

BAY COUNTY BOARD OF COMMISSIONERS

TUESDAY, MAY 16, 2023

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

- I. **CALL TO ORDER (VICE CHAIR HEREK)**
- II. **ROLL CALL**
- III. **INVOCATION**
- IV. **PLEDGE OF ALLEGIANCE**
- 21-35 V. **MINUTES (4/18/23; 5/2/23)**
- VI. **AGENDA APPROVAL**
- VII. **CITIZEN INPUT**
- VIII. **PETITIONS AND COMMUNICATIONS**
 - A. **4:00 P.M. – Presentation by Phil Eich on the First Quarter Report for Hey, Bay City! (Receive)**
 - 1-2 B. **Bay County Treasurer – Delinquent Tax Foreclosure Report (Receive)**
 - 3-5 C. **City of Bay City – Application for Industrial Facilities Tax Exemption Certificate – Bay Carbon, Inc. - \$1,000,000 (Receive)**
- IX. **REPORTS/RESOLUTIONS OF COMMITTEES**
 - A. **PERSONNEL/HUMAN SERVICES (Kathy Niemiec, Chair; Colleen Maillette, Vice Chair)**
 - 6 1. **No. 2023-85 - Revised Process to Fill Vacancies (Commissioner Niemiec, Committee Chair)**
 - 7 2. **No. 2023-86 - Legal Secretary Vacancy (Prosecutor)**
 - 8 3. **No. 2023-87 - Agreement Number DFA24-09003- Home Aide Position (Family Support Specialist) 2023-2024 (Michigan Department of Health and Human Services)**

- 9 4. No. 2023-88 - Authorization of Appraisals & Buildout Analyses for Community Health & Human Services Center Location Sites with Amended Authorization for Acquisition (Health Dept.)
- 10 5. No. 2023-89 - Grant Award for In-Home Services/DCW Providers from Region VII, AAA (Department on Aging)
- 11 6. No. 2023-90 - Budget Adjustment for Purchase of Golf Course Chemical Sprayer - \$16,000 (Recreation & Facilities)
- 12 7. No. 2023-91 - Rescission of Resolution 2023-38 re: MMRMA RECTify Cybersecurity Vulnerabilities Grant (Information Systems)
- 13 8. No. 2023-92 - MMRMA RECTify Cybersecurity Vulnerabilities Grant (Information Systems)
- 14 9. No. 2023-93 - Agreement with Cisco and Port53 – Cloud Security Managed Services (Information Systems)
- 15 10. No. 2023-94 - Vacancies: Budgeted: 9-1-1 Central Dispatch; Office of Criminal Defense; Unbudgeted: Department on Aging (Personnel)

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

- 16-19 1. No. 2023-95 - Reports of County Executive – April
- 20 2. No. 2023-96 - Saint Paul Lutheran Church 175th Year of Service Anniversary (Board Chair Begick)

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. June

- a. Library Board (one, 5-year term; A.Harris)

2. October

- a. Lank Bank Authority (two, 3-year terms; D.Kiesel, City of Bay City, & J. Rivet, City Commissioner)
- b. Bay County Department of Human Services (one, 3-year term; F.Dewyse)
- c. Jury Commission (one, 6-year term; D.Butler)

3. 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 OF BOARD MEETING: MAY 16, 2023

