

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, JULY 12, 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

40-92

V MINUTES (4/12/16; 5/3/16; 5/10/16; 5/24/16; 6/14/16; 6/21/16)

VI CITIZEN INPUT

VII PETITIONS AND COMMUNICATIONS

A. Presentations:

1. Blue Cross Blue Shield - "Win by Losing" Award Presentation to Bay County **(Receive)**
2. Rehmann - 2015 Bay County Audit **(Receive)**
3. ASSE International Exchange Student Program - Mindy Albrecht, ASSE Area Representative to make presentation regarding Program **(Receive)**

1-16

B. City of Bay City - Application for Obsolete Property Rehabilitation District and Certificate - 213 Development, LLC - \$12,000,000 **(Receive)**

VIII

REPORTS/RESOLUTIONS OF COMMITTEES

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

- 17 1. No. 2016-166 - 2017-2021 - Title IV-D Cooperative Reimbursement Program Grant Application (Prosecutor)
- 18 2. No. 2016-167 - Bids for Electronic Medical Record Software (Health Dept.)
- 19 3. No. 2016-168 - DEQ Grant Acceptance and Bay County as Fiduciary on behalf of Public Advisory Committee (PAC) (Environmental Affairs and Community Development)
- 20 4. No. 2016-169 - Title V Worksite Agreements (Division on Aging)
- 21 5. No. 2016-170 - 457 Deferred Compensation Fiduciary Liability Policy Renewal (Personnel)
- 22-23 6. No. 2016-171 - Letter of Understanding w/BCAMPS re Non-Standard Work Week (Personnel)
- 24-26 7. No. 2016-172 - Letter of Understanding w/911 Dispatchers re 12 Hour Shifts/84 Hour Work Week (Personnel)
- 27 8. No. 2016-173 - Payables: General; Center Ridge Arms
- 28 9. No. 2016-174 - Budget Adjustments
- 29 10. No. 2016-175 - Support for Lakeshore Legal Funding Request to Region VII, AAA

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

- 30 1. No. 2016-176 - Agreement with Bay City Public Schools (Sheriff Dept.)
- 31 2. No. 2016-177 - Agreement with Dr. William Marrone - Deputy Medical Director (Health Dept.)
- 32 3. No. 2016-178 - Agreement with SVSU - Social Work and Occupational Health Services (Health Dept.)
- 33 4. No. 2016-179 - Agreement with Marilyn Skrocki (Health Dept.)
- 34 5. No. 2016-180 - Agreement for Medical Billing Consultative Services (Health Dept.)

35

6. No. 2016-181 - Northeast Michigan Community Services Agency (NEMSCA), Inc. Agreement (Health Dept.)

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

36-39

- I. No. 2016-182 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

- A. County Executive

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

- A. 2016 Appointments:

- I. 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)
2. AUGUST: Building Authority (One unexpired 6 year term, term expiring 11/30/19)
 3. 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



June 23, 2016

Ernie Krygier, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

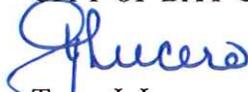
RE: Application for Obsolete Property Rehabilitation District and Certificate

On June 22, 2016, Jennifer Acosta, on behalf of 213 Development, LLC, submitted an application to establish an Obsolete Property Rehabilitation District and an application for an Obsolete Property Rehabilitation Exemption Certificate for 213 Center Avenue, Bay City, MI, filed under State of Michigan P.A. 146 of 2000.

In accordance with the Act, you are hereby notified that the certificate was filed for rehabilitation in the estimated amount of \$12,000,000.

A response is requested by Friday, July 1, 2016. A public hearing on the district and certificate will be held by the City Commission at their July 5, 2016, meeting. The meeting will be held at 7:30 PM at City Hall, 301 Washington Avenue.

CITY OF BAY CITY


Tema J. Lucero
City Clerk

-/-

Application for Establishment
of an
Obsolete Property Rehabilitation District

Date: 6/5/16

Applicant (must be the owner of the facility): 213 Development, LLC

Address of Applicant: 814 Adams St. Bay City, MI. 48708

Telephone: (305) 505-8850 Fax: ()

Location of obsolete facility (no. and street): 213 Center Ave. Bay City, MI 48708

1. Explain proposed rehabilitation of the obsolete property:
Full exterior and interior rehabilitation of the former commercial property into a mixed use building. Retail/Commercial on the lower two levels and residential rental units on the upper three levels.
2. Total dollars to be invested into project: \$12 million
3. Number of code enforcement issues being resolved: All
4. Is property on the National Register? Yes No
5. Number of permanent, full-time equivalent jobs created due to project: 142
6. Months/years work will begin/end: January 2017 - July 2018
7. Any planned facade improvements to the property: Yes No
8. Number of housing units created after project completion? 20 - 25 units
9. Legal descriptions of all properties involved: Lots 3, 4, 5, & 6 BLK 53 LOWER SAGINAW
10. Permanent parcel numbers: #160-021-339-013-00 and #160-0210339-012-00
11. Names and address of all property owners within proposed district: Chemical Bank/213 Development
12. Current District SEV: 222,900 District Taxable Value: 222,900
13. Current zoning of proposed district: Central Business District

Note: No tax abatement will be considered for any projects commencing prior to the establishment of the district.

Signed: 

Please submit completed form to the City Clerk, City of Bay City, 301 Washington Avenue, Bay City, MI 48708

Obsolete Property Rehabilitation Certificate Letter of Agreement

This Agreement, made this 22 day of June, 2016, by and between Jenifer Acosta, of 213 Developement LLC, Bay City, Michigan 48708 ("Company") and the CITY OF BAY CITY, a Michigan municipal corporation, of 301 Washington Avenue, Bay City, Michigan 48708 ("City") for the purposes of fulfilling the requirements of Act. No. 146 of the Public Acts of 2000, and to set forth the rights, duties and obligations of the respective parties.

1. Company acknowledges that as a prerequisite to obtaining an Obsolete Property Rehabilitation Certificate ("tax abatement") that Company has made certain material representations to the City in its application for an Obsolete Property Rehabilitation Certificate dated June 5, 2016, upon which the City has justifiably relied, and upon which the City will continue to rely, and based upon which the Company will receive certain monetary benefits, tax abatements, to which it otherwise would not be entitled.
2. Company further acknowledges that the receipt of an Obsolete Property Rehabilitation Certificate is also based upon the material representations made by the Company in its application for an Obsolete Property Rehabilitation Certificate. Further, that all representations made therein are true and correct to the best of the company's information, knowledge and belief and that the representations include the past history of the Company, the present status of the Company and the future duties and obligations to be performed by the Company.
3. In consideration of the receipt of an Obsolete Property Rehabilitation Certificate, it is expressly agreed by the Company that should any of the material representations of Company be erroneous or should Company fail to substantially perform any future promises, duties or obligations, the same shall be deemed to constitute a breach of this Agreement and the City may petition the State Tax Commission to revoke the Obsolete Property Rehabilitation Certificate.
4. Company agrees to comply with all relevant local rules, regulations, codes and ordinances within the City of Bay City during the entire period for which the Obsolete Property Rehabilitation Certificate was granted. Under this provision the Company agrees to comply at all its facilities in the City of Bay City with all construction, building and

zoning codes in effect during the entire period for which the Obsolete Property Rehabilitation Certificate was granted. Failure to comply shall constitute grounds for revocation of the Obsolete Property Rehabilitation Certificate.

5. Company shall submit to the City Assessor, for the term of the Obsolete Property Rehabilitation Certificate, an annual status report recapping activity for the abated project as of December 31, of each year. The report will be due no later than February 20 of each subsequent year. It will indicate actual moneys expended as of each annual report date, total project actual costs by year of completion and actual number of jobs created or retained as of December 31, of each year of the project. If, as of any annual report date during the life of the project, there is a variation of more than ten percent (10%) in the estimated employment levels or expended moneys from what was set forth in the application, the Company must include an explanation for this variation in the annual status report.
6. Company further agrees that it shall pay all taxes and assessments on the regular ad valorem tax roll, real and personal, hereupon levied on said premises or any equipment or personal property thereon before any penalty for non-payment attaches thereto, beginning with the next tax billing and continuing throughout the term of the Obsolete Property Rehabilitation Certificate. Failure to pay all such taxes as provided above shall be deemed to constitute a breach of this Agreement and City may petition the State Tax Commission to revoke the Obsolete Property Rehabilitation Certificate and/or may otherwise proceed in accordance with the remedies provided by statute. If, at any time during the effective term of the exemption certificate, a participant in the program appeals to the Michigan Tax Tribunal disputing the "taxable value" of the property subject to the tax abatement, the City of Bay City may petition the State Tax Commission to revoke the Obsolete Property Rehabilitation Certificate.
7. Company represents that it intends to remain within the City of Bay City during the entire period of time for which the Obsolete Property Rehabilitation Certificate has been approved. Under this provision the Company agrees to maintain buildings, equipment and employment related to the new project as represented by the Company in its application for an Obsolete Property Rehabilitation Certificate. Company also represents that it intends to maintain overall building, equipment and employment at the level as represented by the Company in its application for an Obsolete Property Rehabilitation Certificate. Failure to remain within the limits of the City of Bay City or failure to implement and maintain buildings, equipment and employment related to the new project shall be deemed to constitute a

breach of this Agreement and City may petition the State Tax Commission to revoke the Obsolete Property Rehabilitation Certificate. Company acknowledges that failure to remain within the City of Bay City during the entire period for which the Obsolete Property Rehabilitation Certificate was granted shall constitute grounds for immediate revocation of Obsolete Property Rehabilitation Certificate and the denial of the City's consent to the granting of an Obsolete Property Rehabilitation Certificate in a governmental unit to which the Company has relocated or employment has been transferred from the City. Company may present to the City Commission those compelling circumstances, which could allow the City Commission, in its sole discretion, to approve such transfer.

8. Company does not agree to maintain any specified level of overall plant employment, for any particular period of time, except as specifically set forth in its Application for an Obsolete Property Rehabilitation Certificate. The City's sole remedy and the Company's sole obligation in the event of an employment shortfall are set forth herein.
9. City acknowledges that in some instances, economic conditions, technology, or conditions beyond the control of the Company may prevent the Company from fulfilling the terms of the Application for an Obsolete Property Rehabilitation Certificate and complying fully with this Agreement. City agrees that it shall give the Company an opportunity to explain to the City Commission the reasons for any variations from the representations as contained in the Application for an Obsolete Property Rehabilitation Certificate and the City Commission, in its sole discretion, will evaluate the Company's situation prior to taking any action authorized by this Agreement.
10. This Agreement shall become effective upon the issuance of a Certificate in compliance with the Application for an Obsolete Property Rehabilitation Certificate by the Michigan State Tax Commission and shall be null and void and of no force or effect whatsoever, if the Michigan State Tax Commission fails to issue such a Certificate. This Agreement shall be null and void upon expiration of the Obsolete Property Rehabilitation Certificate.
11. The Affidavit attached as "**Exhibit A**" is incorporated by reference as if fully set forth herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first written above.

WITNESSES:

COMPANY: 213 Development LLC

Doyle McDevitt

[Signature]
Jennifer Acosta

WITNESSES:

CITY OF BAY CITY:

Michael A. Number

[Signature]

Criteria for Applications Requiring Further Analysis

- 1) There is a demonstrated need for financial assistance.
- 2) The project is important to the future of the City and is consistent with the economic development objectives of the City.

Reset Form

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

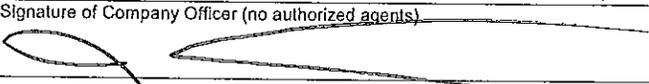
Applicant (Company) Name (applicant must be the OWNER of the facility) 213 Development		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 814 Adams St. Bay City, MI 48708		
Location of obsolete facility (No. and street, City, State, ZIP Code) 213 Center Ave. Bay City, MI 48708		
City, Township, Village (Indicate which) Bay City		County Bay
Date of Commencement of Rehabilitation (mm/dd/yyyy) 9/01/2016	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 12/31/2019	School District where facility is located (include school code) Bay - 09010
Estimated Cost of Rehabilitation \$12,000,000.00	Number of years exemption requested 12	Attach Legal description of Obsolete Property on separate sheet
Expected project likelihood (check all that apply):		
<input checked="" type="checkbox"/> Increase Commercial activity	<input type="checkbox"/> Retain employment	<input checked="" type="checkbox"/> Revitalize urban areas
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment <u>142</u>		
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion.		
<input checked="" type="checkbox"/>		

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) Jenifer Acosta	Telephone Number (305) 505-8850	Fax Number
Mailing Address 2041 E Mockingbird Lane Midland, MI. 48642		Email Address Jenifer@citycenterliving.org
Signature of Company Officer (no authorized agents) 		Title Member

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature	Date application received 6-22-16
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FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and Instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
<input type="checkbox"/> Denied		
Date District Established	LUCI Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(f) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>
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PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

	Taxable Value	State Equalized Value (SEV)
Building(s)		
Name of Governmental Unit	Date of Action on application	Date of Statement of Obsolescence

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature	Date	
Clerk's Mailing Address	City	State	ZIP Code
	Telephone Number	Fax Number	Email Address

Mail completed application and attachments to: Michigan Department of Treasury
 State Tax Commission
 P.O. Box 30471
 Lansing, Michigan 48909-7971

If you have any questions, call (517) 373-2408.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

-10-

A) General Description of the obsolete facility [Year Built, Original Use, Most Recent Use, Number of Stories, Square Footage]

The facility was originally built in 1890 and underwent renovations in both 1920 and 1960. It is commonly known as the Crapo building. It's original use as a commercial facility housed the corporate railroad offices for the Pere Marquette – Flint railroad as well as a variety of commercial offices and retail tenants. Most recently, the building served as a bank for 92 years. Starting as a bank in 1920-1921 when the Bay City Bank moved into the property. Chemical bank moved out of the property in the Fall of 2013. The facility has been vacant for 2.5 years since their departure. The building has five stories. The upper stories of the building housed various business locations throughout decades past and either have or have not been updated. Total square footage is approximately 49,417 square feet including the basement.

B) General Description of the Proposed Use of the Rehabilitated Facility

Proposed rehabilitation will be a mixed-use facility comprised of commercial and retail space on the lower two levels along with market rate residential rental units on the upper three levels.

C) Description of the General Nature and Extent of the Rehabilitation to be Undertaken

The rehabilitation will be a total building overhaul to cure for functional obsolescence. The renovation will include an exterior rehabilitation of the historic Romanesque façade as well as renovations and updates to the interior that transform the building into a class A icon for Bay City. This includes an adaptive r

D) A Descriptive List of Fixed Building Equipment as Part of the Rehabilitated Facility

The building contains a vault that was used when the bank occupied the building.

E) A Time Schedule for Undertaking and Completing the Rehabilitation of the Facility

After the inspection period lasting the Summer of 2016, design and architecture will take place in coordination with the Michigan State Historic Preservation Office for a period of 6-8 months. Construction activities are anticipated for Spring or Summer of 2017 and will last approximately 14-18 months.

F) A Statement of the Economic Advantages Expected from the Exemption

The renovation is located at the traditional four corners of downtown. It is a critical building at this location of the downtown because of its unique architecture and large visual scale. The building is visible for several blocks. Once the facade is removed and brickwork restored, the building will make a dramatic improvement to the sense of

place at the central four corners of downtown. This area as whole will become more of an attraction for various downtown consumer and leisure activities. The potential for the building to be demolished would have the opposite effect. Sixty-seven jobs created during the 14-18 month construction period will help local eateries. An estimated 75 permanent jobs from retail and office tenants will provide new customers to multiple downtown businesses. Additional residents in the 20-25 apartment units will provide more patronage to multiple downtown businesses including furniture stores, antique stores, drug stores, food venues, jewelry stores, etc. The new tenants will also improve one of the most important factors is healthy downtowns--feet on the street. Tenants coming and going to their housing units on evenings and weekends will improve the amount of foot traffic downtown, outside of traditional business hours, which adds to the vibrancy and sense of safety in the central business district; in particular improving night life and weekend activities. Due to the iconic nature of this building, combined with the activities above, its total restoration will stimulate new investment in surrounding properties thus increasing neighboring property values and bringing additional jobs downtown.

OPTION AGREEMENT

This agreement is made on June 1, 2016, by Chemical Bank Bay Area, 235 E. Main St., Midland, MI 48640 (Owner), and 213 Development, LLC, 814 Adams Street, Ste. 109, Bay City, MI 48708 (Buyer), to convey an Option to purchase on the following terms and conditions.

1. **Purpose.** Owner owns the property described below and grants Buyer an exclusive Option to purchase that property on the terms and conditions here set forth.

SEE ATTACHED.

Commonly known as 213 Center Avenue, Bay City, MI 48708.

The parties have entered into this Option to allow Buyer to acquire Owner's land in the future.

2. **Term of Option.** This Option agreement shall exist and be exercisable from the date on which the Parties complete execution of this agreement and August 31, 2016 or the date of proper exercise, whichever is sooner, subject only to limitations on its exercise that are specified herein. Buyer may exercise the Option at any time during the effective term of this agreement by giving Owner written notice of its election to exercise it.

3. **Complete exercise.** In no case shall Buyer be permitted to purchase less than the entire property pursuant to this Option.

4. **Purchase price.** If the Option is exercised during the term, the purchase price of the Option property shall be \$ 

5. **Title.** Owner will furnish Buyer with good and marketable title to the Option property if this Option is exercised. Any conveyance given pursuant to this Option shall be by warranty deed. Owner, at its expense, shall provide Buyer an Owner's policy of title insurance, including a policy commitment at closing. The insurance shall show good and marketable title to be in Buyer's name, shall be in the amount of the purchase price, subject to easements and restrictions of record and to encumbrances created by the acts or omissions of Buyer, but otherwise shall be without standard exceptions, with no additional cost to either party.

6. **Closing.** This sale shall be closed within ten (10) days after all the closing documents are prepared, but in no event later than thirty (30) days after the date of the notice exercising the Option. Owner shall prepare the Warranty Deed to be given at the closing. Seller shall pay the transfer tax necessary to complete the sale. Any fees charged by the Title Company in connection with the consummation of the Closing will shared equally between buyer and seller.

7. **Taxes.** All real estate taxes and installments of special assessments becoming due and payable prior to the date of closing shall be the responsibility of Seller. Real estate taxes and installments of special assessments becoming due and payable after closing shall be paid by Buyer. Real estate taxes and annual installments of special assessments, if any, billed in December and July shall be prorated between Seller and Buyer as of the date of Closing, on the basis that said December tax bill applies in advance to the time period of January 1 through December 31 of the year succeeding such tax bill, and said July tax bill applies in advance to the time period of July 1 of the current or previous year, as the case may be, and the succeeding June 30.

8. **Special assessments and benefit charges.** All special assessments that have been assessed and are a lien on the land at the date of closing will be paid by Owner. The cost of duly authorized improvements that are subject to future assessments against the property assessed after the date of closing will be paid by Buyer.

9. **Casualty loss.** Until delivery of the Deed, risk of loss by fire or otherwise is assumed by Owner.

10. **Termination of Option period.** If Buyer does not exercise the Option before the expiration date, the Option shall expire of its own accord.

11. **Exercise of Option.** Before expiration of the Option, Buyer may exercise this Option by giving Owner written notice, signed by Buyer and delivered personally or by certified mail. Notice shall be given at Owner's address set forth above or at any subsequent address that Owner may provide to Buyer in writing. Upon exercising the Option and closing the purchase, Buyer agrees to accept the property in "AS IS" condition. Seller shall provide Buyer with any and all inspection reports or surveys, upon execution of this Option Agreement.

12. **Assignment and binding effect.** This agreement is not assignable without written consent of the Owner, subject to Owner's sole discretion. This Option shall inure to the benefit of and be binding on the parties to this agreement and their heirs, legal representatives, successors, and assigns, and shall run with the land affected by this agreement.

13. **Inspections.** Buyer shall have access to the property to make inspections. If the Option is not exercised, Buyer shall restore the premises to the condition it was in before inspection by the Buyer.

14. **Brokers.** Pursuant to the terms of a separate agreement between Purchaser and Purchaser's broker, at closing, Seller shall pay to American Real Estate Advisors a 4% commission. American Real Estate Advisors is a Michigan Licensed Broker 6504250515. To the extent Seller enters into a separate agreement for a broker, Seller shall pay to its broker any fees or commissions at the time of closing.

