

## **BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 19, 2017**

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A SPECIAL SESSION ON TUESDAY, DECEMBER 19, 2017, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN TOM HEREK AT 4:20 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

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

OTHER MEMBERS: CYNTHIA A. LUCZAK, BAY COUNTY CLERK  
DIANE YAWORSKI, SECRETARY TO THE COUNTY CLERK  
ROBERT J. REDMOND, FINANCIAL ANALYST  
DEANNE C. BERGER, BOARD COORDINATOR

ALSO PRESENT: JIM BARCIA, COUNTY EXECUTIVE  
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR  
JAN HISTED, FINANCE OFFICER  
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL  
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIRECTOR  
CRISTIEN GIGNAC, RECREATION AND FACILITIES  
WANDA BEHMLANDER, PRESIDENT LOCAL USW 15157  
JOEL KWIATKOWSKI, HEALTH DEPARTMENT REPRESENTATIVE  
CHRIS IZWORSKI, DIRECTOR CENTRAL DISPATCH - 911  
VARIOUS ELECTED OFFICIALS  
VARIOUS DEPARTMENT HEADS  
NEWS MEDIA

INVOCATION: THE INVOCATION WAS GIVEN BY THE BAY COUNTY CLERK, CYNTHIA A. LUCZAK.

PLEDGE OF ALLEGIANCE:

### **CITIZENS INPUT**

WANDA BEHMLANDER: PRESIDENT LOCAL USW 15157, WANDA BEHMLANDER, STATED SHE APPEARED ON BEHALF OF THE PARAPROFESSIONAL STAFF OF BAY COUNTY, REGARDING THE PROPOSED CHANGES AND ELIMINATION OF THE LAB COORDINATOR POSITION AT THE COMMISSION LEVEL. THIS POSITION WAS COVERED BY THE FULL TIME BARGAINING UNIT, IT WAS ALARMING TO REALIZE IT MAYBE ELIMINATED SO

LATE IN THE BUDGET PROCESS. BEHMLANDER COMMENTS INCLUDED, "WE UNDERSTAND THE COMMISSION HAS THE RIGHT TO ELIMINATE POSITIONS WITHIN THE BUDGET PROCESS, HOWEVER, WE ALSO BELIEVE THIS POSITION WAS ESSENTIAL TO THE HEALTH DEPARTMENT OPERATIONS AND ARE OPEN TO DISCUSSION OF THE MATTER. WE UNDERSTAND THAT IF YOU ELIMINATE THE POSITION, OUR POSITION WAS THAT THE WORK MUST CEASE. WE ASK THAT YOU MAINTAIN THE POSITION IN THE FULL TIME UNIT OR WE MOVE THE WORK THAT MUST BE DONE BY THIS POSITION WITHIN THE FULL TIME UNIT WHICH WAS IN ACCORDANCE TO THE CONTRACT".

### **RESOLUTIONS FOR CONSIDERATION**

RES. 2017-285: COMM. COONAN MOVED FOR DISCUSSION AND ADOPTION RES. 2017-285, BY THIS BOARD OF COMMISSIONERS OF BAY COUNTY, MICHIGAN, THAT THE 2018 BAY COUNTY BUDGET, AS PRESENTED TO THE BAY COUNTY COMMISSIONERS WAS ADOPTED ON A FUNCTIONAL LEVEL FOR THE GENERAL FUND AND ALL SPECIAL REVENUE FUNDS, SUBJECT TO ALL COUNTY POLICIES REGARDING THE EXPENDITURE OF FUNDS AND THE CONDITIONS SET FORTH IN THIS RESOLUTION. THAT THE PROPER ELECTED AND APPOINTED COUNTY OFFICIALS ARE DIRECTED TO IMPLEMENT THIS 2018 COUNTY BUDGET IN CONFORMITY WITH ITS PROVISIONS. THAT THE FOLLOWING BUDGET STIPULATIONS ARE ADOPTED IN CONFORMITY WITH THE 2018 BUDGET AND ALL PROPER AND NECESSARY COUNTY OFFICIALS ARE DIRECTED TO FOLLOW THESE STIPULATIONS WHILE IMPLEMENTING THE 2018 BUDGET. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A ROLL CALL VOTE OF: 7 YEAS, 0 NAYS.

COMM. BEGICK: COMMISSIONER BEGICK INCLUDED FOR THE RECORD, THAT HE WAS STILL AGAINST PER DIEM PAY FOR COUNTY COMMISSIONS.

COMM. COONAN: COMMISSIONER COONAN ASKED FOR SOME CLARIFICATION ON THE HEALTH DEPARTMENT POSITION'S BEING ELIMINATED IN THE BUDGET.

JOEL KWIATKOWSKI: JOEL KWIATKOWSKI, BAY COUNTY HEALTH DEPARTMENT, WAS PRESENT ON THE BEHALF OF JOEL STRAZ, BAY COUNTY HEALTH DIRECTOR. WHO EXPLAINED THE LAB DIRECTOR WAS A PART TIME PERSON, WHO BASICALLY WAS A SIGNATURE, SO THE LAB WAS CERTIFIED UNDER CLEAR REQUIREMENTS. THE CLEAR

REQUIREMENT CERTIFICATION, CAN BE TAKEN CARE OF IN-HOUSE BY OUR MEDICAL DIRECTOR, WHICH WILL SAVE A LARGE PORTION OF MONEY, OVER \$10,000. THE ELIMINATION OF THE POSITION WAS A RESTRUCTURING, THE COORDINATOR WILL BE REDUCED TO 20 HOUR A WEEK POSITION, AND THE LAB TECH WILL BE INCREASED TO A FULL TIME POSITION. BUSINESS IN THE LAB WILL BE AS USUAL.

JIM BARCIA:

EXECUTIVE JIM BARCIA, STATED THAT IN 2018 HE WOULD LIKE TO SEE A MORE THOUGHTFUL PROCESS ON THE COMPLYING OF THE COUNTY BUDGET. BARCIA HAD SPOKEN WITH DIRECTORS IN DEPARTMENTS WHO HAVE FELT THAT THEIR INPUT WAS EXCLUDED FROM THE FINAL DOCUMENT. THE BUDGET WAS FIRST AVAILABLE AT 3:30 PM FRIDAY AFTERNOON, JANUARY 15, 2017. THERE WERE SIGNIFICANT AMOUNTS OF MONEY BEING SPENT ON BEHALF OF COUNTY GOVERNMENT. WOULD LIKE TO SEE IN THE NEXT FISCAL YEAR A MORE OPEN PROCESS ON THE DEVELOPMENT OF THE BUDGET, EVEN PUBLIC HEARINGS. WOULD LIKE MORE INPUT FROM DEPARTMENT HEADS AS WELL AS THE PUBLIC ALSO MAKE THE PROCESS MORE TRANSPARENT. WANT TO SEE MORE NEGATIONS, A LEGISLATIVE BODY TYPICALLY OFFERED AMENDMENTS, ELIMINATES SOME THINGS, THEN YOU VOTE ON IT. NEXT YEAR , HE HOPED, THE EXECUTIVE BRANCH WOULD HAVE A GREATER ROLL IN PROVIDING INPUT INTO THE CRAFTING OF THE COUNTY BUDGET. BARCIA STATED HE HAD A LINE ITEM VETO AND MAY USE IT, BUT NOT GOING TO JEOPARDIZE OUR COUNTY EMPLOYEES BY VETOING IT AT THE END OF THE YEAR TO FACE A CRISES IN JANUARY. HOPEFUL THAT THE BUDGET PROCESS WILL BE MOVED UP IN 2018, SO WE ARE NOT APPROVING A BUDGET DAYS BEFORE THE END OF THE YEAR.

COMM.  
DURANCZYK:

COMMISSIONER DURANCZYK, CONCURRED WITH MR. BARCIA, STATING THAT TO GET THE CHANGES ON \$140,000,000 BUDGET AT 4:00 PM THE FRIDAY BEFORE WE VOTE WAS NOT ACCEPTABLE. NEED TO HAVE THIS INFORMATION SO WE CAN MAKE EDUCATED DECISIONS AND GET OUR DIRECTOR'S INVOLVED. IF WE NEED TO MAKE ADJUSTMENTS AND CUTS WE NEED THEIR VOICE. NO DISRESPECT TO FINANCE, PLEASE GET THIS INFORMATION TO THE COMMISSION EARLIER IN THE PROCESS.

COMM. COONAN:

COMMISSIONER COONAN, THIS YEAR WAS A LITTLE TOUGHER AS WE ARE PROPOSING TO USE MORE FUND BALANCE, LAST YEAR WE USED FUND BALANCE BUT AT THE END OF THE YEAR, WE HAD A

SURPLUS. THE COMMISSION SHOULD HAVE KNOWN BEFORE DECEMBER THAT IT WOULD BE NECESSARY TO PROVIDE A BUDGET ADJUSTMENT IN THE \$200,000 OR MORE RANGE TO FUND A HEALTH DEPARTMENT SHORT FALL. WE ARE NOT FULL TIME COMMISSIONERS AND WE DO NOT PUT IN 40 - 50 HOURS PER WEEK LIKE THE FULL TIME STAFF AT THE COUNTY DOES.

GERALD  
REDMOND:

FINANCIAL ANALYST, GERALD REDMOND, STATED THAT HE HAD BEEN THROUGH SEVERAL DIFFERENT PROCESSES WITH THE BUDGET, IN MAY THE COUNTY EXECUTIVE SENT US A CALENDAR OF THE SCHEDULE OF HOW TO HANDLE THE BUDGET. WE FIND IT HARD TO MAKE YOUR NOVEMBER APPROVAL OF THE BUDGET, WE ONLY GET IT HERE OCTOBER 2<sup>ND</sup>. THAT WAS A LOT TO GO THROUGH IN THIS PERIOD OF TIME. SEVERAL YEARS AGO WE HAD HEARINGS THAT WERE SET BOTH MORNING AND EVENING THE COMMISSIONERS WERE INVITED AND THE COUNTY EXECUTIVE ATTENDED, WE HELD THE HEARINGS FOR NINE DAYS. WHATEVER PROCESS YOU WOULD LIKE, MAKE THE RECOMMENDATION AND THE BOARD CAN COMPLY.

RES. 2017-286:

COMM. KRYGIER MOVED TO REFER TO THE FEBRUARY MEETING RES. 2017-286, THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZES ENTERING INTO AN AGREEMENT WITH DUDE SOLUTIONS, INC., FOR BUILDINGS AND GROUNDS SOFTWARE AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2017-287:

COMM. RYDER MOVED TO ADOPT RES. 2017-287, THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE PURCHASE OF MOTOROLA MCC7500 DISPATCH CONSOLES AND THAT, PENDING CORPORATION COUNSEL REVIEW/APPROVAL. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE ALL DOCUMENTS REQUIRED FOR THE MOTOROLA MCC7500 DISPATCH CONSOLE ACQUISITION. THAT ANY BUDGET ADJUSTMENTS THAT ARE REQUIRED FOR THE PURCHASE AND INSTALLATION OF THE, EQUIPMENT ARE APPROVED. 911 BUDGETED FOR THIS PROJECT IN 2018 AND THE PROJECT COST WAS ESTIMATED AT \$596,675. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2017-288: COMM. DURANCZYK MOVED TO ADOPT RES. 2017-288, THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE PURCHASE OF MOBILE AND PORTABLE RADIOS AS OUTLINED IN THE RESOLUTION. THE CHAIRMAN OF THE BOARD WAS AUTHORIZED TO EXECUTE REQUIRED ON BEHALF OF BAY COUNTY (911 CENTRAL DISPATCH) FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THAT ANY BUDGET ADJUSTMENTS REQUIRED FOR THE PURCHASE OF THE RADIOS ARE APPROVED. 9-1-1 BUDGETED FOR THIS PROJECT IN 2018. THE PROJECT COST WAS \$897,212.50. THE PARTICIPATING MUNICIPALITIES WILL REIMBURSE 9-1-1 A TOTAL OF \$435,962.00. AFTER REIMBURSEMENT THE COST TO 9-1-1 WAS \$461,250.50. PLEASE SEE RESOLUTION FOR BREAKDOWN OF EXPENSES. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- CHRIS IZWORSKI: DIRECTOR CENTRAL DISPATCH - 911, CHRIS IZWORSKI STATED THAT AROUND HALF OF THE AGENCIES IN BAY COUNTY WERE PARTICIPATING IN THE PURCHASING OF THE RADIOS, OF THOSE AGENCIES A NUMBER OF THEM ARE PURCHASING ALL OF THEIR RADIOS UP FRONT. THIS WAS BEING DRIVEN BY THE \$56,000 SAVINGS. THE OTHER AGENCIES ARE PURCHASING WHAT THEY CAN WITHIN THEIR BUDGETS.
- RES. 2017-289: COMM. DURANCZYK MOVED TO ADOPT RES. 2017-289, THE BAY COUNTY BOARD OF COMMISSIONERS THAT CONCURRENCE WAS GIVEN TO FILL THE FOLLOWING POSITIONS, MONIES FOR SAID POSITION TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS: VACANCIES: DEPARTMENT ON AGING: ON CALL, IN HOME SERVICES WORKER, PART TIME \$10.91 TO \$11.71 PER HOUR DEPENDING ON WORK ASSIGNMENT. THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2017-290: COMM. KRYGIER MOVED TO ADOPT RES. 2017-290, THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY AGREEMENT WITH BAY COUNTY (HEALTH DEPARTMENT) AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THE BUDGET ADJUSTMENTS RELATED TO THIS AGREEMENT, IF

REQUIRED, ARE APPROVED. THE AGREEMENT ENGAGED THE BAY COUNTY HEALTH DEPARTMENT TO RENDER CERTAIN TECHNICAL SERVICES RELATED TO NON-COMMUNITY WATER SUPPLY, DRINKING WATER LONG-TERM MONITORING, GREAT LAKES BEACH MONITORING, PUBLIC SWIMMING POOLS, SEPTAGE, AND CAMPGROUNDS. THE AGREEMENT SPECIFIES THAT BAY COUNTY HEALTH DEPARTMENT WILL RECEIVE \$9,617 TO PROVIDE THE AFOREMENTIONED PROGRAM SERVICES. IT WAS SUPPORTED BY COMM. DURANCZYK 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**

COMM. HEREK: COMMISSIONER HEREK STATED THERE HAVE BEEN SOME PUBLIC REMARKS ABOUT THE COUNTY BOARD AND THE ADMINISTRATION IN BAY COUNTY FAILING TO RESOLVE THE INDEPENDENCE AND LIBERTY BRIDGE REPAIR ISSUES. THE BOARD HAD DRAFTED A LETTER ON BEHALF OF THE COMMISSION AND ADMINISTRATION THAT WILL BE MAILED TO THE CITY STATING THAT THEY HAVE NOT PROPOSED A PLAN TO RESOLVE THE MATTER ON BEHALF OF THE CITY.

COMM. COONAN: COMMISSIONER COONAN, STATED WE ARE ELECTED TO SOLVE PROBLEMS, WE NEED TO COME TOGETHER TO FIND A SOLUTION AS THESE BRIDGES ARE VITAL TO THIS COMMUNITY.

EXECUTIVE BARCIA: COUNTY EXECUTIVE, JIM BARCIA. HAD MEET NUMEROUS TIMES WITH THE CITY, TWICE AT CITY COMMISSION MEETINGS; FIVE TIMES WITH CITY STAFF. WE REALIZE THAT INDEPENDENCE BRIDGE AND LIBERTY BRIDGE ARE VITAL TO BAY COUNTY. HOWEVER, THE CITY COMMISSION HAS NOT DEVELOPED A CONSENSUS ON WHAT THEY WANT TO DO. WHAT WE NEED TO DO BEING IT WAS A CITY ASSET, CURRENTLY UNDER THEIR CONTROL, WAS IF THEY CAN COALESCE AROUND ONE PLAN IT WOULD MAKE IT MUCH EASER FOR BAY COUNTY TO SUPPORT THAT PROPOSAL.

**ANNOUNCEMENTS**

COMM. KRYGIER: COMMISSIONER KRYGIER ENCOURAGED EVERYONE TO SHOP LOCAL THIS HOLIDAY SEASON.

COMM. HEREK: COMMISSIONER HEREK, ON BEHALF OF THE BAY COUNTY COMMISSION AND ADMINISTRATION, WE WOULD LIKE TO WISH EVERYONE A MERRY CHRISTMAS.

**CLOSED SESSION**

THERE WAS NO NEED FOR A CLOSED SESSION.

**RECESS/ADJOURNMENT**

MOTION 105: COMM. DURANCZYK MOVED TO ADJOURN THE SPECIAL SESSION OF DECEMBER 19, 2017. IT WAS SUPPORTED BY COMM. BEGICK THE MEETING CONCLUDED AT 5:15 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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TOM HEREK, CHAIRMAN  
BOARD OF COMMISSIONERS

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CYNTHIA A. LUCZAK, COUNTY CLERK  
BOARD OF COMMISSIONERS

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DIANE K. YAWORSKI  
SECRETARY TO THE CLERK  
BOARD OF COMMISSIONERS