

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, DECEMBER 13, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:02 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL DURANCZYK, VAUGHN BEGICK, KIM COONAN, THOMAS HEREK, DONALD J. TILLEY, MICHAEL LUTZ AND CHAIRMAN ERNIE KRYGIER

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: TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR
JAN HISTED, FINANCE OFFICER
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL
CRISTEN GIGNAC, RECREATION & FACILITIES DIRECTOR, EXCUSED
JOHN ANDRUS, CANDIDATE BAY-ARENAC BEHAVIORAL HEALTH BOARD
CHAD LUTZ, CANDIDATE FOR THE BUILDING AUTHORITY
MARLENE MEHLHOSE, CANDIDATE BAY-ARENAC BEHAVIORAL HEALTH BOARD
SHERIFF JOHN MILLER, BAY COUNTY SHERIFF
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 124: COMM. DURANCZYK MOVED TO APPROVE THE REGULAR AND

SPECIAL BOARD SESSION MINUTES FROM THE NOVEMBER 1, 2016 AND NOVEMBER 15, 2016 BOARD MEETING AS PRESENTED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

CITIZENS INPUT

JOHN ANDRUS: HAMPTON TOWNSHIP, CANDIDATE FOR THE BAY-ARENAC BEHAVIORAL HEALTH BOARD. TODAY YOU HAVE THE OPPORTUNITY TO SELECT A CANDIDATE TO FILL AN OPENING ON THE BAY-ARENAC BEHAVIORAL HEALTH BOARD. THIS ORGANIZATION IS VERY IMPORTANT TO THIS COMMUNITY. CURRENTLY WE SERVE ADULTS AND CHILDREN WITH MENTAL ILLNESS; MENTAL DISABILITIES SUCH AS MENTAL RETARDATION, AUTISM, CEREBRAL PALSY, EPILEPSY AND CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCES. WE ALSO HELP PERSONS IN NEED OF SUBSTANCE ABUSE SERVICES. WE HAVE RECENTLY SEEN AN UPSWING IN SUBSTANCE ABUSE VIOLATIONS AND LOSS OF LIFE DUE TO SUBSTANCE ABUSE. IT IS A VERY IMPORTANT ORGANIZATION AND I CERTAINLY APPRECIATE YOUR CONSIDERATION FOR THAT BOARD, TODAY.

CHAD LUTZ: HAMPTON TOWNSHIP. I HAVE AN APPLICATION IN FOR THE BAY COUNTY BUILDING AUTHORITY BOARD. WORK FOR HAMPTON TOWNSHIP DEPARTMENT OF PUBLIC WORKS AND FEEL THAT I WOULD BE AN ASSET AND HERE FOR ANY QUESTIONS OR ANYTHING YOU MAY HAVE LATER.

MARLENE KAY MEHLHOSE: BANGOR TOWNSHIP, CANDIDATE FOR THE BAY-ARENAC BEHAVIORAL HEALTH BOARD. MASTER'S DEGREE IN ADULT PSYCHIATRIC NURSING AT FROM WAYNE STATE UNIVERSITY. TAUGHT MENTAL HEALTH NURSING AT DELTA COLLEGE AND WORKED AS A RN IN SAGINAW, ST LUKE'S CHILDREN MENTAL HEALTH UNIT AND ADULT MENTAL HEALTH UNIT AT HEALTHSOURCE IN SAGINAW. IF YOU ARE LOOKING FOR SOMEONE WHO HAS BEEN IMMERSSED IN THE PROCESS AND HAS THE EXPERIENCE AND THE EDUCATION TO ASSIST YOU I HAVE NO HIDDEN AGENDA. I JUST RECENTLY RETIRED AND I WOULD LOVE TO SERVE.

