

**SPECIAL MEETING**  
**BAY COUNTY BOARD OF COMMISSIONERS**  
**A G E N D A**

**TUESDAY, JANUARY 17, 2017**

**4:30 P.M.**

**(Or immediately following the Personnel/Human Services Committee meeting)**

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

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

**II            ROLL CALL**

**III           INVOCATION**

**IV           PLEDGE OF ALLEGIANCE**

**V            CITIZEN INPUT**

**VI           RESOLUTIONS FOR CONSIDERATION**

- |   |                                                                                                                             |
|---|-----------------------------------------------------------------------------------------------------------------------------|
| 1 | A.    No. 2017-14 - Establishment of Department of Aging (County Executive)                                                 |
| 2 | B.    No. 2017-15 - Appropriation/Contract for Grant Writer (Circuit Court)                                                 |
| 3 | C.    No. 2017-16 - Revision to Medicare Prescription Drug Bill of 2003<br>(Commissioner Coonan)                            |
| 4 | D.    No. 2017-17 - Charter Township of Hampton - Golf Cart Use on Public Roads                                             |
| 5 | E.    No. 2017-18 - USDA SNAP Reauthorization for Meal Delivery Service &<br>Communal Dining Facilities (Division on Aging) |
| 6 | F.    No. 2017-19 - Director of Criminal Defense; PNII - I Year Level (Personnel<br>Dept.)                                  |

**VII           UNFINISHED BUSINESS**

**VII           NEW BUSINESS**

**IX           MISCELLANEOUS**

- X            ANNOUNCEMENTS**
- XI           CLOSED SESSION**
- XII          RECESS/ADJOURNMENT**



BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 17, 2017

RESOLUTION

- BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (1/17/17)
- WHEREAS,** 18.3% of Bay County residents are aged 65 and older, the largest proportion of seniors to the general population in the state of Michigan and, when the age cohort is expanded to include persons aged 60 years and older, that percentage rises to 24.8% of the general population; and
- WHEREAS,** The Bay County Division on Aging ("DOA") is dedicated to providing continued opportunities for the community's older adults by maintaining independence, offering social opportunities, and enhancing their lives through quality services in a cost-effective manner; and
- WHEREAS,** The DOA currently operates as a "Division" of the Health Department, has an operating budget of over \$3.3 million dollars per year, has a recently renewed effective operating millage and employs the expertise of an Advisory Council, as well as over 60 employees in eight separate programs; and
- WHEREAS,** With the recent resignation of the DOA Division Manager, a cooperative and exhaustive review of the Division as well as its role and responsibilities relating to the needs of the growing senior population was made by the Department Directors of the Public Health, Corporation Counsel and Personnel and Employee Relations Departments, as well as the current County Executive; and
- WHEREAS,** It has been determined that the DOA warrants a more autonomous role as its own Act 139 Department, rather than a Division of an existing Department, with a Director appointed by the County Executive; and
- WHEREAS,** The current (vacant) position of Division Manager (MB 12) could easily be transformed to Department Director status MN 12 (the same classification as the dispatch director and the Jail Administrator) and report directly to the County Executive under his responsibilities as set forth in Act 139; and
- WHEREAS,** The transformation of this Division to a Department would result in a net cost salary savings to the County as the current vacant Division Manager MB13 pay scale (including the 2017 5% increase) will top out at \$71,853.60, while the MN12 Department pay scale will top out at \$68,402.88. The MN12 will start out at \$58,902.48 until he or she reaches all his or her steps; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners, following a public hearing held on Tuesday, January 17, 2017, approves the following:
1. The DOA shall be designated an Act 139 Department (the Bay County Department of Aging) from a Division of the Health Department under the authority of the County Executive following a public hearing as required by MCL 45.564 (a) and (b); and
  2. County Executive shall appoint a Department on Aging Director; and
  3. Related budget adjustments, if required, are approved.

**TOM RYDER, CHAIR  
AND COMMITTEE**

Co Exec - Bay County Department of Aging

MOVED BY COMM. RYDER

SUPPORTED BY COMM. COONAN

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

**VOTE TOTALS:**  
 ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 17, 2017

RESOLUTION

**BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (1/17/17)  
**WHEREAS,** Judge Gill has requested an appropriation of up to \$7,000 to contract with Jim Griffiths, an individual with expertise in writing grant applications, so that the Bay County Circuit Court may apply for an Adult Drug Court Discretionary Grant from the United States Justice Department, Bureau of Justice, specifically an Enhancement Grant, to supplement the grant the Court now receives through the State Court Administrators Office. The Enhancement Grant, if awarded, would be in the amount of \$400,000 spread over three years; and  
**WHEREAS,** The grant application is due on February 28<sup>th</sup> and should be submitted one week earlier to allow correction or additions if necessary, so time is of the essence; and  
**WHEREAS,** Grant writing is clearly an art and to be successful the person writing the application must have both the technical writing skills and the time to delve deeply into the particulars of our drug court program so as to be able to address in the application the specific requirements of the solicitation; and  
**WHEREAS,** The Bay County Circuit Court applied for a similar grant last year with Judge Gill as the author, however, the application was denied; and  
**WHEREAS,** After discussing the matter with other courts and reading about the specifics of grant writing Judge Gill is of the opinion that the only way a grant of this magnitude will be awarded is if the application is written by a person with the time and expertise to write it; and  
**WHEREAS,** The Circuit Court intends to contract with Jim Griffiths who has experience through his time as a school administrator in writing grant applications successfully. Mr. Griffiths is now semi-retired and has reviewed much of the Court's program (at no cost) and is willing to write this application for the Court. Mr. Griffith will charge \$70.00 per hour and it is estimated that the process could consume one hundred hours. Mr. Griffiths has agreed to cap his fee at \$7,000.00 even if he expends more hours than expected; and  
**WHEREAS,** Judge Gill has outlined his vision and goal in making a difference in the way the criminal justice system addresses people who commit crimes and this grant has the potential of making the Bay County Circuit Court a model of excellence in the State of Michigan; and  
**WHEREAS,** The Enhancement Grant being sought will supplement the grant Bay County now receives through the State Court Administrative Office. The Enhancement grant, if awarded, would be in the amount of \$400,000 spread over three years. Bay County is currently awarded roughly \$85,000 which covers the cost of a part time case manager, drug testing and some treatment. These increased funds would allow the Court to increase the population served in Bay County's drug court dramatically, add these new services, and employ a full time case manager; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners supports the efforts of the Circuit Court to pursue grant funding through an application for an Adult Drug Court Discretionary Grant (Enhancement Grant).

TOM RYDER, CHAIR  
 AND COMMITTEE

Circuit Court - Drug Court Enhancement Grant

MOVED BY COMM. RYDER

SUPPORTED BY COMM. DURANCZYK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 17, 2017

RESOLUTION

- BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (1/17/17)
- WHEREAS,** Health care costs continue to rise for all Americans and, for some Americans, this increase can be devastating; and
- WHEREAS,** Medicare is the focus of many lawmakers who portray it as an "entitlement" program that costs the Treasury too much money. Technically, the term "entitlement" is correct but it has an unfortunate connotation; and
- WHEREAS,** Medicare is an essential medical plan that millions of seniors and disabled individuals depend upon to stay alive. Medicare is not a gift, as the term "entitlement" suggests. Many of the beneficiaries have worked their entire adult life and paid into the system in order to receive this crucial medical plan; and
- WHEREAS,** Due to spiraling costs largely associated with the price of prescription medications, our elected officials find themselves passing on increased costs to those who can least afford that increase, namely senior citizens and disabled individuals who are on Medicare's Part D drug program; and
- WHEREAS,** When congress enacted Medicare Prescription Drug Bill they enacted a law that does not allow Medicare to negotiate with pharmaceutical companies for drug price the way Medicaid and the Veterans Administration does; and
- WHEREAS,** One economist, Dean Baker, estimates that Medicare could have saved approximately \$332 billion dollars between 2006 and 2013 (approximately \$50 billion a year) had the Department of Health and Human Services been permitted to negotiate prices of drugs with the drug companies, as federal agencies do in other programs; and
- WHEREAS,** Rising prescription drug costs have been the primary reason for the increase in health benefit costs; and
- WHEREAS,** The increasing cost of prescription drugs and outrageous profits made by pharmaceutical companies is a systemic problem that significantly affects our state and our nation. It deserves non-partisan effort; and
- WHEREAS,** We must prevent our elected officials from balancing the budget on the backs of those who can least afford it, the elderly and disabled. Increases in premiums and drug costs are unacceptable ways to deal with a flawed Medicare Prescription Drug Bill; and
- WHEREAS,** We must preserve the Medicare program as it currently exists and to do so requires immediate action to cut unnecessary costs, particularly in the area of prescription drug coverage; and
- WHEREAS,** We must revise the Medicare Prescription Drug Bill of 2003 to allow negotiating lower drug prices and the importation of identical, cheaper, drugs from Canada and elsewhere; and
- WHEREAS,** We cannot allow the previously approved bill to stand as adopted at the risk of having the Medicare program be the cause of a staggeringly increasing deficit which will require tax increases or cuts to the rest of the government, nor can we allow the continuance of price increases to our citizens cause many to contemplate discontinuing medically necessary drugs in order to pay their bills, heat their houses and have food on the table; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners goes on record urging our Legislators to immediately commence the process of revising the Medicare Prescription Drug Bill of 2003 to allow negotiating lower drug prices and the importation of identical, cheaper drugs from Canada and elsewhere; Be It Further
- RESOLVED** That a copy of this resolution be forwarded to our area Federal and State Legislators, the National Association of Counties, the Michigan Association of Counties and the other Michigan counties.

TOM RYDER, CHAIR  
AND COMMITTEE

RESOLUTION AUTHORED AND INTRODUCED BY COMMISSIONER KIM COONAN, 4<sup>TH</sup> DISTRICT

Coonan - Revision to Medicare Prescription Drug Bill of 2003

MOVED BY COMM. RYDER

SUPPORTED BY COMM. DURANCZYK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
AMENDED      CORRECTED      REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**JANUARY 17, 2017**

**RESOLUTION**

**BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/17/17)**

**WHEREAS,** On November 7, 2016, the Charter Township of Hampton adopted a "Golf Cart Resolution" allowing for the use of golf carts on public roads, only a one mile radius surrounding the Bay County Golf Course is allowed and each golf cart must be registered at the Hampton Township Administrative Offices; and

**WHEREAS,** The Hampton Township resolution is guided under Section 257.657a in the Michigan Vehicle Code (Excerpt) Act 30 of 1949; and

**WHEREAS,** The Charter Township of Hampton has submitted their resolution to Bay County for consideration, providing Bay County an opportunity to conduct a hearing if determined to be necessary and disapprove the operation of golf carts on the streets of a township; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners has determined there is no need for such a hearing at this time and does not disapprove of the resolution passed by the Charter Township of Hampton.

**TOM RYDER, CHAIR  
AND COMMITTEE**

**Hampton Township - Golf Cart Resolution**

MOVED BY COMM. RYDER

SUPPORTED BY COMM. BEGICK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				TOM RYDER							

VOTE TOTALS:

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

\*REFERRED TO PUBLIC HEARING SET FOR FEBRUARY 21, 2017.

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

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**BAY COUNTY BOARD OF COMMISSIONERS**

**JANUARY 17, 2017**

**RESOLUTION**

**BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/17/17)**

**WHEREAS,** Bay County's Division on Aging prepares and delivers meals to the elderly as well as prepares and serves meals to the elderly at various communal dining facilities throughout the County; and

**WHEREAS,** The United States Department of Agriculture's ("USDA") Food and Nutrition Service has the authority to require entities who accept Supplemental Nutrition Assistance Program ("SNAP") benefits to cooperate in periodic reauthorization determinations as set forth in 7 CFR 278.1(j) and (n); and

**WHEREAS,** Although the County currently does not receive SNAP benefits for this purpose, it is important to remain in compliance with this reauthorization process should the need to accept aid benefits arise in the future; and

**WHEREAS,** There is no financial impact to the County; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners authorizes the Board Chair, following legal review/approval, to sign all documentation required to obtain a periodic reauthorization determination from the USDA Food and Nutrition Service to receive SNAP benefits if needed.

**TOM RYDER, CHAIR  
AND COMMITTEE**

**DOA - USDA - SNAP Reauthorization for Meal Delivery Service & Communal Dining Facilities**

MOVED BY COMM. RYDER

SUPPORTED BY COMM. DURANCZYK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

**VOTE TOTALS:**

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
 AMENDED      CORRECTED      REFERRED



BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 17, 2017

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/17/17)

WHEREAS, Andrea Labean has accepted the position of Director of Criminal Defense pending Board concurrence but has requested to be paid at the one year rate based on her experience with Bay County and the increased responsibility she will be taking on with this position; and

WHEREAS, This is still within the approved pay scale of the PN I I job posting and the position is budgeted in the proposed 2017 budget for \$73,112.00; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners concurs with the appointment of Andrea Labean as the Director of Criminal Defense and waives the County's Personnel Policy to allow the newly hired Director of Criminal Defense to be compensated at the PN I I 1 year step (\$73,340.80); Be It Further

RESOLVED That budget adjustments required are approved.

TOM RYDER, CHAIR  
AND COMMITTEE

Personnel - Director of Criminal Defense PN I I - 1 yr level

MOVED BY COMM. RYDER

SUPPORTED BY COMM. COONAN

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
AMENDED      CORRECTED      REFERRED     

*6-*

**BAY COUNTY BOARD OF COMMISSIONERS**

**JANUARY 17, 2017**

**RESOLUTION**

**BY:** BAY COUNTY BOARD OF COMMISSIONERS (1/17/17)

**WHEREAS,** Bay Shores Senior Care and Rehab Center has received the impressive overall 5 Star status, according to Medicare.gov/ Nursing Home Compare; and

**WHEREAS,** This site allows consumers to compare information about nursing (rehab) centers and contains quality of care information on every Medicare and Medicaid-certified skilled nursing center in the country, which encompasses over 15,000 nationwide; and

**WHEREAS,** The skilled nursing industry ratings come from Health Inspections, Staffing & Quality Measures; and

**WHEREAS,** A star rating is provided for each of these three sources and then combined to calculate an overall rating. Skilled Nursing Centers vary in the quality of care and services they provide to their residents; and

**WHEREAS,** Reviewing health inspection results, staffing data and quality measure data are three important ways to measure skilled nursing center quality and this information provides a "snapshot" of the care available at individual centers; and

**WHEREAS,** Bay Shores Senior Care and Rehab specializes in Short-term Rehabilitation including Physical, Occupational and Speech Therapy. Each person is assessed and given an individualized treatment program created specifically for them with a focus on a person-centered approach to care, with the intention of supporting the best possible balance between what is important in each person's life and what is important for the person's continued health and well-being; and .

**WHEREAS,** Daily life at Bay Shores is centered on restoring health, recovering abilities and rejoicing in life; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners and Bay County Executive their congratulations to Bay Shores Senior Care and Rehab Center on achieving 5 Star status and offer best wishes in their efforts to provide continued quality care to their patients.

**THOMAS M. HEREK, CHAIR  
AND BOARD**

**BAY SHORES SENIOR CARE & REHAB CENTER**

MOVED BY COMM. DURANCZYK

SUPPORTED BY COMM. BEGICK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:  
 ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
 AMENDED      CORRECTED      REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: JANUARY 17, 2017

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. RYDER

MOTION NO.: 10

TO ADJOURN THE SPECIAL MEETING OF THE BAY COUNTY BOARD OF COMMISSIONERS OF JANUARY 17, 2017. THE MEETING CONCLUDED AT 5:40 PM.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Tom Ryder	X						

**VOTE TOTALS:**

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

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

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