

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, NOVEMBER 12, 2013

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN KRYGIER)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

68-72 **V MINUTES (10/15/13)**

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

VII PETITIONS AND COMMUNICATIONS

A. Hon. Kenneth W. Schmidt - Recommendations for Appointment to the a six (6) year term on the Bay County Jury Commission (**Seeking Board appointment of the nominees submitted**)[**Note: Serving on the Jury Commission are a Democrat, a Republican and an Independent. Corinne Martin serves as the Democratic member and her term does not expire until 7/14/2015**]

1 1. Patricia Birdsall (Independent)

2 2. Brian E. Cutshall (Republican)

B. Requests for Appointment to Bay County Building Authority - two (2) six (6) year terms expiring (**Receive**)

3- 4 1. Christopher P. Hennessy

5 2. Tom Ryder

6-12 C. Director, Bay County Department of Water and Sewer - Road Commission Resolution Approving Bond Resolution (**Receive - related resolution no. 2013-199 on pages 17-40**)

VIII

REPORTS/RESOLUTIONS OF COMMITTEES

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

- | | | |
|-------|-----|---|
| 13-16 | 1. | No. 2013-198 - Wellness Program (Personnel Dept.) |
| 17-40 | 2. | No. 2013-199 - Water Supply System Revenue Bonds, Series 2013-C (Department of Water and Sewer) |
| 41 | 3. | No. 2013-200 - Swift and Sure Sanctions Program Grant (Circuit Court) |
| 42 | 4. | No. 2013-201 - Replacement Patrol Vehicle (Sheriff Dept.) |
| 43 | 5. | No. 2013-202 - Purchasing Policy Amendments (Finance Dept.) |
| 44 | 6. | No. 2013-203 - Scrap Tire Cleanup Grant Program (Mosquito Control) |
| 45 | 7. | No. 2013-204 - Business Associate Agreement w/Region VII (Division on Aging) |
| 46 | 8. | No. 2013-205 - Purchase of Service Agreement w/Region VII (Division on Aging) |
| 47 | 9. | No. 2013-206 - New Welder Purchase (Buildings and Grounds) |
| 48 | 10. | No. 2013-207 - Capital Improvement Purchases (Buildings and Grounds) |
| 49 | 11. | No. 2013-208 - Community Center User Group Fee (Recreation) |
| 50 | 12. | No. 2013-209 - Michigan Department of Community Health Innovation Grant (Health Dept.) |
| 51 | 13. | No. 2013-210 - National Association of County & City Health Officials Grant (Health Dept.) |
| 52 | 14. | No. 2013-211 - Recumbent Cross Trainer (Wellness Program) |
| 53 | 15. | No. 2013-212 - Vacancy - Register of Deeds (Personnel Dept.) |
| 54-55 | 16. | No. 2013-213 - Budget Adjustments (Various) |

B. PERSONNEL/HUMAN SERVICES (BRANDON KRAUSE, CHAIR; DONALD J. TILLEY, VICE CHAIR)

- | | | |
|----|----|---|
| 56 | 1. | No. 2013-214 - Vacancy: Buildings and Grounds - Maintenance III (Personnel Dept.) |
|----|----|---|

- 57 2. No. 2013-215 - Support for H.B. 4803 (Animal Control)
- 58 3. No. 2013-216 - Agreements with Health Insurance and Health Maintenance Organizations (Health Dept.)
- 59 4. No. 2013-217 - Independent Contractor Agreement - Nurse Practitioner (Health Dept.)
- 60 5. No. 2013-218 - Agreement w/Pfizer re Recall Postcards (Health Dept.)

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

- 61 1. No. 2013-219 - Accounts Payable/BAYANET/Center Ridge Arms
- 62-65 2. No. 2013-220 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

- A. County Executive

X UNFINISHED BUSINESS

XI NEW BUSINESS

- 66-67 A. Bay County Prosecutor - Amendments (1 & 2) to Title IV-D Cooperative Reimbursement Grant Funding/Contract (**Seeking approval of amendments which extend the Title IV-D end date to 3/31/14 and increasing the funding through that period - proposed resolution no. 2013-221 attached**)

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

- A. **2013 Appointments:**

1. **NOVEMBER: Building Authority (Two 6 year terms - William Borch & Don Goulet)**
2. **DECEMBER: Division on Aging Advisory Committee (Four 2 year terms; districts 1, 3, 5 & 7)**

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT



Eighteenth Judicial Circuit of Michigan

1230 Washington Avenue - Suite 209
Bay City, Michigan 48708



KENNETH W. SCHMIDT

CIRCUIT JUDGE

(989) 895-4270

FAX (989) 895-4284

TDD (989) 895-4049

(Hearing Impaired)

October 18, 2013

Bay County Commissioners
515 Center Ave
Bay City, MI 48708

RE: Reappointment of Jury Commission Member

Dear Commissioners:

On behalf of the three Bay County Circuit Court Judges, I would like to request the reappointment of the following to the Bay County Jury Commission:

Ms. Patricia Birdsall, 1735 SE Boutell Rd, Essexville MI 48732,
(Independent) whose term expired on October 13, 2013.
The new term will expire six years from the date of appointment.

If you have any questions please contact Leanne Lindenberg, the Circuit Court Jury Clerk at 895-2014.

Thank you.

Sincerely,


Hon. Kenneth W. Schmidt
Chief Circuit Judge

cc: Jury Commission
Jury Clerk

/lml
reappoint.wpd

- / -



Eighteenth Judicial Circuit of Michigan

1230 Washington Avenue - Suite 209
Bay City, Michigan 48708



KENNETH W. SCHMIDT
CIRCUIT JUDGE

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(Hearing Impaired)

October 18, 2013

Bay County Commissioners
515 Center Ave
Bay City, MI 48708

RE: Reappointment of Jury Commission Member

Dear Commissioners:

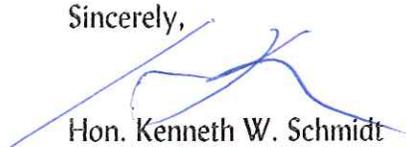
On behalf of the three Bay County Circuit Court Judges, I would like to request the reappointment of the following to the Bay County Jury Commission:

Mr. Brian E. Cutshall, 1632 E. Townline, P.O. Box 101, Kawkawlin MI 48631,
(Republican) whose term expires on April 30, 2013.
The new term will expire six years from the date of appointment.

If you have any questions please contact Leanne Lindenberg, the Circuit Court Jury Clerk at 895-2014.

Thank you.

Sincerely,


Hon. Kenneth W. Schmidt
Chief Circuit Judge

cc: Jury Commission
Jury Clerk

/lml
reappoint.wpd

Deanne Berger

From: postmaster@netsource-one.net
Sent: Tuesday, August 27, 2013 2:18 PM
To: Deanne Berger
Subject: Application for Appointment to County Board

FieldName: What Board Are You Applying For?

Board: Building Authority

FieldName 1: Name:

Name: Christopher P. Hennessy

FieldName 2: Address:

Address: 1010 Pendleton

FieldName 3: City, State, Zip Code:

City State Bay City

Zip:

FieldName 4: Home Phone:

Home Phone: 9892843649

FieldName 5: Business Phone:

Business Phone: 9892843649

FieldName 6: Occupation:

Occupation: Business Development

FieldName 7: Employer:

Employer: Michigan Laborers Employers Cooperation & Education Trust (LECET)

FieldName 8: Are you a resident of Bay County?

Resident: Yes

FieldName 9: How Long?

Resident How Long: 26 years

Long:

FieldName 10: List your interests and qualifications for the above Board or Commission

Interests: Below is a description and mission of the current organization I work for which speaks to my interest in serving on the Building Authority Board:

Michigan LECET partners with its union signatory contractors on issues that impact Michigan's construction industry, particularly those affecting labor and management's delivery of safe, high quality, on-time, and on-budget projects. By partnering with our customers, we push the productivity envelope and deliver the highest value projects for the customer

As MI LECET's Business Development Representative, I track and monitor

trends in the State's construction industry. I am also responsible for the development of the Michigan Laborer's quarterly market share reports and I have recently implement a new program which provides contractors with up-to-date information and leads about construction projects across the state.

FieldName 11: List any other information you feel would be pertinent in assisting the County Board of Commissioners in their selection.

Other Info: Regional Manager 2/07 – 2/13
Office of U.S. Senator Debbie Stabenow, Flint, MI
Serve as the Senator's liaison and primary contact to government, business, non-profit, political, and community leaders in a ten county region
Developed strategic outreach plans and delivered the Senator's message through written and oral communications
Oversee operations of the regional office including supervising support staff

Research Analyst 1/06 – 2/07
Michigan Senate, Lansing, MI
Coordinated legislative research including issue, policy, and candidate research reports for legislators and staff of the Senate Democratic Caucus
Produced community profiles, tracked legislation, and conducted other research for communications team

City Commissioner 11/01 – 11/05
City of Bay City, Bay City, MI
Developed city-wide policies as an elected representative to the governing, budgeting, and policy making body of a city of 35,000 people and a \$110 million budget.
Gave public presentations on behalf of the municipality to schools, community organizations, businesses, and other governmental bodies
Passed a new prevailing wage ordinance with bi-weekly submissions of payroll on city projects as low as \$15,000

FieldName 12: What is your e-mail address?

12:

Email: hennessy.chris@gmail.com

Deanne Berger

From: postmaster@netsource-one.net
Sent: Wednesday, October 30, 2013 12:10 PM
To: Deanne Berger
Subject: Application for Appointment to County Board

FieldName: What Board Are You Applying For?
Board: Building authority
FieldName 1: Name:
Name: Tom Ryder
FieldName 2: Address:
Address: 601 N. Hampton
FieldName 3: City, State, Zip Code:
City State Zip: Bay City MI 48708
FieldName 4: Home Phone:
Home Phone: 9898938893
FieldName 5: Business Phone:
Business
Phone:
FieldName 6: Occupation:
Occupation: Retired
FieldName 7: Employer:
Employer: Retired
FieldName 8: Are you a resident of Bay County?
Resident: Yes
FieldName 9: How Long?
Resident How
Long:
FieldName 10: List your interests and qualifications for the above Board or Commission
Interests: Employed in construction industry for 42yr. 7th district bay county
commissioner 2011-2012
FieldName 11: List any other information you feel would be pertinent in assisting the
County Board of Commissioners in their selection.
Other Info:
FieldName 12: What is your e-mail address?
Email: Tonyrider50@yahoo.com

-5-

Bay County Department of Water And Sewer

BOARD OF
ROAD COMMISSIONERS:

RICHARD S. GROMASKI
Chairman

EDWARD L. RIVET
Vice Chairman

MICHAEL G. RIVARD
Commissioner

3933 PATTERSON ROAD, BAY CITY, MICHIGAN 48706-1993
TELEPHONE: (989) 684-3883 • FAX: (989) 684-5510 • TTY: (800) 649-3777
www.baycodws.org
THOMAS W. PAIGE, DIRECTOR

JAMES C. LILLO, P.E.
ENGINEER-MANAGER

2600 E. BEAVER ROAD
KAWKAWLIN, MICHIGAN 48631
(989) 686-4610

Date: November 4, 2013

To: Ernie Krygier, Chairman, Board of Commissioners

CC: Crystal Hebert, Tom Hickner, Bob Redmond, Jim Marter (all via email)

From: Tom Paige, Director, Bay County Department of Water and Sewer

RE: Bond Resolution

Background:

A *Resolution Approving Bond Resolution* (attached) was approved by the Board of County Road Commissioners at a Regular Meeting on October 30, 2013. By this Resolution, the Board of County Road Commissioners approved the form of the *Bond Resolution* for the Bay Area Water Treatment Plant and Raw Water Transmission Mains project and directed that the *Bond Resolution* be submitted to the Board of Commissioners with the recommendation that the *Bond Resolution* be adopted by the Bay County Board of Commissioners.

The *Bond Resolution* before the Board of Commissioners at this time is for the third bond issue for the Project. The *Bond Resolution* authorizes up to a \$15 million FY2014 Drinking Water Revolving Fund (DWRP) at 2.5% interest, to be identified as Bond Series 2013-C. This \$15 million FY2014 DWRP Bond issue is eligible for up to \$1,464,715 in principal forgiveness.

A fourth bond issue of approximately \$9 million is anticipated in the third quarter of 2014. This final bond issue can be sized appropriately to complete the Project. Additional DWRP funding will be a considered for the final bond issue to complete the financing for the Bay Area WTP project.

Finance & Economics:

The DWRF bonds are Revenue Bonds and are being issued as authorized by the provisions of Act 342, Public Acts of 1939, and Act 94, Public Acts of 1933. The Bonds are payable from revenues of the Bay Area Water Treatment Plant System and are secondarily backed by the full faith and credit of the County of Bay.

Recommendation:

Approve and authorize execution of the *Bond Resolution*.

RESOLUTION APPROVING BOND RESOLUTION

At a regular meeting of the Board of County Road Commissioners of the County of Bay, Michigan, held on the 30th day of October, 2013.

PRESENT: Rivet, Rivard

ABSENT: Gromaski

The following resolution was made by Rivet and seconded by Rivard:

WHEREAS, the County of Bay, State of Michigan (the "County"), by resolution of its Board of Commissioners adopted on June 17, 1980, designated the Board of County Road Commissioners as the duly designated county agency (the "County Agency") for County water, sewer and/or sewage disposal systems pursuant to the provisions of Act 342, Public Acts of Michigan, 1939, as amended ("Act 342") for and on behalf of the County; and

WHEREAS, the Board of Commissioners of the County, by resolution adopted on August 20, 2013 (the "Series 2013 Bond Resolution"), established a system of water supply improvements and services to serve the Charter Townships of Bangor, Hampton, Monitor, Portsmouth and Williams, the Cities of Bay City, Essexville and Pinconning, the Townships of Beaver, Frankenlust, Fraser, Kawkawlin and Merritt (collectively, the "Municipalities") and the County, said system to be known as the "Bay Area Water Treatment Plant and Raw Water Transmission Mains System" (the "System"), and

WHEREAS, under and subject to the terms of Act 342, the County is authorized, through the County Agency, to acquire and construct the water supply facilities constituting the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project (the "Project") as part of the System, the County, by and through the County Agency, and the Municipalities entered into the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project Contract (the "Contract") for the acquisition and construction of the Project by the County and for the payment of the cost thereof by the issuance of revenue bonds by the County pursuant to section 7 of Act 342 and the provisions of Act No. 94, Public Acts of Michigan, 1933, as amended ("Act 94"), secured by the revenues of the System, including payments made by the Municipalities pursuant to the Contract; and

WHEREAS, pursuant to the Series 2013 Bond Resolution, the County has issued its Water Supply System Revenue Bonds, Series 2013-A, dated September 17, 2013, in the aggregate principal amount of \$12,000,000 (the "Series 2013-A Bonds") and its Water Supply System Revenue Bonds, Series 2013-B, dated October 2, 2013, in the aggregate principal amount of \$30,000,000 (the "Series 2013-B Bonds") for the purpose of financing the acquisition and construction of the Project; and

WHEREAS, the Series 2013 Bond Resolution authorizes the issuance of additional bonds of equal standing as the Series 2013-A Bonds and the Series 2013-B Bonds for the acquisition and construction of the Project if the County pledges its full faith and credit as additional security for the payment of the principal of and interest on the additional bonds when due; and

WHEREAS, the County desires to issue additional bonds, as authorized by the provisions of Act 342, especially Section 7 thereof, and Act 94, to pay part of the cost of acquiring and constructing the Project; and

3. All resolutions and parts of resolutions, insofar as the same are set forth
herewith, are hereby rescinded.

YEAS: Rivard, Rivet

NAYS: N/A

ABSENT: Gromaski

RESOLUTION DECLARED ADOPTED.

WHEREAS, to finance part of the cost of the Project it is proposed that the County borrow the sum of not to exceed \$15,000,000 and issue its water supply system revenue bonds (the "Bonds"); and

WHEREAS, there has been submitted to the County Agency a form of resolution authorizing the issuance of the Bonds (the "Bond Resolution").

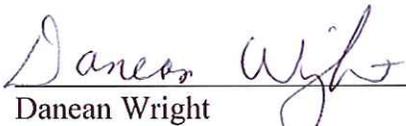
NOW, THEREFORE, BE IT RESOLVED by the Board of County Road Commissioners of the County of Bay, as follows:

1. The Bond Resolution, in the form presented at this meeting, is approved and adopted and the Chairperson is directed to submit the Bond Resolution to the Board of Commissioners of the County with the recommendation that the Bond Resolution be adopted by said Board of Commissioners.

2. The County Agency accepts the duties and obligations imposed on it, on behalf of the County, in the Bond Resolution, and agrees to fulfill such duties and obligations on behalf of the County.

STATE OF MICHIGAN)
)ss
COUNTY OF BAY)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Board of County Road Commissioners of the County of Bay, Michigan held on the 30th day of October, 2013, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the Open Meetings Act, Act No. 267, Public Acts of 1976, as amended.



Danean Wright
Clerk, Board of County Road Commissioners
County of Bay

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (8/6/13)
- WHEREAS, Approximately two years ago the County began to explore the possibilities of engaging in a partnership to sponsor a center for wellness and medical treatment as a means of increasing the long term health of employees, retirees, and their families, while reducing their out-of-pocket costs for such services; and
- WHEREAS, In turn, the County would benefit from the advantages of supplemental medical treatment and, more importantly from a cost standpoint, reducing the costs of late stage treatment of chronic diseases such as COPD, obesity, smoking-related illness, and coronary disease, chronic diseases representing 2/3 of the cost of health care; and
- WHEREAS, Thorough research on wellness facilities has taken place and the County is convinced that by providing free medical treatment, generic medication dispensed through the facility, health risk assessments, bio-metric (blood tests) screening, and increased accessibility, the County could lower health care costs for both employees and Bay County; and
- WHEREAS, There are several successful models spread throughout southern and mid-western states; and
- WHEREAS, While there are a few variables that can be controlled locally, the rate of increase in such costs is unsustainable and it is anticipated that health insurance rates will increase 16% for the next year bringing the total for a family plan to over \$25,000/year; and
- WHEREAS, In August 2012, the County went out for bids and, through a competitive bid process, has selected a local physician who has a long-established practice and who embraces Patient Centered Medical Home principles, currently endorsed as the model for total integration of health care services, personal attention to patients, both inside and outside of the wellness facility; and
- WHEREAS, Although little or no savings are anticipated the first year due to ramp-up costs and less than full participation, it is anticipated that by 2015 the trend of rapidly escalating costs will be reversed; and
- WHEREAS, There will be an initial start-up fee of approximately \$38,000 and the first year costs will be slightly more than \$320,000; however, some, possibly most, of the costs should be offset by avoidance of payments to Blue Cross Blue Shield; The start-up and operational costs have been factored into the executive-recommended budget for 2014; and

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (8/6/13)
- WHEREAS, The cost of administering the Wellness Center will probably amount to about 6% of the total health care budget and this amount is typically offset by avoided claims to the County's traditional health care insurance program; and
- WHEREAS, Most similar facilities in other locations have experienced a cost neutral application in the first year of operation and thereafter, through increased participation and decreases in chronic illnesses, most have experienced an actual drop in health care costs, even after factoring inflation; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes implementation of a Wellness Center to provide wellness and medical treatment and generic medication to eligible employees, their dependents, pre-65 retirees and their spouses; Be It Further
- RESOLVED That the contract for a Wellness Center is awarded to Total Family Healthcare and Jeffrey Potts, M.D. and the Chairman of the Board is authorized to execute a three year contract (January 1, 2014 to December 31, 2016) and any and all related necessary documents on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Personnel - Wellness Center 2

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

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

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

-14-



**BAY COUNTY
PERSONNEL DEPARTMENT**

Tim Quinn, Director
quinnt@baycounty.net
(989) 895-4098 (T)
(989) 895-2076 (F)

Thomas L. Hickner
County Executive

Tiffany Jerry, Payroll/Benefits Super.
jerryt@baycounty.net
(989) 895-4032 (T)
(989) 895-4039 (F)

Retirement Adm./Acct.
(989) 895-4043 (T)
(989) 895-4113 (F)

To: Ernie Krygier, Chair, Board of Commissioners

From: Tim Quinn, Director, Personnel and Employee Relations

Rebecca Smutek, Payroll Clerk
smutekr@baycounty.net
(989) 895-4044 (T)
(989) 895-4039 (F)

Date: November 6, 2013

Re: Wellness Center – Contract

Request

Award the contract for a Wellness Center to Total Family Healthcare and Jeffrey Potts, M.D., to be effective January 1, 2014 –through December 31, 2016.

Background

For the past two years, we have been studying the feasibility of opening a near-site medical Wellness Center, as a means of mitigating the spiraling costs of medical inflation to both the County and County employees, at the same time improving the long term health of our employees and retirees and dependents of both. Our goal was to find a vendor that followed the Patient Centered Medical Home (PCMH) model.

We have followed the purchasing policy in soliciting bids and are confident that Doctor Potts and Total Family Healthcare, P.C. will provide the services that will meet those goals above.

The Wellness Center will offer office visits and generic medication at no cost to employees, retirees and dependents who are covered under our Blue Cross Blue Shield health plan.

The Wellness Center will provide walk-in services, scheduled appointments, urgent care, and health screening and counseling.

The cost basis for the wellness center will be based on a fixed and variable schedule, which was substantially less than the other bidders and which by-passes the traditional health care coverage, thereby saving on the much higher traditional insurance costs.

The largest advantage of the Wellness Center is that (1) by offering incentives in lower deductibles and co-pays for those that participate in biometric screen and health risk assessments (HRAs), and (2) eliminating the barriers of cost by offering generic medications, labs and offices visits at no cost to employees, and (3) by using PCMH principles such as more in-depth discussion about employees' health and wellness, long term chronic diseases, such as heart disease and diabetes can be detected early at a treatable, and far less expensive stage.

Two thirds of medical costs are devoted to the treatment of those chronic and treatable diseases. The impact on employees and their dependents of a major occurrence, such as a heart attack or stroke is a major, often life-changing event. Similarly, the impact of even a few of these events can affect the rates that the County and the employee pay.

Part of the strategy attached to this effort is to improve employee health and reduce or slow the costs of health care is tied to an educational and participatory process administered by the Wellness Coordinator, who will also act as a liaison to the Wellness Center.

Finances

Although we expect little or no savings the first year, because of ramp-up costs and less than full participation, we anticipate that by 2015, we will start to reverse the trend of rapidly escalating costs. There will be an initial start up fee of approximately \$38,000. The first year costs will be slightly more than \$320,000, although some, possibly most, of the costs should be offset by avoidance of payments to Blue Cross Blue Shield.

The start-up and operational costs have been factored into the executive-recommended budget for 2014.

Recommendation

Approve the recommendation to let the bid to Total Family Health Care and authorize the Board Chair to execute the contract and any related documents following Corporation Counsel review.

Thank you for considering this item for the agenda of your committee.

TQ/mr

cc: Tom Hickner
Marty Fitzhugh
Crystal Hebert
Frances Moore
Tiffany Jerry
Jeanie Deckert

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

BOND RESOLUTION

Water Supply System Revenue Bonds, Series 2013-C

Minutes of a regular meeting of the Board of Commissioners of the County of Bay, Michigan (the "County"), held on the 12th day of November, 2013.

PRESENT: _____

ABSENT: _____

The following Bond Resolution (this "Resolution") was adopted by the Board of Commissioners of the County at a regular meeting duly called and held on Tuesday, November 12, 2013:

WHEREAS, this Board of Commissioners has previously determined that it is necessary to acquire and construct the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project consisting of a 17.4 mgd membrane filtration water treatment plant and approximately two miles of 30-inch raw water transmission mains to connect the new water treatment plant to the Saginaw Midland Municipal Water Supply Corporation raw water supply system (the "Project") as part of the Bay Area Water Treatment Plant and Raw Water Transmission Mains System (the "System"); and

WHEREAS, the cost of acquiring and constructing the Project is estimated to be approximately Seventy-One Million Nine Hundred Ninety-Seven Thousand One Hundred Dollars (\$71,997,100); and

WHEREAS, pursuant to a resolution adopted by the Board of Commissioners of the County on August 20, 2013 (the "Series 2013 Bond Resolution"), the County has issued its Water Supply System Revenue Bonds, Series 2013-A, dated September 17, 2013, in the aggregate principal amount of \$12,000,000 (the "Series 2013-A Bonds") and its Water Supply System Revenue Bonds, Series 2013-B, dated October 2, 2013, in the aggregate principal amount of \$30,000,000 (the "Series 2013-B Bonds") to pay part of the cost of acquiring and constructing the Project; and

WHEREAS, the Series 2013 Bond Resolution authorizes the issuance of additional bonds of equal standing as the Series 2013-A Bonds and the Series 2013-B Bonds for the acquisition and construction of the Project if the County pledges its full faith and credit as additional security for the payment of the principal of and interest on the additional bonds when due; and

WHEREAS, the County desires to issue additional bonds, as authorized by the provisions of Act 342, Public Acts of 1939, as amended ("Act 342"), especially Section 7 thereof, and Act 94, Public Acts of 1933, as amended ("Act 94"), to pay part of the cost of acquiring and constructing the Project; and

WHEREAS, the County is authorized by the terms of Act 342 to enter into a contract with the Charter Township of Bangor, the City of Bay City, the Township of Beaver, the City of Essexville, the Township of Frankenlust, the Township of Fraser, the Charter Township of Hampton, the Township of Kawkawlin, the Township of Merritt, the Charter Township of Monitor, the City of Pinconning, the Charter Township of Portsmouth, and the Charter Township of Williams (collectively, the "Municipalities") for the acquisition and construction of the Project by the County and for payment of the use of the System, including the cost of the Project, by the Municipalities; and

WHEREAS, pursuant to authorization from their respective governing bodies, the County, acting through the Board of County Road Commissioners, and the Municipalities have entered into the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project Contract, dated as of July 1, 2013 (the "Contract"); and

WHEREAS, this Board of Commissioners also has determined to sell the Series 2013-C Bonds in a private negotiated sale to the Michigan Finance Authority (the "Authority") as authorized by Act 227, Public Acts of Michigan, 1985, as amended ("Act 227"), and Executive Order No. 2010-2, in order to enable the Authority to provide assistance with respect to the Project from the proceeds of the State of Michigan Drinking Water Revolving Fund.

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

1. DEFINITIONS. Whenever used in this Resolution, except when otherwise indicated by the context:

(a) "Additional Bonds" means any additional bonds issued pursuant to Section 29 of the Series 2013 Bond Resolution and having equal standing with the Series 2013-A Bonds, the Series 2013-B Bonds and the Series 2013-C Bonds.

(b) "Board of Commissioners" means the Board of Commissioners of the County.

(c) "Bonds" means the Series 2013-A Bonds, the Series 2013-B Bonds and the Series 2013-C Bonds, together with any Additional Bonds.

(d) "Revenues" and "Net Revenues" shall be construed as defined in Section 3 of Act 94.

(e) "Series 2013-C Bonds" means the Water Supply System Revenue Bonds, Series 2013-C of the County authorized by this Resolution.

2. NECESSITY; PUBLIC PURPOSE; PROJECT COSTS; PERIOD OF USEFULNESS. It has been determined to be a necessary public purpose of the County to acquire and construct the Project and establish the System. The preliminary plans and specifications for the Project are on file with the County Clerk and have been approved and adopted. The County has adopted the estimate of 40 years as the period of usefulness of the Project and also the estimate of \$71,997,100 as the cost of the Project, both of which estimates are on file with the County Clerk.

3. SERIES 2013-C BONDS AUTHORIZED. To pay part of the cost of the Project, including payment of legal, financial and other expenses incidental thereto and incidental to the issuance and sale of the Series 2013-C Bonds, the County shall borrow the sum of Fifteen Million Dollars (\$15,000,000), and issue the Series 2013-C Bonds therefor pursuant to the provisions of Act 342, Act 94 and other applicable statutory provisions. The remaining cost of Project shall be paid by the County from proceeds of the Series 2013-A Bonds and the Series 2013-B Bonds, the issuance of Additional Bonds, federal or state grants and/or from funds on hand and legally available for such use.

4. SERIES 2013-C BOND DETAILS. The Series 2013-C Bonds shall be designated "Water Supply System Revenue Bonds, Series 2013-C"; shall be dated the date of their delivery thereof; shall be numbered from 1 upward; shall be fully registered; shall be in any denomination not exceeding the aggregate principal amount for each maturity at the option of the bondholder

(provided, however, that so long as the Series 2013-C Bonds are registered in the name of the Authority, the Series 2013-C Bonds may be in the form of a single bond in the denomination of \$15,000,000, with an exhibit attached thereto which identifies the annual maturities for the Series 2013-C Bonds and references herein to the Series 2013-C Bonds shall mean that single bond registered in the name of the Authority); shall bear interest at the rate of 2.50% per annum, or such lower rate as determined by the Chairperson of the Board of Commissioners, from the date of delivery of the various principal installments as hereinafter described, payable on such dates as shall be determined by the Chairperson of the Board of Commissioners; and shall mature on such dates and in such years and principal amounts as shall be determined by the Chairperson of the Board of Commissioners, provided that the final maturity date shall not be later than 30 years after the date on which the Series 2013-C Bonds are delivered to the original purchaser thereof.

The Series 2013-C Bonds are expected to be delivered to the Authority as the initial purchaser thereof in installments equal to the amounts advanced from time to time by the Authority to the County pursuant to the Series 2013-C Purchase Contract and the Supplemental Agreement (each as hereinafter defined).

5. PAYMENT OF PRINCIPAL AND INTEREST. The Series 2013-C Bonds and the interest thereon shall be payable from the Net Revenues, and to secure such payment, there is hereby created a statutory lien, upon the whole of the Net Revenues that shall be a first lien to continue until payment in full of the principal of and interest on all Bonds payable from the Net Revenues, or until sufficient cash or direct obligations of the United States of America or obligations the principal and interest of which are fully guaranteed by the United States of America, not redeemable at the option of the issuer thereof, the principal and interest payments on which, without reinvestment of interest, come due at such times and in such amounts as to be fully sufficient to pay, when due, the principal of and interest on all Bonds payable from the Net Revenues on their stated maturity date or earlier redemption, shall have been deposited in trust

for payment in full of such Bonds to their maturity or, if called for redemption, to the date fixed for redemption. Upon such deposit, the statutory lien herein created shall be terminated with respect to the Series 2013-C Bonds, the holders of such Series 2013-C Bonds shall have no further rights under the Series 2013 Bond Resolution or this Resolution except for payment from the deposited funds, and such Bonds no longer shall be considered to be outstanding under the Series 2013 Bond Resolution or this Resolution.

The principal of, premium, if any, and interest on the Series 2013-C Bonds shall be payable in lawful money of the United States. So long as the Series 2013-C Bonds are registered in the name of the Authority, the Series 2013-C Bonds are payable as to principal, redemption premium, if any, and interest at The Bank of New York Mellon Trust Company, N.A. or at such other place as shall be designated in writing to the County by the Authority (the "Authority's 2013-C Depository"). So long as the Authority is the owner of the Series 2013-C Bonds, the County agrees that it will deposit with the Authority's 2013-C Depository payments of the principal of, premium, if any, and interest on the Series 2013-C Bonds in immediately available funds at least five business days prior to the date on which any such payment is due, whether by maturity, redemption or otherwise. If the Series 2013-C Bonds are not registered in the name of the Authority, the principal of and premium, if any, on the Series 2013-C Bonds are payable upon the surrender thereof at the office of the bond registrar and paying agent and the interest is payable by check or draft mailed by the bond registrar and paying agent to the registered owner of the Series 2013-C Bonds at the address appearing on the registration books of the County kept by the bond registrar and paying agent as of the 15th day of the month preceding the month in which an interest payment is due.

6. PRIOR REDEMPTION. The Series 2013-C Bonds shall be subject to redemption prior to maturity upon the terms and conditions set forth in the form of Series 2013-C Bond set forth in Section 18 hereof.

7. BOND REGISTRAR AND PAYING AGENT. Until a successor is appointed by the Board of Commissioners, the County Treasurer shall be the bond registrar and paying agent for the Series 2013-C Bonds.

8. EXECUTION AND DELIVERY OF THE SERIES 2013-C BONDS. The Series 2013-C Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and authenticated by the manual signature of the bond registrar and paying agent, and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the Series 2013-C Bonds. After the Series 2013-C Bonds have been executed and authenticate for delivery to the Authority as the initial purchaser thereof, they shall be delivered by the County Treasurer or the Chairperson of the Board of Commissioners to the purchaser upon receipt of the first principal payment from the purchaser or upon compliance with the terms and conditions of the Series 2013-C Purchase Contract (as hereinafter defined). Additional Series 2013-C Bonds bearing the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk, and upon which the seal of the County (or a facsimile thereof) has been impressed or imprinted, may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of the Series 2013-C Bonds.

9. EXCHANGE AND TRANSFER OF THE SERIES 2013-C BONDS. Any Series 2013-C Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Series 2013-C Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Series 2013-C Bond. Each Series 2013-C Bond shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent,

upon surrender of such Series 2013-C Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any Series 2013-C Bond, the bond registrar and paying agent on behalf of the County shall cancel the surrendered Series 2013-C Bond and shall authenticate and deliver to the transferee a new Series 2013-C Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Series 2013-C Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new Series 2013-C Bond pursuant to this Section, payment of interest on the Series 2013-C Bonds is in default, the bond registrar and paying agent shall endorse upon the new Series 2013-C Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____, ____."

The County and the bond registrar and paying agent may deem and treat the person in whose name the Series 2013-C Bonds shall be registered upon the books of the County as the absolute owner of the Series 2013-C Bonds, whether such Series 2013-C Bonds shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Series 2013-C Bonds and for all other purposes, and all payments made to such registered owner, or upon his order, in accordance with the provisions of the Resolution shall be valid and effectual to satisfy and discharge the liability upon such Series 2013-C Bonds to the extent of the sum or sums so paid, and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. Registration of the Series 2013-C Bonds shall not be transferred less than five (5) days prior to an interest payment date.

For every exchange or transfer of the Series 2013-C Bonds, the County or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or

sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange Series 2013-C Bonds or portions of Series 2013-C Bonds which have been selected for redemption.

10. BONDHOLDERS' RIGHTS; RECEIVER. The registered owner or owners of the Bonds representing in the aggregate not less than twenty percent (20%) of the entire principal amount thereof then outstanding may, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien upon the Net Revenues and may, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties of the officers of the County, including the fixing of sufficient rates, the collection of Revenues, the proper segregation of the Revenues of the System and the proper application thereof. The statutory lien upon the Net Revenues, however, shall not be construed as to compel the sale of the System or any part thereof.

If there is a default in the payment of the principal of or interest on the Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the System on behalf of the County and under the direction of the court, and by and with the approval of the court to perform all of the duties of the officers of the County more particularly set forth herein and in Act 94.

The registered owner or owners of the Bonds shall have all other rights and remedies given by Act 94 for the payment and enforcement of the Bonds and the security therefor.

11. RATES AND CHARGES. The rates and charges for service furnished by and the use of the System and the methods of collection and enforcement of the collection of the rates shall be those in effect on the date of adoption of this Resolution.

12. NO FREE SERVICE OR USE. No free service or use of the System, or service or use of the System at less than cost, shall be furnished by the System to any person, firm or corporation, public or private, or to any public agency or instrumentality.

13. FIXING AND REVISING RATES; RATE COVENANT. Rates shall be fixed and revised from time to time by the County Agency so as to produce amounts that are sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the System in good repair and working order, to pay an amount equal to at least 100% of the principal of and interest on the Bonds as the same become due and payable, and to provide for all other obligations, expenditures and funds for the System required by law, the Series 2013 Bond Resolution and this Resolution. The County covenants and agrees to review such rates at least annually and maintain at all times such rates for service furnished by the System as shall be sufficient to provide for the foregoing.

14. ACCOUNTS; FLOW OF FUNDS. All Revenues of the System shall be set aside as collected and credited to the WATER SUPPLY SYSTEM RECEIVING ACCOUNT (the "Receiving Account") established pursuant to the Series 2013 Bond Resolution. Moneys on hand in the Receiving Account are pledged for the purpose of the accounts and shall be transferred from the Receiving Account periodically in the manner and at the times and in the order of priority as set forth in Section 18 of the Series 2013 Bond Resolution.

15. PRIORITY OF ACCOUNTS. In the event the moneys in the Receiving Account are insufficient to provide for the current requirements of the Operation and Maintenance Account or the Redemption Account, any moneys or securities in other funds of the System, except the proceeds of the sale of the Series 2013-C Bonds, shall be credited or transferred, first, to the Operation and Maintenance Account and second, to the Redemption Account, to the extent of any deficit therein.

16. INVESTMENTS. Except as herein otherwise provided, moneys derived from the proceeds of sale of the Series 2013-C Bonds may be invested by the County in accordance with the County's investment policy adopted by the Board of Commissioners pursuant to Act 20, Public Acts of Michigan, 1943, as amended.

17. SERIES 2013-C BOND PROCEEDS. From the proceeds of the sale of the Series 2013-C Bonds there shall be immediately deposited in the Redemption Account an amount equal to the accrued interest and premium, if any, received on the delivery of the Series 2013-C Bonds. The balance of such proceeds shall be deposited in a construction fund and used solely to pay all or part of the cost of the Project and any engineering, legal and other expenses incident thereto, and shall be paid out only upon authorization of the County Agency; provided that the County Agency shall not authorize the payment of any such moneys for acquisition and construction until there shall have been first filed with it by the consulting engineer in charge of such work, a written statement to the effect that the sum so to be paid is in full or partial payment of a contractual obligation in connection with such improvements and that the County Agency has received the consideration for such payment. The statement of the consulting engineer shall also show the cost of acquisition and construction that has theretofore been approved by it for payment and the amount of the balance that will be required for completion of the Project.

18. SERIES 2013-C BOND FORM. The Series 2013-C Bonds shall be in substantially the following form, with such changes and additions as shall be determined appropriate by the Chairperson of the Board of Commissioners:

UNITED STATES OF AMERICA
STATE OF MICHIGAN

COUNTY OF BAY
WATER SUPPLY SYSTEM REVENUE BOND, SERIES 2013-C

INTEREST RATE

MATURITY DATE

DATE OF ORIGINAL ISSUE

_____ %

See Exhibit A

Registered Owner: Michigan Finance Authority

Principal Amount:

The County of Bay, State of Michigan (the "County"), acknowledges itself indebted to and for value received hereby promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount set forth above or so much thereof as shall have been advanced to the County pursuant to a Purchase Contract between the County and the Michigan Finance Authority (the "Authority") and a Supplemental Agreement by and among the County, the Authority and the State of Michigan acting through the Department of Environmental Quality on the maturity dates and in the amounts set forth in Exhibit A attached hereto, unless redeemed prior thereto as hereinafter provided, the final payment to be made upon presentation and surrender of this bond at the office of the County Treasurer, County of Bay, Michigan, the bond registrar and paying agent, or at such successor bond registrar and paying agent as may be designated pursuant to the Series 2013-C Bond Resolution (as hereinafter defined), and to pay to the Registered Owner, as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest at the rate per annum specified above on such Principal Amount, to the extent advanced to the County pursuant to the Purchase Contract and the Supplemental Agreement and not forgiven pursuant to the related Order of Approval issued by the Michigan Department of Environmental Quality, until the County's obligation with respect to the payment of such Principal Amount is discharged. Interest is payable on the first day of _____ and _____ in each year, commencing on _____ 1, 201_. Principal and interest are payable in lawful money of the United States of America.

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the

bonds of the Authority issued to provide funds to purchase this bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the County's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the County shall and hereby agrees to pay on demand only the County's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

During the time funds are being drawn down by the County under this bond, the Authority periodically will provide the County a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the County of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this bond.

This bond is a single obligation in the principal amount of _____ Dollars (\$ _____) issued by the County under and pursuant to a resolution duly adopted by the Board of Commissioners of the County on August 20, 2013 (the "Series 2013-A and B Bond Resolution"), and a resolution duly adopted by the Board of Commissioners of the County on November 12, 2013 (the "Series 2013-C Bond Resolution"), and under and in full compliance with the Constitution and statutes of the State of Michigan including specifically Act 342, Public Acts of 1939, as amended, and Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of paying part of the cost of acquiring and constructing the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project as part of the Bay Area Water Treatment Plant and Raw Water Transmission Mains System (the "System").

The County has authorized and pledged the revenues of the System to be used to pay the principal of and interest on this bond, the County's Water Supply System Revenue Bond, Series 2013-A dated September 17, 2013, the County's Water Supply System Revenue Bond, Series 2013-B dated October 2, 2013, and any other bonds payable from such revenues when due. In addition, the County has irrevocably pledged its full faith and credit for the prompt payment of the principal of and interest on this bond as the same become due. The principal of and interest on this bond are payable as a first budget obligation of the County from its general funds. The ability of the County to raise such funds is subject to applicable statutory and constitutional limitations on the taxing power of the County. The amount of taxes necessary to pay the principal of and interest on the bonds, together with the taxes levied for the same year, shall not exceed the limit authorized by law.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing

may hereafter be issued, the rights and limitations on the owner of this bond and the general covenants and provisions pursuant to which this bond is issued, reference is made to the Series 2013-A and B Bond Resolution and the Series 2013-C Bond Resolution.

The County has covenanted and agreed, and does hereby covenant and agree to fix and maintain at all times while any bonds payable from the revenues of the System shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the principal of and interest on this bond and any other bonds payable from such revenues as and when the same shall become due and payable, and to maintain a bond redemption account therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as are required by the Series 2013-A and B Bond Resolution and the Series 2013-C Bond Resolution.

This bond is transferable, as provided in the Series 2013-C Bond Resolution, only upon the books of the County kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Series 2013-C Bond Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in any increments not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange this bond or any portion of this bond which has been selected for redemption.

This bond is subject to redemption prior to maturity at the option of the County only with the prior written consent of the Authority and upon such terms as may be required by the Authority. That portion of this bond called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

Notwithstanding any other provision of this bond, so long as the Authority is the owner of this bond, (a) this bond is payable as to principal, premium, if any, and interest at The Bank of New York Mellon Trust Company, N.A. or at such other place as shall be designated in writing to the County by the Authority (the "Authority's Depository"); (b) the County agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the County's deposit by 12:00 noon on the scheduled day, the County shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the County and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

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

IN WITNESS WHEREOF, the County of Bay, State of Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by manual or facsimile signatures of the Chairperson of the Board of Commissioner and the County Clerk and its corporate seal (or facsimile thereof) to be impressed or imprinted hereon, all as of the Date of Original Issue. This bond shall not be valid unless the Certificate of Authentication has been manually executed by the bond registrar and paying agent.

COUNTY OF BAY

[SEAL]

By: _____
Vice Chairperson, Board of Commissioners

And: _____
County Clerk

Dated: _____, 2013

CERTIFICATE OF AUTHENTICATION

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

County Treasurer, County of Bay
Bond Registrar and Paying Agent

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____
(please print or type name, address and taxpayer identification number of transferee) the within
bond and all rights thereunder and does hereby irrevocably constitute and appoint

attorney to transfer the within bond on the books kept for registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signatures must be guaranteed by an eligible guarantor institution participating in a
Securities Transfer Association recognized signature guarantee program.

EXHIBIT A

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the bond to which this Exhibit A is attached (the "Bond") shall be made until the full amount advanced to the County is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the County and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order or (2) that less than the principal amount of assistance approved by the Order is disbursed to the County by the Authority, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the County.

The principal amounts and maturity dates applicable to the bond to which this Exhibit A is attached are as follows:

<u>MATURITY DATE</u>	<u>PRINCIPAL MATURITY</u>
<u>1</u>	

[END OF BOND FORM]

19. SECURITY. It is expected that the principal of and interest on the Series 2013-C Bonds will be paid from revenues of the System, and such revenues are hereby authorized to be used for such purpose. In addition, the full faith and credit of the County are pledged hereby to the payment of the principal and interest on the Series 2013-C Bonds authorized by this Resolution. Each year the County shall include in its budget as a first budget obligation an amount sufficient to pay such principal and interest as the same shall become due. The ability of the County to raise such funds is subject to applicable constitutional, statutory and charter limitations on the taxing power of the County. The amount of taxes necessary to pay the principal of and interest on the Series 2013-C Bonds, together with the taxes levied for the same year, shall not exceed the limit authorized by law. To the extent that the revenues of the System are insufficient to pay the principal of and interest on the Series 2013-C Bonds, the proceeds of such taxes (both current and delinquent) shall be deposited as collected into the bond and interest redemption account established in Section 18B of the Series 2013 Bond Resolution, and until the principal of and the interest on the Series 2013-C Bonds are paid in full, such proceeds shall be used only for payment of such principal and interest.

20. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF SERIES 2013-C BONDS. The Series 2013-C Bonds shall be sold at private, negotiated sale to the Authority, as authorized by Act 227. It is hereby determined that this method of sale is in the best interests of the County and is calculated to provide the County with the lowest cost of borrowing money.

The sale of the Series 2013-C Bonds shall be made pursuant to the terms and conditions to be set forth in a Purchase Contract (the "Series 2013-C Purchase Contract") and a Supplemental Agreement (the "Supplemental Agreement"). The Chairperson of the Board of Commissioners is authorized to execute and deliver the Supplemental Agreement and the Series 2013-C Purchase Contract in such forms as shall be approved by the Chairperson of the Board of

Commissioners, with such approval to be evidenced by the Chairperson of the Board of Commissioners' signature thereon. Notwithstanding any other provision of this Resolution, the Series 2013-C Bonds shall be initially sold to the Authority as one bond, numbered 1, in the full aggregate principal amount of the Series 2013-C Bonds. The Chairperson of the Board of Commissioners is authorized to execute one or more written orders (i) containing the determinations that the Chairperson of the Board of Commissioners is authorized to make as provided in this Resolution and (ii) making such changes in the provisions of the Series 2013-C Bonds or this Resolution to comply with the requirements of the Authority or otherwise to enable the Series 2013-C Bonds to be sold to the Authority. In addition, the Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer, the County Finance Officer and other County and County Agency employees and officials are authorized to execute and deliver to the Authority the Issuer's Certificate and any such certificates and documents as the Authority or bond counsel shall require and to do all other things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Series 2013-C Bonds in accordance with the provisions of this Resolution.

21. COVENANTS. The County hereby covenants and agrees with the registered owner, from time to time, of the Series 2013-C Bonds herein proposed to be issued, that it will punctually perform all duties with reference to the System and the Series 2013-C Bonds required by the Constitution and laws of the State of Michigan and by the Series 2013 Bond Resolution and this Resolution; that it will not sell, lease, mortgage or in any manner dispose of the System or any substantial part thereof, until all Bonds shall have been paid in full; and that it will not, to the extent permitted by law, permit any person, firm or corporation to compete with it in the furnishing of water supply services to premises within its corporate limits. The County further covenants and agrees with the registered owner of the Series 2013-C Bonds that it will maintain the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as the Series 2013-C Bonds are outstanding; that it will maintain insurance on the

System for the benefit of the registered owner of the Series 2013-C Bonds in an amount that usually would be carried by private companies engaged in a similar type of business; that it will prepare, keep and file such records, statements and accounts as may be required by Act 94; and that it will furnish a copy of the foregoing statements and the annual audit of the System prepared by a certified public accountant to the registered owner of the Series 2013-C Bonds upon payment of the actual cost of such copy.

22. TAX COVENANT. The County covenants to comply with all requirements of the Internal Revenue Code of 1986, as amended, necessary to assure that the interest on the Series 2013-C Bonds will be and will remain excludable from gross income for federal income tax purposes. The Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer and the County Finance Officer, and other appropriate employees and officials of the County and the County Agency, are to be authorized to do all things necessary to assure that the interest on the Series 2013-C Bonds will be and will remain excludable from gross income for federal income tax purposes.

23. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS. The Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer and the County Finance Officer, and other officers and employees of the County and the County Agency, are authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Series 2013-C Bonds in accordance with the provisions of this Resolution.

24. APPROVAL OF MICHIGAN DEPARTMENT OF TREASURY. The issuance and sale of the Series 2013-C Bonds is subject to approval being granted therefor by the Department of Treasury of the State of Michigan in accordance with Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), and the County Treasurer and the Chairperson of the

Board of Commissioners are each authorized to file an application with the Department of Treasury for permission to issue the Series 2013-C Bonds as provided in Act 34.

25. REDUCTION OF PRINCIPAL AMOUNT OF SERIES 2013-C BONDS. In the event that the Chairperson of the Board of Commissioners determines that it is not necessary for the County to issue Series 2013-C Bonds in the aggregate principal amount set forth in Sections 3 and 4 of this Resolution, the Chairperson of the Board of Commissioners is authorized to reduce such amount by executing a written order that sets forth the new aggregate principal amounts of the Series 2013-C Bonds and designates principal maturity amounts. In such case, the form of the Series 2013-C Bonds set forth in this Resolution shall be modified accordingly.

26. SUBSTITUTION OF VICE CHAIRPERSON FOR CHAIRPERSON. In the event of the unavailability of the Chairperson of the Board of Commissioners to take any action authorized by the terms of this Resolution, the Vice Chairperson of the Board of Commissioners is authorized to act for and in his place.

27. REPEAL, SAVINGS CLAUSE. All resolutions and parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, repealed.

28. SEVERABILITY; PARAGRAPH HEADINGS; AND CONFLICT. If any paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such paragraph, clause or provision shall not affect any of the other provisions of this Resolution. The paragraph headings in this Resolution are furnished for convenience of reference only and shall not be considered to be part of this Resolution.

29. PUBLICATION AND RECORDATION. This Resolution shall be published in full once in a newspaper of general circulation in the County promptly after its adoption and shall be recorded in the minutes of the meeting of the Board of Commissioners at which this Resolution was adopted. Such recording shall be authenticated by the signatures of the Chairperson of the Board of Commissioners and the County Clerk.

30. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

Adopted and signed on the 12th day of November, 2013.

COUNTY OF BAY

By: _____
Vice Chairperson, Board of Commissioners

And: _____
County Clerk

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

STATE OF MICHIGAN)
)ss
COUNTY OF BAY)

I hereby certify that the foregoing constitutes a true and complete copy of a Resolution duly adopted by the Board of Commissioners of the County of Bay, Michigan, at a regular meeting held on the 12th day of November, 2013, the original of which resolution is on file in my office and is available to the public. Public notice of said meeting was given in accordance with the provisions of the open meeting act.

County Clerk
County of Bay

BLOOMFIELD 9260-4 1327196v1

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (11/5/13)
WHEREAS, The 18th Circuit Court has been selected to receive funding from the State Court Administrator's Office to continue the Swift and Sure Sanctions Program which was first awarded to Bay County last year when the number of eligible courts to operated this newest form of speciality courts was expanded; and
WHEREAS, Bay County has been awarded \$387,150 which requires no local monies or match; Therefore, Be It
RESOLVED That the Chairman of the Board is authorized to execute and submit electronically (if required) the Swift and Sure Sanctions Program grant documents (application, grant award, all related required documents) on behalf of Bay County following legal review/approval; Be It Further
RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County; Be It Finally
RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR AND COMMITTEE

Circuit Court - Swift & Sure Sanctions Program Grant

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and 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

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, As the result of a recent accident, a Sheriff Department patrol vehicle was deemed a total loss and needs to be replaced as soon as possible; and

WHEREAS, Funding in the amount of \$23,297.43 is needed to replace the vehicle and funding is not available within the Sheriff Department 2013 budget; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners appropriates \$23,297.43 from Fund Balance to the Sheriff Department 2013 budget for replacement of a patrol vehicle; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Sheriff Dept - New Patrol Vehicle

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)
 WHEREAS, The ranges for the various purchasing categories have not been increased since December 12, 2000 (Res. No. 00-340); and
 WHEREAS, The cost of items and services for the County have substantially increased since 2000 increasing the amount of time and effort staff expends to purchase the same or similar items and services because the number of purchase requisitions, quotes, purchase orders and requests for proposals that must be processed resulting in delays to the delivery of the items or services; and
 WHEREAS, It is recommended that the Bay County Purchasing Policy be amended to reflect the increases in the amounts of the ranges for the various purchasing categories as follows:

1. Minute Purchases: less than \$1,000 (from less than \$500)
2. Minimal Purchases: \$1,000 but less than \$5,000 (from \$500 but less than \$1,000)
3. Small Purchases: \$5,000 but less than \$25,000 (from \$1,000 but less than \$20,000)
4. Large Purchases: \$25,000 or more (from \$20,000 or more)

RESOLVED By the Bay County Board of Commissioners that the Bay County Purchasing Policy is hereby amended to reflect the above listed increases in the amount of the ranges for the Minute, Minimal, Small and Large Purchases, effective immediately; Be It Further

RESOLVED That these amendments and effective date shall also apply to the Bay County Building Authority Purchasing Policy and the Bay County Housing Department - Center Ridge Arms Purchasing Policy.

KIM COONAN, CHAIR
 AND COMMITTEE

Finance Dept - Purchasing Policy Amendments - Purchase Order Value Ranges
 MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

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

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

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BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, The Michigan Department of Environmental Quality (DEQ) is accepting applications for scrap tire cleanup grants for fiscal year 2013-2014; and

WHEREAS, An entity is eligible for a one-time grant of up to \$3,000 for a cleanup day or resident drop-off day, like the scrap tires drives held Bay County Mosquito Control; and

WHEREAS, The scrap tire recycling program allows residents to get rid of old tires which reduces the number of tires as potential breeding ground for mosquitoes as well as aesthetically improving the landscape; and

WHEREAS, The grant application is due to the DEQ by October 25, 2013 and as there is no match requirement, no funding is required to apply for the grant; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Mosquito Control Department to make application for the DEQ's Scrap Tire Cleanup Grant Program; Be It Further

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

RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Finally

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

KIM COONAN, CHAIR
AND COMMITTEE

Mosquito Control - Scrap Tire Cleanup Grant Program

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

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

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

-44-

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, The Business Associate Agreement currently in place between Region VII Area Agency on Aging and Bay County (Division on Aging) needs to be updated to comply with Privacy, Security, Breach Notification and Enforcement Rules (HIPPA) and the Health Information Technology for Economic and Clinical Health (HITECH) Act changes as of September 23, 2013; and

WHEREAS, This update has no financial impact; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners approves the Business Associate Agreement between Region VII Area Agency on Aging and Bay County (Division on Aging) and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/ approval; Be It Further

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

KIM COONAN, CHAIR
AND COMMITTEE

DOA - Business Associate Agrt with Region VII

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

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

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

-45-

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, The Purchase of Service Agreement currently in place between Region VII Area Agency on Aging and Bay County (Division on Aging) needs to be updated; and

WHEREAS, Under this Agreement the Division on Aging is selected to provide Direct Services specified in the Care Management Plan of Care on a per client basis and the Agreement is intended to be on-going unless either party has initiated a 30-day notice of Intent to Terminate; and

WHEREAS, This update has no financial impact; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Purchase of Service Agreement between Region VII Area Agency on Aging and Bay County (Division on Aging) and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/ approval; Be It Further

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

KIM COONAN, CHAIR
AND COMMITTEE

DOA - Purchase of Service Agrt with Region VII

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

-46-

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, Recreation/Maintenance staff are modifying current steel bunk beds and making new ones for the Bay County Jail, however, the current 110 volt wire feed machine lacks the power for this job; and

WHEREAS, Funds from depositing scrap steel have been accumulating and could be used for the purchase of a new 220 volt wire feed welder with the estimated cost being \$2,360 plus a \$200 rebate on the purchase; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the purchase of a 220 volt wire feed welder utilizing funds accumulated from the sale of scrap steel; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Bldgs & Grnds - 220 Volt Welder

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, The Superintendent of Buildings and Grounds has identified capital improvement purchases to be made in 2013 totaling \$48,800; and

- WHEREAS, The capital purchases include:
1. Re-carpeting 7th floor (north and south) with commercial carpet squares/adhesive during the winter months utilizing County staff - \$18,600;
2. Replace front-end mower at Pinconning Park - \$9,400;
3. Change out under floor brine solution with glycol solution at Civic Arena - \$12,800
4. Replace fabric on both sides of Civic Arena sign on Euclid Avenue - \$8,000

RESOLVED That the Bay County Board of Commissioners appropriates \$48,800 from fund balance for the capital improvement purchases (1 - 4) listed above; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR AND COMMITTEE

Bldgs & Grnds - 2013 Capital Improvement Purchases

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

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

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

-48-

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, Michigan Fastbreak (formerly Midland Fastbreak) is an elite girls and boys basketball program that formerly ran out of the Midland Community Center, however, due to the team expansion, Bay County has been approached to utilize the Bay County Community Center for the teams' training; and

WHEREAS, The program would utilize hours that the Community Center is currently not consistently renting out; and

WHEREAS, It is proposed that the rental fee (for a one year trial basis) be \$22.50 per hour utilizing both gyms, the same rate charged by the Midland Community Center, and Bay County would realize an additional \$4,000 in revenue to the Community Center; and

WHEREAS, The Michigan Fastbreak program would run for nineteen (19) weeks, November thru March, Monday thru Friday from 4:30 p.m. to 6:00 p.m. and Sunday from 3:00 p.m. to 6:00 p.m., utilizing approximately 9.5 hours each week; and

WHEREAS, Current Community Center gym rental rates are: Small gym - \$41/hr.; Large gym - \$63/hr.; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the addition of a new hourly gym (large and small) rental fee of \$22.50 to the Community Center's fee schedule for the Michigan Fastbreak Youth Basketball Program; Be It Further

RESOLVED That the new hourly gym rental fee is established on a trial basis to be evaluated in 2014.

KIM COONAN, CHAIR
AND COMMITTEE

Comm Ctr - Gym Rental Fee - Michigan Fastbreak Program

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

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

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

-49-

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)
 WHEREAS, The Michigan Department of Community Health (MDCH) is looking for projects that demonstrate an innovative approach to improving the efficiency and effectiveness of the delivery of health services and have the potential for replication within the State; and
 WHEREAS, MDCH is allowing more than one grant application to be submitted in this effort; and
 WHEREAS, Grant applications will be submitted for an integration of a secure, encrypted email system; and
 WHEREAS, Each grant can be funded up to \$35,000 with no local match required if funded; and
 WHEREAS, If the grants are successfully implemented, the return on investment could potentially be as much as \$50,000 over a five-year period; Therefore, Be It
 RESOLVED That the Chairman of the Board is authorized to execute and submit electronically (if required) the Michigan Department of Community (MDCH) Health Innovation grant documents (application, grant award, all related required documents) on behalf of Bay County following legal review/approval; Be It Further
 RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
 RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County; Be It Finally
 RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR
 AND COMMITTEE

Health Dept - MDCH Health Innovation Grant

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

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

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

- 50 -

BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)
WHEREAS, The National Association of County & City Health Officials (NACCHO) is providing grant opportunities of up to \$40,000 to local health departments to engage in activities that will demonstrate a measurable increase in their readiness to achieve Public Health Accreditation Board (PHAB) accreditation; and
WHEREAS, In the past year the Health Department has developed a strategic plan to prepare for the accreditation and has outlined several objectives through the community health improvement plan and a workforce development initiative. The grant funding would assist in meeting these goals; and
WHEREAS, There is no financial cost to the Health Department as all costs associated will be included in the grants, if funded; Therefore, Be It
RESOLVED That the Chairman of the Board is authorized to execute and submit electronically (if required) the Accreditation Support Initiative Grant through the National Association of County & City Health Officials (NACCHO) and the Chairman of the Board is authorized to execute the documents (application, grant award, all related required documents) on behalf of Bay County following legal review/approval; Be It Further
RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County; Be It Finally
RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR AND COMMITTEE

Health Dept - NACCHO Accreditation Support Initiative Grant
MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

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

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

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BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/5/13)

WHEREAS, In 2009 the Bay County Community Center weight room was renovated for an initiative of wellness to promote better health offered to the public at an affordable cost and for Bay County employees and retirees; and

WHEREAS, Included in the renovation of the weight room was the expansion of the room, additional equipment purchased and flat screen televisions hung on the walls; and

WHEREAS, Not all of the equipment in the weight room can be used by individuals with disabilities and the addition of a recumbent cross trainer to the weight room would assist people with disabilities who are unable to use traditional workout equipment and provide users with all ability levels to obtain a unique cardio and strength workout; and

WHEREAS, The projected cost of the recumbent cross trainer does not exceed \$7,000 which includes delivery and installation; and

WHEREAS, Budgeted monies available for this purchase are \$1,550 with an additional \$5,450 required; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the purchase of a recumbent cross trainer at a cost not to exceed \$7,000 to include equipment cost, delivery and installation; Be It

RESOLVED That the Chairman of the Board is authorized to execute any documents that may be required on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That a budget adjustment of \$5,450 from Fund Balance is hereby approved.

KIM COONAN, CHAIR
AND COMMITTEE

Comm Ctr - Recumbent Cross Trainer
MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

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

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

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**BAY COUNTY BOARD OF COMMISSIONERS
11/12/13
RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (11/5/13)
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/new positions, monies for said positions to come from the respective departmental budgets:

VACANCY:

a. Register of Deeds - Typist Clerk III (ft, \$12.71/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.

KIM COONAN, CHAIR
AND COMMITTEE

Vacancy - Register of Deeds

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE 11/05/2013

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 11/12/2013 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:

Journal Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
2013-11-002	HEALTH DEPT - DIST HEALTH FUND IMMUNIZATIONS Total HEALTH DEPT - DIST HEALTH FUND			X
	INCREASE 2013 PRIVATE PAY INSURANCE REVENUE LINE ITEM DUE TO MORE IMMUNIZATIONS BEING DONE.			
2013-11-003	GENERAL FUND BUILDINGS AND GROUNDS Total GENERAL FUND			X
	BUDGET FOR THE PURCHASE OF A \$2,360. HOT WIRE WELDER FOR BUILDING AND GROUNDS.			
2013-11-004	GENERAL FUND COMMUNITY CENTER FAIRGROUNDS PINCONNING PARK Total GENERAL FUND			X
	BUDGET FOR TWO OTHER ROOF REPAIRS SINCE THERE WAS EXTRA FUNDING AVAILABLE AFTER BUILDING & GROUNDS DEPARTMENT COMPLETED THE CANTEEN ROOF AT THE FAIRGROUNDS. THE TWO ROOFING PROJECTS ARE PINCONNING PARK BATH HOUSE FOR \$1,725 AND COMMUNITY CENTER SWIMMING POOL CHEMICAL STORAGE SHED FOR \$1,000.			
2013-11-005	GENERAL FUND BOARD OF COMMISSIONERS EQUALIZATION DEPARTMENT Total GENERAL FUND		\$5,000	
	TO INCREASE PRINTING AND BINDING LINE ITEM-72800 FOR THE EQUALIZATION DEPARTMENT.			
2013-11-006	VETERANS' TRUST FUND VETERANS' TRUST BOARD			

-54-

Journal Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
------------------------	--------------------------------------	------------------	--------------------	-----------

Total VETERANS' TRUST FUND

X

TO REALIGN THE VETERANS TRUST FUND BUDGET. THIS FUND IS OPERATED THROUGH THE STATE OF MICHIGAN.

2013-11-007

GENERAL FUND
SECONDARY ROAD PATROL
Total GENERAL FUND

X

BUDGET FOR THE \$1,000. CONTRIBUTION FROM ENBRIDGE CORPORATION RECEIVED IN AUGUST 2013. SHERIFF DEPARTMENT WANTS TO PURCHASE EQUIPMENT FOR THE ROAD PATROL.

2013-11-008

GENERAL FUND
BOARD OF COMMISSIONERS
SECONDARY ROAD PATROL
Total GENERAL FUND

\$23,300

TO PURCHASE A REPLACEMENT ROAD PATROL VEHICLE DUE TO A TRAFFIC ACCIDENT IN WHICH A ROAD PATROL VEHICLE WAS DECLARED A TOTAL LOSS. THIS BUDGET ADJUSTMENT WILL BE ADJUSTED TO REFLECT THE INSURANCE REFUND WHEN THAT INFORMATION BECOME AVAILABLE.

Kim Coonan, Chairman W. & M. and Committee

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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
11/12/13
RESOLUTION**

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/15/13)
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/new positions, monies for said positions to come from the respective departmental budgets:

VACANCIES:

- a. Buildings and Grounds - Maintenance III (ft, \$13.95/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.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Vacancies - October

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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

11/12/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/15/13)
WHEREAS, Presently animal control officers are denied access to Law Enforcement Information Network (L.E.I.N.) thereby hampering their ability to more efficiently obtain information regarding a subject to whom they find it necessary to issue a citation or request of the Prosecutor's Office a warrant for said subject; and
WHEREAS, House Bill 4803, introduced by Representative John Walsh on June 5, 2013, would amend section 4 of 1974 PA 163 (MCL 28.214) to add municipal animal control officers to the law enforcers able to access the L.E.I.N.; and
WHEREAS, Fire Chiefs, the Department of Human Services, and Public and Private School Superintendents currently have legal access to the L.E.I.N. network as outlined by the law in the interest of public safety; and
WHEREAS, Adoption of H.B. 4803 would provide animal control officers another tool to effectively perform their duties and ensure public safety;
Therefore, Be It
RESOLVED That the Bay County Board of Commissioners urges passage of House Bill 4803; Be It Further
RESOLVED That a copy of this resolution be forwarded to our area Legislators, the Michigan Association of Counties and the other 82 Michigan counties.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Animal Control - HB 4803

Sponsored by Commissioner Donald J. Tilley, 6th District.

