BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, MARCH 10, 2009

9:00 A.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN BESON)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

44-59 **V MINUTES (2/3/09; 2/17/09)**

VI CITIZEN INPUT (9:00 A.M.)

VII PETITIONS AND COMMUNICATIONS

A. Special Presentations **(9:00 a.m.)**

1 1. Roy DeLorge

2. Senior Task Force - Power Point Presentation - Communities for a Lifetime Designation **(Receive)**

2 3. Mosquito Control - 2008 Annual Report **(Receive)**

B. City of Bay City

3-4 1. Application for Obsolete Property Rehabilitation District - Jandy Realty, LLC - $80,000 to $100,000 **(Receive)**

2. Applications for Industrial Facilities Tax Exemption Certificate **(Receive)**

5-7 a. Shelti, Inc. - $500,000

8-10 b. Carbone of America, Ultra Carbon Division - $2,200,000

11-12 C. Bay-Arenac Behavioral Health Authority - Requests for Reappointment/Appointment to Bay-Arenac Behavioral Health Authority Board **[NOTE: Applications were reviewed by Bay-Arenac Behavioral Health and meet required criteria.]** (Three 3 year terms expiring: Matthew Arnold, Ernie Krygier, William Powell)

(Category A - Select 2 of 3)

13 1. Matthew Arnold (Incumbent)

14 2. William Powell (Incumbent)

15-17 3. Karen M. Karbowski

(Category B - Select 1 of 2):

18 1. Ernie Krygier (Incumbent)

19-20 2. Hanuu M. Tiitola

VIII REPORTS/RESOLUTIONS OF COMMITTEES

A. WAYS AND MEANS (BRIAN K. ELDER, CHAIR; DONALD J. TILLEY, VICE CHAIR)

21 1. No. 2009-27 - Great Lakes Bay Economic Development Partnership Memorandum of Understanding (Bay Future, Inc.)

22 2. No. 2009-28 - Stimulus Program Transportation Projects

23 3. No. 2009-29 - Road Patrol Service Agreements (Sheriff)

24 4. No. 2009-30 - Victims of Crime Act (VOCA) Grant (Prosecutor)

25 5. No. 2009-31 - Children's Special Heal Care Services Program - Additional Grant Funding (Health Department)

26 6. No. 2009-32 - Amendment No. 2 to 2008/2009 Comprehensive Planning Budgeting Contract (Health Department)

27 7. No. 2009-33 - Bay Area Community Foundation - Grant (Division on Aging)

28 8. No. 2009-34 - Civic Arena Hot Water Boiler (Bldgs. & Grnds.)

29-30 9. No. 2009-35 - Budget Adjustments (Various)

31 10. No. 2009-36 - 4% Contribution to Bay County Employees Retirement System (Finance Department)

B. HUMAN SERVICES (KIM COONAN, CHAIR; ERNIE KRYGIER, VICE CHAIR)

32 1. No. 2009-37 - Bay County Local Planning Team (LPT) Appointments: Patricia Bostick representing Government/Administrative and Chris Izworski representing Emergency Management (Administrative Services)

33 2. No. 2009-38 - Agreement w/Northeast Michigan Community Services Agency (Health Department)

C. PERSONNEL/JUDICIAL (DONALD J. TILLEY, CHAIR; DAWN A. KLIDA, VICE CHAIR)

34 1. No. 2009-39 - Purchase of Electronic Time Recorder and Embosser (Register of Deeds)

35 2. No. 2009-40 - Jail Diversion Agreement w/Bay Arenac Behavioral Health Authority (Sheriff and Prosecutor)

36 3. No. 2009-41 - MSU Extension FCS Extension Educator Position/Continuing Memorandum of Agreement w/MSU) (MSU Bay County Extension)

37 4. No. 2009-42 - Vacancies: Custodian (Bldgs. & Grnds.); Marine Safety Program staffing (Sheriff Dept.)

38 5. No. 2009-43 - Amendment to Board Rules: Change Time of Regular Monthly Meeting to 4:00 p.m. **(First reading, second reading required)**

D. BOARD OF COMMISSIONERS (PATRICK H. BESON, CHAIR; EUGENE F. GWIZDALA, VICE CHAIR)

39 1. No. 2009-44 - Accounts Payable/BAYANET/Center Ridge Arms

40-42 2. No. 2009-45 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

43 1. Appointment to Workforce Development Board **(Seeking concurrence with recommendation to appoint Mary Donnelly to WDB as Private Sector Representative)**

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

A. 2009 Appointments:

1. March - Bay Arenac Behavioral Health Authority (Three 3 year terms)

2. June - Library Board (One 5 year term)

3. October

   a. Department of Human Services Board of Directors (One 3 year term) (NOTE: 2009 appointment is Governor's appointment)

   b. Board of Canvassers (Two 4 year terms) (NOTE: Appointments made from lists submitted by each of the major political parties)

4. November - Building Authority (One 6 year term)

5. December

   a. Region VII Area Agency on Aging Advisory Council (One 2 year term)

   b. Division on Aging Advisory Council (Five 2 year terms, Districts 1, 3, 5, 7 and 9)

B. **Special Board Meeting - Tuesday, March 17, 2009 at 4:30 p.m. or immediately following the Human Services Committee meeting re 2009 Pinconning Park DNR Grant *(NOTE: A public hearing will be conducted at this Board meeting re the proposed 2009 Pinconning Park DNR Grant)***

XIV CLOSED SESSION (If requested)

A. Corporation Counsel

Motion: To go into closed session pursuant to MCL 15.268(h) to consider material exempt from discussion or disclosure by state or federal statute. The statute relied upon is the Michigan Freedom of Information Act which exempts from disclosure "public records subject to the attorney-client privilege." [MCL 15.243(g)]

XV RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: MARCH 10, 2009

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2009-27	Ways and Means	Bay Future - Great Lakes Economic Develop. Memo of Understanding	XX						
2009-28	Ways and Means	Transportation Needs Task Force, Stimulus program projects	XX						
2009-29	Ways and Means	Sheriff Dept. - Townships Road Patrol Contracts	XX						
2009-30	Ways and Means	Prosecutor - Victims of Crime Act Grant application and contract	XX						
2009-31	Ways and Means	Health Dept. - Children's Care Services Program, Grant funding	XX						
2009-32	Ways and Means	Health Dept. - Amendment No. 2 to 2008/2009 CPBC	XX						
2009-33	Ways and Means	Division on Aging - Bay Area Community Foundation Grant Proposal	XX						
2009-34	Ways and Means	Building & Grounds - Purchase hot water boiler for Civic Arena	XX						
2009-35	Ways and Means	Various budget adjustments	XX						
2009-36	Ways and Means	Finance Dept. - 4% Contribution to Bay County Retirement System	XX						
2009-37	Human Services	Admin. Services- Local Planning Team appointments: Bostick,Izworski	XX						
2009-38	Human Services	Health Dept. - Agreement w/Northeast MI Comm. Services Agency	XX						
2009-39	Personnel/Judicial	Register of Deeds - Purchase electronic time recorder and embosser	XX						
2009-40	Personnel/Judicial	Sheriff/Prosecutor-Jail Diversion Agrmt.w/Bay Arenac Behavioral Health Authority	XX						
2009-41	Personnel/Judicial	MSU - Memorandum of Agreement for educator position	XX						
2009-42	Personnel/Judicial	Fill vacancies: Building & Grounds and Sheriff Department	XX						
2009-43	Personnel/Judicial	Amend Board Rules: change Board meeting time to 4:00 p.m. (Read only)							
2009-44	Board of Comm.	Accounts payable printouts: BAYANET and Center Ridge Arms claims	XX						

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: MARCH 10, 2009

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2009-45	Board of Comm.	Co. Executive - Rec. Employment status report for February 2009	XX						
Motions									
22	Klida	Approve minutes of February 3, 2009 and February 17, 2009	XX						
23	Klida	Receive presentation of Communities for a Lifetime Designation	XX						
24	Krygier	Receive Mosquito Control 2008 Annual Report	XX						
25	Gwizdala	Receive app. for Obsolete Property Rehab. from Jandy Realty, LLC	XX						
26	Tilley	Rec.app.for Industrial Tax Exemp. Cert. fr. Shelti,Inc.& Carbone of America	XX						
27	Gwizdala	Rec. application requests to the Bay Arenac Health Authority Board	XX						
28	Gwizdala	Reappoint Arnold,Powell,Krygier, Bay Arenac Behavioral Health Authority Bd.	XX						
29	Elder	To go into closed session regarding pending litigation	XX						
30	Tilley	To go back to regular session following closed session	XX						
31	Klida	To follow advise of attorney as discussed in closed session	XX						
32	Klida	Concur w/recommendation, appoint M. Donnelly, Workforce Develop. Board	XX						
33	Klida	To adjourn the regular board session of March 10, 2009	XX						

No. 2009-27

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, Leadership from Bay Future, Inc., Midland Tomorrow and Saginaw Future, Inc., along with representatives of Dow Corning, Dow Chemical and Hemlock Semiconductor have developed a business plan for a unified marketing effort involving the solar industry to the region; and

WHEREAS, An agreement with Great Lakes Bay Economic Development Partnership has been developed that will implement a solar initiative marketing campaign; and

WHEREAS, Funds in the amount of $25,000 have been included in the FY 2009 budget for special project initiatives; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Understanding between Great Lakes Bay Economic Development Partnership and the Bay County Board of Commissioners, which includes $25,000 appropriation from Bay County, and authorizes the Chairman of the Board to execute said MOU on behalf of Bay County following legal review/approval.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

BayFuture - MOU Solar Industry

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. Kilda	✓			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. 2009-28

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, With the recent approval of the Stimulus Program, the State of Michigan will be the recipient of federal funding; and

WHEREAS, The Bay County Transportation Needs Task Force, comprised of local business and government representatives, have recommended that various transportation initiatives be included in the Stimulus Program for highway developments in the Bay area to include the following:

A. Widening & Improving M84 from Saginaw County Line to Euclid Avenue and Salzburg Road to the Bridge in Bay City.

B. New Interchange at Mackinaw Road & US10 and Widening & Improving Mackinaw Road to Delta College.

C. New Interchange at Garfield Road & US10 and Widening & Improving Garfield Road to New MBS Airport Terminal.

D. Resurfacing and Widening I-75 from Wilder Road to the Arenac County Line.

E. Make M138 an All Season Road in Bay and Tuscola Counties.

WHEREAS, The Board of Directors of the Bay Area Chamber of Commerce has unanimously endorsed the above transportation initiatives; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners concurs with the recommended projects outlined above and wholeheartedly supports their inclusion in the Stimulus Program for highway developments in the Bay area; Be It Further

RESOLVED That a copy of this resolution be forwarded to our Federal and State Legislators, the Governor, the Michigan Department of Transportation (Bay Region), the Michigan Association of Counties, the Bay County Transportation Needs Task Force and the Bay Area Chamber of Commerce.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Stimulus Program - Transportation Initiatives

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 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. 2009-29

BAY COUNTY BOARD OF COMMISSIONERS
3/10/09
RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, Currently various townships contract with Bay County for Sheriff Department road patrol services; and

WHEREAS, The current contracts will expire 3/31/09; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves continuation of the Township Road Patrol Contracts for the period 4/1/09 through 3/31/10 under the current agreed to terms; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said Contracts on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Sheriff Dept - Road Patrol Contracts thru 3-31-10

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 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. 2009-30

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, Since 2000, the Bay County Prosecutor, with Board approval, received Federal Victims of Crime Act (VOCA) Grant funding to enhance the services to domestic violence and child sexual assault victims; and

WHEREAS, An additional victim advocate was hired and is paid for entirely by the VOCA grant; and

WHEREAS, The VOCA grant is an 80%/20% grant and the County's 20% match is in-kind with no direct County dollars being spent for the position; and

WHEREAS, The Prosecutor again wishes to apply for VOCA grant funding in the amount of $67,027 for the 2009-2010 grant cycle to continue services to domestic violence and child sexual abuse victims; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Prosecutor's Victims of Crime Act (VOCA) grant application in the amount of $67,027 for the 2009-2010 grant period and authorizes Chairman of the Board to execute said grant application and resulting grant contract and related documents on behalf of Bay County, subject to favorable review by Corporation Counsel; Be It Finally

RESOLVED That it is understood that if grant funding for the Victim Advocate position(s) under the VOCA grant is terminated, Bay County shall not be responsible to fund the position or pick up any costs associated with this position; Be It Finally

RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Pros-VOCA-2009-10

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. 2009-31

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, The Children's Special Health Care Services (CSHCS) Program is one that provides medical specialty care and assistance to eligible children and some adults within Bay County who have chronic, physically disabling conditions; and

WHEREAS, CSHCS has been funded by the Michigan Department of Community Health (MDCH) since its inception; and

WHEREAS, Local Health Departments historically have not received full base funding to provide outreach and advocacy services; and

WHEREAS, A new allocation, effective 1/1/09, brings every local Health Department across the State up to base funding and is based on CSHCS caseload; and

WHEREAS, The annual grant allocation is $40,000 which is an increase of $9,859 and the new allocation ($37,535) for grant FY 2009 will be prorated for the remaining three quarters of the grant year; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners accepts the additional CSHCS Program grant funding and authorizes the Chairman of the Board to execute any documentation that may be required for this increase; Be It Further

RESOLVED That any budget adjustments related to this grant funding are approved.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Health Dept - CSHCS Program - Addl Funding

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 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. 2009-32

BAY COUNTY BOARD OF COMMISSIONERS
3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, Amendment No. 2 to the 2008/2009 Comprehensive Planning Budgeting Contract with the Michigan Department of Community Health incorporates the Annual Budget, Output Measures, Funding/Reimbursement Matrix, updated program language and revised allocations received since Amendment # 1 was issued; and

WHEREAS, Amendment No. 2 reflects a positive adjustment to funding levels for Bioterrorism 8/10/09 - 9/30/09 in the amount of $24,138 and Family Planning in the amount of $15,345 bringing the total CPBC funding to $1,078,622, a total increase of $39,483; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that Amendment No. 2 to the FY 2008/2009 CPBC Agreement between Bay County and the Michigan Department of Community Health for the delivery of public health services under the Comprehensive Planning, Budgeting and Contracting (CPBC) Process for the period October 1, 2008 through September 30, 2009 is hereby approved and the Chairman of the Board authorized to execute said amended Agreement following legal review/approval; Be It Further

RESOLVED That budget adjustments required are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

HealthDept - Amend#2 - 08-09 CPBC Agt.

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 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. 2009-33

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, The Bay County Division on Aging has part-time staff who provide services in the homes of frail elderly individuals; and

WHEREAS, The Bay Area Community Foundations has funds for safety and prevention programs that benefit the residents of the Bay area; and

WHEREAS, The Civic League fund has been identified as a funding source to help offset the cost of installation & testing of smoke and carbon monoxide detectors; and

WHEREAS, The Division on Aging wishes to submit a proposal requesting up to $1,000 to defray the labor and materials cost for installation of these units and provision of fire safety information to the homeowner; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves submission of the grant proposal, and authorizes the Chairman of the Board to execute the grant application and any grant award agreements, subject to review/approval by legal counsel; Be It Finally

RESOLVED Any budget adjustments resulting from the award of grant funds are approved.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

DOA - Bay Area Community Foundation Grant

MOVED BY COMM. Elder

SUPPORTED BY COMM. Duranczyk

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. 2009-34

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, According to the manufacturer's representative, the domestic hot water boiler at the Bay County Civic Arena should be replaced; and

WHEREAS, The cost to replace this boiler is $9,200 and County staff will install the new hot water boiler, however, funds were not included in the 2009 budget for this expense; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the purchase of a new domestic hot water boiler for the Bay County Civic Arena at a cost of $9,200, funds to come from Fund Balance; Be It Further

RESOLVED That budget adjustments required are approved.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Civic Arena - Hot Water Boiler

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 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. 2009-35

BAY COUNTY BOARD OF COMMISSIONERS
3/10/09

BY: WAYS AND MEANS COMMITTEE (3/3/09)

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 03/10/2009 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:

Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
09-514	General Fund Fund Balance Personnel and Employee Relations	2,250		
	To reduce $2,250. YWCA membership from 2009 Personnel budget.			
09-529	General Fund Fund Balance 2004 Delq. Tax Property Sales		916	
	When the 2009 budget was created it roll in the 2008 budget but the Delq Tax Fund changed to a new activity for 2009-10125405. The fund 51800 for Delq Tax Property Sales was recorded correctly for 2009. But the General Fund 10125403-67604 should not of been budgeted in 2009.			
09-557	General Fund Register of Deeds Register of Deeds			X
	Resister of Deed Automation fund 25626800 -69901 shows transfer in from General Fund as $105,000 but General Fund showed 10126800 -99900 Transfer out of $100,000. This B.A. Corrects G.F. side to the $105,000.			

Brian Elder, Chairman W. & M.
and Committee

MOVED BY COMM. Elder

SUPPORTED BY COMM. Duranczyk

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. 2009-36

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/3/09)

WHEREAS, As the result of the Bay County Employees Retirement System over-funded position, since 2002 the County has been contributing 4% of covered wages into the VEBA and internally funding the 4% employee contribution to the BCERS; and

WHEREAS, This was allowed as long as the BCERS funded position, per employer group, remained over 125%; and

WHEREAS, Based on the performance of the stock markets since October 2007, the Finance Officer is forecasting that the 2008 actuarial valuation will identify that the County General Group's funding level will be below 125%; and

WHEREAS, Per Board resolution no. 2001-242, once the funded level of the BCERS (employer group) declines to 125%, the actuarial surplus cannot be used to fund the 4%employee contribution and the 4% contribution that has been going to the VEBA must now be re-deployed back to the BCERS; and

WHEREAS, There is no financial impact to the County unless this Board decides to contribute 4% to the BCERS and a discretionary percentage to the VEBA; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that commencing April 2009, the 4% contribution from the VEBA shall be re-deployed to the BCERS and discussions shall be scheduled to discussing funding VEBA.

BRIAN K. ELDER, CHAIR
AND COMMITTEE'

Finance - 4% from VEBA to BCERS

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 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. 2009-37

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (2/17/09)

WHEREAS, Bay County formed a Local Planning Team several years ago as the multi-disciplinary body to decide on Homeland Security grant funding and, as required by the State, representatives from Governmental/Administrative, Sheriff, Municipal Law Enforcement, Urban Fire, Rural Fire, Health Emergency Medical, Emergency Management, Cyber Security, Central Dispatch and the Hospital comprise this body; and

WHEREAS, Currently Michael K. Gray holds the Governmental/Administrative seat and Patricia Bostick holds the Emergency Management seat; and

WHEREAS, Due to conflicts with other responsibilities, Michael K. Gray wishes to resign his seat and would like Patricia Bostick named to that position so that Chris Izworski can take the Emergency Management position; and

WHEREAS, As the Bay County LPT no long receives or distributes Homeland Security grant funds, the primary function of the Bay County LPT is now to make appointments and recommendations to the regional Homeland Security Planning Board; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby appoints Patricia Bostick to the Governmental/Administrative position vacated by Michael Gray on the Bay County LPT and appoints Chris Izworski to the Emergency Management position vacated by Patricia Bostick, effective immediately.

KIM COONAN, CHAIR
AND COMMITTEE

Administrative Services - LPT Appointments

MOVED BY COMM. Coonan

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____

No. 2009-38

BAY COUNTY BOARD OF COMMISSIONERS
3/10/09

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (3/20/09)

WHEREAS, Northeast Michigan Community Services Agency, Inc. (NEMSCA) 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 an agreement, provides a MIHP nurse to conduct a postpartum health visit in the home; and

WHEREAS, The agreement between NEMCSA and Bay County provides funding in the amount of $85 per visit which covers 100% of the actual costs of the visit, including wages and benefits, mileage and supplies; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Agreement for 2009 between Northeast Michigan Community Services Agency, Inc. (NEMSCA) Early Head Start and Bay County (Health Department) is approved and the Chairman of the Board authorized to execute said Agreement on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That any budget adjustments required are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Health Dept - NEMSCA Agt FY 2009

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Duranczyk

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. 2009-39

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (2/17/09)

WHEREAS, The Bay County Register of Deeds has requested authorization to purchase an electronic time recorder and embosser as the current equipment is not efficient for the volume of documents currently processed in the Register of Deeds office; and

WHEREAS, It is now mandated that all documents received in the Register of Deeds' office have a date and time stamp on them; and

WHEREAS, The cost of the time recorder is approx. $750 and the embosser is approx. $1,200 and funds are available in the Register of Deeds' Technology Fund; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Register of Deeds to purchase of the time recorder and embosser utilizing funds within the Register of Deeds' Technology Fund; Be It Further

RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Register of Deeds - Time Recorder & Embosser

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 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. 2009-40

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (2/17/09)

WHEREAS, The Jail Diversion Agreement is a cooperation agreement between Bay-Arenac Behavioral Health Authority, Bay County Board of Commissioners, the Bay County Sheriff and the Bay County Prosecutor; and

WHEREAS, Section 207 of the Mental Health Code (Act 258 of Public Acts of 1974 as amended) requires all Community Mental Health Services Programs to provide services designed to divert persons with serious mental illness, serious emotional disturbance, or developmental disability from jail incarceration or detention when appropriate; and

WHEREAS, As the result of a Site Review by the Department of Community Health in October 2008, Bay-Arenac Behavioral Health Authority was asked to amend the agreement by including language specific to term as well as a termination clause; and

WHEREAS, The Jail Diversion Agreement has been amended to include the recommended language; Therefore, Be It

RESOLVED That the Jail Diversion Agreement, as amended, is approved and the Chairman of the Board authorized to execute said agreement on behalf of the Board of Commissioners, along with the Bay County Sheriff and Bay County Prosecutor, following legal review/approval.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

BABHA - Amended Jail Diversion Agt.

MOVED BY COMM. Tilley

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 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. 2009-41

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (2/17/09)

WHEREAS, An MSU Extension FCS Extension Educator position is a new position funded through a PIE grant from the Bay City Public Schools which the Bay County Board of Commissioners approved 8/12/08 (res. no. 2008-177); and

WHEREAS, This position was to be filled sooner, however, delays in final approval for the funding plan submitted to the State, as well as a temporary MSU hiring freeze, have delayed the approval and hiring process; and

WHEREAS, An ongoing Memorandum of Agreement (MOA) between Bay County and Michigan State University Extension covering the additional FCS Extension Educator position has been submitted; and

WHEREAS, The Bay County MSU Extension Director is recommending an ongoing MOA due to the grant's different fiscal year and the difficult and time consuming annual renewal process; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes posting/filling the MSU Extension FCS Extension Educator position; Be It Further

RESOLVED That it is understood that if grant funding for the MSU Extension FCS Extension Educator position is terminated, Bay County shall not be responsible to fund the position or pick up any costs associated with this position; Be It Further

RESOLVED That the continuing Memorandum of Agreement with Michigan State University for the full-time FCS Extension Educator position (housed at MSU Extension Bay County office) is approved and the Chairman of the Board authorized to execute the MOA on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That budget adjustments pertaining to this grant, if required, are approved.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

MSU - FCS Extension Educator & MOA

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Begick

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. 2009-42

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (2/17/09)

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. Buildings and Grounds - Custodian (Law Enforcement Center)(temporary $10.83/hr.)

b. Sheriff Department, Marine Safety Program - Supervisors (5 @$11/hr.) and Marine Deputies (25 @ $10/hr.)

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

Vacancies - March

MOVED BY COMM. Tilley

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. 2009-43

BAY COUNTY BOARD OF COMMISSIONERS

3/10/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (2/17/09)

WHEREAS, Pursuant to the Rules of the Bay County Board of Commissioners, meetings of the Bay County Board of Commissioners are scheduled for the second Tuesday of the month at 9:00 a.m.; and

WHEREAS, While no meeting time can ever be convenient for all Bay County citizens, it may be especially difficult for citizens to attend meetings of the Bay County Board of Commissioners that begin at 9:00 a.m.; and

WHEREAS, This Board wishes to meet in the late afternoon to determine whether such a meeting time is more convenient for Bay County citizens; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Rules of the Bay County Board of Commissioners, are amended, as follows:

1. Article I - Meetings - 2. "Regular meeting of the Board of Commissioners each month shall convene at **"4:00 p.m"** and recess/adjourn no later than**"8:00 p.m."**.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Board Rules-2009 Amendment (Change Time of Meeting)

MOVED BY COMM._____

SUPPORTED BY COMM._____

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_____ NAYS_____ EXCUSED____

DISPOSITION: ADOPTED_____ DEFEATED_____ WITHDRAWN_____ (Read only)
AMENDED_____ CORRECTED____ REFERRED_____

No. 2009-44

BAY COUNTY BOARD OF COMMISSIONERS
3/10/09

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS

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

Bay County:

Accounts Payable:	
2/17/09	$1,474,446.68
2/27/09	$1,152,677.03
Payroll:	
2/10/09	$19,157.83
2/25/09	$24,331.97
Veterans Trust Fund:	
2/6/09	$1,000.00
2/12/09	$ 426.11
2/23/09	$1,505.34

Center Ridge Arms:

3/4/09 Claims	$52,744.01

PATRICK H. BESON, CHAIR
BAY COUNTY BOARD OF COMMISSIONERS

Payables - March Bd Mtg

MOVED BY COMM. Gwizdala

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 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. 2009-45

BAY COUNTY BOARD OF COMMISSIONERS
3/10/09

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/10/09)

RESOLVED By the Bay County Board of Commissioners that the reports of the County Executive, listed below, are received:

Employment Status Report - February 2009

PATRICK H. BESON, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. Gwizdala

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_____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. KLIDA

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 22

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF FEBRUARY 3, 2009 AND THE SPECIAL BOARD SESSION MINUTES OF FEBRUARY 17, 2009.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. KLIDA

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 23

TO RECEIVE THE SENIOR TASK FORCE POWER POINT PRESENTATION, COMMUNITIES FOR A LIFETIME DESIGNATION, AS PRESENTED BY HOWARD WETTERS, DIRECTOR OF THE MICHIGAN STATE UNIVERSITY EXTENSION OFFICE.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 24

TO RECEIVE THE MOSQUITO CONTROL 2008 ANNUAL REPORT AS PRESENTED BY THOMAS J. PUTT, MANAGER AND MARY J. MCCARRY, BIOLOGIST.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 25

TO RECEIVE THE LETTER DATED FEBRUARY 11, 2009 FROM THE CITY OF BAY CITY FOR AN APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION DISTRICT FROM JANDY REALTY, LLC (IDEAL PARTY STORE), FOR PROPERTY LOCATED AT 401 SALZBURG AVENUE, BAY CITY, MICHIGAN IN THE AMOUNT OF $80,000.00 - $100,000.00.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. GWIZDALA

MOTION NO.: 26

TO RECEIVE THE LETTER DATED FEBRUARY 24, 200 FROM THE CITY OF BAY CITY FOR AN APPLICATION FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION DISTRICT FROM SHELTI, INC., BAY CITY, MICHIGAN FOR PROPERTY LOCATED AT 333 MORTON STREET, BAY CITY, MICHIGAN, IN THE AMOUNT OF $500,000.00.

ADDITIONALLY, TO RECEIVE THE LETTER DATED FEBRUARY 25, 2009 FROM THE CITY OF BAY CITY FOR AN APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FROM CARBONE OF AMERICA, ULTRA CARBON DIVISION, BAY CITY, MICHIGAN, FOR PROPERTY LOCATED AT 900 HARRISON STREET, BAY CITY, MICHIGAN, IN THE AMOUNT OF $2,200,000.00.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. ELDER

MOTION NO.: 27

TO RECEIVE THE FOLLOWING APPLICATION REQUESTS FOR APPOINTMENT/REAPPOINTMENT TO THE BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY BOARD TO FILL THREE 3 YEAR TERMS EXPIRING:

CATEGORY A - SELECT 2 OF 3:
1. MATTHEW ARNOLD (INCUMBENT)
2. WILLIAM POWELL (INCUMBENT)
3. KAREN M. KARBOWSKI

CATEGORY B - SELECT 1 OF 2:
1. ERNIE KRYGIER (INCUMBENT)
2. HANNU M. TIITOLA

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. ELDER

MOTION NO.: 28

TO REAPPOINT MATTHEW ARNOLD, WILLIAM POWELL AND ERNIE KRYGIER TO THE BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY BOARD FOR 3 YEAR TERMS, EACH TO EXPIRE MARCH 31, 2012. VOTING RESULTS ARE LISTED BELOW:

CATEGORY A - SELECT 2 OF 3:
1. MATTHEW ARNOLD (INCUMBENT) - 8 VOTES: KLIDA, KRYGIER, COONAN, ELDER, GWIZDALA, TILLEY, DURANCZYK, BESON
2. WILLIAM POWELL (INCUMBENT) - 8 VOTES: BEGICK, KRYGIER, COONAN, ELDER, GWIZDALA, TILLEY, DURANCZYK, BESON
3. KAREN M. KARBOWSKI - 2 VOTES: KLIDA, BEGICK

CATEGORY B - SELECT 1 OF 2:
1. ERNIE KRYGIER (INCUMBENT) - 8 VOTES: KRYGIER, COONAN, ELDER, GWIZDALA, TILLEY, DURANCZYK, KLIDA, BESON
2. HANNU M. TIITOLA - 1 VOTE: BEGICK

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. ELDER

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 29

TO GO INTO CLOSED SESSION PURSUANT TO MCLA 15.268, SECTION 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.

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: XX YEAS 9 NAYS 0 EXCUSED 0

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 30

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION REGARDING PENDING LITIGATION.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. KLIDA

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 31

TO FOLLOW THE ADVICE OF THE ATTORNEY AS DISCUSSED IN CLOSED SESSION REGARDING PENDING LITIGATION.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2000

MOTION SPONSORED BY: COMM. KLIDA

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 32

TO CONCUR WITH THE RECOMMENDATION OF THOMAS HICKNER, COUNTY EXECUTIVE, TO APPOINT MARY DONNELLY TO THE WORKFORCE DEVELOPMENT BOARD AS PRIVATE SECTOR REPRESENTATIVE, FOR A TWO (2) YEAR TERM TO EXPIRE JUNE 30, 2012.

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 10, 2009

MOTION SPONSORED BY: COMM. KLIDA

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 33

TO ADJOURN THE REGULAR BOARD SESSION OF MARCH 10, 2009 AT 10:25 A.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 _____

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