

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2017

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A SPECIAL SESSION ON TUESDAY, OCTOBER 17, 2017, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN TOM HEREK AT 4:33 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL DURANCZYK, KIM COONAN, TOM RYDER, MICHAEL LUTZ AND THOMAS HEREK

EXCUSED: COMMISSIONERS ERNIE KRYGIER, VAUGHN J. BEGICK,

OTHER MEMBERS: 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: JIM BARCIA, COUNTY EXECUTIVE
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
JAN HISTED, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
CRISTIEN GIGNAC, RECREATION AND FACILITIES
KELLY RIFENBARK, EQUALIZATION
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

THERE WERE NO CITIZENS WHO WISHED TO ADDRESS THE BOARD AT THIS TIME.

ITEMS FOR CONSIDERATION

MOTION 83: COMM. LUTZ MOVED TO EXCUSE COMMISSIONER KRYGIER AND COMMISSIONER BEGICK FROM THE SPECIAL MEETING OF THE BAY COUNTY BOARD OF COMMISSIONERS ON TUESDAY, OCTOBER 17,

2017. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

RES. 2017-230: COMM. RYDER MOVED TO ADOPT RES. 2017-230, FOR THE BOARD IN ITS ANNUAL SESSION IN OCTOBER IN EACH YEAR, SHALL ASCERTAIN AND DETERMINE THE AMOUNT OF MONEY TO BE RAISED FOR COUNTY PURPOSES, WHICH DETERMINATION AND APPORTIONMENT SHALL BE ENTERED AT LARGE ON ITS RECORDS. THE BOARD SHALL ALSO EXAMINE ALL CERTIFICATES, STATEMENTS, PAPERS, AND RECORDS SUBMITTED TO ITS, SHOWING THE MONEY TO BE RAISED IN THE SEVERAL TOWNSHIPS FOR SCHOOL, HIGHWAY, DRAIN, TOWNSHIP AND OTHER PURPOSES. THE BOARD SHALL HEAR AND DULY CONSIDER ALL OBJECTIONS MADE TO RAISING ANY SUCH MONEYS BY ANY TAXPAYER TO BE AFFECTED THERETO. THAT THE FOLLOWING COUNTY MILLAGES SHALL BE LEVIED ON THE 2017 TAXABLE VALUE OF REAL AND PERSONAL PROPERTY 2017 ASSESSMENTS ROLLS OF EACH TOWNSHIP AND CITY WITHIN THE COUNTY OF BAY:

MILLS-

BAY COUNTY GENERAL OPERATING	5.7257
BAY COUNTY LIBRARY OPERATING	1.0000
BAY COUNTY LIBRARY IMPROVEMENT	0.9953
BAY COUNTY SENIOR CITIZENS	0.5500
BAY COUNTY HISTORICAL SOCIETY	0.0952
BAY COUNTY VETERANS	0.1000
BAY COUNTY MOSQUITO CONTROL	0.5500
911/CENTRAL DISPATCH	0.7000
BAY COUNTY GYPSY MOTH	0.000
TOTAL:	9.7162

MILLAGES ON THE NOVEMBER BALLOT WILL BE ADDED TO APPORTIONMENT ONCE THEY ARE APPROVED BY THE VOTERS AND REPORT WILL BE AMENDED AT THAT TIME. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

COMM. COONAN: COMMISSIONER COONAN STATED THAT HE HAD BEEN ASKED ABOUT THE NUMBER OF MILLAGE PROPOSALS FOR THE CARE FACILITY.

KELLY RIFENBARK: KELLY RIFENBARK, DEPUTY DIRECTOR, EQUALIZATION. KELLY STATED THAT THERE WAS ONLY ONE MILLAGE FOR THE CARE FACILITY AND IT WAS FOR .75 MILLS.

RES. 2017-231: COMM. LUTZ MOVED TO ADOPT RES. 2017-230, THE BAY COUNTY BOARD OF COMMISSIONERS WAVES THE BID PROVISION OF THE BAY COUNTY PURCHASING POLICY AND ALLOWS THE PARKING LOT AT CENTER RIDGE ARMS TO FALL UNDER THE EMERGENCY PURCHASE SECTION OF THE PURCHASING POLICY. YEAGER ASPHALT HAS SUBMITTED THE PROPOSAL WE WISH TO PURSUE ALLOW US TO COMPLETE THE PROJECT BY NOVEMBER 15, 2017 FOR A COMPLETED PRICE OF \$97,670. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO SIGN ANY AND ALL RELATED DOCUMENTS TO COMPLETE THIS PROJECT FOR CENTER RIDGE ARMS FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

RES. 2017-232: COMM. RYDER MOVED TO ADOPT RES. 2017-232, THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE AGREEMENT FOR ACCESS TO DIGITAL INFORMATION FOR BAY COUNTY DRAIN OFFICE ALONG WITH SPICER GROUP AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THE HOPPIER CREEK DRAIN PROJECT BEGAN AUGUST 30, 2017 AND WILL BE COMPLETED BY AUGUST 31, 2018. NO COUNTY FUNDING WAS REQUIRED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

RES. 2017-233: COMM. RYDER MOVED TO ADOPT RES. 2017-233, THE BAY COUNTY BOARD OF COMMISSIONERS ADOPTED BAY COUNTY'S COMPLIANCE PLAN WITH THE CLEAR UNDERSTANDING THAT UNLESS FUNDING WAS PROVIDED BY THE STATE OF MICHIGAN, BAY COUNTY'S COMPLIANCE PLAN WILL NOT BE IMPLEMENTED. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE ANY DOCUMENTS REQUIRED, RELATED TO SUBMITTAL OF THE COMPLIANCE PLAN, ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

THERE WAS NO MISCELLANEOUS

ANNOUNCEMENTS

COMM. COONAN: COMMISSIONER COONAN DISCUSSED THE 60 MINUTES SEGMENT LAST SUNDAY THAT RAN A PIECE ON THE OPIOID EPIDEMIC. IT COVERED LEGISLATION THAT WAS DRAFTED THAT WENT THROUGH THE U.S. HOUSE AND SENATE WITHOUT DISCUSSION AND THEN WAS SIGNED INTO LAW, WHERE DRUG MANUFACTURED COULD SEND PILLS ANYWHERE. WE THEN HAD PAIN CLINICS THAT OPENED UP. THE MAN WHO DRAFTED THIS LEGISLATION WAS NOW THE GENTLEMAN WHO THE PRESIDENT HAS NOMINATED FOR THE DRUG ENFORCEMENT CZAR. WE NEED PEOPLE TO START TALKING ABOUT HOW THIS COUNTRY WAS BEING LEGISLATED AND HOW WE NEED TO CHANGE THINGS.

EXECUTIVE JIM BARCIA: EXECUTIVE JIM BARCIA, STATED THIS WAS REALLY A NATIONWIDE EPIDEMIC. THE 60 MINUTE SPECIAL WAS VERY ENLIGHTENING. THE PAIN CLINICS WOULD HAVE PEOPLE DRIVE FROM WEST VIRGINIA AND OHIO TRAVELING ALL THE WAY TO FLORIDA TO GET THOUSANDS OF PILLS. THEN THE PATIENTS WOULD RETURN HOME AND SELL THOSE PILLS, THAT ARE HIGHLY ADDICTIVE. THIS WAS WHY WE ASKED OUR BOARD TO SUPPORT THE EFFORT WITH THE LAW FIRM IN NEW YORK CITY. WHEN A SETTLEMENT WAS MADE, THAT BAY COUNTY TAX PAYERS WOULD BE ABLE TO RECOUP SOME OF THE EXPENDITURES THAT HAVE BEEN MADE IN DEALING WITH OUR COURTS, LAW ENFORCEMENT, BAY COUNTY SHERIFF DEPARTMENT, AND MEDICAID COSTS. NOT TO MENTION THE SUFFERING AND EMOTIONAL LOSS OF FAMILIES WHO HAVE HAD A FAMILY MEMBER DIE OF AN OVERDOSE.

EXECUTIVE JIM BARCIA: EXECUTIVE JIM BARCIA STATED THAT HE WOULD LIKE TO ACKNOWLEDGE DEBRA RUSSELL, MIKE HALSTEAD AND THE DEDICATED STAFF AT ANIMAL CONTROL. WE HAD ANOTHER CLEAR THE SHELTER EVENT WHERE 19 DOGS AND 42 CATS WERE ADOPTED AND THE SHELTER WAS CLEARED OF ANIMALS. THERE WERE NO ADOPTION FEES AND THE ANIMALS WERE ALL UP TO DATE ON SHOT AND NEUTERED OR SPAYED.

CLOSED SESSION

MOTION 84: COMM. DURANCYK MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (e): TO CONSULT WITH ITS ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH SPECIFIC PENDING LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATING OR SETTLEMENT POSITION OF THE PUBLIC BODY. TO DISCUSS THE ISSUES OF PENDING LITIGATION: JEFFREY VANNESS 0356-15-06202. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

MOTION 85: COMM. COONAN MOVED TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS OF JEFFREY VANNESS 0356-15-06202. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

MOTION 86: COMM. LUTZ MOVED TO APPROVE AND ACCEPT THE RECOMMENDATION OF LEGAL COUNSEL JEFF REEM FOR SETTLEMENT ON THE LITIGATION IN REGARD TO JEFFREY VANNESS 0356-15-06202. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF : 5 YEAS, 0 NAYS, 2 EXCUSED.

RECESS/ADJOURNMENT

MOTION 87: COMM. DURANCZYK MOVED TO ADJOURN THE SPECIAL SESSION OF OCTOBER 17, 2017. IT WAS SUPPORTED BY COMM. RYDER. THE MEETING CONCLUDED AT 4:58 P.M. BY A VOICE VOTE OF: 5 YEAS, 0 NAYS, 2 EXCUSED.

TOM HEREK, CHAIRMAN
BOARD OF COMMISSIONERS

CHARLENE HOGAN
BAY COUNTY DEPUTY CLERK
BOARD OF COMMISSIONERS

DIANE K. YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS