

**Agenda**  
**Planning and Policy Committee**  
**West Olive Administration Building – Board Room**  
**12220 Fillmore Street, West Olive, Michigan 49460**  
**Tuesday, August 17, 2021**  
**8:30 AM**

**Public Comment:**

**Consent Items:**

1. Approval of the Agenda
2. Approval of the minutes from the [July 20, 2021](#) Planning and Policy Committee meeting.

**Action Items:**

1. [FY 2022 Capital Improvement Plan](#)  
Suggested Motion:  
To approve and forward to the Finance & Administration Committee the FY 2022-2027 Capital Improvement Plan.
2. [Ottawa County Grand River Collaboration Resolution](#)  
Suggested Motion:  
To approve and forward to the Board of Commissioners the Ottawa County Grand River Collaboration Resolution.
3. [Ottawa County Land Bank Authority Bylaws](#)  
Suggested Motion:  
To approve and forward to the Board of Commissioners the amended Bylaws of the Ottawa County Land Bank Authority.
4. [Idema Explorers Trail Stearns Bayou Connector Easement](#)  
Suggested Motion:  
To approve and forward to the Board of Commissioners the Riverside Storage LLC easement as required for construction of the Grand River Greenway Idema Explorers Trail in the amount of \$1,000.00 from the Parks Millage.
5. [Creation of Port Sheldon Closure Planning Committee](#)  
Suggested Motion:  
To approve and forward to the Board of Commissioners creation of a permanent Port Sheldon Closure Planning Committee consisting of representatives of the County, other taxing units, and economic development organizations.

6. [Interim County Administrator Pay and Temporary Appointments](#)

Suggested Motion:

To approve and forward to the Finance and Administration Committee to pay Interim County Administrator John Shay at the Unclassified U15 level, \$158,572 from August 30, 2021 to the conclusion of his duties as Interim Administrator and to appoint Mr. Shay to the following boards and commissions for the interim period:

Grand Valley Metropolitan Council Board of Directors and Executive Committee

Kent-Ottawa-Muskegon Foreign Trade Zone Board of Directors

Ottawa County Central Dispatch Authority Board of Directors

West Michigan Enforcement Team Board of Directors

Ottawa County Land Bank Authority

Ottawa County Brownfield Authority

Ottawa County Economic Development Corporation Board of Directors

Ottawa County Insurance Authority Board of Directors and Work Group

Lakeshore Advantage Board of Directors.

**Discussion Items:**

- I. Legislative Issues
  - a. Current Legislative Priorities

**Adjournment**

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

**PLANNING AND POLICY COMMITTEE**

**Proposed Minutes**

DATE: July 20, 2021

TIME: 8:30 a.m.

PLACE: Fillmore Street Complex

PRESENT: Philip Kuyers, Allen Dannenberg, Francisco Garcia, Matthew Fenske, Gregory DeJong

STAFF & GUESTS: Alan Vanderberg, Administrator; John Shay, Deputy County Administrator; Doug Zylstra, Commissioner; Tim Piers, Community Mental Health; Karen Karasinski, Fiscal Services Director; Sherri Sayles, Chief Deputy Clerk; Michele VanderSchel, Community Mental Health

SUBJECT: PUBLIC COMMENTS

1. Douglas Zylstra, 152 E. 24<sup>th</sup>, Holland

SUBJECT: CONSENT ITEMS

PP 21-039 Motion: To approve the agenda of today as presented and amended adding Action Item #4 – Policy on Board Resolutions and to approve the minutes from the June 15, 2021 Planning and Policy Committee meeting as presented.

Moved by: Matthew Fenske

UNANIMOUS

SUBJECT: HOLLAND CHARTER TOWNSHIP WATER LINE EASEMENT

PP 21-040 Motion: To approve and forward to the Board of Commissioners the Water Line Easement between Holland Charter Township and Ottawa County on Parcel No. 70-16-16-400-090.

Moved by: Matthew Fenske

UNANIMOUS

SUBJECT: STEPPING UP RESOLUTION

PP 21-041 Motion: To approve and forward to the Board of Commissioners a Resolution of support for the Stepping Up initiative to reduce the number of people with mental illnesses in jails.

Moved by: Gregory DeJong

UNANIMOUS

SUBJECT: SURVEILANCE, INVASION OF PRIVACY OR SECURITY ORDINANCE

FC 21-042 Motion: To approve and forward to the Board of Commissioners the Surveillance, Invasion of Privacy or Security on County Property ordinance.  
Moved by: Gregory DeJong UNANIMOUS

SUBJECT: POLICY ON BOARD RESOLUTIONS

FC 21-043 Motion: To approve and forward to the Board of Commissioners the proposed Policy on Resolutions.  
Moved by: Gregory DeJong UNANIMOUS

SUBJECT: DISCUSSION ITEMS

1. Legislative Issues
  - a. Current Legislative Priorities – John Shay presented the July 2021 Ottawa County Current Legislative Priorities. He reported not much has changed since last month.
2. The Committee briefly discussed the Executive Committee suggestion from Commissioner Zylstra. Consensus of the Committee was not to move forward with this.
3. YouTube/Zoom – Much discussion on where to go with YouTube/Zoom after experiencing problems during public comments at the last Board of Commissioners Meeting. John Shay stated the County is getting a proposal to train IT staff and maintain the equipment which should reduce the issues. Chair DeJong isn't sure where this will go but wanted to bring it up for discussion.
4. Phillip Kuyers wanted the Committee to know Paul Sachs, Planning and Performance Improvement Director, is doing a great job on the NACo Broadband Task Force.

SUBJECT: ADJOURNMENT

FC 21-044 Motion: To adjourn at 9:27 a.m.  
Moved by: Matthew Fenske UNANIMOUS

# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 08/17/2021

**Requesting Department:** Fiscal Services

**Submitted By:** Karen Karasinski

**Agenda Item:** FY 2022 Capital Improvement Plan

## Suggested Motion:

To approve and forward to the Finance & Administration Committee the FY 2022-2027 Capital Improvement Plan.

## Summary of Request:

The 2022-2027 Capital Improvement Plan is a multi-year planning document developed to fund capital projects with a focus on preserving current assets and accounting for future needs.

## Financial Information:

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
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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:** Goal 1: To Maintain and Improve the Strong Financial Position of the County.

## Objective:

Goal 1, Objective 1: Maintain and improve current processes and implement new strategies to retain a balanced budget.

Goal 1, Objective 2: Maintain and improve the financial position of the County through legislative advocacy.

Goal 1, Objective 3: Maintain or improve bond credit ratings.

**Administration:**  Recommended  Not Recommended  Without Recommendation

County Administrator:

*Alan G. Vandenberg*

Committee/Governing/Advisory Board Approval Date:

**County of Ottawa  
Capital Improvement Plan  
Fiscal Years 2022-2027**

Project Description	Funding Source	Unencumbered Balance as of 07/06/21	2022	2023	2024	2025	2026	2027 & Beyond
<b>Facilities</b>								
<b>Roofs/Windows</b>								
James Street - Bldg A	4020			154,000				
Fulton ST., Grand Haven CMH	4020				55,000			
James Street - Bldg C	4020				160,000			
James Street - DHHS Bldg	4020				60,000			
Fillmore Admin Bldg	4020							
<b>Carpet/Flooring</b>								
Fillmore Carpet Replacement	4020			100,000				
Hudsonville	4020				100,000			
Grand Haven Courthouse Flooring Replacement	4020				140,859			
<b>Painting/Wall Coverings</b>								
Jail cell painting - Region 4	4020	25,700						
Grand Haven Courthouse Wall Coverings	4020					217,444		
<b>Pavement</b>								
Pavement Upgrades - Fillmore	4020	18,596	200,000					
Pavement Upgrade - Grand Haven Courthouse	4020			605,000				
Pavement Upgrades - James St. (DHHS)	4020	119,635			703,000			
Pavement Upgrades - DHHS	4020	8,491			247,000			
Pavement Upgrades - Hudsonville Phase II	4020	10,354						
<b>Systems</b>								
Air Handling Roof Unit Fillmore Emergency Operation Center (EOC)	4020	118,659						
HVAC & Roof Replacement - Hudsonville	4020	-						
HVAC & Roof Replacement - Hudsonville	OCIA	243,766						
Jail HVAC units 19 (only using 11, 8 turned off)	4020	16,616						
Fulton St HVAC systems	4020	10,914						
Generators/Transfer Switches - Countywide	4020	80,650						
Building Automation System Replacement	4020		364,800	150,000	150,000	150,000		
Boiler Stack Replacement - GHCH	4020		150,000					
LED/Lighting Replacement	4020	22,500		1,500,000				
Jail Booster Pump Replacement	4020			66,550				
Fillmore UPS Replacement	4020			113,250				
Jail Makeup Air Units	4020				151,900			
Cooling Tower Replacement James st. - Bldg A	4020				71,000			
Cooling Tower Replacement James st. - Bldg B	4020				50,000			
Jail Pump Replacement	4020				113,200			
Jail Exhaust Hood Replacement	4020				60,000			
Holland Court Elevator Replacement	4020						252,925	
Jail Emergency Generator Replacement	4020							69,000
DHHS Air Handling Units Replacement	4020							76,950
DHHS Supply Fan Replacement	4020							54,000

