

# **BAY COUNTY BOARD OF COMMISSIONERS**

## **A G E N D A**

**TUESDAY, MARCH 8, 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**

87-96 **V MINUTES (2/8/11)**

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

**VII PETITIONS AND COMMUNICATIONS**

A. Public Hearing (4:00 p.m.)

1- 7

1. Pawnbroker Ordinance

8-18

2. Secondhand and Scrap Dealer Ordinance

19

B. Bay Arenac Behavioral Health Authority - Applications for Appointment to BABHA Meeting Membership Requirements

20

1. Boyd Boettger (Incumbent)

21

2. James Anderson (Incumbent)

22

3. Richard Crete (Incumbent)

23

4. Richard Gromaski (Incumbent)

24-27

5. Colleen Maillette

28-35

6. Kevin D. Lozo

36-45

7. Mandi K. Salay

46-47

C. City of Bay City - Application for an Obsolete Property Rehabilitation District (**Receive**)

- 48-61 D. Gabriel, Roeder, Smith & Company - Retirement Incentive Program Affecting Certain Active Members of the Bay County Employees' Retirement System (**Receive and refer to Personnel/Judicial Committee**)

## **VIII REPORTS/RESOLUTIONS OF COMMITTEES**

### **A. WAYS AND MEANS (ERNIE KRYGIER, CHAIR; KIM COONAN, VICE CHAIR)**

- 62-63 1. No. 2011-25 - Healthcare Reform
- 64 2. No. 2011-26 - Opposition to Taxing Pensions/State and Local Legislators Concessions
- 65 3. No. 2011-27 - Roof Demolition - Fair Grounds Grandstands (Buildings and Grounds)
- 66 4. No. 2011-28 - Capacity Building Healthy Communities Grant (Health Dept.)
- 67 5. No. 2011-29 - Additional Funding from United States Department of Agriculture for Women, Infant and Children Program (WIC) (Health Dept.)
- 68 6. No. 2011-30 - Amendment # 1 to CPBC Agreement 2010-2011 (Health Dept.)
- 69 7. No. 2011-31 - Great Lakes Regional Initiative Grant Funding (Health Dept.)
- 70 8. No. 2011-32 - Memorandum of Understanding w/Saginaw Valley State University (Health Dept.)
- 71 9. No. 2011-33 - Household Hazardous Waste Collections Grant Application (Health Dept.)
- 72 10. No. 2011-34 - Community Assessment Grant Funding (Health Dept.)
- 73 11. No. 2011-35 - Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Grant Funding (Division on Aging)
- 74 12. No. 2011-36 - American Recovery and Reinvestment Act Funds FY 2011 (Division on Aging)
- 75 13. No. 2011-37 - Budget Adjustments
- 76 14. No. 2011-38 - Vacancy (Division on Aging)

**B. PERSONNEL/JUDICIAL (TOM RYDER, CHAIR; ERNIE KRYGIER, VICE CHAIR)**

- 77 1. No. 2011-39 - Inmate Services Contract with Blue Cross/Blue Shield (Sheriff Dept.)
- 78-79 2. No. 2011-40 - Vacancies: Sheriff Dept. (Marine Patrol); Division on Aging; Health Department; Administrative Services (Various seasonal positions)

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

- 80 1. No. 2011-41 - Medicare Improvements for Patients and Providers Act Funding (Division on Aging)

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

- 81 1. No. 2011-42 - Honoring Dennis H. Volk
- 82 2. No. 2011-43 - Accounts Payable/BAYANET/Center Ridge Arms
- 83-85 3. No. 2011-44 - Reports of County Executive

**IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

- A. County Executive
- 86 B. Animal Control Manager - Shelter Visits (**Receive**)

**X UNFINISHED BUSINESS**

**XI NEW BUSINESS**

**XII MISCELLANEOUS**

**XIII ANNOUNCEMENTS**

**A. 2011 Appointments:**

**1. March**

- a. Bay Arenac Behavioral Health Authority (Four 3 year terms)**

**XIV CLOSED SESSION (If requested)**

**XV RECESS/ADJOURNMENT**

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: MARCH 8, 2011

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2010-43	Board of Comm.	Accounts payable: BAYANET and Center Ridge Arms claims	XX						
2010-44	Board of Comm.	Reports of Executive: Employment Status 2/11, Workers Comp 1/11	XX						
2010-45	Board of Comm.	Pawnbroker Ordinance & Secondhand and Scrap Dealer Ordinance	XX						
Motions									
22	Krygier	Approve minutes of February 8, 2011	XX						
23	Krygier	To hold off on Res. 2011-27, demolition of grandstand roof at Fair Grounds	no vote						
24	Krygier	Go out of order for Public Hearing on (2) Ordinances	XX						
25	Krygier	Back to regular session following Public Hearing on (2) Ordinances	XX						
26	Coonan	Receive requests for appmts. to Bay Arenac Behavioral Health Authority (BABHA)	XX						
27	Krause	Go out of order of business to make appointments To BABHA	XX						
28	Duranczyk	Appointments to BABHA: B. Boettger, J. Anderson, R. Crete, R. Gromaski	XX						
29	Krause	Rec. letter fr. City for App. for Obsolete Property Rehab. from D. Dittenber	XX						
30	Ryder	Receive & refer to Personnel/Judicial Comm., Retirement Incentive Program	XX						
31	Duranczyk	Receive letter from M. Halstead, Bay County Animal Control Manager	XX						
32	Coonan	Open the Community Center pool for the 2011 Season	XX						
33	Duranczyk	Waive period required by Board of Comm. Rules for Ordinance adoption	XX						
34	Duranczyk	Adjourn regular board session meeting of March 8, 2011	XX						

**ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS**

DATE OF BOARD MEETING: MARCH 8, 2011

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2011-25	Ways and Means	Urging support for Healthcare Reform	XX						
2011-26	Ways and Means	Opposition to Taxing Pensions/State & Local Legislators Concessions	XX						
2011-27	Ways and Means	Buildings/Grounds - Grandstands roof demolition at Fairgrounds	XX						
2011-28	Ways and Means	Health Dept. - Capacity Building Healthy Communities Grant funding	XX						
2011-29	Ways and Means	Health Dept. - Additional Funding from USDA for WIC Program	XX						
2011-30	Ways and Means	Health Dept. - Amendment #1 to CPBC Agreement 2010-2011	XX						
2011-31	Ways and Means	Health Dept. - Great Lakes Regional Initiative Grant Funding	XX						
2011-32	Ways and Means	Health Dept. - Memo of Understanding w/Saginaw Valley, testing bacteria levels	XX						
2011-33	Ways and Means	Health Dept. - Household Hazardous Waste Collections Grant App.	XX						
2011-34	Ways and Means	Health Dept. - Community Assessment Grant Funding	XX						
2011-35	Ways and Means	Div. on Aging - Enhanced Training/Services to end abuse of elderly	XX						
2011-36	Ways and Means	Division on Aging - American Recovery & Reinvestment Act Funds	XX						
2011-37	Ways and Means	Various Budget Adjustments	XX						
2011-38	Ways and Means	Division on Aging - Fill vacancy, Personal Care and Homemaker	XX						
2011-39	Personnel/Judicial	Sheriff Dept. - Inmate Services Contract w/Blue Cross/Blue Shield	XX						
2011-40	Personnel/Judicial	Fill vacancies: Sheriff, Division on Aging, Health Dept., Admin. Services	XX						
2011-41	Human Services	Division on Aging - Medicare Improvements for Patients/Providers Act Funding	XX						
2011-42	Board of Comm.	Honoring Dennis H. Volk	XX						

**BAY COUNTY BOARD OF COMMISSIONERS**

**03/08/11**

**RESOLUTION**

- BY: WAYS AND MEAN COMMITTEE (3/1/11)
- WHEREAS, The continued onslaught on public sector benefits by the new majority in Lansing and Washington is crippling healthcare reform; and
- WHEREAS, Healthcare reform is a necessity for employers who provide healthcare for employees and their dependents; and
- WHEREAS, The shameless tactic of misrepresenting the facts surrounding health care costs for public sector employers undermines an honest debate on healthcare costs; and
- WHEREAS, This strategy of misrepresentation of health care facts is intended to reduce benefits and increase costs to seniors on Medicare with fixed incomes; and
- WHEREAS, The rapid escalation of healthcare costs has resulted in close to 50 million Americans without healthcare coverage; and
- WHEREAS, Those who have healthcare coverage have seen a dramatic increase in costs through co-pay, deductibles and higher premium costs; and
- WHEREAS, The United States spends almost twice as much more per capita on healthcare than other industrialized countries; and
- WHEREAS, In our global economy healthcare costs to the private sector creates a disadvantage to U.S. companies competing against foreign companies that have government sponsored universal healthcare; and
- WHEREAS, Healthcare reform to cover all Americans under a "Medicare for All" will enable the U.S. to compete with all other industrialized countries for jobs that have been outsourced for a generation because of the costs of the employer providing healthcare; and
- WHEREAS, The healthcare status quo is not acceptable and, without real healthcare reform, America will continue to spiral down burdened by a health care system that is inefficient, obsolete and unaffordable; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners urges our federal Legislators to address the problem of the uninsured in America as a top priority; Be It Further
- RESOLVED That in addition to the problem with the millions of uninsured Americans, the Bay County Board of Commissioners strongly emphasizes reform in the manner in which healthcare is funded and delivered; Be It Further

RESOLVED That this reform be accomplished in Washington D.C. The reform should be intended to provide quality care for all and drive the cost of providing that care down. In the United States we are at a competitive disadvantage with other industrialized countries who provide health care to their citizens in a more comprehensive and efficient manner; Be It Further

RESOLVED That this vital and complex change in the way health care should be funded and delivered would involve all parties who have a stake in the system; Be It Further

RESOLVED That the Bay County Board of Commissioners urges support from both the public sector and private sectors to strongly urge Congress to bring together in a forum those who comprise the existing Health Care System. "The health care providers, insurance companies, doctors, lawyers, drug manufacturers, academia, and consumer", to put aside their individual interest and develop a comprehensive and efficient health care system that will not only provide quality care to all, but to do so in an efficient manner that will benefit the American people as well as those employers who are bearing an unfair burden in funding health care within the present system; Be It Finally

RESOLVED That this resolution be sent to President Barack H. Obama, Senators Carl Levin and Debbie Stabenow, U.S. Representatives Dale Kildee and Dan Benishek, the Michigan Association of Counties, the other 82 Michigan counties, the Bay, Auburn, Essexville and Pinconning Area Chambers of Commerce and the Michigan Chamber of Commerce.

ERNIE KRYGIER, CHAIR  
AND COMMITTEE

Coonan - Healthcare Reform

Resolution sponsored by Commissioner Kim Coonan

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Coonan

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. Begick		✓		Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: ✓ YEAS 6 NAYS 3 EXCUSED 0

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

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

BAY COUNTY BOARD OF COMMISSIONERS

03/08/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/1/11)
WHEREAS, Recently Governor Rick Snyder outlined his proposed budget; and
WHEREAS, Included in the budget is a proposal to tax pensions; and
WHEREAS, Michigan's senior population is projected to increase from 12.8% to 19.5% over the next 20 years; and
WHEREAS, Most senior pensions are at a fixed rate with no cost of living increases; and
WHEREAS, The cost of senior medical expenses and prescriptions will continue to escalate; and
WHEREAS, The cost of fuel, groceries and other necessities will also continue to escalate; and
WHEREAS, It is unfair to place the burden of balancing the budget on seniors who are struggling with their day-to-day existence; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners urges that the legislators, state and local, take concessions in the form of benefits, i.e. health insurance, etc., to aide with the budget rather than placing this burden on our senior citizens.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Krause - Opposition to Taxing Pensions
Resolution sponsored by Commissioner Brandon Krause

MOVED BY COMM. Krygier
SUPPORTED BY COMM. Coonan

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, Donald J. Tilley.

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

DISPOSITION: ADOPTED WITHDRAWN
AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

03/08/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/1/11)
WHEREAS, The roof above the grandstands at the Bay County Fair Grounds is structurally unsound; and
WHEREAS, The Superintendent of Buildings and Grounds recommends removal of the roof system leaving the vertical columns in place; and
WHEREAS, The Grandstands will remain usable once the roof system is removed; and
WHEREAS, The cost of the roof system removal is \$16,000 and funds do not exist in the 2011 Buildings and Grounds budget to cover this expense, however, Bay County will receive the salvage value of the scrap steel from the removed system; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners appropriates \$16,000 from Fund Balance for removal of the roof above the Fair Grounds grandstands; Be It Further
RESOLVED That all related budget adjustments are approved.

ERNIE KRYGIER, CHAIR AND COMMITTEE

Bldgs & Grnds - Fair Grounds Grandstands Roof Removal

MOVED BY COMM. Krygier
SUPPORTED BY COMM. Coonan

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. Begick, Joe Davis, Ernie Krygier, Kim Coonan, Tom Ryder, Christopher Rupp, Donald J. Tilley.

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

DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

03/08/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/1/11)
WHEREAS, The Michigan Building Health Communities Program is an important element to Michigan's Healthy Communities Initiative to increase and enhance policies, environments and systems to improve physical activity, healthy eating and tobacco free behaviors; and
WHEREAS, The Bay County Health Department was recently notified by the Cardiovascular Health, Nutrition and Physical Activity Section of the MDCH that it has been awarded a \$2,000 grant as part of the division's Building Health Communities Project which covers training opportunities in Michigan; and
WHEREAS, There is no local match requirement; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners accepts the Capacity Building Healthy Communities Grant funding and authorizes the Board Chair to execute any documents required for this grant funding on behalf of Bay County following legal review/approval; Be It Finally
RESOLVED That budget adjustments required relating to this allocation are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Health Dept. - Capacity Building Healthy Communities Grant

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Rupp

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. Begick, Joe Davis, Ernie Krygier, Kim Coonan, Tom Ryder, Christopher Rupp, and Donald J. Tilley.

VOTE TOTALS:

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

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

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

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

BAY COUNTY BOARD OF COMMISSIONERS

03/08/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/1/11)
WHEREAS, The WIC Program is one that provides nutritious foods and nutrition education support for persons who meet the following qualifications: pregnant or breastfeeding, have an infant or child under 5 years, live in Bay County, meet income eligibility, and agree to participate in medical/nutritional screening; and
WHEREAS, WIC has been funded by the USDA since its inception and the USDA has based their disbursements on the number of high risk clients served by each health department; and
WHEREAS, Additional funding has been made available from the USDA for FY 2011 and these funds are being distributed to local agencies. An additional \$34,401 has been added for a total addition of 455,859 for FY 2011; and
WHEREAS, As a result of this additional funding, the FY 2010-2011 allocation is changed from \$455,859 to \$490,260; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners hereby accepts the USDA allocation and authorizes the Chairman of the Board to sign any required documents on behalf of Bay County following legal review/approval; Be It Further
RESOLVED That budget adjustments, if required, are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Health Dept - Addl USDA Funding

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Krause

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. Begick, Joe Davis, Ernie Krygler, Kim Coonan, Tom Ryder, Christopher Rupp, and Donald J. Tilley.

VOTE TOTALS:

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

DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**3/8/11**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (3/1/11)

WHEREAS, The 2010/2011 CPBC Agreement between Bay County and the Michigan Department of Community Health (MDCH) is being amended to reflect updated program language and revised allocations received since Amendment # 2 was issued. This amendment reflects positive changes to funding levels:

<u>PROGRAM ELEMENT</u>	<u>PREVIOUS LEVEL</u>	<u>REVISED LEVEL</u>	<u>CHANGE</u>
Healthy Communities Capacity Bldg.	\$0	\$2,000	\$2,000
Public Health Emergency Response H1N1	\$0	\$95,000	\$95,000
Saginaw River/Bay Safe Fish/Game	\$0	\$5,000	\$5,000
WIC Resident Services	\$455,859	\$490,260	\$34,401
LPHO* Drinking Water	\$17,854	\$18,667	\$813
LPHO Food	\$84,625	\$88,481	\$3,856
LPHO MDCH/Other	\$71,289	\$76,657	\$5,368
LPHO Onsite Sewage	\$63,300	\$66,184	\$2,884
Total CPBC Funding	\$1,172,512	\$1,321,834	\$149,322

RESOLVED That the Bay County Board of Commissioners approves amendment # 1 to the 201009-20110 CPBC Contracting Agreement and authorizes the Chairman of the Board to execute all required documents on behalf of Bay County; Be It Further

RESOLVED That budget adjustments relating to this amendment are approved.

ERNIE KRYGIER, CHAIR  
AND COMMITTEE

Health Dept - Amendment 1 CPBC Agt

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Coonan

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

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

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**BAY COUNTY BOARD OF COMMISSIONERS**

**03/08/11**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (3/1/11)

WHEREAS, The Michigan Department of Natural Resources and Environment, through the Great Lakes Regional Initiative (GLRI), has awarded the Bay County Health Department \$46,625 for FY 2011 to further develop a forecasting method (i.e. predictive model) at local beaches; and

WHEREAS, There are no financial commitments from Bay County as 100% of all costs associated with this project are covered by the grant; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners accepts the grant funding and authorizes the Board Chair to sign all documents related to the grant following legal review/approval; Be It Further

RESOLVED That budget adjustments related to the grant are approved.

ERNIE KRYGIER, CHAIR  
AND COMMITTEE

Health Dept - GLRI Grant Funding - Rapid Testing Projects

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Krause

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

**03/08/11**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (3/1/11)  
 WHEREAS, The Bay County Health Department has obtained funding through the Great Lakes Regional Initiative (GLRI) to purchase and implement methods to rapidly test bacteria levels and further develop a forecasting method (i.e. predictive model) at local beaches; and  
 WHEREAS, Saginaw Valley State University has the expertise amongst its faculty and staff, as well as the facility to house and maintain the equipment; and  
 WHEREAS, In order to fully accomplish the grant objectives and to leverage support with other community based organizations, the Health Department proposes to enter into a working relationship with SVSU through a Memorandum of Understanding; and  
 WHEREAS, There is no financial cost to Bay County as all costs associated with the project are included in the GLRI grants; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Understanding between Bay County (Health Department) and Saginaw Valley State University to partner in this project and authorizes the Chairman of the Board to execute the MOU on behalf of Bay County following legal review/approval; Be It Further  
 RESOLVED That budget adjustments related to the MOU are approved.

ERNIE KRYGIER, CHAIR  
 AND COMMITTEE

Health Dept - SVSU MOU - GLRI Grant

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Duranczyk

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

03/08/11

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (3/1/11)
- WHEREAS, The Environmental Health Division the Bay County Health Department has operated Household Hazardous Waste Collections on a bi-annual basis and these collections have been typically funded by support from the Dow Chemical Company; and
- WHEREAS, The Health Department wishes to make application for funding for this program in the amount of \$16,000 to provide at least two (2) collections for FY 2011 in Bay County; and
- WHEREAS, There is no financial cost to the Health Department as all costs associated for the collection and disposal will be included in the grant, if funded; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Health Department to seek funding from the Dow Chemical Company for Household Hazardous Waste Collections; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute any and all grant documents following legal review/approval; Be It Finally
- RESOLVED That grant related budget adjustments, if required, are approved.

ERNIE KRYGIER, CHAIR  
AND COMMITTEE

Health Dept - HHWC 2011

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Duranczyk

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

DISPOSITION: ADOPTED ✓ DEFEATED      WITHDRAWN       
AMENDED      CORRECTED      REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**03/08/11**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (3/1/11)  
 WHEREAS, In the past, the Bay County Health Department received funding from both the Michigan Department of Community Health (MDCH) and Bay Health Systems to conduct a Community Health Assessment and develop a Community Health Improvement Plan; and  
 WHEREAS, The Community Health Assessment and Improvement Program employed a full-time Health Analyst to study morbidity and mortality trends in the community and to help facilitate community-based planning via goals, objectives and implementation of health based priorities; and  
 WHEREAS, The 1995-2002 project was very successful and brought together a number of initiatives in the community, including improvements to maternal and child health programs, development of community-based cardiovascular disease prevention programs, cancer screening programs and several environmental health initiatives; and  
 WHEREAS, Most importantly, the Health Assessment and Improvement Program helped foster community-based planning beyond health care; and  
 WHEREAS, Due to budget cuts and dwindling resources, the Health Assessment Program ended as a formal initiative in late 2002; and  
 WHEREAS, The Bay County Health Department wishes to undertake a comprehensive Community Health Assessment in collaboration with other community-based organizations, such as Bay Regional Medical Center (BRMC), the Bay Health Plan (BHP) and the United Way; and  
 WHEREAS, To further supplement the associated costs of the project, the Health Department is seeking grant funds from the Bay Area Community Foundation with no financial considerations to Bay County associated with the grant funds; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners authorizes pursuit of grant funding for a Community Health Assessment and authorizes the Chairman of the Board to execute grant application documents and grant award documents on behalf of Bay County (Health Department) following legal review/approval; Be It Further  
 RESOLVED That budget adjustments relating to this grant project, if required, are approved.

ERNIE KRYGIER, CHAIR  
 AND COMMITTEE

Health Dept - Community Health Assessment Grant Funding

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Begick

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

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



**BAY COUNTY BOARD OF COMMISSIONERS**

**03/08/11**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (3/1/11)  
 WHEREAS, The U.S. Department of Justice has identified funds to address training and services to end violence against and abuse of women in later life; and  
 WHEREAS, This funding may be sought by units of local government provided there are commitments from partner organizations/entities to send designated staff to trainings that focus on the subject of sexual, physical, or emotional abuse, neglect, and financial exploitation of the elderly, with grant funds to cover the cost of sending staff to training; and  
 WHEREAS, The County of Bay meets the eligibility criteria to submit an application for funding; and  
 WHEREAS, The County of Bay will address the implementation of the grant through a memorandum of understanding with the various partner entities; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners authorizes submittal of an application for funding under the "Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Program" and authorizes the Board Chair to sign any and all required documents on behalf of Bay County, including all grant award documents, following legal review/approval; Be It Finally  
 RESOLVED That all budget adjustments related to this grant are approved.

ERNIE KRYGIER, CHAIR  
 AND COMMITTEE

DOA - Dept of Justice Grant Program

MOVED BY COMM. Krygier  
 SUPPORTED BY COMM. Rupp

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:  
 ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0  
 DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

03/08/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/1/11)
WHEREAS, The Region VII Area Agency on Aging Board of Directors has received information on funds available under the American Recovery and Reinvestment Act for the fiscal year ending September 30, 2011; and
WHEREAS, The Region VII Area Agency on Aging Board of Directors will receive the funds from the Office of Services to the Aging and will then award funding to the Bay County Division on Aging to provide meal services in Bay County for eligible elderly clients; and
WHEREAS, The guidelines governing this program require provision of a 15% local match; and
WHEREAS, The Division on Aging plans to use the value of space used at the Bay County Community Center to meet this matching requirement; and
WHEREAS, The Division on Aging anticipates expending these funds to provide meals for senior citizens in Bay County; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners hereby accepts the award of ARRA funds for the fiscal year ending September 30, 2011 when firm grant dollars are confirmed and authorizes the Board Chair to sign any contract amendments or documents resulting from this action following legal review/approval; Be It Further
RESOLVED That all budget adjustments related to this action are approved.

ERNIE KRYGIER, CHAIR AND COMMITTEE

DOA - ARRA Grant Funds
MOVED BY COMM. Krygier
SUPPORTED BY COMM. Krause

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. Begick, Joe Davis, Ernie Krygier, Kim Coonan, Tom Ryder, Christopher Rupp, Donald J. Tilley.

VOTE TOTALS:
ROLL CALL: YEAS NAYS EXCUSED
VOICE: YEAS 9 NAYS 0 EXCUSED 0
DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**03/08/11**

**RESOLUTION**

BY: **WAYS AND MEANS COMMITTEE (3/1/11)**

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 3/08 /2011 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.

Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
2011-03-002	General Fund Friend of the Court Activity To budget for the elimination of the Friend of the Court Child Support Warrant Officer grant for 2011.		\$1,182	

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Ryder

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

3/8/11

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/1/11)

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. Division on Aging - On-call Homemaker/Personal Care Float Position (Personal Care, \$10.62/hr. entry; Homemaking, \$9.88/hr. entry)

RESOLVED That budget adjustments, if required, are approved.

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

ERNIE KRYGIER CHAIR AND COMMITTEE

Vacancies2 - 3-8-11

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Rupp

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. Begick, Joe Davis, Ernie Krygier, Kim Coonan, Tom Ryder, Christopher Rupp, and Donald J. Tilley.

VOTE TOTALS:

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

DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

3/8/11

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (2/15/11)

WHEREAS, The Bay County Inmate Services Contract with Blue Cross/Blue Shield is up for renewal for the May 2011 - April 2012 period; and

WHEREAS, The Administrative Services Agreement administrative charge, which represents the cost paid by the county, is 11%, the same as the last contract period; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Administrative Services Contract with Blue Cross/Blue Shield for the period May 2011 - April 2012 is approved and the Chairman of the Board authorized to execute said Agreement following legal review; Be It Further

RESOLVED That any budget adjustments required are approved.

TOM RYDER, CHAIR  
AND COMMITTEE

Sheriff Dept - BXBS ContractRenewal

MOVED BY COMM. Ryder

SUPPORTED BY COMM. Rupp

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

**3/8/11**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (2/15/11)  
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-2011 Marine Patrol** - 5 Supervisors; 25 Marine Deputies (seasonal)
- B. **Division on Aging** - Driver (part time, \$9.88/hr. entry)
- C. **Health Department** - Staff/Grant Coordinator (grant funded, temporary, part time)
- D. **Administrative Services** - Community Center Pool; Golf Course; Pinconning Park; Buildings and Grounds:

**Community Center Pool Staff**

Approximate dates: June 1<sup>st</sup> through August 19<sup>th</sup>

<b>Position:</b>	<b>Hourly Wage Rate:</b>
Pool Supervisor (1)	\$11.00/hr.
Pool Assistant Supervisor (1)	\$9.50/hr.
Water Safety Instructor (4)	\$7.90/hr. (entry level), \$8.40/hr. (1 yr. level)
Lifeguard (6)	\$7.50/hr. (entry level), \$7.90/hr. (1 yr. level)
Cashier (1)	\$7.40/hr.

**Golf Course - CLUBHOUSE**

Approximate dates: April 1<sup>st</sup> through November 1<sup>st</sup>

<b>Position:</b>	<b>Hourly Wage Rate:</b>
Clubhouse Leader (1)	\$11.00/hr.
Clubhouse Attendant, Team Leader (1)	\$9.00/hr.
Clubhouse Attendant (4)	\$7.40/hr.
Starter/Ranger, Team Leader (1)	\$8.00/hr.
Starter/Ranger (6)	\$7.40/hr.
Service Assistant, Team Leader (1)	\$8.00/hr.
Service Assistant (4)	\$7.40/hr.

**Golf Course – GROUNDS MAINTENANCE**

Approximate dates: April 1<sup>st</sup> through November 1<sup>st</sup>

<b>Position:</b>	<b>Hourly Wage Rate:</b>
Equipment Operator, Team Leader (2)	\$9.00/hr.
Equipment Operator (5)	\$8.00/hr.
General Laborer, Team Leader (1)	\$8.00/hr.
General Laborer (2)	\$7.40/hr.

**BAY COUNTY BOARD OF COMMISSIONERS**

**3/8/11**

**RESOLUTION**

Golf Course - SNACK SHOP

Approximate dates: Mid-May through End of August

**Position:**

Snack Shop, Team Leader (1)  
Snack Shop Attendant (3)

**Hourly Wage Rate:**

\$8.00/hr.  
\$7.40/hr.

Pinconning Park Seasonal Rangers

Approximate dates: May 1<sup>st</sup> through Mid-September

**Position:**

Seasonal Lead/Park Ranger (1)  
Seasonal Ranger (2)

**Hourly Wage Rate:**

\$9.00/hr.  
\$7.40/hr. (entry level), \$7.75/hr. (1 yr. level)

Seasonal Recreation/Maintenance

Approximate dates: May 1<sup>st</sup> through Mid-October

**Position:**

Seasonal Recreation Workers-Full time (2)  
Seasonal Recreation Worker-Part time (1)

**Hourly Wage Rate:**

\$8.00/hr.  
\$7.40/hr.

Seasonal Property Maintenance

Approximate date: May 1<sup>st</sup> through Mid-October

(Paid for by the County Treasurer)

**Position:**

Seasonal Foreclosed Homes Worker (1)

**Hourly Wage Rate:**

\$8.00/hr.

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 - 3-8-11

MOVED BY COMM. Ryder

SUPPORTED BY COMM. Rupp

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. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

03/08/11

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (2/15/11)
WHEREAS, The Bay County Division on Aging provides services to older adults who are living on a fixed income and are eligible for Medicare; and
WHEREAS, The Region VII Area Agency on Aging administers help to senior citizens through the Michigan Medicare and Medicaid Assistance Program (MMAP); and
WHEREAS, The Region VII MMAP program will receive funding under the Medicare Improvements for Patients and Providers Act (MIPPA) for the purpose of more outreach to identify and assist Medicare-eligible individuals get the extra financial help they need under the Low Income Subsidy (LIS) and Medicare Savings Plan (MSP); and
WHEREAS, The Bay County Division on Aging is willing to utilize staff to assist individuals complete applications to get the Medicare benefits and subsidies they deserve; Therefore Be It
RESOLVED That the Bay County Board of Commissioners approves entering into an agreement with Region VII Area Agency on Aging for the provision of services that will qualify for reimbursement in the amount of \$100 for each completed application for Low Income Subsidy and Medicare Savings Plan and authorizes Board Chair to sign the updated agreement documents following legal review/approval; Be It Further
RESOLVED That all budget adjustments related to this action are approved.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

Division on Aging - MIPPA Agreement

MOVED BY COMM. Duranczyk

SUPPORTED BY COMM. Davis

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. Begick, Joe Davis, Ernie Krygler, Kim Coonan, Tom Ryder, Christopher Rupp, and Donald J. Tilley.

VOTE TOTALS:

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

DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED



**BAY COUNTY BOARD OF COMMISSIONERS**

**03/08/11**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, Over the years, many dedicated and devoted individuals have served government in various capacities representing the citizens of Bay County and one of these individuals is **DENNIS H. VOLK** who has served as the Beaver Township Fire Chief since 1987; and

WHEREAS, With his recent retirement, the Bay County Board of Commissioners and the Bay County Executive are extremely proud to recognize the outstanding career of **DENNIS H. VOLK** as the Beaver Township Fire Chief; and

WHEREAS, During his tenure **DENNIS H. VOLK** was instrumental in starting the Beaver Township Fire Department in June of 1983 and served as one of nineteen charter members at its inception; and

WHEREAS, During construction of the Fire Department, **DENNIS H. VOLK** attended fire training and served as the Assistant Fire Chief from June 1983 to February 1985; and

WHEREAS, While **DENNIS H. VOLK** was named Fire Chief in 1985, he served only briefly in that capacity due to health issues but remained an active member of the Department and was again named Fire Chief in 1987; and

WHEREAS, To insure continued growth in Beaver Township, **DENNIS H. VOLK** dedicated his efforts to the success of the Beaver Township Fire Department; and

WHEREAS, Service to and the safety of the residents of Beaver Township was crucial to **DENNIS H. VOLK** and, to that end, qualified and dedicated individuals serve on the Beaver Township Fire Department; and

WHEREAS, Over the years, **DENNIS H. VOLK** has worked tirelessly to improve and upgrade the Township's Fire Department and continues to serve as an advisor to the Department; and

WHEREAS, The leadership, commitment and dedication shown by **DENNIS H. VOLK** during his years with the Beaver Township Fire Department and as its Chief has contributed to the excellent quality-of-living standard in Beaver Township and in Bay County; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and the Bay County Executive take this opportunity to express their heartfelt appreciation to **DENNIS H. VOLK** for his 25 years of volunteer community service and recognize his contribution to the success and growth of Beaver Township and offer their best wishes for a long, healthy and fulfilling retirement.

DONALD J. TILLEY, CHAIR AND BOARD

Dennis Volk

MOVED BY COMM. Krause

SUPPORTED BY COMM. Duranczyk

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 9 NAYS 0 EXCUSED 0

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

**BAY COUNTY BOARD OF COMMISSIONERS**

**3/8/11**

**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:

2/8/11 (Handwritten)	\$149.00
2/16/11	\$153,667.71
2/16/11	\$428,474.75
2/23/11	\$426,274.54
2/23/11	\$26,563.50
3/2/11	\$158,077.36

BAYANET:

1/1/11 TO 1/31/11	
Payroll	\$12,823.60
Accounts Payable	\$40,770.18

Center Ridge Arms-Payables:

3/2/11	\$40,772.52
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DONALD J. TILLEY, CHAIR  
BAY COUNTY BOARD OF COMMISSIONERS

Payables - March Bd Mtg

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Rupp

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

**3/8/11**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/8/11)

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

Employment Status Report: February 2011

Workers' Compensation Report: January 2011

DONALD J. TILLEY, CHAIR  
AND BOARD

County Executive - Status Reports

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krause

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 9 NAYS 0 EXCUSED 0

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

**CHANGES IN EMPLOYMENT STATUS  
February, 2011**

<b>EMPLOYEE NAME</b>	<b>DEPARTMENT/FUNDING</b>	<b>DATE</b>
<b><u>NEW HIRE</u></b> (Temporary/Grant-funded status)		
Jo Bollman Temp. Account Clerk	Treasurer's Office	2/14/2011
Michelle Jackson Pre-trial Specialist	Community Corrections	2/14/2011
Lydia Solinski Sr. Tech. Serv. Coord.	ISD	2/10/2011
<b><u>TRANSFERS:</u></b>		
Joette Phelps TO: Account Clerk III FROM: Typist Clerk III	Treasurer's Office Clerk's Office	2/16/2011
<b><u>SEPARATIONS:</u></b>		
Brent Edmonds Dispatcher	Central Dispatch	2/02/2011
Corey Stikowski Electrician/Maintenance	Building and Grounds	2/03/2011
Patrick Botwright P.T. Youth Dev. Worker	Juvenile Home	2/03/2011
Kellie Daniels Deputy/Reg. of Deeds	Register of Deeds	2/28/2011
Lori Lechner Youth Development Worker	Juvenile Home	1/28/2011
<b><u>LAYOFF:</u></b>		
Barb Kukla Account Clerk II	Treasurer's Office	2/15/2011

Personnel Department  
March 2, 2011

**WORKERS' COMPENSATION REPORT**  
**January, 2011**

<b>EMPLOYEE NAME</b>	<b>DEPARTMENT</b>	<b>DATE OF INJURY</b>	<b>REASON FOR PAYMENT</b>
Shane Albrecht	Golf Course	08/05/2010	Medical Only
Margaret Brown	Health Department	05/19/2006	Legal Only
Tiffany Hicks	Sheriff Department	03/03/2010	Medical Only
Robert Lee	Sheriff Department	08/09/2010	Medical & Indemnity
Shirley Lijewski	Sheriff Department	06/13/2010	Medical & Indemnity
Janice Luptowski	Probate Court	10/29/2010	Medical Only
Lynn Oliver	Animal Control	05/24/2010	Medical Only
Corey Sitkowski	Building and Grounds	11/06/2009	Medical Only
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: February 9, 2011

**BAY COUNTY BOARD OF COMMISSIONERS**

**3/8/11**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/8/11)

WHEREAS, A proposed Bay County Pawnbroker Ordinance and a proposed Secondhand and Scrap Dealer Ordinance, were submitted to the Bay County Board of Commissioners, via the Ways and Means Committee 2/8/11; and

WHEREAS, In accordance with the Rules of the Bay County Board of Commissioners the proposed Ordinances were referred to the full Board and a public hearing on the proposed Ordinances was held 3/8/11 with input received from interested individuals in support of the proposed Ordinances; and

WHEREAS, Since no opposition to the ordinances was voiced, Article XIII of the Rules of the Bay County Board of Commissioners was waived (motion no. 33; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners, the attached Bay County Pawnbrokers Ordinance and the Secondhand and Scrap Dealer Ordinance are hereby ordained.

DONALD J. TILLEY, CHAIR  
AND BOARD

Pawnbroker and Secondhand and Scrap Dealer Ordinances

MOVED BY COMM. Duranczyk

SUPPORTED BY COMM. Krygier

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. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: ✓ YEAS 9 NAYS 0 EXCUSED 0

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

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

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

**The County of Bay ordains the Bay County Pawnbroker Ordinance which shall read as follows:**

**Sec. 30-331. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meaning ascribed to them in this Ordinance, except where the context clearly indicates a different meaning:

*Pawnbroker* means a person, corporation, member or members of a partnership, company or firm who lends money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price.

*Chief Executive Officer* means for a county, the county executive pursuant to MCL 446.203(a)(iv).

**Sec. 30-332. Pawnbrokers.**

The Bay County Executive is designated and authorized to issue, suspend, and revoke licenses for persons, corporations, partnerships, companies or firms to carry on the business of a pawnbroker pursuant to 1917 PA 273, as amended, MCL 446.201 et seq., ("the Pawnbrokers Act.").

**Sec. 30-333. License required; grounds for denial.**

(a) No person, corporation, partnership, company or firm, or other entity located in the County shall carry on the business of a pawnbroker in this County without being licensed pursuant to the Pawnbrokers Act and this article and as approved under this Ordinance except that:

- (1) The County may not issue a license for a location within a city or village with a population greater than 3,000, including, but not limited to the City of Essexville and the City of Bay City.
- (2) The County may not issue a license for a location within a city or village with a population of 3,000 or less or within a township or charter township if that city, village, township, or charter township has established a license fee pursuant to MCL 446.202(5) which provides, "the governmental unit may fix the amount to be paid as the annual license fee at any amount not less than \$50.00 or more than \$500.00."

(b) The Bay County Executive may deny an application for a pawnbroker's license if the application is disapproved by one or more proper officers of the County, as

provided in this Ordinance, indicating that the applicant is unable to meet or continue to meet the requirements of the Pawnbroker's Act or any provision of this article.

(c) The County Executive may also deny an application for any reason identified in this Ordinance.

(d) If the County Executive denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to section 30-340 of this Ordinance, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the County Executive's decision, the applicant must request a hearing within 14 days pursuant to section 30-340 of this Ordinance.

(e) A pawnbroker license is not transferable.

#### **Sec. 30-334. Investigation by Sheriff.**

The application for license shall be referred by the County Executive to the Sheriff for approval, who shall obtain fingerprints from the applicant. The Sheriff shall conduct an investigation and file a report with the County Executive.

#### **Sec. 30-335. License fees, bond and posting.**

(a) The annual fees for a license under this division shall be those fees on file with the County Executive which have been approved by the County Commission. If the application is rejected, a portion of the fee paid, as determined by the County Executive, shall be retained by the County to cover processing costs.

(b) A bond shall be provided as set forth in the Pawnbrokers Act.

(c) All persons obtaining a license issued under this division shall place the license conspicuously in full public view.

#### **Sec. 30-336. Application for license.**

(a) Application for a pawnbroker's license shall be made in writing to the County Executive, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said license as set forth in this Ordinance. Applications shall be on forms supplied by and to be filed with the County Executive. Such applications shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative of the entity. The application shall contain the following minimum information, plus any other information deemed necessary by the County Executive:

(1) The name and any alias used, address and telephone number of the applicant and all employees, officers, partners or agents of the applicant;



- (2) The location where the business is to be carried on plus any subsidiary offices and a brief description of the items to be sold;
- (3) The applicant's criminal record, if any, and if the applicant is not an individual, the criminal record, if any, of the partners, members or officers of the entity;
- (4) The criminal record, if any, of any employees of the applicant;
- (5) the applicant's prior experience as a pawnbroker;
- (6) An authorization for the County Executive and/or Sheriff to carry out a background investigation on the applicant and all employees, officers, partners, members or agents of the applicant;
- (7) A statement as to whether the applicant has ever had a license required by the County or any other governmental entity revoked, suspended, or denied and the reasons for said actions;
- (8) A statement that the information provided is true and accurate and that, if a license is granted, the applicant will abide by all applicable ordinances, codes, rules and statutes.

(b) All licenses are subject to the following conditions, which shall be noted on the application form:

- (1) The applicant shall permit inspection of the licensed premises and/or activity at reasonable times by any authorized representative of the County or other governmental entity;
- (2) The applicant shall not engage in the business of a pawnbroker at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
- (3) No license shall be issued or renewed unless and until the applicant and any and all employees, officers, partners, members or agents of the applicant shall, if deemed necessary by the Sheriff, submit to being fingerprinted and photographed as part of the background investigation.

(c) The County Executive shall issue a license to the applicant if the County Executive is satisfied that the applicant has met and will continue to meet the requirements of this division and all applicable laws and the applicant has paid the license fee.

**Sec. 30-337. Reporting requirements; hours of operation.**

(a) Commencing no later than April 1, 2011, pawnbroker shall transmit the record of transaction required by Section 5 of the Pawnbrokers Act to the Sheriff by electronic means over the Internet to the website established by the county for this purpose. The County will provide information concerning the website. So long as the required information is transmitted by electronic means, the required statutory form need not be filled out by hand, but a short form with the right thumb print of the individual pawning the item shall be maintained as required by the Pawnbrokers Act, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumb print, then another specifically designated fingerprint shall be provided. Upon request, the short form containing the thumbprint shall be immediately provided to the Sheriff or his/her designee.

(b) No pawnbroker shall acquire any goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such goods are stolen property. A pawnbroker shall not conduct business on Sunday.

**Sec. 30-338. Suspension.**

A pawnbroker's license issued pursuant to this article may be suspended by the County Executive which shall be deemed a suspension with intent to revoke. The County Executive shall comply with section 30-341 of the Ordinance in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the licensee requests an appeal hearing within 14 days pursuant to section 30-340 of the Ordinance.

**Sec. 30-339. Incorporation of state law.**

The Pawnbrokers Act, being 1917 PA 273, as amended, MCL 446.201 et seq., "the Pawnbrokers Act" is incorporated by reference as if fully set forth herein. Any violation of the Pawnbrokers Act shall be considered a violation of this Ordinance.

**Sec. 30-340. Appeals**

(a) Any person aggrieved by the denial of an application for a license or by the suspension or revocation of a license as provided by this article, shall have a right to a redetermination and an appeal. Such a redetermination may be taken only within 14 days after notice of such denial, suspension or revocation is mailed to the person's last known address. The redetermination shall be in writing and shall contain a complete statement of the grounds for appeal. It must be filed with the County Executive, together with an appeal fee. The fee for an appeal and/or redetermination under this section shall be those fees which the County Commission has approved.

(b) Within ten days of the receipt by the County Executive of such an appeal, the County Executive shall schedule a redetermination hearing. Unless waived by the appellant, the County Executive shall mail by first class mail a written notice to the appellant of the time and location of the redetermination hearing at least five days prior to that hearing. The redetermination hearing shall be an informal hearing held before a hearing panel consisting of:

- (1) The County Executive or designee;
- (2) The affected department head or designee; and
- (3) Corporation Counsel or designee.

(c) The redetermination or decision of the hearing panel shall be reached by majority vote and mailed to the appellant within seven days of the conclusion of the hearing. The redetermination shall include:

- (1) The appeal application and the type and nature of the appeal;
- (2) The applicant's position;
- (3) The original reason for denial of the license or permit;
- (4) The facts as the hearing panel determined them to be;
- (5) The decision or redetermination of the hearing panel;
- (6) The hearing panel's rationale or basis for the redetermination; and
- (7) The date which the redetermination was placed in a United States mail receptacle by the County Executive.

(d) The redetermination referred to above shall be final and binding, unless the appellant, within 14 days of the mailing of such redetermination, files a request in writing addressed to the Corporation Counsel, requesting the County Commission to rehear the redetermination findings. No appeal shall be made to the County Commission, unless:

- (1) A redetermination was made and timely appealed;
- (2) A redetermination hearing has been waived by the appellant and the redetermination hearing panel; or
- (3) A redetermination was not made due solely to the fault of the city.

(e) The appeal to the County Commission shall be a two-step process limited to the issues raised in the redetermination as follows:

- (1) Within 14 days of receipt of an appeal of a redetermination, the Board Chair shall set up a prehearing conference with the Chair of the Ways and Means

Committee. At the prehearing conference the following matters shall be determined:

- a. The rules of the hearing;
- b. The date of the hearing;
- c. The issues which may be raised from the redetermination;
- d. The likelihood of settlement; and
- e. Any other pertinent matters.

(2) A hearing before the County Commission.

(f) The denial, suspension or revocation shall be effective during such appeal or until the Commission shall reverse the administrative decision. The Commission may confirm the denial, suspension or revocation, or provide for revocation instead of suspension, or may reinstate or order the issuance of the license. The action of the Commission shall be final.

**30-341. License suspension or revocation generally.**

(a) For cause shown, any license issued under this article may be suspended or revoked by the County Executive, after notice in writing, setting forth the substance of the charges and the time and place of a hearing thereon; which notice shall be delivered three days in advance, either personally to the licensee or to the principal place or location of the licensed activity, or by postage prepaid mail addressed to the licensee's last known address. Suspension or revocation may be in addition to any fine imposed. All fees paid shall be forfeited in case of revocation.

(b) The term "cause," as used in this section, shall include:

- (1) The conviction by the licensee of any felony or of a misdemeanor involving moral turpitude.
- (2) Any fraud, misrepresentation or false statement contained in the application for license or made in connection with the conduct of the licensed activity.
- (3) Preventing or refusing permission for the inspection by any proper County agent or official at any reasonable time of any portion of the premises where the licensed activity is conducted, or of the property thereof.
- (4) The doing or omitting of any act or permitting any condition to exist in connection with the licensed activity or upon any premises or facility used in connection therewith; which act, omission or condition constitutes a breach of the peace or constitutes a menace to the health, safety or general welfare of the public, or is forbidden by the provisions of this Ordinance or established rule or regulation of the County or jurisdiction where pawnbroker operates or statutes, rules or regulation of the state applicable to the licensed activity.
- (5) The failure to obtain and maintain during the term of a license and any renewal or extension thereof, any local, state or other required professional

governmental license, certification or authority for the trade, occupation or profession licensed hereunder.

- (6) The failure to obtain and maintain during the term of the license, or any renewal or extension thereof, the bonds and insurances required by any section of this Ordinance or the Pawnbrokers Act.

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**The County of Bay ordains the Secondhand and Scrap Dealer Ordinance which shall read as follows:**

**Sec. 30-351. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meaning ascribed to them in this Ordinance, except where the context clearly indicates a different meaning:

*Secondhand dealer* means any person, corporation, member or members of a partnership, company or firm, that engages in the business of purchasing, storing, selling, exchanging and receiving secondhand goods, including the receiving and selling of goods on consignment, but does not include a scrap processor, automotive recycler, or junkyard that deals principally in industrial scrap, nor to retail merchants who repossess their own merchandise sold on a title-retaining contract or who accept merchandise as a part payment on new sales, nor shall it apply to licensed automobile dealers, nor to persons who conduct rummage sales provided that such sales are not conducted by the same person or at the same location for a period in excess of six days or more than twice in a calendar year.

*Secondhand goods* means any goods, wares, merchandise or other personal property acquired or purchased after having been acquired at retail and used by another except as excluded herein. Such term includes, but is not limited to, appliances, radios, stereos and speakers, televisions, video equipment, electronic/computer equipment and devices, computer gaming equipment, tools, auto parts, guns, jewelry, precious metals, musical instruments, sporting equipment, bicycles, lawn equipment, snow blowers and other household equipment.

*Chief Executive Officer* means for a county, the county executive pursuant to MCL 446.203(a)(v).

**Sec. 30-352. Secondhand dealers.**

The County Executive is designated and authorized to issue, suspend and revoke licenses for persons, corporations, partnerships, companies or firms to carry on the business of a secondhand dealer pursuant to 1917 PA 350, as amended, MCL 445.401 et. seq., "the Secondhand Dealers Act."

**Sec. 30-353. License required: grounds for denial.**

(a) No person, corporation, partnership, company or firm, or other entity shall carry on the business of a secondhand dealer in the County without being licensed pursuant to the Secondhand Dealers Act and this Ordinance or the zoning ordinance of the City of Bay City or Ordinance of any other authorized jurisdiction where it is located. A secondhand dealer license is not transferable.

(b) The County Executive may deny an application for a secondhand dealer's license if

the application is disapproved by one or more officers of the county, as provided in this Ordinance, indicating that the applicant is unable to meet or continue to meet the requirements of the Secondhand Dealer's Act or any provision of this Ordinance.

(c) If the County Executive denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to section 30-391 of this Ordinance, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the County Executive's decision, the applicant must request a hearing within 14 days pursuant to section 30-391 of this Ordinance.

**Sec. 30-354. Investigation by sheriff.**

The application for the license with a term no longer than 1 year from the date of issuance shall be referred by the County Executive to the Sheriff for approval, who shall obtain fingerprints from the applicant. The Sheriff shall conduct an investigation and file a report with the County Executive.

**Sec. 30-355. License fee and posting.**

(a) The fees for processing and issuing a license under this division shall be those fees on file with the County Executive which have been approved by the County Commission. If the application is rejected, a portion of the fee paid, as determined by the County Executive, may be retained by the County to cover processing costs.

(b) All persons obtaining a license issued under this division shall place the license conspicuously in full public view.

**Sec. 30-356. Prohibitions.**

No secondhand dealer shall loan money on deposit, or pledge of personal property, or other valuable thing, or deal in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, without obtaining a pawnbroker's license pursuant to the Pawnbroker's Act and the Bay County Pawn Shop Ordinance.

**Sec. 30-357. Application for license.**

(a) Application for a secondhand dealer's license shall be made in writing to the County Executive, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said license as set forth in this Ordinance. Applications shall be on forms supplied by and to be filed

with the County Executive. Such applications shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative of the entity. The application shall contain the following minimum information, plus any other information deemed necessary by the County Executive:

- (1) The name and any alias used, address and telephone number of the applicant and all employees, officers, partners or agents of the applicant;
- (2) The location where the business is to be carried on plus any subsidiary offices and a brief description of the items to be sold;
- (3) The applicant's criminal record, if any, and if the applicant is not an individual, the criminal record, if any, of the partners, members or officers of the entity;
- (4) The criminal record, if any, of any employees of the applicant;
- (5) The applicant's prior experience as a secondhand dealer.
- (6) An authorization for the County Executive and/or Sheriff to carry out a background investigation on the applicant and all employees, officers, partners, members or agents of the applicant;
- (7) A statement as to whether the applicant has ever had a license required by the County or any other governmental entity revoked, suspended, or denied and the reasons for said actions;
- (8) A statement that the information provided is true and accurate and that, if a license is granted, the applicant will abide by all applicable ordinances and statutes.

(b) All licenses are subject to the following conditions, which shall be noted on the application form:

- (1) The applicant shall permit inspection of the licensed premises and/or activity at reasonable times by any authorized representative of the County;
- (2) The applicant shall not engage in the business of a secondhand dealer at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
- (3) No license shall be issued or renewed unless and until the



applicant and any and all employees, officers, partners, members or agents of the applicant shall, if deemed necessary by the Sheriff, submit to being fingerprinted and photographed as part of the background investigation.

(c) The County Executive shall issue a license to the applicant if the County Executive is satisfied that the applicant has met and will continue to meet the requirements of this Ordinance and all applicable laws and the applicant has paid the license fee.

**Sec. 30-358. Reporting requirements, hours of operation.**

(a) Commencing no later than April 1, 2011, secondhand dealer shall transmit the record of transaction for appliances, radios, stereos and speakers, televisions, video equipment, electronic/computer equipment and devices, computer gaming equipment, tools, musical instruments, sporting equipment, lawn and garden equipment, guns, jewelry and precious metals as required by Section 4 of the Secondhand Dealers Act to the Sheriff by electronic means over the internet to the website established by the county for this purpose. The County will provide information concerning the website. So long as the required information is transmitted by electronic means, the required statutory form need not be filled out by hand, but a short form with the right thumb print of the individual from whom the article was purchased or received shall be maintained as required by the Secondhand Dealers Act, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumb print, then another specifically designated fingerprint shall be provided. Upon request, the short form containing the thumb print shall be immediately provided to the Sheriff or his/her designee.

(b) Secondhand dealer shall maintain the record of transaction for all other secondhand goods as required by Section 4 of the Secondhand Dealers Act.

(c) No secondhand dealer shall purchase or receive any goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or from a known habitual drunkard nor from any person known by said secondhand dealer to be a thief or any associate of thieves or a receiver of stolen property.

**Sec. 30-359. Suspension.**

A secondhand dealer's license issued pursuant to this Ordinance may be suspended by the County Executive which shall be deemed a suspension with intent to revoke. The County Executive shall comply with section 30-341 of the Ordinance in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the licensee requests an appeal hearing within 14 days pursuant to section 30-391 of the Ordinance.

**Sec. 30-360. Incorporation of state law.**

The Secondhand Dealers Act, being 1917 PA 350, as amended MCL 445.401 et. seq., "the Secondhand Dealers Act" is incorporated by reference as if fully set forth herein. Any violation of the Secondhand Dealers Act shall be considered a violation of this Ordinance.

**Sec. 30-381. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meaning ascribed to them in this article, except where the context clearly indicates a different meaning:

*Scrap processor* means any person or entity whose business is, in whole or in part, the dismantling, wrecking and disposing of junk and/or refuse materials, including automobiles, or otherwise reclaiming metals for reuse.

*Scrap yard* means a place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, packed, disassembled or handled, including wrecked motor vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are deteriorated or obsolete so as to make them unusable in their existing condition.

**Sec. 30-382. Scrap processor.**

The County Executive is designated and authorized to issue, suspend, and revoke licenses for persons, corporations, partnerships, companies or firms to carry on the business of a scrap processor.

**Sec. 30-383. License required; grounds for denial.**

(a) No person, corporation, partnership, company or firm, or other entity shall carry on the business of scrap processor in the County without being licensed pursuant to this Ordinance or as approved under the City of Bay City zoning ordinance, chapter 122 or zoning ordinance of any other jurisdiction. A scrap processor license is not transferable.

(b) The County Executive may deny an application for a scrap processor's license if the application is disapproved by one or more officers of the County, as provided in this Ordinance, indicating that the applicant is unable to meet or continue to meet the requirements of any provision of this Ordinance.

(c) The County Executive may also deny an application for any reason identified in this Ordinance.

(d) If the County Executive denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to section 30-391 of this Ordinance, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the County Executive's decision, the applicant must request a hearing within 14 days pursuant to section 30-391 of this Ordinance.

**Sec. 30-384. Investigation by Sheriff.**

The application for license shall be referred by the County Executive to the Sheriff for approval. The Sheriff shall conduct an investigation and file a report with the County Executive.

**Sec. 30-385. License fees and posting.**

(a) The fees for a license under this division shall be those fees on file with the County Executive which have been approved by the County Commission. If the application is rejected, a portion of the fee paid, as determined by the County Executive, may be retained by the County to cover processing costs.

(b) All persons obtaining a license issued under this division shall place the license conspicuously in full public view.

**Sec. 30-386. Application for license.**

(a) Application for a scrap processor's license shall be made in writing to the County Executive, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said license as set forth in this Ordinance. Applications shall be on forms supplied by and to be filed with the County Executive. Such applications shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative of the entity. The application shall contain the following minimum information, plus any other information deemed necessary by the County Executive:

- (1) The name and any alias used, address and telephone number of the applicant, including all officers, partners or members;
- (2) The location where the scrap yard is to be carried on plus any subsidiary locations;

- (3) The applicant's prior experience as a scrap processor;
- (4) An authorization for the County Executive and/or Sheriff to carry out a background investigation on the applicant and all officers, partners or members of the applicant;
- (5) A statement as to whether the applicant has ever had a license required by the city or any other governmental entity revoked, suspended, or denied and the reasons for said actions;
- (6) A statement that the information provided is true and accurate and that, if the license is granted, the applicant will abide by all applicable ordinances and statutes.

(b) All licenses are subject to the following conditions, which shall be noted on the application form:

- (1) The applicant shall permit inspection of the licensed premises and/or activity at reasonable times by any authorized representative of the County, City of Bay City, or other governmental entity;
- (2) The applicant shall not engage in the business of a scrap processor at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
- (3) No license shall be issued or renewed unless and until the applicant and any and all officers, partners or members, if deemed necessary by the Sheriff, submit to a background investigation.

(c) The County Executive shall issue a license to the applicant if the County Executive is satisfied that the applicant has met and will continue to meet the requirements of this Ordinance and all applicable laws and the applicant has paid the license fee.

**Sec. 30-387. Scrap yard regulations.**

The following regulations shall be applicable to scrap yards:

- (1) No scrap yard processor or any of the processor's employees shall receive in the line of such business any article by way of pledge or pawn nor loan or advance any sum of money on the security of any article or thing.

- (2) Every scrap yard processor shall upon demand, exhibit all goods which he has on hand and give a description of persons selling the same to any member of the Sheriff's Office upon request, and shall keep a book containing the names from whom he purchased brass, tin, copper, aluminum or any metal except old iron, which book shall be open during business hours to the inspection of any Sheriff officer.
- (3) No scrap processor shall sell or remove from his place of business any article purchased by him until the same shall have been in his possession for seventy-two (72) hours unless such article shall have been purchased directly from some reputable factory or company.
- (4) No scrap yard may store or handle hazardous materials unless done so consistent with all other state, federal, and local regulations.
- (5) A scrap yard is subject to annual administrative inspections or complaint based inspections to ensure the property is maintained in accordance with the health, safety, and welfare of the community, materials are stored in an orderly manner to allow access to inspect, and that the property otherwise complies with the city code.
- (6) Upon conviction of any scrap processor for violating or failing to comply with any provision of this article, the license of such scrap processor shall be revoked and the convicted person shall not be licensed as a scrap processor for a period of two (2) years from the date of his conviction, and the scrap yard shall not be licensed for that particular business for a period of one (1) year from the date of the conviction of the scrap processor.

**Sec. 30-388. Hours of operation.**

No scrap processor shall acquire goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such goods are stolen property.

**Sec. 30-389. Suspension.**

A scrap processor's license issued pursuant to this Ordinance may be suspended by the County Executive and shall be deemed a suspension with intent to revoke. The County Executive shall comply with section 30-341 of the Ordinance in

noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the licensee requests an appeal hearing within 14 days pursuant to section 30-391 of the Ordinance.

**Sec. 30-390. Nonferrous metals.**

Nothing in this Ordinance should be construed to diminish the requirements that scrap processors and junkyard operators who deal with nonferrous metals must comply with the Nonferrous Metals Act, being 2008 PA 429, as amended, MCL 445.421, et. seq.

**Sec. 30-391. Appeals**

(a) Any person aggrieved by the denial of an application for a license or by the suspension or revocation of a license as provided by this article, shall have a right to a redetermination and an appeal. Such a redetermination may be taken only within 14 days after notice of such denial, suspension or revocation is mailed to the person's last known address. The redetermination shall be in writing and shall contain a complete statement of the grounds for appeal. It must be filed with the County Executive, together with an appeal fee. The fee for an appeal and/or redetermination under this section shall be those fees which the County Commission has approved.

(b) Within ten days of the receipt by the County Executive of such an appeal, the County Executive shall schedule a redetermination hearing. Unless waived by the appellant, the County Executive shall mail by first class mail a written notice to the appellant of the time and location of the redetermination hearing at least five days prior to that hearing. The redetermination hearing shall be an informal hearing held before a hearing panel consisting of:

- (1) The County Executive or designee;
- (2) The affected department head or designee; and
- (3) Corporation Counsel or designee.

(c) The redetermination or decision of the hearing panel shall be reached by majority vote and mailed to the appellant within seven days of the conclusion of the hearing. The redetermination shall include:

- (1) The appeal application and the type and nature of the appeal;
- (2) The applicant's position;

- (3) The original reason for denial of the license or permit;
- (4) The facts as the hearing panel determined them to be;
- (5) The decision or redetermination of the hearing panel;
- (6) The hearing panel's rationale or basis for the redetermination; and
- (7) The date which the redetermination was placed in a United States mail receptacle by the County Executive.

(d) The redetermination referred to above shall be final and binding, unless the appellant, within 14 days of the mailing of such redetermination, files a request in writing addressed to the Corporation Counsel, requesting the County Commission to rehear the redetermination findings. No appeal shall be made to the County Commission, unless:

- (1) A redetermination was made and timely appealed;
- (2) A redetermination hearing has been waived by the appellant and the redetermination hearing panel; or
- (3) A redetermination was not made due solely to the fault of the city.

(e) The appeal to the County Commission shall be a two-step process limited to the issues raised in the redetermination as follows:

- (1) Within 14 days of receipt of an appeal of a redetermination, the Board Chair shall set up a prehearing conference with the Chair of the Ways and Means Committee. At the prehearing conference the following matters shall be determined:
  - a. The rules of the hearing;
  - b. The date of the hearing;
  - c. The issues which may be raised from the redetermination;
  - d. The likelihood of settlement; and
  - e. Any other pertinent matters.

(2) A hearing before the County Commission.

(f) The denial, suspension or revocation shall be effective during such appeal or until the Commission shall reverse the administrative decision. The Commission may confirm the denial, suspension or revocation, or provide for revocation instead of suspension, or may reinstate or order the issuance of the license. The action of the commission shall be final.

**30-341. License suspension or revocation generally.**

(a) For cause shown, any license issued under this article may be suspended or revoked by the County Executive, after notice in writing, setting forth the substance of the charges and the time and place of a hearing thereon; which notice shall be delivered three days in advance, either personally to the licensee or to the principal place or location of the licensed activity, or by postage prepaid mail addressed to the licensee's last known address. Suspension or revocation may be in addition to any fine imposed. All fees paid shall be forfeited in case of revocation.

(b) The term "cause," as used in this section, shall include:

(1) The conviction by the licensee of any felony or of a misdemeanor involving moral turpitude.

(2) Any fraud, misrepresentation or false statement contained in the application for license or made in connection with the conduct of the licensed activity.

(3) Preventing or refusing permission for the inspection by any proper city agent or official at any reasonable time of any portion of the premises where the licensed activity is conducted, or of the property thereof.

(4) The doing or omitting of any act or permitting any condition to exist in connection with the licensed activity or upon any premises or facility used in connection therewith; which act, omission or condition constitutes a breach of the peace or constitutes a menace to the health, safety or general welfare of the public, or is forbidden by the provisions of this Code or established rule or regulation of the city or statutes, rules or regulation of the state applicable to the licensed activity.

(5) The failure to obtain and maintain during the term of a license and any renewal or extension thereof, any local, state or other required professional governmental license, certification or authority for the trade, occupation or profession licensed hereunder.

(6) The failure to obtain and maintain during the term of the license, or any renewal or extension thereof, the bonds and insurances required by any section of this Ordinance.



**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. KRYGIER

MOTION SUPPORTED BY:  COMM. DURANCZYK

MOTION NO.:  22

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF  
FEBRUARY 8 2011.

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

**VOTE TOTALS:**

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

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. KRYGIER

MOTION SUPPORTED BY:  COMM. KRAUSE

MOTION NO.:  23

TO SUSTAIN FROM THE ADOPTION OF RES. 2011-27,  
DEMOLITION OF THE GRANDSTAND ROOF AT THE BAY  
COUNTY FAIR GROUNDS, TO OBTAIN FURTHER  
INFORMATION. (NOTE: NO VOTE, SEE RES. 2011-27)

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon D. Krause				Ernie Krygier				Christopher T. 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 \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. KRYGIER

MOTION SUPPORTED BY:  COMM. DURANCZYK

MOTION NO.:  24

TO GO OUT OF REGULAR SESSION INTO PUBLIC HEARING ON THE FOLLOWING ORDINANCES:

- 1. PAWNBROKER ORDINANCE
- 2. SECONDHAND AND SCRAP DEALER ORDINANCE

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

**VOTE TOTALS:**

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

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. KRYGIER

MOTION SUPPORTED BY:  COMM. DURANCZYK

MOTION NO.:  25

TO GO BACK TO REGULAR SESSION FOLLOWING PUBLIC HEARING ON THE FOLLOWING ORDINANCES:

1. PAWNBROKER ORDINANCE
2. SECONDHAND AND SCRAP DEALER ORDINANCE

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

**VOTE TOTALS:**

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

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. COONAN

MOTION SUPPORTED BY:  COMM. KRYGIER

MOTION NO.:  26

TO RECEIVE THE FOLLOWING APPLICATION REQUESTS FOR APPOINTMENT TO THE BAY ARENAC BEHAVIORAL HEALTH AUTHORITY, TO FILL FOUR (4) 3-YEAR TERMS EACH TO EXPIRE MARCH 31, 2014:

1. BOYD BOETTGER (INCUMBENT)
2. JAMES ANDERSON (INCUMBENT)
3. RICHARD CRETE (INCUMBENT)
4. RICHARD GROMASKI (INCUMBENT)
5. COLLEEN MAILLETTE
6. KEVIN D. LOZO
7. MANDI K. SALAY

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

**VOTE TOTALS:**

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

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. KRAUSE

MOTION SUPPORTED BY:  COMM. DURANCZYK

MOTION NO.:  27

TO GO OUT OF THE ORDER OF BUSINESS ON THE AGENDA  
TO MAKE THE APPOINTMENTS/REAPPOINTMENTS TO THE  
BAY ARENAC BEHAVIORAL HEALTH AUTHORITY TO FILL  
FOUR (4) 3-YEAR TERMS OF OFFICE EACH.

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

**VOTE TOTALS:**

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

VOICE: XX YEAS  9  NAYS  0  EXCUSED  0

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. DURANCZYK

MOTION SUPPORTED BY:  COMM. RUPP

MOTION NO.:  28

TO REAPPOINT THE FOLLOWING FOUR (4) APPLICANTS TO THE BAY ARENAC BEHAVIORAL HEALTH AUTHORITY FOR THREE (3) YEAR TERMS EACH TO EXPIRE MARCH 31, 2014:

1. BOYD BOETTGER (INCUMBENT)
2. JAMES ANDERSON (INCUMBENT)
3. RICHARD CRETE (INCUMBENT)
4. RICHARD GROMASKI (INCUMBENT)

VOTING RESULTS ARE BELOW:

BOYD BOETTGER - 9 VOTES: DURANCZYK, KRAUSE, BEGICK, DAVIS, KRYGIER, COONAN, RYDER, RUPP, TILLEY  
 JAMES ANDERSON - 8 VOTES: DURANCZYK, KRAUSE, BEGICK, DAVIS, KRYGIER, COONAN, RYDER, RUPP  
 RICHARD CRETE - 6 VOTES: DURANCZYK, DAVIS, KRYGIER, COONAN, RYDER, TILLEY  
 RICHARD GROMASKI - 8 VOTES: DURANCZYK, KRAUSE, BEGICK, DAVIS, KRYGIER, COONAN, RYDER, TILLEY  
 COLLEEN MAILLETTE - 1 VOTE: KRAUSE  
 KEVIN LOZO - 2 VOTES: BEGICK, RUPP  
 MANDI SALAY - 2 VOTES: RUPP, TILLEY

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

VOTE TOTALS:

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

VOICE: XX YEAS  9  NAYS  0  EXCUSED  0

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. KRAUSE

MOTION SUPPORTED BY:  COMM. KRYGIER

MOTION NO.:  29

TO RECEIVE THE LETTER DATED FEBRUARY 17, 2011 FROM THE CITY OF BAY CITY FOR AN APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION DISTRICT FROM DAVID DITTENBER FOR PROPERTY LOCATED AT 207 CENTER AVENUE, BAY CITY, MICHIGAN IN THE AMOUNT OF \$264,000.00.

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

**VOTE TOTALS:**

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

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

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



**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. RYDER

MOTION SUPPORTED BY:  COMM. RUPP

MOTION NO.:  30

TO RECEIVE AND TO REFER TO THE PERSONNEL/JUDICIAL COMMITTEE MEETING OF MARCH 15, 2011, THE RETIREMENT INCENTIVE PROGRAM AFFECTING CERTAIN ACTIVE MEMBERS OF THE BAY COUNTY EMPLOYEES' RETIREMENT SYSTEM, AS PRESENTED BY GABRIEL, ROEDER, SMITH & COMPANY.

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

**VOTE TOTALS:**

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. DURANCZYK

MOTION SUPPORTED BY:  COMM. RUPP

MOTION NO.:  31

TO RECEIVE THE LETTER DATED FEBRUARY 28, 2011 FROM  
M.F. HALSTEAD, MANAGER OF BAY COUNTY ANIMAL  
CONTROL, REGARDING THE VOLUME OF VISITORS AT THE  
SHELTER.

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

**VOTE TOTALS:**

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

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. COONAN

MOTION SUPPORTED BY:  COMM. DURANCZYK

MOTION NO.:  32

TO OPEN THE COMMUNITY CENTER POOL FOR THE 2011 SEASON.

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

**VOTE TOTALS:**

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

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. DURANCZYK

MOTION SUPPORTED BY:  COMM. KRYGIER

MOTION NO.:  33

TO WAIVE THE PERIOD REQUIRED BY ARTICLE XIII OF THE  
 RULES OF THE BAY COUNTY BOARD OF COMMISSIONERS,  
 FOR CONSIDERATION OF THE ADOPTION OF THE  
 FOLLOWING:

1. PAWNBROKER ORDINANCE
2. SECONDHAND AND SCRAP DEALER ORDINANCE

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

**VOTE TOTALS:**

ROLL CALL: **XX** YEAS  9  NAYS  0  EXCUSED  0

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:  MARCH 8, 2011

MOTION SPONSORED BY:  COMM. DURANCZYK

MOTION SUPPORTED BY:  COMM. KRYGIER

MOTION NO.:  34

TO ADJOURN THE REGULAR BOARD SESSION MEETING OF  
MARCH 8, 2011 AT 5:45 P.M.

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

**VOTE TOTALS:**

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

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

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

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