PETITIONS AND COMMUNICATIONS

MOTION 125: COMM. COONAN MOVED TO RECEIVE THE APPLICATIONS SUBMITTED FOR APPOINTMENT BAY-ARENAC BEHAVIORAL HEALTH BOARD. THREE CANDIDATES HAD APPLIED, JOHN T. ANDRUS, GEORGE ZANOTTI AND MARLENE KAY MEHLHOSE. THIS IS TO FILL A VACANT TERM ENDING MARCH 31, 2018. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 126: COMM. TILLEY MOVED TO RECEIVE THE LETTER SUBMITTED BY SARA K. BRANDT ASSISTANT TO THE CEO OF BAY ARENAC BEHAVIORAL HEALTH AUTHORITY - (BABHA) CONFIRMING THREE (3) NOMINEES TO THE BOARD FOLLOWING HER REVIEW OF COMPLIANCE. THE APPLICATIONS OF JOHN T. ANDRUS, GEORGE ZANOTTI AND MARLENE KAY MEHLHOSE WERE REVIEWED PURSUANT TO THE MENTAL HEALTH CODE, PUBLIC ACT 258 OF 1974, SECTION 222. APPLICANTS MET THE CRITERIA TO HOLD OFFICE FOR THE VACANT TERM ENDING MARCH 31, 2018. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 127: COMM. TILLEY MOVED TO ACCEPT THE VOTE AND APPOINTMENT OF JOHN T. ANDRUS, TO THE BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY BOARD OF DIRECTORS. THE ROLL CALL VOTE WAS AS FOLLOWS: JOHN T. ANDRUS: COMM.'S DURANCZYK, KRYGIER, COONAN, TILLEY AND LUTZ. GEORGE ZANOTTI: COMM. HEREK. MARLENE KAY MEHLHOSE: COMM. BEGICK.

MOTION 128: COMM. HEREK MOVED TO RECEIVE THE APPLICATIONS FOR APPOINTMENT/REAPPOINTMENT TO THE DIVISION ON AGING ADVISORY COMMITTEE REPRESENTING EACH COUNTY COMMISSION DISTRICT. MEMBERS REPRESENTING THE FOLLOWING COMMISSION DISTRICTS: DISTRICT 2 - KATHLEEN SUTTER; DISTRICT 4 - MICHAEL OLK; DISTRICT 6 - GENA GATES; AND AT-LARGE- ROBERT ANDERSON. EACH WERE REAPPOINTED TO SERVE A TWO (2) YEAR TERM OF OFFICE. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

REPORTS/ RESOLUTIONS OF COMMITTEES

WAYS AND MEANS (KIM J. COONAN, CHAIR; DONALD J. TILLEY, VICE CHAIR)

- RES. 2016-293: COMM. COONAN MOVED TO ADOPT RES. 2016-293 -THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED AND AUTHORIZE THE BAY COUNTY SHERIFF DEPARTMENT TO MAKE AN APPLICATION FOR THE MEDICAL MARIHUANA OVERSIGHT GRANT. THE FUNDING AVAILABLE IS \$3,000,000 AND THE FUNDS PER COUNTY ARE BASED ON THE NUMBER OF MMMP REGISTRY CARDS ISSUED (NEW/RENEWAL) PURSUANT TO PA 268 OF 2016. THE APPLICATION SUBMISSION DEADLINE IS JANUARY 1, 2017. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-294: COMM. COONAN MOVED TO ADOPT RES. 2016-2940 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED DEVELOPMENT OF AN RFT FOR THE PURCHASE OF A MARINE PATROL BOAT, THE COST OF SAID BOAT NOT TO EXCEED \$250,000. BAY COUNTY HAS BEEN AWARDED THE FULL GRANT REQUEST FROM THE PORT SECURITY GRANT PROGRAM IN THE AMOUNT OF \$250,000 (REF. RES 2015-67) AND HAS EXECUTED THE GRANT (REF. RES. 2015-219). THE GRANT HAS A 25% MATCH ASSOCIATED WITH IT. WITH THE ESTIMATED COST OF THE VESSEL THE COST OF \$65,500 WILL NEED TO BE COVERED BY BAY COUNTY. MOST OF THE COST WILL BE COVERED AS FOLLOWS: EXISTING SONAR: \$20,000, EXISTING RADIO EQUIP: \$7,500, SALE OF OLD BOAT: \$5,000, M &A (5%): \$12,500, TOTAL IN KIND: \$45,000. THIS WILL LEAVE \$17,500 CURRENTLY TO BE COVERED DIRECTLY BY BAY COUNTY. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-295: COMM. COONAN MOVED TO ADOPT RES. 2016-295 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE FY2017 FEDERAL VISITATION AND ACCESS GRANT FOR THE BAY COUNTY FRIEND OF THE COURT. THE TOTAL ACCESS AND VISITATION FUNDING AVAILABLE FY2017, TO THE BAY COUNTY FRIEND OF THE COURT, IS \$1,200.00 IN FY2016, THE ALLOCATION WAS \$2,000, WHICH DEMONSTRATES A DECREASE IN THE FY2017 OF \$800. THE NUMBER IS BASED UPON THE AVAILABLE BUDGET BY THE STATE OF MICHIGAN. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-296: COMM. COONAN MOVED TO ADOPT RES. 2016-296 - THE BAY COUNTY BOARD OF COMMISSIONERS RENEWAL OF THE PROPERTY AND LIABILITY INSURANCE FOR THE PERIOD 1/1/2017 THROUGH