**County of Ottawa  
Capital Improvement Plan  
Fiscal Years 2022-2027**

Project Description	Funding Source	Unencumbered Balance as of 07/06/21	2022	2023	2024	2025	2026	2027 & Beyond
<b>Building Projects</b>								
Courtroom Door Openers	OCIA	65,000						
Fillmore Admin Bldg								
Transitional/Innovation Space	4020	7,816						
Sheriff's Record Area Remodel	4020			121,000				
Equalization Remodel	4020				100,000			
Jail & Related								
Epoxy Floors	4020	1,000						
Booking Area Floor & Shower Tile Replacement	4020		75,000					
Jail Sally Port	4020				800,000			
Build EOC Wing at Central Dispatch	4020				TBD			
Juvenile Services/Probate Court								
Plan Phase for New Facility - Fillmore	Building Auth	29,088,006						
Renovate Juvenile Services Space - Fillmore	4020			150,000				
Courthouse - Grand Haven								
Renovate & Move in Probate, Prosecutor's, Circuit & District	Building Auth			1,250,000				
First Refusal Right - 115 S. 5th St.	4020				250,000			
Maintenance Building	4020				100,000			
Exterior Door Replacement	4020				188,612			
Exterior Wall Maintenance	4020					71,180		
Hudsonville								
Hudsonville Restroom Renovations	4020			70,000				
Storage Garage	4020					52,000		
Holland District Court								
Locker Room Holland District Court	4020	834						
James St. Campus								
Building C Clinic Remodel	4020		496,143					
Building A CMH Office Renovation	4020		363,500					
Subtotal		29,838,535	1,649,443	4,279,800	3,500,571	490,624	252,925	199,950
<b>CPTED</b>								
Security DVR System	OCIA	56,154						
Install window tinting	OCIA	44,000						
Landscaping	OCIA	57,197						
Lighting Upgrades	OCIA	34,000						
Safety Film	OCIA	10,072						
Remodel - Holland District Court Clerk Office	OCIA	10,000						
Signage	OCIA	1,900						
Courthouse Security Lockdown	OCIA	15,255						
Avigilon NVR Card Access System	OCIA	52,000						
CPTED Committee Project Funding	OCIA		500,000					
Subtotal		280,579	500,000	-	-	-	-	-

**County of Ottawa  
Capital Improvement Plan  
Fiscal Years 2022-2027**

Project Description	Funding Source	Unencumbered Balance as of 07/06/21	2022	2023	2024	2025	2026	2027 & Beyond
<b>Information Technology</b>								
GIS Oblique & Orthophoto Imagery/LIDAR Update	Aerial Reserve	2,477	129,354	129,354	133,000	133,000	133,000	411,000
Courtroom Tools	4020	18,228						
MUNIS payroll	4020	90,104						
Wireless Infrastructure Refresh	4020	45,151						
Network Switch Refresh (was named WAN Refresh previously)	6550	137,410				488,057		
EHR Patagonia Implementation	4020	51,090						
Public Safety Digital Media	OCIA	1,045,000						
Border Security Replacements	OCIA	220,000						
Network Core Switching Routing Replacement	4020	68,918						
Jail Tracker JMS (CMS)	4020	148,292						
DC Probation AS400 Replacement (CMS)	4020		535,500					
DC Probation Integration (CMS)	4020		396,000					
DC Probation Smartbench Integration (CMS)	4020		50,000					
Probate Court PSC to TCS integrations (CMS)	4020		55,000					
Circuit Court AS400 replacement (CMS)	4020		117,304					
Courtroom Presentation Software - Wolfvision (CMS)	4020		100,322					
Prosecuter's Office Webtechs Scheduling Calendar	4020		85,800					
Prosecuter's office AS400 Replacement (CMS) Placeholder	4020		TBD					
Production Storage and Server	4020				1,680,963			
Subtotal		1,826,670	1,469,280	129,354	1,813,963	621,057	133,000	411,000
<b>Planning &amp; Performance Improvement</b>								
Spoonville Trail - Phase II	Multiple	2,317,333						
LakeShore Dr. Paved Shoulders	Multiple	20,974						
Sustainable Water Landscaping & Education	4020			95,000				
Cell Tower Construction	4020			200,000				
Subtotal		2,338,308	-	295,000	-	-	-	-



**County of Ottawa  
Capital Improvement Plan  
Fiscal Years 2022-2027**

Project Description	Funding Source	Unencumbered Balance as of 07/06/21	2022	2023	2024	2025	2026	2027 & Beyond
<b>Parks &amp; Recreation</b>								
Paw Paw Park Renovations	2081	54,501						
Stearns Creek Acquisition Phase II	2081	225,000						
Bend Expansion Pase 3 Acquisition (GR Gravel)	2081	1,030,000						
Grand River Paving Reconstruction	2081	107,500						
Idema Explorers Trail - Jenison Mill Segment	2081	1,183,143						
Kirk Park Reconstruction	Multiple		474,000					
Tunnel Deck & Stairway Reconstruction	Multiple		112,000					
Riverside Renovations	4080		64,000					
Idema Explorers Trail - GH Segment	Multiple		200,000					
Idema Explorers Trail - Ravines Connector	Multiple		1,194,600					
Idema Explorers Trail - Stearns Connector	Multiple		3,717,251					
Rosy Mound Expansion	4080			1,250,000				
Adams Street Landing Linkage (40 Acres)	4080			100,000				
Idema Explorers Trail - Bend Phase 1	4080			484,932				
Bend Area Phase 4 Acquisition (Huizenga)	4080			597,800				
Ottawa Sands Phase 1 Improvements	4080			1,500,000				
Idema Explorers Trail - Eastmanville Connector	4080			1,513,198				
Idema Explorers Trail - Bass River West Phase 1	4080			2,009,883				
HOB Cottage Area Improvements	4080				339,000			
Idema Explorers Trail - Bass River West Ph 2	4080				955,931			
Idema Explorers Trail - Allendale Segment	4080				1,967,052			
Bend Area Phase I	4080					600,000		
Paw Paw Macatawa Greenway Trail	4080					1,000,000		
Kirk Park Dune Stairs and Overlook	4080					140,000		
Grose Park Playground Renovation	4080					107,000		
Idema Explorers Trail - Bend Phase 2	4080					822,188		
Idema Explorers Trail - Bass River Central	4080					2,202,092		
Kirk Park Pavement Reconstruction	4080						490,000	
Sheldon Landing Development	4080						300,000	
Idema Explorers Trail - Amenities	4080							310,000
Idema Explorers Trail - Bend Phase 3	4080							596,730
Idema Explorers Trail - Bass River East	4080							1,193,942
Subtotal		2,600,144	5,761,851	7,455,813	3,261,983	4,871,280	790,000	2,100,672
<b>Grand Total</b>		<b>36,884,236</b>	<b>9,380,574</b>	<b>12,159,967</b>	<b>8,576,517</b>	<b>5,982,961</b>	<b>1,175,925</b>	<b>2,711,622</b>

**County of Ottawa  
Capital Improvement Plan  
Fiscal Years 2022-2027**

<b>Project Description</b>	<b>Funding Source</b>	<b>Unencumbered Balance as of 07/06/21</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027 &amp; Beyond</b>
Aerial Reserve			129,354	129,354	133,000	133,000	133,000	411,000
(6550) Telecommunications Fund			-	-	-	488,057	-	-
Parks Millage			747,858	7,455,813	3,261,983	4,871,280	790,000	2,100,672
Parks Capital Project Donations			2,384,236	-	-	-	-	-
Parks Capital Project Federal Grants			2,392,757	-	-	-	-	-
Parks Capital Project State Grants			237,000	-	-	-	-	-
(4020) Capital Project Fund			2,989,369	3,324,800	5,181,534	490,624	252,925	199,950
Family Court - Building Authority			-	1,250,000	-	-	-	-
(OCIA) Insurance Authority			500,000	-	-	-	-	-
<b>Total Funding</b>			<b>9,380,574</b>	<b>12,159,967</b>	<b>8,576,517</b>	<b>5,982,961</b>	<b>1,175,925</b>	<b>2,711,622</b>

# Action Request



<b>Committee:</b>	Planning and Policy Committee
<b>Meeting Date:</b>	08/17/2021
<b>Requesting Department:</b>	Parks and Recreation Commission
<b>Submitted By:</b>	Jason Shamblin
<b>Agenda Item:</b>	Ottawa County Grand River Collaboration Resolution

## Suggested Motion:

To approve and forward to the Board of Commissioners the Ottawa County Grand River Collaboration Resolution.

## Summary of Request:

Much has been accomplished in revitalizing the Grand River on a regional basis over the past several decades, including the work by the Ottawa County Parks and Recreation Commission. Several major river-focused projects are currently underway across West Michigan and seem to be converging. With this convergence, there is a growing recognition among stakeholders that the sum of the various major projects could be greater than the individual projects on their own. Furthermore, there is also an increasing interest in working to maintain the character of the River to ensure that the resource that is making these projects possible is not negatively impacted.

While these projects are often complementary, there is a sense from key stakeholders that they are competing for resources without coordination with related projects. As a result, several stakeholders have been advocating for greater collaboration. At the same time, while the activity focused on the River has been substantial, there are still several additional stakeholders that could potentially be more constructively engaged than they have been in the past.

In working over the past several decades with these stakeholders on the Grand River Greenway and sometimes expending great time and resources in building support for it, staff have observed the need for collaboration and the opportunities for the Greenway that could be realized with greater cooperation. (continued on next page)

## Financial Information:

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
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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:** Goal 1: To Maintain and Improve the Strong Financial Position of the County.

**Objective:** Goal 1, Objective 1: Maintain and improve current processes and implement new strategies to retain a balanced budget.

Goal 1, Objective 3: Maintain or improve bond credit ratings.

**Administration:**  Recommended  Not Recommended  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date: 08/04/2021

Parks and Recreation Commission

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### Summary of Request Continued:

Examples include more River land protection for recreational purposes by local units, enhanced land use policies to preserve River character, and making key public lands available for recreation that are not currently accessible.

In response to the factors listed above, park staff have been reviewing strategies for enhancing and facilitating cooperation across the region - including with several entities based in Kent County. In fact, a meeting had been organized in March 2020 to begin a cross-county discussion with two dozen key stakeholders and funders. However, this meeting was canceled due to the emergence of the pandemic.

This delay allowed for considerable progress to be made along the Grand River Greenway and new concepts to be developed in other areas along the River. In fact, the Grand Rapids Downtown Development Authority is working to develop a two-tiered cooperative organization (with a non-profit and public recreation authority) which could eventually fund river-focused amenities in Kent County and maintain them long-term.

In light of these developments, staff have had more time to review the current situation and determine how best to move forward. While discussions with Kent County-based entities were worthwhile, Ottawa County Parks was typically the only Ottawa County-based entity participating. Furthermore, while there has been critical support for the Greenway from some local units within Ottawa County, there is a sense that many entities are unaware of the project and don't see themselves as part of the Grand River Greenway in a united way.

As a result, the top priority identified by staff for regional cooperation is to better engage and coordinate with Ottawa County stakeholders, and if an Ottawa County Grand River Partnership could be developed, we would be better positioned to engage on a regional basis. However, before a partnership can be established, work is needed to create consensus on the value of the River and the need to jointly preserve, enhance, and market this resource.

Therefore, staff have developed the "Ottawa County Grand River Collaboration Resolution" as the first step in the process. This resolution has been extensively reviewed by staff and key stakeholders inside Parks, the County, as well as by some partners. Staff is now requesting adoption by the Parks Commission and Board of Commissioners. Once adopted, staff will begin reaching out to stakeholders to promote the resolution and request adoption. Once all key stakeholders have adopted the resolution, a formal partnership could then be developed. Some action items for this group are already under consideration and will be discussed in the near future.

**STATE OF MICHIGAN  
OTTAWA COUNTY BOARD OF COMMISSIONERS**

**OTTAWA COUNTY GRAND RIVER COLLABORATION RESOLUTION**

At a regular meeting of the OTTAWA COUNTY BOARD OF COMMISSIONERS, held at the Ottawa County Fillmore Street Complex in Olive Township, Michigan on the 24th day of August 2021, at 3 o'clock p.m. local time.

PRESENT:

ABSENT:

It was moved by \_\_\_\_\_ and supported by \_\_\_\_\_ that the following resolution be adopted.

**WHEREAS**, the Grand River (hereinafter called "River") in Ottawa County, from the initial habitation by the first peoples to the present, has been one of the most significant natural, cultural, and economic features of the area;

**WHEREAS**, the River's resources have historically been heavily utilized and impaired through overuse and pollution;

**WHEREAS**, over the past several decades, there has been a concerted and successful effort by public and private entities to restore and revitalize the River in West Michigan, including substantial efforts by several agencies to improve and enhance the 38-mile section of the River located within Ottawa County;

**WHEREAS**, since 1987, there has been a documented investment by Ottawa County public agencies of an estimated \$60 million to protect critical riparian lands and enhance public access. Through this effort access has improved for every local unit of government directly along the River;

**WHEREAS**, current plans for future public investment along the River corridor in Ottawa County total nearly \$100 million;

**WHEREAS**, scientific and planning studies over the past several decades show the significant value of protected and unprotected lands along the River corridor for environmental and public health, and also note the opportunity for further enhancement and protection if a coordinated plan of action across relevant agencies and stakeholders can be developed;

**WHEREAS**, these studies include the recently completed Grand River Coastal Corridor Assessment (2021) by Audubon Great Lakes which noted that the intersection of the River corridor and Lake Michigan has been identified as a globally recognized Important Birding Area;

**WHEREAS**, there are several specific areas where opportunities for further enhancement and protection could be explored, including, but not limited to, the following:

1. A connected corridor of over 2,400 acres of public land in the area where the River intersects with the Lake Michigan dune and beach lands was recently completed, thereby offering significant opportunities to enhance and improve quality of life, to preserve and enhance environmental integrity, and to create new economic benefits;
2. A corridor of 2,000 acres of protected land, including and surrounding the Bass River State Recreation Area, will soon be further integrated with construction of the Idema Explorers Trail, opening the way for additional cooperation and planning efforts by the agencies involved to best utilize the land for recreation and restoration;
3. Some areas of the River corridor have relatively less protected land in comparison to other areas, including very the northern end of the corridor, where there are quality natural features such as ravines and wetlands areas
4. Some areas of the River corridor lack direct public boat/kayak access, again particularly on the northeastern end; unique riverfront communities such as the Lamont and Eastmanville are located in these areas and could benefit from public river access in their communities;
5. High quality remote and natural spaces existing along the Crockery Creek and Bruce Bayou complexes feature some land protected and managed for conservation, but could provide even greater value with additional protection, especially as a large “wild” space that is atypical in this area of West Michigan; furthermore, this area has a special interest for indigenous people, and is identified as a large corridor of “resilient” land according to an analysis by The Nature Conservancy;
6. The Grand Valley State University Allendale Campus is also a critical component of vibrant and diverse community life, economic activity, and unique ecological characteristics (several natural features inventories note the exceptional quality of the ecological features of the GVSU riverfront ravines properties) with adjacent or future connections to public land presenting opportunities to better integrate and collaboratively manage 900 acres of wooded ravines;

**WHEREAS**, current and planned regional land and water trail connections along the River corridor are developing and could be optimally integrated if a plan is implemented to create a seamless user experience, consistent wayfinding, coordinated marketing of these trails, and coordinated land use planning associated with the trail corridors;

**WHEREAS**, several recreational and planning studies have identified the tremendous potential for the various amenities and features along the River to attract residents and talent to the area, to enhance quality of life, and to attract visitors, particularly in coordination with amenities and features that exist or are in development upriver;

**WHEREAS**, continued investment in the River will result in greater integration with the Kent County Grand River amenities, including the connection of the Idema Explorers Trail in

Georgetown Township to Kent Trails in Grandville, the removal of dams in Grand Rapids (creating a connected water trail from Grand Haven to Riverside Park in Grand Rapids, as well as destinations further upriver), and the development of overnight camping amenities at Ottawa Sands that would serve hikers, bikers, and kayakers coming from the east;

**WHEREAS**, similar regional-scale recreational amenities across the nation have led to millions and, in some cases, billions of dollars in real estate development and community transformation in communities such as New York City, Atlanta, Chicago, Houston, Detroit, Nashville, and Knoxville;

**WHEREAS**, these existing and future amenities will drive demand for housing and tourism facilities along the River, and several studies have noted that a coordinated plan would help facilitate the successful integration of future development and public riverfront properties, while maintaining the character of the river, and promoting equitable access;

**WHEREAS**, directed efforts are underway/in development in Kent and Ottawa Counties to monitor surface and groundwater quality, and coordinated monitoring of water quality on the River could complement any planning efforts and provide benchmarks/measurables for supporting and promoting the best possible water quality;

**WHEREAS**, the Land Use Survey of the Grand River in Ottawa County, Michigan (1985), Grand River Greenway Study (1995), the Natural and Cultural Features of the Inventory of the Grand River (1998), the Grand River Heritage Water Trail – Assessment and Improvement Plan (2016), the Grand River Identity Study (2020), and the Grand River Coastal Corridor Assessment (2021) all indicate the need for coordinated action, further engagement with Tribal nations, equitable access to amenities and features, and “landscape-level” planning to protect, enhance, and take advantage of this significant natural resource and the past and future investments that have been and will be made to protect and enhance it;

**WHEREAS**, River stakeholders in Ottawa County, involving local and state agencies, GVSU, and key non-profit and private entities, support a coordinated regional, “landscape-level” scale planning effort that could lay groundwork needed to engage with possible partners in Kent County and the Tribal nations;

**WHEREAS**, this could lead to an Ottawa County Grand River Partnership which could review the feasibility of a coordinated River corridor planning effort similar to the Grand Rapids “River for All” plan; this planning effort could potentially include, but would not be limited to, the following:

1. Examine needs for regional trail coordination, gaps in trail connectivity, and wayfinding, and determine whether a defined Grand River trail network on both sides of the River should be established;
2. Identify and provide concepts for “opportunity” sites along the river (e.g. land preservation, new parks, mixed-use and affordable housing, mobility improvements);

3. Review the potential to collaboratively market the River corridor to residents and visitors;
4. Develop “landscape-level” conservation planning for the River corridor;
5. Develop River-focused arts and interpretive planning;
6. Review needs for additional dedicated facilities along the River (e.g. visitor centers, research centers, and/or history/culture centers);
7. Review options for long-term River-based partnerships within Ottawa County and West Michigan;

**WHEREAS**, coordination of any possible formal corridor plan for the Grand River should occur where applicable in collaboration with the Ottawa County Planning and Performance Improvement Department’s emerging critical effort to create a Countywide Coordinated Future Land Use Plan, which will provide the context and critical data to effectively inform such river corridor planning efforts with respect to rigorously and strategically identifying “opportunity” sites along the river, including but not limited to, sites for land and farmland preservation, new regional parks, affordable housing developments, place-making sites, and mixed-use developments; and provide recommendations for mobility, transit, and transportation improvements;

**NOW, THEREFORE BE IT RESOLVED** that the OTTAWA COUNTY BOARD OF COMMISSIONERS recognizes the significant natural, cultural, and economic value of the River;

**BE IT FURTHER RESOLVED** that the OTTAWA COUNTY BOARD OF COMMISSIONERS supports efforts to protect and enhance the River corridor’s natural, cultural, and historical resources, provide enhanced river access that preserves the river’s character, and desires to better coordinate initiatives along the River corridor;

**BE IT FURTHER RESOLVED** the OTTAWA COUNTY BOARD OF COMMISSIONERS will designate representatives to participate in preliminary discussions regarding the establishment of the Ottawa County Grand River Partnership.

YEAS:

NAYS:

**RESOLUTION ADOPTED**

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Roger A. Bergman  
Chair, Ottawa County  
Board of Commissioners

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Justin F. Roebuck  
Clerk/Register of Deeds, Ottawa County



# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 08/17/2021

**Requesting Department:** Corporation Counsel

**Submitted By:** Doug Van Essen

**Agenda Item:** Ottawa County Land Bank Authority Bylaws

## Suggested Motion:

To approve and forward to the Board of Commissioners the amended Bylaws of the Ottawa County Land Bank Authority.

## Summary of Request:

The Ottawa County Land Bank's Bylaws authorize its Board of Directors to approve bylaws with the approval of the Board of Commissioners. These bylaws have been carefully reviewed by the Land Bank Board, Administrator and Treasurer and carry my recommendation as well. They are consistent with the act creating the Land Bank.

## Financial Information:

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
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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:** Goal 4: To Continually Improve the County's Organization and Services.

**Objective:** Goal 4, Objective 1: Conduct activities and maintain systems to continuously improve to gain efficiencies and improve effectiveness.

**Administration:**  Recommended  Not Recommended  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:

## Ottawa County Land Bank Authority Minutes

Monday, July 26, 2021 10:00 a.m. Conference Room F, Fillmore Adm Building

**Members in Attendance:** Bush, Hopp, Maday, Meppelink, Oonk, Price, Vanderberg, Wyngarden.

**Members Absent:** Murray.

**Guests in attendance:** Becky Huttenga

**1) Call to Order**

Chair Price called the meeting to order at 10:00 a.m.

**2) Introduction of Board Members and public**

**3) Public Comment**

No Public Comment. No public in attendance.

**4) Approval of May 5, 2021 Agenda**

Motion by Hopp to approve the July 26, 2021 Agenda.

Second by Wyngarden.

Motion carried.

**5) Review and Approval of 2022 Land Bank Budget**

Motion by Meppelink to approve the 2022 Land Bank Budget.

Second by Oonk.

Motion carried.

**6) Review of and approval of proposed Changes to by-Laws**

Motion by Wyngarden to approve the proposed changes to the LBA bylaws

Second by Hopp.

Motion carried.

**7) Public Comment**

None.

**8) Other Business**

- a) Becky Huttenga, Brownfield Redevelopment Authority. Becky provided an updates seven projects funded to date through the Brownfield Redevelopment Authority from funds transferred from the Land Bank Authority.  
Additionally, Becky discussed two possible projects for the LBA and BRA through ACT 381. There will be further updates if either project moves forward.
- b) Scheduling next meeting dates. Price will send dates in early February for the next meeting.

**Meeting was adjourned at 10:40 a.m.**

**Respectfully submitted,**

**Tom Oonk Secretary  
Chair**

DRAFT

BYLAWS  
OF  
OTTAWA COUNTY LAND BANK AUTHORITY

An authority organized pursuant to  
the Michigan Land Bank Fast Track Act and an  
Intergovernmental Agreement between the Michigan Land Bank Fast Track  
Authority, and  
the Treasurer of the County of Ottawa, Michigan

Originally adopted by the Board of Director as of November 29, 2010, and approved by the  
Ottawa County Board of Commissioners on December 28, 2010.

Amended by the Board of Directors as of \_\_\_\_\_, 2021, and amendments approved by the  
Ottawa County Board of Commissioners on \_\_\_\_\_, 21.

~~APPROVED BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS AS OF  
DECEMBER 28 \_\_\_\_\_, 2010.~~

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**AMENDED BYLAWS**

**OTTAWA COUNTY LAND BANK AUTHORITY**

Incorporated under the laws of the State of Michigan

**ARTICLE ONE**

**NAME, LOCATION AND OFFICES**

1.1 Name. —The name of this corporation shall be “Ottawa County Land Bank Authority” (hereinafter referred to as the “Corporation”). The Corporation may **also be known as** ~~elect to be identified simply as~~ the “Ottawa County Land Bank”

1.2 Office and Agent. —The Corporation shall maintain an office in the State of Michigan, and **more specifically,** ~~shall have an agent whose address is~~ 12220 Fillmore St., West Olive, Michigan 49460. The ~~initial~~ agent of the Corporation shall be **the elected** ~~Brad Slagh,~~ Treasurer ~~of,~~ Ottawa County, Michigan.

1.3 Other Offices. —The principal office of the Corporation shall be located in West Olive, Ottawa County, Michigan. The Corporation may have other offices at such place or places, within the State of Michigan, as the Board of Directors may determine from time to time or the affairs of the Corporation may require or make desirable.

**ARTICLE TWO**

**PURPOSE AND GOVERNING INSTRUMENTS**

2.1 Public Body Corporate. —The Corporation shall be organized and operated as a land bank authority under the provisions of the Michigan Land Bank Fast Track Act, 2003 P.A. 258, 124.751 (the “Land Bank Act”) and the Intergovernmental Agreement by and between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Ottawa, Michigan, dated January 28, 2010, (hereinafter referred to as the Intergovernmental Agreement”). The Corporation is an authority governed by a Board of Directors.

2.2 Governing Instruments. —The Corporation shall be governed by its articles of incorporation and its bylaws, with specific direction from **its** Priorities and Policies document.

**ARTICLE THREE**

**BOARD OF DIRECTORS**

3.1 Powers and Duties of the Board of Directors

- (a) Except as otherwise provided in the articles of incorporation of the Corporation or in these bylaws, all the powers, duties, and functions of the Corporation conferred by the Land Bank, Act, the Intergovernmental Agreement, the articles of incorporation, these bylaws, other state statutes, common law, court decisions, or otherwise shall by exercised, performed, or controlled by the Board of Directors.
- (b) The Board of Directors shall be the governing body of the Corporation and shall have general charge of the affairs, property and assets of the Corporation. It shall be the duty of the Board of Directors to determine the policies of the Corporation or changes therein, actively to prosecute the purposes and objectives of the Corporation, and, to this end, to manage and control all of its property and assets and to supervise the disbursement of its funds. The Board of Directors may adopt,



by majority vote of the members appointed, such rules and regulations for the conduct of its business and the business of the Corporation as shall be deemed advisable, and, in the execution of the powers granted, may delegate certain of its authority and responsibility to an executive committee. Under no circumstances, however, shall any actions be taken which are inconsistent with the articles of incorporation and these bylaws, or the understanding that Local Unit control of property and developmental direction is foundational. Members of the Board of Directors shall receive no compensation for service as a member of the Board of Directors, but shall be entitled to be reimbursed by the Corporation for actual and necessary expenses incurred in connection with performance of official functions of the Corporation subject to available appropriations.

- (c) The Board of Directors may, from time to time, appoint, as advisors, persons whose advice, assistance, and support may be deemed helpful in determining policies and formulating programs for carrying out the purposes and functions of the Corporation.

3.2 ~~Initial and Regular~~ Board of Directors. The Board of Directors of the Ottawa County Land Bank shall consist of nine (9) members including:

- (a) The elected and serving Treasurer of Ottawa County;

~~And,~~

- (b) Eight (8) members appointed by the Ottawa County Board of Commissioners all of whom must be residents of Ottawa County;

1. Two (2) representatives of the Cities & Villages – one from a large and one from a small municipality (from senior elective or appointed officials);
2. Two (2) representatives of the Townships - one from a large and one from a small municipality (from senior elective or appointed officials);
3. A member of the Ottawa County Board of Commissioners;
4. A representative from Ottawa County Administration;
5. A representative from the Ottawa County Economic Development Office OCEDO;
6. A person not married to or directly related to an Ottawa County employee.

3.3 Term of Office. The Treasurer of Ottawa County shall serve as a member of the Board of Directors without a term. Other members shall serve a six (6) year term, subject to their continued service in the capacity through which they were originally appointed. ~~on a six year rotation basis.~~ Members can be appointed to additional terms in the discretion of the Ottawa County Board of Commissioners.

3.4 Removal. Other than the Treasurer of Ottawa County, a director may be removed from office for cause by the Board of Commissioners of Ottawa County, and shall be automatically

terminated from any “ex officio” appointment upon leaving the office which was the basis for appointment.

3.5 Vacancies. Any vacancy in the Board of Directors, other than the Treasurer of Ottawa County, arising at any time and from any cause, may be filled for the unexpired term by the Board of Commissioners of Ottawa County. Each director so appointed shall hold office until the expiration of his term, or the unexpired term of his predecessor, as the case may be, and until his successor is appointed.

3.6 Conflict of Interest. A director who has a direct or indirect personal or financial interest in any matter before the Corporation shall disclose his or her interest prior to any action on the matter by the Corporation, which disclosure shall become part of the record of the Corporation’s official proceedings. The disclosure shall be made by written instrument, and copies of the disclosure form shall be filed with the Secretary of the Board of Directors. The interested director shall further refrain from participation in the Corporation’s action relating to the matter. Each director, upon taking office and annually thereafter, shall acknowledge in writing that they have read and agreed to abide by this section.

## ARTICLE FOUR

### MEETINGS OF THE BOARD OF DIRECTORS

4.1 Regular Meetings. Regular meetings of the Board of Directors shall be held from time to time at such times and at such places as the Board of Directors may prescribe. Notice of the time and place of each such regular meeting shall be given by the secretary either personally or by telephone or by mail or by electronic mail not less than seven (7) nor more than thirty (30) days before such regular meeting. The meetings of the Board of Directors shall be public, and the appropriate notice of such meetings provided to the public. Notice of any and all meetings of the Board of Directors shall be given in accordance with the Open Meetings Act, (OMA”) 1976 P.A. 267, as amended. The Board of Directors shall meet at least annually. As long as consistent with the OMA, any regular, special or annual meeting may be attended by a member digitally.

4.2 Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the Chairperson, ~~or the Treasurer,~~ or by any three (3) of the directors in office at that time. Notice of the time, place and purpose of any special meeting of the Board of Directors shall be given by the secretary either personally or by telephone or by mail or by electronic mail at least twenty-four (24) hours before ~~such meeting.~~

4.3 Annual Meeting. The first meeting of the Board of Directors in each calendar year shall be deemed to be the annual meeting of the Board of Directors. ~~The Treasurer of the Corporation shall be the Treasurer of Ottawa County.~~ All ~~other~~ officers of the Board of Directors (~~Chairperson, Vice Chairperson and Secretary~~) shall be elected at the annual meeting by the Board of Directors, unless a vacancy in such office occurs prior to the annual meeting, and each officer shall hold such office until the following annual meeting. ~~;~~

4.4 Waiver. Attendance by a director at a meeting shall constitute waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called.

4.5 Quorum. A majority of the Board of Directors shall be required to constitute a quorum for the transaction of business. Unless otherwise required herein or by Michigan law, ~~The~~ Board of Directors shall act by a majority vote at a meeting at which a quorum is present. A quorum shall be necessary for the transaction of business. Presence in person for both quorum and voting may include electronic communication by which such member is both seen and heard by all members present.

4.6 Vote Required for Action. Except as otherwise provided in these bylaws or by law, the act of a majority of the directors present at a meeting at which a quorum is present at the time shall be the act of the Board of Directors. Adoption, amendment and repeal of a bylaw are provided for in Article ~~Eleven~~Twelve of these bylaws. Vacancies in the Board of Directors may be filled as provided in Section 3.5 of these bylaws.

4.7 Adjournments. A meeting of the Board of Directors, whether or not a quorum is present, may be adjourned by a majority of the directors present to reconvene at a specific time and place. Notice of any reconvened meeting of the Board of Directors shall be given in accordance with the Open Meetings Act, MCL 15.261 et seq., as amended. At any such reconvened meeting at which a quorum is present, any business may be transacted which could have been transacted at the meeting which was adjourned.

## ARTICLE FIVE

### NOTICE AND WAIVER

5.1 Procedure. Whenever these bylaws require notice to be given to any director, the notice shall be given as prescribed in Article Four. Whenever notice is given to a director by mail, the notice shall be sent first-class mail by depositing the same in a post office or letter box in a postage prepaid sealed envelope addressed to the director at his or her address as it appears on the books of the Corporation; and such notice shall be deemed to have been given at the time the same is deposited in the United States mail. Notice may also be given by electronic mail addressed to the director at his or her email address as it appears in the records of the Corporation.

5.2 Waiver. Whenever any notice is required to be given to any director by the articles of incorporation or by these bylaws a waiver thereof in writing signed by the director entitled to such notice, whether before or after the meeting to which the waiver pertains, shall be deemed equivalent thereto but only in those circumstances in which such notice is not required by law.

## ARTICLE SIX

### BOARD OF ADVISORS

~~6.1 Appointment. The Board of Directors may appoint such persons as it reasonably deems necessary or desirable to act as the Board of Advisors of the Corporation. To the extent possible, the Board of Advisors should consist of representatives of the community who have~~

~~demonstrated an interest in and commitment to the redevelopment of properties within the geographical boundaries of Ottawa County. The number of persons appointed to constitute the Board of Advisors shall be determined in the sole discretion of the Board of Directors.~~

~~6.2 — Purpose. It shall be the function and purpose of the Board of Advisors to advise the Board of Directors on matters relating to the business and affairs of the Corporation, and to suggest or be available for consultation with regard to projects or activities which the Corporation may undertake, consistent with its purposes, in furtherance of its goals and objectives. The Board of Advisors shall serve solely in an advisory capacity.~~

## ARTICLE ~~SIX~~EVEN

### OFFICERS

67.1 Number and Qualifications. The officers of the Corporation shall be members of the Board of Directors and shall consist of a Chairperson, who shall act as the chairperson of the Board of Directors, a secretary, a treasurer, and such other officers as may be designated by the Board of Directors. The Chairperson of the Corporation shall be the Treasurer of Ottawa County.

67.2 Removal. Any officer of the Corporation other than the ~~Chairperson~~Treasurer ~~Chairperson~~ may be removed as an officer by the Board of Directors of the Corporation with or without cause at any time.

67.3 Chairperson. The Chairperson shall be the principal executive officer of the Corporation and shall preside at all meetings of the Board of Directors. Subject to any policies adopted by the Board of Directors, the Chairperson shall have the right to supervise and direct the management and operation of the Corporation and to make all decisions as to policy and otherwise which may arise between meetings of the Board of Directors, and the other officers and employees of the Corporation shall be under the Chairperson's supervision and control during such interim. The Chairperson shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe.

67.4 Vice-Chairperson. The Vice-Chairperson, if such office has been designated by the Board of Directors, shall, in the absence or disability of the Chairperson, perform the duties and have the authority and exercise the powers of the Chairperson. The Vice Chairperson shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the Chairperson may from time to time delegate.

67.5 Secretary. The secretary shall attend all meetings of the Board of Directors and record all votes, actions and the minutes of all proceedings in a book, to be kept for that purpose and shall perform like duties for the executive and other committees when required.

- (a) The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors.
- (b) The Secretary shall verify by his or her signature, contracts, deeds or other legal documents approved by the ~~keep in safe custody the seal of the Corporation and, when authorized by the~~ Board of Directors, affix it to any instrument requiring it. ~~When so affixed, it shall be attested by his or her signature or by the signature of the treasurer.~~

- (c) The Secretary shall be under the supervision of the Chairperson. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time delegate.

67.65 Treasurer.

- (a) The Treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements of the Corporation and shall deposit all monies and other valuables in the name and to the credit of the Corporation into depositories designated by the Board of Directors.
- (b) The Treasurer shall disburse the funds of the Corporation as ordered by the Board of Directors, and prepare financial statements each month or at such other intervals as the Board of Directors shall direct.
- (c) The Treasurer shall be under the supervision of the Chairperson. The Treasurer shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the Chairperson may from time to time delegate.

**ARTICLE SEVENTEIGHT**

**COMMITTEES OF DIRECTORS**

78.1 Executive Committee. By resolution adopted by a majority of the directors in office, the Board of Directors may designate from among its members an executive committee which shall consist of three (3) or more directors, including the Chairperson or a Vice Chairperson of the Corporation, which executive committee, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the affairs of the Corporation; provided, however, the designation of such executive committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director, of any responsibility imposed upon it or him by law and such executive committee may not do the following:

- (a) Approve the dissolution or the sale, pledge, or transfer of all or substantially all of the Corporation's assets;
- (b) Elect, appoint, or remove directors or fill vacancies on the Board of Directors or on any of its committees; or
- (c) Adopt, amend, or repeal the Corporation's Articles of Incorporation or these Bylaws.

78.2 Other Committees of Directors. Other committees, each consisting of two (2) or more directors, not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of directors present at a meeting at which a quorum is present. Such resolution shall assign the duties and responsibilities of such committees. Except as otherwise provided in such resolution, members of each such committee shall be appointed by the Chairperson of the Corporation. Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

78.3 Term of Appointment. Each member of a committee shall continue as such until his successor is appointed, unless the committee shall be sooner terminated, or unless such member

shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.

78.4 Chairman. One member of each committee shall be appointed chairman thereof.

78.5 Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

78.6 Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum; and the act of a majority of members present at a meeting at which a quorum is present shall be the act of the committee.

78.7 Rules. Each committee may adopt rules for its own government, so long as such rules are not inconsistent with these bylaws or with rules adopted by the Board of Directors.

## ARTICLE ~~EIGHT~~**NINE**

### EMPLOYEES, CONTRACTED SERVICES

89.1 Employees. The Corporation may not employ or otherwise contract for the services of any staff deemed necessary to carry out the duties and responsibilities of the Corporation. Such staff as needed shall be provided by Ottawa County or by independent contract approved by the Board of Directors. ~~may be employed as employees of the Corporation, or the services of such staff may be retained pursuant to contracts with Ottawa County, with the Treasurer of Ottawa County, or other public or private entities.~~

89.2 Executive Director. Notwithstanding the above, and with the approval of the Ottawa County Board of Commissioners, ~~The~~ Board of Directors may select and retain an Executive Director. An Executive Director selected and retained by the Board of Directors shall administer the Corporation in accordance with the operating budget adopted by the Board of Directors, general policy guidelines established by the Board of Directors, other applicable governmental procedures and policies, and the Intergovernmental Agreement. The Executive Director shall be responsible for the day-to-day operations of the Corporation, the control, management, and oversight of the Corporation's functions; and supervision of all Corporation employees. All terms and conditions of the Executive Director's length of service shall be specified in a written contract between the Executive Director and the Board of Directors, provided that the Executive Director shall serve at the pleasure of the Board of Directors.

## ARTICLE ~~NINE~~**TEN**

### CONTRACTS, CHECKS, DEPOSITS AND FUNDS

910.1 Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority must be in writing and may be general or confined to specific instances. In the absence of such express authority granted by the Board of Directors, or a vacancy in the office to which the authority is delegated by the Board of Directors, the Chairperson shall have all authority necessary and appropriate to execute any and all documents, instruments and agreements on behalf of the Corporation.

~~910.2~~ Checks, Drafts, Notes, Etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by the Treasurer ~~such officer or officers, agent or agents,~~ of the Corporation and in such other manner as may from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer ~~or an assistant treasurer~~ and countersigned by the Chairperson or the Vice-Chairperson of the Corporation. The Board of Directors shall require all individuals who handle funds of the Corporation to qualify for a security bond to be obtained by the Corporation, at the expense of the Corporation, in an amount not less than \$100,000.00.

~~910.3~~ Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

~~910.4~~ Gifts. The Corporation may acquire by gift, bequest, or devise any real or personal property or interests in real or personal property for the general purposes or for any special purpose of the Corporation on terms and conditions and in a manner the Board of Directors considers appropriate.

## ARTICLE ~~TEN~~ ELEVEN

### MISCELLANEOUS

~~101.1~~ Books and Records. The Corporation shall keep and maintain at the principal office of the Corporation all documents and records of the Corporation. The records of the Corporation shall include, but not be limited to, a copy of the Intergovernmental Agreement along with any amendments to the Intergovernmental Agreement. The records shall also include correct and complete books and records of accounts and minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors. All records of the Corporation shall be made available to the public to the extent required by the Michigan Freedom of Information Act, 1976 P.A. 442, as amended. Not less than annually the Corporation shall file with the parties to the Intergovernmental Agreement, and with the Board of commissioners of Ottawa County a report detailing the activities of the Corporation and any additional information as requested by such parties.

~~11.2~~ ~~Corporate Seal. The corporate seal (of which there may be one or more exemplars) shall be in such form as the Board of Directors may from time to time determine.~~

~~10.2~~ ~~1.3~~ Fiscal Year. The fiscal year of the Corporation shall begin on October 1 ~~January 1~~ of each year and end on the following September ~~December 30.1.~~

~~10.3~~ ~~1.4~~ Budget. The Board of Directors shall adopt annually a budget for all operations, income, expenses and assets. The Corporation shall be subject to and comply with the Budget Act, 1968 PA 2, MCL 14 1.421 to 141 .440a. The Chairperson or Executive Director shall prepare and the Board of Directors shall approve a budget for the Corporation for each Fiscal Year. Each budget shall be approved by the August 1 ~~November 1~~ immediately preceding the beginning of the Fiscal Year of the Corporation.

~~10.4~~ ~~1.5~~ Audit. The Corporation shall provide for the conduct of audits in accordance with section 6 to 13 of the Budget Act, 1968 PA 2, MCL 141.421 to 141-.440a, which shall be made available to the parties to the Intergovernmental Agreement. The Corporation shall establish a dedicated audit committee of the Board of Directors for the purpose of overseeing the accounting

and financial reporting processes of the Corporation and audits of its financial statements. The Corporation shall establish specific duties and obligations of the audit committee and standards and qualifications for membership on the audit committee. The Corporation may require at least one member to be specifically knowledgeable about financial reports.

~~10.5~~~~1.6~~ — Construction. Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural, and conversely. If any portion of these bylaws shall be invalid or inoperative, then, so far as is reasonable and possible:

(a) The remainder of these bylaws shall be considered valid and operative.

(b) Effect shall be given to the intent manifested by the portion held invalid or inoperative.

~~10.6~~~~1.7~~ — Table of Contents Headings. The table of contents and headings are for organization, convenience and clarity. In interpreting these bylaws, they shall be subordinated in importance to the other written material.

~~10.7~~~~1.8~~ — Relation to Articles of Incorporation. These bylaws are subject to, and governed by, the articles of incorporation and the Land Bank Act.

## ARTICLE ~~ELEVEN~~**TWELVE**

### AMENDMENTS

~~112.1~~ Power to Amend Bylaws. **With the subsequent approval of the Ottawa County Board of Commissioners,** ~~1~~The Board of Directors ~~1being directed by the “Policies and Procedures for Property Acquisition and Disposition”~~ shall have the power to alter, amend, or repeal these bylaws, or adopt new bylaws; provided, however, that the Board of Directors shall have no power or authority to make any changes in the bylaws which would be inconsistent with the Land Bank Act or the Intergovernmental Agreement.

~~112.2~~ Conditions. Action by the Board of Directors with respect to these bylaws shall be taken by the affirmative vote of a majority of all directors then holding office.

~~Whereas those Bylaws of the Ottawa County Land Bank Authority were adopted by the Board of Directors on the 29<sup>th</sup> day of November, 2010.~~

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~~Bradley Slagh, Chairperson,~~

~~Ottawa County Land Bank Authority~~

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Roger Rycenga, Secretary,  
Ottawa County Land Bank Authority  
\_\_\_\_\_~~

\_\_\_\_\_  
Whereas the Amended Bylaws of the Ottawa County Land Bank Authority were  
approved ~~amended~~ by the Board of Directors on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
\_\_\_\_\_  
Amanda Price, Chairperson  
Ottawa County Land Bank Authority

\_\_\_\_\_  
\_\_\_\_\_  
Tom Oonk ~~in Maday~~, Secretary  
Ottawa County Land Bank Authority

\_\_\_\_\_  
Whereas the Amended Bylaws of the Ottawa County Land Bank Authority were approved  
by the Ottawa County Board of Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

\_\_\_\_\_  
\_\_\_\_\_  
Justin F. Roebuck, Ottawa County Clerk

# Action Request



**Committee:** Planning and Policy Committee

**Meeting Date:** 08/17/2021

**Requesting Department:** Parks and Recreation

**Submitted By:** Jason Shamblin

**Agenda Item:** Idema Explorers Trail Stearns Bayou Connector Easement

## Suggested Motion:

To approve and forward to the Board of Commissioners the Riverside Storage LLC easement as required for construction of the Grand River Greenway Idema Explorers Trail in the amount of \$1,000.00 from the Parks Millage.

## Summary of Request:

Ottawa County Parks has been planning and developing portions of the Idema Explores Trail for over a decade. The Stearns Bayou Connector Segment is a particularly important portion of the system as it will provide the last major link to connect the non-motorized facilities built as part of the M-231 bridge to the Grand Haven area.

The Riverside Storage easement has been negotiated and signed by the property owner as required for final approval and filing with the Register of Deeds.

## Financial Information:

Total Cost: \$1,000.00	General Fund Cost: \$1,000.00	Included in Budget:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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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:** Goal 2: To Contribute to the Long-Term Economic, Social and Environmental Health of the County.

**Objective:** Goal 2, Objective 2: Consider initiatives that contribute to the social health and sustainability of the County and its' residents.

Goal 2, Objective 3: Consider initiatives that contribute to the environmental health and sustainability of the County and its' residents.

**Administration:**  Recommended  Not Recommended  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:

**BICYCLE PATH AND WALKWAY EASEMENT**

**Parcels No. 70-08-06-200-046 and  
70-08-06-200-003  
Green Street - Stearns Connector  
(between 144th Ave. and 128th Ave.)  
Non-Motorized Trail Project  
(Robinson Township)**

**THIS INDENTURE** made and entered into this 25<sup>TH</sup> day of JUNE, 2021, by and between **RIVERSIDE STORAGE, LLC, a Michigan limited liability company**, of 13007 Ferris Street, Grand Haven, Michigan 49417, hereinafter "Grantor," and the **COUNTY OF OTTAWA, a body corporate, as authorized by the Constitution of the State of Michigan, and its successors and assigns, acting by and through its Parks & Recreation Commission**, of 12220 Fillmore Street, West Olive, Michigan 49460, hereinafter "County;"

**BACKGROUND:**

For and in consideration of One Thousand and no/100 (\$1,000.00) Dollars, the receipt of which is hereby acknowledged by Grantor, the Grantor does hereby grant, bargain, convey and assign unto the County, its successors and assigns, a non-exclusive, perpetual and permanent easement and right-of-way over and across that certain piece or parcel of land situated in the **Township of Robinson, County of Ottawa and State of Michigan**, the piece or parcel of land being owned by the Grantor in fee simple and described as follows:

**Fee Description 1:** Part of the Northwest one-quarter (NW 1/4) of the Northeast one-quarter (NE 1/4) of Section 6, Town 7 North, Range 15 West, commencing North 57 degrees 16 minutes East 213.40 feet, North 58 degrees 00 minutes 10 seconds East 218.79 feet and North 58 degrees 44 minutes 20 seconds East 76.00 feet from the intersection of the North and South one-quarter (N & S 1/4) line with the centerline of Green Street; thence North 31 degrees 15 minutes 40 seconds West 235.00 feet; thence South 58 degrees 44 minutes 20 seconds West 196.60 feet; thence North 891.92 feet; thence South 85 degrees 53 minutes 30 seconds East 295.87 feet; thence South 688.40 feet; thence South 31 degrees 15 minutes 40 seconds East 242.00 feet to the centerline of Green Street; thence South 58 degrees 44 minutes 20 seconds West 141.69 feet to beginning. (Tax Parcel No. 70-08-06-200-046); and

**Fee Description 2:** Part of the Northwest one-quarter (NW 1/4) of the Northeast one-quarter (NE 1/4) of Section 6, Town 7 North, Range 15 West, commencing 1656.37 feet West of the Northeast Section corner; thence West 548.00 feet; thence South 02 degrees 31 minutes 33 seconds East 688.23 feet; thence South 34 degrees 35 minutes 55 seconds

East 243.00 feet to the centerline of Green Street; thence North 55 degrees 14 minutes 05 seconds East along said centerline, 500.00 feet; thence North 03 degrees 03 minutes 55 seconds West 597.20 feet to beginning. (Tax Parcel No. 70-08-06-200-003)

**IN A PUBLIC NON-MOTORIZED TRAILWAY FOR A BICYCLE PATH AND WALKWAY EASEMENT SPECIFICALLY DESCRIBED AS FOLLOWS:**

**Easement Description:** (1) The Northerly 5.00 feet of the Southerly 38.00 feet of the above-described Fee Description 1, the Southerly 33.00 feet thereof being used for Green Street, a public street, as shown on the attached Easement Sketch. (2) The Northerly 5.00 feet of the Southerly 38.00 feet of the Westerly 200.00 feet of the above-described Fee Description 2, the Southerly 33.00 feet thereof being used for Green Street, a public street, as shown on the attached Easement Sketch.

The Easement granted herein shall be for the purpose of installing, constructing, operating, maintaining, repairing, replacing, reinstalling, inspecting and keeping in working order the Bicycle Path and Walkway (including sidewalks, and boardwalks, at the election of the County) which may run over and across the above-described Easement, all hereinafter collectively sometimes referred to as the "Bicycle Path and Walkway Easement."

The Easement shall include the right to enter upon sufficient land owned by the Grantor which is adjacent to the Bicycle Path and Walkway as is required for the construction, installation, maintenance, repair, upkeep, replacement, reinstallation, operation and inspection of the Bicycle Path and Walkway, together with the right to install signs on the adjacent land as to the use by the public.

**TO HAVE AND TO HOLD** the Bicycle Path and Walkway Easement over and across the above-described piece or parcel of land to the County, its successors and assigns, for the use and benefit of the County, its invitees, successors and assigns, **FOREVER**.

The Grantor warrants that they have the right and authority to grant this Easement as above-described and own the lands covered by the Easement.

The Easement shall include, but not be limited to, the right to enter upon the Easement at any time for the purpose of such construction, maintenance, repair, upkeep, replacement, reinstallation and inspection of its Bicycle Path and Walkway, together with the right to excavate a foundation for the location of such Bicycle Path and Walkway. The Easement shall further include the right to remove trees, brush, undergrowth and other obstructions situated upon and about the Easement which may interfere with the location, construction, maintenance, repair or upkeep of such Bicycle Path and Walkway. The County, as a consideration for our granting the right to construct and install such Bicycle Path and Walkway, shall be obligated to fill and grade to ground level the areas adjoining the Bicycle Path and Walkway and shall also be obligated to restore to their former condition, insofar as is reasonable, the drives, parking areas, shrubs and/or grass along side such Bicycle Path and Walkway. The County further covenants and agrees that it will restore such piece or parcel of land to a similar condition, insofar as is reasonably possible, in the event it shall at any time become necessary to enter upon the easement for the purpose of maintenance, repair, upkeep, replacement, construction or reinstallation of such Bicycle Path and Walkway.

The removal or demolition of any existing buildings, structures or fences required for the reasonable exercise of the foregoing powers shall be removed or demolished at the County's expense.

The County agrees to fully indemnify, save and keep harmless the Grantor from any and all claims for damage to real and personal property and injuries or death suffered by persons in any manner caused by or growing out of the construction, installation, repair, upkeep, maintenance or presence of the Bicycle Path and Walkway over and across the piece or parcel of land of Grantor, except for the negligence or intentional acts of the Grantor, their heirs, representatives, successors or assigns. The Grantor further agrees that they will not construct a building, structure or improvement on such Easement without first obtaining the written consent of the County, or impede the access or use of anyone on the Bicycle Path and Walkway, and this conveyance includes a release of any and all claims to damage arising from or incidental to the exercise of any of the foregoing powers, except as above provided.

The pronouns and relative words herein are written in the masculine and singular only. If more than one joins in, or be of the feminine sex or a business entity, such words shall be read as if written in plural, feminine or neuter, respectively.

The Grantor has caused these presents to be signed the day and year first above written.

RIVERSIDE STORAGE, LLC  
a Michigan limited liability company

By:   
Sign here: \_\_\_\_\_  
Type here: Philip H. Crum  
Its: Manager


Address: 13007 Ferris Street  
Grand Haven MI 49417

STATE OF MICHIGAN     )  
  ss.  
COUNTY OF OTTAWA     )

The foregoing instrument was acknowledged before me in Ottawa County, Michigan, this 25<sup>th</sup> day of June, 2021, by **PHILIP H. CRUM, the Manager of RIVERSIDE STORAGE, LLC, a Michigan limited liability company**, on behalf of the limited liability company.

Prepared by, and after recording,  
return to:

Thomas M. Boven, Esq.  
SCHOLTEN FANT  
Attorneys at Law  
100 North Third Street  
P. O. Box 454  
Grand Haven MI 49417-0454

  
Notary Public  
Ottawa County, Michigan  
acting in Ottawa County, Michigan  
My Commission Expires: 04/10/2026

ASHLEE DONSELAR, Notary Public  
State of Michigan, County of Ottawa  
My Commission Expires 04/10/2026  
Acting in the County of Ottawa

RIVERSIDE  
STORAGE LLC

13867 GREEN ST  
70-08-06-200-046

RIVERSIDE STORAGE LLC

13850 GREEN ST.  
70-08-06-200-003

30' WIDE GRADING EASEMENT

270' (GRADING ESMT)

±142'

200' (PERMANENT EASMT.)

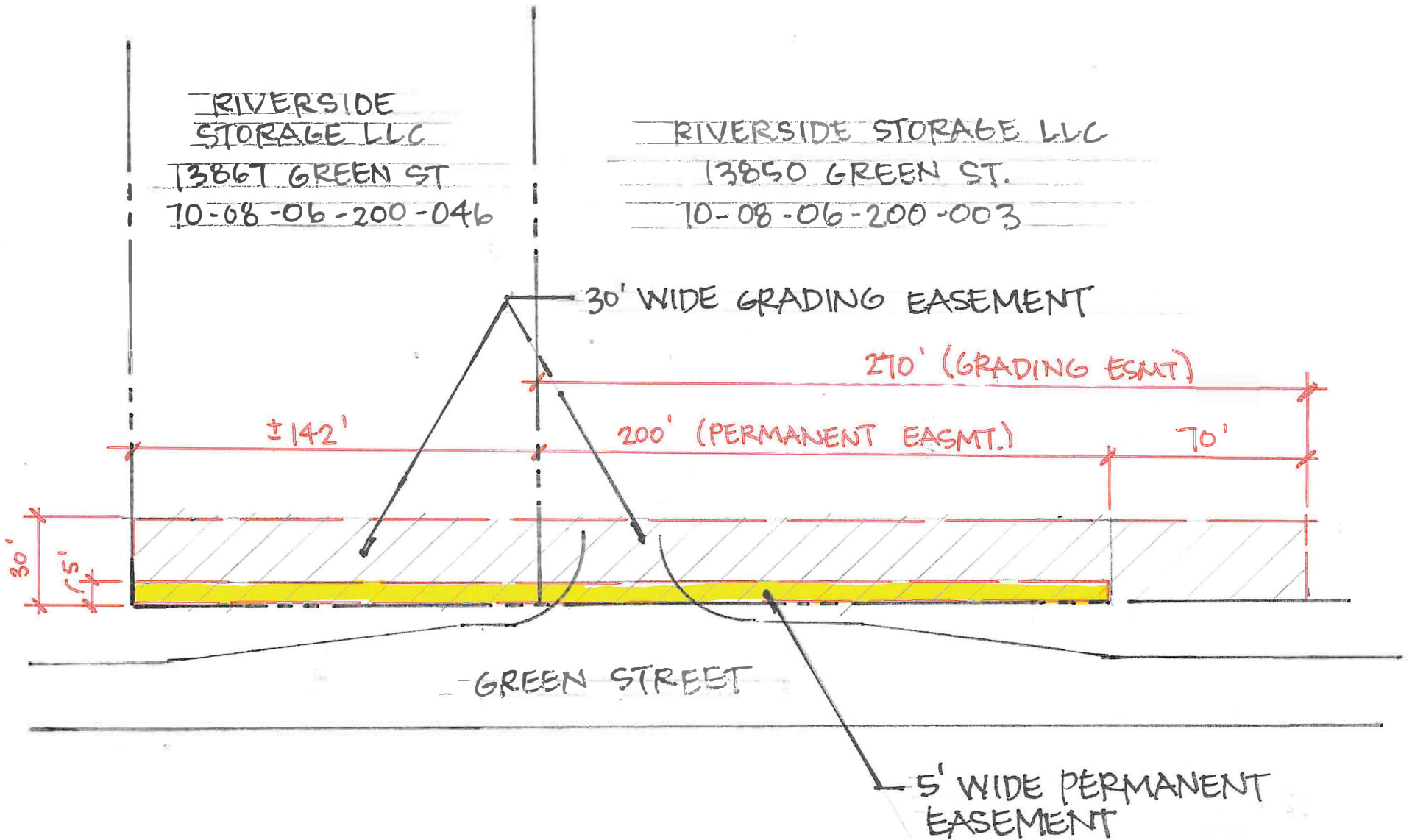
70'

30'

5'

GREEN STREET

5' WIDE PERMANENT  
EASEMENT



Idema Explorers Trail  
Stearns Bayou Connector - Easement  
Riverside Storage LLC

**COUNTY OF OTTAWA**

By: \_\_\_\_\_  
Roger A. Bergman, Chairperson  
Board of Commissioners

By: \_\_\_\_\_  
Justin F. Roebuck, County Clerk/Register

# Action Request



<b>Committee:</b>	Planning and Policy Committee
<b>Meeting Date:</b>	08/17/2021
<b>Requesting Department:</b>	Administration
<b>Submitted By:</b>	Al Vanderberg
<b>Agenda Item:</b>	Creation of Port Sheldon Closure Planning Committee

**Suggested Motion:**

To approve and forward to the Board of Commissioners creation of a permanent Port Sheldon Closure Planning Committee consisting of representatives of the County, other taxing units, and economic development organizations.

**Summary of Request:**

I created an ad-hoc committee in the fall of 2018 after Consumers Energy announced closure of its coal generation plants at Port Sheldon by 2040. This group met several times with Consumers Energy to begin the process of fact finding and having a voice in the redevelopment of the 2,000 - acre site. We were very surprised by the recent Consumers Energy announcement that all three coal generation plants will be closed in 2025. It is anticipated that demolition and other site cleanup activities will take a minimum of five years before the site can be put back to productive use.

The purpose of the Port Sheldon Closure Planning Committee will be to perform ongoing factfinding and to with Consumers Energy to reverse the negative economic impact and revenue loss to taxing units through assisting with planning for the site, economic development activities, and by promoting completion of the Ottawa County Parks Pigeon Creek Greenway as it approaches and connects to Lake Michigan. The membership is proposed to be largely the same as currently exists:

Commissioners from three most impacted districts, currently Commissioners, Garcia; Kuyers and Bergman.

- Port Sheldon Township Supervisor
- Grand Haven Public Schools Superintendent
- Ottawa County ISD Superinendant
- County Administrator
- Deputy County Administrator
- Planning & Performance Director
- Parks & Recreation Director
- Lakeshore Advantage President
- Grand Haven Area Chamber of Commerce Executive Director

**Financial Information:**

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
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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:** Goal 2: To Contribute to the Long-Term Economic, Social and Environmental Health of the County.

**Objective:** Goal 2, Objective 1: Consider initiatives that contribute to the economic health and sustainability of the County and its' residents.  
 Goal 2, Objective 3: Consider initiatives that contribute to the environmental health and sustainability of the County and its' residents.

**Administration:**     Recommended     Not Recommended     Without Recommendation

County Administrator: *Al Vanderberg*  
 Committee/Governing/Advisory Board Approval Date:



# Action Request



<b>Committee:</b>	Planning and Policy Committee
<b>Meeting Date:</b>	08/17/2021
<b>Requesting Department:</b>	Administration and Human Resources
<b>Submitted By:</b>	Al Vanderberg and Marcie VerBeek
<b>Agenda Item:</b>	Interim County Administrator Pay and Temporary Appointments

## Suggested Motion:

To approve and forward to the Finance and Administration Committee to pay Interim County Administrator John Shay at the Unclassified U15 level, \$158,572 from August 30, 2021 to the conclusion of his duties as Interim Administrator and to appoint Mr. Shay to the following boards and commissions for the interim period:  
Grand Valley Metropolitan Council Board of Directors and Executive Committee  
Kent-Ottawa-Muskegon Foreign Trade Zone Board of Directors  
Ottawa County Central Dispatch Authority Board of Directors  
West Michigan Enforcement Team Board of Directors  
Ottawa County Land Bank Authority  
Ottawa County Brownfield Authority  
Ottawa County Economic Development Corporation Board of Directors  
Ottawa County Insurance Authority Board of Directors and Work Group  
Lakeshore Advantage Board of Directors

## Summary of Request:

The Board of Commissioners appointed Deputy County Administrator John Shay to the Interim County Administrator position beginning August 30, 2021, at its last regular meeting. Human Resources Director Marcie VerBeek and Chair Bergman have met and reviewed appropriate pay for Mr. Shay during the interim period and recommend that his compensation be increased by approximately 20 percent to a total of \$158,572. Chair Bergman and Ms. VerBeek thought the increased level of work and expectations well justify the increased amount. There will no cost to this action due to the savings of paying one position instead of two.

Mr. Shay's appointment to the above list of boards and commissions will expire at the end of the interim period and most will be assumed by the next County Administrator.

## Financial Information:

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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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: Goal 4: To Continually Improve the County's Organization and Services.

Objective: Goal 4, Objective 1: Conduct activities and maintain systems to continuously improve to gain efficiencies and improve effectiveness.

**Administration:**  Recommended  Not Recommended  Without Recommendation

County Administrator: 

Committee/Governing/Advisory Board Approval Date: