

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, JULY 12, 2011

4:00 P.M.

COMMISSION CHAMBERS; FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN TILLEY)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

70-83

V MINUTES (6/14/11)

VI CITIZEN INPUT (4:00 P.M.)

VII PETITIONS AND COMMUNICATIONS

A. Public Hearing - Amended Bay County Animal Control Ordinance
(4:00 p.m.) Note: Related resolutions on pages 15 & 16-42.

B. Rehman Robson - 2010 Bay County Audit Presentation **(4:00 p.m.)**

C. Region VII, Area Agency on Aging - FY2012 Annual and Multi-Year
Implementation Plan **(Brief presentation by Annette Jeske of
Region VII; related resolution of approval on page 62)**

D. City of Bay City

1. Applications for an Obsolete Property Rehabilitation Exemption
Certificate **(Receive)**

1- 3

a. Legion Building Corporation of Caro - \$156,518

4- 6

b. 3020 N. Water Street LLC - \$75,000

53 4. No. 2011- 135 - Rebecca Reimann - Temporary Employment (Division on Aging)

C. HUMAN SERVICES (MICHAEL J. DURANCZYK, CHAIR; BRANDON KRAUSE, VICE CHAIR)

54 1. No. 2011-136 - FY2011 Carryover Funds (Division on Aging)

55-60 2. No. 2011-137 - Center Ridge Arms Smoke Free Policy (Housing Department)

61 3. No. 2011-138 - Veterans Rate at Bay County Golf Course (Administrative Services/Recreation)

62 4. No. 2011-139 - Region VII, Area Agency on Aging - FY2012 Annual and Multi Year Implementation Plan

D. BOARD OF COMMISSIONERS (DONALD J. TILLEY, CHAIR; KIM COONAN, VICE CHAIR)

63 1. No. 2011-140 - Accounts Payable/BAYANET/Center Ridge Arms

64-69 2. No. 2011-141 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

XIV CLOSED SESSION (If requested)

A. Labor Negotiations

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (c): For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

B. Property Acquisition

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8(d): To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

XV RECESS/ADJOURNMENT



June 27, 2011

Mr. Don Tilley, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

RE: Application for an Obsolete Property Rehabilitation Exemption Certificate

On June 21, 2011, Legion Building Corporation of Caro submitted an application for an Obsolete Property Rehabilitation Exemption Certificate for 1517 N. Henry Street, Bay City, MI, filed under State of Michigan P.A. 146 of 2000.

In accordance with the Act, you are hereby notified that the certificate was filed for rehabilitation in the estimated amount of \$156,518.

A response is requested by Friday, July 8, 2011. A public hearing on the district will be held by the City Commission at their July 11, 2011, meeting. The meeting will be held at 7:30 PM at the Pere Marquette Depot.

Questions pertaining to the Act or the applications may be directed to the City Assessor, Amy DeHaan, at 894-8123.

CITY OF BAY CITY

Dana L. Muscott, MMC

Deputy City Manager of Administrative Services/City Clerk

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Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility) <i>Legion Building Corporation of Caro</i>		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) <i>110 W. Frank St., Caro, MI 48723</i>		
Location of obsolete facility (No. and street, City, State, ZIP Code) <i>1517 N. Henry St., Bay City, MI 48706</i>		
City, Township, Village (indicate which) <i>City</i>	County <i>Bay County</i>	
Date of Commencement of Rehabilitation (mm/dd/yyyy) <i>12/02/2010</i>	Planned date of Completion of Rehabilitation (mm/dd/yyyy) <i>05/05/2011</i>	School District where facility is located (include school code) <i>09010 Bay City Public</i>
Estimated Cost of Rehabilitation <i>\$156,518</i>	Number of years exemption requested <i>12</i>	Attach Legal description of Obsolete Property on separate sheet <i>Included</i>
Expected project likelihood (check all that apply):		
<input checked="" type="checkbox"/> Increase Commercial activity	<input type="checkbox"/> Retain employment	<input checked="" type="checkbox"/> Revitalize urban areas
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input type="checkbox"/> Increase number of residents in the community in which the facility is situated
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment <i>14</i>		
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. <input checked="" type="checkbox"/>		

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) <i>LARRY KOVACS</i>	Telephone Number <i>989 673 0643</i>	Fax Number <i>989 673 0075</i>
Mailing Address <i>110 FRANK STREET CARO MI 48706</i>	Email Address <i>LTKOVACS@LEGIONCORP.COM</i>	
Signature of Company Officer (no authorized agents) <i>[Signature]</i>	Title <i>CHAIRMAN</i>	

LOCAL GOVERNMENT-UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature	Date application received
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FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCL Code

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and Instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
<input type="checkbox"/> Denied		
Date District Established 12-20-10	LUCI Code	School Code 69010

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(i) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>
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PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

	Taxable Value	State Equalized Value (SEV)	
Building(s)	\$37,350	\$37,350	
Name of Governmental Unit City of Bay City	Date of Action on application 7-11-11	Date of Statement of Obsolescence 12-3-10	

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature	Date	
Clerk's Mailing Address	City	State	ZIP Code
	Telephone Number	Fax Number	Email Address

Mail completed application and attachments to: State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call (517) 373-3272.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.



June 29, 2011

Mr. Don Tilley, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

RE: Application for an Obsolete Property Rehabilitation Exemption Certificate

On June 29, 2011, 3020 N. Water Street LLC, submitted an application for an Obsolete Property Rehabilitation Exemption Certificate for 3020 Water Street, Bay City, MI, filed under State of Michigan P.A. 146 of 2000.

In accordance with the Act, you are hereby notified that the certificate was filed for rehabilitation in the estimated amount of \$75,000.

A response is requested by Friday, July 8, 2011. A public hearing on the district will be held by the City Commission at their July 11, 2011, meeting. The meeting will be held at 7:30 PM at the Pere Marquette Depot.

Questions pertaining to the Act or the applications may be directed to the City Assessor, Amy DeHaan, at 894-8123.

CITY OF BAY CITY

Dana L. Muscott, MMC

Deputy City Manager of Administrative Services/City Clerk

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APPLICATION FOR OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE

This form is issued as provided by P.A. 146 of 2000. Filing of this form is voluntary. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission.

INSTRUCTIONS: File the original and one copy of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires one copy of the Application and the Resolution. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption.

TO BE COMPLETED BY CLERK OF LOCAL GOVERNMENT UNIT. Clerk must also complete sections 14, 15 and 17 on page 2.		THIS SECTION FOR USE BY THE STATE TAX COMMISSION	
Signature		Application No.	
Date This Application Was Received		Date Received	
TO BE COMPLETED BY APPLICANT (Applicant, do not write above this line. Begin entries at 1a below.)			
1a. Applicant (Company) Name (Applicant must be the OWNER of the facility) 3020 WATER STREET LLC		Important Note: If this application form (3674) is not fully completed, it will be returned by the Property Tax Division prior to any processing being done by the State Tax Commission	
b. Company Mailing Address (No. and Street, P.O. Box, City, State, ZIP) c/o BE COOL 310 WOODSIDE AVE, ESSEXVILLE MI 48732			
c. Location of Obsolete Facility (No. and Street, City, State, ZIP) 3020 WATER STREET, Bay City MI		d. City/Twp/Village Bay City	e. County Bay
2. Date of Commencement of Rehabilitation JUNE 2010	3. Planned Date of Completion of Rehabilitation JULY 2011	4. School District Where Facility is Located Bay City Public	a. School Code 09010
5. Estimated Cost of Rehabilitation \$75,000.00		6. How Many Years of Exemption Requested? 12 YEARS	
7. Project will have the reasonable likelihood to: (Check one or more) <input checked="" type="checkbox"/> increase commercial activity <input type="checkbox"/> create employment <input type="checkbox"/> retain employment <input checked="" type="checkbox"/> prevent a loss of employment <input type="checkbox"/> revitalize urban areas <input type="checkbox"/> increase the number of residents in the community in which the facility is situated		8. Legal Description of Obsolete Property Attached.	
7a. Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment: 4			
9. The following must be provided to the local governmental unit as attachments to this application: (a) General description of the obsolete facility, (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption.			
10. The State Treasurer may exclude from the specific tax up to 1/2 of the mills levied for local school operating purposes and for the State Education Tax. Please check the following box if you wish to be considered for this exclusion: <input checked="" type="checkbox"/>			
11. APPLICANT'S CERTIFICATION The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information which it provides is untrue, the exemption provided by P.A. 146 of 2000 may be in jeopardy. The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by P.A. 146 of 2000 and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate. It is further certified that the undersigned is familiar with the provisions of P.A. 146 of 2000, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has compiled or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.			
12. Name of Person to Contact for Further Information MARK MANGELS		Title PRESIDENT	Telephone Number (989) 450 7795
Mailing Address BE COOL INC, 310 WOODSIDE AVE, ESSEXVILLE MI 48732			
13. Type/Name of Company Officer ROGER ROSEBUSH		Title OWNER	Telephone Number (989) 450 2250
Signature Roger F. Rosebush		Date 6/6/11	

3874 (page 2)

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application.

14. Action Taken

- Date of Action: _____ EXEMPTION APPROVED FOR _____ Years
 Ending December 31, _____ (not to exceed 12 years)
- DISAPPROVED

15. RESOLUTION MUST CONTAIN THE FOLLOWING.

A copy of the resolution must be furnished to the State Tax Commission.

- A statement that the local unit is a Qualified Local Governmental Unit.
 - A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of P.A. 146 of 2000.
 - A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under P.A. 146 of 2000 and under P.A. 188 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.
 - If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operating of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.
 - A statement that the application was approved at a public hearing as provided by section 4(2) of P.A. 146 of 2000 including the date of the hearing.
 - A statement that the applicant is not delinquent in any taxes related to the facility.
 - A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.
 - A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.
- A statement that all of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.
 - A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.
 - A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of P.A. 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under P.A. 146 of 2000 to establish such a district.
 - A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.
 - A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(i) of P.A. 146 of 2000.
 - A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.

16. ASSESSOR:

	Taxable Value	State Equalized Value (SEV)
Current Taxable Value and State Equalized Value of obsolete properties broken down for:		
Land	17,400	17,400
Buildings	114,550	114,550
Land Improvements	3,700	3,700
Buildings on Leased Land		
Other Personal Property	111,550	111,550
Year of Values	2011	2011

17. Name of Local Government Body

City of Bay City

Date of Action on This Application

July 11, 2011

CLERK'S CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by P.A. 146 of 2000 may be in jeopardy.

Signature of Clerk	Date	Telephone Number ()
Clerk's Mailing Address	City	ZIP Code

Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

Mail completed Application and copy of Resolution to:

State Tax Commission
 Michigan Department of Treasury
 P.O. Box 30471
 Lansing, Michigan 48909-7971

If you have any questions, please call (517) 373-2408 or 373-3302.



June 10, 2011

Mr. Don Tilley, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

RE: Application for an Obsolete Property Rehabilitation Exemption District

On June 6, 2011, Roger Rosebush submitted an application for an Obsolete Property Rehabilitation Exemption District for 3020 Water Street, Bay City, MI, filed under State of Michigan P.A. 146 of 2000.

In accordance with the Act, you are hereby notified that the district was filed for rehabilitation in the estimated amount of \$75,000.

A response is requested by Friday, June 17, 2011. A public hearing on the district will be held by the City Commission at their June 20, 2011, meeting. The meeting will be held at 7:30 PM at the Pere Marquette Depot.

Questions pertaining to the Act or the applications may be directed to the City Assessor, Amy DeHaan, at 894-8123.

CITY OF BAY CITY

Dana L. Muscott, MMC

Deputy City Manager of Administrative Services/City Clerk

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Application for Establishment
of an
Obsolete Property Rehabilitation District

Date: JUNE 1, 2011

Applicant (must be the owner of the facility): ROGER ROSEBUSH

Address of Applicant: 310 WOODSIDE AVE, ESSEXVILLE MI 48732

Telephone: 989-895-9699 Fax: (989) 892-9213

Location of obsolete facility (no. and street): 3020 WATER STREET BAY CITY MI

1. Explain proposed rehabilitation of the obsolete property: MR. ROSEBUSH WILL DEVELOP A TAP ROOM IN SPACE "D" WITH A FRONT ACCESS TO 3020 WATER STREET. THIS WILL PROVIDE FOR A BAR ENVIRONMENT FOR CUSTOMERS TO DRINK THE DIFFERENT BEER BRANDS PRODUCED BY THE TENANT TRI-CITY BREWERY. TRI-CITY WILL OPERATE THE TAP ROOM.

2. Total dollars to be invested into project: \$ 75,000.00

3. Number of code enforcement issues being resolved: NONE

4. Is property on the National Register? Yes No

5. Number of permanent, full-time equivalent jobs created due to project: 4

6. Months/years work will begin/end: JUNE 2011 BEGIN, JULY 2011 END

7. Any planned facade improvements to the property: Yes No

8. Number of housing units created after project completion? 0

9. Legal descriptions of all properties involved: ATTACHED

10. Permanent parcel numbers: ATTACHED

11. Names and address of all property owners within proposed district: ROGER ROSEBUSH
310 WOODSIDE AVE,
ESSEXVILLE MI 48732

12. Current District SEV: 138800 District Taxable Value: 136628
Real Property Only

13. Current zoning of proposed district: INDUSTRIAL
M-1 Light Industrial

Note: No tax abatement will be considered for any projects commencing prior to the establishment of the district.

Signed: Roger F. Rosebush

Please submit this form to the City Clerk, City of Bay City, 301 Washington Avenue, Bay City, MI 48708



June 28, 2011

Mr. Don Tilley, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

RE: Application for Industrial Facilities Tax Exemption Certificate

Bay Cast Technologies, Inc., Bay City, Michigan, has submitted an application for an Industrial Facilities Tax Exemption Certificate for property located at 2611 Center Avenue, Bay City, MI, filed under State of Michigan Act 198, Plant Rehabilitation and Industrial Development District Law of 1974, as amended.

In accordance with Section 5(2) of the Act, you are hereby notified that the application was filed in the amount of \$1,100,000 for machinery and equipment.

A response is requested by Friday, July 8, 2011. A public hearing on the application will be held by the City Commission at their July 11, 2011, meeting scheduled at 7:30 PM at Pere Marquette Depot.

Questions pertaining to the Act or the application may be directed to Amy DeHaan, City Assessor, at 894-8123.

CITY OF BAY CITY

Dana L. Muscott, MMC
Deputy City Manager of Administrative Services/
City Clerk

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Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit 6-27-11
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Bay Cast Technologies, Inc.		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3829	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 2611 Center Ave., Bay City, MI 48708		1d. City/Township/Village (indicate which) Bay City	1e. County Bay
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Bay City Public	3b. School Code 09010
		4. Amount of years requested for exemption (1-12 Years) 12 Years	
5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. SEE ATTACHED.			
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		▶ \$0.00 Real Property Costs	
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total		▶ \$1,100,000.00 Personal Property Costs	
6c. Total Project Costs * Round Costs to Nearest Dollar		▶ \$1,100,000.00 Total of Real & Personal Costs	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.			
	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	▶ _____	▶ _____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	▶ 5/1/11	▶ 12/31/11	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
9. No. of existing jobs at this facility that will be retained as a result of this project. 28		10. No. of new jobs at this facility expected to create within 2 years of completion. 4	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.			
a. TV of Real Property (excluding land)		_____	
b. TV of Personal Property (excluding inventory)		_____	
c. Total TV		_____	
12a. Check the type of District the facility is located in: <input checked="" type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District			
12b. Date district was established by local government unit (contact local unit) 8/24/98		12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Michael L. Hanisko	13b. Telephone Number (989) 922-6429	13c. Fax Number (989) 895-1267	13d. E-mail Address mikeh@wf-cpas.com
14a. Name of Contact Person Scott S. Holman	14b. Telephone Number (989) 892-9500	14c. Fax Number (989) 892-9598	14d. E-mail Address holmanss@baycast.com
15a. Name of Company Officer (No Authorized Agents) Scott S. Holman			
15b. Signature of Company Officer (No Authorized Agents) <i>[Signature]</i>		15c. Fax Number (989) 892-9598	15d. Date 6-22-11
15e. Mailing Address (Street, City, State, ZIP Code) 2611 Center Ave., Bay City, MI 48708		15f. Telephone Number (989) 892-9500	15g. E-mail Address holmanss@baycast.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

<p>16. Action taken by local government unit</p> <p><input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Denied (Include Resolution Denying)</p>	<p>16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:</p> <p>Check or Indicate N/A if Not Applicable</p> <p><input type="checkbox"/> 1. Original Application plus attachments, and one complete copy</p> <p><input type="checkbox"/> 2. Resolution establishing district</p> <p><input type="checkbox"/> 3. Resolution approving/denying application.</p> <p><input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant)</p> <p><input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant)</p> <p><input type="checkbox"/> 6. Building Permit for real improvements if project has already begun</p> <p><input type="checkbox"/> 7. Equipment List with dates of beginning of installation</p> <p><input type="checkbox"/> 8. Form 3222 (if applicable)</p> <p><input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)</p>
<p>16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable</p> <p><input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district.</p> <p><input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing.</p> <p><input type="checkbox"/> 3. List of taxing authorities notified for district and application action.</p> <p><input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.</p>	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

-11-



June 29, 2011

Mr. Don Tilley, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

RE: Application for Industrial Facilities Tax Exemption Certificate

Eovations, LLC., Bay City, Michigan, has submitted an application for an Industrial Facilities Tax Exemption Certificate for property located at 1645 Marquette Avenue, Bay City, MI, filed under State of Michigan Act 198, Plant Rehabilitation and Industrial Development District Law of 1974, as amended.

In accordance with Section 5(2) of the Act, you are hereby notified that the application was filed in the amount of \$476,857 for land, building improvements, machinery and equipment.

A response is requested by Friday, July 8, 2011. A public hearing on the application will be held by the City Commission at their July 11, 2011, meeting scheduled at 7:30 PM at Pere Marquette Depot.

Questions pertaining to the Act or the application may be directed to Amy DeHaan, City Assessor, at 894-8123.

CITY OF BAY CITY

Dana L. Muscott, MMC
Deputy City Manager of Administrative Services/
City Clerk

-12-

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Eovations, LLC	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 325211
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1645 Marquette Avenue, Bay City, Michigan 48706	1d. City/Township/Village (indicate which) City
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	1e. County Bay 3a. School District where facility is located Bay City 3b. School Code 09010 4. Amount of years requested for exemption (1-12 Years) 12

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

See Attached

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ <u>\$206,224.00</u> Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ <u>\$270,633.00</u> Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ <u>\$476,857.00</u> Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▶	11/1/10	1/21/11	▶ <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased
Personal Property Improvements ▶	11/1/10	3/31/11	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No MEGA High Tech Tax Credit granted by MEDC - Attached

9. No. of existing jobs at this facility that will be retained as a result of this project. 0 10. No. of new jobs at this facility expected to create within 2 years of completion. 5

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) _____

b. TV of Personal Property (excluding inventory) _____

c. Total TV _____

12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) 5/17/87 12c. Is this application for a speculative building (Sec. 3(8))?
 Yes No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name David DiMuzio	13b. Telephone Number (616) 364-6161	13c. Fax Number (616) 364-5558	13d. E-mail Address ddimuzio@ufpi.com
14a. Name of Contact Person Claude Brown	14b. Telephone Number (989) 430-1975	14c. Fax Number (616) 364-5558	14d. E-mail Address cbrown@ufpi.com
15a. Name of Company Officer (No Authorized Agents) Claude Brown, President			
15b. Signature of Company Officer (No Authorized Agents) <i>[Signature]</i> 15 JUN 11		15c. Fax Number (616) 364-5558	15d. Date
15e. Mailing Address (Street, City, State, ZIP Code) 2801 East Beltline, NE, Grand Rapids, Michigan 49525		15f. Telephone Number (616) 364-6161	15g. E-mail Address cbrown@ufpi.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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<p>16. Action taken by local government unit</p> <p><input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Denied (Include Resolution Denying)</p>	<p>16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:</p> <p>Check or Indicate N/A if Not Applicable</p> <p><input checked="" type="checkbox"/> 1. Original Application plus attachments, and one complete copy</p> <p><input checked="" type="checkbox"/> 2. Resolution establishing district</p> <p><input type="checkbox"/> 3. Resolution approving/denying application.</p> <p><input checked="" type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant)</p> <p><input checked="" type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant)</p> <p><input type="checkbox"/> 6. Building Permit for real improvements if project has already begun</p> <p><input checked="" type="checkbox"/> 7. Equipment List with dates of beginning of installation</p> <p><input type="checkbox"/> 8. Form 3222 (if applicable)</p> <p><input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)</p>
<p>16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable</p> <p><input checked="" type="checkbox"/> 1. Notice to the public prior to hearing establishing a district.</p> <p><input checked="" type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing.</p> <p><input checked="" type="checkbox"/> 3. List of taxing authorities notified for district and application action.</p> <p><input checked="" type="checkbox"/> 4. Lease Agreement showing applicants tax liability.</p>	<p>16c. LUCI Code</p> <p>16d. School Code 09010 - Bay City Public</p>
<p>17. Name of Local Government Body City of Bay City</p>	<p>18. Date of Resolution Approving/Denying this Application</p>

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
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Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

BAY COUNTY BOARD OF COMMISSIONERS
7/12/11

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (7/12/11)
 WHEREAS, Article XIII of the Rules of the Bay County Board of Commissioners outlines a process for consideration of ordinance and ordinance amendments, which requires at least three (3) successive full Board meetings. The process is as follows:

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

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

RESOLVED By the Bay County Board of Commissioners that, for the sake of expediency, **Article XIII of the Rules of the Bay County Board of Commissioners is hereby suspended** for the adoption of Amendments to the Bay County Animal Control Ordinance.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Waiver of Ordinance Adoption Process - Amended Animal Control Ordinance
 MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:
 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

BAY COUNTY BOARD OF COMMISSIONERS

7/12/11

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (7/12/11)

WHEREAS, An amended Bay County Animal Control Ordinance was submitted to the Bay County Board of Commissioners (6/14/11), via the Ways and Means Committee (6/7/11); and

WHEREAS, In accordance with the Rules of the Bay County Board of Commissioners the proposed Ordinance was referred to the full Board and a public hearing on the proposed Ordinances was held 7/12/11 with input received from interested individuals in support of the proposed Ordinance; and

WHEREAS, Since no opposition to the ordinance was voiced, Article XIII of the Rules of the Bay County Board of Commissioners was waived (resolution no. 2011-125); Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the attached amended Bay County Animal Control Ordinance is hereby ordained.

DONALD J. TILLEY, CHAIR
AND BOARD

Animal Control - Amended Animal Control Ordinance

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Begick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

Part 50

50.000

ANIMAL CONTROL*

Ord. No. 32

Adopted: November 12, 1991

* **Cross References:** Wages for County projects, Pt. 1; unnecessary noise by animals or birds, § 62.003 et seq.

An Ordinance relating to and providing for animal control within the boundaries of Bay County; providing for the employment of a County Animal Control Officer and prescribing the duties, authority and responsibilities of that office; prescribing the licensing and vaccination of dogs and cats and the confinement of animals under certain circumstances; authorizing the establishment of a County animal shelter for the impoundment of dogs and other animals and their redemption; permitting the killing and seizing of dogs and other animals; providing special controls and penalties for keeping vicious animals; authorizing an annual census to be made of dogs and cats; enumerating certain violations and penalties therefor; prescribing the County Treasurer's duties with regard to animal control; authorizing certain fees and expenses and the receipt and disbursement of funds; and repealing other ordinances inconsistent herewith.

THE PEOPLE OF THE COUNTY OF BAY OF THE STATE OF MICHIGAN DO HEREBY ORDAIN THE 2011 ~~1991~~ REVISED ANIMAL CONTROL ORDINANCE.

ARTICLE I

50.100

PURPOSE, FINDINGS AND POLICY

The County of Bay deems that the ownership of an animal carries with it responsibilities to the County and its residents with regard to care and control of such animals. In interpretation and application, the provisions of this Ordinance shall be construed to impose a primary responsibility for compliance therewith on the owner of such animal. The County of Bay concludes it advisable to adopt a revised Animal Control Ordinance in the interest of protecting public health and safety, promoting the welfare of animals within Bay County and providing for the orderly and uniform administration of the provisions of Act 339 of the Public Acts of 1919 as amended. The Board of Commissioners finds that the presence of vicious animals, as defined herein, within Bay County creates an increased danger to public health and safety and to the

welfare of other animals. The Board of Commissioners, in recognition of the reallocation of governmental functions brought about by Act 139 of the Public Acts of 1973, hereby assigns the Animals Control Division, under the direction of the Animal Control Officer, to the Department of Recreation and Administrative Services Community Health. It is the policy of the Board of Commissioners that this Ordinance shall be vigorously enforced, to the extent that financial means permit such enforcement, whenever the activities of animals and their owners within Bay County directly endanger human life and whenever animals subject to protection by state law or this Ordinance are cruelly or inhumanely treated.

(Amended: Ord. of 10-14-92; Res. No. 2005-58, 4-12-05)

ARTICLE II

50.200

DEFINITIONS

For the purpose of this Ordinance, the following terms shall have the following meanings respectively designated for each:

(a) ~~Allow or permit. Action or inaction.~~ Let or allow. Act or omission by an owner that results in movement or activities by his or her animals beyond the area or power of the owner's care custody, or control of said animals.

(b) *Animal.* Unless otherwise stated, the word "Animal" as used in this Ordinance shall mean dogs, cats, birds, fish, mammals, amphibians and reptiles.

(c) *Animal Control Officer.* Any person employed by the County for the purpose of enforcing this Ordinance or state statutes pertaining to dogs or other animals as well as persons and deputies employed by the County to act in the Animal Control Division.

(d) *Animal shelter.* The Grounds and Buildings of the Bay County Animal Control Division.

(e) *Board of Commisstoners.* The Bay County Board of Commissioners.

(f) *Cat.* Any member of the animal species *Felis Catus* four (4) months or more in age.

(g) *County.* The County of Bay of the State of Michigan.

(h) *Cruelty.* Cruelty includes neglect and mistreatment as well as inappropriate usage

of animals (such as for fighting), and includes all those forms of cruelty set forth in MCLA 750.49-50; MSA 28.244-245 and MCLA 752.21; MSA 28.161 and in Article VIII of this Ordinance.

(i) *Day.* Monday through Saturday excluding Sundays, Holidays and other days County offices are closed, with hours established by the County Executive.

(j) *Dog.* Any member of the animal species *Canis Familiaris* four (4) months or more in age.

(k) *Hunting.* Allowing a dog to range freely within sight or sound of its owner while in the course of hunting legal game or an unprotected animal.

(l) *Keeping.* Any person who provides food and shelter for any domesticated animal on other than a temporary basis.

(m) *kennel.* Any establishment, except a pet shop, animal shelter or pound licensed pursuant to Act 287 of the Public Acts of 1969, as amended, being MCLA 287.331-340; MSA 12.481(101)-(110), wherein or whereon three (3) or more dogs are confined and kept for sale, boarding, breeding, training or sporting purposes, for remuneration, constructed so as to prevent the public or stray dogs from obtaining entrance thereto and gaining contact with dogs lodged therein. This definition shall not be deemed to apply to a litter of puppies with their mother and under four (4) months of age.

(n) *Livestock.* Horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, hogs, swine, and fur-bearing animals being raised in captivity (excluding dogs and cats).

(o) *Non-agricultural area.* Any area zoned by a city, village, township or other governmental body, agency or commission for purposes other than agricultural.

(p) *Owner.* "Owner" and "persons owning premises," when applied to realty, shall include both the title owner of record and those lawfully occupying or in possession of any property or premises; "owner," when applied to the proprietorship of an animal, means every person having a right of property in the animal, an authorized agent of the owner, and every person who keeps or harbors the animal or has it in his care, custody or control, and every person who permits the animal to remain on or about the premises owned or occupied by said person. For purposes of this Ordinance, the records of the Treasurer's Office showing the name of the owner to whom the license number was issued, and the license tag affixed to the collar or harness of the animal showing a corresponding number, shall be prima facie evidence of ownership of an animal.

(q) *Person.* "Person" shall include individuals, corporations, societies,

co-partnerships, associations and state and local officers or employees.

(r) *Police Officer, Peace Officer or Law Enforcement Officer.* Any person employed or elected by the people of the State of Michigan, or by any city, village, county or township whose duty it is to preserve peace, to make arrests and to enforce the law within a specific geographical jurisdiction, and includes game, fish and forest fire wardens, members of the State Police and Conservation Officers.

(s) *Poultry.* All domestic fowl and game birds possessed or being reared under authority of a breeder's license pursuant to Act 191 of the Public Acts of 1929, as amended, being MCLA 317.71-84; MSA 13.1271-1284.

(t) *Rabies suspect animal.* Any animal which has bitten a human, or any animal which has been in contact with or been bitten by a rabid animal, or any animal which shows symptoms suggestive of rabies.

(u) *Run at large.* The unrestrained wandering or roaming of an animal other than a cat on public property or on the private property of other persons, or restrained wandering on a leash held by the owner if the leash is longer than six (6) feet.

(v) *State.* The State of Michigan.

(w) *Vicious animal.* Any animal:

1. With a propensity, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings;

2. Which has previously attacked or bitten a human being or other domestic animal other than under the type of circumstances that would be justifiable;

3. Which has behaved in such a manner that the owner thereof knows or should reasonably know that the animal is possessed of tendencies to attack or bite human beings or other domestic animals other than under the type of circumstances that would be justifiable.

The circumstances that would be justifiable in Subsections 2 and 3 immediately above are those set forth in Section 1(a)(i--iv) of 1988 PA 426, being MCLA 287.321; MSA 12.545(21)

(Amended: Ord. of 10-14-92; Res. No. 2004-05, 10-12-04; Res. No. 2005-58, 4-12-05)

ARTICLE III

50.300

**ANIMAL CONTROL OFFICER
DUTIES, AUTHORITY AND RESPONSIBILITIES**

50.301 Appointment; minimum requirements.

Sec. 1. An Animal Control Officer shall be appointed by the Bay County Executive and shall serve as the head of the Animal Control Division; provided, however, that said Animal Control Officer shall have and meet the minimum requirements contained in MCLA 287.289b; MSA 12.540(2).

(Amended: Ord. of 10-14-92)

50.302 Salary.

Sec. 2. In lieu of all fees and other remuneration under the statutes of this state, the Animal Control Officer or his deputies, assistants and census takers shall be paid a salary or wages as established and determined by the Board of Commissioners.

(Amended: Ord. of 10-14-92)

50.303 Duties.

Sec. 3. The Animal Control Officer shall fulfill the following duties:

(a) The Animal Control Officer shall promptly seize, take up and place in the animal shelter all animals being kept or harbored or found running at large any place within the county contrary to the provisions of this Ordinance or the statutes of the State. As to any cat found roaming or wandering on public property or private property other than that of its owner unrestrained, without its owner immediately and visibly present in such area and without an identifying license tag, the animal control officer after reasonable investigation shall be vested with discretion to conclude that such cat is feral or abandoned by its owner and may thereafter seize and make disposition of said cat in like manner as other animals seized pursuant to this Article.

(b) The Animal Control Officer shall be properly deputized as a peace or police officer for the purpose of this Ordinance and shall be legally authorized to have the power and it shall be his duty to issue appearance tickets, citations or summonses to those persons owning, keeping or harboring animals contrary to the provisions of this Ordinance.

(c) The Animal Control Officer, subject to the limitations contained herein, shall destroy in a humane manner all impounded animals which are not claimed and released within four (4) days after being impounded. However, if a dog or a cat has a collar, license, or other evidence of ownership, the Animal Control officer shall notify the owner in writing by first class mail of the impoundment. Disposition of the animal shall then not be made until after seven (7) days from the date of mailing the notice. The Animal Control Division shall maintain a record of when the animal was acquired and under what circumstances. This record shall also indicate the date of notice sent to the owner of an animal and any subsequent disposition. This section does not apply to animals which are sick or injured to the extent that the holding period would cause undue suffering, or to animals whose owners request immediate disposal. If in his judgment an animal is valuable or otherwise desirable for keeping, the Animal Control Officer may release said animal to any person who will undertake to remove said animal from the county or keep said animal within the county in accordance with the provisions of this Ordinance and the statutes of the state, including compliance with licensing and vaccination requirements, upon payment of the proper charge for the care and treatment of said animal while kept in the animal shelter. Regulations regarding the sale of animals from the animal shelter and boarding and other charges shall be posted in a conspicuous place at the animal shelter. The bodies of all animals destroyed at the Animal Shelter or elsewhere in the county shall be disposed of by the Animal Control Officer in a manner approved by the Bay County Health Department and the Board of Commissioners. Any animals voluntarily relinquished to the animal shelter by the owners thereof for disposition (not boarding), need not be kept for the minimum period of four (4) or seven (7) days before release or disposal of such animal by the Animal Control Officer.

(d) The Animal Control Officer shall promptly investigate all animal bite cases involving human injury and shall search out and attempt to discover the animal involved and if such animal is found shall either impound or quarantine it for examination for disease in accordance with the applicable provisions of this Ordinance and the statutes of the State. He shall also be obliged to seize and impound any rabies-suspected animal.

(e) The Animal Control Officer shall make efforts to determine the number of, and locate, all unlicensed dogs and cats, list such dogs and cats and then deliver said list to the Prosecuting Attorney for the necessary proceedings as provided by this Ordinance and the statutes of the State.

(f) The Animal Control Officer is hereby authorized and empowered in accordance with the provisions of this Ordinance to enter upon private premises (excepting entry into buildings, unless in possession of a Search Warrant) for the purpose of inspecting those premises in order to determine if the owners of dogs or cats or animals there harbored, kept or possessed have complied with the provisions of this Ordinance and to apprehend and take with him any dogs or cats for whom no license has been procured in accordance with this Ordinance or for any other violation hereof. The provisions of this subsection shall include, but not be limited to, investigation of or seizure for cruelty to animals.

(g) The Animal Control Officer shall have the duty to inspect any kennel, a license for which has been issued by the County or its authorized agents pursuant to this Ordinance and the statutes of the State, and shall have the duty to suspend said license if conditions exist which are unhealthy or inhumane to the animals kept therein, pending correction of such conditions; and further shall have the duty to revoke said license if such conditions are not corrected within a reasonable period of time.

(h) The Animal Control Officer shall have the duty to investigate complaints of animals alleged to be dangerous or vicious to persons or property and shall have the right to seize, take up and impound such animals pending disposition pursuant to this Ordinance.

(i) The Animal Control Officer shall have the duty to investigate complaints of cruelty to animals and shall have the duty to seize, take up and impound any animal which has been subject to such cruelty; and thereafter said officer shall, when the evidence of such cruelty is compelling, seek a warrant charging the owner of said animals with a criminal violation.

(j) The Animal Control Officer shall be responsible for the sale of licenses and the keeping of appropriate records and books of account with respect thereto.

(k) The Animal Control Officer shall not sell, give or make available in any manner any live or dead animals of any species or any animal body parts or organs to be used for research, demonstration, experimental or any other purposes by any person, firm, corporation or institution, except to the extent necessary to comply with the health laws and regulations concerning rabies and to educate regarding responsible humane animal care.

(l) The Animal Control Officer shall have such other duties relating to the enforcement of this Ordinance as the Board of Commissioners or Bay County Executive may from time to time provide.
(Amended: Ord. of 10-14-92; Res. No. 2009-19, adopt. 2-3-09)

50.304 Enforcing of Ordinance.

Sec. 4. The Animal Control Officer in enforcing the provisions of this Ordinance and the statutes of the State pertaining to animals may make complaint to the Bay County Prosecuting Attorney and to the District Court in regard to any violations thereof.
(Amended: Ord. of 10-14-92)

50.305 Suspension or revocation of license; seizure of animals.

Sec. 5. All suspensions and revocations of license and all seizures for cruelty, viciousness or dangerousness as provided for herein shall be in accordance with this Ordinance and with such rules and regulations as are adopted from time to time by the Board of Commissioners.
(Amended: Ord. of 10-14-92)

50.306 Issuing dog licenses; book of receipt.

Sec. 6. The Animal Control Officer shall at all times carry a book of receipts, properly numbered in sequence for accounting purposes, for the issuing of dog and cat licenses as provided in this Ordinance and shall issue such dog and cat licenses in accordance herewith.
(Amended: Ord. of 10-14-92)

50.307 Fees and monies collected.

Sec. 7. All fees and monies collected by the Animal Control Officer as herein provided shall be accounted for and turned over to the Treasurer on or before the first of each and every month, or more often if reasonably necessary, under the standard practices of the Treasurer's accounting system.
(Amended: Ord. of 10-14-92)

ARTICLE IV

50.400

LICENSING AND VACCINATION

50.401 License requirements; exception.

Sec. 1. It shall be unlawful for any person:

(a) To own any dog or cat four (4) months old or older, unless the dog or cat is licensed as hereinafter provided;

(b) To own any dog or cat four (4) months old or older that does not at all times wear a collar with an identifying tag approved by the Director of the Michigan Department of Agriculture (see exception below), attached as hereinafter provided, except when engaged in lawful hunting or training activity accompanied by its owner; or

(c) Except the owner, to remove any collar and license tag from a dog or cat.

(d) To fail to vaccinate their dog or cat with a rabies vaccine approved by the United States Department of Agriculture.

Exception: An owner of a cat who for safety of the cat elects not to have the cat wear a collar is relieved of the obligation of attaching said cat's license to a collar. However, said owner shall, upon request of an animal control officer, produce and display the current year license tag and/or official documentation of such licensing of said cat. Such owner electing not to affix a license and collar to his cat assumes the risk that the animal control officer, in fulfilling his duties under this Ordinance, will regard such cat as feral or abandoned and therefore subject to seizure and disposition in accordance with Article III.

(Amended: Res. No. 2004-05, 10-12-04)

50.402 License application.

Sec. 2. The owner of any dog or cat four (4) months old or older, except as provided in Section 3 of this Article, shall apply to the Animal Control Officer or Treasurer for a license for each dog or cat owned or kept by said owner by one of the following dates, at the owner's option: (1) by the last day of the month of the dog's or cat's current rabies vaccination each year; and (2) effective no later than 2009, by the last day of the month of the dog's or cat's current rabies vaccination, every third year. Such application shall state the breed, sex, age, color and markings of such dog or cat, and the name and address of the last previous owner. Such application for a license shall be accompanied by proof of vaccination of the dog or cat for rabies by a valid certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. A license shall not be issued if the dog's or cat's current rabies vaccination will expire more than one (1) month before the date on which that license would expire. Dogs or cats attaining the age of four (4) months after February 28 shall have seven (7) days after attaining four (4) months in which to obtain a license. If a dog is licensed before it becomes five (5) months old and is subsequently spayed or neutered before it becomes seven (7) months old, the owner of the dog may exchange the license for a license for a spayed or neutered dog and receive a refund for the difference in the cost of the licenses. The owner shall exchange the license before the dog becomes seven (7) months old.

(Amended: Ord. of 10-14-92; Res. No. 2004-05, 10-12-04)

50.403 Exemption from rabies vaccine requirement.

Sec. 3. No dog or cat shall be exempt from the rabies vaccine requirements as herein set forth unless a registered and practicing veterinarian of the State of Michigan certifies in writing that such rabies vaccine would be detrimental to the health of said dog or cat and thereafter the Prosecuting Attorney of Bay County approves the same in writing.

(Amended: Ord. of 10-14-92)

50.404 License fee.

Sec. 4. The license fee for dogs or cats shall be as follows:

- (a) For all intact dogs or cats of the age of four (4) months old or older on or

before February 28, 2005, eighteen dollars (\$18.00) for one (1) year if this license is obtained on or before February 28, 2005 or prior to the annual license expiration date thereafter.

(b) For all intact dogs or cats who attain the age of four (4) months after February 28 of any year, eighteen dollars (\$18.00), subject to Section 50.402.

(c) For all altered dogs or cats, so certified by an accredited veterinarian, of the age of four (4) months old or older on or before February 28, 2005 or prior to the license expiration date of every year thereafter, six dollars (\$6.00) if this license is obtained timely.

(d) For all dogs or cats which are not licensed within the time periods set forth in paragraphs (a) through (c) above, the licenses will be considered delinquent and late fees as approved by the Board of Commissioners may be assessed.

(e) Fees for leader dogs, service dogs, or dogs in training as such are hereby waived.

(f) For any dog or cat that is vicious as defined in Article II(w) and that is subject to Article IX, the license fees scheduled above (and as amended from time to time) shall be increased by fifty dollars (\$50.00).

(g) The license fees as herein established may be changed by Motion or Resolution of the Board of Commissioners.

(h) Current licenses issued by other Michigan counties and by other governmental agencies shall be honored in Bay County until the last day of the month of the dog's current rabies vaccination.

(Amended: Ord. of 10-14-92; Res. No. 2004-05, 10-12-04; Res. No. 2005-58, 4-12-05)

50.405 Transfer of license.

Sec. 5. No license or license tag issued for one dog or cat shall be transferable to another dog or cat. Whenever the ownership or possession of any dog or cat is permanently transferred from one person to another within the same county, the license of such dog or cat may be likewise transferred by the last registered owner upon proper notice in writing to the Treasurer who shall note such transfer upon his records. This Ordinance does not require the procurement of a new license, or the transfer of a license already secured, where the possession of a dog or cat is temporarily transferred for the purpose of boarding, hunting game, breeding, trial or show.

(Amended: Ord. of 10-14-92)

50.406 Loss of license tag.

Sec. 6. If any license tag is lost, it shall be replaced without cost by the Bay County Treasurer upon application by the owner and upon production of a license receipt and a sworn

statement of the facts regarding the loss of such tag.
(Amended: Ord. of 10-14-92)

50.407 Kennel license; rules; application of section.

Sec. 7. Any person who owns, keeps or operates a kennel shall on or before July 1 of the year following such ownership obtain a kennel license from the Treasurer and shall be subject to the following rules:

(a) Any person who owns, keeps or operates a kennel may, in lieu of individual licenses required under this Ordinance, on or before March 31 of each year, apply to the Animal Control Officer for a kennel license entitling said person to own, keep or operate such kennel in accordance with the applicable statutes of the State, including Section 10 of Act 339, Public Acts of 1919, as amended, being MCLA 287.270; MSA 12.520.

(b) All kennels must be kept sanitary and provide adequate housing for and humane treatment to the dogs kept therein.

(c) Issuance of a kennel license does not relieve or exempt the owner of the kennel from the requirement in Section 3 of this Article that all dogs of licensing age have a current rabies vaccination with a vaccine licensed by the United States Department of Agriculture evidenced by a valid certificate of vaccination for rabies, signed by a licensed veterinarian. (See Resolution 92-115.)

(d) The Animal Control Officer shall not issue to any person a kennel license unless such person complies with this Ordinance and the laws of the State of Michigan, including but not limited to Michigan Department of Agriculture Regulation No. 129 governing dog kennels, PA 339 of 1919, being MCLA 287.261-293; MSA 12.511-543 and obtains the written approval for the issuance of a kennel license from the appropriate township, village, and/or city zoning administrator.

(e) The fees for said kennel license shall be fifteen dollars (\$15.00) for three (3) to five (5) dogs, twenty-five dollars (\$25.00) for six (6) to ten (10) dogs, forty dollars (\$40.00) for eleven (11) to fifteen (15) dogs, and twenty dollars (\$20.00) for each additional ten (10) dogs, unless changed from time to time by a resolution or motion of the Board of Commissioners.

This section shall not apply to a litter of puppies when with the mother of such litter, so long as said litter of puppies are less than four (4) months of age; nor shall it apply to a duly licensed pet shop. Failure to obtain such kennel license shall be punished as set forth in the penalty provisions of this Ordinance.

(Amended: Ord. of 10-14-92; Res. No. 2005-58, 4-12-05)

ARTICLE V

50.500

CONFINEMENT

50.501 Animals kept as pets which bite persons, animals or livestock.

Sec. 1. Any animal kept as a pet that shall bite a person, animal or livestock shall be securely confined by the owner thereof inside an appropriate building or enclosure for a minimum period of ten (10) days following the biting of such person, animal or livestock. In the event that the owner of such animal shall fail to securely confine the animal for such period of time, then in that event, the Animal Control Officer, his deputies and assistants, may take possession and custody of said animal, confine him at the Animal Shelter until the expiration of said ten (10) day period and upon satisfactory evidence that said animal is not suffering from rabies may release the animal. Said animal shall be kept at the Animal Shelter at the expense of the owner thereof in the event that said owner fails to securely confine said animal. Any animal (including cats) running loose after biting a person, animal or livestock, and whose owner cannot be determined, shall, if located, be confined for the required ten (10) days at the Animal Shelter or other suitable location. However, the Animal Control Officer, his deputies and assistants, may humanely destroy the animal upon the recommendation of the victim's medical doctor and a veterinarian; a sample specimen shall be sent immediately to the Michigan Department of Public Health Virology Laboratory. Nothing contained herein shall require the Animal Control Officer to accept rodents or lagomorphs, either dead or alive, for shipment to the Michigan Department of Public Health Virology Lab.

(Amended: Ord. of 10-14-92)

50.502 Animals not kept as pets which bite persons, animals or livestock.

Sec. 2. Any other animal not kept as a pet, including wild animals, which shall bite a human, animal, or livestock, if located and capable of being seized, shall be sent immediately to the Michigan Department of Public Health Virology Lab, Lansing, Michigan or similar lab by the Animal Control Officer.

(Amended: Ord. of 10-14-92)

ARTICLE VI

50.600

ANIMAL SHELTER AND IMPOUNDMENT

50.601 Dogs found running at large; impoundment.

Sec. 1. All dogs found running at large and not under the control of their owners may be seized by the Animal Control Officer or any peace officer, impounded and thereafter be sold or disposed of in accordance with Article III of this Ordinance.

(Amended: Ord. of 10-14-92)

50.602 Citation of owners of dogs found running at large.

Sec. 2. If the Animal Control Officer or other peace officer comes upon a non-vicious or non-dangerous dog running at large whose ownership is known and the owner is available, said officer shall *need* not seize and impound such animal, but rather may cite the owner of such animal to appear in court to answer charges of violation of this Ordinance (Amended: Ord. of 10-14-92)

50.603 Cats found running at large.

Sec. 3. Cats seized and impounded by the Animal Control Officer pursuant to this Ordinance shall be treated in the same manner as dogs pursuant to Section 1 above. (Amended: Ord. of 10-14-92)

50.604 Notification of owner.

Sec. 4. Immediately upon impounding an animal, the Animal Control Officer shall use reasonable efforts to notify the owner of such animal so impounded and inform such owner of the conditions whereby custody of such animal may be regained pursuant to the regulations for the operation of the animal shelter.

(Amended: Ord. of 10-14-92)

50.605 Redeeming animals.

Sec. 5. An owner may claim and obtain release of an animal from the animal shelter by executing a sworn statement of ownership, furnishing a license and tag as required by this Ordinance and state law, and paying the required fees required by the Board of Commissioners

and posted at the animal shelter.
(Amended: Ord. of 10-14-92)

ARTICLE VII

50.700

KILLING AND SEIZING OF DOGS AND OTHER ANIMALS

50.701 Killing dogs.

Sec. 1. Any person, including a law enforcement officer, may kill any dog he or she sees in the act of pursuing, worrying or wounding any livestock or poultry or attacking persons, and there shall be no liability on such person in damages or otherwise for such killing. Any dog that enters any field or enclosure outside of a city which is owned or leased by any person producing livestock or poultry, said dog not being accompanied by its owner or the owner's agent, shall constitute a trespass and the owner of said dog shall be liable in damages. In no event shall the provisions of this section exonerate a person from compliance with the criminal laws of this state including, but not limited to, the safe discharge of firearms.

(Amended: Ord. of 10-14-92)

50.702 Seizing dogs.

Sec. 2. It shall be lawful for any person to seize any dog running at large in violation of this Ordinance for the purpose of turning said dog or other animal over to the Animal Control Officer.

(Amended: Ord. of 10-14-92)

ARTICLE VIII

50.800

ENUMERATION OF CERTAIN VIOLATIONS; CRUELTY; AND PROCEDURES

50.801 Violations pertaining to owners.

Sec. 1. It shall be unlawful for an owner to permit let or allow his animal to do any of the following:

(a) By loud, frequent and persistent barking, howling, yelping, crying or any other disturbing sounds or behaviors to create a nuisance in the neighborhood in which said animal is kept, possessed or harbored.

(b) For dogs to run at large; provided, however, that working dogs such as leader dogs, farm dogs, hunting dogs, and other trained dogs actively engaged in their trained activities accompanied by their owners need not be leashed when under the reasonable control of their owners;

(c) To permit *let or allow* any female dog or cat to go beyond the premises of such owner when she is in heat, unless the female is held properly in leash;

(d) To be within the confines of any public park when such park, by appropriate signs or notices, prohibits all animals, pets or a specific animal, except a dog assisting its **handicapped** owner who is an individual with a disability.

(e) To destroy property, real or personal, or to trespass in a manner that causes actual damage to the property of persons other than the owner including, but not limited to, the repetitive depositing of feces or urine on said property.

(f) to menace, chase, display threatening or aggressive behavior or otherwise threaten or endanger the safety of any domestic animal;

(g) To attack or bite a domestic animal;

(h) To show vicious tendencies or molest passers-by or neighbors when such persons are lawfully on the public highways or rights-of-way or on their own property; or

(i) To attack or bite a person;

(Amended: Ord. of 10-14-92)

50.802 Poultry or livestock running at large prohibited.

Sec. 2. It shall be unlawful for any owner of poultry or livestock to allow or permit said animals to run at large upon public highways or rights-of-way or on the private property of others.

(Amended: Ord. of 10-14-92)

50.803 Violations pertaining to persons generally.

Sec. 3. It shall be unlawful for any person:

- (a) To remove a collar or tag from any animal without the permission of its owner;
- (b) To decoy or entice any animal out of its enclosure or off the property of its owner;
- (c) To seize, molest or tease any animal while held or led by any person or while on the property of its owner;
- (d) To neglect or cruelly treat any animal under said person's care, custody or control by:
 - i) Failing to provide adequate shelter, food and potable water on a regular basis which causes the animal to suffer exposure, thirst and hunger;
 - ii) Confining an animal in a fashion that a substantial portion of the animal's living area is contaminated with excreta which the animal directly contacts or above or below which the animal must live;
 - iii) Confining an animal in a fashion that the animal does not have a dry area on which to exercise and rest;
 - iv) Confining an animal in enclosed quarters without sufficient fresh air or ventilation and light;
 - v) Repeatedly allowing an animal who is tied or chained to become entangled so that the animal has less than five (5) feet of lead;
 - vi) Caging or chaining an animal continuously in an area insufficient for the animal to obtain adequate exercise;
 - vii) Placing an animal on a porch or roof at a height of greater than five (5) feet without a protective restraining barrier or without chaining so that the length of lead does not reach any of the edges of the elevated area; or,
 - viii) Restraining an animal so that the weight of the animal's tie does not allow the animal to comfortably raise his or her head or move;
- (e) To fail to inquire as to the necessity for medical care when an animal is in obvious pain or distress (examples: in a state of emaciation; unable to rise and walk; unable to urinate or defecate; crying out in pain; unable to eat or drink; suffering from unattended broken bones;

painful or difficult breathing; wounds; burns; convulsions; passing blood in urine, feces, and/or vomit; infested with maggots; severe skin disease);

(f) To permit let or allow an ill, diseased, aged, maimed, or injured animal to suffer unnecessary pain by neglecting to do the following: provide medical treatment; put the animal out of its misery by euthanasia; or give the animal to another person who can provide the proper and necessary care for the animal;

(g) To put any dead animal or part of the carcass of any dead animal, into any lake, river, creek, pond, road, street, alley, lane, lot, field, meadow or common, except the same and every part thereof be buried at least four (4) feet underground; or the owner or owners of the animal to knowingly permit the same to remain in any of the aforesaid places, to the detriment of public health;

(h) To overdrive, overload, drive when overloaded, overwork, torture, torment, cruelly beat, mutilate, or cruelly kill, or cause or procure to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, cruelly beaten, mutilated, or cruelly killed, any animal;

(i) To abandon an animal in the care, custody or control of said person;

(j) To transport or confine an animal in a cruel manner;

(k) To intentionally injure or poison an animal;

(l) To kill an animal belonging to another without legal authority or the owner's effective consent;

(m) To cause or allow an animal to fight with another animal; or

(n) Who is an owner of an animal that is deceased to knowingly allow the carcass to be left unattended and not properly disposed of for more than seventy-two (72) hours after death of the animal.

(o) To let or allow an animal under his or her care, custody, or control to attack or bite a person.

(Amended: Ord. of 10-14-92; Res. No. 2005-58, 4-12-05)

50.804 Appearance ticket, citation, summons; complaint; warrant and arrest.

Sec. 4. In the event of any of the above violations or a violation of any other provision of this Ordinance or of the laws of the State, the Animal Control Officer or any peace officer may issue an appearance ticket, citation or summons to the owner of said animal, summoning the

owner to appear before the district court to answer charges made of violation of this Ordinance or laws of this State. The Animal Control Officer or any peace officer may sign a complaint before said court for violation of the provisions of this Ordinance or the laws of the State, proceed to obtain the issuance of a warrant and cause the arrest of the person against whom said violation is charged in order to bring said person before the Court to answer the charge. The Court, upon conviction thereof, may impose penalties in accordance with the penalty provision of this Ordinance and the law of the State.

(Amended: Ord. of 10-14-92)

50.805 Records constituting prima facie evidence of ownership.

Sec. 5. In all prosecutions for violation of this Ordinance or State law pertaining to animals, the records of the Treasurer, showing the name of the owner and the license number which was issued, and the license tag affixed to the collar or harness of the animal showing a corresponding number, or lack thereof, shall be prima facie evidence of ownership of any animal and of issuance, or non-issuance respectively, of an animal license or tag.

(Amended: Ord. of 10-14-92)

50.806 Order to show cause for killing or confining a dog.

Sec. 6. The provisions of Section 26a of Act No. 339 of the Public Acts of 1919, as amended, being MCLA 287.286a; MSA 12.537 are available under this Ordinance and shall be utilized by the Animal Control Officer whenever the actions of any dog bring that dog within the provisions of that statute.

(Amended: Ord. of 10-14-92)

50.807 Enumeration of some violations does not constitute all violations.

Sec. 7. The enumeration of certain violations in this Article does not constitute all violations of this Ordinance for which penalties are provided by this Ordinance.

(Amended: Ord. of 10-14-92)

ARTICLE IX

50.900

SPECIAL PROVISIONS REGARDING VICIOUS ANIMALS

50.901 Standards for keeping vicious animals.

Sec. 1. The keeping of vicious animals shall be subject to the following standards:

(a) *Leash and Muzzle.* No person shall permit a vicious animal to go outside of its kennel, pen or the owner's residence unless such animal is securely leashed with a leash no longer than four (4) feet in length. No person shall permit such an animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such animals may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all such animals on a leash outside of the animal's kennel, pen or the owner's residence must be muzzled by a muzzling device sufficient to prevent the animal from biting persons or other animals.

(b) *Confinement.* All vicious animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in paragraph (a) above. Such pen, kennel or structure must have secure sides and a secure top attached to its sides. A fenced-in yard by itself is insufficient to meet this standard. All structures used to confine such animals must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded inground to a depth of no less than two (2) feet. All structures erected to house such animals must comply with all zoning and building regulations of the City or Township where located. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition. The house or shelter for said animal shall be totally enclosed within the confinement structure.

(c) *Confinement Indoors.* No vicious animal may be kept on a porch, patio or in any part of a house or structure that would allow the animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure where window screens or screen doors are the only obstacle preventing the animal from exiting the structure.

(d) *Signs.* All owners, keepers or harborers of vicious animals within the County of Bay shall within ten (10) days of the effective date of this Ordinance display in a prominent place on their premises a sign, easily readable by the public from adjoining public roads or streets, using such words as "Beware of Dog" or other appropriate warning language. In addition, a similar sign must be posted on the kennel or pen of such animal.

(Amended: Ord. of 10-14-92)

50.902 identification and reporting requirements.

Sec. 2.

(a) *Insurance.* All owners, keepers or harborers of vicious animals must within ten (10) days of the effective date of this Ordinance provide proof to the County of Bay at its Animal Control Division at the Animal Shelter of liability insurance in an amount of five one hundred thousand dollars (\$500,000.00) for each occurrence for bodily injury to or death of any person or persons which may result from ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be effective unless ten (10) days written notice is first given to the Animal Control Officer at his business address.

(b) *Identification photographs.* All owners, keepers or harborers of vicious animals must within ten (10) days of the effective date of this Ordinance provide the Animal Control Officer two (2) color photographs of the registered animal clearly showing the color and approximate size of the animal.

(c) *Reporting requirements.* All owners, keepers or harborers of vicious animals must within three (3) days of the following incidents report the same in writing to the Animal Control Officer:

- 1) The removal from the County or death of a vicious animal.
- 2) The birth of offspring of a vicious animal.
- 3) The new address of a vicious animal should the owner move within the County limits.
- 4) The animal is on the loose, has been stolen or has attacked a person.

(Amended: Ord. of 10-14-92)

50.903 Repeal of Presumption as to Pit Bull Dogs

~~Standards for keeping potentially vicious or potentially dangerous animals. Rebuttable presumption as to pit bulls.~~

~~Sec. 3. There shall be a rebuttable presumption that Pit Bull dogs are vicious animals for purposes of this Article. "Pit Bull Dog" is defined for purposes of this section to mean the Bull Terrier breed of dog, the Staffordshire Bull Terrier breed of dog, the American Pit Bull Terrier breed of dog, the American Staffordshire Terrier breed of dog, dogs of mixed breed or other breeds which breed or mixed breed is known as Pit Bulls, Pit Bull Dogs, or Pit Bull Terriers, and any dog which has the appearance and characteristics of being predominantly of the breeds of Bull Terrier, Staffordshire Bull Terrier, American Pit Bull Terrier, American Staffordshire Terrier, any other breed commonly known as Pit Bulls, Pit Bull Dogs or Pit Bull Terriers, or a~~

combination of any of these breeds.
(Amended: Ord. of 10-14-92)

50.904 Failure to comply.

Sec. 4. If the owner, keeper or harbinger of a vicious animal resident within the County of Bay fails to comply with the requirements and conditions set forth in this Article and this entire Ordinance, the failure to comply shall be punishable as a misdemeanor in accordance with Article X, Section 50.1001(3), and said animal shall be subject to immediate seizure and impoundment and further disposition in accordance with this Ordinance, including the procedures set forth in Article VIII, Section 6.

(Amended: Ord. of 10-14-92)

ARTICLE X

50.1000

PENALTY

50.1001 Civil infractions[; misdemeanors].

Sec. 1. Violation of Article IV, Section 50.401, ~~Article VI Sections 50.602 and 50.603, Article VIII, Section 50.801(a)~~ is punishable as a civil infraction with the Courts assessing fines in an amount up to Five Hundred Dollars (\$500.00), plus court costs.

Sec. 2. Violations of Article VIII, Section 50.801(a), (b), (c), and ~~(g)~~ (d), 802, and 803(a), (b) and (c), ~~is~~ are punishable as a civil infraction with the Courts assessing fines in an amount up to Five Hundred Dollars (\$500.00), plus court costs. Two or more violations of Article VIII, Section 50.801(a), shall be punishable as a misdemeanor and upon conviction thereof, shall be punishable by imprisonment in the county jail for not more than ninety (90) days or by a fine of not more than Five Hundred Dollars (\$500.00), together with court costs, or by both such fine and imprisonment.

Sec. 3. Violations of Article VIII, Section 50.801 ~~(d), (e), (f), (g), (h), (i)~~, and Section 50.803(d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), or (o), and Article IX, Sections 50.901 and 50.902, are is punishable as a misdemeanor and upon conviction thereof, shall be punishable by imprisonment in the county jail for not more than ninety (90) days or by a fine of not more than Five Hundred Dollars (\$500.00), together with court costs, or by both such fine and imprisonment. The Court shall impose a fine of at least Two Hundred Dollars (\$200.00) upon a conviction of any violation of Article VIII, Section 3, subsections (d), (e), (f), (h), (i), (j), (k), or (o).

A violation of this Ordinance as to each animal in the care, custody or control of a person constitutes a separate offense, each such separate offense being subject to the penalties provided in this Ordinance.

In all situations where penalties are provided for any act or omission, they shall be held to apply to each and every such act or omission. When any such act or omission is of a continuing character, each and every day's continuance of such act or omission constitutes a separate offense which may be separately charged and punished according to the provisions of this Ordinance.

(Amended: Ord. of 10-14-92; Res. No. 2005-58, 4-12-05)

ARTICLE XI

50.1100

PRESERVATION OF CERTAIN RIGHTS

50.1101 Recovery in action at law.

Sec. 1. Nothing in this Ordinance shall be construed to prevent the owner of a licensed dog or cat from recovery in an action at law from any peace officer or any other person, except as herein provided.

Sec. 2. Nothing in this Ordinance shall be construed as limiting the common law liability of the owner of an animal for damages committed by said animal.

(Amended: Ord. of 10-14-92)

ARTICLE XII

50.1200

TREASURER'S RECORDS AND DUTIES; EVIDENCE

50.1201 Comparison of records.

Sec. 1. On June 15 of each year the Treasurer shall make a comparison of his records of the dogs and cats actually licensed in the county with the report of the Animal Control Officer to determine and locate all unlicensed dogs and cats.

(Amended: Ord. of 10-14-92)

50.1202 Unlicensed dogs and cats declared public nuisance.

Sec. 2. On and after June 15 of each year, every unlicensed dog and cat subject to license under provisions of this Ordinance or the statutes of this State is hereby declared to be a public nuisance and the Treasurer shall immediately thereafter list all such unlicensed dogs and cats, as shown by the returns in his office of the supervisors and assessors, and shall deliver copies of such lists to the Animal Control Officer and the Director of the Michigan Department of Agriculture as well as those officers listed and set forth in Act 339 of the Public Acts of 1919, being MCLA 287.277; MSA 12.527 as amended.

(Amended: Ord. of 10-14-92)

50.1203 Record of licenses.

Sec. 3. The Treasurer shall keep a record of all dog and cat licenses and all kennel licenses issued during the year in each city and township in the county. Such records shall contain the name and address of the person to whom each license is issued. In the case of all individual licenses the record shall also state the breed, sex, age, color and markings of the dog or cat; and in case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours. He shall also keep an accurate record of all license fees collected by him or paid over to him by any city or township treasurer.

(Amended: Ord. of 10-14-92)

ARTICLE XIII

50.1300

FEES AND EXPENSES; DOG AND CAT CENSUS

50.1301 Remuneration for issuing and recording dog or cat licenses.

Sec. 1. Every township and city treasurer of Bay County shall receive the sum of fifty cents (\$0.50) for each dog or cat license issued. The remuneration as herein established shall be deemed additional compensation for additional services for each township or city treasurer who receives a salary in lieu of fees, when so designated by the appropriate township board or city council. Subject to the requirements of this Ordinance, the Treasurer may grant licenses through duly authorized agents, and through acceptance of electronic applications and payment.

(Amended: Ord. of 10-14-92; Res. No. 2004-05, 10-12-04)

50.1302 Annual dog and cat census.

Sec. 2. It shall be the duty of the Animal Control Officer annually to make a census of the number of dogs and cats owned by all persons in the County. The Animal Control Officer is hereby empowered to employ whatever personnel he reasonably believes necessary to conduct this census within the budget limitations provided by the Board of Commissioners; such personnel shall receive for their services the amount as shall be set from time to time by the Board of Commissioners.

(Amended: Ord. of 10-14-92)

50.1303 Delegation of duties and obligations.

Sec. 3. The duties and obligations herein imposed upon the respective designated officials may be delegated when permitted by law to some other appropriate person or persons by each of said officials with like force and effect.

(Amended: Ord. of 10-14-92)

50.1304 Changing fees and expenses.

Sec. 4. The fees and expenses as established by this Ordinance may be changed from time to time by Resolution or Motion of the Board of Commissioners.

(Amended: Ord. of 10-14-92)

ARTICLE XIV

50.1400

RULES OF CONSTRUCTION; SEVERABILITY

50.1401 Words defined; headings.

Sec. 1. When not inconsistent with the context, words used in the present tense include the future. Words in the singular include the plural and words in the plural include the singular. Masculine includes the feminine and neuter. Words or terms not defined herein shall be interpreted in accordance with their common meaning. Headings are inserted for convenience and shall not limit or increase the scope of any article or section of this Ordinance.

(Amended: Ord. of 10-14-92)

50.1402 Ordinance supplemental to state regulations.

Sec. 2. The provisions of this Ordinance are minimum standards supplemental to the rules and regulations duly enacted by the Michigan Departments of Health and Agriculture and to the laws of the State of Michigan.

(Amended: Ord. of 10-14-92)

50.1403 Severability.

Sec. 3. If any part of this Ordinance shall be held unconstitutional or void, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

(Amended: Ord. of 10-14-92)

ARTICLE XV

50.1500

REPEAL; SAVINGS CLAUSE

All Ordinances or parts of ordinances inconsistent herewith are hereby repealed, and specifically Ordinance #18 of the County of Bay is hereby repealed; however, any and all actions, civil or criminal, arising out of any Ordinance repealed hereby which are pending in a court of this State or otherwise vested on the effective date of this Ordinance shall not abate and shall be saved and may proceed to conclusion pursuant to such repealed ordinances.

(Amended: Ord. of 10-14-92)

ARTICLE XVI

50.1600

**ADOPTION, PUBLICATION AND
EFFECTIVE DATE OF ORDINANCE**

This Ordinance shall not be adopted unless a majority of the Commissioners elected and serving shall vote in the affirmative on its adoption. The Clerk of the Board of Commissioners shall then engross this Ordinance and the Chairperson of the County Board of Commissioners shall sign this Ordinance, which shall then be certified by the Clerk before it is considered adopted. This Ordinance shall then take effect seven (7) days after the day that it is published in a

newspaper of general circulation in the County of Bay. The County Clerk shall certify such publication.

(Amended: Ord. of 10-14-92)

Parts 51--59

(Reserved)

BAY COUNTY BOARD OF COMMISSIONERS

07/12/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/11)

WHEREAS, The Bay County Register of Deeds has a contract with CherryLan for software maintenance, however, due to a reorganization of CherryLan, DEKETO has taken over the Register of Deeds portion of CherryLan; and

WHEREAS, It is necessary to execute a new contract with DEKETO; and

WHEREAS, Funds are included in the 2011 budget to cover this expense; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the DEKETO Software License and Maintenance Agreement and authorizes the Chairman of the Board to execute said Agreement and all required documents on behalf of Bay County following legal review/approval; Be It Further

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

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Register of Deeds - DEKETO Agreement

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

**Bay County Board of Commissioners
Resolution of Support for
Maintaining the Current Population Thresholds for
Metropolitan Planning Organizations (MPOs) in
Federal Surface Transportation Authorization Legislation
7/12/11**

BY: WAYS AND MEANS COMMITTEE (7/5/11)

WHEREAS, The Bay City Area Transportation Study (BCATS) is comprised of local and state elected and appointed officials charged with carrying out the provisions of federal transportation legislation to conduct a continuing, comprehensive and cooperative transportation planning program as the Metropolitan Planning Organization (MPO) in the greater Bay City, Michigan metropolitan area; and

WHEREAS, An MPO provides a critical link in the partnership between federal, state, and local transportation officials for the delivery of a well planned, coordinated transportation system; and

WHEREAS Decisions on transportation projects and investments are critical to metropolitan areas of all sizes; and

WHEREAS, The current MPO population thresholds provide an open and accessible transportation planning process that is based on involvement by communities and their local elected and appointed officials; and

WHEREAS, The current MPO population thresholds also provide a key mechanism for connecting federal transportation policies, priorities, and funding to the needs of communities and citizens; Now, Therefore, Be It

RESOLVED This 12th day of July, 2011, that the Bay County Board of Commissioners hereby expresses its support for maintaining the current MPO population thresholds in any new legislation for Federal Surface Transportation Authorization/Re-authorization.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

BCATS - Population Thresholds for MPOs
MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygier				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:
ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____
DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-44-

BAY COUNTY BOARD OF COMMISSIONERS

07/12/11

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (7/5/11)
WHEREAS, The County's contract with OfficeMax for office supplies has expired and efforts were undertaken to determine the most cost effective vendor for office supplies; and
WHEREAS, A listing of 25 most used items (representing 75% of the County's total use) were submitted to Staples, Office Depot, Quill and OfficeMax with a request for pricing of those items; and
WHEREAS, In order to provide a thorough analysis, the final calculation used included the top twelve (12) commonly purchased items; and
WHEREAS, After a review of all pricing options, it was determined that \$1,436.51 will be saved annually over all other vendors by staying with the current provider, OfficeMax, and utilizing the America Saves cooperative agreement; and
WHEREAS, The new agreement also saves the County \$4,434.29 over the last contract; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners authorizes entering into an Agreement with OfficeMax for the purchase of office supplies for Bay County; Be It Further
RESOLVED That the Chairman of the Board is authorized to execute the Agreement with OfficeMax on behalf of Bay County following legal review/approval; Be It Finally
RESOLVED That related budget adjustments, if required, are approved.

ERNIE KRYGIER, CHAIR AND COMMITTEE

Purchasing - OfficeMax Agreement

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Brandon Krause, Vaughn J. Beglck, Joe Davis, Ernie Krygler, Kim Coonan, Tom Ryder, Christopher Rupp, and Donald J. Tilley.

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

-45-

BAY COUNTY BOARD OF COMMISSIONERS
7/12/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/11)

WHEREAS, The Bay-Arenac Intermediate School District is engaged in the business of providing public education services and programs and Early On-Early Intervention Services is one of those services; and

WHEREAS, The Bay County Health Department is engaged in the business of Maternal Infant Health Program (MIHP) and, as part of an existing agreement with the Bay-Arenac Intermediate School District, provides an MIHP Nurse to act as an Early On Family Service Coordinator/Liaison; and

WHEREAS, There are no financial considerations as the Agreement renewal provides funding which covers 100% of the actual costs of the Early On Family Service Coordinator/Liaison position; and

WHEREAS, Renewal of the agreement for FY 2011-12 is necessary; Therefore, Be It RESOLVED By the Bay County Board of Commissioners that the Agreement between the Bay-Arenac Intermediate School District and Bay County (Health Department) for Early On-Early Intervention Services for FY 2011-2012 is approved and the Chairman of the Board authorized to execute said Agreement on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budget adjustments required are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Health Dept - 2011-12 BAISD Agt.

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygier				Christopher Rupp			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

- 46 -

BAY COUNTY BOARD OF COMMISSIONERS

07/12/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (7/5/11)
 WHEREAS, The Bay County Health Department employs a quality assurance process in many of its programs including food safety and inspection to ensure that programs are run effectively and to prepare for accreditation; and
 WHEREAS, The United States Department of Agriculture has developed voluntary guidelines and standards for regulatory entities throughout the county and is providing small grants in the amount of \$2,500 to assist in the implementation of these standards; and
 WHEREAS, By obtaining grant funding for this purpose, the Health Department will be reimbursed for its activities as it already began to employ these standards to achieve accreditation; and
 WHEREAS, There is no financial cost to the Health Department and no match is required; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the application to the United States Department of Agriculture for Voluntary Retail Food Regulatory Program Standards Funding and authorizes the Board Chair to sign all paperwork required for the USDA grant, including all grant award documents, on behalf of Bay County following legal review/approval; Be It Further
 RESOLVED That related budget adjustments, if required, are approved.

ERNIE KRYGIER, CHAIR
 AND COMMITTEE

Health Dept - USDA Grant - Retail Food Regulatory Program

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygier				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

BAY COUNTY BOARD OF COMMISSIONERS

07/12/11

RESOLUTION

By: WAYS AND MEANS COMMITTEE 7/5/2011

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 7/12/11 and, if required, the Chairman of the Board is hereby authorized to execute any documentation necessary for said Budget Adjustments on Behalf of Bay County.

<u>Request Number</u>	<u>Fund Involved Department Involved</u>	<u>Favorable Impact</u>	<u>Unfavorable Impact</u>	<u>No Impact</u>
2011-07-004	Delinquent Property Tax Foreclosure Fund 2007 Delinquent Property Tax Foreclosure Fund To re-align the 2007 Delinquent Property Tax Foreclosure Fund (51825407) budget for 2011.		\$22,880	
2011-07-005	Delinquent Property Tax Foreclosure Fund 2008 Delinquent Property Tax Foreclosure Fund To re-align the 2008 Delinquent Property Tax Foreclosure Fund (51825407) budget for 2011.		\$6,910	
2011-07-006	Delinquent Property Tax Foreclosure Fund 2009 Delinquent Property Tax Foreclosure Fund To re-align the 2009 Delinquent Property Tax Foreclosure Fund (51825407) budget for 2011.	\$12,050		

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RESOLUTION

NO. 2011-131

2011-07-007 Delinquent Property Tax Foreclosure Fund \$9,000
 2010 Delinquent Property Tax Foreclosure Fund

To re-align the 2010 Delinquent Property Tax Foreclosure Fund (51825407) budget for 2011.

Ernie Krygier, Chairman W.& M. and Committee

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

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BAY COUNTY BOARD OF COMMISSIONERS

07/12/11

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (6/21/11)

WHEREAS, Currently passport services are not being provided by any Bay County office; and

WHEREAS, Formerly the County Clerk's office provided this service, however, there is a conflict in the Clerk's Office providing passport services and issuing birth records; and

WHEREAS, The Register of Deeds has indicated a willingness to provide this service in the Register of Deeds' office utilizing existing staff; and

WHEREAS, The Bay County Board of Commissioners wishes to see passport services continue to be provided by Bay County; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Register of Deeds to provide passport services and requests that all steps to facilitate provision of this service be taken; Be It Further

RESOLVED That the Chairman of the Board and the Register of Deeds are authorized to execute any documentation that may be required to implement the provision of passport services by the Register of Deeds' office.

TOM RYDER, CHAIR
AND COMMITTEE

ROD - Passport Services

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

7/12/11

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (6/21/11)

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 Robert Blackford (Bay Arenac Behavioral Health Authority) to purchase governmental service credit (4 years from Shiawassee County) for retirement purposes in accordance with all terms and conditions contained in resolution no. 96-331.

TOM RYDER, CHAIR AND COMMITTEE

GovtServCredit-Retirement-Robert Blackford

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

7/12/11

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (6/21/11)
 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** - Correctional Facility Officer (ft, \$15.49/hr.)
- B. **Division on Aging** - On-call Homemaker (\$9.88/hr. entry)/Personal Care Worker (\$10.63/hr. entry)
- C. **Information Systems Department** - 3 month extension of temporary/part time assistance provided by Lydia Solinski (24 hrs. per week/\$24.20/hr.)
- D. **Health Department**
 - 1. Division on Aging Director (ft)
 - 2. Division on Aging Nutrition Services Coordinator (ft)
 - 3. Health Department Laboratory Tech I (part time, reduced from full time)

RESOLVED That budget adjustments, if required, are approved.

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

TOM RYDER, CHAIR
 AND COMMITTEE

Vacancies - July

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

BAY COUNTY BOARD OF COMMISSIONERS
7/12/11

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (6/21/11)
WHEREAS, The Bay County Division on Aging is required to submit end of year grant-required statistical and financial reports; and
WHEREAS, Failure to provide the required reports by the established deadline could result in loss of reimbursement to Bay County; and
WHEREAS, As the result of the retirement of the Director of the Division on Aging and the hiring of a new Director who has not been trained in preparation of the report(s), it is necessary to contract with Rebecca C. Reimann assist in the preparation of the grant-required reports as well as to train current staff on future preparation of the grant-required end of year statistical and financial reports; Therefore, Be It
RESOLVED By the Bay County Board of Commissioners that authorization is granted to hire Rebecca C. Reimann on a temporary, contractual basis for up to 323 hours at a cost of \$31.00/hr. to prepare the required Division on Aging reports and assist with training for future reporting; Be It Further
RESOLVED That the Chairman of the Board is authorized to execute any paperwork that may be required for this arrangement with Rebecca C. Reimann; Be It Finally
RESOLVED That any related budget adjustments required are hereby approved.

TOM RYDER, CHAIR
AND COMMITTEE

Division on Aging-Rebecca Reimann - DOA Rpts & Training

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

BAY COUNTY BOARD OF COMMISSIONERS

07/12/11

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (6/21/11)
 WHEREAS, The Bay County Division on Aging received notification that the Region VII Area Agency on Aging has identified the amount of Carryover funding that would be available for FY 2011; and
 WHEREAS, The Bay County Division on Aging has received information about the amount of funds available for programs serving senior citizens in Bay County; and
 WHEREAS, The Division on Aging reviewed program needs and will be submitting a proposal to utilize the Carryover funds to meet some equipment needs in the nutrition program and to temporarily expand services under the Personal Care Program; and
 WHEREAS, The Division on Aging already has a resolution that allows for the amendment of the current budgets to include additional grant funds; and
 WHEREAS The Region VII Area Agency on Aging requests local board approval of the Carryover funding; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners authorizes the Division on Aging to accept approximately \$12,272 in Carryover funds with final award subject to action by the Region VII Area Agency on Aging Board of Directors, with the exact amounts for each service program to be negotiated with Region VII Area Agency on Aging; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute all documents related to and required for the final award following legal review/approval; Be It Finally
 RESOLVED That related budget adjustments, if required, are approved.

MICHAEL J. DURANCZYK, CHAIR
 AND COMMITTEE

DOA - Carryover Funds 2011

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

-54-

BAY COUNTY BOARD OF COMMISSIONERS

06/14/11

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (6/21/11)

WHEREAS, The Department of Housing and Urban Development (HUD) has strongly recommended that all public housing authorities adopt a smoke-free policy per notice PIH-2009-21; and

WHEREAS, Approximately 55 of the 130 Michigan Housing Commissions have since adopted smoke-free policies and the Detroit Housing Commission, which serves over 2500 units, went smoke-free in April 2011; and

WHEREAS, As many of the Center Ridge Arms residents have respiratory problems and use oxygen regularly, environmental smoke can migrate between units, causing or worsening respiratory illness, heart disease, cancer and asthma in neighboring families; and

WHEREAS, The cost and staff time is three times as high in cleaning a unit where a smoker resided; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the attached Smoke-Free Policy for Center Ridge Arms, effective immediately.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

Housing Dept (CRA) - Smoke-Free Policy

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

SMOKE-FREE HOUSING POLICY FOR BAY COUNTY HOUSING DEPARTMENT

To ensure the quality of air and the safety of residents in Center Ridge Arms Apartments, the Bay County Housing Department has declared that Center Ridge Arms Apartments located at 798 North Pine Road, Essexville, Michigan is a smoke free building. Smoking is not permitted in any area of the building including apartments, except for residents with temporary exemptions from this policy, as described below. Smoking is only permitted in specifically designated areas, outside the building. All tenants, employees and guests must abide by the following rules and regulations.

Adopted:

The Bay County Housing Department finds that:

WHEREAS, the 2006 U.S. Surgeon General's Report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, has concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) smoking by parents causes respiratory symptoms and slows lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; and, (5) establishing smoke-free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and

WHEREAS, numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer. The National Cancer Institute determined in 1999 that secondhand smoke is responsible for the early deaths of approximately 53,000 Americans annually; and

WHEREAS, the Public Health Service's National Toxicology Program (NTP) has listed secondhand smoke as a known carcinogen; and

WHEREAS, based on a finding by the California Environmental Protection Agency in 2005, the California Air Resources Board has determined that secondhand smoke is a toxic air contaminant, finding that exposure to secondhand smoke has serious health effects; and

WHEREAS, inasmuch as there is no safe level of exposure to secondhand smoke, the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) bases its ventilation standards on totally smoke-free environments. ASHRAE has determined that there is currently no air filtration or other ventilation technology that can completely eliminate all the carcinogenic components in secondhand smoke and the health risks caused by secondhand smoke exposure, and recommends that indoor environments be smoke-free in their entirety; and

WHEREAS, HUD Notice PIH-2009-21 (HA), issued on July 17, 2009, strongly encourages Public Housing Authorities to implement non-smoking policies in some or all their public housing units; Therefore, Be It

RESOLVED the Bay County Housing Department adopts this smoke-free housing policy for Center Ridge Arms Apartments located at 798 North Pine Road, Essexville, Michigan.

1. Smoking is not permitted anywhere in the building including apartments, in accordance with the following schedule. Effective on August 1, 2011, all current residents, all employees, all guests and all new residents of Center Ridge Arms Apartments after this date will be prohibited from smoking anywhere in the building, including in apartment units and on balconies. There is a temporary exception to this policy for current residents who are smokers. Any current resident as of August 1, 2011 who smokes must complete a temporary smoking exemption form allowing him or her to smoke in their apartment only. This exemption will continue only until January 1, 2012, at which time the smoking policy will also apply to the resident. Failure of any resident to follow the smoke-free policy will be considered a lease violation.
2. "No Smoking" signs will be posted outside and inside of the building.
3. **Smoking outside the building is limited to the gazebo in the courtyard only.** Residents are responsible for disposing of cigarette butts and related materials in receptacles as provided; cigarettes butts and related materials are litter.
4. If a resident smells tobacco smoke in any place in the building, he or she is to report this to the office as soon as possible. In the event the office is closed, he or she is to report the incident to a hall monitor. Management or hall monitor will seek the source of the smoke and take appropriate action.
5. For the health and safety of Bay County Housing Department employees and their representatives, no resident shall have any type of tobacco or related product burning at such time as any employee or representative of the Bay County Housing Department enters and remains in your apartment unit. If any resident refuses to put out the burning tobacco or related product prior to the employee or representative entering the apartment, or if the resident lights a tobacco or related product while an employee or representative remains in the apartment, the employee or representative shall vacate your apartment and shall not return until such time as there is no longer any tobacco or related product burning. This may result in a delay of services in your apartment.
6. New tenants will be given two (2) copies of the smoking policy. After review, the tenant will sign both copies and return one to the Bay County Housing Department's office. The copy will be placed in the tenant's file.
7. Upon adoption of this policy, all tenants presently living in Center Ridge Arms Apartments will be given two copies of the policy. After review, the tenant will sign both copies and return one to the Bay County Housing Department office for placement in the tenant's file.

TENANT CERTIFICATION

I have read and understand the above smoking policy and I agree to comply fully with the provisions. I understand that failure to comply may constitute reason for termination of my lease.

Resident Signature: _____

Apartment Number: _____ Date: _____

**Bay County Housing Department
TEMPORARY SMOKING EXEMPTION FORM**

Resident Name: _____

Apartment Number: _____

Date: _____

As a current resident of Center Ridge Arms Apartments and a smoker, I am requesting a temporary exemption from the Center Ridge Arms Apartments smoke-free policy effective on August 1, 2011. I understand that my exemption will only apply to me and not any of my guests. I also realize that my exemption will only allow me to smoke in my own apartment or in the designated smoking area outside the building.

Further, I understand that should I move to another apartment in the building, or should I leave Center Ridge Arms Apartments as a resident and then return as a new resident at a later time, my exemption will be permanently lost.

Further, I understand that this exemption is temporary and will expire on January 1, 2012, at which time I will be required to adhere to the no smoking policy effective on August 1, 2011.

Resident Signature: _____

BAY COUNTY BOARD OF COMMISSIONERS

07/12/11

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (6/21/11)

WHEREAS, Local veterans have approached Bay County requesting consideration of a discounted rate for active and/or retired veterans; and

WHEREAS, Many golf courses throughout the county do offer military discounts and a majority of these offer a discount that mirrors senior rates; and

WHEREAS, County Administration has considered the request and recommends the addition of a military rate, with valid military identification, that would reflect the current senior rate with the same restrictions, i.e. 9 holes walking = \$10.00; 18 holes walking = \$15.00 (rates are valid Monday through Friday only until 3 p.m. and cart fees are not included. Senior retired veterans are eligible for only one discounted rate.); Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby establishes a military rate at the Bay County Golf Course (with valid military identification) as follows, effective immediately: 9 holes walking = \$10.00; 18 holes walking = \$15.00 (rates are valid Monday through Friday only until 3 p.m. and cart fees are not included. Senior retired veterans are eligible for only one discounted rate.)

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

Golf Course - Military Golf Rate

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS
7/12/11

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (6/21/11)

WHEREAS, Region VII Area Agency on Aging submitted it's proposed Annual and Multi Year Implementation Plan for FY 2012 which is on file in the Board of Commissioners Office; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby approves and supports the Region VII Area Agency on Aging Annual and Multi Year Implementation Plan for FY 2012.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

RegionVIIAAA2012 Annual & Multi Year Implementation Plan

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

7/12/11

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS

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

Accounts Payable:

6/15/11	\$443,801.38
6/16/11 (Handwrtten)	\$310.00
6/22/11	\$6,096,533.79
6/30/11	\$604,826.26

B.A.Y.A.N.E.T.:

4/1/11 - 4/30/11	
Payroll	\$16,208.37
Accounts Payable	\$54,713.49
5/1/11 - 5/31/11	
Payroll	\$16,570.10
Accounts Payable	\$57,033.44

Center Ridge Arms-Payables:

7/6/11	\$52,133.01
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DONALD J. TILLEY, CHAIR
BAY COUNTY BOARD OF COMMISSIONERS

Payables - July Bd Mtg

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

BAY COUNTY BOARD OF COMMISSIONERS

7/12/11

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (7/12/11)

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

Employment Status Report: June 2011

Workers' Compensation Report: June 2011

DONALD J. TILLEY, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

CHANGES IN EMPLOYMENT STATUS
June, 2011

EMPLOYEE NAME	DEPARTMENT/FUNDING	DATE
<u>NEW HIRE/APPOINTMENT</u> (Regular status)		
Leah Werth P.T. Youth Dev. Worker	Juvenile Home Juvenile Funds	6/20/2011
Corbett Dehring P.T. Youth Dev. Worker	Juvenile Home Juvenile Funds	6/20/2011
<u>NEW HIRE</u> (Temporary/Grant-funded status)		
Jo Ellen Bollman Temp. Typist Clerk II	MSU Extension	6/06/2011
<u>Mosquito Control:</u>		
Arin Shupert	Seasonal Control Technician	6/06/2011
Alejandro Mata	Seasonal Control Technician	6/06/2011
Austin Irish	Seasonal Control Technician	6/06/2011
Stephanie Herman	Seasonal Control Technician	6/06/2011
<u>Golf Course:</u>		
Nicholas Poppe	General Laborer	6/06/2011
Erica Dalzell	Snack Shop Attendant	5/27/2011
Evelyn Travis	Snack Shop Attendant	5/28/2011
Michael Finan	Equipment Operator	5/31/2011
Dianne Dewyse	Club House Team Leader	6/03/2011
Seth Studer	Service Assistant	6/24/2011
<u>Community Center Pool:</u>		
Brent Avery	Lifeguard	6/10/2011
Madison Behmlander	Lifeguard	6/10/2011
Amara Bishop	Lifeguard	6/10/2011

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Darcy Diebolt	Asst. Pool Supervisor	6/10/2011
Ryan Elder	Lifeguard	6/10/2011
Taylor Keyes	Cashier	6/10/2011
Kaitlyn MacGregor	Lifeguard	6/10/2011
Rafe Maxwell	Lifeguard	6/10/2011
Daniel McEvoy	Cashier	6/10/2011
Tyler Russell	Pool Supervisor	6/10/2011
Rachel VanWormer	Lifeguard	6/10/2011
Amberhen Wolverton	Lifeguard	6/10/2011

Summer Recreation Program:

Heather Bauer	Program Assistant	6/10/2011
Molly Braun	Program Assistant	6/10/2011
Rebecca Dewyse	Program Supervisor	6/10/2011
Garrett Duranczyk	Program Assistant	6/10/2011
Amy Fetter	Program Supervisor	6/10/2011
Kylene Frank	Program Assistant	6/10/2011
Jodi Fry	Program Assistant	6/10/2011
Paul Jacobs	Program Assistant	6/10/2011
Katie Neering	Program Assistant	6/10/2011
Susan Parker	Program Asslstant	6/10/2011
Stephen Poppe	Program Assistant	6/10/2011
Brooke Rosebrock	Program Asslstant	6/10/2011
Amber Stender	Program Assistant	6/10/2011
Caitlyn Keuvelaar	Program Asslstant	6/14/2011

SEPARATIONS:

Andrea Szymanski Staff/Grant Accountant	Finance Department	6/16/2011
Saundra Schrems On-call Homemaking Service/ Personal Care Worker	Division on Aging	6/06/2011
Corinn Denay Social Worker	Division on Aging	6/10/2011
Tiphannie Hicks CFO	Sheriff Department	6/23/2011
Thomas Potocki Animal Control Officer	Animal Control	6/27/2011
James Ramseyer Dispatcher	Central Dispatch	6/27/2011

RETURN:

Tim Keyes TO: Custodian FROM: Layoff	Building and Grounds	6/15/2011
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TRANSFERS:

Judy Delestowicz TO: Account Clerk IV FROM: Adm. Asst.	Finance MSU-Extension	6/13/2011
Mary Gottschling TO: CFO FROM: Marine Patrol	Sheriff Department Marine Patrol	6/20/2011
Troy Stewart TO: Jail Administrator FROM: PBT/Marine Officer	Sheriff Department Sheriff Department	6/20/2011

RETIREMENTS:

Barbara Watson
Laboratory Technician

Health Department Lab

6/04/2011

Newton Jerome
Captain/Jail

Sheriff Department

6/25/2011

Personnel Department
July 5, 2011

WORKERS' COMPENSATION REPORT
June, 2011

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Shane Albrecht	Golf Course	7/30/2010	Medical Only
Margaret Brown	Health Department	05/19/2006	Legal Only
Ryan Christie	Sheriff Department	05/27/2007	Medical Only
Charlene Hogan	Probate Court	5/25/2011	Medical Only
Shirley Lijewski	Sheriff Department	06/13/2010	Medical & Indemnity
Jill Torres	Building and Grounds	04/03/2003	Medical & Indemnity

Note: Employees appear on this report if there has been a payment during the month from the self-insurance fund for a work related injury. A name appearing on this report does not necessarily mean the employee is off work. Oftentimes, medical bills are received a month or two after the date of injury.

Submitted by: Danean Wright/Bay County Finance Dept.
Dated: July 7, 2011

BAY COUNTY BOARD OF COMMISSIONERS

JUNE 14, 2011

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, JUNE 14, 2011, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN DONALD J. TILLEY AT 4:00 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL J. DURANCZYK, VAUGHN J. BEGICK, JOE DAVIS, ERNIE KRYGIER, TOM RYDER, CHRISTOPHER RUPP AND CHAIRMAN DONALD J. TILLEY

EXCUSED: COMMISSIONERS BRANDON KRAUSE AND KIM COONAN

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

ALSO PRESENT: THOMAS L. HICKNER, COUNTY EXECUTIVE
MICHAEL K. GRAY, DIRECTOR, DEPT. OF ADMINISTRATIVE SERVICES
TIM QUINN, PERSONNEL & EMPLOYEE RELATIONS DIRECTOR
CRYSTAL HEBERT, ASSISTANT FINANCE OFFICER
MARTHA P. FITZHUGH, CORPORATION COUNSEL
DON CARLYON, BAY COUNTY LIBRARY BOARD APPLICANT
MIKE BRISTOL, BANGOR TOWNSHIP RESIDENT
JUNE LANE, DIAMOND GEM AWARD RECIPIENT
JIM DELAND, DIAMOND GEN AWARD RECIPIENT
BILL PAIGE AND JOE LEDESMA, BAY COUNTY BLIZZARD COACHES
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

MINUTES

MOTION 64: COMM. DURANCZYK MOVED TO APPROVE THE SPECIAL BOARD SESSION MINUTES OF MAY 3, 2011 AND THE REGULAR BOARD SESSION MINUTES OF MAY 10, 2011. IT WAS SUPPORTED BY

COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS,
0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

CITIZEN INPUT

CHAIRMAN TILLEY OFFERED TO ACCEPT COMMENTS OF CITIZENS WISHING TO ADDRESS THE BOARD WITH THEIR CONCERNS.

DON CARLYON: DON CARLYON, BAY COUNTY LIBRARY BOARD APPLICANT, STATED HE IS CURRENTLY A MEMBER OF THE BAY COUNTY LIBRARY BOARD AND ENJOYS SERVING AS A LIBRARY MEMBER AND WISHES TO CONTINUE IN THIS CAPACITY. HE ASKED THE BOARD FOR THEIR CONSIDERATION.

MIKE BRISTOL: MIKE BRISTOL, BANGOR TOWNSHIP RESIDENT, DISTRIBUTED HAND-OUTS TO THE COMMISSIONERS WHICH WAS A BRIEF DESCRIPTION OF WHAT BANGOR TOWNSHIP HAS DONE TO PROMOTE ENERGY EFFICIENCY. HE SAID THERE IS A SIGNIFICANT SAVINGS UTILIZING A KILOWATT METER, WHICH MEASURES WHAT YOUR APPLIANCES ARE USING; A HEAT GUN, WHICH HELPS TO INSULATE AROUND WINDOWS AND DOORS; AND A SOIL TESTER, WHICH TESTS FERTILIZERS, NITROGEN AND PHOSPHOROUS. HE SAID ALL THIS EQUIPMENT IS FREE FOR USE TO BANGOR TOWNSHIP RESIDENTS. MR. BRISTOL PROUDLY DISPLAYED HIS \$1,217.00 CHECK FROM CONSUMERS ENERGY, REIMBURSING HIM FOR HIS ENERGY EFFICIENCIES AND ENCOURAGED OTHERS TO DO THE SAME.

PETITIONS AND COMMUNICATIONS

CHAIRMAN TILLEY ASKED COUNTY CLERK, CYNTHIA A. LUCZAK, TO READ RESOLUTIONS 2011-93 AND 2011-94.

CHAIRMAN TILLEY PRESENTED JUNE LANE AND JIM DELAND WITH THEIR DIAMOND GEM AWARDS AND CONGRATULATED THEM FOR ALL THEIR HOURS OF VOLUNTEER WORK IN THE COMMUNITY.

RES. 2011-93: COMM. DURANCZYK MOVED TO ADOPT RES. 2011-93 RECOGNIZING JUNE LANE FOR HER OUTSTANDING VOLUNTEER CONTRIBUTIONS IN BAY COUNTY AND TO CONGRATULATE HER AS A RECIPIENT OF THE 2011 DIAMOND GEM AWARD. MS. LANE VOLUNTEERS AT THE BAY COUNTY HISTORICAL SOCIETY AND THE MUSEUM STORE AND HAS LOGGED 100 VOLUNTEER HOURS EACH YEAR SINCE SHE BEGAN DONATING HER TIME. IT WAS SUPPORTED BY

COMM. KRYGIER AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-94: COMM. DURANCZYK MOVED TO ADOPT RES. 2011-94 RECOGNIZING JIM DELAND AS A 2011 DIAMOND GEM AWARD RECIPIENT FOR HIS OUTSTANDING VOLUNTEER CONTRIBUTIONS IN BAY COUNTY. MR. DELAND VOLUNTEERS AT THE BANGOR WEST ELEMENTARY SCHOOL READING TO FIRST GRADE STUDENTS FIVE DAYS A WEEK FOR TWO HOURS EVERYDAY. MR. DELAND HAS HELPED BUILD THE STUDENTS CONFIDENCE AS WELL AS THEIR READING SKILLS. IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

CHAIRMAN TILLEY ASKED CYNTHIA A. LUCZAK, BAY COUNTY CLERK, TO READ RES. 2011-95.

THE BLIZZARD TEAM MEMBERS AND COACHES, BILL PAIGE AND JOE LEDESMA, ACCEPTED THEIR AWARDS FROM CHAIRMAN TILLEY AND HE CONGRATULATED THEM ON THEIR FINE RECORD AND HISTORY MAKING EFFORTS.

RES. 2011-95: COMM. KRYGIER MOVED TO ADOPT RES. 2011-95 HONORING THE BAY COUNTY BLIZZARD ON CAPTURING THE 2011 MAHA STATE HOCKEY SQUIRT A CHAMPIONSHIP AND THE 2011 MAHA DISTRICT 5 SQUIRT A CHAMPIONSHIP. IT WAS SUPPORTED BY COMM. RUPP AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

MOTION 65: COMM. KRYGIER MOVED THAT A UNANIMOUS VOTE BE CAST FOR THE REAPPOINTMENT OF DON CARLYON (INCUMBENT) TO THE BAY COUNTY LIBRARY BOARD FOR ONE (1) 5-YEAR TERM TO EXPIRE JUNE 30, 2016. JUNE LANE REQUESTING HER APPLICATION BE WITHDRAWN.

CANDIDATE JUNE LANE NOTIFIED THE BOARD OF THE WITHDRAW OF HER APPLICATION.

IT WAS SUPPORTED BY COMM. BEGICK AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

MOTION 66: COMM. RUPP MOVED TO RECEIVE THE LETTER DATED MAY 25, 2011 REGARDING DOW CORNING CORPORATION, AMENDED I.F.T. CERTIFICATE APPLICATION, REAL AND PERSONAL PROPERTY IMPROVEMENTS AT AEM CORPORATE SITE, CASE NO. 11-01. IT

WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

REPORTS/RESOLUTIONS OF COMMITTEES

WAYS AND MEANS, ERNIE KRYGIER, CHAIR; KIM COONAN, VICE CHAIR

- RES. 2011-96: COMM. KRYGIER MOVED TO ADOPT RES. 2011-96 APPROVING THE PURCHASE OF FIREARMS, ACCESSORIES AND AMMUNITION NEEDED FOR DRUG ENFORCEMENT BY THE BAY COUNTY SHERIFF DEPARTMENT, UTILIZING 2011 DRUG ENFORCEMENT FUNDS. FURTHER, THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. RUPP AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-97: COMM. KRYGIER MOVED TO ADOPT RES. 2011-97 CONCURRING TO POST/ADVERTISE/FILL THE FOLLOWING VACANCIES, WITH MONIES FOR SAID POSITIONS TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS:
1. SHERIFF DEPARTMENT - JAIL ADMINISTRATOR, FULL TIME, \$63,252.80.
 2. FINANCE DEPARTMENT - STAFF ACCOUNTANT, FULL TIME, \$47,424.00 ENTRY.
- FURTHER, THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED AND IT IS UNDERSTOOD THAT ANY POSITIONS FUNDED THROUGH A GRANT SHALL BE TERMINATED OR HOURS REDUCED IF GRANT FUNDING IS TERMINATED OR REDUCED. IT WAS SUPPORTED BY COMM. BEGICK AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-98: COMM. KRYGIER MOVED TO ADOPT RES. 2011-98 APPROVING APPLICATION TO THE DEPARTMENT OF HUMAN SERVICES FOR GRANT FUNDING FOR A JUVENILE DRUG COURT PROGRAM IN THE AMOUNT OF \$125,000.00 WITH THE LOCAL MATCH REQUIRED OF \$8,368.00 TO COME FROM THE COURT BUDGET. THE GRANT FUNDING IS UTILIZED TO DEVELOP AND IMPLEMENT A DRUG COURT FOR SUBSTANCE ABUSING JUVENILES WHO ARE INVOLVED IN THE JUVENILE JUSTICE SYSTEM. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO SIGN ALL DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. RYDER AND

PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 1 EXCUSED-KRAUSE, COONAN.

- RES. 2011-99: COMM. KRYGIER MOVED TO ADOPT RES. 2011-99 DESIGNATES THE 18TH CIRCUIT COURT FAMILY DIVISION AS ITS REPRESENTATIVE FOR THE PURPOSE OF APPLYING FOR THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP) FISCAL YEAR 2011 FAMILY DRUG COURT PROGRAM FUNDS . THE OJJDP WILL MAKE AWARDS OF UP TO \$350,000.00 PER AWARD FOR UP TO THREE (3) YEARS FOR ENHANCEMENT GRANTS WITH A 25% MATCH REQUIRED. FURTHER, AUTHORIZING THE BOARD CHAIR TO SIGN ALL DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS REQUIRED ARE APPROVED. IT WAS SUPPORTED BY COMM. DAVIS AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-100: COMM. KRYGIER MOVED TO ADOPT RES. 2011-100 AUTHORIZING THE BAY COUNTY PROBATE AND JUVENILE COURT TO FILE A GRANT APPLICATION TO CONTINUE THE FAMILY DRUG COURT AS WELL AS A GRANT APPLICATION FOR A JUVENILE DRUG COURT. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE GRANT APPLICATIONS AND RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. DAVIS AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-101: COMM. KRYGIER MOVED TO ADOPT RES. 2011-101 APPROVING REINSTATEMENT OF THE RECREATION PROGRAM AT THE PINCONNING, ESSEXVILLE AND BAY CITY BOYS AND GIRLS CLUBS AND APPROPRIATING \$13,000.00 FOR THE OPERATION OF THE PROGRAM, WITH MONIES TO COME FROM FUND BALANCE. FURTHER, THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. RUPP AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-102: COMM. KRYGIER MOVED TO REFER RES. 2011-102 FOR CONSIDERATION OF THE AMENDED BAY COUNTY ANIMAL CONTROL ORDINANCE, AS PRESENTED, TO THE FULL BOARD MEETING OF JULY 12, 2011 FOR PUBLIC HEARING. IT WAS SUPPORTED BY COMM. DURANCZYK AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-103: COMM. KRYGIER MOVED TO ADOPT RES. 2011-103 APPROVING THE ADOPTED ANIMAL SHELTER STERILIZATION SUBSIDY PROGRAM (PRE-PAID ADOPTION POLICY) , EFFECTIVE IMMEDIATELY, AS FOLLOWS:

1. PROSPECTIVE ADOPTER WILL BE ADVISED OF THE NECESSITY OF PREPAYING FOR STERILIZATION OF SELECTED ANIMAL, CAT OR DOG.
2. ADOPTER WILL BE PROVIDED WITH A LISTING OF ALL VETERINARY PRACTICES WITHIN BAY COUNTY SO THAT THEY MIGHT "SHOP" THEIR CHOICE OF THE PRACTICE PROVIDING THE STERILIZATION SERVICE.
3. A PHYSICAL DESCRIPTION OF THE SUBJECT ANIMAL WILL BE PROVIDED THE PROSPECTIVE ADOPTER TO ASSIST THEM IN THEIR SEARCH FOR A VETERINARY PRACTICE. (TO INCLUDE SEX, WEIGHT, AGE AND BREED AS BEST DETERMINED BY STAFF.)
4. ADOPTER WILL BE ADVISED THAT ANIMAL CONTROL WILL ASSIST IN THE ABSORPTION OF THE COST(S) OF STERILIZATION; \$50.00 FOR A DOG; \$35.00 FOR A CAT FOLLOWING PRESENTATION OF A RECEIPT INDICATING PREPAYMENT TO A VETERINARY PRACTICE. RABIES VACCINATION COST(S) AND ANY ANCILLARY COST (S) INCURRED REMAIN THE RESPONSIBILITY OF THE ADOPTER. THE ADOPTER WILL BE ADVISED THAT REIMBURSEMENT FROM BAY COUNTY MAY TAKE TWO WEEKS.
5. WITH THE PRESENTATION OF A RECEIPT FROM A VETERINARY PRACTICE INDICATING PREPAYMENT FOR STERILIZATION AND A RABIES VACCINATION, ADOPTION OF THE SELECTED ANIMAL WILL BE FINALIZED. LICENSING COST (S) AND ADOPTION FEE WILL REMAIN THE RESPONSIBILITY OF THE ADOPTER AND PAYABLE TO ANIMAL CONTROL.

FURTHER, THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. DURANCZYK AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

COMM. KRYGIER NOTED THIS WILL MAKE PEOPLE RESPONSIBLE FOR THEIR PETS AND REMINDED RESIDENTS TO HAVE PETS ON LEASHES OR UTILIZE THE DOG PARK IN THE BAY COUNTY FAIR GROUNDS.

RES. 2011-104: COMM. KRYGIER MOVED TO ADOPT RES. 2011-104 APPROVING THE AGREEMENT (OPTION 1) WITH MERIT NETWORK, INC. AND WITH AIR ADVANTAGE FOR BROADBAND CONNECTIVITY AS FOLLOWS:

1. BAY COUNTY WILL PROVIDE TO BOTH PARTIES RACK SPACE WITHIN THE 8TH FLOOR DATA CENTER THAT WILL HOUSE THEIR APPLIANCES AND BAY COUNTY WILL PROVIDE A SECURE FACILITY, ELECTRICITY, CLIMATE CONTROL, ACCESS SEVEN (7) DAYS A WEEK, 24 HOURS A DAY TO THE FACILITY, WHEN NECESSARY. IN EXCHANGE BAY COUNTY, FOR A PERIOD OF FIVE (5) YEAR, WILL RECEIVE A MONTHLY AMOUNT OF \$350.00 PER

PROVIDER (\$700/MO. TOTAL). BAY COUNTY WILL NOT HAVE ACCESS TO MERIT NETWORK, INC. OR AIR ADVANTAGE BROADBAND AND CONNECTIVITY.

FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE ALL RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. RUPP AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-105: COMM. KRYGIER MOVED TO ADOPT RES. 2011-105 AUTHORIZING ACQUISITION OF THE DATA CONSULTANT, INC. , 9000 SERIES, IP BASED VIDEO SURVEILLANCE SYSTEM UPGRADE. THE COST OF THE SURVEILLANCE SYSTEM UPGRADE IS \$17,090.54, WITH MONIES TO COME FROM 911 CENTRAL DISPATCH FUNDS. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE ALL RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. DAVIS AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-106: COMM. KRYGIER MOVED TO ADOPT RES. 2011-106 AUTHORIZING THE PURCHASE OF THE NEW WORLD SYSTEMS AEGIS WEB CAD MONITOR SOFTWARE FOR 911 CENTRAL DISPATCH. THIS ACQUISITION WILL BE ENTIRELY FUNDED BY 911 CENTRAL DISPATCH IN THE AMOUNT OF \$10,000.00 PLUS THE ANNUAL STANDARD SOFTWARE MAINTENANCE AGREEMENT IN THE AMOUNT OF \$1,600.00. FURTHER, AUTHORIZING THE BOARD CHAIR TO SIGN ALL DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. BEGICK AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-107: COMM. KRYGIER MOVED TO ADOPT RES. 2011-107 APPROVING THE BAY COUNTY HEALTH DEPARTMENT TO MAKE APPLICATION TO THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) FOR GRANT FUNDS IN THE AMOUNT OF \$35,000.00 TO FACILITATE THE CREATION AND EXECUTION OF THE COMMUNITY HEALTH IMPROVEMENT PLAN. THERE IS NO FINANCIAL COST TO BAY COUNTY AS ALL COSTS ASSOCIATED WITH THE PROJECT ARE INCLUDED IN THE NACCHO GRANT. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE ALL RELATED DOCUMENTS, FOLLOWING LEGAL REVIEW AND THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED

BY COMM. RUPP AND PASSED BY A VOICE VOTE OF: 7 YEAS,
0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-108: COMM. KRYGIER MOVED TO ADOPT RES. 2011-108 APPROVING AMENDMENT #2 TO THE 2010-2011 CPBC CONTRACTING AGREEMENT BETWEEN BAY COUNTY AND THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH TO REFLECT UPDATED PROGRAM LANGUAGE AND REVISED ALLOCATIONS RECEIVED. THIS AMENDMENT REFLECTS POSITIVE CHANGES TO FUNDING LEVELS:

<u>PROGRAM ELEMENT</u>	<u>PREVIOUS LEVEL</u>	<u>REVISED LEVEL</u>	<u>CHANGE</u>
EAT SAFE FISH/GAME			
1/1/11-9/30/11	\$0	\$30,325	\$40,325
HEALTHY COMMUNITIES	\$0	\$ 2,000	\$ 2,000
TOTAL CPBC FUNDING	\$1,321,834	\$1,364,159	\$42,325

FURTHER, AUTHORIZING THE BOARD CHAIR TO EXECUTE ALL REQUIRED DOCUMENTS AND THAT BUDGET ADJUSTMENTS RELATING TO THIS AMENDMENT ARE APPROVED. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-109: COMM. KRYGIER MOVED TO ADOPT RES. 2011-109 APPROVING RENEWAL OF THE DELTA COLLEGE FITNESS AND RECREATION CENTER MEMBERSHIP AGREEMENT FOR BAY COUNTY EMPLOYEES IN THE AMOUNT OF \$2,835.00. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE ALL RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. RYDER AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-110: COMM. KRYGIER MOVED TO ADOPT RES. 2011-110 ACCEPTING THE SAGINAW BAY COASTAL INITIATIVE EFFORTS TO ELIMINATE POLLUTION SOURCES AND RESTORE WATER QUALITY IN THE BAY. GRANT FUNDING IS PROVIDED BY THE FOLLOWING SOURCES: \$50,000.00 FROM SAGINAW BAY WATERSHED INITIATIVE NETWORK (WIN); \$14,000.00 FROM THE BAY AREA COMMUNITY FOUNDATION; AND A PLEDGED \$50,000.00 FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) TO COVER THE COST OF REPLACEMENT/REPAIR OF A SEPTIC SYSTEM USING HEALTH DEPARTMENT CERTIFIED INSTALLERS. CRITERIA WILL BE ESTABLISHED TO PRIORITIZE THOSE FAILING ON-SITE SEPTIC SYSTEMS THAT HAVE A DIRECT HYDRO LOGIC CONNECTION TO

SURFACE WATERS ON THE SAGINAW BAY AND ITS TRIBUTARIES, TYPICALLY THOSE SYSTEMS WITHIN 500' OF A WATERCOURSE. HOMEOWNERS HAVE THE OPTION TO USE THIS INNOVATIVE VOLUNTARY MEANS TO ACCESS FUNDS WHILE PLACING A LIEN ON THEIR PROPERTY, IN THE SAME METHOD AS THE HOMEOWNER REHABILITATION PROGRAM. PAYMENTS COVERING THE COST OF THE REPLACEMENT WILL BE MADE TO THE CONTRACTOR AFTER THE SECURED LIEN IS RECORDED. FURTHER, AUTHORIZATION IS GRANTED TO MAKE APPLICATION FOR FURTHER GRANT FUNDS THAT REQUIRE NO COUNTY MATCH AND TO AUTHORIZE THE BOARD CHAIR TO EXECUTE THE APPLICATION AND RELATED DOCUMENTS FOLLOWING LEGAL REVIEW. ADDITIONALLY, THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. BEGICK AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-111: COMM. KRYGIER MOVED TO ADOPT RES. 2011-111 APPROVING THE BAY COUNTY TRANSPORTATION MASTER AGREEMENT BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) AND BAY CITY ARE TRANSPORTATION STUDY (BCATS) AS WELL AS A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN BCATS AND THE BAY METRO TRANSIT AUTHORITY (BMTA). THE MASTER AGREEMENT OUTLINES THE ROLES AND RESPONSIBILITIES OF MDOT, BCATS AND BMTA DURING EACH FISCAL YEAR AND FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE ALL RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-112: COMM. KRYGIER MOVED TO ADOPT RES. 2011-112 APPROVING THE EXTENSION OF THE CONTRACT WITH RICHARD GRUBER AS EQUALIZATION DIRECTOR FOR UP TO 24 MONTHS OR WHEN MS. RIFENBARK, INTERIM EQUALIZATION DIRECTOR, ACHIEVES LEVEL IV CERTIFICATION, WHICHEVER OCCURS FIRST, AT THE RATE OF \$18,000.00 ANNUALLY, WITH AN OPTION OF EITHER PARTY TO CANCEL WITH 30 DAYS NOTICE. FURTHER, AUTHORIZING TO BOARD CHAIRMAN TO EXECUTE THE CONTRACT EXTENSION FOLLOWING LEGAL REVIEW AND THAT RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. RUPP AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

- RES. 2011-113: COMM. KRYGIER MOVED TO ADOPT RES. 2011-113 APPROVING VARIOUS BUDGET ADJUSTMENTS. IT WAS SUPPORTED BY COMM. RYDER AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-114: COMM. KRYGIER MOVED TO ADOPT RES. 2011-114 APPROVING THE 2012 BUDGET SCHEDULE AND CALENDAR AS PRESENTED. IT WAS SUPPORTED BY COMM. RUPP AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-115: COMM. KRYGIER MOVED TO ADOPT RES. 2011-115 APPROVING AN AMENDMENT TO THE 2010-2011 CRIME VICTIMS RIGHTS GRANT AGREEMENT THAT INCLUDES THE INCREASED FUNDING IN THE AMOUNT OF \$2,663.00 TO COVER HEALTH INSURANCE COST INCREASE. FURTHER, AUTHORIZING THE BOARD CHAIR TO EXECUTE ALL DOCUMENTS RELATED TO THE AMENDED GRANT AND THAT IT IS UNDERSTOOD IF GRANT FUNDING FOR THE CRIME VICTIM RIGHTS PROGRAM IS TERMINATED, BAY COUNTY SHALL NOT BE RESPONSIBLE TO FUND THE (2) POSITIONS OR ABSORB ANY COSTS ASSOCIATED WITH THE POSITIONS. FINALLY, THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-116: COMM. KRYGIER MOVED TO ADOPTED RES. 2011-116 APPROVING THE CRIME VICTIM RIGHTS FUNDING AGREEMENT FOR THE PROSECUTOR'S OFFICE FOR FY 2011-2012 IN THE AMOUNT OF \$125,838.00 AND NO COUNTY MATCH IS REQUIRED. THE CRIME VICTIM RIGHTS FUNDING COVERS TWO (2) FULL-TIME EMPLOYEES FOR THE VICTIM RIGHTS UNIT IN THE PROSECUTOR'S OFFICE. FURTHER, AUTHORIZING THE BOARD CHAIR TO EXECUTE ALL RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT IT IS UNDERSTOOD THAT IF GRANT FUNDING IS TERMINATED, BAY COUNTY SHALL NOT BE RESPONSIBLE TO FUND THE POSITIONS (2) OR ABSORB ANY COST ASSOCIATED WITH THE POSITIONS. FINALLY, THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. DAVIS AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.
- RES. 2011-123: COMM. KRYGIER MOVED TO ADOPT RES. 2011-123 AUTHORIZING JULIE BOLLMAN TO PROCEED WITH THE JUSTICE ASSISTANCE GRANT (JAG) APPLICATION WHICH WILL PROVIDE FUNDING FOR LAW ENFORCEMENT EQUIPMENT IN ACCORDANCE WITH GRANT STIPULATIONS. THIS YEAR'S ALLOCATION IS \$18,644.00 AND WILL

BE SHARED 50/50 WITH THE BAY CITY POLICE DEPARTMENT AND BAY COUNTY SHERIFF DEPARTMENT WITH NO MATCHING FUNDS REQUIRED. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE ALL RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT THE FINANCE DEPARTMENT SHALL SET UP APPROPRIATE MEASURES TO DISBURSE THE GRANT FUNDS, INCLUDING REQUIRED BUDGET ADJUSTMENTS. IT WAS SUPPORTED BY COMM. RUPP AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

PERSONNEL/JUDICIAL, TOM RYDER, CHAIR; ERNIE KRYGIER, VICE CHAIR

RES. 2011-117: COMM. RYDER MOVED TO ADOPT RES. 2011-117 CONCURRING TO POST/ADVERTISE/FILL THE FOLLOWING VACANCIES, WITH MONIES FOR SAID POSITIONS TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS:

1. BUILDINGS AND GROUNDS - CUSTODIAN, FULL TIME, AT \$10.83 PER HOUR ENTRY.
2. HOUSING DEPARTMENT - TYPIST CLERK, TEMPORARY, NO BENEFITS, HUD FUNDS, \$11.79 PER HOUR. (NOTE: TEMPORARY EMPLOYEE TO START 5/31/11 FILLING IN DURING LEAVE OF ABSENCE OF 2 MONTHS.)
3. CIVIC ARENA - ZAMBONI DRIVERS (UP TO 4); CONCESSION WORKERS (UP TO 4), PART TIME AT \$7.40 PER HOUR.

FURTHER, THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED AND THAT IT IS UNDERSTOOD ANY POSITIONS FUNDED THROUGH A GRANT SHALL BE TERMINATED OR HOURS REDUCED IF GRANT FUNDING IS TERMINATED OR REDUCED. IT WAS SUPPORTED BY COMM. RUPP AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

HUMAN SERVICES, MICHAEL J. DURANCZYK CHAIR; BRANDON KRAUSE, VICE CHAIR

RES. 2011-118: COMM. DURANCZYK MOVED TO ADOPT RES. 2011-118 APPROVES THE EXPANSION OF THE WEIGHT ROOM AT THE BAY COUNTY COMMUNITY CENTER USING FUND BALANCE MONEY, UP TO \$20,200.00, TO BE REPLACED BY GENERATED REVENUE, WITH CONSERVATIVE FORECASTING REFLECTS THAT THE EXPANSION WOULD PAY FOR ITSELF WITHIN FOUR (4) YEARS. FURTHER, THAT RELATED BUDGET ADJUSTMENTS ARE APPROVED. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-119: COMM. DURANCZYK MOVED TO ADOPT RES. 2011-119 APPROVING THE TRANSFER OF \$10,620.00 FROM THE HOME DELIVERED MEALS PROGRAM TO THE CONGREGATE MEAL PROGRAM DUE TO THE MEAL COUNT FOR HOME DELIVERED MEALS BEING LOWER THAN IN PRIOR YEARS, PARTLY DUE TO THE CHANGE FROM A FIVE (5) DAY HOT MEAL SERVICE TO A FOUR (4) DAY HOT MEAL SERVICE. THE REGION VII AREA AGENCY ON AGING WILL ACCEPT REQUESTS TO TRANSFER FUNDS FROM ONE SERVICE CATEGORY TO ANOTHER TWICE EACH YEAR. FURTHER, THAT ALL BUDGET REVISIONS RELATED TO THIS REQUEST ARE APPROVED. IT WAS SUPPORTED BY COMM. DAVIS AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-120: COMM. DURANCZYK MOVED TO ADOPT RES. 2011-120 AUTHORIZING THE THE BOARD CHAIRMAN TO SIGN THE TITLE V AGREEMENTS FOR FY 2011-2012 FROM JULY 1, 2011 THROUGH JUNE 30, 2012. THE FOLLOWING ORGANIZATIONS CAN BENEFIT FROM THE USE OF TITLE V WORKERS IF CANDIDATES MEET JOB DUTIES: BAY COUNTY DIVISION ON AGING (OFFICE, KITCHEN, CANTEEN BUILDING), BAY COUNTY HEALTH DEPARTMENT, CIVIC ARENA, BUILDING AND GROUNDS (COMMUNITY CENTER). FURTHER, AUTHORIZING THE BOARD IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

BOARD OF COMMISSIONERS DONALD J. TILLEY, CHAIR; KIM COONAN, VICE CHAIR

RES. 2011-121: COMM. KRYGIER MOVED TO ADOPT RES. 2011-121 APPROVES THE CLAIMS AGAINST THE COUNTY AS FOLLOWS: ACCOUNTS PAYABLE FOR 5/12/11, 5/18/11, 5/25/11, 6/1/11, 6/8/11 AND CENTER RIDGE ARMS-PAYABLES FOR 6/7/11. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

RES. 2011-122: COMM. KRYGIER MOVED TO ADOPT RES. 2011 -122 RECEIVING THE REPORTS OF THE COUNTY EXECUTIVE AS FOLLOWS: THE EMPLOYMENT STATUS REPORT FOR MAY 2011; AND THE WORKERS' COMPENSATION REPORT FOR APRIL AND MAY 2011. IT WAS SUPPORTED BY COMM. RYDER AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

MOTION 67: COMM. RYDER MOVED TO CONCUR WITH THE COUNTY EXECUTIVE'S RECOMMENDED APPOINTMENTS TO THE WORKFORCE DEVELOPMENT BOARD FOR 2-YEAR TERMS EACH AS FOLLOWS: WILLIAM BORCH (LABOR); LAURA HAMILTON AND MARY L. DONNELLY (PRIVATE SECTOR); AND SHEILA DAHM (VOCATIONAL REHABILITATION). IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS.

MISCELLANEOUS

THERE WERE NO MISCELLANEOUS ITEMS.

ANNOUNCEMENTS

COMM. KRYGIER NOTED THAT BEACH WELLNESS IS SATURDAY, JUNE 25, 2011 AND THERE IS STILL TIME TO SIGN UP FOR THE 5K, 10K WALK OR RUN. THERE WILL BE VOLLEY BALL ON THE BEACH, ANTIQUE CARS, GOOD EATS AND AN 18-HOLE DISC GOLF COURSE SET UP. HE ENCOURAGED EVERYONE TO COME.

COMM. DURANCZYK SAID THE PINCONNING CHEESE FESTIVAL STARTS THURSDAY, JUNE 16, 2011 WITH A WINE AND CHEESE PARTY AND GOES THROUGH SATURDAY, JUNE 18, 2011. THERE WILL BE 2K AND 5K RACES AND HE INVITED ALL TO ATTEND.

COMM. BEGICK MENTIONED THE AUBURN CORN FESTIVAL THAT RUNS FROM JULY 7 - 10, 2011. THE PARADE WILL BE ON SUNDAY, JULY 10, 2011 AND AFTER THE PARADE THERE WILL BE A DEDICATION AT THE VETERAN'S MEMORIAL.

CHAIRMAN TILLEY STATED THE FOLLOWING UPCOMING APPOINTMENTS TO BE MADE:

1. OCTOBER
 - A. DEPARTMENT OF HUMAN SERVICES BOARD OF DIRECTORS - ONE (1) 3-YEAR TERM.
 - B. BOARD OF CANVASSERS - TWO (2) 4-YEAR TERMS.
2. DECEMBER
 - A. DIVISION ON AGING ADVISORY COUNCIL - FIVE (5) 2-YEAR TERMS IN DISTRICTS 1, 3, 5, 7 AND 9.

CLOSED SESSION

THERE WAS NO NEED FOR CLOSED SESSION.

RECESS/ADJOURNMENT

MOTION 68: COMM. KRYGIER MOVED TO ADJOURN THE REGULAR BOARD SESSION OF JUNE 14, 2011. IT WAS SUPPORTED BY COMM. DURANCZYK. THE MEETING CONCLUDED AT 4:35 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-KRAUSE, COONAN.

DONALD J. TILLEY, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

SHEILA E. SHAW
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS



REGION VII AREA AGENCY ON AGING

YVONNE CORBAT, CHAIR

ANDREW ORVOSH, EXECUTIVE DIRECTOR

June 22, 2011

Bay County Board of Commissioners
c/o Cynthia Luczak, County Clerk
Bay County Building
515 Center Ave. Suite 405
Bay City, MI 48708

Dear Cynthia,

Enclosed for review and adoption by your County Board of Commissioners is a copy of Region VII Area Agency on Aging's proposed Annual Implementation Plan for FY 2012. After review, you are respectfully requested to forward to Region VII Area Agency on Aging a letter of support or resolution for the plan.

Region VII Area Agency on Aging is requesting this response by Friday, July 29, 2011 at 5 p.m. If a response is not received by this date, we will consider the plan to be passively approved by your Board.

If you have any questions, please contact Annette Jeske, Region VII AAA Program Manager, by e-mail: jeskea@region7aaa.org, or by phone: (800) 858-1637.

Sincerely,

Annette Jeske
Program Development Manager
Region VII AAA

Enc.

MEMBER COUNTIES: BAY ■ CLARE ■ GLADWIN ■ GRATIOT ■ HURON ■ ISABELLA ■ MIDLAND ■ SAGINAW ■ SANILAC ■ TUSCOLA

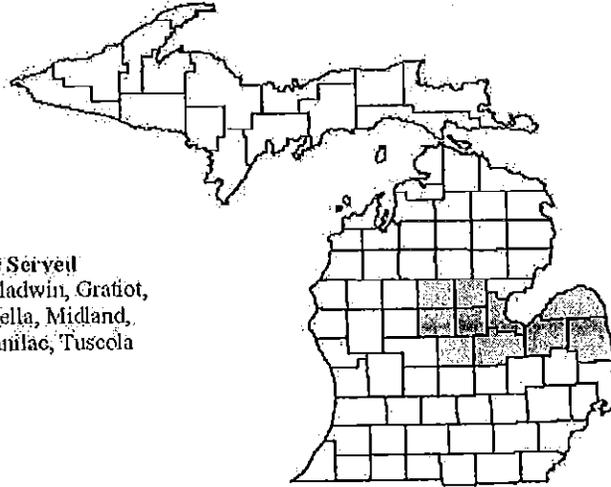


MICHIGAN OFFICE OF SERVICES TO THE AGING

ANNUAL & MULTI YEAR IMPLEMENTATION PLANS (AMPS)

2012 ANNUAL IMPLEMENTATION PLAN

REGION VII AREA AGENCY ON AGING



Areas Served
Bay, Clare, Gladwin, Grafton,
Huron, Isabella, Midland,
Saginaw, Sanilac, Tuscola

**1615 S. EUCLID AVENUE
BAY CITY, MICHIGAN 48706**

989-893-4506

1-800-858-1637

989-893-3770 (Fax)

DREW ORVOSH, EXECUTIVE DIRECTOR

www.region7aaa.org

Office of Services to the Aging Field Representative
Jan Bowlin, 517-241-3864
Bowlinj1@michigan.gov



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County/Local Unit of Govt. Review

Rationale

All Area Agencies on aging (AAA) must seek approval of the draft Annual Implementation Plan (AIP) as submitted to the Michigan Office of Services to the Aging (OSA) from each county Board of Commissioners within their respective Planning and Service Area (PSA).

The AAA must send a letter requesting approval of the final AIP by June 30, 2011, as well as a copy of the final AIP, with delivery and signature confirmation, to the chairperson of each county Board of Commissioners within the PSA requesting approval by July 29, 2011. For a PSA comprised of a single county or portion of the county, approval of the AIP is required from each local unit of government within the PSA. If the AAA does not receive a response from the county or local unit of government by July 29, 2011, the AIP is deemed passively approved. The AAA must notify their OSA field representative by August 2, 2011 whether their counties or local units of government formally approved, passively approved, or disapproved the AIP.

Instructions

Describe below the AAA efforts to distribute the AIP to, and gain support from, the appropriate county or local units of government.

AAA Response:

A letter and a copy of the proposed FY 2012 Annual Implementation Plan will be sent by certified mail to the chairperson of each county Board of Commissioners and the Saginaw Chippewa Indian Tribe in the Region VII Planning and Service Area requesting adoption of a resolution of approval of the Plan by July 29, 2011. The letter will invite the county to request a presentation of the plan overview.



Plan Overview

Rationale

Older Americans Act (OAA) of 1965, as amended, Section 306(a) states, "Each area agency on aging designated...shall, in order to be approved by the State agency, prepare and develop an area plan for a planning and service area." The purpose of the Plan Overview is to provide a succinct description of the priorities being set by the Area Agency for the use of OAA and State funding in FY 2012.

Instructions

The Plan Overview should, in 825 words or less, include the following:

- A summary of services to be provided under the plan.
- Highlights of accomplishments for program development objectives.
- A description of goals and strategies for accomplishing them.
- A description of special projects and partnerships.
- Highlights of any substantive changes from the FY 2011 AIP.

Please specifically note if there are not substantive changes from the FY 2011 AIP.

AAA Response:

Region VII Area Agency on Aging allocates funding received from the Office of Services to the Aging (OSA) to providers in ten counties using a formula that takes poverty and rural demographics into consideration. Agency staff promote the development of a comprehensive, coordinated, and cost-effective system of home and community-based long-term care as necessary to adequately support the needs and desires of older adults and people with disabilities and their family caregivers in a 10-county service area that encompasses most of mid-Michigan and the thumb, specifically Bay, Clare, Gladwin, Gratiot, Huron, Isabella, Midland, Saginaw, Sanilac and Tuscola counties. In coordination with the aging network, Region VII AAA provides, or contracts Access, Community, and In-Home services.

Access services include: Case Coordination and Support, Care Management, MI-Choice Medicaid Waiver, Michigan Medicare/Medicaid Assistance Program, Transportation, Outreach, and Advocacy.

Community and In-Home services are contracted through the county units on aging and others, and include; Congregate Nutrition, Senior Center Staffing, Kinship/Older Relative Programs, Caregiver Training and Education, Disease Prevention/Health Promotion, Adult Day Care, Legal Assistance, Elder Abuse Prevention, Long-term Care Ombudsman, Home Repair, Senior Community Service Employment Program, Home-Delivered Meals, Personal Care, Respite, Homemaking and Chore Services.

Services provided through Region VII AAA target people who are 60 years of age or older and who have the greatest social and economic need. Particular attention is given to low-income minority individuals, and those who are frail and disabled. Family caregivers of individuals 60 or older, and grandparents and other relatives 55 and older who provide for a child 18 or younger, are also priority populations. All services may not be available in all counties.

In FY 2012, Region VII AAA, along with partners plan to make application to the Office of Services to the



Region VII Area Agency On Aging

FY: 2012

Aging (OSA) so that an 'Aging and Disability Resource Center' can be created in Huron, Sanilac and Tuscola counties.

Region VII AAA expects to meet or exceed stated goals for improving nutrition, expanding knowledge and awareness of elder abuse and exploitation, and continuing to transition people who meet program criteria out of skilled nursing facilities.

To accomplish these goals, the agency will continue to focus on building relationships in the communities we serve that are beneficial to carrying out our mission. In the past fiscal year, Region VII AAA has successfully provided services through a veteran's program working with the Saginaw Veteran's Administration Medical Center's Veteran's Self-Directed Home and Community-based Services (VD-HCBS), defined new partnerships with agencies wishing to offer the evidence-based Creating Confident Caregivers workshop which provides education to families caring for persons with dementia, launched the Senior Advisory Group of Central Michigan, and increased the number of Personal Action Towards Health (PATH) workshops and program partners, as well as making progress on the Aging and Disability Resource Center initiatives (ADRC).



Public Hearings

Rationale

Older Americans Act, Section 306 (6) "provide that the area agency on aging will: (a) take into account in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan;"

Instructions

In order to gather information regarding the needs of older adults in the PSA, a public hearing on the AIP must be held in the PSA. The hearing should be held in an accessible facility. Persons need not be present at the hearing in order to provide testimony; e-mail and written testimony must be accepted for at least a thirty (30) day period beginning when the summary of the AIP is made available. The public hearing notice should be available at least thirty (30) days in advance of the scheduled hearing. This notice must indicate the availability of a summary of the AIP at least fifteen (15) days prior to the hearing, and information on how to obtain the summary. Persons who should be notified of the public hearing include elected officials, service providers, older adults, Native Americans both on and off reservation, and the general public. All components of the AIP should be available for the input forums and public hearings.

Complete the chart below regarding your public hearing. Include the date, time, location and accessibility of the public hearing, the number of attendees and complete the narrative section. Please scan any written testimony as a PDF and upload on this tab.

AAA Response:

Date	Location	Time	Is Barrier Free	No of Attendees
05/27/2011	Midland County Senior Service	12:00 PM	Yes	20

Narrative:

When we arrived there were about 35 people finishing lunch. Many stayed for the hearing and others arrived specifically to participate in this process. No written comments were received during the hearing. Here is a summary of the verbal comments and issues discussed. Region VII AAA staff responses restated the OSA/AAA policies and procedures and offered additional information when possible.

1. A participant shared the fact that the Attorney General's office has a "Senior Brigade" that offers presentations on abuse/neglect topics and also a website for Michigan residents.
2. A set of grandparents that were formally raising grandchildren brought up the importance of funding for Kinship care, and the need for continuation of funding. That this program used to receive additional funding from the Department of Human Services was discussed.
3. A gentleman asked why the Area Agency on Aging wants to build a better relationship with the Saginaw Chippewa Indian Tribe as stated in our goals for the coming fiscal year. Staff responded to the question with information recently learned from home care nurses/social workers who serve tribal communities about persons who are elderly and living on tribal grounds who are not eligible for tribal services, specifically home care.



4. The Dining Site Manager from Vassar inquired about nutrition funds being transferred out of congregate and into supportive services. People served at his location are concerned about the possibilities of sites closing because of lack of participation. Discussion centered around ideas to increase participation at congregate dining centers.
5. Another asked why a dining site, such as the Trailside Senior Center, can't offer a "take-out" program, food for purchase? The OSA policies on removing food from the dining site were reviewed with emphasis on "left overs."
6. Someone wanted to know what happened to the "sack lunch" that some locations used to provide and/or may have been provided with the hot home-delivered meals? OSA policies on a second meal were reviewed, as well as discussion on advocating for additional funding for these programs.
7. The cost of meals and site operations were discussed from a regional perspective, some suggested that donations could be more strongly encouraged. Staff reviewed OSA/AAA guidelines and requirements.
8. The restaurant coupon program was mentioned as a past option for those who had to drive too far to reach a dining site. Discussion was held regarding how far is too far, with 16 miles one way being the distance that the group agreed was too far to travel for a meal on a regular basis.



Available Resources & Partnerships

Instructions

Describe planned efforts to create new partnerships and identify new resources in the PSA during FY 2012. List current partnerships as well as those that are under consideration. If counties within your PSA have millages or other senior specific funding sources, discuss the amount of funds generated annually and the type(s) of services supported by millage funds. Describe how these resources relate to the services provided under the AIP.

AAA Response:

Region VII AAA continues to work on building and strengthening existing relationships with service providers, senior councils, Human Service Collaborative bodies and their subsets, as well as private organizations and individuals who share a mission of serving older adults and persons with disabilities in our 10-county service area. Funding through Region VII AAA typically makes up about 20% of a county's money for senior programs. All counties in the PSA rely on a millage, as well as donations from those who use services.

In FY 2012 expect to see continued staff participation in the Clare-Gladwin health improvement workgroup, the Bay County adult abuse prevention task force, along with reporting to the Gratiot, Huron and Sanilac senior councils and others who manage local funding for senior services. Region VII AAA will continue to be represented at community health and senior events.

Region VII AAA Mi-Choice Waiver staff are currently working with more than 20 veterans who have been referred to us from the Saginaw Veteran's Administration Medical Center's Self-Directed Home and Community-Based Services program. This program serves veterans of any age who are at risk of nursing home placement and provides them with the opportunity to choose their services and who they will employ to deliver them. Referrals for this program must be made by the Veteran's Administration Medical Center staff.

We continue to work on building a relationship with staff of the Saginaw Chippewa Indian Tribe.

A partnership is being explored with the CMU DEER Center (Driving Evaluation and Education Research) in Mt. Pleasant.

Identifying and supporting partners and locations for the Personal Action Towards Health (PATH) programs have resulted in stronger relationships with area healthcare professionals and hospital organizations.

Work with MMAP volunteers and Long-term Care Ombudsman has provided the agency with additional resources and expertise.

Nursing Home Facility Transition efforts by the Mi-Choice Waiver teams has generated interest and increased use of Region VII AAA I&A and MMAP when a potential resident of a skilled nursing facility does not meet Medicaid and program requirements.

Expanding a partnership between the ARC of MI, the Blue Water Center For Independent Living and disability groups in several of our communities grew out of a Sanilac County specific ARC grant to provide



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planning materials to persons with developmental disabilities and their families. We anticipate that information will be distributed throughout the region.

Committes are working on outreach and to complete the application to emerge as ADRC of the Thumb. This process has generated many new relationships with service providers, businesses, organizations, individuals and entities who share a desire to serve those in our target populations. By nurturing our relationship with these groups and the Blue Water Center For Independent Living, we all benefit.

Region VII AAA will continue to pursue action encouraging the Disability Network of Mid Michigan and other partners in the remaining 7 counties to consider applying to OSA to become an emerging Aging and Disability Resource Center.

Launch of the Senior Advisory Group of Central Michigan has connected the agency with a variety of individuals and groups we may not have connected with by any other means. Expect this to continue into FY 2012 as we share our mission with like minded others who are willing to advocate for the needs of older adults and people with disabilities.

Region VII AAA continues to work with city-owned utility companies and utility corporations on the Gatekeeper Program. This provides Region VII AAA with the names of people in need of assistance in paying utility bills, maintaining the home environment, or arranging other care.

Through an agreement with the Michigan Commission for the Blind, Region VII AAA invites people with low vision to utilize the agency's computer workstation located at 1615 S. Euclid Ave. in Bay City. This workstation includes JAWS and Zoomtext software and staff are able to educate users in how to access the Internet and use the programs for e-mail.

Expect a partnership with the Greater Michigan Chapter - Central Michigan Region of the Alzheimer's Association (a 12-county territory that overlaps nearly all of our 10-counties) to grow, based on success with the the Creating Confident Caregiver program. We anticipate that this relationship will eventually include other efforts, initiatives and ideas. Creating Confident Caregivers (CCC) is an evidence-based workshop for family caregivers assisting people with dementia.



Access Services

Some Access Services may be provided to older adults directly through the AAA without a service provision request . These services include: Care Management, Case Coordination and Support, Disaster Advocacy and Outreach Program, Information and Assistance, Outreach, and MATF Transportation.

Place a checkmark in the box next to the name of the service and complete the chart for each Access Service your agency plans on providing under this plan. Additional documents for Care Management are located in the Document Library. Please complete and upload on the "Budget and Other Documents" tab.

If your agency is planning on providing TCARE caregiver assessment and care planning, then include under I & A: "This includes Caregiver Information and Assistance" and under Care Management: "This includes Caregiver Case Management".

If you are not planning to provide access services directly during the Plan years, please leave it blank.

Care Management

<u>Starting Date</u>	10/01/2011	<u>Ending Date</u>	09/30/2012
Total of Federal Dollars	\$2,500.00	Total of State Dollars	\$172,375.00

Geographic area to be served:

Huron, Sanilac, and Tuscola Counties

List each goal for the program, including timeline and expected outcome:

Goal 1:

Offer individuals a choice that emphasizes dignity, independence, and quality of life to those needing long-term care assistance.

Staff assists individuals enrolled in the Care Management program by linking and coordinating care options within their community, which allows them to remain safely in their home, maintain their independence, and preserve their quality of life.

Goal 2:

Ensure appropriate care delivery to program participants.

Program Participants receive assistance to maintain them in their home environment through quarterly in-home reassessments and individualized care plans with a strong emphasis on community resources.

Goal 3:

Build and maintain professional relationships to ensure quality care provided to program participants.



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Staff knowledge of community resources and communication with caregivers and homemaking, personal care, and respite providers ensure that each client receives quality care from trained professionals. On-site provider monitoring and semi-annual peer review reinforces the commitment to quality care.

Goal 4:
Enhance the agency Quality Management Plan.

Ensures that Program participants receive optimal, high quality care that meets or exceeds established standards of care

Goal 5:
Continue attendance at CM meetings as sponsored by OSA..

Maintain effective communication with OSA staff regarding CM policies/procedures/practices.

Goal 6:
Continue involvement in implementing, which includes additional staff training related to, obtaining information regarding the Tailored Caregiver Assessment and Referral

Ensures that the needs of the caregivers are identified in an effort to assist them in their provision of informal support to participants

Goal 7:
Participate in training opportunities related to the eventual implementation of the Community Living Program, formerly Nursing Facility Transition Services.

Participant choice will be honored and they will maintain their independence in the least restrictive setting possible based on their preferences and objectives.

Number of client pre-screenings:	Current Year:	48	Planned Next Year:	48
Number of initial client assesments:	Current Year:	24	Planned Next Year:	24
Number of initial client care plans:	Current Year:	24	Planned Next Year:	24
Total number of clients (carry over plus new):	Current Year:	50	Planned Next Year:	50
Staff to client ratio (Active and maintenance per Full time care	Current Year:	1:25	Planned Next Year:	1:25

MATCH:

Source of Funds	Cash Value:	In-kind	\$19,153.00
Source of Funds	Cash Value:	In-kind	
Source of Funds	Cash Value:	In-kind	

OTHER RESOURCES:

Source of Funds	Cash Value:	\$48,011.00	In-kind
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Source of Funds Cash Value: In-kind
Source of Funds Cash Value: In-kind

Information and Assistance

Starting Date 10/01/2011 Ending Date 09/30/2012
Total of Federal Dollars \$10,000.00 Total of State Dollars \$42,760.00

Geographic area to be served:

Bay, Clare, Gladwin, Gratiot, Huron, Isabella, Midland, Saginaw, Sanilac, and Tuscola Counties

List each goal for the program, including timeline and expected outcome:

Goal #1:

Promote Professionalism of I & A

Participate in National and State Organizations

Professional AIRS and MIAIRS continuing education and working toward obtaining AIRS certifications

Conduct Monthly Qualification Assurance Surveys, 10% of I and A calls received and follow up as needed

Provide one round table a year, additional if necessary

Goal #2:

Provide Training For Focal Points

Promote and provide up to date Information / Resource Exchange

Goal #3:

Market I & A services throughout the region

Update Region VII Website as well as Resource Links

Update Region VII informational materials

Write and distribute monthly articles

Utilize media to increase community awareness of services

Provide quarterly article in the Generations Magazine

Promote public awareness to community groups and faith-based organizations

Attend Senior Fairs



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Goal #4:

Promote ADRC

Establish strong local partnerships

Continue to develop an ADRC for state certification



Program Development Objectives (State)

There are two parts to the FY 2012 Program Development section. Part I is for Program Development Objectives related to State Plan Goals. Suggested, but not required, areas that may be considered include the following:

Transportation. Working with the local transit authority to create "senior friendly" service, such as free trips to the farmers market, more on-demand door-to-door services, more door-to-door center/medical facility service, etc.

Evidenced Based Disease Prevention Program (EBDP). Engaging in new private and public partnerships; working with the medical community to promote programs; leader training, exploration of new EBDP programs and sustainability projects: i.e. requiring contractors to do EBDP as a contractual part of providing other services.

Improvement of the Assessment and Services Referral Process for Caregivers. Begin or expand TCARE and Savvy Caregiver.

Adaptive/Assistive Technologies (AT). Training/educating aging network providers on AT, and integration of AT into existing programs.

Nutrition. Expanding offerings at meal sites to include activities; second meal options; expansion of nutrition education; partnerships with local restaurants and/or chef/culinary schools in the area to provide new opportunities, exploration of other meal options.

You do not need to re-state program development objectives that are related to State Plan Goals unless there are new objectives or changes or updates to efforts planned for FY 2012. However, if there are new objectives or changes or updates, please identify for each objective:

- Resources to be mobilized.
- Who will benefit.
- Programs to be established.
- Staff positions and time to be allocated to the objective.
- The desired outcome.
- What is expected to be learned.
- Changes to the area agency's infrastructure necessary to achieve the objective.

You will have an opportunity to enter other objectives not related to the State Plan Goals under the tab marked "Regional Program Development Objectives".

Part II is a narrative that should explain what the program development efforts are intended to do to improve the quality of life of older adults in the PSA, whether older persons will receive what they want, and identify the effort and expense involved. The FY 2012 AIP should include this narrative even if there are no new objectives or changes or updates. It is OSA's expectation that program development efforts be meaningful to older adults within the PSA.



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State Plan Goal: Goal 1

Work to Improve the Health and Nutrition of Older Adults.

AAA Response:

Objective:

Region VII AAA Contract Manager works closely with nutrition providers to make sure that funds are being utilized properly and that balances are transferred to areas or program with the most need.

Timeline:

On-going.

Activities:

Site visits, phone consultations and monitoring use of funds and fund balances as well as meeting technical assistance as required by the Office of Services to the Aging (OSA) and others.

Expected Outcome:

Good management of the funds dedicated to provide nutrition services to older adults in the Region VII AAA Planning and Service Area.

AAA Response:

Objective:

Encourage individuals who visit Senior Center nutrition sites to participate in Personal Action Towards Health (PATH) programs, and other opportunities that encourage development and maintenance of a healthy lifestyle.

Timeline:

On-Going.

Activities:

The agency provides notification of upcoming PATH workshops (Personal Action Towards Health) to counties and locations in the vicinity of an upcoming PATH workshop. This information is advertised in Senior newsletters and newspapers and promoted by Region VII AAA staff and our Personal Action Towards Health, (PATH) partners.

Expected Outcome:

People who have an interest in personal health improvement are connected with information and materials on how to manage their chronic health conditions.

State Plan Goal: Goal 2

Ensure That Older Adults Have a Choice in Where They Live Through Increased Access to Information and Services.

AAA Response:



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Objective:

Make sure that agency staff are knowledgeable of Region VII AAA's mission, know about Region VII AAA's involvement and participation in activities and events throughout the Planning and Service Area, and understand the role and resources available through the Region VII AAA's Housing Coordinator and how to refer an individual to Information and Assistance.

Timeline:

On-going in FY 2012.

Activities:

Presentations by Program Development/Grant Manager to the Mi-Choice Waiver staff at their staff meetings. Information communicated by Human Resources and marketing.

Expected Outcome:

Increased use of Information and Assistance.

AAA Response:

Objective:

Provide individuals living in licensed settings with options outside of Mi-Choice Waiver.

Timeline:

On-going in FY 2012

Activities:

Ensure that the Nursing Facility Transition teams and other staff doing presentations in the community have the most up-to-date information to share from the agency's Housing Coordinator. Continue information exchanges and relationship building with other organizations that participate in transition work such as the Disability Network of Mid-Michigan and the Blue Water Center For Independent Living. Build on the person-centered thinking training of last year as a means of continuing development of a Community Living Program.

Expected Outcome:

Development of components that make-up a Community Living Program, increase the number of referrals to transition partners as appropriate.

AAA Response:

Objective:

Participate in at least one community-wide event in each of the ten counties during fiscal year 2012 which begins October 1, 2011.

Timeline:

FY 2012

Activities:



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Participate in at least one community-wide, highly visible health/senior fair, expo or event in each of our ten counties during the year.

Expected Outcome:

Build awareness and increase use of Region VII AAA's Information and Assistance and Michigan Medicare/Medicaid Assistance programs. Effectively reach and educate those who are eligible, but not connected with a direct service provider in their community.

AAA Response:

Objective:

Staff participation in several county Continuum of Care groups to build visibility of Region VII AAA's transition and directory of licensed settings.

Timeline:

On-going in FY 2012

Activities:

Participation and presentations to each county Continuum of Care by Housing Coordinator to educate others who work to abolish homelessness and connect people in need with Region VII AAA's Information and Assistance department.

Expected Outcome:

Increased use of Information and Assistance department. Continue building relationships with housing providers and those who fund them.

State Plan Goal: Goal 3

Protect Older Adults From Abuse and Exploitation

AAA Response:

Objective:

Provide free access for anyone working as a caregiver to elder abuse prevention resources using the Region VII AAA website and other tools.

Timeline:

Early FY 2012

Activities:

Assemble resources to coincide with development of a new agency website.

Expected Outcome:

Promotion of free elder abuse prevention resources to service providers.

AAA Response:



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Objective:

Continue advocating and educating the general public about the prevalence of elder abuse and neglect and encourage them to be the eyes and ears of the vulnerable adult population.

Timeline:

FY 2012

Activities:

Distribute the Long-term Care Ombudsman information throughout our region. Continue presenting information about prevention of elder abuse at concerned citizen groups including TRIAD organizations (law enforcement working with senior citizens) and networking with professionals including bankers, credit unions and others.

Utilize the Senior Advisory Group website blog and face-to-face meetings to discuss issues and ways to advocate for needed protections.

Expected Outcome:

Heightened awareness of the issue of elder abuse and neglect and reduced fear of reporting potential neglect and abuse.

AAA Response:

Objective:

Help communities who wish to write for specific funding, or who want to promote awareness or prevention programs do so by offering technical assistance and in-kind support.

Timeline:

FY 2012

Activities:

Assist county collaboratives and others as needed in developing proposals for funding of programs/services/activities to reduce abuse and exploitation.

Expected Outcome:

Better understanding of how elder abuse and neglect can be prevented, more resources to prevent the problems from occurring.

AAA Response:

Objective:

Utilize the Medicare Improvements For Patients and Providers (MIPPA) to locate and enroll people who meet the income and poverty guidelines of the program in low income subsidies for drug plans and Medicare savings program for Part B.

Utilize Senior Medicare Patrol funding (SMP) as effectively as possible to identify and assist those most at risk for abuse and exploitation.



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Timeline:

FY 2012

Activities:

Schedule outreach events to help identify those who may benefit from additional coordination of services that include low-income subsidies.

Expected Outcome:

Increase in number of clients served by the Michigan Medicare/Medicaid Assistance Program, (MMAAP) in our region. Create and strengthen the relationship between Region VII AAA and other service providers who offer MMAAP counseling.

AAA Response:

Objective:

Ensure that Mi-Choice social workers and nurses are using all available tools to screen program participants for potential signs of elder abuse, neglect, or self-neglect.

Timeline:

FY 2012

Activities:

Provide a refresher in-service at a regularly scheduled staff meeting to remind workers of the potential signs of elder abuse and neglect.

Expected Outcome:

Continued screening of Mi-Choice participants and those eligible for the service. Reporting to County Adult Protective Services workers when a problem may exist.

State Plan Goal: Goal 4

Improve the Effectiveness, Efficiency, and Quality of Services Provided Through the Michigan Aging Network and its Partners

AAA Response:

Objective:

Share the mission of Region VII AAA and how the agency fits into the Aging Network with professionals and community groups who may not use services themselves, but who come into contact with people who may benefit from services and support.

Timeline:

FY 2012

Activities:

As requested, provide overviews of Region VII AAA services and the aging network to community groups including: Hospital auxiliaries, volunteer groups, support groups, special interest groups, fraternal



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organizations and chambers of commerce.

Expected Outcome:

Better knowledge at the community level of how to connect with aging services.

AAA Response:

Objective:

Make technical assistance available at the state and regional levels to help county units on aging and other non-Medicaid direct service providers develop strategies and solutions to accomodate the unprecedented funding cuts to aging programs and services.

Timeline:

FY 2012

Activities:

Solutions to be determined based on needs of service provider.

Expected Outcome:

Enhanced respect for the Office of Services to the Aging, (OSA) and Region VII AAA.

AAA Response:

Objective:

Develop a Public Service Announcement campaign for media outlets including print, TV, radio and the world-wide web that reaches out to residents in our communities and educates them about the value of nutrition and in-home services.

Timeline:

FY 2012

Activities:

Develop messages that clearly outline the value of home-delivered meals and congregate nutrition AND that clearly spell out the importance of voluntary contributions by those who use the services.

Expected Outcome:

More individuals living in the Region VII AAA planning and service area will understand the role that nutrition programs play in keeping older adults in their homes and communities.

More people will understand and utilize nutrition programs.

Potentially attract new volunteers for programs.

State Plan Goal: Narrative

This Narrative should explain what the program development efforts are intended to do to improve the quality of life of older adults in the PSA, whether older persons will receive what they want, and identify the



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effort and expenses involved. The FY 2012 AIP should include this Narrative even if there are no new objectives or changes, or updates. It is OSA's expectation that program development efforts be meaningful to older adults within the PSA. Complete the Narrative under the Objective box below. Enter n/a in Timeline, Activities, and Expected Outcome boxes.

AAA Response:

Objective:

Region VII AAA will concentrate efforts on the goals in section 1 with regard to balanced nutrition offerings throughout the PSA by working closely with the direct service providers. As in prior funding cycles, the ability to transfer funds between congregate and home-delivered meals is one way to assure that older adults are receiving nutrition as appropriate.

All members of the Region VII AAA team will continue to advocate and communicate at every point of client contact for the least restrictive residential living options and supports to make the client successful.

The crusade to build awareness of the problem of vulnerable adult abuse/neglect will continue as will prevention activities that include dissemination of the Elder Hotline, Long-term Ombudsman and other local contact numbers and methods of reporting.

Timeline:

n/a

Activities:

n/a

Expected Outcome:

n/a



Advocacy Strategy

Describe the AAA's comprehensive advocacy strategy for fiscal year 2012. Describe how the agency's advocacy efforts will improve the quality of life of older adults within the PSA and how they will help older persons receive what they want.

AAA Response:

Region VII's Advisory Council plays a key role in identifying issues of concern to seniors in their communities. The problems of poverty, inadequate health care, home repair, food, transportation, long-term care issues, caregiver support and health promotion/disease prevention are assessed by the following methodologies:

-Region VII AAA's Advisory Council members advocate for seniors at state, county and federal levels by communicating with their legislators and participating in events which foster communication of senior needs to policymakers.

-The Region VII AAA's Advisory Council members solicit input from senior centers throughout the region, and routinely report to the Region VII AAA Board representative.

-Region VII staff, Board members, and Advisory Council members participate in events that monitor, evaluate and comment on policies, programs and community actions that affect the elderly population. Continued emphasis is placed on promoting Region VII services, which assist the elderly in remaining in their own homes and communities through participation in Multi-Purpose Collaborative Body meetings, Older Michiganians Day, the Legislative Luncheon, Health & Wellness Fairs, testifying at the Senate Appropriations Committee, and other community events.

-Continued outreach activities by Region VII staff, Board and Advisory Council members, to provide information about access to senior services available in Region VII.

-Participation by Board and Advisory Council members in the Michigan Senior Advocates Council (MSAC) whereby delegates have the opportunity to discuss issues and advocate on behalf of seniors directly with elected officials.

-In addition to these activities, Region VII AAA is working to develop a strong network of clients, families, and others interested in advocating on behalf of older adults and people with disabilities. The Senior Advisory Group of Central Michigan provides a forum for issues and action.

Anyone living in the Region VII AAA area has an opportunity to connect with the Senior Advisory Group by calling our office, attending a meeting, or sending an e-mail message stating their concerns and interests. Meetings are routinely held throughout the region, facilitated by a Region VII AAA staff member with advocacy issues summarized in 'The Senior Advisor Newsletter.' Advocacy alerts (calls for action) are posted on the www.thesenioradvisor.wordpress.com blog site. As this group prioritizes issues, expect enhanced visibility of their efforts. Concerns brought to the attention of agency staff that may require involvement from another agency including the help of Adult Protective Services (APS) or the Long-term Care Ombudsman are promptly routed to the proper agency.



Community Focal Points

Review the listing of Community Focal Points in the Document Library and update as necessary. Please specifically note whether or not updates have been made.

Describe the rationale and method used to assess the ability to be a community focal point, including the definition of community.

Explain the process by which community focal points are selected.

Definition for Community Focal Points are identified as geographic areas in which the residents share a sense of identity with each other and their local government.

The Region VII Area Agency on Aging determined the rationale for selecting focal points by reviewing:

1. Which unit of government, such as city or county, provides the greater sense of community identification for local residents.
2. Travel patterns within the community for shopping, medical services, social activities and employment.
3. Location and hours of facilities that house recreational activities, social and government services.

The Region VII Area Agency on Aging reviewed the following factors in selecting community focal points:

1. Communities with the highest incidence of older persons with the greatest economic and social needs.
2. Availability or potential for development of an Information and Referral service component to provide linkage to other AAA-funded services within the community.
3. Location of facilities suitable for designation, days and hours of facility operation assuring at least a five-day schedule with regular advertised hours of operation that are convenient for older people.
4. Geographic boundaries of communities and natural neighborhoods.
5. Availability of confidential meeting space in the facility for other program personnel to conduct client interviews and provide related services.
6. Preference given to multi-purpose senior centers and congregate nutrition sites when utilized extensively by senior citizens.
7. Service delivery patterns and proximity within the community to nearby shopping, transportation, financial institutions and other community-based activity programs.
8. Facilities with affiliations with either city, county or township government, reflecting coordination of AAA and local governmental resources, and preference for maximum utilization of facilities operated in whole or in part by local elected officials.
9. Accessible facility layout and design to assure that the services housed in the facility are accessible to handicapped elders.
10. Analysis of staffing patterns, including the work stations for case coordination & support staff

Provide the following information for each focal point within the PSA. List all designated community focal points with name, address, telephone number, website, and contact person. This list should also include the services offered, geographic areas served and the approximate number of older persons in those areas. List your Community Focal Points in this format.



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Name: Clare County Senior Services
Address: 225 W. Main Street; Harrison, MI 48625
Website: www.clareseniorservices.org
Telephone: (989) 539-8870
Contact Person: Lori Ware
Persons: 5976
Service Area: Clare County
Services: Congregate, HDM, CCS, Homemaking, In-Home Respite, Personal Care, Disease Prevention / Health Promotion, Caregiver Training, Senior Center Staffing

Name: Saginaw Co. Commission on Aging
Address: 2355 Schust Rd., Saginaw, MI 48603
Website: www.saginawcounty.com/Coa
Telephone: (989) 797-6880
Contact Person: Karen Courneya
Persons: 34599
Service Area: Saginaw County
Services: Congregate, HDM, CCS, Outreach, Transportation, Senior Center Staffing, Care Management, Senior Center Operations, Caregiver Training

Name: Council on Aging - Gladwin
Address: 215 S. Antler, Gladwin, MI 48624
Website:
Telephone: (989) 426-5450
Contact Person: Lauren Essenmacher
Persons: 5246
Service Area: Gladwin County
Services: Congregate, HDM, CCS, Homemaking, In-Home Respite, Personal Care, Caregiver Training, Senior Center Staffing

Name: Human Development Commission - Huron Office
Address: 150 Nugent Rd; Bad Axe, MI 48413
Website: www.hdc-caro.org
Telephone: (989) 269-9502
Contact Person: Jessica Kawecki
Persons: 8984
Service Area: Huron County
Services: Caregiver Training, CCS, Chore, Congregate, HDM, Homemaking, Personal Care, In Home Respite, Transportation, Outreach, Adult Day Care

Name: Human Development Commission
Address: 429 Montague Ave., Caro, MI 48723
Website: www.hdc-caro.org
Telephone: (989) 673-4121
Contact Person: Susan Aberg
Persons: 8881
Service Area: Tuscola County
Services: Caregiver Training, CCS, Chore, Congregate, HDM, Homemaking, Personal Care, In Home Respite, Transportation, Outreach, Adult Day Care



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Name: Isabella Senior Center
 Address: 2200 S. Lincoln, Mt. Pleasant, MI 48858
 Website: www.isabellacounty.org/dept/coa
 Telephone: (989) 772-0748
 Contact Person: Brenda Upton
 Persons: 8335
 Service Area: Isabella County
 Services: Congregate, HDM, CCS, Homemaking, In-Home Respite, Personal Care, Caregiver Training

Name: Bay County Division on Aging
 Address: 515 Center Ave., Bay City, MI 48708
 Website: www.baycounty-mi.gov/Aging
 Telephone: (989) 895-4100
 Contact Person: Rebecca Reimann
 Persons: 20031
 Service Area: Bay County
 Services: Congregate, HDM, CCS, Homemaking, In-Home Respite, Personal Care, Disease Prevention / Health Promotion, Caregiver Training

Name: Midland County Council on Aging
 Address: 4700 Dublin Ave., Midland, MI 48642
 Website: www.seniorservicesmidland.org
 Telephone: (989) 633-3700
 Contact Person: Alan Brown
 Persons: 10670
 Service Area: Midland County
 Services: Congregate, HDM, CCS, Homemaking, In-Home Respite, Caregiver Training, Adult Day Care, Care Management, Transportation

Name: Gratiot County Commission on Aging
 Address: 515 S. Pine River Street; Ithaca, MI 48847
 Website: www.co.gratiot.mi.us/coa
 Telephone: (989) 875-5246
 Contact Person: Craig Zeese
 Persons: 6983
 Service Area: Gratiot County
 Services: Caregiver Training, CCS, Chore, Personal Care, In Home Respite, Home Repair, Senior Center Staffing

Name: Human Development Commission - Sanilac Office
 Address: 215 N. Elk Street; Sandusky, MI 48471
 Website: www.hdc-caro.org
 Telephone: (810) 648-4497
 Contact Person: Teresa Kohn
 Persons: 8951
 Service Area: Sanilac County
 Services: Caregiver Training, CCS, Chore, Congregate, HDM, Homemaking, Personal Care, In Home Respite, Transportation, Outreach, Adult Day Care



CLP

In this section of the AIP the Area Agency should describe its planned efforts to integrate components of the Community Living Program (CLP) into the comprehensive coordinated service delivery systems developed to implement the Area Plan. It is expected that area agency partners in the CLP demonstration programs will continue efforts begun during the demonstration grant period. Describe your planned efforts to integrate CLP into service delivery systems supported by the Area Plan. The description should address at a minimum:

--How many person-centered planning (PCP) master trainers you have on staff and how you plan to provide PCT/PCP training to service providers throughout the PSA.

--Your plans for developing community living consultation (CLC), options counseling services, throughout the PSA.

--How and when persons at risk of nursing home placement will be identified and referred to programs, offering flexible service options, to assist them in avoiding or delaying nursing home placement.

--How the area agency will, or prepare to, participate in the Veterans Directed Home and Community-Based Services Program. (Incorporating self-direction and Community Living Consultation.)

--How the area agency intends to work with the emerging ADRC partnerships to assure the availability of unbiased Information and Assistance services and Community Living Consultation for both the aging and disability communities.

1. A comprehensive work plan must be developed that supports the CLP project goals of fully embracing and supporting PCT and SD, re-engineering the existing services infrastructure to support PCT and SD and directing the use of federal, state and local funding sources to serve CLP eligible individuals and their caregivers. The work plan must address at a minimum: Independent Living Consultation (ILC); use of OAA/VA/State/Local resources to support services for program participants; use of flexible service options (including self-determination); planned outreach efforts; and, integration of CLP and PCT into existing

AAA Response:

Region VII AAA staff have received education in Person Centered Thinking (PCT) and Self Determination (SD). The agency was not included in the State of Michigan demonstration project, and so is unable to launch a Community Living Program at this time, as educational requirements have not been met.

Certain components are in varied stages of development and/or in use by other programs and will be utilized as Region VII AAA moves closer to developing a Community Living Program. They include: Mi-Choice Waiver staff working with the Veteran's Self-Directed Home and Community-based Services (VD-HCBS) program, Mi-Choice Waiver clients using the Self-Determination option to hire their own caregivers, and Region VII AAA's Alliance of Information and Referral Systems (AIRS) Information and Assistance staff.

Planned outreach includes work on the Aging and Disability Resource Center (ADRC) initiatives to



Region VII Area Agency On Aging

streamline access to long-term care. Once educated on Community Living Program options, the Region VII AAA's nursing facility transition teams will be prepared to share the community living options when individuals from any of the 45 skilled nursing facilities in our region indicate they wish to transition back to the community. As a work plan develops, the agency will pursue the needed training and direction from the State Office of Services to the Aging.

2. At your discretion, a separate program narrative may also be included.

AAA Response:

Region VII AAA was not included in the state's CLP demonstration project.

3. The area plan grant budget, on page 2 of 3, includes a row to identify grant resources, program income, and local match to be used for support services for CLP participants. Please be reminded that funds used for CLP matching purposes may not be used as match for any other program. The CLP Appendix budget asks for detail regarding the specific service categories to be funded with these resources.

AAA Response:

N/A at this time.

4. Both the project budget and schedule of match and other resources, Budget Form (A), must be completed.

AAA Response:

N/A at this time.

5. The CLP appendix budget is for planning information, not accounting purposes. Please be as detailed as possible. Revisions to the CLP appendix budget will be handled as administrative revisions.

AAA Response:

N/A at this time.



ADRC/MMAP

Aging and Disability Resource Center Partnerships (ADRC). The Office of Services to the Aging was awarded a grant from the Administration on Aging (AoA) in FY 2010 to develop Aging and Disability Resource Center (ADRC) partnerships statewide by 2014. Michigan's ADRC Partnerships will build on a "no wrong door" (decentralized) model that recognizes all stakeholders as equal partners. ADRC Partnerships are highly visible and trusted sources in the community that empower persons of all ages and income levels to navigate the full range of long term care support options according to their cultures, values, and preferences. ADRC Partnerships provide person-centered planning; comprehensive information and assistance; appropriate referrals; follow-up; and seamless access on available long term support options. For more information on ADRC Partnerships, please visit: <http://www.adrc-tae.org/tiki-index.php?page=HomePage>. Please describe the role the Area Agency will play in the development of ADRC partnerships within the PSA.

Medicare/Medicaid Assistance Program (MMAP). This section of the AIP is for the Area Agency to describe its planned efforts for implementing MMAP within its respective PSA. The description should address at a minimum the following:

- Specific goals related to MMAP activities including fraud prevention activities, outreach and counseling.
- Volunteer management and recruitment goals and challenges.
- Training plan needs and recommendations.
- MMAP and ADRC partnership coordination.

Also note the specific MMAP budget information which must be included for the FY 2012 Area Agency on Aging Operating Budget.

ADRC

Indicate if the AAA will participate in the development of ADRC partnership(s) in the PSA. If yes, please describe the anticipated role the AAA will play in the partnership(s).

AAA Response:

The Region VII AAA Program Development/Grant Manager along with the Michigan Medicare/Medicaid Assistance Program Manager and a representative from the Blue Water Center For Independent Living will continue to work closely with community members in the Huron, Sanilac and Tuscola area who sit on the Outreach and Application committees as an "Application to Emerge" as the "Aging and Disability Resource Center of the Thumb" is created and submitted to the State of Michigan, Office of Services to the Aging.

Our goals for FY 2012 include making successful application to the State with our partners in the Thumb, and continued education and advocacy about the Aging and Disability Resource Center initiative with potential partners in the remaining 7 counties.

The Aging and Disability Resource Center initiative is included in presentations and outreach opportunities, and has been discussed at length in the Senior Advisory Group meetings, noting that people outside the Aging Network see the inherent value in having a streamlined way to connect with long-term care.



Region VII Area Agency On Aging

FY: 2012

MMAP

If your Agency is a MMAP agency, provide an overview of your program, including numbers of persons served, volunteer recruitment and innovative ways of getting the information to residents.

AAA Response:

Region VII AAA has a fully functioning Michigan Medicare/Medicaid Assistance Program that met 179% of its program goals in FY 2011. This program is housed primarily in the Region VII AAA office with satellite locations at the Gratiot County Council on Aging and at the Saginaw Chippewa Indian Tribe. The MMAP fiscal year runs from April 1st through March 31st. The agency's staff and volunteers of the Michigan Medicare/Medicaid Assistance Program served 4,151 individuals. Limited opportunities for willing volunteers to pursue the training to become MMAP counselors is a barrier to expanding the number of volunteers in our region.

The Region VII MMAP Program uses all available means of reaching and enrolling low-income older adults, and works to combat fraud with the Senior Medicare Patrol (SMP). Region VII AAA has partnerships with agencies throughout the region. They participate in Senior Fairs, purchase paid advertising and speak at meetings throughout our 10 counties. Michigan Medicare/Medicaid Assistance Program (MMAP) counselors provide outreach at meal sites and senior centers. Literature is distributed to local agencies such as the Department of Human Services, Community Mental Health, local hospitals and area skilled nursing facilities.

The Region VII AAA Michigan Medicare/Medicaid Assistance Program has indicated willingness to partner with the agency and partners on the Aging and Disability Resource Center initiatives by signing a Memorandum of Understanding for the project. Medicare and Medicaid counselors will play a central role in the coordination of long term care services and supports for those served by the Aging and Disability Resource Centers that emerge in our region.



Other Grants

Use this section to identify any other grants or initiatives that your AAA is participating in with OSA and other partners. Describe how these grants and other initiatives will improve the quality of life of older adults within the PSA. Further, describe how these other grants and initiatives reinforce the Area Agency's planned program development efforts for FY 2012.

Grants or initiatives to be included in this section may include TCARE, Savvy Caregiver, Creating Confident Caregivers (CCC), Chronic Disease Self-Management Programs, such as PATH, and programs supporting persons with dementia. For CCC initiatives, provide the following information:

- Will you be providing CCC training during FY 2012?
- How many persons do you anticipate training?
- What fund sources will be used to support staff providing the training?
- Breakdown the percentage of each fund source supporting the training staff.
- What fund sources will be used to provide materials, provide snacks/food and respite for the trainee's friend or family member?
- The name of the person who is the agency contact for CCC.

If you will be providing CCC training during FY 2012, it is expected that you will report to OSA the number of caregivers served on a quarterly basis to demonstrate sustainability.

1. Describe other grants and/or initiatives the area agency is participating in with OSA and other partners.

AAA Response:

Region VII AAA prefers to continue programs started in prior years, dependent on fund availability from OSA and others.

2. Describe how these grants and other initiatives will improve the quality of life of older adults within the PSA.

AAA Response:

Offerings like T-CARE help better address the specific needs of caregivers, while evidence-based education including PATH and CCC help us attract people we may not otherwise serve.

3. Describe how these grants and other initiatives reinforce the area agency's planned program development efforts for FY 2012.

AAA Response:

New grants and funding streams help us best serve the continuing wave of younger seniors while continuing to address the needs of the extreme elderly.

4. Describe the area agency's Creating Confident Caregivers initiative for FY 2012.

AAA Response:

To Be Determined.



Appendices

The Appendices are presented under individual tabs to be completed in this section. Previous electronic versions should not be used or uploaded as separate documents. All Area Agencies must complete the following Appendices:

- Appendix A: Board of Directors Membership
- Appendix B: Advisory Board Membership
- Appendix C: Current Provider Demographics
- Appendix G: Agreement for Receipt of Supplemental Cash-in-Lieu of Commodity Payments



MICHIGAN OFFICE OF SERVICES TO THE AGING

ANNUAL & MULTI YEAR IMPLEMENTATION PLANS (AMPs)

Region VII Area Agency On Aging

FY: 2012

APPENDIX A

Board of Directors Membership

	Asian/Pacific Islander	African American	Native American/Alaskan	Hispanic Origin	Persons with Disabilities	Female	Total Membership
Membership Demographics	0	1	0	0	0	2	12
Aged 60 and Over	0	0	0	0	0	2	10

Name of Board Member	Geographic Area	Affiliation	Elected Official	Appointed	Community Representative
Leonard Ballosh	Saginaw County	Twp. Supervisor		Yes	
Patrick Beson	Bay County			Yes	
George Booms	Sanilac County			Yes	
Yvonne Corbat	Midland County			Yes	
Kenneth Hess	Tuscola County			Yes	
Jordon Lockmiller	Clare County			Yes	
Thompson Moffit	Isabella County			Yes	
Amos O'Neal	City of Saginaw	City Councilman		Yes	
Adolph Presidio	Gladwin County			Yes	
William Walters	Sanilac County	Advisory Council representative all 10 counties.		Yes	
Hank Weitenberner	Huron County			Yes	
Karen Wittle	Gratiot County			Yes	



Region VII Area Agency On Aging

APPENDIX B
Advisory Board Membership

	Asian/ Pacific Islander	African American	Native American/ Alaskan	Hispanic Origin	Persons with Disabilities	Female	Total Membership
Membership Demographics	0	0	1	1	0	4	12
Aged 60 and Over	0	0	1	1	0	4	12

Name of Board Member	Geographic Area	Affiliation
Vicente Castellanos	All 10 Counties	Minority Representative
Sam Bagnieski	Gladwin County	
Diane Conroy-Kellogg	Gratiot County	Minority Representative
Jacqueline Curtis	Isabella County	
Mary Donnelly	All 10 Counties	Rep. of Healthcare Providers
Lynn Grim	Clare County	Clare County Commissioner
Donald McLane	Tuscola County	
Melvin McNally	Bay County	
Larry Schmitt	Huron County	
Ron Sholtz	Saginaw County	Saginaw County Commissioner
Mark Snyder	Midland County	
William Walters	Sanilac County	Brown City public official. All 10 Counties - Labor Representative



APPENDIX G

Agreement for Receipt of Supplemental Cash-In-Lieu of Commodity Payments for the Nutrition Program for the Elderly

The above identified agency, (hereinafter referred to as the GRANTEE), under contract with the Michigan Office of Services to the Aging (OSA), affirms that its contractor(s) have secured local funding for additional meals for senior citizens which is not included in the current fiscal year (see above) application and contract as approved by the GRANTEE.

Estimated number of meals these funds will be used to produce is:

87,084

These meals are administered by the contractor(s) as part of the Nutrition Program for the Elderly, and the meals served are in compliance with all State and Federal requirements applicable to Title III, Part C of the Older Americans Act of 1965, as amended.

Therefore, the GRANTEE agrees to report monthly on a separate OSA Financial Status Report the number of meals served utilizing the local funds, and in consideration of these meals will receive separate reimbursement at the authorized per meal level cash-in-lieu of United States Department of Agriculture commodities, to the extent that these funds are available to OSA.

The GRANTEE also affirms that the cash-in-lieu reimbursement will be used exclusively to purchase domestic agricultural products, and will provide separate accounting for receipt of these funds.



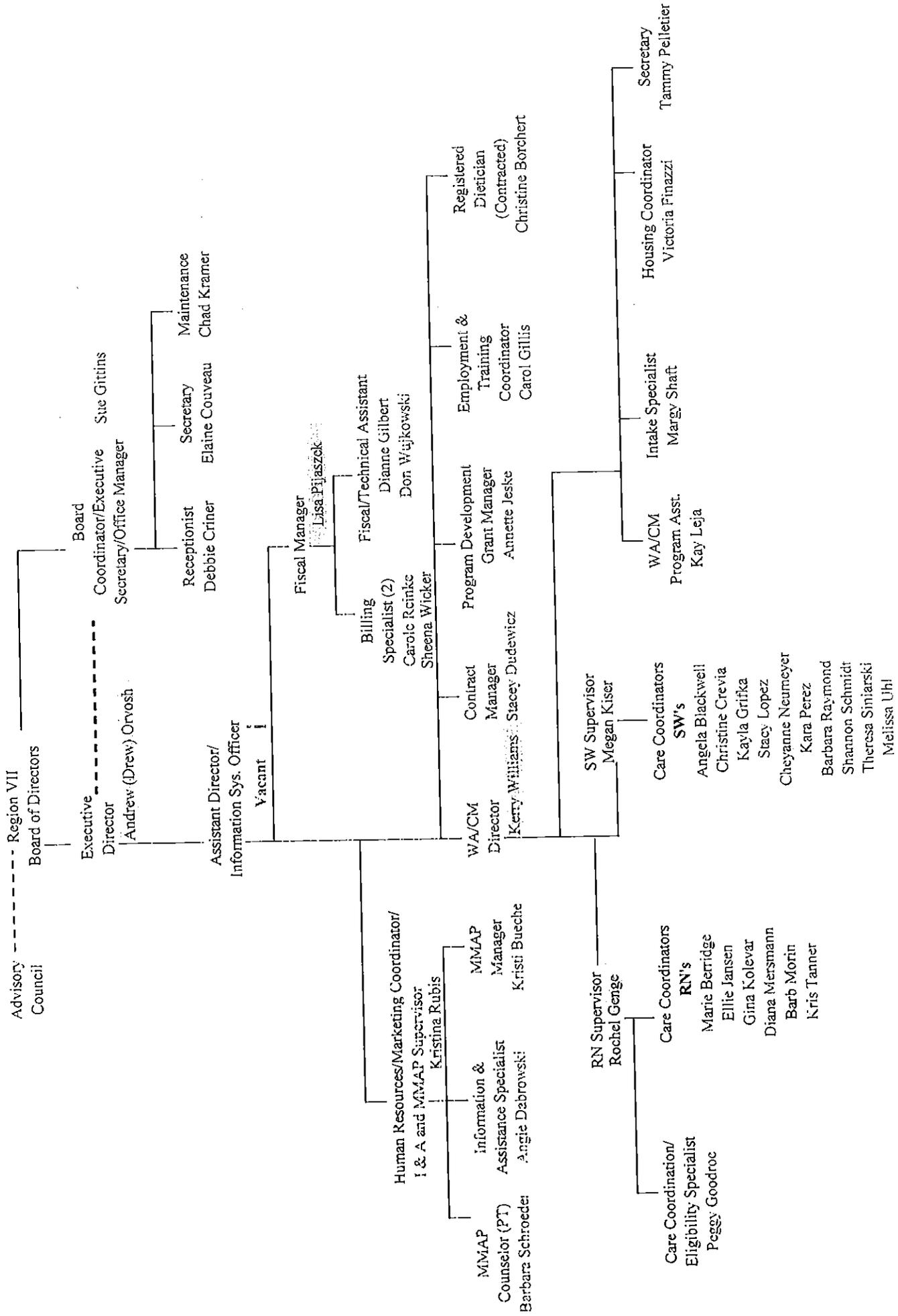
APPENDIX I

Request to Transfer Funds

1	The Area Agency on Aging requests approval to transfer funds from Title III-B Supportive Services to Title III-C Nutrition Services. The Agency assures that this action will not result in a reduction in support for in-home services and senior center staffing. Rationale for this request is below.	Amount of Transfer 0.00
2	The Area Agency on Aging requests approval to transfer funds from Title III-C1 Congregate Nutrition Services to Title III-B Supportive Services for in-home services. The rationale as to why congregate participation cannot be increased is described below.	Amount of Transfer 237,642.00
<p>The additional funds are required because as the 60 and over population increases there is a need for additional funding for Title III-B Supportive Services. The request for services can be expected to continue since the risk of frailty and functional decline increases with advanced age.</p> <p>The request will address the steady increasing demands for in-home support services in most areas of the PSA, and avoid waiting lists.</p>		
3	The Area Agency on Aging requests approval to transfer funds from Title III-C1 Congregate Nutrition to Title III-B Supportive Services for participant transportation to and from meal sites to possibly increase participation in the Congregate Nutrition Program. Rationale for this request is below.	Amount of Transfer 0.00

Region VII Area Agency on Aging Organizational Chart

APPROVED
2/3/2011



FY 2012 AREA PLAN GRANT BUDGET

Rev. 3/2011

10/01/11 to 09/30/12

Budget Period: 10/01/11 to 09/30/12

Agency: Region VII Area Agency on Aging

Page 1 of 3

Rev. No.: N/A

Date: 07/05/11

PSA: 7

SERVICES SUMMARY			
FUND SOURCE	SUPPORTIVE SERVICES	NUTRITION SERVICES	TOTAL
1. Federal Title III-B Services	1,039,365		1,039,365
2. Fed. Title III-C1 (Congregate)		472,483	472,483
3. State Congregate Nutrition		18,309	18,309
4. Federal Title III-C2 (HDM)		750,666	750,666
5. State Home Delivered Meals		662,841	662,841
6. Fed. Title III-D (Prev. Health)	56,712		56,712
7. Federal Title III-E (NFCSP)	341,886		341,886
8. Federal Title VII-A	11,272		11,272
9. Federal Title VII-EAP	13,172		13,172
10. State Access	57,760		57,760
11. State In-Home	190,319		190,319
12. State Alternative Care	225,052		225,052
13. State Care Management	431,825		431,825
14. State N.H. Ombudsman	40,524		40,524
15. Local Match			
16. Cash	85,698	176,733	262,431
17. In-Kind	224,600	34,856	259,456
18. State Respite Care (Escheat)	96,337		96,337
19. Merit Award Trust Fund	298,215		298,215
20. NSIP		722,503	722,503
21. Program Income	521,494	1,053,352	1,574,846
TOTAL	3,634,231	3,891,743	7,525,974

ADMINISTRATION			
Revenues	Local Cash	Local In-Kind	Total
Federal Administration			
State Administration	26,839		26,839
MATF Administration			
Other			
Total:	26,839		26,839

Expenditures	
	FTEs
1. Salaries/Wages	
2. Fringe Benefits	
3. Office Operations	
Total:	

Cash Match Detail		In-Kind Match Detail	
Source	Amount	Source	Amount
Total:		Total:	

I certify that I am authorized to sign on behalf of the Area Agency on Aging. This budget represents necessary costs for implementation of the Area Plan. Adequate documentation and records will be maintained to support required program expenditures.

Signature Title Date

FY 2012 AREA AGENCY GRANT FUNDS - SUPPORT SERVICES DETAIL

Rev. 3/2011
page 2 of 3

09/30/12
to
Rev. No.: N/A

10/01/11
Budget Period:
Date: 07/05/11

Agency: Region VII Area Agency on Aging
PSA: 7

SERVICE CATEGORY	Title III-B	Title III-D	Title III - E	Title VII	State Access	State In-Home	St. Alt. Care	State Care Mgmt	State NHO	St. Respite (Eschreit)	Merit Award Trust Fund	Medicaid CMP Fund	Program Income	Cash Match	In-Kind Match	TOTAL
1. Access					15,000			431,825				18,500	1,100		49,647	516,072
a. Care Management													86,057	17,353	18,552	445,107
b. Case Coord/supp	273,145		50,000													
c. Disaster Advocacy			10,000		42,760								2,252	4,947	5,862	58,822
d. Information & Assis													10,971	4,561	7,555	127,367
e. Outreach	112,503															56,552
f. Transportation	41,050															
2. In-Home													7,905	930	827	25,470
a. Chore	15,806															
b. Home Care Assis													124,716	22,846	15,594	509,121
c. Home Injury Cntrl						95,160	112,526									
d. Homemaking	138,279															16,483
e. Home Health Aide													79,921	17,102	15,787	408,815
f. Medication Mgt		14,655				95,159	112,526									
g. Personal Care	88,320												51,927	8,788	10,174	240,196
h. PERS										96,337	30,954					
i. Respite Care	42,106														6,222	62,908
j. Friendly Reassure																
3. Legal Assistance	56,000										240,422		92,514	2,704	24,010	359,650
4. Community Services													6,786		6,856	73,349
a. Adult Day Care																
b. Dementia ADC																
c. Disease Prevent	18,031	41,877											5,464		3,726	43,725
d. Health Screening												16,648	302		9,263	92,931
e. Assist to Deaf	33,535								40,524				140	944	9,584	9,584
f. Home Repair	14,922			11,272									758	3,112	968	41,560
g. LTC Ombudsman	8,500															
h. Sr. Ctr Operations	36,722															
i. Sr. Ctr Staffing													98		1,464	14,734
j. Vision Services																
k. Elder Abuse Prevnt				13,172												
l. Counseling																
m. Spec Respite Care															7,597	75,974
n. Caregiver Supplmt			69,377												1,898	18,993
o. Kinship Support			17,094										13,749	2,401	19,423	231,988
q. Caregiver E.S.T			196,415												17,816	178,160
5. Program Develop	160,344															
6. Region Specific																
a.																
CLP Services											26,839					26,839
MATF administration										96,337	295,215		35,148	486,346	85,698	224,600
SUPPRT SERV TOTAL	1,039,365	56,712	341,885	24,444	57,760	190,319	225,052	431,825	40,524	96,337	295,215	35,148	486,346	85,698	224,600	3,634,231

FY 2012 AREA PLAN GRANT BUDGET- NUTRITION SERVICES DETAIL

Agency: Region VII Area Agency on Aging Budget Period: 10/01/11 to 09/30/12 Rev. 3/2011
 PSA: 7 Date: 07/05/11 Rev. Number N/A page 3 of 3

SERVICE CATEGORY	Title III C-1	Title III C-2	State Congregate	State HDM	NSIP	Program Income	Cash Match	In-Kind Match	TOTAL
Nutrition Services									
1. Congregate Meals	456,483		18,309		195,076	346,598	40,094	12,661	1,069,221
2. Home Delivered Meals		750,666		662,841	527,427	706,754	136,639	20,417	2,804,744
3. Nutrition Counseling									
4. Nutrition Education									
5. AAA RD/Nutritionist*	16,000							1,778	17,778
Nutrition Services Total	472,483	750,666	18,309	662,841	722,503	1,053,352	176,733	34,856	3,891,743

*Registered Dietitian, Nutritionist or individual with comparable certification, as approved by CSA.

FY 2012 AREA PLAN GRANT BUDGET-TITLE VII LTC OMBUDSMAN DETAIL

SERVICE CATEGORY	Title III-B	Title VII-A	Title VII-EAP	State NHO	CMP Fund	Program Income	Cash Match	In-Kind Match	TOTAL
LTC Ombudsman Services									
1. LTC Ombudsman	14,922	11,272		40,524	16,648	302		9,263	92,931
2. Elder Abuse Prevention			13,172			98		1,464	14,734
3. Region Specific									
LTC Ombudsman Ser. Total	14,922	11,272	13,172	40,524	16,648	400	-	10,727	107,665

FY 2012 AREA PLAN GRANT BUDGET- RESPITE SERVICE DETAIL

SERVICES PROVIDED AS A FORM OF RESPITE CARE	Title III-B	Title III-E	State Alt Care	State Escheats	State In-Home	Merit Award Trust Fund	Program Income	Cash/In-Kind Match	TOTAL
1. Chore									
2. Homemaking									
3. Home Care Assistance									
4. Home Health Aide									
5. Meal Preparation/HDM									
6. Personal Care									
Respite Service Total	-	-	-	-	-	-	-	-	-

FY 2012 Planned Services Summary Page for PSA:

Service	Budgeted Funds	Percent of the Total	Method of Provision		
			Purchased	Contract	Direct
ACCESS SERVICES					
Care Management	\$ 516,072	7%		X	X
Case Coordination & Support	\$ 445,107	6%		X	
Disaster Advocacy & Outreach Program	\$ -	0%			
Information & Assistance	\$ 58,622	1%			X
Outreach	\$ 127,367	2%		X	
Transportation	\$ 56,582	1%		X	
IN-HOME SERVICES					
Chore	\$ 25,470	0%		X	
Home Care Assistance	\$ -	0%			
Home Injury Control	\$ -	0%			
Homemaking	\$ 509,121	7%	X	X	
Home Delivered Meals	\$ 2,804,744	37%		X	
Home Health Aide	\$ -	0%			
Medication Management	\$ 16,483	0%	X		
Personal Care	\$ 408,815	5%	X	X	
Personal Emergency Response System	\$ -	0%			
Respite Care	\$ 240,196	3%	X	X	
Friendly Reassurance	\$ -	0%			
COMMUNITY SERVICES					
Adult Day Services	\$ 359,650	5%	X	X	
Dementia Adult Day Care	\$ -	0%			
Congregate Meals	\$ 1,069,221	14%		X	
Nutrition Counseling	\$ -	0%			
Nutrition Education	\$ -	0%			
Disease Prevention/Health Promotion	\$ 73,349	1%		X	
Health Screening	\$ -	0%			
Assistance to the Hearing Impaired & Deaf	\$ -	0%			
Home Repair	\$ 43,725	1%		X	
Legal Assistance	\$ 62,909	1%		X	
Long Term Care Ombudsman/Advocacy	\$ 92,931	1%		X	
Senior Center Operations	\$ 9,584	0%		X	
Senior Center Staffing	\$ 41,560	1%		X	
Vision Services	\$ -	0%			
Programs for Prevention of Elder Abuse,	\$ 14,734	0%		X	
Counseling Services	\$ -	0%			
Specialized Respite Care	\$ -	0%			
Caregiver Supplemental Services	\$ 75,974	1%	X		
Kinship Support Services	\$ 18,993	0%	X		
Caregiver Education, Support, & Training	\$ 231,988	3%		X	
PROGRAM DEVELOPMENT	\$ 178,160	2%			X
REGION-SPECIFIC	\$ -	0%			
CLP Services	\$ -	0%			
MATF administration	\$ 26,839	0%			X
TOTAL PERCENT		100%	5%	89%	6%
TOTAL FUNDING	\$ 7,508,196		\$373,966	\$6,675,481	\$458,749

**FY 2012 Annual Implementation Plan
Direct Service Budget Detail**

FISCAL YEAR: 2012

AAA: _____ Region 7

SERVICE: Care Management - Midland COA

LINE ITEM	Federal OAA Title III Funds	Other Fed Funds (non-Title III)	State Funds	Program Income	Match		Other Resources	Total Budgeted
					Cash	In-Kind		
Wages/Salaries		4,200	93,236					97,436
Fringe Benefits		1,800	24,644					26,444
Travel			171				5,241	5,412
Training							500	500
Supplies							300	300
Occupancy							2,496	2,496
Communications							1,866	1,866
Equipment								0
Other (e.g., raw food costs):							2714	2,714
Administration								0
Purchased Services								0
Totals	0	6,000	118,051	0	0	0	13,117	137,168

SERVICE AREA: _____
(List by County/City if service area is not entire PSA) Clare, Gladwin, Gratiot, Isabella, & Midland Counties

I certify that I am authorized to sign on behalf of this agency.
The budgeted amounts represent necessary and proper costs for implementing the program.

Name _____ Date _____
Title _____

**FY 2012 Annual Implementation Plan
Direct Service Budget Detail**

AAA: _____ FISCAL YEAR: 2012

Region 7

SERVICE: _____ Care Management

LINE ITEM	Federal OAA Title III Funds	Other Fed Funds (non-Title III)	State Funds	Program Income	Match		Other Resources	Total Budgeted
					Cash	In-Kind		
Wages/Salaries		770	65,578	1,100			10,500	77,948
Fringe Benefits		330	36,988				4,500	41,818
Travel			3,307					3,307
Training			408					408
Supplies			1,851					1,851
Occupancy			2,175		15,153			17,328
Communications			3,457					3,457
Equipment			1,500					1,500
Other (e.g., raw food costs):			6,111					6,111
Administration		1,400	36,000			4,000		41,400
Purchased Services							209,931	209,931
Totals	0	2,500	157,375	1,100	0	19,153	224,931	405,059

SERVICE AREA:

(List by County/City if service area is not entire PSA)

Huron, Sanilac and Tuscola Counties

7

I certify that I am authorized to sign on behalf of this agency.
The budgeted amounts represent necessary and proper costs for implementing the program.

Name _____

Date _____

Title _____

**FY 2012 Annual Implementation Plan
Direct Service Budget Detail**

FISCAL YEAR: 2012

AAA: Region 7 SERVICE: Care Management - Saginaw COA

LINE ITEM	Federal OAA Title III Funds	Other Fed Funds (non-Title III)	State Funds	Program Income	Match		Other Resources	Total Budgeted
					Cash	In-Kind		
Wages/Salaries		5,684	88,885			13,800		108,369
Fringe Benefits		3,620	56,611			3,578		63,809
Travel		173	2,708					2,881
Training		45	694					739
Supplies		31	481					512
Occupancy		66	1,031					1,097
Communications		152	2,373					2,525
Equipment								0
Other (e.g., raw food costs):		232	3,615					3,847
Administration								0
Purchased Services								0
Totals	0	10,000	156,398	0	0	17,378	0	183,776

7

SERVICE AREA: Bay & Saginaw Counties
(List by County/City if service area is not entire PSA)

I certify that I am authorized to sign on behalf of this agency.
The budgeted amounts represent necessary and proper costs for implementing the program.

Name _____ Date _____
Title _____

CARE MGT. - BUDGET DETAIL FORM (A)

SCHEDULE OF MATCH & OTHER RESOURCES
FY 2012

SOURCE OF FUNDS	MATCH	
	Cash	In-Kind
Midland County COA - Local		13,117
Bay County DOA - Local		3,578
Saginaw County COA - Local		13,800
Region VII Area Agency on Aging		15,183
In-Kind Space		4,000
In-Kind Administration		

SOURCE OF FUNDS	OTHER RESOURCES	
	Cash	in-Kind
Region VII Area Agency on Aging	15,000	
State Access		
Region VII Area Agency on Aging		
Federal & State Purchase	209,931	
of Services		

**FY 2012 Annual Implementation Plan
Direct Service Budget Detail**

AAA: _____ Region 7 FISCAL YEAR: 2012

SERVICE: Information and Assistance

LINE ITEM	Federal OAA Title III Funds	Other Fed Funds (non-Title III)	State Funds	Program Income	Match		Other Resources	Total Budgeted
					Cash	In-Kind		
Wages/Salaries			20,806					20,806
Fringe Benefits			15,805					15,805
Travel			364					364
Training			773					773
Supplies			289					289
Occupancy						5,862		5,862
Communications			610					610
Equipment			500					500
Other (e.g., raw food costs)			3,613					3,613
Administration								0
Generations Magazine	10,000							10,000
Totals	10,000	0	42,760	0	0	5,862	0	58,622

SERVICE AREA:

(List by County/City if service area is not entire PSA)

7

I certify that I am authorized to sign on behalf of this agency.
The budgeted amounts represent necessary and proper costs for implementing the program.

Name _____

Date _____

Title _____

**FY 2012 Annual Implementation Plan
Direct Service Budget Detail**

AAA: _____ Region 7 _____ FISCAL YEAR: 2012

SERVICE: _____ MMAP _____

LINE ITEM	Federal OAA Title III Funds	Other Fed Funds (non-Title III)	State Funds	Program Income	Match		Other Resources	Total Budgeted
					Cash	In-Kind		
Wages/Salaries	29,640							29,640
Fringe Benefits	19,753							19,753
Travel	3,000							3,000
Training	3,000							3,000
Supplies	200							200
Occupancy								0
Communications	400							400
Equipment								0
Other (e.g. raw food costs):	737							737
Administration	500							500
Contract Services	3,714							3,714
Totals	60,944	0	0	0	0	0	0	60,944

SERVICE AREA: _____
(List by County/City if service area is not entire PSA)

I certify that I am authorized to sign on behalf of this agency.
The budgeted amounts represent necessary and proper costs for implementing the program.

Name _____ Date _____
Title _____

AREA AGENCY ON AGING--OPERATING BUDGET

PSA: VII Budget Period: 10/01/11 to: 09/30/12 Date of Budget: 07/07/11 Page 1 of 2
 Agency: Region VII Area Agency on Aging Rev. No.:

	Operations		Program Services/Activities							TOTAL
	Admin	Program Develop	CM Adm	CM Thumb	State Access	T-V Adm	Waiver In-Direct	Waiver Direct		
REVENUES										
Federal Funds	295,679	160,344				448,809	370,528	1,160,618		2,435,978
State Funds	51,373		36,000	136,376	57,760		182,499	571,648		1,035,656
Local Cash	42,000									42,000
Local In-Kind	5,221	17,816	4,000	15,153	6,418	49,868				98,476
Interest Income				1,100						1,100
Fund Raising/Other	26,839		1,400	1,100						29,339
TOTAL	421,112	178,160	41,400	153,729	64,178	498,677	553,027	1,732,266	0	3,642,549

	EXPENDITURES																						
	Contractual Services	Purchased Services	Wages and Salaries	Fringe Benefits	Payroll Taxes	Professional Services	Accounting & Audit Services	Legal Fees	Occupancy	Insurance	Office Equipment	Equip Maintenance & Repair	Office Supplies	Printing & Publication/Marketing	Postage	Telephone	Travel	Conferences/Training	Memberships	Special Events	Board Per Diem/Travel/Conf	Utilities	TOTAL
Contractual Services																							418,928
Purchased Services																							0
Wages and Salaries	228,371	94,435	20,796	76,078	20,807	24,227	389,986	872,244															1,726,944
Fringe Benefits	84,762	45,397	8,070	35,751	14,227	10,083	133,438	341,560															673,288
Payroll Taxes	17,410	7,062	1,568	5,737	1,578	1,851	29,603	61,819															126,628
Professional Services	4,056	1,643	4,658	2,053	851	1,004		68,860															83,125
Accounting & Audit Services	963	407	95	351	147	127		20,610															22,700
Legal Fees	34	16	2	18	7	9		404															490
Occupancy	5,221	17,816	4,000	17,328	6,418	49,868		162,087															262,738
Insurance	3,211	1,376	229	1,376	459	688		17,598															24,937
Office Equipment	3,500	1,500	250	1,500	500	750		17,000															25,000
Equip Maintenance & Repair	3,391	1,612	438	2,361	676	891		16,894															26,263
Office Supplies	2,832	607	160	1,851	289	647		19,122															25,508
Printing & Publication/Marketing	20,000																						20,000
Postage	4,209	382	92	201	449	1,997		3,040															10,370
Telephone	2,126	1,291	246	3,457	610	625		19,072															27,427
Travel	2,595	2,478	417	3,307	364	350		90,398															99,909
Conferences/Training	457	466	147	408	773	705		5,781															8,737
Memberships	1,615	804	108	961	651	431		6,676															11,246
Special Events	2,500																						2,500
Board Per Diem/Travel/Conf	32,000																						32,000
Utilities	1,859	868	124	991	372	496		9,101															13,811
TOTAL	421,112	178,160	41,400	153,729	64,178	498,677	553,027	1,732,266	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3,642,549



Assurance & Certificates

ASSURANCE OF COMPLIANCE

Assurance of Compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975.

The Applicant provides this assurance in consideration of and for the purpose of obtaining Federal grants, loans, contracts, property, discounts or other Federal financial assistance from the Department of Health and Human Services.

THE APPLICANT HEREBY AGREES THAT IT WILL COMPLY WITH:

1. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
2. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 84), to the end that, in accordance with Section 504 of that Act and the Regulation, no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
3. Title IX of the Educational Amendments of 1972 (Pub. L. 92-318), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives Federal financial assistance from the Department.
4. The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 91), to the end that, in accordance with the Act and the Regulation, no person in the United States shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.

The Applicant agrees that compliance with this assurance constitutes a condition of continued receipt of Federal financial assistance, and that it is binding upon the Applicant, its successors, transferees and assignees for the period during which such assistance is provided. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the



Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. The Applicant further recognizes and agrees that the United States shall have the right to seek judicial enforcement of this assurance.

ASSURANCES AND CERTIFICATIONS

The undersigned agency, designated by the Michigan Commission on Services to the Aging to act as the Area Agency on Aging within a given planning and service area, agrees to the following:

1. That the Annual Implementation Plan shall cover the current Fiscal Year 2011.
2. To administer its Annual Implementation Plan in accordance with the Older Americans Act, the Older Michigianians Act, federal and state rules, and policies of the Michigan Commission on Services to the Aging as set forth in publications and policy directives issued by the Michigan Office of Services to the Aging.
3. To make revisions necessitated by changes in any of the documents listed in point two in accordance with directives from the Michigan Office of Services to the Aging.
4. That any proposed revisions to the Annual Implementation Plan initiated by the Area Agency on Aging will be made in accordance with procedures established by the Michigan Office of Services to the Aging.
5. That funds received from the Michigan Office of Services to the Aging will only be used to administer and fund programs outlined in the Annual Implementation Plan approved by the Michigan Commission on Services to the Aging.
6. That the Area Agency on Aging will undertake the duties and perform the project responsibilities described in the Annual Implementation Plan in a manner that provides service to older persons in a consistent manner over the entire length of the Annual Implementation Plan and to all parts of the planning and service area.
7. That program development funds will be used to expand and enhance services in accordance with the initiatives and activities set forth in the approved Area Implementation Plan.
8. That all services provided under the Annual Implementation Plan are in agreement with approved service definitions and are in compliance with applicable minimum standards for program operations as approved by the Michigan Commission on Services to the Aging and issued by the Michigan Office of Services to the Aging, including Care Management.
9. That the Area Agency on Aging will comply with all conditions and terms contained in the Statement of Grant Award issued by the Michigan Office of Services to the Aging.
10. That the Area Agency on Aging may appeal actions taken by the Commission on Services to the Aging with regard to the Annual Implementation Plan, or related matters, in accordance with procedures issued by



Region VII Area Agency On Aging

FY: 2012

the Michigan Office of Services to the Aging in compliance with the requirements of the Older Michigianians Act and Administrative Rules.

11. That the AAA will coordinate planning, identification, assessment of needs, and provision of services for older individuals with disabilities, with particular attention to individuals with severe disabilities, and with agencies that develop or provide services for individuals with disabilities.

12. That the AAA has in place a grievance procedure for eligible individuals who are dissatisfied with or denied services.

13. That the AAA will send copies of the Annual Implementation Plan to all local units of government seeking approval as instructed in the Annual Plan Instructions.

14. That the AAA Governing Board and Advisory Council have reviewed and endorsed the Annual Implementation Plan.

15. That the Area Agency on Aging will comply with all conditions and terms of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975. The Applicant agrees that compliance with this assurance constitutes a condition of continued receipt of Federal financial assistance, and that it is binding upon the Applicant, its successors, transferees and assignees for the period during which such assistance is provided. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. The Applicant further recognizes and agrees that the United States shall have the right to seek judicial enforcement of this assurance.

16. That the Area Agency on Aging will comply with all conditions and terms of The Elliot Larsen Civil Rights Act, PA 453 of 1976 and the Persons With Disabilities Civil Rights Act, PA 220 of 1976. The Applicant provides this assurance in consideration of and for the purpose of obtaining State of Michigan Federal grants, loans, contracts, property, discounts or other State and Federal financial assistance from the Michigan Office of Services to the Aging.

The signatory on the Signature Page indicates that the Area Agency on Aging is submitting the current Fiscal Year Annual or Multi-Year Implementation Plan that describes the initiatives and activities which will be undertaken on behalf of older persons within the planning and service area. We assure that these documents and subsequent Annual Implementation Plans represent a formal commitment to carry out administrative and programmatic responsibilities and to utilize federal and state funds as described.

ASSURANCE OF COMPLIANCE WITH THE ELLIOT LARSEN CIVIL RIGHTS ACT

Assurance of compliance with the Elliot Larsen Civil Rights Act, PA 453 of 1976 and the Persons With Disabilities Civil Rights Act, PA 220 of 1976.



The Applicant provides this assurance in consideration of and for the purpose of obtaining State of Michigan Federal grants, loans, contracts, property, discounts or other State and Federal financial assistance from the Michigan Office of Services to the Aging.

The Applicant hereby agrees that it will comply with:

Non-Discrimination: In the performance of any grant, contract, or purchase order resulting here from, the Contractor agrees not to discriminate against any employee or applicant for employment or service delivery and access, with respect to their hire, tenure, terms, conditions or privileges of employment, programs and services provided or any matter directly or indirectly related to employment, because of race, color, religion, national origin, ancestry, age, sex, height, weight, marital status, physical or mental disability unrelated to the individual's ability to perform the duties of the particular job or position. The Contractor further agrees that every subcontract entered into for the performance of any grant, contract, or purchase order resulting here from will contain a provision requiring non-discrimination in employment, service delivery and access, as herein specified binding upon each subcontractor. This covenant is required pursuant to the Elliot Larsen Civil Rights Act, 1976 PA 453, as amended, MCL 37.2201 et seq, and the Persons with Disabilities Civil Rights Act, 1976 PA 220, as amended MCL 37.1101 et seq, and any breach thereof may be regarded as a material breach of the grant, contract, or purchase order.