PAGE 1 OF 2

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2023-85	NIEMIEC	APPROVED THE REVISED PROCESS TO FILL VACANCIES. (PERSONNEL)	XX						
2023-86	NIEMIEC	APPROVED THE FILLING OF ONE SENIOR LEGAL SECRETARY (TU-08) AND BACKFILL ONE LEGAL SECRETARY (TU-07) IF NECESSARY (PROSECUTOR)	XX						
2023-87	NIEMIEC	APPROVED THE AGREEMENT NUMBER DFA24-09003 HOME AIDE POSITION (FAMILY SUPPORT SPECIALIST) 2023-2024 (DHHS)	XX						
2023-88	NIEMIEC	AUTHORIZATION OF APPRAISALS & BUILDOUT ANALYSES FOR COMMUNITY HEALTH & HUMAN SERVICES CENTER LOCATION SITES WITH AMENDED AUTHORIZATION FOR ACQUISITION (HEALTH DEPT.)	XX						
2023-89	NIEMIEC	ACCEPTED PREMIUM PAY FOR DIRECT CARE WORKERS FUNDING (DOA)	XX						
2023-90	NIEMIEC	APPROVED THE BUDGET ADJUSTMENT FOR THE PURCHASE OF A GOLF COURSE CHEMICAL SPRAYER (REC & FACILITIES)	XX						
2023-91	NIEMIEC	RESCINDED RESOLUTION NO. 2023-38 REGARDING MMRMA RECTIFY CYBERSECURITY VULNERABILITIES GRANT. (ISD/FINANCE)	XX						
2023-92	NIEMIEC	APPROVED THE SUBMITTAL AND ACCEPTANCE OF THE RECTIFY CYBERSECURITY VULNERABILITIES GRANT. (ISD/FINANCE)	XX						
2023-93	NIEMIEC	APPROVED THE AGREEMENT WITH CISCO AND PORT53- CLOUD SECURITY (ISD/FINANCE)	XX						
2023-94	NIEMIEC	APPROVED THE VACANCIES FOR MAY 2023	XX						
2023-95	BANASZAK	APPROVED THE EMPLOYMENT STATUS REPORT FOR APRIL	XX						
2023-96	BANASZAK	RECOGNIZED ST. PAUL LUTHERAN CHURCH FOR 175 YEARS OF SPIRITUAL LEADERSHIP AND SERVICE TO THE COMMUNITY.	XX						

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 WHEREAS, The 2023 General Appropriation Budget Act Resolution (2022-269) included language that reads as follows: "All Personnel vacancies, regardless of fund, that are budgeted or occur in the 2023 department expenditures budget shall be filled only after concurrence by the Board of Commissioners."(Stipulation 21); and
 WHEREAS, As a result of the language in Stipulation 21, the Board of Commissioners are required to reapprove job vacancies and related expenditures that had already been approved in the 2023 Budget Resolution. This resulted in an unnecessary and repetitive process of filling budgeted positions; and
 WHEREAS, In an effort to streamline the hiring process, it is recommended that the current procedure requiring Board approval prior to posting/filling 2023 budgeted vacant positions be suspended; and
 WHEREAS, Suspending this additional hiring requirement will have no additional financial implications or require additional budget adjustments as the positions have already been approved in the 2023 budget; Therefore, Be It
 RESOLVED By the Bay County Board of Commissioners that the current procedure requiring Board approval to post/fill vacated positions that have been budgeted in the 2023 adopted Bay County Budget, as outlined in Res. No 2022-269, Stipulation No. 21, is hereby suspended with the clear understanding that new, unfunded positions will require Board approval.

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

Resolution sponsored by Commissioner Niemiec, Committee Chair
 Personnel - Revised Process to Fill Vacancies

MOVED BY COMM. NIEMIEC

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 6 NAYS ___ EXCUSED 1

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 WHEREAS, The Bay County Prosecutor wishes to fill a Senior Legal Secretary (TU-08) position in the Prosecutor's Office due to an employee retirement and to allow the position to be filled prior to the retirement to allow for training and a seamless transition; and
 WHEREAS, This is a full time position with benefits and funds exist within the Prosecutor's 2023 budget to cover the positions; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners authorizes posting/filling one Senior Legal Secretary (TU-08) position prior to the scheduled retirement; Be It Further
 RESOLVED That authorization if it becomes necessary is granted to post/fill vacancies for a Legal Secretary (TU-07) in the event that a current Legal Secretary within the Prosecutors Office fills the open, Senior Legal Secretary position thereby creating an additional vacancy within the Prosecutors Office, monies for said positions to come from the respective departmental budgets; Be It Further
 RESOLVED That in the event individuals hired to fill approved vacancies prove to be unqualified or no longer want the position, the Personnel Director is authorized to post/fill the previously approved vacancy within a 60-day time period; Be It Further
 RESOLVED That budget adjustments, if required, are approved; Be It Finally
 RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated or hours reduced if grant funding is terminated or reduced.

