

**OTTAWA COUNTY  
BOARD MOTION SHEET**

DATE: March 28, 2006

SUBJECT: Resolution to limit potential liability of County Road Commissions for trees re-planted within the Right-of-Ways of scenic corridors

SUGGESTED MOTION: To approve and authorize the Board Chairperson and Clerk to sign a resolution supporting the passage of legislation to limit potential liability of County Road Commissions for trees re-planted within the Right-of-Ways of scenic corridors.

REQUESTING DEPARTMENT: Planning & Grants Department

FINANCIAL INFORMATION:

TOTAL COST N/A COUNTY COST N/A

IS REQUEST INCLUDED IN BUDGET: YES \_\_\_\_\_ NO \_\_\_\_\_

IF NO, RECOMMENDED FUNDING SOURCE(S):

REMARKS: \_\_\_\_\_

COMMITTEE REVIEW:

DATE

FINANCE AND ADMINISTRATION \_\_\_\_\_

HEALTH AND HUMAN SERVICES \_\_\_\_\_

PLANNING AND POLICY \_\_\_\_\_

March 9, 2006

PERSONNEL COMMITTEE \_\_\_\_\_

OTHER: \_\_\_\_\_

IS REQUEST INCLUDED IN BUDGET: YES \_\_\_\_\_ NO \_\_\_\_\_

IF NO, RECOMMENDED FUNDING SOURCE(S): \_\_\_\_\_

REMARKS: \_\_\_\_\_

COUNTY OF OTTAWA

STATE OF MICHIGAN

RESOLUTION

At a regular meeting of the Board of Commissioners of the County of Ottawa, Michigan, held at the Fillmore Street Complex in the Township of Olive, Michigan on the 28 day of March, 2006 at 1:30 o'clock p.m. local time.

PRESENT: Commissioners: Messrs. Kuyers, Swartout, Mrs. Ruiters, Messrs. Rinck, Rycenga, Schrotenboer, Disselkoe, Berghorst, Holtrop, Vander Kam.

ABSENT: Commissioners: Mrs. Kortman

It was moved by Commissioner Kuyers and supported by Commissioner Schrotenboer that the following Resolution be adopted:

WHEREAS, the Ottawa County Board of Commissioners recognizes that Ottawa County has a number of scenic, tree-lined and tree-canopied corridors; and,

WHEREAS, these scenic corridors are an important asset to Ottawa County, and provide several benefits including, but not limited to aesthetic beauty, traffic calming, noise reduction, air quality improvement, ecotourism opportunities, and the preservation of rural character; and,

WHEREAS, the Ottawa County Board of Commissioners, the Ottawa County Planning Commission, the Ottawa County Parks and Recreation Commission, and an Ad Hoc Tree Preservation Committee have been working to preserve tree lines and tree canopies along Ottawa County's scenic corridors; and,

WHEREAS, in order to maintain Ottawa County's scenic corridors for future generations, the trees will need to be replaced from time-to-time as they become distressed or die; and,

WHEREAS, the Ottawa County Road Commission would like any replacement of trees to be planted outside of the Ottawa County Road Commission's Rights-of-Way to limit any potential liability; and,

WHEREAS, the Ottawa County Road Commission has recognized the value of scenic corridors in its Tree Planting Policy and may be encouraged to allow replanting if liability were not a concern; and,

WHEREAS, passage of this Resolution has been encouraged and supported by the Ottawa County Planning Commission;

NOW THEREFORE BE IT RESOLVED, that the Ottawa County Board of Commissioners encourages the passage of legislation that would limit potential liability of County Road Commissions for trees that are replanted within the Rights-of-Way of scenic corridors; and,

BE IT FURTHER RESOLVED, that the Ottawa County Clerk's Office be requested and directed to send copies of this Resolution to Governor Jennifer Granholm, Senator Wayne Kuipers, Representative Barbara VanderVeen, Representative William Van Regenmorter, Representative William Huizenga, Representative David Farhat, the Michigan Association of Counties, the Ottawa County Road Commission, the Ottawa County Planning Commission, and all local units of government within Ottawa County; and,

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

