SPECIAL MEETING

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, SEPTEMBER 1, 2009

5:00 P.M.
(Or immediately following Ways and Means Committee meeting)

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN BESON)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

V CITIZEN INPUT (5:00 P.M. or immediately following Committee meeting(s))

VI ITEMS FOR CONSIDERATION

A. Ways and Means Committee - Resolutions

1 1. No. 2009-172 - Travel to NCDA Prosecuting Drug Cases Conference (Prosecutor's Office)

2 2. No. 2009-173 - Radio Tower on Roof of County Building (Administrative Services)

3. No. 2009-174 - Additional Funding for Grant Application Preparation (Environmental Affairs/Community Development)

4. No. 2009-175 - Memoranda of Understanding/Letters of Agreement - H1N1 Vaccine (Health Department)

5. No. 2009-176 - Redemption of Bonds, Series 1996A, Renovation of Law Enforcement Center - Michigan Municipal Bond Authority

6. No. 2009-177 - Redemption of Bonds, Series 1996A, Renovation of Law Enforcement Center - US Bank

VII UNFINISHED BUSINESS

VIII NEW BUSINESS

IX MISCELLANEOUS

X ANNOUNCEMENTS

XI CLOSED SESSION

XII RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: SEPTEMBER 1, 2009

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2009-172	Ways and Means	Prosecutor - J.Dee Brooks, attend NCDA Prosecuting Drug Cases Conference	XX						
2009-173	Ways and Means	Admin. Serv. - Radio Tower installed on Co. Building roof, Motorola contract	XX						
2009-174	Ways and Means	Envir. Affairs - Additional funding for grant application, Dept. of Energy	XX						
2009-175	Ways and Means	Health Dept. - Memo of Understanding/Letters of Agrmt.., H1N1 Vaccine	XX						
2009-176	Ways and Means	Redemption of Bonds, Series 1996A, Renovate Law Enforcement Center	XX						
2009-177	Ways and Means	Redemption of Bonds, Series 1996A, Renovate Law Enforcement Center	XX						
2009-178	Personnel/Judicial	Health Dept. -Fill position, WIC Nutritionist, temporary position	XX						
2009-179	Board of Comm.	Amend Bay Co. General Financial Policy (item 5) to allow maximum of 15%	XX						
Motions									
73	Gwizdala	Adjourn special board session of September 1, 2009	XX						

No. 2009-172

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/1/09)

WHEREAS, J. Dee Brooks, Assistant Prosecutor in the Bay County Prosecutor's Office, has the opportunity to attend the NCDA's Prosecuting Drug Cases conference in San Diego, CA, September 13th - 17th; and

WHEREAS, The Bay County Prosecutor is seeking approval of the unbudgeted trip which exceeds 300 air miles and the conference expenses will be paid through a PACC scholarship and funds available in the Forfeiture Account with no cost to the County's General Fund; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the out-of-state travel of J. Dee Brooks, Assistant Prosecutor, to attend the NCDA's Prosecuting Drug Cases conference in San Diego, CA, September 13-17, 2009, funds to cover the cost of this trip to come from a PACC scholarship and funds available in the Forfeiture Account; Be It Further

RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Prosecutor - NCDA Prosecuting Drug Cases Conference

MOVED BY COMM. Elder

SUPPORTED BY COMM. Klida

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS____ NAYS____ EXCUSED____

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____

AMENDED____ CORRECTED____ REFERRED____

—/—

No. 2009-173

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/1/09)

WHEREAS, As part of the FY 2007 Public Safety Interoperable Communications (PSIC) grant, Bay County will receive federal funds to construct a radio tower on the roof of the Bay County Building which will be part of the statewide 800 MHz Michigan Public Safety Communication System; and

WHEREAS, The MPSCS is a proprietary system of the Motorola Corporation, who built the system several years ago under contract to the State of Michigan, and they are the only vendor (sole source vendor) authorized by the State of Michigan at this time to construct MPSCS infrastructure; and

WHEREAS, The FY 2007 PSIC grant, grant agreement and budget were approved by the Board of Commissioners 8/12/08 (res. no. 2008-153); Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the following:

1. Authorize a $1.2 million tower project contract with Motorola Corporation for the County Building radio tower,
2. Re-appropriate the funds, if necessary. The grant of 80% from the FY2007 PSIC grant is $960,000.00, with 20% match of $240,000 to come from Fund Balance of the Central Dispatch Fund, and
3. Authorize the Chairman of the Board of Commissioners to sign the contract with Motorola for this radio tower project, subject to approval as to form by Corporation Counsel.
4. Authorize the Chairman of the Board of Commissioners to sign any documents necessary to carry out the FY 2007 PSIC grant.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Adm Services - Radio Tower on County Building

MOVED BY COMM. Elder

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:
ROLL CALL: YEAS____ NAYS____ EXCUSED____
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____
AMENDED____ CORRECTED____ REFERRED____

No. 2009-174

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/1/09)

WHEREAS, The Bay County Board of Commissioners recently authorized Bay County's participation in a regional application for the Department of Energy's Energy Efficiency Conservation Block Grant program; and

WHEREAS, All details have not been resolved, however, a relatively short time frame will be provided for communities to respond with proposals and it is important for communities that wish to participate to have their applications prepared as soon as possible; and

WHEREAS, A single application from each County will increase eligibility for a significantly larger amount of the available federal grant funding; and

WHEREAS, $1,000 was previously approved from the Bay County EDC budget reserve, however, an additional $7,000 is required for professional contractual services to prepare this important grant application for a Community Energy Efficiency Strategy; and

WHEREAS, The City of Bay City has expressed interest in participating with Bay County as part of the "single applicant; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes up to $7,000 additional funding towards the preparation of a grant application for the Department of Energy Efficiency Conservation Block Grant Program for the Bay County EDC Reserve Fund; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any contractual documents required for the grant application process following legal review/approval; Be It Finally

RESOLVED That budget adjustments required are approved.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Environmental Affairs - Addl Funding for EECDBG Grant Application

MOVED BY COMM. Elder

SUPPORTED BY COMM. Coonan

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS____ NAYS____ EXCUSED____

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____

AMENDED____ CORRECTED____ REFERRED____

No. 2009-175

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/1/09)

WHEREAS, As a result of the outbreak of H1N1/Swine Influenza infections earlier this year, and anticipated infections this fall and winter influenza season, the Centers for Disease Control and Infection (CDC) has issued grant funding and guidance to local health departments to vaccinate persons against H1N1. Specifically, the CDC's Advisory Committee on Immunization Practices (ACIP) has made recommendations regarding the administration of the vaccine to persons in particular target groups; and

WHEREAS, With the task of administering a large number of vaccines in a limited amount of time to a specific group of people, the Health Department is going to require assistance which will include partnering with healthcare providers and pharmacies to vaccinate the target group individuals and, as a result, Memorandums of Understanding/Letters of Agreement will need to be approved and signed with each partnering provider; and

WHEREAS, At this time there are no financial considerations and the Health Department has been informed by the Michigan Department of Community Health (MDCH) that implementation funds will be granted in the 2009-2010 CPBC Agreement; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the necessary Memoranda of Understanding/Letters of Agreement with partnering providers to assist in the administration of the H1N1 vaccine and the Chairman of the Board is authorized to execute said documents on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That any budget adjustments related to these agreements are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Health Dept - H1N1 Memoranda of Understanding&Letters of Agreement

MOVED BY COMM. Elder

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:
ROLL CALL: ✓ YEAS____ NAYS____ EXCUSED____
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____
AMENDED____ CORRECTED____ REFERRED____

No. 2009-176

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/1/09)

WHEREAS, The Building Authority Bonds Series 1996A for Renovation of the Law Enforcement Center were issued in February of 1999 for $2.92 million at a variable rate of 4.25-4.35%. The maturity date is November 1, 2011; and

WHEREAS, These bond are redeemable on November 1, 2009 and by redeeming these bonds on November 1, 2009 the County will save approximately $30,000 in interest payments; and

WHEREAS, The redemption amount is $640,000 and the funds for the redemption of the 2010 and 2011 bonds will come from the General Fund's Fund Balance eliminating the need for appropriations for payments in 2010 and 2011; and

WHEREAS, A budget adjustment will be submitted at the October Ways and Means and Board meetings; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes redemption of Building Authority Bonds Series 1996A for Renovation of the Law Enforcement Center, 60 day notice to be submitted to the Michigan Municipal Bond Authority.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Bldg Authority - Bond Redemption Michigan Municipal Bond Authority- Law Enforcement Center

MOVED BY COMM. Elder

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:
ROLL CALL: YEAS____ NAYS____ EXCUSED____
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____
AMENDED____ CORRECTED____ REFERRED____

No. 2009-177

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/1/09)

WHEREAS, The Building Authority Bonds Series 1999A for Renovation of the Law Enforcement Center were issued in February of 1999 for $2.92 million at a variable rate of 4.25-4.35%. The maturity date is November 1, 2011; and

WHEREAS, These bond are redeemable on November 1, 2009 and by redeeming these bonds on November 1, 2009 the County will save approximately $30,000 in interest payments; and

WHEREAS, The redemption amount is $640,000 and the funds for the redemption of the 2010 and 2011 bonds will come from the General Fund's Fund Balance eliminating the need for appropriations for payments in 2010 and 2011; and

WHEREAS, A budget adjustment will be submitted at the October Ways and Means and Board meetings; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes redemption of Building Authority Bonds Series 1999A for Renovation of the Law Enforcement Center, 60 day notice to be submitted to the Michigan Municipal Bond Authority.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Bldg Authority - Bond Redemption US Bank - Law Enforcement Center

MOVED BY COMM. Elder

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:
ROLL CALL: YEAS____ NAYS____ EXCUSED____
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____
AMENDED____ CORRECTED____ REFERRED____

No. 2009-178

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (8/18/09)

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

A. Health Department - WIC Nutritionist (temporary)

RESOLVED That budget adjustments, if required, are approved.

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

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Health Dept - Temporary WIC Nutritionist

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS____ NAYS____ EXCUSED____

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____

AMENDED____ CORRECTED____ REFERRED____

No. 2009-179

BAY COUNTY BOARD OF COMMISSIONERS

9/1/09

RESOLUTION

BY: THE BAY COUNTY BOARD OF COMMISSIONERS (9/1/09)

WHEREAS, Bay County Ordinance No. 28 created a Budget Stabilization Funds which states that the Fund shall not exceed 15% of the County's most recent General Fund budget as originally adopted; and

WHEREAS, Bay County's General Financial Policy allows a maximum of 10%; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Bay County General Financial Policy, section 5., is hereby amended to read as follows:

5. Specific Fund Balance Policy

General Fund- The General Fund shall establish and maintain a reserve for a long-term advance to the Budget Stabilization Fund at a minimum of five percent (5%) to a maximum to fifteen percent (15%) of the General Fund Budget.

PATRICK H. BESON, CHAIR

AND BOARD

Amendment to Bay County General Financial Policy

MOVED BY COMM. Elder

SUPPORTED BY COMM. Klida

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS____ NAYS____ EXCUSED____

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED____ WITHDRAWN____

AMENDED____ CORRECTED____ REFERRED____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: SEPTEMBER 1, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 73

TO ADJOURN THE SPECIAL BOARD SESSION OF SEPTEMBER 1, 2009 AT 5:06 P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder	X		
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____