If the transaction contemplated by this Agreement does not close, no commission will be paid.

15. Effective date. This agreement shall be effective as of the date on which the last of the parties listed below signs it.

"Seller"

[Signature]
Chemical Bank, a Michigan banking company

By: William R. Carleton

Its: Vice President and Associate Legal Counsel

STATE OF MICHIGAN)
)SS
COUNTY OF Macatawa)

Subscribed and sworn to before me this 1st day of June, 2016, by William R. Carleton of Chemical Bank, Its: Vice President and Associate Legal Counsel

Margaret A. Geyer
Margaret A. Geyer
Notary Public, Saginaw County, MI
My commission expires: 03-23-2018
Acting in Macatawa County.

STATE OF MICHIGAN)
)SS
COUNTY OF Bay)

Subscribed and sworn to before me this 1st day of June, 2016, by Jennifer Acosta of 213 Development, LLC, Its: Member

Jennifer Acosta
Jennifer Acosta
Notary Public, Innesce County, MI
My commission expires: 5-17-2020
Acting in Bay County.

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Tax ID#: 160-021-339-013-00 and Tax ID#: 160-021-339-012-00

BAY COUNTY BOARD OF COMMISSIONERS

JULY 12, 2016

RESOLUTION

- BY:** WAYS AND MEANS COMMITTEE (7/5/16)
- WHEREAS,** A proposed 2017-2021 Title IV-D Cooperative Reimbursement Program Application between the State of Michigan ("Department") and the Bay County Prosecutor's Office ("Contractor") has been submitted for approval; and
- WHEREAS,** This application, for the time period October 1, 2016 through September 30, 2021, covers part of an Assistant Prosecutor's wages, an investigator's wages, wages for a unit secretary and other costs directly related to the Prosecutor's IV-D program for paternity and child support establishment; and
- WHEREAS,** The projected 2017 one year revenue from the "Department" under this Grant Application is \$134,515.92, the match amount from the County ("Contractor") is \$69,296.08, and this reimbursement amount represents an increase from 2016 of \$6,405.23; and
- WHEREAS,** The projected 2018 one year revenue from the "Department" under this Grant Application is \$140,878.32, the match amount from the County ("Contractor") is \$72,573.68, and this reimbursement amount is an increase from 2017 in the amount of \$6,362.40; and
- WHEREAS,** The projected 2019 one year revenue from the "Department" under this Grant Application is \$147,921.84, the match amount from the County ("Contractor") is \$76,202.16, and this reimbursement amount is an increase from 2018 in the amount of \$7,043.52; and
- WHEREAS,** The projected 2020 one year revenue from the "Department" under this Grant Application is \$155,318.46, the match amount from the County ("Contractor") is \$80,012.54 and this reimbursement amount is an increase from 2019 in the amount of \$7,396.62; and
- WHEREAS,** The projected 2021 one year revenue from the "Department" under this Grant Application is \$163,084.02, the match amount from the County ("Contractor") is \$84,012.98, and this reimbursement amount is an increase from 2020 in the amount of \$7,765.56; and
- WHEREAS,** Required County match funds will be included in the appropriate annual Prosecutor's budgets; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners approves the 2017-2021 Title IV-D Cooperative Reimbursement Program Grant Application and authorizes the Board Chair to execute, and submit electronically (if required), the grant application documents and any other required documents pertaining to this grant on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED** That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
- RESOLVED** That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County.

KIM COONAN, CHAIR
AND COMMITTEE

Prosecutor - Title IV-D Cooperative Reimbursement Grant

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 _____

-17-

BAY COUNTY BOARD OF COMMISSIONERS

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/16)

WHEREAS, In 2009, the Bay County Health Department, through a competitive bid process, purchased and implemented electronic medical record software, Virtual Health Network (VHN) from Mitchell & McCormick, Inc.; and

WHEREAS, Since then, the Health Department has entered into annual contracts with Mitchell & McCormick to maintain the software and server platforms and has seen its annual maintenance fees nearly double since the first year of implementation; and

WHEREAS, At the same time, data requirements such as meaningful use reporting and federal stipulations regarding the Uniform Data Systems as well as the necessity to provide thorough analysis of revenues, costs and productivity mandate a more robust system and, given these requirements (especially for future funding opportunities) and recent limitations with the VHN, it is prudent to issue a Request for Proposal (RFP) and seek competitive bids amongst eligible software providers; and

WHEREAS, Recent work to acquire meaningful use incentives with the Michigan Center for Effective IT Adoption average has indicated that the Health Department is initially eligible for at least \$120,000 of incentive funds and additional grant funding from Saginaw Valley State University earmarks an additional \$76,800 over the coming two years; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves implementation of the RFP process for the potential purchase and installation of the electronic medical record software; Be It Further

RESOLVED That budget adjustments related to the RFP, if required, are approved.

**KIM COONAN, CHAIR
AND COMMITTEE**

Health Dept - RFP for Electronic Medical Record Software

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

JULY 12, 2016

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (7/05/16)**
- WHEREAS,** The Michigan Areas of Concern Program has received final approval for the Bay County/Partnership for the Saginaw Bay Watershed AOC PAC Support grant submitted for fiscal year 2016 grant funding; and
- WHEREAS,** This grant targets PAC Activity & Beach Closings Delisting Targets; and
- WHEREAS,** The Partnership for the Saginaw Bay Watershed is the Public Advisory Council (PAC) working for the restoration of the Saginaw Bay; and
- WHEREAS,** Due to Statewide organizational changes, the Partnership (PAC) is no longer able to use the Great Lakes Commission DUNS for PAC grants;
- WHEREAS,** Most of the other Public Advisory Council's use the local government as their fiduciary agency for grants; and
- WHEREAS,** Since Bay County's mission is comparable (Saginaw Bay restoration) the Bay County Environmental Affairs & Community Development Department has been asked to serve as fiduciary for the grant and use the County DUNS Number; and
- WHEREAS,** There is currently an award of approximately \$25,000.00 pending for administrative support for the PAC; and
- WHEREAS,** The Bay County Department of Environmental Affairs & Community Development will continue to work on Saginaw Bay restoration and will work closely in conjunction with the PAC Board of Directors to ensure effective over-site, no Bay County General Funds will be used or obligated; Therefore, Be It
- RESOLVED,** That the Bay County Board of Commissioners accepts the Partnership for the Saginaw Public Advisory Council Grant for PAC Activity & Beach Closings Delisting Targets and authorizes Bay County to act as fiduciary on behalf of the Public Advisory Council (PAC); Be It Further
- RESOLVED,** That the Chairman of the Board is authorized to execute all documents required on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED,** That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
- RESOLVED,** That 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.

**KIM J. COONAN, CHAIR
AND COMMITTEE**

Environmental Affairs – Fiduciary for PAC – PAC Activity and Beach Closing Delisting Targets Grant

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 _____

-19-

BAY COUNTY BOARD OF COMMISSIONERS

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/16)

WHEREAS, Region VII Area on Aging has a grant for senior employment, known as the Senior Community Services Employment Program, which provides funding for part-time workers age 55+, employed by Region VII; and

WHEREAS, The County of Bay has provided work settings for these individuals in a variety of Departments, including the Division on Aging, Health Department, Building and Grounds, and the Civic Arena; and

WHEREAS, While there is a matching requirement of host agencies, Region VII accepts an In-Kind match for this program; Therefore, Be It

RESOLVED That th Bay County Board of Commissioners approves renewal of the Senior Community Service Employment Program Worksite Agreement (Title V) for fiscal year July 1, 2016 through June 30, 2017 for all Bay County SCSEP sites and authorizes the Board Chair to execute said Agreements on behalf of Bay County (Division on Aging); Be It Further

RESOLVED That budget adjustments related to the 2016-2017 Senior Community Services Employment Program are approved.

**KIM COONAN, CHAIR
AND COMMITTEE**

DOA - Title V Worksite Agreements

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

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/16)

WHEREAS, The Bay County Board of Commissioners is the designated fiduciary for employees' 457 trust fund; and

WHEREAS, The 457 Deferred Compensation Fiduciary Liability Policy has been renewed every year in recent history, however, the Board Chair has not signed the policy in the past. The current one (1) year policy expires August 17, 2015; and

WHEREAS, There are three (3) other trusts covered by this policy and each will have to be signed by its fiduciary:

- 1. Bay County Voluntary Employees' Benefit Association (Retirement Board is the fiduciary);**
- 2. Bay County Employees' Retirement System (Retirement Board is the fiduciary); and**
- 3. Bay County Employees' 401k savings plan (401k Board is the fiduciary)**

WHEREAS, Funds are budgeted for the fiduciary policy; Therefore, Be It RESOLVED That the Bay County Board of Commissioners authorizes renewal of the 457 Deferred Compensation Fiduciary Liability Policy and authorizes the Chairman of the Board to execute the renewal application and subsequent related documents on behalf of Bay County following legal review/approval.

**KIM COONAN, CHAIR
AND COMMITTEE**

Personnel - Renewal of 457 Deferred Compensation Fiduciary Liability Policy

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

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/16)

RESOLVED By the Bay County Board of Commissioners that the attached Letter of Understanding between the Bay County Executive and the Bay County Board of Commissioners (County) and the Bay County Association of Managers, Professionals and Supervisors (the Union) governing the work week for a non-standard work week is approved and the County Executive and Board Chairman are authorized to execute said document on behalf of Bay County following legal review/approval.

**KIM COONAN, CHAIR
AND COMMITTEE**

Personnel - BCAMPS Letter of Understanding - Non-Standard Work Week

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
PERSONNEL DEPARTMENT**

Tiffany Jerry, Director
jerryt@baycounty.net
(989) 895-4096 (T)
(989) 895-2076 (F)

Thomas L. Hickner
County Executive
B.C.A.M.P.S

LETTER OF UNDERSTANDING

This Letter of Understanding entered into this _____ day of _____, 2016, by and between the Bay County Executive and the Bay County Board of Commissioners (the County) and Bay County Association of Managers, Professionals and Supervisors (the Union).

The Union and the County agree to the following as it relates to Article 11.5, Section 5.0 Work Week of the Collective Bargaining Agreement:

For purposes of this letter, a "normal work week" will continue to be defined as Monday through Friday 8:00 a.m. to 5:00 p.m. as described in Section 5.0 Work Week.

A "nonstandard work week" will consist of any position for which the work week is not described as Monday - Friday 8:00 a.m. to 5:00 p.m., including but not limited to affected positions within 24/7 operations. Employees scheduled to work a nonstandard work week will be advised of such by the Department Head. Employees working a nonstandard work week and required to work on an identified County Holiday pursuant to Article 18 Holidays shall be paid time and one half for hours worked in addition to the 8 hour standard Holiday pay provided they meet other requirements in the collective bargaining agreement.

The following example should be used for reference only:

- 1) Employees regular schedule is Tuesday through Saturday 2:00 pm - 10:00 pm
- 2) County identified holiday falls on Wednesday
- 3) Employee works on Wednesday (holiday)
- 4) Employee will be paid 8 hours of holiday pay plus 8 hours at time and one half their standard hourly rate

By signing this Letter of Understanding the parties recognize this change and express their intent that these changes will be incorporated into the next Collective Bargaining Agreement.

This Letter of Understanding is entered into without establishing precedent and does not prejudice the position of either party as to future disputes or grievances.

Tom Hickner Date
Bay County Executive

Frances Moore

President, BCAMPS

Ernie Krygler Date
Chair, Board of Commissioners

BAY COUNTY BOARD OF COMMISSIONERS

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/16)

RESOLVED By the Bay County Board of Commissioners that the attached Letter of Understanding between the Bay County 9-1-1 Central Dispatch (the Employer) and the Police Officers Labor Counsel (the Union) governing the 12 Hour Shifts - 84 Hour Work Week is approved and the County Executive and Board Chairman are authorized to execute said document on behalf of Bay County following legal review/approval.

KIM COONAN, CHAIR AND COMMITTEE

Personnel - 9-1-1 Central Dispatch - Letter of Understanding - 12 Hour Shifts/84 Hour Work Week

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 _____

LETTER OF UNDERSTANDING
12 Hour Shifts – 84 hour workweek

IT IS AGREED by and between the Bay County 9-1-1 Central Dispatch (hereinafter referred to as "the employer" and the Police Officers Labor Counsel (hereinafter referred to as "the union") as follows:

1. That when the "permanent staffing level" falls below ten employees on a shift, the workweek of each team, comprised of 4 employees, is 84 hours.
2. That for the purposes of this agreement the term "permanent staffing level" does not include decreased staffing levels generated by sick time, vacation time and/or personal time.
3. That 4 hours of the 84 hour workweek is scheduled mandatory overtime.
4. That the 4 hours of scheduled mandatory overtime is scheduled on the last 4 hours of the last scheduled workday of the pay period.
5. That contract clause, 18.12-Excused From Overtime, does not apply to the 4 hours of scheduled mandatory overtime associated with the 84 hour workweek.
6. That vacation time, sick time and/or personal time taken during the 4 hours of scheduled mandatory overtime associated with the 84 hour workweek is counted as regular time.

FOR THE EMPLOYER:

Chairperson, Board of Commissioners

Date

County Executive

Date

25 -

FOR THE UNION

Chairperson

Date

Business Representative

Date

BAY COUNTY BOARD OF COMMISSIONERS

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/16)

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

ACCOUNTS PAYABLE:

06/15/16	\$ 495,875.80
06/20/16	\$ 495.00
06/22/16	\$ 3,960,039.13
06/29/16	\$ 483,781.17
07/06/16*	\$ 252,946.58*

BAYANET:

HOUSING (Center Ridge Arms):

6/23/16	\$ 26,779.41
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* Received after 7/5/16 Ways and Means Committee meeting.

**KIM COONAN, CHAIR
AND COMMITTEE**

Payables-July

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

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE 07/05/2016

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 07/12/2016 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
2016-07-002	FRIEND OF THE COURT FUND FOTC-MEDIATION DUTIES PA294-82 Total FRIEND OF THE COURT FUND		\$2,632	

BUDGET FOR THE PURCHASE OF OFFICE EQUIPMENT AND FURNITURE FOR FRIEND OF COURT MEDIATION DUTIES ACTIVITY. THE STATE GRANT WILL REIMBURSE 66 PERCENT OF THE COST AND GENERAL FUND, FUND BALANCE WILL FUND 34 PERCENT.

Kim Coonan, Chairman W. & M. and Committee

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

JULY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/16)

WHEREAS, Lakeshore Legal Aid is making application for funding to Region VII Area Agency on Aging; and

WHEREAS, Lakeshore Legal Aid provides free legal assistance and elder abuse prevention services to seniors in a 10-county region and has provided long term care ombudsman services for the residents in the same ten (10) counties; and

WHEREAS, Region VII, Area Agency on Aging, funding is crucial to this agency and their on-going efforts to continually improve services to seniors; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby offers its support for the funding applications submitted by the Lakeshore Legal Aid for Region VII Area Agency on Aging funding for FY 2017.

KIM COONAN, CHAIR AND COMMITTEE

Lakeshore Legal Aid - FY2017Region VII 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

JULY 12, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (6/21/16)
WHEREAS, The Bay County Sheriff's Department has provided a deputy, year-round, for additional police services and availability of an officer to the School District for many years; and
WHEREAS, The parties now desire to have a deputy provide services to Bay City Public Schools for nine (9) months and, as such, Bay City Public Schools would pay only 75% of the cost of the services provided; and
WHEREAS, This arrangement will allow a deputy to be redeployed in the community for the remaining three (3) months and the deputy will focus on efforts related to the Heroin Task Force, along with other road patrol deputies; and
WHEREAS, Bay City Public Schools enter into a similar agreement with the City of Bay City Public Safety Department in which the Schools pay 75% of costs of the public safety officer; and
WHEREAS, Bay City Public Schools would pay 75% of the cost of the deputy, instead of 100%. The remaining 25% of the cost of the deputy would need to be paid by the General Fund. Based on financials for 2015, Bay City Public Schools paid \$84,647.99. They would now pay \$63,485.99, the remaining \$21,161.99 would be paid by the General Fund; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners approves an Agreement with the Bay City Public Schools for additional police services for nine (9) months at the cost of 75% of the services provided. The remaining three (3) months spent redeployed in the community and on the Heroin Task Force efforts with the cost to be paid by the General Fund; Be It Further
RESOLVED That the Chairman of the Board is authorized to execute the Agreement with the Bay City Public Schools on behalf of Bay County following legal reveiw/approval; Be It Finally
RESOLVED That any and all related budget adjustments required are approved.

**MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE**

Sheriff Dept - Agreement w/Bay City Public Schools

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

JULY 12, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (6/21/16)

WHEREAS, The continuity of services is a priority of the Bay County Health Department and annually over 6,000 local residents obtain services and it is estimated that up 10,000 billable events take place within its organization; and

WHEREAS, The ability to bill private and public insurance is contingent upon the licensure and viability of its Medical Director; and

WHEREAS, Dr. Kirk Herrick is currently the Medical Director for the Health Department and is currently licensed and valuable member of its staff; However, if Dr. Herrick becomes incapacitated and cannot practice, becomes deceased (as recently happened in Calhoun County), or voids his current contract; all clinical operations within the Health Department would need to cease until a replacement is found and an agreement is signed; and

WHEREAS, Entering into an agreement with a Physician to act as a Deputy Medical Director ensures the continuity of operations for all clinical services within the Health Department; and

WHEREAS, Dr. William Morrone is currently the Deputy Medical Examiner for Bay County and has offered to serve as Deputy Medical Director for the total of \$1 per year. No additional funds are necessary; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves an Agreement with Dr. William Morrone to serve as Deputy Medical Director for Bay County; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said Agreement with Dr. William Morrone on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related required budget adjustments are approved.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Health Dept - Agt with Dr Wm Marrone

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

JULY 12, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (6/21/16)

WHEREAS, The University Clinic has been in operation since January of 2015 and provides a variety of services to Bay County residents including primary care, nursing care, occupational therapy, and social work; and

WHEREAS, As the University pays for the time of the Social Worker and the Occupational Therapist, they, as an educational institution, cannot bill for the provided services; and

WHEREAS, The Health Department wishes to enter into an agreement with SVSU to provide Occupational Therapy and Social Work services for a total of \$1 per year and all revenue generated from billing will remain with the Health Department; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Agreement with Saginaw Valley State University to provide Social Work and Occupational Health Services for reimbursement purposes and authorizes the Board Chair to execute said Agreement on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related required budget adjustments are approved.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

Health Dept - Agt with SVSU - Social Work and Occupational Health Services

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

JULY 12, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (6/21/16)

WHEREAS, University Clinic has been in operation since January of 2015 and sees a wide variety of clients with chronic conditions, and at various times works closely with other clinics, especially Family Planning; and

WHEREAS, The Michigan Department of Health and Human Services recently provided additional grant funds to the Bay County Health Department to determine the feasibility of integrating primary care services to individuals that qualify for Title X services; and

WHEREAS, Marilyn Skrocki has extensive experience working with the Health Department and the University Clinic and her services will provide the necessary expertise and consultation in a timely fashion; and

WHEREAS, The rate of pay for Ms. Skrocki is \$65/hour and is limited to available grant funds recently awarded to the Health Department from the Michigan Department of Health and Human Services for purposes stated above; and

WHEREAS, 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 Marilyn Skrocki to provide Consultative Services Integration of Primary Care and Public Health Services and authorizes the Board Chair to execute said Agreement on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related required budget adjustments are approved.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

Health Dept - Agt with Marilyn Skrocki

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

JULY 12, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (6/21/16)
WHEREAS, The Michigan Department of Health and Human Services recently provided additional grant funds to the Bay County Health Department to determine the feasibility of integrating primary care services to individuals that qualify for Title X services as well as to determine strategies and best practices to ensure that billing in the Family Planning clinic (and all Health Department clinics) are maximized to its potential so that the fullest amount of revenue is garnered, making the clinics sustainable and less reliant on state/federal grants as well as support from county funds; and
WHEREAS, The Health Department wishes to enter into an agreement with a yet to be determined local medical billing consultation company for the purposes stated above; and
WHEREAS, The available grant funds recently awarded to the Health Department from the Michigan Department of Health and Human Services are for the purposes stated above; 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 entering into an Agreement to provide medical billing consultant services and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval.

**MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE**

Health Dept - Agt for Medical Billing Consultative Services

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

JULY 12, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (6/21/16)

WHEREAS, NEMCSA provides services to infants, toddlers, and pregnant women eligible for the Early Head Start program and, in compliance with Head Start Performance Standards and Federal Regulations, arranges for a postpartum health visit in the home by a public health nurse; and

WHEREAS, The Bay County Health Department provides services to infants, toddlers and pregnant women eligible for the Maternal Infant Health Program (MIHP), and as part of the proposed agreement, provides a MIHP nurse to conduct a postpartum health visit in the home; and

WHEREAS, A proposed renewal agreement for 2016 between the Northeast Michigan Community Services Agency, Inc. (NEMSCA) and Bay County (Health Department) has been submitted; and

WHEREAS, There are no financial considerations as the agreement provides funding in the amount of \$85.00 per visit, which covers 100% of the actual costs of the visit, including wages and benefits, mileage and supplies; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the renewal Agreement with NEMSCA and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related required budget adjustments are approved.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

Health Dept - NEMSCA Agreement

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

JULY 12, 2016

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (7/12/16)

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

- I. Employment Status Report - June 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
June, 2016**

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<u>NEW HIRES: (Regular Status)</u>		
Emilee Tomczak PT In-home Services Worker	Division on Aging	6/30/2016
<u>NEW HIRES: (Temporary or On-call Status)</u>		
Priscilla Zavala Temp. Dispatcher	Central Dispatch	6/08/2016
Kimberlee Fork On-call In Home Worker	Division on Aging	5/20/2016
<u>Summer Recreation Program:</u>		
Alyssa Ginter	Program Supervisor	6/27/2016
Amy Fetter	Program Supervisor	6/20/2016
Benjamin Yagiela	Program Assistant	6/20/2016
Madison Stone	Program Assistant	6/20/2016
Emily Hill	Program Assistant	6/20/2016
Brooke Cunningham	Program Assistant	6/20/2016
Charlotte Thill	Program Assistant	6/20/2016
Stephen Poppe	Program Assistant	6/20/2016
Mason Fetter-Schumacher	Program Assistant	6/20/2016
Taylor Scholz	Program Assistant	6/20/2016
Emma Schmidt	Program Assistant	6/20/2016
Luke Funston	Program Assistant	6/20/2016
Josie Funston	Program Assistant	6/20/2016
Keely Gallagher	Program Assistant	6/20/2016
Samantha Albaugh	Program Assistant	6/20/2016
Lauren Bedell	Program Assistant	6/20/2016
<u>Pool:</u>		
Grace Martin	Lifeguard	6/20/2016

Madeline Martin	Lifeguard	6/20/2016
Garrett Mason	Asst. Pool Supervisor	6/20/2016
Kathleen Murphy	Lifeguard	6/20/2016
Nicholas Murphy	Pool Supervisor	6/20/2016
Justin Ropp	Cashier	6/20/2016
Kelly Yagiela	Cashier	6/20/2016
Maxson Frederick	Lifeguard	6/20/2016
Brooke Gillespie	Lifeguard	6/20/2016
Carly Lipinski	Lifeguard	6/20/2016
Abbey Swanson	Lifeguard	6/20/2016
Joshua Schmidt	Lifeguard	6/20/2016
Olivia Delano	Lifeguard	6/20/2016

Mosquito Control:

Wade LeCronier	Seasonal Control Technician	6/06/2016
Carson Chapman	Seasonal Control Technician	6/06/2016
Jacob Foret	Seasonal Control Technician	6/06/2016
Ryan Maillette	Seasonal Control Technician	6/06/2016
Amanda Altergott	Seasonal Control Technician	6/06/2016
Cody Bodrie	Seasonal Control Technician	6/06/2016
Jacob Engelhardt	Seasonal Control Technician	6/06/2016
Hanna Leszczynski	Seasonal Control Technician	6/06/2016

TRANSFERS:

Jeffrey Whelton		6/27/2016
TO: Supervisor I	Central Dispatch	
FROM: Supervisor II	Central Dispatch	
Evan Sisk		6/27/2016
TO: Supervisor II	Central Dispatch	
FROM: Dispatcher	Central Dispatch	
Kimberlee Fork		6/16/2016
TO: P.T. In Home Worker	Division on Aging	
FROM: On-call In Home Worker	Division on Aging	

SEPARATIONS: (Temporary)

Hayden Hager Temp. Dispatcher	Central Dispatch	6/17/2016
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SEPARATIONS: (Regular)

Michelle Katt Asst. 911 Director	Central Dispatch	6/01/2016
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Emily Prezatto Road Patrol Deputy	Sheriff Department	6/21/2016
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Poonam Mehta Staff Attorney	Circuit Court	6/24/2016
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Phyllis Otto (Deceased) P.T. Laboratory Technician	Health Department	6/17/2016
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RETIREMENT:

Judy Skornia Billing Clerk	Health Department	6/16/2016
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Personnel Department
July 1, 2016

BAY COUNTY BOARD OF COMMISSIONERS

APRIL 12, 2016

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, APRIL 12, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:01 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 J. HICKNER, COUNTY EXECUTIVE
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
KIM PRIESSNITZ, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR
WILLIAM MCPHERSON, BAY COUNTY RESIDENT
KEITH MARKSTROM, BAY VETERANS FOUNDATION
MARTY MURPHY, BAY COUNTY RESIDENT
CHIEF JUDGE, DAWN KLIDA
LAURA OGAR, DIRECTOR OF ENVIRONMENTAL AFFAIRS & COMMUNITY DEVELOPMENT
DANA MUSCOTT, DEPUTY CITY MANAGER
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

MINUTES

MOTION 32: COMM. DURANCZYK MOVED TO APPROVE THE REGULAR BOARD SESSION MINUTES FROM THE MARCH 8, 2016 BOARD MEETING AS

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

CITIZENS INPUT

WILLIAM
MCPHERSON:

3669 LAURIA ROAD, THE DRAINAGE PROBLEMS ON LAURIA ROAD. THE DRAIN COMMISSIONER WAS APPOINTED TO THE WET LAND ADVISORY COUNSEL, THERE SURE SEEMS TO BE A CONFLICT OF INTEREST BETWEEN HIS TWO JOBS. VERY CONCERNED ABOUT STANDING WATER ON LAURIA ROAD. WATERWORKS WAS PUT IN DOWN THE ROAD FROM HIM. THE COUNTY, AT THAT TIME, REMOVED A DRAIN AND TURNED IT INTO A SHALLOW DITCH. LATER THE RAIL-TRAIL WAS PUT IN AND THEY REMOVED SEVERAL CULVERTS. THEY HAVE REMOVED THE LARGER CULVERT AND INSTALLED A SMALLER ONE, THE DITCH IS TOO SHALLOW. THEY ALLOWED THE DRAIN ALONG THE RAIL- TRAIL TO BE FILLED IN, NO DRAINAGE IN THAT AREA. THEN BLOCKED OFF DITCH NORTH OF THE WATERWORKS. THEY HAVE CREATED WET-LANDS IN THE AREA, NO MEANS TO DRAIN THE AREA OF STANDING WATER. THE DRAIN COMMISSIONER HAS STATED THAT HE HAS DONE ALL THAT HE IS GOING TO DO.

COMM. KRYGIER: COMM. LUTZ AND I WERE BOTH OUT THERE AND THERE WAS PLENTY OF WATER. WE WALKED THAT DITCH LINE AND SEEN A FEW THINGS THAT I THOUGHT WAS GOING TO BE TAKEN CARE OF.

COMM. LUTZ: SENT THE DRAIN COMMISSIONER AN E-MAIL. THE VEGETATION THAT HAD GROWN IN THE DITCH AND A PORTION OF THE BOX DRAIN WAS BLOCKED SO THE WATER WAS RISING IN THE DITCH. IF THAT HAD BEEN TAKEN CARE OF WATER WOULD HAVE BEEN ABLE TO FLOW OUT OF THE AREA. WATER WAS FLOWING OUT OF THE WESTSIDE OF THE RAIL-TRAIL. UP BY WHERE MR. MCPHERSON'S HOUSE IS THAT DITCH IS REALLY SHALLOW. ANOTHER HOUSE, DOWN THE ROAD, WAS ALSO BEING FLOODED.

COMM. KRYGIER: WE DON'T HAVE A LOT OF CONTROL OVER THAT OFFICE AS AN ELECTED OFFICE. WE MAY NEED TO SET UP A MEETING WITH HOME OWNERS AND COME BACK OUT TO THE HOUSE AGAIN.

MR. MCPHERSON: I HAVE PICTURES OF THE PROPERTY AND THE STANDING WATER. THE DRAIN COMMISSIONER HAS FAILED AT HIS JOB.

COMM. DURANCZYK: THIS IS A HEALTH ISSUE, YOU HAVE STANDING WATER OUT THERE. WE HAVE MOSQUITO'S AND NOW WITH THE ZIKA VIRUS, NEED TO GET INVOLVED.

KEITH MARKSTROM: 1383 NORTH JONES ROAD, REPRESENTING BAY VETERANS FOUNDATION AND COORDINATOR OF THE BATTERY PARK PROJECT. TO BRING THE BOARD UP TO DATE ON THE BATTERY PARK PROJECT. WE ARE WORKING ON OUR \$109,000 PROJECT. ON TRACK TO HAVE A REDEDICATION OF THE PARK THE WEEK OF JUNE 20-21ST. FIRST METAL OF HONOR RECIPIENT FROM THE VIETNAM WAR, COLONEL ROGER DONLON, WILL BE OUR KEY NOTE SPEAKER. FOLLOWED BY HIM HOSTING A DINNER ALL ARE INVITED.

MARTY MURPHY: 45 RIVER TRAIL DRIVE, COMING HERE TO TALK ABOUT THE UP COMING ELECTION FOR COUNTY EXECUTIVE. I WANT SOMEONE WHO WILL PUT THE NEEDS OF THE COMMUNITY BEFORE THEIR OWN PERSONAL WANTS.

PETITIONS AND COMMUNICATIONS

RES. 2016-102: COMM. TILLY MOVED TO ADOPT RES. 2016-102 BAY COUNTY BOARD OF COMMISSIONERS AND BAY COUNTY EXECUTIVE TO RECOGNIZE DAWN A. KLIDA ON HER APPOINTMENT AS CHIEF JUDGE OF THE BAY COUNTY COURTS BY MICHIGAN SUPREME COURT CHIEF JUSTICE ROBERT YOUNG. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CLERK LUCZAK: READ RESOLUTION 2016-102, INTO THE RECORD.

JUDGE KLIDA: THANK YOU VERY MUCH, THIS IS VERY UNEXPECTED. I WOULD LIKE TO THANK MY LOVELY DAUGHTERS. THEY KEPT A PRETTY GOOD SECRET. I AM DEVOTED TO BAY COUNTY AND VERY HAPPY TO BE EXACTLY WHERE I AM. TO HAVE MET SO MANY WONDERFUL PEOPLE ALONG MY WAY. I AM WITHOUT WORDS, THANK YOU.

RES. 2016-77: COMM. BEGICK MOVED TO ADOPT RES. 2016-77 MICHIGAN GREEN SCHOOLS - EVERGREEN LEVEL MI GREEN SCHOOL DESIGNATION: ALL SAINTS CATHOLIC ELEMENTARY SCHOOL; THE AUBURN AREA CATHOLIC SCHOOL; BAY-ARENAC ISD CAREER CENTER; JOHN GLENN HIGH SCHOOL. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CLERK LUCZAK: READ RESOLUTION 2016-77, INTO THE RECORD.

COMM. TILLEY: THE GREEN SCHOOLS INITIATIVE STARTED IN 2010 WITH VARIOUS LEVELS OF PARTICIPATION. WE WANT TO CONGRATULATE ALL OF YOU.

ALICIA WALLACE: I WILL GO TO THE SCHOOLS AND MAKE A PRESENTATION ABOUT WHAT IT TAKES TO BE A GREEN SCHOOL. WOULD LIKE TO RECOGNIZE THE SCHOOLS FOR ALL OF THEIR HARD WORK. IT IS A PLEASURE TO WORK WITH ALL OF THEM. THEY ARE DOING A WONDERFUL JOB.

RES. 2016-78: COMM. TILLEY MOVED TO ADOPT RES. 2016-78 RECOGNITION OF 2015 TROOPER OF THE YEAR, MICHAEL DARROW. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. TILLEY: TROOPER DARROW COULD NOT ATTEND TONIGHT'S MEETING.

RES. 2016-79: COMM. TILLEY MOVED TO ADOPT RES. 2016-79, THE 30TH ANNIVERSARY OF BAY COUNTY 9-1-1 CENTRAL DISPATCH; DESIGNATION OF APRIL 10 - 16, 2016 AS PUBLIC SAFETY TELECOMMUNICATIONS WEEK. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CHRIS IZWORSKI: WE HAVE INVESTED IN TECHNOLOGY BUT IT IS THE PEOPLE WHO WORK HERE THAT MAKE THIS SUCH AN AMAZING PLACE. WE WORK 24 HOURS A DAY, 7 DAYS A WEEK, 365 DAYS A YEAR. THE PEOPLE WHO WORK HERE GIVE UP A LOT, BUT IT IS A LIFESTYLE. THIS IS A GREAT WAY TO HONOR THEM. THIS RECOGNITION REALLY MEANS A LOT TO EVERYONE.

MOTION 34: COMM LUTZ MOVED TO APPROVE THE MOTION TO ACCEPT BAY DRAIN COMMISSIONER - JOE RIVETTE'S 2015 DRAIN REPORT. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEARS, 0 NAYS.

REPORTS/ RESOLUTIONS OF COMMITTEES

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

- RES. 2016-80: COMM. COONAN MOVED TO ADOPT RES. 2016-80 MARINE SAFETY GRANT PROGRAM. THIS GRANT PROVIDES FUNDING FOR EQUIPMENT AND THE HIRING OF SEASONAL PERSONNEL DURING BOATING SEASON. THE DNR AGREES TO REIMBURSE BAY COUNTY A SUM OF MONEY EQUAL TO 75% OF THE TOTAL ELIGIBLE COSTS FOR OPERATION, BUT NOT TO EXCEED THE GRANT ALLOCATION OF 75% - \$45,241 MATCH SHARE 25% - \$11,310.23. FUNDS ARE INCLUDED IN THE 2016 SHERIFF DEPT. BUDGET. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-81: COMM. COONAN MOVED TO ADOPT RES. 2016-81 SINCE 2000, THE BAY COUNTY PROSECUTOR HAS RECEIVED FEDERAL VICTIMS OF CRIME ACT (VOCA) GRANT AMENDMENT TO 2015-2016 FUNDING. THE GRANT LISTED AN AWARD AMOUNT OF \$62,500 WITH A MATCH OF \$15,500; HOWEVER THE ACTUAL AWARD WAS INCREASED TO \$75,000 WITH A MATCH OF \$18,750. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-82: COMM. COONAN MOVED TO ADOPT RES. 2016-82 TREATMENT COURT GRANT APPLICATIONS IN THE CIRCUIT/DISTRICT/PROBATE AND JUVENILE COURTS. THE EXISTING GRANT-FUNDED PROGRAMS ARE SWIFT AND SURE, ADULT DRUG, ADULT SOBRIETY, JUVENILE DRUG AND FAMILY DEPENDENCY DRUG TREATMENT COURTS. GRANT SOURCES SUCH AS THE FEDERAL BYRNE GRANT, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF HIGHWAY AND SAFETY, SAMHSA AND THE STATE COURT ADMINISTRATOR'S OFFICE. AUTHORIZATION IS GRANT TO SUBMIT GRANT APPLICATIONS FOR TREATMENT COURT FUNDING. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-83: COMM. BEGICK MOVED TO WITHDRAW RES. 2016-83 VIETNAM VETERANS OF AMERICA STATE CONVENTION. THE VENUE HAS BEEN MOVED TO SAGINAW. NO VOTE NEEDED.
- RES. 2016-84: COMM. COONAN MOVED TO ADOPT RES. 2016-84 CORMORANT MANAGEMENT ON SPOILS ISLAND. IT IS REQUESTED THAT BAY COUNTY SIGN AN INTERNAL WORK INITIATION DOCUMENT FOR WILDLIFE DAMAGE MANAGEMENT (FORM 12A) THUS GRANTING THE USDA WILDLIFE SERVICES PERMISSION TO CONTINUE THE WORK FOR THE MDNR AND IT IS ANTICIPATED THAT WORK WILL BEING

IN APRIL AND CONTINUE THROUGH SEPTEMBER. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2016-85: COMM. COONAN MOVED TO ADOPT RES. 2016-85 SOLDIER'S RELIEF COMMISSION CONTRACTUAL PART-TIME TYPIST CLERK POSITION, UP TO 25 HOURS PER WEEK. FUNDS EXIST WITHIN THE VETERANS MILLAGE ALLOCATION FOR A CONTRACTUAL PART TIME TYPIST CLERK AT AN HOURLY WAGE OF \$10.00 PER HOUR AND FOR A COMPUTER AND BASIC OFFICE SET-UP FOR THIS POSITION ESTIMATED AT \$1,500 BY INFORMATION SYSTEMS (COMPUTER, PRINTER AND SOFTWARE). NO ADDITIONAL TELEPHONE OR COPIER WILL BE NEEDED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-86: COMM. COONAN MOVED TO ADOPT RES. 2016-86 BOYS & GIRLS CLUB SUMMER PROGRAM. THE FUNDING REQUIRED \$13,000 IS INCLUDED IN THE 2016 RECREATION DEPARTMENT BUDGET. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-87: COMM. COONAN MOVED TO ADOPT RES. 2016-87 GOLF COURSE OUTING FEES. THE FOLLOWING IS THE BREAKDOWN OF THE PROPOSED TIER PRICING SCHEDULE FOR OUTINGS FOR PEAK TIME: 18 HOLES WITH A CART - 39 OR LESS PLAYERS \$35.00 (WEEKDAY RATE); 40 - 70 PLAYERS \$31.00; 71 - AND MORE PLAYERS \$27.00 (CURRENT SENIOR RATE). 9 HOLES WITH A CART - 39 OR LESS PLAYERS \$20.00 (CURRENT RATE); 40 AND MORE PLAYERS \$17.00 (CURRENT RATE). ALL SENIOR WEEKDAY OUTING - 39+ PLAYER \$24.00. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-88: COMM. COONAN MOVED TO ADOPT RES. 2016-88 BAY COUNTY EQUALIZATION REPORT FOR 2016. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-89: COMM. COONAN MOVED TO ADOPT RES. 2016-89 GAS TRANSPORTATION. APPROVAL OF A SEASONAL CONTRACT WITH CONSTELLATION NEW ENERGY FOR A THREE-YEAR PERIOD (2016 - 2018) IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-90: COMM. COONAN MOVED TO ADOPT RES. 2016-90 APPROPRIATION FOR COMPLETION OF PAINTING PROJECTS (BUILDINGS &

GROUND(S). IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-91: COMM. COONAN MOVED TO ADOPT RES. 2016-91 CONTRACT WITH MACMILLIAN & ASSOCIATES - STRUCTURAL ASSESSMENT - COUNTY MARKET (BUILDINGS AND GROUNDS). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-92: COMM. COONAN MOVED TO ADOPT RES. 2016-92 LETTER OF INTENT TO REGION VII, AREA AGENCY ON AGING, FOR FY 2016-2017 FUNDING (DIVISION ON AGING). IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-93: COMM. COONAN MOVED TO ADOPT RES. 2016-93 PAYABLES: GENERAL; BAYANET; CENTER RIDGE ARMS . IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-94: COMM. COONAN MOVED TO ADOPT RES. 2016-94 BUDGET ADJUSTMENTS (VARIOUS). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-95: COMM. COONAN MOVED TO ADOPT RES. 2016-95 SUPPORT FOR LEGISLATIVE CORRECTIONS TO LAW ALLOWING DARK STORE INTERPRETATION BY THE MICHIGAN TAX TRIBUNAL FOR TAX ASSESSMENTS (COMMISSIONERS TILLY AND LUTZ). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-96: COMM. COONAN MOVED TO ADOPT RES. 2016-96 FINANCIAL CONTRACT WITH COMPUTER SYSTEMS INC. (CSI) FOR SOFTWARE (REGISTER OF DEEDS). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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

RES. 2016-97: COMM. LUTZ MOVED TO ADOPT RES. 2016-97 VACANCIES: DIVISION ON AGING; HEALTH DEPARTMENT; FINANCE DEPARTMENT (PERSONNEL DEPT.). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-98: COMM. LUTZ MOVED TO ADOPT RES. 2016-98 LABOR AGREEMENT NEGOTIATION SERVICES - TIM QUINN (PERSONNEL DEPT.). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

TOM HICKNER: BACK IN 1993 WE HIRED OUT OF TOWN COUNSEL PETER COLE, UNTIL TIM QUINN WAS HIRED. HE WAS THEN GIVEN THIS ROLE, WITH A BIG SAVINGS TO THE COUNTY. WE ARE ASKING TO BRING HIM BACK FOR ONE TIME TO HELP TIFFANY WITH ONE ROUND OF CONTRACT NEGOTIATIONS.

COMM. HEREK: THIS IS A LOT OF MONEY, I WANT TO KNOW WHAT WE ARE PAYING HIM FOR. ARE WE PAYING HIM TO NEGOCIATE OR AS A NEGOTIATOR AND A LAWYER? AND IS THIS A ONE TIME THING?

AMBER
DAVIS-JOHNSON: THIS WILL BE MY FIRST TIME GOING THROUGH CONTRACT TALKS WITH HIM. WE ARE ASKING BECAUSE OF HIS PAST WORK WITH THE UNIONS AND AS A NEGOTIATOR.

TOM HICKNER: WE ARE HOPING TO GET AGREEMENTS BEFORE THE CONTRACTS END AT THE END OF THIS YEAR. THE GOAL IS TO DO SOMETHING MORE IN COMPENSATION FOR THE EMPLOYEES.

RES. 2016-99: COMM. LUTZ MOVED TO ADOPT RES. 2016-99 REVISED SMOKE-FREE POLICY (CENTER RIDGE ARMS). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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

RES. 2016-100: COMM. TILLEY MOVED TO ADOPT RES. 2016-100 REPORTS OF COUNTY EXECUTIVE. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-101: COMM. TILLEY MOVED TO ADOPT RES. 2016-101 LAWMAKERS EXEMPTION FROM LAWS ENACTED FOR GOVERNANCE OF STATE OF MICHIGAN (SPONSORED BY COMMISSIONER MICHAEL LUTZ, 7TH DISTRICT). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

TOM HICKNER: NEW INITIATIVE FROM 911 TO SEND AN ALERT ON BAY ALERTS WHEN ONE OF OUR BRIDGES WILL BE OPENING.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

COMM. HEREK: ON APRIL 23 FROM 9 AM TILL NOON AT THE DIVISION ON AGING ON EUCLID AVENUE, THERE WILL BE A EARTH DAY WORK DAY.

COMM. HEREK: COMMUNITY FOUNDATION HAS A NEW FACEBOOK PAGE CALLED GATEWAY BAY CITY, CHECK IT OUT.

MOTION 33: COMM. LUTZ MOVED TO ACCEPT DIRECTOR OF ENVIRONMENTAL AFFAIRS & COMMUNITY DEVELOPMENT - BAY CITY - BAY COUNTY SHARED GEOGRAPHIC INFORMATION SYSTEMS (GIS) WEB VIEWER PRESENTATION - READY FOR PUBLIC ROLL-OUT. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

LAURA OGAR: DIRECTOR OF ENVIRONMENTAL AFFAIRS & COMMUNITY DEVELOPMENT. PRESENTATION OF NEW GIS WEB VIEWER SYSTEM WITH BOTH THE BAY CITY COMMISSIONERS AND BAY COUNTY COMMISSIONERS PRESENT. THE GIS WEB VIEWER HAS BEEN OVER A YEAR IN THE MAKING. IT TAKES MANY LAYERS OF DATA AND PUTS IT ALL IN ONE PLACE. THIS IS AN INTERACTIVE VIEWER WHICH IS FREE AND AVAILABLE TO THE PUBLIC. THE WEB VIEWER IS DATA RICH AND CAN DISPLAY AVAILABLE INFORMATION ON LOCATIONS OF UTILITIES, BUS ROUTES, ALL WEATHER TRANSPIRATION CORRIDORS, VOTING LOCATIONS, EMERGENCY SHELTERS, NATURAL RESOURCES AND OUTDOOR RECREATION FEATURES, INCLUDING BOAT LAUNCHES AND PUBLIC ACCESS POINTS FOR KAYAKING ON THE SAGINAW RIVER/BAY. IT ALSO USES LAND DEVELOPMENT CONSIDERATIONS, INCLUDING THE LOCATION OF FLOOD PLAINS AND FEMA FLOOD ZONES, WETLAND AREAS AND ZONING.

DANA MUSCOTT: DEPUTY CITY MANAGER. OVER ONE YEAR AGO, THE CITY ENTERED INTO A PARTNERSHIP WITH BAY COUNTY. BOTH THE COUNTY AND CITY MET IN WORK GROUPS TO WORK TOGETHER FOR THIS PRODUCT. THIS IS JUST THE BASE PROGRAM, THIS IS ONLY GOING TO GET BETTER. THANK YOU VERY MUCH FOR HAVING US.

CLOSED SESSION

MOTION 35: COMM. COONAN MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268, SEC. 8 (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 FRED WALRAVEN VS. BAY COUNTY AND MATT GILLIS VS. BAY COUNTY. IT WAS SUPPORTED BY COMM. LUTZ AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ, KRYGIER, HEREK - 7 YEAS, 0 NAYS.

MOTION 36: COMM. DURANCZYK MOVED TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS REGARDING FRED WALRAVEN VS. BAY COUNTY AND MATT GILLIS VS. BAY COUNTY. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS.

MOTION 37: COMM. TILLEY MOVED TO PROCEED WITH THE RECOMMENDATION OF CORPORATE COUNSEL AND AUTHORIZING THEM TO PROCEED AS DISCUSSED IN THE CLOSED SESSION REGARDING FRED WALRAVEN VS. BAY COUNTY AND MATT GILLIS VS. BAY COUNTY FOLLOWING COMMENTS MADE BY BAY COUNTY LEGAL COUNSEL AMBER DAVIS-JOHNSON. SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RECESS/ADJOURNMENT

MOTION 38: COMM. DURANCZYK MOVED TO ADJOURN THE REGULAR BOARD SESSION OF APRIL 12, 2016. IT WAS SUPPORTED BY COMM. TILLEY. THE MEETING CONCLUDED AT 6:00 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS

BAY COUNTY BOARD OF COMMISSIONERS

MAY 3, 2016

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A SPECIAL MEETING SESSION ON TUESDAY, MAY 3, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:50 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
CHARLENE HOGAN, BAY COUNTY DEPUTY CLERK
DIANE YAWORSKI, SECRETARY TO THE COUNTY CLERK
ROBERT J. REDMOND, FINANCIAL ANALYST
DEANNE C. BERGER, BOARD COORDINATOR

ALSO PRESENT: THOMAS J. HICKNER, COUNTY EXECUTIVE
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
KIM PRIESSNITZ, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR
LAURA OGAR, DIRECTOR OF ENVIRONMENTAL AFFAIRS & COMMUNITY DEVELOPMENT
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

INVOCATION: THE INVOCATION WAS GIVEN BY THE BAY COUNTY DEPUTY CLERK, CHARLENE HOGAN.

PLEDGE OF ALLEGIANCE:

CITIZENS INPUT

LAURA OGAR: DIRECTOR OF ENVIRONMENTAL AFFAIRS AND COMMUNITY DEVELOPMENT. HERE TO REPORT THAT THE PUBLIC NOTICE FOR THE ARMY CORP OF ENGINEERS PERMIT APPLICATION FOR THE BOARDWALK TO THE BEACH AT THE BAY CITY RECREATION AREA

IS OUT FOR PUBLIC COMMENT ON APRIL 26, 2016. THIS IS A 30 DAY PUBLIC COMMENT PERIOD. THIS IS FOR THE BOARDWALK ONLY, GETTING IT BUILT AND INSTALLED. THEY ARE SHOOTING FOR MEMORIAL DAY WEEKEND. THE DEPARTMENT OF NATURAL RESOURCES IS BUILDING THE BOARDWALK. THIS WILL BE A SEMI-PERMANENT STRUCTURE. IT WILL BE INSTALLED SEASONALLY.

COMM. KRYGIER: MONDAY, MAY 9, 2016, VOLUNTEERS WILL BE WORKING AT THE BEACH. PEOPLE CAN LET THE ARMY CORP OF ENGINEERS KNOW WHAT YOU THINK OF THE BEACH CLEAN UP PROJECTS.

ITEMS FOR CONSIDERATION

RES. 2016-103: COMM. TILLEY MOVED TO ADOPT RES. 2016-103 RECOGNITION OF YWCA GREAT LAKES BAY REGION. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-104: COMM. TILLEY MOVED TO ADOPT RES. 2016-104 ACCEPTANCE OF DNR PHRAGMITIES GRANT (ENVIRONMENTAL AFFAIRS). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-105: COMM. TILLEY MOVED TO ADOPT RES. 2016-105 ADMINISTRATIVE SERVICES - MCTV EQUIPMENT AUCTION APPROVED \$2,000.00 TO TAKE FORWARD ON BEHALF OF BAY COUNTY (BAY 3 TV). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 39: COMM. TILLEY MOVED THE MOTION TO INTERVIEW AND FILL THE ATTORNEY VACANCY(S) IN THE PUBLIC DEFENDER'S OFFICE THAT WERE PREVIOUSLY APPROVED TO BE POSTED BY THE BAY COUNTY BOARD OF COMMISSIONERS ON FEBRUARY 16, 2016 (RES. NO 2016-56). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

THERE WAS NO MISCELLANEOUS ITEMS

ANNOUNCEMENTS

COMM. COONAN: JUNE 25, 2016, SATURDAY, THE 10TH ANNUAL BEACH WELLNESS, 5K AND 10 K RUN AND WALK. WE HAVE RAISED OVER \$100,000 OVER THE PAST TEN YEARS.

CLOSED SESSION

MOTION 40: COMM. COONAN MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268, SEC. 8 (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 AND PURSUANT TO MCL 15.268 (h): TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE OR FEDERAL STATUTE, SPECIFICALLY A WRITTEN LEGAL OPINION, EXEMPTED UNDER MCL 15.243 (l) (g). 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. TILLEY AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ, KRYGIER, HEREK - 7 YEAS, 0 NAYS.

MOTION 41: COMM. DURANCZYK MOVED TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION 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. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 42: 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 43:

COMM. DURANCZYK MOVED TO ADJOURN THE SPECIAL BOARD SESSION OF MAY 3, 2016. IT WAS SUPPORTED BY COMM. COONAN. THE MEETING CONCLUDED AT 5:35 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS

BAY COUNTY BOARD OF COMMISSIONERS

MAY 10, 2016

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, MAY 10, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:00 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 J. HICKNER, COUNTY EXECUTIVE
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
KIM PRIESSNITZ, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR
BRANDON KRAUSE - REGISTER OF DEEDS
JOHN E MILLER - BAY COUNTY SHERIFF
TROY CUNNINGHAM - BAY COUNTY UNDERSHERIFF
MARK MCFARLIN - CANDIDATE FOR BAY COUNTY EXECUTIVE
LEONARD GORGOL- CITIZEN OF BAY COUNTY
MARK LINTON - CITIZEN OF BAY COUNTY
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

MINUTES
NONE AVAILABLE

CITIZENS INPUT

BRANDON
KRAUSE:

BAY COUNTY REGISTER OF DEEDS. ON MAY 4, 2016, THE OSCODA COUNTY COURT HOUSE BURNED. IN THE UNFORTUNATE EVENT THAT A SIMILAR SITUATION COULD HAPPEN IN BAY COUNTY MY OFFICE HAS SCANNED ALL DEED BOOKS, WE WOULD HAVE DIGITAL AND ELECTRONIC COPIES OF THE RECORDS.

LEONARD
GORGOL:

1832 WEST ANDERSON ROAD, LINWOOD MICHIGAN, GARFIELD TOWNSHIP. REQUESTING SUPPORT FOR THE RESOLUTION FOR THE REPLACEMENT OF THE ERICKSON ROAD BRIDGE . THIS BRIDGE IS LOCATED ON A PRIMARY ROAD AND IS VERY INSTRUMENTAL TO THIS AREA. THIS BRIDGE CONNECTS TOWNSHIP'S TO EACH OTHER. BAY COUNTY ROAD COMMISSION IS HELPING THEM APPLY FOR THE LOCAL BRIDGE PROGRAM APPLICATION.

MARK MCFARLIN:

BAY COUNTY RESENT AND LICENSED PRIVATE INVESTIGATOR. LETTER WRITTEN TO THE GOVERNOR ABOUT A CONFINED DISPOSAL FACILITY IN BAY COUNTY, IN REGARD TO A REQUEST FOR AN INQUISITION TO BE CONDUCTED BY AN THE OFFICE OF THE GOVERNOR. IT IS BLATANTLY EVIDENT THAT THE ARMY CORP OF ENGINEERS, MDEQ, BAY COUNTY OFFICIALS AND BANGOR TOWNSHIP OFFICIALS ARE ALL AWARE THAT THE FACILITY EXISTS IN A RESIDENTIAL AREA YET THERE IS NO MARKING OR SIGNS TO ALERT THE PUBLIC OF POSSIBLE HEALTH RISKS. I VISITED THE SAGINAW/BAY DISTRICT OFFICE, I WAS TOLD, DUE TO TESTING REQUIREMENT AND THE AMOUNT OF DREDGE SPOILS AT THAT TIME, IT WAS NOT REQUIRED TO TEST THE SOILS FOR CONTAMINANTS, JUST PCB'S. THIS SITE NOW HAS A RESTRICTED COVENANT, ANY FUTURE USE IS NOW RESTRICTED BY THE MDEQ AND CANNOT BE USED UNTIL IT IS CLEARED FOR CONTAMINATION.

COMM. KRYGIER:

THIS IS THE BAY SIDE PARK AREA, OFF BANGOR ROAD. BEFORE THIS WAS FILLED IN IT WAS A SWAMPY AREA AND THEY TOOK THE DREDGING FROM THE KAWKAWLIN RIVER AND THEN THE LAGOON AND PUT THOSE SPOILS THERE INSTEAD OF GOING OUT TO THE ISLAND THAT WAS PUT TOGETHER BY THE ARMY CORP. IN CONVERSATIONS WITH THE DEQ I WAS TOLD THAT BASED ON WHAT THEY THOUGHT WAS IN THIS LANDFILL AREA, THAT IF THEY PUT ON A TOP DRESSING OF 3 TO 4 INCHES OF TOP SOIL THEY WOULD BE ABLE TO USE IT. CONCERNS WERE IN FACT, WHAT WAS

MAY 10, 2016

BOARD OF COMMISSIONERS MEETING

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IN THOSE DREDGING. TOM HICKNER HAS HAD MEETINGS WITH THE SUPERVISOR OF BANGOR TOWNSHIP. THERE HAVE BEEN DISCUSSION AS TO WHO IS RESPONSIBLE.

TOM HICKNER: THERE HAVE BEEN A FEW THINGS IN DISCUSSION AND THINGS WE ARE WORKING ON. THE FIRST IS IDENTIFYING WHO IS THE APPROPRIATE GOVERNMENTAL ENTITY TO DO THE TESTING, SINCE IT IS TOWNSHIP OWNED PROPERTY, IT WOULD LIKELY BE THE TOWNSHIP WHO WOULD INITIATE IT. THE SECOND AREA IS FUNDING SOURCES THAT MIGHT BE USED TO HELP PAY FOR THE TESTING, AND THAT NEEDS TO BE DONE IN CONJUNCTION WITH A QUALIFIED ENGINEERING FIRM. THE THIRD IS TO FIND OUT WHAT THE HISTORY OF THE PROPERTY WAS, NOT WHAT YOU JUST STATED BUT ALSO THE INVOLVEMENT OUT OF THE COUNTY.

SHERIFF MILLER: UPDATE ON THE COUNTY'S DRUG TAKE BACK PROGRAM. UNDERSHERIFF CUNNINGHAM HAS BEEN THE LEAD ON THIS PROGRAM SO HE WILL BE GIVING THE DETAILS.

UNDERSHERIFF CUNNINGHAM: THE BAY COUNTY SHERIFF OFFICE HAS INSTALLED THE RED BARREL PROGRAM, WHICH IS LOCATED IN THE LOBBY OF THE BAY COUNTY SHERIFF DEPARTMENT. THE DEPARTMENT IS OPEN FROM 8 AM TO 4:30 PM, MONDAY THRU FRIDAY. CITIZENS CAN DISPOSE OF UNUSED AND UNWANTED PRESCRIPTION DRUGS IN THE BARREL AT ANY POINT BETWEEN THESE HOURS. THE BARREL HAS A LARGE LOCK ON IT AND IS SCREWED DOWN TO THE FLOOR AND EMPTED ON SET INTERVALS. YOU CAN DISPOSE OF PILLS AND LIQUIDS, BUT NO NEEDLES. PEOPLE MAY REMOVE THEIR NAMES AND LABELS FROM THE BOTTLES. EVERYTHING PLACED INTO THE BARREL WILL BE DESTROYED AND DISPOSED OF.

COMM. KRYGIER: WAS THIS PROGRAM DEVELOPED IN HOUSE AND AT WHAT COST?

UNDERSHERIFF CUNNINGHAM: IT WAS DEVELOPED IN HOUSE AND THE COST WAS AROUND \$200.00.

PETITIONS AND COMMUNICATIONS

RES 2016-78: PRESENTATION TO TROOPER OF THE YEAR, MICHAEL DARROW (APPROVED ON APRIL 12, 2016). TROOPER WAS UNABLE TO APPEAR.

MAY 10, 2016
KATHERINE
BURKHOLDER:

BOARD OF COMMISSIONERS MEETING

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6240 HIAWATHA , WHITMORE LAKE, MICHIGAN, HERE ON BEHALF OF CONSUMERS ENERGY. I'M HERE TODAY TO GIVE AN UPDATE ON THE METER TECHNOLOGY COMING TO THIS AREA LATER THIS YEAR. CONSUMERS HAS INSTALLED OVER 900,000 METERS IN THE STATE OF MICHIGAN, SO FAR THIS YEAR. THE SAGINAW COUNTY - BAY COUNTY AREA FALLS INTO THE FALL 2016 AND SPRING 2017. ONE OF THE BIG IMPROVEMENTS OF THE NEW METER, IS THE NEW CELL PHONE CHIP WHICH WILL TEXT A MESSAGE TO CONSUMERS ON YOUR HOUSEHOLD USE, THERE WILL NO LONGER BE ANY ESTIMATED BILLS. YOU WILL BE ABLE TO GO ONLINE AND SEE YOUR HOMES HOURLY ENERGY USE. THEY WILL ALSO HAVE A NEW WEB PORTAL STARTING IN DECEMBER OF THIS YEAR. IT WILL ALSO LET CONSUMERS KNOW WHEN THE POWER IS OUT, MAKING THEM A MOR EFFICIENT COMPANY. THERE WILL ALSO BE A NEW GAS METER WHICH WILL SEND A MESSAGE TO THE ELECTRIC METER AND ALSO REPORT YOUR USAGE. YOU CAN CHOOSE TO KEEP YOUR OLD METER FOR A ONE TIME FEE OF \$69.39 AND A \$9.72 MONTHLY CHARGE TO READ YOUR METER. THESE FEES PAY FOR THE METER READER TO COME TO YOUR HOME TO READ YOUR METER.

MOTION 44: COMM. TILLEY MOVED TO APPROVE THE MOTION FOR PRESENTATION BY KATHERINE BURKHOLDER, CONSUMERS ENERGY, REGARDING METER INSTALLATION IN BAY CITY. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

DEBBIE KEYES: BAY COUNTY DIVISION ON AGING, PROGRAM EVENT MANAGER. PRESENTATION AND OVERVIEW OF THE BAY COUNTY SPECIAL OLYMPICS. HELD JUNE 1 - 17, 2016, THIS YEAR'S SLOGAN IS, "FOR THE LOVE OF THE GAMES". BAY COUNTY'S 29TH ANNIVERSARY WORKING WITH THE SENIOR OLYMPICS. THIS YEAR THEY HAVE 23 EVENTS THAT SPAN EVERYTHING FROM EATING CHALLENGES TO CRIBBAGE TO FISHING, ETC. TO QUALIFY YOU MUST BE 55 YEARS OLD, AND OLDER. LAST YEAR THEY HAD 10 PARTICIPANTS 90 YEARS OLD AND OLDER. THERE BANQUET AND AWARDS CEREMONY WILL BE BROADCAST ON BAY 3 TV ON FRIDAY, JUNE 17TH AT 4:00 PM.

MOTION 45: COMM. DURANCZYK MOVED TO APPROVE THE MOTION FOR PRESENTATION AND OVERVIEW BY DEBBIE KEYES, DIVISION ON AGING, ON UPCOMING SENIOR OLYMPICS EVENT. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

STEPHAN "SKIP"
WOODEN:

INSTITUTE FOR ENERGY INNOVATION, POWERPOINT PRESENTATION AND OVERVIEW OF SOLAR ENERGY IN MICHIGAN. SOLARIZE MICHIGAN IS A CAMPAIGN TO ACCELERATE THE DEPLOYMENT OF SOLAR ENERGY IN MICHIGAN. THE PRICE OF SOLAR ENERGY MODULES HAS DECREASED 80% IN THE LAST SIX YEARS, IT IS NOW BECOMING ECONOMICAL. IF YOU MAKE SOLAR SYSTEMS VISIBLE, PEOPLE WILL GET INTERESTED AND THEY WILL TRY THEM. WHY IS THIS BEING OFFERED NOW? THIS REGION IS THE SOLAR CAPITAL IN THE MID-WEST WITH DOW - DOW CORNING - HEMLOCK SEMI CONDUCTOR - NEXTEER (SUNSTEER) - SUNIVA ALL SOLAR MANUFACTURES BUT WE ARE NOT USING IT. DOES SOLAR WORK IN MICHIGAN? GERMANY IS THE NUMBER ONE USER OF SOLAR ENERGY AND OUR CLIMATE IS VERY CLOSE TO THEIRS. THE BENEFITS OF SOLAR IS SAVING MONEY ON ENERGY COSTS.

MOTION 46:

COMM. HEREK MOVED TO APPROVE THE PRESENTATION BY STEPHAN WOODEN, INSTITUTE FOR ENERGY INNOVATION RE: SOLARIZE MICHIGAN CAMPAIGN. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 47:

COMM. COONAN MOVED THE MOTION TO RECEIVE RESIGNATION FROM CHRISTOPHER HENNESSY FROM THE BAY COUNTY BUILDING AUTHORITY, DUE TO HIS RELOCATION/RESIDENCY IN OAKLAND COUNTY EFFECTIVE APRIL 25, 2016. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED 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. 2016-106:

COMM. COONAN MOVED TO ADOPT RES. 2016-106 AMENDMENT #3 TO CPBC AGREEMENT (HEALTH DEPARTMENT). IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-107:

COMM. COONAN MOVED TO ADOPT RES. 2016-107 FINANCE OFFICER - MN-15, 2 YEAR LEVEL (PERSONNEL). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MAY 10, 2016
RES. 2016-108:

BOARD OF COMMISSIONERS MEETING

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COMM. COONAN MOVED TO ADOPT RES. 2016-108 911 CENTRAL DISPATCH ASSISTANT DIRECTOR AND RESULTING VACANCIES; TEMPORARY STAFFING (PERSONNEL). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. TILLEY:

I WANT TO ASK CHRIS IZWORSKI IF HE HAS HIRED ANYONE YET?

CHRIS
IZWORSKI:

RYAN GAIL HAS ACCEPTED THIS POSITION, PENDING THIS APPROVAL. HE IS A LIFE LONG RESIDENT OF BAY CITY, A MEMBER OF ESSEXVILLE PUBLIC SAFETY DEPARTMENT. HE SERVED IN THE US NAVEL RESERVE AND SERVED IN OPERATION IRAQI FREEDOM. AFTER THAT HE JOINED THE ARMY AND WENT TO OFFICER SCHOOL AND IS NOW SERVING AS A LIEUTENANT AS WELL. HE HAS BEEN IN DISPATCH FOR 10 YEARS AND 8 YEARS AS A SUPERVISOR.

RES. 2016-109:

COMM. BEGICK MOVED TO ADOPT RES. 2016-109 PAYABLES: GENERAL; CENTER RIDGE ARMS (FINANCE). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-110:

COMM. COONAN MOVED TO ADOPT RES. 2016-110 BUDGET ADJUSTMENTS: ENVIRONMENTAL AFFAIRS (FINANCE). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-111:

COMM. COONAN MOVED TO ADOPT RES. 2016-111 2017 BUDGET SCHEDULE AND CALENDAR (FINANCE). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-112:

COMM. COONAN MOVED TO ADOPT RES. 2016-112 ENTERPRISE NETWORK APPLIANCE SUPPORT (FINANCE). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-113:

COMM. COONAN MOVED TO ADOPT RES. 2016-113 UNIFORM FEDERAL GRANT GUIDANCE (FINANCE). IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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

RES. 2016-114:

COMM. LUTZ MOVED TO ADOPT RES. 2016-114 ANNUAL WORK PLAN AGREEMENT (MSU EXTENSION). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MAY 10, 2016

RES. 2016-115: COMM. LUTZ MOVED TO ADOPT RES. 2016-115 AGREEMENT WITH BAY-ARENAC BEHAVIORAL HEALTH - COLLOCATION SERVICES (HEALTH DEPARTMENT). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-116: COMM. LUTZ MOVED TO ADOPT RES. 2016-116 AGREEMENT WITH BAY HEALTH PLAN - BASED TELEPHONE SURVEY (HEALTH DEPARTMENT). IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-117: COMM. LUTZ MOVED TO ADOPT RES. 2016-117 VACANCIES: SHERIFF DEPT.; HEALTH DEPT., JUVENILE HOME (PERSONNEL). IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-118: COMM. LUTZ MOVED TO ADOPT RES. 2016-118 REINSTATEMENT OF SUPERVISOR POSITION AT JUVENILE HOME (PERSONNEL). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-119: COMM. LUTZ MOVED TO ADOPT RES. 2016-119 RECLASSIFICATION OF PUBLIC HEALTH DIRECTOR (PERSONNEL). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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

RES. 2016-120: COMM. TILLEY MOVED TO ADOPT RES. 2016-120 REPORTS OF COUNTY EXECUTIVE. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-121: COMM. TILLEY MOVED TO ADOPT RES. 2016-121 ERICKSON ROAD BRIDGE (RESOLUTION SPONSORED BY COMMISSIONER MICHAEL J. DURANCZYK, 1ST DISTRICT). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-122: COMM. TILLEY MOVED TO ADOPT RES. 2016-122 EPA AND ARMY CORPS OF ENGINEERS IMPLEMENTATION FOR REGULATION FOR DEFINED WATERS OF THE US UNDER THE CLEAN WATER ACT (RESOLUTION SPONSORED BY COMMISSIONER ERNIE KRYGIER, 2ND DISTRICT). IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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RES. 2016-123: COMM. TILLEY MOVED TO ADOPT RES. 2016-123 2016 THE YEAR OF THE ECONOMIC DEVELOPER. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CYNTHIA LUCZAK: READ MOTION INTO THE RECORD.

COMM. TILLEY: MARK HAS REALLY TAKEN BAY FUTURE TO THE NEXT LEVEL. WHEN WE BROUGHT HIM IN FROM OHIO WAS A BIG JUMP. NEW CAMPAIGNS AND PRIVATE AND PUBLIC SECTOR CONTRIBUTIONS. NEW THINGS COMING FOR BAY COUNTY. ON BEHALF OF BAY COUNTY I WANT TO THANK YOU FOR EVERYTHING YOU ARE DOING AND LOOK FORWARD TO WORKING WITH YOU IN THE FUTURE.

MARK LINTON: THANK YOU I REALLY APPRECIATE THE RECOGNITION. THE INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL IS THE LARGEST ECONOMIC DEVELOPMENT ASSOCIATION FOR LEADERSHIP PROFESSIONAL DEVELOPMENT IN THE WORLD. WE DO APPRECIATE YOUR RECOGNITION OF THIS WEEK, AS ECONOMIC DEVELOPMENT WEEK.

RES. 2016-124: COMM. TILLEY MOVED TO ADOPT RES. 2016-124 COMMUNITY CENTER SWIMMING POOL CIRCULATING PUMP (BUILDINGS AND GROUNDS). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

RES. 2016-125: COMM. TILLEY MOVED TO ADOPT RES. 2016-125 APPOINTMENT OF JAN HISTED AS BAY COUNTY FINANCE OFFICER. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

COMM. COONAN: JUNE 25, 2016 IS GOING TO BE A GREAT TIME ON THE BEACH. CONSUMERS ENERGY WANT TO TAKE A MORE ACTIVE ROLL IN

MAY 10, 2016

BOARD OF COMMISSIONERS MEETING

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BEACH WELLNESS. TODAY WE RECEIVED A CHECK FOR \$500.00 FROM LOCAL 1098, AND CATHOLIC FEDERAL FOR \$500.00, MEIJERS IS ALSO GOING TO PARTICIPATE

COMM. BEGICK: MAY 30, 2016, MEMORIAL DAY, COME OUT AND HONOR OUR VETS. WE WILL HAVE CEREMONIES, ONE OUTSIDE OF THE COUNTY BUILDING AT 9:00 AM, ONE IN VETS PARK COME DOWN AND SEE THE SHIP.

TOM HICKNER: I WANT TO THANK KIM PRIESSNITZ FOR ACTING AS FINANCE DIRECTOR, WHEN CRYSTAL LEFT. FORTUNATELY SHE WILL STILL BE HERE. SHE REALLY DID A GREAT JOB AND WE THANK HER.

ANNOUNCEMENTS

2016 Appointments:

1. JUNE:

A. LIBRARY BOARD (ONE 5 YEAR TERM - DONALD CARLYON)

B. BUILDING AUTHORITY (ONE UNEXPIRED SIX (6) YEAR TERM EXPIRING 11/30/19 RESULTING FROM CHRISTOPHER HENNESSY RESIGNATION).

2. 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).

3. DECEMBER:

DIVISION ON AGING ADVISORY COMMITTEE (FOUR 2 YEAR TERMS; DISTRICT 2, 4, 6 AND AT-LARGE).

CLOSED SESSION
NO CLOSED SESSION

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MOTION 48: COMM. DURANCZYK MOVED TO ADJOURN THE REGULAR BOARD SESSION OF MAY 10, 2016. IT WAS SUPPORTED BY COMM. TILLEY. THE MEETING CONCLUDED AT 5:20 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS

BAY COUNTY BOARD OF COMMISSIONERS

MAY 24, 2016

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A SPECIAL MEETING SESSION ON TUESDAY, MAY 24, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:32 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: TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
JAN HISTED, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

CITIZENS INPUT

THERE WAS NO CITIZENS INPUT

ITEMS FOR CONSIDERATION

RES. 2016-126: COMM. TILLEY MOVED TO ADOPT RES. 2016-126 PURCHASE OF GOLF COURSE TRACTOR. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-127: COMM. TILLEY MOVED TO ADOPT RES. 2016-127 PURCHASE OF GOLF COURSE MOWER. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. BEGICK: HOW DID THE GOLF COURSE END UP LAST YEAR, WHAT WAS THE BOTTOM LINE?

CRISTEN GIGNAC: WE WERE \$13,000.00 UNDER WATER LAST YEAR. WE DID A BUDGET TRANSFER OF FUNDS, AND WE OPENED IN EARLY TO MID APRIL AND WE ARE ON LINE TO PAY THAT ALL BACK.

COMM. BEGICK: I SUGGEST THAT WE KEEP A WATCH ON THE BUDGET SO WE DO NOT CONTINUE TO LOSE MONEY.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

THERE WAS NO MISCELLANEOUS ITEMS

ANNOUNCEMENTS

THERE WERE NO ANNOUNCEMENTS

CLOSED SESSION

MOTION 49: COMM. TILLEY MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268, SEC. 8 (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 50: COMM. TILLEY MOVED TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION 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 PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 51: COMM. COONAN MOVED TO PROCEED WITH THE RECOMMENDATION OF COUNSEL AS DISCUSSED IN THE CLOSED SESSION FOLLOWING COMMENTS MADE BY BAY COUNTY LEGAL COUNSEL AMBER DAVIS-JOHNSON. SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RECESS/ADJOURNMENT

MOTION 52: COMM. DURANCZYK MOVED TO ADJOURN THE SPECIAL BOARD SESSION OF MAY 24, 2016. IT WAS SUPPORTED BY COMM. TILLEY. THE MEETING CONCLUDED AT 4:53.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS

BAY COUNTY BOARD OF COMMISSIONERS

JUNE 14, 2016

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, JUNE 14, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:01 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 J. HICKNER, COUNTY EXECUTIVE
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
KIM PRIESSNITZ, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR
FRANK QUINN, CITIZEN OF BAY COUNTY
DON CARLYON, CANDIDATE BAY COUNTY LIBRARY BOARD
RANDAL BADGEROW, CANDIDATE BAY COUNTY LIBRARY BOARD
MARY HERR, CANDIDATE BAY COUNTY LIBRARY BOARD
DUFF ZUBE, FAMILY OF ALFRED BORDEAU
VICKEY CLOSE, FAMILY OF ALFRED BORDEAU
JOEL STRAZ, HEALTH DIRECTOR
KATHY JANER, RECIPIENT OF RN NURSING AWARD SVSU
PHILIP ROYCRAFT, DEPT. OF ENVIRONMENTAL QUALITY
DUANE ROSKOSKEY, DEPT. OF ENVIRONMENTAL QUALITY
SHERIFF JOHN MILLER
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

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

MINUTES

NONE AVAILABLE

CITIZENS INPUT

FRANK QUINN: 4110 CREEKWOOD CIRCLE, BAY CITY, MI 48706. TWICE APPOINTED TO LIBRARY BOARD AND HOPES THAT THE BOARD OF COMMISSIONERS REAPPOINTS DON CARLYON TO THE FIVE YEAR TERM AND MARY HERR TO THE ONE YEAR TERM.

DON CARLYON: WOULD LIKE TO THANK THE COUNTY FOR THE HELP ON BATTERY PARK, REDEDICATION SET FOR JUNE 21ST AT 5:00 PM. HE IS ALSO ASKING FOR YOUR VOTE ON HIS REAPPOINTMENT TO THE BAY COUNTY LIBRARY BOARD. HE HAS BEEN INVOLVED IN THE LIBRARY FOR 50 YEARS.

MARY HERR: CANDIDATE FOR THE BAY COUNTY LIBRARY BOARD. WHILE SHE HAS ONLY LIVED IN BAY COUNTY FOR TWO YEARS, SHE AND HER HUSBAND RETIRED AND CHOSE BAY COUNTY AS THEIR HOME. SHE IS CONCERNED ABOUT THE LIBRARY AND ITS FUTURE. LOTS OF PEOPLE WHO DO NOT HAVE JOBS USE THE LIBRARY TO TRY AND FIND JOBS AND EVEN JUST TO READ THE PAPER. SHE IS HOPING TO HAVE YOUR SUPPORT IN HER EFFORTS ON THE BOARD.

PETITIONS AND COMMUNICATIONS

MOTION 53: COMM. TILLEY MOVED TO RECEIVE A LETTER OF RESIGNATION SUBMITTED BY ROBERT LACHANCE, DATED MAY 25, 2016, IN REGARD TO HIS SEAT ON THE BAY COUNTY LIBRARY BOARD OF DIRECTORS. MR. LACHANCE HAD BEEN REAPPOINTED ON JUNE 12, 2012, TO SERVE A FIVE (5) YEAR TERM SCHEDULED TO EXPIRE ON JUNE 30, 2017. THIS RESIGNATION CREATED A ONE (1) YEAR VACANCY FOR THE BOARD TO FILL. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 54: MOTION TO RECEIVE THE COMMUNICATIONS SUBMITTED BY CANDIDATES FOR CONSIDERATION FOR AN APPOINTMENT/REAPPOINTMENT TO THE BAY COUNTY LIBRARY BOARD INCLUDING DON CARLYON, RANDALL BADGEROW AND MARY HERR.

- MOTION 55: COMM. TILLEY MOVED TO REAPPOINT DON CARLYON TO BAY COUNTY LIBRARY BOARD OF DIRECTORS TO ANOTHER FIVE(5) YEAR TERM EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2021. A TALLY OF VOTES CAST EVIDENCE UNANIMOUS SUPPORT BY 7 VOTES CAST. IT WAS SUPPORTED BY COMM. HEREK AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ, KRYGIER, HEREK - 7 YEAS, 0 NAYS.
- MOTION 56: COMM. TILLEY MOVED TO APPOINT MARY HERR TO A ONE (1) YEAR VACANT POSITION ON THE BAY COUNTY LIBRARY BOARD TO FILL THE VACANCY CREATED BY THE RESIGNATION OF ROBERT LACHANCE. MS. HERR WILL SERVE FROM 6/14/2016 THROUGH 6/30/2017 RESPECTIVELY. A TALLY OF VOTES CAST BY MEMBERS REFLECTED THAT MARY HERR RECEIVED 6 VOTES AND RANDALL BADGEROW RECEIVED 1 VOTE. IT WAS SUPPORTED BY COMM. HEREK AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ, KRYGIER, HEREK - 7 YEAS, 0 NAYS.
- RES 2016-128: COMM. TILLEY MOVED TO ADOPT RES. 2016-128 PRESENTATION TO HONOR ALFRED BORDEAU OF BAY COUNTY, KOREAN WAR CASUALTY TO NEPHEW, DUFF ZUBE. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- CYNTHIA LUCZAK: READ RESOLUTION INTO THE RECORD
- TOM HICKNER: HONOR TO PRESENT THIS TO DUFF ZUBE AND VICKY CLOSE, FAMILY OF ALFRED BORDEAU. WHEN YOU HEAR WHAT SOLDERS WENT THROUGH DURING THE KOREAN WAR WE SHOULD ALL BE THANKFUL AND REALIZE HOW LUCKY WE ARE. VERY THANKFUL FOR THEIR VALOR, COURAGE AND COMMITMENT TO THIS COUNTRY.
- DUFF ZUBE: GOT INTERESTED IN THE KOREAN WAR FROM HIS GRANDMOTHER AFTER LOSING A SON SO YOUNG IN THE WAR. HE INTERVIEWED FAMILY AND A POW FROM THE SAME CAMP HIS UNCLE WAS IN. WANTED TO WRITE DOWN SOME HISTORY FOR HIS FAMILY.
- RES 2016-129: COMM. DURANCZYK MOVED TO ADOPT RES. 2016-129 PRESENTATION TO RECOGNIZE KATHY JANER AS RECIPIENT OF CARLEEN K. MOORE RN NURSING EXCELLENCE AWARD FROM SVSU. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CYNTHIA LUCZAK: READ RESOLUTION INTO THE RECORD

JOEL STRASZ: I WAS PROUD TO NOMINATE KATHY FOR THIS AWARD ALONG WITH MOLLY STAPISH, A NURSING INSTRUCTOR AT SVSU. KATHY HAS ABOUT 20 PLUS YEARS OF EXPERIENCE AT THE HEALTH DEPARTMENT. SHE WAS THE FIRST SCHOOL NURSE IN BAY COUNTY. NO OTHER PUBLIC HEALTH NURSE HAS WON THIS AWARD AT SVSU. WE ARE VERY PROUD.

KATHY JANER: THANK YOU, I AM TRULY HONORED. ESPECIALLY ON THE SAME DAY THAT A KOREAN WAR VETERAN WAS HONORED. I AM ALSO THANKFUL AND HONORED TO BE CHOSEN BY SVSU.

REPRESENTATIVES FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY, PHILIP ROYCRAFT, DISTRICT SUPERVISOR, FROM THE BAY CITY OFFICE. ALSO DUANE ROSKOSKEY, WHO ORIGINALLY REVIEWED THE ANALYTICAL RESULTS FOR THE DREDGE MATERIAL, BEFORE THE PLACEMENT, AND LORI BABCOCK, GEOLOGIST, DISCUSS THE SPOILS SITE IN BANGOR TOWNSHIP. WE ARE WILLING TO TRY AND ANSWER ANY QUESTIONS, BUT IT HAS BEEN OVER 15 YEARS SINCE THE DEPARTMENT DID THE REVIEW ON THIS SITE, SO WE MAY OR MAY NOT BE ABLE TO GIVE YOU ANSWERS. WE ARE AWARE THAT THERE HAS BEEN RENEWED INTEREST IN THIS SITE, WE HAVE HAD DISCUSSIONS WITH A NUMBER OF PEOPLE AS HAS OUR FORMER DISTRICT GEOLOGIST.

COMM. KRYGER: WE HAVE A FEW QUESTIONS FROM RESIDENTS WHO LIVE AROUND THE SITE. DID THE MDEQ ON ITS OWN HAVE AUTHORITY TO NEGOTIATE THE TERMS OF THE CONFINED DISPOSAL FACILITY, OR WERE THERE OTHER TERMS THAT COULD HAVE BEEN APPROVED IN LANSING.

PHILIP ROYCRAFT: WE HAVE A STANDARD RESTRICTIVE COVENANT THAT APPLIES IN CASES WHERE DREDGE MATERIALS EXCEEDS CERTAIN CRITERIA FOR CONTAMINATES. IN THIS CASE ARSENIC WAS A LITTLE BIT OVER THE DIRECT CONTACT CRITERIA. THE RESTRICTIVE COVENANT GETS APPLIED WHICH MAKES SURE THAT THE MATERIAL IS NOT DISTURBED AND USED IN SOME WAY THAT IS INCONSISTENT WITH THE POTENTIAL HAZARD.

COMM. BEGICK: HAS THERE BEEN ANY STUDY IN THE AREA OF PEOPLE HAVING A HIGHER MORALITY RATE?

PHILIP ROYCRAFT: I CAN'T REALLY ANSWER THAT QUESTION. I CAN SPEAK ABOUT THE ARSENIC LEVEL NOT BEING TOO HIGH ABOUT BACKGROUND

CONCENTRATIONS THAT WE FIND IN SOILS ACROSS THE STATE. YOU WOULD ONLY NOTICE AN INCREASE IF YOU CAME WITHIN DIRECT CONTACT WITH THE SOIL, NOT IF IT IS COVERED BY TOP SOIL THERE WOULD BE NO AFFECT.

COMM. KRYGIER: THERE WERE QUESTIONS RAISED AS TO THE MOVING OF THE DREDGE MATERIAL, BY TRUCKS CARRYING IT AND TRANSPORTING IT ACROSS FIELDS AND DOWN ROADS. CITIZENS WERE CONCERNED ABOUT THE DUST THAT WAS BLOWING AROUND AND IF IT WAS A HAZARD.

PHILIP ROYCRAFT: WE HAVE NO REGULATORY AUTHORITY OVER TRANSPORTATION OF THE SOIL. I DO NOT BELIEVE IN THE FILE RECORD THAT THERE ARE ANY COMPLAINTS THAT WE RECEIVED FROM RESIDENTS.

DUANE ROSKOSKEY: I HAVE BEEN REVIEWING DREDGE PROJECTS FOR OVER 26 YEARS AND I AM THE ONLY ONE WHO HAS BEEN LOOKING AT THEM, SO I HAVE LOOKED AT EVERY DREDGE PROJECT IN THE STATE WHERE WE LOOK AT SOIL CONTAMINANTS. WE HAVE NOT HAD ANY QUESTIONS OR ISSUES FROM CITIZENS.

COMM. KRYGIER: IS IT UNUSUAL OR IS IT NORMAL FOR DISPOSAL SITES TO BE LOCATED IN A RESIDENTIAL AREA?

DUANE ROSKOSKEY: IN THE LAST 25 YEARS WE WOULD ALLOW ANYONE TO PUT ON THEIR PROPERTY, ANYTHING UP TO LIKE A HAZARDOUS WASTE WITH A CLEAN COVER AND DEED RESTRICTION. WHEN PEOPLE PUT THIS ON THEIR PROPERTY THEY ARE KIND OF PUTTING A BLACK MARK ON IT, SO MOST PEOPLE THINK LONG AND HARD BEFORE DOING THIS. IN THE LAST 26 YEARS, MAYBE 200 TIMES WE HAVE DONE THIS, ALLOWED THEM TO PUT CONTAMINATED MATERIALS ON THEIR PROPERTY WITH CLEAN COVER AND A DEED RESTRICTION. SO THIS IS THE STANDARD PROCEDURE.

COMM. KRYGIER: WE HAVE A HOME WITH A SUMP PUMP WHERE THERE APPEARS TO BE SOMETHING COLLECTING IN THIS PUMP, WOULD THE DEQ COME IN AND TEST THE MATERIAL?

DUANE ROSKOSKEY: WE CANNOT SPEAK TO WHAT THAT MAY BE, BUT YOUR LOCAL HEALTH DEPARTMENT WOULD BE MUCH FASTER TO COME IN AND TEST THAT FOR THEM. I WOULD ALSO LIKE TO TALK ABOUT NATURALLY OCCURRING ARSENIC, IT WOULD BE A NORMAL READING FOR 15 PARTS PER MILLION IN THE BAY COUNTY AREA.

JUNE 14, 2016

BOARD OF COMMISSIONERS MEETING

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IN THE STATE AS YOU MOVE FROM AREA TO AREA THAT NUMBER CHANGES. IF YOU ARE OUT IN THE PORT HURON AREA IT MOVES UP TO 40 PARTS PER MILLION. THE NUMBER DEEMED SAFE FOR DIRECT CONTACT WITH HUMANS IS 7.5 PARTS PER MILLION, SO THE NORMAL FOR BAY COUNTY IS HIGHER.

COMM. KRYGIER: BANGOR TOWNSHIP IS LOOKING TO POSSIBLY MAKE A DISK GOLF PARK IN THE BAYSIDE PARK AREA, WOULD IT BE SAFE.

DUANE ROSKOSKEY: AS LONG AS AFTER THEY DIG UP THE SOIL THEY REAPPLY THE CORRECT AMOUNT OF CLEAN TOPSOIL COVER, THEY SHOULD BE FINE.

COMM. BEGICK: ONE QUESTION I HAVE RECEIVED IS HAS THERE BEEN ANY TESTING FOR RADIOACTIVE MATERIAL IN THE SPOILS?

DUANE ROSKOSKEY: WE DO NOT TEST FOR ANYTHING LIKE THAT.

COMM. LUTZ: WHAT IS NORMALLY TESTED FOR IN THE SPOILS?

DUANE ROSKOSKEY: METAL; OILS AND GREASES, LIKE SOMETHING FROM BOATS; AND PCB'S. WE HAVE HAD CHANGES IN WHAT IS TESTED FOR OVER THE YEARS. SO WE CAN ONLY SPEAK TO WHAT IS LISTED IN THE FILE.

COMM. KRYGIER: THANK YOU, WOULD IT BE POSSIBLE TO SET UP A MEETING WITH THE BANGOR TOWNSHIP RESIDENTS AT THE TOWNSHIP HALL, SO THOSE WHO HAVE QUESTIONS AND LIVE IN THE AREA COULD SPEAK WITH YOU. THANK YOU FOR COMING IN.

REPORTS/ RESOLUTIONS OF COMMITTEES

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

RES. 2016-130: COMM. COONAN MOVED TO ADOPT RES. 2016-130 YOUTH ALCOHOL GRANT, FUNDING SERVES TO MAKE AGENCIES MORE EFFICIENT AND BETTER COORDINATE ENFORCEMENT OF THE UNDERAGE DRINKING LAWS. FUNDING PROVIDED \$7,499.00 WITH NO LOCAL MATCH REQUIRED. BAY COUNTY SHERIFF'S DEPARTMENT HAS PARTICIPATED FOR MANY YEARS.(SHERIFF DEPT.) IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2016-131: COMM. COONAN MOVED TO ADOPT RES. 2016-131 JUSTICE ASSISTANCE GRANT, PROVIDER OF FEDERAL CRIMINAL JUSTICE FUNDING TO STATE AND LOCAL JURISDICTIONS WHICH HAS BEEN UTILIZED BY THE SHERIFF DEPARTMENT IN THE PAST. THIS YEAR'S ALLOCATION IS \$16,689.00 AND WILL BE SHARED 50/50 WITH THE BAY CITY POLICE. FUNDS WILL BE UTILIZED FOR LAW ENFORCEMENT EQUIPMENT IN ACCORDANCE TO GRANT STIPULATIONS. THERE ARE NO MATCHING FUNDS REQUIRED. (SHERIFF DEPT.) IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-132: COMM. COONAN MOVED TO ADOPT RES. 2016-132 OTIS ELEVATOR CONTRACT FOR ELEVATOR REPAIRS AND UPGRADES AT THE LAW ENFORCEMENT CENTER. OTIS ELEVATOR COMPANY WAS AWARDED THE BID AT A COST OF \$61,446.00. THE MONIES ARE TO COME FROM FUND BALANCE. (SHERIFF DEPT.) IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-133: COMM. COONAN MOVED TO ADOPT RES. 2016-133 THE 100 CLUB GRANT AWARDED \$1,008.00 TO THE BAY COUNTY SHERIFF DEPARTMENT TO PURCHASE TOURNIQUETS FOR THE LEVEL II BODY ARMOR SPECIFIC FOR TACTICAL LEVEL AND ACTIVE SHOOTER USE GEAR. (SHERIFF DEPT.) IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-134: COMM. COONAN MOVED TO ADOPT RES. 2016-134 PUBLIC EDUCATIONAL AND GOVERNMENTAL (PEG) CHANNEL F/K/A BAY 3 TV (ADMINISTRATIVE SERVICES) IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-135: COMM. COONAN MOVED TO ADOPT RES. 2016-135 APPROPRIATION FOR 2017 MIDWINTER MEETING OF THE MARINE CORPS LEAGUE EDSON KLINE VANSLYKE BAY COUNTY DETACHMENT AND AUXILIARY. THEY ARE REQUESTING A CONTRIBUTION OF \$2,500.00 FROM FUNDS BUDGETED FOR VETERANS' CONVENTION TO PAY FOR MEETING SPACE. (VETERANS CONVENTIONS APPROPRIATION) IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-136: COMM. COONAN MOVED TO ADOPT RES. 2016-136 "PAWS IN THE PARK" EVENT/WAIVER OF ADOPTION FEES. THE EVEN WILL BE HELD AT THE BAY COUNTY FAIRGROUNDS. THERE WILL BE NO FINANCIAL IMPACT TO BAY COUNTY. (ANIMAL CONTROL). IT WAS

- RES. 2016-137: COMM. COONAN MOVED TO ADOPT RES. 2016-137 "EMPTY THE SHELTER DAY" EVENT/WAIVER OF ADOPTION FEES, IN THE AMOUNT OF \$27.00 PER CAT AND/OR DOG. THE AMOUNT OF LOST REVENUE TO BAY COUNTY IS UNDETERMINED AT THIS TIME AS IT WOULD BE DEPENDENT UPON NUMBERS ADOPTED ON THAT DATE. (ANIMAL CONTROL). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-138: COMM. COONAN MOVED TO ADOPT RES. 2016-138 NETWORK UPGRADE FRP. THE CURRENT 911 NETWORK IS FIVE YEARS OLD AND REQUIRES AN UPGRADE TO BOTH STORAGE AND SERVER HARDWARE; A SOFTWARE UPGRADE WILL ALSO COINCIDE. 911 HAS 2016 FUNDS BUDGETED FOR THIS PURCHASE AND INSTALLATION. THE CONTRACT WITH SUCCESSFUL BIDDER WILL BE BROUGHT BACK TO COMMITTEE FOR APPROVAL. (911 CENTRAL DISPATCH). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-139: COMM. COONAN MOVED TO ADOPT RES. 2016-139 CUMMINGS BRIDGEWAY MAINTENANCE AGREEMENT. 911 HAS GENERATORS LOCATED WITHIN BAY COUNTY WHICH HELP TO ENSURE RELIABLE PUBLIC SAFETY COMMUNICATION. ANNUAL INSPECTIONS AND LOAD TESTING IS REQUIRED. 911 HAS FUNDS BUDGETED FOR THE ANNUAL MAINTENANCE AGREEMENT WHICH COVERS THE ANNUAL INSPECTION. (911 CENTRAL DISPATCH). IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-140: COMM. COONAN MOVED TO ADOPT RES. 2016-170 FY2017 GRANT FOR COMMUNITY CORRECTIONS PROGRAM. BAY COUNTY IS REQUIRED TO SUBMIT A COMPREHENSIVE COMMUNITY CORRECTIONS PLAN TO THE STATE OFFICE OF MDOC/OFFICE OF COMMUNITY CORRECTIONS IN ORDER TO BE ELIGIBLE TO RECEIVE FUNDING THAT WILL HELP REDUCE PRISON ADMISSIONS, MANAGE JAIL POPULATIONS AND REDUCE RECIDIVISM WITHOUT INCREASING RISK TO THE PUBLIC. BAY COUNTY HAS APPLIED FOR AND RECEIVED GRANT FUNDS THROUGH THE MDOC, OFFICE OF COMMUNITY CORRECTIONS FOR NUMEROUS YEARS. THE TOTAL FUNDING REQUESTED FOR FY2017 IS \$169,279 (\$158,625 FOR COMPREHENSIVE PLANS AND SERVICES AND \$10,654 FOR DRUNK DRIVER JAIL REDUCTION). THERE IS NO MATCH FUNDS NEEDED

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FROM BAY COUNTY TO APPLY FOR AND ACCEPT THIS GRANT. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-141: COMM. COONAN MOVED TO ADOPT RES. 2016-141 2016 REDUCTION IN POOL ADMISSION FOR YOUTH 17 AND UNDER. SINCE 2010 JAMES CARBARY AND THE KAWKAWLIN VETERANS OF FOREIGN WARS POST 6950 HAVE SPONSORED FREE SWIMMING FOR CHILDREN 17 AND UNDER ON THURSDAYS. DURING THESE FREE DAYS THERE ARE ON AVERAGE 250-600 CHILDREN, HOWEVER WHEN THE CHILDREN HAVE TO PAY \$4.00 TO GO SWIMMING, THE NUMBER DECREASES TO ONLY A HANDFUL OF KIDS. THE COUNTY EXECUTIVE WISHES TO PROPOSE A 1 YEAR TRIAL TO DETERMINE IS THE POOL ADMISSION FEE IS REDUCED TO \$2.00 PER CHILD WILL ENABLE MORE CHILDREN TO COME SWIMMING ON THE DAYS THAT THEY HAVE TO PAY. (RECREATION AND FACILITIES) IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-142: COMM. COONAN MOVED TO ADOPT RES. 2016-142 PINCONNING PARK TREE REMOVAL. PINCONNING PARK HAS A NUMBER OF HAZARDOUS TREES IN THE PUBLIC AREAS THAT NEED TO BE REMOVED. THE FUNDS FOR THIS PROJECT ARE NOT BUDGETED, A BUDGET ADJUSTMENT OF UP TO \$3,200 FROM FUND BALANCE IS NECESSARY. A TOTAL OF \$1,950 HAS ALREADY BEEN SPENT ON EMERGENCY REMOVAL OF THE MOST DANGEROUS TREES AND UP TO \$1,250 IS NECESSARY TO RENT AN APPROPRIATE LIFT FOR OUR BUILDING & GROUNDS TEAM TO TAKE DOWN THE REMAINDER OF THE TREES IN-HOUSE. (RECREATION AND FACILITIES). IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-143: COMM. COONAN MOVED TO ADOPT RES. 2016-143 CIVIC ARENA EDGER. THE CURRENT EDGER BROKE AFTER 10 YEARS OF USE. THIS EQUIPMENT HAS BEEN REPAIRED A NUMBER OF TIMES AND IS UNSAFE AS IT GIVES OFF TOO MANY GAS FUMES. THE FUNDS FOR THIS EQUIPMENT ARE NOT BUDGETED REQUIRING A BUDGET ADJUSTMENT OF UP TO \$6,000 FROM THE GENERAL FUND BALANCE. (RECREATION AND FACILITIES). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-144: COMM. COONAN MOVED TO ADOPT RES. 2016-144 USER FEES FOR CIVIC ARENA. THE FOLLOWING USER FEES ARE PROPOSED:

SHOWCASE (10+ HOURS OF ICE IN A 3 DAY PERIOD, EVENT RAN BY ANOTHER ENTITY) \$175; SUMMER ICE (JUNE 1 - AUG 15) \$210; HIGH SCHOOL HOCKEY TEAMS, WEEKDAY PRACTICE BEFORE 4 PM - \$200; RECREATIONAL YOUTH HOCKEY PROGRAM, 2ND YEAR PLAYER AND FORWARD \$30.00 PER PLAYER. THE FIRST YEAR REMAINS FREE. SKATE SHARPENING \$5.00; YOUTH TEAM TRY-OUTS 1 HOUR \$210.00 PER PLAYER; 1 HOUR 20 MINUTES \$15.00 PER PLAYER. (RECREATION AND FACILITIES). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-145: COMM. COONAN MOVED TO ADOPT RES. 2016-145 PAYMENT FOR REPAIR OF EMERGENCY WATER MAIN BREAK AT COMMUNITY CENTER & RIVERSIDE CENTER. THE COST FOR THE SERVICE PROVIDED IS \$10,290 AND THESE REPAIRS WERE NOT BUDGETED IN THE BUILDINGS AND GROUNDS 2016 BUDGET. FUNDS TO BE TAKEN FROM THE GENERAL FUND BLANCE. (BUILDINGS AND GROUNDS). IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-146: COMM. COONAN MOVED TO ADOPT RES. 2016-146 REGION VII AAA CARRYOVER FUNDS. REGION VII AREA AGENCY ON AGING THAT CARRYOVER FUNDS HAVE BEEN IDENTIFIED AS AVAILABLE FOR PROGRAMS UNDER BAY COUNTY DIVISION ON AGING AND THE FUNDS CAN BE USED TO EXPAND SERVICE UNITS. THE CARRYOVER FUNDS ARE ONLY AVAILABLE THROUGH THE END OF THE CURRENT FISCAL YEAR AND IT IS ANTICIPATED THAT APPROXIMATELY \$18,054 WILL BE AVAILABLE. THE GRANT FUNDS REQUIRE MATCHING FUNDS OF 10% WHICH WOULD COME FROM THE BAY COUNTY SENIOR MILLAGE FUND. (DIVISION ON AGING). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-147: COMM. COONAN MOVED TO ADOPT RES. 2016-147 SUPPORT FOR GOLDEN HORIZONS FY 2017 FUNDING FROM REGION VII. THE BAY COUNTY CHILD & SENIOR CITIZEN CENTER, INC., IS MAKING APPLICATION FOR FUNDING TO REGION VII AREA AGENCY ON AGING FOR \$79,833 FOR ADULT DAY CARE AND CARE GIVER TRAINING SERVICES. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-148: COMM. COONAN MOVED TO ADOPT RES. 2016-148 PAYABLES: GENERAL; BAYANET; CENTER RIDGE ARMS. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2016-149: COMM. COONAN MOVED TO ADOPT RES. 2016-149 BUDGET ADJUSTMENTS (VARIOUS). GENERAL FUND: YOUTH ALCOHOL ENFORCEMENT \$7,499; GENERAL FUND: REPAIRS AND UPGRADES TO ELEVATOR \$61,450 (SHERIFF DEPT); GENERAL FUND: BROKEN WATER MAIN \$10,290; GENERAL FUND: DONATION FROM BAY AREA COMMUNITY FOUNDATION \$4,700 (COMMUNITY CENTER) IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-150: COMM. COONAN MOVED TO ADOPT RES. 2016-150 CONTRACT ADDENDUM FOR VERIZON WIRELESS. TWO CONTRACTS WITH VERISON WIRELESS FOR MOBILE BROADBAND (AIR CARDS) WHICH ARE PRIMARILY USED BY 911 AND FIRST RESPONDERS IN THE COUNTY AND CELL PHONES. BOTH CONTRACTS HAVE BEEN REVIEW AND RENEWED BRINGS GREATER SAVINGS TO THE COUNTY. THE RESULT IS A SAVINGS OF APPROXIMATELY \$440 PER MONTH OR \$5,280 ANNUALLY WITHOUT ANY CHANGE IN SERVICE. THE MOBILE BROADBAND CONTRACT UTILIZES PRICING FROM THE MIDEAL PROGRAM AND DUE TO A REVIEW BAY COUNTY WILL SAVE APPROXIMATELY \$189 PER MONTH OR \$2,232 ANNUALLY. THE COUNTY CAN EXPECT TO SEE A TOTAL ANNUAL SAVINGS OF APPROXIMATELY \$7,500 OVER THE LIFE OF THE CONTRACT. (PURCHASING). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-151: COMM. COONAN MOVED TO ADOPT RES. 2016-151 WASTE AND RECYCLING CONTRACT WITH REPUBLIC WASTE. APPROVED ISSUING A RFP FOR WASTE AND RECYCLING REMOVAL WITH TWO (2) BIDS RECEIVED. REPUBLIC WASTE WILL BRING THE BEST VALUE TO THE COUNTY WITH AN ANNUAL COST OF \$13,378.91 FOR WASTE REMOVAL AND \$3,485.52 FOR RECYCLING. THE COST IS \$900 LOWER THAN THE COUNTY'S CURRENT COST. (PURCHASING). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-152: COMM. COONAN MOVED TO ADOPT RES. 2016-152 CUSTOM REPORTS TERMS OF AGREEMENT WITH TYLER TECHNOLOGIES. THERE ARE A NUMBER OF CUSTOM REPORTS USED BY VARIOUS DEPARTMENTS THAT WILL NEED TO BE CONVERTED AND FUNDS HAVE BEEN ALLOCATED IN VARIOUS LINE ITEMS IN THE INFORMATION SYSTEMS DIVISION 2016 TO ACCOMMODATE THE EXPENSE OF \$21,675. (INFORMATION SYSTEMS). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2016-153: COMM. COONAN MOVED TO ADOPT RES. 2016-152 REORGANIZATION & CONSOLIDATION OF RESPONSIBILITY FOR DEPARTMENT OF PUBLIC DEFENDER AND CORPORATION COUNSEL - SETTING OF PUBLIC HEARING 6/21/16. IN ORDER TO ACCOMMODATE THE NEW IN-HOUSE ATTORNEYS, SOME BUDGET ADJUSTMENTS, MOVE ONE PN10 ATTORNEY TO DEPT HEAD (PN10: \$59,425.60 - \$72,155.20 TO PN11: \$65,977.60) ADD ONE FULL TIME LEGAL SECRETARY AT LEVEL TU07 (\$29,016 BEFORE FRINGE, \$48,572 WITH FRINGE) APPROVE BUILDING RENOVATIONS AND COMPUTER AND FURNITURE TO ACCOMMODATE NEW EMPLOYEES AND OFFICE RESTRUCTURE (\$20,000 - ONE TIME COST). IT WAS SUPPORTED BY COMM. HEREK AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK - NO, BEGICK - YES, COONAN - YES, TILLEY - YES, LUTZ - NO, KRYGIER - YES, HEREK - NO: 4 YEAS, 3 NAYS.
- COMM. BEGICK: THE SUPREME COURT CAME DOWN WITH SOME RECOMMENDATIONS, CAN WE GET A SUMMARY OF WHERE THINGS ARE AT WITH THEM.
- AMBER DAVIS-JOHNSON: THE MICHIGAN INDIGENT DEFENSE COUNSEL DID SUPPLY THEIR FIRST GUIDELINES. THE SUPREME COURT ISSUED AN ORDER THAT GAVE CONDITIONAL APPROVAL OF THOSE GUIDELINES WITH A CAVEAT THAT WAS THE WAY THE LEGISLATURE HAD WRITTEN THE STATUTE. THEY HAVE SOME CONCERNS WITH THE WAY THE LEGISLATURE HAS WORDED IT. IT WAS BASICALLY USURPING SOME OF THE AUTHORITY OF THE SUPREME COURT TO OVERSEE THE DIFFERENT COURT SYSTEMS, DEALING WITH DISCIPLINE, QUALIFICATIONS AND TRAINING OF ATTORNEYS.
- COMM. DURANCZYK: I WILL NOT BE SUPPORTING THIS, I THINK WE ARE JUMPING THE GUN BY SETTING UP THIS PROGRAM. WE HAVE NO IDEA WHAT IS COMING DOWN FROM THE STATE AND IT IS COSTING US ANYWHERE FROM \$75,000 TO \$100,000 MORE THAN WHAT WE ARE CURRENTLY PAYING.
- AMBER DAVIS-JOHNSON: THE ISSUE OF MOVING THIS BACK IN HOUSE WAS ALREADY VOTED ON OVER A MONTH AGO. THIS MOTION IS FOR VARIOUS BUDGET ADJUSTMENTS REGARDING REWORKING OF OFFICE SPACE, BECAUSE THEY NEED TO BUILD SOME WALLS AND PROVIDING MORE SUPPORT STAFF FOR THE ATTORNEYS. THIS ALSO DEALS WITH SETTING A PUBLIC HEARING FOR THE NEXT MEETING. THIS CHANGE WAS NOT SOLELY BASED IN RESPONSE TO THE NEW

GUIDELINES BY THE MICHIGAN INDIGENT DEFENSE COUNSEL. THERE WAS A CONCERN ABOUT THE CONTROL WE HAD OVER THE ATTORNEYS THAT WERE REPRESENTING THE CURRENT MISDEMEANOR DEFENDANTS. NOW THE ATTORNEYS WILL BE COUNTY EMPLOYEES AND THERE WILL BE BETTER OVERSIGHT OF THEM.

COMM. BEGICK: THE OTHER QUESTION IS THE FUNDING FROM THE STATE, WHERE IS THAT AT? THE STATE BUDGET IS TIGHT AND THERE MAY NOT BE ANY MONEY TO HELP FUND THIS? WE MAY END UP SPENDING MORE MONEY TO FUND THIS.

AMBER DAVIS-JOHNSON: THE ACTUAL INTENT WHEN WE ORIGINALLY BROUGHT THIS BEFORE THE BOARD WAS NOT NECESSARILY THAT THE STATE WAS GOING TO REIMBURSE US FOR THIS, IT WAS A POSITIVE SIDE AFFECT. THE THOUGHT WAS TO DO AWAY WITH THE PIOLET PROJECT THAT WE HAD IN PLACE FOR A FEW YEARS AND BRING ATTORNEYS BACK IN-HOUSE AS WE ORIGINALLY HAD.

COMM. COONAN: NEVER BEEN A BIG PROPONENT OF CONTRACTING ANYTHING OUT, WE HAVE BETTER CONTROL OVER OUR OWN EMPLOYEES.

COMM. LUTZ: AS A BUSINESS OWNER, I SUBCONTRACT A LOT OF WORK OUT. THE THING IS IF THEY ARE NOT DOING WHAT YOU WANT THEM TO DO, YOU HAVE A TALK WITH THEM. ONLY AFTER IF YOU ARE UNHAPPY DO YOU LOOK FOR A DIFFERENT WAY. IF WE ARE HAVING AN ISSUE WITH THE SUBCONTRACTOR, THEN MAYBE WE NEED TO LOOK FOR A DIFFERENT ONE. THE PRESENT SYSTEM IS SAVING US \$80,000 TO \$100,000 OR MORE PER YEAR. IF I KNEW WHEN I ORIGINALLY VOTED WHAT ALL THIS WOULD COST, I WOULD NOT HAVE VOTED FOR IT.

AMBER DAVIS-JOHNSON TO ADDRESS THE SUBCONTRACTOR ISSUES, THERE IS NO OVER SITE OF THIS THE WAY IT IS IN A REGULAR BUSINESS. WE HAVE INDIGENT DEFENDANTS WHO DO NOT REALLY KNOW IF THEY ARE RECEIVING THE SERVICE THAT THEY ARE SUPPOSED TO RECEIVE OR NOT. I AM NOT DISPARAGING ANY OF THE CONTRACT ATTORNEYS I THINK THEY ARE FINE ATTORNEYS. WHAT I AM SAYING IS THAT IF YOU HAVE A SEPARATE CONTRACT THAT IS NOT BEING OVER SEEN BY ANYONE OTHER THAN THE ATTORNEYS WHO HAVE THE CONTRACT; THE ONLY WAY YOU KNOW IT IS NOT WORKING IS IF YOU RECEIVE COMPLAINTS FROM THE INDIGENT DEFENDANTS, WHO DO NOT KNOW IF THEY ARE GETTING THE SERVICE THAT THEY ARE SUPPOSED TO GET OR NOT.

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

- RES. 2016-154: COMM. LUTZ MOVED TO ADOPT RES. 2016-154 GREAT LAKES BAY MICHIGAN WORKS! IS REQUESTING THAT THE FIVE COUNTIES IN ITS REGION (MIDLAND, BAY, SAGINAW, ISABELLA AND GRATIOT) APPROVE MODIFICATION 2 TO THE CURRENT MICHIGAN WORKS! AGREEMENT. MODIFICATION 2 EXTENDS THE END DATE OF THE TEMPORARY AGREEMENT 6 MONTHS FROM JUNE 30, 2016 TO DECEMBER 31, 2016. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-155: COMM. LUTZ MOVED TO ADOPT RES. 2016-155 AGREEMENT WITH PINCONNING SCHOOL DISTRICT IN 2008 SO THAT THE HEALTH DEPARTMENT COULD HOUSE AN OFFICE FOR ITS BIMONTHLY WIC AND IMMUNIZATION CLINICS. THE AGREEMENT DID NOT COVER THE EXPENSE FOR PHONE AND INTERNET WHICH THE HEALTH DEPARTMENT PAID DIRECTLY TO CENTURYTEL. THE HEALTH DEPARTMENT CURRENTLY PAYS \$260 PER MONTH FOR PHONE AND INTERNET BUT BY ENTERING INTO AN AGREEMENT WITH THE SCHOOL DISTRICT THE COST IS NOW \$100 PER MONTH. (HEALTH DEPT.). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-156: COMM. LUTZ MOVED TO ADOPT RES. 2016-156 AGREEMENT WITH SVSU - SURFACE WATER QUALITY TESTING. THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY HAS ALREADY ALLOCATED APPROXIMATELY \$5,000 FOR SAID TESTING AND HAS INDICATED THAT AN ADDITIONAL \$14,000 IN FUNDS FOR EXPANDED TESTING MAY BE AVAILABLE FOR THE COMING SUMMER. SVSU AND THE HEALTH DEPARTMENT WISH TO ENTER INTO AN AGREEMENT TO CONTINUE RAPID TESTING SERVICES. SVSU WILL TEST WATER QUALITY AT LOCAL BEACHES AT AN AMOUNT OF \$90 PER SAMPLE WITH ALL TESTING BEING SUBJECT TO THE AVAILABILITY OF FUNDING.(HEALTH DEPT.). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- COMM. HEREK: WHEN A SAMPLE IS TAKEN, HOW LONG DOES IT TAKE TO GET A RESULT BACK? AND WHERE ARE THE SAMPLES TAKEN FROM?
- JOEL STRAZ: IT TYPICALLY TAKES ABOUT 18 HOURS. WE ARE THEN NOTIFIED BY TEXT OR PHONE IF WE HAVE TO CLOSE DOWN A BEACH. WE

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TAKE THREE SAMPLES FROM EACH OF THE INDIVIDUAL BEACHES: WENONA BEACH, BAY CITY STATE RECREATION AREA; BRISSETT BEACH, SOUTH LINWOOD TOWNSHIP BEACH, PINCONNING PARK BEACH; AND WE ARE ALSO TAKING SAMPLES FROM THE KAWKAWLIN RIVER AND THE SAGINAW RIVER.

RES. 2016-157: COMM. LUTZ MOVED TO ADOPT RES. 2016-157 VACANCIES AND NEW POSITIONS. DIVISION ON AGING: HEALTH AIDE/HOMEMAKING SERVICES WORKER (FULL TIME, \$11.15 PER HOUR ENTRY), ON CALL SITE MANAGER (PART-TIME VARIABLE HOURS, \$9.39 PER HOUR), NE POSITION: HOMEMAKER/ PERSONAL CARE SERVICES WORKER (PART TIME, HOMEMAKER \$10.18 PER HOUR; PERSONAL CARE WORKER (10.95 PER HOUR ENTRY). ENVIRONMENTAL AFFAIRS & COMMUNITY DEVELOPMENT DEPT. - GIS TECHNICIAN TRANSPORTATION PLANNER (FUL TIME, \$40,830.30 TO \$46,904.00 - GRANT FUNDED (70%) AND COUNTY LOCAL MATCH (30%). MOSQUITO CONTROL (NEW POSITION) SUPPORT SUPERVISOR (EXISTING FULL TIME TEMPORARY SEASONAL TECHNICAL TO SERVE AS SUPPORT SUPERVISOR 80 TO 100 HOURS PER SEASON IN ABSENCE OF FULL TIME SUPERVISOR - \$12.00 PER HOUR. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-158: COMM. LUTZ MOVED TO ADOPT RES. 2016-158 SATELLITE DISH AND ANTENNA INSTALLATION POLICY (CENTER RIDGE ARMS). IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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

RES. 2016-159: COMM. TILLEY MOVED TO ADOPT RES. 2016-159 REPORTS OF COUNTY EXECUTIVE. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-160: COMM. TILLEY MOVED TO ADOPT RES. 2016-160 PHONE SYSTEM CONSULTANT AGREEMENT (ISD). ISD IS WORKING WITH GATEWAY GROUP TO DEVELOP AN RFQ PROCESS AND MIGRATE TO A NEW PHONE SYSTEM THAT WILL UTILIZE THE VOICE OVER IP TECHNOLOGY WHICH WILL RESULT IN SIGNIFICANT COST SAVINGS. FUNDS HAVE BEEN BUDGETED IN THE BUILDINGS AND GROUNDS BUDGET FOR CONSULTANT FEES/SERVICES AND THE COST FOR THESE SERVICES IS \$9,922.50. IT WAS SUPPORTED BY

RES. 2016-161: COMM. TILLEY MOVED TO ADOPT RES. 2016-161 SUPPORT FOR SENATE 39 OF 2015. THE BAY COUNTY BOARD OF COMMISSIONERS SUPPORTS REDUCING BARRIERS TO THE PUBLIC USE OF PUBLIC LANDS FOR RECREATION AND ACCESS AND ENCOURAGES THE DEPARTMENT TO DEVELOP THE STRATEGIC PLAN IN CONSULTATION WITH LOCAL JURISDICTIONS WHERE DEPARTMENT LANDS ARE LOCATED TO ENSURE ACCURACY AND LOCAL PREFERENCE IN PROPOSED LAND USE. (ENVIRONMENTAL AFFAIRS). IT WAS SUPPORTED BY COMM. CUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

RES. 2016-162: COMM. HEREK MOVED TO ADOPT RES. 2016-162 RECOMMENDATIONS FOR APPOINTMENTS TO GREAT LAKES BAY MICHIGAN WORKS! WORKFORCE DEVELOPMENT BOARD OF DIRECTORS FOR PROSPERITY REGION 5 - JEFF ADAMO (BUSINESS COMMUNITY) AND CHRIS TAYLOR (LABOR COMMUNITY). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

COMM. COONAN: ON SATURDAY, JUNE 25, 2016, 10TH ANNUAL BEACH WELLNESS. THE BEACH IS PHENOMENAL. I HAVE FORGOT TO MENTION RON GRAM WHO HAS BEEN OUT ON THE BEACH WITH US FOR 14 YEARS, SETTING UP THE VOLLEYBALL COURTS. A GREAT GUY WHO HAS HELPED US FOR YEARS AND I WANTED TO LET THE PUBLIC KNOW ALL THE GOOD THINGS THIS GENTLEMAN HAS DONE.

COMM. KRYGIER: RON GRAM WHO DONATES MOST OF HIS TIME THROUGH THE WEEK OVER AT THE SOLDERS CEMETERY, DOING EVERYTHING FROM RIGHTING STONES, TO TAKING OUT THE TRASH. HE MAKES

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SURE THAT CEMETERY IS SOMETHING THE PEOPLE OF BAY COUNTY CAN BE PROUD OF. UP UNTIL LATELY WHEN HE RECEIVED SOME DONATIONS, HE USED HIS OWN EQUIPMENT AND GAS, THE COST CAME OUT OF HIS OWN POCKET. HE IS TRULY AN ASSET TO BAY COUNTY, AND I AM GLAD YOU BROUGHT UP HIS NAME, HE DOES A LOT BEHIND THE SCENES AND ITS TIME FOR US TO THANK HIM.

COMM.
DURANCZYK:

TUESDAY'S IN THE PARK, IN THE PINCONNING CITY PARK EVERY TUESDAY NIGHT AT 7:00 PM, THERE ARE DIFFERENT MUSICAL THINGS AT OUR NEW BAND SHELL. THE PINCONNING CHEESE FESTIVAL IS SET FOR THIS WEEKEND. THE PARADE IS SATURDAY AT 11:00AM AND FIREWORKS IN THE EVENING.

COMM. HEREK:

DISCOVERY PRESERVE, ON EUCLID AVENUE RIGHT NEXT TO THE DIVISION ON AGEING. THEY JUST ADDED A NEW PLAYGROUND WITH NO METAL. IT IS SET TO OPEN JUNE 17TH, THIS FRIDAY, ITS ALL BRAND NEW. A GREAT PLACE FOR YOUNG KIDS. YOU SEE ALL KINDS OF WILDLIFE. THE BAY COMMUNITY FOUNDATION STILL NEEDS PEOPLE, WE NEED INVOLVEMENT. WE ARE WORKING HARD TO MAKE BAY COUNTY A PLACE TO GO. THERE IS SOMETHING TO DO EVERYDAY IN THE SUMMER TIME IN BAY COUNTY.

ANNOUNCEMENTS

2016 Appointments:

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).

DECEMBER:

DIVISION ON AGING ADVISORY COMMITTEE (FOUR 2 YEAR TERMS; DISTRICT 2, 4, 6 AND AT-LARGE).

CLOSED SESSION

MOTION 57:

COMM. COONAN MOVED TO GO INTO CLOSED SESSION: AT THE

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REQUEST OF BAY COUNTY CORPORATE COUNSEL, TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (C); FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF THE COLLECTIVE BAY COUNTY BARGAINING AGREEMENTS WHEN EITHER NEGOTIATING PARTY REQUESTS A CLOSED HEARING. IT WAS SUPPORTED BY COMM. LUTZ AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ, KRYGIER, HEREK - 7 YEAS, 0 NAYS.

MOTION 58: COMM. TILLEY MOVED TO GO BACK INTO REGULAR SESSION FOLLOWING CLOSED SESSION CALLED TO DISCUSS STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF THE BAY COUNTY COLLECTIVE BARGAINING AGREEMENTS WHEN EITHER NEGOTIATING PARTY REQUESTS A CLOSED HEARING. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 59: COMM. TILLEY MOVED THAT IN REGARD TO THE FOLLOWING: THE CLOSED SESSION DISCUSSIONS REGARDING THE STRATEGY AND NEGOTIATION OF THE BAY COUNTY COLLECTIVE BARGAINING AGREEMENTS, TO PROCEED WITH THE RECOMMENDED COURSE OF ACTION CONTINGENT UPON SOLICITATION OF OTHER COMPARABLE'S REQUESTED BY FINANCIAL ANALYST ROBERT REDMOND. SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RECESS/ADJOURNMENT

MOTION 60: COMM. DURANCZYK MOVED TO ADJOURN THE REGULAR BOARD SESSION OF JUNE 14, 2016. IT WAS SUPPORTED BY COMM. BEGICK. THE MEETING CONCLUDED AT 6:23 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS

BAY COUNTY BOARD OF COMMISSIONERS

JUNE 21, 2016

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A SPECIAL SESSION ON TUESDAY, JUNE 21, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:32 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: CHARLENE HOGAN, DEPUTY BAY COUNTY CLERK
DIANE YAWORSKI, SECRETARY TO THE COUNTY CLERK
ROBERT J. REDMOND, FINANCIAL ANALYST
DEANNE C. BERGER, BOARD COORDINATOR

ALSO PRESENT: THOMAS J. HICKNER, COUNTY EXECUTIVE
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
KIM PRIESSNITZ, FINANCE OFFICER
SHAWNA WALRAVEN, CORPORATION COUNSEL
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR
SCOTT SCHISLER, SCHISLER LAW
JUDGE DAWN KLIDA, CHIEF JUDGE OF BAY COUNTY
BRUCE MANNIKKO, DIRECTOR OF PUBLIC DEFENDERS OFFICE
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

CITIZENS INPUT
THERE WAS NO CITIZENS INPUT

JUNE 21, 2016
COMM. KRYGIER:

BOARD OF COMMISSIONERS MEETING
A CLARIFICATION AS TO WHY WE ARE HOLDING A PUBLIC HEARING
IS NEEDED.

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SHAWNA
WALRAVEN:

TODAY'S PUBLIC HEARING IS PURSUANT TO ACT 139 OF 1973, MCL 45.564, WHICH REQUIRES THE RECOMMENDATION OF THE ELECTED COUNTY EXECUTIVE AND A PUBLIC HEARING IS IN ORDER TO CREATE ADDITIONAL DEPARTMENTS. CURRENTLY THIS BOARD OF COMMISSIONERS HAS APPROVED BRINGING THE REPRESENTATION OF THE INDIGENT DEFENDANTS IN HOUSE AND WHEN THIS IS IMPLEMENTED WILL RESULT IN FIVE ATTORNEYS IN ONE OFFICE. THE PROPOSED RESOLUTION TODAY IS ONLY TO SPLIT THOSE OFFICES INTO TWO SEPARATE OFFICES IN ORDER TO REDUCE CONFLICT AND SAVE MONEY FOR THE COUNTY.

TOM HICKNER:

THE COMMISSIONERS HAVE RECEIVED SOME FEED BACK FROM MEMBERS OF THE BAY COUNTY BAR ASSOCIATION ABOUT THE UTILIZATION OF SPACE IN THE COURT FACILITY, SPECIFICALLY THE SEVEN ROOMS THAT ARE USED BY THE ATTORNEYS TO MEET WITH THEIR CLIENTS. WE ARE EVALUATING A NUMBER OF DIFFERENT OPTIONS AND WE INTEND TO MAKE SURE THAT WHATEVER ULTIMATE STRATEGY WE PURSUE WITH RESPECT TO THE SPACE FOR THE SECOND DEPARTMENT THAT IT DOES NOT DISRUPT OR INTERFERE WITH THE ACTIVITIES OF THE COURT AND THE ATTORNEYS THAT PRACTICE IN THE COURT BUILDING. WE WILL WORK WITH THEM, THE COURTS AND ALSO WITH THE BAR ASSOCIATION TO MAKE SURE THAT, THAT IS THE CASE GOING FORWARD.

MOTION 61:

COMM. HEREK MOVED TO APPROVE A MOTION TO GO OUT OF REGULAR BUSINESS FOR A PUBLIC HEARING. IT WAS SUPPORTED BY COMM. TILLEY AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK, BEGICK, COONAN, HEREK, TILLEY, LUTZ, KRYGIER - 7 YEAS, 0 NAYS.

PUBLIC HEARING:

REORGANIZATION OF DEPARTMENT OF PUBLIC DEFENDER

SCOTT SCHISLER:

3447 BAY HARBOR POINT DRIVE, UNIT 317, BAY CITY. OFFICE 701 EAST VERMONT, BAY CITY. I DON'T UNDERSTAND WHY WE ARE MOVING IN THIS DIRECTION. EIGHT YEARS AGO WE HAD A BROKEN SYSTEM. A SYSTEM THAT WAS FIXED AT A SIGNIFICANT SAVINGS TO THE TAX PAYERS OF BAY COUNTY, ROUGHLY A SAVINGS OF \$80,000 PER YEAR. AT THAT TIME, THERE WERE TWO ATTORNEYS WHO SAT ON THIS BOARD, JUDGE KLIDA AND BRIAN

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ELDER WHO KNEW THAT THE SYSTEM WAS BROKEN. YOU ARE NOW VOTING TO GO BACK TO THAT SAME BROKEN SYSTEM, AND IT WILL COST THE TAX PAYERS MORE. THE SUPREME COURT HAS NOT EVEN HANDED DOWN WHAT THE STANDARDS ARE. THERE HAS BEEN NO INPUT. I HAVE BEEN CONTACTED TWICE IN EIGHT YEARS AND TOLD THERE WAS A DEFENDANT WITH AN ISSUE, IN BOTH OF THOSE INSTANCES I TOOK CARE OF IT WITHIN 10 MINUTES AND RECEIVED THANK YOU'S BACK FROM CORPORATE COUNSEL. I HAVE HEARD THAT THERE HAS BEEN INSINUATION MADE THAT THE REPRESENTATION GIVEN TO THE INDIGENT CLIENTS IS NOT SATISFACTORY. THAT IS WRONG. THE PEOPLE MAKING THOSE INSINUATIONS HAVE NEVER EVEN PRACTICED LAW IN BAY COUNTY. MS. DAVIS, TO THE EXTENT THAT SHE HAS SAID IT, DOES NOT PRACTICE OVER THERE, I HAVE NEVER SEEN HER ON A DAY TO DAY BASIS DOING WHAT WE DO, AND MR. HICKNER IS NOT EVEN A PRACTICING ATTORNEY. TO SAY THAT OUR REPRESENTATION HAS NOT BEEN THE BEST FOR MISDEMEANOR CLIENTS IS DEAD WRONG. WE HAVE OVER 60 YEARS OF LITIGATION EXPERIENCE BETWEEN THE THREE ATTORNEYS. WE ARE ABLE TO DEDICATE OUR TIME TO MISDEMEANORS, NOT HAVING TO BALANCE OUR TIME WITH FELONIES. THE COURTS HAVE WORKED WITH US TO STREAMLINE THE SYSTEMS SO WE ARE MORE EFFICIENT AND NOT SETTING NUMEROUS HEARINGS. WE ARE DEDICATED TO SPENDING AS MUCH TIME WITH A CLIENT AS THEY WANT US TOO.

JUDGE KLIDA:

ONE VERY IMPORTANT POINT, AS OF RIGHT NOW IF THERE ARE CONFLICTS WITH THE ATTORNEYS WHO HANDLE THESE CASES OUT OF THE SCHISLER LAW FIRM, SCHISLER PAYS TO HAVE ANOTHER ATTORNEY TO SET IN FOR THAT CONFLICT. THE COUNTY DOES NOT PAY FOR THAT, SCHISLER LAW PAYS. THIS HAD BEEN DISCUSSED FOR OVER A YEAR AND THE PRIOR CHIEF JUDGE HAD NEVER BEEN BROUGHT INTO THE DISCUSSIONS. I DON'T THINK THIS IS GOING TO SAVE WHAT YOU THINK IT IS, AND I DON'T BELIEVE IT IS GOING TO COST AS LITTLE AS YOU ARE BEING TOLD. THERE IS ANOTHER ATTORNEY IN THAT OFFICE THAT I DO NOT SEE BEING DISCUSSED HERE AND WHAT HER SECRETARY ASSIGNMENT IS GOING TO BE. YOU HAVE ALREADY MADE THE DECISION AND I WILL CONTINUE TO WORK WITH YOU ON THIS, BUT WHEN YOU HAVE ALREADY MADE THE DECISION AND THE CURRENT STAKEHOLDER KNOW NOTHING ABOUT IT, THERE WAS NO DISCUSSION ABOUT WHAT THE TRANSITION IS GOING TO BE, HOW ARE WE GOING TO TRANSITION, WHERE ARE WE GOING TO

HOUSE THEM. THE ISSUE OF THE ATTORNEY CONFERENCE ROOMS WAS EXACTLY WHAT I WAS TOLD. I WAS TOLD THAT, THAT WAS GOING TO BE THE PLAN. FIRST PLAN WAS TO HAVE DEFENDANTS COME INTO THE SECURED JUDICIAL CORRIDOR, THE JUDGES WOULD BE PASSING DEFENDANTS IN THE HALLWAY. THIS WAS THE SECOND PLAN. IF YOU DON'T START BRINGING SOME PEOPLE TO THE TABLE TO DISCUSS THIS YOU ARE REALLY GOING TO HAVE SOME DEFENDANTS FALLING THROUGH THE CRACKS.

COMM. BEGICK: HAS THE SUPREME COURT MADE ANY FINAL DECISIONS ON THE INDIGENT DEFENDANT WORDING?

JUDGE KLIDA: NOTHING HAS BEEN HANDED DOWN YET. APPEARS THERE WILL NOT BE ADDITIONAL MONEY IN THE 2017 AND 2018 YEARS. THEN IT MAYBE IN GRANTS WHICH WILL NEED TO BE APPLIED FOR AND ARE NOT CERTAIN.

COMM. TILLEY: ASSUMED WE WERE ALL ON THE SAME PAGE, WE ARE NOW HEARING THAT KEY PEOPLE HAVE NOT EVEN BEEN INFORMED OR ASKED THEIR OPINION. PERPLEXED, AS TO WHY WE ARE NOW DOING A PUBLIC HEARING AFTER WE HAVE ALREADY VOTED TO HIRE TWO NEW ATTORNEYS.

SHAWNA WALRAVEN: THIS PUBLIC HEARING IS FOR THE DEPARTMENT TO SEPARATE, CREATING A DIFFERENT DEPARTMENT. IF YOU VOTE THE RESOLUTION DOWN TODAY, WE WILL STILL HAVE FIVE ATTORNEYS BUT THEY WILL ALL BE IN ONE OFFICE, CAUSING THE COUNTY TO HAVE TO SEND MORE REFERRAL OUT DUE TO CONFLICT.

BRUCE MANNIKKO: HAVING FIVE ATTORNEYS IN ONE OFFICE WOULD BE A PRETTY BIG DISASTER, FINANCIALLY. YOU WOULD HAVE MULTIPLE CONFLICTS WITH CO-DEFENDANTS AND RELATED CASES. YOU COULD NEVER REPRESENT ALL OF THEM WITHIN THE CONFINES OF ONE OFFICE WITHOUT HAVING A GRIEVANCE FILED AGAINST YOU. THERE WOULD BE A GOOD DEAL OF CASES AND ADDED EXPENSE TO HAVE THE FIVE ATTORNEY IN ONE OFFICE AND A GOOD PORTION OF CASES BEING SENT OUT TO THE LOCAL CONTRACT ATTORNEYS TO HANDLE THE CONFLICTS.

COMM. LUTZ: BACK EIGHT YEARS AGO WHEN WE LOOKED TO CONTRACT OUT THE MISDEMEANOR CASES AS WE WERE LOOKING AT WAYS TO CUT COSTS. IT WAS THEN DECIDED TO CONTRACT OUT MISDEMEANOR CASES. THAT WITHIN ITSELF ELIMINATED A LOT OF THE

CONFLICTS. EIGHT YEARS AGO WE DECIDED TO CHANGE OUR SYSTEM, WE SHOULD REMEMBER WHY WE CHANGED IT. IF OUR SUBCONTRACTORS ARE NOT DOING THEIR JOB, WE CAN THEN ADDRESS THAT. ANY MOTION THAT THIS BOARD VOTES ON, CAN BE OVERTURNED OR RESCINDED. THAT IS WHAT I WOULD LIKE TO SEE HAPPEN. THAT IS WHAT I WOULD LIKE TO SEE. THAT MOTION RESCINDED. IF WE DO NOT, I CAN SEE IN A FEW YEARS GOING BACK TO SUBCONTRACTING.

TOM HICKNER: PUBLIC DEFENDER'S OFFICE HAS BEEN AROUND FOR OVER 40 YEARS. HISTORICALLY, 20 YEARS AGO WE SPLIT THE DEPARTMENT AND CREATED TWO DIFFERENT DEPARTMENTS. EIGHT YEARS AGO, WE TRIED A NEW MODEL AND SUBCONTRACTED THE MISDEMEANOR CASES WITH SCHISLER LAW FIRM. I AM NOT SURE HOW WE CAME TO THE \$80,000 SAVINGS NUMBER BUT AS THE COUNTY EXECUTIVE ONE OF MY FIRST RESPONSIBILITY IS TO MAKE SURE THE COUNTIES FINANCES ARE MANAGED PROPERLY. THE SECOND RESPONSIBILITY WE HAVE, IS TO MAKE SURE THAT PEOPLE CHARGED WITH CRIMES HAVE THE REPRESENTATION THAT THE CONSTITUTION CALLS FOR AND THE COMMISSION DID ALREADY STATE WHAT THEIR RECOMMENDATIONS WERE. UNDER THE NEW SYSTEM DEFENDANTS WILL HAVE ACCESS TO MORE REPRESENTATION THEN THE STATUS QUE.

COMM. DURANCZYK: I WOULD LIKE TO SEE US RESCIND THE TWO MOTIONS THAT WERE ALREADY PASSED AND TAKE TIME TO SEE WHAT WE WILL NEED DOWN THE ROAD. THEN MEET WITH THE PEOPLE WHO ARE INVOLVED, THE JUDGES AND THE COURT OFFICIALS SO WE CAN COME UP WITH A PLAN AND SOMETHING WE CAN AFFORD. I FOUND OLD FINANCIAL INFORMATION BACK FROM WHEN WE TALKED ABOUT THIS 8 YEARS AGO. BACK THEN IT CAME IN AT A COST OF \$280,000; WE CONTRACT OUT AT \$156,000 PER YEAR, AND THIS WAS EIGHT YEARS AGO, WHAT WILL IT BE TODAY?

ROBERT REDMOND: CLARIFICATION ON EXPENSES AND QUESTIONS. ALL EXPENSES DISCUSSED LIKE SUBPOENAS, EXPERT WITNESSES, ETC., THOSE ARE BEING PAID TO SCHISLER LAW NOW. DO YOU INTEND TO COME UP WITH A PLAN TO PHASE IN THE NEW SYSTEM?

TOM HICKNER: I THOUGHT THERE WAS A CONSENSUS ON THE BOARD, I DON'T LIKE TO SEE A SITUATION WHERE THE BOARD IS DIVIDED LIKE ON A FOUR TO THREE. WE CAN PUT MORE DETAILS TOGETHER AND NOT MOVE FORWARD UNTIL THOSE HAVE BEEN DISCUSSED. THAT

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DOES NOT REQUIRE RECEDING ANYTHING WE JUST WILL NOT MOVE FORWARD UNTIL WE HAVE THE DETAILS WORKED OUT.

COMM. TILLEY: WOULD LIKE TO SEE THE DATA THAT SHOWS THAT THERE IS A NEED TO GO TO THE SYSTEM THAT WE HAVE APPROVED. WE HAVE AN OBLIGATION TO THE CITIZENS OF BAY COUNTY, REGARDLESS OF THERE INCOME, TO PROVIDE LEGAL SERVICES AT A LEVEL THAT IS ACCEPTABLE TO ALL CITIZENS.

JAN MINER: 304 WEST HAMPTON, ESSEXVILLE. I WOULD LIKE TO ADDRESS MR. COONAN, THE COMMENT OF WHERE HAVE WE BEEN, OR WHY IS THIS JUST THE HOT TOPIC NOW. WHEN THIS WAS PROPOSED ON FEBRUARY 9, 2016, IN YOUR PACKET, THE WAY IT WAS ORIGINALLY PROPOSED IS NOT THE WAY IT IS HAPPENING TODAY. IT HAS MORPHED, AS TO WHAT THE ORIGINAL PURPOSE WAS.

JUDGE KLIDA: I CAME OVER AS SOON AS I KNEW ABOUT IT, THAT IS PART OF THE PROBLEM, IT WAS NOT COMMUNICATED AHEAD OF TIME. SPOKE WITH RETIRED JUDGE SCHMIDT, THEY HAD ONE MEETING WITH ALL THREE DISTRICT JUDGES, AMBER DAVIS-JOHNSON AND SHAWNA WALRAVEN WHERE THEY WERE ASKED HOW THE INDIGENT DEFENSE FOR MISDEMEANORS CONTRACT WAS WORKING. WE LET THEM KNOW THAT THE SYSTEM WE HAD WAS WORKING. I TOOK OVER AS CHIEF JUDGE IN JANUARY, AND NO ONE CAME OVER TO TALK TO ME EITHER. I FOUND OUT ABOUT IT AND BASICALLY PUSHED MY WAY IN. I DID COME TO THE MEETING AND SPOKE WITH ALL OF YOU AT THAT TIME. IT IS NOT THAT PEOPLE HAVE NOT BEEN TALKING TO YOU ABOUT THIS, WHAT I HAVE SAID HAVE HAS NOT CHANGED. I THINK IT IS GOING TO COST YOU A LOT MORE AND I THINK IT IS PREMATURE.

SHAWNA WALRAVEN: IF THERE IS OTHER INFORMATION THAT YOU NEED PLEASE LET ME KNOW. WE NEEDED THESE REQUISITE APPROVALS IN ORDER TO MOVE FORWARD FOR AN IMPLEMENTATION PLAN ABOUT HOW TO MAKE THIS TRANSITION. UNTIL WE GOT THESE APPROVALS IT SEEMED PREMATURE TO SET UP A TRANSITION PLAN, WE WOULD INCLUDE THE APPROPRIATE PEOPLE IN THOSE DISCUSSIONS.

SCOTT SCHISLER: WHATEVER THE GUIDELINES ARE WE WILL COMPLY AND IT WILL NOT BE AT ANY ADDITIONAL COST.

MOTION 62: COMM. COONAN MOVED TO APPROVE A MOTION TO GO BACK TO

ITEMS FOR CONSIDERATION

- RES. 2016-163: COMM. TILLEY MOVED TO ADOPT RES. 2016-163 THE BAY COUNTY COMMISSIONERS, WITH THE AFFIRMATIVE RECOMMENDATION OF THE COUNTY EXECUTIVE AND FOLLOWING A PUBLIC HEARING AS REQUIRED BY MCL 45.564(b) APPROVES THE REORGANIZATION FO THE CURRENT PUBLIC DEFENDER DEPARTMENT INTO TWO SEPARATE DEPARTMENTS, THE DEPARTMENT OF PUBLIC DEFENDER AND THE DEPARTMENT OF CRIMINAL DEFENSE. IT WAS SUPPORTED BY COMM. COONAN AND ADOPTED BY A ROLL CALL VOTE OF: DURANCZYK - NO, BEGICK - NO, COONAN - YES, HEREK - YES, TILLEY - YES, LUTZ - NO, KRYGIER - YES: 4 YEAS, 3 NAYS.
- RES. 2016-164: COMM. TILLEY MOVED TO ADOPT RES. 2016-164 AMENDMENT 2 TO DFA 16-0900. THE BAY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH THE POSITION OF CHILD WELFARE HOME AIDE, NOW KNOW AS ELIGIBILITY SPECIALIST. BAY COUNTY WILL SHARE HALF THE COST OF THIS POSITION AND THE FUNDS WERE APPROPRIATED. AMENDMENT #2 TO AGREEMENT NUMBER DFAI6-09001 HAS BEEN SUBMITTED ADDING ADDITIONAL MONEY (46,400) AND ADDING THE NEW YEAR PAYMENT SCHEDULE TO THE CONTRACT. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-165: COMM. TILLEY MOVED TO ADOPT RES. 2016-165 RECOMMENDATIONS BROUGHT FORTH BY THE PERSONNEL AND HUMAN SERVICES COMMITTEE. SHERIFF DEPARTMENT: CORRECTIONAL FACILITY OFFICERS (3) MANDATED (FULL TIME, \$15.95 PER HOUR ENTRY). ROAD PATROL DEPUTY (FULL TIME; \$15.75 PER HOUR ENTRY). HEALTH DEPARTMENT: ACCOUNT CLERK III (FULL TIME \$13.09 PER HOUR ENTRY). REGISTERED DIETITIAN IN WIC PROGRAM - INCREASING HOURS TO FULL TIME, FROM PART TIME, BASED ON INCREASED GRANT FUNDS (\$22.55 PER HOUR). BILLING CLERK (RETIREE COMING BACK PART TIME UP TO 300 HOURS IN 2016; \$15.46 PER HOUR). COMMUNICABLE DISEASE NURSE (RETIREE COMING BACK PART TIME UP TO 100 HOURS IN 2016; \$23.77 PER HOUR). MANAGER IN ENVIRONMENTAL HEALTH DIVISION (REINSTATEMENT OF POSITION; FULL TIME; \$52,868 ENTRY). BUILDINGS AND GROUNDS - REINSTATEMENT OF GENERAL LABORER POSITION (FULL TIME \$14.37 PER HOUR ENTRY). ADMINISTRATIVE SERVICES: COMMUNITY OUTREACH -

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

THERE WAS NO MISCELLANEOUS

ANNOUNCEMENTS

COMM. KRYGIER: BEACH WELLNESS THIS IS SET FOR SATURDAY, JULY 25.

COMM. BEGICK: AUBURN CORNFEST, JULY 7, 8, 9 AND 10. THE PARADE IS ON JULY
10TH AT 1:00 pm.

CLOSED SESSION

NONE REQUESTED

RECESS/ADJOURNMENT

MOTION 63: COMM. DURANCZYK MOVED TO ADJOURN THE SPECIAL BOARD
SESSION OF JUNE 21, 2016. IT WAS SUPPORTED BY
COMM. BEGICK. THE MEETING CONCLUDED AT 5:35 P.M. BY A
VOICE VOTE OF: 7 YEAS, 0 NAYS.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS