



County of Ottawa

Board of Commissioners

Philip D. Kuyers
Chairperson

James C. Holtrop
Vice-Chairperson

12220 Fillmore Street, Room 310, West Olive, Michigan 49460

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Grand Rapids (616) 662-3100

Website: www.miOttawa.org

June 7, 2012

To All Ottawa County Commissioners:

The Ottawa County Board of Commissioners will meet on **Tuesday, June 12, 2012 at 1:30 p.m.**, for the regular **May** meeting of the Board at the Ottawa County Fillmore Street Complex in West Olive, Michigan.

The Agenda is as follows:

1. Call to Order by the Chairperson
2. Invocation – Commissioner DeJong
3. Pledge of Allegiance to the Flag
4. Roll Call
5. Presentation of Petitions and Communications
6. Public Comments and Communications from County Staff
 - A. Public Hearing on the Proposed 2012 Millage Rate for County Operations, E-911, and Parks
Suggested Motion:
 - a. To open the Public Hearing on the proposed 2012 millage rate for County Operations of 3.6 mills, E-911 of .4400 mills and Parks of .3165 mills.
 - b. To close the Public Hearing on the proposed 2012 millage rate for County Operations of 3.6 mills, E-911 of .4400 mills and Parks of .3165 mills.
 - B. Legislative Update, Jim Miller, Governmental Consultant Services, Inc.
7. Approval of Agenda
8. Actions and Reports
 - A. Consent Resolutions:

From the County Clerk

1. [Board of Commissioners Meeting Minutes](#)
Suggested Motion:

Stuart P. Visser Dennis W. Swartout Jane M. Ruiter Greg J. DeJong Roger G. Rycenga
Joseph S. Baumann Robert W. Karsten James H. Holtvluwer Donald G. Disselkoen

To approve the Minutes of the May 22, 2012 Board of Commissioners Meeting.

2. [Payroll](#)
Suggested Motion:
To authorize the payroll of June 12, 2012 in the amount of \$_____.
3. [Correspondence Log 427](#)
Suggested Motion:
To receive for information the Correspondence Log.

From Administration

4. [Monthly Accounts Payable for May 14, 2012 through June 1, 2012](#)
Suggested Motion:
To approve the general claims in the amount of \$4,054,788.96 as presented by the summary report for May 14, 2012 through June 1, 2012.
5. [County of Ottawa Circuit Court Probation and Parole 2011 Annual Report](#)
Suggested Motion:
To receive for information the County of Ottawa Circuit Court Probation and Parole 2011 Annual Report.
6. [County of Ottawa 58th District Court 2011 Annual Report](#)
Suggested Motion:
To receive for information the County of Ottawa 58th District Court 2011 Annual Report.

B. Action Items:

From the Finance and Administration Committee

1. [Resolution to Approve the 2012 Millage Rate for County Operations, E-911, and Parks](#)
Suggested Motion:
To approve and authorize the Board Chair and Clerk to sign the resolution approving the 2012 Millage Rate for County Operations of 3.6 mills, E-911 of .4400 mills, and Parks of .3165 mills.

C. Appointments: None

D. Discussion Items:

1. [County of Ottawa Circuit Court Probation and Parole 2011 Annual Report](#)
(Presented by: Heath White, Supervisor, Holland Probation and Parole)
2. [County of Ottawa 58th District Court 2011 Annual Report](#)
(Presented by: Lori Catalino, 58th District Court Administrator)
9. Report of the County Administrator
10. General Information, Comments, and Meetings Attended
11. Public Comments
12. Adjournment

OTTAWA COUNTY BOARD OF COMMISSIONERS
ADDITION TO AGENDA

Tuesday, June 12, 2012

1:30 PM

B. Action Items:

From Administration

2. [Lease for Ottawa County CMH Clubhouse Space - 490 Century Lane](#)

Suggested Motion:

To approve and authorize the Board Chairperson and Clerk to sign the Lease between the County of Ottawa and Gary P. and Ruth Beckman for the Ottawa County CMH Clubhouse Space at 490 Century Lane, Holland, MI.

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: Fiscal Services

Submitted By: Bob Spaman

Agenda Item: Public Hearing on the Proposed 2012 Millage Rate for County Operations, E-911, and Parks

SUGGESTED MOTION:

- a. To open the Public Hearing on the proposed 2012 millage rate for County Operations of 3.6 mills, E-911 of .4400 mills, and Parks of .3165 mills.
- b. To close the Public Hearing on the proposed 2012 millage rate for County Operations of 3.6 mills, E-911 of .4400 mills, and Parks of .3165 mills.

SUMMARY OF REQUEST:

To establish 2012 County millage rates for the 2012 County Operations, E-911, and Parks.

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: 1: To Maintain and Improve the Strong Financial Position of the County.

- Objective: 1: Maintain and improve the financial position of the County through legislative advocacy.
- 2: Implement processes and strategies to address operational budget deficits with pro-active, balanced approaches.
 - 3: Approve strategies to reduce the negative impact of rising employee benefit costs on the budget.
 - 4: Maintain or improve bond ratings.

ADMINISTRATION RECOMMENDATION: Recommended | Not Recommended | Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:

PROPOSED
PROCEEDINGS OF THE OTTAWA COUNTY
BOARD OF COMMISSIONERS
MAY SESSION – SECOND DAY

The Ottawa County Board of Commissioners met on Tuesday, May 22, 2012, at 1:30 p.m. and was called to order by the Chair.

Mr. Swartout pronounced the invocation.

The Deputy Clerk led in the Pledge of Allegiance to the Flag.

Present at roll call: Messrs. Visser, Kuyers, Swartout, Mrs. Ruiter, Messrs. DeJong, Rycenga, Baumann, Disselkoen, Karsten, Holtrop, Holtvluwer. (11)

Public Comments and Communications from County Staff

Matthew Fenske, 0-2077 Luce St., S.W., Grand Rapids, introduced himself to the Board stating he is running for County Commissioner and asked for their support.

B/C 12-089 Mr. Holtrop moved to approve the agenda of today as presented. The motion passed.

B/C 12-090 Mr. Holtrop moved to approve the following Consent Resolutions:

1. To approve the Minutes of the May 8, 2012 Board of Commissioners Meeting and the May 8, 2012 Board of Commissioners Work Session.
2. To authorize the payroll of May 22, 2012 in the amount of \$575.86.
3. To approve the general claims in the amount of \$2,971,040.61 as presented by the summary report for April 30, 2012 through May 11, 2012.
4. To approve the appropriation changes greater than \$50,000 and those approved by the Administrator and Fiscal Services Director for \$50,000 or less which changed the total appropriation from the amended budget for the month of April 2012.

The motion passed as shown by the following votes: Yeas: Messrs. DeJong, Visser, Swartout, Holtvluwer, Mrs. Ruiter, Messrs. Disselkoen, Baumann, Holtrop, Karsten, Rycenga, Kuyers. (11)

B/C 12-091 Mr. Swartout moved to approve and authorize the Board Chair and Clerk to sign the Resolution of Intent to Increase the 2012 Millage Rate for Ottawa County and schedule a public hearing on June 12, 2012. The motion passed.

B/C 12-092 Mr. Rycenga moved to receive bids for the Pigeon Creek Lodge Addition and accept the low bid from Gale Builders in the amount of \$126,800 with funding from the Parks and Recreation budget. The motion passed as shown by the following votes: Yeas: Messrs.

Visser, Holtvluwer, Disselkoen, Holtrop, Mrs. Ruiter, Messes. Karsten, DeJong, Rycenga, Swartout, Baumann, Kuyers. (11)

- B/C 12-093 Mr. Rycenga moved to approve and authorize the Board Chair and Clerk to sign the Resolution to adopt the Joint Hazard Mitigation Plan for Ottawa & Kent Counties. The motion passed.
- B/C 12-094 Mr. Swartout moved to approve and authorize the Board Chair and Clerk to sign the Resolution to authorize certification of a "Qualifying Statement" for bonding purposes. The motion passed as shown by the following votes: Yeas: Mrs. Ruiter, Messrs. Baumann, DeJong, Karsten, Swartout, Holtvluwer, Rycenga, Holtrop, Disselkoen, Visser, Kuyers. (11)
- B/C 12-095 Mr. Swartout moved to approve the recommendation that the Ottawa County millage allocation remains at 4.440 mills. The motion passed as shown by the following votes: Yeas: Messrs. DeJong, Rycenga, Baumann, Disselkoen, Holtvluwer, Visser, Holtrop, Swartout, Karsten, Mrs. Ruiter, Mr. Kuyers. (11)
- B/C 12-096 Mr. Swartout moved to approve the recommendation to designate \$3,592,425 of the 2011 General Fund year-end unassigned fund balance. The motion passed as shown by the following votes: Yeas: Messrs. Swartout, Holtvluwer, Visser, Holtrop, Karsten, Disselkoen, Baumann, Rycenga, DeJong, Mrs. Ruiter, Mr. Kuyers. (11)
- B/C 12-097 Mr. Swartout moved to approve the expenditure of \$20,000 from the "committed" General Fund Balance for environmental initiatives to fund Grand River water quality testing. The motion passed.
- B/C 12-098 Mr. Swartout moved to approve and authorize the Board Chair and Clerk to sign the Resolution of Intent to Issue Bonds for the Allendale Township Wastewater Treatment Plant project and reimburse any advanced funds. The motion passed as shown by the following votes: Yeas: Mr. Holtvluwer, Mrs. Ruiter, Messrs. Holtrop, Rycenga, Disselkoen, Baumann, Visser, Karsten, DeJong, Swartout, Kuyers. (11)
- B/C 12-099 Mr. Swartout moved to approve the request from Michigan Works to create the following positions:
1. One (1) FTE Talent Development Associate – Follow Up (Group T, Paygrade 9, C Step) at a cost of \$46,812.00.
 2. One (1) FTE Talent Development Lead – Assessment (Group T, Paygrade 12, C Step) at a cost of \$57,957.00.
 3. Eight (8) FTE's Talent Development Associates – Career Development (Group T, Paygrade 11, C Step) at a cost of \$430,864.00.
 4. Two (2) FTE Talent Development Associates E & R (Group T, Paygrade 9, C Step) at a cost of \$93,624.00.

5. Two (2) FTE's Talent Development Lead – Career Development (Group T, Paygrade 12, C Step) at a cost of \$115,914.00.

Funding for these positions to come from Workforce Developments Funds.

The motion passed as shown by the following votes: Yeas: Messrs. Rycenga, DeJong, Karsten, Mrs. Ruiter, Messrs. Baumann, Visser, Swartout, Holtvluwer, Disselkoen, Holtrop, Kuyers. (11)

The County Administrator's report was presented.

Several Commissioners commented on meetings attended and future meetings to be held.

B/C 12-100 Mr. Holtrop moved to adjourn at 1:47 p.m. subject to the call of the Chair. The motion passed.

DANIEL C. KRUEGER, Clerk
Of the Board of Commissioners

PHILIP KUYERS, Chairman
Of the Board of Commissioners

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: County Clerk

Submitted By: Misty Cunningham

Agenda Item: Payroll

SUGGESTED MOTION:

To authorize the payroll of June 12, 2012 in the amount of \$_____.

SUMMARY OF REQUEST:

To pay the current payroll of the members of the Ottawa County Board of Commissioners. Pursuant to MCL 46.11, the Board of Commissioners is authorized to provide for and manage the ongoing business affairs of the County.

FINANCIAL INFORMATION:

Total Cost: _____ General Fund Cost: _____ 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: All

Objective: All

ADMINISTRATION RECOMMENDATION: Recommended Not Recommended Without Recommendation

County Administrator: _____

Committee/Governing/Advisory Board Approval Date: _____

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: County Clerk

Submitted By: Misty Cunningham

Agenda Item: Correspondence Log 427

SUGGESTED MOTION:

To receive for information the Correspondence Log.

SUMMARY OF REQUEST:

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: All

Objective: All

ADMINISTRATION RECOMMENDATION: Recommended Not Recommended Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:

CORRESPONDENCE LOG			
Date	Correspondent	Content	Referred To
6/1/2012	MICHAEL DALMAN, HOLLAND TWP CLERK	3 NOTICES OF HEARING	ADMINISTRATOR, KUYERS, BAUMANN, KARSTEN
5/1/2012	LINDA NIOTIS, GH CITY CLERK	PUBLIC NOTICE	ADMINISTRATOR, SWARTOUT, RUITER
5/11/2012	VANBUREN CO BD OF COMMISSIONERS	RESOLUTION - OPPOSING PROPOSED RATE INCREASE FOR PRIVATE FOSTER CARE AGE	ADMINISTRATOR, COMMISSIONERS
From:	To:		
5/1/2012		6/4/2012	

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: Fiscal Services

Submitted By: Bob Spaman

Agenda Item: Monthly Accounts Payable for May 14, 2012 through June 1, 2012

SUGGESTED MOTION:

To approve the general claims in the amount of \$4,054,788.96 as presented by the summary report for May 14, 2012 through June 1, 2012.

SUMMARY OF REQUEST:

Approve vendor payments in accordance with the Ottawa County Purchasing Policy.

FINANCIAL INFORMATION:

Total Cost: \$4,054,788.96 | General Fund Cost: \$4,054,788.96 | 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: 1: Advocate on legislative issues to maintain and improve the financial position of the County.

2: Implement processes and strategies to deal with operational budget deficits.

3: Reduce the negative impact of rising employee benefit costs on the budget.

4: Maintain or improve bond ratings.

ADMINISTRATION RECOMMENDATION: Recommended | Not Recommended | Without Recommendation

County Administrator:

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
mhinga@miottawa.org

To: Board of Commissioners
From: Robert Spaman, Fiscal Services Director
Subject: Accounts Payable Listing – May 14, 2012 to June 01, 2012
Date: June 5, 2012

I have reviewed the Accounts Payable Listing for May 14 through June 1, 2012. The following information will give you the detail of some of the purchases made in specific funds during this period:

Fund 6641 – Equipment Pool Fund

Delivery Charge for 2012 GMC 15 Passenger Van – Juvenile Services	\$ 338.00
1 Life Pak for Holland/Park Township E-Unit – Sheriff	\$ 12,798.50

Fund 2450 – Public Improvement Fund

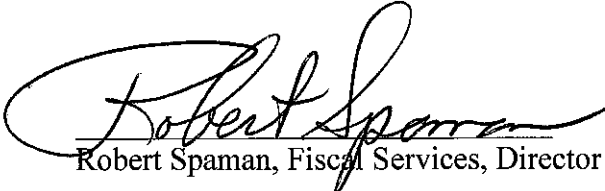
Construction of 195 Foot Monopole at 12255 Johnson Street	\$ 4,918.79
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If you have any additional questions, please feel free to contact me.

Total Checks/Automated Clearing House (ACH) 05/14/2012 through 06/01/2012

I hereby certify that to the best of my knowledge the List of Audit Claims, a summary of which is attached, constitutes all claims received and audited for payment. The List of Claims shows the name of claimant, amount of claim, check number, ACH number, check date and ACH date. The net amount of checks/ACH written during the period was \$4,054,560.31. The amount of claims to be approved totals \$4,054,788.96.

*Adjustments are voided checks or ACH.


Robert Spaman, Fiscal Services, Director

6/7/12
Date

We hereby certify that the Board of Commissioners has approved the claims on this 12th day of June, 2012.

Philip Kuyers, Chairperson
Board of Commissioners

Daniel Krueger, Clerk

ACCOUNTS PAYABLE CHECKS/ACH 05/14/2012 THROUGH 06/01/2012

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>CLAIMS TO BE APPROVED</u>	<u>ADJUSTMENTS*</u>	<u>NET CHECK/ACH TOTALS</u>
1010	GENERAL FUND	874,772.90	(143.65)	874,629.25
1500	CEMETERY TRUST	0.00	0.00	0.00
2081	PARKS & RECREATION	20,962.19	0.00	20,962.19
2082	PARK 12	0.00	0.00	0.00
2160	FRIEND OF COURT	3,275.49	0.00	3,275.49
2170	9/30 JUDICIAL GRANTS	1,849.17	0.00	1,849.17
2210	HEALTH	57,646.73	0.00	57,646.73
2220	MENTAL HEALTH	1,361,966.33	0.00	1,361,966.33
2271	SOLID WASTE CLEAN-UP	0.00	0.00	0.00
2272	LANDFILL TIPPING FEES	3,454.99	0.00	3,454.99
2320	TRANSPORTATION SYSTEM	12,028.00	0.00	12,028.00
2420	PLANNING COMMISSION	0.00	0.00	0.00
2430	BROWNFIELD REDEVELOPMENT	0.00	0.00	0.00
2444	INFRASTRUCTURE FUND	0.00	0.00	0.00
2450	PUBLIC IMPROVEMENT	4,918.79	0.00	4,918.79
2550	HOMESTEAD PROPERTY TAX	580.00	0.00	580.00
2560	REGISTER OF DEEDS AUTOMATION FUND	3,640.09	0.00	3,640.09
2590	LIPPERT GRANT	0.00	0.00	0.00
2601	PROSECUTING ATTORNEY GRANTS	0.00	0.00	0.00
2602	WEMET	59,572.27	0.00	59,572.27
2603	WEED AND SEED	0.00	0.00	0.00
2605	COPS-AHEAD-GEORGETOWN	0.00	0.00	0.00
2606	COPS-FAST-GEORGETOWN	0.00	0.00	0.00
2608	COPS-FAST-ALLENDALE	0.00	0.00	0.00
2609	SHERIFF GRANT PROGRAMS	142,482.92	0.00	142,482.92

ACCOUNTS PAYABLE CHECKS/ACH 05/14/2012 THROUGH 06/01/2012

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>CLAIMS TO BE APPROVED</u>	<u>ADJUSTMENTS*</u>	<u>NET CHECK/ACH TOTALS</u>
2610	COPS-UNIVERSAL	24,773.51	0.00	24,773.51
2640	EMT HOLLAND-PARK	0.00	0.00	0.00
2650	EMT GEORGETOWN TOWNSHIP	0.00	0.00	0.00
2661	SHERIFF ROAD PATROL	1,497.13	0.00	1,497.13
2690	LAW LIBRARY	0.00	0.00	0.00
2740	WIA-ADMIN. COST POOL	4,280.38	0.00	4,280.38
2741	WIA-YOUTH	9,569.41	0.00	9,569.41
2742	WIA-ADULT	9,497.72	0.00	9,497.72
2743	WIA-6/30 GRANT PROGRAMS	52,494.41	0.00	52,494.41
2744	WIA-12/31 GRANT PROGRAMS	333.46	0.00	333.46
2747	WIA-WORK FIRST YOUTH	0.00	0.00	0.00
2748	WIA-9/30 GRANT PROGRAMS	105,746.22	0.00	105,746.22
2749	WIA-3/31 GRANT PROGRAMS	0.00	0.00	0.00
2750	GRANT PROGRAMS-PASS THRU	0.00	0.00	0.00
2800	EMERGENCY FEEDING	3,912.43	0.00	3,912.43
2810	FEMA	0.00	0.00	0.00
2850	COMMUNITY CORRECTIONS PROG. GRANT	478.25	0.00	478.25
2870	COMMUNITY ACTION AGENCY (CAA)	4,892.92	0.00	4,892.92
2890	WEATHERIZATION	602.70	0.00	602.70
2900	DEPT OF HUMAN SERVICES	0.00	0.00	0.00
2901	DEPT OF HUMAN SERVICES	5,466.00	0.00	5,466.00
2920	CHILD CARE - PROBATE	168,838.67	0.00	168,838.67
2921	CHILD CARE - SOCIAL SERVICES	0.00	0.00	0.00
2930	SOLDIER & SAILORS RELIEF	0.00	0.00	0.00

ACCOUNTS PAYABLE CHECKS/ACH 05/14/2012 THROUGH 06/01/2012

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>CLAIMS TO BE APPROVED</u>	<u>ADJUSTMENTS*</u>	<u>NET CHECK/ACH TOTALS</u>
2940	VETERANS TRUST	0.00	0.00	0.00
2941	VETERANS TRUST	3,899.39	0.00	3,899.39
2970	DB/DC CONVERSION	0.00	0.00	0.00
5160	DELINQUENT TAXES	3,328.10	0.00	3,328.10
6360	INFORMATION TECHNOLOGY	21,231.17	0.00	21,231.17
6410	WATER & SEWER REVOLVING	0.00	0.00	0.00
6450	DUPLICATING	340.88	0.00	340.88
6550	TELECOMMUNICATIONS	9,455.60	0.00	9,455.60
6641	EQUIPMENT POOL	13,136.50	0.00	13,136.50
6770	PROTECTED SELF-FUNDED INSURANCE	3,700.19	0.00	3,700.19
6771	PROTECTED SELF-FUNDED HEALTH INS.	651,080.22	0.00	651,080.22
6772	PROTECTED SELF-FUNDED UNEMPL INS.	0.00	0.00	0.00
6775	LONG-TERM DISABILITY INSURANCE	8,890.77	0.00	8,890.77
6776	PROTECTED SELF-FUNDED DENTAL INS.	0.00	0.00	0.00
6777	PROTECTED SELF-FUNDED VISION	0.00	0.00	0.00
6782	PROTECTED SELF-FUNDED INS PROG M.H.	0.00	0.00	0.00
7010	AGENCY	322,799.86	(85.00)	322,714.86
7040	IMPREST PAYROLL	38,628.52	0.00	38,628.52
7210	LIBRARY PENAL FINE	0.00	0.00	0.00
7300	EMPLOYEE SICK PAY BANK	0.00	0.00	0.00
7360	OPEB TRUST	38,764.68	0.00	38,764.68
		<u>\$4,054,788.96</u>	<u>(\$228.65)</u>	<u>\$4,054,560.31</u>

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: County of Ottawa Circuit Court Probation and Parole

Submitted By: Misty Cunningham

Agenda Item: County of Ottawa Circuit Court Probation and Parole 2011 Annual Report

SUGGESTED MOTION:

To receive for information the County of Ottawa Circuit Court Probation and Parole 2011 Annual Report.

SUMMARY OF REQUEST:

In accordance with 2012 Rules of the Ottawa County Board of Commissioners:

Section 4.6 - Annual Reports From Departments of County Government - It is the policy of the Board of Commissioners to receive annual, written and oral Reports from all Departments of County government. Written reports shall be in a form approved by the County Administrator and shall, in the ordinary course, be submitted directly to the Board of Commissioners through the County Administrator's Office.

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: 2: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.

Objective: 3: Review existing and implement new strategies to maximize communication with citizens. & 5: Evaluate communication with other key stakeholders.

ADMINISTRATION RECOMMENDATION: Recommended | Not Recommended | Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:



COUNTY OF OTTAWA CIRCUIT COURT PROBATION AND PAROLE

2011 YEAR END REPORT

Administrative Offices: Grand Haven, Holland, Hudsonville

I. GENERAL INFORMATION

The Circuit Court Probation and Parole Department oversees those offenders convicted of felony and high court misdemeanor offenses. Probation may be imposed for all misdemeanors and felonies except murder, treason, armed robbery, criminal sexual conduct in the first or third degree and those felonies in which a firearm was used. The maximum term of probation that may be imposed is five years for felony convictions and two years for misdemeanor convictions. Probation terms may include up to one year in jail in conjunction with the probation term as well as payment of restitution, fines, court ordered costs, and supervision fees. Those released on parole from prison also have similar conditions imposed. Increased accountability is also achieved through the use of the electronic monitoring system (tether/SCRAM).

Once placed on probation or parole, the agents monitor the offenders' behavior and enforce the terms of the order. The special conditions imposed typically include full time employment, education, treatment, community service and the prohibited use of alcohol and drugs. More specific conditions are created and imposed base upon the offender's individual specific needs. Probation staff are also involved in the supervision of offenders in the Drug court which combines increased supervision along with a higher level of case management between drug court personnel, probation and treatment agencies.

The probation department also completes presentence investigation (PSI) reports for the courts. Provided in the PSI report is a recommendation for sentencing which is formulated on a background investigation of an offender and completed of sentencing guidelines taking into account the particular crime committed.

II. SENTENCING OPTIONS

Sentencing options include:

- Probation
- Jail
- Prison
- Fines, costs and restitution

In addition to the standard terms of supervision, options for supervision also may include the use of the electronic monitoring, placement in treatment facilities and the Special alternative Incarceration (boot camp). These are often used as diversion programs from jail and prison for low risk offenders and technical violators.

The mission of the Department of Corrections is to protect the public. The agents enforce the rules and special conditions ordered by the judge or parole board. Failure to comply with the order of probation may result in probation violation charges being initiated. Probation agents utilize a risk-driven violation guidelines designed to make full use of community sanctions. Probation Violation Response Guidelines provide a range of possible response to violations. Agents are to determine the best possible response which is the least restrictive response with public safety. The response include a continuum of alternative that protect the public, hold the offender's accountable for their behavior and reduce the offenders' likelihood of engaging in criminal activity.

In addition, our office continues to work closely with the community Corrections Office to develop and use other sentencing options available to the courts. This office oversees the community service department, intensive supervision officer and is the gatekeeper for the probation residential beds. Through our collaboration, we strive to minimize the impact on the jail and prison populations.

The electronic monitoring system (tether) is used as a resource to enhance supervision. The tether allows active monitoring of an offender 24 hours a day, seven days a week. It is a curfew enforcer that determines when an offender is to be at home at designated times allowing the offender to maintain employment and attend other approved functions such as treatment, community service, etc. Most offenders are placed on the system in lieu of jail, providing a much more cost effective manner of supervising offenders. Currently, the offender pays \$11.00 to \$13.00 per day when placed on the tether.

The "Sobriator" and SCRAM units are additional tools targeted to monitor alcohol use. These systems allow an offender to be tested for alcohol use at a random rate determined by the probation agent. This equipment has been used frequently for OUIL 3rd cases as well as for those probation violators who test positive for the use of alcohol.

The Global Positioning System (GPS) units are being used to monitor paroled sex offenders or those who are convicted of Stalking offenses. The GPS collects data points as the parolee moves throughout the community and reposts the movement, including violations in "real time." The system is monitored 24 hours from a center located in Lansing and the agent is alerted to any violations. The agents also routinely review the points of the parolee to monitor their activity in the community. Currently Ottawa County has 50 paroled sex offenders being monitored by the GPS system.

III. PRESENTENCE INVESTIGATION REPORTS

Presentence reports (PSI) are prepared by the field agents and used by the judges when sentencing an offender. The PSI includes an evaluation of the offender, circumstances of the offense, and background information of the offender. The agent also completes an assessment of probable risk to the public and utilizes sentencing guidelines to formulate an appropriate recommendation for sentencing. During the investigation process, the agent also makes contact with the victims of the offenses and includes their statements in the PSI report. The agent also determines the amount of restitution that is to be ordered and forwards this as part of the recommendation to the court.

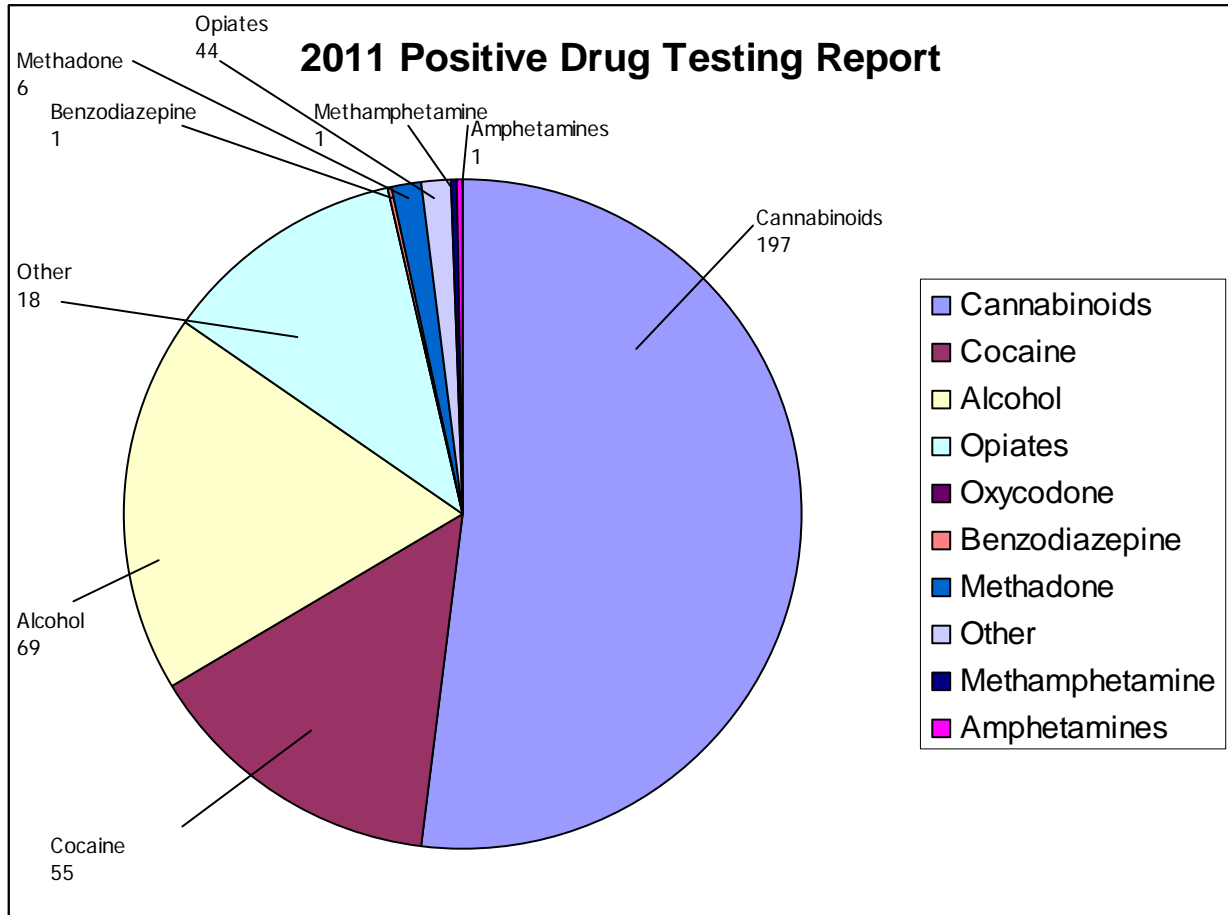
The Ottawa County Circuit Court Probation completed 800 PSI reports in 2011.

IV. FEE COLLECTIONS

Restitution, court costs, fines and other related fees are typically ordered as a term of probation. The agents oversee the collections of these fees and work closely with court personnel to ensure these fees are paid as directed. There continues to be an emphasis on the collection of restitution to help victims recover their losses. Based on discharge reports collected by this office 85% of all fees were collected at the time of discharge in 2011.

V. DRUG TESTING

The probation department completed 10,355 drug tests in 2011. Of these tests, 392 tested positive with the following breakdown:



VI. COMMUNITY SERVICE

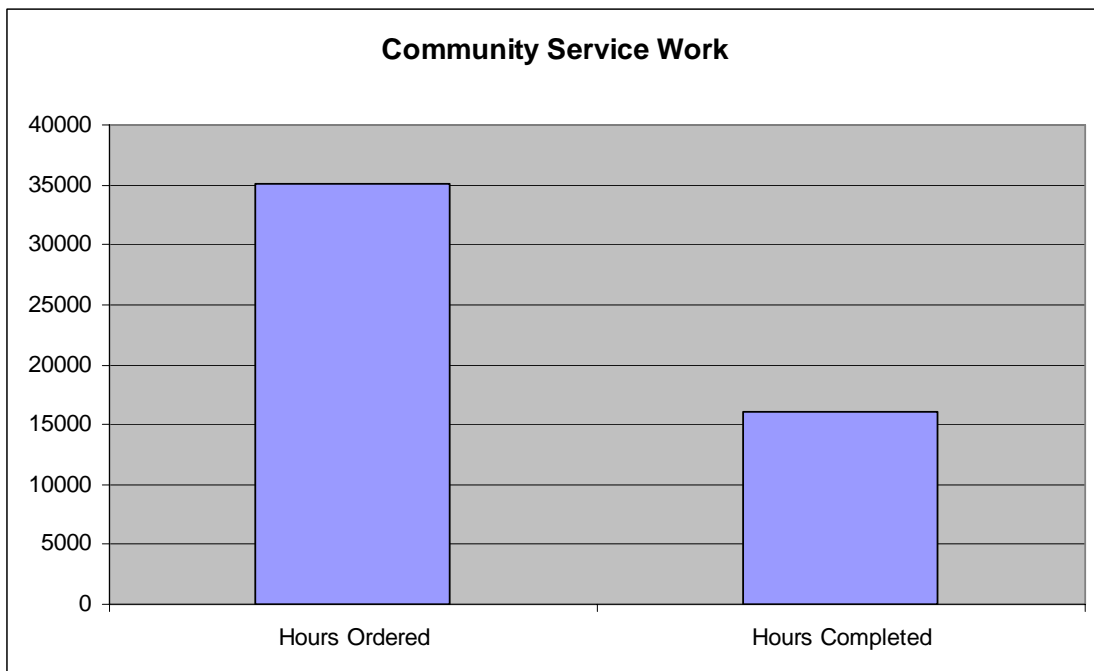


Parolee Daniel Rummelt



Parolee Benjamin Abraham

Probationers completed 16,000 hours of community service in 2011. The community service office is under the direction of the Community Corrections Department. The community service is performed at a wide variety of sites located throughout the county. In addition, offenders are also referred to the Holland Area Beautiful Program. Approximately, five offenders per week work six hours on Saturdays working on clean up of road side and other designated areas. Referrals are often made to these programs as sanctions for technical violations.



VII. SECOND CHANCE GRANT



Parolee Salina Fisher with her 7 year old son and mentor

In October of 2010 Ottawa County, along with Muskegon and Oceana counties were awarded with the 2nd Chance Grant from the Department of Justice. Ottawa County currently is in its second grant year. The vision of the grant is for communities made up of healthy families and safe neighborhoods. The purpose is to successfully reintegrate felony convicted offenders upon release from prison/jail; as well as, reduce re-offences and re-incarceration. The “family and jobs 1st” model of re-entry ensures parents released from jail or prison with a felony conviction quickly have access to community resources and social support the need to reconnect with their families and become gainfully employed. The approach is to establish an integrated program of data-driven, researched based, and community planned services. The target populations for Ottawa County are parolees, or probationers with straddle cells who were incarcerated and have children between the ages of 0-17. Ottawa County Probation has been working closely with our community partners at 70x7, New Day Staffing, Mediation Services, along with other governmental agencies. We work together ensure that these offenders are successful in finding employment and mending relationships with family where appropriate. Currently Ottawa County has had approximately 100 participants in the program.

VIII. SUMMARY

The Adult Probation Department has representatives in three locations in Grand Haven, Holland and Hudsonville. The 22 employees are employees of the Michigan Department of Corrections. Ottawa County provides office space, supplies, and other operating necessities.

Our workload average has remained relatively stable over the past year. We continue to supervise approximately 800 offenders on a monthly basis.

The staff continue to work closely with the courts, law enforcement, and the Community Corrections department to achieve the most safe, effective and efficient method of handling felony offenders in Ottawa County.

We continue to appreciate the high level of cooperation that exists between all the departments.

Submitted by: _____
Heath S. White, Probation/Parole Manager

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: County of Ottawa 58th District Court

Submitted By: Misty Cunningham

Agenda Item: County of Ottawa 58th District Court 2011 Annual Report

SUGGESTED MOTION:

To receive for information the County of Ottawa 58th District Court 2011 Annual Report.

SUMMARY OF REQUEST:

In accordance with 2012 Rules of the Ottawa County Board of Commissioners:

Section 4.6 - Annual Reports From Departments of County Government - It is the policy of the Board of Commissioners to receive annual, written and oral Reports from all Departments of County government. Written reports shall be in a form approved by the County Administrator and shall, in the ordinary course, be submitted directly to the Board of Commissioners through the County Administrator's Office.

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: 2: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.

Objective: 3: Review existing and implement new strategies to maximize communication with citizens. & 5: Evaluate communication with other key stakeholders.

ADMINISTRATION RECOMMENDATION: Recommended Not Recommended Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:

58th District Court Annual Report for 2011



58th District Court at
Grand Haven
414 Washington Street
Grand Haven, MI 49417
(616) 846-8280



58th District Court at Holland
85 West 8th Street
Holland, MI 49423
(616) 392-6991



58th District Court at Hudsonville
3100 Port Sheldon Road
Hudsonville, MI 49426
(616) 662-3100

58th District Court Annual Report for 2011

Introduction by the Honorable Bradley Knoll, Chief Judge for the 58th District Court

June 4, 2012

I am pleased to present the 58th District Court's Annual Report for the year 2011. The past year was one of many challenges for the District Courts in the State of Michigan as we sought to continue to deliver quality services to our users while recognizing the need to wisely use limited resources and be a source of revenue for the County.

A Review of the statistical record of District Court activity in the past year shows only marginal departures from the past year. The exception to that observation was in the civil department where summary proceeding filings were up 17%. OWI misdemeanor cases continued an 8 year downward trend which may be due to a number of factors including more rigorous probation efforts employed by all the courts against OWI offenders. The increase in landlord-tenant litigation including foreclosure related summary proceedings may be a remnant of the recession or the result of continued population growth. With the increasing indications of economic recovery in western Michigan, it is anticipated that higher levels of commercial activity, law enforcement patrol and continuing growth in population will result in higher levels of court use in the year 2012 and subsequent years.

Revenue production by the District Court continued at a high rate with over \$4,000,000 produced for the county general fund and libraries. Ottawa County's District Court remained diligent in the collection of fines, costs and victim restitution in spite of the down economy. The imposition of additional costs to be paid to the State of Michigan beginning in April of this year will place continued pressures on the court to provide a dependable stream of income to the County. The Court has increased its fines and costs schedule to accommodate the increased minimum state fees and will continue its efforts to obtain prompt payment of these obligations.

As mentioned in the 2010 report, all of the courts in the State of Michigan participated in a time study and caseload evaluation at the direction of the State Supreme Court. The Judicial Needs report issued in 2011 showed a surplus of judicial resources in many areas of the state prompting legislation to eliminate unnecessary judicial positions. Ottawa County was among a minority of jurisdictions to show a deficit in judicial resources particularly at the district court level. It was agreed however, that given the state's economic climate and the strains on local governments' budgets, that none of the jurisdictions determined to be "underjudged" would be seeking additional judicial resources. In spite of having almost one less judge than the needs assessment indicated would be appropriate, the 58th District Court was able to successfully perform its mission to the citizens of Ottawa County.

2011 also marked the first year of an effort by Ottawa County to make all branches of local government fully and publicly accountable to the citizens of Ottawa County. This "dashboard" effort parallels the same efforts being made at the state level under Governor Snyder. The 58th District Court fully supports these efforts and, in cooperation with the County's Planning and Performance Improvement Department, implemented performance measures for the court and its personnel. I am gratified to report that we were able to meet or exceed our ambitious goals in almost all areas.

Continued on Page 2:

58th District Court Annual Report for 2011

Introduction by the Honorable Bradley Knoll, Chief Judge for the 58th District Court

Continued from page 1:

The performance measures have been a valuable addition to our internal performance evaluation as they lead us to investigate and solve problems in the few areas where we fell short of our goals. Performance measures are still a work in progress. I was selected by the State Court Administrator to be a member of a focus group of Circuit, Probate and District Judges and Administrators. Following our meeting in April of this year we expect the State Court Administrator and Supreme Court to develop and implement performance measure for courts on a statewide basis later this year.

All of the judges in the 58th District Court recognize the need to address the special problems of high risk offenders in the areas of substance abuse and domestic violence and programs are in place in all court locations to hold offenders to strict levels of adherence coupled with a therapy component to address issues related to relapse and recidivism. Special thanks must be given to the well trained and dedicated probation staff for their extra efforts with these probationers.

The 58th District Court's nationally recognized Sobriety Treatment Court continued its diligent efforts to provide a safer community by addressing the needs of high risk offenders in its comprehensive program of strict accountability and intensive alcohol therapy. As an Academy Court, the Sobriety Treatment Court provided training for start-up programs for courts from Wisconsin, Michigan and Ohio in 2011. Judge Jonas and I were honored to be invited to speak at the National Association of Drug Court Professionals Annual Conference in Washington DC last July.

The 58th District Court remains ahead of the curve in the implementation of technology which allows us to perform our mission with a smaller staff than similarly sized courts. In 2011 our court was the first district court in the state to be authorized to accept electronically filed pleadings as we continued to develop a more efficient work flow process between the court, prosecutors, law enforcement and probation departments. The coming year promises continued improvements in the areas of search warrant and traffic citation processing that will continue to allow us to do more with limited personnel resources.

Finally, the coming year will be one of transition with the retirement of Tami Harvey as chief clerk in Grand Haven, Barry Kantz, our Court Administrator and Judge Richard Kloote. Judge Kloote has served on the bench for thirty years with honor and dignity and has been a special role model and mentor for all of the judges and staff. His calm demeanor, grace and quick wit will be sorely missed by all of us at the 58th District Court.

Respectfully submitted,
Bradley S Knoll

58th District Court Annual Report for 2011

MISSION

The Mission of the 58th District Court is to interpret and apply the law with fairness, equality and integrity, and promote public accountability for improved quality of life in Ottawa County.

VISION

Be sensitive and responsive to the needs of a diverse community.

Develop and maintain the highest level of services to the public and legal community to effectively and efficiently use public resources.

Utilize technology that will assist court personnel to increase citizen access and convenience to the court.

Promote a safe community; identify areas where intervention is necessary, network with other departments and agencies to persuade behavior change.

Recruit and maintain the highest quality staff, provide training, resources and support to meet the needs of internal and external customers.

Insure that court procedures and structures best facilitate the expedient and economical resolution of matters before the court.

Share important management information with staff through quality communication.

Refine procedures and facilities that provide a secure environment for public and staff.

Promote innovative ways of resolving problematic issues facing the courts service to the public.

Continue to promote and investigate therapeutic and problem solving techniques for defendants and litigants.

58th District Court Annual Report for 2011

GENERAL OVERVIEW

The 58th District Court is part of the judicial branch of government as provided for by the Michigan Constitution and created by enactment of the Michigan Legislature. The purpose of the District Court is to provide a system of justice for the citizens of Ottawa County. The District Court has jurisdiction over all cases in controversy in amounts of twenty five thousand dollars or less. The District Court has jurisdiction over all criminal misdemeanors charged in Ottawa County and is the court of first appearance for anyone charged with a felony in Ottawa County.

There are three District Court locations in Ottawa County: Grand Haven, Holland and Hudsonville. Small claims cases are also scheduled in Coopersville.

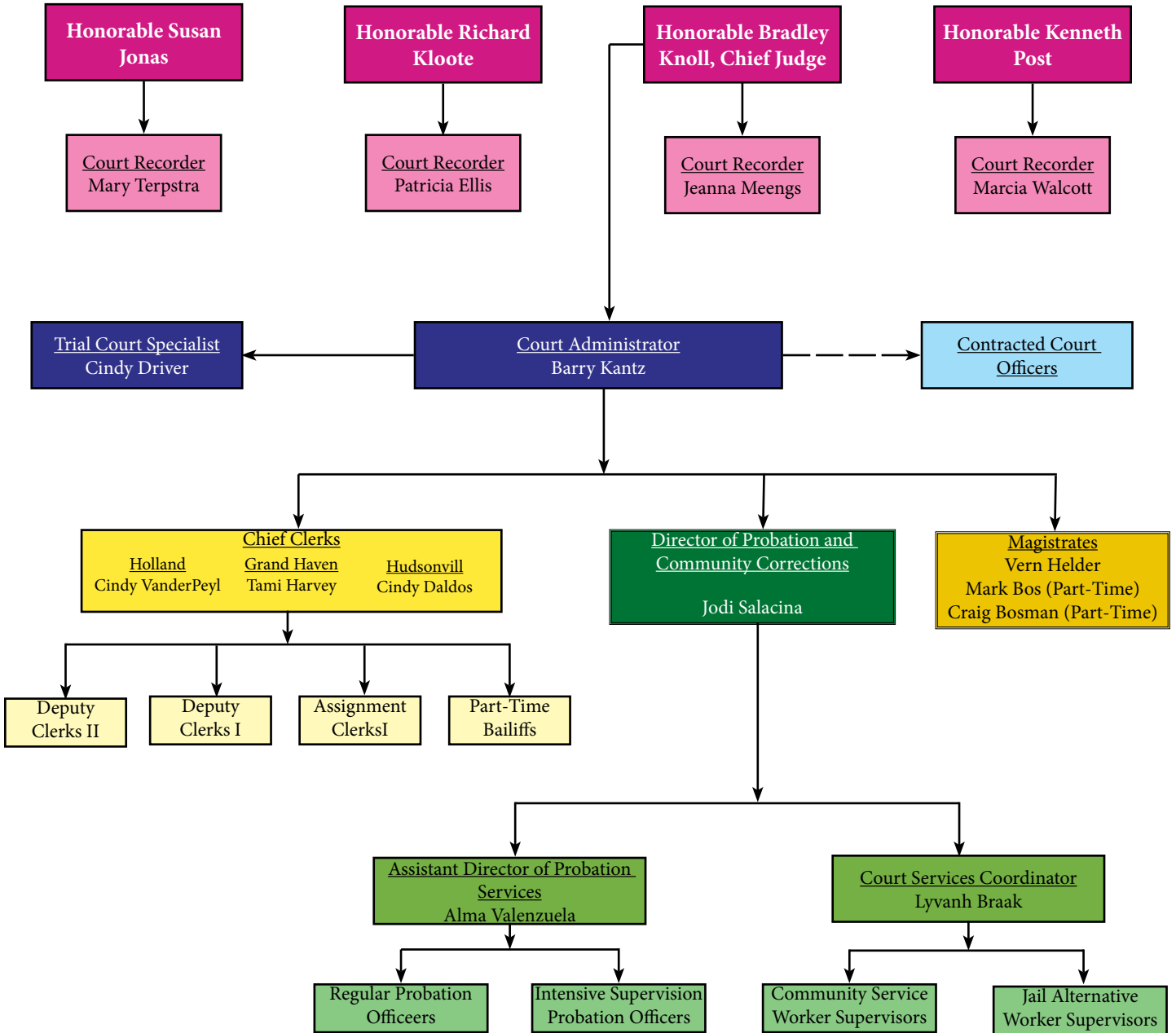
Each Court is divided into four divisions: criminal, traffic, civil and probation. The criminal division handles state and ordinance criminal cases. It is responsible for scheduling all matters, opening and closing cases, accepting payments, receiving and disbursing bonds, communicating with the jail regarding sentenced inmates and notifying the Secretary of State and Department of State Police Records Division of case dispositions.

The traffic division is responsible for entering tickets into the computer system, taking payments for tickets, scheduling hearings for disputed tickets and notifying the Secretary of State of case dispositions.

The civil division processes all civil, small claims and summary proceeding cases. It schedules civil hearings and trials, processes civil writs, receives and disburses money. This division also handles weddings that are performed by the court.

58th District Court Annual Report for 2011

Organizational Chart



58th District Court Annual Report for 2011

Video Hearings

Video arraignments represent a significant savings to the County. Defendants are brought before the judges and magistrates without the need to transport them from the jail to the court. This is accomplished by two-way video and audio connections between the jails and the courts. Without this system the Sheriff's Department would be required to transport the defendants to the courts and wait with them for the arraignment to take place. Transporting defendants to the courts also poses the risk of possible escape, injury to the deputy, and danger to the public. The video arraignment system has removed the security risk and saved the County tens of thousands of dollars in transportation and labor costs.

<u>Video Hearings</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Grand Haven	580	467	443	423	411
Holland	2,338	2,107	2,018	1,890	2,056
Hudsonville	676	715	737	746	635

Magistrate Activities

The 58th District Court employs one full-time magistrate and two part-time magistrates. One of the part-time magistrates works on an on call basis being available one week out of every six weeks and is available during weekends and after hours. The other part-time magistrate performs magistrate duties during regular business hours. The Chief Judge of the district court appoints the magistrates. Magistrates are allowed by statute to conduct informal hearings on traffic tickets, issue search warrants, issue arrest warrants, conduct arraignments, set bonds and accept pleas for misdemeanors that have a maximum penalty of 93 days in jail. Magistrates may also perform weddings. Magistrates that are attorneys may conduct small claims trials.

<u>Magistrate Activity</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Arraignments	1542	1281	1390	1509
Informal Hearings	2653	2598	1515	2476
Arrest Warrants	712	851	750	738
Search Warrants	145	236	243	231
Marriages	326	290	314	383
Small Claims Trials	1123	1041	962	791

58th District Court Annual Report for 2011

Case Processing Staff

Each court location in the 58th District Court has court clerks who process cases in the criminal, traffic, and civil divisions of the court. Their tasks involve tracking every case filed in the District Court from beginning to end. This work involves understanding the differences of various case types within each division, data input, processing various forms, ensuring that various timelines of each case are complied with, closing out the case and insuring that each case is stored and retained intact for several years. In addition to the above daily tasks, the case processors spend a great amount of time answering questions posed by the parties to the case and looking up information for those that have an interest in the case.

The 58th District Court is proud of its case processing staff. They have received several compliments about their service and responsiveness from attorneys, law enforcement and the general public.

The Court Administration monitors the workload of our case processing staff to ensure that the workload is fairly distributed among the three court locations. Our case processing staff's workload is also compared to the workload of many other district courts located in the southwest quarter of Michigan. What we find is that our staff are processing more cases per case processor than other courts in our region. This means that Ottawa County employs fewer people as a result of our staff's strong work ethic and efficiency.

Ottawa County District Court disposed of 2,137 cases per case processor in 2011. This is 111% of the median of West Michigan District Courts.

58th District Court Annual Report for 2011

Performance Measures

	ANNUAL MEASURES	TARGET	2010 ACTUAL	2011 ACTUAL	2012 ESTIMATED	2013 ESTIMATED
WORKLOAD	# of traffic misdemeanors or civil infractions filed	-	29,494	29,542	30,000	31,000
	# of hearings conducted for disputed tickets	-	1,854	1,582	1,600	1,700
	# of general civil cases filed	-	6,331	5,710	6,200	6,000
	# of small claims cases filed	-	1,835	1,491	1,500	1,800
	# of civil proceedings (e.g., landlord tenant) cases filed	-	2,767	3,241	3,500	3,600
	# of non-traffic misdemeanors filed	-	4,486	4,127	4,500	4,700
EFFICIENCY	% of fines and fees collected within 2 years of imposition	95%	95.14%	96.30%	96.5%	97.0%
	% of fines, costs and restitution collected within twelve months of assessment	95%	94.9%	94.0%	95%	96%
	% of cases decided within 56 days of submission	100%	100%	100%	100%	100%
	% of abstracts filed to Secretary of State within required time frame	95%	98%	98%	99%	99%
	% of pre-trials with a scheduled date within 21 days of arraignment	100%	N/A	100%	100%	100%
	% of cases set for trial or referred to mediation within 14 days of filing of answer	100%	N/A	73%	80%	85%
OUTCOMES	Clearance rate (i.e. new cases filed versus cases disposed)	100%	105%	106%	107%	107%
CUSTOMER SERVICE	# of formal complaints received regarding staff interaction	0	0	0	0	0
	# of formal complaints received regarding service response time	0	0	0	0	0
COST	Cost of District Court per capita (total expenses)	-	\$18.68	\$17.56	\$18.07	\$18.07
	Cost of District Court per case filed (total expenses)	-	\$99.09	\$93.42	\$95.67	\$95.67
	# of District Court FTE per 100,000 residents	-	20.40	20.19	19.82	19.82

58th District Court Annual Report for 2011

COLLECTION OF FINES, COSTS AND RESTITUTION

The 58th District Court takes pride in its overall efforts at collecting fines, costs and restitution. The fines and costs are sanctions imposed by the court upon people who violate traffic and criminal laws. The court's integrity and credibility are enhanced when it diligently enforces its financial sanctions through firm collection efforts.

The following table displays the percentage of sanctions collected by the court up to June 30, 2011. The percentages are broken down by the year the sanctions were imposed. For instance, sanctions imposed in 2011 will have a lower collection rate than sanctions imposed in 2007. Better collection rates in earlier years are due to several reasons; people complete their probation terms, or people are given time to pay their sanctions, or people are contacted by the court to show cause why they haven't paid their sanctions, or people who have failed to pay their sanctions are arrested, or they pay the sanctions to have the suspended status removed from their driver's license.

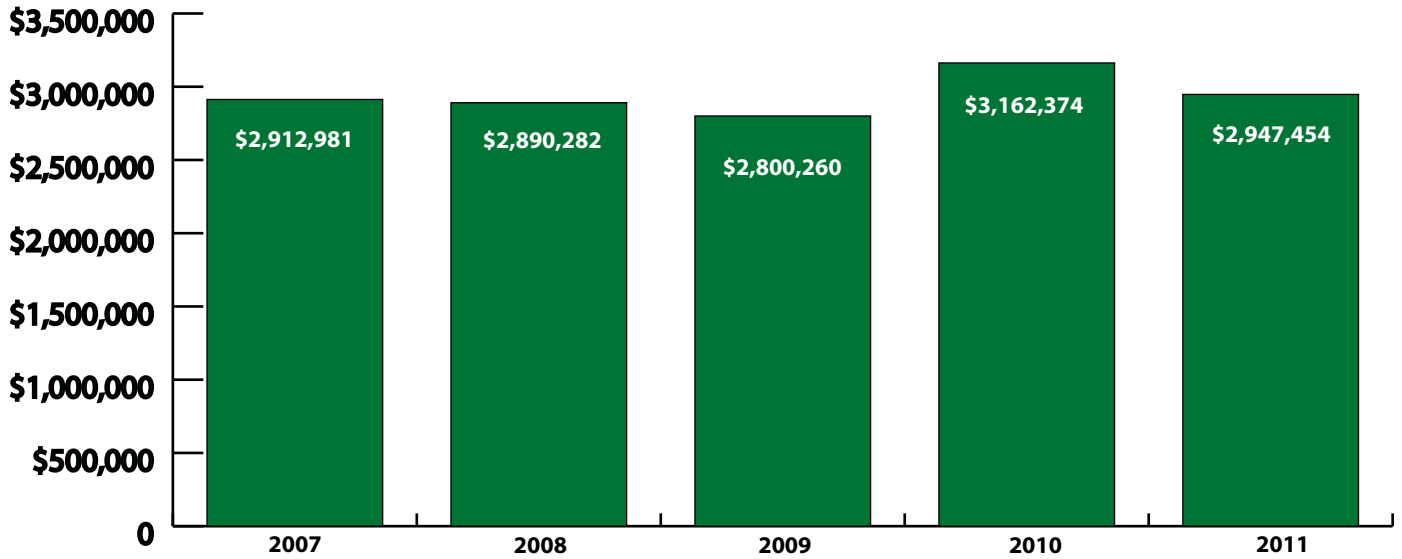
Sanctions Imposed By Year	Sanctions Collected Up To June 30, 2011
2005	97.9%
2006	96.7%
2007	96.5%
2008	95.6%
2009	95.9%
2010	96.3%
2011	94.0%

Fines and costs are generally due at the time they are imposed or set by a probation order. The court enjoys a collection rate of over 95% after four years of imposition. Special efforts are being undertaken to increase collections pursuant to Michigan Supreme Court guidelines.

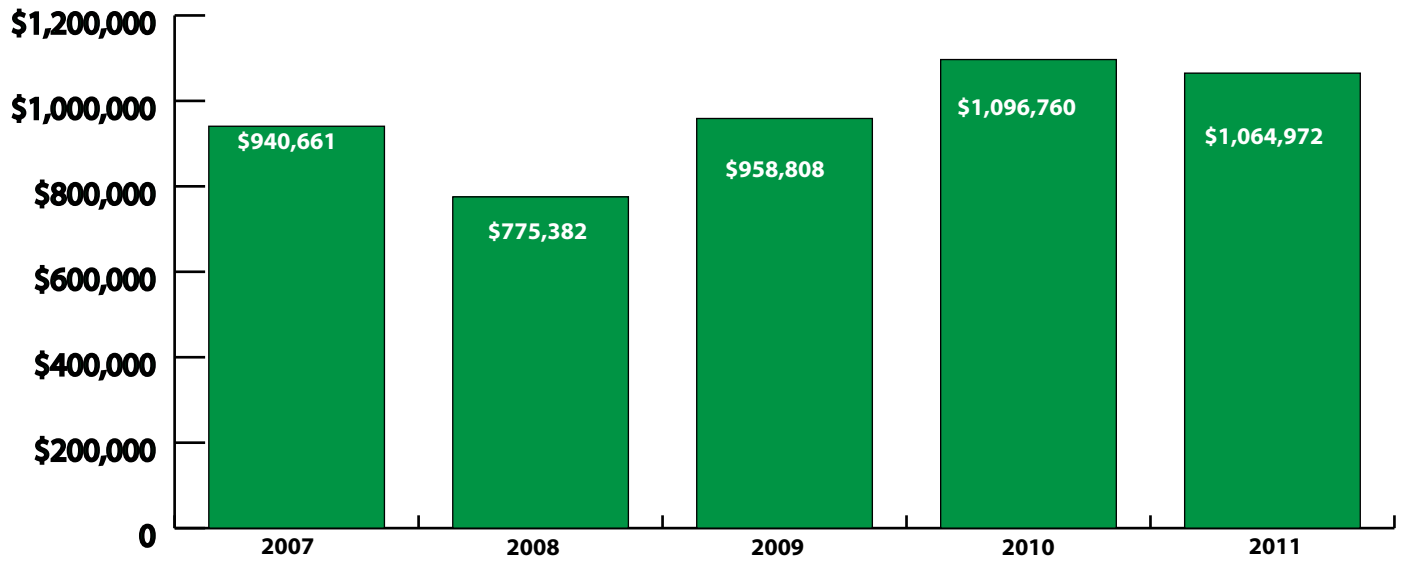
58th District Court Annual Report for 2011

58 District Court Revenue

District Court General Fund Revenue



District Court Library Revenue



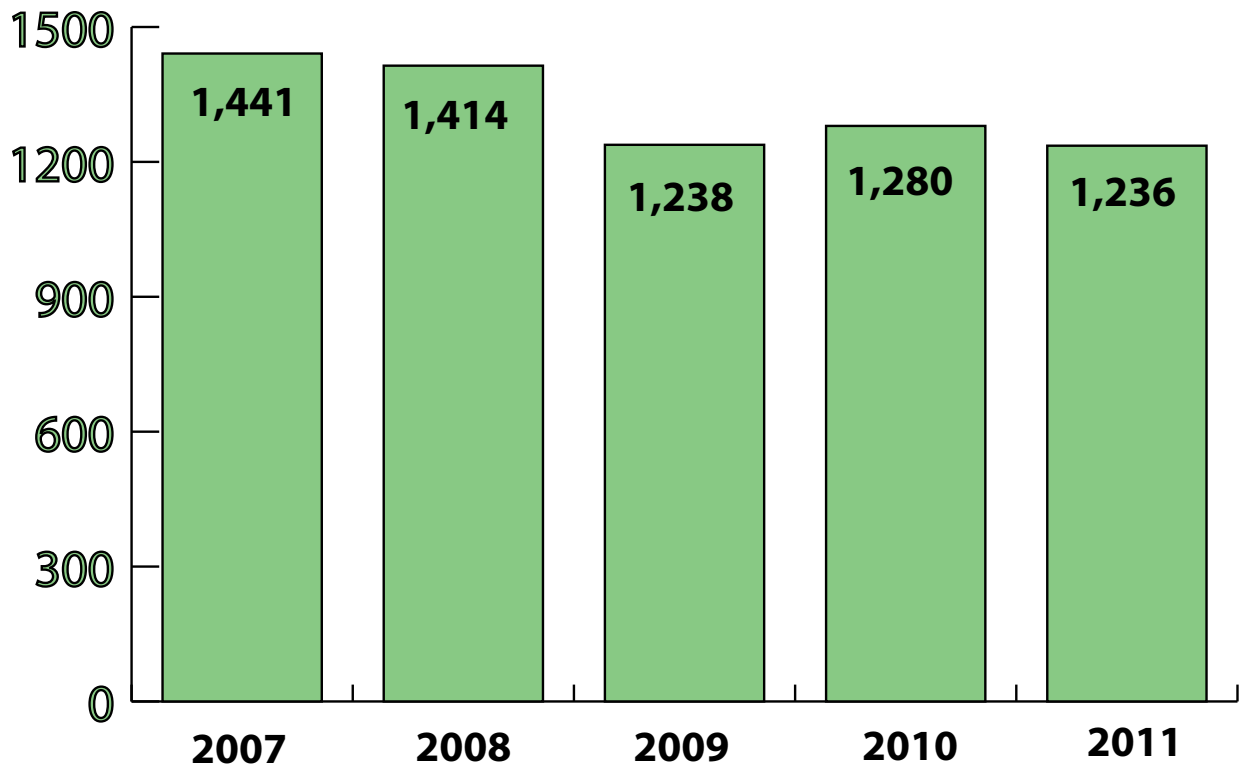
58th District Court Annual Report for 2011

Caseload

FELONIES – If a defendant is charged with a felony then he must appear in District Court. The defendant is arraigned in District Court and a bond is set by a District Court Judge. In more serious cases, before a bond is set, the District Court Probation Department investigates the defendant’s background. From this investigation a recommendation is made to the judge as to the amount of bond that should be posted before the defendant is released. The Probation Department’s recommendation is based upon the risk that the defendant poses to the community and the likelihood that the defendant will appear for trial. After the defendant is arraigned and a bond is set, a preliminary exam is scheduled for the defendant. The preliminary exam is conducted in the District Court and must be scheduled within 14 days after the arraignment. At the preliminary exam the prosecutor must establish that there was sufficient probable cause to believe that a crime was committed and that the defendant committed the crime charged. If probable cause is established then the defendant is bound over for further proceedings in the Circuit Court.

All the caseload numbers in the following graphs represent new cases filed in 2011.

Non Traffic Felonies

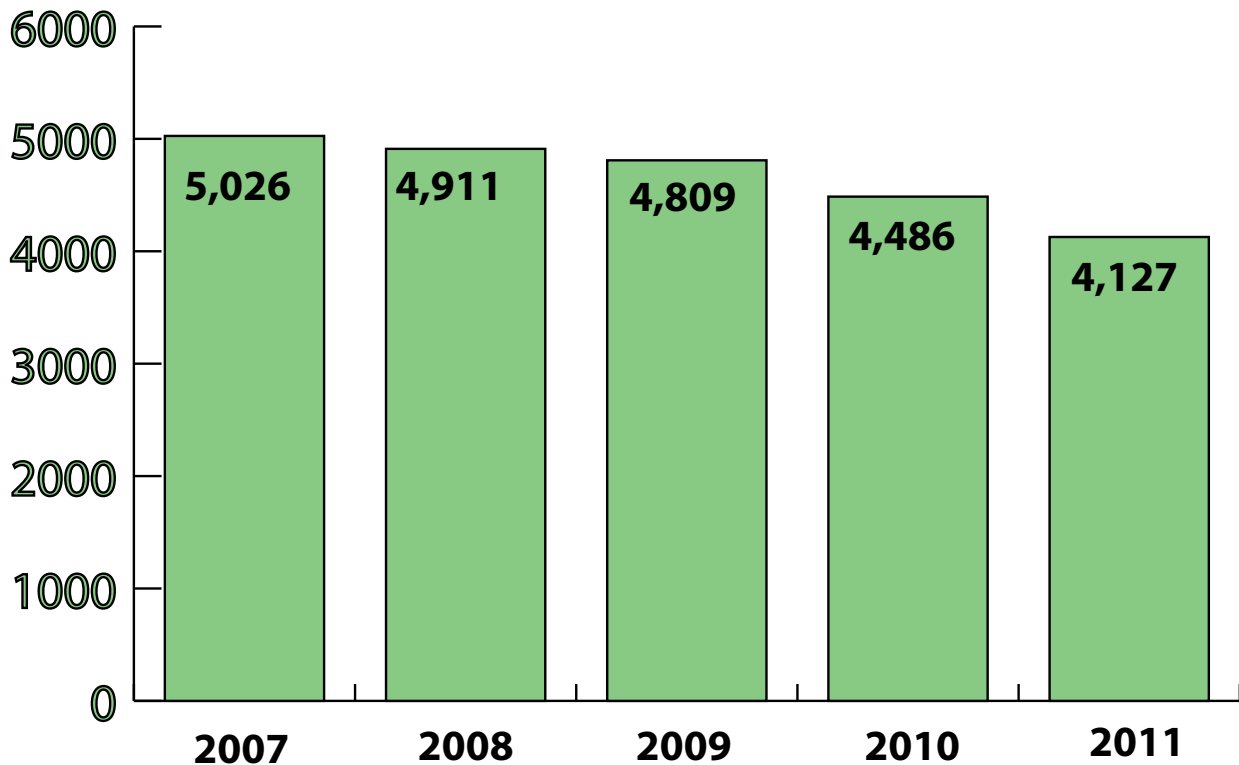


58th District Court Annual Report for 2011

Caseload

MISDEMEANORS – The District Court has jurisdiction over all crimes that are punishable by not more than one year in jail. Indigent defendants are appointed an attorney if it is possible that the defendant will be sentenced to jail if found guilty. Most cases are resolved before a trial is conducted. This resolution usually occurs during the pre-trial process. In many cases before the judge sentences the defendant, the District Court Probation Department conducts an investigation into the defendant's background and into the circumstances of the crime. The Probation Department then makes a recommendation to the judge about the type of punitive and rehabilitative measures that may be the most appropriate for the defendant.

Non Traffic Misdemeanors

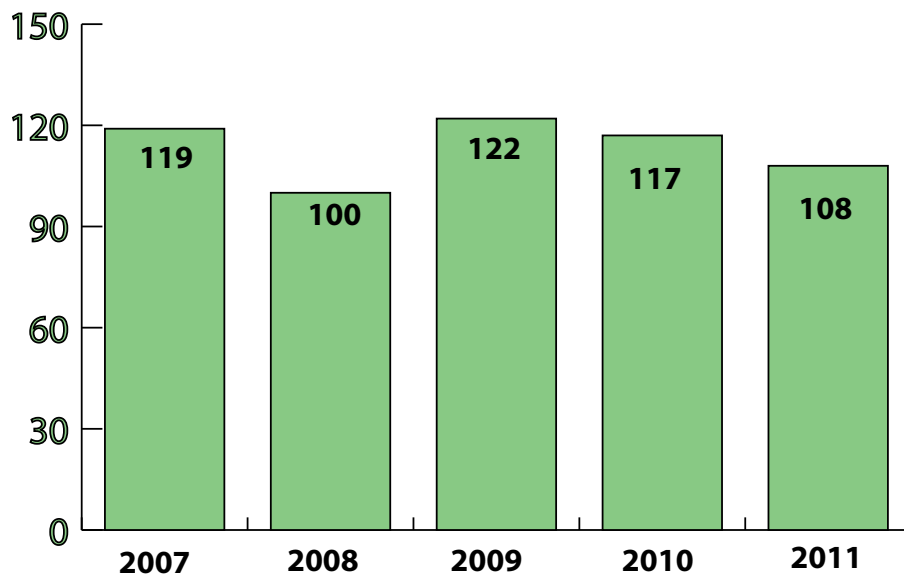


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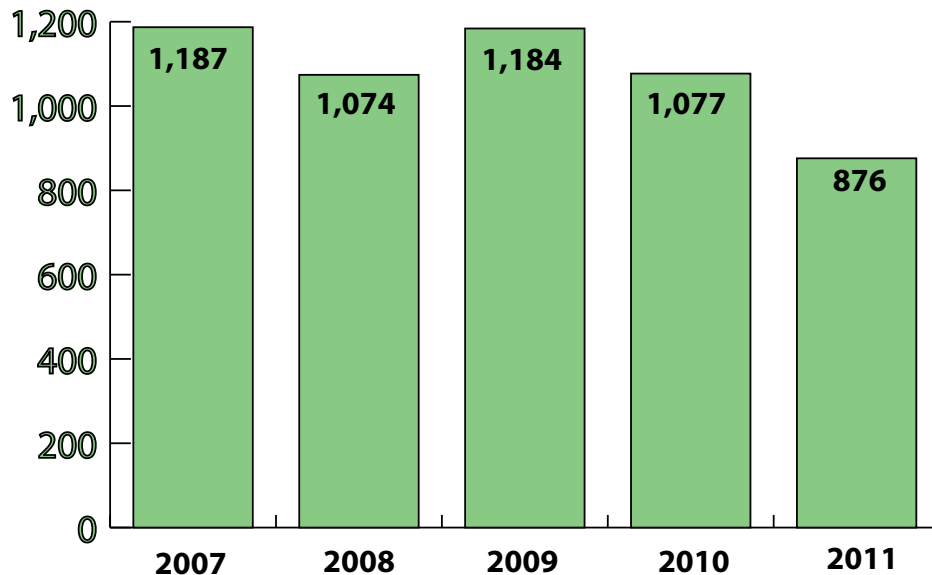
Caseload

DRUNK DRIVING – Drunk driving is a generic term for Operating a Motor Vehicle While Intoxicated (OWI) and for Operating a Motor Vehicle While Visibly Impaired (OWVI). A person is charged with OWI if he is operating a motor vehicle while under the influence of alcohol and his blood alcohol level is .08 grams of alcohol per 100 milliliters of blood or higher. Or the driver is operating a motor vehicle with illegal controlled substances in his system. If the driver of a motor vehicle shows evidence of being visibly impaired by alcohol or drugs then the driver can be charged with Operating a Motor Vehicle While Impaired. A repeat offender who has two or more prior convictions of OWI or OWVI will be charged with felony drunk driving. Prior to 2007 the two convictions required for felony drunk driving had to occur within a ten year period. The legislature removed the ten year limitation therefore in 2007 more people were charged with felony drunk driving.

Traffic - Drunk Driving Felonies



Traffic - Drunk Driving Misdemeanors

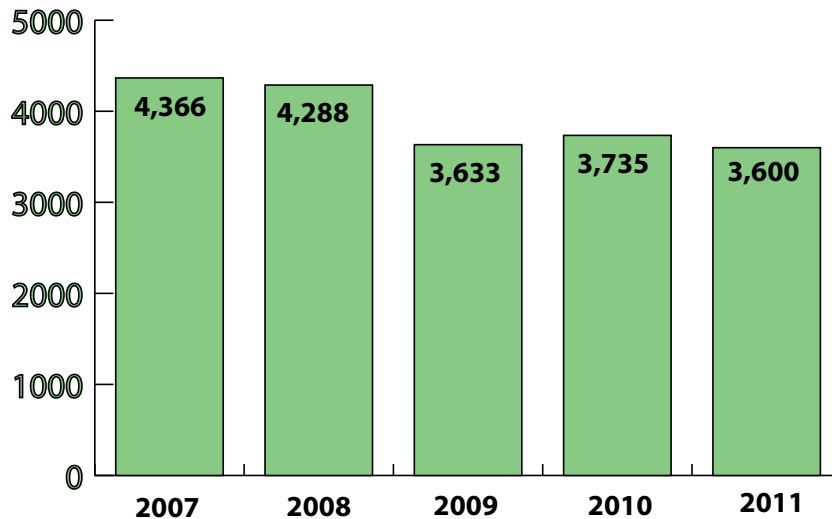


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Caseload

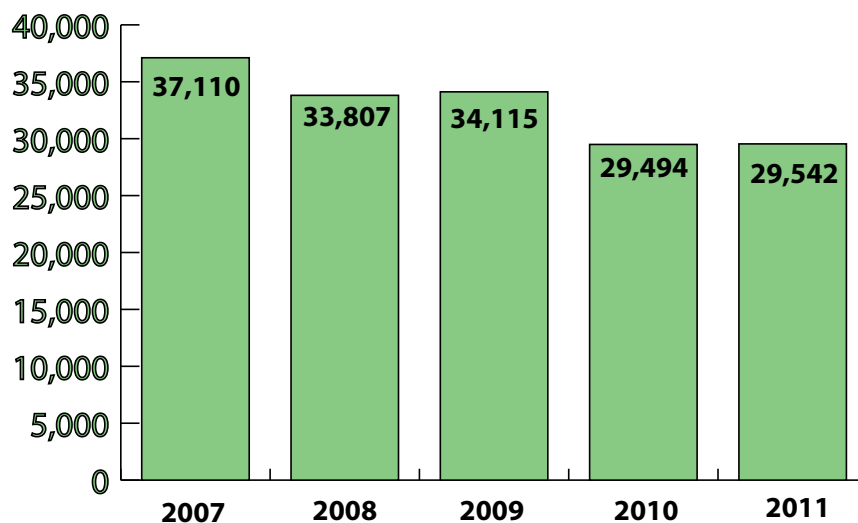
TRAFFIC MISDEMEANORS – Traffic Misdemeanors include such offenses as reckless driving, open intoxicants in a motor vehicle, driving while your license is suspended, no insurance, expired plates and failing to stop after you are involved in a motor vehicle accident.

Traffic - Misdemeanors



CIVIL INFRACTIONS – Most violations of the Michigan Vehicle Code are civil infractions which carry no jail penalty. Probably the most common civil infraction is the speeding ticket. A person charged with a civil infraction can admit responsibility for the infraction, pay their fine online or mail their fine to the District Court. A person may request an informal or a formal hearing if they deny responsibility for the infraction. At an informal hearing the evidence is presented to a magistrate without a prosecuting attorney present. At a formal hearing the evidence is presented by a prosecuting attorney to a district court judge. The defendant may be represented by an attorney to present the defendant's case. A defendant may appeal their case to a formal hearing if they are found responsible at an informal hearing

Traffic - Civil Infractions

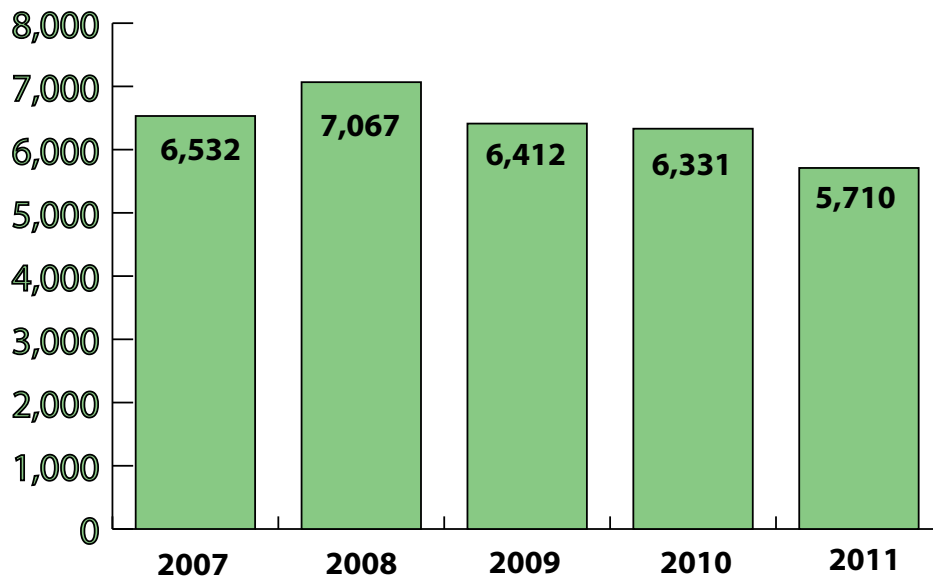


58th District Court Annual Report for 2011

Caseload

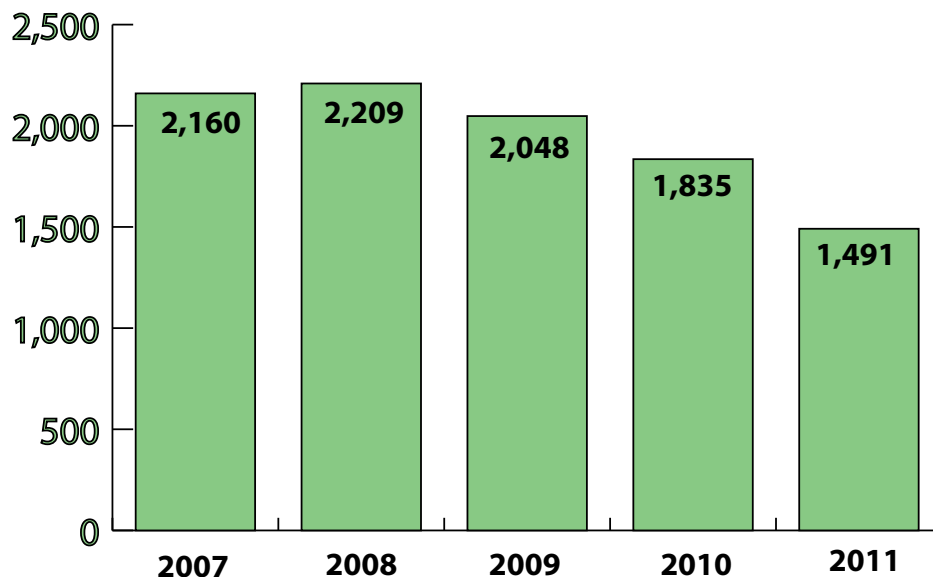
GENERAL CIVIL – General civil cases arise out of disputes between individuals, businesses, organizations or any combination thereof. The amount in controversy must be \$25,000 or less for the District Court to have jurisdiction.

General Civil Cases



SMALL CLAIMS – The plaintiff in a case that has an amount in controversy of not more than \$3,000 can elect to file in small claims. Lawyers cannot represent either party in a small claims case and the rules of evidence used during a small claims trial are much less formal than in a general civil case trial.

Civil - Small Claims Cases

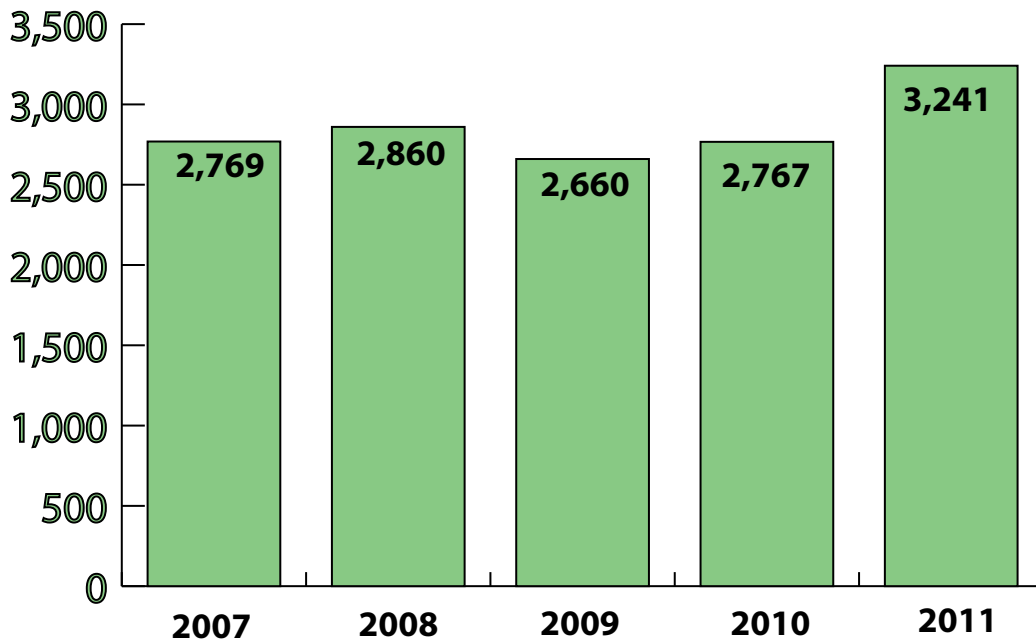


58th District Court Annual Report for 2011

Caseload

SUMMARY PROCEEDINGS – Summary proceedings were created to provide real property owners a quick method to recover their property from a tenant or land contract vendee that is not complying with the terms of the lease or contract. These cases are usually originated by apartment owners, land contract holders, mobile home park operators and even boat slip owners that lease their slips to boaters. The number of cases filed in the District Court will continue to rise as the population of Ottawa County increases. This increase in caseload will become particularly evident in areas where apartment complexes and multi-family housing are constructed.

Civil - Summary Cases (e.g., Landlord Tenant)

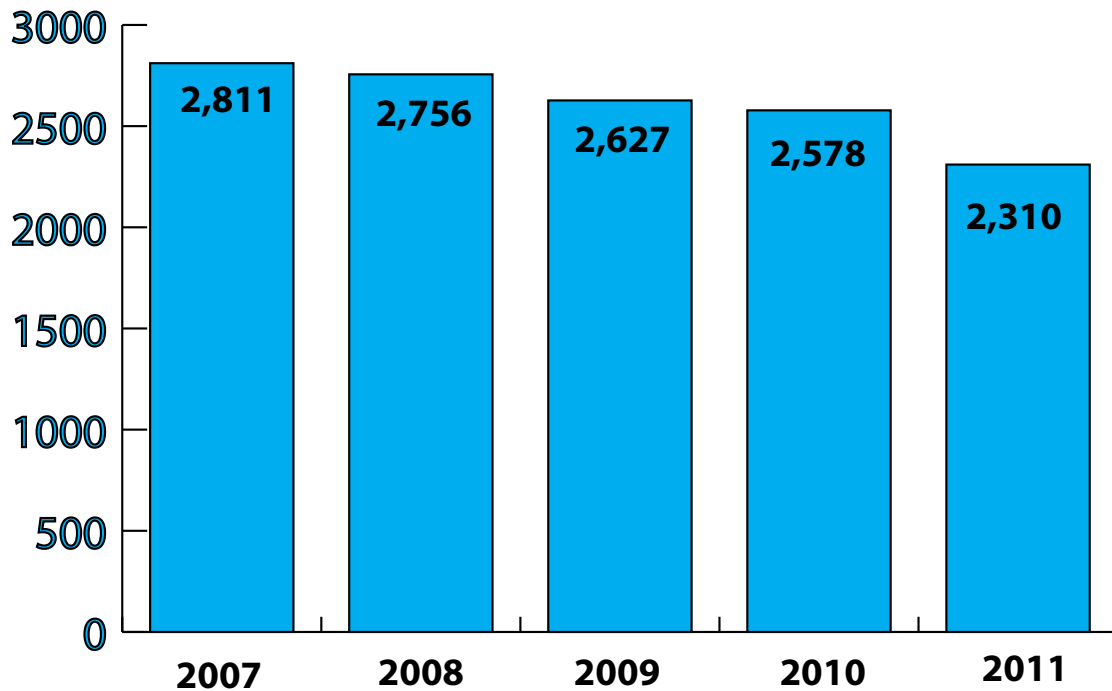


58th District Court Annual Report for 2011

Probation Department

The mission of the 58th District Court Probation and Community Corrections Department is to provide rehabilitative services or refer offenders to programs which divert offenders from traditional jail sentences and promote accountability, reduce criminal/delinquent behaviors and support an environment for change, while balancing the needs and insuring the safety of the people of Ottawa County.

Probation Department - Total Sentenced to Probation

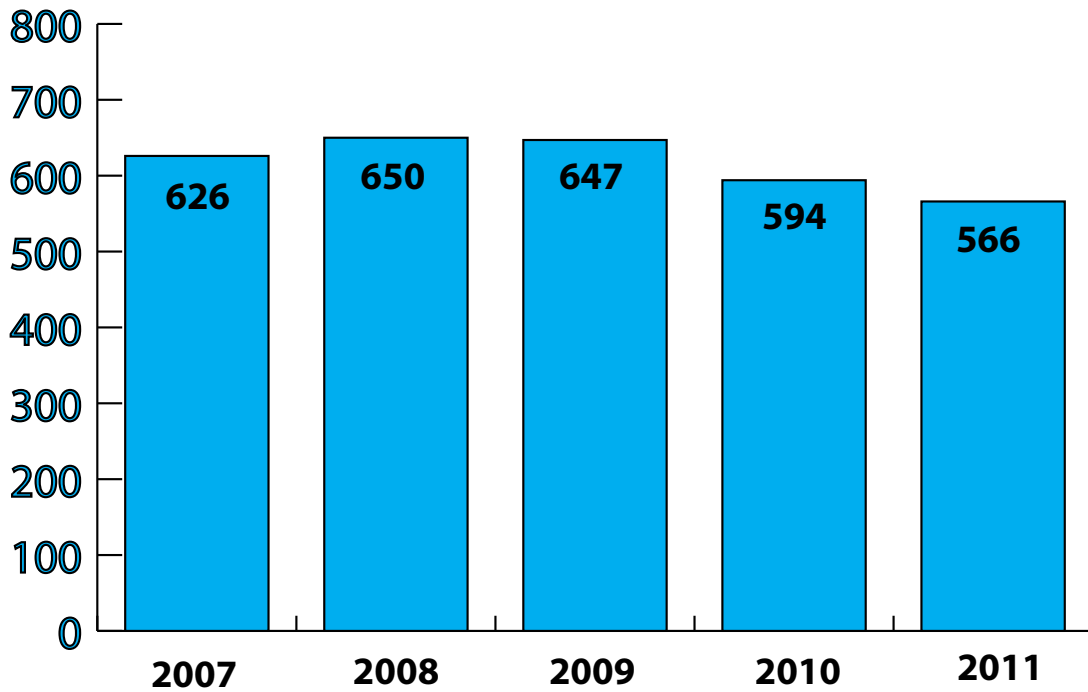


Of the total number of offenders that are sentenced in court, this is the number of people that are placed on probation as a part of their sentence.

58th District Court Annual Report for 2011

Probation Department

Probation Department - Presentence Investigations

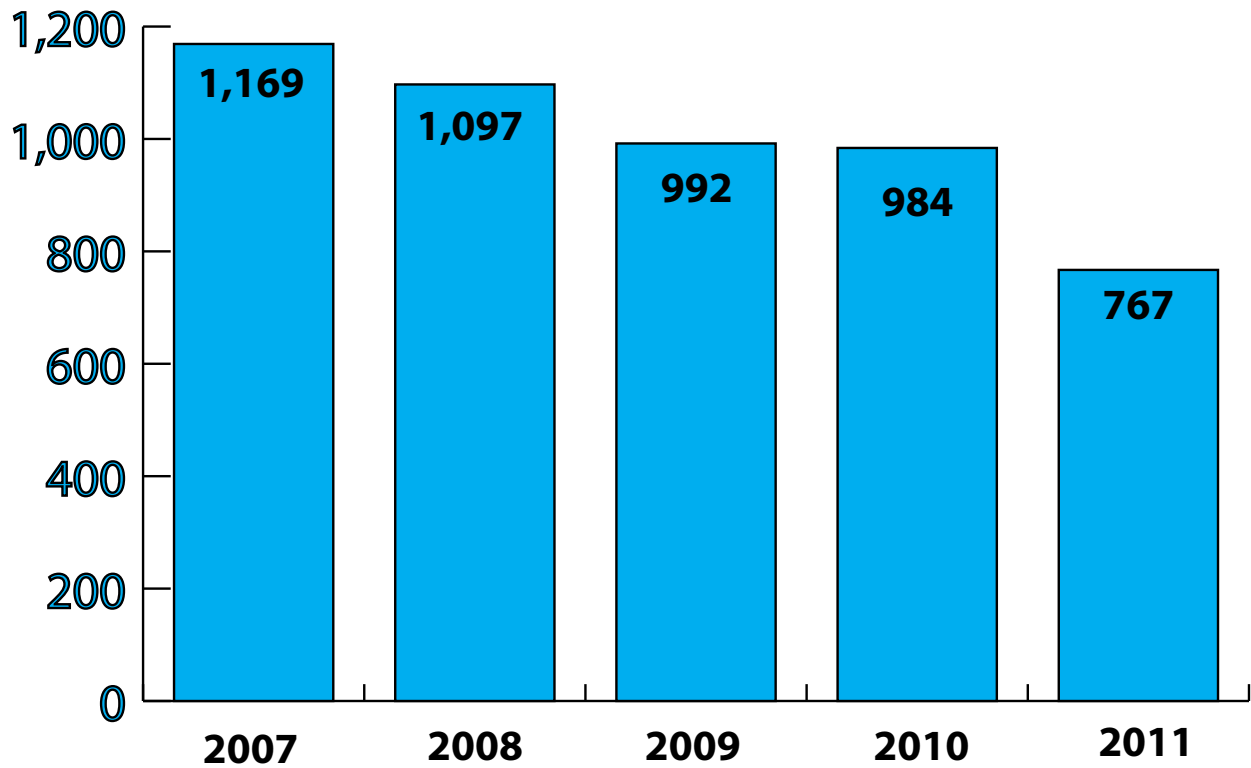


Pre-sentence investigations are face-to-face interviews that a probation officer conducts with the offender, in order to gain background information. The probation officer prepares a report and then makes a recommendation to the judge for the offender's sentencing. Pre-sentence investigations factor in the severity of the offense, their prior criminal history, possibilities of drug or alcohol abuse, mental health issues, and the offender's attitude.

58th District Court Annual Report for 2011

Probation Department

Probation Department - Substance Abuse Assessments

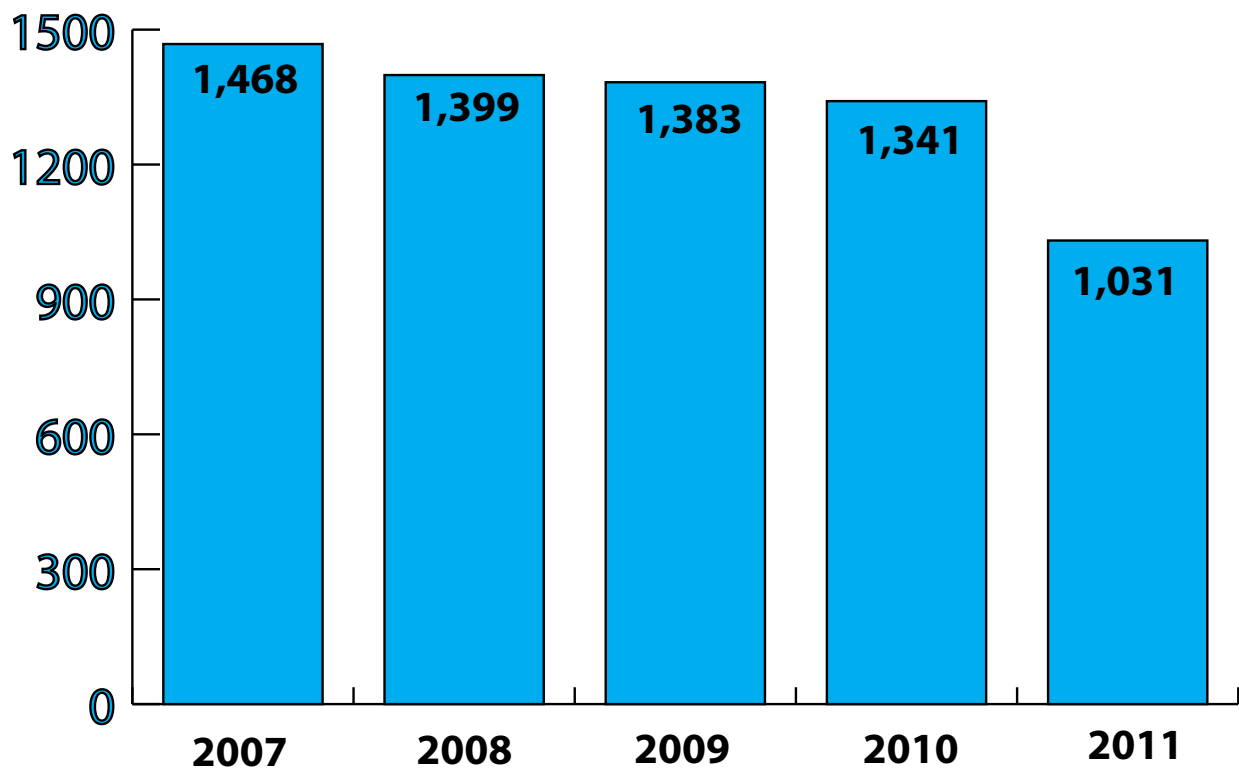


An evaluation is done by a trained probation officer or treatment specialist, to determine the offender's suitability for substance abuse treatment and placement into a specific treatment modality/setting. This evaluation includes gathering information on current and past use/abuse of drugs, criminal history, treatment history, and familial and educational histories.

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Probation Department

Probation Department - Bond Screens

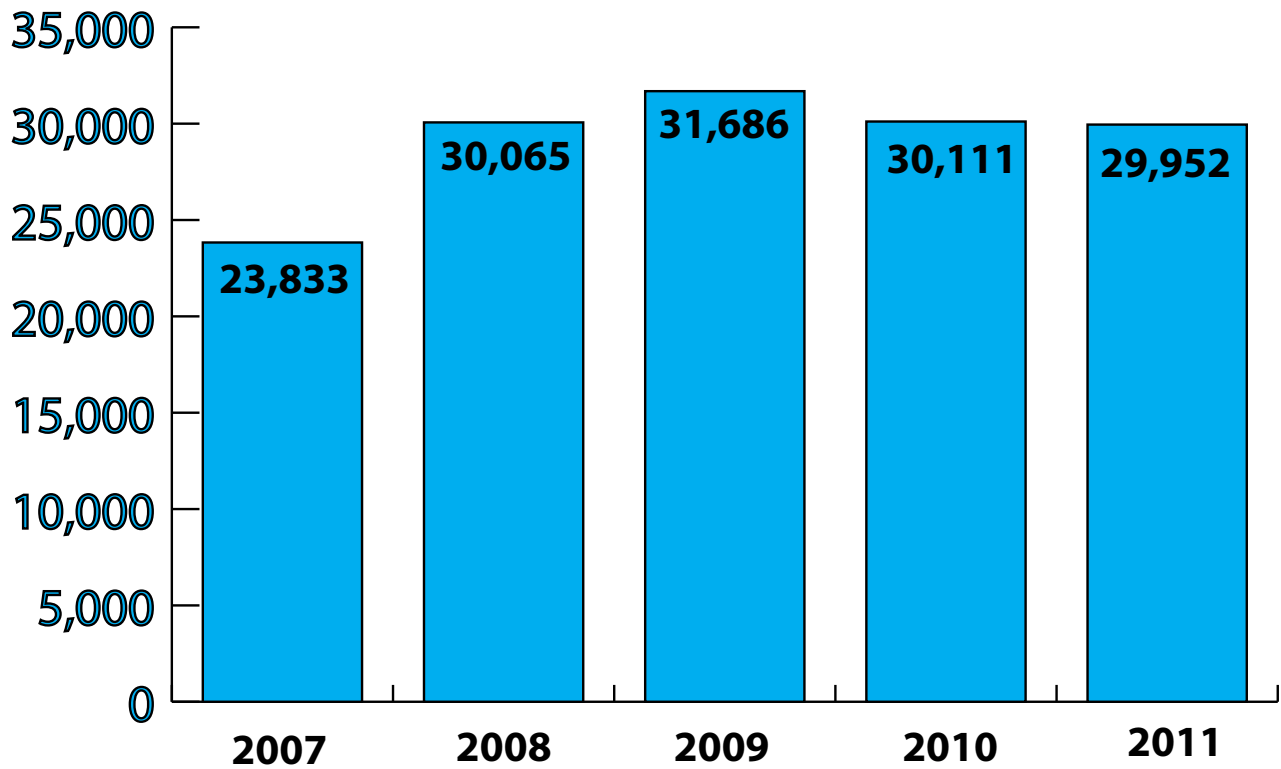


A screening that is done, typically by a probation officer, in order to determine the recommended bond for an offender that has just been charged with an offense. This helps determine the defendant's likelihood of being a threat to the community as well as their likelihood of returning to court for future proceedings. It is based on factors such as the defendant's criminal history, record of court appearances, the seriousness of the offense, ties to the community, and mental conditions.

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Probation Department

Probation Department - Drug Tests

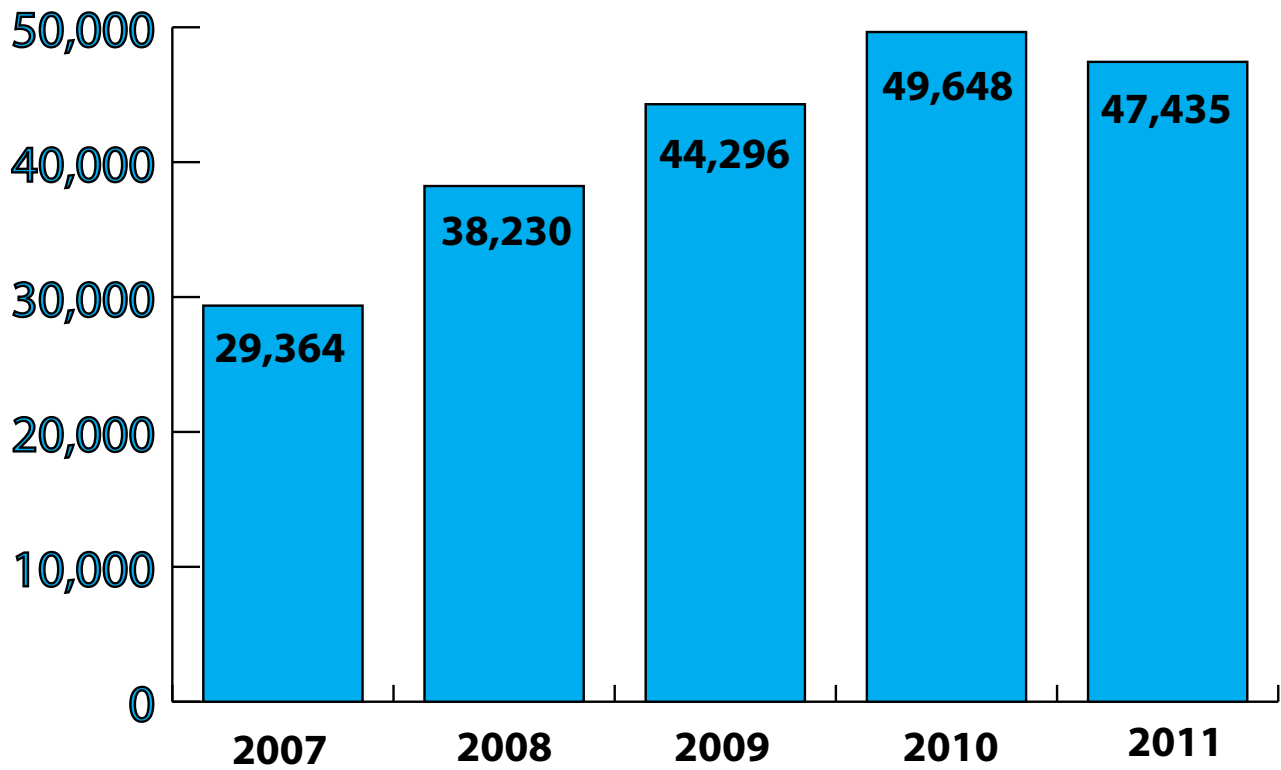


A urine dip test that is conducted by a probation officer in our lab to determine if the probationer has used any controlled substances. The results of the test are available within two to five minutes.

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Probation Department

Probation Department - People Reporting in Person

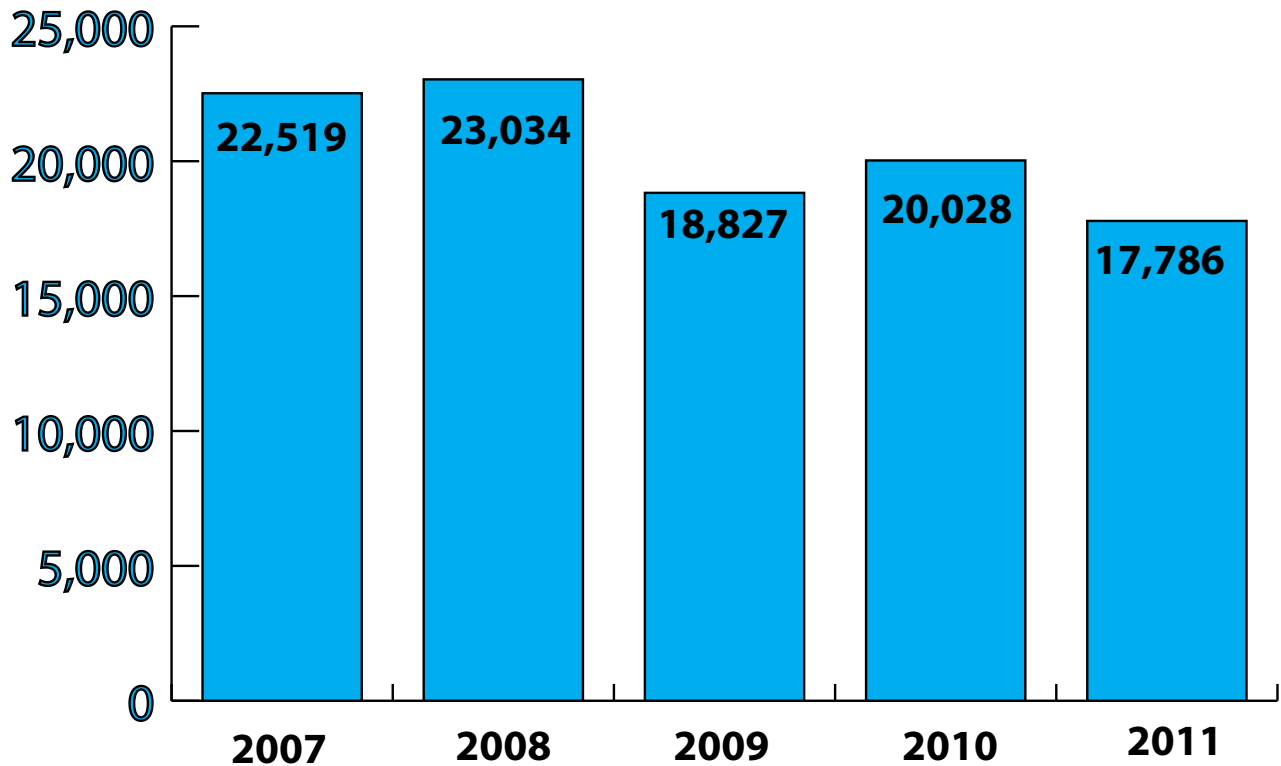


This refers to when the probationer report to their probation officer at the office. This could be for a regularly scheduled meeting or a random drug or alcohol test.

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Probation Department

Probation Department - Home Checks



Field supervision officers will often visit a probationer's residence to determine if the offender is abiding by their probation order, following curfew and to monitor their home environment. The officer may request that the offender submit to a preliminary breath test to check for alcohol, a search of their person, or a search of their residence.

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Sobriety Treatment Court

Program Highlights

Mission Statement: The mission of the 58th District Court Sobriety Treatment Program is to promote community safety and reduce alcohol and drug abuse through a coordinated program involving intensive supervision, judicial interaction, treatment, incentives, sanctions and accountability.

Statistics since May of 2004:

- 361 total participants to date
- 233 successful completions (77%)
- 13 unsuccessful / new Offense
- 28 unsuccessful/ non-compliant
- 27 unsuccessful / absconded
- 1 deceased while in program
- 2 Other (medical reasons)

2011 Information:

- Currently 57 active participants
- 32 new enrollments
- \$30,608 collected in revenue from program participants.
- 2,611 hours of community service were performed by participants in

2011.

- 80% of participants were employed at the time of discharge.
- On average, participants had 443 days of sobriety at the time of discharge.
- On average all participants received a total of 29 treatment hours during program participation.

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Michigan Community Corrections Act, Public Act 511 (PA 511) was established in 1988 to ease jail and prison overcrowding by increasing the sanctions and services available locally to non-violent adult offenders. Ottawa County Community corrections has a comprehensive plan designed to improve jail utilization, reduce admissions to prison, and improve the local criminal justice system. Programs include: Intensive Supervision (ISP), Cognitive Behavioral Therapy (CBT), community Service Work (CSW), Jail Alternative Work Service (JAWS), Inmate Case Management & Treatment (ICMT), and Residential Services Beds (RS).

COMMUNITY CORRECTIONS HAD THE FOLLOWING GOALS, OBJECTIVES AND RESULTS IN 2011:

<u>Goal #1</u> -Maintain or reduce the overall prison commitment rate	
	Objectives
	Results
1. Maintain or reduce the overall prison commitment rate to less than or equal to 12%	8.0%
2. Maintain or reduce the OWI 3rd prison commitment rate to less than or equal to 10%	6.7%
3. Maintain or reduce the straddle cell commitment rate to less than or equal to 22%	16.6%

<u>Goal #2</u> - Optimize program utilization rates				
				Objectives
1. Maintain program utilization rate to 90%+ and completion rates to 70%+				
2010 Results:				
Program	Projected# of Enrollees	Actual# of Enrollees	% of Utilization	Completion Rate
ISP	225	178	79%	70%
Community Service	1000	889	89%	82%
Cognitive Therapy	297	241	81%	67%

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Community Corrections

JAIL UTILIZATION

Present jail rated design capacity = 462 beds

	2007	2008	2009	2010	2011
Average Daily Population	395	367	351	336	328
% Rated Design Capacity	85.4%	79.4%	76%	73%	71%

JAIL DIVERSION PROGRAM MEASURES COMMUNITY SERVICE, JAWS, ISP PROGRAMS

	2007	2008	2009	2010	2011
# of Total Enrollees	1127	1292	1210	1112	1067
# of Jail Days Saved	38,458	43,704	30,532	29,500	24,196

STATE REIMBURSEMENT TO OTTAWA COUNTY FOR JAIL STRADDLE CELL SENTENCING GUIDELINE INMATES

CY 2007	CY 2008	CY 2009	CY 2010	CY 2011
\$217,413	\$162,081	\$120,495	\$112,680	\$214,493

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Court Services Department

Community Service and Jail Alternative Work Services (JAWS)

The Community Service Work (CSW) and the Jail Alternative Work Service (JAWS) programs are utilized by the 20th Circuit and 58th District Courts as an alternative to incarceration for non-violent felons and misdemeanants, resulting in more effective use of the County jail space. Both programs may also be utilized for the following situations:

- as a sanction to a probation violation of the court order.
- off the bench when the judge feels that offenders should be giving something back to the community
- mandatory sentencing for drunk driving 3rd offense (360 hours = 60 days) offenders
- to pay off court fines and costs
- as motivation for offenders to find a job
- for a probation violation administrative sanction
- for drug and sobriety court participant sanctions

Overview:

- 881 total Offenders Enrolled in the JAWS and CSW programs
- 709 total referrals from DC
- 169 total referrals from CC

JAWS

- 101 JAWS crew worked
- 50 out of 52 Saturdays worked
- Average of 8 offenders per crew
- 5,656 hours were provided
- \$41,854.40 in community service work were provided

CSW

- 75 CSW worksites were used
- 39,352 hours have been completed - equivalent to 19 full-time employees
- \$291,205 in community service were provided

*Minimum wage \$7.40

58th District Court Annual Report for 2011

Court Services Department

Examples of some of the Ottawa County community service/JAWS worksites:

Southern/Western Area

Holland Civic Center	Holland Community Kitchen
Ottawa County Fairgrounds	Holland Community Center
Holland State Park	The Bridge (The Mission for women)
Holland Tulip Time Festival	Daystar Ministries
The Outdoors Discovery Center	Holland Postal Food Drive
The Critter Barn	Tulipanes Festival
Ridgepoint Community Church	Center For Women In Transition
Harvestime Outreach Ministries	Holland Civic Center
Lakeshore Habitat Restore	Holland Museum
Holland Mission	First Assembly of God
St Francis de Sales	70X70 Life Recovery
Central Wesleyan Church	Holland Alano Club

Northern/Western Area

Grand Haven State Park	Spring Lake Heritage Festival
Spring Lake Cemetery	YMCA
Grand Haven Chamber of Commerce	(Coast Guard Festival)
Spring Lake Library	Lake Hills Elementary School
City of Grand Haven	Adopt-A-Highway (3+ miles on US-31)
International Aid	Covenant Life Church
Habitat for Humanity	Rescue Mission Thrift Store
St. Mary's Church	Harbor Humane Society
Ottawa County Facilities/Maintenance	Knights of Columbus

Eastern Area

Coopersville DPW	Allendale Fire Department
Coopersville VFW	Marne Cemetery
Adopt-A-Highway (3+ miles on M-45)	Jamestown Township
Berlin Fair	Jenison Goodwill
Chester Township	Coopersville Library
Love, Inc.	WTLJ Allendale
City of Hudsonville	Fairhaven Ministries
Allendale Goodwill	Indian Trails
Blendon Township	Olive Township

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: Fiscal Services

Submitted By: Bob Spaman

Agenda Item: Resolution to Approve the 2012 Millage Rate for County Operations, E-911, and Parks

SUGGESTED MOTION:

To approve and authorize the Board Chair and Clerk to sign the resolution approving the 2012 Millage Rate for County Operations of 3.6 mills, E-911 of .4400 mills, and Parks of .3165 mills.

SUMMARY OF REQUEST:

To establish 2012 County millage rates for the 2012 County Operations, E-911 and Parks.

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: 1: To Maintain and Improve the Strong Financial Position of the County.

- Objective: 1: Maintain and improve the financial position of the County through legislative advocacy.
2: Implement processes and strategies to address operational budget deficits with pro-active, balanced approaches.
3: Approve strategies to reduce the negative impact of rising employee benefit costs on the budget.
4: Maintain or improve bond ratings.

ADMINISTRATION RECOMMENDATION: Recommended | Not Recommended | Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date: Finance and Administration Committee 5/15/2012

The Ottawa County Board of Commissioners

of the County of Ottawa

Grand Haven, Michigan

RESOLUTION TO APPROVE 2012 MILLAGE RATE FOR COUNTY OPERATIONS,
E-911, AND PARKS

At a meeting of the Board of Commissioners of the County of Ottawa, Ottawa County, Michigan, held at the Ottawa County Administrative Annex, Olive Township, Michigan in said County on June 12, 2012, at 1:30 p.m. local time.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____ and supported by _____:

WHEREAS, the Ottawa County Board of Commissioners, by resolution of May 22, 2012, proposed a total authorized levy of 4.3565 mills on 2012 valuation within Ottawa County, which included an additional rate of .0336 mills over the maximum rate allowed without a public hearing; and

WHEREAS, the Ottawa County Board of Commissioners has considered input from the Ottawa County Central Dispatch Authority and the Ottawa County Parks Commission and has carefully examined the financial circumstances of Ottawa County, including estimated expenditures, estimated revenues, and the state taxable valuation of property located within Ottawa County, determined that the levy of an additional millage rate will be necessary for the sound management and operation of Ottawa County; and

WHEREAS, the Ottawa County Board of Commissioners has complete authority to establish that a maximum of 4.3565 mills be levied from within its authorized millage rate; and

WHEREAS, not more than ten (10) days after the public hearing on June 12, 2012, the Ottawa County Board of Commissioners may, under Act 75, Public Acts of Michigan, 1991, authorize a maximum total levy of 4.3565 mills for operating purposes, within its present authorized millage rate which includes an additional millage rate of .0336 mills; and

NOW THEREFORE, BE IT RESOLVED THAT:

1. For 2012 the total millage rate of 4.3565 mills, including 0.4400 mills for E-911 operating purposes in 2013, 0.3165 mills for Park expansion, development and maintenance purposes in 2013 and 3.6000 mills for allocated operating purposes in 2012, which includes an additional millage rate of .0336 mills, shall be levied upon property located in Ottawa County.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

YEAS:

NAYS:

ABSTAIN:

ABSENT AT TIME OF VOTING:

RESOLUTION DECLARED ADOPTED.

Chairperson, Philip Kuyers

County Clerk, Daniel Krueger

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 June 12, 2012, 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 twelfth day of June, A.D., 2012.

County Clerk, Daniel Krueger

Action Request



Committee: Board of Commissioners

Meeting Date: 6/12/2012

Requesting Department: Administration

Submitted By: Greg Rappleye

Agenda Item: Lease for Ottawa County CMH Clubhouse Space - 490 Century Lane

SUGGESTED MOTION:

To approve and authorize the Board Chairperson and Clerk to sign the Lease between the County of Ottawa and Gary P. and Ruth Beckman for the Ottawa County CMH Clubhouse Space at 490 Century Lane, Holland, MI.

SUMMARY OF REQUEST:

Ottawa County leases space for certain programs of the Ottawa County Community Mental Health Agency. The attached Lease is for a five (5) year rental of space which will be used for "clubhouse" activities.

FINANCIAL INFORMATION:

Total Cost: \$26,220.00 | General Fund Cost: \$0.00 | Included in Budget: Yes | No

If not included in budget, recommended funding source: CMH Funding

ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated | Non-Mandated | New Activity

ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 4: To Continually Improve the County's Organization and Services.

Objective: 1: Maintain systems and programs of continuous improvement to gain efficiencies and improve effectiveness.

ADMINISTRATION RECOMMENDATION: Recommended | Not Recommended | Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:

LEASE

This Lease is made this 1st day of June, 2012, between Gary P. Beckman and Ruth J. Beckman, of 466 East 16th St. Holland MI, 49423, ("Lessor"), and the County of Ottawa, on behalf of the Ottawa County Community Mental Health Agency, 12265 James St., Holland, Michigan 49424 ("the County").

1. Premises. The Lessor leases to the County the premises located at 490 Century Lane, in the City of Holland known as Lakeshore Club House ("the Leased Premises"). The entire building is known herein as ("the Building"):

- Exclusive possession of the Building as depicted on "Attachment 1 ." The parties agree that, for the purposes of this Lease, the Leased Premises consists of approximately 4560 square feet.
- Exclusive use of the bathrooms located in the Leased Premises.
- Non-exclusive use of the parking area and grounds.

2. Initial Term. The Initial Term of this Lease will be for a period of five (5) years, beginning on the Commencement Date. The Commencement Date will occur no later than July 1, 2012.

The County may take possession of the Leased Premises on any date within 30 days prior to the Commencement Date for the purpose of making the premises ready for occupancy and to complete the work outlines in Section 6 of this Lease. Possession of the Premises by the County prior to the Commencement Date will be free from rent and from contribution toward shared expenses as provided in Section 3 but the County shall otherwise comply with all terms of this Lease.

3a. Rent During Initial Term. Beginning on the Commencement Date and during the remainder of the Initial Term, the County will pay to the Lessor, in advance, monthly rent of two thousand one hundred and eighty five (\$2,185) at \$5.75/sf. In the event that the Commencement Date does not

fall on the first day of a calendar month then the County will pay the Lessor the prorated amount for the first partial month of tenancy. Thereafter rent will be paid within the first ten (10) days of each calendar month. In the event that the lease terminates on a date other than the last day of a calendar month then rent for the last partial month of tenancy will be prorated.

3b. Common Area Maintenance (CAM) charges will not exceed \$2.50/sf for year one with increases not to exceed 2% per year.

4. Renewal Lease Terms. If the County is not at the time in default under this Lease, then the County will have the option to renew for two (2) successive renewal terms of two (2) years each. To elect a renewal term the County must give the Lessor written notice of the County's election to extend the Lease no later than a date sixty (60) days before the expiration of the Initial Term or the Renewal Term that is about to expire. If this Lease is renewed, the renewal will be on the same terms, covenants, and conditions contained in this Lease.

Rent for the 1st Renewal Term shall be \$6.50/sf for the entire term.

Rent for the 2nd Renewal Term shall be \$6.80/sf for the entire term.

5. Security Deposit. The County will deposit with the Lessor the sum of \$2185 to be held by the Lessor as a security deposit in accordance with the provisions of this Lease. The Lessor will hold the security deposit as security for the full and faithful performance by the County of the terms of this Lease, and for the cost of any trash removal, cleaning and repair of damage in excess of normal wear and tear. The security deposit or any balance thereof will be returned without interest after the County has vacated and left the Leased Premises in an acceptable condition (following inspection by the Lessor) and surrendered the keys. If the Lessor determines that any loss, damage, or injury chargeable to the County hereunder exceeds the security deposit, the Lessor may, at its option, retain the security deposit as liquidated damages or may apply the amount against any loss, damage or injury and the balance thereof will be the responsibility of the County. It is further understood and agreed that the security deposit is not to be considered as the last payment under the Lease. The Lessor shall have no obligation to pay interest to the County for the period during which the Security Deposit is held.

6a. Work to be completed by the County. The County, at its option, is responsible for the following work, which may, at its option, be completed prior to the Commencement date:

Remove carpet in proposed dining area and replace with tile/sheets goods suitable for wheelchairs.

Provide plumbing connection for washer/dryer in utility closet.

Install partitions for small coat room in open entry space on side A.

Install cabinets and counter space in Kitchen w/ space for 2 dishwashers, a stove, fridge and freezer. Enclose the wire box in Kitchen.

Install handicap signs on post in grass.

Install exhaust fan.

6b. Work to be completed by the Lessor. The lessor is responsible for the following work to be completed prior to the Commencement date:

Handicap Entrance – provide automatic doors for front vestibule, both doors, right side.

Install Pantry/Storage space outside Kitchen (simple temporary walls is sufficient- built in shelving if possible but not necessary)

Build a cut-through window into the dining area (include doors to open/close off the cafe) from room adjacent to kitchen.

Build a cut-through window from kitchen to dining room with a shelf underneath from the dining room side (include doors to open/close off the window) Doors must be lockable.

Remove doors between bathrooms to allow for a walk-through hall.

Conference room doors – change swing of the doors so that they swing out.

Provide access to janitor/maintenance closets/electrical supply panels.

7. Alterations. No alterations not described in Section 6 may be made to the Leased Premises without the prior written consent of the Lessor, which consent will not be unreasonably withheld.

8. Use of Premises. The County will use the Leased Premises for the operation of a Community Mental Health facility and for no other purpose, without first securing the prior written consent of the Lessor, which consent will not be unreasonably withheld. The Lessor acknowledges that it has been informed of and understands the use of the premises intended by the County under this Lease.

9. Care and Maintenance of the Leased Premises.

9.1 Interior Areas. The County will maintain the interior of the Leased Premises in good condition and repair, and will yield and deliver up the same at the expiration of the term in as good condition as when taken, reasonable wear and tear excepted. The County will keep the Leased Premises orderly, neat, safe, clean and free from rubbish and dirt at all times, and will store all trash and garbage within the area designated by the Lessor. The County will be responsible for regular cleaning and custodial services for the Leased Premises. ***Front doors are to be used for ingress/egress. Back door is for emergency exit and trash removal.***

9.2 Repair and Maintenance to H.V.A.C. System. The Lessee will provide repair and maintenance to the H.V.A.C. system servicing the Building, up to \$250 per incident of repair or maintenance. Repair and maintenance costs in excess of \$250 shall be the responsibility of the Lessor, including any necessary replacement of the H.V.A.C. system which shall be the responsibility of the Lessor/Landlord.

9.3 Window Washing. The County will maintain and clean the inside and outside of all windows in the Leased Premises.

9.4 Utilities. The County agrees that it shall be responsible for payment of all utility and security bills including natural gas, electricity, water/sewer, and phone if needed. If not independently metered, water will be billed to the County after use has been calculated approximately every 6 months. Lessor agrees that it shall be responsible for property taxes and snow plowing.

9.5 Exterior and Structural Maintenance. Except as may be specifically provided herein to the contrary, the Lessor will provide repair and maintenance of the exterior of the building, the roof, structural components, parking areas, and grounds.

10. Other Tenants and Uses. Nothing in this lease prohibits the Lessor from using or leasing or conveying to others any portion of the Building that is not utilized by the County as part of this Lease and any portion of the parking area and grounds that does not unreasonably impair the use of the Leased Premises by the County.

11. Taxes. The Lessor will be responsible for the payment of real property taxes and assessments for the Leased Premises, if any.

12. Early Termination of Lease. The Lease may be terminated during the initial lease term or during any renewal term in accordance with the following:

12.1 Termination by the County. During the initial term or any renewal term, the County may elect to terminate this Lease without cause upon not less than sixty (60) days prior written notice to the Lessor.

12.2 Early Termination by the Lessor. During the initial term or any renewal term, the Lessor may elect to terminate this Lease without cause upon not less than 6 months prior written notice to the County. Upon early termination by the Lessor, the Lessor shall pay to the County the costs incurred by the County in agreed upon improvements less depreciation for use by the County. Depreciation shall be straight line based on a 20-year anticipated life.

13. Liability and Casualty Insurance.

13.1 The County will maintain a policy of liability insurance in a face amount of not less than \$1,000,000 naming the Lessor as an additional insured party. This requirement may be fulfilled through the County's self-insurance program with the Ottawa County, Michigan, Insurance Authority. The Lessor shall be entitled to Certificate(s) of Insurance upon request.

13.2 The Lessor will maintain a policy of fire, theft, and casualty insurance, insuring the Building in an amount and with such deductible as the Lessor will deem reasonably prudent such policies insuring the interests of the Lessor.

14. Damage to Premises. The County will give immediate notice to the Lessor in case of fire or accident at the Leased Premises. If the Leased Premises will be damaged or destroyed in whole or in part, by fire or other casualty or occurrence and such casualty or occurrence will not be completely covered by insurance, or if more than twenty-five percent (25%) of the floor area of the Leased Premises will be damaged or destroyed, in whole or in part by fire or any other casualty or occurrence, then the Lessor may elect either to repair or rebuild the Leased Premises or to terminate this Lease upon giving notice of such election in writing to the County within thirty (30) days after receipt of notice of damages from the County. Unless

the Lessor elects not to rebuild, the Leased Premises will be repaired by the Lessor at the Lessor's expense. If the Lessor elects to repair or rebuild the Leased Premises then the County will promptly repair or replace its trade fixtures, furnishings, equipment, personal property and leasehold improvements in a manner and to a condition to that existing prior to the damage or destruction. Abatement of the monthly rent will be allowed from the date when the damage occurred until the date the Lessor completes the repairs or rebuilding, or in the event the Lessor elects to terminate this Lease, until said day of termination.

15. Events of Default. The occurrence of any of the following will constitute an Event of Default:

a. Delinquency in the payment of rent or any other amount payable by the County under this Lease, for a period often (10) days following written notice of delinquency.

b. Delinquency by the County in the performance or compliance with any of the terms, covenants or agreements to be performed under this Lease, and failure to rectify or remove such defaults within thirty (30) days after written notice of such default has been given to the County.

c. Delinquency by the Lessor to perform any required term of this Lease, and failure to rectify such default within thirty (30) days after written notice of such default has been given to the Lessor.

16. Remedies Upon Default. Upon the occurrence of an Event of Default, each party, in addition to all other rights and remedies it may have at law or in equity will have the right to any one or more of the following remedies, as applicable:

a. The Lessor shall have the power to terminate this Lease and to re-enter and recover possession of the Leased Premises by any means allowed by law.

b. To bring an action, to enjoin or restrain any default or threaten default by the Lessor or by the County, or to specifically enforce the other party's obligations set forth herein.

c. To bring an action at law for damages.

d. All the rights and remedies of the parties set forth herein are cumulative and are in addition to any other rights or remedies accorded to the parties by law, regulation, ordinance or rule, and may be pursued concurrently, separately or successively.

17. Access by The Lessor. The Lessor will have the right to install, maintain, use repair and replace pipes, ducts, wires and conduits leading through the Leased Premises, the locations which will not materially interfere with the County's use of the Leased Premises. Upon reasonable notice to the County, the Lessor or its agents will have the right to enter the Leased Premises during regular business hours to examine it, show it to prospective lenders, purchasers, or to make decorations, repairs, alterations, improvements or additions as the Lessor may deem necessary or desirable. The County will provide the Lessor with a phone number for use in contacting the County in the event access is required at other times.

18. Surrender of Premises. On or before the expiration or earlier termination of this Lease, the County will surrender to the Lessor the Leased Premises, broom-clean and free of all the County's alterations, additions, improvements and fixtures in good order and condition (excepting reasonable wear and tear), except for alterations, additions, improvements or fixtures that the County has a right to remove or is obligated to remove. The County will remove all of this trade fixtures and other removable personal property and perform all restoration made necessary by the removal of any such alterations, additions, improvements, fixtures, or other property within the same time periods. Any holding over after the expiration of the term will be construed a tenancy from month to month at the rents then specified by the Lessor and on the terms and conditions herein specified, providing that the Lessor has consented to such holding over.

19. Quiet Enjoyment. Upon payment by the County of the rent herein provided, and upon the observance and performance of all of the covenants, terms and conditions on the County's part to be observed and performed, the County will peaceably and quietly hold and enjoy the Leased Premises for the term hereby demised without hindrance or interruption by the Lessor or any other person acting through or under the Lessor; subject to the terms and conditions of this Lease. The County will not be entitled to claim a constructive eviction from the Leased Premises unless the County will have first notified the Lessor in writing of the condition or conditions giving rise to a claim thereto, and, if the complaint be justified, unless the Lessor will fail to correct the aforesaid condition(s) within a reasonable period of time.

Except as otherwise provided herein, the Lessor will not be responsible or liable to the County for any loss or damage that may be occasioned by or through the acts of omissions of persons occupying adjoining premises or any part of the Leased Premises adjacent to or connected with the Leased Premises, for any loss or damage resulting to the County or its property from water, gas, sewage or trash, or for any damage or loss of property within the Leased Premises.

20. No Waivers. No default on the payment of any rent or any other amounts set forth herein, nor the failure of either party to enforce provisions of this Lease upon any default by either party will be construed as modifying in any way the terms of this Lease or as a waiver of either party's rights under this Lease.

21. Litigation. The Lessor and the County do hereby waive trial by jury in any action, proceeding, or counterclaim brought by either against the other upon any matters whatsoever arising out of or in any way connected with this Lease, the use or occupancy of the Leased Premises, or any claim of injury or damage, or both.

22. Entire Agreement. This Lease and the exhibits, if any, will set forth all of the covenants, promises, agreements, conditions, and understandings between the Lessor and the County. No alteration, amendment, change or addition to this Lease will be binding upon the Lessor or the County unless reduced to writing and signed by each party.

23. Notices. A notice, demand, request, consent, or other instrument which may be or is required to be given under this Lease will be in writing and either served personally or sent by United States certified mail, return

receipt requested, postage prepaid, and addressed to the other party at the address set forth in the introductory paragraph of this Lease or at such other place as either party may designate by written notice to the other. Any written notice sent by mail will be deemed to have been serviced as of the next regular day for delivery of mail after the date it was mailed in accordance with the foregoing provisions.

Notices to the County shall be sent to:

Kathy Coffey
Ottawa County Community Mental Health Agency
12265 James St.
Holland, MI 49424
616-494-5579

Notices to the Lessor shall be sent to:

Gary Beckman
466 E. 16th St.
~~Holland, MI 49423~~
~~616-836-3292~~

24. Excuse. Neither the Lessor nor the County will be required to perform any term, condition or covenant in this Lease so long as such performance is delayed or prevented by any acts of God, strikes, lockouts, material, or labor restrictions by any governmental authority, civil riot, floods, and any other cause not reasonably within the control of the Lessor or the County and which by the exercise of due diligence the Lessor or the County is unable, wholly or in part, to prevent or overcome.

25. Applicable Law. This agreement will be construed under and in the accordance with the laws of the State of Michigan.

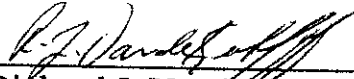
26. Legal Construction. In case any one or more of the provisions in this Lease will for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will not affect any other provision thereof and this Lease will be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

27. Binding Effect. This Lease will be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors,

administrators, legal representatives, successors, and assigns when permitted by this Lease.

COUNTY OF OTTAWA

Date: 6/1/2012

By: 
Richard J. VandeKerkhoff
Facility Director

Date: _____

By: _____
Philip Kuyers , Chair
Board of Commissioners

Date: _____

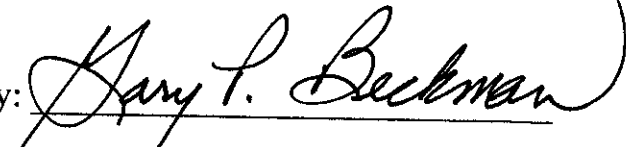
By: _____
Daniel C. Krueger
County Clerk

Date: _____

By: _____
Michael Brashears PsyD
Executive Director
Ottawa County CMH

LESSOR:

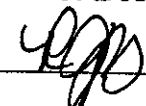
Date: 6/9/2012

By: 
Gary P. Beckman

Its: _____

Date: 6-9-12

By: 
Ruth J. Beckman

Its: 

Addendum to Lease

This Addendum is made to a certain lease between Gary P. Beckman and Ruth J. Beckman ("Lessor") and the County of Ottawa, on behalf of the Ottawa County Community Health Agency ("County") dated June 1, 2012 with respect to certain property commonly known as 490 Century Lane, Holland, MI 49423.

Lessor and County desire to set forth the terms of their understanding regarding the location of an outside smoking area for the use by Lakeshore Club House and employees, invitees or patrons ("Clients.")

NOW, THEREFORE, Lessor and County mutually agree as follows:

No smoking will be allowed in the premises occupied by the Lakeshore Club House according to Public Act 188 of the State of Michigan.

Lessor will allow the Lakeshore Club House and their Clients smoking outside the premises to be located on the north side of the building and accessed by a walkway to a designated area. The designated area will be posted as such and strictly enforced. Cigarette butts and other waste shall be properly disposed in smoking receptacles/ashtrays or other appropriate containers.

The designated smoking area shall be maintained daily to ensure that the exterior of the premises will be free and clear of all waste such that the use does not cause a nuisance to the neighboring property owners or co-tenants in the property.

Lessor shall have the right to revoke this privilege at any time should the Lakeshore Club House not enforce the conditions stated herein.


Lessor and County agree by execution of their signatures below.

Lessor

By: _____

By: _____

County of Ottawa

By:  6/8/2012

By: _____

By: _____

By: _____