SPECIAL MEETING

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, SEPTEMBER 18, 2012

4:45 P.M. (Or immediately following Committee meeting(s))

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I **CALL TO ORDER (CHAIRMAN)**

II **ROLL CALL**

III **INVOCATION**

IV **PLEDGE OF ALLEGIANCE**

V **CITIZEN INPUT (4:45 P.M.)**

VII **ITEMS FOR CONSIDERATION**

A. Personnel/Judicial Committee 9/18/12

- 1 - 1. Res. No. 2012-154 - Election Ballots

VIII **UNFINISHED BUSINESS**

IX **NEW BUSINESS**

X **MISCELLANEOUS**

XI **ANNOUNCEMENTS**

XII **CLOSED SESSION**

A. Corporation Counsel - Pending Litigation

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (e): To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

XIII **RECESS/ADJOURNMENT**

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: SEPTEMBER 18, 2012

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2012-154	Personnel/Judicial	Election Commission to adopt Bay Co. Purchasing Policy re: ballot printing bids	XX						
Motions									
92	Krause	To go into closed session regarding pending litigation	XX						
93	Duranczyk	Go back to regular session following closed session re: pending litigation	XX						
94	Krygier	To adjourn the Special Meeting of September 18, 2012	XX						

No. 2012-154

BAY COUNTY BOARD OF COMMISSIONERS

9/18/12

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (9/18/12

WHEREAS, With the 2012 elections in Bay County, concerns have been raised about the purchase of ballots and award of the job to Michigan Election Resources without going out for bid; and

WHEREAS, Michigan Election Resources has previously printed election ballots for Bay County and is the County Clerk's choice vendor; and

WHEREAS, Under normal circumstances the Purchasing Division would issue a request for competitive bids from every qualified vendor and, in this case, there are at least two qualified companies who print election ballots, Printing Systems, Inc. and Michigan Election Resources; and

WHEREAS, The Bay County Board of Election Commissioners, comprised of the Probate Judge, County Clerk and County Treasurer, has legal duties under Michigan law with respect to the conduct of elections, including ballots and the County Clerk has traditionally assumed responsibility for the details of the printing of ballots; and

WHEREAS, The Bay County Board of Commissioners is charged with adopting a balanced budget and monitoring the wise and efficient expenditure of taxpayer dollars; and

WHEREAS, Recently the Purchasing Division requested bid quotes for the printing and delivery of approximately 48,200 election ballots based on the order delivered for the August 7th primary and the response produced a $12,000 total ballot cost by Printing Systems, Inc. (a qualified company used by many units of government) and $23,044 by Michigan Election Resources, a difference of $11,044 or 92% higher; and

WHEREAS, The Bay County Clerk's 2012 budget (operating supplies) required a budget adjustment of $29,328 in addition to the approved 2012 amount of $150,000; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners urges the Bay County Board of Election Commissioners to adopt the Bay County Purchasing Policy as its purchasing policy.

TOM RYDER, CHAIR
AND COMMITTEE

Election Commission - Ballot Printing

MOVED BY COMM. Ryder

SUPPORTED BY COMM. Krause

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davis		✓		Tom Ryder	✓		
Brandon Krause	✓			Ernie Krygler	✓			Christopher Rupp		✓	
Vaughn J. Begick		✓		Kim Coonan	✓			Donald J. Tilley			✓

VOTE TOTALS:
ROLL CALL: ✓ YEAS 5 NAYS 3 EXCUSED 1
VOICE: YEAS ____ NAYS ____ EXCUSED ____

DISPOSITION: ADOPTED ✓ DEFEATED ____ WITHDRAWN ____
AMENDED ____ CORRECTED ____ REFERRED ____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: SEPTEMBER 18, 2012

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 92

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.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davis	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygier	X			Christopher Rupp	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley			X

VOTE TOTALS:

ROLL CALL: XX YEAS 8 NAYS 0 EXCUSED 1

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: SEPTEMBER 18, 2012

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 93

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS REGARDING PENDING LITIGATION.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davis	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygier	X			Christopher Rupp	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley			X

VOTE TOTALS:
ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

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

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: SEPTEMBER 18, 2012

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. KRAUSE

MOTION NO.: 94

TO ADJOURN THE SPECIAL BOARD SESSION OF SEPTEMBER 18, 2012 AT 5:45 P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davis	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygier	X			Christopher Rupp	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley			X

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____