

## **BAY COUNTY BOARD OF COMMISSIONERS**

**AUGUST 9, 2016**

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, AUGUST 9, 2016, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:00 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL DURANCZYK, VAUGHN BEGICK, KIM COONAN, DONALD J. TILLEY, MICHAEL LUTZ AND CHAIRMAN ERNIE KRYGIER

EXCUSED: COMMISSIONER THOMAS HEREK

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

ALSO PRESENT: TIFFANY JERRY, PERSONNEL/EMPLOYEE RELATIONS DIR.  
DEBRA RUSSELL, ADMINISTRATIVE SERVICES DIR.  
JAN HISTED, FINANCE OFFICER  
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL  
CRISTEN GIGNAC, RECREATION & FACILITIES DIR.  
JEANIE DECKERT, WELLNESS COORDINATOR  
RON GRAHAM, BAY COUNTY RESIDENT  
KATY HINTZEN, MSU EXTENSION  
JODI SCHULTZ, MSU EXTENSION  
JACE PEGLOW, BAY COUNTY RESIDENT  
DALTON DEROCHER, BAY COUNTY RESIDENT  
GRACE WRZESINSKI, BAY COUNTY RESIDENT  
DYLAN HYDE, BAY COUNTY RESIDENT  
ALAYNA WRZESINSKI, BAY COUNTY RESIDENT  
LONDON THORNE, BAY COUNTY RESIDENT  
CAROL INJASOULIN, BAY COUNTY RESIDENT  
WARREN SMITH, BAY COUNTY RESIDENT  
JEANNA PEGLOW, BAY COUNTY RESIDENT  
TIM MCGUIRE, MICHIGAN ASSOCIATION OF COUNTIES  
VARIOUS ELECTED OFFICIALS  
VARIOUS DEPARTMENT HEADS  
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

**MINUTES**

THE JULY 12 AND 19, 2016 BOARD MINUTES WERE NOT AVAILABLE FOR APPROVAL AT THIS TIME.

**CITIZENS INPUT**

MEMBERS OF THE COMMUNITY HAD NOT ATTENDED THIS SESSION WITH ANY CONCERNS.

**PETITIONS AND COMMUNICATIONS**

RES. 2016-190: COMM. LUTZ MOVED TO ADOPT RES. 2016-190 RECOGNIZING RON GRAHAM, WHO HAS DEDICATED HIS LIFE TO COMMUNITY SERVICE. MR. GRAHAM HAS MADE IT HIS PERSONAL GOAL TO HONOR THE LIVES OF SO MANY IMPORTANT PEOPLE BURIED AT PINE RIDGE CEMETERY A/K/A SOLDIERS REST CIVIL WAR AND PIONEER CEMETERY. MR. GRAHAM HAS USED HIS OWN EQUIPMENT AND SPENT THOUSANDS OF HIS OWN DOLLARS TO ENSURE THE CEMETERY WAS KEPT IN PRISTINE CONDITION BY MOWING THE LAWN, CUTTING DOWN TREES, REPAIRING BROKEN AND VANDALIZED TOMBSTONES AND INSTALLING HANDMADE BIRDHOUSES. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

COMM. KRYGIER: THE CHAIRMAN CONGRATULATED MR. GRAHAM ON BEHALF OF THE CITIZENS OF BAY COUNTY AND FELT THE RECOGNITION WAS WELL DESERVED.

RON GRAHAM: RESIDENT RON GRAHAM EXPRESSED HIS APPRECIATION FOR THE RECOGNITION BESTOWED UPON HIM BY THE COUNTY COMMISSION AND NOTED HOW INTERESTING THE HISTORY OF THE PINE RIDGE A/K/A SOLDIERS REST CIVIL WAR AND PIONEER CEMETERY WAS.

MOTION 74: COMM. TILLEY MADE A MOTION TO RECEIVE THE PRESENTATION FROM KATY HINTZEN AND JODI SCHULTZ MSU EXTENSION EDUCATORS WITH HELP BY YOUTH PARTICIPANTS: JACE PEGLOW, DALTON DEROCHE, GRACE WRZESINSKI, DYLAN HYDE, ALAYNA WRZESINSKI AND LANDON THORNE; ON THE DEBUT OF THE RAIN BARREL PROJECT. THE PROJECT WAS FUNDED BY, THE SAGINAW

BAY WATERSHED INITIATIVE NETWORK; BOB KENNEDY, AREA MANAGER WITH THE ANDERSON'S AND REPRESENTATIVE ON THE MICHIGAN AGRICULTURE COMMITTEE FOR THE MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT; AND TERRY HISTED FROM BAY COUNTY FARM BUREAU'S PROMOTION AND EDUCATION COMMITTEE. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF BY A VOICE VOTE OF: 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

KATY HINTZEN

EXTENSION EDUCATORS WITH MSU EXTENSION, K. HINTZEN AND JODI SCHULTZ APPEARED WITH SOME VERY SPECIAL YOUTH AND VOLUNTEERS TO TELL ABOUT A PROJECT THEY HAD BEEN WORKING ON. IN THE SPRING WE WROTE A COMMUNITY ACTION GRANT FROM THE SAGINAW BAY WATERSHED INITIATIVE NETWORK AND WITH THOSE FUNDS AND MATCHING CONTRIBUTIONS FROM THE ANDERSON'S AND BAY COUNTY FARM BUREAU WE WERE ABLE TO RECRUIT YOUTH FROM THE LOCAL AREA TO PARTICIPATE IN THIS PROJECT. THE GOAL OF THIS PROJECT WAS TO TEACH YOUTH ABOUT THE IMPACTS OF STORM WATER RUN OFF ON THE WATER QUALITY IN THE SAGINAW BAY. WE HAD 150 YOUTH AND 30 VOLUNTEERS AND EDUCATORS PARTICIPATE IN THE PROJECT. WE LEARNED ABOUT HOW RAIN BARRELS WORK AND HOW RAIN BARRELS CAN BE USED TO MANAGE STORM WATER AND REDUCE RUN OFF. THEY EACH PLANNED, DESIGNED AND DECORATED THEIR RAIN BARRELS AS DISPLAYED.

MOTION 75:

COMM. COONAN MADE A MOTION TO RECEIVE THE PRESENTATION FROM TIMOTHY K. MCGUIRE, EXECUTIVE DIRECTOR, MICHIGAN ASSOCIATION OF COUNTIES. MR. MCGUIRE GAVE AN UPDATE ON LEGISLATIVE AND EDUCATIONAL ACTIVITIES AND PROGRAMS THAT WILL BE OFFERED IN THE UP COMING MONTHS. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF BY A VOICE VOTE OF: 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

TIM MCGUIRE:

T. MCGUIRE REPORTED THAT THE MICHIGAN ASSOCIATION OF COUNTIES WAS A MEMBERSHIP DRIVEN MODEL WITH FIVE STANDING COMMITTEES MADE UP OF COMMISSIONERS FROM THROUGHOUT THE STATE OF MICHIGAN. EACH HELPS ESTABLISH POLICY, WHICH GUIDES US FOR WHAT WE DO AT THE CAPITAL, AS FAR AS TRANSFERRING THE MESSAGE FROM THE COMMISSIONERS TO THE LEGISLATOR AND THE OTHER ARMS OF STATE GOVERNMENT. WE WOULD LIKE TO EXTEND OUR APPRECIATION TO THE MSU EXTENSION, MAC HAS HAD A LONGSTANDING

PARTNERSHIP WITH MSU EXTENSION. WE PARTNER WITH THEM EVERY-OTHER-YEAR TO PUT ON OUR NEW COMMISSIONER'S SCHOOL AND SOME OF THE OTHER EDUCATIONAL THINGS PROVIDED THROUGH MSU EXTENSION. GOOD NEWS THIS YEAR, FOR THE THIRD YEAR IN A ROW, WE HAVE 100% REVENUE SHARING FOR THIS BUDGET YEAR WITH AN ONE PERCENT INCREASE. WE HAVE MADE IT A POINT TO LET THE LEGISLATORS KNOW HOW IMPORTANT THOSE REVENUE SHARING DOLLARS ARE FOR THE LOCAL LEVEL. ANOTHER KEY ISSUE FOR US THIS YEAR WAS THE DARK STORE'S ISSUE. WE ARE TALKING ABOUT NOT JUST A LEGISLATIVE FRONT BUT THIS IS A FRONT THAT WE PARTNERED WITH THE MICHIGAN MUNICIPAL LEAGUE, THE MICHIGAN TOWNSHIPS ASSOCIATION AND OTHER ORGANIZATIONS WHEN WE FILED AN AMICUS BRIEF ON BEHALF OF THE COUNTIES OF THE STATE OF MICHIGAN AS IT RELATES TO THE DARK STORES ISSUE, AND THE COURT OF APPEALS, FOUND THAT THE HIGHEST AND BEST USE WAS THE IMPORTANT CONSIDERATION AND DISALLOWING THE DEED RESTRICTIONS AND RELYING ON COMPARABLE SALES. AT THE FOREFRONT FOR US THIS UPCOMING YEAR WITH REGARD TO LEGISLATION IS THE CONSTANT ISSUE OF UNFUNDED MANDATES, WHEREBY LEGISLATION IS PASSED THAT REQUIRE ADDITIONAL DOLLARS BE SPENT AT THE LOCAL LEVEL BE FUNDED AT THE LOCAL LEVEL .

MOTION 76: COMM. DURANCZYK MADE A MOTION TO RECEIVE THE PRESENTATION FROM DEBRA RUSSELL, DIRECTOR OF ADMINISTRATIVE SERVICES. UPDATES INCLUDED MOVING FORWARD WITH BAY COUNTY TELEVISION, FORMERLY BAY 3 TV AND NEW OPTIONS FOR PROGRAMS, INCLUDING POTENTIAL PROGRAMING WAS DISCUSSED FOR EDUCATIONAL, SPORTING EVENTS AND COMMUNITY EVENTS WITH POSSIBLE SPONSORSHIP COMMITMENTS. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF BY A VOICE VOTE OF: 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

DEBRA RUSSELL: DIRECTOR OF ADMINISTRATIVE SERVICES, D. RUSSELL, PROVIDED AN UPDATE OF THE PROGRESS OF BAY COUNTY TELEVISION, FORMERLY BAY 3 TV. FEATURED WAS A CLIP FROM THE BAY COUNTY ANIMAL CONTROL OF ANIMALS WHICH WERE HOUSED AND WERE CURRENTLY AVAILABLE FOR ADOPTION THAT WILL UPDATED WEEKLY AND SHOWN ON THE CHANNEL. BAY COUNTY TELEVISION WILL BE FILMING EVERY TUESDAY AND IT WILL BE AIRING THE FOLLOWING WEEK. THE GOAL WAS TO RAISE ADOPTIONS OF ANIMALS AND INCREASE PROGRAMMING OPTIONS TO INCLUDE

SPORTING AND COMMUNITY EVENTS. THE EVENTS WILL BE LIVE STREAMED SO THAT THEY CAN BE WATCHED FROM ANYWHERE THAT HAS AN INTERNET CONNECTION. THEY WILL ALSO BE AIRED FROM OUR CABLE CHANNEL. WE HAVE BEEN APPROACHED FROM LOCAL BUSINESS THAT ARE INTERESTED IN SPONSORSHIP WHICH WILL PROVIDE REVENUE FOR BAY COUNTY. ADDITIONALLY, ALSO BEEN APPROACHED FROM A LOCAL ENTITY WHO IS INTERESTED IN SECURING TELEVISION COVERAGE FOR THEIR MONTHLY MEETING, WHICH WOULD GENERATE REVENUE FOR THE PROGRAM. THE DIVISION ON AGING MAY OFFER SOME PROGRAMS THAT WILL APPEAL TO SENIOR CITIZENS

## **REPORTS/ RESOLUTIONS OF COMMITTEES**

### **WAYS AND MEANS (KIM J. COONAN, CHAIR; DONALD J. TILLEY, VICE CHAIR)**

- RES. 2016-191: COMM. COONAN MOVED TO ADOPT RES. 2016-191 - THE CHILD CARE FUND FROM THE STATE OF MICHIGAN PROVIDES A 50% MATCH FOR EXPENDITURES INVOLVING PLACEMENT IN AGENCIES, FOSTER HOMES, OUR JUVENILE HOME FACILITY OR INSTITUTIONS; ALSO COVERED ARE PROGRAMS AIMED AT WORKING WITH DELINQUENT YOUTH WHILE THE YOUTH REMAINS IN THEIR OWN HOMES; THE PROBATE COURT FINDS IT IS NECESSARY TO REQUEST A BUDGET ADJUSTMENT TO THIS YEAR'S COUNTY CHILD CARE FUND BUDGET IN THE AMOUNT OF \$400,000; THERE WILL BE NO INCREASE TO THE OVERALL CHILD CARE FUND BUDGET, JUST A TRANSFER OF MONIES FROM THE INSTITUTIONAL CARE LINE ITEM OF THE BUDGET TO THE FAMILY FOSTER CARE LINE ITEM; 50% OF ALL MONIES SPENT CONTINUE TO BE REIMBURSED BY THE STATE BACK TO THE COUNTY. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE: 6 YEAS, 0 NAYS AND HEREK EXCUSED.
- RES. 2016-192: COMM. COONAN MOVED TO ADOPT RES. 2016-192 FOR THE BAY COUNTY REGISTER OF DEEDS' OFFICE TO IMPLEMENT CREDIT CARD SERVICES FOR FEES CHARGED IN THE OFFICE. THERE ARE NO BUDGET ADJUSTMENTS REQUIRED AS NO GENERAL FUND DOLLARS WILL BE USED TO SUPPORT THIS SERVICE. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.
- RES. 2016-193: COMM. COONAN MOVED TO ADOPT RES. 2016-193 FOR THE 2016 TO 2017 PROPOSED APPLICATION BETWEEN THE STATE OF

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE BAY COUNTY PROSECUTOR'S OFFICE; COVERS A FIVE (5) YEAR PERIOD TO PROVIDE LEGAL SERVICES TO DHHS REGARDING ABUSE/NEGLECT PROCEEDINGS IN PROBATE COURT; THIS AGREEMENT COVERS PART OF AN ASSISTANT PROSECUTOR'S WAGES DIRECTLY RELATED TO THE IV-E AGREEMENT FOR LEGAL SERVICES PROVIDED TO DHHS; THE COUNTY WILL BE REIMBURSED UP TO \$60,000.00 PER YEAR FOR FIVE (5) YEARS FOR LEGAL SERVICES PROVIDED BY AN ASSISTANT PROSECUTOR, AT A CONTRACT RATE OF \$175.00 PER HOUR WITH A 50% COUNTY MATCH, WHICH IS A NEW FORMULA FROM LAST YEAR'S CONTRACT; THE PREVIOUS PROJECTED MAXIMUM REIMBURSEMENT AMOUNT WAS \$100,462.00 PER YEAR WITH A 50% MATCH. HOWEVER, DUE TO A CHANGE IN THE CONTRACTUAL FORMULA FOR THIS AGREEMENT, THE DHHS CONTRACT ADMINISTRATOR PROJECTS AN INCREASE IN ACTUAL REVENUE GENERATED FROM LAST YEAR'S CONTRACT. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK..

RES. 2016-194: COMM. COONAN MOVED TO ADOPT RES. 2016-194 A CONTRACT WAS RECENTLY SIGNED WITH REPUBLIC WASTE FOR WASTE REMOVAL AND RECYCLING, HOWEVER, SINCE THAT TIME, BAY COUNTY RECEIVED NOTIFICATION THAT BRADY, THE COUNTY'S WHITE PAPER RECYCLER, WOULD NO LONGER BE PROVIDING THE SERVICE WHICH THEY PROVIDED FOR MANY YEARS AT NO COST TO BAY COUNTY; IN THE PRIOR CONTRACT, THE BOARD APPROVED \$3,485.52 FOR RECYCLING BUT THE CURRENT ESTIMATE IS \$9,474.12 WITH MANY DEPARTMENTS ONLY ESTIMATING THEIR RECYCLING NEEDS; IT IS ANTICIPATED THAT AN INCREASE IN FUNDING, UP TO \$10,000.00 IS NOW REQUESTED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-195: COMM. COONAN MOVED TO ADOPT RES. 2016-195 - 2016 THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PROVIDES FEDERAL FUNDS THROUGH THE EMPG PROGRAM FOR STATE AND LOCAL EMERGENCY MANAGEMENT PROGRAMS; AS THE DESIGNATED GRANTEE OF THE EMPG FUNDING IN MICHIGAN, THE MICHIGAN STATE POLICE EMERGENCY MANAGEMENT AND HOMELAND SECURITY DIVISION (EM-HSD) ENTERS INTO AGREEMENTS WITH LOCAL EMERGENCY MANAGEMENT PROGRAMS EACH YEAR; REIMBURSEMENT FOR THE EMERGENCY MANAGEMENT PROGRAM IS CONTINGENT UPON COMPLETION OF THE ACTIVITIES IN THE

SIGNED EMERGENCY MANAGEMENT WORK PLAN, THIS EMPG AGREEMENT WAS FOR THE CURRENT FISCAL YEAR AND THE AGREEMENT COVERS 35.6931% (\$24,371.00) OF COVERED PROGRAM EXPENSES; THE BAY COUNTY BOARD APPROVES THE AGREEMENT FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR FY2016. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-196: COMM. COONAN MOVED TO ADOPT RES. 2016-196 THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY HAS ALLOCATED APPROXIMATELY \$5,000.00 FOR RAPID TESTING OF SURFACE WATER QUALITY AND HAS FORWARDED AN AGREEMENT FOR ACCEPTANCE OF AN ADDITIONAL \$11,250 IN FUNDS FOR EXPANDED TESTING; THE AGREEMENT STIPULATES A MATCH OF \$3,071 OR 25% OF THE TOTAL, WHICH WILL BE CONTRIBUTED THROUGH IN-KIND SERVICES FROM SVSU AND, THEREFORE, NO ADDITIONAL RESOURCES ARE NECESSARY FROM THE GENERAL FUND. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-197: COMM. COONAN MOVED TO ADOPT RES. 2016-197 THE 2015-2016 CPBC AGREEMENT BETWEEN BAY COUNTY AND THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH (MDCH) IS BEING AMENDED TO INCORPORATE THE ANNUAL BUDGET, OUTPUT MEASURES, FUNDING/REIMBURSEMENT MATRIX, UPDATED PROGRAM LANGUAGE AND REVISED ALLOCATIONS RECEIVED SINCE THE ORIGINAL AGREEMENT WAS ISSUED; AND AMENDMENT #4 REFLECTS ADJUSTMENTS TO FUNDING LEVELS AS FOLLOWS: CHILDREN'S SPECIAL HEALTH CARE SERVICES (CSHCS) OUTREACH & ADVOCACY; CURRENT AMOUNT \$40,000.00 - AMENDED AMOUNT \$2,500.00 - NEW PROJECTED AMOUNT \$42,500.00; THE INCREASE IN THE ABOVE PROGRAM FUNDS REFLECTS ADDITIONAL FUNDS ALLOCATED TO THE BAY COUNTY HEALTH DEPARTMENT FOR THE CHILDREN'S SPECIAL HEALTH CARE SERVICES PROGRAM FOR THE TRANSFERENCE OF CLIENT DATA TO HEALTH DEPARTMENT SERVERS. THE INCREASE IN THE ABOVE IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-198: COMM. COONAN MOVED TO ADOPT RES. 2016-198 THE MEMORANDUM OF AGREEMENT BETWEEN REGION VII AREA AGENCY ON AGING AND THE BAY COUNTY DIVISION ON AGING IN DEVELOPING, IMPLEMENTING AND ASSESSING (MMAP) MEDICARE

MEDICAID ASSISTANCE PROGRAM COVERING THE PERIOD OF APRIL 1, 2016 THROUGH MARCH 31, 2017 HAS BEEN SUBMITTED; THERE IS NO FINANCIAL COST TO THE DIVISION ON AGING AS ALL COSTS ASSOCIATED WITH THE SERVICE AGREEMENT ARE INCLUDED IN THE GRANT. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-199: COMM. COONAN MOVED TO ADOPT RES. 2016-199 ACCOUNTS PAYABLE: 07/13/2016, \$642,744.11; 07/20/2016, \$605,244.87; 07/27/2016, \$240,733.14; 08/03/2016, \$232,181.74. BAYANET: 06/01/2016 - 06/30/2016, PAYABLES \$48,773.16; PAYROLL, \$15,742.97; 07/01/2016 - 07/31/2016, PAYABLES \$89,719.16; PAYROLL \$5,925.92. HOUSING (CENTER RIDGE ARMS): 07/11/2016 \$10,499.52. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-200: COMM. COONAN MOVED TO ADOPT RES. 2016-200 BUDGET ADJUSTMENTS: GENERAL FUND: SECONDARY ROAD PATROL GRANT, TO BUDGET FOR THE PURCHASE OF GUNS FOR THE ROAD PATROL. THE FUNDING SOURCE GENERAL FUND, FUND BALANCE. UNFAVORABLE IMPACT \$2,500.00. GENERAL FUND: CORPORATION COUNSEL. UNFAVORABLE IMPACT \$11,200.00. INCREASE OUTSIDE LEGAL FEES FOR CORPORATION COUNSEL BUDGET. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-201: COMM. COONAN MOVED TO ADOPT RES. 2016-201 - 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: THE SPONSORING COMMITTEE CONSIDERS AN ORDINANCE OR AMENDMENT AND REFERS IT TO THE FULL BOARD; 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 AFTER PUBLICATION OF PROPER NOTICE; 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; 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. 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 AND VOTE ON THE ORDINANCE OR ORDINANCE AMENDMENT BEFORE THEM; BY THE BAY COUNTY BOARD OF COMMISSIONERS THAT, FOR THE SAKE OF EXPEDIENCIES, ARTICLE XIII OF THE RULES OF THE BAY COUNTY BOARD OF COMMISSIONERS IS HEREBY SUSPENDED FOR THE ADOPTION OF AN AMENDMENT TO THE BAY COUNTY ORDINANCE NO. 28, BUDGET STABILIZATION FUND. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-202: COMM. COONAN MOVED TO ADOPT RES. 2016-202 - BAY COUNTY ORDINANCE NO. 28 CREATED A BUDGET STABILIZATION FUNDS WHICH STATES THAT THE FUND SHALL NOT EXCEED 15% OF THE COUNTY'S MOST RECENT GENERAL FUND BUDGET AS ORIGINALLY ADOPTED; P.A. 2016, NO. 169, EFFECTIVE SEPTEMBER 7, 2016, INCREASES THE CAP ON LOCAL GOVERNMENT BUDGET STABILIZATION FUNDS FROM 15 PERCENT TO 20 PERCENT OF THE MOST RECENT GENERAL FUND BUDGET. EFFECTIVE SEPTEMBER 7, 2016, THE NEW LAW NOW CAPS THE AMOUNT OF MONEY THAT LOCAL OFFICIALS CAN SET ASIDE FOR THE RAINY DAY FUND AT 20 PERCENT OF THE MOST RECENT GENERAL FUND BUDGET, OR THE AVERAGE OF THE FIVE MOST RECENT GENERAL FUND BUDGETS, WHICHEVER IS LESS. THE BAY COUNTY BUDGET STABILIZATION FUND ORDINANCE, NO. 28, SECTION 3.004 - LIMITATIONS ON FUND, IS HEREBY AMENDED TO READ AS FOLLOWS: "THE AMOUNT OF MONEY IN THE FUND SHALL NOT EXCEED EITHER TWENTY PERCENT (20%) OF THE COUNTY'S MOST RECENT GENERAL FUND BUDGET, AS ORIGINALLY ADOPTED, OR TWENTY PERCENT (20%) OF THE COUNTY'S MOST RECENT GENERAL FUND BUDGET, AS ORIGINALLY ADOPTED, OR TWENTY PERCENT (20%) OF THE AVERAGE OF THE COUNTY'S FIVE MOST RECENT GENERAL FUND BUDGETS, AS AMENDED, WHICHEVER IS LESS". IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-203: COMM. COONAN MOVED TO ADOPT RES. 2016-203 - BAY COUNTY ORDINANCE NO. 28 CREATED A BUDGET STABILIZATION FUND WHICH STATES THAT THE FUND SHALL NOT EXCEED 15% OF THE COUNTY'S MOST RECENT GENERAL FUND BUDGET AS ORIGINALLY ADOPTED; ORDINANCE NO. 28 WAS AMENDED ON AUGUST 9, 2016 (RES. NO. 2016-202) TO INCREASE THE MAXIMUM RESERVE FOR A

LONG-TERM ADVANCE TO THE BUDGET STABILIZATION FUND TO 20%; THE CURRENT BALANCE OF \$5,148,127.65 IN THE RESERVE FOR A LONG-TERM ADVANCE TO THE BUDGET STABILIZATION FUND IS EQUIVALENT TO FIFTEEN AND NINETEEN HUNDREDTHS PERCENT (15.19%) OF THE 2016 GENERAL FUND ADOPTED BUDGET OF \$33,888,195; EFFECTIVE SEPTEMBER 7, 2016, THE RESERVE FOR A LONG-TERM ADVANCE TO THE BUDGET STABILIZATION FUND BE INCREASED BY \$1,629,511.35 TO \$7,777,639.65 WHICH IS EQUIVALENT TO TWENTY PERCENT (20%) OF THE 2016 GENERAL FUND ADOPTED BUDGET OF \$33,888,195; BE IT FURTHER: THAT MONIES TO FUND THE INCREASE ARE TO COME FROM THE GENERAL FUND UNASSIGNED FUND BALANCE; THAT THE TRANSFER OF FUNDS SHALL BE MADE WITHIN 3 DAYS AFTER SEPTEMBER 7, 2016, THE DAY THE LAW TAKES EFFECT. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

MOTION 77: COMM. COONAN MADE A MOTION TO RECEIVE ANALYSIS OF GENERAL FUND EQUITY 2016, PER REPORT DATED: 8/2/2016 SHOWING 2016 BUDGETED SURPLUS/(DEFICIT), BUDGET ADJUSTMENTS POSTED IN JANUARY THROUGH JULY 2016. AS OF JULY 31, 2016 THERE IS AN ESTIMATED UNASSIGNED FUND BALANCE OR (DEFICIT) 7/31/2016 OF: \$5,910,772.00. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF BY A VOICE VOTE OF: 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

MOTION 78: COMM. COONAN MADE A MOTION TO RECEIVE LETTER TO COMMISSIONER KIM COONAN FROM JAN HILSTED, FINANCE OFFICER, RE: EXECUTIVE DIRECTIVE #2007-11 DATED: AUGUST 3, 2016. ON JUNE 30, 2016 AN EMAIL WAS SENT REQUESTING DEPARTMENTS TO CONTACT THEIR GRANTOR AGENCIES TO CONFIRM THEIR LEVEL OF GRANT FUNDING FOR THE CURRENT YEAR. THE STATE GRANTOR AGENCIES THAT HAVE RESPONDED TO THE REQUESTS INDICATE THAT FUNDING LEVELS FOR THE STATE GRANTS WITH REGARD TO FISCAL YEAR 2015-2016 APPEAR TO HAVE NO CHANGES. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF BY A VOICE VOTE OF: 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

**PERSONNEL/HUMAN SERVICES (MICHAEL E. LUTZ, CHAIR;  
DONALD J. TILLEY, VICE CHAIR)**

RES. 2016-204: COMM. LUTZ MOVED TO ADOPT RES. 2016-204 REGARDING AN APPLICATION OF SAGINAW VALLEY STATE UNIVERSITY FOR

ADDITIONAL GRANT FUNDING AND WAS AWARDED TWO SEPARATE GRANTS TOTALING APPROXIMATELY \$1.5 MILLION DOLLARS TO FURTHER DEVELOP NURSING EDUCATION IN UNIVERSITY CLINIC ACTIVITIES, TO FURTHER INTEGRATE NEEDED MENTAL HEALTH AND PRIMARY SERVICES AND TO EXPAND THE CLINIC TO OPERATIONS OF FIVE DAYS PER WEEK; AND GRANT SUB-AWARDS TO THE HEALTH DEPARTMENT TOTAL \$248,775 AND \$227,356 OVER THE NEXT THREE YEARS AND THESE GRANT AWARDS ARE IN ADDITION TO THE ESTABLISHED AGREEMENT AND ORIGINAL GRANT AWARDED TO SVSU IN 2014 WITH NO MATCH REQUIRED; NO GENERAL FUNDS WILL BE UTILIZED AND THERE IS NO ADDITIONAL FINANCIAL COST TO THE HEALTH DEPARTMENT AS ALL COSTS ASSOCIATED FOR THE PROJECT ARE TO BE INCLUDED IN THE GRANT. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-205: COMM. LUTZ MOVED TO ADOPT RES. 2016-205 - THE BAY COUNTY BOARD OF COMMISSIONERS GRANTING CONCURRENCE 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: SHERIFF DEPARTMENT; RECORDS SPECIALIST; ROAD PATROL DEPUTY. CORRECTIONAL FACILITY OFFICER (2). IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE: 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

**BOARD OF COMMISSIONERS (ERNIE KRYGIER, CHAIR, DONALD J. TILLEY, VICE CHAIR)**

RES. 2016-206: COMM. TILLEY MOVED TO ADOPT RES. 2016-206 - EMPLOYMENT STATUS REPORT - JULY 2016. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-207: COMM. TILLEY MOVED TO ADOPT RES. 2016-207 - THE BAY COUNTY SPORTS HALL OF FAME WAS ESTABLISHED TWENTY-SIX YEARS AGO FOR THE PURPOSE OF RECOGNIZING ATHLETIC EXCELLENCE IN BAY COUNTY; IN 2016, THE BAY COUNTY SPORTS HALL OF FAME WILL BE INDUCTING THE 2000 ALL SAINTS STATE CHAMPIONS' BASEBALL TEAM, THE 1983 PONY LEAGUE ALL-STAR ZONE CHAMPIONS' BASEBALL TEAM, AND INDIVIDUAL ATHLETES AND COACHES JIM, DEMING, ART DORE, JASON LECRONIER, CINDY SHAHEEN, TOM STASIK, GARY STEFANIAK, AND MURRY SUTHERLAND; THE BAY

COUNTY SPORTS HALL OF FAME WILL BE HONORING THESE INDIVIDUALS AT A BANQUET TO BE HELD ON SUNDAY, OCTOBER 9, 2016. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK..

RES. 2016-208: COMM. TILLEY MOVED TO ADOPT RES. 2016-208 - THE CITY OF BAY CITY, DONATED THE ORIGINAL 79 ACRES OF PROPERTY ALONG THE SAGINAW BAY TO THE MICHIGAN PARK'S COMMISSION IN 1922, FOR THE EXPRESS PURPOSE OF PROTECTING ITS PUBLIC RECREATIONAL USE, AND THE BEACHFRONT SITE WAS INCLUDED IN THE NEW STATE PARK SYSTEM, THEREAFTER TO BE CALLED BAY CITY STATE PARK; REPORTING OVER 1 MILLION DAY USE VISITORS IN THE 1930'S THE BAY CITY STATE PARK BEACH WAS USED CONTINUOUSLY FOR PUBLIC-RECREATIONAL PURPOSES UNTIL THE 1990'S WHEN THE DEPARTMENT OF NATURAL RESOURCES (DNR - FORMERLY THE PARK'S COMMISSION) STOPPED MAINTENANCE GROOMING AT THE BEACH AND ALLOWED THICK LAYERS OF ALGAE TO ACCUMULATE ON THE SHORELINE. THE DNR HAS ANNUAL RECORDS OF THE STEEP DECLINE IN THE NUMBER OF VISITORS SINCE THE 1990'S AND THE STEEP RISE IN THE NUMBER OF COMPLAINTS FROM CAMPERS AND DAY USERS AT THE PARK THROUGH THE YEARS ABOUT THE POOR CONDITIONS AT THE PUBLIC SWIMMING BEACH, AND FOUL ODORS FROM THE DECAYING MUCK DUE TO THE LACK OF BEACH GROOMING. SINCE THE 1990'S BAY COUNTY RESIDENTS, BUSINESS LEADERS, AND LOCAL OFFICIALS HAVE CONSISTENTLY PARTICIPATED IN PARK PLANNING MEETINGS, DNR FOCUS GROUPS, ETC., AND REQUESTED DNR TO RESUME BEACH GROOMING ACTIVITIES IN THE 1994 MASTER PLAN FOR THE BAY CITY STATE RECREATION AREA (BCSRA), TO CLEAN THE SHORELINE TO ALLOW FOR PUBLIC USE AND NOT UNTIL JANUARY 2015 IN A JOINT MEETING WITH THE U.S. ARMY CORPS OF ENGINEERS FOR AUTHORIZATION TO GROOM 1,000 FEET OF BCSRA BEACHFRONT PROPOSED BY THE DNR DIRECTOR DID BAY COUNTY AND THE DNR LEARN OF THE RECORDED LAND USE RESTRICTIONS PROHIBITING BEACH GROOMING AND "ANY DISTURBANCE TO THE SOILS OR VEGETATION" ON THE BEACH AT THE BCSRA DAY USE SHORELINE. THESE RESTRICTIONS WERE PLACED SILENTLY YEARS AGO WITHOUT ANY PUBLIC KNOWLEDGE OR CONSENT, AND HAVE HARMED THE PUBLIC'S USE OF THE GREAT LAKES SHORELINE. THE BAY COUNTY BOARD OF COMMISSIONERS REQUESTS THE GOVERNOR TO DIRECT THE DNR TO SUSPEND THE CURRENT PHASE 2 PLAN FOR BCSRA THAT ONCE AGAIN IGNORES THE PUBLIC PRIORITY OF INCREASING ACCESS TO THE SAGINAW BAY SHORE UNTIL THE RECORDED RESTRICTIONS ON USE AT THE

BEACHFRONT AND PROHIBITION OF GROOMING ARE REMOVED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

RES. 2016-209: COMM. TILLEY MOVED TO ADOPT RES. 2016-209 - THROUGH THE STEPPING UP INITIATIVE, THE NATIONAL ASSOCIATION OF COUNTIES, THE COUNCIL OF STATE GOVERNMENTS JUSTICE CENTER AND THE AMERICAN PSYCHIATRIC FOUNDATION ARE ENCOURAGING PUBLIC, PRIVATE AND NONPROFIT PARTNERS TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAILS; THAT THE BAY COUNTY BOARD OF COMMISSIONERS DOES HEREBY SIGN ON TO THE CALL TO ACTION TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN OUR COUNTY JAIL, COMMIT TO SHARING LESSONS LEARNED WITH OTHER COUNTIES IN THE STATE AND ACROSS THE COUNTY TO SUPPORT A NATIONAL INITIATIVE AND ENCOURAGE ALL COUNTY OFFICIALS, EMPLOYEES AND RESIDENTS TO PARTICIPATE IN STEPPING UP. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

**REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

THERE WAS NO UPDATE.

**UNFINISHED BUSINESS**

THERE WAS NO UNFINISHED BUSINESS.

**NEW BUSINESS**

THERE WAS NO NEW BUSINESS

**MISCELLANEOUS**

THERE WAS NO MISCELLANEOUS

**ANNOUNCEMENTS: 2016 APPOINTMENTS**

SEPTEMBER:

BUILDING AUTHORITY (1 UNEXPIRED 6 YEAR TERM 11/30/16).

OCTOBER:

- a. LAND BANK AUTHORITY - ONE LOCAL UNIT OF GOVERNMENT REPRESENTATIVE, 3 YEAR TERM - RICHARD L. BYRNE.
- b. DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD OF DIRECTORS (ONE 3 YEAR TERM - THOMAS L. STARKWEATHER).

DECEMBER:

DIVISION ON AGING ADVISORY COMMITTEE (FOUR 2 YEAR TERMS;  
DISTRICT 2, 4, 6 AND AT-LARGE).

**CLOSED SESSION**

MOTION 79: COMM. COONAN MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (c): FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING AGREEMENT WHEN EITHER NEGOTIATING PARTY REQUESTS A CLOSED HEARING. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A ROLL CALL VOTE:  
6 YEAS: DURANCZYK, BEGICK, COONAN, TILLEY, LUTZ  
0 NAYS  
1 EXCUSED-HEREK.

MOTION 80: COMM TILLEY MADE A MOTION TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING AGREEMENTS. COMM. DURANCZYK EVIDENCED SUPPORT WAS CARRIED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

MOTION 81: COMM. TILLEY MADE A MOTION TO PURSUE THE RECOMMENDATIONS DISCUSSED IN THE CLOSED SESSION TO ALLOW NEGOTIATIONS OF THE BAY COUNTY EMPLOYEE UNION CONTRACTS TO MOVE FORWARD. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

**RECESS/ADJOURNMENT**

MOTION 82: COMM. DURANCZYK MOVED TO ADJOURN THE REGULAR BOARD SESSION OF AUGUST 9, 2016 AT 5:28 P.M. IT WAS SUPPORTED BY COMM. BEGICK AND CARRIED BY VOICE VOTE OF: 6 YEAS, 0 NAYS AND 1 EXCUSED-HEREK.

---

ERNIE KRYGIER, CHAIRMAN  
BOARD OF COMMISSIONERS

---

CYNTHIA A. LUCZAK, COUNTY CLERK  
BOARD OF COMMISSIONERS

---

DIANE YAWORSKI  
SECRETARY TO THE CLERK  
BOARD OF COMMISSIONERS