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

Prosecutor – One Senior Legal Secretary (TU-08) and back fill One Legal Secretary (TU-07) If Necessary

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 ___ NAYS ___ EXCUSED ___

VOICE: YEAS 6 NAYS ___ EXCUSED 1

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 WHEREAS, On August 11, 2015, the Bay County Board of Commissioners adopted Resolution No. 2015-182 approving an Agreement with the Bay County Department of Health and Human Services to establish the position of a Home Aide, also known as a Family Support Specialist; and
 WHEREAS, Bay County was asked to share half the cost of this position, and those funds were appropriated; and
 WHEREAS, The Home Aide Position has proven to be very successful for parents who are at risk of substantiated child abuse or neglect; and
 WHEREAS, Given the proven success resulting from the addition of the position, it is recommended that Agreement Number DFA24-09003 be renewed; and
 WHEREAS, Bay County's portion of the cost for the position for the 2023-2024 contract year is \$57,750 paid in 3 installments (an increase over the prior year's contract of \$1,750) and those funds will be included in the proposed 2024 Bay County budget; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves Agreement Number DFA24-09003 covering the period October 1, 2023, to September 30, 2024, and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following Finance Department and Corporation Counsel review and approval; Be It Finally
 RESOLVED That related required budget adjustments are approved.

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

DHHS - Agreement Number DFA24-09003- Home Aide Position (Family Support Specialist) 2023-2024
 (Previously known as Eligibility Specialist)

MOVED BY COMM. NIEMIEC
 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 ___
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 AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)

WHEREAS, In December 2022, the Bay County Board of Commissioners pursuant to Resolution 2022-254, allocated \$9,000,000 for the proposed Health and Human Services Center. Additionally, \$2,000,000 has been appropriated via an earmark in the federal budget to the project; and

WHEREAS, In the subsequent months, administration has diligently worked to negotiate the acquisition of an identified property. However, it appears that the price point of the seller exceeds the appraisal value as identified in fall of 2022; and

WHEREAS, Additional sites have been subsequently identified, potentially having significantly less renovation resulting in an overall lower cost to the entire project for the proposed Health and Human Services Center; and

WHEREAS, The Bay County Health Department is seeking authorization for all necessary appraisals and buildout analyses for alternative sites; and

WHEREAS, The estimated cost of these appraisals/analyses is between \$20,000 - \$40,000, depending on the number of sites. There is no impact to general funds as the Health Department will utilize existing community stabilization funding already provided by the State of Michigan; and

WHEREAS, The Bay County Health Department further recommends an amendment to Resolution 2022-254 which would provide Board of Commissioners' final authorization over the alternative property's acquisition; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes all necessary appraisals and buildout analyses of alternative sites, including authorizing the Board Chair to sign any necessary agreements to perform said services, following Corporation Counsel review and approval; Be It Further

RESOLVED That authorization for Resolution 2022-254 is amended so that the administration, based on alternative sites identified, appraised and analyzed, is able to negotiate a purchase of property as well as to receive and award bids for design, sitework and other necessary services for the proposed renovation or construction; Be It Finally

RESOLVED That budget adjustments relating to this Agreement(s), if required, are approved.

KATHY NIEMIEC, CHAIR
AND COMMITTEE

Health Dept – Authorization of Appraisals & Buildout Analyses for Community Health & Human Services Center Location Sites with Amended Authorization for Acquisition

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:

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AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

- BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
- WHEREAS,** Governor Whitmer signed into law Premium Pay for Direct Care Workers funding and, as a result, the Bay County Department on Aging will be receiving funding through Region VII Area Agency on Aging, due to the COVID-19 pandemic, for those that provide Homemaking and Personal Care services with a \$2.64/hour wage increase (\$2.35 + .29 for additional payroll/FICA costs); and
- WHEREAS,** This is to be based on the number of units each DOA Homemaking and Personal Care staff will be completing in the 2023 grant year and this funding is for Homemaking and Personal Care programs only; and
- WHEREAS,** The Department on Aging has been notified it will receive funds in the current amount of \$38,721 for the 2023 grant year covering October 2022 through September 2023; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners, on behalf of the Bay County Department on Aging, accepts funds from Region VII Area Agency on Aging, in the amount of \$38,721, for those that provide Homemaking and Personal Care services with a \$2.64/hour wage increase (\$2.35 + .29 for additional payroll/FICA costs), for the 2023 grant year (October 2022 through September 2023); Be It Further
- RESOLVED** That the Chairman of the Board is authorized to execute all required grant documents, including monthly reimbursement reports, on behalf of Bay County (Department on Aging) following Finance and Corporation Counsel review and approval; Be It Finally
- RESOLVED** That budget adjustments, if required, are approved.

KATHY NIEMIEC, CHAIR
AND COMMITTEE

DOA – Premium Pay for Direct Care Workers Funding

MOVED BY COMM. NIEMIEC

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:

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AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 WHEREAS, In the 2023 budget, the Board of Commissioners approved \$70,000 for a 300-gallon chemical sprayer for the Bay County Golf Course; and
 WHEREAS, The chemical sprayer is an important piece of equipment as if this ever went down, it could have detrimental effects on the turf of the Golf Course within days; and
 WHEREAS, Due to current prices, a budget adjustment of an additional \$16,000 is necessary to purchase this item; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the budget adjustment of the additional \$16,000 from the Golf Course Enterprise Fund for the remaining cost for the chemical sprayer and authorizes the Chairman of the Board to execute all related documents on behalf of Bay County following Corporation Counsel review and approval; Be It Finally
 RESOLVED That budget adjustments, if required, are approved

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

Recreation & Facilities – Budget Adjustment for Purchase of Golf Course Chemical Sprayer - \$16,000

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:

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AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 WHEREAS, On March 21, 2023, the Bay County Board of Commissioners adopted Resolution No. 2023-38 approving the application for the Michigan Municipal Risk Management Authority (MMRMA) RECTify Grant; and
 WHEREAS, The Michigan Municipal Risk Management Authority (MMRMA) RECTify Grant can only be used to offset funds that have been expended for cybersecurity measures and software; and
 WHEREAS, Resolution 2023-38 did not specifically provide that the RECTify Grant funds could only be used to reimburse cybersecurity costs; and
 WHEREAS, In the interest of clarity, Bay County Information Systems requests the Board to rescind the March Board Resolution 2023-38 and requests separate approval of a new MMRMA RECTify Grant resolution which will be separately submitted to the Board of Commissioners; and
 WHEREAS, There is no economic impact to rescind Board Resolution 2023-38; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners hereby rescinds Resolution No. 2023-38 regarding the MMRMA RECTify Cybersecurity Vulnerabilities Grant; Be It Finally
 RESOLVED That related required budget adjustments are approved.

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

ISD/Finance – Rescission of Resolution 2023-38 re: MMRMA RECTify Cybersecurity Vulnerabilities Grant

MOVED BY COMM. NIEMIEC
 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:

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BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 WHEREAS, Bay County's risk management insurance provider, Michigan Municipal Risk Management Authority (MMRMA) provides Bay County with cybersecurity protection under its risk management policy; and
 WHEREAS, MMRMA also provides its members with the opportunity to apply for RAP and CAP grants; and
 WHEREAS, Recently, MMRMA launched the RECTify Grant to provide its members with immediate funding to offset the costs of mitigating emerging and potentially serious cyber threats; and
 WHEREAS, Bay County has an opportunity to apply for the RECTify Grant and, these funds could be utilized to reimburse Bay County for funds expended towards combating cybersecurity threats; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners authorizes submittal and acceptance of the RECTify Cybersecurity Vulnerabilities Grant. These Grant funds, if awarded, may be used to be used to reimburse Bay County for funds expended towards monitoring, identifying and remediating emerging cybersecurity vulnerabilities; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute and submit electronically, if required, the Grant Application and any related documents including contracts pertaining to the MMRMA RECTify Cybersecurity Vulnerabilities Grant following Corporation 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 Finally
 RESOLVED That related required budget adjustments are approved.

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

ISD/Finance - MMRMA RECTify Cybersecurity Vulnerabilities Grant

MOVED BY COMM. NIEMIEC

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 6 NAYS EXCUSED 1

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

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 WHEREAS, Bay County Information Systems Division requests approval to enter into an Agreement with Cisco and Port53 for cloud security managed services; and
 WHEREAS, One of the ways to enhance the security posture of Bay County infrastructure is to use advanced filtering that will allow for additional filtering and protection from emerging threats and visibility for internet access across all network devices and users; and
 WHEREAS, Port53 is a Cisco partner providing support and services working directly with Cisco products. Cisco software platform provides visibility and protection everywhere, blocks malware, enforces content web filtering, and protects users on and off the network on County issued equipment. The advanced application layer filtering allows for additional protection to enhance existing security protocols. Key features of the software include block domains associated with phishing, malware, botnets and other high-risk categories, prevent web and non-web callbacks from compromised systems and use of the investigate web console for interactive threat intel access; and
 WHEREAS, This service will work in partner with Bay County’s firewalls and additional software from Cisco allows for content and incident tracking for tracking and managing incidents; and
 WHEREAS, Per Bay County’s Purchasing Policy, the software platforms will be submitted as a sole source due to interoperability of equipment; and
 WHEREAS, Required funds related to Cisco and Port53 are available in the Information Systems Division budget. No additional funds are required; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the Agreement with Cisco and Port53 and authorizes the Board Chair to sign said Agreement and any and all related documents on behalf of Bay County (Information Systems Division) following Finance and Corporation Counsel review and approval; Be It Further
 RESOLVED That related budget adjustments, if required, are approved.

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

ISD/Finance – Agreement with Cisco and Port53 – Cloud Security Managed Services

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 ___ NAYS ___ EXCUSED ___

VOICE: YEAS 6 NAYS ___ EXCUSED 1

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (5/9/2023)
 RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies/new positions, monies for said positions to come from the respective departmental budgets:

- I. VACANCIES (BUDGETED)
 - a. 9-1-1 Central Dispatch: Dispatcher (full time; \$17.80/hr. entry)
 - b. Office of Criminal Defense: Legal Secretary (part time; \$16.62/hr entry)

- II. NEW POSITION (UNBUDGETED) (Funds to come from the Department on Aging's Fund Balance)
 - a. Department on Aging: Home Delivered Meals Driver (part time; \$12.02/hr entry)

RESOLVED That authorization is granted to post/fill vacancies resulting from moves within a department whereby a Board approved vacancy was filled from staff within the department creating another vacancy in the same department, monies for said positions to come from the respective departmental budgets; Be It Further

RESOLVED That in the event individuals hired to fill approved vacancies prove to be unqualified or no longer want the position, the Personnel Director is authorized to post/fill the previously approved vacancy within a 60 day time period; Be It Further

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

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

KATHY NIEMIEC, CHAIR
 AND COMMITTEE

Vacancies – May

MOVED BY COMM. NIEMIEC

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 6 NAYS ___ EXCUSED 1

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (5/16/23)

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

1. Employment Status Report – APRIL 2023

VAUGHN J. BEGICK, CHAIR
AND BOARD

County Executive – Status Reports

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			XX	KAYSEY L. RADTKE	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS 6 NAYS ___ EXCUSED 1

DISPOSITION: ADOPTED X DEFEATED ___ WITHDRAWN-___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___

BAY COUNTY BOARD OF COMMISSIONERS

MAY 16, 2023

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (5/16/23)

WHEREAS, Saint Paul Lutheran Church in Frankenlust Township will be celebrating the 175th Anniversary of its founding on June 22, 2023, with a special service on Sunday June 25, 2023; and

WHEREAS, The history of the congregation dates to the mid 1800's in the Franconian area of Germany namely a small town named Neuendettelsau which was the hometown of Reverend Wilhelm Loehe; and

WHEREAS, Rev. Loehe had a vision for missions, so he sent missionaries to the United States but also a small group of people along with the pastor/missionary to settle in different parts of America, and

WHEREAS, The local areas were settled starting in 1845 with Frankenmuth, Frankentrost in 1847, Frankenlust in 1848 and Frankenhilf, now Richville in 1850, and

WHEREAS, Pastor Ferdinand Sievers, the founder and pioneer pastor of St. Paul-Frankenlust set sail from Bremerhaven, Germany on August 20, 1847, and after an arduous journey finally arrived in America and then to this area in June 1848, and

WHEREAS, On June 22, 1848, Pastor Sievers met with the group of immigrants that he was to serve as pastor at Gerhard Dierker's barn which was located just west of Saginaw near Brockway and Passolt, and

WHEREAS, That on this date, the settlers organized St. Paul Evangelical Lutheran Church of Frankenlust and called Rev. Ferdinand Sievers as their pastor, and

WHEREAS, The new congregation held its first church service with Holy Communion in Dierker's barn on Sunday June 25, 1848, and

WHEREAS, One Hundred Seventy-Five years later, the church continues to be a strong foundation and spiritual rock to those in our community including a school with pre-kindergarten through eighth grade classes; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners recognizes St. Paul Lutheran Church for its One Hundred Seventy-Five years of spiritual leadership and service to the community.

VAUGHN J. BEGICK, CHAIR
AND BOARD

Board Chair Begick - 175TH Anniversary of Saint Paul Lutheran Church-Frankenlust

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 6 NAYS EXCUSED 1

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED NO ACTION TAKEN

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 5/16/2023

MOTION SPONSORED BY: COMM. POIRIER

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 39

MOTION TO EXCUSE COMM. BEGICK FROM REGULAR
SESSION BOARD OF COMMISSIONERS MEETING FOR
5/16/2023

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 05/16/2023

MOTION SPONSORED BY: COMM. POIRIER

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 40

MOVED TO APPROVE THE MINUTES FOR THE BAY COUNTY BOARD OF COMMISSIONERS REGULAR SESSION BOARD MEETING ON APRIL 18, 2023 AND THE SPECIAL BOARD OF COMMISSIONERS MEETING ON MAY 2, 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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 5/16/2023

MOTION SPONSORED BY: COMM. POIRIER

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 41

MOVED TO APPROVE THE AGENDA FOR THE BAY COUNTY
BOARD OF COMMISSIONERS REGULAR SESSION BOARD
MEETING FOR MAY 16, 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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 5/16/2023

MOTION SPONSORED BY: COMM. MAILLETTE

MOTION SUPPORTED BY: COMM. POIRIER

MOTION NO.: 42

MOVED TO RECEIVE THE PRESENTATION BY PHIL EICH ON
THE FIRST QUARTER REPORT FOR HEY, BAY CITY!

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 5/16/2023

MOTION SPONSORED BY: COMM. BANASZAK

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 43

MOVED TO RECEIVE THE DELINQUENT TAX FORECLOSURE
REPORT FROM THE BAY COUNTY TREASURES' OFFICE.

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 5/16/2023

MOTION SPONSORED BY: COMM. MAILLETTE

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 44

MOVED TO RECEIVE FROM THE CITY OF BAY CITY AN
APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION
CERTIFICATE FROM BAY CARBON INCORPORATED.

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 5/16/2023

MOTION SPONSORED BY: COMM. RADTKE

MOTION SUPPORTED BY: COMM. POIRIER

MOTION NO.: 45

MOVED TO ADJOURN THE REGULAR SESSION MEETING OF
MAY 16, 2023 AT 4:41 PM

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED