

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 10, 2017

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, JANUARY 10, 2017, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN TOM HEREK AT 4:00 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL DURANCZYK, ERNIE KRYGIER, VAUGHN J. BEGICK, KIM COONAN, TOM RYDER, MICHAEL LUTZ AND THOMAS HEREK

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: JIM BARCIA, COUNTY EXECUTIVE
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
JAN HISTED, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
BRANDY BERGER, CITIZEN OF BAY COUNTY
HARRY GAISER, CITIZEN OF BAY COUNTY
TERRY SCHINDLER, 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

MOTION 8: COMM. DURANCZYK MOVED TO APPROVE THE REGULAR AND SPECIAL BOARD SESSION MINUTES OF NOVEMBER 29, 2016; DECEMBER 13, 2016; AND DECEMBER 21, 2016 AS PRESENTED. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CITIZENS INPUT

THERE WAS NO CITIZENS INPUT

PETITIONS AND COMMUNICATIONS

COMM. HEREK: REQUESTED THAT COMM. KRYGIER PLEASE STEP FORWARD AND PRESENTED HIM WITH A PLAQUE OF THANKS FOR FOUR YEARS OF HIS CHAIRMANSHIP.

COMM. KRYGIER: GAVE THANKS FOR THIS AWARD. LOOKING FORWARD TO CONTINUING WORKING ON THE BOARD TO BRING BACK JOBS AND IMPROVE QUALITY OF LIFE IN BAY COUNTY.

CINDY LUCZAK: BAY COUNTY CLERK, READ AN INCORPORATION OF RES. 2017-1 THROUGH 2017-4 INTO THE RECORD.

RES. 2017-1 : COMM. LUTZ MOVED TO ADOPT RES. 2017-1, THE BAY COUNTY BOARD OF COMMISSIONERS AND BAY COUNTY EXECUTIVE OFFER THEIR CONGRATULATIONS TO BRANDY BERGER ON THE ACCOMPLISHMENTS AT THE FARM LOCATED AT 1570 TOWER BEACH ROAD, PINCONNING, MICHIGAN AS WELL AS THE COMMITMENT TO VOLUNTARY CHANGE IN THE AGRICULTURE INDUSTRY. THE MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT'S (MDARD) MICHIGAN AGRICULTURE ENVIRONMENTAL ASSURANCE PROGRAM (MAEAP) HAS RECOGNIZED BRANDY BERGER'S MICHIGAN FARM FOR HAVING MET ALL OF THE REQUIREMENTS SET FORTH BY THE MAEAP CROPPING SYSTEM AND THE REQUIRED COMPONENTS OF MAEAP FARMSTEAD SYSTEM AT THE TIME OF THE FARM INSPECTION. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-2: COMM. LUTZ MOVED TO ADOPT RES. 2017-2, THE BAY COUNTY BOARD OF COMMISSIONERS AND BAY COUNTY EXECUTIVE OFFER THEIR CONGRATULATIONS TO JOHN P. BURK ON THE ACCOMPLISHMENTS AT THE FARM LOCATED AT 1220 AMELITH ROAD, BAY CITY, MICHIGAN AS WELL AS THE COMMITMENT TO VOLUNTARY CHANGE IN THE AGRICULTURE INDUSTRY. THE MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT'S (MDARD) MICHIGAN AGRICULTURE ENVIRONMENTAL ASSURANCE PROGRAM (MAEAP) HAS RECOGNIZED JOHN P. BURK'S MICHIGAN FARM FOR HAVING MET ALL OF THE REQUIREMENTS SET FORTH BY THE MAEAP CROPPING SYSTEM AND

THE REQUIRED COMPONENTS OF MAEAP FARMSTEAD SYSTEM AT THE TIME OF THE FARM INSPECTION. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES 2017-3: COMM. LUTZ MOVED TO ADOPT RES. 2017-3, THE BAY COUNTY BOARD OF COMMISSIONERS AND BAY COUNTY EXECUTIVE OFFER THEIR CONGRATULATIONS TO HARRY GAISER ON THE ACCOMPLISHMENTS AT THE FARM LOCATED AT 264 E. SALZBURG, AUBURN, MICHIGAN AS WELL AS THE COMMITMENT TO VOLUNTARY CHANGE IN THE AGRICULTURE INDUSTRY. THE MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT'S (MDARD) MICHIGAN AGRICULTURE ENVIRONMENTAL ASSURANCE PROGRAM (MAEAP) HAS RECOGNIZED HARRY GAISER'S MICHIGAN FARM FOR HAVING MET ALL OF THE REQUIREMENTS SET FORTH BY THE MAEAP CROPPING SYSTEM AND THE REQUIRED COMPONENTS OF MAEAP FARMSTEAD SYSTEM AT THE TIME OF THE FARM INSPECTION. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES 2017-4: COMM. LUTZ MOVED TO ADOPT RES. 2017-4, THE BAY COUNTY BOARD OF COMMISSIONERS AND BAY COUNTY EXECUTIVE OFFER THEIR CONGRATULATIONS TO TERRY SCHINDLER AND JON SCHINDLER, ON THE ACCOMPLISHMENTS AT THE FARM LOCATED AT 2786 SEVEN MILE ROAD, KAWKAWLIN, MICHIGAN AS WELL AS THE COMMITMENT TO VOLUNTARY CHANGE IN THE AGRICULTURE INDUSTRY. THE MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT'S (MDARD) MICHIGAN AGRICULTURE ENVIRONMENTAL ASSURANCE PROGRAM (MAEAP) HAS RECOGNIZED TERRY AND JON SCHINDLER'S MICHIGAN FARM FOR HAVING MET ALL OF THE REQUIREMENTS SET FORTH BY THE MAEAP CROPPING SYSTEM AND THE REQUIRED COMPONENTS OF MAEAP FARMSTEAD SYSTEM AT THE TIME OF THE FARM INSPECTION. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. KRYGIER:
COMM. BEGICK
AND COMM.
DURANCZYK GAVE THANKS TO THE FARMERS FOR THEIR HARD WORK AND THE EFFORT THEY HAVE PUT INTO RECEIVING THESE ACCREDITATIONS. HAVE HOPE THAT WE WILL BE RECOGNIZING MANY MORE FARMERS RECEIVING THE ACCREDITATION IN THE FUTURE.

TERRY
SCHINDLER: CITIZEN BAY COUNTY, FARM LOCATED AT 2786 SEVEN MILE ROAD, KAWKAWLIN. VERY GOOD PROGRAM, THAT OPENED MY EYES TO

MANY THINGS WE CAN DO BETTER AND THINGS WE ARE ALREADY DOING CORRECTLY.

REPORTS/RESOLUTIONS OF COMMITTEES

WAYS AND MEANS (MICHAEL E. LUTZ, CHAIR; MICHAEL J. DURANCZYK, VICE CHAIR)

- RES. 2017-5: COMM. LUTZ MOVED TO ADOPT RES. 2017-5 BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE CONTRACT WITH SECURUS TECHNOLOGIES FOR TELEPHONE SERVICE FOR THE BAY COUNTY JAIL INMATES AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO EXECUTE SAID CONTRACT ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. AN INITIAL REQUEST TO RENEW THE CONTRACT WITH THE ADDENDUM FOR VIDEO VISITATION TO OUR CONTRACT FOR FOUR YEARS WAS DENIED AND BIDS WERE PURSUED. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-6: COMM. LUTZ MOVED TO ADOPT RES. 2017-6 BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH, OFFICE OF DRUG CONTROL POLICY, BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT SUBCONTRACT COVERING THE PERIOD OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017. THE BAY COUNTY SHERIFF DEPARTMENT IS A PARTY TO A SUBCONTRACT WHICH PROVIDES FUNDING FOR THE ASSIGNMENT OF A DEPUTY TO THE BAY AREA NARCOTICS ENFORCEMENT TEAM AND THE SHERIFF WISHES TO CONTINUE THIS ARRANGEMENT. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-7: COMM. LUTZ MOVED TO ADOPT RES. 2017-7 BAY COUNTY BOARD OF COMMISSIONERS APPROVES THE SUBGRANT AGREEMENT BETWEEN MICHIGAN STATE POLICE - BAYANET AND BAY COUNTY PROSECUTOR'S OFFICE COVERING THE PERIOD OF OCTOBER 1, 2016 TO SEPTEMBER 30, 2017. THE BAY AREA NARCOTICS ENFORCEMENT TEAM HAS AGAIN RECEIVED A GOVERNOR'S DISCRETIONARY GRANT AND ITS GRANT APPLICATION REQUESTED FUNDS TO PAY FOR A PORTION OF THE SALARY OF AN ASSISTANT PROSECUTING ATTORNEY. THE BAY COUNTY PROSECUTOR'S OFFICE WILL RECEIVE \$5,907.00 AS A SUBCONTRACTOR. THE PROSECUTOR'S OFFICE HAS PARTICIPATED IN THIS PROGRAM IN THE PAST AND WISHES TO CONTINUE. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY

A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-8: COMM. LUTZ MOVED TO ADOPT RES. 2017-8 2017 BAY COUNTY BOARD OF COMMISSIONERS THAT THE CHAIR OF THE LEPC IS AUTHORIZED TO SIGN THE HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) PLANNING GRANT APPLICATION. THE BAY COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) IS CHARGED WITH DEVELOPING EMERGENCY SITE PLANS TO RESPOND TO CERTAIN CHEMICAL ACCIDENTS BASED UPON INFORMATION PROVIDED BY LOCAL FARMS AND BUSINESSES AS TO THE CHEMICALS THEY HAVE ON SITE. REIMBURSEMENT WILL BE PAID AT A RATE OF \$250 FOR EACH NEW SITE PLAN COMPLETED AND \$30 FOR EACH UPDATED EXISTING SITE PLAN. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-9: COMM. LUTZ MOVED TO ADOPT RES. 2017-9 BAY COUNTY BOARD OF COMMISSIONERS APPROVES APPLICATION FOR THE DOW CHEMICAL COMPANY FOUNDATION DONOR ADVISED FUND GRANT. THE BAY COUNTY SHERIFF DEPARTMENT, IN COLLABORATION WITH BAY COUNTY EMERGENCY MANAGEMENT, HAS BEEN APPROVED FOR FUNDING TO REPLACE ONE MARINE PATROL VESSEL THROUGH THE PORT SECURITY GRANT PROGRAM IN THE AMOUNT OF \$250,000 AND BAY COUNTY IS RESPONSIBLE FOR A 25% MATCH AS PART OF THIS GRANT. ONE OF THE POSSIBLE FUNDING SOURCES FOR PART OF THIS MATCH HAS BEEN IDENTIFIED AS THE DOW CHEMICAL COMPANY FOUNDATION DONOR ADVISED FUND THROUGH THE BAY AREA COMMUNITY FOUNDATION, THIS PROJECT MEETS THE CRITERIA TO BE CONSIDERED ELIGIBLE TO APPLY FOR THE GRANT AND THE FOUNDATION GRANT MEETS THE MATCH CRITERIA FOR THE PSGP GRANT. A GRANT AWARD OF \$10,000 THROUGH THE BAY AREA COMMUNITY FOUNDATION WOULD SIGNIFICANTLY REDUCE THE MATCH RESPONSIBILITY OF BAY COUNTY TO THE PORT SECURITY GRANT PROGRAM. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-10: COMM. LUTZ MOVED TO ADOPT RES. 2017-10 2017 BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED RENEWAL OF PROPERTY AND LIABILITY INSURANCE FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017 WITH HOUSING AUTHORITY INSURANCE GROUP. THE 2017 PREMIUM FOR COMMERCIAL LIABILITY INSURANCE PROVIDED BY HOUSING AUTHORITY RISK RETENTION GROUP WILL BE \$7,462.00 WHICH REPRESENTS A NOMINAL CHANGE FROM 2016. THE 2017 PREMIUM FOR

COMMERCIAL PROPERTY INSURANCE WILL BE \$12,834.00. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-11: COMM. LUTZ MOVED TO ADOPT RES. 2017-11 PAYABLES: GENERAL-ACCOUNTS PAYABLE; BAYANET, PAYABLES AND PAYROLL FROM AUGUST, 2016; SEPTEMBER, 2016 AND NOVEMBER, 2016: AND CENTER RIDGE ARMS. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

PERSONNEL/HUMAN SERVICES (TOM RYDER, CHAIR; MICHAEL J. DURANCZYK, VICE CHAIR)

RES. 2017-12: COMM. RYDER MOVED TO ADOPT RES. 2017-12 BAY COUNTY BOARD OF COMMISSIONERS TO CONCUR WITH THE APPOINTMENT OF MAUREEN FITZGERALD AS FAMILY LAW ATTORNEY AND WAIVED THE COUNTY'S PERSONNEL POLICY TO ALLOW THE NEWLY HIRED FAMILY LAW ATTORNEY TO BE COMPENSATED AT THE PN10 - 1 YEAR STEP. ON DECEMBER 21, 2016, THE BAY COUNTY BOARD OF COMMISSIONERS ADOPTED RESOLUTION NO. 2016-329 CONCURRING WITH THE APPOINTMENT OF MAUREEN FITZGERALD AS DIRECTOR OF FAMILY LAW, HOWEVER, THE POSITION ACCEPTED BY MAUREEN FITZGERALD WAS FAMILY LAW ATTORNEY. BRUCE MANNIKKO SERVES AS THE DIRECTOR OF THE DEPARTMENT OF PUBLIC DEFENDER OVERSEEING THE FAMILY LAW ATTORNEY POSITION. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

BOARD OF COMMISSIONERS (THOMAS M. HEREK, CHAIR, MICHAEL J. DURANCZYK, VICE CHAIR)

RES. 2017-13: COMM. DURANCZYK MOVED TO ADOPT RES. 2017-13 REPORTS OF COUNTY EXECUTIVE- EMPLOYMENT STATUS REPORT - DECEMBER 2016. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

COUNTY EXECUTIVE JIM BARCIA THANKED THE BOARD FOR THEIR COLLABORATIVE EFFORTS WITH THE MONITOR DDA FOR EXECUTION OF A CONTRACT FOR THE VALLEY TECH CENTER PARK. DUE TO THIS COOPERATION BAY COUNTY WILL BE RECEIVING AN ADDITIONAL \$20,000 IN UNANTICIPATED FUNDS. A CHECK WAS

RECEIVED FROM THE DDA, IN THE AMOUNT OF \$446,254.99 AND TURNED OVER TO THE BAY COUNTY TREASURER, RICHARD BRZEZINSKI, TO DISBURSE THE APPROPRIATE AMOUNTS TO ALL TAXING ENTITIES IN THE COUNTY.

RECOGNITION TO DEB RUSSELL AND THE ENTIRE EXECUTIVE OFFICE STAFF FOR THEIR HARD WORK WITH THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY, WHICH PRESENTED A CHECK TO BAY COUNTY IN THE AMOUNT OF \$166,712.00 FOR BAY COUNTIES RENEWAL OF PROPERTY AND LIABILITY INSURANCE FOR 2017. THESE FUNDS WERE RETURNED TO BAY COUNTY BASED ON OUR LONGEVITY, LOSS HISTORY AND PROACTIVE RISK MANAGEMENT MEASURES EXERCISED.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS.

MISCELLANEOUS

THERE WERE NO MISCELLANEOUS ITEMS.

ANNOUNCEMENTS

THERE WILL BE A PUBLIC HEARING ON TUESDAY, JANUARY 17, 2017 AT 4:00 PM AT THE PERSONNEL/HUMAN SERVICES COMMITTEE MEETING REGARDING ESTABLISHMENT OF A DEPARTMENT OF AGING, AND ACT 129 DEPARTMENT. FOLLOWING THIS MEETING THERE WILL BE A FULL BOARD MEETING OF THE BAY COUNTY BOARD OF COMMISSIONERS.

CHAIRMAN HEREK NOTED THE UPCOMING 2017 APPOINTMENTS AS FOLLOWS:

1. MARCH:

A. BAY ARENAC BEHAVIORAL HEALTH AUTHORITY - FOUR THREE-YEAR TERMS EXPIRING: THOMAS RYDER, JAMES ANDERSON, RICHARD GROMASKI, COLLEEN M. MAILLETTE.

2. JUNE:

LIBRARY BOARD - ONE 5-YEAR TERM, MARY HERR.

3. OCTOBER:

A. LAND BANK AUTHORITY - ONE LOCAL UNIT OF GOVERNMENT REPRESENTATIVE, 3-YEAR TERM, RICHARD FINN.

B. DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD OF DIRECTORS - ONE 3-YEAR TERM, MARY EWALD SAYLES.

C. BOARD OF CANVASSERS - TWO 4-YEAR TERMS EXPIRING: JANET PIERSON (D); KEVIN LORENTZ (R)

4. DECEMBER: DIVISION ON AGING ADVISORY COMMITTEE - FOUR 2-YEAR TERMS, DISTRICTS 1, 3, 5 AND 7

CLOSED SESSION

THERE WAS NO REQUEST FOR A CLOSED SESSION

RECESS/ADJOURNMENT

MOTION 9:

COMM. DURANCZYK MOVED TO ADJOURN THE REGULAR BOARD SESSION OF JANUARY 10, 2017. IT WAS SUPPORTED BY COMM. BEGICK THE MEETING CONCLUDED AT 4:20 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

TOM HEREK, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE K. YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS