

**SPECIAL MEETING**

**BAY COUNTY BOARD OF COMMISSIONERS**

**A G E N D A**

**TUESDAY, MAY 24, 2016**

**4:30 P.M.**

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

**I CALL TO ORDER (CHAIRMAN KRYGIER)**

**II ROLL CALL**

**III INVOCATION**

**IV PLEDGE OF ALLEGIANCE**

**V CITIZEN INPUT**

**VII ITEMS FOR CONSIDERATION**

**I A. Director of Recreation and Facilities - Replacement of Golf Course Tractor**

**2 I. Res. No. 2016-126 - Purchase of Golf Course Tractor**

**VIII UNFINISHED BUSINESS**

**IX NEW BUSINESS**

**X MISCELLANEOUS**

**XI ANNOUNCEMENTS**

**XII CLOSED SESSION**

**A. Corporation Counsel - County Clerk Litigation**

**Motion: To go into closed session pursuant to MCLA 15.268, Sec. 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.**

**XIII RECESS/ADJOURNMENT**

**BAY COUNTY BOARD OF COMMISSIONERS**

**MAY 24, 2016**

**RESOLUTION**

**BY: BAY COUNTY BOARD OF COMMISSIONERS**

**WHEREAS, The Bay County Golf Course currently has a Kubota tractor that pulls the rough mower; and**

**WHEREAS, This tractor has been repaired numerous times, has logged over 8,000 hours and, this past week, the motor died; and**

**WHEREAS, It has been determined that the motor can't be repaired and a new tractor must be purchased; and**

**WHEREAS, Renting a tractor costs about \$400.00 per week, so it is imperative that a tractor be ordered as soon as possible; and**

**WHEREAS, A budget adjustment of up to \$25,000 as a loan from the General Fund is necessary to purchase the tractor and it is possible there also may be a trade-in value for the body of the tractor (not the motor) which will reduce the overall cost; Therefore, Be It**

**RESOLVED That the Bay County Board of Commissioners approves the purchase of a tractor for the Bay County Golf Course at a cost up to \$25,000, funds to be loaned from the General Fund Fund Balance; Be It Further**

**RESOLVED That the Chairman of the Board is authorized to execute any documents required for the purchase of the Golf Course tractor on behalf of Bay County following legal review/approval; Be It Finally**

**RESOLVED That required related budget adjustments are approved.**

**ERNIE KRYGIER, CHAIR  
AND BOARD**

**Recreation & Facilities - Golf Course Tractor**

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
AMENDED      CORRECTED      REFERRED     

-2-

**BAY COUNTY BOARD OF COMMISSIONERS**

**MAY 24, 2016**

**RESOLUTION**

**BY: BAY COUNTY BOARD OF COMMISSIONERS (5/24/16)**

**WHEREAS, The existing Fairway mower at the Bay County Golf Course, one of the most frequently used pieces of equipment, is 15+ years old with 6,000 hours and is far beyond its life expectancy; and**

**WHEREAS, The estimated cost of a Fairway mower is approximately \$60,000 and an RFP would not be required since the companies utilized for quotes use MI-Deal which is the lowest price available; and**

**WHEREAS, Administration is requesting authorization to purchase a new Fairway mower only in the event there is a catastrophic failure in the existing mower at the Golf Course; Therefore, Be It**

**RESOLVED That the Bay County Board of Commissioners approves the purchase a new Fairway mower at the Golf Course only in the event there is a catastrophic failure in the existing mower, funds (up to \$60,000) to be loaned from the General Fund Fund Balance; Be It Further**

**RESOLVED That the Board Chair is authorized to execute documents related to this purchase, if required, on behalf of Bay County following legal review/approval; Be It Finally**

**RESOLVED That the related required budget adjustment(s) are approved.**

**ERNIE KRYGIER, CHAIR  
AND COMMITTEE**

**Recreation & Facilities - Fairways Mower 2016**

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. COONAN

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS      NAYS      EXCUSED       
 VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
 AMENDED      CORRECTED      REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:   MAY 24, 2016  

MOTION SPONSORED BY:   COMM. TILLEY  

MOTION SUPPORTED BY:   COMM. COONAN  

MOTION NO.:   49  

MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268, SEC. 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. TO DISCUSS THE ISSUES OF CYNTHIA A. LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY BOARD OF COMMISSIONERS, ET AL 2015-3583-AW.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: XX YEAS   7   NAYS   0   EXCUSED   0  

VOICE: YEAS        NAYS        EXCUSED       

DISPOSITION: ADOPTED   XX   DEFEATED        WITHDRAWN         
 AMENDED        CORRECTED        REFERRED

## BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE:   MAY 24, 2016  

MOTION SPONSORED BY:   COMM. TILLEY  

MOTION SUPPORTED BY:   COMM. COONAN  

MOTION NO.:   50  

MOVED TO GO BACK TO REGULAR SESSION FOLLOWING  
CLOSED SESSION TO DISCUSS THE ISSUES OF CYNTHIA A.  
LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY BOARD OF  
COMMISSIONERS, ET AL 2015-3583-AW

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL:   YEAS          NAYS          EXCUSED       

VOICE: **XX**   YEAS   7     NAYS   0     EXCUSED   0  

DISPOSITION:   ADOPTED   XX     DEFEATED          WITHDRAWN         
                  AMENDED          CORRECTED          REFERRED

## BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE:   MAY 24, 2016  

MOTION SPONSORED BY:   COMM. HEREK  

MOTION SUPPORTED BY:   COMM. LUTZ  

MOTION NO.:   51  

MOVED TO PROCEED WITH THE RECOMMENDATION OF  
COUNSEL AS DISCUSSED IN THE CLOSED SESSION  
FOLLOWING COMMENTS MADE BY BAY COUNTY LEGAL  
COUNSEL AMBER DAVIS-JOHNSON

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS   7   NAYS   0   EXCUSED   0  

DISPOSITION: ADOPTED   XX   DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

## BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MAY 24, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 52

MOTION TO ADJOURN THE REGULAR BOARD SESSION OF  
MAY 24, 2016. THE MEETING CONCLUDED AT 4:53 PM.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_