12/31/2017 WITH MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY. OTHER THAN INCREASES IN BOTH PUBLIC OFFICIALS' LIABILITY AND LAW ENFORCEMENT AREAS, BAY COUNTY'S CLAIM AND OVERALL LOSS HISTORY AND PROACTIVE RISK MANAGEMENT MEASURES HAVE KEPT THE 2017 INCREASE RELATIVELY LOW AND THE FIGURE FOR 2017 REFLECTS AN APPROXIMATE 3% INCREASE FROM 2016 FOR A TOTAL OF \$538,739 WHICH INCLUDES THE COUNTY'S REQUESTED CONTRIBUTION TO OUR LOSS FUND DEPOSIT OF \$50,000. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-297: COMM. COONAN MOVED TO ADOPT RES. 2016-297 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE RELEASE OF AN RFP FOR THE PURCHASE OF 20 NEW YAMAHA GOLF CARTS IN 2017 AND THE AWARD OF THE BID TO THE MOST APPROPRIATE QUALIFIED BIDDER PURSUANT TO THE COUNTY'S PURCHASING POLICY, CONTINGENT ON FUNDS BEING APPROVED IN THE 2017 BUDGET. IN AN EFFORT TO START TO REPLACE THE CARTS BASED ON A 5 YEAR PLAN, COUNTY ADMINISTRATION WISHES TO ISSUE AN RFP FOR TWENTY (20) NEW YAMAHA GOLF CARTS. THE COUNTY WILL BE EITHER SELLING OR TRADING-IN 20 OF OUR OLDEST CARTS, WHICHEVER WOULD PRODUCE THE BEST OUTCOME. THE FUNDS FOR THIS PROJECT ARE REQUESTED IN THE 2017 BUDGET AND IF NEEDED, A LOAN FROM THE GENERAL FUND MAY BE NECESSARY. THIS PROJECT WILL BE CONTINGENT UPON FINAL APPROVAL OF THE 2017 BUDGET. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-298: COMM. COONAN MOVED TO ADOPT RES. 2016-298 - THAT THE BAY COUNTY BOARD OF COMMISSIONERS THAT THE BIRTHDAY PARTY FEE SCHEDULED FOR THE BAY COUNTY CIVIC ARENA, BE APPROVED EFFECTIVE FEBRUARY 1, 2017 AND THAT THE CHANGES BE REFLECTED IN THE COUNTY'S FEE SCHEDULE. IT IS RECOMMENDED THAT THE FEE SCHEDULE BE CHANGED, EFFECTIVE FEBRUARY 1, 2017, TO THE FOLLOWING AND THAT THE OLD PARTY RATES BE REMOVED FROM THE FEE SCHEDULE: BIRTHDAY PARTY PACKAGE 1: \$125.00; BIRTHDAY PARTY PACKAGE 2: \$200.00; PER PERSON FEE FOR LARGER THAN A 20 PERSON PARTY: \$10.00 PER PERSON. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-299: COMM. COONAN MOVED TO ADOPT RES. 2016-299 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE DINING CENTER SITE AGREEMENTS FOR THE HAMPTON TOWNSHIP HAPPY HEARTS SENIOR DINING CENTER, KAWKAWLIN TOWNSHIP HALL, AND WILLIAMS TOWNSHIP HALL, SUBJECT TO CONTINUED RECEIPT OF THE BUDGETED GRANT FUNDING FROM REGION VII AREA AGENCY ON AGING. THE CONTRACTS WILL COVER THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. KRYGIER: WANT TO POINT OUT THAT THERE IS NO CHANGE IN WHAT THE CONTRACTS WERE FROM 2016 GOING INTO 2017.

RES. 2016-300: COMM. COONAN MOVED TO ADOPT RES. 2016-300 -THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED THE BAY COUNTY MOSQUITO CONTROL DEPARTMENT TO MAKE APPLICATION FOR THE DEQ'S SCRAP TIRE CLEANUP GRANT PROGRAM FOR FISCAL YEAR 2016-2017. AN ENTITY IS ELIGIBLE FOR A ONE-TIME GRANT OF UP TO \$4,000 FOR A CLEANUP DAY OR RESIDENT DROP-OFF DAY, LIKE THE SCRAP TIRES DRIVES HELD BY BAY COUNTY MOSQUITO CONTROL. BAY COUNTY MOSQUITO CONTROL PLANS TO HOLD TWO SCRAP TIRE DRIVES IN 2017 AND COULD BE ELIGIBLE FOR \$8,000.00 THERE IS NO MATCH REQUIREMENT AND NO FUNDING IS REQUIRED TO APPLY FOR THE GRANT. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. KRYGIER: IS THERE A POSSIBILITY THAT WE MAY LOOK AT A PLACE AROUND PINCONNING INSTEAD OF PEOPLE COMING ALL THE WAY TO BAY CITY OR BANGOR TOWNSHIP IF IT TURNS OUT THAT WE CAN DO IT ON THE SAME WEEKEND?

MARY MCCARRY: MOSQUITO CONTROL, THERE IS A POSSIBILITY, WE HAVE TRIED THAT IN THE PAST WITH FRASER TOWNSHIP. WE HAD TWO TRAILERS AS WE CONTRACT WITH ENVIRONMENTAL RUBBER OUT OF FLINT, WE PUT A TRAILER AT THE FAIRGROUNDS IN BAY CITY AND THEN ANOTHER TRAILER IN FRASER TOWNSHIP. THE ISSUE IS THERE WAS NO ONE THERE TO WATCH THE TRAILER AND MANY OTHER PRODUCTS WERE DROPPED OFF, NOT JUST TIRES.

- RES. 2016-301: COMM. COONAN MOVED TO ADOPT RES. 2016-301 -THE BAY COUNTY BOARD OF COMMISSIONERS APPROVES THE AVALON AGREEMENT AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS. BAY COUNTY 9-1-1 HAS 2016 FUNDS BUDGETED FOR PURCHASE AND INSTALLATION OF THE NEEDED HARDWARE, SOFTWARE AND WARRANTY/SUPPORT AND THE PROJECTED COST IS \$165,781. IT IS REQUESTED THAT THE COUNTY ENTER INTO AN AGREEMENT WITH AVALON TECHNOLOGIES FOR THE PURCHASE, INSTALLATION OF DELL COMPELLENT HARDWARE, DELL COMPELLENT SOFTWARE AND 5 YEAR DELL COMPELLENT CO-PILOT WARRANTY/SUPPORT. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-302: COMM. COONAN MOVED TO ADOPT RES. 2016-302 -THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE NEW LEGAL SERVICES/CONTRACT COORDINATOR POSITION AND AUTHORIZED POSTING/ADVERTISING AND FILLING SAID POSITION. THIS IS A FULL TIME POSITION WITH BENEFITS AS PROVIDED FOR WITHIN THE BCAMPS LABOR AGREEMENT PB04 \$38,584.00. SLIGHTLY LESS THAN 50% OF THIS POSITION IS ALREADY BUDGETED IN THE 2017 BUDGET. 80% OF THE COST OF THIS POSITION WILL BE ALLOCATED TO CORPORATION COUNSEL AND 20% TO ADMINISTRATIVE SERVICES. ADDITIONAL GENERAL FUNDS WILL BE REQUIRED TO FUND APPROXIMATELY HALF OF THE COST OF THIS LEGAL/CONTRACT COORDINATOR POSITION. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-303: COMM. COONAN MOVED TO ADOPT RES. 2016-303 -THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED THE BAY COUNTY PERSONNEL DIRECTOR TO EXECUTE AFFILIATION AGREEMENTS (UNPAID, NON-FINANCIAL) WITH VARIOUS SCHOOLS AND/OR COLLEGES, AS LONG AS THERE IS NO FINANCIAL IMPACT TO BAY COUNTY. AFFILIATION AGREEMENTS REQUIRE A SIGNATURE ON BEHALF OF BAY COUNTY AND SINCE THIS IS AN UNPAID, NON-FINANCIAL AGREEMENT THAT DOES NOT HAVE BUDGETARY IMPACT, UPON RECOMMENDATION OF CORPORATION COUNSEL, THE PERSONNEL DIRECTOR IS REQUESTING APPROVAL FROM THE BOARD TO ALLOW THE PERSONNEL DIRECTOR TO SIGN THESE AGREEMENTS, AS REQUIRED. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2016-304: COMM. COONAN MOVED TO ADOPT RES. 2016-304 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE THREE (3) YEAR CONTRACT EXTENSION WITH TOTAL FAMILY HEALTHCARE COVERING THE BAY COUNTY WELLNESS CENTER AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE THE CONTRACT EXTENSION AND ALL RELATED DOCUMENTS ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-305: COMM. COONAN MOVED TO ADOPT RES. 2016-305 - THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED THE SCHEDULE A-RENEWAL TERM (EFFECTIVE JANUARY 2017 THROUGH DECEMBER 2017) ADMINISTRATIVE SERVICES CONTRACT WITH BLUE CROSS BLUE SHIELDS OF MICHIGAN AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID CONTRACT ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-306: COMM. COONAN MOVED TO ADOPT RES. 2016-306 -THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE POLICY WITH MIDWEST EMPLOYERS CASUALTY COMPANY FOR EXCESS INSURANCE FOR WORKERS' COMPENSATION FOR THE PERIOD JANUARY 1, 2017 THROUGH JANUARY 1, 2019 AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE THE REQUIRED AGREEMENT WITH MIDWEST EMPLOYERS CASUALTY COMPANY ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-307: COMM. COONAN MOVED TO ADOPT RES. 2016-307 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE UNPAID LEAVE OF ABSENCE FOR KATHERINE BARCIA BEGINNING NOVEMBER 14, 2016. KATHERINE BARCIA, A PART-TIME EMPLOYEE IN THE DAVISON ON AGING, HAS REQUESTED AN UNPAID LEAVE OF ABSENCE FOR UP TO 180 DAYS. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2016-308: COMM. COONAN MOVED TO ADOPT RES. 2016-308 - THE BAY COUNTY BOARD OF COMMISSIONERS HEREBY APPROVED THE COLLECTIVE BARGAINING AGREEMENTS WITH THE 12 ACTIVE

BARGAINING UNITS AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID 12 COLLECTIVE BARGAINING AGREEMENTS ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. COONAN: ADMINISTRATION WAS VERY SUCCESSFUL WITH NEGOTIATING THESE CONTRACTS. GREAT JOB ON GETTING 12 CONTRACTS, NEGOTIATED, SIGNED AND AGREED TO.

