for which purchased. All documentation must be submitted by the employee with the monthly statement to the Department Director for approval within the timeframe outlined in the Purchasing Card Program Procedures.
  8. Monitor the system, policies and procedures within the department to ensure employee's responsibility for the purchasing cards within the department and immediately notify the Fiscal Services Director or designated Program Administrator of any fraudulent or irresponsible use of a purchasing card. Department Directors may implement special procedures as the department may require for card delivery, usage and storage. The Fiscal Services Director or designated Program Administrator may terminate a purchasing card without notice to the Department Director should any purchasing card policy or procedure be abused.
- G. An employee who engages in an unauthorized or improper use of a County purchasing card will be subject to disciplinary measures, up to and including termination, and may be subject to civil/criminal prosecution consistent with applicable laws. The employee found to have inappropriately used the purchasing card will be required to reimburse the County of Ottawa for all costs associated with such improper use.
- H. Each holder of a purchasing card is responsible for safeguarding the account number and improperly disclosing any purchasing card information is strictly prohibited.
- I. An employee issued a purchasing card shall immediately cease the use of and return the purchasing card to the Fiscal Services Director effective upon the employee's separation from Ottawa County, upon the employee's reassignment to another department within the County, or upon de-authorization by the Fiscal Services Director.
- J. Approval of purchasing card invoices and accounting controls to monitor the use of County purchasing cards shall be in accordance with the Purchasing Card Program Procedures.



# County of Ottawa

## V. REVIEW PERIOD

The Internal Policy Review Committee will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.

# PURCHASING CARD PROCEDURES

## I. Overview:

- A. The Purchasing Card provides the County of Ottawa organization with an alternate method to petty cash, check requests and purchase orders for purchasing low dollar goods and services. The program is intended to streamline and simplify the procurement process. The Purchasing Card is a tool that reduces transaction costs, facilitates timely acquisition of materials and supplies, automates data flow for electronic commerce and accounting purposes, and offers flexible controls to help ensure proper usage.
- B. The Purchasing Card Program is not intended to avoid or bypass the current purchase order system, but rather complement the existing processes. The card is a credit card issued by Chase Bank. Record keeping is essential to ensure the success of the Purchasing Card.
- C. This Cardholder Guide provides information about the process, the types of purchases that can and cannot be made, records that must be maintained and reconciled for each cycle and a variety of other Program information.
- D. Please remember as public employees you are entrusted with funds that belong to the taxpayers of the County of Ottawa. These funds must be expended only for purchases specifically related to the delivery of governmental services to the citizens as appropriated in the budget adopted by the Board of Commissioners. You are the person responsible for all charges made to the card, which has been issued to you. Intentional misuse or fraudulent abuse may result in disciplinary action up to and including dismissal.
- E. The card will have no impact on your personal credit. Although the Purchasing Card lists an individual's name, the card is actually issued to the County of Ottawa. Purchasing Cards are intended for use by designated employees of the County of Ottawa.

## II. Obtaining a Card:

- A. Complete a Purchasing Card Request Form, available in the forms section on the Front Page, you and your Department Head must sign this form. Return the completed Purchasing Card Request Form to the Purchasing Department in Fiscal Services.
  - 1. STANDARD LIMITS ARE AS FOLLOWS (GENERAL COUNTY EMPLOYEES):
    - a) Single Purchase Limit \$999
    - b) Daily Purchase Limit \$1,500 (Multiple purchases at one vendor in one day will be strictly prohibited)
    - c) Monthly Purchase Limit \$5,000.00
    - d) Number of Transactions per day = 5
    - e) Number of Transactions per month = 30
- B. The Purchasing Department in Fiscal Services will forward a copy of the Master Card Purchasing Card Cardholder Guide, County Purchasing Card Request form and a Cardholder Agreement to the employee. The signed Cardholder Agreement must be returned to the Purchasing Department in Fiscal Services and the Purchasing Card will be ordered.
- C. Upon receipt of the Purchasing Card Request form, a meeting will be scheduled with the employee to review the policies and procedures and to answer any questions. The Purchasing Card will be presented to the employee for signature. The card will be activated for immediate use.

### III. Purchasing Card Restrictions

- A. The Purchasing Card **IS NOT** to be used for:
  - 1. Personal purchases
  - 2. Cash advances
  - 3. Certain County blocked products and services
  - 4. Commodities and services on contract with Blanket Purchase Orders (Note: Cardholders will be advised of certain Blanket Purchase Orders that can be included).
- B. Under no circumstances may a transaction be split into two separate receipts to bypass the single transaction dollar limit or the purchasing policies. Transactions will be electronically monitored.
- C. The Purchasing Card will be issued in your name. By accepting the Purchasing Card, you assume responsibility for it. **The Purchasing Card is not transferable and may not be used by anyone other than you, the Cardholder.**
- D. The Purchasing card may not be issued as a “departmental card.” Due to insurance requirements of the bank each card must be issued to an individual.

### IV. Making a Purchase using the Purchasing Card

The Purchasing Card can be used at any vendor who accepts “Mastercard” and is in a Merchant Category group that was approved for your card. Your Purchasing Card also has been given specific spending limits.

- A. If you are purchasing in person:
  - 1. Present the Purchasing Card to the merchant and inform the vendor that your transaction should be tax exempt. The tax exempt number is printed on the purchasing card.
  - 2. Check the receipt to be sure you are not paying taxes. Any tax concerns should be corrected at the point of transaction.
  - 3. Sign the charge receipt.
  - 4. Retain all charge receipts and cash register tapes.
  - 5. Purchasers **must** keep a record of all purchases in order to reconcile purchases monthly.
- B. If you are purchasing by phone or mail:
  - 1. Supply the vendor with your Purchasing Card number, expiration date, “ship to” address and tax exempt number.
  - 2. Ask the supplier to include the receipt with the goods when the product is shipped; all receipts must be forwarded to the Department Director with a printed and signed Statement.
  - 3. Cardholder, or designated departmental representative, must keep a record of purchases.
  - 4. When goods are received, check products and keep all receipts, shipping records and keep a record of the purchases to verify for accuracy online; receipts must be sent to your Department Director with your statement and excel spreadsheet, then to Purchasing Department of Fiscal Services and finally to Accounting.

### V. Tax Exemption:



All County purchases are tax exempt. Be sure to advise suppliers that your Purchasing Card transaction is tax exempt. The County's Federal Tax Identification Number is embossed on the front of the Purchasing Card. The number is exclusively for use relative to County business. If documentation is requested, a Certificate is available and can be obtained by contacting Fiscal Services at 616.738.4847.

#### **VI. Incorrect Shipment or Returns**

If a shipment is incorrect, the cardholder should contact the vendor to arrange for a return, exchange or credit. If the vendor agrees to issue a credit, the Cardholder should verify that the credit is properly reflected in the next online Account Detail.

#### **VII. Reconciling Monthly Purchases**

- A. Each Cardholder, or representative for the department, must keep a record of all transactions charged to his/her account on a monthly basis. For each month, a new file should be started. The billing cycle for each month will end the first of the month. Any transactions occurring after the last day of the month will appear on the next month's online statement.
- B. Cardholders have access to their own transactions and Account Summary. At the end of the billing cycle, Cardholders will receive an Internal E-mail reminding them to reconcile their statement. The web address is <http://smartdata.jpmorgan.com/>.
- C. The original sales documents (receipts, packing slips, cash register tape, credit card slips) for a given month should be signed and stapled to the Statement and Excel spreadsheet printed by Cardholder and forwarded to the Department Director (for approval) who will then forward it to the Purchasing Department of Fiscal Services Department **no later than the 10th day of each month.**
- D. Fiscal Services Accounts Payable will ACH Payment for charges incurred.
- E. Cardholder or designated departmental representative is required to do the following each month if purchases have been made and the Detail Account has activity:
  1. Review purchases for accuracy.
  2. Process Account summary including Expense Description, Account #'s, Account types & Invoice #'s. Note: transactions can be split (charged to more than one account).
  3. Note any disputed charges or problems.
  4. Attach backup documentation and/or receipts.
  5. Sign & Date the Expense Report.
  6. Send to Department Director to review/approve the purchases and account numbers.
- F. It is the responsibility of the Department Director, or designee, to review and approve the Expense Report with Account Detail. After review/approval the Department Director should send the Expense Report and backup documentation to the Purchasing Department in Fiscal Services.

#### **VIII. Discrepancies or Unauthorized Usage**

- A. Types of Discrepancies:
  1. The amount of the transaction is incorrect.
  2. A purchase appears on the online Account Detail that was not made by the authorized Cardholder.
  3. There is a product quality or service issue.

B. Procedures for Discrepancies:

1. If there are any discrepancies on the Cardholder's online Account Detail, the vendor will need to be contacted immediately to try to resolve the issue(s) in question. It is the Cardholders responsibility to correct any discrepancy.
2. The Cardholder will need to complete a Cardholder Dispute Form and forward a copy to the vendor and the Purchasing Department in Fiscal Services.
3. If an unauthorized transaction appears on your statement contact Customer Service at 1-800-316-6056.
4. If there is a product quality or service issue the cardholder should contact the merchant to obtain an authorization for return and account credit.

**IX. Transferring to Another Department or Card Deactivation**

A. Cardholder Transfers to another Department:

1. Cardholder must notify the Purchasing Department in Fiscal Services via fax, memo or E-mail that the Cardholder will be transferring to another department. The notification must include approval from their new Department Director for use of the p-card.
2. Purchasing Department of Fiscal Services will make departmental changes to account information.

B. Termination of Cardholder:

1. Upon voluntary, or involuntary, termination of employment of a Cardholder, the Purchasing Card must be turned in to Human Resources or Department Director and forwarded to the Purchasing Department in Fiscal Services.
2. Human Resources must immediately notify the Purchasing Department in Fiscal Services that the Purchasing Card of the named Cardholder should be deactivated.
3. Human Resources will forward card to the Purchasing Department in Fiscal Services.
4. The Purchasing Department in Fiscal Services will immediately deactivate the Card.

C. Misuse of the Purchasing Card by the Cardholder:

1. A Department Head may request suspension or cancellation of the Purchasing Card at any time by notifying the Purchasing Department in Fiscal Services via fax, memo or e-mail.
2. Whenever a Purchasing Card is misused or the policies and procedures are violated, the Department Director will work with the Human Resources Department to determine appropriate disciplinary action. The Department Director will inform the Purchasing Department in Fiscal Services if the Purchasing Card should be deactivated.
3. The Purchasing Department in Fiscal Services may unilaterally suspend or cancel a Purchasing Card if:
  - a. The Purchasing Card policies and procedures are not followed.
  - b. If the Purchasing Card was not used for a long period of time.
  - c. If the Cardholder continually tries to exceed the allowable per purchase limit or the specified purchase frequency.

- d. If the cardholder fails to maintain the required back-up receipts and documents and/or fails to process statements at the designated time.
- e. If there is concern that the card has been compromised in any way.

**X. Reporting Lost or Stolen Cards**

- A. If a Purchasing Card is lost or stolen, the Cardholder must immediately inform the Purchasing Department in Fiscal Services. If the Purchasing Card is lost or stolen during **non-working** hours, the Cardholder must contact **1-800-316-6056**.
- B. The Purchasing Department in Fiscal Services will immediately deactivate the Purchasing Card.
- C. To receive a replacement Purchasing Card and the Cardholder must complete a new Cardholder Agreement.
- D. The Purchasing Department in Fiscal Services will produce a replacement Purchasing Card after the proper forms have been completed and returned.
- E. The Cardholder is responsible for review and reconciliation of the online Account Detail of the deactivated Purchasing Card, as well as, the online Account Detail for the new Purchasing Card.

**XI. Purchasing Card Security**

- A. Keep your Purchasing Card in an accessible, but secure location.
- B. Guard the Purchasing Card account number and password log-in carefully. Do not post it at your desk or write it in your day planner.
- C. The **only** person entitled to use the Purchasing Card is the person whose name appears on the face of the card. **Do not lend your Purchasing Card to another person for use.**

**XII. Key Contacts**

The following resources are available to answer any questions you may have, or to help solve problems that may arise:

- Purchasing Card Customer Service\* ..... 1-800-316-6056
- Purchasing Department in Fiscal Services(Program Administrators)\*.....616-738-4847
- Christine Miller, Purchasing Department of Fiscal Services.....616-738-4855
- Laura Deal, Department Technician.....616-738-4670

**\*Contact immediately if Purchasing Card is lost or stolen.**

**PURCHASING CARD REQUEST FORM**

A Purchasing Card is requested for the following employee:

\_\_\_\_\_  
First Name                                 Middle Initial             Last Name

\_\_\_\_\_  
Department/Division                                 Business Telephone Number

\_\_\_\_\_  
E-Mail address

\_\_\_\_\_  
Employee Signature                                 Date  
(Signature indicates the above information is accurate and that the Purchasing Card Guidelines have been read and will be followed)

**STANDARD LIMITS:**

Single Purchase Limit \$999.00                                 Daily Purchase Limit \$1,500.00

Monthly Purchase Limit \$5,000.00

Number of Transactions per day 5                                 Number of Transactions per month 30

I have approved the issuance of a Purchasing Card to the above named employee. I agree to review purchases for compliance with the established polices and procedures.

**DEPARTMENT DIRECTOR APPROVAL:**

Department Director’s Signature/Date \_\_\_\_\_

**PURCHASING CARD ADMINISTRATOR:**

Purchasing Card Administrator Signature \_\_\_\_\_





# County of Ottawa

*Fiscal Services Department*

**Robert Spaman**  
*Fiscal Services Director*

**Marvin Hinga**  
*Fiscal Services Assistant Director*

12220 Fillmore Street • Room 331 • West Olive, Michigan 49460

West Olive (616) 738-4847  
Fax (616) 738-4098  
e-mail: rspaman@miottawa.org  
mhinga@miottawa.org

## PURCHASING CARD CARDHOLDER AGREEMENT

I understand that I am authorized to use the Purchasing Card to purchase goods and services for the legitimate business benefit of the County of Ottawa. All purchases I make will be in accordance with the County of Ottawa Purchasing Card Program Procedures, Purchasing Card Policy, and the Purchasing Policies and Procedures established by the County (a copy of which has been provided to me) and my department for Purchasing Card use.

I will not use the Purchasing Card for personal use, nor will I permit another person to use the Purchasing Card issued exclusively in my name.

I will immediately notify the Fiscal Services Director if the purchasing card in my custody is lost or stolen.

I acknowledge the receipt of all applicable Ottawa County Policies including the County of Ottawa Travel Policy, and agree to abide by them.

I agree that my authorization to make such purchases shall automatically cease upon my separation from the County of Ottawa, upon my reassignment to another department within the County, or upon de-authorization by the Fiscal Services Director. In any of these events, I will return the card to the Fiscal Services Director.

I understand that violations of these requirements may result in revocation of my use privileges and/or disciplinary action, up to and including termination of employment. Employees who are found to have inappropriately used a Purchasing Card will be required to reimburse the County of Ottawa for all costs associated with such improper use, and may result in other discipline, up to and including termination. Unlawful use of a Purchasing Card by an employee could result in civil/criminal prosecution.

I acknowledge receipt of a Purchasing Card.

Name:

Purchasing Card Number: \_\_\_\_\_

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Department

\_\_\_\_\_  
Date



*UltraGraphic ID:*

**UGTA2095**

*Base Card ID:*

**00000F64923**

*UG Color:*

**Black**

*Last Modified Date:*

February 24, 2011 11:28 AM



## BEST PRACTICE

### Purchasing Card Programs (1998, 2003, and 2008) (TIM)

**Background.** The purpose of a purchasing card (also known as a procurement card) program is to provide an efficient, cost-effective method of purchasing and paying for small-dollar as well as high-volume purchases. This type of program is used as an alternative to the traditional purchasing process and can result in a significant reduction in the volume of purchase orders, invoices, and checks processed.

Purchasing cards can be used whenever a purchase order, check request, or petty cash would have been processed and with any vendor that accepts credit cards.

There are numerous benefits to a purchasing card program. Benefits to the cardholder include:

1. convenience of purchasing without a purchase order,
2. expedited delivery of goods,
3. better pricing on goods,
4. expanded list of merchants from whom purchases can be made, and
5. reduced paperwork.

Benefits to the government include:

1. simplified purchasing and payment process,
2. lower overall transaction processing costs per purchase,
3. increased management information on purchasing histories,
4. reduced paperwork,
5. decentralized procurement function,
6. the ability to set and control purchasing dollar limits,
7. the ability to control purchases to specific merchant categories, and
8. receipt of rebates from the bank based upon dollar volume of total purchases.

Benefits to the vendor include:

1. expedited payments,
2. reduced paperwork, and
3. lowered risk of nonpayment.

Purchasing cards may be issued in a designated individual's name and/or the government's name clearly indicated on the card as the buyer of goods and services. The purchasing card and any transactions made with the card may become a liability of the governmental entity. For this reason, it is important that governments be aware of the risks related to the use of purchasing cards and develop plans to address those risks.

Disadvantages of purchasing cards include:

1. the potential for duplicate payments to vendors (as payments are no longer recorded by individual vendor within the accounting system),
2. the perception in the public about issuing "credit cards" to employees may be negative, and
3. the potential for abuse despite the controls available with purchasing cards.

**Recommendation.** The Government Finance Officers Association (GFOA) recommends that governments explore the use of purchasing cards to improve the efficiency of their purchasing procedures. A competitive

process should be used to select a purchasing card provider. Consideration should be given to vendors who can provide automated approval and reconciliation software. This software should provide for the ability to integrate to the entity's accounting records. Purchasing card programs should be designed to be simple and easy to use; however, governments need to maintain appropriate controls, in accordance with their purchasing policy, to ensure the ongoing success of a purchasing card program. These controls should include:

1. written agreements with banks, which include fee schedules, processing procedures, and security requirements,
2. written policies and procedures for internal staff, including:
  - a. instructions on employee responsibility and written acknowledgments signed by the employee,
  - b. ongoing training of cardholders and supervisors,
  - c. spending and transaction limits for each cardholder both per transaction and on a monthly basis,
  - d. written requests for higher spending limits,
  - e. recordkeeping requirements, including review and approval processes,
  - f. clear guidelines on the appropriate uses of purchasing cards, including approved and unapproved Merchant Category Codes (MCC),
  - g. guidelines for making purchases by telephone and fax or over the Internet,
  - h. periodic audits for card activity and retention of sales receipts and documentation of purchases,
  - i. timely reconciliation by cardholders and supervisors,
  - j. procedures for handling disputes and unauthorized purchases,
  - k. procedures for card issuance and cancellation, lost or stolen cards, and employee termination, and
  - l. segregation of duties for payment approvals, accounting, and reconciliations.
3. systems to ensure compliance with IRS 1099 reporting regulations.

### **References**

- *An Elected Official's Guide to Procurement*, GFOA, 1995.
- *Banking Services: A Guide for Governments*, Nicholas Greifer, GFOA, 2004.

Approved by the GFOA's Executive Board, February 22, 2008.



# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 3/10/2011

**Requesting Department:** Drain Commissioner

**Submitted By:** Greg Rappleye

**Agenda Item:** Resolution Authorizing Proceedings to Establish Lake Level Special Assessment Districts

## SUGGESTED MOTION:

To approve and forward to the Board of Commissioners the Resolution to authorize the Ottawa County Drain Commissioner to establish lake level special assessment districts for Kenowa Lake, Rushmore Lake and Sunnyview Lake, all located within Georgetown Charter Township, Ottawa County, Michigan, as provided for in Part 307 of the Natural Resources and Environmental Protection Act, MCL 324.30701 et seq., as amended.

## SUMMARY OF REQUEST:

From time-to-time the Ottawa County Board of Commissioners is called upon by the Drain Commissioner to authorize the institution of proceedings in the Ottawa County Circuit Court to establish special assessment districts for lake levels.

See memo and resolution attached.

## FINANCIAL INFORMATION:

Total Cost: \$0.00 | General Fund Cost: \$0.00 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source: Special Assessment of Affected Districts

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 3: To Contribute to a Healthy Physical, Economic, & Community Environment.

Objective: 3: Continue initiatives to preserve the physical environment.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator: **Alan G. Vanderberg**

Digitally signed by Alan G. Vanderberg  
DN: cn=Alan G. Vanderberg, o=US, ou=County of Ottawa, ou=Administrator's Office, email=avanderberg@miottawa.org  
Reason: I am approving this document.  
Date: 2011.03.03 14:30:25 -0500

Committee/Governing/Advisory Board Approval Date:

## MEMORANDUM

TO: Ottawa County Planning & Policy Committee

FROM: Gregory Rappleye, Ottawa County Corporation Counsel

DATE: March 2, 2011

RE: Setting Labor Level Special Assessment Districts

From time-to-time the Ottawa County Board of Commissioners is called upon by the Drain Commissioner to authorize the institution of proceedings in the Ottawa County Circuit Court to establish special assessment districts for lake levels. A Resolution to authorize this for Kenowa Lake, Rushmore Lake and Sunnyview Lake (all located within Georgetown Charter Township) is attached. The action will spread the cost of maintaining lake levels across the benefited properties. This action is authorized by Part 307 of the Natural Resources and Environmental Protection Act, MCL 324.30701 et seq., as amended.

I have asked that a representative from the Drain Commissioner's Office attend your meeting to explain the process and answer any questions you may have.

cc: Paul Geerlings, Ottawa County Drain Commissioner  
Linda Brown, Ottawa County Deputy Drain Commissioner

**COUNTY OF OTTAWA**

**STATE OF MICHIGAN**

**KENOWA LAKE, RUSHMORE LAKE & SUNNYVIEW LAKE**  
**LAKE LEVEL SPECIAL ASSESSMENT DISTRICTS RESOLUTION**  
**PURSUANT TO MCL 324.30701 ET SEQ.**

At a regular meeting of the Board of Commissioners of the County of Ottawa, Michigan, held at the Fillmore Street Complex in the Township of Olive, Michigan on the \_\_\_\_ day of March, 2011 at \_\_\_\_\_ o'clock p.m. local time.

PRESENT: Commissioners: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ABSENT: Commissioners: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

It was moved by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_ that the following Resolution be adopted:

WHEREAS, pursuant to the Inland Lake Level Act of 1961, Act 146, Public Acts of Michigan, 1961, as amended (“Act 146”), and a petition filed by the Board of Commissioners with the Circuit Court for Ottawa County, an Order was entered by the Court on September 2, 1975, establishing the normal water level of Kenowa Lake located in Georgetown Charter Township of 604 feet above mean sea level; and,

WHEREAS, pursuant to Act 146 and a petition filed by the Board of Commissioners with the Circuit Court for Ottawa County, an Order was entered by the Court on May 2, 1968,

establishing the normal water level of Rushmore Lake located in Georgetown Charter Township of 599.5 feet above mean sea level; and,

WHEREAS, pursuant to Act 146 and a petition filed by the Ottawa Board of Commissioners with the Circuit Court for Ottawa County, an Order was entered by the Court on August 24, 1964, establishing the normal water level of Sunnyview Lake located in Georgetown Charter Township of 610 feet above mean sea level; and,

WHEREAS, Act 146 has been repealed and recodified as Part 307 of the Natural Resources and Environmental Protection Act, Act 451, Public Acts of Michigan, 1994, MCL 324.30701 et seq., as amended (“Part 307”); and,

WHEREAS, the Ottawa County Drain Commissioner has recommended that proceedings be initiated under Part 307 to legally establish the boundaries of the Special Assessment Districts for Kenowa, Rushmore and Sunnyview Lakes; and,

WHEREAS, Part 307 provides that the Ottawa Board of Commissioners may initiate action to take the necessary steps to establish the boundaries of a Special Assessment District;

NOW THEREFORE BE IT RESOLVED, as follows:

1. The Ottawa Board of Commissioners desires to initiate proceedings under Part 307 to establish the boundaries of Special Assessment Districts for Kenowa Lake, Rushmore Lake and Sunnyview Lake, located within Georgetown Charter Township, Ottawa County, Michigan, and to confirm and reappoint the Ottawa County Drain Commissioner as the county’s “delegated authority” under Part 307.

2. The Ottawa County Drain Commissioner is hereby authorized to hire such engineers and legal counsel as are necessary to assist with all proceedings required under Part 307. The cost of all proceedings to establish and confirm the Special Assessment District boundaries of

Kenowa Lake, Rushmore Lake and Sunnyview Lake, and to improve and maintain their lake levels, shall be defrayed by special assessments against property and public corporations in the special Assessment Districts for said Lakes, including State-owned lands under the jurisdiction of the Michigan Department of Natural Resources and Environment, all in accordance with the procedures set forth in Part 307.

3. The engineers hired by the Ottawa County Drain Commissioner are hereby directed to prepare a recommendation of property and public corporations, including Georgetown Charter Township, to be included in the Special Assessment Districts.

4. The law firm hired by the Ottawa County Drain Commissioner is hereby directed to initiate proceedings by proper petitions in the Ottawa County Circuit Court for the establishment of Lake Level Special Assessment Districts for Kenowa Lake, Rushmore Lake and Sunnyview Lake located within Georgetown Charter Township, Ottawa County, Michigan.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with this Resolution are hereby repealed.

YEAS: Commissioners: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: Commissioners: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ABSTENTIONS: Commissioners: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RESOLUTION ADOPTED.

\_\_\_\_\_  
Chairperson, Ottawa County  
Board of Commissioners

\_\_\_\_\_  
Ottawa County Clerk

STATE OF MICHIGAN     )  
  )ss.  
COUNTY OF OTTAWA     )

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Ottawa County Board of Commissioners, Ottawa County, Michigan, at a regular meeting duly called and held on the \_\_\_\_\_, the original of which is on file in my office.

\_\_\_\_\_  
Daniel C. Krueger, Ottawa County Clerk