

BAY COUNTY BOARD OF COMMISSIONERS

AGENDA

TUESDAY, OCTOBER 17, 2023

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I. CALL TO ORDER (CHAIRMAN BEGICK)

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

45-62

V. MINUTES (9/19/23; 10/10/23)

VI. AGENDA APPROVAL

VII. CITIZEN INPUT

VIII. PETITIONS AND COMMUNICATIONS

A. 4:00 P.M. – Presentation by Kyle Weidman Re: Bay County Medical Care Facility (Receive)

B. Applications for Appointment to Bay County Department of Health and Human Services Board to Fill 3-Year Unexpired Term Expiring 10/31/26 (Receive and Appoint)

1

1. Jill Schmidt

2

2. Gary Phillips

3-4

3. Marnie Westphal

IX. REPORTS/RESOLUTIONS OF COMMITTEES

A. WAYS AND MEANS (Tim Banaszak, Chair; Kaysey L. Radtke, Vice Chair)

5

1. No. 2023-178 – GPS Gate AVL Software (9-1-1 Central Dispatch)

6

2. No. 2023-179 – Service Provider Agreements and MOU (Community Corrections)

- 7 3. No. 2023-180 – Budget Increase – Child Care Fund 2023-2024 (Probate Court)
- 8 4. No. 2023-181 – CPLR (Probate Court)
- 9 5. No. 2023-182 – Quality Legal-Guardian Ad Litem Grant (Probate Court)
- 10 6. No. 2023-183 – CASA Contract 2023-2024 (Probate Court)
- 11 7. No. 2023-184 – FY2024 Federal Visitation and Access Grant (Friend of the Court)
- 12 8. No. 2023-185 – LeadsOnline Contract - \$4,000 (Sheriff)
- 13 9. No. 2023-186 – 85-15 Split for Health Care 2024 (Personnel)
- 14 10. No. 2023-187 – Contract with Covenant Occupational Health – Random Drug Screenings – 2024 (Personnel)
- 15 11. No. 2023-188 – Delta College Fitness Center Agreement – 2024 (Personnel)
- 16 12. No. 2023-189 – Month to Month Extension of Elevator Agreement (Recreation & Facilities)
- 17 13. No. 2023-190 – Liebert/Vertiv UPS Service Agreement (ISD)
- 18 14. No. 2023-191 – Budget Stabilization – Annual Review/Adjustment Fund Balance Fiscal Year Ending December 31, 2022 (Finance)
- 19 15. No. 2023-192 – Payables (Finance)

B. PERSONNEL/HUMAN SERVICES (Kathy Niemiec, Chair; Colleen Maillette, Vice Chair)

- 20 1. No. 2023-193 – Rider/Extension Agreement – Solucient Security (Stanley Alarm Systems) (Health Officer)
- 21 2. No. 2023-194 – Reclassification – BCAMPS (Personnel)

C. BOARD OF COMMISSIONERS (Vaughn J. Begick, Chair; Thomas M. Herek, Vice Chair)

- 22-27 1. No. 2023-195 – 2023 Assessments (Drain)
- 28-37 2. No. 2023-196 – 2023 Apportionment (Preliminary) (Equalization)
- 38 3. No. 2023-197 – Legislation Pre-Empting Local Control for Solar and Wind Developments (Amended) (Board of Commissioners)

39-41

4. No. 2023-198 – Pool Feasibility Study – Bid Award Notification (Purchasing)

42-44

5. No. 2023-199 – Reports of County Executive – SEPTEMBER

X. REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

XI. COMMISSIONER COMMENTS

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. PUBLIC INPUT

XV. MISCELLANEOUS

XVI. ANNOUNCEMENTS

A. 2023 APPOINTMENTS

1. December

- a. Bay County Veteran’s Affair Committee (one, 4-year term; M.Pergande)
- b. Department on Aging Advisory Committee (four, 2- year terms; Districts 1,3,5 and 7; R.Wiess, D.Behmlander, P.Rabidoux, D.Russell)

XVII. CLOSED SESSION (IF REQUIRED)

XVIII. RECESS/ADJOURNMENT

PLEASE NOTE: THE COMMITTEE CHAIR HAS REQUESTED THAT ANY ELECTED OFFICIAL DEPARTMENT/DIVISION HEAD PLACING AN ITEM ON THIS AGENDA BE PRESENT OR HAVE A REPRESENTATIVE PRESENT TO SPEAK TO THEIR REQUEST AND/OR ANSWER ANY QUESTIONS POSED BY COMMITTEE MEMBERS.

Join Zoom Meeting

<https://us02web.zoom.us/j/81694266170>

Meeting ID: 816 9426 6170

Passcode: 547697

One tap mobile

+13126266799,,81694266170#,,,,*547697# US (Chicago)

+19292056099,,81694266170#,,,,*547697# US (New York)

The County of Bay will provide necessary and reasonable auxiliary aids and services such as signers for the hearing impaired and audio tapes of printed materials to individuals with disabilities upon 10 days' notice to the County of Bay. Individuals with disabilities requiring auxiliary aids or services should contact the County of Bay by writing or calling:

Amber Davis-Johnson, ADA Coordinator
Corporation Counsel
515 Center Avenue
Fourth Floor, Bay County Building
Bay City, MI 48708
989-895-4131

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE	MOTION/RES.NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
10/17/23	RESOLUTION 2023-178	BANASZAK	APPROVED THE AUTOMATIC VEHICLE LOCATOR SOFTWARE COST SHARE AGREEMENT AND AUTHORIZED FUNDS IN THE AMOUNT \$5,333.96 FROM DISPATCHERS CURRENT BUDGET	XX						
10/17/23	RESOLUTION 2023-179	BANASZAK	APPROVED THE 2024 SERVICE CONTRACT MOU AND AGREEMENTS BETWEEN BAY COUNTY COMMUNITY CORRECTIONS AND THE SERVICE PROVIDERS.	XX						
10/17/23	RESOLUTION 2023-180	BANASZAK	APPROVED A BUDGET ADJUSTMENT INCREASING THE CHILD CARE FUND IN THE AMOUNT OF \$10,000 FOR FY 2022-2023 AND 420,000 FOR FISCAL YEAR 2023-2024	XX						
10/17/23	RESOLUTION 2023-181	BANASZAK	ACCEPTED THE CHILD PARENT LEGAL REPRESENTATION (CPLR) GRANT FOR FISCAL YEAR 2024.	XX						
10/17/23	RESOLUTION 2023-182	BANASZAK	ACCEPTED THE QUALITY LEGAL-GUARDIAN AD LITEM (QIGAL) GRANT FOR FISCAL YEAR 2024	XX						
10/17/23	RESOLUTION 2023-183	BANASZAK	APPROVED THE CASA CONTRACT FOR THE PERIOD OCTOBER 1, 2023 TO SEPTEMBER 30, 2024.	XX						
10/17/23	RESOLUTION 2023-184	BANASZAK	APPROVED THE FY 2024 FEDERAL ACCESS AND VISITATION GRANT.	XX						
10/17/23	RESOLUTION 2023-185	BANASZAK	APPROVED A CONTRACT WITH LEADSONLINE AND BAY COUNTY SHERIFF'S OFFICE WITH A BUDGET ADJUSTMENT OF UP TO \$4,000.	XX						
10/17/23	RESOLUTION 2023-186	BANASZAK	FOR THE YEAR 2024, OPTS OUT OF THE REQUIREMENTS OF P.A. 152 AND CONTINUES THE ALLOCATION OF HEALTH CARE COSTS OF 85% TO THE COUNTY AND 15% TO EMPLOYEES.	XX						
10/17/23	RESOLUTION 2023-187	BANASZAK	APPROVAL RENEWAL OF THE CONTRACT WITH COVENANT OCCUPATIONAL HEALTH FOR RANDOM SCREENINGS FOR POSITIONS WHICH REQUIRE A COMMERCIAL DRIVER LICENSES REQUIRED THROUGH THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION	XX						

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE	MOTION/RES.NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
10/17/23	RESOLUTION 2023-188	BANASZAK	APPROVED THE RENEWAL OF THE DELTA COLLEGE FITNESS AND RECREATION CENTER MEMBERSHIP AGREEMENT	XX						
10/17/23	RESOLUTION 2023-189	BANASZAK	APPROVED THE MONTH TO MONTH EXTENSION OF ELEVATOR AGREEMENT FOR THE BAY COUNTY BUILDING AND LAW ENFORCEMENT CENTER	XX						
10/17/23	RESOLUTION 2023-190	BANASZAK	APPROVED THE LIEBERT/VERITIV UPS SERVICE AGREEMENT	XX						
10/17/23	RESOLUTION 2023-191	BANASZAK	CONCURS WITH THE FINANCE OFFICER'S RECOMMENDATION OF NO CHANGE TO GENERAL FUND'S COMMITTED FUND BALANCE	XX						
10/17/23	RESOLUTION 2023-192	BANASZAK	APPROVED THE CLAIMS AGAINST THE COUNTY	XX						
10/17/23	RESOLUTION 2023-193	NIEMIEC	APPROVED THE RIDER TO THE AGREEMENT BETWEEN SOLUCIENT SECURITY AND BAY COUNTY HEALTH	XX						
10/17/23	RESOLUTION 2023-194	NIEMIEC	APPROVED THE RECOMMENDED RECLASSIFICATION AS PROVIDED FOR IN THE COLLECTIVE BARGAINING AGREEMENT	XX						
10/17/23	RESOLUTION 2023-195	HEREK	ADOPTED THE BAY COUNTY 2023 ASSESSMENT ROLLS SUBMITTED BY THE BAY COUNTY DRAIN COMMISSIONER	XX						
10/17/23	RESOLUTION 2023-196	HEREK	THE FOLLOWING COUNTY MILLAGES SHALL BE LEVIED ON THE 2023 TAXABLE VALUE OF REAL AND PERSONAL PROPERTY 2023 ASSESSMENTS ROLLS OF EACH TOWNSHIP AND CITY WITHIN THE COUNTY OF BAY.	XX						
10/17/23	RESOLUTION 2023-197	HEREK	OPOSED THE PRE-EMPTION OF LOCAL CONTROL IN SOLAR AND WIND SITING AND ZONING.	XX						
10/17/23	RESOLUTION 2023-198	HEREK	RECEIVED THE AWARD OF THE RFP FOR THE POOL FEASIBILITY STUDY	XX						

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

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10/17/23	RESOLUTION 2023-199	HEREK	RECEIVED THE EMPLOYMENT STATUS REPORT FOR SEPTEMBER 2023	XX						
10/17/23	MOTION 2023-85	POIRIER	MOVED TO APPROVE THE BOARD MINUTES FOR SEPTEMBER 19, 2023 AND OCTOBER 10, 2023	XX						
10/17/23	MOTION 2023-86	BANASZAK	MOVED TO APPROVE THE AGENDA FOR THE BAY COUNTY BOARD OF COMMISSIONERS REGULAR SESSION BOARD MEETING FOR OCTOBER 17, 2023	XX						
10/17/23	MOTION 2023-87	HEREK	MOVED TO RECEIVE THE PRESENTATION BY KYLE WEIDMAN REGARDING THE BAY COUNTY MEDICAL CARE FACILITY	XX						
10/17/23	MOTION 2023-88	HEREK	MOVED TO RECEIVE APPLICATIONS FOR THE BAY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD TO FILL A 3-YEAR UNEXPIRED TERM	XX						
10/17/23	MOTION 2023-89	BANASZAK	MOVED TO APPOINT JILL SCHMIDT TO THE BAY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD TO FILL A 3-YEAR UNEXPIRED TERM	XX						
10/17/23	MOTION 2023-90	POIRIER	MOVED TO ADJOURN THE REGULAR BOARD SESSION OF OCTOBER 17, 2023	XX						

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, Bay County Central Dispatch utilizes GPS Gate for Automatic Vehicle Locator (AVL) software to assist with dispatching police units within Bay County along with the ability to track locations for officer safety purposes; and

WHEREAS, The AVL software is hosted by Saginaw County 9-1-1 Authority and shared with both Bay County Central Dispatch and Midland County Central Dispatch; and

WHEREAS, The sharing among these three (3) agencies allows for a 3-way split of the total cost; and

WHEREAS Existing funds from the current year's budget, in the amount of \$5,333.96, are being requested to be paid to Saginaw County for the use of the AVL software; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Automatic Vehicle Locator (AVL) software cost share Agreement and authorizes funds, in the amount of \$5,333.96 from Bay County's Central Dispatch's current year budget, to be paid to Saginaw County Central Dispatch; Be It Further

RESOLVED That the Chairman of the Board is authorized to sign all documents related to the AVL software; Be It Finally

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

TIM BANASZAK, CHAIR
AND COMMITTEE

9-1-1 – GPS Gate AVL Software

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (10/3/2023)
- WHEREAS, Each year the Bay County Community Corrections Department requests grant funding from the Michigan Department of Corrections for the purpose of providing services to the community including inpatient/outpatient substance abuse treatment and educational programming; and
- WHEREAS, These programs assist in lowering prison commitments, allow for pre-trial supervision services and provide valuable drug treatment and educational services; and
- WHEREAS, Routinely, the Office of Community Corrections contracts with SMB Program d/b/a TRI-CAP, INC., Sacred Heart Rehabilitation Center d/b/a BASIS and Education Training Connection as the provider for these services; and
- WHEREAS, Pursuant to Resolution 2023-52, the Bay County Community Corrections was awarded \$166,264 for the 2024 Michigan Department of Corrections Grant Program to contract the service providers; and
- WHEREAS, Pursuant to Resolution 2023-106, a Memorandum of Understanding for the Ethics in Parenting Program(new for 2024) between Bay County Community Corrections, Dr. Kirk Wolf and the Bay County Sheriff's Office was approved and executed; and
- WHEREAS, The Bay County Community Corrections is seeking authorization to enter into the following service agreements with the service providers: (1) Non-Core Service and OMSP Inpatient Agreement with SMB Probation Center; (2) Substance Abuse Evaluations Agreement with Sacred Heart; (3) Outpatient Substance Abuse Treatment Agreement with Sacred Heart; (4) Agreement for Education/Restaurant Ready Services provided by Education Training Connections; and (5) MOU for Ethics in Parenting with Dr. Kirk Wolf; and
- WHEREAS, The above service contracts are entirely paid for through grant funding and no service contracts will be entered into unless the grant funding is awarded to Bay County. The Service contracts provide for contract termination if there is no available grant funding. There is no financial impact to Bay County; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the aforementioned 2024 service contracts, MOU and Agreements between Bay County (Community Corrections) and the service providers; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute said service contracts, MOU and Agreements on behalf of Bay County (Community Corrections) following Corporation Counsel review and approval; Be It Finally
- RESOLVED The related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR
AND COMMITTEE

Community Corrections – Service Provider Agreements and MOU

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. MAILLETTE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, The Bay County Juvenile Division of the Circuit Court has seen a rise in the number of children coming under the jurisdiction of the court, and also a rise in the severity of their mental health diagnosis; and

WHEREAS, As a result of the increased number of delinquency cases, the court is unable to cover the full evaluation costs, generated by an increase in the number of individuals with moderate to high-risk mental health issues; and

WHEREAS, A budget increase to the Child Care Fund in the amount of \$10,000.00 for the 2022-2023 fiscal year and \$20,000.00 for the 2023-2024 fiscal year is required; and

WHEREAS, Bay County will be reimbursed 50% through September 30, 2023, and 75% after October 1, 2023, by the State of Michigan; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves a budget adjustment increasing the Child Care Fund in the amount of \$10,000.00 for FY 2022-2023 and \$20,000.00 for FY 2023-2024; Be It Further

RESOLVED That the Chairman of the Board is authorized to sign required documents following Finance and Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR
AND COMMITTEE

Probate Court – Budget Increase – Child Care Fund 2023-2024

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, The Department of Health and Human Services (DHHS) has awarded the Family Division of the Circuit Court with the Child Parent Legal Representation (CPLR) grant for fiscal year 2024; and

WHEREAS, The CPLR grant has been awarded with the intent of increasing the quality of legal representation provided to the children and families currently under the jurisdiction of the court through dependent neglect proceedings; and

WHEREAS, The allocated funds totaling \$87,500.00 will be dispersed monthly to the court for reimbursable expenses of court appointed attorneys; and

WHEREAS, Eligible legal representation costs for reimbursement are as follows:

1. Increase in contractual or hourly wages for adequate compensation of court appointed attorneys
2. Educational training and conference expenses for court appointed attorneys,
3. Travel and mileage reimbursement for court appointed attorneys
4. Compensation for assistance with collateral legal issues, i.e. housing, custody, public benefits, etc.

RESOLVED That the Bay County Board of Commissioners accepts the Child Parent Legal Representation (CPLR) grant for fiscal year 2024 to be expended as outlined above; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute all grant documents required for the Child Parent Legal Representation (CPLR) grant for FY2024 on behalf of Bay County (Probate Court) following Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR
AND COMMITTEE

Probate Court - CPLR

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. MAILLETTE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, The Department of Health and Human Services (DHHS) has again awarded the Family Division of the Circuit Court with the Quality Legal-Guardian Ad Litem grant for fiscal year 2024; and

WHEREAS, The QL GAL grant has been awarded with the intent of increasing the quality of legal representation provided to the children currently under the jurisdiction of the court through dependent neglect proceedings; and

WHEREAS, The allocated funds totaling \$125,000.00 will be dispersed monthly at 100% reimbursement to the court for expenses of court appointed attorneys; and

WHEREAS, Eligible legal representation costs for reimbursement are as follows:
 1. Increase in contractual or hourly wages for adequate compensation of court appointed attorneys
 2. Educational training and conference expenses for court appointed attorneys,
 3. Travel and mileage reimbursement for court appointed attorneys

RESOLVED That the Bay County Board of Commissioners accepts the Quality Legal-Guardian Ad Litem (QLGAL) grant for fiscal year 2024 to be expended as outlined above; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute all grant documents required for the Quality Legal-Guardian Ad Litem (QLGAL) grant for FY 2024 on behalf of Bay County (Probate Court) following Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR
 AND COMMITTEE

Probate Court – Quality Legal-Guardian Ad Litem Grant

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. POIRIER

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, The Honorable Jan A. Miner and court administration are requesting the approval of the 2023-2024 CASA Contract entered into with the CAN Council Great Lakes Bay Region; and

WHEREAS, The CASA Program is funded by Child Care fund dollars. The Child Care fund budget was submitted for approval to the Bay County Board of Commissioners in September 2023; and

WHEREAS, A proposed contract, which is the same as last year with the exception of an updated term of the contract, has been submitted for approval; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the CASA Contract for the period October 1, 2023 to September 30, 2024, and authorizes the Chairman of the Board to execute said Contract and any necessary agreements or documents required to complete this contract with the CAN Council Great Lakes Bay Region on behalf of Bay County (Probate Court) following Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR
AND COMMITTEE

Probate Court – CASA Contract 2023-2024

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN-

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, The State Court Administrative Office (SCAO) is the administrative agency of the Michigan Supreme Court and is responsible for administering the Federal Access and Visitation Grants to courts for the provision of direct services that increase non-custodial parents' access to and visitation with their children; and

WHEREAS, The SCAO is contracting with the Bay County Friend of the Court for the provision of direct services that support and facilitate non-custodial parents' access to and visitation with their children; and

WHEREAS, The direct Service Provider Agency for the Bay County Friend of the Court is the Wellspring Lutheran Services, which will provide supervised parenting time based on Court Order referrals from the Friend of the Court office; and

WHEREAS, Supervised (including monitored and therapeutic) parenting time is eligible for reimbursement through contractual agreement; and

WHEREAS, The total Access and Visitation funding available to the Bay County Friend of the Court for FY 2024 is \$1100.00. The FY 2023 allocation was \$2000.00 reflecting a decrease in the FY 2024 of \$900.00. This number is based upon the available budget by the State of Michigan; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the FY 2024 Federal Access and Visitation Grant and authorizes the Chairman on the Board to execute and submit electronically, if required, the grant and related documents as well as contracts pertaining to the Federal Access and Visitation Grant following Finance and Corporation and Counsel review and 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 not be absorbed by the County; Be It Finally

RESOLVED That related budget adjustments, if required, are approved

TIM BANASZAK, CHAIR
AND COMMITTEE

FOC – FY2024 Federal Visitation and Access Grant

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. MAILLETTE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, In the past, the Bay County Sheriff's Office was able to utilize, at no charge, Business Watch International (BWI)'s law enforcement property recovery search system which allows law enforcement to search daily entries from local pawnshops and second-hand dealers to search for stolen items; and

WHEREAS, BWI was purchased by LeadsOnline and the service is no longer free. Accordingly, the Bay County Sheriff's Office received a proposal from LeadsOnline; and

WHEREAS, LeadsOnline provides a quick and comprehensive way for law enforcement to run case information through its search system and allows law enforcement to instantly search transactions from reporting pawnshops to identify people, property, and patterns; and

WHEREAS, Based on the LeadsOnline proposal, the cost of the Power Plus search system is \$3,236 a year for a three (3) year term with an annual increase capped at 3% per year; and

WHEREAS, Bay County Ordinances 51 and 52 require pawnbrokers in Bay County to have a Dealer License, which is approximately \$200 per license per year. Bay County receives approximately \$400 a year for these pawnbroker's licenses; and

WHEREAS, If permissible under state law, the Bay County Ordinance could be amended to increase the application fee and these potential additional funds may be used to cover a portion of the property recovery search system costs; and

WHEREAS, The Bay County Sheriff is requesting a budget adjustment of up to \$4,000 to cover the costs of the LeadsOnline property recovery search system contract; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves a contract with LeadsOnline and Bay County (Sheriff's Office) with a budget adjustment of up to \$4,000; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said contract and any related documents following Corporation Counsel review and approval; Be It Further

RESOLVED That Corporation Counsel is requested to pursue amendment to Bay County Ordinances 51 and 52, if permissible under state law, allowing the increase of Bay County's application fee which could offset a portion of the property recovery search system costs; Be It Finally

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

TIM BANASZAK, CHAIR
AND COMMITTEE

Sheriff – LeadsOnline Contract - \$4,000

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. POIRIER

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN- ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, For several years, County represented and non-represented employees have borne a 15% cost contribution to their health care coverage, long before most counties; and

WHEREAS, On September 27, 2011, Public Act 152 became effective and provided, among other items, that the employer shall bear no more than 80% of the total health care costs (Section 3 of the Act) unless "Sec. 8.(1) by a 2/3 vote of its governing body each year, a local unit of government exempt itself from the requirements of this act for the succeeding year."; and

WHEREAS, Bay County has entered into collective bargaining agreements which do not contemplate an increase from the 15% currently allocated, moreover, the 85/15% is included in the Executive's proposed budget for 2024; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners, for the year 2024, opts out of the requirements of P.A. 152 and continues the allocation of health care costs of 85% to the County and 15% to employees.

TIM BANASZAK, CHAIR
AND COMMITTEE

Personnel – 85-15 Split for Health Care 2024

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

- WHEREAS, Bay County has positions which require a Commercial Driver License (CDL) to perform the essential functions of the job; and
- WHEREAS, The Federal Motor Carrier Safety Administration requires employers to have a random drug testing policy for any position which requires a CDL and it is allowable for employers to join a consortium in order to adhere to these regulations; and
- WHEREAS, Covenant Occupational Health offers a consortium where employers with five or less CDL-required positions can join and Covenant will oversee and conduct the random drug testing adhering to Department of Transportation guidelines; and
- WHEREAS, Bay County currently qualifies for this program based on the number of active positions requiring a commercial driver's license; and
- WHEREAS, There is a \$75.00 annual maintenance fee and up to \$90.00 fee if a Bay County employee is chosen in the random selection; funds exist in the current budget and no additional funds are necessary; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approval renewal of the Contract with Covenant Occupational Health for random screenings for positions which require a Commercial Driver License as required through the Federal Motor Carrier Safety Administration; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute said Contract and related documents on behalf of Bay County (Personnel) following Corporation Counsel review and approval; Be It Finally
- RESOLVED That related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR
AND COMMITTEE

Personnel – Contract with Covenant Occupational Health – Random Drug Screenings - 2024

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. POIRIER

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, Bay County has purchased annual memberships from the Delta College Fitness and Recreation Center since May 2005 and the current Membership Agreement for full use of the Delta College Fitness and Recreation Center expires January 11, 2024; and

WHEREAS, Bay County wishes to renew the annual Membership Agreement; and

WHEREAS, The memberships are available for full and part-time Bay County employees and retirees to use the exercise facilities; and

WHEREAS, The total cost for five annual memberships (\$340 per membership) is \$1,700. This is an increase of \$8 per membership from 2023; and

WHEREAS, Funds are currently budgeted at \$1,660 in the 2024 budget and will need to be increased to the new amount; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the renewal of the Delta College Fitness and Recreation Center Membership Agreement for five (5) memberships in the amount of \$1,700 for the period (January 12, 2024, through January 11, 2025); Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the Annual Membership Agreement and all related documents on behalf of Bay County following Corporation Counsel review and approval; Be It Further

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

TIM BANASZAK, CHAIR
AND COMMITTEE

Personnel – Delta College Fitness Center Agreement - 2024

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, Bay County's current elevator maintenance agreement is ending on October 31, 2023; and

WHEREAS, Due to the upcoming elevator project, it is being requested to go month to month with the current provider until the new elevator vendor is selected for the installation of elevators at the Bay County Building; and

WHEREAS, The month-to-month price does not exceed the current cost, \$400 for the County Building and \$600 for the Law Enforcement Center per month; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the month to month extension of elevator Agreement for the Bay County Building and Law Enforcement Center and authorizes the Chairman of the Board to sign any documents related to the Agreement following Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR
AND COMMITTEE

Recreation & Facilities – Month to Month Extension of Elevator Agreement – County Building & Law Enforcement Center

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, Bay County Information Systems Division (ISD) purchased a UPS battery backup in the event of a disaster where power is lost to the County building and the building generator does not engage; and

WHEREAS, The UPS is equipped to handle the power needed to run all the equipment in the datacenter for several hours until the generator takes over control or power is restored to the County building; and

WHEREAS, A Service Agreement with Liebert/Vertiv UPS allows for preventive maintenance to occur and 24/7 support if there is an issue with the equipment; and

WHEREAS, There are funds existing in the Information Systems Division budget to cover the maintenance costs related to the Liebert/Vertiv UPS Service Agreement. Each year funds are budgeted in the ISD budget for the UPS. No additional funds are requested; and

RESOLVED That the Bay County Board of Commissioners approves the Liebert/Vertiv UPS Service Agreement and authorizes the Chairman of the Board to sign the Agreement and any and all related documents following Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR
AND COMMITTEE

ISD – Liebert/Vertiv UPS Service Agreement

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. POIRIER

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

WHEREAS, Per the Bay County Ordinance No. 28, as amended August 9, 2026, Section 3.002 Appropriations to the Funds states, "Each fiscal year the county commission may appropriate by a resolution adopted by two-thirds of its members elected and serving, all or part of the surplus in the General Fund resulting from an excess of revenues in comparison to expenses, to the Budget Stabilization Agreement."; and

WHEREAS, For the Fiscal Year Ending December 31, 2022, Bay County ended the year with a General Fund deficit of expenditures over revenues of (\$1,992,838.43); and

WHEREAS, The current balance in the budget stabilization arrangement is \$7,344,396.88 which is 18.56 percent of the \$39,567,492.00 General Fund 2022 originally adopted budget; and

WHEREAS, Ordinance No. 28, as amended August 9, 2016, creates the Budget Stabilization Fund and states the fund will not exceed 20% of the County's most recent General Fund budget or 20% of the average of the County's five most recent General Fund budgets, whichever is less; and

WHEREAS, Since the 2022 General Fund year ended in a deficit, the Finance Officer is recommending no change to the General Fund's committed Budget Stabilization arrangement; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners concurs with the Finance Officer's recommendation of no change to General Fund's committed fund balance – Budget Stabilization arrangement from the unassigned fund balance account.

TIM BANASZAK, CHAIR
AND COMMITTEE

Finance – Budget Stabilization Fund FYE 12/31/2022

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN-___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (10/3/2023)

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

ACCOUNTS PAYABLE:

8/30/2023	\$314,414.55
9/6/2023	\$248,651.61
9/13/2023	\$801,596.47
9/20/2023	\$470,741.45

TIM BANASZAK, CHAIR
AND COMMITTEE

Payables

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. MAILLETTE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/10/2023)
 WHEREAS, The Bay County Health Department’s fire and security alarm system has been maintained by the Bay County Buildings and Grounds Division, and as such, works directly with Solucient Security (aka Stanley Alarm Systems) to ensure the system is monitored and operational; and
 WHEREAS, An upgrade is necessary for a dual path alarm communicator as an add-on for the security system which will allow connection with a network using both a cellular connection and an IP connection; and
 WHEREAS, In order for the upgrade to be complete, a Rider to the original agreement must be signed; and
 WHEREAS, The cost to have the dual path alarm communicator is \$1,186. There is proper funding within the Health Department’s budget and no general funds will be necessary; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the Rider to the Agreement between Solucient Security (aka Stanley Alarm Systems) and Bay County (Health Department); Be It Further
 RESOLVED That the Chairman of the Board is authorized to sign the Rider and any and all required documents following Corporation Counsel review and approval; Be It Finally
 RESOLVED That budget adjustments relating to this Agreement(s), if required, are approved.

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

Health Dept – Rider/Extension Agreement – Solucient Security (Stanley Alarm Systems)

MOVED BY COMM. NIEMIEC
 SUPPORTED BY COMM. POIRIER

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0
 VOICE: YEAS 7 NAYS 0 EXCUSED 0
 DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/10/2023)

WHEREAS, The BCAMPS collective bargaining agreement provides an opportunity for the union to present reclassification requests on behalf of the membership should the employee make a request for consideration; and

WHEREAS, If the position qualifies under the criteria of the collective bargaining agreement and the Bay County compensation program, the recommendations are received by the full Board; and

WHEREAS, Any reclassifications that are approved are effective January 1 of the following year; and

WHEREAS, The reclassification that is being recommended at this time has the following financial impact:
 1) OAC Administrator PB05 (\$45,739.20 - \$52,166.40 to PB06 (\$50,065.60 - \$57,512.00)

WHEREAS, Wages plus percentage-based fringes will have a financial impact of approximately \$6,100 annually. Additional MIDC funding will fund the increase in wages; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the recommended reclassification (referenced above) as provided for in the collective bargaining agreement; Be It Finally

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

KATHY NIEMIEC, CHAIR
AND COMMITTEE

Personnel – Reclassification - BCAMPS

MOVED BY COMM. NIEMIEC

SUPPORTED BY COMM. BANASZAK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (10/17/23)

RESOLVED By the Bay County Board of Commissioners that the 2023 Assessment Rolls, as submitted by the Bay County Drain Commissioner (summary attached) and on file in the Bay County Clerk's Office, are hereby adopted

VAUGHN J. BEGICK, CHAIR
AND BOARD

Drain – 2023 Assessment Rolls

MOVED BY COMM. HEREK
SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN-___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (10/17/2023)

WHEREAS, The Bay County Board of Commissioners has the duty, in its October annual session, to do the following in accordance with 211.37 of the Michigan Property Tax Laws; and

WHEREAS, These requirements are as follows:

Sec. 37: The County Board of Commissioners, at its annual session in October in each year, shall ascertain and determine the amount of money to be raised for County purposes, which determination and apportionment shall be entered at large on its records. It shall also examine all certificates, statements, papers, and records submitted to it, showing the moneys to be raised in the several townships for school, highway, drain, township and other purposes. It shall hear and duly consider all objections made to raising any such moneys by any taxpayer to be affected thereto. If it shall appear to the Board that any certificate, statement, paper, or record is not properly certified, or that the same is in anyway defective, or that any proceeding to authorize the raising of any such moneys had not been had or is in anyway imperfect, the Board shall certify the same, and if the certificate, statement, paper, record, or proceeding can then be corrected, supplied or had, the Board shall authorize and require the defects or omissions of proceedings to be corrected, supplied, or had. It may refer any or all the certificates, statements, papers, records, and proceedings to the Prosecuting Attorney, whose duty it shall be to examine the same and without delay, report in writing his opinion to the Board. It shall direct that such of the several amounts of money proposed to be raised for township, school, highway, drain, and all other purposes as shall be authorized by law, be spread upon the assessment roll of the proper townships, wards and cities. Such action and direction shall be entered in full upon the records of the proceedings of the Board and shall be final as to the levy and assessment of all such taxes, except when there is a change made in the equalization of any county by the Board or State Tax Commission upon appeal in the manner provided by law. The direction for spread of taxes shall be expressed in terms of millages to be spread against the taxable values of properties and shall not direct the raising of any specific amount of money. This section does not apply when Section 36(2) applies; and

WHEREAS, The Bay County Board of Commissioners has caused the above to be thoroughly checked for statutory requirements; Therefore, Be It

RESOLVED That the following county millages shall be levied on the 2023 taxable value of real and personal property 2023 assessments rolls of each township and city within the County of Bay:

Mills

Mills Levied in
2023

BAY COUNTY GENERAL OPERATING	5.7078
BAY COUNTY LIBRARY OPERATING	1.7445
BAY COUNTY MOSQUITO CONTROL	.5482
BAY COUNTY SENIOR CITIZENS	.8500
BAY COUNTY 911 CENTRAL DISPATCH	1.0500
BAY COUNTY MEDICAL CARE FACILITY	.7476
BAY COUNTY MEDICAL CARE FACILITY	.9969
BAY COUNTY HISTORICAL	.0948
BAY COUNTY GYPSY MOTH	.0996
BAY COUNTY VETERANS	.0996
BAY COUNTY ANIMAL SERVICES	.7000
TOTAL	12.6390

All millages are in accordance with the demands as presented on the Clerk's Certificates for schools, intermediate schools, community college city, township, and authority within the above local units. All have been checked for statutory compliance and, to the best of our knowledge, are in compliance with the Michigan Statutes. All special assessments, drain taxes, and all other taxes authorized by law shall be levied in accordance with the Michigan Statutes; Be It Further

RESOLVED That the Chairman of the Board and the Bay County Clerk are authorized to execute the Clerk's Certificates, the 4029's and any other documentation required.

VAUGHN J. BEGICK, CHAIR
AND BOARD

Equalization – 2023 Apportionment

MOVED BY COMM. HEREK
SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION - AMENDED

BY: BAY COUNTY BOARD OF COMMISSIONERS (10/17/23)
 WHEREAS, Executive Directive 2020-10 aims to achieve 100 percent carbon neutrality in Michigan by 2050, which, industry leaders have pledged to reduce carbon emissions to help achieve this goal; and
 WHEREAS, Efforts to expand renewable energy projects will continue to increase in this State. The Governor has proposed Michigan Public Service Commission be the sole regulating authority for solar and wind projects to expedite these efforts; and
 WHEREAS, By granting the Michigan Public Service Commission this authority, local control will be preempted; and
 WHEREAS, Should local control be preempted, a county, township, city, or village would be unable to determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility; and
 WHEREAS, If a county already has a solar or wind policy, practice, regulation, rule or ordinance on record it would be null and void; and
 WHEREAS, All other types of energy facilities, while regulated by the Michigan Public Service Commission, must adhere to local zoning; and
 WHEREAS, This proposal grants far more regulating authority to the Michigan Public Service Commission than for any other energy source; and
 WHEREAS, The Michigan Association of Counties opposes any legislative action that may grant the Michigan Public Service Commission this power; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners opposes the pre-emption of local control in solar and wind siting and zoning; Be It Further
 RESOLVED That the Bay County Board of Commissioners opposes any legislation from the State of Michigan that pre-empts local zoning.

VAUGHN J. BEGICK, CHAIR
 AND BOARD

Board of Commissioners – Legislation Pre-Empting Local Control for Solar and Wind Developments
 (Amended)

MOVED BY COMM. HEREK

SUPPORTED BY COMM. MAILLETTE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN-
 AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (10/17/23)

WHEREAS, The Bay County Community Center Pool Feasibility Study bid was released on August 11, 2023, on the print and online editions of MLive, the County Facebook, Webpage and TV Station; as well as BidNet and SmartProcure two national/international bid cooperatives; and

WHEREAS, The vendor response was opened on Friday, September 15, 2023, at 11:00 A.M., and one (1) submission was received from WTA Architects; and

WHEREAS, WTA Architects was a vendor deemed responsive. During the review of the bid submission by a committee, formed as per the Purchasing Policy, the submission was accepted and pricing was opened; and

WHEREAS, The price for the project is \$36,300 to include a public input survey, three (3) design concepts and cost estimates of the renovation of the entrance, locker room area, cashier’s booth and staffing levels; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners receives the award of the RFP and authorizes the Board Chair to sign all documents relating to the award of this bid following Corporation Counsel review and approval; Be It Finally

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

VAUGHN J. BEGICK, CHAIR
AND BOARD

Purchasing – Pool Feasibility Study – Bid Award Notification

MOVED BY COMM. HEREK

SUPPORTED BY COMM. RADTKE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED 0 WITHDRAWN- 0

AMENDED 0 CORRECTED 0 REFERRED 0 NO ACTION TAKEN 0

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 17, 2023

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (10/17/23)

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

1. Employment Status Report – SEPTEMBER 2023

VAUGHN J. BEGICK, CHAIR
AND BOARD

County Executive – Status Reports

MOVED BY COMM. HEREK

SUPPORTED BY COMM. MAILLETTE

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC	X			COLLEEN M. MAILLETTE	X			DENNIS R. POIRIER	X		
TIM BANASZAK	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 10/17/2023

MOTION SPONSORED BY: COMM. POIRIER

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 85

MOVED TO APPROVE THE BOARD MINUTES FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR BOARD MEETING OF SEPTEMBER 19, 2023, AND THE MINUTES FOR THE SPECIAL BOARD MEETING ON OCTOBER 10, 2023, AS PRESENTED.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Kathy Niemiec	X			Colleen Maillette	X			Dennis Poirier	X		
Tim Banaszak	X			Thomas Herek	X						
Vaughn J. Begick	X			Kaysey Radtke	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: 10/17/2023

MOTION SPONSORED BY: COMM. BANASZAK

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 86

MOVED TO APPROVE THE AGENDA FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR SESSION BOARD MEETING FOR OCTOBER 17, 2023.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Kathy Niemiec	X			Colleen Maillette	X			Dennis Poirier	X		
Tim Banaszak	X			Thomas Herek	X						
Vaughn J. Begick	X			Kaysey Radtke	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: 10/17/2023

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. POIRIER

MOTION NO.: 87

MOVED TO RECEIVE THE PRESENTATION BY KYLE WEIDMAN REGARDING THE BAY COUNTY MEDICAL CARE FACILITY.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Kathy Niemiec	X			Colleen Maillette	X			Dennis Poirier	X		
Tim Banaszak	X			Thomas Herek	X						
Vaughn J. Begick	X			Kaysey Radtke	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: 10/17/2023

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 88

MOVED TO RECEIVE APPLICATIONS FOR THE BAY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD TO FILL A 3-YEAR UNEXPIRED TERM EXPIRING 10/31/2026. APPLICATIONS FOR JILL SCHMIDT, GARY PHILLIPS, AND MARNIE WESTPHAL.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Kathy Niemiec	X			Colleen Maillette	X			Dennis Poirier	X		
Tim Banaszak	X			Thomas Herek	X						
Vaughn J. Begick	X			Kaysey Radtke	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: 10/17/2023

MOTION SPONSORED BY: COMM. BANASZAK

MOTION SUPPORTED BY: COMM. NIEMIEC

MOTION NO.: 89

BANASZAK MOVED TO APPOINT JILL SCHMIDT TO THE BAY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD TO FILL A 3-YEAR UNEXPIRED TERM EXPIRING 10/31/26.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Kathy Niemiec	X			Colleen Maillette	X			Dennis Poirier	X		
Tim Banaszak	X			Thomas Herek	X						
Vaughn J. Begick	X			Kaysey Radtke	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: 10/17/2023

MOTION SPONSORED BY: COMM. POIRIER

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 90

MOVED TO ADJOURN THE REGULAR BOARD SESSION OF
OCTOBER 17, 2023. THE MEETING CONCLUDED AT 4:56
P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Kathy Niemiec	X			Colleen Maillette	X			Dennis Poirier	X		
Tim Banaszak	X			Thomas Herek	X						
Vaughn J. Begick	X			Kaysey Radtke	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED