

# BAY COUNTY BOARD OF COMMISSIONERS

## A G E N D A

TUESDAY, FEBRUARY 9, 2016

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

**I CALL TO ORDER (CHAIRMAN KRYGIER)**

**II ROLL CALL**

**III INVOCATION**

**IV PLEDGE OF ALLEGIANCE**

46-66 **V MINUTES (1/12/2016)**

**VI CITIZEN INPUT**

**VII PETITIONS AND COMMUNICATIONS**

I A. Presentation: Recognition of Bruce J. Douglas on his Retirement from the Soldiers Relief Commission **(Adopt Resolution No. 2016-25 and present)**

B. Brandon Krause, Register of Deeds - Office Update-Verbal **(Receive)**

2-4 C. Administrative Services Director - Appointment of Jonathan Van Tol to Soldiers Relief Commission **(Receive and concur with Judge Keuvelaar's appointment of Jonathan Van Tol to a three (3) year term on the Soldiers Relief Commission)**

## VIII

### REPORTS/RESOLUTIONS OF COMMITTEES

#### A. WAYS AND MEANS (KIM J. COONAN, CHAIR; DONALD J. TILLEY, VICE CHAIR)

- |       |     |  |
|-------|-----|--|
| 5     | 1.  | No. 2016-26 - Financial Support for Proposed Tennis Courts   |
| 6     | 2.  | No. 2016-27 - Acceptance of Bay Area Community Foundation Grant Funding (Sheriff Dept.)                                  |
| 7     | 3.  | No. 2016-28 - Renewal of B.A.Y.A.N.E.T Grant Agreement (Prosecutor)  |
| 8-9   | 4.  | No. 2016-29 - Rescission of Res. No. 2010-262 - Road Commissioners' Health Insurance (Road Commission)                   |
| 10    | 5.  | No. 2016-30 - Architectural Services for Roofing System for Health Department and Court Facility (Buildings and Grounds) |
| 11    | 6.  | No. 2016-31 - Farmers Market Canopy Repair (Buildings and Grounds)   |
| 12    | 7.  | No. 2016-32 - Senior Dining Center Agreements (Division on Aging)  |
| 13    | 8.  | No. 2016-33 - Region VII Area Agency Waiver Contract (Division on Aging)   |
| 14-15 | 9.  | No. 2016-34 - Control Material Bids (Mosquito Control)   |
| 16-17 | 10. | No. 2016-35 - Light Trap Contracts (Mosquito Control)  |
| 18    | 11. | No. 2016-36 - Scrap Tire Disposal Project/Agreement (Mosquito Control)   |
| 19    | 12. | No. 2016-37 - Letter of Understanding w/Registered Nurses Organization (Personnel Dept.)                                 |
| 20    | 13. | No. 2016-38 - 85/15 Split for Employee Health Care 2016 (Personnel Dept.)  |
| 21    | 14. | No. 2016-39 - Reclassification - Recreation Coordinator (Personnel Dept.)  |
| 22    | 15. | No. 2016-40 - Golf Course Fee Schedule (Recreation and Facilities)   |
| 23    | 16. | No. 2016-41 - Bubble Ball Soccer (Recreation and Facilities)   |

- 24 17. No. 2016-42 - Amendment # 1 to Comprehensive Planning, Budgeting and Contracting (CPBC) Agreement (Health Dept.)
- 25 18. No. 2016-43- Payables (General; BAYANET; Center Ridge Arms)
- 26-27 19. No. 2016-44 - Budget Adjustments (Various) (Finance Dept.)
- 28 20. No. 2016-45 - RFP for Waste Removal Services (Finance Dept.)
- 29 21. No. 2016-46 - Renewal of B.A.Y.A.N.E.T. Grant Agreement (Sheriff Dept.)
- 30 22. No. 2016-47 - Prepaid Debit Inmate Release Program Agent Agreement w/Rapid Financial Solutions (Sheriff Dept.)
- 31 23. No. 2016-48 - Amendment to Agreement with Department of Health and Human Services re Eligibility Specialist
- 32 24. No. 2016-49 - Direction on Pending Litigation

**B. PERSONNEL/HUMAN SERVICES (MICHAEL E. LUTZ, CHAIR; DONALD J. TILLEY, VICE CHAIR)**

- 33 1. No. 2016-50 - Blue Cross Blue Shield Inmate Services Contract - 2016-2017 (Sheriff Dept.)
- 34-35 2. No. 2016-51 - Fairgrounds Use by Fair Board in 2016, 2017 and 2018 (Recreation and Facilities)
- 36 3. No. 2016-52 - Altarum Institute and MCEITA Agreement (Health Dept.)
- 37 4. No. 2016-53 - Agreements with Doctors Plus (Health Dept.)
- 38 5. No. 2016-54 - Agreement with Barbara MacGregor (Health Dept.)
- 39 6. No. 2016-55 - Vacancies: Health Dept.; Division on Aging; Sheriff Dept. Marine Division; 9-1-1 Central Dispatch; Personnel Dept.
- 40-42 7. No. 2016-56 - Reorganization and Consolidation of Responsibility of Department of Public Defender and Corporation Counsel (County Executive)

**C. BOARD OF COMMISSIONERS (ERNIE KRYGIER, CHAIR, DONALD J. TILLEY, VICE CHAIR)**

- 43-45 1. No. 2016-57 - Reports of County Executive

2. No. 2016-58 - Opposition to Senate Bill 709, Sec. 519 (Available at meeting)

**IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

- A. County Executive

**X UNFINISHED BUSINESS**

**XI NEW BUSINESS**

**XII MISCELLANEOUS**

**XIII ANNOUNCEMENTS**

- A. 2016 Appointments:

1. MARCH:

- a. Bay Arenac Behavioral Health Authority (Three (3 year terms expiring: Thomas L. Starkweather; Robert Pawlak; Richard Byrne)

2. JUNE: Library Board (One 5 year term - Donald Carlyon)

3. OCTOBER:

- a. Land Bank Authority - One Local Unit of Government Representative, 3 year term - Richard L. Byrne)
- b. Department of Health and Human Services Board of Directors (One 3 year term - Thomas L. Starkweather)

4. DECEMBER: Division on Aging Advisory Committee (Four 2 year terms; districts 2, 4, 6 and at-large)

**XIV CLOSED SESSION (If requested)**

**XV RECESS/ADJOURNMENT**

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS (2/9/16)  
 WHEREAS, Bruce J. Douglas, a Vietnam Veteran, retired from the Soldiers Relief Commission on January 29, 2016 after many years of service and the Bay County Board of Commissioners and Bay County Executive wish to recognize that service as well as his exemplary role of volunteer in Bay County; and  
 WHEREAS, Volunteers are critical to the vitality and productivity of a community's future and volunteering one's time, talent and resources has been a significant part of our American heritage; and  
 WHEREAS, Bruce J. Douglas has committed his life to volunteering in our community and we wish to highlight those efforts; and  
 WHEREAS, Bruce J. Douglas has served as a Commissioner on the Soldiers and Sailors Relief Commission, as a Trustee on the Michigan Veterans Trust Fund, Sr. Vice Commander, of the Polish Legion of American Veterans, Board Member of the Bay County Vietnam Veterans of America, Aleda Lutz V.A. Medical Center volunteer committee member and currently serves on the Bay County Veterans Monument Committee, is a life member of AMVETS, VFW, Marine Corps League and a member of American Legion and Bay County Veterans Council ; and  
 WHEREAS, In addition to his volunteer efforts on behalf of veterans, Bruce J. Douglas served on the Board of Directors for the Amateur Speedskating Union, the Campfire Girls of America, and the Big Brothers/Big Sisters of America, has been a Coach for the Bay County Speedskating Club, the Bangor Township Recreation T-Ball, C-Ball and 4 Pitch and YMCA youth basketball; and  
 WHEREAS, Additionally, Bruce J. Douglas served as a Timer for the YMCA and Elks Swim Teams and as a Scout Master for Boy Scouts of America and as President of the Visitation School Board; and  
 WHEREAS, Through his efforts, the Bay County Veterans Transportation Program was formed providing transportation to eligible veterans for medical appointments and hospital visits, and for multiple years all scheduling and coordination of drivers was handled by Bruce J. Douglas; and  
 WHEREAS, In 2005 Bruce J. Douglas was named Bay County Veteran of the Year; and  
 WHEREAS, Because of his efforts, in 2015 twenty-four families received gift baskets filled with items gathered by a team of volunteers led by Bruce J. Douglas; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners and the Bay County Executive express their heartfelt appreciation to Bruce J. Douglas and recognize his volunteer contributions to Bay County and offer their best wishes for a long, healthy and fulfilling retirement.

ERNIE KRYGIER, CHAIR  
 AND BOARD

Bruce Douglas  
 MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:  
 ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_



**BAY COUNTY  
ADMINISTRATIVE SERVICES**

**Thomas L. Hickner**  
County Executive

**Debra Russell**  
Director  
russelld@baycounty.net

MEMORANDUM

TO: ERNIE KRYIGIER, CHAIRMAN  
BAY COUNTY BOARD OF COMMISSIONERS

FROM: DEBRA RUSSELL *Debra Russell*  
ADMINISTRATIVE SERVICES DIRECTOR

RE: APPOINTMENT TO SOLDIERS' [AND SAILORS] RELIEF COMMISSION

DATE: FEBRUARY 3, 2016

BACKGROUND:

Bruce Douglas retired from the Soldiers' Relief Commission on January 29, 2016. Jonathan Van Tol submitted his letter of interest as replacement for Mr. Douglas. Mr. Van Tol was endorsed by members of the Soldiers' Relief Commission and the Bay County Veterans Council.

Attached please find the Order of Bay County Probate Court Judge John Keuvelaar, dated February 2, 2016, appointing Mr. Van Tol to the Bay County Soldiers' [and Sailors] Relief Commission for a three year term.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

That the Bay County Board of Commissioners receive the attached Order Appointing Jonathan Van Tol to the Soldiers' Relief Commission for a term of three years, from and after February 2, 2016 and concur in this appointment.

Attachment

STATE OF MICHIGAN  
IN THE PROBATE COURT FOR THE COUNTY OF BAY

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IN THE MATTER OF THE APPOINTMENT

OF A MEMBER OF THE BAY COUNTY

SOLDIERS AND SAILORS RELIEF COMMISSION

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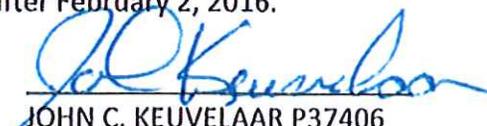
At a session of said Court, held in the  
Courthouse in the City of Bay city, Bay  
County, Michigan on the 2<sup>nd</sup> day of  
February, 2016

PRESENT: HON. JOHN C. KEUVELAAR, Probate Judge

It appearing to the Court, that the term of Bruce J. Douglas of  
Bay City, as a member of the Bay County Soldiers and Sailors Relief Commission, has  
expired on January 29, 2016. Pursuant to the provisions of Act. No. 53 of the Public Acts  
of 1969, that Jonathon VanTol has applied for the vacant position on the Bay County  
Soldiers and Sailors Relief Commission, and possessing the necessary qualifications to  
act and serve on said Commission as a member thereof;

It further appearing to the Court that no one from the WWI era is available  
for this appointment;

IT IS THEREFORE ORDERED AND DECREED by the Court, that Jonathon  
VanTol is hereby appointed as a member of the Bay County Soldiers and Sailors Relief  
Commission for a term of three (3) years, from and after February 2, 2016.

  
JOHN C. KEUVELAAR P37406  
Probate Judge

OATH OF OFFICE

I, Jon VanTol, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Michigan and that I will discharge the duties of the office as a member of the Bay County Soldiers and Sailors Relief Commission, to the best of my ability, so help me God.

  
\_\_\_\_\_  
Jon VanTol  
3433 Fairway Dr.  
Bay City, Michigan 48706

Subscribed and sworn to before me on the 3 day of February, 2016.

  
\_\_\_\_\_  
Notary Public  
Bay County, Michigan  
My commission expires: 9/30/21

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, Ambitious plans are in place to build eight tennis courts at 325 Park Avenue, the site of the former Thomas Jefferson School building which is scheduled for demolition by the Bay City Board of Education; and

WHEREAS, The tennis courts would be open to the public and serve as the home courts for Bay City Central High School's tennis teams, which for several years have relied on a handful of courts across Bay and Saginaw counties to host home matches; and

WHEREAS, The Bay County Community Tennis Association has been formed and is leading efforts to raise funds for this project to include grant applications and soliciting businesses for donations; and

WHEREAS, An agreement is in place to have the Bay City School District maintain the grounds of the tennis park, including cutting grass, and the nonprofit group will continue to raise funds for future maintenance costs to include resurfacing the courts; and

WHEREAS, There is an apparent need for the tennis courts since the only courts in decent condition are located at Carroll Park, however, there are only four (4) courts and tennis matches at one site require eight (8) tennis courts to accommodate singles and doubles matches. The courts at Veterans Park and Hewitt Field are in very bad shape with the surfaces rapidly deteriorating; and

WHEREAS, The City of Bay City, which strongly supports this project, has indicated their intent to remove the courts at Veterans Park once the new courts are built and removal of the Veterans Park courts could possibly provide a location for the new Imagination Station playground; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners offers their support, matching the City of Bay City's financial commitment, up to \$25,000 (monies to come from fund balance), for the tennis courts located at 325 Park Avenue and extends best wishes for a successful fund drive to bring this project to fruition.

KIM COONAN, CHAIR AND COMMITTEE

Support for Tennis Courts

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:  
ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

-5-

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, In November 2015 the Bay Area Community Foundation sent to the Bay County Sheriff's Department funding in the amount of \$6,751 for the purchase of Level II Body Armor specific for tactical level and active shooter use gear; and

WHEREAS, The Sheriff is requesting that these funds be deposited into his budget, line item 10131500 67502 to draw from and recognize the specific earmarked purchased items; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners, on behalf of the Bay County Sheriff, accepts, with gratitude, the Bay Area Community Foundation funding in the amount of \$6,751 for the purchase of Level II Body Armor specific for tactical level and active shooter use gear, funds to be deposited in the Sheriff Department's 10135100 67502 line item for purchase of appropriate designated equipment; Be It Further

RESOLVED That budget adjustments required are approved.

KIM COONAN, CHAIR AND COMMITTEE

Sheriff Dept - Acceptance of Bay Area Community Foundation Funding

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The Bay Area Narcotics Enforcement Team (BAYANET) has again received a Governor's Discretionary Grant and its grant application requested funds to pay for a portion of the salary of an Assistant Prosecuting Attorney; and

WHEREAS, The Bay County Prosecutor's Office will receive \$5,907.00 as a Subcontractor; and

WHEREAS, The Bay County Prosecutor's Office has participated in this program in the past and wishes to continue to accept the funds through BAYANET in order to supplement the funding of one attorney position in the Prosecutor's Office; and

WHEREAS, The subcontract covers the period October 1, 2015 to September 30, 2016; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Subgrant Agreement between Michigan State Police - BAYANET and Bay County (Prosecutor's Office) covering the period 10/1/2015-9/30/2016,; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the grant documents (application, grant award, all related required documents) on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further

RESOLVED That it is understood that if grant funding for BAYANET position(s) under the BAYANET grant is terminated, Bay County shall not be responsible to fund the position(s) or pick up any costs associated with the position(s).

KIM COONAN, CHAIR AND COMMITTEE

Prosecutor - BAYANET - 2015-2016

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	E			COMMISSIONER	E			COMMISSIONER	E		
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)  
 WHEREAS, The provisions of the Affordable Care Act (ACA) provide that full-time employees in a large organization must be offered health care benefits which is in direct conflict with a resolution adopted by the Bay County Board of Commissioners November 23, 2010 (Res. No. 2010-262); and  
 WHEREAS, Although Res. No. 2010-262 provides that Road Commissioners taking office after 1/1/2011 will not be offered health care, the provisions of the ACA supersede such a resolution; and  
 WHEREAS, Since Road Commissioners are on-call 24/7 and attend to the needs of their constituency on an as-needed basis and not on an hourly rate basis, the method of calculation most applicable for hours worked (using IRS guidelines and applicable Department of Labor regulations on this subject) is:

[u]sing a weeks-worked equivalency of 40 hours of service per week for each for which the employee would be required to be credited with at least one hour of service under these service crediting rules.....

See 29 CFR 2530.200b-2(a).

WHEREAS, Under these guidelines, Road Commissioners are considered full-time employees and, as a result, the County will offer health care benefits to Road Commissioners as a normal course of business during the enrollment period for 2016 as required by the ACA; and  
 WHEREAS, Only Commissioners entitled to health care in retirement are those (1) on the rolls before 1/1/12 and (2) who are otherwise eligible for health care in retirement, consistent with the provisions for all other Bay County employees; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners hereby rescinds Resolution No. 2010-262 based on applicable ACA and IRS provisions and the direct conflict between Resolution No. 2010-262 and existing law.

KIM COONAN, CHAIR  
 AND BOARD

Road Commissioners - Rescission of Res. No. 2010-262 Due to Conflict with ACA  
 MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	E			COMMISSIONER	E			COMMISSIONER	E			
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ				
ERNIE KRYGIER				THOMAS M. HEREK								
VAUGHN J. BEGICK				DONALD J. TILLEY								

VOTE TOTALS:  
 ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

- 8 -

**BAY COUNTY BOARD OF COMMISSIONERS**

**12/14/10**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (12/7/10)

WHEREAS, As the result of a decrease in property tax revenue, the uncertainty of revenue sharing money from the State of Michigan and unfunded mandates for services being required of the County by the State, it is becoming increasingly difficult to balance Bay County's budget; and

WHEREAS, The future projection of revenue income and economic improvement in Bay County and the State of Michigan is not favorable; and

WHEREAS, The Bay County Board of Commissioners leads by example; and

WHEREAS, The Bay County Board of Road Commissioners does not perform full time duties; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that any Road Commissioner taking office after December 31, 2010 will not receive any health care benefits or receive a stipend in lieu of health care benefits.

DONALD J. TILLEY, CHAIR  
AND COMMITTEE

County Road Commissioner Health Care Benefits

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Mallette

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Colleen M. Mallette	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglck	✓			Klm Coonan	✓			Donald J. Tilley		✓	

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 8 NAYS 1 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The roof over the Health Department and Court Facility has reached its life expectancy; and

WHEREAS, Over the years staff have made numerous repairs, however, the problem is expanding and this area of roofing will require tear-off of the existing rubber roof and the wafer board insulation beneath it; and

WHEREAS, A new .060 Mill TPO roof along with new insulation will be installed (approximately 57,000 sq. feet of roof surface); and

WHEREAS, Architectural services are required to assist Bay County in reviewing and making recommendations in the RFP for the installation of a new roofing system; and

WHEREAS, Funds for this project are included in the 2016 Buildings and Grounds budget; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves contracting with Spicer Engineering for assistance in reviewing the RFP and specifications for the new roofing system at the Health Department and Court Facility at a cost of \$1,800, monies to come from the Buildings and Grounds budget; Be it Further

RESOLVED That the Chairman of the Board is authorized to execute all documents related to the provision of architectural services on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related budget adjustments are approved.

KIM COONAN, CHAIR  
AND COMMITTEE

Bldgs & Grnds - Architectural Services - Health Dept & Court Facility Roofing System

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

70-

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The original structure of the Farmers Market is 80+ years old and in need of specific repairs; and

WHEREAS, The most recent damage is on the S.E. corner which was struck by a semi-truck and which had been repaired in the past. A bollard has been placed at this corner of the structure to protect the canopy; and

WHEREAS, The repairs required will improve the image of the County structure; and

WHEREAS, No funds have been budgeted for this repair and it is estimated \$3,000 will be required for the repair; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners appropriates \$3,000 from Fund Balance for the repairs required to the S.E. corner of the Bay County Farmers Market; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any documents that may be required for this repair; Be It Finally

RESOLVED That budget adjustments required are approved.

KIM COONAN, CHAIR AND COMMITTEE

Bldgs & Grnds - Farmers Market Canopy Repair

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 3 columns: COMMISSYONER E, COMMYSSIONER E, COMMISSIOÑERE. Rows include names like MICHAEL J. DURANCZYK, ERNIE KRYGIER, VAUGHN J. BEGICK, KIM J. COONAN, THOMAS M. HEREK, DONALD J. TILLEY, and MICHAEL E. LUTZ.

VOTE TOTALS: ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_ VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_ AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The Bay County Board of Commissioners wishes to continue to provide nutrition services to the senior citizen population of Bay County; and

WHEREAS, Currently there are Dining Center Site Agreements for the Hampton Township Happy Hearts Dining Center, Kawkawlin Township Hall, and Williams Township Hall; and

WHEREAS, Williams Township has respectfully requested a \$25.00 monthly increase that will add an additional \$300 annually to the site agreement cost and this increase will be covered in the 2016 Division on Aging budget;

WHEREAS, The contracts will cover the period of January 1, 2016 through December 31, 2016; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Dining Center Site Agreements for the Hampton Township Happy Hearts Senior Dining Center, Kawkawlin Township Hall, and Williams Township Hall (with the \$25.00 monthly increase), subject to continued receipt of the budgeted grant funding from Region VII Area Agency on Aging; Be It further

RESOLVED That the Chairman of the Board is authorized to execute the Dining Center Site Agreements and all related documents on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR AND COMMITTEE

DOA - 2016 Dining Center Site Agts - Hampton, Kawkawlin & Williams Twps.

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_ AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

-12-

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, Region VII Area Agency on Aging operates on a contract basis with Division on Aging; and

WHEREAS, A contract has been submitted that will extend the current agreement that covers payment and services under the MI Choice Waiver program for the period January 1, 2016 and is ongoing until 30 day termination notice forwarded by either party; and

WHEREAS, Division on Aging wishes to maintain a working relationship with Region VII Area Agency on Aging Waiver Division and continue to receive funding for services provided to the agency's Waiver clients; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Region VII Area Agency Waiver Contract and authorizes the Chairman of the Board to execute said Waiver Contract on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budgeted adjustments related to the Waiver Agreement are approved.

KIM COONAN, CHAIR AND COMMITTEE

DOA - Waiver Agmt with Region VII

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

VOTE TOTALS: ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_ VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_ AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The Bay County Mosquito Control Director opened control material bids jointly with Midland and Tuscola Counties on 1/13/16; and

WHEREAS, Analysis of the control material bids resulted in a recommendation to award the control materials bid to the lowest qualified bidder, copy of 2016 insecticide bid summary attached; and

WHEREAS, The total cost of the control materials will not exceed the 2016 budgeted funds; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the control materials bid for Bay County Mosquito Control for 2016 is awarded to the lowest bidder based on the 2016 insecticide bid summary attached with the exception of item L. BTI granule; Be It Further

RESOLVED That the Chairman of the Board is authorized to sign any required documents following legal review/approval; Be It Finally

RESOLVED That budget adjustments, if required, are approved.

KIM COONAN, CHAIR AND COMMITTEE

Mosquito Control - Control Material Bids - 2016

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	E			COMMISSIONER	E			COMMISSIONER			
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:  
ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

Midland, Bay & Tuscola County Mosquito Control Agencies  
**2016 INSECTICIDE BID SUMMARY**

Totals

Material	Amount			Vendor - Unit Price (pound, gallon, case)						
	B	Bay		Adapco	All Pro Vector	Clarke	Target Advantage	Univar USA	Valent	
	M	Midland	T							Tuscola
A. Metalarv S-PT	M	40 lb.		N.B.	N.B.	N.B.	N.B.	N.B.	\$27.95	
B. Larvicide Oil	Brand			BVA-2		Coco Bear	BVA-2	Kontrol		
	B	\$25 gal.		\$7.38	N.B.	\$17.55	\$7.99	\$7.97	N.B.	
	M	3,300 gal.		\$7.38	N.B.	\$17.55	\$8.05	\$7.97	N.B.	
	T	330 gal.		\$7.86	N.B.	\$18.34	\$8.25	\$8.25	N.B.	
C. Altosid Pellets	M	90 cont.		\$562.10	N.B.	\$562.10	N.B.	\$562.10	N.B.	
D. Altosid XR Briq	M	2 cont.		\$710.60	N.B.	\$710.60	N.B.	\$710.60	N.B.	
E. Altosid WSP	M	TBD cont.		\$648.00	N.B.	\$648.00	N.B.	\$648.00	N.B.	
F. ULV Permethrin	Brand			Pursuit 4-4		Biomist 4+4	Evoluer 4-4	Kontrol 4-4		
	B	2,200 gal.		\$28.50	\$10.67	\$17.90	\$16.09	\$12.52	N.B.	
	M	4,400 gal.		\$28.50	\$10.67	\$17.90	\$16.09	\$12.52	N.B.	
	T	4,400 gal.		\$28.50	\$10.67	\$17.90	\$16.09	\$12.52	N.B.	
G. Bs WSP	Brand			Spherotax WSP		VectoLex WSP				
	M	TBD cont.		\$679.84	N.B.	\$698.00	N.B.	N.B.	N.B.	
H. Bs Granule	M	520 lb.		\$5.04	N.B.	\$5.92	N.B.	N.B.	N.B.	
I. Vectolex FG	B	1,000 lb.		\$5.04	N.B.	\$5.92	N.B.	N.B.	N.B.	
J. Bti Liquid	M	3,900 gal.		\$25.95	N.B.	N.B.	N.B.	N.B.	26.0154*	
K. Bti Briquettes	B	10 case		N.B.	N.B.	\$82.40	N.B.	\$69.00	N.B.	
L. Bti Granule	Brand			Aquabac 200G					VectBac G	
	B	140,300 lb.		\$1.25	N.B.	N.B.	N.B.	N.B.	1.26488*	
	M	118,300 lb.		\$1.25	N.B.	N.B.	N.B.	N.B.	1.26488*	
M. Natular XRT	B	12 case		N.B.	N.B.	\$932.73	N.B.	N.B.	N.B.	

\$6,089.00

\$23,474.00

\$5,920.00

\$690.00

\$177,600.00

\$11,193.00

Grand Total

\$224,966.00

notes:  
 \* Reflects a 3% early order discount  
 † Product offered: Spherotax SPH (50G)  
 ‡ Product offered: VectoLex FG

-15-

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, Through contractual arrangement, the Bay County Mosquito Control Department locates 11 New Jersey Light Traps in various parts of Bay County which are monitored by senior citizens in the months of June, July, August and September; and

WHEREAS, The residents who operate the light traps serve a very valuable part of the mosquito surveillance program; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Light Trap Data Collector's Contracts between Bay County and various individuals (11) (listing attached) are approved and the Chairman of the Board authorized to execute said Agreements on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That the light trap collectors shall be reimbursed at the rate of \$50 per month for the months of June, July, August and September, totaling \$2,200 for the season, funds budgeted in the Mosquito Control 2016 budget.

KIM COONAN, CHAIR  
AND COMMITTEE

Mosquito Control-2016 Light Trap Data Contracts

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

2016 LIGHT TRAP CITIZENS

1. Bernice Bellor	2294 Ballor Lane (Fraser)	Linwood 48634	697-3614
2. Jeff & Pam Denay	352 S. Trumbull (Portsmouth)	Bay City	891-2135
3. Beverly Eschenbacher	204 Grant Street (Williams)	Auburn 48611	662-6652
4. Robert Gilbert	506 Columbian (BCW)	Bay City 48706	686-4867
5. Marjorie Jezewski	4792 Three Mile Road (Monitor)	Bay City 48706	684-2555
6. Ruth Kridler	2545 Old Beaver Rd (Kawkawlin)	Kawkawlin	686-3317
7. Jerry Maxson	PO Box 233 (Mt. Forest)	Standish MI 48658	879-2433
8. Penny McGill	1600 S. Grant St (BCE)	Bay City	
9. Sheri Niemi	1000 W 2 <sup>nd</sup> St (Pinconning)	Pinconning 48650	879-6830
10. Teri Owczarzak	107 Pine St (Hampton)	Essexville 48732	894-0461
11. John Zawilinski	51 Spruce Ridge Dr (BCW)	Bay City 48706	686-3554

\* Light Trap Contracts 240.00-620.00-802.02

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, A major part of Bay County Mosquito Control's source reduction is the residential scrap tire projects which provide a way for homeowners to dispose of unwanted tires from around their yards and neighborhoods; and

WHEREAS, The overwhelming response generated by the scrap tire projects has been encouraging and two scrap tire projects have been scheduled for 2016; and

WHEREAS, Environmental Rubber Recycling, Inc. has provided past tire disposal services and has indicated that there will be no price change for tire disposal in 2016, the fee will be a flat rate of \$1,500 per trailer; and

WHEREAS, Funds are included in the 2016 Mosquito Control budget for these services; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the 2016 Scrap Tire Project/Agreement between the County of Bay and Environmental Rubber Recycling, Inc., for the disposal of accumulated used tires within Bay County known to be, or to have, the potential to become mosquito breeding sites, is approved and the Chairman of the Board authorized to execute said Agreement on behalf of Bay County, subject to favorable legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

KIM COONAN, CHAIR  
AND COMMITTEE

Mosquito Control - Scrap Tire Contract - 2016

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

7/8 -

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, Article 22, section 1D of the Collective Bargaining Agreement for the Register Nurses Organization specifies that Nurses who, upon request, temporarily assume for a period of one (1) day or more, the duties and responsibilities of a position of greater than his/her normal responsibility, shall be paid at the higher salary schedule rate for such full days of temporary service; and

WHEREAS, A Letter of Understanding is required to put into writing an agreement between the County and the Nurses that when the Nurses are providing training to nursing students for a period of one (1) day or more they are eligible for a differential payment between their current pay rate and the beginning step of the MB12 salary scale; and

WHEREAS, Funds exist within the 2016 Health Department budget to cover the differential payment; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Letter of Understanding pertaining to Article #22, Section 1D, Salary/Classification of the Collective Bargaining Agreement for the current Collective Bargaining Agreement and authorizes the Chairman of the Board and County Executive to execute the Letter of Understanding on behalf of Bay County following legal review/approval.

KIM COONAN, CHAIR  
AND COMMITTEE

Personnel - Nurses Contract - Letter of Understanding for Article #22, Section 1D

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, 2011 P.A.152 became effective on September 27, 2011 and provided, among other items, that the employer shall bear no more than 80% of the total health care costs unless "by a 2/3 vote of its governing body each, a local unit of government exempt itself from the requirements of this act for the succeeding year". MCL 15.568(1); and

WHEREAS, This Board did, pursuant to Resolution 2015-276 adopt the 85/15 split by a unanimous vote and exempted the County from the 80/20 provisions of Public Act 152; and

WHEREAS, In prior years, for bookkeeping purposes, a separate resolution was approved specifically for the 85.15 split; and

WHEREAS, For record keeping and consistency purposes, a separate resolution opting out of PA 152 and approving the 85/15 split is preferred; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby opts out of the requirements of P.A. 152 and reaffirms that Resolution No. 2015-276 was intended to and, in fact, did exempt Bay County from the 80/20 requirement of P.A. 152 for the 2016 medical benefit plan coverage year.

KIM COONAN, CHAIR AND COMMITTEE

Personnel - 85/15 Split for Health Care - 2016

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:  
ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The Bay County Personnel Director has recommended the reclassification of the Recreation Coordinator at the Bay County Community Center; and

WHEREAS, The position of Recreation Assistant/Account Clerk has been included on the Technical pay scale (TU08 - \$37,044) in the USW union, however, because this position is now responsible for supervising staff, including the summer recreation program and the pool as well as some maintenance and Region VII staff, it should be classified as a Recreation Coordinator, Managerial/Supervisory position on the MB scale (MB06 - \$39,457, entry level) in the BCAMPS organization; and

WHEREAS, It is recommended that the effective date of the above recommended reclassification be January 1, 2016; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners concurs with the recommendation of the Personnel Director and approves the reclassification of the Recreation Assistant/Account Clerk to Recreation Coordinator, effective January 1, 2016; Be It Finally

RESOLVED That budget adjustments required for the outlined reclassification are hereby approved.

KIM COONAN, CHAIR AND COMMITTEE

Personnel - Reclassification (Recreation Coordinator)

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:  
ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, There was an oversight in a recent memo to the Board of Commissioners that excluded fees when the restructuring of the fee schedule was done; and

WHEREAS, The 9 hole cart fee and 18 hole cart fee were omitted. In addition the employee fees were also excluded. The employee fees were adopted by the Board of Commissioners in conjunction with the employee wellness initiative a few years ago; and

WHEREAS, The fees that were excluded from a recent memo restructuring the fee schedule were:

- 1. 9 hole twilight, spring, fall cart \$5.00
2. 9 hole cart \$6.00
3. 18 hole twilight, spring, fall cart \$9.00
4. 18 hole cart \$12.00
5. 9 hole employee green fee \$7.00 (Friday and Sunday after 2:00 pm)
6. 18 hole employee green fee \$12.00 (Friday and Sunday after 2:00 pm)

RESOLVED That the Bay County Board of Commissioners approves reinstatement of fees as outlined above.

KIM COONAN, CHAIR AND COMMITTEE

Recreation & Facilities - Golf Course Fees

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Kim J. Coonan, Michael E. Lutz, Ernie Krygier, Thomas M. Herek, Vaughn J. Begick, and Donald J. Tilley.

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

-22-

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, A bubble soccer ball is an inflatable sphere with inner handles and adjustable shoulder straps that covers from your knees to over your head. Each person participating in the bubble soccer game wears a bubble soccer ball. The participants can then run into each other, fall, or roll safely inside the ball while playing soccer or any other game; and

WHEREAS, The Director of Recreation and Facilities would like to order the balls in the smaller size for older children under 5'7" and the larger size for taller children and adults over 5'7"; and

WHEREAS, The bubble soccer balls will be used with the older children of the Summer Recreation Program and we will have them available for rent by older children and adults for the drop-in fee at the Community Center; and

WHEREAS, The Director of Recreation and Facilities wishes to apply to the Bay Area Community Foundation for a grant up to \$5,000 for 20 bubble soccer balls. If the grant award is not funded in its entirety, a budget adjustment from the General Fund for the remainder of the cost would be necessary; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes application(s) to the Bay Area Community Foundation for grant funding for the purchase of bubble soccer balls for the Bay County Community Center; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute grant application and grant award/agreement documents on behalf of Bay County following legal review/approval.

KIM COONAN, CHAIR AND COMMITTEE

Recreation and Facilities - Bubble Soccer Ball Grant Applications

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

VOTE TOTALS: ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_ VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_ AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

-23-

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The 2015-2016 CPBC Agreement between Bay County and the Michigan Department of Community Health (MDCH) is being amended to incorporate the Annual Budget, Output Measures, Funding/Reimbursement Matrix, updated program language and revised allocations received since the original agreement was issued; and

WHEREAS, This Amendment reflects adjustments to funding levels as follows:

a. Allocation Changes – Existing Projects

Project Title	Current Amount	Amended Amount	New Project
Eat Safe Fish	55,000.00	29,000.00	84,000.00
TOTAL :	55,000.00	29,000.00	84,000.00

WHEREAS, The increase for Eat Safe Fish reflects unspent funds reallocated to the Bay County Health Department for Eat Safe Fish; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves amendment #1 to the 2015-2016 CPBC Contracting Agreement; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute and submit electronically (if required) the grant documents (application, grant award, amendments, and all related required documents) on behalf of Bay County; Be It Further

RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further

RESOLVED That budget adjustments relating to this amendment are approved.

KIM COONAN, CHAIR AND COMMITTEE

Health Dept - Amendment # 1 to 2015-2016 CPBC Agt

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER N	E			COMMISSIONER N	E			COMMISSIONER E			
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS  
FEBRUARY 9, 2016  
RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)

RESOLVED That the Bay County Board of Commissioners hereby approves the claims against the County as follows:

**ACCOUNTS PAYABLE:**

01/13/16	\$	458,125.55
01/13/16	\$	240,741.73
01/20/16	\$	397,744.64
01/20/16	\$	388,261.56
01/27/16	\$	274,600.86
01/27/16	\$	135,001.16
02/03/16*	\$	192,102.42*
02/03/16*	\$	441,847.85*

**BAYANET:**

**December 2015**

1. Payables	\$	13,248.61
2. Payroll	\$	11,349.67

**HOUSING (Center Ridge Arms):**

01/25/16*	\$	15,122.40*
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\* Received after Ways and Means Committee review.

KIM COONAN, CHAIR  
AND COMMITTEE

**Payables-February**

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

- 25 -

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE 02/02/2016

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 02/09/2016 and, if required, the Chairman of the Board is hereby authorized to execute any documentation necessary for said Budget Adjustments on behalf of Bay County:

Journal Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
2016-02-002	GENERAL FUND RISK MANAGEMENT Total GENERAL FUND			X
	INCREASE 2016 RISK MANAGEMENT BUDGET TO RECOGNIZE THE ADDITIONAL REVENUE BAY COUNTY RECEIVED FROM MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY. THE NET ASSET DISTRIBUTION FROM MMRMA WAS 253,599. BUT THE 2016 BUDGETED REVENUE WAS 200,000.			
2016-02-003	GENERAL FUND BOARD OF COMMISSIONERS CORPORATION COUNSEL Total GENERAL FUND		\$5,670	
	INCREASE 2016 CORPORATION COUNCIL BUDGET FOR INTERNET EXPENSES.			
2016-02-004	GENERAL FUND BOARD OF COMMISSIONERS CIVIC/ICE ARENA PINCONNING PARK Total GENERAL FUND		\$2,900	
	GOLF COURSE FUND PUBLIC GOLF COURSE-CLUB HOUSE Total GOLF COURSE FUND			X
	BUDGET FOR CABLE EXPENDITURES IN 2016 BUDGET FOR THE CIVIC ARENA, COMMUNITY CENTER AND THE GOLF COURSE.			
2016-02-005	GENERAL FUND 2ND RD PATROL - CITY OF AUBURN Total GENERAL FUND			X
	INCREASE SHERIFF DEPARTMENT SECONDARY ROAD PATROL FOR THE CITY OF AUBURN BUDGET WITH MATCHING REIMBURSEMENT.			
2016-02-006	GENERAL FUND BOARD OF COMMISSIONERS SECONDARY ROAD PATROL GRANT			

- 26 -

INCREASE SECONDARY ROAD PATROL GRANT BUDGET. THE COST OF THE NEW SHERIFF VEHICLE THROUGH THE STATE BID PROCESS IS 1,160 MORE THEN THE BUDGETED AMOUNT.

2016-02-007

GENERAL FUND  
SECONDARY ROAD PATROL  
Total GENERAL FUND

X

INCREASE SECONDARY ROAD PATROL FOR THE CONTRIBUTIONS OF 6,751 RECEIVED FROM BAY AREA COMMUNITY FOUNDATION TO PURCHASE LEVEL II BODY ARMOR.

Kim Coonan, Chairman W. & M. and Committee

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MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, The County is currently under a three (3) year-contract with Allied Waste (Republic) for the removal of waste and recycling items from County facilities; and

WHEREAS, County administration wishes to release an RFP for the removal of waste and recycling items from County facilities in accordance with the Bay County Purchasing Policy; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the release of an RFP for the removal of waste and recycling items from County facilities and authorizes the Chairman of the Board to execute any documents required for the RFP on behalf of Bay County following legal review/approval; bid award contract to be brought back for Committee consideration; Be It Further

RESOLVED That any budget adjustments required for the RFP are approved.

KIM COONAN, CHAIR AND COMMITTEE

Purchasing - RFP for Removal of Waste and Recycling Items

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (2/2/16)
- WHEREAS, The Bay County Sheriff Department, through formal agreement, is a party to a subcontract which provides funding for the assignment of a Deputy Sheriff to the Bay Area Narcotics Enforcement Team (B.A.Y.A.N.E.T.) during the grant period; and
- WHEREAS, The Bay County Sheriff wishes to continue this arrangement and is recommending approval of the Michigan Department of Community Health, Office of Drug Control Policy, Byrne Memorial Justice Assistance Grant Subcontract; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Michigan Department of Community Health, Office of Drug Control Policy, Byrne Memorial Justice Assistance Grant Subcontract covering the period 10/1/2015-9/30/2016; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute the grant documents (application, grant award, all related required documents) on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
- RESOLVED That it is understood that if grant funding for BAYANET position(s) under the BAYANET grant is terminated, Bay County shall not be responsible to fund the position(s) or pick up any costs associated with the position(s).

KIM COONAN, CHAIR  
AND COMMITTEE

Sheriff Dept - BAYANET Grant Renewal - 2015-2016

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, On March 10, 2015 the Bay County Board of Commissioners adopted resolution no. 2015-45 authorizing the Bay County Sheriff to seek bids for commissary services and authorizing the Chairman of the Board to execute a contract with the low qualified bidder; and

WHEREAS, Canteen Services, Inc. was the low qualified bidder and the Board Chair executed the required documents on behalf of Bay County, however, a component Prepaid Debit Inmate Release Program Agent Agreement with Rapid Financial Solutions also requires approval; and

WHEREAS, It is necessary to initiate a start-up for prefunding inmate debit cards in an amount up to \$15,000 with monies advanced from General Fund to Inmate Trust; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Rapid Financial Solutions Prepaid Debit Inmate Release Program Agent Agreement and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following review/approval by Corporation Counsel; Be It Further

RESOLVED Up to \$15,000 is hereby advanced from the General Fund to Inmate Trust to prefund inmate debit cards.

KIM COONAN, CHAIR  
AND COMMITTEE

Sheriff Dept - Rapid Financial Solutions

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSYONER E				COMMYSSIONER E				COMMISSIOÑERE			
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/2/16)

WHEREAS, On August 11, 2015, the Bay County Board of Commissioners adopted resolution no. 2015-182 approving an Agreement with the Bay County Department of Health and Human Services to establish the position of Child Welfare Home Aide, now known as Eligibility Specialist; and

WHEREAS, Bay County was asked to share half the cost of this position and those funds were appropriated; and

WHEREAS, While the grant was approved as of 10/1/2015, the Eligibility Specialist position was not filled until January 24, 2016; and

WHEREAS, Amendment # 1 to Agreement Number DFA16-09001 has been submitted reflecting the \$14,030 reduction in grant funding because the position was not filled by the start date of the grant; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves Amendment Number 1 to the Agreement Number DFA16-09001 and authorizes the Chairman of the Board to execute said Amendment on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR AND COMMITTEE

DHHS - Amendment to DFA16-09001 - Eligibility Specialist Position

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Kim J. Coonan, Michael E. Lutz, Ernie Krygier, Thomas M. Herek, Vaughn J. Begick, and Donald J. Tilley.

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/2/16)

RESOLVED By the Bay County Board of Commissioners that Corporation Counsel is to proceed according to recommendation given in Ways and Means Committee closed session 2/2/2016 relative to the Gillis and Walraven cases and the Nickel workers' comp case.

KIM COONAN, CHAIR  
AND COMMITTEE

Corporation Counsel - Closed Session Direction: Gillis; Walraven; Nickel  
MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSYONER E				COMMYSSIONER E				COMMISSIOÑER E			
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/19/16)

WHEREAS, Bay County has contracted with Blue Cross/Blue Shield (BCBS) in past years for an Inmate Administrative Services Contract; and

WHEREAS, BCBS provides certain medical coverage to county inmates while incarcerated and the BCBS program helps to defer medical expenses that would otherwise be incurred by Bay County; and

WHEREAS, The BCBS contract is up for renewal for the period May 2016 to April 2017; and

WHEREAS, Funds are included in the 2016 budget to continue BCBS coverage and the administrative service charge, which represents cost paid by Bay County, is 11%, the same as 2015; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Inmate Administrative Services Contract between Bay County (Sheriff Department) and Blue Cross Blue Shield for the period May 2016 thru April 2017 and authorizes the Chairman of the Board to execute said Contract on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related budget adjustments, if required, are approved.

MICHAEL E. LUTZ, CHAIR AND COMMITTEE

Sheriff - BXBS Inmate Services Contract - 2016-2017

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

VOTE TOTALS: ROLL CALL: YEAS \_\_\_ NAYS \_\_\_ EXCUSED \_\_\_ VOICE: YEAS \_\_\_ NAYS \_\_\_ EXCUSED \_\_\_

DISPOSITION: ADOPTED \_\_\_ DEFEATED \_\_\_ WITHDRAWN \_\_\_ AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

- BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/19/16)
- WHEREAS, The Bay County Fair & Youth Exposition (BCFYE) is desirous of extending their current lease of the Bay County Fairgrounds for the years 2016, 2017 and 2018 and utilizing the Fairgrounds on several dates for various upcoming events; and
- WHEREAS, The BCFYE Board has paid the 2014 and 2015 lease payments as agreed and all previous outstanding arrearages have been paid in full; and
- WHEREAS, The following dates are requested:

**2016:**

**Grandstands, Race Track, Bathrooms & Grounds:** (Dates are not set; will inform the Recreation Coordinator)

**Horse Riding Arenas, Horse Barn, Camping, Bathrooms & Showers:** (Dates are not set; will inform the Recreation Coordinator)

**Canteen Building:** Friday, August 5 through Sunday August 14 - Bay County Fair - still exhibits

**Livestock Barn, Horse Barn, Camping, Bathrooms & Showers Grounds Horse Arenas Grandstands and Race Track:** July 31 - August 20 for The Bay County Fair & Youth Exposition — one week prior and one week after the event.

**2017:**

**Grandstands, Race Track, Bathrooms & Grounds:** (Dates are not set; will inform the Recreation Coordinator)

**Horse Riding Arenas, Horse Barn, Camping, Bathrooms & Showers:** (Dates are not set; will inform the Recreation Coordinator)

**Canteen Building:** Friday, August 4 through Sunday August 13 - Bay County Fair - still exhibits

**Livestock Barn, Horse Barn, Camping, Bathrooms & Showers Grounds Horse Arenas Grandstands and Race Track:** July 30 - August 19 for The Bay County Fair & Youth Exposition — one week prior and one week after the event.

**2018:**

**Grandstands, Race Track, Bathrooms & Grounds:** (Dates are not set; will inform the Recreation Coordinator)

**Horse Riding Arenas, Horse Barn, Camping, Bathrooms & Showers:** (Dates are not set; will inform the Recreation Coordinator)

**Canteen Building:** Friday, August 3 through Sunday August 12 - Bay County Fair - still exhibits

**Livestock Barn, Horse Barn, Camping, Bathrooms & Showers Grounds Horse Arenas Grandstands and Race Track:** July 29 - August 18 for The Bay County Fair & Youth Exposition — one week prior and one week after the event.

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

RESOLVED By the Bay County Board of Commissioners approves extension of the Lease with the Bay County Fair Board for 2016, 2017 and 2018; Be It Further

RESOLVED That the Bay County Fair Board is granted use of the Bay County Fairgrounds for the dates outlined above contingent upon compliance with all requirements outlined in the Fair Board lease including provision of required financial reports; Be It Further

RESOLVED That related budget adjustments, if required, are approved.

MICHAEL E. LUTZ, CHAIR AND COMMITTEE

Fair Board - Fair Grounds Use for 2016, 2017 & 2018

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:  
ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/19/16)

WHEREAS, The Affordable Care Act has designated funds to medical providers who adopt electronic health care software that demonstrates "meaningful use". Meaningful use is using certified electronic health record (EHR) technology to: Improve quality, safety, efficiency, and reduce health disparities; engage patients and families; improve care coordination, and population and public health; and maintain privacy and security of patient health information; and

WHEREAS, Meaningful use sets specific objectives that eligible professionals (EPs) and hospitals must achieve to qualify for Centers for Medicare & Medicaid Services (CMS) Incentive Programs; and

WHEREAS, If a determination is made that providers (such as the Nurse Practitioners and the Medical Director) meet the qualifications for meaningful use incentives, the Health Department may be eligible for funding of up to \$28,000 per year per eligible medical professional for a period of three years; and

WHEREAS, There are currently four Nurse Practitioners and one Medical Director that may be eligible for this incentive funding in Bay County; and

WHEREAS, MCEITA (Michigan Center for Effective IT Adoption) is the authorized administrator for the State of Michigan to determine meaningful use incentive eligibility and provides an assessment of the current medical professionals and EHR so that incentive funding can be accessed and utilized; and

WHEREAS, In order to determine eligibility, a contract with Altarum/MCEITA must be entered in to and a fee of \$200 per provider must be submitted; and

WHEREAS, The estimated cost of contracting with Altarum/MCEITA to determine if the current nurse practitioners and the medical director are eligible is \$1,000 and will be charged to available grant funds from SVSU University Clinic. No General funds will be utilized and there is no additional financial cost to the Health Department as all costs associated for the project are to be included in the grant. If eligibility is favorably determined, the Health Department may be able to access up to \$140,000 of meaningful use incentives per year; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Agreement with Aaltarum Institute and MCEITA (Michigan Center for Effective IT Adoption) and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

MICHAEL E. LUTZ, CHAIR  
AND COMMITTEE

Health Dept - Altarum Institute and MCEITA Agreement

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER N	E			COMMISSIONER	E			COMMISSIONER	E		
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

- 36 -

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/19/16)  
 WHEREAS, The University Clinic has been in operation since January of 2015 and sees a wide variety of clients with chronic conditions; and  
 WHEREAS, While the majority of clients are covered by Medicaid or uninsured, there have been a number of clients with health insurance benefits that are not in contract with the Health Department or considered to be "out of network" and thus services are compensated at a lower rate; and  
 WHEREAS, In order to ensure that all services are compensated to the fullest potential and that the clinic may reach more clients in need it is essential that providers such as the Medical Director and the Nurse Practitioners are fully credentialed with available health plans and insurances; and  
 WHEREAS, Credentialing is a complex and time-consuming effort that can often take more than 120 days or longer if not completed in the proper manner and delays can hamper efforts to both treat clients in need and to obtain the proper reimbursement that is due; and  
 WHEREAS, Doctors Plus is an established company that specializes in credentialing services to many health agencies and can provide these services to the Health Department/University Clinic in 30-60 days; and  
 WHEREAS, The estimated cost of credentialing the three current nurse practitioners and the medical director is \$3,600 and will be charged to available grant funds from SVSU University Clinic. No General funds will be utilized and there is no additional financial cost to the Health Department as all costs associated for the project are to be included in the grant; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners approves the Agreement with Doctors Plus for credentialing services and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval; Be It Further  
 RESOLVED That budget adjustments, if required, are approved.

MICHAEL E. LUTZ, CHAIR  
 AND COMMITTEE

Health Dept - Agreement with Doctors Plus

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	E			COMMISSIONER	E			COMMISSIONER	E		
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:  
 ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/19/16)

WHEREAS, The University Clinic has been in operation since January of 2015 and sees a wide variety of clients with chronic conditions; and

WHEREAS, The first year evaluation has determined a need to further develop clinic protocols to ensure effective patient care. This is an effort that can take a great deal of time and expertise and the current staffing structure does not allow for it to be accomplished by existing staff; and

WHEREAS, Barbara MacGregor has extensive experience in developing clinical policies, procedures, and protocols. Additionally she has experience working both in and with the Health Department and can develop the needed clinical procedures and protocols in a timely fashion; and

WHEREAS, The rate of pay for Ms. MacGregor is \$50/hour and is limited to available grant funds from SVSU. No General funds will be utilized and there is no additional financial cost to the Health Department as all costs associated for the project are to be included in the grant; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves an Agreement with Barbara MacGregor to develop protocols for the University Clinic and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

MICHAEL E. LUTZ, CHAIR  
AND COMMITTEE

Health Dept. - Agreement with Barbara MacGregor

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

FEBRUARY 9, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/19/16)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies/new positions, monies for said positions to come from the respective departmental budgets:

- 1. Health Department - Typist Clerk II (full time, \$12.14/hr. entry)
2. Division on Aging - Driver (part time, \$10.18/hr. entry)
3. Sheriff Department Marine Division - 5 Supervisors (\$12/hr) and 25 Marine Deputies (\$11/hr.)
4. 9-1-1 Central Dispatch - Dispatcher (full time; \$12.95/hr. entry)
5. Personnel Department - Retirement Administrator (full time, \$44,648 entry)

RESOLVED That budget adjustments, if required, are approved; Be It Further

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated or hours reduced if grant funding is terminated or reduced.

MICHAEL E. LUTZ, CHAIR AND COMMITTEE

Vacancies - February

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include names like MICHAEL J. DURANCZYK, ERNIE KRYGIER, VAUGHN J. BEGICK, KIM J. COONAN, THOMAS M. HEREK, DONALD J. TILLEY, and MICHAEL E. LUTZ.

VOTE TOTALS: ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_ VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_ AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

- BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/19/16)
- WHEREAS, The Bay County Public Defender Department ("Department") was created pursuant to a federal grant on January 1, 1973, reorganized as an Act 139 Department in 1995, and operates under the administrative control of the County Executive; and
- WHEREAS, The Department has historically provided legal defense services to indigent residents of Bay County through attorneys employed by the County in the Department and through its companion Office of Criminal Defense; and
- WHEREAS, In November, 2007, an outside law firm, through a 13 month "pilot project" contract with the County, undertook legal defense of all indigent defendants in the District Court who were charged with misdemeanors, misdemeanor violations of probation, and civil infractions accompanied by a misdemeanor complaint or ticket for the monthly fixed fee of \$13,000.00 (\$156,000 yearly); and
- WHEREAS, At that time, the responsibilities for all felonies were assigned to the Public Defender Department attorneys and, as a result, attorneys were released from their employment with the County and the Office of Criminal Defense was eliminate; and
- WHEREAS, The pilot project agreement was extended for a period of three years effective January 1, 2009, to remain effective through December 31, 2011 and month-to-month thereafter. There remain two (2) full-time attorneys in the Department who represent all of Bay County's indigent defendants charged with felonies (with the exception of cases referred out to local attorneys, at the County's expense, due to potential conflicts); and
- WHEREAS, In 2008 the National Legal Aid and Defender Association ("NLADA"), pursuant to a study requested by United States Senate, found that "Michigan failed to provide competent representation to poor people in its criminal courts," and that Michigan ranked 44th out of all 50 states in per capita indigent defense spending. As a result of that failure, there have been over 250 years of wrongful imprisonment of innocent indigent defendants throughout the State, at least \$7.6 million in lawsuit settlements state-wide, and approximately 185 years of extra incarceration for the poorest criminal offenders due to sentencing errors, costing the Department of Corrections \$6.5 million annually if not corrected at the appellate level; and
- WHEREAS, In October 2011, Michigan's Governor created the Indigent Defense Advisory Commission to investigate problems with the existing county public defender systems and recommend reforms. The Commission found that the services provided to indigent defendants were inconsistent from county to county, there was no data or transparency to ensure taxpayer dollars are spent efficiently or effectively, and that there are no statewide standards to define or ensure constitutionally adequate defense counsel. The Michigan Indigent Defense Commission ("MIDC") was created pursuant to 2013 PA 93 to address those problems; and
- WHEREAS, The MIDC will meet on December 15, 2015 to take action on its first set of proposed minimum standards for indigent defense delivery systems. Those proposed minimum standards are attached to this Memorandum. These proposed minimum standards will be submitted to the Michigan Supreme Court, which has 180 days to approve the standards. The MIDC Act will permit Michigan's Counties to submit an approved local compliance plan within 180 days after the Supreme Court approves the standards; and

WHEREAS, Bay County's current pilot project contract does not comply with these proposed standards, and the existing contractual relationship will make it extremely difficult, if not impossible, to ensure proper oversight of contractors or employees and that these standards are being met without considerable extra expense, if at all; and

WHEREAS, The MIDC Act requires that any improvements made to the County's indigent defense system to comply with the new standards be paid for through grants provided by the state. The MIDC Act measures base funding from Fiscal Year 2009 – three years prior to the creation of the MIDC. Thus, there is no incentive for Bay County to maintain its current system until the state funds plans to comply with the minimum standards. Based on Bay County's history of ensuring competent, constitutionally sufficient legal representation to all of its indigent resident defendants, and in anticipation of the approval of these more stringent MIDC standards, it is recommended that the Board:

1. With the affirmative recommendation of the County Executive, **following a public hearing** as required by MCL 45.564(a), reorganize the Departments of the Public Defender and Corporation Counsel as follows:

Consolidate the Department of Corporation Counsel and the Department of the Public Defender, by eliminating the Public Defender Department and creating two "Divisions" within the Department of Corporation Counsel:

- \* The Office of the Public Defender; and
- \* The Office of Criminal Defense.

Each Division will initially be staffed with one existing Department attorney as that Division's "senior" attorney:

2. Hire two additional full time attorneys (PNI0), one for the Office of the Public Defender and one for the Office of Criminal Defense (2 attorneys total in each office);
3. Increase one part-time legal secretary currently employed in the Public Defender Department to full time (from TS07 to TU07), to be assigned to the Office of Criminal Defense (the current full time legal secretary will remain in the Office of the Public Defender);
4. Transfer the current Assigned Counsel Coordinator (PC05) to Office Manager (MB08) to manage the administrative components of both Divisions and ultimately report to Assistant Corporation Counsel. This will move the Assigned Counsel Coordinator's salary from the Courts' budget to the County Executive's budget.
5. Approve a written agreement between the current pilot project contract vendor and the County to effectively terminate the existing pilot project agreement and transition the representation of all indigent criminal defendants currently covered under the month-to-month extension of the contract to the two Divisions' attorneys in a manner ensured not to disrupt or deprive the indigent clients of their constitutional right to an adequate criminal defense.

WHEREAS, These two separate "divisions" are necessary to avoid potential conflicts of interest which result in referrals to outside attorneys and increased expense to the County. Consolidating the two existing departments (Corporation Counsel and Public Defender) into one department with two divisions will allow for more streamlined oversight of the Act 139 Department by the County Executive and will ensure that, in cooperation with the Courts, any state mandated compliance plan with the minimum standards is in effect and fully operational; and

WHEREAS, The total cost of the additional or reclassified employees is dependent on several factors. First, the annual savings as a result of discontinuation of the pilot program contract will be \$156,000 after representation of indigent defendants under that contract is completely phased out. It is safe to

assume, however, that it will take a minimum of 3-4 months to completely phase out the contract. In addition, it is the County Executive's intent to request reimbursement from the State as soon as grants are funded for reimbursement of the additional funds necessary to reorganize the Departments under the MIDC Act, with the preferred end result of no costs incurred by the County, assuming the State complies with the MIDC funding mandates. The cost of such a restructuring is set forth below:

Add two (2) new full time Attorney positions, (PN10) (\$72,435 each before fringe)	\$99,460 x 2 = \$198,920
Transfer Assigned Counsel Coordinator (PC05) to Office Manager (MB08), amount of increase \$1,963 before fringe	\$2,278
Increase part time legal secretary to full time, from TS07 to TU07, \$10,056 before fringe	\$26,541
<b>Total Personnel additions</b>	<b>\$227,739</b>
Estimated Building renovations to accommodate additional office: (one time cost)	<u>\$20,000</u>
<b>Total first year estimated costs <u>before</u> any offsets:</b>	<b>\$247,739</b>
<b>Total cost for <u>first year only</u> assuming a 2/3 cost reduction of the pilot program contract (\$104,520):</b>	<b>\$138,219</b>
<b>Total annual cost for <u>subsequent years</u> (assuming a full year pilot program contract offset and no initial capital improvement costs of \$20,000)</b>	<b>\$156,000</b>  <b>\$71,739</b>

**RESOLVED:** That the Bay County Board of Commissioners approves the proposed merger and reorganization of Department of the Public Defender and Corporation Counsel with the concurrence of the County Executive and following a public hearing; authorizes posting/filling two additional full time attorneys; approves reclassification of the Assigned Counsel Coordinator to Officer Manager; increases part time secretary to full time; authorizes one time capital improvement in an amount not to exceed \$20,000; approves all required budget adjustments related to staffing and capital improvement; and approves discontinuance of pilot program contract to be phased out in a responsible manner; authorizes Board Chair to sign all necessary documents.

MICHAEL E. LUTZ, CHAIR  
AND COMMITTEE

County Executive - Reorganization and Consolidation of Responsibility of Department of Public Defender and Corporation Counsel  
MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

-42-

**BAY COUNTY BOARD OF COMMISSIONERS**

**FEBRUARY 9, 2016**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS (2/9/16)

RESOLVED By the Bay County Board of Commissioners that the following report is received:

- I. Employment Status Report - January 2016

ERNIE KRYGIER, CHAIR  
AND BOARD

County Executive - Status Reports

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**CHANGES IN EMPLOYMENT STATUS**  
**January, 2016**

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<b><u>NEW HIRES: (Regular Status)</u></b>		
Tina Mueller F.T. Typist Clerk III	County Clerk's Office General fund	1/11/2016
<b><u>NEW HIRES: (Temporary Status)</u></b>		
Samuel Worley Temp. 911 Dispatcher	Central Dispatch 911 funds	1/11/2016
Melissa Collins On-call HSW/Personal Care	Division on Aging Aging funds	1/19/2016
<b><u>TRANSFERS:</u></b>		
Eric Boks TO: Senior Programs Coordinator FROM: Senior Services Coordinator	Division on Aging Division on Aging	1/01/2016
Elizabeth Eurich TO: In-Home Service Manager FROM: Case Management Worker	Division on Aging Division on Aging	1/01/2016
Debra Keyes TO: Program/Event Manager FROM: Volunteer Coordinator	Division on Aging Division on Aging	1/01/2016
Jessica Somerlott TO: In-Home Services Manager FROM: Case Management Worker	Division on Aging Division on Aging	1/01/2016
Diane Yaworski TO: Secretary to County Clerk FROM: Legal Secretary	County Clerk Prosecuting Attorney	12/28/2015
Rebecca Marsters TO: Payroll/Benefits Supervisor FROM: Retirement Coordinator	Personnel and Emp Relations Retirement Board	1/13/2016
Deborah Stone TO: Secretary II FROM: Legal Secretary	Health Department Prosecutor's Office	1/25/2016

**SEPARATIONS: (Seasonal)**

Nathan Kolka Temp. CFO	Sheriff Department	1/04/2016
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**RETIREMENTS:**

Sheila Shaw Secretary to County Clerk	County Clerk	1/12/2016
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Mary Carelli Nurses Aide	Division on Aging	1/02/2016
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Tim Quinn Department Director	Personnel and Employee Relations	1/02/2016
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Johanna Nowak Sr. Enforcement Specialist	Friend of the Court	1/15/2016
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Joette Phelps Secretary II	Health Department	1/23/2016
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Personnel Department  
February 3, 2016

-45-

**BAY COUNTY BOARD OF COMMISSIONERS**

**JANUARY 12, 2016**

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, JANUARY 12, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:02 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL DURANCZYK, VAUGHN BEGICK, KIM COONAN, THOMAS HEREK, DONALD J. TILLEY, MICHAEL LUTZ AND CHAIRMAN ERNIE KRYGIER

OTHER MEMBERS: CYNTHIA A. LUCZAK, BAY COUNTY CLERK  
DIANE YAWORSKI, SECRETARY TO THE COUNTY CLERK  
ROBERT J. REDMOND, FINANCIAL ANALYST  
DEANNE C. BERGER, BOARD COORDINATOR

ALSO PRESENT: THOMAS L. HICKNER, COUNTY EXECUTIVE  
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR  
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR  
CRYSTAL HEBERT, FINANCE OFFICER  
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL  
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR  
VARIOUS ELECTED OFFICIALS  
VARIOUS DEPARTMENT HEADS  
NEWS MEDIA  
THOMAS A. BAIRD, BAY COUNTY RESIDENT  
DAVE ROGERS, BAY COUNTY RESIDENT  
MIKE BRISTOW, BAY COUNTY RESIDENT  
HAROLD BEAUCHAMP, BAY 3 TV

INVOCATION: THE INVOCATION WAS GIVEN BY THE BAY COUNTY CLERK, CYNTHIA A. LUCZAK.

PLEDGE OF ALLEGIANCE:

**MINUTES**

MOTION 9: COMM. TILLEY MOVED TO APPROVE THE REGULAR BOARD SESSION MINUTES OF DECEMBER 8, 2015; SPECIAL SESSION ON DECEMBER 15, 2015; AND AN ORGANIZATIONAL MEETING ON JANUARY 4, 2016 AS PRESENTED. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

## **CITIZENS INPUT**

- T. BAIRD: THOMAS A. BAIRD, BAY COUNTY RESIDENT, BROUGHT UP HIS CONCERNS REGARDING THE PANHANDLING PROBLEM WE HAVE BEEN HAVING IN BAY COUNTY AND HAS MET WITH COUNTY EXECUTIVE HICKNER AND COMM. TILLEY ON JANUARY 11, 2016. PER THE MEETING HE UNDERSTANDS THAT IT WAS ADDRESSED AT THE TOWNSHIP LEVEL. HIS CONCERN CENTERS ON THE ONGOING ISSUES OF SOME OF THE PANHANDLERS BEING IN THE SAME SPOT FOR OVER 10 MONTHS. HE IS ALSO CONCERNED THAT IT IS GIVING THE WRONG IMAGE OF BAY CITY, BANGOR TOWNSHIP AND BAY COUNTY. MANY OF THE PANHANDLERS HAVE MENTAL HEALTH ISSUES AND SUBSTANCE ABUSE ISSUES. MANY HAVE BEEN OFFERED HELP AND THEY HAVE REFUSED. SOME CLAIM THIS IS THEIR JOB. THEY NEGATIVELY REACT WITH PEOPLE THAT THEY APPROACH IN CARS. HOLD UP TRAFFIC AND CREATE UNSAFE SITUATIONS BY WALKING IN THE ROADWAYS. THEY REFUSE FOOD AND HAVE TOLD GOOD SAMARITANS THAT THEY ONLY WANT CASH. THEY ALSO LEAVE BEHIND LITTER IN THEIR LOCATIONS AND DESTROY OUT LAWN AREAS.
- COMM. KRYGIER: COMMISSIONER KRYGIER RESPONDED THE COUNTY WILL GET A RESPONSE FROM OUR ATTORNEY, TO MAKE US AWARE WHERE THE COUNTY IS AND WHAT WE CAN AND CANNOT DO.
- ATTORNEY  
AMBER DAVIS-  
JOHNSON: THIS IS AN ISSUE THAT THE COUNTY HAS LOOKED INTO. ONE OF THE MAIN ISSUES IS THAT THE COUNTY DOES NOT HAVE JURISDICTION, TO PASS AN ORDINANCE THAT AFFECTS ALL OF THE TOWNSHIPS, VILLAGES AND CITIES WITHIN OUR BOARDER. EACH OF THOSE MUNICIPALITIES HAS THE RIGHT TO PASS THEIR OWN ORDINANCES TO DEAL WITH PANHANDLING. FOR THE COUNTY TO PASS A COUNTY WIDE ORDINANCE FOR PANHANDLING, WOULD BE DETERMINED TO BE UNENFORCEABLE AS A MATTER OF LAW IS OUTSIDE OF THE COUNTIES POWER. THE BEST METHOD FOR THIS BOARD TO DEAL WITH THE ISSUE WAS TO STRONGLY ENCOURAGE ALL OF THOSE MUNICIPALITIES WITHIN OUR BOARDERS TO CONSULT WITH THEIR OWN LEGAL COUNSEL TO DETERMINE IF THOSE SPECIFIC ORDINANCES WITH RESTRICTIONS THEY WANT WOULD BE ENFORCEABLE.
- COMM. TILLEY: WE ARE BRINGING FORTH SUCH A RESOLUTION TODAY, TO ENCOURAGE THE LOCAL MUNICIPALITIES TO CONSULT THEIR ATTORNEYS AND POTENTIALLY, ADOPT AN ORDINANCE THAT FITS THEIR LOCAL NEEDS.

COMM. HEREK: COMMISSIONER HEREK THANKED THOMAS BAIRD FOR COMMENTS CONCERNING THAT THE PANHANDLERS CREATES A BAD IMAGE OF BAY COUNTY.

COMM. COONAN: WE HAVE IDENTIFIED THE PROBLEM BUT NOT ANY SOLUTIONS. BAY CITY ADOPTED A RESOLUTION AND IT PUSHED THEM OUT TO BANGOR, ULTIMATELY HOW ARE YOU GOING TO ENFORCE THIS? WE NEED TO HAVE A PLAN, SOME OF THESE PEOPLE REALLY DO NEED HELP. IF WE DON'T HAVE A SOLUTION OR A PLAN, THEN WE ARE JUST CREATING ANOTHER LAW THAT CAN'T BE ENFORCED AND THESE PEOPLE ARE NOT GETTING ANY HELP. I'M UNCOMFORTABLE WITH SUPPORTING SOMETHING THAT REALLY IDENTIFIES A PROBLEM BUT DOES NOT HAVE ANY SOLUTIONS.

COMM. BEGICK: MONITOR TOWNSHIP REMAINS IN MY DISTRICT AND I'VE DISCUSSED WITH MY TOWNSHIP OFFICIALS A COUPLE OF TIMES ALREADY, THEY HAVE BEEN WAITING FOR A CITY ORDINANCE. I HAVE RECEIVED CALLS ABOUT AGGRESSIVE BEHAVIOR AND CALLS ABOUT VETS. BEING A VETERAN, WE HAVE VETERANS SERVICES AVAILABLE AND IT'S HARD FOR ME TO SEE SOMEBODY OUT THERE IF THEY REALLY ARE VETERANS. WE HAVE PLACES FOR THEM TO GO AND WE HAVE TREATMENTS FOR THEM.

COMM. TILLY: JUST TO DOUBLE BACK ON WHAT COMM. COONAN SAID, THOSE OUT THERE THAT ARE IN NEED AND COULD USE HELP WON'T BE IMPACTED JUST BY OUR RECOMMENDATION FOR LOCALS TO ADOPT AN ORDINANCE. THERE IS A DEEPER ISSUE HERE, WHAT THE LOCALS ARE DOING WILL ADDRESS MUCH OF THE PANHANDLING ISSUE. THERE ARE A FEW OUT THERE THAT IT IS OBVIOUS THAT THEY REALLY ARE HOMELESS AND THEY REALLY ARE IN NEED. A LOT OF THE OTHER ONES OUT THERE ARE DOING IT FOR OTHER REASONS, WHETHER IT BE FOR CASH, OR DRUGS, OR THAT SOMEONE IS PAYING THEM TO STAND OUT THERE AND COLLECT MONEY THEN GET A PORTION OF THOSE FUNDS THAT ARE COLLECTED, IT'S KIND OF LIKE A JOB FOR THEM. WE ARE NEVER GOING TO SOLVE HOMELESSNESS. I AGREE WITH COMM. COONAN, WE SHOULD HAVE A PLAN. A PART OF THIS GOES BACK TO THIS PROBLEM, WHEN THEY STARTED CUTTING COMMUNITY MENTAL HEALTH AND THE DEPARTMENT OF HUMAN SERVICE FUNDING IN THE STATE OF MICHIGAN.

COMM. LUTZ: WE NEED A PLAN, BECAUSE IT'S NOT JUST THE PEOPLE ON THE CORNERS THAT WE HAVE TO DEAL WITH, ALSO THE SITUATION

THAT THEY FIND THEMSELVES IN, BE IT HOMELESS OR THEY HAVE MENTAL HEALTH ISSUES OR WHATEVER. WE NEED TO HELP AS MUCH AS WE CAN AND DEVELOP A PLAN.

EXECUTIVE  
TOM HICKNER:

JUST A COUPLE OF COMMENTS, TOM HAS HAD CONTACT WITH THE VETERANS ADMINISTRATION STAFF ABOUT THIS ISSUE. AS WE KNOW WE ARE NOT THE ONLY COMMUNITY WHO IS DEALING WITH THIS, JUST GO TO DOWNTOWN ANN ARBOR ON ANY GIVEN DAY, THEY HAVE A TREMENDOUS PROBLEM. EARLIER TODAY AS I SHARED WITH THE CHAIRMAN AND MR. COONAN, I DID CONTACT JOEL STRASZ OUR HEALTH DIRECTOR WHO ALSO SERVES AS THE CHAIRPERSON OF THE HUMAN SERVICES COORDINATING COUNSEL. THAT IS AN ORGANIZATION THAT HAS BEEN IN EXISTENCE IN THE COMMUNITY FOR MANY YEARS, IT BRINGS TO THE TABLE ALL OF THE STAKE HOLDERS THAT DEAL WITH HUMAN SERVICE ISSUES INCLUDING NOT ONLY MENTAL HEALTH BUT DHS AND A MERIT OF OTHER AGENCIES THAT ARE DOING VERY GOOD WORK IN THE COMMUNITY ON A LOT OF DIFFERENT ISSUES. I THINK WE SHOULD PUT THIS ON THE NEXT COMMITTEE COUNSEL AGENDA. THERE IS A FAIR AMOUNT OF WORK BEING DONE AND THERE IS PROBABLY MORE THAT CAN BE DONE. AS MR. TILLY POINTED OUT ITS NOT GOING TO GO AWAY BUT WE CAN HAVE AN IMPACT.

COMM. KRYGIER:

WE HAVE TO WALK A FINE LINE BECAUSE THE LAST THING WE WANT TO DO IS INFRINGE ON SOMEONE'S CIVIL RIGHTS FOR FREEDOM OF SPEECH. ESPECIALLY IF IT TURNS OUT TO BE A VET WHO NEEDS A HELPING HAND AND IS NOT GETTING THE PROPER COUNSELING THAT THEY SHOULD.

D. ROGERS:

DAVE ROGERS, BAY COUNTY RESIDENT, RECOGNIZED AND CONGRATULATED HAROLD ON HIS RETIREMENT. THEY STARTED BAY 3 TV TOGETHER, HE SAID 18 YEARS AGO. A NUMBER OF YOUNG PEOPLE, HAVE GONE INTO CAREERS IN TELEVISION INCLUDING THE CHIEF ENGINEER, EITHER CHANNEL 12 OR CHANNEL 5, SEVERAL PEOPLE HAVE DONE WELL. BRIEFLY I WANT TO MENTION TO YOU THE HISTORY OF TELEVISION IN THIS COMMUNITY. IN 1971 THE SKILL CENTER WAS BUILD BY BAY ARENAC ACCORDING TO THE PEOPLE ON A MILLAGE, THEY BUILD A MAGNIFICAT STUDIO IN THERE. IN 1984 WHEN I WENT TO WORK OVER THERE IT HAD BEEN ABANDON, IT HAD NEVER BEEN USED. I ATTEMPTED TO GET A CHANNEL, AND WAS TOTALLY SHUT OUT FOR 12 YEARS. FINALLY, I BELIEVE, IT WAS CHARTER THAT CAME IN AND WE WERE ABLE TO GET THE CHANNEL AND HAROLD WAS ABLE TO GET THE TECHNOLOGY GOING AND STARTED THE

WHOLE THING. ANYWAY, IT WOULD BE A SHAME I SEE THE BAY CITY SCHOOLS IS PULLING OUT OF BAY 3 TV, WHICH IS A SHAME, I HOPE IT DOES NOT DIE. THANK YOU FOR THE TIME.

M. BRISTOW:

I WOULD LIKE TO TALK ABOUT THEN AND NOW. THEN WE HAD INDIAN SITES ACCORDING TO THIS PAPER. TO THE ONE SITE THERE IS A BURIAL GROUND THAT WOULD BE WHERE BAYSIDE PARK IS NOW. HERE IS A PLOT MAP FROM 1916. YOU CAN GET THIS, BY THE WAY, OUT OF THE U OF M LIBRARY. A GENTLEMAN BY THE NAME OF BUNK OWNED THE PROPERTY AT THE MOUTH OF THE KAWKAWLIN, PETER AND CHARLES LIND HAD A FARM IN SECTION 4 OF BANGOR TOWNSHIP. WE GO NOW AND WE FAST FORWARD AND ALL OF A SUDDEN THIS BAYSIDE PARK IS LISTED AS A CONFINED DISPOSAL FACILITY, WHAT IS A CONFINED DISPOSAL FACILITY? IT IS THE SAME THING WE HAVE AT THE MOUTH OF THE BAY, THAT NO ONE WANTS TO GO ON. IN ABOUT 20 YEARS IT WILL BE FILLED WITH ABOUT A FOOT OF TOP SOIL AND IT WILL BE A NEW ISLAND TO GO PLAY ON, AND THIS IS WHAT IT IS AND ITS IN A RESIDENTIAL AREA. A CONFINED DISPOSAL FACILITY IN A RESIDENTIAL AREA. HERE IS A 1938 MAP SHOWING YOU THE FARM. THE DEQ, THEY COME OUT WITH A 2016 303-D REPORT, IT SAID THEY WILL HAVE THIS DONE IN TOTAL MAXIMUM DAILY LIMIT IS SCHEDULED TO BE DONE IN 2022. THE 2014 REPORT SAID IT WILL BE DONE IN 2013. NOTHING IN THE 2002 REPORT SAID IT WILL BE DONE IN 2003. HERE IS A 1960 PICTURE OF A FLYOVER OF THE SAME AREA, THEN YOU HAVE A MINE. THE WENONA COAL MINE AND YOU STILL HAVE A FARM. NOW IT LEADS ME TO BELIEVE IF YOU START LOOKING AT LIABILITIES AND WHO HAS THE RESPONSIBILITY, AND ON THE COUNTY WEB SITE THE KAWKAWLIN WATERSHED MANAGEMENT PLAN, IT WOULD BE CHAPTER 3 PAGE 39 YOU HAVE THE DESCRIPTION OF THE PROPERTY THAT IS WANTED. YOU ALSO HAVE IT WHERE IT LOOKS LIKE AN INTENTIONAL SETUP. FOR MITIGATION OF WETLANDS, YOU HAVE A DRAINAGE LAW THAT YOU HAVE TO FOLLOW, IT'S A FEDERAL LAW YOU HAVE NO CHOICE. THIS IS THE DEQ MAP THAT IS SHOWING IN 2014, THE AREA THAT WE LIVE IN IS LOADED WITH PCB. THIS IS ANOTHER ONE THAT IS SHOWING TOXICITY FOR THE DIOXIN ALONG THE SHORELINE, AGAIN RIGHT OFF THE DEQ. TOBICO MARSH, WE GO BACK AND LOOK AT THAT, WE LOOK AT THE DIKE WHEN I CALLED THE NRC ON A PARTICULAR ISSUE THEY SAID THE NATURAL FLOW WENT OUT PARISH ROAD, IT WENT OUT THE TOBACCO MARSH. THAT WAS THEN AND THIS IS NOW. HERE IS A LIST OF NAMES THAT DUCKS UNLIMITED WANTS THEIR PROPERTY, NO ONE HAS BEEN NOTIFIED, NO ONE HAS BEEN

TALKED TO, NO LETTERS SENT, NOTHING. CANCER, HOW RANDOM IS CANCER? A STUDY BY JOHN HOPKINS UNIVERSITY. THE AUTHORS OF THE NEW STUDY, ENVIRONMENTAL EFFECTS HAVE MORE ROBUST EFFECT A 70% TO 90% IF YOU ARE WILLING TO GAMBLE, YOU DON'T HAVE TO GO TO SAGANING YOU CAN GO RIGHT HERE. NOW WE GO TO SELLING PROPERTY, WHO KNEW THERE WOULD BE A DISCLOSURE LAW THAT YOU HAVE TO TALK ABOUT WHEN SELLING YOUR PROPERTY. IN OTHER WORDS, ALL THE PEOPLE WHO HAVE PROPERTY THAT IS SOLD AROUND THE CONFINED DISPOSAL PROPERTY THEY CAN SUE. HOW FAR DO YOU HAVE TO LIVE FROM IT? THEY ESTIMATE TWO MILES. NOW I ASK CHAIRMAN KRYGIER HAVE I NOT ESTABLISHED MANY TIMES IN CONTACT WITH YOU AND BROUGHT FACTS THAT YOU WERE SATISFIED WITH.

COMM. KRYGIER: YOU HAVE NEVER STEERED ME WRONG ON INFORMATION THAT YOU FOUND WITHIN DIFFERENT DEPARTMENTS, THAT IS JUST THERE AND PEOPLE NEEDED TO HAVE THE WILLINGNESS TO DIG INTO IT OR TAKE THE TIME TO DIG INTO IT.

M. BRISTOW: THAT IS THE WHOLE THING, TAKING THE TIME TO DIG INTO IT. I CAN'T MAKE THIS STUFF UP, BECAUSE ITS ALL BACKED UP WITH THE PROOF IN THESE BOOKS. YOU START TO SEE A HISTORY, AND THE HISTORY TELLS A STORY. YOU HAVE A CHUNK OF LAND THAT THE DEQ WANTS THEY DON'T CARE HOW THEY GET IT THE GENTLEMEN WHO OWNS IT IS IN COURT NOW. HOW CLOSE ARE WE TO A CONSPIRACY. I SUGGEST WE START PUTTING DOWN A LITTLE THOUGHT HERE AND TRY AND START SOLVING AND WORKING TO GET PROBLEMS DONE. I WOULD HOPE THAT MAYBE THIS COMMISSION WOULD SEE IT, IN THE BEST INTEREST IN THE ENTIRE COMMUNITY.

COMM. KRYGIER: ADMINISTRATION HAS HAD AND IS PRESENTLY WORKING ON INFORMATION DEALING WITH THAT SITE IN BANGOR TOWNSHIP AND OUR LAWYER HAS SPENT TIME AND WE HAVE FOIA'S OUT THERE TO TRY TO GET THE INFORMATION ON WHAT TYPE OF SPOILS WERE PUT IN WHAT ATTESTED TODAY JUST SO THE BOARD KNOWS THAT WE NEED TO CONTINUE TO HOLD THE DEQ AND THE CORP. OF ENGINEERS ACCOUNTABLE FOR DECISIONS THAT WERE MADE TO PUT A DISPOSAL SITE IN A RESIDENTIAL AREA AND WHETHER OR NOT THERE IS ANY LEACHING OR IF THERE IS ANY PARALLEL BETWEEN THAT SITE AND INDIVIDUALS THAT LIVE THERE HAVE COME DOWN WITH CANCER. I KNOW IT WILL BE ONGOING AND THAT TOM I'M SURE YOU WILL SUPPORT THE

ACTIONS AND WHATEVER IS NEEDED BY LAURA AND AMBER TO MAKE THESE PEOPLE ACCOUNTABLE.

**PETITIONS AND COMMUNICATIONS  
REPORTS/RESOLUTIONS OF COMMITTEES**

- RES. 2016-1 : COMM. TILLEY MOVED TO ADOPT RES. 2016-1, IN RECOGNITION OF HAROLD BEAUCHAMP ON HIS RETIREMENT FROM BAY 3 TV, IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- CLERK LUCZAK: READ RESOLUTION 2016-1 HONORING HAROLD BEAUCHAMP INTO THE RECORD.
- COMM. KRYGIER: COMMISSIONER KRYGIER PRESENTED HAROLD BEAUCHAMP WITH RES. 2016-1 AND SAID; YOU HAVE BEEN THE EYES AND THE EARS OF BAY COUNTY YOU HAVE INVOLVED YOURSELF WITH KIDS AND EDUCATION AND WE ARE CERTAINLY GOING TO MISS YOU BUT WE ARE VERY HAPPY THAT YOU HAVE HAD THE OPPORTUNITY TO TRAVE THE STATES SO YOU CAN SEE THIS COUNTY. SO ON BEHALF OF THE BOARD OF COMMISSIONERS WE WOULD LIKE TO CONGRATULATE YOU ON YOUR RETIREMENT.
- H. BEAUCHAMP: HE REMEMBERED WHEN HE DID THE FIRST MEETING THAT THE BAY COUNTY COMMISSION AND ALL OF THE OTHER MEETINGS AND HE WAS THE ONLY ONE WITH BAY 3 TV WHO WAS HERE WHEN IT ALL STARTED AND HE STATED THAT, WHEN IT ALL ENDED AS MY RETIREMENT HE WANTED TO SERIOUSLY AND SINCERELY THANK EVERYONE IN BAY COUNTY ESPECIALLY THE BOARD OF COMMISSIONERS AND THE EXECUTIVE STAFF FOR EVERYTHING THEY HAVE DONE. HE IS GOING TO MISS BEING HERE, SOME WILL NOT BELIEVE ME BUT THE COUNTY MEETINGS WERE MY FAVORITE MEETING BECAUSE HE COULD JUST SIT. HE JUST WANT TO THANK EVERYONE FOR THIS RECOGNITION AND IT REALLY MEANS A LOT.
- L. OGAR: ENVIRONMENTAL AFFAIRS DIRECTOR, LAURA OLGAR, SPOKE OF PHRAGMITES COSTAL RESTORATION AND A PENDING GRANT INTO THE DNR, A \$400,000 GRANT. WHILE IT HAS NOT BEEN AWARDED YET, COUNTY OFFICIALS ARE IN DISCUSSION WITH THE DNR. BEFORE WE MADE REQUESTED CHANGES WE ENQUIRED, DOES THIS LOGICALLY MEAN THAT WE ARE GOING TO BE AWARDED THE GRANT, SHE WAS AFFIRMATIVE, BUT SHE COULD NOT PROMISE THAT BUT THAT IS WHY WE WERE

BEING ASKED TO REVIEW SOME OF THOSE ACTIVITIES. FOR \$400,000 OF TOTAL PROJECT COST FOR TREATMENT AND COMMUNITY ENGAGEMENT FOR MANAGEMENT OF PHRAGMITES THAT WILL GO FROM ARENAC COUNTY, ONE OF OUR PARTNERS IS THE SAGINAW CHIPPEWA TRIBE, HAMPTON TOWNSHIP AND MOVING INTO TUSCOLA COUNTY. THERE IS A SISTER PROJECT TO THIS PROJECT WITH MICHIGAN TECH. MOVING UP THE SAGINAW RIVER CORRIDOR AND MOVING INTO FRANKINLUST TOWNSHIP. THE SAGINAW BAY COSTAL INITIATIVE, IT WAS FORMED IN 2006, THIS IS OUR 10 YEAR ANNIVERSARY. ITS PRETTY COMPELLING SOME OF THE WORK WE ARE ENGAGED IN THIS YEAR BECAUSE WHILE WE HAVE BEEN DEALING WITH THE SAGINAW BAY AND THE SAGINAW RIVER AND MEETING EVERY MONTH, THERE IS ANOTHER ORGANIZATION CALLED THE PARTNERSHIP OF THE SAGINAW BAY WATERSHED THAT IS FOCUSED ON THAT SAME GEOGRAPHY THE AREA OF CONCERN THE SAGINAW BAY AND THE SAGINAW RIVER AND YET THERE BOARD MEMBERS ARE WITHIN THE WATERSHED, GO DOWN TO OAKLAND COUNTY, LAPEER, GENESSEE, UP INTO CLARE AND YET THEY DON'T MEET, AND YET WE OVERLAP A GEOGRAPHY AND WE SHARE GOALS AS FAR AS RESTORATION. ITS AN EXCITING TIME TO FINALLY HAVE THESE TWO GROUP WORKING TOGETHER AND POSSIBLY FORMING SOME KIND OF OFFICIAL RECOGNIZED TYPE OF MERGER IN FACT. THE PARTNERSHIP IS THE DESIGNATED PUBLIC ADVISORY COUNSEL THAT ACTUALLY IS ABLE TO DIRECT WHERE FEDERAL FUNDING GOES FOR FEDERAL PROJECTS, FOR RESTORATION, SO IT WAS CRITICAL TO TIE IN WITH THEM. TOP PRIORITIES ARE BEACH CLOSING AND THE MUCK ON THE BEACH THE MUCK SEEMS TO HAVE GOT INCREASINGLY LESS AND THE WATER CLARITY OUT THERE AT THE BAY HAS IMPROVED. WE ARE WORKING WITH JOEL STRASZ ON THE BEACH CLOSING AND LOOKING AT FURTHER SOURCE IDENTIFICATION. WE HAVE REALLY LOOKED AT THE SEWAGE OUTFALL AT THE PUBLIC WASTE WATER SYSTEMS IT DOES NOT LOOK AS IT IS SO MUCH ATTRIBUTED TO THOSE SOURCES AS IT IS TODAY AS LAND SPREADING, FROZEN GROUND AND THERE IS A FARMER OUT THERE AND SPREADING LIQUID MANURE THAT THEY ARE SPREADING OVER THEIR FIELD RIGHT NEXT TO A DITCH. WE ARE LOOKING INTO THOSE OTHER SOURCES THAT HAVE BEEN PRETTY MUCH IGNORED OVER THE LAST 10 YEARS. LASTLY, JUST AN UPDATE ON THE BAY CITY STATE RECREATION SHORE LINE, FOR OVER 2 YEARS NOW WE HAVE BEEN WORKING ON THE BOARDWALK AND THE 1000 FEET OF

BEACH FRONT THAT WE WERE BASICALLY OFFERED TO GAIN ACCESS TO THE SHORELINE. ONE INSISTED THAT THEY WERE NOT GOING TO BE INSTALLED THE OTHER INSISTED THEY HAD TO BE INSTALLED, BUT ONCE YOU GET PAST THAT, THEN YOU GO DEAL WITH A SIMILAR SITUATION WITH THE DEQ AND ON. THIS PROJECT WHILE WE HAVE PERMITS NOW FROM THE DEQ TO BUILD THE BOARDWALK THE BEACH HAD SHRUNK DOWN FROM 1000 FEET DOWN TO 650 FEET AND CURRENTLY AS WE DISCOVERED LAST YEAR WE ONLY HAVE ACTUALLY FROM THE ORIGINAL LOCATION WE HAVE ABOUT 94 FEET OF WHERE WE COULD ACTUALLY DO THIS BEACH GROOMING BECAUSE THE REST OF THE SHORELINE IS UNDER PRESERVED DO NOT DISTURB LAND USE RESTRICTION UNDER DEED RESTRICTIONS. THAT HAS BEEN COMMUNICATED OFFICIALLY WITH THE DNR. WE HAVE MADE A FORMAL REQUEST AT THE END OF LAST YEAR TO HAVE THESE DEED RESTRICTIONS LIFTED, THEY DO HAVE A JANUARY 18<sup>TH</sup> DEADLINE TO GET BACK TO US. WE HAVE A BODY OF RECORDS TO HELP THEM WITH THAT ENDEAVOR. WE HAVE WETLANDS THAT WERE CREATED THAT WATERFRONT AREA BEFORE THE SHORELINE THAT SAND HAS BEEN REMOVED AND THOSE WETLAND OUT THERE WERE CREATED, THE WETLANDS PLANTS THAT WERE FOUND OUT THERE WERE ACTUALLY HARVESTED FROM TOBICO MARSH AND PLANTED IN THAT WETLAND AREA. ITS BEEN A REAL INTERESTING PROCESS TO KIND OF PEAL BACK WHAT HAS ACTUALLY GONE ON OUT THERE AT THE SHORELINE AND TO PLOT A PATH FORWARD, WHICH IS THE REAL KEY.

MOTION 10: COMM. COONAN MOVED TO RECEIVE THE PRESENTATION BY LAURA OLGAR, DIRECTOR OF ENVIRONMENTAL AFFAIRS AND COMMUNITY DEVELOPMENT, ON THE SAGINAW-BAY COASTAL INITIATIVE AND THE BAY CITY STATE RECREATION AREA (BCSRA) SHORELINE. IT WAS SUPPORTED BY COMM. LUTZ AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 11: COMM. HEREK MOVED TO RECEIVE THE COMMUNICATION SUBMITTED BY JANET GREIF, SUPERINTENDENT OF BAY CITY PUBLIC SCHOOLS- NOTICE OF WITHDRAWAL FROM COOPERATIVE OPERATION OF EDUCATIONAL/GOVERNMENT ACCESS CHANNEL BAY 3 TV, FINAL OPERATION EFFECTIVE JUNE 30, 2016. IT WAS SUPPORTED BY COMM. LUTZ AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 12: COMM. DURANCZYK MOVED TO RECEIVE MOTION TO CONCUR

WITH THE ELECTIVE RECOMMENDATION ROBIN K. WIESS - REQUEST FOR APPOINTMENT TO DIVISION ON AGING ADVISORY COMMITTEE - 1<sup>ST</sup> DISTRICT. (COMMISSIONER DURANCZYK RECOMMENDS APPOINTMENT OF ROBIN K. WIESS - CONCUR). IT WAS SUPPORTED BY COMM. LUTZ AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS

## **REPORTS/RESOLUTIONS OF COMMITTEES**

### **WAYS AND MEANS (KIM J. COONAN, CHAIR; DONALD J. TILLEY, VICE CHAIR)**

- RES. 2016-2: COMM. COONAN MOVED TO ADOPT RES. 2016-2 VETERANS FOUNDATION - GRANT APPLICATION (ADMINISTRATIVE SERVICES). THE MICHIGAN VETERAN AFFAIRS AGENCY'S COUNTY INCENTIVE GRANT IN THE AMOUNT OF \$5,000.00 FOR TECHNOLOGY UPGRADES/INVESTMENTS. THE GRANT WOULD MAINTAIN A VETERAN DATABASE, TWO COMPUTER TERMINALS, BASIC OFFICE FURNITURE (DESK AND CHAIRS) COLOR PRINTER AND PHOTOCOPIER. ADDITIONALLY A BUDGET FOR FUNDING TONER AND COPIER PAPER. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-3: COMM. COONAN MOVED TO ADOPT RES. 2016-3 SECURUS TECHNOLOGIES THIRD AMENDMENT TO INMATE FACILITY SERVICES AGREEMENT (SHERIFF DEPT.). SECURUS TECHNOLOGIES CURRENTLY PROVIDES THE TELEPHONE SERVICES THE BAY COUNTY JAIL INMATES. A THIRD AMENDMENT HAS BEEN SUBMITTED FOR SIGNATURE AND THIS THIRD AMENDMENT IS EFFECTIVE AS OF THE LAST DATE SIGNED AND AMENDS AND SUPPLEMENTS THE CONTRACT DATED JULY 26, 2005, AS SUBSEQUENTLY AMENDED BY THAT CERTAIN FIRST AMENDMENT DATED DECEMBER 22, 2010. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-4: COMM. COONAN MOVED TO ADOPT RES. 2016-4 CORRECTIONAL HEALTHCARE COMPANIES CONTRACT (SHERIFF DEPT.). BAY COUNTY SHERIFF DEPARTMENT HAS CONTRACTED WITH CORRECTIONAL HEALTHCARE COMPANIES (CCH) SINCE 2008 TO PROVIDE PROFESSIONAL HEALTHCARE SERVICES WITH ADEQUATE STAFFING AND SERVICES FOR INMATE CARE AT THE SHERIFF DEPARTMENT. CHC HAS SUBMITTED A NEW CONTRACT TO COVER THE PERIOD OF SEPTEMBER 1, 2015 THROUGH AUGUST 31, 2020.

IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-5: COMM. COONAN MOVED TO ADOPT RES. 2016-5 RAP GRANT APPLICATION - X-RAY SCREENING SYSTEM (SHERIFF DEPT.). THE BAY COUNTY SHERIFF IS RESPONSIBLE FOR OVERSEEING SECURITY AT THE BAY COUNTY COURT FACILITY AND IN ADDITION TO PROVIDING PERSONNEL TO SCREEN VISITORS AT THE ENTRANCE OF THE FACILITY, AN X-RAY SCREENING SYSTEM IS REQUIRED FOR ADDED SECURITY. THE CURRENT SYSTEM IS OUTDATED AND IN NEED OF REPLACEMENT IN ORDER TO EFFECTIVELY PROVIDE SECURITY. THE COST FOR THE X-RAY INSPECTION (#5333) SYSTEM, HANDHELD EXPLOSIVE AND NARCOTIC DETECTION SYSTEM AND METAL DETECTION SYSTEM IS \$15,742.00. NO FUNDS WERE BUDGETED FOR THIS EQUIPMENT, REQUIRING A BUDGET ADJUSTMENT FOR GENERAL FUND. RISK AVOIDANCE PROGRAM (RAP) FUNDING IS AVAILABLE THROUGH MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY (MMRMA). AUTHORIZATION IS SOUGHT TO APPLY FOR RAP GRANT FUNDING FOR THE PROJECT IN THE AMOUNT OF \$7871.00 (ONE-HALF). THE APPLICATION DEADLINE IS JANUARY 29, 2016. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-6: COMM. COONAN MOVED TO ADOPT RES. 2016-6 ROAD PATROL "POOLED" CONTRACT FOR FY2016-2017 (SHERIFF DEPT.). THE BAY COUNTY SHERIFF WISHES TO CONTINUE CONTRACTS FOR THE ROAD PATROL SERVICES AGREEMENTS FOR POOLED CONTRACTS (60/40) THAT HAVE BEEN IN EFFECT SINCE 2009 AND THE POOLED ROAD PATROL AGREEMENT WILL BE IN EFFECT FROM APRIL 1, 2016 THROUGH MARCH 31, 2017. THE CALENDAR YEAR AGREEMENTS WITH MONITOR, BANGOR, PORTSMOUTH AND WILLIAMS TOWNSHIPS AND WITH THE CITY OF AUBURN ALSO NEED TO BE RENEWED FOR THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2017. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-7: COMM. COONAN MOVED TO ADOPT RES. 2016-7, 2016 EQUITABLE SHARING AGREEMENT (SHERIFF DEPT.). THE BAY COUNTY SHERIFF DEPARTMENT HAS BEEN INVOLVED IN THIS PROGRAM SINCE 2007 AND HAS RECEIVED SIGNIFICANT FUNDS AS THE RESULT OF PARTICIPATION IN THIS PROGRAM. THIS AGREEMENT ALLOWS FOR PARTICIPATION IN THE FEDERAL EQUITABLE SHARING

PROGRAM AND OUTLINES RESTRICTION UPON THE USE OF FEDERALLY FORFEITED CASH, PROPERTY, PROCEEDS AND INTEREST EARNED THEREON WHICH ARE EQUITABLY SHARED WITH THE PARTICIPATING LAW ENFORCEMENT AGENCIES. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-8: COMM. COONAN MOVED TO ADOPT RES. 2016-8 FEE SCHEDULE FOR BAY COUNTY GOLF COURSE (RECREATION AND FACILITIES). THE BAY COUNTY GOLF COURSE SETS FEES FOR GOLD, CARTS AND OTHER SERVICES OFFERED AT THIS RECREATION SITE. IN AN EFFORT TO SIMPLIFY THE FEE SCHEDULE FOR OUR CUSTOMERS AND OUR EMPLOYEES, A CHANGE OF FEE SCHEDULE STRUCTURE FOR THE GOLF COURSE IS RECOMMENDED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-9: COMM. COONAN MOVED TO ADOPT RES. 2016-9 FEE SCHEDULE ADDITION - INDOOR BASEBALL/GOLF PROGRAM (RECREATION AND FACILITIES). THE BAY COUNTY COMMUNITY CENTER RECENTLY PURCHASED AND INSTALLED AN INDOOR BASEBALL/GOLF NET IN THE SMALL GYM. THIS NET CAN BE SET UP IN ABOUT 5 MINUTES OR LESS BY COMMUNITY CENTER STAFF AND WILL ALLOW PEOPLE TO PRACTICE THEIR GAME INSIDE DURING THE COLD AND WET SEASONS WHEN IT IS DIFFICULT TO PLAY THESE SPORTS OUTSIDE. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-10: COMM. COONAN MOVED TO ADOPT RES. 2016-10 EQUIPMENT FOR CARDIO DRUMMING CLASS (RECREATION AND FACILITIES). CARDIO DRUMMING, A FULL BODY WORKOUT THAT COMBINES LIGHT RESISTANCE, CARDIO AND DRUMMING, IS A CLASS THE COUNTY WOULD LIKE TO OFFER EMPLOYEES/SPOUSES/RETIREEES AND THE PUBLIC TO ENJOY. A BUDGET ADJUSTMENT IN THE AMOUNT OF \$300.00 IS NECESSARY TO PURCHASE THE REQUIRED EXERCISE BALLS AND DRUM STICKS. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-11: COMM. COONAN MOVED TO ADOPT RES. 2016-11 COMMUNITY CENTER FITNESS CENTER EQUIPMENT (RECREATION AND FACILITIES). THE BAY COUNTY COMMUNITY CENTER HAS A FITNESS CENTER USED BY EMPLOYEES, SPOUSES, RETIREEES AND THE PUBLIC ALIKE. SOME OF OUR EQUIPMENT HAS AGED AND IS

WORN FROM USE. WE WOULD LIKE TO REPLACE THE UNIVERSAL MACHINE THAT IS PAST ITS USEFUL LIFE WITH FOUR (4) SEPARATE MACHINES; A LEG PRESS, A CHEST PRESS, A TRICEP MACHINE AND LAT PULL DOWN. ALSO, WE WOULD LIKE TO PURCHASE A TREADMILL, AN INCLINE BENCH, AND VARIOUS SMALL PIECES OF UNDESIGNATED EQUIPMENT WITH REMAINING FUNDS. A BUDGET ADJUSTMENT OF UP TO \$12,500.00 FROM THE GENERAL FUND WOULD BE NECESSARY TO PURCHASE THIS EQUIPMENT. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-12: COMM. COONAN MOVED TO ADOPT RES. 2016-12 A & D HOME HEALTH CARE, INC. WAIVER CONTRACT (DIVISION ON AGING). A & D HOME HEALTH CARE WAIVER DIVISION OPERATES ON A CONTRACT BASIS WITH THE BAY COUNTY DIVISION ON AGING AND A CONTRACT TO EXTEND THE CURRENT AGREEMENT THAT COVERS PAYMENT AND SERVICES UNDER THE MI CHOICE WAIVER PROGRAM FOR THE PERIOD OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-13: COMM. COONAN MOVED TO ADOPT RES. 2016-13, 2016 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT FOR LOCAL EMERGENCY PLANNING COMMITTEE (EMERGENCY MANAGEMENT). THE BAY COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) IS CHARGED WITH DEVELOPING EMERGENCY SITE PLANS (A/K/A SARA TITLE III, SECTION 302, OFF-SITE RESPONSE PLANS) TO RESPOND TO CERTAIN CHEMICAL ACCIDENTS BASED UPON INFORMATION PROVIDED BY LOCAL FARMS AND BUSINESSES SA TO THE CHEMICALS THEY HAVE ON SITE. FOR THE PAST SEVERAL YEARS, THE STATE OF MICHIGAN HAS ISSUED HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT FUNDS TO COUNTY LEPCS FOR THE PURPOSE OF ENHANCING HAZARDOUS MATERIAL RESPONSE PLANNING FOR THE COUNTY AND TO PROVIDE SUPPORT FOR THE ONGOING OPERATION OF LOCAL LEPCS. EMERGENCY SITE PLANS DEVELOPED AND SUBMITTED BY THE BAY COUNTY LEPC WILL BE REIMBURSED AT A RATE OF \$250.00 FOR EACH NEW SITE PLAN COMPLETED AND \$30.00 FOR EACH UPDATED EXISTING SITE PLAN. THE GRANT APPLICANT/RECIPIENT DEPARTMENTS ARE REQUIRED TO WORK WITH THE FINANCE DEPARTMENT WHOSE STAFF WILL PROVIDE FINANCIAL OVERSIGHT OF SAID GRANT. IT IS CLEARLY

UNDERSTOOD THAT IF THESE GRANT FUNDS ARE TERMINATED, ANY POSITION(S) FUNDED BY THIS GRANT SHALL BE TERMINATED AND WILL NOT BE ABSORBED BY THE COUNTY. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-14: COMM. COONAN MOVED TO ADOPT RES. 2016-14 MEMORANDUM OF UNDERSTANDING WITH MOBILE KIDS DENTAL (JUVENILE HOME). IT IS REQUIRED BY THE STATE OF MICHIGAN THAT CHILD CARE INSTITUTIONS PROVIDE A DENTAL EXAMINATION WITHIN 90 CALENDAR DAYS AFTER ADMISSION; CURRENTLY RESIDENTS RECEIVE EMERGENCY TREATMENT AS NEEDED. THE SERVICES FOR EXAMINATIONS WILL BE AT NO COST TO THE JUVENILE HOME UNLESS IT IS AGREED IN ADVANCE. THE JUVENILE HOME HAS FUNDS TO AID IN COST OF IMMEDIATE-NEED SERVICES THAT ARE NOT COVERED BY ANOTHER SOURCE. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-15: COMM. COONAN MOVED TO ADOPT RES. 2016-15 SERVICE CONTRACT WITH MOBILEXUSA (JUVENILE HOME). MOBILEXUSA CAN PROVIDE X-RAY SERVICES ON SITE CHARGING A FLAT RATE OF \$90.00 PER EVENT THUS REDUCING THE LIABILITY AND COST OF TRANSPORTING A YOUTH OUTSIDE THE FACILITY. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-16: COMM. COONAN MOVED TO ADOPT RES. 2016-16 SERVICE CONTRACT WITH BIZSTREAM (JUVENILE HOME). THE BAY COUNTY JUVENILE HOME HAS ACQUIRED A SERVICE FROM BIZSTREAM FOR MAINTENANCE OF AN ELECTRONIC FILING SYSTEM FOR ALL RESIDENTS SINCE 2011. BIZSTREAM WAS CONTRACTED TO CREATE A SOFTWARE SYSTEM THAT WOULD PROVIDE ELECTRONIC, PAPERLESS FILES AND ABILITY TO PRODUCE REPORTS NECESSARY FOR STATE REQUIREMENTS. BIZSTREAM HAS UPGRADED THIS SYSTEM AND AT THIS TIME, STILL MAINTAINS THE OLD SYSTEM; HOWEVER, IN 2016 BIZSTREAM WILL NO LONGER MAINTAIN THE OLD SYSTEM AND EXPECTS ALL USERS TO UPGRADE TO THE NEWER VERSION. THE COST TO INCLUDE TRAINING, E-MAIL SUPPORT, BUG FIXES AND PATCHES, SCHEDULED UPGRADES AND ENHANCEMENTS, MANAGED BACKUP AND RECOVERY OF CUSTOMER DATA, CONSTANT SERVER MONITORING AND 99.9% UPTIME GUARANTEED, IS \$676.00 PER MONTH FOR A TOTAL OF \$8,112.00

PER YEAR AND THESE FUNDS HAVE BEEN BUDGETED. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2016-17: COMM. COONAN MOVED TO ADOPT RES. 2016-17 MAJOR CAPITAL IMPROVEMENT PROJECTS - BID PROCESS (BUILDING AND GROUNDS). NEW ROOF OVER THE HEALTH DEPT. AND COURT FACILITY. THE ROOF OVER THE HEALTH DEPT. AND COURT FACILITY IS OVER 20 YEARS OLD AND NEEDS TO BE REPLACED. A NEW COUNTY WIDE TELECOMMUNICATIONS SYSTEM. THE MAIN TELEPHONE SYSTEM THAT SERVES THE HEALTH DEPT., COURT FACILITY, LEC AND THE COUNTY BUILDING IS OVER 23 YEARS OLD. ASPHALT PARKING LOT AT THE LAW ENFORCEMENT CENTER. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-18: COMM. COONAN MOVED TO ADOPT RES. 2016-18 PAYABLES: GENERAL, BAYANET, CENTER RIDGE ARMS. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-19: COMM. COONAN MOVED TO ADOPT RES. 2016-19 CONTRACT EXTENSION FOR OFFICE SUPPLY AGREEMENT (FINANCE - PURCHASING). BAY COUNTY'S EXISTING CONTRACT WITH OFFICEMAX EXPIRES IN JULY OF 2016. APPROVE EXTENSION OF BAY COUNTY'S EXISTING OFFICE SUPPLIES AGREEMENT CHANGING THE NAME OF THE VENDOR FROM OFFICEMAX TO OFFICE DEPOT, SAID AGREEMENT TO BE IN PLACE UNTIL JUNE 30, 2018. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-20: COMM. COONAN MOVED TO ADOPT RES. 2016-20 AMENDMENT TO RICOH COPIER CONTRACT (FINANCE - PURCHASING). REVIEW OF THE EXISTING CONTRACT BETWEEN BAY COUNTY AND RICOH, IT WAS DETERMINED THE BAY COUNTY'S PRINT/COPY VOLUME HAD SIGNIFICANTLY DECREASED DUE TO THE COUNTY'S EFFORTS TO SAVE PAPER, DECREASING TO THE POINT THAT AN ESTIMATED MONTHLY SAVINGS OF \$430.52 WILL BE RECOGNIZED OR AN OVERALL \$10,763.00 DECREASE IN TOTAL PAYMENTS DURING THE REMAINDER OF THE EXISTING CONTRACT. THERE IS ALSO A REDUCTION IN CHARGES FOR STAPLES UTILIZED RESULTING IN ADDITIONAL SAVINGS. APPROVE CONTRACT ADDENDUM TO THE RICOH COPIER LEASE AGREEMENT DECREASING THE PAPER AND

STAPLE VOLUME RESULTING IN A SIGNIFICANT SAVINGS TO BAY COUNTY. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

**PERSONNEL/HUMAN SERVICES (MICHAEL LUTZ, CHAIR;  
DONALD J. TILLEY, VICE CHAIR)**

RES. 2016-23: COMM. LUTZ MOVED TO ADOPT RES. 2016-23 CONCURRENCE TO POST AND FILL A LEGAL SECRETARY POSITION IN THE BAY COUNTY PROSECUTOR'S OFFICE. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

**BOARD OF COMMISSIONERS (ERNIE KRYGIER, CHAIR,  
DONALD J. TILLEY, VICE CHAIR)**

RES. 2016-21: COMM. TILLEY MOVED TO ADOPT RES. 2016-21 OPPOSITION TO SENATE BILL 110 (RESOLUTION INTRODUCED BY COMMISSIONER DONALD J. TILLEY). THIS BILL WOULD CHANGE THE ELECTION YEAR IN WHICH OUR COUNTY EXECUTIVE IS ELECTED. CURRENTLY OUR COUNTY EXECUTIVE IS ELECTED IN THE SAME YEAR AS THE PRESIDENT OF THE UNITED STATES. SENATE BILL 110 WOULD CHANGE THE ELECTION OF THE COUNTY EXECUTIVE FROM THE PRESIDENTIAL TO THE SAME YEAR AS THE ELECTION OF THE GOVERNOR. IN BAY COUNTY, THAT WOULD RESULT IN A REDUCTION OF OVER 19% (15,344) OF THE VOTERS ELECTING OUR COUNTY EXECUTIVE. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 6 YEAS, 1 NAY.

COMM. TILLEY: IF YOU CAN'T WIN A POPULAR VOTE, SO WE ELIMINATE STRAIGHT TICKET VOTING, WE GERRYMANDER THE STATE, WE OBSTRUCT NO REASON ABSENTEE VOTING AND NOW YOU WANT TO MOVE A LOCALS CHOICE, WHEN WE CAN ELECT OUR OWN COUNTY EXECUTIVE TO A GUBERNATORIAL YEAR WHEN WE HAVE A DROP OFF RATE OF ABOUT 19% OF VOTERS IN OUR OWN COMMUNITY, IT'S JUST WRONG. IT'S ANOTHER WAY TO MANIPULATE VOTING IN THE STATE OF MICHIGAN. IF YOU CAN'T BEAT SOMEONE BY POPULAR VOTE, GET OUT OF OFFICE AND I STRONGLY BELIEVE THAT WE SHOULD BE ABLE TO ELECTIVE OUR EXECUTIVE SINCE 1973 OR 1972, SINCE WE HAVE HAD THE COUNTY EXECUTIVE ELECTIVE BY BAY COUNTY, THIS COUNTY HAS DONE WONDERFUL

THINGS OVER THOSE YEARS AND WE BALANCE AND I'M PROUD TO SERVE ON THIS BOARD FOR A DECADE. SO I BRING FORWARD THIS RESOLUTION AND I HOPE THAT MY FELLOW COMMISSIONERS WILL SUPPORT ME IN THIS ENDEAVOR.

COMM. BEGICK: I LOOKED UP THE WHOLE FISCAL ANALYSIS ON THIS BILL AND THE REAL INTENT WAS OF THE BILL WAS TO ALINE WAYNE, OAKLAND AND MACOMB ON THE SAME SCHEDULE. RIGHT NOW WAYNE AND MACOMB IS ON THE GOVERNORSHIP AND OAKLAND IS ON THE PRESIDENTIAL AND BAY COUNTY IS ON THE PRESIDENTIAL. THE REAL REASON IS TO ALIGN THOSE THREE SO THAT THEY ARE IN CORRELATION WITH EACH OTHER AND IT STATES THAT BAY COUNTY MAY OPT ADOPTING A RESOLUTION TO ENSURE THAT BAY COUNTY VOTES CONTINUE TO ELECT THEIR COUNTY EXECUTIVE IN THE PRESIDENTIAL YEAR. OAKLAND COUNTY CAN DO THAT ALSO BUT WE HAVE AN OPT OUT CLAUSE IN THIS. SO I AM GOING TO VOTE AGAINST IT BECAUSE WE HAVE AN OPT OUT CLAUSE AND THE BILL IS JUSTIFIED.

COMM. TILLY: I WILL BE BRINGING FORTH THE OPT OUT CLAUSE IF THEY PASS THIS RESOLUTION AT THE NEXT MEETING, SO THAT WE WILL OPT OUT AND BE ON THE SAME SCHEDULE THAT WE CURRENTLY ARE ON. I THINK IT'S THEY WANT TO MANIPULATE THE ELECTIONS AND THEY ARE PUTTING OAKLAND COUNTY'S EXECUTIVE SEAT IN JEOPARDY AND THE REASON THEY BROUGHT IT FORWARD IS BECAUSE THEY WANT TO MAINTAIN OAKLAND COUNTY BUT THEY HAVE A WONDERFUL REGISTER OF DEEDS DOWN THERE IN RANDY MISNER AND LISA BROWN WHO BOTH, WHO COULD LIKELY, RUN AND COULD WIN THAT SEAT IN OAKLAND COUNTY AND THEY WILL LOOSE THE SEAT THAT THEY ARE SO-CALLED DRAWING THIS BILL UP FOR. SO AGAIN, I HOPE I HAVE THE REST OF THE COMMISSIONERS SUPPORT ON THIS, LEAVE US ALONE AND LET US TAKE CARE OF OUR OWN POLITICS IN BAY COUNTY.

COMM. KRYGIER: I'M SORRY THAT, THAT'S THE POSITION YOU'RE GOING TO TAKE BUT I THINK WE NEED TO SEND A MESSAGE TO LANSING THAT BAY COUNTY WILL DO WHAT BAY COUNTY WANTS TO DO, NOT WHAT LANSING IS TRYING TO DICTATE TO US. THAT BEING SAID.

RES. 2016-22: COMM. TILLEY MOVED TO ADOPT RES. 2016-22 REPORTS OF COUNTY EXECUTIVE. THE FOLLOWING REPORT IS RECEIVED: EMPLOYMENT STATUS REPORT - DECEMBER 2015. IT WAS

SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-24: COMM. TILLEY MOVED TO ADOPT RES. 2016-24 AS A NUMBER OF COMMUNITY MEMBERS HAVE ASKED THE COUNTY TO ENACT A "COUNTY-WIDE" PANHANDLING ORDINANCE IN RESPONSE TO INDIVIDUALS PANHANDLING AT BUSY INTERSECTIONS NEAR BAY CITY, THE QUESTION HAS BEEN RAISED AS TO WHETHER SUCH A "COUNTY-WIDE" ORDINANCE IS FEASIBLE. THAT THIS BOARD SUGGESTS THAT OTHER BAY COUNTY MUNICIPALITIES CONSULT WITH THEIR OWN LEGAL COUNSEL ON THIS VERY COMPLEX AND SENSITIVE ISSUE. EACH MUNICIPALITY HAS THE ABILITY TO MAKE THEIR OWN DETERMINATION ON A LOCAL LEVEL WHETHER ENACTING A PANHANDLING ORDINANCE IS THE RIGHT SOLUTION FOR THEIR COMMUNITY. ABSENT A CONTRACT WITH THE COUNTY PROSECUTOR OR SHERIFF, IT WOULD ALSO BE INCUMBENT ON EACH MUNICIPALITY TO ENFORCE AND PROSECUTE ITS OWN LOCAL PANHANDLING ORDINANCE AS IS THE CASE WITH ALL OTHER LOCALLY ENACTED ORDINANCES. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. BEGICK: I'M GOING TO SUPPORT IT BUT THERE HAS BEEN SOME COMMENTS ONLINE THAT IF YOUR COUNTY PASSES THIS AND ITS TAKEN TO COURT THAT YOU END UP PAYING THE BILL ON IT SO I THINK TOWNSHIPS NEED TO LOOK AT IT CAREFULLY AND MAKE SURE THEY CRAFT A GOOD RESOLUTION IF THEY ARE GOING TO DO IT BECAUSE YOU ARE GOING TO END UP IN THE SUPREME COURT EVENTUALLY, I GUESS.

COMM. KRYGIER: THAT IS WHY IN THAT VERBIAGE WE ARE ENCOURAGING THEM TO GET WITH THEIR ATTORNEYS, TO MAKE SURE THAT IT IS HANDLED PROPERLY.

COMM. COONAN: IF SOMEONE BREAKS THE LAW THEY ARE PICKED UP AND BROUGHT TO JAIL. IT'S DONE BY THE SHERIFF AND JAIL WHICH IS OVERCROWDED. I DON'T KNOW WHY THIS HAS TO BE RUN THROUGH TODAY. WE SHOULD GO THROUGH COMMITTEE AND GIVE US A CHANCE TO LOOK AT IT. IF THEY DO BREAK THE LAW, THE SHERIFF IS PICKING THEM UP AND COME TO JAIL. THEN WHAT DO WE DO WITH THEM? THAT IS A COST TO US AS WELL SO, WE IDENTIFIED A PROBLEM BUT WE HAVE NOT IDENTIFIED A SOLUTION.

COMM. TILLEY: THIS JUST SIMPLY ENCOURAGES THE MUNICIPALITIES TO ADOPT SOME KIND OF ORDINANCE, WE STILL CAN LOOK AT SOLUTIONS. AT LEAST THIS IS A STEP IN MOVING THE ONES WHO ARE ABUSING THE CONCEPT OF PANHANDLING TO A LEVEL THAT IS SOMEWHAT OF A NUISANCE IN OUR COMMUNITY.

COMM. COONAN: WHY DO THEY NEED US TO ENCOURAGE THEM, IF THEY WANT TO DO IT. ULTIMATELY THE COST IS GOING TO COME BACK ON US. THIS SHOULD PROBABLY GO THROUGH A COMMITTEE THEN WE CAN DISCUSS IT. I DON'T THINK ITS SO DARN IMPORTANT THAT WE NEED TO BRING IT TO THE BOARD.

COMM. KRYGIER: COMMISSIONER KRYGIER ADDED, IT WAS GOOD TIMING WITH BANGOR TOWNSHIPS MEETING TONIGHT AND NOW THEY HAVE A CLEAR MESSAGE OF THE POSITION THE COUNTY IS TAKING. THERE WERE OTHER TOWNSHIPS THAT ARE HAVING THEIR FULL BOARD MEETING RUNNING CLOSES TO THIS MEETING, PLUS HAVING AMBER DO THE RESEARCH ON WHETHER OR NOT THE COUNTY BY LAW CAN ENACT ANY RESOLUTION THAT WOULD MAKE THE TOWNSHIPS RESPONSIBLE. WE HAVE HAD VERY GOOD DISCUSSION ON THE ISSUE, BEING THAT IT WAS BROUGHT UP BY A RESIDENT.

COMM. LUTZ: I WOULD LIKE TO GET THIS OUT TO ALL OF THE CITIES AND TOWNSHIPS WITHIN BAY COUNTY, THAT WAY THEY WILL KNOW WHERE OUR HANDS ARE TIED. IF THE VETERANS ADMINISTRATION WOULD LIKE TO COME AND MAKE ANY TYPE OF PRESENTATION, WHAT STEPS ARE BEING TAKEN, WHAT'S AVAILABLE THROUGH THE VETERANS ADMINISTRATION FOR PEOPLE, I THINK IT WOULD BE A GREAT UPDATE AND GET THAT OUT ON BAY 3 TV, I'M OPEN TO HAVE THEM COME TO THE NEXT MEETING.

COMM. COONAN: WE SEND THEM A MESSAGE, WE WANT YOU TO DO SOMETHING, THEY SAY OK WE'LL DO IT BUT WE ARE GOING TO PASS THE COST BACK ON TO YOU. THEY HAVE A PROBLEM AND WE PICK THEM UP AND WE BILL THEM FOR THAT, IF YOU WANT TO PUT THAT IN THE RESOLUTION, THEY WOULD NOT PASS IT. IF WE PICK THEM UP AND WE EAT THE COST OF PUTTING THEM IN JAIL AND USING OUR DEPUTIES TO DO THE ENFORCEMENT THEN WE PAY THE COSTS.

AMBER  
DAVIS-JOHNSON: THE RESOLUTION PROPOSED SIMPLY SUGGESTS THAT THE BOARD AND OTHER BAY COUNTY MUNICIPALITIES CONSULT WITH THEIR OWN LEGAL COUNSEL AND DETERMINE WHETHER THEY WANT TO

HAVE ONE OR NOT, IT DOES NOT SUGGEST THAT THEY SHOULD PASS ONE OR NOT PASS ONE, IT DOES NOT ENCOURAGE THEM EITHER WAY. IT JUST ENCOURAGES THEM TO SEEK COUNSEL FROM THEIR LEGAL REPRESENTATIVES.

COMM. HEREK: ITS JUST A RESOLUTION THE TOWNSHIP PASSES THE ORDINANCES, I WILL BE TAKING THIS TO THE TOWNSHIPS I REPRESENT. IF THEY PASS THE ORDINANCES, THEY PAY TAXES AND IF WE HAVE TO FIND A SOLUTION TO TAKE CARE OF THEM THAT'S WHAT WE HAVE TO DO BECAUSE THAT IS WHY THEY PAY THEIR TAXES.

### **REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

COUNTY EXECUTIVE THOMAS HICKNER, NOTHING

### **UNFINISHED BUSINESS**

THERE WAS NO UNFINISHED BUSINESS.

### **NEW BUSINESS**

THERE WAS NO NEW BUSINESS.

### **MISCELLANEOUS**

THERE WERE NO MISCELLANEOUS ITEMS.

### **ANNOUNCEMENTS**

CHAIRMAN KRYGIER NOTED THE UPCOMING 2016 APPOINTMENTS AS FOLLOWS:

1. MARCH:

A. BAY ARENAC BEHAVIORAL HEALTH AUTHORITY - THREE 3-YEAR TERMS EXPIRING: THOMAS L. STARKWEATHER; ROBERT PAWLAK; RICHARD BYRNE.

2. JUNE: LIBRARY BOARD - ONE 5-YEAR TERM, DONALD CARLYON.

3. OCTOBER:

A. LAND BAK AUTHORITY - ONE LOCAL UNIT OF GOVERNMENT REPRESENTATIVE, 3-YEAR TERM, RICHARD L. BYRNE.

B. DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD OF DIRECTORS - ONE 3-YEAR TERM, THOMAS L. STARKWEATHER.

4. DECEMBER: DIVISION ON AGING ADVISORY COMMITTEE - FOUR 2-YEAR TERMS, DISTRICTS 1, 4, & 6 AND AT -LARGE

### **CLOSED SESSION**

MOTION 13: COMM. LUTZ MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (e): TO CONSULT WITH ITS ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH SPECIFIC PENDING LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATING OR SETTLEMENT POSITION OF THE PUBLIC BODY. TO DISCUSS THE ISSUES OF CYNTHIA A. LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY BOARD OF COMMISSIONERS, ET AL 2015-3583-AW.  
IT WAS SUPPORTED BY COMM. COONAN AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ, KRYGIER, HEREK - 7 YEAS, 0 NAYS.

MOTION 14: COMM. TILLEY MOVED TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS REGARDING LEGAL OPINION. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 15: COMM. COONAN MOVED TO PROCEED WITH THE RECOMMENDATION OF CONTRACTUAL, OUTSIDE COUNSEL ALEX BOMMARITO AND AUTHORIZING HIM TO PROCEED AS DISCUSSED IN THE CLOSED SESSION FOLLOWING COMMENTS MADE BY BAY COUNTY LEGAL COUNSEL AMBER DAVIS-JOHNSON. SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

**RECESS/ADJOURNMENT**

MOTION 16: COMM. DURANCZYK MOVED TO ADJOURN THE REGULAR BOARD SESSION OF JANUARY 12, 2016. IT WAS SUPPORTED BY COMM. TILLEY. THE MEETING CONCLUDED AT P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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ERNIE KRYGIER, CHAIRMAN  
BOARD OF COMMISSIONERS

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CYNTHIA A. LUCZAK, COUNTY CLERK  
BOARD OF COMMISSIONERS

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DIANE K. YAWORSKI  
SECRETARY TO THE CLERK  
BOARD OF COMMISSIONERS