RES. 2016-309: COMM. COONAN MOVED TO ADOPT RES. 2016-309 - PAYABLES: THE BAY COUNTY BOARD OF COMMISSIONERS APPROVES THE CLAIMS AGAINST THE COUNTY. ACCOUNTS PAYABLE: 11/02/16 \$668,604.53; 11/09/16 \$236,325.65; 11/17/16 \$364,821.38; 11/22/16 \$317,619.50; 11/30/16 \$107,544.32; 12/07/16 \$216,387.68; BAYANET: 10/01/16 - 10/31/16 PAYABLES \$73,264.02, PAYROLL \$9,937.34; HOUSING (CENTER RIDGE ARMS): 11/08/16 \$49,954.06; 11/11/16 \$22,662.50. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-310: COMM. COONAN MOVED TO ADOPT RES. 2016-310 - THE BOARD OF COMMISSIONERS APPROVED THE FOLLOWING BUDGET ADJUSTMENTS. THE CHAIRMAN OF THE BOARD WAS HEREBY AUTHORIZED TO EXECUTE ANY DOCUMENTATION NECESSARY FOR SAID BUDGET ADJUSTMENTS. GENERAL FUND, COMMUNITY OUTREACH/MEDIA ADMINISTRATIVE SERVICE, NO IMPACT; INCREASED ADMINISTRATION AND LEGAL EXPENDITURES FOR WORKERS COMPENSATION CLAIMS UNDER THE SELF INSURANCE FUND. GENERAL FUND: BOARD OF COMMISSIONERS, SHERIFF DEPARTMENT - UNFAVORABLE \$260,000; BUDGET FOR BAD DEBT EXPENSES UNDER THE SHERIFF DEPARTMENT FOR THE INMATES HOUSING FEE REVENUES. THE BAD DEBT HAS NOT BEEN RECOGNIZED IN THE YEAR 2015 DUE TO NEW INMATE TRUST SOFTWARE INSTALLED IN APRIL 2016. GENERAL FUND, ENVIRONMENTAL AFFAIRS - UNFAVORABLE \$15,975; TO BUDGET FOR ENVIRONMENTAL AFFAIRS OFFICE EQUIPMENT AND FURNITURE. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-311: COMM. COONAN MOVED TO ADOPT RES. 2016-311 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE SHORT-TERM TRANSFER FROM BAY COUNTY GENERAL FUND FOR UP TO \$85,000 TO THE BAY COUNTY GOLF COURSE FUND. COUNTY

ADMINISTRATION IS REQUESTING THAT THE BOARD FACILITATE A SHORT TERM TRANSFER UP TO \$85,000, AT A RATE/FEE AS DETERMINED BY THE BAY COUNTY TREASURER, FROM BAY COUNTY GENERAL FUND TO THE BAY COUNTY GOLF COURSE FUND TO COVER ANY POTENTIAL DEFICITS AS FISCAL YEAR-END OR CASH FLOW PURPOSES IN EARLY 2017. THE SHORT-TERM TRANSFER WILL BE BUDGETED AND REPAID TO THE BAY COUNTY GENERAL FUND AT A LATER DATE. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. COONAN: THROUGH AND EMAIL I HAD SEEN SOME PRELIMINARY NUMBERS, IT LOOKED LIKE WE HAD A SURPLUS UNTIL THE DEPRECIATION WAS TAKEN OUT BUT ULTIMATELY WHEN YOU BRING IN MORE MONEY THAN YOU SPEND, IT'S A GOOD THING.

RES. 2016-312: COMM. COONAN MOVED TO ADOPT RES. 2016-312 - THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE 2017 YEARLY MAINTENANCE AGREEMENTS FOR A VENDOR BUDGETED AS AN EXPENSE FOLLOWING LEGAL REVIEW/APPROVAL. INFORMATION SYSTEMS DIVISION HAS BUDGETED APPROXIMATELY \$379,307 FOR THE HARDWARE AND SOFTWARE MAINTENANCE FOR SYSTEMS IN THE COUNTY. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-313: COMM. COONAN MOVED TO ADOPT RES. 2016-313 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE ANNUAL AGREEMENT FOR EXTENSION SERVICES BETWEEN BAY COUNTY AND MSU EXTENSION AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT AND ALL RELATED DOCUMENTS ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. THE BASE ASSESSMENT FOR BAY COUNTY IS \$68,519. BAY COUNTY WILL RECEIVE A \$60,701 CREDIT TOWARDS THIS ASSESSMENT DUE TO THE 4-H PROGRAM COORDINATION BEING A BAY COUNTY STAFF MEMBER WHERE THEIR SALARY, FRINGE AND OPERATING COSTS ARE PAID BY BAY COUNTY. THE ASSESSMENT OF \$68,519 AND THE \$60,701 CREDIT ARE REFLECTED IN THE ANNUAL AGREEMENT LEAVING A BALANCE OF \$7,818. IN ADDITION TO THE COUNTY ASSESSMENT BALANCE OF \$7,818 AS OUTLINED ABOVE, THE AGREEMENT ALSO REFLECTS THE COUNTY'S SUPPORT OF 40% OF THE SUPPORT STAFF SALARY AND FRINGE TOTALING \$25,000 AND 50% OF THE 4-H TECH WIZARDS

PARAPROFESSIONAL SALARY AND FRINGE TOTALING \$14,000; AND THE ANNUAL AGREEMENT FOR EXTENSION SERVICES WITH THE ABOVE CONSIDERED IS \$46,818. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM KRYGIER: CALLED SHERIFF MILLER UP TO THE PODIUM.

CYNTHIA LUCZAK: BAY COUNTY CLERK, READ THE PRESENTATION PLAQUE INSCRIPTION INTO THE RECORD.

COMM KRYGIER: ON BEHALF OF THE COMMISSIONER'S AND THE COUNTY EXECUTIVE, CONGRATULATIONS AND WE WILL MISS YOU. WE TRULY APPRECIATE ALL OF YOUR YEARS OF SERVICE TO BAY COUNTY.

**PERSONNEL/HUMAN SERVICES (MICHAEL E. LUTZ, CHAIR;
DONALD J. TILLEY, VICE CHAIR)**

RES. 2016-314: COMM. LUTZ MOVED TO ADOPT RES. 2016-314 -THE BAY COUNTY BOARD OF COMMISSIONERS THAT CONCURRENCE IS GIVEN TO POST/FILL THE FOLLOWING POSITIONS/VACANCIES/NEW POSITIONS, MONIES FOR SAID POSITIONS TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS: DIVISION ON AGING - LEAD COOK (FULL TIME) AND SITE MANAGER (PART TIME); PUBLIC DEFENDER - STAFF ATTORNEY (FULL TIME); HOUSING DEPARTMENT - MAINTENANCE II (FULL TIME). IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-315: COMM. LUTZ MOVED TO ADOPT RES. 2016-315 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVES THE INDEPENDENT CONTRACTOR AGREEMENT BETWEEN BAY COUNTY AND ARTHUR SCHUPBACK FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017. THE AGREEMENT WITH MR. SCHUPBACK PROVIDES FOR UP TO 20 HOURS PER WEEK TOTALING UP TO \$10,400 PER YEAR; THE CURRENT AGREEMENT EXPIRES ON DECEMBER 31, 2016. THE MAXIMUM PER YEAR COMPENSATION SHALL REMAIN THE SAME AND HAS BEEN INCLUDED IN THE 2017 BUDGET. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-316: COMM. LUTZ MOVED TO ADOPT RES. 2016-316 - THE BAY COUNTY BOARD OF COMMISSIONERS APPROVES THE 5-COUNTY GREAT

