



County of Ottawa

Administrator's Office

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County Administrator's Weekly Digest July 16, 2010

CORRECTIONS & HOW I DO THE DIGEST

I need to make a couple of corrections to last weeks Digest. Many people read last weeks Digest and came away with the idea that I was going to the LC-CHEM groundbreaking. Bill Raymond and Angie Barksdale from the Michigan Works department were the sole invitees from Ottawa County.

That inspired me to do a short reminder on how I structure the Digest. Much of what I put in the Digest is cut and pasted from another department head or official or other source. When that is the case, I put the name of the person who sent me the material in parentheses behind the title of the item. If there is no name in parentheses then I am the one who submitted the article to the Digest. If I add editorial comments to the submission, I always do it in a different color type so everyone knows that is me talking and the rest of the submission comes from the persons whose name is in parens following the title of the item. Last Friday, the title of this Digest item looked like this: PRESIDENT OBAMA TO ATTEND GROUNDBREAKING (Bill Raymond)

Also, in the Girls State article I said that the Ottawa County population is less than 1 percent and yet Ottawa had more than 8 percent of Girls State attendees. Just a typo, I intended to type that Ottawa had less than 4 percent of Michigan population and more than 8 percent of Girls State attendees.

BOEVE OIL PROPERTY – PHASE 2 ENVIRONMENTAL ASSESSMENT (Brad Slagh, Treasurer)

The County of Ottawa received approval from the Macatawa Area Coordinating Council to allocate \$54,900 from their USEPA Assessment Grant funds to perform a Phase 2 Environmental Site Assessment of the former Boeve Oil Company property at 715 Lincoln Ave., Holland.

Beginning Monday 7/19/10 the Phase 2 study will begin and over the next several weeks will include: electronically locating any underground structures, removal of surface obstructions including canopy, pumps and underground storage tanks, boring 12 (deep and shallow) monitoring wells, multiple soil borings and testing of both soil and water samples. Removal of the known tanks and above ground items will allow access to all of the necessary testing sites.

The goal of all this work will be to identify the actual contamination to the site, eliminating the unknowns so that a perspective investor / user could determine any closure or coverage needed to allow for full use of the site. Once complete we anticipate the new County Land Bank Authority will acquire this property and place it for sale on the open market.

CEMETERY DEDICATION AT EASTMANVILLE FARM (John Scholtz, Parks & Recreation Director)

Approximately 200 people turned out on Saturday, July 10 for the dedication of the old "Poor Farm Cemetery" at Eastmanville Farm, an Ottawa County Park located on Leonard Road in Polkton Township. The event was held in the restored 1930's era barn located within the park and was followed by hike out to the cemetery and a ribbon cutting.

The old cemetery, with just four original headstones remaining, was rediscovered and restored by the Cemetery Committee led by volunteer Marjie Viveen. The Cemetery Committee, an off-shoot of the Friends of Ottawa County Parks, raised funds and coordinated donated labor to clean up the site, install perimeter fencing, locate graves and install new monuments. They also installed a plaque on a large boulder with names of all of the 64 persons buried at the site. Interpretive signs were installed which explain the history of the cemetery including some stories of residents who lived at the poor farm.

One of the speakers at the dedication ceremony was Eldon Kramer, an individual who donated significant time and funding to restoration of the cemetery. His personal interest in the cemetery stems from his search for his Great Grandfather's grave which he eventually traced to the poor farm cemetery.

The Ottawa County Poor Farm was established in 1866 when Ottawa County purchased an old homestead known as the "Mid-Way House", a stop-over spot for people on the journey between Grand Haven and Grand Rapids run by Daniel Realy. Ottawa County's Poor Farm, like similar institutions established in other counties, was established to take care of destitute people. Its residents, known as inmates, performed labor on the farm to help defray expenses. Ottawa County's Poor Farm, known later as Community Haven, and was run by the Department of Social Services. After an attempt to operate the facility through a private vendor, Community Haven closed its doors in the late 1990's.

The Board of Commissioners designated the 229 acre property for park use in 2004. Ottawa County Parks recently restored the barn and established equestrian and hiking trails. Future plans call for an educational farm, a joint venture with the agricultural community, designed to educate residents and visitors about the importance of agriculture in Ottawa County.



LEDA VISION STATEMENT OF INCLUSION

I have served as a member of the Lakeshore Ethnic Diversity Alliance (LEDA) CEO Advisory Council for the past two years. One of the initiatives that we have been working on is the development of the attached Vision Statement of Inclusion. It is intended that this statement will be adopted on a wide basis by private, public and non-profit corporations throughout the County and hopefully other areas along the lakeshore.

Serving on the aforementioned Council has reaffirmed the importance of stating our beliefs regarding diversity and then living up to those beliefs. The future economic and social prosperity of our region depends greatly on our ability to attract talent from a very diverse and even global pool.

The Board of Commissioners recently approved the LEDA Vision Statement of Inclusion. The Commissioners and several other officials have signed the statement. If you would like to add your name to the list, please copy the document from the file attached to the Digest email message, sign, and send to Misty Cunningham. In two weeks from today, we will send the list to Mr. James Brooks, Chair of the CEO Advisory Council and Ms. Gail Harrison, Executive Director of LEDA. They are compiling an omnibus list of all who sign from around the County.

WALL STREET JOURNAL ARTICLE

The Wall Street Journal published an article titled Obama Courts Stimulus Doubters yesterday to coincide with his visit to Holland for the LC Chem groundbreaking ceremony yesterday. The article can be found at

<http://online.wsj.com/article/SB10001424052748704746804575367481067232288.html?KEYWORDS=obama+stimulus>

I have to admit that it was kind of a kick to be quoted in Journal after reading it and working with the media for all of these years.

UPDATE – VIDEO PROMOTIONAL PROGRAM (Keith Van Beek)

The May 14 digest reported and requested feedback on a video promotion program recommended by the National Association of Counties (NACo). After further consideration we have moved forward on an agreement with CGI Communications to produce a set of video promotional programs at no cost to the county. Several other counties in the region and other local organizations have signed up under this program, and we are excited to work with CGI to produce ten (10) specific videos on the following topics; Welcome, Education, Parks and Recreation, Quality of Life, Real Estate/Relocation, Healthcare, Economic Development, Government Services, Tourism/Things To Do, and the Road Commission. Each video will last approximately 1 minute, and will integrate high-quality photography and videography with a strong topical message. The completed videos will be highlighted on the front page of our website.

In the coming weeks county staff will be working with CGI and other community partners to finalize the scripts for each of the 10 specific videos. This will include recruiting individuals to provide testimonials or be the "on-camera" talent to highlight the community. While the majority of the topics are standard to CGI, we are specifically writing a script with the Road Commission to educate the public on the relationship between Ottawa County and the Road Commission. Look for these videos to be complete later this year!

LG CHEM GROUNDBREAKING AND VISIT BY PRESIDENT OBAMA (Bill Raymond, Executive Director, Michigan Works)

Yesterday was a rather historic day in Holland with the groundbreaking for the new LG Chem facility on the south side of Holland. Randy Thelen, President of Lakeshore Advantage and an Ottawa County Workforce Development Board member did a great job emceeding the event and Mayor Kurt Dykstra represented the City of Holland admirably. Others in attendance included Governor Granholm, Rep. Pete Hoekstra, Greg Main from the Michigan Economic Development Corporation and a representative from GM. This group, along with the representatives from LG, listed below, took part in the official groundbreaking ceremony.

The event really revolved around the groundbreaking for the new LG Chem plant and the promise of hundreds of jobs for the greater Holland/Zeeland area and beyond. It was especially significant that LG Group Chairman Bon-Moo Koo and Peter Bahn-Suk Kim, vice chairman and CEO of LG Chem Ltd., were in attendance. This is the top leadership for LG worldwide and this facility will be a flagship facility for LG Chem in North America. They really pulled out all the stops for the event.

Angie Barksdale and I were privileged to be invited to attend the event, which promised to be a big event even without the visit by President Obama.

To me the event was a sign of hope that the economy will continue to strengthen. It was a testament to the hard work of a large group of people who have been working on this project for over a year. Randy Thelen at Lakeshore Advantage provided strong leadership for this process and helped showcase Ottawa County as a top place in which to do business.

This is one example of what can happen when a community works together and even as this project continues to play out, more companies are looking at Holland, Ottawa County and West Michigan as a place to locate.

On the presidential visit side, it's always an honor to have the President of the United States visit, and this was no different. It was interesting and intriguing to see all of the preparation that went into the event – the security, logistics, waiting for the president to arrive, watching the armed personnel keep watch, watching the helicopters fly overhead and then watching the motorcade arrive at the site.

As you've probably heard or read via the news media, there were some political comments made, which always makes for interesting conversation and this was no different. My hope is that as the US continues to move forward we can focus more on solid bi-partisan solutions to bring economic recovery and jobs – to Ottawa County and beyond.

Ottawa County Michigan Works will continue to work with LG Chem as they prepare to hire their workforce (once their facility is ready). Plans and funding are already in the works in preparation for bringing in the needed workers and we know that Ottawa County and West Michigan have the workers that will be needed. You will be hearing a lot more about jobs with LG Chem (and other companies) as we work with our partners in economic development and education to assist businesses with their workforce needs.

SUPREME COURT UPHOLDS SCHOOLS' UNFUNDED MANDATE CLAIM (Don Stypula, Executive Director, Grand Valley Metro Council)

Yesterday, after years of argument at the lower court level, the Michigan Supreme Court ruled in favor of the state's K-12 school districts in a case involving the Headlee Amendment to the Michigan Constitution and the schools' claim that they were being burdened by an unfunded state mandate.

As noted in multiple from news reports out of Lansing, the case involved a state requirement dating back eleven years that school districts collect information like pupil counts and financial data and submit it to the Center for Educational Performance and Information (CEPI) violated the Constitution's prohibition against the state placing unfunded mandates on local governments, a divided Supreme Court ruled Wednesday.

The ruling disposes of the last piece of the long-running case *Adair v. State of Michigan* (Michigan Supreme Court Docket No. 137424) in which 456 school districts sued the state for violating the Headlee Amendment against unfunded mandates. Dissenting justices said the ruling opened the floodgates for Headlee lawsuits.

Affirming the crux of the Court of Appeals' ruling, a 4-3 Supreme Court majority upheld the Court of Appeals and a special master, which issued a declaratory judgment that the state had violated the ban on unfunded mandates. The suit did not seek monetary damages, but the result raises questions about what funds the state might have to provide going forward. The Supreme Court also reversed the Court of Appeals and ruled the state would have to pay the school districts' attorney fees.

The key question in the case surrounded whether the school districts had to show the amount of increased costs placed upon them in detail. The majority opinion, written by Chief Justice Marilyn Kelly and signed by

Justice Michael Cavanagh, Justice Diane Hathaway and Justice Elizabeth Weaver, held that districts do not need to provide such detail.

"A plaintiff must show that the state required a new activity or service or an increase in the level of activities or services," Ms. Kelly wrote. "If no state appropriation was made to cover the increased burden on local government, the plaintiff need not show the amount of increased costs. It is then the state's burden to demonstrate that no state funding was required because the requirement did not actually increase costs or the increased costs were not necessary."

Ms. Kelly wrote that the state made no such appropriation for the districts' implementation of reporting requirements, nor for the districts' ongoing duties on the subject.

"Rather, the districts were expected to take monies from discretionary funds to cover the costs associated with their data-collection and reporting obligations," she wrote.

The dissenting justices ripped the opinion, saying it would lead a flood of Headlee litigation and misinterpreted the Constitution.

Justice Stephen Markman, writing the dissent, said the burden always remains on the plaintiff in Headlee cases and the plaintiff must detail increased necessary costs.

"If plaintiffs are not required to demonstrate that a state requirement will, in fact, result in the actual reallocation of funds or out-of-pocket expenses, then there has been no showing of any necessary increased costs that will be incurred," he wrote. "The Legislature will effectively be required to enact an accompanying appropriation to every statute that mandates an increase in the level of an activity or service - even if there are no necessarily increased costs, and even if any such increased costs are merely de minimis - unless it is willing to undertake the risk that the state will eventually be able to sustain in court its burden of proof that a (Headlee) plaintiff's costs did not increase or that any such increased costs were not necessary."

Signing the dissent were Justice Maura Corrigan and Justice Robert Young Jr.

I have attached the Supreme Court Opinion for your review.

The court's ruling is sure to generate much debate in the halls of the Capitol regarding unfunded mandates placed on all local governments. I will monitor that discussion and debate from my office and report back

Gail Harrison, Executive Director

Executive Board of Directors

- Heather Medina Saucedo, USDA-NRCS
- Nancy Haynes, Fair Housing Center of West Michigan
- Nancy Collins
- Maria Olga Mier, Chemical Bank

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- Fred Johnson III, Ph.D., Hope College
- Analia Morrison, Small Talk for Kids
- Amy E. Otis-De Grau, Hope College
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- Darla Robinson
- Luis Ruiz, Christ Memorial Church
- Diane Talo, Delton Kellogg Middle School

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- Franco Bianchi, President/CEO, of Haworth, Inc.
- Dr. James Bultman, President of Hope College
- Tony Castillo, Owner of Milagro Six, Inc
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- Mayor Kurt Dykstra of Holland
- Thomas Haas, President of Grand Valley State University
- Dorothy A. Johnson, Trustee at W.K. Kellogg Foundation
- Larry Koops, Senior Vice President at Fifth Third Bank
- Rodney Martin, Diversity Partner at Warner Norcross & Judd, LLP
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- Jeffrey Padnos, President of Louis Padnos Iron & Metal
- Pastor Mike Pitsenberger of Christ Memorial Church
- Lynne Sherwood, Trustee at JSJ Corporation Foundation
- Alan G. Vanderberg, County Administrator of Ottawa County
- Brian Walker, President/CEO of Herman Miller



Lakeshore Ethnic Diversity Alliance

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June 2, 2010

Alan G. Vanderberg
Ottawa County
12220 Fillmore Street
West Olive, MI 49460

Dear Mr. Vanderberg,

Thank you for attending the Lakeshore Region Summit on Racism CEO Breakout. We are very appreciative of your commitment to advancing a community welcoming of diversity and your help in developing steps for achieving that vision.

Attached please find the Vision Statement that was designed over the course of the past two years by members of the CEO Advisory Council. As discussed at the breakout, we are asking each person to request the endorsement of this Vision Statement from the governing board of your organization.

We are most hopeful to have the consent and signatures in place for public recognition by mid-summer.

Please contact the Diversity Alliance office if you have any questions or if we are able provide further information. Once we have your approval for this Vision Statement, we will contact you to secure your signature on the final format.

Thank you so very much.

Sincerely,

Gail Harrison
Executive Director

James W.F. Brooks
CEO Advisory Council Co-Chair

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ADMINISTRATORS OFFICE