

IONIA COUNTY BOARD OF COMMISSIONERS
November 12, 2014
Regular Meeting
4:00 p.m.

The Chair called the meeting to order and led with the Pledge of Allegiance.

Members present: Lynn Mason, Larry Tiejema, Jim Banks, Brenda Cowling-Cronk, Scott Wirtz, Jack Shattuck and Julie Calley

Others present: Jack Elliott, Bob Cusack, Bob VanLente, Jim Valentine, Carmon Ferman, Don Jandernoa, Jessie Wierckz, Ken Bowen, Dale Miller, Charles Babcock, Ron Story, Gus Elliott, Judy Clark, Stephanie Fox and Janae Cooper

Approval of Agenda

The Chair noted the following item to be added under New Business: Item L. – Village of Lake Odessa Resolution and Intergovernmental Agreement to Manage Floodplain Development. Moved by Banks, supported by Cowling-Cronk, to approve the amended agenda. Motion carried by voice vote.

Public Comment

Jack Elliott addressed the Board regarding the Building Department and the Friend of the Court. Bob Cusack addressed the Board regarding building permits.

Consent Calendar

- A. Approve minutes of the previous meeting(s)

Hearing no objections, the Chair declared the Consent Calendar approved.

New Business

- A. Moved by Mason, supported by Tiejema, to approve filling a part time Case Management Assistant position at the Friend of the Court. Motion carried by voice vote.
- B. Don Jandernoa discussed Green View Point Park at length. The Board will review the handouts presented and will prepare a resolution for a future meeting regarding the financial transfer from the present GVPP Committee to the County and the County will need to set up a maintenance fund for the park as well.
- C. Moved by Mason, supported by Cowling-Cronk, to renew the Local Health Department Grant Contract between Michigan Department of Environmental Quality (DEQ) and Ionia County Health Department (ICHHD) for Fiscal Year 2014-2015 and authorize the signature of Ken Bowen, Health Officer. Motion carried by voice vote.
- D. Moved by Tiejema, supported by Shattuck, to approve the 2015 SCAO OHSP Grant agreement between 8th Circuit Adult Drug Court and the State Court Administrators Office for drug court funding in the amount of \$40,000. The grant funding will be utilized to provide funding to the program participants as approved under the State Court Administrators Office allowable expenses, and authorize appropriate signatures. Motion carried by voice vote.

- E. Moved by Shattuck, supported by Cowling-Cronk, to approve the 2015 SCAO Michigan Drug Court Grant Program (MDCGP) agreement between 8th Circuit Adult Drug Court and the State Court Administrators Office for drug court funding in the amount of \$72,000. The grant funding will be utilized to provide funding to the program and program participants as approved under the State Court Administrators Office allowable expenses and authorize the appropriate signatures. Motion carried by voice vote.
- F. Moved by Wirtz, supported by Banks, to approve filling the deputy position at the Sheriff's Department. Motion carried by voice vote.
- G. Moved by Tiejema, supported by Banks, to adopt a Resolution of Appreciation of Judy Emmons, State Senator, 33rd District. The Resolution was adopted by the following roll call vote: yes – all. The Resolution is as follows:

**RESOLUTION
2014-15**

We gather here to pay tribute to **Judy Emmons, State Senator, 33rd District**, for her service to the 4-H Program in the State of Michigan;

WHEREAS, Senator Emmons grew up as a member of the Montcalm County Fenwick 4-H Club; and

WHEREAS, Senator Emmons has volunteered as a 4-H Leader for 27 years; and

WHEREAS, Senator Emmons serves as a Judge in many 4-H competitions, and as a speaker at numerous 4-H events, programs and workshops; and

WHEREAS, Senator Emmons has been inducted into the Michigan 4-H Emerald Clover Society for her outstanding service; and

WHEREAS, Senator Emmons serves as a role model for all Michigan 4-H members.

NOW, THEREFORE BE IT RESOLVED, that the Ionia County Board of Commissioners, by way of this Resolution, honors Senator Judy Emmons for her dedication to the Michigan 4-H Program.

BE IT FURTHER RESOLVED, that this Resolution be entered into the records of the Ionia County Board of Commissioners and that a copy be forwarded to Senator Judy Emmons.

- H. Moved by Mason, supported by Cowling-Cronk, to adopt the City of Ionia Resolution and Intergovernmental Agreement to Manage Floodplain Development. The Resolution was adopted by the following roll call vote: yes – all. The Resolution is as follows:

**Intergovernmental Agreement for the
Management of Floodplain Development for the National Flood Insurance Program
2014-16**

Community A: City of Ionia

Community/Entity B: Ionia County

WHEREAS, the **City of Ionia (City)** currently participates in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and,

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this agreement:

1. Flood or Flooding means:

- a. A general and temporary condition or partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e. mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
 3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
 4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
 5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
 6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and,

WHEREAS, by the action dates of this document, the **County of Ionia (County)** agrees on behalf of the **City** to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development within the **City's** political boundaries; and,

WHEREAS, the **County** enforces floodplain regulations of the construction code act, and the **City** wishes to ensure that the administration of that code complies with requirements of the NFIP.

NOW, THEREFORE, to maintain eligibility and continued participation in the NFIP

1. The **City and County** agree that the **County's** officially designated enforcing agency for the construction code act, the County's Building Department, be directed to administer, apply and enforce on the **City's** behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
 - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31,

- “Water Resources Protection,” of the Natural Resources and Environmental Protection Act, 1994 Act 451, as amended, and
- c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the **County** shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and
 - g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
2. The **City and County** assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure the **City’s** compliant participation in the program.
 3. The **City** further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

FURTHER, BE IT RESOLVED, both communities declare their understanding that, until this agreement is rescinded or the **City** makes other provisions to enforce the construction code act:

 1. The **County** must administer and enforce the construction code act in accordance with the terms and the conditions contained herein; and,
 2. For the **City** to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.
- I. Moved by Shattuck, supported by Wirtz, to extend the contract for the Emergency Management Coordinator Services Agreement for the 2015 and 2016 calendar years. Motion carried by voice vote.
 - J. Moved by Mason, supported by Cowling-Cronk, to extend the current Medical Reimbursement Account matching program (25% of employee contributions up to a maximum of \$100) to their Health Savings Account or Flexible Spending Account. Motion carried by voice vote.
 - K. The Chair acknowledged the upcoming appointments to be made:
 1. Community Mental Health Services Board – One, three-year appointment expiring March 2016.
 2. Ionia County Road Commission Board – One, six-year appointment expiring December 2018.

- L. Moved by Mason, supported by Wirtz, to adopt the Village of Lake Odessa Resolution Michigan Community Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program. The Resolution was adopted by the following roll call vote: yes – all. The Resolution is as follows:

**Intergovernmental Agreement for the
Management of Floodplain Development for the National Flood Insurance Program
2014-17**

Community A: Village of Lake Odessa

Community/Entity B: Ionia County

WHEREAS, Community A currently participates in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and,

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this agreement:

1. Flood or Flooding means:
 - a. A general and temporary condition or partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e. mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.⁶
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and,

WHEREAS, by the action dates of this document, **Community/Entity B** agrees on behalf of **Community A** to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development within the **Community A's** political boundaries; and,

WHEREAS, **Community A and Community/Entity B** enforces floodplain regulations of the construction code act, and **Community A** wishes to ensure that the administration of that code complies with requirements of the NFIP.

NOW, THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. **Community A and Community/Entity B** agree that the County's officially designated enforcing agency for the construction code act, the County's Building Department, be directed to administer, apply and enforce on **Community A's** behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
 - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 Act 451, as amended, and
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the County shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and
 - g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
2. Community A and Community /Entity B assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure Community A's compliant participation in the program.
3. Community A further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

FURTHER, BE IT RESOLVED, both communities declare their understanding that, until this agreement is rescinded or Community A makes other provisions to enforce the construction code act:

1. Community/Entity B must administer and enforce the construction code act in accordance with the terms and the conditions contained herein; and,
2. For Community A to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

Chairperson's Report

- 1.) Thanked everyone who voted and announced that the 911 millage passed
- 2.) Congratulated Nancy Miller in Juvenile Court who received the Mary S. Coleman Award
- 3.) The Commission on Aging is having a hat and glove drive though the end of the month for children and adults.

County Administrator's Report

- 1.) Distributed information packets from Paul Spoelstra to the Commissioners
- 2.) Informed the Commissioners that their Certificates of Election are in their inboxes

Reports of Special or Ad Hoc Committees

- 1.) Tiejema inquired about tours of the hospital.

Public Comment

Jack Elliott commented on staffing levels and how they are determined. Bob Cusack stated that the Republican Party had a victory party at Morrison Lake. Gus Elliott commented on meeting sites.

Moved by Cowling-Cronk, supported by Shattuck, to adjourn the meeting at 5:32 p.m. Motion carried by voice vote.

Julie Calley, Chair

Janae Cooper, Deputy Clerk

Minutes approved on