LAKES BAY MICHIGAN WORKS! INTERLOCAL AGREEMENT AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. GREAT LAKES BAY MICHIGAN WORKS! IS REQUESTING THAT BAY COUNTY APPROVE THE PROPOSED 5-COUNTY MICHIGAN WORKS! INTERLOCAL AGREEMENT, EFFECTIVE DATES JANUARY 1, 2017 - DECEMBER 31, 2021. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

BOARD OF COMMISSIONERS (ERNIE KRYGIER, CHAIR, DONALD J. TILLEY, VICE CHAIR)

RES. 2016-317: COMM. TILLEY MOVED TO ADOPT RES. 2016-317 - EMPLOYMENT STATUS REPORT - NOVEMBER 2016. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2016-318: COMM. TILLEY MOVED TO ADOPT RES. 2016-318 - THE BAY COUNTY BOARD OF COMMISSIONERS HEREBY REAPPOINTS RICHARD GROMASKI TO THE MID-STATE HEALTH NETWORK (MSHN) SUBSTANCE USE DISORDER (SUD) REGIONAL OVERSIGHT POLICY ADVISORY BOARD TO A THREE YEAR TERM, SAID TERM EXPIRING DECEMBER 31, 2019. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

BOARD OF COUNTY OFFICIALS/DEPARTMENTS

RES. 2016-319: COMM. TILLEY MOVED TO ADOPT RES. 2016-319 - THAT THE BAY COUNTY BOARD OF COMMISSIONERS CONCURS WITH THE COUNTY EXECUTIVE'S RECOMMENDATION AND APPOINTS CARRIE PROSOWSKI, MICHIGAN REHAB SERVICES DISTRICT MANAGER, TO THE WORKFORCE DEVELOPMENT BOARD OF GREAT LAKES BAY MICHIGAN WORKS FOR THE REMAINDER OF SHEILA DAHM'S TERM THROUGH JUNE 30, 2017 AND FOR A NEW TWO-YEAR TERM OF JULY 1, 2017 THROUGH JUNE 30, 2019. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS

MISCELLANEOUS

THERE WAS NO MISCELLANEOUS

ANNOUNCEMENTS

- A. The Board of Commissioners will meet on Wednesday, December 21, 2016 @ 4:30 p.m. or immediately following the Personnel/Human Services Committee meeting. The 2017 Bay County Budget will be included on the agenda.
- B. 2016 Appointments:
 - 1. DECEMBER:
 - a. Bay County Building Authority (One unexpired 6 year term (Chris Hennessy); term expires 11/30/2019).

MOTION 129:

COMM. COONAN MOVED TO APPOINT CHAD LUTZ TO THE BAY COUNTY BUILDING AUTHORITY, FILING ONE UNEXPIRED 6 YEAR TERM. TERM EXPIRES 11/30/2019. COMM. LUTZ ABSTAINED FROM THE OFFICIAL VOTE AS HE IS RELATED TO CHAD LUTZ. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 ABSTAINED.

- b. Division on Aging Advisory Committee (Four 2 year terms; district 2, 4, 6 and at-large).
- c. Bay Arenac Behavioral Health Authority Board of Directors (One unexpired 3 year term, term expires 3/31/18).

CLOSED SESSION

MOTION 130:

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 THE ISSUES OF CYNTHIA A. LUCZAK, BAY COUNTY CLERK

VS. BAY COUNTY BOARD OF COMMISSIONERS, ET AL 2015-3583-AW. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A ROLL CALL VOTE: 7 YEAS: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ, HEREK, KRYGIER. 0 NAYS.

MOTION 131: COMM. COONAN MADE A MOTION TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS TO DISCUSS THE ISSUES OF CYNTHIA A. LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY BOARD OF COMMISSIONERS, ET AL 2015-3583-AW.

RECESS/ADJOURNMENT

MOTION 132: COMM. DURANCZYK MOVED TO ADJOURN REGULAR BOARD SESSION OF DECEMBER 13, 2016. IT WAS SUPPORTED BY COMM. HEREK. THE MEETING CONCLUDED AT 5:07 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

DIANE YAWORSKI
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS