

BAY COUNTY BOARD OF COMMISSIONERS

APRIL 11, 2017

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, APRIL 11, 2017, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN TOM HEREK AT 4:02 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
SHAWNA WALRAVEN, CORPORATION COUNSEL
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
CRISTIEN GIGNAC, RECREATION AND FACILITIES
KEITH MARKSTROM, PRESIDENT BAY VETERANS FOUNDATION
BRANDON KRAUSE, BAY COUNTY REGISTER OF DEEDS
CJ MILLER, BAY COUNTY RESIDENT
SHERIFF TROY CUNNINGHAM, BAY COUNTY SHERIFF
JUDY BARKER, BAY COUNTY RESIDENT
ALICIA WALLACE, GREEN SCHOOL INITIATIVE
SUE FORTUNE, EXECUTIVE DIRECTOR, EMCOG
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 25: COMM. DURANCZYK MOVED TO APPROVE THE REGULAR AND SPECIAL BOARD SESSION MINUTES OF FEBRUARY 14, 2017,

FEBRUARY 21, 2017 AND MARCH 14, 2017 AS PRESENTED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CITIZENS INPUT

- K. MARKSTROM: KEITH MARKSTROM PRESIDENT OF BAY VETERANS FOUNDATION APPEARED TO EXTEND A PERSONAL INVITATION TO THE BOARD AND THE COUNTY EXECUTIVE TO ATTEND THE GROUND BREAKING FOR THE GOLD STAR FAMILY MEMORIAL MONUMENT. IT WAS SCHEDULED FOR APRIL 29, 2017 AT 3:00 PM TO BE HELD AT BATTERY PARK. A 4:00 PM RECEPTION WITH DINNER FOLLOWED AT 5:00 PM, WAS HELD AT THE AMERICAN LEGION FOR A COST OF \$20.00.
- B. KRAUSE: BRANDON KRAUSE, BAY COUNTY REGISTER OF DEEDS. EXTENDED AN INVITATION TO THE WESTERN HIGH SCHOOL, 5K GLOW RUN ON APRIL 29TH FROM 8:45 PM UNTIL 11:45 PM. THE PROCEEDS WILL FUND THE WESTERN HIGH SCHOOL BAND.
- CJ MILLER: CJ MILLER, RESIDENT OF BAY COUNTY. CARROLL PARK - CLEAN UP, SATURDAY MAY 13 AND SUNDAY MAY 14, FROM 8 AM - 5PM. THERE WILL BE A LARGE GROUP OF VOLUNTEERS TO CLEAN UP THE PARK, REPAIR THE BRIDGE AND COMPLETE ANY REPAINTING NEEDED.
- T. CUNNINGHAM: TROY CUNNINGHAM, BAY COUNTY SHERIFF, REMINDED BOARD AND THE RESIDENTS OF BAY COUNTY THAT THE NATIONAL PRESCRIPTION DRUG TAKE BACK WILL BE APRIL 29, 2017 FROM 10 AM UNTIL 2 PM AT THE BAY COUNTY SHERIFF DEPARTMENT, LAW ENFORCEMENT CENTER AT 503 THIRD STREET. THIS WAS A NATIONAL DRIVE, IN ADDITION TO THE BIG RED BARREL THAT IS OPEN EVERY MONDAY THROUGH FRIDAY FROM 8:00 AM UNTIL 4:30 PM. WE ACCEPT ANY PRESCRIPTION DRUGS OR OUTDATED DRUGS, WITH NO QUESTIONS ASKED. WE WILL BE OPEN ON APRIL 29TH, WHICH WAS A SATURDAY, USUALLY THE LAW ENFORCEMENT LOBBY IS ONLY OPEN WEEKDAYS UNTIL 4:00 PM.
- J. BARKER: JUDY BARKER, 152 RIVER TRAIL DRIVE, BAYSIDE PARK SUBDIVISION, BANGOR TOWNSHIP. APPEARED TO DISCUSS THE STORM OF APRIL 6, 2017. IT BROUGHT IN A LOT OF WATER WITH FLOODING BEHIND HER HOUSE, NONE OF WHICH CAME FROM THE KAWKAWLIN RIVER. WATER IN THE FRONT YARD THE WIND SHIFTED AND TOOK IT BACK OUT, BUT THE WATER HAS

CONTINUED TO COME INTO THE BACK YARD. BROUGHT PHOTOS TO SHOW THE EXTEND OF THE PROBLEM DURING A HEAVY RAIN.

J. BARCIA: EXECUTIVE JIM BARCIA STATED THIS WAS EXTENSIVE FLOODING IN HIS OPINION AND HE HAD CONTACTED THE DNR OVER SIMILAR FLOODING ON BEAVER ROAD IN THE PAST. THERE WERE BEAVER DAMS THAT HAVE CAUSED FLOODING TO OTHER PROPERTY IN THAT AREA.

J. BARKER: JUDY BARKER, WITH THE HEAVIER RAINS, IF THE BERM WAS REMOVED THE WATER WOULD MOVE OUT. THERE WERE SUPPOSED TO BE THREE DITCHES DUG TO ELIMINATE THE PROBLEM. SHE WAS NOT SO CONCERNED OVER ANY CONTAMINATION THAT MAY BE IN THE SPOILS BUT DISTURBED WITH THE FLOODING. ASKED OFFICIALS TO PROVIDE DRAINAGE AND REMOVE SPOILS.

PETITIONS AND COMMUNICATIONS

A. WALLACE: ALICIA WALLACE, MICHIGAN GREEN SCHOOL INITIATIVE RECOGNIZED SCHOOLS FOR EFFORTS IN ENVIRONMENTAL STEWARDSHIP BY REDUCING USE OF RESOURCES AND PROMOTING ENERGY CONSERVATION. THE SCHOOLS GET RECOGNIZED BY HOW MANY ACTIVITIES THEY PARTICIPATE IN. WE HAVE THREE SCHOOLS THAT HAVE BEEN PARTICIPATING FOR FIVE YEARS, THEY ARE: AUBURN AREA CATHOLIC SCHOOL, BAY-ARENAC ISD CAREER CENTER AND JOHN GLENN HIGH SCHOOL. THIS YEAR WE ALSO HAVE A NEW SCHOOL ON BOARD THAT BEING THE STATE STREET ACADEMY OF BAY CITY.

RES. 2017-62: COMM. COONAN MOVED TO ADOPT RES. 2017-62, THE BAY COUNTY BOARD OF COMMISSIONERS AND BAY COUNTY EXECUTIVE GO ON RECORD RECOGNIZING THE HARD WORK AND COMMITMENT TO PROMOTE SOUND ENVIRONMENTAL STEWARDSHIP AND ENERGY CONSERVATION SHOWN BY AUBURN AREA CATHOLIC SCHOOL, BAY-ARENAC ISD CAREER CENTER AND JOHN GLENN HIGH SCHOOL IN ACHIEVING THE EVERGREEN LEVEL MI GREEN SCHOOL DESIGNATION AND THE STATE STREET ACADEMY OF BAY COUNTY IN ACHIEVING THEIR EMERALD LEVEL MICHIGAN GREEN SCHOOL DESIGNATION. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- MOTION 26: COMM. LUTZ MOVED TO RECEIVE THE PRESENTATION BY SUE FORTUNE, EXECUTIVE DIRECTOR OF EAST MICHIGAN COUNCIL OF GOVERNMENTS, TO GIVE OVERVIEW OF PROGRAMS. THE EMCOG IS DEDICATED TO UNITING THE REGION'S ELECTED OFFICIALS, PLANNING PROFESSIONALS AND THE PUBLIC AROUND A COMMON VISION OF MAKING A GREAT REGION EVEN GREATER. THEY PROVIDE A NEUTRAL FORUM FOR LOCAL GOVERNMENTS TO FOSTER COMMUNICATION AND COLLABORATION IN ADDRESSING REGIONAL OR MULTI-JURISDICTIONAL ISSUES AND NEEDS AT THE REQUEST OF OUR CONSTITUENT MUNICIPALITIES AND PROVIDES TECHNICAL AND PLANNING ASSISTANCE. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- S. FORTUNE: EXECUTIVE DIRECTOR OF EAST MICHIGAN COUNCIL OF GOVERNMENTS. THANKED THE BOARD OF COMMISSIONERS FOR RETURNING TO MEMBERSHIP WITH THE COUNCIL. THE REGIONAL COUNCIL IS THE FEDERAL ECONOMIC DEVELOPMENT DISTRICT FOR 14 COUNTIES IN EAST CENTRAL MICHIGAN. HOSTED BY THE US DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATIVE. ALSO UNDER CONTRACT TO MDOT, PROVIDE HELP WITH APPLICATIONS AND GRANT SEARCHES. OUR MDOT CONTRACTS ARE OVER 70% OF OUR BUDGET. MANAGE THE RURAL TASK FORCE AND ARE CHARGED WITH ASSET MANAGEMENT PAVEMENT RATINGS ASSESSMENTS FOR ALL FEDERAL AID ROADS. HAVE BEEN ASKED TO TAKE ON THE UPDATE FOR THE NON-MOTORIZED PLAN, AND AN UPDATE TO THE MAP. HELPING THE CITY OF GLADWIN WITH A TWO MILLION DOLLAR EDA GRANT. STILL ADMINISTER OUR EDA REVOLVING LOAN FUND, THE MONIES IN THAT FUND ARE RESERVED FOR RISKIER LOANS AND ARE ONLY AVAILABLE TO BAY COUNTY AND SAGINAW COUNTY BUSINESSES.
- MOTION 27: COMM. DURANCZYK MOVED TO RECEIVE THE 2016 DRAIN REPORT. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- MOTION 28: COMM. COONAN MOVED TO RECEIVE THE RESIGNATION FROM COMMISSIONER TOM RYDER TO THE BAY COUNTY BUILDING AUTHORITY. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- MOTION 29: COMM. COONAN MOVED TO RECEIVE THE APPLICATION FROM

TRAVIS BRADY FOR APPOINTMENT TO THE BAY COUNTY BUILDING AUTHORITY TO FILL THE POSITION VACATED BY THE RESIGNATION OF COMMISSIONER TOM RYDER. THIS TERM WAS SET TO EXPIRE ON NOVEMBER 30, 2019. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 30: COMM. DURANCZYK MOTION TO APPOINT TRAVIS BRADY TO THE BAY COUNTY BUILDING AUTHORITY TO FILL THE POSITION THAT OPENED FROM THE RESIGNATION OF COMMISSIONER TOM RYDER. THIS POSITION WAS SET TO EXPIRE ON NOVEMBER 30, 2019. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 31: COMM. LUTZ MOVED TO RECEIVE THE APPLICATION FROM RUSSELL TANNER AND TO CONCUR WITH HIS APPOINTMENT TO THE DEPARTMENT ON AGING ADVISORY COMMITTEE REPRESENTING 7TH COMMISSION DISTRICT. THIS SEAT HAS OPENED UP DUE TO A RESIGNATION FROM LEONE BRASHAW. THIS APPOINTMENT WILL SERVE OUT THE REMAINING BALANCE OF THE TERM WHICH IS SET TO EXPIRE ON DECEMBER 31, 2017. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

REPORTS/RESOLUTIONS OF COMMITTEES

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

RES. 2017-63: COMM. LUTZ MOVED TO ADOPT RES. 2017-63 BAY COUNTY BOARD OF COMMISSIONERS APPROVES THE CONSULTING SERVICES AGREEMENT BETWEEN MGT OF AMERICA CONSULTING, LLC AND BAY COUNTY PROSECUTOR'S OFFICE, AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO EXECUTE THE CONSULTING SERVICES AGREEMENT AND ALL RELATED DOCUMENTS ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. MGT COST IS A FIXED FEE OF \$4,800 PER YEAR FOR THE TITLE IV-D CLAIMING AND \$1.40 PER TIME SHEET PROCESSED, PAID QUARTERLY. THE PREVIOUS COMPANY IS NOW REQUIRING A CONTRACT THAT WOULD BE FOR A FIVE YEAR PERIOD AND THEIR NEW RATE IS \$4,900 PER YEAR, PLUS \$1.40 PER TIME SHEET PROCESSED. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2017-64: COMM. LUTZ MOVED TO ADOPT RES. 2017-64 BAY COUNTY BOARD OF COMMISSIONERS APPROVED SUBMITTAL OF THE GRANT FOR THE NEW VOTING SYSTEM BY THE BAY COUNTY CLERK. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE, AND SUBMIT ELECTRONICALLY, THE GRANT APPLICATION DOCUMENTS, INCLUDING THE REQUIRED VENDOR SELECTION, THE QUOTE FOR THE STATE GRANT AND OTHER STATE REQUIRED DOCUMENTS, ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. THE BAY COUNTY CLERK WISHED TO APPLY TO THE SECRETARY OF STATE FOR A GRANT TO PURCHASE A NEW VOTING SYSTEM FOR ALL PRECINCTS, WHICH INCLUDE PRECINCT TABULATOR ABSENT VOTER COUNTY BOARD (AVCB) TABULATORS, ACCESSIBLE VOTING DEVICES FOR USE BY INDIVIDUALS WITH DISABILITIES, AND RELATED ELECTION MANAGEMENT SYSTEM (EMS) SOFTWARE. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-65: COMM. LUTZ MOVED TO ADOPT RES. 2017-65 BAY COUNTY BOARD OF COMMISSIONERS CONCURD WITH THE RECOMMENDATION OF THE DIRECTOR OF ADMINISTRATIVE SERVICES AND THE DIRECTOR OF RECREATION AND FACILITIES AND AUTHORIZED SUBMITTAL OF RAP GRANT APPLICATIONS AS OUTLINED ABOVE TO THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY (MMRMA) FOR THE PROJECTS OUTLINED ABOVE AND THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE GRANT APPLICATION AND GRANT AWARD DOCUMENTS AS REQUIRED FOLLOWING LEGAL REVIEW/APPROVAL. FOR THE PROJECTS NOT BUDGETED, FUNDING UP TO \$12,264 WAS HEREBY APPROPRIATED FROM FUND BALANCE AND REQUIRED BUDGET ADJUSTMENTS ARE APPROVED. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-66: COMM. LUTZ MOVED TO ADOPT RES. 2017-66 BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE BOYS AND GIRLS SUMMER RECREATION PROGRAM, MONIES BUDGETED IN THE ADOPTED 2017 RECREATION DEPARTMENT BUDGET. THE FUNDING REQUIRED (\$13,000) WAS INCLUDED IN THE 2017 RECREATION DEPARTMENT BUDGET. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-67: COMM. LUTZ MOVED TO ADOPT RES. 2017-67 BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZES RECREATION AND FACILITIES TO

SEEK AND ACCEPT GRANT FUNDING FOR PURCHASE OF SUGAR SAND FOR PINCONNING PARK FROM AVAILABLE GRANT FUNDING SOURCES INCLUDING THE SAGINAW BAY WATERSHED INITIATIVE GRANT. A \$500 BUDGET ADJUSTMENT FROM FUND BALANCE WAS APPROVED CONTINGENT UPON AWARD OF THE WIN GRANT. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-68: COMM. LUTZ MOVED TO ADOPT RES. 2017-68 BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED RECREATION AND FACILITIES TO SEEK AND ACCEPT GRANT FUNDING FOR RIP RAP LIMESTONE FOR PINCONNING PARK AND THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE GRANT APPLICATION AND GRANT AWARD DOCUMENTS ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW APPROVAL. 50 TONS OF RIP RAP LIMESTONE WILL COST \$1,200. THERE WAS A \$900 REQUEST FROM THE BAY AREA COMMUNITY FOUNDATION, THE REMAINING COST WILL BE TAKEN FROM THE PINCONNING PARK BUDGET. NO ADDITIONAL FUNDS WERE REQUESTED. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-69: COMM. LUTZ MOVED TO ADOPT RES. 2017-69 THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE WATER MAIN PROJECT AND THE REQUIRED BUDGET ADJUSTMENT OF UP TO BUT NOT TO EXCEED \$45,000, MONIES TO COME FROM FUND BALANCE. FUNDS WOULD BE SPLIT AS FOLLOWS: 56% DIVISION ON AGING FUND, 44% GENERAL FUND, THE SPLIT WAS DETERMINED BASED ON WATER USAGE. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE DOCUMENTS RELATED TO THE WATER MAIN PROJECT ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-70: COMM. LUTZ MOVED TO ADOPT RES. 2017-70 THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE 2017 PROPOSED ADVERTISEMENT WITH MAILBOX MARKETING AND THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE REQUIRED DOCUMENTS ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. THE BAY COUNTY GOLF COURSE HAS ADVERTISED WITH MAILBOX MARKETING FOR MULTIPLE YEARS AND WISHES TO CONTINUE WITH THIS FORM OF ADVERTISEMENT AND MAILBOX MARKETING PROVIDES A DISCOUNTED RATE OF \$15

FOR NINE HOLES WITH A CART AND \$27 FOR 18 HOLES WITH A CART AND THE DISCOUNTED RATE WILL NOT BE ALLOWED TO BE USED DURING LEAGUE PLAY. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-71: COMM. LUTZ MOVED TO ADOPT RES. 2017-71 THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED AN APPROPRIATION OF \$4,000 FROM FUND BALANCE FOR THE NECESSARY REPAIRS TO THE REFACTORY IN THE INCINERATOR LOCATED AT BAY COUNTY ANIMAL CONTROL. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE ANY DOCUMENTATION REQUIRED FOR THE REPAIR PROJECT. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-72: COMM. LUTZ MOVED TO ADOPT RES. 2017-72 THE BAY COUNTY BOARD OF COMMISSIONERS THAT THE BAY COUNTY EQUALIZATION REPORT FOR 2017 WAS APPROVED AND THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE REQUIRED DOCUMENTS RELATED TO THE 2017 BAY COUNTY EQUALIZATION REPORT ON BEHALF OF BAY COUNTY. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. COONAN: FOLLOWING REVIEW OF THE EQUALIZATION REPORT COMM. COONAN PROJECTED REVENUES FOR 2017 WERE EXPECTED TO BE REDUCED BY 2/3%. COMM. COONAN FURTHER QUESTIONED IF THIS REDUCTION WAS REFLECTED IN EITHER 2017 OR 2018 BUDGET.

J. HISTED: JAN HISTED, FINANCE OFFICER BAY COUNTY, RESPONDED IT WOULD BE RECORDED IN THE 2018 BUDGET.

J.BARCIA: WHEN THERE IS LESS TAX REVENUE COLLECTED IT MAKES IT MORE OF A CHALLENGE AND MORE DIFFICULT FOR THE COUNTY GOVERNMENT TO PROVIDE THE SERVICES THAT OUR RESIDENTS AND TAXPAYERS HAVE COME TO EXPECT AND APPRECIATE. WE NEED TO KEEP THE STATES FEET TO THE FIRE IN TERMS OF THEIR COMMITMENT WHEN THE PERSONAL PROPERTY TAX WAS REMOVED, IT MAY BE A POSITIVE THING TO HELP CREATE JOBS AND RELIEVE A FINANCIAL BURDEN ON THE INDIVIDUAL BUSINESSES BUT AT THE SAME TIME IT IS THE LOCAL GOVERNMENT THAT ENDS UP TAKING THE HIT, IF THE STATE DOES NOT REIMBURSE FULLY.

- RES. 2017-73: COMM. LUTZ MOVED TO ADOPT RES. 2017-73 THE BAY COUNTY BOARD OF COMMISSIONERS APPROVES RENEWAL OF THE DELTA COLLEGE FITNESS AND RECREATION CENTER MEMBERSHIP AGREEMENT FOR FIVE (5) MEMBERSHIPS FOR THE PERIOD MAY 18, 2017 THROUGH MAY 17, 2018 AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT AND ALL RELATED DOCUMENTS ON BEHALF OF BAY COUNTY. THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. THE TOTAL COST FOR FIVE MEMBERSHIPS (\$325/MEMBERSHIP) SHARED AMONG ELIGIBLE COUNTY EMPLOYEES, WAS \$1,625 AND FUNDS WERE INCLUDED IN THE 2017 BUDGET FOR THIS PURPOSE. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-74: COMM. LUTZ MOVED TO ADOPT RES. 2017-74 THE BAY COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE CLAIMS AGAINST THE COUNTY AS FOLLOWS: ACCOUNTS PAYABLE, BAYANET AND HOUSING (CENTER RIDGE ARMS) PLEASE SEE RESOLUTION FOR DOLLAR AMOUNTS. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-75: COMM. LUTZ MOVED TO ADOPT RES. 2017-75 THE BOARD OF COMMISSIONERS OF BAY COUNTY APPROVED THE FOLLOWING BUDGET ADJUSTMENTS WERE APPROVED AND IF REQUIRED, THE CHAIRMAN OF THE BOARD WAS HEREBY AUTHORIZED TO EXECUTE ANY DOCUMENTATION NECESSARY FOR SAID BUDGET ADJUSTMENTS ON BEHALF OF BAY COUNTY. HEALTH DEPARTMENT - DIST HEALTH FUND, UNIVERSITY INTEGRATED COLLABORATIVE CARE BEHAVIORAL CLINIC. HEALTH DEPARTMENT - DIST HEALTH FUND, NO IMPACT. THE BUDGET FOR ROLLED OVER 2016 GRANT DOLLARS INTO THE YEAR 2017 FOR HEALTH DEPARTMENT'S UNIVERSITY CLINIC. BOARD OF COMMISSIONERS - GENERAL FUND, UNFAVORABLE IMPACT \$19,800 FOR COMMUNITY CENTER. DIVISION ON AGING FUND - ADMINISTRATION, UNFAVORABLE IMPACT \$25,200. BUDGET FOR REPLACEMENT OF THE WATER MAIN. DIVISION ON AGING FUND - UNFAVORABLE IMPACT \$4,000. BUDGET FOR OFFICE FURNITURE. DIVISION ON AGING FUND - UNFAVORABLE IMPACT \$5,500, BUDGET FOR THE PURCHASE OF UPGRADING 16 MICROSOFT SOFTWARE LICENSES IN ORDER TO USE THE CARE ADVANCE SOFTWARE. REFERRED THE COUNTY

CLERK'S PROPOSED FINANCING FOR THE VOTING MACHINES TO SPECIAL BOARD MEETING TO BE HELD ON APRIL 18TH. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 6 YEAS, 1 NAYS, COMM. DURANCZYK.

RES. 2017-76: COMM. LUTZ MOVED TO ADOPT RES. 2017-76 THE BAY COUNTY BOARD OF COMMISSIONERS AMENDED THE 2017 BAY COUNTY FEE SCHEDULE TO INCLUDE THE ATTACHED BAY COUNTY TELEVISION FEE SCHEDULE WHICH WILL BE ADDED TO THE CURRENT ADOPTED FEE SCHEDULE, THE BCTV FEE SCHEDULE TO BE EFFECTIVE IMMEDIATELY. PLEASE SEE RESOLUTION FOR A BREAKDOWN OF FEE'S. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-77: COMM. LUTZ MOVED TO ADOPT RES. 2017-77 THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE PROFESSIONAL SERVICES AGREEMENT WHICH OUTLINED THE SCOPE OF BASIC EQUALIZATION SERVICES WITH MR. GRUBER'S SERVICES FOR A ONE YEAR TERM AND APPROVED THE PROFESSIONAL FEE OF \$18,000 PER YEAR, WITH NO BENEFITS. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE SAID PROFESSIONAL SERVICES AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. RICHARD GRUBER WAS ABLE TO SERVE AS ACTING EQUALIZATION DIRECTOR FOR BAY COUNTY BECAUSE HE MET AND EXCEEDED STANDARDS REQUIRED BY THE STATE OF MICHIGAN AND MR. GRUBER PROVIDED PROFESSIONAL SERVICES FOR \$18,000 PER YEAR, PAID IN QUARTERLY INCREMENTS, AND RECEIVED NO BENEFITS. BAY COUNTY HAS HAD THIS ARRANGEMENT WITH MR. GRUBER FOR A NUMBER OF YEARS. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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

RES. 2017-78: COMM. RYDER MOVED TO ADOPT RES. 2017-78 THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE INDEPENDENT CONTRACTOR AGREEMENT WITH THE FOLLOWING NURSE PRACTITIONERS: TAMMY J. HILL, KATHLEEN SCHACHMAN, AVERETTA LEWIS, DOROTHY LEE, AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENTS ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. THESE

CONTRACTS WERE SET TO EXPIRE ON JUNE 30, 2017 AND THEREFORE, MUST BE RENEWED SO THAT SERVICES CAN BE CONTINUED AT THE CLINICS. THAT BUDGET ADJUSTMENTS RELATED TO THESE SPECIFIC CONTRACTS, IF REQUIRED, WERE APPROVED. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-79: COMM. RYDER MOVED TO ADOPT RES. 2017-79 THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE AGREEMENT WITH THE NATIONAL RURAL ACCOUNTABLE CARE CONSORTIUM AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. THAT BUDGET ADJUSTMENTS RELATED TO THE NATIONAL RURAL ACCOUNTABLE CARE CONSORTIUM, IF REQUIRED, ARE APPROVED. THERE ARE NOT COSTS TO ENTER INTO AGREEMENT WITH THE CONSORTIUM AND ALL COSTS RELATED TO THE SERVICES ARE REIMBURSED THROUGH THE CONSORTIUM. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-80: COMM. RYDER MOVED TO ADOPT RES. 2017-80 BY THE BAY COUNTY BOARD OF COMMISSIONERS THAT CONCURRED TO POST THE FOLLOWING FULL/PART TIME POSITIONS, MONIES FOR SAID POSITIONS TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS: VACANCIES: HEALTH DEPARTMENT: TYPIST CLERK III (FULL TIME; \$13.74 PER HOUR ENTRY). BUILDING AND GROUNDS: CUSTODIAN (FULL TIME; \$11.71 PER HOUR ENTRY). GYPSY MONTH SUPPRESSION PROGRAM: GYPSY MONTH PROGRAM ASSISTANT (PART TIME; \$11.06 PER HOUR). NEW POSITION: DEPARTMENT ON AGING: COOK (ON-CALL PART TIME: \$11.71 PER HOUR ENTRY). IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-81: COMM. RYDER MOVED TO ADOPT RES. WHICH AUTHORIZED THE CHAIRMAN OF THE BOARD TO APPOINT A COMMUNITY BROADBAND TEAM TASKED TO EXPLORE AND IMPLEMENT BROADBAND ACCESS FOR ALL BAY COUNTY RESIDENTS AND BUSINESSES. THERE ARE SEVERAL AREAS IN BAY COUNTY THAT DO NOT HAVE BROADBAND ACCESS AND BAY COUNTY WISHES TO PARTNER WITH CONNECT MICHIGAN TO EXPAND SERVICES SO ALL RESIDENTS AND BUSINESSES IN BAY COUNTY HAVE ACCESS TO BROADBAND (HIGH SPEED INTERNET). IT WAS SUPPORTED BY COMM. DURANCZYK

AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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

RES. 2017-82: COMM. DURANCZYK MOVED TO ADOPT RES. 2017-82 TO RECEIVE THE FOLLOWING REPORTS, INCLUDING EMPLOYMENT STATUS REPORT - MARCH 2017; WORKERS' COMPENSATION REPORT - FEBRUARY 2017; UNEMPLOYMENT COMPENSATION - JANUARY 2017. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

THERE WAS NO REPORT FROM THE COUNTY EXECUTIVE.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS.

MISCELLANEOUS

THERE WAS NO MISCELLANEOUS.

ANNOUNCEMENTS

COMM KRYGIER ANNOUNCED THE ANNUAL BEACH WELLNESS EVENT SCHEDULED FOR JUNE 24, 2017. THERE WILL BE A 5K, 10K AND 15K RUN, STARTING AT 8:00 AM REGISTRATION TAKING PLACE ON-LINE AT RUNSIGNUP.COM. HE IS HOPEFUL TO HAVE OTHER BUSINESSES IN THE AREA THAT DEAL WITH WELLNESS TO HAVE BOOTHS TO ADDRESS THE ON-GOING CONCERNS WITH HEALTH CARE COSTS.

COMM. DURANCZYK ANNOUNCED BAY FUTURE ANNUAL MEETING ON THURSDAY, APRIL 13th CHECK IN AT 11:00 AM.

CHAIRMAN HEREK NOTED THE UPCOMING 2017 APPOINTMENTS AS FOLLOWS:

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

MOTION 32:

COMM. COONAN MADE A MOTION 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 JAMES CHARBONNEAU V BAY COUNTY, 0356-15-03467 AND JEFFREY VANNESS V BAY COUNTY, 0356-15-06202. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A ROLL CALL VOTE: 7 YEAS: DURANCZYK, KRYGIER, BEGICK, COONAN, RYDER, LUTZ, HEREK. 0 NAYS.

MOTION 33:

COMM. DURANCZYK MADE A MOTION TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS 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 JAMES CHARBONNEAU V BAY COUNTY, 0356-15-03467 AND JEFFREY VANNESS V BAY COUNTY, 0356-15-06202. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RECESS/ADJOURNMENT

MOTION 34: COMM. DURANCZYK MOVED TO ADJOURN THE REGULAR BOARD SESSION OF APRIL 11, 2017. IT WAS SUPPORTED BY COMM. BEGICK THE MEETING CONCLUDED AT 6:00 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