

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, DECEMBER 12, 2017

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN HEREK)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

44-61 **V MINUTES (11/7/17; 11/14/17)**

VI CITIZEN INPUT

VII PETITIONS AND COMMUNICATIONS

- I** A. Recognition of Eileen Curtis on her Retirement from Bay Area Community Foundation (Res. No. 2017-258) [**Adopt resolution and present**]
- 2- 3 B. Drain Commissioner - Kawkawlin River Watershed GLRI Grant (**Receive letter and adopt res. no. 2017-259**)

C. Requests for Reappointment to Bay County Department on Aging Advisory

Committee from Districts 1, 3, 5, and 7 (**District Commissioners have recommended reappointment of the representatives from their Districts; receive requests and concur with reappointment of listed individuals**)

- 4 1. District 1 - Robin Weiss
- 5 2. District 3 - Dian Behmlander
- 6 3. District 5 - Paul Rabidoux
- 7 4. District 7 - Russ Tanner

VIII REPORTS/RESOLUTIONS OF COMMITTEES

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

- 8 1. No. 2017-260 - B.A.Y.A.N.E.T. Grant Renewal (Sheriff's Office)
- 9 2. No. 2017-261 - Amendment to Pinconning Township Road Patrol Agreement (Sheriff's Office)
- 10 3. No. 2017-262 - B.A.Y.A.N.E.T. Grant Renewal (Prosecutor)
- 11 4. No. 2017-263 - Title IV-D IT Security Audit (Prosecutor)
- 12 5. No. 2017-264 - Independent IT Security Audit (Friend of the Court)
- 13-14 6. No. 2017-265 - Soil Erosion and Sedimentation Control (SESC) Fee Schedule (Drain Commissioner)
- 15 7. No. 2017-266 - 2018 Remonumentation Grant (Drain Commissioner)
- 16 8. No. 2017-267 - Amendment to Independent Contractor Agreement for Veterans Service Officer
- 17 9. No. 2017-268 - Return of Grant Funds to Bay Area Community Foundation re Boardwalk Conceptual Renderings Project (Environmental Affairs & Community Development)
- 18 10. No. 2017-269 - RFP for Application Firm for Continued Treatment of Emerald Ash Borer (Gypsy Moth Program)
- 19 11. No. 2017-270 - Activity Center Site Agreements (Department on

Aging)

- 20 12. No. 2017-271 - Michigan Department of Agriculture Grant (Animal Control)
- 21 13. No. 2017-272 - Transfer of Funds from Animal Control Reserve for Restricted Contributions - Sterilization Program with All About Animals (Animal Control)
- 22 14. No. 2017-273 - Payables: General Fund
- 23 15. No. 2017-274 - Maintenance Agreements for 2018 Budgeted Maintenance Expense for Hardware and Software (Information Systems)
- 24-26 16. No. 2017-275 - Budget Adjustments: Personnel; Department of Public Defender; Pinconning Park; Animal Shelter; Self-Insurance Claims; Prosecutor; Treasurer **[Note: The budget adjustment for Treasurer in the amount of \$994,382 was added after the W&M meeting - detail is attached]**
- 27 17. No. 2017-276 - Transfer of up to \$200,000 to Health Fund (Health Dept.)

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

- 28 1. No. 2017-277 - Vacancies: 911 Central Dispatch; Health Department; Department on Aging; Environmental Affairs & Community Development; New Position: Health Department
- 29 2. No. 2017-278 - Matter of Balance Program (Department on Aging)
- 30 3. No. 2017-279 - Agreement for NCQA Patient-Centered Medical Home Recognition Program (Health Dept.)
- 31 4. No. 2017-280 - Children's Special Health Care Services Mini-Grant Award; Contractual Agreement for CSHCS Parent Liaison Services/ Community Outreach (Health Dept.)

C. BOARD OF COMMISSIONERS (THOMAS M. HEREK,

CHAIR, MICHAEL J. DURANCZYK, VICE CHAIR)

32-38

I. No. 2017-281 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

39-40

B. Director of Administrative Services - Revision of Bay County Animal Control Ordinance No. 32 to include recommendations from Best Practices Plan Document (**Res. No. 2017-282**)

41-43

C. Corporation Counsel - Memorandum of Agreement with MHT re Center Ridge Arms (**Res. No. 2017-283**)

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

A. 2017 Appointments:

I. **DECEMBER: Department on Aging Advisory Committee (Four 2 year terms; districts 1, 3, 5 and 7)**

XIV CLOSED SESSION (if requested)

A. Corporation Counsel - Pending Litigation (Hammond/Miner)

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.

B. Corporation Counsel - Legal Opinion (Property Sale)

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: DECEMBER 12, 2017

PAGE 1 OF 3

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2017-258	Krygier	Recognition of Eileen Curtis on Retirement from Bay Area Community Foundation	XX						
2017-259	Coonan	Drain Commissioner - Kawkawlin River Watershed GLRI Grant	XX						
2017-260	Lutz	BAYANET Grant Renewal (Sheriff Department)	XX						
2017-261	Lutz	Amendment to Pinconning Township Road Patrol Agreement (Sheriff Department)	XX						
2017-262	Lutz	BAYANET Grant Renewal (Prosecutor)	XX						
2017-263	Lutz	Title IV-D IT Security Audit (Prosecutor)	XX						
2017-264	Lutz	Independent IT Security Audit (Friend of the Court)	XX						
2017-265	Lutz	Soil Erosion and Sedimentation Control Fee Schedule (Drain Commissioner)	XX						
2017-266	Lutz	2018 Remonumentation Grant (Drain Commissioner)	XX						
2017-267	Lutz	Amendment to Independent Contractor Agreement for Veterans Service Officer	XX						
2017-268	Lutz	Return of Grant Funds to Bay Area Community Foundation re Boardwalk Conceptual Renderings Project (Environmental Affairs & Community Development)	XX						
2017-269	Lutz	RFP for Application Firm for Cont. Treatment of Emerald Ash Borer (Gypsy Moth Program)	XX						
2017-270	Lutz	Activity Center Site Agreements (Department on Aging)	XX						
2017-271	Lutz	Michigan Department of Agriculture Grant (Animal Control)	XX						
2017-272	Lutz	Trans. of Funds from Animal Control Reserve for Restricted Contributions - Sterilization Program with All About Animals (Animal Control)	XX						
2017-273	Lutz	Payables: General Fund	XX						
2017-274	Lutz	Main. Agree. for 2018 Budgeted Main. Expense for Hardware and Software (Info. Systems)	XX						

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: DECEMBER 12, 2017.

MOTION/ RES. NO. INTRODUCED/ SUBMITTED BY SUBJECT OF RESOLUTION/MOTION ADOPTED AMENDED CORRECTED DEFEATED REFERRED TABLED WITHDRAWN

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2017-275	Lutz	Budget Adjustments; Personnel; Dept. Public Def.; Pinconning Park; Animal Shelt.; Self-Insurance Claims; Prosecutor; Treasurer	XX						
2017-276	Lutz	Transfer of up to \$200,00 to Health Fund (Health Department)	XX						
2017-277	Ryder	Vacancies: 911; Health Dept; Dept on Aging; Env. Affairs; Health Dept (New)	XX						
2017-278	Ryder	Matter of Balance Program (Department on Aging)	XX						
2017-279	Ryder	Agree. for NCQA Patient-Centered Medical Home Recognition Prog. (Health Dept.)	XX						
2017-280	Ryder	Children's Special Health Care Services Mini-Grant Award (Health Department)	XX						
2017-281	Duranczyk	Reports of County Executive	XX						
2017-282	Krygier	Director of Admin. Services - Revision of Bay Cty. Animal Control Ord. No. 32	XX						
2017-283	Coonan	Corp. Counsel - Memo. Of Agree. With MHT RE: Center Ridge Arms	XX						
2017-284	Duranczyk	Drain - Kolb, Behmlander, Stephan; Ebelt Drain Assessment Correction	XX						
Motion									
17-95	Duranczyk	Approved Board Minutes of November 7, 2017 and November 14, 2017	XX						
17-96	Begick	Reappoint to the Bay County Department on Aging Advisory Committee	XX						
17-97	Krygier	Presentation MHT Housing, Inc., Restoration of Center Ridge Arms	XX						
17-98	Lutz	Closed Session Hammond/Miner	XX						
17-99	Ryder	Back to Regular Session Hammond/ Miner	XX						

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/12/17)

WHEREAS, Over the years, Bay County has enjoyed the leadership of many individuals who were visionaries with a love of community and a commitment to the growth and prosperity of all of Bay County; and

WHEREAS, One of these leaders is Eileen A. Curtis, President and CEO of the Bay Area Community Foundation; and

WHEREAS, Eileen A. Curtis has announced her retirement from the Bay Area Community Foundation effective December 2017; and

WHEREAS, Since joining the Foundation in 2007, Eileen A. Curtis has overseen a 35% growth in assets from \$27 million to \$36 million and, during her tenure, the Foundation has awarded over \$13 million in grants to non-profit organizations and scholarships to students pursuing post-secondary education; and

WHEREAS, Eileen A. Curtis has played an integral role in the development of the Bay Commitment First Generation Scholarship and the Great Lakes Bay College and Career Resource Center; and

WHEREAS, Working closely with the Bay Area Chamber of Commerce, Eileen A. Curtis was one of the community leaders instrumental in implementing the Bay County Road Map to the Future; and

WHEREAS, Eileen A. Curtis has served as Director on the boards of the Council of Michigan Foundations, the Michigan College Access Network, the Northeastern Michigan Estate Planning Council, Mid-Michigan Chapter of the Association of Fundraising Professionals, as well as the McLaren Bay Region; and

WHEREAS, The level of professionalism and the dedication displayed by Eileen A. Curtis during her career is exemplary and must be acknowledged; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and Bay County Executive do hereby recognize the efforts and contributions to the Bay County community made by Eileen A. Curtis and extend best wishes for a long, healthy and well-deserved retirement.

THOMAS M. HEREK, CHAIR
AND BOARD

Eileen Curtis

MOVED BY COMM. KRYGIER

SUPPORTED BY COMM. BEGICK

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/12/17)
 WHEREAS, The Bay County Drain Commissioner has entered into an Agreement with the Michigan Department of Environmental Quality for grant funding in the amount of \$397,780.00 to improve water quality in the Kawkawlin River Watershed; and
 WHEREAS, This grant is similar to a grant received in 2014 in the amount of \$995,005 and the funding comes from the federal Great Lakes Restoration Initiative Program; and
 WHEREAS, Working with stakeholders from the original grant, the Drain Commissioner submitted and signed another application and while funding for some erosion control along the River was not approved, nearly \$400,000 in funding was received for agricultural best management practices; and
 WHEREAS, The Drain Commissioner finalized this grant in November 2017 and work has begun under the provisions of the Grant; and
 WHEREAS, While the Board of Commissioners, in years past, approved this grant, the Drain Commissioner is utilizing a Drain Office funding source; and
 WHEREAS, The Drain Office works with the Finance Department in grant reporting; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners concurs with the Drain Commissioner's submittal of the Great Lakes Restoration Initiation Program grant application for funding in the amount of \$397,780 for the Kawkawlin River Watershed the period November 1, 2017 through December 31, 2020.

THOMAS M. HEREK, CHAIR
 AND COMMITTEE

Drain Commissioner - Kawkawlin River Watershed Grant - 2017-2020

MOVED BY COMM. COONAN

SUPPORTED BY COMM. KRYGIER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, The Bay County Sheriff's Office, through formal agreement, is a party to a subcontract which provides funding for the assignment of a Deputy Sheriff to the Bay Area Narcotics Enforcement Team (B.A.Y.A.N.E.T.) during the grant period; and

WHEREAS, The Bay County Sheriff wishes to continue this arrangement and is recommending approval of the Byrne Justice Assistance Grant (JAG) Subcontract; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Byrne Justice Assistance Grant (JAG) Subcontract covering the period 10/1/2017-9/30/2018; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the grant documents (application, grant award, all related required documents) on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further

RESOLVED That it is understood that if grant funding for BAYANET position(s) under the BAYANET grant is terminated, Bay County shall not be responsible to fund the position(s) or pick up any costs associated with the position(s).

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Sheriff Dept - BAYANET Grant Renewal - 2017-2018

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)
 WHEREAS, On September 19, 2017, Pinconning Township and the Bay County Sheriff's Office entered into an agreement to have two deputies provide road patrol services in Pinconning Township pursuant to Board of Commissioners approval (res. no. 2017-180 adopted 9/12/17); and
 WHEREAS, Pinconning Township is requesting their contract be amended to add an additional deputy and canine to the contract which expires December 31, 2018; and
 WHEREAS, The canine will be used 75% of the time in Pinconning Township and up to 25% for other locations within Bay County and the canine will benefit not only Pinconning Township but all of Bay County in detecting illegal drugs, tracking criminals and locating missing persons; and
 WHEREAS, All actual expenses including the canine, any and all necessary equipment/training required, will be reimbursed by Pinconning Township; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves an Amendment to the Pinconning Township Road Patrol Agreement, to include an additional deputy and canine unit, and authorizes the Chairman of the Board to execute said Amendment on behalf of Bay County following Corporation review/approval; Be It Further
 RESOLVED That related, required budget adjustments are approved.

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Sheriff - Amendment to Pinconning Township Road Patrol Agt.

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, The Bay Area Narcotics Enforcement Team (BAYANET) has again received a Governor's Discretionary Grant and grant application requesting funds to pay for a portion of the salary of an Assistant Prosecuting Attorney; and

WHEREAS, The Bay County Prosecutor's Office will receive \$5,907.00 as a Subcontractor; and

WHEREAS, The Bay County Prosecutor's Office has participated in this program in the past and wishes to continue to accept the funds through BAYANET in order to supplement the funding of one attorney position in the Prosecutor's Office; and

WHEREAS, The subcontract covers the period October 1, 2017 to September 30, 2018; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Subgrant Agreement between Michigan State Police - BAYANET and Bay County (Prosecutor's Office) covering the period 10/1/2017-9/30/2018; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the grant documents (application, grant award, all related required documents) on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further

RESOLVED That it is understood that if grant funding for BAYANET position(s) under the BAYANET grant is terminated, Bay County shall not be responsible to fund the position(s) or pick up any costs associated with the position(s).

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

Prosecutor - BAYANET - 2017-2018

MOVED BY COMM. LUTZ

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						
YAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, The Bay County Prosecutor wishes to contract with MGT of America Consulting LLC to perform required audit to deliver an initial status report to the Friend of the Court office, with all information required by the Office of Child Support, for submission into the EGrams system satisfying the January 31, 2018 requirement; and

WHEREAS, The IRS has established a new rule (IRS p 1075) requiring all Prosecuting Attorney offices to complete an independent security audit to be in compliance; and

WHEREAS, MGT is an independent contractor whose services are currently utilized for IV-D billing; and

WHEREAS, The cost is a fixed fee of \$1,850, which can be expensed to the IV-D contract; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the contract with MGT of America Consulting LLC to perform the IV-D IT Security Audit and authorizes the Board Chair to execute said contract and all related documents on behalf of Bay County (Prosecutor) following legal review/approval; Be It Finally

RESOLVED That required budget adjustments related to this contract are approved.

MICHAEL E. LUTZ, CHAIR AND COMMITTEE

Prosecutor - MGT Contract - IV-D IT Security Audit

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. DURANCZYK

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			TOM RYDER	X						

VOTE TOTALS:
ROLL CALL: YEAS NAYS EXCUSED
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, Pursuant to the Cooperative Reimbursement Program through the State of Michigan, the Friend of the Court is required to have an Independent IT Security Audit performed; and

WHEREAS, MGT of America Consulting, LLC, a Florida company, will perform the audit and has provided a contract which requires the Friend of Court to execute a full security risk assessment by January 31, 2018; and

WHEREAS, The total charge for the Friend of the Court's security risk assessment is \$1,850 which is eligible for a direct reimbursement under the Cooperative Reimbursement Program (CRP) contract of 66%; therefore, the cost to the County will be \$629 which will be paid directly from our Friend of the Court 215 fund; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Consulting Services Agreement for performing the January 31 Full Security Risk Assessment, between Bay County (Friend of the County) and MGT of American Consulting, LLC; Be It Further

RESOLVED That the Chairman of the Board to execute said Agreement on behalf of Bay County following Corporation Counsel review/approval; Be It Further

RESOLVED That required budget adjustments related to the Agreement are approved.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

FOC - Agreement with MGT for Security Audit

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. KRYGIER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, The Bay County Drain Commissioner has assumed responsibility for administering Part 91 of the Michigan Natural Resources and Environmental Protection Act (NREPA) on behalf of the County and, as the County Enforcement Agent (CEA), the Drain Office issues necessary permits and ensures compliance with the Statute as audited by the MDEQ; and

WHEREAS, As part of these responsibilities the Drain Office issues permits, charging fees set by the Board Commissioners and, for the most part, the existing fee structure for permits is effective, but occasional issues have arisen. Please note the following;

1. Township ditching projects. Due to newer policies at the Bay County Road Commission (BCRC), townships are now contracting privately for work done in road ditches under the jurisdiction of the BCRC, at their own expense. Because the BCRC (like our office) is an Authorized Public Agency (APA), they do not need to obtain permits for work they do in their own ditches. When a township contracts the work to a private contractor, however, the BCRC is requiring that township get a permit from our office. The Townships are now required to obtain a permit for a minimum of \$286 for work in road drains that have never required a permit previously.
2. Small additions. Any work done by homeowners that happen to be within five hundred feet of a county drain or state water course require permits no matter the size of the earth disturbance. We are currently required to issue permits for small additions (a ten by ten addition for instance), at the same rate as a new home with a basement.
3. Charitable Organizations. We occasionally get requests from charitable organizations to waive permit fees for minor projects. There is currently no such provision. We are therefore bound to collect fees for a small project, at say the U.S.S. Edson site, as if it were a commercial enterprise.

WHEREAS, To address these issues, the Drain Commissioner recommends the Board add another category to the existing adopted fee schedule for SESC permit required in Bay County, as follows:

ROAD DITCH MAINTENANCE/MINOR RESIDENTIAL ADDITIONS/CHARITABLE ORGANIZATIONS PERMIT FEE \$ 50.00

Residential additions 20 x 20 feet or less in size requiring a permit
 Drain maintenance in road ditches authorized by a municipality
 Minor projects by 501C (3) organizations not requiring a site plan review

WHEREAS, These circumstances come up infrequently so there would be negligible impact on county revenues. In the case of township ditching, these permits are not currently issued so this is actually a new source of revenue. The overall budget impact would certainly be less than \$500 annually; Therefore, Be It

RESOLVED That, effective immediately, the Bay County Board of Commissioners hereby amends the Bay County Fee Schedule to include:

ROAD DITCH MAINTENANCE/MINOR RESIDENTIAL ADDITIONS/CHARITABLE ORGANIZATIONS PERMIT FEE \$ 50.00

Residential additions 20 x 20 feet or less in size requiring a permit
 Drain maintenance in road ditches authorized by a municipality
 Minor projects by 501C (3) organizations not requiring a site plan review

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Drain - Soil Erosion & Sedimentation Control (SESC) Fee Schedule

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. DURANCZYK

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, Bay County is in its 25th year of the Remonumentation Program with the State of Michigan and the grant program requires a yearly submission of a grant application identifying a work plan for the grant year; and

WHEREAS, The Remonumentation Program is funded through a combination of state grant dollars and a fee on deed recordings which are specifically allowed by state law to be allocated to the program in a reserve account; and

WHEREAS, No General Fund dollars are required; Therefore, Be it

RESOLVED That the Bay County Board of Commissioners approves submittal of the 2018 Remonumentation Grant application and authorizes the Board Chair to sign all required grant documentation as well as contracts for the Remonumentation Program, including awarding of the contracts for the survey work, following Corporation Counsel review/approval; Be It Further

RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further

RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Drain Office - 2018 Remonumentation Program Grant

MOVED BY COMM. LUTZ

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-15-

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)
 WHEREAS, The current Independent Contractor Agreement with the Veterans Service Officer Art Schupback expires on December 31, 2017; and
 WHEREAS, On November 14, 2017, the Board of Commissioners, pursuant to Resolution 2017-239, authorized preparation and issuance of a RFQ for the Independent Contractor position, a process which is anticipated to take approximately 4 months; and
 WHEREAS, Millage funds exist for various programs for local veterans and their families as well as the expenditures for this Independent Contractor position based on not-to-exceed \$800 per month; and
 WHEREAS, It is requested that an amendment to the current Independent Contractor Agreement for Veterans Service Officer between the County of Bay and Arthur W. Schupback, extending the contract for a period of time not to exceed four months, be approved in order to allow sufficient time to issue a RFQ, receive submissions from interested candidates and submit a recommendation to the Board of Commissioners; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves an amendment to the current Independent Contractor Agreement for Veteran Service Officer between the County of Bay and Arthur W. Schupback extending said Agreement for a period of time not to exceed four months; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute the Amendment to the Independent Contractor Agreement on behalf of Bay County following Corporation Counsel review/approval; Be It Further
 RESOLVED That budget adjustments required and related to this issue are approved.

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Administrative Services - Amendment to Independent Contractor Agt - Arthur Schupback

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. KRYGIER

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			TOM RYDER	X						

VOTE TOTALS:
 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

-16-

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)
 WHEREAS, Bay County's leadership to implement the Lakefront and Beach Access study to improve public access to the Great Lakes at the BCSRA shoreline has broad community support; and
 WHEREAS, An important feature was recently accomplished with the installation of the boardwalk which provides a physical connection to the beachfront at the BCSRA Day Use Area; and
 WHEREAS, The boardwalk has been extremely well received and the Department of Natural Resources (DNR) reports that 3,000-4,000 people used the boardwalk each week over the summer; and
 WHEREAS, To further public support and understanding of the proposed lakefront and beach access improvements, the Bay Area Community Foundation awarded grant funds to the Chamber of Commerce Foundation in support of Bay County's work, and artistic renderings showing the boardwalk and further beach improvements were developed; and
 WHEREAS, \$14,400 for the grant was received and the cost for the renderings was \$4,291.232; and
 WHEREAS, The grant should be closed out along with the return of the remaining funds to the Bay Area Community Foundation; and
 WHEREAS, No Bay County general funds were used in this project; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners authorizes the return of unspent funds to the Bay Area Community Foundation for the Boardwalk Conceptual Renderings Project with Wade Trim; Be It Further
 RESOLVED That budget adjustments related to this project, if required, are approved.

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Environmental Affairs&Community Development - Closeout of Grant - Boardwalk Conceptual Drawings

MOVED BY COMM. LUTZ

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

-17-

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, The Gypsy Moth Suppression Program is a voter supported, millage-funded program established to protect property and public safety from dead and dying trees attacked by non-native invasive pests such as the Gypsy Moth and Emerald Ash Borer (EAB). Millage funds pay for treatments to control the pest, education, technical outreach and monitoring; and

WHEREAS, Since 2011, the annual treatment of ash trees on public lands throughout Bay County has protected over 3000 trees from EAB; and

WHEREAS, The Bay County Ash Tree Inventory conducted each fall shows that most of the trees included in our annual EAB treatment projects continue to be healthy and still provide value and many benefits to our community. Most of the untreated ash trees are now dying or dead from EAB infestation. State and national research shows that when most of the trees in the area are dead, the EAB population numbers go down as their food supply dwindles. Research also shows that the pesticide that is used in our projects can protect the trees from EAB for up to three or four years once the population drops. Therefore treatments can be spaced at a longer interval, which translates into a cost savings for the program; and

WHEREAS, The Bay County Gypsy Moth Program will continue to annually monitor and track the health of the trees in the EAB Treatment Project. With the EAB population down, treatments can be spread out up to three or four years on each group of ash trees and still maintain the health of the tree. It is the intent of the Program to use a competitive bidding process to select a qualified contractor to treat one third of the qualified ash trees each year between May 1 and June 30 of 2018, 2019, 2020 and 2021 for optimum effect. This would be a single, four (4) year contract with the possibility of extending the Contract for an additional two years; and

WHEREAS, No General Fund dollars will be requested for this project as funding will come from the Gypsy Moth Suppression Program Millage; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Gypsy Moth Suppression Program to request Competitive Bids for a four (4) year contract with a qualified application firm to continue treating qualified ash trees on public lands in Bay County ; Be It Further

RESOLVED That upon review and determination of the best qualified bidder, the contract shall be submitted to the Board, through Committee, for approval

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Gypsy Moth - RFP for Treatment of Ash Trees

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, The Bay County Board of Commissioners wishes to continue to provide nutrition services to the senior citizen population of Bay County; and

WHEREAS, Currently there are Activity Center Site Agreements for the Hampton Township Senior Activity Center, Kawkawlin Township Hall, and Williams Township Hall; and

WHEREAS, The contracts will cover the period of January 1, 2018 through December 31, 2018; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Activity Center Site Agreements for the Hampton Township Senior Activity Center, Kawkawlin Township Hall, and Williams Township Hall, subject to continued receipt of the budgeted grant funding from Region VII Area Agency on Aging; Be It further

RESOLVED That the Chairman of the Board is authorized to execute the Activity Center Site Agreements and all related documents on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That related budget adjustments, if required, are approved.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

DOA - 2018 Activity Center Site Agts - Hampton, Kawkawlin & Williams Twps.

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. BEGICK

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)
 WHEREAS, Bay County Animal Control wishes to submit a Grant Application to the Michigan Department of Agriculture for the purpose of providing a two day seminar to address the topic "the recognition of an animal's behavior upon contact as well as it's body language"; and
 WHEREAS, Additionally, this seminar will cover the best Shelter environment attainable with the existent facility; and
 WHEREAS, The total amount of funding being sought through the Grant is \$5,500.00 to cover all ancillary costs; and
 WHEREAS, There is no financial impact to Bay County as, if successful, the Grant will cover all expenses; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners authorizes Animal Control's submittal of the Michigan Department of Agriculture grant application in the amount of \$5,500 to fund a 2-day seminar to address the topic "the recognition of an animal's behavior upon contact as well as it's body language"; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute, and submit electronically (if required), the grant application documents on behalf of Bay County following legal review/approval; Be It Further
 RESOLVED That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
 RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County.

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Animal Control - MDA Grant for Seminar
 MOVED BY COMM. LUTZ

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)
 WHEREAS, Bay County Animal Control proposes to transfer fifty (50) cats and/or dogs to All About Animals Rescue on December 28, 2017 for the purpose of their sterilization and Rabies vaccination; and
 WHEREAS, Upon their return, the animals will be offered to the general public for adoption at that reduced rate experienced by Animal Control through their agreement with All About Animals Rescue; and
 WHEREAS, Monies recouped from the adoption of the animals will be placed within a specific revenue line item and the invoice paid to All About Animals Rescue and recorded under line item 10043000 88200; and
 WHEREAS, Bay County Animal Control is requesting approval to transfer \$4,000 from Animal Control's Reserve for Restricted Contributions in the General Fund to the new sterilization program with All About Animals; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the transfer \$4,000 from Animal Control's Reserve for Restricted Contributions in the General Fund to the new sterilization program with All About Animals Rescue.

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Animal Control - \$4,000 Transfer - All About Animals Rescue

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. KRYGIER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

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

ACCOUNTS PAYABLE:

11/15/17	\$ 201,727.01
11/21/17	\$ 519,350.91
11/29/17	\$ 270,714.02
12/06/17	\$ 282,210.43*

*Received after Ways and Means Committee meeting.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

PAYABLES – DECEMBER

MOVED BY COMM. LUTZ

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0
 DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, Information Systems Division each year budgets for maintenance costs for hardware and software to support various departments in the County and many vendors request an updated signed agreement while others need a purchase order to pay for the maintenance in accordance with the Purchasing Policy. Backup material is required for a purchase order. Each vendor is listed on the backup material for ISD.; and

WHEREAS, Information Systems Division has budgeted approximately \$471,770 for the hardware and software maintenance for systems in the County.; and

WHEREAS, The following software and hardware vendors each submit invoices or maintenance requests annually: Time Clock Plus Web, IyeTek, Mobile Device Management, iSeries Software, FTR, Symantec, ASK, Netsource One, BS&A, NIGP Nat. Institute, VMWare, What's Up Gold, Survey Monkey, Cherry Lan, BMC, Tyler Technologies, Inc, ImageSoft (OnBase), ESRI, WestLaw/Concourse, In2Gro Video Maintenance, SHI International, Viopoint Inc. FTP Server Maintenance, Beyond Trust, Time Matters, New World, Solutionary, Service Express, DELL, APC, Cisco, Shred Experts, Verizon, Creative Breakthrough; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Chairman of the Board to execute 2018 yearly maintenance agreements for a vendor budgeted as an expense following legal review/approval.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

ISD - 2018 Budgeted Maintenance Expenses

MOVED BY COMM. LUTZ

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

RESOLUTION

NO. 2017-275

BY: WAYS AND MEANS COMMITTEE 12/05/2017

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 12/12/2017 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:

Journal Request number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
2017-12-011	GENERAL FUND BOARD OF COMMISSIONERS PERSONNEL & EMPLOYEE RELATIONS Total GENERAL FUND		\$ 6,000	
	TO INCREASE EDUCATION AND TRAINING PLUS PRINTING LINE ITEMS UNDER THE PERSONNEL AND EMPLOYEE RELATIONS ACTIVITY. FUNDING SOURCE IS GENERAL FUND, FUND BALANCE.			
2017-12-012	GENERAL FUND BOARD OF COMMISSIONERS DEPARTMENT OF PUBLIC DEFENDER Total GENERAL FUND		\$ 3,950	
	INCREASE THE BUDGET FOR THE DEPARTMENT OF PUBLIC DEFENDER'S TRAVEL MILEAGE. FUNDING SOURCE IS GENERAL FUND, FUND BALANCE.			
2017-12-014	GENERAL FUND PINCONNING PARK Total GENERAL FUND			
	TO BUDGET FOR THE PURCHASE OF ROOFING MATERIALS FOR 6 CABINS, ELECTRIC BOX UPGRADE AND PUMPING STATIONS MATERIALS FOR PINCONNING PARK. FUND SOURCE IS THE EXTRA REGISTRATION REVENUE COLLECTED DURING 2017.			
2017-12-015	GENERAL FUND BOARD OF COMMISSIONERS ANIMAL SHELTER/DOG WARDEN. Total GENERAL FUND		\$ 6,160	
	TO INCREASE ANIMAL CONTROL PERSONNEL BUDGET FOR EXTRA HOURS WORKED BY THE TYPIST CLERK II WHILE TYPIST CLERK III OUT ON SICK LEAVE AND TO HELP WITH BACK LOG OF WORK.			

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Journal	Fund Involved	Favorable	Unfavorable	No
Request number	Department Involved	Impact	Impact	Impact
2017-12-016	SELF-INSURANCE FUND-HEALTHCARE SELF INSURANCE CLAIMS Total SELF-INSURANCE FUND-HEALTHCARE		\$ 480,661	

TO RE-ALIGN AND INCREASE THE SELF INSURANCE FUND-HEALTHCARE BUDGET FOR 2017. DUE TO BAY COUNTY'S MEDICARE ELIGIBLE RETIREES BEING SWITCH TO A FULLY INSURED HEALTH CARE PLAN IN MARCH 2017. IN ADDITION THE SELF INSURANCE FUND EXPERIENCED HIGHER ACTUAL MEDICAL CLAIMS THEN ORIGINALLY EXPECTED.

2017-12-019	GENERAL FUND BOARD OF COMMISSIONERS PROSECUTING ATTORNEY Total GENERAL FUND		\$ 3,990	
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TO INCREASE PROSECUTING ATTORNEYS BUDGET FOR THE FOLLOWING TWO ITEMS: THE COSTS RELATED TO A COURT CASE WHICH REQUIRED A SPECIAL PROSECUTOR AND THE COST OF A REPLACEMENT SHREDDER MACHINE.

2017-12-097	GENERAL FUND BOARD OF COMMISSIONERS TREASURER Total GENERAL FUND	\$ 994,372		
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TO RE-ALIGN THE 2017 BUDGET TO RECOGNIZE THE ADDITIONAL REVENUE RECEIVED FROM THE STATE OF MICHIGAN ON NOVEMBER 20, 2017 FOR BAY COUNTY'S LOCAL COMMUNITY STABILIZATION PAYMENT.

Michael E. Lutz, Chairman W. & M. and Committee

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

Budget Adjustment Detail

Journal Request Number 2017-12-097

Ref: LOCAL

Desc: LOCAL COMM

Eff Date: 12/12/2017

Line	Org	Object Description	I/D	Amount
1010		GENERAL FUND		
		BOARD OF COMMISSIONERS		
		10110100 40001 FUND BALANCE	D	994,372
		TREASURER		
		10125300 44100 LOCAL COM. STABILIZATION SHARE	I	1,034,372
		10125300 57300 LOCAL COM. STABILIZATION SHARE	D	40,000
			Favorable	Unfavorable
Total GENERAL FUND			\$ 994,372	\$ 0

Explanation:

TO RE-ALIGN THE 2017 BUDGET TO RECOGNIZE THE ADDITIONAL REVENUE RECEIVED FROM THE STATE OF MICHIGAN ON NOVEMBER 20, 2017 FOR BAY COUNTY'S LOCAL COMMUNITY STABILIZATION PAYMENT.

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/5/17)

WHEREAS, A review of fiscal activity for the Health Department indicates that the Health Fund will end the year in a deficit; and

WHEREAS, The deficit is structural in nature and due to a significant reduction in fund balance at the beginning of the fiscal year, unanticipated higher costs in personnel and retiree benefits, as well as declining demand and associated revenues in certain clinical programs; and

WHEREAS, As review continues, the Board's Financial Analyst recommends a budget adjustment up to \$200,000 from Fund Balance to the Health Fund to cover any potential deficits in 2017 and cash flow purposes in 2018; and

WHEREAS, The Health Department has restructured budgets for FY 2018 and beyond to adjust for changes in programmatic demand and to adapt to the availability of funds; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves a budget adjustment(s) up to \$200,000 from Fund Balance to the Health Fund.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

Health Dept - \$200,000 Budget Adjustment to Health Fund

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. BEGICK

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (11/21/17)
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/new positions, monies for said positions to come from the respective departmental budgets:

A. VACANCIES:

1. 911 Central Dispatch: Dispatchers (2) (full time; \$15.85/hr. entry)
2. Health Department (WIC Program): Typist Clerk II (full time; \$12.75/hr. entry)
3. Department on Aging: Kitchen Aide (part time; \$10.09/hr. entry)
4. Environmental Affairs and Community Development: Transportation Planner/GIS Technician (full time; \$42,868.80/year entry)

B. NEW POSITIONS:

1. Health Department (WIC Program): Breast-feeding Peer Counselor (part time; \$12.75/hr. entry)

RESOLVED That budget adjustments, if required, are approved; Be It Further

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated or hours reduced if grant funding is terminated or reduced.

**TOM RYDER, CHAIR
AND COMMITTEE**

Vacancies - December

MOVED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (11/21/17)

WHEREAS, Region VII Area Agency on Aging has submitted a Memorandum of Agreement for implementing and assessing Matter of Balance Program for the period October 1, 2017 through September 30, 2018; and

WHEREAS, The Matter of Balance Program is designed to manage concerns about falls and is designed to reduce the fear of falling and increase activity levels among older adults; and

WHEREAS, Region VII Area Agency on Aging will provide \$100.66 per hour of training in federal funding for provision of the evidenced-based program for the period of the grant and the Department on Aging must provide up to a maximum of three (3) sessions of training at 16 hours per session; and

WHEREAS, The grant funds require matching funds and the 11.5 percent match per unit would come from in-kind services; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Agreement between Region VII AAA and Bay County (Department on Aging) and authorizes the Chairman of the Board to execute said MOA and related documents on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That required budget adjustments related to the Matter of Balance Program for FY2017-2018 are approved.

**TOM RYDER, CHAIR
AND COMMITTEE**

DOA - Matter of Balance Program

MOVED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (11/21/17)

WHEREAS, The Bay Community Health Clinic (aka University Clinic) has been in operation since January of 2015 and has expanded services to include mental health services; and

WHEREAS, As stated in the Health Officer's presentation on November 14th to the Board of Commissioners, the Health Department is seeking Patient Centered Medical Home (PCMH) status for the Clinic so that it may better serve its clients and be eligible for value based reimbursements in the future; and

WHEREAS, There no costs to enter into this agreement; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Agreement for NCQA Patient-Centered Medical Home (PCMH) Recognition Program; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said Agreement on behalf of Bay County (Health Department) subject to Corporation Counsel review/approval.

**TOM RYDER, CHAIR
AND COMMITTEE**

Health Dept - NCQA PCMH Recognition Program

MOVED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (11/21/17)

WHEREAS, The Health Department has been notified that it was awarded a \$10,000 Children's Special Health Care Service (CSHCS) Local Health Department (LHD) Small Grant Cycle 2017-2018 grant to provide care coordination services to families that have child/children with special health care needs through the Children's Special Health Care Services Program; and

WHEREAS, Funds are estimated to total of \$10,000 and these funds will be utilized to fund the contractual services of Sarah Hendrickson who will serve as the Children's Special Health Care Services Parent Liaison as well as community outreach to include CSHSC events and event attendance incentives; and

WHEREAS, No General funds will be utilized and there is no additional financial cost to the Health Department as all costs associated for the project are included in the awarded grant; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners accepts the Children's Special Health Care Service (CSHCS) Local Health Department (LHD) Small Grant Cycle for care coordination services to include community outreach events and event attendance incentives; Be It Further

RESOLVED That the Bay County Board of Commissioners approves a contractual agreement with Sarah Hendrickson to serve as the Children's Special Health Care Services Parent Liaison; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the grant acceptance documents as well as the agreement with Sarah Hendrickson for Children's Special Health Care Services Parent Liaison care coordination services on behalf of Bay County (Health Department) subject to Corporation Counsel review/approval.

TOM RYDER, CHAIR
AND COMMITTEE

Health Dept - CSHSPL Grant Acceptance; Sarah Hendrickson Contract

MOVED BY COMM. RYDER

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						
YAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:
 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/12/17)

RESOLVED By the Bay County Board of Commissioners that the following report is received:

1. Employment Status Report - November 2017
2. Workers' Comp Report - September - November 2017
3. Unemployment Status Report - 3rd Quarter 2017

**THOMAS M. HEREK, CHAIR
AND BOARD**

County Executive - Status Reports

MOVED BY COMM. DURANCZYK

SUPPORTED BY COMM. BEGICK

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

**CHANGES IN EMPLOYMENT STATUS
November, 2017**

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<u>NEW HIRES (Regular Status):</u>		
Lynn Naylor Outreach Worker	WIC	11/13/2017
Rebecca Grzegorzcyk Executive Assistant	County Executive	11/13/2017
Richard Kolb Bulk Delivery Driver	Department on Aging	11/22/2017
<u>NEW HIRES (Temporary/On-call Status):</u>		
Rocky Mosher On-Call Driver	Department on Aging	11/06/2017
Sandra Jacobs On-call Site Coordinator	Department on Aging	11/20/2017
<u>TRANSFERS:</u>		
Maria Doan TO: Typist Clerk I (PT) FROM: Kitchen Aide (PT)	Department on Aging Department on Aging	11/06/2017
Fern Liversedge TO: Typist Clerk III (FT) FROM: Typist Clerk II (FT)	Health Dept. Health Dept.	11/27/2017
<u>TERMINATIONS (SEASONAL/TEMPORARY):</u>		
<u>Golf Course:</u>		
Mitchell Abram	Equipment Operator	11/10/2017
Allan Lynch	Equipment Operator	10/02/2017
Richard Rapin	Equipment Operator, Team Leader	11/10/2017
Wesley Riddle	Equipment Operator	11/03/2017
Jeffrey Sauve	Equipment Operator	11/10/2017
Tom Hudson	General Laborer	10/27/2017

SEPARATIONS:

Kendall Misiak
Seasonal Supervisor

Mosquito Control

11/03/2017

Brian Stark
Transportation Planner/GIS
Technician

Environmental Affairs/
Community Development

11/09/2017

December 4, 2017
Personnel Department

WORKERS' COMPENSATION REPORT
September, 2017

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Crystal Backus (former employee)	Sheriff Department, Jail	4/06/2015	Medical and indemnity
James Charbonneau	Sheriff Department, Jail	4/22/2015	Medical only
Donald Duchene	Sheriff Department, Road	7/23/2017	Medical only
Kevin Janer	Sheriff Department, Jail	5/15/2017	Medical and indemnity
Jaylyn Murphy	Sheriff Department, Jail	8/21/2017	Medical only
Shelly Nickel (former employee)	Sheriff Department, Jail	3/09/2015	Medical and indemnity
Mark Pickell	Health Department	2/01/2017	Medical only
Jamie Yelsik	Prosecutor's Office	8/22/2017	Medical only

Note: Employees appear on this report if there has been a payment during the month from the self-insurance fund for a work related injury. A name appearing on this report does not necessarily mean the employee is off work. Oftentimes, medical bills are received a month or two after the date of injury.

Submitted by: Michele Zook/Personnel Department
Dated: October 5, 2017

**WORKERS' COMPENSATION REPORT
October, 2017**

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Crystal Backus (former employee)	Sheriff Department, Jail	4/06/2015	Medical and indemnity
Lester Cousineau	Sheriff Department, Jail	7/13/2017	Medical only
Donald Duchene	Sheriff Department, Road	7/23/2017	Medical only
Zachery Dzurka	Sheriff Department, Road	4/11/2017	Medical only
Wendi Garcia	Sheriff Department, Jail	9/27/2017	Medical and indemnity
Nolan Harrison	Juvenile Home	9/09/2017	Medical only
Kevin Janer	Sheriff Department, Jail	5/15/2017	Medical and indemnity
Merry Lee	Friend of the Court	9/08/2016	Medical only
Mark Pickell	Health Department	2/01/2017	Medical only
Matthew Reszke	Sheriff Department, Road	9/04/2017	Medical only

Note: Employees appear on this report if there has been a payment during the month from the self-insurance fund for a work related injury. A name appearing on this report does not necessarily mean the employee is off work. Oftentimes, medical bills are received a month or two after the date of injury.

Submitted by: Michele Zook/Personnel Department
Dated: November 6, 2017

WORKERS' COMPENSATION REPORT
November, 2017

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Crystal Backus (former employee)	Sheriff Department, Jail	4/06/2015	Medical and indemnity
James Charbonneau	Sheriff Department, Jail	4/22/2015	Medical only
Kassi Coody	Department on Aging	10/09/2017	Medical only
Lester Cousineau	Sheriff Department, Jail	7/13/2017	Medical only
Wendi Garcia	Sheriff Department, Jail	9/27/2017	Medical and indemnity
Nolan Harrison	Juvenile Home	9/09/2017	Medical only
Kevin Janer	Sheriff Department, Jail	5/15/2017	Medical and indemnity
Kevin Jean	Sheriff Department, Jail	10/30/2017	Medical only
Merry Lee	Friend of the Court	9/08/2016	Medical only
Jaylyn Murphy	Sheriff Department, Jail	8/21/2017	Medical only
Mark Pickell	Health Department	2/01/2017	Medical only
Jeffery Vanness (former employee)	Sheriff Department, Jail	7/26/2015	Settlement

Note: Employees appear on this report if there has been a payment during the month from the self-insurance fund for a work related injury. A name appearing on this report does not necessarily mean the employee is off work. Oftentimes, medical bills are received a month or two after the date of injury.

Submitted by: Michele Zook/Personnel Department
Dated: December 4, 2017

UNEMPLOYMENT COMPENSATION
Quarterly Report ending 9/30/2017

Quarterly Total: \$4,310.00

Employee Name	Department
Holly Mahaffey	County Executive
Robert Bess	Building and Grounds
Raymond Meylan	Building and Grounds

Submitted by: Michele Zook/Personnel Department
Dated: 12/05/2017

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/12/17)

WHEREAS, Under the direction of County Executive, the Best Practices Plan Document for Bay County Animal Control has been completed; and

WHEREAS, After review of the existing Animal Control Ordinance No. 32, the Strategic Planning Committee determined that revisions to the Ordinance are warranted in order to provide best practices and the suggested changes have been completed; and

WHEREAS, One recommendation is to eliminate licensing for cats which will most likely result in a reduction of approximately \$2,000 per year. Additionally, there are minor fees associated with notice and publication requirements of proposed ordinances; and

WHEREAS, The Administrative Services Director has submitted the proposed revisions and is requesting that the process be initiated for review and inclusion in Animal Control Ordinance No. 32 by Corporation Counsel; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes submittal of the suggested revisions to Bay County Animal Control Ordinance No 32 identified by the Strategic Planning Committee in the Best Practices Plan Document as well as initiation of the review process by Corporation Counsel; Be It Further

RESOLVED That Corporation Counsel oversee the statutory timeline and other requirements necessary to revise the existing ordinance and culminating with adoption.

THOMAS M. HEREK, CHAIR
AND BOARD

Admin Services - Revision of Animal Control Ordinance No. 32

MOVED BY COMM. KRYGIER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/12/17)

WHEREAS, MHT Housing, Inc., a Michigan Nonprofit Corporation, has approached Bay County requesting that it enter into a Memorandum of Understanding to Sell, Develop, Operate and re-purchase Center Ridge Arms, Bay County's Low Income Housing Development ("CRA"); and

WHEREAS, MHT proposes that MHT and Bay County form a limited liability Housing Association (Bay County would be a 51% owner, MHT a 49% owner) which would purchase and rehabilitate/upgrade/improve the existing CRA through an award of low income Housing Tax Credits secured through MSDHA, a HUD 221(d)(4) Loan, and construction-permanent loan proceeds ("the Project"); and

WHEREAS, Bay County would be required to apply for and be granted a Rental Assistance Demonstration ("RAD") conversion in order to participate in such a project which would convert Bay County's CRA to a long term Section 8 Housing Development; and

WHEREAS, As this is a complex public/private business/tax endeavor, Corporation Counsel has retained Kevin Kilby, an attorney with the law firm of McGraw Morris, P.C., to represent and advise the County in this matter. Mr. Kilby specializes in municipal tax matters and has more extensive experience in converting HUD funded housing projects such as CRA; and

WHEREAS, As this is a time sensitive matter (application for MSHDA tax credits is due in early April), Corporation Counsel thought it prudent to retain an attorney with past experience in these transactions to ensure negotiations and contract drafting/revisions occur on a more expedited schedule than retaining the matter in house would allow; and

WHEREAS, Bay County would be relinquishing full ownership of CRA and the newly created limited liability housing association would incur some debt in the form of a HUD 221(d)(4) loan on CRA. However, Bay County would also equally split the developer fee with MHT and would receive an equal distribution of operating cash flow during the 15 year period of the project. It is anticipated that the income received from the Project would greatly exceed any out of pocket costs, although the income received will be subject to certain constraints as to its allowed use (as determined by HUD); Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Board Chair to enter into a Memorandum of Understanding on behalf of the County with MHT for the Development, Operation and Ownership of Center Ridge Arms upon review and only after positive recommendation of outside counsel, and to authorize the Board Chair to sign any additional necessary agreements to implement the Project and approve any necessary budget adjustments.

THOMAS M. HEREK, CHAIR
AND BOARD

Center Ridge Arms - MOU w/MHT
MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

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			TOM RYDER	X						

VOTE TOTALS:
ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED X REFERRED TO MEETING 12/19/2017

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 12, 2017

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/12/17)

WHEREAS, The Drain Office has been notified of an assessment in error by the Michigan Department of Transportation; and

WHEREAS, During the preparation of the assessment roll for the Kolb, Behmlander, Stephan, Ebelt Drain, an error was made on the following parcel: 09-100-025-100-030-00 . This parcel is owned by MDOT and is tax exempt and assessed in error; and

WHEREAS, Pursuant to Section 280.273 of Act 40 of 1956, the Michigan Drain Code, any such error is to be reported to the County Board of Commissioners with a request that the Board shall order the error corrected; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the correction to the Kolb, Behmlander, Stephan, Ebelt Drain assessment roll, parcel 09-100-025-100-030-00 is hereby ordered corrected; Be It Further

RESOLVED That the Bay County Treasurer be notified of this correction; Be It Finally

RESOLVED That the Chairman of the Board is authorized to execute any documentation required to facilitate said correction to the Kolb, Behmlander, Stephan, Ebelt Drain assessment roll.

THOMAS M. HEREK, CHAIRMAN
AND BOARD

Drain - Kolb, Behmlander, Stephan, Ebelt Drain Assessment Correction

MOVED BY COMM. DURANCZYK

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 95

APPROVED THE REGULAR BOARD MINUTES FOR THE BAY COUNTY BOARD OF COMMISSIONERS OF NOVEMBER 7, 2017 AND THE SPECIAL SESSION ON NOVEMBER 14, 2017 AS PRESENTED.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. BEGICK

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 96

REAPPOINT TO THE BAY COUNTY DEPARTMENT ON AGING ADVISORY COMMITTEE FROM DISTRICTS 1, 3, 5 AND 7. DISTRICT COMMISSIONERS HAVE RECOMMENDED REAPPOINTMENT OF THE REPRESENTATIVES FROM THEIR DISTRICT; RECEIVED REQUESTS AND CONCUR WITH REAPPOINTMENT OF THE LISTED INDIVIDUALS. ALL TERMS ARE FOR 2 YEARS.

1. DISTRICT 1 - ROBIN WEISS
2. DISTRICT 3 - DIANE BEHMLANDER
3. DISTRICT 5 - PAUL RABIDOUX
4. DISTRICT 7 - RUSS TANNER

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 97

TO REFER THE PRESENTATION BY BRIAN GALLAGHER, CHIEF FINANCIAL OFFICER FROM MHT HOUSING, INC., IN REGARD TO THE RESTORATION OF CENTER RIDGE ARMS TO NEXT FULL BOARD MEETING ON DECEMBER 19, 2017. PLEASE SEE RESOLUTION 2017-283.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. LUTZ

MOTION SUPPORTED BY: COMM. RYDER

MOTION NO.: 98

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
 LITIGATION OR SETTLEMENT POSITION OF THE PUBLIC
 BODY. TO DISCUSS THE LITIGATION MATTER OF
 HAMMOND/MINER, CASE NO. 17-3316-NM.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. RYDER

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 99

TO GO BACK INTO REGULAR SESSION AFTER DISCUSSION
OF THE LITIGATION MATTER OF HAMMOND/MINER, CASE
NO. 17-3316-NM.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 100

TO FOLLOW THE RECOMMENDATION OF BAY COUNTY
CORPORATE COUNSEL, AMBER DAVIS-JOHNSON IN REGARD
TO HAMMOND/MINER, CASE NO. 17-3316-NM.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. LUTZ

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 101

TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (g): 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." IN REGARD TO A LEGAL OPINION ON PROPERTY SALE OF BAY COUNTY MARKET PROPERTY.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 102

TO GO BACK INTO REGULAR SESSION AFTER CLOSED
SESSION IN REGARD TO A LEGAL OPINION ON PROPERTY
SALE OF BAY COUNTY MARKET PROPERTY.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. RYDER

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 103

TO REFRAIN FROM TAKING A POSITION REGARDING THE SALE FO THE BAY COUNTY MARKET PROPERTY FOLLOWING CLOSED SESSION DISCUSSIONS.

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			Tom Ryder	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: DECEMBER 12, 2017

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 104

MOVED TO ADJOURN THE BAY COUNTY BOARD OF COMMISSIONERS SESSION OF DECEMBER 12, 2017. THE MEETING CONCLUDED AT 6:27 P.M.

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			Tom Ryder	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____