

**BAY COUNTY BOARD OF COMMISSIONERS**

**A G E N D A**

**TUESDAY, APRIL 14, 2009**

**9:00 A.M.**

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

**I CALL TO ORDER (CHAIRMAN BESON)**

**II ROLL CALL**

**III INVOCATION**

**IV PLEDGE OF ALLEGIANCE**

83-100 **V MINUTES (3/10/09; 3/17/09)**

**VI CITIZEN INPUT (9:00 A.M.)**

**VII PETITIONS AND COMMUNICATIONS**

A. City of Bay City

1- 8 1. Application for Industrial Facilities Tax Exemption District and Certificate - The Eagle Group dba Builder Resource - \$261,780  
**(Receive)**

9-11 2. Application for an Obsolete Property Rehabilitation District - Steve Ingersoll (615 N. Grant and 1501 Center Ave.) - \$500,000  
**(Receive)**

**VIII REPORTS/RESOLUTIONS OF COMMITTEES**

**A. WAYS AND MEANS (BRIAN K. ELDER, CHAIR; DONALD J. TILLEY, VICE CHAIR)**

12 1. No. 2009-49 - Hire Michigan First

13 2. No. 2009-50 - Treatment Court Funding (District Court)

- |       |     |   |
|-------|-----|---|
| 14    | 3.  | No. 2009-51 - JAG Program Funding (Sheriff Department)  |
| 15-17 | 4.  | No. 2009-52 - Revised 2008 Hadd O&M Assessment Roll (Drain Commissioner)  |
| 18    | 5.  | No. 2009-53 - Administration of Remonumentation Program (Drain Commissioner)  |
| 19    | 6.  | No. 2009-54 - Part Time Position for Bay County Employees' Retirement System (Finance Department)                             |
| 20    | 7.  | No. 2009-55 - Community Center Gym Expansion/Equipment Upgrade (Recreation/Administrative Services)                           |
| 21    | 8.  | No. 2009-56 - Economic Stimulus Grant Application (Recreation/Administrative Services)  |
| 22-35 | 9.  | No. 2009-57 - 2009 Bay County Equalization  |
| 36    | 10. | No. 2009-58 - Diamond Gem Awards (Division on Aging)  |
| 37    | 11. | No. 2009-59 - Bay Area Community Foundation Grant (Division on Aging)   |
| 38    | 11. | No. 2009-60 - USDA Rural Development Grant (Environmental Affairs)  |
| 39-56 | 12. | No. 2009-61 - Purchase of Development Rights Ordinance Supporting Farmland Preservation in Bay County (Environmental Affairs) |
| 57    | 13. | No. 2009-62 - Household Hazardous Waste Collection Grant (Health Department)  |
| 58    | 14. | No. 2009-63 - Redemption of Bonds for Pere Marquette Parking Lot  |
| 59    | 15. | No. 2009-64 - Extension of Temporary Help (Finance Department)  |
| 60    | 16. | No. 2009-65 - Vacancy: Deputy Sheriff (ft) (Sheriff Dept.)  |
| 61    | 17. | No. 2009-66 - Vacancy: Staff Accountant (ft) (Finance Dept.)  |

**B. HUMAN SERVICES (KIM COONAN, CHAIR; ERNIE KRYGIER, VICE CHAIR)**

- 62 1. No. 2009-67 - Grant Request to Saganing Branch of Saginaw Chippewa Indian Tribe for Pinconning Park (Administrative Services)
- 63-64 2. No. 2009-68 - Recreation Contribution to Employee Wellness Program (Administrative Services)
- 65 3. No. 2009-69 - 2009 Use of Fairgrounds/Facilities (Buildings and Grounds)
- 66 4. No. 2009-70 - Carryover Funding and Possible Economic Stimulus Award (Division on Aging)
- 67 5. No. 2009-71 - Title V Worksite Agreements (Division on Aging)
- 68 6. No. 2009-72 - Letter of Intent for FY 2010 Funding (Division on Aging)

**C. PERSONNEL/JUDICIAL (DONALD J. TILLEY, CHAIR; DAWN A. KLIDA, VICE CHAIR)**

- 70 1. No. 2009-43 - Amendment to Board Rules - Change in Time of Regular Board Meeting to 4:00 p.m. **(Second and final reading of resolution with vote on resolution to be taken at this meeting)**
- 71 2. No. 2009-73 - Appointment of Janice Doner as Attorney Magistrate (District Court)
- 72 3. No. 2009-74 - COPS Grant (Sheriff Department)
- 73 4. No. 2009-75 - BAYANET Contract Renewal (Sheriff Department)
- 74 5. No. 2009-76 - BAYANET Contract Renewal (Prosecutor)
- 75 6. No. 2009-77 - Purchase of Governmental Service Credit for Retirement Purposes - Joseph W. Courneya (Retirement Office)
- 76 7. No. 2009-78 - Vacancies: Division on Aging; Animal Control

**D. BOARD OF COMMISSIONERS (PATRICK H. BESON,  
CHAIR; EUGENE F. GWIZDALA, VICE CHAIR)**

77

1. No. 2009-79 - Accounts Payable/BAYANET/Center Ridge Arms

78-82

2. No. 2009-80 - Reports of County Executive

**IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

A. County Executive

**X UNFINISHED BUSINESS**

**XI NEW BUSINESS**

**XII MISCELLANEOUS**

**XIII ANNOUNCEMENTS**

A. Appointment:

1. June 9, 2009 - Library Board (One 5 year term  
expiring: Frank Quinn) - Application deadline 6/3/09  
@ 4:00 p.m.

**XIV CLOSED SESSION (If requested)**

**XV RECESS/ADJOURNMENT**

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: APRIL 14, 2009

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2009-43	Personnel/Judicial	Amend Board Rules: change Board meeting time to 4:00 p.m. (2 <sup>nd</sup> reading)	XX						
2009-49	Ways and Means	Support of "Hire Michigan First" legislation	XX						
2009-50	Ways and Means	District Court - Grant funding for 74 <sup>th</sup> District Treatment Court	XX						
2009-51	Ways and Means	Sheriff Dept. - Justice Assistance Grant (JAG) Program funding	XX						
2009-52	Ways and Means	Drain Commissioner - Revised 2008 Hadd O & M Assessment Roll	XX						
2009-53	Ways and Means	Drain Commissioner - Remonumentation Surveyor Agreement	XX						
2009-54	Ways and Means	Finance Dept. - PT position for Bay Co. Employees Retirement System	XX						
2009-55	Ways and Means	Admin. Services - Community Center weight room and equipment upgrade	XX						
2009-56	Ways and Means	Saginaw Basin Land Conservancy economic stimulus grant funds	XX						
2009-57	Ways and Means	Bay County Equalization for 2009	XX						
2009-58	Ways and Means	Division on Aging - Support of 2009 Diamond Gem Awards	XX						
2009-59	Ways and Means	Division on Aging - Bay Area Community Foundation Grant	XX						
2009-60	Ways and Means	Environmental Affairs - USDA Rural Development Grant	XX						
2009-61	Ways and Means	Environmental Affairs - Bay County Farmland Development Rights Ordinance	XX						
2009-62	Ways and Means	Health Dept. - Household Hazardous Waste Collection funding	XX						
2009-63	Ways and Means	Redemption of Bonds for Pere Marquette Parking Lot	XX						
2009-64	Ways and Means	Finance Dept. - Extension for temporary help/funding through July 2009	XX						
2009-65	Ways and Means	Sheriff Dept. - Fill vacancy of full time Deputy Sheriff	XX						





BAY COUNTY BOARD OF COMMISSIONERS

4/14/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (2/17/09)

WHEREAS, Pursuant to the Rules of the Bay County Board of Commissioners, meetings of the Bay County Board of Commissioners are scheduled for the second Tuesday of the month at 9:00 a.m.; and

WHEREAS, While no meeting time can ever be convenient for all Bay County citizens, it may be especially difficult for citizens to attend meetings of the Bay County Board of Commissioners that begin at 9:00 a.m.; and

WHEREAS, This Board wishes to meet in the late afternoon to determine whether such a meeting time is more convenient for Bay County citizens; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Rules of the Bay County Board of Commissioners, are amended, as follows:

1. Article I - Meetings - 2. "Regular meeting of the Board of Commissioners each month shall convene at "4:00 p.m" and recess/adjourn no later than"8:00 p.m."

DONALD J. TILLEY, CHAIR  
AND COMMITTEE

Board Rules-2009 Amendment (Change Time of Meeting)

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida		✓		Brian K. Elder	✓		
Patrick H. Beson		✓		Ernie Krygler		✓		Eugene F. Gwizdala		✓	
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:  
ROLL CALL: ✓ YEAS 5 NAYS 4 EXCUSED \_\_\_\_\_  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

4/14/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/7/09)
WHEREAS, A package of twelve bills of great importance to Michigan citizens and Michigan workers have passed the House of Representatives and is under consideration by the Michigan Senate; and
WHEREAS, This package was developed by Representative Fred Miller and is entitled "Hire Michigan First" and its intent is that when companies benefit from taxpayer dollars in the form of contracts, tax breaks or other incentives, Michigan residents will have the first opportunity to be hired in these jobs; and
WHEREAS, The bills amend the various laws that provide economic incentives for new jobs, new companies and/or new construction to mandate that any one receiving state tax dollars to assist in their job development will have to hire Michigan workers before importing people from out of state for the new jobs; and
WHEREAS, This requirement would apply to companies that get tax breaks in any form, as well as the contracting out of employment for construction or other services; and
WHEREAS, Exceptions are allowed only if Michigan residents are not available or trained for specific jobs, the hiring of illegal workers is banned; and
WHEREAS, The bills include strict reporting requirements so that the state can actually track the success of the Michigan hiring and there are strong penalties attached for anyone or any company that does not live up to the commitments made in the initial contract between the state and the company receiving the tax break; and
WHEREAS, It is important for the citizens of Michigan to know that they will come first for consideration of good-paying jobs generated by Michigan businesses; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners endorses the "Hire Michigan First" legislation and urges our legislators to support this important legislation; Be It Further
RESOLVED That copies of this resolution be forwarded to Governor Granholm, Senator Barcia, Representatives Mayes and Moore, the Michigan Association of Counties and the other 82 Michigan counties.

BRIAN K. ELDER, CHAIR AND COMMITTEE

Sponsored by Brian K. Elder, 7th District Commissioner Hire Michigan First

MOVED BY COMM. Elder

SUPPORTED BY COMM. Tilley

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Patrick H. Beson, Vaughn J. Beglck, Dawn A. Klida, Ernie Krygler, Kim Coonan, Brian K. Elder, Eugene F. Gwizdala, Donald J. Tilley.

VOTE TOTALS: ROLL CALL: YEAS NAYS EXCUSED VOICE: YEAS 9 NAYS 1 EXCUSED 0

DISPOSITION: ADOPTED [checked] DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS  
4/14/09  
RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, The 74<sup>th</sup> District Court has Been a successful recipient of both Byrne and SCAO grants for the past several years; and

WHEREAS, This year Byrne provided \$155,000 in funding and In order to continue operation of the District Court Treatment Court grant dollars are very important as they make up the majority of the Treatment Court's funding; and

WHEREAS, Grant applications supporting Treatment Court services for FY 2009-2010 from the Federal Byrne Grant and the State Court Administrator's Office Grant will soon be released; and

WHEREAS, Because the time line between actual release of the application forms and required submission dates do not coincide with the Board's calendar, authorization to submit the completed applications with the Board Chair's signature is requested. The signed application supports the request but does not commit the County; and

WHEREAS, The formal request for funding will be submitted during the County's budget process; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes submission of grant applications for funding for the 74<sup>th</sup> District Court Treatment from both the Federal Byrne Grant and the State Court Administrator's Office Grant; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said grant applications on behalf of Bay County following legal review/approval.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Dist Ct - Treatment Court Grant Applications

MOVED BY COMM. Elder

SUPPORTED BY COMM. Klida

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, The Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions which the Bay County Sheriff's Department has utilized in past years; and

WHEREAS, This year's allocation is \$103,210.00 and this funding will be shared 50/50 with the Bay City Police Department; and

WHEREAS, Funds will be used for law enforcement equipment in accordance with grant stipulations; and

WHEREAS, No local matching funds are required and the grant will be administered through Bay County; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes proceeding with the Justice Assistance Grant (JAG) and the Juli Bollman shall be the designee/contact person on this grant; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute all documents required for the grant application and grant award following legal review/approval; Be It Further

RESOLVED That the Bay County Finance Department is authorized to set up appropriate measures for disbursement of the JAG funds and that all budget adjustments required for the JAG funds are approved.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Sheriff Dept - JAG Funds

MOVED BY COMM. Elder

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglck	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, Due to a duplicate assessment to parcel 09-080-012-100-135-01, the Drain Commissioner has requested removal of \$33.22 from the 2008 Hadd O&M Assessment Roll; and

WHEREAS, The Bay County Board of Commissioners must approve any amendments and/or revisions to the assessment rolls; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby authorizes removal of \$33.22 from the 2008 Hadd O&M Assessment Roll.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Drain Commissioner - Revision to 2008 Hadd O&M Assessment Roll

MOVED BY COMM. Elder

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**Hadd O & M Assessment**  
Kawkawlin Township

Parcel Code	Owners Name	Desc Acres	Ass'ed Acres	Equlv Acres	Yield Percent	2008 Assessment
080-011-200-025-00	HUGO, LESTER & LORAINÉ	40.00	40.00	40.00	15.411%	\$582.75
080-011-200-030-00	HADD, FREDERICK C & ESTHER	35.00	35.00	35.00	13.484%	\$509.81
080-011-200-035-00	CLOYD, WILLIAM R & THERESA	0.83	0.83	3.05	1.175%	\$44.43
080-011-200-035-01	JEXAK, DALE R & LAGALO, TAMMY	1.08	1.08	3.28	1.266%	\$47.88
080-012-100-001-00	HUGO, LESTER & LORAINÉ	71.00	71.00	71.00	27.354%	\$1,034.39
080-012-100-010-00	FILARY, JEFFERY & MICHELE	1.66	1.66	4.07	1.570%	\$59.36
080-012-100-015-00	LEE, ROBERT R & MERRY K	1.59	1.59	3.99	1.536%	\$58.09
080-012-100-020-00	MERIDETH, JANE D	0.68	0.68	2.61	1.005%	\$37.99
080-012-100-030-00	JANICKE, JUDITH M	1.20	0.58	2.84	1.857%	\$70.22
080-012-100-135-01	LOOMIS, MICHAEL AND PAMELA	0.52	0.52	2.28	0.879%	\$33.22
080-012-100-045-00	GUIDOT, CHARLES & KATHLEEN GAR	1.00	0.86	2.93	1.130%	\$42.72
080-012-100-055-00	CHEMICAL BANK & TRUST CO TRUST	0.67	0.67	2.59	0.997%	\$37.71
080-012-100-060-00	CHEMICAL BANK & TRUST CO TRUST	0.67	0.67	2.59	0.997%	\$37.71
080-012-100-065-00	WALTZ, DIRK D	2.42	2.42	4.92	1.895%	\$71.67
080-012-100-070-00	WALTZ, DIRK B TRUST	0.68	0.68	2.61	1.005%	\$37.99
080-012-100-075-00	VAN DE MARK, STEVEN C	0.69	0.60	2.45	0.944%	\$35.69
080-012-100-080-00	WALTZ, DONALD JOHN	0.69	0.60	2.45	0.944%	\$35.69
080-012-100-085-00	CEDERBERG, MARTHA A	0.60	1.28	3.58	1.378%	\$52.12
080-012-100-105-00	WEBBER, WILLIAM G & FRIEDEN, BARBA	0.60	0.60	2.45	0.944%	\$35.69
080-012-100-110-00	GROZE, ROBIN & HEINBERG, CHARLES F	0.60	0.60	2.45	0.944%	\$35.69
080-012-100-115-00	HARVEY, WILLIAM & CYNTHIA & ROBERT	0.68	0.68	2.61	1.005%	\$37.99
080-012-100-120-00	PIESIK, ROBERT & HELEN	0.68	0.68	2.61	1.005%	\$37.99
080-012-100-125-00	ALLWEIL, MANDEL I & BROWN, CATH	0.60	0.60	2.45	0.944%	\$35.69
080-012-100-130-00	ALLWEIL, MANDEL I & BROWN, CATH	0.30	0.30	1.73	0.667%	\$25.23
080-012-100-135-01	COMBO 100-135-00 & 100-140-00	0.52	0.52	2.28	0.879%	\$33.22
080-012-100-145-00	SIMMONS, MARY 1/3 INT & DEBBIE SOMM	0.51	0.51	2.26	0.870%	\$32.90
080-012-300-010-00	ELICO, DAVID R & KATHRYNA	16.00	16.00	16.00	6.164%	\$233.10
080-T05-000-001-00	CLEMENT, RUSSELL E	0.00	4.54	6.74	2.596%	\$98.16
080-T05-000-003-00	AMBROSE, SUZANNE E TRUST	0.00	2.26	4.75	1.832%	\$69.26
080-T05-000-004-00	MEIER, MICHAEL EARL	0.00	2.26	4.75	1.832%	\$69.26
080-T05-000-005-00	MEIER, MICHAEL E & NANCY L	0.00	2.26	4.75	1.832%	\$69.26
080-T05-000-006-00	THIBAUT, ALFRED & WIFE	0.00	2.26	4.75	1.832%	\$69.26
080-T05-000-007-00	AMBROSE, SUZANNE E TRUST	0.00	2.26	4.75	1.832%	\$69.26
	TOTALS	181.57	197.15	257.58	100.000%	\$3,781.50

*Original*

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**Hadd O & M Assessment**  
Kawkawlin Township

Parcel Code	Owners Name	Desc Acres	Ass'd Acres	Equiv Acres	Yield	Yield Percent	2008 Assessment
080-011-200-025-00	HUGO, LESTER & LORAINÉ	40.00	40.00	40.00	40.00	15.547%	\$582.75
080-011-200-030-00	HADD, FREDERICK C & ESTHER	35.00	35.00	35.00	35.00	13.804%	\$509.91
080-011-200-035-00	CLOYD, WILLIAM R & THERESA	0.93	0.93	3.05	3.05	1.188%	\$44.43
080-011-200-035-01	JEXAK, DALE R & LAGALO, TAMMY	1.08	1.08	3.29	3.29	1.277%	\$47.88
080-012-100-001-00	HUGO, LESTER & LORAINÉ	71.00	71.00	71.00	71.00	27.596%	\$1,034.39
080-012-100-010-00	FILARY, JEFFERY & MICHELE	1.86	1.86	4.07	4.07	1.584%	\$59.36
080-012-100-015-00	LEE, ROBERT R & MERRY K	1.59	1.59	3.99	3.99	1.550%	\$58.09
080-012-100-020-00	MERIDETH, JANE D	0.68	0.68	2.61	2.61	1.014%	\$37.99
080-012-100-030-00	JANICKE, JUDITH M	1.20	0.68	2.84	4.82	1.873%	\$70.22
080-012-100-135-01	LOOMIS, MICHAEL AND PAMELA	0.52	0.52	2.28	2.28	0.886%	\$33.22
080-012-100-045-00	GUIDOT, CHARLES & KATHLEEN GAR	1.00	0.68	2.93	2.93	1.140%	\$42.72
080-012-100-055-00	CHEMICAL BANK & TRUST CO TRUST	0.67	0.67	2.69	2.59	1.006%	\$37.71
080-012-100-060-00	CHEMICAL BANK & TRUST CO TRUST	0.67	0.67	2.69	2.59	1.006%	\$37.71
080-012-100-065-00	WALTZ, DIRK D	2.42	2.42	4.92	4.92	1.912%	\$71.67
080-012-100-070-00	WALTZ, DIRK B TRUST	0.68	0.68	2.61	2.61	1.014%	\$37.99
080-012-100-075-00	VAN DE MARK, STEVEN C	0.69	0.60	2.45	2.45	0.952%	\$35.69
080-012-100-080-00	WALTZ, DONALD JOHN	0.69	0.60	2.45	2.45	0.952%	\$35.69
080-012-100-085-00	CEDERBERG, MARTHA A	0.60	1.28	3.58	3.58	1.391%	\$52.12
080-012-100-105-00	WEBBER, WILLIAM G & FRIEDEN, BARB	0.60	0.60	2.45	2.45	0.952%	\$35.69
080-012-100-110-00	GROZE, ROBIN & HEINBERG, CHARLES	0.60	0.60	2.45	2.45	0.952%	\$35.69
080-012-100-115-00	HARVEY, WILLIAM & CYNTHIA & ROBER	0.68	0.68	2.61	2.61	1.014%	\$37.99
080-012-100-120-00	PIESIK, ROBERT & HELEN	0.68	0.68	2.61	2.61	1.014%	\$37.99
080-012-100-125-00	ALLWEIL, MANDEL I & BROWN, CATH	0.60	0.60	2.45	2.45	0.952%	\$35.69
080-012-100-130-00	ALLWEIL, MANDEL I & BROWN, CATH	0.30	0.30	1.73	1.73	0.673%	\$25.23
080-012-100-145-00	SIMMONS, MARY 1/3 INT & DEBBIE SOM	0.51	0.51	2.26	2.26	0.878%	\$32.90
080-012-300-010-00	ELICO, DAVID R & KATHRYN A	18.00	18.00	18.00	18.00	8.219%	\$233.10
080-T05-000-001-00	CLEMENT, RUSSELL E	0.00	4.54	6.74	6.74	2.619%	\$98.16
080-T05-000-003-00	AMBROSE, SUZANNE E TRUST	0.00	2.28	4.75	4.75	1.848%	\$69.26
080-T05-000-004-00	MEIER, MICHAEL EARL	0.00	2.28	4.75	4.75	1.848%	\$69.26
080-T05-000-005-00	MEIER, MICHAEL E & NANCY L	0.00	2.28	4.75	4.75	1.848%	\$69.26
080-T05-000-006-00	THIBAUT, ALFRED & WIFE	0.00	2.26	4.75	4.75	1.848%	\$69.26
080-T05-000-007-00	AMBROSE, SUZANNE E TRUST	0.00	2.28	4.75	4.75	1.848%	\$69.26
	TOTALS	181.05	196.63	255.30	257.28	100.000%	\$3,748.28

*Revised*

BAY COUNTY BOARD OF COMMISSIONERS

4/14/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS Through act 345 of 1990, the State of Michigan recognized the importance of public land survey control and established a remonumentation program designed to ensure the proper location of section markers throughout the state including Bay County; and

WHEREAS Bay County has taken part in the program for many years participating in the available grant funds available; and

WHEREAS The Board of Commissioners continues to refine County government operation to insure the most efficient use of personnel and resources; and

WHEREAS A licensed professional surveyor is employed by the County within the Office of the Bay County Drain Commissioner. Therefore, Be It

RESOLVED The Bay County Board of Commissioners hereby authorizes Mark Basket to execute the Remonumentation Program within Bay County effective February 4, 2009; Be It Further

RESOLVED Mr. Basket's duties will include:

- Submitting annually a grant application and supporting documents.
• Selecting monumentation surveyors in compliance with qualification-based section
• Submitting proposed contracts to the Board of Commissioners for approval and authorization
• Recommending payment to monumentation surveyors as provided by contract
• Submitting all documentation as required by the program

RESOLVED All efforts are to be made to maximize available funding to complete the remonumentation process within the County including integration of a global positioning system component; Be It Finally

RESOLVED That the Chairman of the Board is authorized to execute the Remonumentation Surveyor Agreement(s) and all documents required for the administration of Bay County's Remonumentation Program subject to legal review/approval.

BRIAN K. ELDER, CHAIR AND COMMITTEE

Drain Commissioner - Remonumentation Program Administration

MOVED BY COMM. Elder

SUPPORTED BY COMM. Klida

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Patrick H. Beson, Vaughn J. Begick, Dawn A. Klida, Ernie Krygler, Kim Coonan, Brian K. Elder, Eugene F. Gwizdala, and Donald J. Tilley.

VOTE TOTALS: ROLL CALL: YEAS NAYS EXCUSED VOICE: YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, The Bay County Employees' Retirement System (BCERS) is organized under MCL 46.12a while most other counties belong instead to the Michigan Employees Retirement System organized by the State of Michigan and, as a result, no applicants for the position of Finance Director have demonstrated experience in a retirement system such as Bay County's; and

WHEREAS, Given the complexity of Bay County's Retirement System and the current difficult economic times, retaining the services of Michael Regulski on a part time basis to manage the financial affairs of BCERS/VEBA has been recommended by the Retirement Board; and

WHEREAS, Michael Regulski has been uniquely capable of assuming a key role in keeping the Bay County Employees' Retirement System fully funded; and

WHEREAS, There will be no impact on Bay County's General Fund as the Bay County Employees' Retirement system will fund Mr. Regulski's salary at the rate of \$37.94/hour for less than 400 hours; Therefore, Be It

RESOLVED That, effective 4/14/09, the Bay County Board of Commissioners authorizes the creation of a part time Bay County position, i.e. Consultant to BCERS/VEBA Board, with authorization for Michael Regulski to work less than 400 hours during the next 12 months with compensation at Mr. Regulski's hourly rate (\$37.94) as Finance Officer and only benefits required by law, i.e. Workers' Compensation and FICA; Be It Further

RESOLVED That any budget adjustments required are approved.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Retirement System - PT BCERS/VEBA Consultant Position

MOVED BY COMM. Elder

SUPPORTED BY COMM. Gwitzdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwitzdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)  
 WHEREAS, The Bay County Board of Commissioners and Bay County Administration have been committed to promoting wellness programs to employees of Bay County; and  
 WHEREAS, To that end the County has initiated health education and screenings, weight management and physical activity opportunities; and  
 WHEREAS, Bay County has purchased memberships through Delta College and through the YWCA, however, the YWCA is no longer operating their weight room/exercise facilities; and  
 WHEREAS, To make exercise facilities available to County employees, it is proposed that the Bay County Community Center weight room be expanded and re-manufactured fitness equipment acquired; and  
 WHEREAS, The Community Center is conveniently located and with the RailTrail nearby, can offer not only indoor activities but outdoor activities as well; and  
 WHEREAS, Users would include county employees and retirees, the public (on a fee basis) and senior citizens; and  
 WHEREAS, The anticipated cost for new equipment is approximately \$35,000 and possible funding sources are budgeted General Fund dollars that would have gone to the YWCA, Health Insurance Fund, Golf Course Fund Balance and donations from Blue Cross or other organizations promoting wellness; and  
 WHEREAS, The Assistant County Executive for Recreation and Administrative Services along with other administrative staff have considered several issues involved with the expansion of the current weight room/upgrade of equipment including funding sources, loss of revenue, employee usage, etc. and has recommended funding the proposed expansion/upgrade from the Self-Insurance Fund \$35,000; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners hereby concurs with the Community Center weight room/equipment upgrade in the amount of \$35,000 and funded from Self-Insurance Fund; Be It Further  
 RESOLVED That a monthly fee of \$10.00 is established in addition to daily and annual options for gym/weight room use.

BRIAN K. ELDER, CHAIR  
 AND COMMITTEE

Community Center - Wellness Facility

MOVED BY COMM. Elder

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:  
 ROLL CALL: ✓ YEAS 9 NAYS 0 EXCUSED 0  
 VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED  WITHDRAWN   
 AMENDED  CORRECTED  REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, The Saginaw Basin Land Conservancy has offered Bay County an opportunity to be included in a grant application they are filing with National Oceanic Atmospheric Administration (NOAA) for stimulus funds for phragmite control; and

WHEREAS, If funding is awarded, and this funding is only available for coastal areas, work would be done in the next twelve to eighteen months; and

WHEREAS, There is no local cash match required but time spent by the Head Park Ranger will be used as in-kind contribution; and

WHEREAS, A letter of commitment, due prior to the Ways and Means Committee meeting, has been sent subject to final approval by the Board of Commissioners; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Recreation and Administrative Services Department to collaborate with the Saginaw Basin Land Conservancy for an economic stimulus grant application to the NOAA for phragmite control are various locations, including Pinconning Park; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute all documents required for grant submission and grant award following legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Admin Serv - NOAA Phragmite Control Grant

MOVED BY COMM. Elder

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwzdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS  
4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

RESOLVED By the Bay County Board of Commissioners that the County Equalization for 2009, as presented by the Bay County Equalization Director, is approved and the Chairman of the Board authorized to execute the required documents.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

2009 EQUALIZATION.

MOVED BY COMM. Elder

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

# 2009 Bay County Equalization Report



	<u>2008</u> <u>Equalized</u>	<u>2009</u> <u>Equalized</u>	<u>Percent</u> <u>of Change</u>
REAL	3,229,798,886	3,135,341,854	-2.92 %
PERSONAL	263,457,400	269,701,550	2.37 %
<hr/>			
TOTAL	3,493,256,286	3,405,043,404	-2.53 %

# 2009 Bay County Equalization Report

## Percent of County Total by Unit

Assessing Unit	2009 Equalized	Percent of County Total
Bangor	535,042,550	15.7132 %
Beaver	88,168,650	2.5894 %
Frankenlust	148,565,600	4.3631 %
Fraser	105,017,513	3.0842 %
Garfield	58,853,650	1.7284 %
Gibson	37,294,900	1.0953 %
Hampton	488,588,221	14.3490 %
Kawkawlin	164,857,100	4.8416 %
Merritt	60,740,700	1.7838 %
Monitor	396,117,000	11.6332 %
Mt Forest	51,383,300	1.5090 %
Pinconning T.	83,836,350	2.4621 %
Portsmouth	101,578,700	2.9832 %
Williams	191,617,000	5.6274 %
Auburn	54,640,000	1.6047 %
Bay City	714,774,230	20.9916 %
Essexville	85,412,790	2.5084 %
Midland	6,919,800	0.2032 %
Pinconning C.	31,635,350	0.9291 %
<hr/>		
Totals	3,405,043,404	100.0000 %

## 2009 Bay County Equalization Report

### Real & Personal Property

Assessing Unit	2008 Equalized	2009 Equalized	Percent Change
Bangor	558,485,550	535,042,550	-4.20 %
Beaver	91,321,100	88,168,650	-3.45 %
Frankenlust	150,811,700	148,565,600	-1.49 %
Fraser	109,078,300	105,017,513	-3.72 %
Garfield	58,996,400	58,853,650	-0.24 %
Gibson	37,588,250	37,294,900	-0.78 %
Hampton	488,287,776	488,588,221	0.06 %
Kawkawlin	166,821,100	164,857,100	-1.18 %
Merritt	59,382,400	60,740,700	2.29 %
Monitor	400,844,200	396,117,000	-1.18 %
Mt Forest	50,723,105	51,383,300	1.30 %
Pinconning T.	81,783,600	83,836,350	2.51 %
Portsmouth	104,995,900	101,578,700	-3.25 %
Williams	197,752,200	191,617,000	-3.10 %
Auburn	56,687,700	54,640,000	-3.61 %
Bay City	749,712,475	714,774,230	-4.66 %
Essexville	91,405,580	85,412,790	-6.56 %
Midland	6,952,600	6,919,800	-0.47 %
Pinconning C.	31,626,350	31,635,350	0.03 %
<hr/>			
Totals	3,493,256,286	3,405,043,404	-2.53 %

## 2009 Bay County Equalization Report

### Real Property

Assessing Unit	2008 Equalized	2009 Equalized	Percent Change
Bangor	516,314,250	488,237,600	-5.44 %
Beaver	89,610,600	86,464,050	-3.51 %
Frankenlust	145,730,450	143,492,800	-1.54 %
Fraser	105,131,200	100,335,613	-4.56 %
Garfield	57,887,000	57,746,500	-0.24 %
Gibson	36,148,850	35,786,300	-1.00 %
Hampton	458,716,176	459,637,121	0.20 %
Kawkawlin	158,242,750	155,401,000	-1.80 %
Merritt	56,239,100	57,521,900	2.28 %
Monitor	368,257,000	362,122,300	-1.67 %
Mt Forest	49,332,905	49,812,400	0.97 %
Pinconning T.	78,378,100	80,701,300	2.96 %
Portsmouth	101,401,600	97,867,000	-3.49 %
Williams	172,467,450	166,796,400	-3.29 %
Auburn	54,598,700	52,577,600	-3.70 %
Bay City	663,764,575	628,878,780	-5.26 %
Essexville	85,740,680	79,798,590	-6.93 %
Midland	6,399,700	6,455,500	0.87 %
Pinconning C.	25,437,800	25,709,100	1.07 %
<hr/>			
Totals	3,229,798,886	3,135,341,854	-2.92 %

## 2009 Bay County Equalization Report

### Agricultural Class

Assessing Unit	2008 Equalized	2009 Assessed	2009 Equalized	% Change	Ratio	Factor
Bangor	0	0	0	0.00	0.00	NA
Beaver	25,728,150	26,186,600	26,186,600	1.78	49.27	1.00000
Frankenlust	15,193,300	15,966,300	15,966,300	5.09	49.41	1.00000
Fraser	20,952,900	20,850,500	20,850,500	-0.49	49.77	1.00000
Garfield	16,931,550	17,957,150	17,957,150	6.06	49.40	1.00000
Gibson	13,919,200	14,724,300	14,724,300	5.78	49.82	1.00000
Hampton	20,755,300	20,983,100	20,983,100	1.10	49.50	1.00000
Kawkawlin	21,509,900	22,939,800	22,939,800	6.65	49.89	1.00000
Merritt	28,870,300	30,743,400	30,743,400	6.49	49.96	1.00000
Monitor	30,394,800	31,255,200	31,255,200	2.83	49.27	1.00000
Mt Forest	13,797,820	14,725,700	14,725,700	6.72	49.82	1.00000
Pinconning T.	20,854,900	23,888,400	23,888,400	14.55	49.99	1.00000
Portsmouth	16,025,800	16,753,500	16,753,500	4.54	49.81	1.00000
Williams	22,938,150	23,710,650	23,710,650	3.37	49.96	1.00000
Auburn	0	0	0	0.00	0.00	NA
Bay City	0	0	0	0.00	0.00	NA
Essexville	0	0	0	0.00	0.00	NA
Midland	0	0	0	0.00	0.00	NA
Pinconning C.	0	0	0	0.00	0.00	NA
<b>Totals</b>	<b>267,872,070</b>	<b>280,684,600</b>	<b>280,684,600</b>	<b>4.78</b>		

## 2009 Bay County Equalization Report

### Commercial Class

Assessing Unit	2008 Equalized	2009 Assessed	2009 Equalized	% Change	Ratio	Factor
Bangor	140,667,950	142,570,450	142,570,450	1.35	49.18	1.00000
Beaver	1,669,700	1,653,000	1,653,000	-1.00	49.02	1.00000
Frankenlust	20,723,000	19,437,200	19,437,200	-6.20	49.60	1.00000
Fraser	6,185,700	6,297,200	6,297,200	1.80	49.43	1.00000
Garfield	689,250	689,250	689,250	0.00	49.50	1.00000
Gibson	404,400	396,400	396,400	-1.98	49.57	1.00000
Hampton	48,637,500	49,037,500	48,323,021	-0.65	50.74	0.98543
Kawkawlin	15,827,250	16,084,700	16,084,700	1.63	49.78	1.00000
Merritt	957,100	861,800	861,800	-9.96	49.71	1.00000
Monitor	39,159,200	41,713,100	41,713,100	6.52	49.56	1.00000
Mt Forest	92,500	92,500	92,500	0.00	49.63	1.00000
Pinconning T.	5,225,800	5,295,000	5,295,000	1.32	49.82	1.00000
Portsmouth	5,313,200	5,204,500	5,204,500	-2.05	49.44	1.00000
Williams	6,339,900	5,947,400	5,947,400	-6.19	49.24	1.00000
Auburn	11,483,400	11,248,400	11,248,400	-2.05	49.49	1.00000
Bay City	119,280,180	116,319,550	116,319,550	-2.48	49.65	1.00000
Essexville	2,521,600	2,600,300	2,500,110	-0.85	52.00	0.96147
Midland	6,212,200	6,274,200	6,274,200	1.00	49.74	1.00000
Pinconning C.	7,626,600	7,834,400	7,834,400	2.72	49.74	1.00000
<b>Totals</b>	<b>439,016,430</b>	<b>439,556,850</b>	<b>438,742,181</b>	<b>-0.06</b>		

## 2009 Bay County Equalization Report

### Industrial Class

Assessing Unit	2008 Equalized	2009 Assessed	2009 Equalized	% Change	Ratio	Factor
Bangor	15,684,550	15,919,850	15,919,850	1.50	49.31	1.00000
Beaver	305,550	296,550	296,550	-2.95	49.62	1.00000
Frankenlust	293,950	296,200	296,200	0.77	49.72	1.00000
Fraser	196,900	216,200	216,200	9.80	49.65	1.00000
Garfield	175,600	175,600	175,600	0.00	49.89	1.00000
Gibson	148,400	148,500	148,500	0.07	49.68	1.00000
Hampton	214,519,900	223,150,600	223,150,600	4.02	49.50	1.00000
Kawkawlin	1,064,400	1,112,700	1,112,700	4.54	49.54	1.00000
Merritt	907,700	992,000	992,000	9.29	49.22	1.00000
Monitor	16,132,900	23,753,900	23,753,900	47.24	49.66	1.00000
Mt Forest	251,750	251,750	251,750	0.00	49.63	1.00000
Pinconning T.	755,500	755,000	755,000	-0.07	49.93	1.00000
Portsmouth	1,975,500	1,949,700	1,949,700	-1.31	49.76	1.00000
Williams	30,298,950	30,343,350	30,343,350	0.15	49.51	1.00000
Auburn	0	0	0	0.00	0.00	NA
Bay City	25,815,050	26,200,650	26,200,650	1.49	49.43	1.00000
Essexville	3,644,000	3,708,800	3,708,800	1.78	49.25	1.00000
Midland	90,200	88,400	88,400	-2.00	49.72	1.00000
Pinconning C.	1,988,500	1,980,500	1,980,500	-0.40	49.43	1.00000
<b>Totals</b>	<b>314,249,300</b>	<b>331,340,250</b>	<b>331,340,250</b>	<b>5.44</b>		

## 2009 Bay County Equalization Report

### Residential Class

Assessing Unit	2008 Equalized	2009 Assessed	2009 Equalized	% Change	Ratio	Factor
Bangor	358,926,300	328,711,850	328,711,850	-8.42	49.90	1.00000
Beaver	61,907,200	58,327,900	58,327,900	-5.78	49.81	1.00000
Frankenlust	109,520,200	107,793,100	107,793,100	-1.58	49.79	1.00000
Fraser	77,795,700	72,971,713	72,971,713	-6.20	49.44	1.00000
Garfield	40,090,600	38,924,500	38,924,500	-2.91	49.65	1.00000
Gibson	21,676,850	20,517,100	20,517,100	-5.35	49.45	1.00000
Hampton	174,667,676	167,180,400	167,180,400	-4.29	49.90	1.00000
Kawkawlin	119,323,600	114,746,200	114,746,200	-3.84	49.95	1.00000
Merritt	25,504,000	24,924,700	24,924,700	-2.27	49.51	1.00000
Monitor	282,570,100	265,400,100	265,400,100	-6.08	49.74	1.00000
Mt Forest	35,190,835	34,742,450	34,742,450	-1.27	49.25	1.00000
Pinconning T.	51,541,900	50,762,900	50,762,900	-1.51	49.60	1.00000
Portsmouth	78,087,100	73,959,300	73,959,300	-5.29	49.76	1.00000
Williams	112,890,450	106,795,000	106,795,000	-5.40	49.45	1.00000
Auburn	43,115,300	41,329,200	41,329,200	-4.14	49.45	1.00000
Bay City	518,669,345	486,358,580	486,358,580	-6.23	49.86	1.00000
Essexville	79,575,080	73,589,680	73,589,680	-7.52	49.62	1.00000
Midland	97,300	92,900	92,900	-4.52	49.93	1.00000
Pinconning C.	15,822,700	15,894,200	15,894,200	0.45	49.51	1.00000
<b>Totals</b>	<b>2,206,972,236</b>	<b>2,083,021,773</b>	<b>2,083,021,773</b>	<b>-5.62</b>		

# 2009 Bay County Equalization Report

## Timber-Cutover Class

Assessing Unit	2008 Equalized	2009 Assessed	2009 Equalized	% Change	Ratio	Factor
Bangor	0	0	0	0.00	0.00	NA
Beaver	0	0	0	0.00	0.00	NA
Frankenlust	0	0	0	0.00	0.00	NA
Fraser	0	0	0	0.00	0.00	NA
Garfield	0	0	0	0.00	0.00	NA
Gibson	0	0	0	0.00	0.00	NA
Hampton	0	0	0	0.00	0.00	NA
Kawkawlin	0	0	0	0.00	0.00	NA
Merritt	0	0	0	0.00	0.00	NA
Monitor	0	0	0	0.00	0.00	NA
Mt Forest	0	0	0	0.00	0.00	NA
Pinconning T.	0	0	0	0.00	0.00	NA
Portsmouth	0	0	0	0.00	0.00	NA
Williams	0	0	0	0.00	0.00	NA
Auburn	0	0	0	0.00	0.00	NA
Bay City	0	0	0	0.00	0.00	NA
Essexville	0	0	0	0.00	0.00	NA
Midland	0	0	0	0.00	0.00	NA
Pinconning C.	0	0	0	0.00	0.00	NA
<hr/>						
Totals	0	0	0	0.00		

# 2009 Bay County Equalization Report

## Developmental Class

Assessing Unit	2008 Equalized	2009 Assessed	2009 Equalized	% Change	Ratio	Factor
Bangor	1,035,450	1,035,450	1,035,450	0.00	49.50	1.00000
Beaver	0	0	0	0.00	0.00	NA
Frankenlust	0	0	0	0.00	0.00	NA
Fraser	0	0	0	0.00	0.00	NA
Garfield	0	0	0	0.00	0.00	NA
Gibson	0	0	0	0.00	0.00	NA
Hampton	135,800	0	0	-100.00	0.00	NA
Kawkawlin	517,600	517,600	517,600	0.00	49.50	1.00000
Merritt	0	0	0	0.00	0.00	NA
Monitor	0	0	0	0.00	0.00	NA
Mt Forest	0	0	0	0.00	0.00	NA
Pinconning T.	0	0	0	0.00	0.00	NA
Portsmouth	0	0	0	0.00	0.00	NA
Williams	0	0	0	0.00	0.00	NA
Auburn	0	0	0	0.00	0.00	NA
Bay City	0	0	0	0.00	0.00	NA
Essexville	0	0	0	0.00	0.00	NA
Midland	0	0	0	0.00	0.00	NA
Pinconning C.	0	0	0	0.00	0.00	NA
<b>Totals</b>	<b>1,688,850</b>	<b>1,553,050</b>	<b>1,553,050</b>	<b>-8.04</b>		

## 2009 Bay County Equalization Report

### Personal Property Class

Assessing Unit	2008 Equalized	2009 Assessed	2009 Equalized	% Change	Ratio	Factor
Bangor	42,171,300	46,804,950	46,804,950	10.99	50.00	1.00000
Beaver	1,710,500	1,704,600	1,704,600	-0.34	50.00	1.00000
Frankenlust	5,081,250	5,072,800	5,072,800	-0.17	50.00	1.00000
Fraser	3,947,100	4,681,900	4,681,900	18.62	50.00	1.00000
Garfield	1,109,400	1,107,150	1,107,150	-0.20	50.00	1.00000
Gibson	1,439,400	1,508,600	1,508,600	4.81	50.00	1.00000
Hampton	29,571,600	28,951,100	28,951,100	-2.10	50.00	1.00000
Kawkawlin	8,578,350	9,456,100	9,456,100	10.23	50.00	1.00000
Merritt	3,143,300	3,218,800	3,218,800	2.40	50.00	1.00000
Monitor	32,587,200	33,994,700	33,994,700	4.32	50.00	1.00000
Mt Forest	1,390,200	1,570,900	1,570,900	13.00	50.00	1.00000
Pinconning T.	3,405,500	3,135,050	3,135,050	-7.94	50.00	1.00000
Portsmouth	3,594,300	3,711,700	3,711,700	3.27	50.00	1.00000
Williams	25,284,750	24,820,600	24,820,600	-1.84	50.00	1.00000
Auburn	2,089,000	2,062,400	2,062,400	-1.27	50.00	1.00000
Bay City	85,947,900	85,895,450	85,895,450	-0.06	49.99	1.00000
Essexville	5,664,900	5,614,200	5,614,200	-0.89	50.00	1.00000
Midland	552,900	464,300	464,300	-16.02	50.00	1.00000
Pinconning C.	6,188,550	5,926,250	5,926,250	-4.24	50.00	1.00000
<b>Totals</b>	<b>263,457,400</b>	<b>269,701,550</b>	<b>269,701,550</b>	<b>2.37</b>		

## 2009 Bay County Equalization Report

### Equalized vs. Taxable & Percent Difference

Assessing Unit	2009 Equalized	2009 Taxable	% Less Than Equalized
Bangor	535,042,550	494,560,616	-7.57 %
Beaver	88,168,650	75,404,774	-14.48 %
Frankenlust	148,565,600	140,681,023	-5.31 %
Fraser	105,017,513	87,822,580	-16.37 %
Garfield	58,853,650	41,028,269	-30.29 %
Gibson	37,294,900	28,620,880	-23.26 %
Hampton	488,588,221	477,673,515	-2.23 %
Kawkawlin	164,857,100	146,001,770	-11.44 %
Merritt	60,740,700	53,065,655	-12.64 %
Monitor	396,117,000	366,484,491	-7.48 %
Mt Forest	51,383,300	37,394,482	-27.22 %
Pinconning T.	83,836,350	62,803,822	-25.09 %
Portsmouth	101,578,700	92,062,277	-9.37 %
Williams	191,617,000	180,955,448	-5.56 %
Auburn	54,640,000	52,901,426	-3.18 %
Bay City	714,774,230	647,779,393	-9.37 %
Essexville	85,412,790	84,326,143	-1.27 %
Midland	6,919,800	6,083,864	-12.08 %
Pinconning C.	31,635,350	29,525,087	-6.67 %
<hr/>			
Totals	3,405,043,404	3,105,175,515	-8.81 %

## 2009 Bay County Equalization Report

### Percent of County Total by Class

<b>Assessing Unit</b>	<b>Ag. Class</b>	<b>Com. Class</b>	<b>Ind. Class</b>	<b>Res. Class</b>	<b>T.C. Class</b>	<b>Dev. Class</b>	<b>Personal Property</b>
Bangor	0.00%	32.50%	4.80%	15.78%	0.00%	66.67%	17.35%
Beaver	9.33%	0.38%	0.09%	2.80%	0.00%	0.00%	0.63%
Frankenlust	5.69%	4.43%	0.09%	5.17%	0.00%	0.00%	1.88%
Fraser	7.43%	1.44%	0.07%	3.50%	0.00%	0.00%	1.74%
Garfield	6.40%	0.16%	0.05%	1.87%	0.00%	0.00%	0.41%
Gibson	5.25%	0.09%	0.04%	0.98%	0.00%	0.00%	0.56%
Hampton	7.48%	11.01%	67.35%	8.03%	0.00%	0.00%	10.73%
Kawkawlin	8.17%	3.67%	0.34%	5.51%	0.00%	33.33%	3.51%
Merritt	10.95%	0.20%	0.30%	1.20%	0.00%	0.00%	1.19%
Monitor	11.14%	9.51%	7.17%	12.74%	0.00%	0.00%	12.60%
Mt Forest	5.25%	0.02%	0.08%	1.67%	0.00%	0.00%	0.58%
Pinconning T.	8.51%	1.21%	0.23%	2.44%	0.00%	0.00%	1.16%
Portsmouth	5.97%	1.19%	0.59%	3.55%	0.00%	0.00%	1.38%
Williams	8.45%	1.36%	9.16%	5.13%	0.00%	0.00%	9.20%
Auburn	0.00%	2.56%	0.00%	1.98%	0.00%	0.00%	0.76%
Bay City	0.00%	26.51%	7.91%	23.35%	0.00%	0.00%	31.85%
Essexville	0.00%	0.57%	1.12%	3.53%	0.00%	0.00%	2.08%
Midland	0.00%	1.43%	0.03%	0.00%	0.00%	0.00%	0.17%
Pinconning C.	0.00%	1.79%	0.60%	0.76%	0.00%	0.00%	2.20%
<b>Totals</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>0.00%</b>	<b>100.00%</b>	<b>100.00%</b>

## 2009 Bay County Equalization Report

### Personal Property by Class

Assessing Unit	Ag. Personal	Com. Personal	Ind. Personal	Res. Personal	Utility Personal
Bangor	0	16,713,850	24,471,700	0	5,619,400
Beaver	0	401,500	0	0	1,303,100
Frankenlust	0	2,970,650	0	0	2,102,150
Fraser	0	2,401,300	0	0	2,280,600
Garfield	0	163,200	0	0	943,950
Gibson	0	392,950	0	0	1,115,650
Hampton	0	7,093,100	648,200	0	21,209,800
Kawkawlin	0	5,274,300	796,200	0	3,385,600
Merritt	0	210,700	1,129,850	0	1,878,250
Monitor	0	10,106,900	11,236,800	0	12,651,000
Mt Forest	0	695,900	0	0	875,000
Pinconning T.	0	1,538,650	160,800	0	1,435,600
Portsmouth	0	1,298,300	90,300	0	2,323,100
Williams	0	3,085,100	17,896,900	0	3,838,600
Auburn	0	1,251,500	0	0	810,900
Bay City	0	22,685,850	58,259,450	0	4,950,150
Essexville	0	983,500	3,466,300	0	1,164,400
Midland	0	332,700	0	0	131,600
Pinconning C.	0	791,750	4,691,100	0	443,400
<b>Totals</b>	<b>0</b>	<b>78,391,700</b>	<b>122,847,600</b>	<b>0</b>	<b>68,462,250</b>

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, The Bay County Board of Commissioners wishes to support the 2009 Diamond Gem Program, which recognizes the contributions of individuals in our county over age 75 who have made significant volunteer contributions, and

WHEREAS, The Bay County Board of Commissioners will acknowledge the contributions made by the 2009 Diamond Gem Winners at a luncheon planned for April 25, 2009, and

WHEREAS, The 2009 winner(s) have not been selected as of the agenda due date; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby authorizes up to two resolutions of support for the 2009 winners, pending confirmation from the RSVP review committee of the winner(s) for 2009.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

DOA - Diamond Gem - 2009

MOVED BY COMM. Elder

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

4/14/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/7/09)
WHEREAS, The Bay County Board of Commissioners wishes to improve health and safety for senior citizens; and
WHEREAS, The Bay County Board of Commissioners wishes to improve health and safety for senior citizens; and
WHEREAS, The Bay Area Community Foundation has funding to address safety, health, and energy improvements for residents; and
WHEREAS, The Bay County Division on Aging administers a home delivered meals program and has staff providing meals to homebound and frail senior citizens; and
WHEREAS, These elderly residents could benefit from the purchase and installation of materials to address health, safety and energy efficiency; Therefore, be it
RESOLVED That the Bay County Board of Commissioners authorizes submission of a grant request to the Bay Area Community Foundation and authorizes the Board Chair to execute any agreement that may result from the award of grant funds, subject to legal review/approval; Be It Further
RESOLVED That all budget adjustments related to this program are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

DOA - Community Foundation Grant
MOVED BY COMM. Elder

SUPPORTED BY COMM. Klida

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Patrick H. Beson, Vaughn J. Beglick, Dawn A. Klida, Ernie Krygler, Kim Coonan, Brian K. Elder, Eugene F. Gwizdala, and Donald J. Tilley.

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED
VOICE: YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, Bay County is a partner in Bay Future, Inc. and supports their efforts at developing economic growth and job creation in Bay County; and

WHEREAS, Bay Future, Inc is currently participating in promotion and development of the alternative energy industry for our region; and

WHEREAS, Wind energy, like solar power, has the potential to create real opportunities for growth to our existing small businesses and these opportunities must be research and identified; and

WHEREAS, Bay Future, Inc. is well positioned to take on this research; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners supports Bay Future, Inc.'s application to the US Department of Agriculture Rural Development to foster and promote local opportunities for growth in the wind energy industry.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Bay Future - Support for Wind Energy Grant

MOVED BY COMM. Elder

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

RESOLVED That the attached Bay County Farmland Development Rights Ordinance is presented to the Bay County Board of Commissioners for consideration.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Environmental Affairs - Farmland Ordinance

MOVED BY COMM. Elder

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

1 **Bay County Farmland Development Rights Ordinance**

2  
3 **Adopted by the Bay County Board of Commissioners on 4/14/09**

4  
5 **Ordinance No. #49**

6  
7 **AN ORDINANCE** creating the Bay County Farmland Preservation Program, which  
8 protects farmland by acquiring development rights voluntarily offered by landowners,  
9 authorizes the cash purchase and/or installment purchases of such development rights,  
10 places an agricultural conservation easement on the property which restricts future  
11 development, and provides the standards and procedures for the purchase of  
12 development rights and the placement of an agricultural conservation easement.

13  
14 **THE PEOPLE OF THE COUNTY OF BAY OF THE STATE OF MICHIGAN, DO**  
15 **ORDAIN THE BAY COUNTY FARMLAND DEVELOPMENT RIGHTS ORDINANCE:**

16  
17 **Section 1: Declaration of Purpose**

18  
19 *A. To preserve the economic importance of farmland and agriculture.* Bay  
20 County's agricultural land is a unique and economically important resource.  
21 These lands support a locally important and globally unique agricultural industry  
22 that includes dairy, livestock, food from grains, vegetables, fruit, and nursery and  
23 greenhouse crops. Bay County's climate, topography, and accessibility make it  
24 well-suited to the production, processing, and distribution of agricultural products  
25 on a regional, national, and international level. Bay County's economic base is  
26 also supported by a variety of agriculturally related businesses, including farm  
27 equipment, fuel, veterinarians, grain dealers, packaging plants, and professional  
28 services, all worthy of preservation.

29  
30 *B. To ensure that other non-agricultural attributes of farmland continue.* In addition  
31 to its economic benefits, the County's farmland contributes significantly to the  
32 open space and natural resource benefits, including rural character, scenic  
33 beauty, cultural heritage, hunting and other recreational opportunities, and the  
34 environmental benefits including watershed protection and wildlife habitat. By  
35 enhancing the scenic beauty and rural character of the County and providing  
36 other open space benefits, the County's farmland increases the overall quality of  
37 life and makes the County an attractive place to live and work for all of the  
38 County's residents.

39  
40 *C. To reduce the extent of development and farmland loss.* Because of the  
41 County's natural resources, productive farmland and rural character, it has  
42 become a desirable place to live and work. As people move out into the  
43 countryside, agricultural land is converted to residential and other developed  
44 uses. This results in a corresponding permanent loss of farmland.

45  
46 *D. To minimize the impact of farmland loss.* Land suitable for farming is an

47 irreplaceable natural resource with soil and topographic characteristics that have  
48 been enhanced by generations of agricultural use. When such land is converted  
49 to residential or other more developed uses that do not require those special  
50 characteristics, a critical community resource is permanently lost to the citizens  
51 of the County. Residential development in agricultural areas also makes farming  
52 more difficult by increasing conflict over farming practices and increased  
53 trespass, liability exposure and property damage. Because agricultural land is  
54 an invaluable economic, natural and aesthetic resource, the County should make  
55 an effort to maintain agricultural land in a substantially undeveloped state to  
56 ensure the long-term viability of agriculture and to create a long-term business  
57 environment for agriculture in the County.  
58

59 E. *To implement State and local policies.* It is the policy of the State of Michigan  
60 and Bay County to protect, preserve and enhance farmland as evidenced by  
61 Township Master Plans, the Farmland and Open Space Preservation Act, the  
62 State Agricultural Preservation Fund, the Conservation and Historic Preservation  
63 Easement Act, portions of the Michigan Planning Enabling Act, and other state  
64 and local statutes and policies. These measures by themselves, however, have  
65 not effectively provided sufficient long-term protection of farmland in Bay County  
66 from the pressure of increasing residential and commercial development.  
67

68 F. *To arrest the value of development rights.* Generally, farmland has a greater  
69 market value for future residential development than the market for farming. The  
70 features of good farmland, such as perkable soils and open space views, are  
71 also the features desired for residential home sites. This fact encourages the  
72 speculative purchase of farmland at high prices for future residential  
73 development, regardless of the current zoning of such lands. Farmland which  
74 has a greater development potential and market value than its agricultural value  
75 does not attract sustained agricultural investment and eventually is sold to non-  
76 farmers and removed from agricultural use.  
77

78 G. To protect farmland in order to maintain a long-term business environment for  
79 agriculture in the County, to preserve the rural character and scenic attributes of  
80 the County, to enhance important environmental benefits, and to maintain the  
81 quality of life of County residents.  
82

83 H. To increase the number of properties remaining substantially undeveloped in  
84 order to remain viable for agricultural use through the purchase of development  
85 rights and the placement of agricultural conservation easements on farmland as  
86 provided in this Ordinance. Acquisition of development rights requires that the  
87 County enter into agreements with property owners to obtain such development  
88 rights and that the County will purchase development rights and enter into  
89 agricultural conservation easements.

90 I. *Intent of Ordinance.* The intent of this Ordinance is to provide a mechanism for  
91 farmland preservation. It is not the intent of this Ordinance to set a standard or  
92 establish a commitment regarding the available resources or budgetary priorities

93 of this or any future County Board of Commissioners. . Further, while the intent  
94 of this Ordinance is to initially seek development rights for 25-50% of all  
95 agricultural acres in the County, the actual number of acres for which  
96 development rights will be purchased shall remain the prerogative of future  
97 County Boards of Commissioners.  
98

99 **Section 2: Definitions**

- 100
- 101 A. "Agricultural conservation easement" means a conveyance by a written  
102 instrument, in which, subject to permitted uses, the owner relinquishes to the  
103 public in perpetuity his or her development rights and makes a covenant running  
104 with the land not to undertake development.  
105
- 106 B. "Agricultural use" means substantially undeveloped land devoted to the  
107 production of plants and animals useful to humans, including forages and sod  
108 crops; grains, feed crops, and field crops; dairy and dairy products; poultry and  
109 poultry products; livestock, including breeding and grazing of cattle, swine,  
110 captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses;  
111 nursery stock; fruits; vegetables; ; Christmas trees; and other similar uses and  
112 activities. Agricultural use includes use in a federal acreage set-aside program  
113 and/or a federal conservation reserve program or a wetland reserve program.  
114 Agricultural use does not include the management and harvesting of a woodlot.  
115
- 116 C. "Development" means an activity that materially alters or affects the existing  
117 conditions or use of any land,, in a manner that is inconsistent with an  
118 agricultural use.  
119
- 120 D. "Development rights" means an interest in land that includes the right to construct  
121 a building or structure, to improve land for development, to divide a parcel for  
122 development purposes or to extract minerals incidental to a permitted use or as  
123 set forth in (MCL 324.36101). an instrument recorded under this part.  
124
- 125 E. "Farmland" means one or more of the following:  
126 i. A farm of 40 or more acres in one ownership with 51% or more of  
127 the land area devoted to an agricultural use.  
128 ii. A farm of 5 acres or more in one ownership, but less than 40 acres,  
129 with 51% or more of the land area devoted to an agricultural use,,  
130 that has produced a gross annual income from agriculture of  
131 \$200.00 per year or more per acre of cleared and tillable land. A  
132 farm described in this subparagraph enrolled in a federal acreage  
133 set-aside program or a federal conservation reserve program is  
134 considered to have produced a gross annual income from  
135 agriculture of \$200.00 per year or more per acre of cleared and  
136 tillable land  
137 iii. A farm designated by the Michigan Department of Agriculture as a  
138 specialty farm in one ownership that has produced a gross annual

139 income of \$2,000.00 or more from an agricultural use. Specialty  
140 farms include, but are not limited to, greenhouses; equine breeding  
141 and grazing; the breeding and grazing of cervidae, pheasants, and  
142 other game animals; bees and bee products; mushrooms;  
143 aquaculture; and other similar uses and activities.  
144 iv. Parcels of land in 1 ownership that are not contiguous but that  
145 constitute an integral part of a farming operation being conducted  
146 on land otherwise qualifying as farmland.  
147

148 F. "Intensity of development" means the height, bulk, area, density, setback, use,  
149 and other similar characteristics of development.  
150

151 G. "Parcel" means a quantity of land in the possession of a single owner.  
152

153 H. "Permitted use" means any use expressly authorized within an agricultural  
154 conservation easement consistent with the farming operation or that does not  
155 adversely affect the productivity of the land. Storage, retail or wholesale  
156 marketing, or processing of agricultural products is a permitted use in a farming  
157 operation if more than 50% of the stored, processed, or merchandised products  
158 are produced by the farm operator for at least three of the immediately preceding  
159 five years. Permitted uses include oil and gas exploration and extraction and  
160 utilities for the production of alternative energies, but do not include other mineral  
161 development that is inconsistent with an agricultural use.  
162

163 I. "Property owner" means the party or parties having a freehold estate or fee  
164 simple interest in land.  
165

166 J. "PDR program" means a purchase of development rights program as defined in  
167 the Michigan Zoning Enabling Act.  
168

169 **Section 3: Authorization**  
170

171 A. Pursuant to the Michigan Zoning Enabling Act, , the County Board of  
172 Commissioners is authorized to purchase the development rights of farmland  
173 throughout the County. Such acquisition may be by purchase, gift, grant,  
174 bequest, devise, covenant or contract. The County shall only purchase farmland  
175 development rights that are voluntarily offered for sale by a property owner.  
176

177 B. The County is authorized to enter into installment purchase contracts, options,  
178 and agreements or to take receipt of donations of easements, consistent with  
179 applicable law. The County is authorized to pay interest on the declining unpaid  
180 principal balance at a legal rate of interest consistent with prevailing market  
181 conditions at the time of execution of the installment purchase contract.  
182

183 C. The County Executive shall implement administrative duties necessary to the  
184 Program and the County may, if authorized by its County Commission, contract

185 with recognized and legally established non-profit land trusts or other  
186 experienced and qualified individuals, parties or entities that would assist the  
187 County in the process of negotiating easements and purchase contracts,  
188 establishing baseline studies and procedures actual monitoring of any  
189 agricultural conservation easements acquired under this Ordinance.  
190

191 D. The County is authorized to seek grants from federal and state government and  
192 private foundations, organizations and individuals for funding for expenditures  
193 incurred in carrying out this Ordinance.  
194

195 **Section 4: County Agriculture Preservation Committee**  
196

197 A. The County Board of Commissioners shall create a seven member body under  
198 this Ordinance to be named the County Agriculture Preservation Committee  
199 which shall advise the County Executive. The seven voting members shall be  
200 residents of the County and will be appointed by the County Board of  
201 Commissioners and will include: (a) one County Commissioner or designee, (b)  
202 one Bay County Township Officers Association representative, (c) one  
203 representative from the Bay County Farm Bureau, (d) one individual with real  
204 estate or development interests, and (e) three at-large individuals representing  
205 geographically significant areas of the County:

- 206 i. One representing North of Linwood Road
- 207 ii. One representing South of Linwood Road and West of the Saginaw River
- 208 iii. One representing East of the Saginaw River  
209

210 B. Members of the County Agriculture Preservation Committee shall serve three-  
211 year staggered terms, with the exception that the County Commissioner  
212 representative shall be designated on an annual basis. The initial term shall be  
213 staggered so that the Bay County Township Officers Association representative  
214 and the real estate representative serve an initial one-year term, the Bay County  
215 Farm Bureau representative and the representative for South of Linwood Road  
216 and West of the Saginaw River serve an initial two-year term and the  
217 representatives for North of Linwood Road and for East of the Saginaw River  
218 serve an initial three-year term. Members may be reappointed to successive  
219 three-year terms by the County Board of Commissioners. The County Board of  
220 Commissioners shall have the discretion to remove members for inefficiency,  
221 neglect of duty or malfeasance in office. Vacancies due to removal or  
222 resignation shall be filled for the remainder of a term by appointment by the  
223 County Board of Commissioners. Members may not be compensated for their  
224 services. ~~although reimbursement for attending meetings.~~  
225

226 C. The County Agriculture Preservation Committee shall oversee the County's  
227 Farmland Preservation Program and shall be responsible for:

- 228 i. Establishing selection criteria for the ranking of applications to the  
229 program. The selection criteria must be approved by the County  
230 Executive prior to each application cycle.

- 231 ii. Reviewing and providing oversight in scoring all applications according  
232 to the adopted selection criteria.
- 233 iii. Ranking the top scoring applications for acquisition and making  
234 recommendations to the County Executive for the purchase of  
235 development rights.
- 236 iv. Approving the restrictions and permitted uses under the agricultural  
237 conservation easement subject to legal review of County Corporation  
238 Counsel.
- 239 v. Establishing the price to be offered to the property owner and  
240 authorizing negotiations for the purchase of development rights and  
241 agricultural conservation easements. All purchases of agricultural  
242 conservation easements must be approved by the County Executive  
243 and the County Board of Commissioners.
- 244 vi. Establishing monitoring procedures and overseeing subsequent  
245 monitoring to ensure compliance with the agricultural conservation  
246 easement. Enforcement of the agricultural conservation easement in  
247 the case of non-compliance shall be the responsibility of the County  
248 Executive ..

250 D. Individual County Agriculture Preservation Committee members shall promptly  
251 disclose any potential conflict of interest and may not vote when a conflict exists.  
252 Conflicts of interest include, but are not confined to, situations where: (1) the  
253 board member is the applicant, (2) the member is a relative of the applicant, (3)  
254 the board member has a business association or ties with the applicant, or (4)  
255 the board member, a relative, or a business associate could receive financial  
256 gain or benefit from the acceptance of the application.

258 E. If recommended by the County Executive after consultation with the County  
259 Agriculture Preservation Committee, and as approved by the County Board of  
260 Commissioners the County may contract with qualified and experienced  
261 individuals or entities for consulting or staffing services.

263 F. The County Agriculture Preservation Committee shall provide the County  
264 Executive and the County Board of Commissioners an annual report outlining  
265 the administration of the program, issues addressed and outcomes of the  
266 program for the preceding year, including the selection criteria, number of  
267 applications, number of eligible properties, agricultural value, development rights  
268 purchased, and other information regarding the status and activities undertaken  
269 with respect to this Ordinance.

270  
271 **Section 5: Eligibility for Application**

272  
273 Any property owner may submit an application to the Bay County Farmland  
274 Preservation Program provided the application meets the following guidelines:

- 275 A. The property owner has signed the application, indicating interest in voluntarily  
276

- 45 -

277 selling the development rights to the parcel.

- 278  
279 B. At least 51% of the parcel's area is devoted to an active agricultural use and no  
280 more than 49% of the parcel may be devoted to non-agricultural open space  
281 consisting of wetlands, woodlands, or otherwise unusable land.  
282  
283 C. The County shall not purchase development rights under this Farmland  
284 Development Rights Ordinance from land subject to a city, village, or township  
285 zoning ordinance unless all of the following requirements are met:  
286  
287 i. The Farmland Development Rights Ordinance provisions for the  
288 PDR program are consistent with the plan upon which the city,  
289 village, or township zoning are based.  
290 ii. The legislative body of the city, village, or township adopts a  
291 resolution authorizing the PDR program to apply in the city, village,  
292 or township.  
293 iii. The city, village or township provides the County with written  
294 approval of the purchase.  
295  
296 D. The property is not planned for commercial, industrial or high density residential  
297 uses under the city, village or township master plan.  
298  
299 E. Agricultural activities are a permitted use on the parcel under all applicable  
300 zoning ordinances.

301  
302 **Section 6: Criteria for Reviewing and Ranking Applications**

303  
304 The County Agriculture Preservation Committee shall establish selection criteria for  
305 ranking all eligible parcels submitted to the County Farmland Preservation Program.  
306 ~~which~~ These criteria shall be subject to the approval of the County Executive and  
307 County Board of Commissioners. The selection criteria shall place an emphasis on  
308 farmland that:

- 309  
310 A. Has a productive capacity suited for the production of feed, food and fiber and  
311 has a greater potential for long-term agricultural production. Specific selection  
312 criteria may be based on soil classifications, parcel size, agricultural income,  
313 enrollment in the Farmland and Open Space Preservation Act, or the  
314 implementation of conservation practices.  
315  
316 B. Is under the threat of development. Specific selection criteria may be based on  
317 distance from public sanitary sewer, the extent of development activity in the  
318 township, or the amount of road frontage.  
319  
320 C. Complements other farmland protection efforts in the County. Specific  
321 selection criteria may include distance from other permanently protected  
322 farmland, proximity to other protected lands or surrounding land enrolled in the

- 323 State Farmland and Open Space Preservation Act, or inclusion in an
- 324 agricultural zoning district.
- 325
- 326 D. Has additional matching funds provided by a local unit of government,
- 327 landowner or private sources.
- 328
- 329 E. Other factors considered important by the County Agriculture Preservation
- 330 Committee such as unique physical, historical or environmental characteristics.
- 331

332 **Section 7: Application and Selection Process**

- 333
- 334 A. The County shall on an annual basis, at the discretion of the County Agriculture
- 335 Preservation Committee, conduct a voluntary application and selection process
- 336 for property owners who wish to sell development rights under the County
- 337 Farmland Preservation Program.
- 338
- 339 B. The County Executive shall begin each application cycle by giving notice at least
- 340 90 days in advance of the application deadline that the County is accepting
- 341 applications to the County farmland preservation program. Notification shall be
- 342 given in newspapers of general circulation within the County, through the County
- 343 Farm Bureau, County Conservation District, MSU Extension – Bay County, local
- 344 township offices, and other organizations.
- 345
- 346 C. The application may require information to be filled out by the property owner, the
- 347 County Conservation District and the local unit of government.
- 348
- 349 D. All applications represent the applicant's intent to sell the development rights of
- 350 the property to the County subject to mutually acceptable terms. The application
- 351 will remain active per annual written approval of landowner, provided there are
- 352 no subsequent modifications to the scoring criteria or application that requires
- 353 additional information. Local cities, villages, and townships will be asked to sign
- 354 a letter of continued support for standing landowner applications; and all
- 355 applications, both new and old, will be scored and ranked for each cycle.
- 356
- 357 E. Each application shall be evaluated and scored according to the selection criteria
- 358 approved by the County Executive and the County Agriculture Preservation
- 359 Committee oners prior to the application cycle. At the close of the application
- 360 deadline, an initial determination of eligibility shall be completed by the County
- 361 Executive and County Agriculture Preservation Committee or designated staff.
- 362 The property owner shall be notified if their application is not eligible for the
- 363 program.
- 364
- 365 F. The County Executive shall review the recommendation of the Agriculture
- 366 Preservation Committee and shall rank parcels according to the selection criteria
- 367 score but shall also individually evaluate and prioritize the top scoring parcels.
- 368 Subject to review of the County Executive, the County Agriculture Preservation

- 369 Committee may reprioritize the top scoring parcels based on individual review of  
370 each application and establishing a priority on which development rights should  
371 be purchased first based on available funds.  
372
- 373 The written rationale for selection of the top scoring parcels shall be included  
374 with each application.  
375
- 376 G. The County Executive shall submit the final ranking and prioritization of  
377 applications to the County Board of Commissioners for their preliminary approval  
378 in order to authorize the County Executive to proceed with the due diligence  
379 required to close and record the deed of easement.  
380
- 381 H. Agricultural value shall be based upon a price established by the County  
382 Agriculture Preservation Committee using a state-certified appraiser.  
383
- 384 I. Each purchase of development rights and agricultural conservation easement  
385 requires the recommendation of the County Executive prior to submission for  
386 approval of the County Board of Commissioners. The County Executive and the  
387 Board of Commissioners may alter the preliminary recommendation by the  
388 County Agriculture Preservation Committee to purchase the development rights  
389 at its discretion.  
390
- 391 J. Upon mutual agreement to the negotiated terms of the purchase by the property  
392 owner and the County Agriculture Preservation Committee, but before the final  
393 approval of the County Board of Commissioners, a title search shall be  
394 completed before corporation counsel approval as to legal form, signing and  
395 recording of the agricultural conservation easement. Any questions or concerns  
396 regarding clear title to the property shall be resolved prior to signing of the  
397 agricultural conservation easement. All individuals, parties or entities with an  
398 interest in the property must be willing to agree to the terms and provisions of the  
399 agricultural conservation easement.  
400
- 401 K. Once the application has been approved for purchase by the County Board of  
402 Commissioners, the County and the property owners shall sign the agricultural  
403 conservation easement and it shall be legally recorded with the County Clerk's  
404 office.  
405
- 406 L. The County shall notify the appropriate local unit of government of each  
407 agricultural conservation easement.  
408
- 409 M. The County Agriculture Preservation Committee shall notify the County  
410 Environmental Affairs Department for mapping purposes and the County Plat  
411 board of the landowner and legal description of all parcels purchased for future  
412 mapping purposes.  
413
- 414 N. The agricultural conservation easement will be monitored in accordance with

415 procedures and guidelines established by the County Executive subject to  
416 recommendations of the County Agriculture Preservation Committee and with the  
417 standards and guidelines adopted by the State of Michigan Agriculture  
418 Preservation Fund Board.  
419

420 **Section 8: Agricultural Conservation Easement Provisions**  
421

422 A. Upon the agreement of the sale of development rights by the County Executive,  
423 the County Agriculture Preservation Committee, the property owner and the  
424 County Board of Commissioners shall execute an agricultural conservation  
425 easement, approved as to legal form by County Corporation Counsel, by the  
426 County Agriculture Preservation Committee and the County Board of  
427 Commissioners, that will perpetually protect the parcel's agricultural use by  
428 preventing any use that would significantly impair or interfere with the agricultural  
429 value or use of the farmland. The agricultural conservation easement shall  
430 contain a provision indicating that the easement runs with the land and may not  
431 be terminated except as provided for in this Ordinance and the easement.  
432

433 B. Restrictions on that portion of the property included in the agricultural  
434 conservation easement shall include, but not be limited to, the following:

- 435 i. Property shall not be divided into parcels less than 40 acres in size.
- 436 ii. The construction of residences for new owners of any divisions shall  
437 be prohibited.
- 438 iii. Construction of any other buildings, unless they are built for uses  
439 consistent with farming operations shall be prohibited.
- 440 iv. Commercial or industrial activity that is inconsistent with a typical  
441 farming operation shall be prohibited.
- 442 v. Excavation of topsoil, sand, gravel, rock, minerals or other materials  
443 that significantly impairs or interferes with the agricultural values of the  
444 property shall not take place without prior written approval of the  
445 County Executive.  
446

447 C. Permitted uses and retained development rights in the agricultural conservation  
448 easement shall include, but not be limited to, the following:

- 449 i. Construction of buildings necessary for and consistent with agricultural  
450 uses.
- 451 ii. The right to construct one additional residence for an individual  
452 essential to the farm operation as defined in the Natural Resources  
453 and Environmental Protection Act, The structure built must be in  
454 conformance with all applicable federal, state and local laws,  
455 ordinances and regulations.
- 456 iii. The right to maintain, renovate, add onto, or replace existing  
457 structures. The structures built must be in conformance with all  
458 applicable federal, state and local laws, ordinances and regulations.
- 459 iv. The right to sell, mortgage, bequeath or donate the property, provided  
460

any conveyance will remain subject to terms of the easement.

**Section 9: Duration of the Agricultural Conservation Easement**

A. The agricultural conservation easement shall run with the land regardless of transfers in property ownership. It is the intent of this Ordinance to preserve valuable farmland through the establishment of permanent conservation easements. Development rights acquired pursuant to this Ordinance shall be held by the County in perpetuity and the development rights may be repurchased by the landowner only when one of the following two requirements have been met:

i. A court of competent jurisdiction has determined through eminent domain that the use of those development rights is necessary for a specific public interest, need, or purpose. Upon a court's determination of eminent domain and that the purchase of the development rights from the County is necessary for a specific public interest, need, or purpose, the parties exercising the use of the development rights through eminent domain or the landowner shall pay to the County *the fair market value of those development rights* as determined by a state-certified appraiser *at the time of their repurchase and* before the termination of the agricultural conservation easement. The value of the development rights shall be determined as the difference between the fair market value of the property with all development rights intact and the value of the property for agricultural use with an agricultural conservation easement in place or the value of the developments. If the appraiser has a conflict of interest associated with a potential appraisal, the appraiser shall report the conflict to the County and the County shall select another appraiser to complete the appraisal.

ii. Fifty (50) years have passed since the Development Rights were sold; and the County Board, upon receiving a recommendation from The Bay County Agriculture Preservation Committee (BCAPC), determines that the property may not be reasonably be used for agricultural use because the quality of the farmland is such that agricultural production cannot be made economically viable with Generally Accepted Agricultural and Management Practices (GAAMP).

B. Upon repurchase of the development rights, the landowner shall pay interest at the rate of 6% per annum compounded from the time the development rights were first purchased and the easement recorded.

C. The County will deposit the proceeds from any repurchases into the County farmland preservation fund and the proceeds shall be used to support program

507 efforts and purchase additional development rights and agricultural conservation  
508 easements on additional farmland within the County.

509  
510 **Section 10: Determining the Value of the Agricultural Conservation Easement**

- 511  
512 A. The County Agriculture Preservation Committee shall utilize a state-certified  
513 appraiser to determine the value of the development rights prior to each  
514 application cycle. The appraisal may calculate the value of the development  
515 rights as the difference between the fair market value of the property with all  
516 development rights intact and the value of the property for agricultural use with  
517 an agricultural conservation easement in place. Subject to review and approval of  
518 the County Executive, the County Agriculture Preservation Committee may  
519 establish guidelines, consistent with state standards, for the state-certified  
520 appraiser to use in determining the fair market value or the agricultural value.  
521  
522 B. The property owner may obtain, within a reasonable time frame, an appraisal of  
523 the development rights from a state-certified appraiser at the property owner's  
524 expense. The appraisal may calculate the value of the development rights as the  
525 difference between the fair market value of the property with all development  
526 rights intact and the value of the property for agricultural use with an agricultural  
527 conservation easement in place. Subject to review and approval of the County  
528 Executive, the County Agriculture Preservation Committee may establish  
529 guidelines, consistent with state standards, for the state-certified appraiser to use  
530 in determining the fair market value or the agricultural value.  
531  
532 C. Subject to review and approval of the County Executive, the County Agriculture  
533 Preservation Committee shall approve the price to be offered and paid for the  
534 agricultural conservation easement. If the property owner obtains an  
535 independent appraisal, the County Agriculture Preservation Committee may elect  
536 to renegotiate the initial offer based on qualified circumstances.  
537  
538 D. The property owner may be paid a cash payment or offered an installment  
539 purchase contract, or a combination of both.  
540

541 **Section 11: Related Costs**

- 542  
543 A. The cost of services requested by the County Agriculture Preservation  
544 Committee in relation to the County's Farmland Preservation Program shall be  
545 paid from all available Farmland Preservation Program funding sources within  
546 the County, including state and federal matching funds, which may include the  
547 cost of appraisal, engineering, surveying, planning, financial, legal, environmental  
548 assessments, title searches, developing baseline assessments, and for  
549 monitoring easements. The County shall not be responsible for any expenses  
550 incurred by the property owner incidental to any aspects of application for  
551 purchase of the development rights that the County Agriculture Preservation  
552 Committee has determined is the responsibility of the property owner, which may

553 include title searches, appraisals, and surveying.

554  
555 **Section 12: Farmland Preservation Fund**

- 556  
557 A. Available funding for the County Farmland Preservation Program shall be  
558 deposited in a special farmland preservation fund. Money in such farmland  
559 preservation fund may be temporarily deposited in such institutions or invested in  
560 such obligations as the County Treasurer shall determine may be lawful for the  
561 investment of County money. The revenues from the deposit and/or investment  
562 of the farmland preservation fund shall be applied and used solely for the  
563 purpose of purchasing of development rights and agricultural conservation  
564 easements under this Ordinance, making payments obligated under installment  
565 purchase contracts, promoting farmland preservation programs, or paying for  
566 costs of administering or enforcing the County Farmland Preservation Program.  
567  
568 B. Supplemental or matching funds from private sources or other governmental  
569 agencies, including local municipalities, the State of Michigan or federal  
570 government, may become available to pay a portion of the cost of acquiring  
571 development rights or agricultural conservation easements or to supplement or  
572 enlarge such acquisitions. The County Board of Commissioners authorizes the  
573 County Executive upon recommendation of the County Agriculture Preservation  
574 Committee to use such funds to purchase development rights of farmland and  
575 acquire agricultural conservation easements.  
576  
577 C. The County may finance the County farmland preservation program through one  
578 or more of the following sources:  
579  
580 i. General appropriations by the County.  
581 ii. Proceeds from the sale of development rights by the County under  
582 Section 9.  
583 iii. Grants.  
584 iv. Donations.  
585 v. General fund revenue.  
586 vi. Bonds or notes as permitted by law.  
587 vii. Special assessments as permitted by law.  
588 viii. Other sources approved by the County Board of Commissioners  
589 and permitted by law.

590  
591 **Section 13: Amendments**

- 592  
593 A. With the exception of Section 9, this Ordinance may be amended after receiving  
594 recommendation of the County Executive, a 2/3 recommendation by the Bay  
595 County Agriculture Preservation Committee and by a majority vote of the County  
596 Board of Commissioners pursuant to Article XIII of the Rules of the Bay County  
597 Board of Commissioners .  
598

599 **Section 14: Severability**

600

601

602

603

604

605

A. Any provision of this Ordinance which is found by a court of competent jurisdiction to be invalid, void or illegal shall in no way affect, impair or invalidate any other provision contained in the Ordinance and such other provisions shall remain in full force and effect.

606

**Section 15: Effective Date**

607

608

609

610

611

612

613

A. After this Ordinance is adopted by the Bay County Board of Commissioners, the Bay County Clerk shall certify its passage and the Chair of the Bay County Board of Commissioners shall sign it. This Ordinance shall then take effect seven (7) days after the date upon which notice of its adoption is published in a newspaper of general circulation in Bay County.

Strike-out and new language following legal review by Bay County Corporation Counsel M. Fitzhugh:4/01/09

**DRAFT**

## **Agricultural Conservation Easement**

Grantor represents the landowner granting the permanent easement in exchange for receive cash payment by the county. Grantee represents the County Board of Commissioners. It is recommended that existing residences and building, including the surrounding 2-5 acres, not be Included In the easement.

**Purpose:** To perpetually preserve the Property's agricultural use by preventing any use that would significantly impair or interfere with the agricultural value as established or defined by the Baseline Report, which shall include maps, photographs, and other documentation that will be used as baseline information for monitoring compliance with the terms of the easement.

**1.) Restrictions:** The property shall be subject to easements, building and use restriction of record and further subject to the following conditions:

- a) Grantor shall not divide or subdivide the Property into parcel less than 10 acres in size.  
This agricultural conservation easement shall continue in force for any divisions creating parcels of 40 acres or more in size. The construction of residences for new owners of any divisions are prohibited by this Easement. The grantor shall provide notification to the Grantee of possible divisions and subdivisions via registered mail.
- b) Commercial or industrial activity that is inconsistent with a typical farming operation is prohibited on the Property. Storage, retail or wholesale marketing or processing of agricultural products is a permitted use if more than fifty percent (50%) of the stored, processed, or merchandised products are produced by the farm operator for at least three of the immediately preceding five years.
- c) Grantor may grant an easement for access or public utilizes, such as sanitary sewer, water, drains, telephone lines, cellular towers and radio towers, as long as the easement does not substantially impact the agricultural value of the Property and is reviewed and approved by the Grantee. Grantor shall provide notification to Grantee of proposed easements via registered mail.
- d) Except as agreed to by the Grantee, the construction or placement of buildings, camping accommodations, mobile homes, or any other structures is prohibited, except as herein noted: Structures may be built for uses consistent with farm operations, as long as they do not significantly impair or interfere with the agricultural values of the Property. Structures which may be built by the Grantor with prior approval by the Grantee include on residence for an individual essential to the operation of the farm as defined in Section 36110(5) of the Natural Resources and Environmental Protection Act, MCL 324.36110(5); MSA 13A.36110(5). Structures built must be in conformance with all applicable federal, state, and local laws, ordinances and regulations. Grantor shall provide notification to Grantee of proposed buildings via registered mail. No notice is required for the construction of fences and seasonal structures such as duck or deer blinds.
- e) Grantors shall not engage in or permit any filing, excavating, dredging, mining, removal of topsoil, sand, gravel, rock, minerals or other materials, building of roads or changes in the topography of the land in any manner that significantly impairs or interferes with the agricultural values of the Property without prior written approval of Grantee. This paragraph shall not prohibit grantor from maintaining existing farmland, farm roads, waterways or drainage or from making landscape alterations consistent with existing agricultural and conservation practices.

# DRAFT

- f) Grantor may explore and extract natural gas and oil, as long as it does not impair or interfere with the agricultural values of the property, upon review and approval by Grantee. Grantor shall provide notification to Grantee of possible exploration and extraction activity via registered mail.
- g) Grantor shall not dump or accumulate waste or other unsightly or offensive material. This shall not be construed to preclude typical agricultural activities, such as the disposal or use of plant and animal waste.
- h) For purposes of this Easement agricultural use means substantially undeveloped land devoted to the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy products; poultry and poultry products; livestock' berries; herbs; flowers; seeds; grasses; nursery stock; fruit; vegetables; aquaculture, Christmas trees; and other similar uses and activities. The management and harvesting of a wood lot is a permitted activity under this Easement.
- i) The Properties shall be managed in accordance with a conservation plan that is developed utilizing the standards and specifications of the NRCS field office technical guide and approved by the County Conservation District.

**2.) Permitted Uses:** Grantor retains all ownership and possession rights which are not expressly restricted by the Easement. In particular, the following rights are reserved:

- a) Agriculture use. Grantor retains the right to continue agricultural use as defined in paragraph 1(h).
- b) Right to convey. Grantor retains the right to sell, mortgage, bequeath or donate the Property. Any conveyance shall indicate the existence of and will remain subject to terms of this Easement and the subsequent owner will be bound by all obligations in this Easement. Grantee shall be notified by first call mail, within ninety (90) days, when any conveyance of the Property occurs.
- c) Right to maintain and Replace New Structures. Grantor retains the right to build, add onto, maintain, renovate or replace structures consistent with paragraph 1(d). Any expansion, replacement or addition of a non-residential structure may not substantially alter the unique agricultural value of the Property. Grantor also retains reserves and shall continue to enjoy the use of the Property for any and all purposes which are not inconsistent with this Easement.

**3.) Rights of the Grantee:** Grantor confers the following rights upon Grantee to perpetually maintain the agricultural values of the Property:

- a) Right to Enter. Grantee has the right to enter the Property at reasonable times to monitor to to enforce compliance with this Easement by Grantor, Grantor's successors, heirs or assigns. Grantee may not, however, unreasonably interfere with the Grantor's use and quiet enjoyment of the Property. Grantee has no rights to permit others to enter the Property for purposes unrelated to this Easement.
- b) Right to Enforce. The right to enforce by proceedings at law or inequity the above covenants, including but not limited to, the right to require restoration of the property to the condition at the time of the grant of this Easement.

**4.) Buyback Provisions:**

- a) This easement may be terminated only in the case where eminent domain has been determined necessary for public interest, need or purpose.

- b) The current value of the development rights, at the time of easement termination, shall be paid back, by the landowner or the entity exercising eminent domain, to the county PDR fund to be used for protection of additional farmland.

**DRAFT**

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, The Environmental Health Division the Bay County Health Department has operated Household Hazardous Waste Collections on a Bi-Annual basis for the past six years and these collections have been completely funded by support from the Dow Chemical Company; and.

WHEREAS, There is no financial cost to the Health Department as all costs associated for the collection and disposal will be included in the grant, if funded; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Health Department to seek funding from the Dow Chemical Company for Household Hazardous Waste Collections; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any and all grant documents following legal review/approval; Be It Finally

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

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Health Dept - HHW Grant

MOVED BY COMM. Elder

SUPPORTED BY COMM. Duranczyk

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, On August 14, 1997, Bay County authorized the Bay County Building Authority to sell bonds through the Michigan Municipal Bond Authority in the amount of \$600,000; and

WHEREAS, The proceeds from the sale of the bonds were used to construct the Pere Marquette Parking Lot on the northwest corner of North Madison Avenue & 5<sup>th</sup> Street; and

WHEREAS, On January 14, 2009, the Board of Commissioners, by resolution #2009-1, authorized the sale of the County's parking lot on the southeast corner of North Madison Avenue & 4<sup>th</sup> Street to the Bay Arenac Behavioral Health Authority for \$439,237; and

WHEREAS, At that time, it was recommended that proceeds from the sale of the parking lot at the southeast corner of North Madison Avenue & 4<sup>th</sup> Street be used to redeem the bonds that were sold for the construction of the Pere Marquette Parking Lot; and

WHEREAS, The last payment on the Pere Marquette Parking Lot bonds is due May 1, 2017. The total payment for the June 1, 2009 redemption of these bonds is \$321,408.33. By redeeming these bonds now the County will save approximately \$80,000 in interest payments; and

WHEREAS, Another recommendation for the redemption of other outstanding Bay County bonds will be submitted no later than the August Ways & Means Committee meeting; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the redemption of the outstanding bonds for the Pere Marquette Parking Lot, Series 1997B LGLP-INS/AMBAC #1, from proceeds of the sale of the County's parking lot located on the southeast corner of North Madison Avenue & 4<sup>th</sup> Street to Bay Arenac Behavioral Health Authority; Be It Further

RESOLVED That this Board designates the balance of the proceeds of the sale of this parking lot in the General Fund's Fund Balance for other bond redemptions in 2009.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Pere Marquette Parking Lot - Bond Redemption

MOVED BY COMM. Elder

SUPPORTED BY COMM. Duranczyk

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS  
4/14/09  
RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

WHEREAS, On November 12, 2008 the Bay County Board of Commissioners adopted resolution no. 2008-240 authorizing Finance, Accounting, Budget, Payroll and Purchasing Departments to use available funds in their 2008 and 2009 Personal Services category for full time temporary, part time temporary, overtime or contractual help; and

WHEREAS, The 2009 overtime funding was to terminate April 2009; and

WHEREAS, It has been determined that additional time is required; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Finance, Accounting, Budget, Payroll and Purchasing Departments to use any available funds in their Personal Services category through July of Budget year 2009 for full time temporary, part time temporary, overtime or contractual help.

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Finance Dept -2009 Temporary Staffing - Grant-Staff Acct

MOVED BY COMM. Elder

SUPPORTED BY COMM. Kilda

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

A. Sheriff Department - Deputy Sheriff (ft)

RESOLVED That authorization is granted to test for a Lieutenant and a Sergeant position;  
Be It Further

RESOLVED That budget adjustments, if required, are approved.

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

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Vacancies - Sheriff Deputy

MOVED BY COMM. Elder

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (4/7/09)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

A. Finance Department - Staff Accountant (ft)

RESOLVED That budget adjustments, if required, are approved.

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

BRIAN K. ELDER, CHAIR  
AND COMMITTEE

Vacancies - Finance - Staff Accountant

MOVED BY COMM. Elder

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida		✓		Brian K. Elder		✓	
Patrick H. Beson	✓			Ernie Krygler		✓		Eugene F. Gwizdala	✓		
Vaughn J. Beglck	✓			Kim Coonan		✓		Donald J. Tilley		✓	

VOTE TOTALS:

ROLL CALL: ✓ YEAS 4 NAYS 5 EXCUSED 0  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED  WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: HUMAN SERVICES COMMITTEE (3/17/09)

WHEREAS, With the opening of the casino in Standish by the Saginaw Chippewa Indian Tribe, there is a potential funding opportunity for Pinconning Park because the tribe redistributes a portion of the profit to the community from casino operations; and

WHEREAS, It appears the tribe is very interested in Pinconning Park as a potential recipient of grant funds; and

WHEREAS, The process utilized by the tribe does not require a specific dollar figure rather a proposal of planned improvements to consider possible funding; and

WHEREAS, Any funding received would be used toward either a local match to our Michigan Natural Resources Trust Fund grant application or to increase the amount of barrier-free accessible nature trail in the park; and

WHEREAS, The tribe is also interested in possibly funding a potential land acquisition at a future time which includes some upland area which could include additional campsites and greater revenue for the park; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Recreation and Administrative Services Department to submit a funding proposal to the Saginaw Chippewa Indian Tribe for Pinconning Park; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute all required grant application documents as well as grant award documents on behalf of Bay County subject to legal review/approval.

KIM COONAN, CHAIR  
AND COMMITTEE

Administrative Services - PincPk Grant - Saganing Branch of Chippewa Indian Tribe

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: HUMAN SERVICES COMMITTEE (3/17/09)

WHEREAS, The recreation staff has been working with the employee wellness team discussing ways Bay County Recreation could be involved; and

WHEREAS, To encourage our employees to become more active we are suggesting all County employees have the option to use the golf course, civic arena, and community center to encourage wellness; and

WHEREAS, The golf course we would like to offer a discounted rate on 9 and 18 holes for any County employee at designated times. Walking the golf course for nine or eighteen holes can be up to 5 miles of exercise. Also, the proposed times are historically slower, not affecting current revenue; and

WHEREAS, The Civic Arena would like to offer free public skating to all County employees during our existing public skating hours. The employee would be required to rent skates if they do not have their own; and

WHEREAS, The Community Center would like to offer an open gym 3 days a week during lunch hours to encourage wellness. The chance to walk the gym, shoot baskets, workout, stretch, or go to designated classes for County employees; and

WHEREAS, The following are the proposed times and cost (if applicable):

Golf Course: Fridays and Sundays after 2:00 pm \$7.00 for 9 holes walking and \$12.00 for 18 holes walking. The savings to the employee is \$6.00-\$7.00 for 9 holes and \$10.00-\$13.00 for 18 holes. This special should encourage employees to come out and play while we are filling otherwise unused tee times.

Civic Arena: Free public skate to all County employees during our existing Public Skating times. The employee would be required to rent skates at \$2.00 if they do not have their own.

Community Center: All Mondays, Wednesdays, and Fridays from 11:00 am – 1:30 pm open gym and workout area at no cost to the employee. This is unless the facility has a previous scheduled engagement, which employees would be notified in advance. This benefit is at no cost to the County, because these times are currently going unused. In addition to using the facility Beth Trahan would also be willing to teach a class at the Community Center strictly for County employees. The class may be some form of low impact aerobics, stretching, workout, etc.

RESOLVED That the Bay County Board of Commissioners approves the Recreation Department's proposals to encourage employee wellness at the Golf Course, Civic Arena and Community Center as outlined above.

KIM COONAN, CHAIR  
AND COMMITTEE

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Recreation - Facilities for Employee Wellness Program

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS  
4/14/09  
RESOLUTION**

- BY: HUMAN SERVICES COMMITTEE (3/17/09)
- WHEREAS, The Bay County Fair Board is desirous of utilizing the Bay County Fairgrounds for various 2009 events including the 2009 Bay County Fair scheduled for August 11 -15, 2009 and
- WHEREAS, Revenue for Fairgrounds use by the Bay County Fair Board is included in the 2009 Bay County Budget (101.00-760.00-675.00); Therefore, Be It
- RESOLVED By the Bay County Board of Commissioners that the Bay County Fair Board is granted use of the Bay County Fairgrounds for the Bay County Fair for the period July 26 through August 16, 2009 allowing for set-up and clean-up; Be It Further
- RESOLVED That use of the grandstands and surrounding grounds for one day events is approved for the following dates:  
 April 18, 2009  
 May 2, 2009  
 May 30, 2009  
 June 27, 2009  
 October 3, 2009  
 October 24, 2009
- RESOLVED That use of the horse arena and surrounding areas is approved for the following dates:  
 June 10, 2009  
 June 24, 2009  
 July 8, 2009
- RESOLVED That use of the Canteen Building 9/11 - 9/13/09 and 11/7 & 11/8/09 is granted; Be It Finally
- RESOLVED That resolution no. 2008-234 adopted 11/12/08 pertaining to Fair Board use of Fairgrounds and facilities is rescinded.

KIM COONAN, CHAIR  
AND COMMITTEE

Fair Board - 2009 Events @ Fairgrounds

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Elder

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: HUMAN SERVICES COMMITTEE (3/17/09)  
 WHEREAS, The Bay County Division on Aging has a contract with Region VII Area Agency on Aging for supportive services and nutrition services for the fiscal year ending September 30, 2009; and  
 WHEREAS, The Bay County Division on Aging has experienced underspending in the In-Home Respite Care program and wishes to transfer some funds to the Homemaking services program; and  
 WHEREAS, The amount of Carryover funding that may be available to expand certain services will be identified in the near future, and  
 WHEREAS, The Bay County Division on Aging wishes to submit a proposal for the Carryover funding; and  
 WHEREAS, The Michigan Office of Services to the Aging (OSA) has requested suggestions for use of the Economic Stimulus dollars coming to the OSA for nutrition programs; and  
 WHEREAS, The Division on Aging has submitted suggestions in relation to that request, and wishes to follow any timelines established to formally request these funds to improve nutrition services in Bay County; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners hereby authorizes the submission of revised budgets and related amendments to the current contract for the purpose of transferring funds from Respite Care to Homemaking services, to include carryover funding for services, and to address award of funding from OSA under the Economic Stimulus program. The Board Chair is authorized to sign contract amendments resulting from these revisions, subject to Corporation Counsel review and comment; Be It Further  
 RESOLVED Any budget adjustments resulting required for this amendment are approved.

KIM COONAN, CHAIR  
 AND COMMITTEE

DOA - Carryover Funding - Stimulus

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: HUMAN SERVICES COMMITTEE (3/17/09)

WHEREAS, The County of Bay has been utilizing Title V workers; and

WHEREAS, The following organizations can benefit from the use of Title V workers: Bay County Division on Aging (Office, Kitchen, Canteen Building), Bay County Health Dept, Civic Arena, Building and Grounds (Community Center); and

WHEREAS, The above organizations wish to continue to host Title V worker(s) as outlined in each agreement under the program for the new Title V fiscal year which begins July 1, 2009 and ends June 30, 2010; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Board Chairman to sign the Title V agreements for FY 2009-2010, subject to review and approval of Corporation Counsel; Be It Further

RESOLVED Budget adjustments related to these agreements are approved.

KIM COONAN, CHAIR  
AND COMMITTEE

DOA - Title V Agreements - 2009-2010

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Klida

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: HUMAN SERVICES COMMITTEE (3/17/09)

WHEREAS, The Region VII Area Agency on Aging will be providing an allocation chart for funding for the new fiscal year beginning October 1, 2009; and

WHEREAS, The Bay County Division on Aging anticipates receiving a letter of intent form to submit a proposal requesting the funding available for programs in Bay County; and

WHEREAS, The Bay County Division on Aging anticipates submitting a proposal for funding for congregate meals, home delivered meals, case coordination & support, homemaking, in-home respite care, personal care, disease prevention/health promotion, and caregiver training; and

WHEREAS, The letter of intent must be submitted to Region VII Area Agency on Aging in accord with their printed deadline for the application packet to be received; and

WHEREAS The application for funding and budgets will be due at Region VII Area Agency on Aging by a specified date in June; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Bay County Division on Aging be authorized to submit a letter of intent to apply for funding for the fiscal year 2009-2010 and that the Division on Aging by authorized to prepare and submit the application for funding for the same fiscal year, and the Board Chairman be authorized to sign application forms, budgets, and subsequent contract documents for the same fiscal year, subject to final review and approval by Corporation Counsel; Be It Further

RESOLVED All budget amendments resulting from this application and subsequent contract are considered approved.

KIM COONAN, CHAIR  
AND COMMITTEE

DOA - Letter of Intent - FY 2009-10

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwzdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/17/09)

WHEREAS, Due to the untimely passing of Attorney Magistrate Thomas Bleau a full time Attorney Magistrate vacancy exists in the 74<sup>th</sup> District Court; and

WHEREAS, This position is a key component of the court responsible for various important duties; and

WHEREAS, During the medical leave of Thomas Bleau, his duties were assigned to a temporary Attorney Magistrate and the District Court Judiciary; and

WHEREAS, It is necessary to return the duties of an Attorney Magistrate to a full-time employee and after an employment search, interview and selection process, Janice Doner is the chosen candidate for the Attorney Magistrate position; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the appointment of Janice Doner as the 74<sup>th</sup> District Court full-time Attorney Magistrate; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any documents related to this appointment; Be It Finally

RESOLVED That any budget adjustments that may be required are approved.

DONALD J. TILLEY, CHAIR  
AND COMMITTEE

District Court - Attorney Magistrate - Janice Doner

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Duranczyk

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/17/09)  
 WHEREAS, In the past, the Office of Community Oriented Policing Services (COPS Office) offered grant funding and the Bay County Sheriff's Office was a recipient of that funding; and  
 WHEREAS, Once again, the COPS Office is offering the availability of funding from the American Recovery and Reinvestment Act of 2009 and applications will be accepted during a four week time frame as of March 16, 2009; and  
 WHEREAS, This grant provides funding directly to law enforcement agencies having primary law enforcement authority to create and preserve jobs and to increase their community policing capacity and crime-prevention efforts; and  
 WHEREAS, This grant will provide funding in the near future for law enforcement as follows: 100% funding for 3 years (36 months) for sworn officers and requires the county for pay one year (12 months) with General Fund dollars following the conclusion of grant funding; and  
 WHEREAS, The Bay County Sheriff wishes to take advantage of this funding opportunity; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners authorizes submittal of a grant application to the COPS Office for the available grant funding with the last 12 months of funding to come from the County's General Fund; Be It Further  
 RESOLVED That the Chairman of the Board is authorized to execute the grant application documents and grant award documents on behalf of Bay County following legal review/approval; Be it Further  
 RESOLVED That budget adjustments required are approved; Be It Finally  
 RESOLVED That it is understood that if the COPS grant funding is terminated at the end of the 48 month period or prior thereto, Bay County shall not be responsible to fund any position(s) hired under this grant nor pick up any costs associated with the position(s).

DONALD J. TILLEY, CHAIR  
 AND COMMITTEE

Sheriff - COPS Grant Funding

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krygiel

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygiel	✓			Eugene F. Gwzdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS  
4/14/09**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/17/09)  
 WHEREAS, The Bay County Sheriff Department, through formal agreement, is a party to a subcontract which provides funding for the assignment of a Deputy Sheriff to the Bay Area Narcotics Enforcement Team (B.A.Y.A.N.E.T.) during the grant period; and  
 WHEREAS, The Bay County Sheriff wishes to continue this arrangement and is recommending approval of the Michigan Department of Community Health, Office of Drug Control Policy, Byrne Memorial Justice Assistance Grant Subcontract; and  
 WHEREAS, The cash match for the grant is \$32,353 and funds are included in the Sheriff's 2009 budget and no new funds are required: Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners approves the Michigan Department of Community Health, Office of Drug Control Policy, Byrne Memorial Justice Assistance Grant Subcontract covering the 2008-2009 grant year, in the amount of \$64,706 (\$32,353 Byrne Funds and \$32,353 local match), matching funds to come from those budgeted in the 2009 Sheriff Department budget; Be It Further  
 RESOLVED That the and the Chairman of the Board is authorized to execute said Subcontract on behalf of Bay County following legal review/approval; Be It Finally  
 RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR  
AND COMMITTEE

Sheriff Dept - Byrne- BAYANET - 2008-2009

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglck	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS  
4/14/09**

**RESOLUTION**

- BY: PERSONNEL/JUDICIAL COMMITTEE (3/17/09)
- WHEREAS, The Bay Area Narcotics Enforcement Team (BAYANET) has again received a Governor's Discretionary Grant which includes funds to pay for a portion of the salary of an Assistant Prosecuting Attorney; and
- WHEREAS, The Bay County Prosecutor's Office will be the recipient of \$17,113 as a subcontractor; and
- WHEREAS, The Bay County Prosecutor's Office has participated in the BAYANET Program in the past and wishes to accept the available funding through BAYANET; and
- WHEREAS, The County match is budgeted in 2009 and no new funds are required; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Michigan Department of Community Health, Office of Drug Control Policy, Byrne Memorial Justice Assistance Grant Subcontract covering the 2008-2009 grant in the amount of \$17,113; Be It Further
- RESOLVED That it is understood that if grant funding for BAYANET position(s) under the BAYANET grant is terminated, Bay County shall not be responsible to fund the position(s) or pick up any costs associated with the position(s); Be It Finally
- RESOLVED That the Chairman of the Board is authorized to execute said Subcontract on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR  
AND COMMITTEE

Prosecutor - 2008-2009 BAYANET Grant

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**  
**4/14/09**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/17/09)

RESOLVED By the Bay County Board of Commissioners that pursuant to its resolution no. 96-331- OTHER GOVERNMENTAL SERVICE CREDIT FOR RETIREMENT - adopted December 17, 1996, authorization is granted for JOSEPH W. COURNEYA (Water and Sewer Dept.) to purchase governmental service credit (2 years, 11 months with Bay City Public Schools) for retirement purposes in accordance with all terms and conditions contained in resolution no. 96-331.

DONALD J. TILLEY, CHAIR  
 AND COMMITTEE

GovtServCredit-Retirement-Joseph W. Courneya

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Coonan

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/17/09)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

- A. Division on Aging - Personal Care/Homemaker/Respite Care Workers (2) (permanent, part time - rate of pay depends on assignment as follows: Respite Care @\$9.12 per hour; Homemaking Service Worker @\$9.88 per hour; Personal Care @ \$10.63 per hour)
- B. Animal Control - Custodian (part time) (\$10.63/hr. entry)

RESOLVED That budget adjustments, if required, are approved.

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

DONALD J. TILLEY, CHAIR  
AND COMMITTEE

Vacancies - April

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglck	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS  
4/14/09

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS

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

Bay County:

Accounts Payable:

3/18/09	\$1,421,184.92
3/20/09	\$5,000
3/27/09	\$27,732.62
3/31/09	\$2,335,056.61
4/2/09	\$8,166.90
4/9/09	\$25,525.93

Veterans:

4/7/09	\$1,144.98
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BAYANET:

AP - 2/1/09 to 2/28/09	\$56,999.63
Payroll - 2/1/09 to 2/28/09	\$20,551.71
AP 3/1/09 to 3/31/09	\$69,255.80
Payroll - 3/1/09 to 3/31/09	\$30,957.69

Center Ridge Arms:

Claims 4/8/09	\$23,408.68
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PATRICK H. BESON, CHAIR  
BAY COUNTY BOARD OF COMMISSIONERS

Payables - April Bd Mtg

MOVED BY COMM. Gwizdala

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**  
**4/14/09**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/14/09)

RESOLVED By the Bay County Board of Commissioners that the reports of the County Executive, listed below, are received:

Employment Status Report - March 2009

Workers' Compensation - December 2008; January & February 2009

PATRICK H. BESON, CHAIR  
 AND BOARD

County Executive - Status Reports

MOVED BY COMM. Gwizdala

SUPPORTED BY COMM. Klida

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**4/14/09**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, The United States Department of Agriculture has grant funds available to support the promotion of Farmers Markets and outreach to individuals and families who receive or are eligible to receive food stamps for the period 10/1/09 through 9/30/2011; and

WHEREAS, MSU Extension Bay County and the Downtown Bay City Farmers Market Association wish to submit an application for this funding; and

WHEREAS, The grant would be administered by MSU Extension Bay County Office and Bay County would be the responsible fiduciary for the grant dollars if funded; and

WHEREAS, There is no local match requirement involved with the grant; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes a grant application in the amount of \$100,000 to the United States Department of Agriculture for promotion of Farmers Market/outreach to individuals and families who receive or are eligible to receive food stamps; Be It Further

RESOLVED That Bay County shall act as fiduciary for the grant; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute all grant application documents as well as grant award documents on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That budget adjustments, if required for this grant, are approved.

PATRICK H. BESON, CHAIR  
AND BOARD

MSU Extension - Farmers Market Grant

MOVED BY COMM. Elder

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: APRIL 14, 2009

MOTION SPONSORED BY: COMM. KLIDA

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 37

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF  
MARCH 10, 2009 AND THE SPECIAL BOARD SESSION  
MINUTES OF MARCH 17, 2009.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder	X		
Patrick H. Beson	X			Ernie Krygler	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: APRIL 14, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 38

TO RECEIVE THE LETTER DATED MARCH 12, 2009 FROM THE CITY OF BAY CITY FOR APPLICATIONS FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION DISTRICT AND CERTIFICATE FROM THE EAGLE GROUP DBA BUILDER RESOURCE, BAY CITY, MICHIGAN FOR PROPERTY LOCATED AT 6 JOHNSON COURT, BAY CITY, MICHIGAN IN THE AMOUNT OF \$261,780.00.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Kilda	X			Brian K. Elder	X		
Patrick H. Beson	X			Ernie Krygler	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: **XX** YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: **ADOPTED** XX **DEFEATED** \_\_\_\_\_ **WITHDRAWN** \_\_\_\_\_  
**AMENDED** \_\_\_\_\_ **CORRECTED** \_\_\_\_\_ **REFERRED** \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: APRIL 14, 2009

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. KLIDA

MOTION NO.: 39

TO TO RECEIVE THE LETTER DATED MARCH 26, 2009 FROM THE CITY OF BAY CITY FOR APPLICATIONS FOR OBSOLETE PROPERTY REHABILITATION DISTRICTS FROM STEVE INGERSOLL FOR PROPERTY LOCATED AT 615 N. GRANT STREET AND 1501 CENTER AVENUE, BAY CITY, MICHIGAN IN THE COMBINED TOTAL AMOUNT OF \$500,000.00.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder	X		
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Beglick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: APRIL 14, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 40

TO ADJOURN THE REGULAR BOARD SESSION OF APRIL 14,  
2009 AT 10:50 A.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder	X		
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

**ROLL CALL:** YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

**VOICE:** XX YEAS 9 NAYS 0 EXCUSED 0

**DISPOSITION:** ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_