

BAY COUNTY BOARD OF COMMISSIONERS

AGENDA

TUESDAY, MARCH 19, 2024

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**
- 50-58 **V. MINUTES (2/20/24)**
- VI. AGENDA APPROVAL**
- VII. CITIZEN INPUT**
- VIII. PETITIONS AND COMMUNICATIONS**
 - 1 **A. Presentation - Tribute to Donald J. Carlyon (Res. No 2024-27 - adopt and present tribute)**
 - B. Applications for Appointment to Bay County Library Board (one, 5-year unexpired term expiring June 30, 2026 – Receive and make appointment)**
 - 2 **1. Andreas H. Teich**
 - 3 **2. Charles Parke**
 - 4 **C. Bay Arenac Behavioral Health Authority (BABHA) - Nominations Committee Review Eligibility Results (Receive)**
 - D. Requests for Appointment to Bay Arenac Behavioral Health Authority Board of Directors (three, 3-year terms commencing April 1, 2024, and expire on March 31, 2027 - Receive and make 3 appointments)**
 - 5-6 **1. Justin Peters**
 - 7-8 **2. Patrick Conley**

- 9-11 3. Commissioner Colleen Maillette (Incumbent; Public Official)
- 12-14 4. Ernie Krygier (Incumbent)
- 15-17 5. Patrick McFarland (Incumbent)
- 18-20 6. Pamela A. Schumacher
- 21-22 E. City of Bay City – Notification of Public Hearing - Establishing Two Neighborhood Enterprise Zone (NEZ) Districts (Receive)

IX. REPORTS/RESOLUTIONS OF COMMITTEES

A. COMMITTEE OF THE WHOLE – MARCH 5, 2024 (Tim Banaszak, Chair; Kaysey L. Radtke, Vice Chair)

- 23 1. No. 2024-28 - Temporary Hire of Staff Accountant (Treasurer)
- 24 2. No. 2024-29 - Release of IFB for Spongy Moth Aerial Treatment Application (Environmental Affairs/Forest Sustainability)
- 25 3. No. 2024-30 - 2024 Swim Lesson Partnership Agreement w/Essexville Hampton Public Schools-\$10,000 (Recreation & Facilities)
- 26 4. No. 2024-31 - Community Events Lease Agreements 2024-2028 (Recreation & Facilities)
- 27 5. No. 2024-32 - RFQ Broker Services Agreement for Worker's Compensation Excess Insurance and Third Party Administrator (Personnel)
- 28 6. No. 2024-33 - Staff Account Position Hired at 3-year Rate of \$33.75 (PB08) (Finance)
- 29 7. No. 2024-34 - Payables (Finance)

B. COMMITTEE OF THE WHOLE – MARCH 12, 2024 (Tim Banaszak, Chair; Kaysey L. Radtke, Vice Chair) – Meeting canceled (items referred directly to Full Board with approval from Committee Chair)

- 30-33 1. No. 2024-35 - Mid-State Health Network 2024 Intergovernmental Agreement (BABHA)

34-39

2. Corporation Counsel

- a. **No. 2024-36 - Waiver of Ordinance Adoption Process Suspended through December 31, 2024 (Corporation Counsel)**
- b. **No. 2024-37 - Benefit Change and Retirement Ordinance Amendment Sheriff's Office (Corporation Counsel)**

40-41

3. District Court Administrative Office Staffing (Bay County Courts) (Receive)

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

42-48

1. No. 2024-38 - Reports of County Executive – February

49

2. No. 2024-39 - Support for Citizens for Local Choice (Board Chair Begick and Commissioner Banaszak)

3. No. 2024-40 - Bay County Road Commission – Authorization for Bond Sale (resolution to be provided prior to meeting)

X. REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

B. County Clerk – Election Report

XI. COMMISSIONER COMMENTS

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. PUBLIC INPUT

XV. MISCELLANEOUS

XVI. ANNOUNCEMENTS

A. 2024 APPOINTMENTS

1. March

- a. **Bay Arenac Behavioral Health Authority (three, 3-year terms: C.Maillette, P.McFarland, E.Krygier)**

2. June

- a. **Library Board (one, 5-year term: P.Travis)**

3. October

- a. **Lank Bank Authority (one, 3-year term expiring: T.Hickner)**

- b. Bay County Department of Human Services (one, At-Large, 3-year term: R.Aumock - Governor's Appointment)
4. December
- a. Bay County Veteran's Affair Committee (one, 4-year term: T. Eckstein)
 - b. Department on Aging Advisory Committee (four, 2- year terms expiring: Districts 2,4, & 6 and one at-large)

XVII. CLOSED SESSION

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
3/19/24	RESOLUTION 2024-27	BANASZAK	RECOGNIZED DONALD J CARIYON FOR MANY YEARS OF SERVICE ON THE LIBRARY BOARD	XX						
3/19/24	RESOLUTION 2024-28	BANASZAK	APPROVED THE HIRE OF A TEMPORARY STAFF ACCOUNTANT FOR THE TREASURER'S OFFICE	XX						
3/19/24	RESOLUTION 2024-29	BANASZAK	AUTHORIZED THE RELEASE OF THE INVITATION TO BID (IFB) FOR SPONGY MOTH AERIAL TREATMENT APPLICATION	XX						
3/19/24	RESOLUTION 2024-30	BANASZAK	APPROVED THE RENEWAL OF THE 2024 SWIM LESSON PARTNERSHIP AGREEMENT WITH ESSEXVILLE HAMPTON PUBLIC SCHOOLS	XX						
3/19/24	RESOLUTION 2024-31	BANASZAK	APPROVED ENTERING INTO ROUTINE ADMINISTRATIVE LEASE AGREEMENTS FOR SPACE USAGE	XX						
3/19/24	RESOLUTION 2024-32	BANASZAK	AUTHORIZED THE RELEASE FOR REQUEST FOR QUALIFICATIONS (RFQ) FOR A BROKER SERVICES AGREEMENT FOR WORKER'S COMPENSATION	XX						
3/19/24	RESOLUTION 2024-33	BANASZAK	APPROVED HIRING THE SELECTED CANDIDATE FOR THE STAFF ACCOUNTANT POSITION AT THE 3 YEAR RATE	XX						
3/19/24	RESOLUTION 2024-34	BANASZAK	APPROVED THE CLAIMS AGAINST THE COUNTY FOR MARCH	XX						
3/19/24	RESOLUTION 2024-35	BANASZAK	AUTHORIZED THE BOARD CHAIR TO EXECUTE THE INTERGOVERNMENTAL CONTRACT FOR THE ESTABLISHMENT OF A SUBSTANCE USE DISORDER OVERSIGHT POLICY BOARD FOR 2024-2027	XX						
3/19/24	RESOLUTION 2024-36	BANASZAK	SUSPENDED THE ARTICLE XIII OF THE RULES OF THE BAY COUNTY BOARD OF COMMISSIONERS THROUGH DECEMBER 31, 2024.	XX						
3/19/24	RESOLUTION 2024-37	BANASZAK	APPROVED THE BENEFIT CHANGE AND THE RETIREMENT ORDINANCE AMENDMENT	XX						
3/19/24	RESOLUTION 2024-38	HEREK	RECEIVED THE EMPLOYMENT STATUS REPORT FOR FEBRUARY 2024	XX						
3/19/24	RESOLUTION 2024-39	HEREK	OPPOSED TO THE STATE OF MICHIGAN'S PASSAGE OF LEGISLATION THAT TAKES AWAY LOCAL CONTROL AND PLACES IT WITHIN THE AUTHORITY OF THE MPSC	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
3/19/24	RESOLUTION 2024-40	HEREK	RECEIVED THE MICHIGAN TRANSPORTATION FUND BONDS, SERIES 2024 AND AUTHORIZED BOND SALES.	XX						
3/19/24	RESOLUTION 2024-41	HEREK	APPROVED THE BUDGET ADJUSTMENT FOR THE PURCHASE OF DEBTBOOK SOFTWARE FOR THE ADDITIONAL AMOUNT OF \$3,500 FROM THE GENERAL FUND.	XX						
3/19/24	MOTION 2024-17	NIEMIEC	APPROVED THE BOARD MINUTES FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR BOARD MEETING OF FEBRUARY 20, 2024	XX						
3/19/24	MOTION 2024-18	HEREK	ADDED TO THE AGENDA FOR THE BAY COUNTY BOARD OF COMMISSIONER MEETING OF MARCH 19, 2024 RESOLUTION 2024-41	XX						
3/19/24	MOTION 2024-19	MAILLETTE	APPROVED THE AGENDA FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING OF MARCH 19, 2024 WITH THE ADDED RESOLUTION 2024-41	XX						
3/19/24	MOTION 2024-20	HEREK	RECEIVED THE APPLICATIONS FOR APPOINTMENT TO THE BAY COUNTY LIBRARY BOARD FOR ANDREAS TEICH AND CHARLES PARKE.	XX						
3/19/24	MOTION 2024-21	BANASZAK	APPOINTED TO THE BAY COUNTY LIBRARY BOARD CHARLES PARKE	XX						
3/19/24	MOTION 2024-22	BANASZAK	RECEIVED THE REQUEST AND THE REPORT FROM BAY ARENAC BEHAVIORAL HEALTH NOMINATIONS COMMITTEE AND RECEIVED ALL 6 CANDIDATES: JUSTIN PETERS, PATRICK CONLEY, COLLEEN MAILLETTE, ERNIE KRYGIER, PATRICK MCFARLAND, PAMELA SCHUMACHER	XX						
3/19/24	MOTION 2024-23	BANASZAK	APPOINTED TO BAY ARENAC BEHAVIORAL HEALTH BOARD, PATRICK CONLEY, PATRICK MCFARLAND, AND PAMELA SCHUMACHER.	XX						
3/19/24	MOTION 2024-24	HEREK	RECEIVED FROM THE CITY OF BAY CITY A NOTIFICATION OF PUBLIC HEARING - ESTABLISHING TWO NEIGHBORHOOD ENTERPRISE ZONE DISTRICTS.	XX						

BAY COUNTY BOARD OF COMMISSIONERS

MARCH 19, 2024

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/19/24)
 WHEREAS, In January 2024, at the age of 99, Donald J. Carylton, a devoted educator and public servant, retired from service on the Bay County Library Board of Trustees after 17 years; and
 WHEREAS, With his retirement, the Bay County Board of Commissioners and the Bay County Executive are extremely proud to acknowledge the outstanding career of Donald J. Carlyon; and
 WHEREAS, Recognizing the role of a public library system, Mr. Carlyon dedicated his efforts to promote Bay County’s Library System focusing on what a library offers to a community in terms of education, lifelong learning and entertainment; and
 WHEREAS, Best known for his impactful role at Delta College as the former President between 1961 and 1992, Mr. Carylton has been honored by Delta College for his professional, personal, civic, and philanthropic pursuits and was honored as a two-time recipient of the College’s Award of Distinction and for his efforts in implementing the Delta College Foundation; and
 WHEREAS, In addition to his tireless efforts on behalf of the Bay County Library System and Delta College, Donald J. Carylton’s other past service includes: Chair of the State Theatre Board and Development Committee; member of the Bay City Downtown Development Authority; member of the group dedicated to the revitalization of the historic Battery Park and 2020 Parade Marshal of the St. Patrick’s Day Parade; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners and the Bay County Executive take this opportunity, on behalf of all the citizens of Bay County, to express their heartfelt appreciation to Donald J. Carlyon for his many years of selfless community service and to recognize his contribution to the success and growth of the Bay County Library System.

VAUGHN J. BEGICK, CHAIR
 AND BOARD

Don Carlyon Tribute

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

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/5/24)

WHEREAS, Due to an unanticipated absence of an employee, the Bay County Treasurer’s Office will temporarily be in need of an additional staff accountant; and

WHEREAS, Starting March 1, 2024, the settlement process of transferring unpaid 2023 taxes from the local units of government to the Bay County Treasurer’s office. This is an extensive process that takes more than a month to complete with all 19 of our local units; and

WHEREAS, The Treasurer wishes to obtain approval to hire this staff accountant on a temporary basis in order to properly complete the settlement process and ensure all local and component units receive tax funds timely and accurately; and

WHEREAS, The costs associated with the hiring of a temporary accountant are in addition to the current budgeted funds. It is anticipated the additional costs of hiring this staff member would be \$6,000 from the General Fund, Fund Balance. If the current staff member goes on leave, reduced costs of staffing could be used to offset the request; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the hire of a temporary Staff Accountant for the Bay County Treasurer’s Office with funding to come from General Fund, Fund Balance (not to exceed \$6,000); Be It Further

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

TIM BANASZAK, CHAIR
AND COMMITTEE

Treasurer – Temporary Hire of Staff Accountant

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

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/5/24)

WHEREAS, The Bay County Forest Sustainability Program has been successful in reducing outbreak of Spongy Moth populations throughout Bay County; and

WHEREAS, The success of these treatments begins with effective aerial treatment of spring Spongy Moth caterpillars; and

WHEREAS, Bay County's current contract extension with AI's Aerial Spraying, LLC ends after the 2024 treatment season is complete and it is requested to start the bid process to secure an aerial applicator for future Spongy Moth aerial application treatments; and

WHEREAS, For cost savings, it is requested to bid for a three (3) year contract with an option for a two (2) year renewal (2025-2027 with an option for a 2-year renewal). Historically, it has been found that multiple-year contracts result in significant cost savings for Bay County; and

WHEREAS, Spongy Moth treatment price per acre under the current contract extension is \$51.56 per acre; and

WHEREAS, It is anticipated that this cost will rise resulting in a need to budget up to a 20% increase in the 2025 budget. Funding for 2025 aerial contractor services will be budgeted in Line Item 80200 Contractual Services; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the release of the Invitation to Bid (IFB) for Spongy Moth Aerial Treatment Application.

TIM BANASZAK, CHAIR
AND COMMITTEE

Env. Affairs - Forest Sustainability Program – Release of IFB for Spongy Moth Aerial Treatment Application

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

MARCH 19, 2024

RESOLUTION

- BY: COMMITTEE OF THE WHOLE (3/5/24)
- WHEREAS, Bay County recognizes the value of children knowing how to swim as it is a life-saving skill that is necessary for every child, but extraordinarily important in this water-based community; and
- WHEREAS, Last year, Bay County partnered with Essexville Hampton Public Schools and provided six, 30-minute swim lessons to 154 children, grades K-6th, that reside in Bay County; and
- WHEREAS, Additionally, at least three open swim times were offered to the community as part of this program, as well as a holiday time swim; and
- WHEREAS, The renewal of the 2024 Swim Lesson Partnership Agreement with Essexville Hampton Public Schools will provide pro-rated swim lessons for Bay County children; and
- WHEREAS, The child's cost of the program will be \$10 and Bay County will supplement the remaining cost of the lesson and lifeguard costs up to \$10,000. There are also pool rental costs calculated in this allocation of funds; and
- WHEREAS, Funds are currently budgeted in the 2024 budget, and no additional funds are required; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the renewal of the 2024 Swim Lesson Partnership Agreement with Essexville Hampton Public Schools; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute the Agreement with Essexville Hampton Public Schools and any related documents on behalf of the Bay County (Recreation & Facilities) following Corporation Counsel review and approval; Be It Finally
- RESOLVED That related budget adjustments, if required, are approved

TIM BANASZAK, CHAIR
AND COMMITTEE

Rec & Facilities – 2024 Swim Lesson Partnership Agreement w/Essexville Hampton Public Schools- \$10,000

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

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/5/24)

WHEREAS, Throughout the course of the year, various property usage requests come in to the Department of Recreation and Facilities for community events; and

WHEREAS, Common requests include parking lot usage for the Cool City Car Show, Fourth of July Fireworks, and the usage of the front lawn area for a hospitality tent for the St. Patrick's Day Parade; and

WHEREAS, There are various other small requests that come throughout the course of the year that ask for use of space owned by Bay County to enhance community events; and

WHEREAS, These spaces are not otherwise rented out nor are in use for Bay County business; and

WHEREAS, There is no economic impact to usage of these facilities for community events; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves entering into routine administrative Lease Agreement(s) for space usage, otherwise not rented for a fee, for community events for the period 2024-2028; Be It Further

RESOLVED That the Chairman of the Board is authorized to sign said Lease Agreement(s) on behalf of Bay County (Recreation & Facilities) 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 – Community Events Lease Agreements 2024-2028

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

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/5/24)
 WHEREAS, The current contract with Brown & Brown of Central Michigan as Bay County's Insurance Broker for Worker's Compensation Excess Insurance and Third Party Administrator is set to expire 12/31/2024; and
 WHEREAS, In addition to these broker services, Brown & Brown also provides a training platform to aid in the education of employees in Bay County's safety & policy guidelines; and
 WHEREAS, The current contract was for 6 years with an annual rate of \$10,000 per calendar year, totaling \$60,000, split between Bay County, Department of Water and Sewer (DWS), and Bay County Medical Care Facility (BCMCF) annually; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners authorizes the release of a Request for Qualifications (RFQ) for a Broker Services Agreement for Worker's Compensation Excess Insurance and Third Party Administrator.

TIM BANASZAK, CHAIR
 AND COMMITTEE

Personnel – RFQ Broker Services Agreement for Worker's Compensation Excess Insurance and Third Party Administrator

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

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/5/24)
 WHEREAS, The Bay County Finance Department Staff Accountant position was combined from two part-time positions into one full-time position in 2023; and
 WHEREAS, The person who held that position has recently resigned, and the job was posted; and
 WHEREAS, After interviewing qualified candidates, it has been challenging to hire an accountant at the entry level rate as the candidates are extremely qualified and are not entry level candidates; and
 WHEREAS, The candidate selected is well versed in accounting and has a skillset Bay County's Finance Department can utilize in many facets of the office; and
 WHEREAS, It is requested that the individual being considered for this position be hired at the 3-year rate of \$33.75/hr (TB08); and
 WHEREAS, Funds are currently budgeted and no additional funds are required; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves hiring the selected candidate for the Staff Accountant position at the 3-year rate of \$33.75/hour (TB08); Be It Finally
 RESOLVED That related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR
 AND COMMITTEE

Finance – Staff Accountant Position Hired at 3-year rate of \$33.75 - (PB08)

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

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/5/24)

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

ACCOUNTS PAYABLE:

2/8/2024	\$176,261.03
2/8/2024	\$220,459.23
2/14/2024	\$859,325.21
2/21/2024	\$286,510.94
2/28/2024	\$487,955.78

TIM BANASZAK, CHAIR
AND COMMITTEE

Payables

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 ___
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BAY COUNTY BOARD OF COMMISSIONERS

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/12/24)

WHEREAS, Mid-State Health Network (MSHN) is a Community Mental Health Regional Entity formed under the Mental Health Code and PA 500 and 501 of 2012 and designated as Region 5 under the Michigan Department of Health and Human Services' (MDHHS) Prepaid Inpatient Health Plan (PIHP) structure in Michigan; and

WHEREAS, MSHN represents 21 Michigan counties, including Bay County, and is designated by MDHHS to coordinate the provision of Substance Use Disorder (SUD) services within its region; and

WHEREAS, Per MDHHS requirement, Region 5 established its SUD Oversight Policy Advisory Board in 2013 through contractual agreement with each of MSHN's 21-counties, designating membership of one (1) representative from each county; and

WHEREAS, MSHN, as a MDHHS-designated community mental health entity is required, under MCL 330.1287(5), Contractual agreement is required between MSHN and each of the twenty-one counties it represents as outlined in the Intergovernmental Contract for the Establishment of a Substance Use Disorder Oversight Policy Board and a new Contract covering the period of 2024-2027 has been submitted for approval; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorize the Board Chair to execute the Intergovernmental Contract for the Establishment of a Substance Use Disorder Oversight Policy Board for 2024-2027 on behalf of Bay County following Corporation Counsel review and approval.

TIM BANASZAK, CHAIR
AND COMMITTEE

BABHA - Mid-State Health Network Intergovernmental Agreement – 2024-2027

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

MARCH 19, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (3/12/24)
 WHEREAS, Article XIII of the Rules of the Bay County Board of Commissioners outlines a process for consideration of ordinance and ordinance amendments, which requires at least three (3) successive full Board meetings. The process is as follows:

1. The sponsoring committee considers an ordinance or amendment and refers it to the full Board;
2. The Board rejects or considers the amendment. If the Board elects to consider the ordinance or amendment, a public hearing must be held but not until the NEXT Board meeting (must be convened after 13 days) after publication of proper notice;
3. If the Board conducts a public hearing, no Board action on the ordinance or amendment may be taken only public input heard and, if any input, those comments are referred back to the sponsoring committee and legal counsel for consideration;
4. At the next Board meeting, following publication of proper notice, the Board may vote for final passage of the proposed ordinance or amendment by majority vote

WHEREAS, An alternative process is also provided for in the Board Rules whereby the Board can elect to suspend Article XIII by a 2/3rds majority vote, bypass the requirements (1 through 4 above) and vote on the Ordinance or Ordinance Amendment before them; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that, for the sake of expediency, Article XIII of the Rules of the Bay County Board of Commissioners is hereby suspended through December 31, 2024, for the adoption of an Amendment to Bay County Employees' Retirement System Ordinance.

TIM BANASZAK, CHAIR
 AND COMMITTEE

Corp. Counsel/Retirement – Waiver of Ordinance Adoption Process – Suspended through 12/31/24

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

MARCH 19, 2024

RESOLUTION

- BY: COMMITTEE OF THE WHOLE (3/12/24)
- WHEREAS, The Bay County Sheriff's Office participates in the Bay County Employee Retirement System (BCERS) and is requesting that the Bay County Board of Commissioners approve a retirement benefit change for the Bay County Sheriff, Undersheriff, and Jail Captain positions; and
- WHEREAS, The proposed retirement benefit change would allow an individual, who holds the position of Bay County Sheriff, Undersheriff or Captain, to retain the highest benefit multiplier applicable to their employment history; and
- WHEREAS, The current retirement ordinance multiplier for the Bay County Sheriff, Undersheriff and Jail Captain is 2.25% for members hired prior to 2012 and 1.60% for members hired after 2012; and
- WHEREAS, The highest possible multiplier for the road patrol deputies and supervisors hired prior to 1/1/2012 is 2.80% and 1.60% for members hired after 1/1/2012; and
- WHEREAS, Allowing internal candidates to retain their highest multiplier would enable the Bay County Sheriff's Office to attract and promote experienced County law enforcement officers to these higher-ranking positions; and
- WHEREAS, The proposed retirement plan change for these three positions allows the current and any future internal candidate for the positions for Sheriff, Undersheriff and Jail Captain to retain the benefit accruals they received prior to their election/promotion at the level of the highest multiplier applicable to their employment history without any additional contribution. This benefit change would have prospective and respective application; and
- WHEREAS, Pursuant to MCL 38.1140h(5), Bay County must secure an actuary analysis for a pension valuation of proposed benefits provision and present the supplemental actuary analysis to the Retirement Board and the Board of Commissioners at least 7 days before the proposed pension change is adopted by the Board; and
- WHEREAS, In December 2023, the Bay County Board of Commissioners, pursuant to Resolution 2023-230, approved a supplement actuary valuation for the proposed benefit change; and
- WHEREAS, On January 17, 2024, the Retirement System's Actuary, Gabriel, Roeder, Smith & Company issued the Supplemental Actuary Report. The Actuary's Supplemental Valuation Report was received by the Bay County Employees Retirement System's Board on February 6, 2024, and received by the Bay County Board of Commissioners on February 20, 2024. Accordingly, Bay County satisfied the requirements of MCL 38.1140h(5); and
- WHEREAS, Bay County Board of Commissioners Rules Article XIII-Ordinances outlines the process for consideration of ordinance and ordinances amendments and requires at least three successive full board meetings prior to approval of an ordinance or ordinance amendment. The Bay County Board of Commissioners, for the sake of expediency, can resolve to suspend the amendment process set forth in Article XIII for the adoption of

- an Amendment to the Bay County Employees' Retirement System Ordinance. Pursuant to Resolution 2024-36, the Board suspended the full amendment process. Accordingly, the Board can approve the proposed retirement benefit change and amend the Retirement Ordinance to reflect the change at the same full Board meeting; and
- WHEREAS, There is no financial impact to Bay County. Based on the Supplemental Actuary Report, this proposed benefit change would result in a .1% decrease in the Sheriff's Group Retirement funding ratio, which is currently 128.1% funded. Further, the Supplement Actuary Report notes that current benefit multipliers for members hired after 2012 is 1.60% multiplier and therefore, any increase resulting from the proposed plan change is expected to be temporary and over time the proposed plan change will result in no change to normal costs as there will no longer be a difference in benefit level; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the proposed benefit change thereby allowing the current and any future internal candidate for the positions for Bay County Sheriff, Undersheriff and Jail Captain to retain the benefit multiplier they received prior to their election/promotion at the level of the highest multiplier applicable to their employment history for that additional contribution; Be It Further,
- RESOLVED That the Chairman of the Board is authorized to execute any additional documentation, letter of understanding or contract necessary to effectuate or clarify the approved benefit change; Be It Further
- RESOLVED That the Bay County Board of Commissioners approves the following amendment to the Bay County Employees Retirement System Ordinance:

4.037a - Sheriff/Undersheriff/Jail Captain Positions- Highest Multiplier Applicable to Employment History
 Current and future internal members holding the position of Sheriff, Undersheriff, and Jail Captain only, shall retain the benefit accruals they received prior to election/promotion at the level of the highest multiplier applicable to their employment history without any additional contribution effective 3/19/2024 retroactively applied to current Sheriff, Undersheriff and Jail Captain and prospectively applied to current members hired and employed since 1/1/2012.

- Be It Finally,
 RESOLVED That this Ordinance Amendment shall take effect immediately.

TIM BANASZAK, CHAIR
 AND COMMITTEE

Corp. Counsel/Sheriff - Benefit Change and Retirement Ordinance Amendment - Sheriff's Office

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

MARCH 19, 2024

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/19/24)

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

1. Employment Status Report – FEBRUARY 2024

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 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

MARCH 19, 2024

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/19/24)
 WHEREAS, A RESOLUTION FROM BAY COUNTY EXPRESSING SUPPORT FOR THE CITIZENS FOR LOCAL CHOICE BALLOT INITIATIVE WHICH SEEKS TO AMEND THE CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE REDUCTION ACT TO REPEAL PART 8 AS ADDED BY PUBLIC ACT 233 OF 2023, IN AN EFFORT TO RESTORE LOCAL CONTROL FOR WIND AND SOLAR OPERATIONS; AND
 WHEREAS, The ability of local jurisdictions to determine for themselves which projects should and should not be in their local communities; what plans are best and reasonable for each neighborhood rather than these decisions be forced onto Counties without their best interest at hand; and
 WHEREAS, The legislature of the State of Michigan has passed, and the Governor has signed House Bill 5120, now Public Act 233 of 2023, that strips away local community control on these issues and places the control within the Michigan Public Service Commission (MPSC), and
 WHEREAS, Bay County will protect our communities land from the MPSC and special interests trying to strip away local control within legal limits; and
 WHEREAS, The Bay County Board of Commissioners feels strongly that our local government is best able to assess the needs of our community; Therefore, Be It
 RESOLVED That Bay County is opposed to the legislature of the State of Michigan’s passage of legislation that takes away local control and places it within the authority of the MPSC; Be It Further
 RESOLVED That Bay County is opposed to corporation- prioritized action such as building utility-scale wind and solar projects in our community; Be It Finally
 RESOLVED That Bay County supports the statewide ballot initiative, Citizens for Local Choice, a grassroots coalition of local officials and community organizers across Michigan working to amend the Clean and Renewable Energy and Energy Waste Reduction Act to, among other things, repeal Part 8 as added by Public Act 233 of 2023 which will restore local control of land use to ensure reasonable regulation in our widely diverse communities.

VAUGHN J. BEGICK, CHAIR
 AND BOARD

Support for Citizens for Local Choice - Board Chair Begick & Commissioner Banaszak

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 ___ 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

MARCH 19, 2024

BOND RESOLUTION

Michigan Transportation Fund Bonds, Series 2024

At a regular meeting of the Board of Commissioners of the County of Bay, Michigan (the "County"), held on the 19th day of March, 2024

PRESENT: COMMISSIONERS, HEREK, NIEMIEC, BANASZAK, BEGICK,
MAILLETTE, RADTKE, POIRIER.

ABSENT: 0

The following resolution was offered by COMM. HEREK and seconded by COMM. RADTKE.

WHEREAS, acting upon the request and approval of the Bay County Road Commission (the "Road Commission"), the Board of Commissioners of the County does hereby determine that it is necessary to undertake certain major street improvements in the County (the "Improvements"), consisting of (a) improvements to the Midland Road – US-10 Overpass to Carter Road in Williams Township in the County, including, without limitation, pavement, drainage, safety and non-motorized traffic shoulder pavement improvements, permanent pavement markings, legends, signage, project restoration and all other related improvements and appurtenances, and (b) improvements to Three Mile Road – M-84 to Midland Road in Monitor Township in the County, including, without limitation, pavement and surface improvements, County drain relocation, open and enclosed drainage improvements, new

pavement markings, legends, signage, project restoration and all other related improvements and appurtenances; and

WHEREAS, the aggregate cost of Improvements is estimated to be approximately Nine Million Nine Hundred Thousand Dollars (\$9,900,000); and

WHEREAS, the County deems it necessary to borrow the aggregate principal sum of not to exceed Six Million Seven Hundred Twenty Thousand Dollars (\$6,720,000), and issue bonds in one or more series as authorized by the provisions of Act 51, Public Acts of Michigan, 1951, as amended ("Act 51"), to pay all or part of the cost of the Improvements; and

WHEREAS, the Improvements are in accordance with the purposes enumerated in Act 51; and

WHEREAS, the revenues received by the Road Commission from the Michigan Transportation Fund pursuant to Act 51 during the fiscal years referenced in Act 51 are more than sufficient to comply with all the requirements specified in Act 51.

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Bay, Michigan, as follows:

1. AUTHORIZATION OF BONDS-- PURPOSE. Bonds of the County aggregating the principal sum as determined by an Authorized Officer, but not to exceed Six Million Seven Hundred Twenty Thousand Dollars (\$6,720,000), shall be issued and sold in one or more series pursuant to the provisions of Act 51, for the purpose of defraying all or part of the cost of the Improvements, including the cost of issuing the bonds. For purposes of this Bond Resolution,

“Authorized Officer” shall mean the Chairman of the Board of Commissioners or, in the absence of said Chairman, the Bay County Road Commission Engineer-Manager.

2. BOND DETAILS. The bonds shall be designated "Michigan Transportation Fund Bonds, Series 2024", or such other designation as determined by the Authorized Officer; shall be dated the date of their delivery; shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 6% per annum to be determined upon the sale thereof and payable semiannually on such dates as shall be determined by order of the Authorized Officer; and shall be serial and/or term bonds and mature on such dates and in such amounts as shall be determined by order of the Authorized Officer; provided, however, that the final principal maturity of the bonds shall be not later than May 1, 2039. If the original purchaser of the bonds shall designate certain of the bonds as term bonds, the principal maturities of the bonds shall become mandatory redemption requirements in accordance with the provisions of Section 6 and the form of bond set forth in Section 10. If requested by the original purchaser of the bonds and determined by the Authorized Officer, the bonds may be issued in the form of a single bond with an exhibit containing the principal maturity amounts and applicable interest rates and due dates.

3. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the bonds to the bond registrar and paying agent as they severally mature; provided, however, the Authorized Officer may determine by order that presentation and surrender of the bonds to the bond registrar and paying agent are not required for payment of some or all of the principal installments, and in such case such principal installments shall be paid to the registered owner of the bonds as shown on the registration books. Interest shall be paid to the registered owner of each bond as shown on the registration books at the close of

business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

4. BOOK-ENTRY SYSTEM. Initially, one fully-registered bond for each maturity, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”) for the benefit of other parties (the “Participants”) in the book-entry-only transfer system of DTC. In the event the County determines that it is in the best interest of the County not to continue the book-entry system of transfer or that the interests of the holders of the bonds might be adversely affected if the book-entry system of transfer is continued, the County may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange bond certificates as requested by DTC and any Participant or “beneficial owner” in appropriate amounts in accordance with this Bond Resolution. DTC may determine to discontinue providing its services with respect to the bonds at any time by giving notice to the County and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the County may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the County shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the County and the bond registrar and paying agent shall be obligated to deliver bond certificates in accordance with the procedures established by this Bond Resolution. In the event bond certificates are issued, the provisions of this Bond Resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the County and the bond registrar and paying agent to do so, the County and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate

certificates evidencing the bonds to any Participant having bonds credited to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

Notwithstanding any other provision of this Bond Resolution to the contrary, so long as any bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and interest on the bonds and all notices with respect to the bonds shall be made and given, respectively, to DTC. The Authorized Officer is authorized to sign the Blanket Issuer Letter of Representations on behalf of the County in such form as such official deems necessary or appropriate in order to accomplish the issuance of the bonds in accordance with law and this Bond Resolution.

Notwithstanding any other provision of this Bond Resolution to the contrary, if the Authorized Officer deems it to be in the best interest of the County, the bonds shall not initially be issued through the book-entry-only transfer system of DTC.

5. OPTIONAL REDEMPTION. The bonds shall be subject to optional redemption prior to maturity upon such terms and conditions as shall be determined by order of the Authorized Officer.

6. MANDATORY PRIOR REDEMPTION. If any of the bonds are designated by the original purchaser as term bonds such bonds shall be subject to mandatory prior redemption at par and accrued interest in accordance with the maturity schedule determined by the Authorized Officer and upon the terms and conditions set forth in the form of bond contained in Section 10 hereof. The bonds to be redeemed shall be selected by lot.

7. BOND REGISTRAR AND PAYING AGENT. U.S. Bank Trust Company, National Association, Detroit, Michigan is hereby appointed bond registrar and paying agent for the Bonds, and the Authorized Officer may enter into an agreement with such bond registrar and paying agent. The Authorized Officer from time to time may designate, and may enter into an agreement with, a new bond registrar and paying agent for the Bonds, which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan.

8. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS. The bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent. After the bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the County Treasurer or Authorized Officer to the purchaser upon receipt of the purchase price. Additional bonds bearing the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of bonds. The bond registrar and paying agent shall indicate on each bond the date of its authentication.

9. EXCHANGE AND TRANSFER OF BONDS. Any bond, at the option of the registered owner thereof and upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, may be exchanged for bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered bond.

Each bond shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any bond, the bond registrar and paying agent on behalf of the County shall cancel the surrendered bond and shall authenticate and deliver to the transferee a new bond or bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered bond. If, at the time the bond registrar and paying agent authenticates and delivers a new bond pursuant to this section, payment of interest on the bonds is in default, the bond registrar and paying agent shall endorse upon the new bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is [insert applicable date]."

The County and the bond registrar and paying agent may deem and treat the person in whose name any bond shall be registered upon the books of the County as the absolute owner of such bond, whether such bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 3 of this Bond Resolution shall be valid and effectual to satisfy and discharge the liability upon such bond to the extent of the sum or sums so paid, and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of bonds, the County or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

10. FORM OF BONDS. The bonds shall be in substantially the form that follows on the next page, with such changes as approved by the Authorized Officer and not inconsistent with the provisions of this Bond Resolution:

[Remainder of page intentionally left blank]

UNITED STATES OF AMERICA
STATE OF MICHIGAN

COUNTY OF BAY

MICHIGAN TRANSPORTATION FUND BOND, SERIES 2024

INTEREST RATE MATURITY DATE DATE OF ORIGINAL ISSUE CUSIP

_____, 2024

Registered Owner:

Principal Amount:

The County of Bay, State of Michigan (the "County"), acknowledges itself indebted to and for value received hereby promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at U.S. Bank Trust Company, National Association, Detroit, Michigan, the bond registrar and paying agent, or at such successor bond registrar and paying agent as may be designated pursuant to the Resolution (as hereafter defined), and to pay to the Registered Owner, as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address or by Automated Clearing House (ACH) electronic fund transfer, interest on such Principal Amount until the County's obligation with respect to the payment of such Principal Amount is discharged, at the rate per annum specified above. Interest is payable on the first day of _____ and _____ in each year, commencing on _____ 1, 20__.

Principal and interest are payable in lawful money of the United States of America. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars (\$ _____) issued by the County under and pursuant to and in full conformity with the Constitution and Statutes of Michigan and a bond authorizing resolution adopted by the Board of Commissioners of the County (the "Resolution") for the purpose of defraying all or part of the cost of certain street improvement projects in the County. The issuance of the bonds is authorized by the provisions of Act 51, Public Acts of Michigan, 1951, as amended.

This bond and the interest thereon are payable from the proceeds of state collected taxes returned by the Michigan Transportation Fund to the Bay County Road Commission (the "Road Commission") for highway purposes pursuant to law and the Resolution contains an irrevocable appropriation of the amount necessary to pay the principal of and interest on this bond and the series of bonds of which this is one from moneys derived from such state collected taxes so returned to the Road Commission for highway purposes which have not been theretofore specifically allocated and pledged for the payment of indebtedness. As additional security, the County has agreed that if the payments from the said taxes are insufficient to pay the principal of and interest on the bonds, then the County Treasurer shall be obligated to advance sufficient money from the general fund of the County to make up the deficiency. The ability of the County to levy ad valorem taxes in order to advance any such money is subject to statutory and constitutional limitations. The County may issue additional bonds payable from said state collected taxes and the Road Commission may pledge said state collected taxes for payment of certain obligations within the limitations prescribed by law.

This bond is not a general obligation of the State of Michigan.

This bond is transferable, as provided in the Resolution, only upon the books of the County kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or the Registered Owner's attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

MANDATORY PRIOR REDEMPTION

Bonds maturing in the year ____ are subject to mandatory prior redemption at par and accrued interest as follows:

<u>Redemption Date</u>	<u>Principal Amount of Bonds to be Redeemed</u>
------------------------	---

Bonds or portions of bonds to be redeemed by mandatory redemption shall be selected by lot.

(REPEAT IF MORE THAN ONE TERM BOND)

OPTIONAL PRIOR REDEMPTION

Bonds maturing prior to _____, 20__, are not subject to redemption prior to maturity. Bonds maturing on and after _____, 20__, are subject to redemption prior to maturity at the option of the County, in such order as shall be determined by the County, on any interest payment date on and after _____, 20__. Bonds of a denomination greater than \$_____ may be partially redeemed in the amount of \$_____ or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus interest to the date fixed for redemption.

Not less than thirty nor more than sixty days' notice of redemption shall be given by first-class mail to the registered owners of bonds called to be redeemed at their registered addresses. Failure to receive notice of redemption shall not affect the proceedings for redemption. Bonds or portions of bonds called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the County, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Bay, Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by facsimile signatures of its Chairperson of the Board of Commissioners and its Clerk. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

COUNTY OF BAY

By: _____
Chairperson, Board of Commissioners

And: _____
Clerk, County of Bay

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Resolution.

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION

Bond Registrar and Paying
Agent

By: _____
Authorized Representative

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____
(please print or type name, address and taxpayer identification number of transferee) the within
bond and all rights thereunder and hereby irrevocably constitutes and appoints _____
attorney to transfer the within bond on the books kept for registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

[END OF BOND FORM]

11. APPROPRIATION OF ROAD COMMISSION'S MICHIGAN TRANSPORTATION FUND PAYMENTS. To provide moneys to pay the principal of and interest on the bonds and in accordance with the provisions of Act 51, until payment in full of the principal of and interest on all the bonds, or, until sufficient cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of and interest on the bonds, or any portion thereof, shall have been deposited in trust for payment in full of the bonds to their maturity, or if called for redemption, to the date fixed for redemption, there is hereby made an irrevocable appropriation of the amount of money necessary to pay the principal of and interest on the bonds from the moneys to be derived from state collected taxes returned to the Road Commission for highway purposes pursuant to law. In the event of such deposit in trust, this Bond Resolution shall be defeased with respect to such bonds, and the owners of the bonds shall have no further rights under this Bond Resolution except to receive payment of the principal of and interest on the bonds from the deposited funds and the interest and gains thereon and to transfer and exchange bonds as provided herein.

Until this Bond Resolution is defeased, the County Treasurer is directed, in each year that any of the principal of and interest on the bonds remains unpaid, to set aside in a separate depository account, to be designated Michigan Transportation Fund Bonds, Series 2024 Debt Retirement Fund, sufficient moneys from revenues received during such year from state collected taxes returned to the Road Commission for highway purposes pursuant to law to pay the principal of and interest on the bonds next maturing. The County Treasurer is further directed to open a separate depository account, to be designated Michigan Transportation Fund Bonds, Series 2024 Construction Fund into which the proceeds of the bonds, less accrued interest

and such premium determined by the Authorized Officer, if any, shall be credited and from which withdrawals shall be made to pay the cost of the Improvements.

12. ADDITIONAL SECURITY. Pursuant to Act 51, and as additional security for the prompt payment of the principal of and interest on the bonds, if the funds primarily pledged are not sufficient, the County Treasurer is hereby authorized and obligated advance sufficient money from the general fund of the County to make up the deficiency, and reimbursement to the general fund shall be made from the first subsequent revenue received by the Road Commission from the Michigan Transportation Fund not pledged or required to be set aside and used for the payment of the principal and interest on bonds, notes or other evidences of indebtedness. In no event may the County levy an ad valorem tax for the purpose of paying the principal of and interest on the bonds in an amount in excess of the rate permitted by law pursuant to the Michigan Constitution.

13. ESTIMATES OF PERIOD OF USEFULNESS AND COST. The estimated period of usefulness of the Improvements is hereby determined to be not less than fifteen (15) years and upwards, and the plans for and estimated cost of the Improvements are hereby approved and adopted.

14. TAX COVENANT. The County covenants to comply with all requirements of the Internal Revenue Code of 1986, as amended (the "Code") necessary to assure that the interest on the bonds will be and will remain excludable from gross income for federal income tax purposes. The Authorized Officer is authorized for and on behalf of the County to make any elections or designations under the Code. The Authorized Officer and other appropriate officials of the County are authorized to do all things necessary (including the making of such covenants of the County as shall be appropriate) to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes

15. REPLACEMENT OF BONDS. Upon receipt by the County Treasurer of proof of ownership of an unmatured bond, of satisfactory evidence that the bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity which complies with applicable law and is satisfactory to the County Treasurer, the County Treasurer may authorize the bond registrar and paying agent to deliver a new executed bond to replace the bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured bond is lost, apparently destroyed or wrongfully taken, the County Treasurer may authorize the bond registrar and paying agent to pay the bond without presentation upon the receipt of the same documentation required for the delivery of a replacement bond. The bond registrar and paying agent, for each new bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the County in the premises. Any bond delivered pursuant the provisions of this section in lieu of any bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the bond in substitution for which such bond was delivered.

16. APPROVAL OF MICHIGAN DEPARTMENT OF TREASURY. The issuance and sale of the bonds is subject to approval being granted therefor by the Department of Treasury of the State of Michigan in accordance with Act 34, Public Acts of Michigan, 2001, as amended, if the County is unable to obtain qualified status from the Department of Treasury. The Authorized Officer is hereby authorized to file with the Department of Treasury an application for approval with respect to the bonds and pay such fees and request such waivers and exemptions as may be necessary or desirable.

17. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS. The Bonds shall be sold at a competitive sale as hereinafter provided. The Authorized Officer is hereby authorized to approve an Official Notice of Sale for the Bonds and publish the same in

accordance with law in *The Bond Buyer* at least seven days before the date set for the sale of the Bonds. Sealed bids for the purchase of the Bonds shall be received up to such time as shall hereafter be determined by the Authorized Officer. Following the receipt of bids for the Bonds, the Bonds shall be awarded to the successful bidder therefor pursuant to the Sale Order, which shall set forth, with respect to the Bonds, the principal amount, principal maturities and dates, interest rates and interest payment dates, redemption provisions, if any, and purchase price to be paid by the successful bidder, as well as such other terms and provisions as the Authorized Officer determines to be necessary or appropriate in connection with the sale of the Bonds. In making the determination in the order authorizing the sale of the bonds with respect to principal maturities and dates, interest rates and purchase price of the bonds, the Authorized Officer shall be limited as follows:

- (a) The interest rate on any bonds shall not exceed 6% per annum.
- (b) The final maturity date of the bonds shall not be later than May 1, 2039
- (c) The purchase price of the bonds shall not be less than 99% of the principal amount thereof.

The Authorized Officer, the County Clerk, the County Treasurer and other appropriate County and County Road Commission officials are authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of bonds in accordance with this Bond Resolution.

18. OFFICIAL STATEMENT; CONTINUING DISCLOSURE. (1) The Authorized Officer is authorized to cause the preparation of an official statement for the bonds for the purpose of enabling compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule"), and to do all other things necessary to enable compliance with the Rule. After the award of the bonds, the County will provide copies of a "final official statement" (as defined in paragraph (f)(3) of the Rule) on a timely basis and in reasonable

quantity as requested by the Underwriter to enable the Underwriter to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

(2) The Authorized Officer is hereby authorized to execute and deliver in the name of and on behalf of the County (i) a certificate of the County to comply with the continuing disclosure undertaking of the County with respect to the bonds pursuant to paragraph (b)(5) of the Rule, and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

19. APPOINTMENTS. Dickinson Wright PLLC is hereby appointed to act as bond counsel.

20. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions, insofar as they are in conflict herewith, are rescinded.

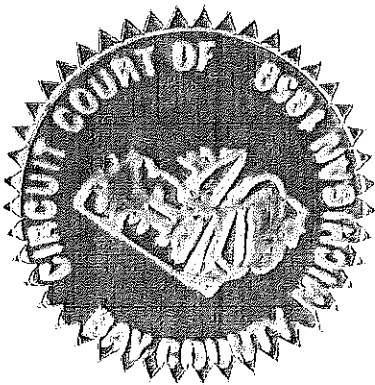
YEAS: 7

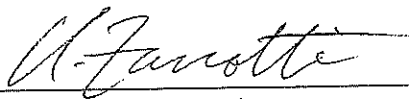
NAYS: 0

ABSENT: 0

STATE OF MICHIGAN)
)ss
COUNTY OF BAY)

I, the undersigned, the County Clerk of the County of Bay, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Board of Commissioners of said County held on the 19th day of March, 2024, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the Open Meetings Act.





Kathleen Zanotti
Clerk, County of Bay, Michigan

BAY COUNTY BOARD OF COMMISSIONERS

MARCH 19, 2024

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/19/24)

WHEREAS, In order for Bay County to comply with GASB 87 and 96 tracking requirements, the Bay County Finance Department has been tracking leases utilizing spreadsheets; and

WHEREAS, The purchase of the DebtBook software program will streamline that process, centralize the information in one place, and simplify the yearly reporting process; and

WHEREAS, DebtBook software will save Bay County time compiling reports during the audit process and other departments can utilize the features of this program at no additional cost; and

WHEREAS, The price of the software includes the software and implementation; and

WHEREAS, Funds are currently budgeted in the amount of \$7,000; however, the expenses may be up to \$10,500 which would require a budget adjustment of up to \$3,500 from the General Fund, Fund Balance for the difference; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the budget adjustment for the purchase of DebtBook Software for the additional amount of \$3,500 from the General Fund, Fund Balance; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the Agreement for the purchase and implementation of DebtBook Software and any related documents on behalf of Bay County (Finance) following Corporation Counsel review and approval; Be It Finally

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

VAUGHN J. BEGICK, CHAIR AND BOARD

Finance – Budget Adjustment \$3,500 - DebtBook Software

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 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

MEETING DATE: 3/19/2024

MOTION SPONSORED BY: COMM. NIEMIEC

MOTION SUPPORTED BY: COMM. BANASZAK

MOTION NO.: 17

MOVED TO APPROVE THE BOARD MINUTES FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR BOARD MEETING OF FEBRUARY 20, 2024, 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: 3/19/2024

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. MAILLETTE

MOTION NO.: 18

MOVED TO ADD TO THE AGENDA FOR THE BAY COUNTY
BOARD OF COMMISSIONER MEETING OF MARCH 19, 2024,
RESOLUTION 2024-41.

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: 3/19/2024

MOTION SPONSORED BY: COMM. MAILLETTE

MOTION SUPPORTED BY: COMM. BANASZAK

MOTION NO.: 19

MOVED TO APPROVE THE AGENDA FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR SESSION BOARD MEETING OF MARCH 19, 2024, WITH THE ADDED RESOLUTION 2024-41.

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: 3/19/2024

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 20

MOVED TO RECEIVE THE APPLICATIONS FOR APPOINTMENT TO THE BAY COUNTY LIBRARY BOARD FOR ONE, 5-YEAR UNEXPIRED TERM EXPIRING JUNE 30, 2026 FROM ANDREAS H. TEICH AND CHARLES PARKE.

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: 3/19/2024

MOTION SPONSORED BY: COMM. BANASZAK

MOTION SUPPORTED BY: COMM. POIRIER

MOTION NO.: 21

VOTES WERE CAST AS FOLLOWS (EACH COMMISSIONER VOTED FOR 1 (1) CANDIDATE):

ANDRES H. TEICH: 3 VOTES
MAILLETTE, HEREK, RADTKE,

CHARLES PARKE: 4 VOTES
NIEMIEC, BANASZAK, POIRIER, BEGICK

MOVED TO APPOINT TO THE BAY COUNTY LIBRARY BOARD
CHARLES PARKE

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: YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 3/19/2024

MOTION SPONSORED BY: COMM. BANASZAK

MOTION SUPPORTED BY: COMM. MAILLETTE

MOTION NO.: 22

MOVED TO RECEIVE THE REQUEST AND THE REPORT FROM THE BAY ARENAC BEHAVIORAL HEALTH -BABHA NOMINATIONS COMMITTEE REVIEW ELIGIBILITY RESULTS AND TO RECEIVE ALL 6 CANDIDATES.

- JUSTIN PETERS
- PATRICK CONLEY
- COLLEEN MAILLETTE
- ERNIE KRYGIER
- PATRICK MCFARLAND
- PAMELA SCHUMACHER

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: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 3/19/2024

MOTION SPONSORED BY: COMM. BANASZAK

MOTION SUPPORTED BY: COMM. MAILLETTE

MOTION NO.: 23

VOTES WERE CAST AS FOLLOWS: (EACH COMMISSIONER VOTED FOR THREE (3) CANDIDATES):

JUSTIN PETERS: 0 VOTES

PATRICK CONLEY: 4 VOTES
BANASZAK, POIRIER, NIEMIEC, BEGICK

COMMISSIONER COLLEEN MAILLETTE: 3 VOTES
MAILLETTE, HEREK, RADTKE

ERNIE KRYGIER: 3 VOTES
MAILLETTE, HEREK, RADTKE

PATRICK MCFARLAND: 5 VOTES
BANASZAK, MAILLETTE, POIRIER, NIEMIEC, BEGICK

PAMELA A. SCHUMACHER: 6 VOTES
BANASZAK, HEREK, RADTKE, POIRIER, NIEMIEC,
BEGICK

MOVED TO APPOINT TO BAY ARENAC BEHAVIORAL HEALTH
PATRICK CONLEY, PATRICK MCFARLAND, AND PAMELA
SCHUMACHER.

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: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 3/19/2024

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 24

MOVED TO RECEIVE FROM THE CITY OF BAY CITY A
NOTIFICATION OF PUBLIC HEARING – ESTABLISHING TWO
NEIGHBORHOOD ENTERPRISE ZONE DISTRICTS.

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: 3/19/2024

MOTION SPONSORED BY: COMM. BANASZAK

MOTION SUPPORTED BY: COMM. POIRIER

MOTION NO.: 25

MOVED TO RECEIVE FROM THE BAY COUNTY COURTS A
LETTER TO RECLASSIFY THE 12 CLERK I AND CLERK II
POSITIONS IN THE DISTRICT COURT.

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: 3/19/2024

MOTION SPONSORED BY: COMM. POIRIER

MOTION SUPPORTED BY: COMM. MAILLETTE

MOTION NO.: 26

MOVED TO ADJOURN THE REGULAR BOARD SESSION OF
MARCH 19, 2024. THE MEETING CONCLUDED AT 5:05 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