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Kim J. Coonan, Michael E. Lutz, Ernie Krygier, Thomas M. Herek, Vaughn J. Begick, and 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

11/12/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/15/13)
 WHEREAS, With the implementation of the Affordable Care Act, a number of Health Insurance and Health Maintenance Organization (HMO), wish to enter into an agreement with Bay County, on behalf of the Bay County Health Department, to become a participating provider with their respective plans; and
 WHEREAS, In the past United Healthcare, McLaren Health Plan, and Blue Cross Complete have requested to enter into agreements and the Health Department anticipates that through 2014 there will be numerous organizations that will request similar agreements; and
 WHEREAS, There is no direct financial cost to the Health Department to enter into the Agreements and, in fact, entering into these Agreements will broaden the opportunity for increased revenues; and
 WHEREAS, Clients seeking services with coverage from organizations not covered by an executed Agreement must either self-pay, enter into silent fee scale arrangements or look elsewhere for services; There, Be It
 RESOLVED By the Bay County Board of Commissioners that these and future agreements from Health Insurance and Health Maintenance Organizations are approved and the Chairman of the Board authorized to execute said Agreements on behalf of Bay County (Health Department) subject to favorable review/approval by legal counsel; Be It Finally
 RESOLVED That required related budget adjustments are approved.

BRANDON KRAUSE, CHAIR
 AND COMMITTEE

Health Dept - Agrts with Health Insurance and Health Maintenance Organizations

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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

11/12/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/15/13)

WHEREAS, In accordance with its obligations under Title X of the Public Health Service Act, the Health Department must provide for Nurse Practitioner (NP) services for regulatory mandated checkups, new client screenings, etc.; and

WHEREAS, Sue Montei, RN NP, has served in this capacity as a full time employee and since 2005 in a part time capacity but has indicated she wishes to end her employment as soon as a replacement is found; and

WHEREAS, In February 2013 the Board authorized hiring the replacement NP at a rate of \$31.83/hr. and, after several attempts, no qualified applicants applied and Ms. Montei has continued her services as NP but with reduced hours; and

WHEREAS, Ms. Montei has indicated she is willing to continue her services under a brief contractual arrangement so a suitable replacement can be hired and trained; and

WHEREAS, It is necessary to find a qualified replacement at a higher rate comparable to the market value of other NP's employed in public health settings; and

WHEREAS, The contractual arrangement with Ms. Montei will provide for payment of fees (up to \$45/hr.) and these funds are budgeted for 2013 and 2014 and can be used to pay all fees associated with the Independent Contractor Agreement; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes entering into an Independent Contractor Agreement with Sue Montei, RN NP, as well as replacement Nurse Practitioner(s) and the Chairman of the Board is authorized to execute said Agreement on behalf of Bay County following legal review; Be It Further

RESOLVED That required related budget adjustments are approved.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Health Dept - Independent Contractor Agrt - Nurse Practitioner
MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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

11/12/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/15/13)

WHEREAS, The Bay County Health Department utilizes Prevnar (a pneumococcal vaccine against Streptococcus pneumonia) that is manufactured by Pfizer and given as a series of up to four (4) shots; and

WHEREAS, Pfizer has developed a series of prepaid reminder recall postcards to be sent to the parents and/or guardian of Bay County children who are in need of the next scheduled shot to occur; and

WHEREAS, In order to utilize these reminder postcards, a signed agreement stating the terms on how they can be used must be executed; and

WHEREAS, Pfizer is responsible for the cost of the prepaid reminder recall postcards; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Agreement with Pfizer to Utilize Prepaid Reminder Recall Postcards and the Chairman of the Board is authorized to execute said Agreement on behalf of Bay County following legal review/approval.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Health Dept - Agrt with Pfizer - Recall Postcards

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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

11/12/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (11/12/13)

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

Accounts Payable:

10/09/13	\$6,040,294.31
10/16/13	\$ 370,020.57
10/16/13	\$ 555.55
10/23/13	\$4,377,134.04
10/30/13	\$ 396,807.32
11/06/13	\$ 312,898.15

BAYANET:

9/1/13 - 9/30/13

Payroll	\$ 7,575.81
Payables	\$ 18,957.89

Center Ridge Arms-Payables:

10/15/13	\$ 20,482.00
10/31/13	\$ 12,258.63

**ERNIE KRYGIER, CHAIR
AND BOARD**

Payables-November

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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

11/12/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (11/12/13)

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

Employment Status Report: October 2013

Unemployment Status Report: 3rd Quarter 2013

ERNIE KRYGIER, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

**CHANGES IN EMPLOYMENT STATUS
October, 2013**

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<u>NEW HIRES:</u>		
Andrew Chartier Info. Systems Manager	Info. Systems Division General fund	10/29/2013
<u>NEW HIRES</u> (Temporary/On-call Status):		
Guy Coleman-Garcia Zamboni Driver/Pro-Shop Clerk	Civic Arena	10/18/2013
<u>SEPARATIONS:</u>		
John Briggs Dispatcher	Central Dispatch	10/04/2013
Thomas Plachta Business Process Analyst	Information Systems Division	10/04/2013
Joshua Klopf Account Clerk III	Treasurer's Office	10/30/2013
Mechelle Wittbrodt Judicial Secretary	Circuit Court	10/28/2013
<u>SEPARATIONS:</u> (Temporary/Seasonal)		
<u>Mosquito Control:</u>		
Mari Verhalen	Seasonal Control Technician	09/06/2013
Anastacio Ramirez	Seasonal Control Technician	09/20/2013
Trisha Hebert	Seasonal Control Technician	09/20/2013
<u>Golf Course:</u>		
Ryan Vincent	Service Assistant	10/30/2013
Seth Studer	Service Assistant	10/30/2013
Ryan Maillette	Service Assistant	10/30/2013
Thomas Luczak	Clubhouse Attendant	10/30/2013
Robert Goodwin	Starter/Ranger	10/30/2013

Charles Glocksine	Starter/Ranger	10/30/2013
Mary Galloway	Clubhouse Attendant	10/30/2013
Frederick Galloway	Service Assistant	10/30/2013
Nicholas Gadille	Service Assistant	10/30/2013
William Dewyse	Starter/Ranger Team Leader	10/30/2013
Dianne Dewyse	Clubhouse Attendant	10/30/2013
Richard Busch	Starter/Ranger	10/30/2013
Michael Beyer	Starter/Ranger	10/30/2013

Buildings and Grounds:

Anthony Trevino	Parks Maintenance Worker	10/04/2013
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Division on Aging:

Richard Rex	On-call Driver	10/21/2013
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Health Department:

Marilyn Laurus	Temp. Nurse	10/04/2013
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RETIREMENT:

Rick Pabalis		10/04/2013
Buildings & Grounds	Building and Grounds	
Maintenance Supervisor		

Personnel Department
November 6, 2013

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UNEMPLOYMENT REPORT
3rd QUARTER, 2013
Total: \$,7251.87

Name	Department
Patricia Bostick	Administrative Services
Gregory McMath	Juvenile Home
Barry Hugo	Environmental Health
David Gill	Civic Arena
Brian Lorenz	Central Dispatch

Submitted by: Tiffany Jerry/Bay County Finance Dept.
Date: October, 2013

BAY COUNTY PROSECUTING ATTORNEY

KURT C. ASBURY

Victim's Rights Advocates

Cindy A. Howell
Wendy D. Hoffard
Kristin M. Monaghan

Assistant Prosecuting Attorneys

Nancy E. Borushko
Chief Assistant

J. Dee Brooks
Barbara J. Hayward
John C. Keuvelaar
Margaret A. Learning
Sylvia L. Linton
Jordan Case
Jeffrey D. Stroud

TO: Kim Coonan, Chair
Ways and Means

FROM: Kurt C. Asbury ~~VCA~~
Bay County Prosecutor

RE: Agreement between Michigan Department of Human Services (DHS) and the
Bay County Prosecutor's Office

DATE: November 7, 2013

Request: To be placed on the agenda for the next Board of Commissioners Meeting for approval of the Agreement, Amendment 2, between Michigan Department of Human Services (DHS) and the Bay County Prosecutor's Office for the fiscal period January 1, 2014, through March 31, 2014.

Background: This Amendment 2 to the contract currently in place between DHS and the Bay County Prosecutor's Office (Agreement PROFC11-09001, effective 01/01 2011) covers a three month option to extend the end date from 12/31/2013 to 03/31/2014.

The maximum dollar amount of the Agreement shall be increased by \$16,463.25 from \$192,113.00 to \$208,576.25 for the period 01/01/2011 through 03/31/2014.

Recommendation: Request Board approval, including authorization for the Board Chair to sign the Agreement and any other required documents after Corporation Counsel review, along with any future budget adjustments that may be necessary to comply with this grant.

cc: Martha Fitzhugh, Corporation Counsel

BAY COUNTY COURT FACILITY, 1230 WASHINGTON, STE. 768, BAY CITY, MICHIGAN 48708

TELEPHONE: (989) 895-4185 FAX: (989) 895-4167
TDD (HEARING IMPAIRED): (989) 895-2059

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BAY COUNTY BOARD OF COMMISSIONERS

11/12/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/8/13)
WHEREAS, The State of Michigan Department of Human Services (DHS) has submitted grant amendments (1 & 2) to all Prosecuting Attorney Foster Care (PROFC) Title IV-D grant contracts; and
WHEREAS, Amendment 1 pertains to a contract currently in place between DHS and Bay County (Prosecutor's Office) and covers a three (3) month option to extend the end date from 12/31/13 to 03/31/14); and
WHEREAS, Amendment 2 covers the maximum dollar amount of the Agreement increasing it by \$16,463.25 from \$192,113.00 to \$208,576.25 for the period 01/01/2011 through 03/31/2014; Therefore, Be It
RESOLVED That the Chairman of the Board is authorized to execute Amendments 1 and 2 to the Agreement PROFC11-09001 between the Michigan Department of Human Services (DHS) and Bay County (Prosecutor's Office) and all related required documents on behalf of Bay County following legal review/approval; Be It Further
RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County; Be It Finally
RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Prosecutor - Amendments (1 & 2) to Title IV-D Contract

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and 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

OCTOBER 15, 2013

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A SPECIAL SESSION ON TUESDAY, OCTOBER 15, 2013, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN ERNIE KRYGIER AT 4:10 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS BRANDON KRAUSE, VAUGHN BEGICK, THOMAS HEREK, DONALD J. TILLEY, MICHAEL LUTZ AND CHAIRMAN ERNIE KRYGIER

EXCUSED: COMMISSIONER KIM COONAN

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

ALSO PRESENT: THOMAS L. HICKNER, COUNTY EXECUTIVE
MARTHA P. FITZHUGH, CORPORATION COUNSEL
TIM QUINN, PERSONNEL & EMPLOYEE RELATIONS DIRECTOR
CRYSTAL HEBERT, FINANCE OFFICER
CHRIS IZWORSKI, 911 CENTRAL DISPATCH DIRECTOR
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

CITIZEN INPUT

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

NO ONE CAME FORWARD TO ADDRESS THE BOARD.

ITEMS FOR CONSIDERATION

CHAIRMAN KRYGIER ASKED FOR PUBLIC COMMENT ON THE COUNTY EXECUTIVE'S PROPOSED 2014 BAY COUNTY BUDGET AND NO ONE CAME FORWARD (SEE MOTIONS 110 AND 111).

CRYSTAL HEBERT: CRYSTAL HEBERT, BAY COUNTY FINANCE OFFICER, GAVE A BRIEF PRESENTATION ON THE PROPOSED 2014 BAY COUNTY BUDGET. HIGHLIGHTS WERE AS FOLLOWS: TOTAL COUNTY SPENDING FOR ALL FUNDS IS PROJECTED AT \$126 MILLION, WITH \$35 MILLION OF THOSE EXPENDITURES BEING GENERAL FUND. TAX REVENUE REMAINS THE SINGLE LARGEST SOURCE OF REVENUE FOR THE GENERAL FUND AT 46%. THE LEVIED TAX RATE OF 5.7 MILLS WILL NOT INCREASE OR DECREASE FOR 2014. PROPERTY TAX COLLECTIONS SHOW A STABLE TREND IN THE RIGHT DIRECTION FOR 2014. WAGES AND FRINGES REMAIN THE LARGEST EXPENDITURE OF THE GENERAL FUND TOTALING \$22 MILLION. A PROPOSED BASE WAGE INCREASE OF 3% AND A 1% LUMP SUM OR THREE (3) PERSONAL DAYS HAS BEEN PROPOSED TO BARGAINING UNITS AND TENTATIVELY, FIVE (5) HAVE ACCEPTED THIS OFFER. HEALTH INSURANCE IS PROJECTED TO INCREASE 16.7% WHILE HEALTH COST REDUCING MEASURES ARE BEING PROPOSED. THE RETIREMENT SYSTEM IS FUNDED AT NEARLY 105% AND THE BAY COUNTY EMPLOYEES RETIREMENT SYSTEM BALANCE WAS \$247 MILLION. IN CONCLUSION, THE COMMISSIONERS QUESTIONS AND CONCERNS WERE ADDRESSED.

RES. 2013-194: COMM. TILLEY MOVED TO ADOPT RES. 2013-194 THAT THE FOLLOWING COUNTY MILLAGES SHALL BE LEVIED ON THE 2013 TAXABLE VALUE OF REAL AND PERSONAL PROPERTY 2013 ASSESSMENTS ROLLS OF EACH TOWNSHIP AND CITY WITHIN THE COUNTY OF BAY:

MILLS

BAY COUNTY GENERAL OPERATING	5.7257
BAY COUNTY LIBRARY	.9953
BAY COUNTY LIBRARY	1.0000
BAY COUNTY SENIOR CITIZENS	.5000
BAY COUNTY SENIOR CITIZENS	.3000
BAY COUNTY 911 CENTRAL DISPATCH	.7000
BAY COUNTY HISTORICAL PRESERVATION	.0952
BAY COUNTY MEDICAL CARE FACILITY	.7500
BAY COUNTY VETERANS	.1000
BAY COUNTY GYPSY MOTH	.1000
BAY COUNTY MOSQUITO CONTROL	.4500
TOTAL	10.7162

FURTHER, TO AUTHORIZE THE BOARD CHAIRMAN AND BAY COUNTY CLERK TO EXECUTE THE CLERK'S CERTIFICATES, THE 4029'S AND ANY OTHER DOCUMENTATION REQUIRED. IT WAS SUPPORTED BY

COMM. KRAUSE AND PASSED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

MOTION 109: COMM. TILLEY MOVED TO RECEIVE THE PRESENTATION ON THE PROPOSED 2014 BAY COUNTY BUDGET AS PRESENTED BY CRYSTAL HEBERT, FINANCE OFFICER. IT WAS SUPPORTED BY COMM. HEREK AND CARRIED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

RES. 2013-195: COMM. TILLEY MOVED TO ADOPT RES. 2013-195 AUTHORIZING DEVELOPMENT OF A REQUEST FOR PROPOSAL (RFP) FOR THE PURCHASE OF NEXT GENERATION 911 PHONE SYSTEM. THE NEXT GENERATION 911 SYSTEM IS A DIGITAL NETWORK THAT OFFERS THE INCREASED ABILITY TO HANDLE AND RECOVER FROM DISASTERS, OBTAIN ACCURATE CALLER INFORMATION AND ENABLE APPLICATIONS SUCH AS TEXT, VIDEO, AND TELEMATICS, WHICH GREATLY IMPROVES EMERGENCY RESPONSE. THE SYSTEM ALSO AFFORDS THE OPPORTUNITY FOR COLLABORATION WITH OTHER 911 CENTERS IN THE REGION. THE COLLABORATION BETWEEN BAY, MIDLAND AND TUSCOLA COUNTIES 911 CENTERS WILL DECREASE THE COST OF THE SYSTEM. FURTHER, THAT CORPORATE COUNSEL WILL DRAFT AN INTERGOVERNMENTAL AGREEMENT WITH MIDLAND AND TUSCOLA COUNTIES FOR THE NEXT GENERATION 911 SYSTEM. IT WAS SUPPORTED BY COMM. LUTZ FOR DISCUSSION.

COMM. HEREK ASKED THE 911 DIRECTOR, CHRIS IZWORSKI, TO GIVE A BRIEF PRESENTATION ON THE NEXT GENERATION 911 PHONE SYSTEM.

C. IZWORSKI: CHRIS IZWORSKI, 911 DIRECTOR, SAID BAY COUNTY IS IN NEED OF A NEW 911 DIGITAL PHONE SYSTEM ALONG WITH TUSCOLA AND MIDLAND COUNTIES. THEREFORE, THE COUNTIES COLLABORATED AND PUT TOGETHER A 911 PHONE PROJECT THAT DECREASES THE COST. MR. IZWORSKI SAID TEN YEARS AGO 1% OF 911 PHONE CALLS WERE FROM CELL PHONES. PRESENTLY, 65% ARE CELL PHONE CALLS. WORKING TOGETHER WITH TUSCOLA AND MIDLAND COUNTIES ENABLED US TO COORDINATE A SYSTEM THAT IS DIGITAL AND CAN ACCEPT TEXT AND EVENTUALLY IMAGES. IF ONE SYSTEM GOES DOWN WE STILL WILL HAVE THE CAPABILITIES OF RECEIVING 911 PHONE CALLS WHICH IS GREAT BACKUP. ONCE COMPLETED WITH OUR PHONE SYSTEM, THE STATE OF MICHIGAN IS IN THE PROCESS OF AN IP NETWORK WHICH IS A NETWORK OF 911 SYSTEMS ACROSS THE STATE, ENABLING US TO TRANSFER A

CALL ANYWHERE IN THE STATE OF MICHIGAN. MR. IZWORSKI MENTIONED A CGAP GRANT THROUGH THE STATE WHICH THE COUNTIES ARE PLANNING TO PURSUE FOR FUNDING ALSO.

RES. 2013-195 WAS ADOPTED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

RES. 2013-196: COMM. MOVED TO ADOPT RES. 2013-196 AUTHORIZING TO EXECUTE A BUDGET ADJUSTMENT FOR PROFESSIONAL FEES FOR ENGINEERING DUE TO THE NEW AMENDED SCOPE OF ITEMS FOR THE PINCONNING PARK GRANT. THE AMENDMENT WAS APPROVED AT THE 8/20/13 BOARD MEETING (RES. 2013-146). IT WAS SUPPORTED BY COMM. AND PASSED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

MOTION 110: COMM. KRAUSE MOVED TO GO OUT OF REGULAR SESSION FOR THE PURPOSE OF HOLDING A PUBLIC HEARING ON THE COUNTY EXECUTIVE'S PROPOSED 2014 BAY COUNTY BUDGET. IT WAS SUPPORTED BY COMM. BEGICK AND CARRIED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

THERE WAS NO CITIZENS INPUT DURING PUBLIC HEARING ON THE COUNTY EXECUTIVE'S PROPOSED 2014 BAY COUNTY BUDGET.

MOTION 111: COMM. KRAUSE MOVED TO GO BACK TO THE REGULAR ORDER OF BUSINESS FOLLOWING PUBLIC HEARING ON THE PROPOSED 2014 BAY COUNTY BUDGET. IT WAS SUPPORTED BY COMM. LUTZ AND ADOPTED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

RES. 2013-197: COMM. KRAUSE MOVED TO ADOPT RES. 2013-197 CONCURRING TO POST/ADVERTISE/FILL THE FOLLOWING VACANCY WITH MONIES FOR SAID POSITION TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGET:

A. TREASURER - ACCOUNT CLERK III, FULL TIME, AT \$16.56/HR.

IT WAS SUPPORTED BY TILLEY AND PASSED BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

RES. 2013-198: COMM. KRAUSE MOVED TO REFER RES. 2013-198, IMPLEMENTATION OF A WELLNESS CENTER TO PROVIDE WELLNESS AND MEDICAL TREATMENT AND GENERIC MEDICATION TO ELIGIBLE EMPLOYEES, THEIR DEPENDENTS, PRE-65 RETIREES AND THEIR

SPOUSES, TO THE BOARD OF COMMISSIONERS MEETING OF NOVEMBER 12, 2013. IT WAS SUPPORTED BY COMM. TILLEY FOR DISCUSSION.

COMM. BEGICK FELT THE RESOLUTION HAS BEEN DISCUSSED ENOUGH AND SHOULD NOT BE REFERRED. HE WILL VOTE "NO" TO REFER.

RES. 2013-198 WAS CARRIED BY A ROLL CALL VOTE OF:

5 YEAS - KRAUSE, KRYGIER, HEREK, TILLEY, LUTZ
1 NAY - BEGICK
1 EXCUSED - COONAN

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS.

MISCELLANEOUS

THERE WAS NO MISCELLANEOUS ITEMS.

ANNOUNCEMENTS

THERE WERE NO ANNOUNCEMENTS.

CLOSED SESSION

THERE WAS NO CLOSED SESSION REQUESTED.

RECESS/ADJOURNMENT

MOTION 112:

COMM. TILLEY MOVED TO ADJOURN THE SPECIAL BOARD SESSION OF OCTOBER 15, 2013. IT WAS SUPPORTED BY COMM. HEREK. THE MEETING CONCLUDED AT 4:40 P.M. BY A VOICE VOTE OF: 6 YEAS, 0 NAYS, 1 EXCUSED-COONAN.

ERNIE KRYGIER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS