

**BAY COUNTY BOARD OF COMMISSIONERS**

**JUNE 11, 2019**

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, JUNE 11, 2019, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MICHAEL DURANCZYK AT 4:00 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS ERNIE KRYGIER, VAUGHN J. BEGICK, KIM COONAN, THOMAS HEREK, TOM RYDER, MICHAEL LUTZ AND MICHAEL DURANCZYK

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

ALSO PRESENT: JIM BARCIA, COUNTY EXECUTIVE  
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR  
JAN HISTED, FINANCE OFFICER  
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL  
CRAIG GOULET, ADMINISTRATIVE SERVICES DIRECTOR  
CRISTEN GIGNAC, RECREATION AND FACILITIES  
VARIOUS ELECTED OFFICIALS  
VARIOUS DEPARTMENT HEADS  
NEWS MEDIA

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

PLEDGE OF ALLEGIANCE:

**MINUTES**

MOTION 61: COMM. LUTZ MOVED TO APPROVE THE BOARD MINUTES FOR THE BAY COUNTY BOARD OF COMMISSIONERS, REGULAR BOARD MEETING; MAY 14, 2019 AND A SPECIAL SESSIONS; MAY 21, MAY 28 AND JUNE 4, 2019, AS PRESENTED. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

**CITIZENS INPUT**

PAUL TRAVIS: PAUL TRAVIS, 703 SOUTH ARBOR STREET, BAY CITY MI 48706

APPEARED TO ADDRESS THE BOARD IN REGARD TO HIS APPLICATION FOR THE LIBRARY BOARD. HE CONTINUED WITH HIS QUALIFICATIONS, OTHER INTERESTS AND BOARDS HE WAS CURRENTLY INVOLVED WITH IN BAY COUNTY.

RICHARD MOSKAL: RICHARD MOSKAL, 5215 PRAIRIE CREEK DRIVE, BAY CITY MI 48706 MR. MOSKAL STATED THAT HE WAS HERE TO DISCUSS A SITUATION HE WAS HAVING WITH A NEIGHBOR WHO PLAYS LOUD MUSIC, OUTSIDE, ALL HOURS OF THE DAY AND EVENING. HIS ISSUE WAS WITH THE CONFLICTING REGULATIONS AND MUNICIPAL CODES. HE WAS LOOKING FOR DIRECTION, FROM THE BOARD, ON WHERE TO GO IN REGARD TO ANY ORDINANCES THAT COULD HELP HIM.

CHAIRMAN DURANCZYK: CHAIRMAN DURANCZYK STATED HE WOULD DIRECT ADMINISTRATION TO REVIEW AND REPLY TO HIS CONCERNS.

AMBER JOHNSON: CORPORATION COUNSEL AMBER DAVIS-JOHNSON STATED THAT BAY COUNTY HAS DISCUSSED BEFORE, THAT WE ARE IN THE PROCESS OF REVAMPING THE NOISE ORDINANCE, FOR A NUMBER OF REASONS. DECIBELS LEVELS SUCH AS CONTAINED WITHIN THE ORDINANCE, ARE GENERALLY UNENFORCEABLE BECAUSE WE DO NOT HAVE THE EQUIPMENT TO MEASURE THOSE LEVELS. IN ADDITION, OUR COUNTY NOISE ORDINANCE ARE ONLY ENFORCEABLE TO COUNTY OWNED PROPERTIES.

MEGAN KLEIN: MEGAN KLEIN, 401 RICOMA BEACH ROAD, BAY CITY MI 48706 INTRODUCED HERSELF TO THE BOARD AND GAVE A BRIEF OVERVIEW OF HER QUALIFICATIONS FOR THE LIBRARY BOARD.

**PETITIONS AND COMMUNICATIONS**

CYNTHIA LUCZAK: BAY COUNTY CLERK, CYNTHIA LUCZAK, READ RESOLUTION 2019-114, IN ITS ENTIRETY, INTO THE RECORD.

RES. 2019-114 COMM. COONAN MOVED TO ADOPT RES. 2019-114 TO RECOGNIZE JOSEPH "BUD" H. SCHULTZ, SR., FOR HIS LIFELONG DEDICATION AND COMMITMENT TO GIVING-BACK AND FAITHFULLY SERVING HIS COMMUNITY. MR. SCHULTZ WAS THE FIRST CHILD IN HIS FAMILY TO GO TO COLLEGE, THERE HE SECURED A DEGREE IN PHARMACY. JOSEPH AND HIS WIFE MILDRED OPENED SCHULTZ PHARMACY, WHICH SERVED THE PINCONNING COMMUNITY FOR 50 YEARS. JOSEPH H. SCHULTZ, SR., WHO WILL BE 95 ON OCTOBER 27, 2019, WAS KNOWN AS A "GIVER" TO FAMILY, FRIENDS AND COMMUNITY

AND HIS LIFETIME OF CONTRIBUTIONS MUST BE ACKNOWLEDGED. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

IN ADDITION, THE TOWER AT THE PINCONNING PARK WAS TO BE DEDICATED TO MR. SCHULTZ AND HE WAS MADE AN HONORARY PARK RANGER OF THE PINCONNING PARK.

CYNTHIA LUCZAK: BAY COUNTY CLERK, CYNTHIA LUCZAK, READ RESOLUTION 2019-115, IN ITS ENTIRETY, INTO THE RECORD.

RES. 2019-115      COMM. RYDER MOVED TO ADOPT RES. 2019-115 TO CELEBRATE THE 100<sup>TH</sup> ANNIVERSARY OF THE BAY COUNTY HISTORICAL SOCIETY. EFFORTS AND DEDICATION OF THE BAY COUNTY HISTORICAL SOCIETY BOARD OF DIRECTORS AND THEIR STAFF, WERE APPLAUDED FOR THE PRESERVATION OF BAY COUNTY'S PAST, PRESENT AND FUTURE AND KNOW THAT THESE EFFORTS WILL CONTINUE TO PROVIDE FUTURE GENERATION WITH A LOOK INTO THE RICH HISTORY OF BAY COUNTY. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS. COMMISSIONER RYDER PRESENTED THE RESOLUTION TO MIKE BACIGALUPO

MIKE BACIGALUPO:      MIKE BACIGALUPO, ANNOUNCED THAT THE MUSEUM WAS IN THE PROCESS OF EXPANDING. MEMBERS WERE WORKING ON A RESEARCH LIBRARY AND BRINGING THE ANTIQUE TOY & FIREHOUSE MUSEUM TO DOWNTOWN BAY CITY, AS WELL.

RES. 2019-116      COMM. RYDER MOVED TO ADOPT RES. 2019-116 TO RECOGNIZE THE SIGNIFICANT IMPACT OF THE GROWING EPIDEMIC OF ELDER ABUSE AND AS A RESULT, JUNE 15, 2019, WAS HEREBY DESIGNATED AS WORLD ELDER ABUSE AWARENESS DAY IN BAY COUNTY. OUR COMMUNITY SHOULD BECOME MORE VIGILANTE IN RECOGNIZING AND REPORTING ANY INCIDENT OF ELDER ABUSE OBSERVED. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

BETH EURICH:      BETH EURICH, DIRECTOR, DEPARTMENT ON AGING, STATED THAT ELDER ABUSE WAS DEFINED AS INTENTIONAL ACTIONS THAT CAUSE HARM OR CREATE SERIOUS RISK OR HARM TO VENERABLE ADULTS. THE BAY COUNTY DEPARTMENT ON AGING, PAYS SPECIAL ATTENTION TO WATCH FOR ANY ELDER ABUSE THAT MAY HAPPEN. THIS WAS GROWING IN THE COMMUNITY AND WAS

PREDOMINANTLY FAMILY RELATED AND MANY CLIENTS WILL NOT TURN IN CHILDREN, GRANDCHILDREN OR OTHER FAMILY MEMBERS. MS. EURICH INTRODUCED JESSICA DUVALL, WHO WAS THE DEPARTMENT ON AGING'S, ELDER ABUSE CASE MANGER.

MOTION 62: COMM. KRYGIER MOVED TO RECEIVE AN APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE FROM RYAN THOMPSON, ON BEHALF OF BEYOND CONCOURS, LLC, DATED MAY 16, 2019. THE PROPERTY WAS LOCATED AT 512 COLUMBUS AVENUE, BAY CITY MICHIGAN, WITH AN ESTIMATED REHABILITATION AMOUNT OF \$18,000.00. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 63: COMM. COONAN MOVED TO RECEIVE THE APPLICATIONS FOR APPOINTMENT TO THE BAY COUNTY LIBRARY BOARD FROM MEGAN KLEIN AND PAUL TRAVIS. THIS APPOINTMENT WAS FOR ONE FIVE YEAR TERM CURRENTLY HELD BY FRANK M. QUINN, WHICH WAS SET TO EXPIRE ON JUNE 30, 2019. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

MOTION 64: COMM. HEREK MOVED TO APPOINT PAUL TRAVIS, TO THE BAY COUNTY LIBRARY BOARD AFTER ROLL CALL VOTE. THIS APPOINTMENT WAS FOR ONE, FIVE YEAR TERM WHICH WOULD EXPIRE JUNE 30, 2024. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

ROLL CALL VOTE:

MEGAN KLEIN (3) VOTES, COMMISSIONERS: DURANCZYK, KRYGIER AND LUTZ

PAUL TRAVIS (4) VOTES, COMMISSIONERS: BEGICK, COONAN, HEREK AND RYDER

**REPORTS/RESOLUTIONS OF COMMITTEES  
WAYS AND MEANS (TOM HEREK, CHAIR; MICHAEL LUTZ,  
VICE CHAIR)**

RES. 2019-117: COMM. HEREK MOVED TO ADOPT RES. 2019-117 WITH GRATITUDE, APPROVED ACCEPTANCE OF THE FUNDING AWARD FROM THE 100 CLUB OF BAY COUNTY, TO THE SHERIFF'S OFFICE. FUNDS TOTALING \$968.00, TO BE USED FOR THE PURCHASE OF DYNA MED MINI-MEDIC FIRST RESPONDER KITS, AND THAT ALL RELATED BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2019-118: COMM. HEREK MOVED TO ADOPT RES. 2019-118 APPROVED THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN BAY COUNTY SHERIFF'S OFFICE AND THE PEW CHARITABLE TRUSTS (PEW) FOR A TERM OF ELEVEN (11) MONTHS WITH POSSIBLE RENEWAL FOR AN ADDITIONAL THREE (3) MONTHS AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THE BAY COUNTY SHERIFF'S OFFICE HAD BEEN SELECTED BY THE TASK FORCE FORMED BY GOVERNOR GRETCHEN WHITMER, TO PROVIDE JAIL INMATE DATA TO PEW TO ASSIST WITH THE TASK FORCE'S OBJECTIVE AND THE BAY COUNTY SHERIFF'S OFFICE WAS SEEKING THE BAY COUNTY BOARD OF COMMISSIONER'S APPROVAL TO ENTER INTO A MOU WITH PEW. THERE WOULD BE NO FINANCIAL IMPACT TO THE COUNTY. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2019-119: COMM. HEREK MOVED TO ADOPT RES. 2019-119 APPROVED THE SOIL EROSION SEDIMENTATION CONTROL PERMIT FEE SCHEDULE, TO TAKE IMMEDIATE EFFECT. THE DRAIN COMMISSIONER WAS REQUESTING THE BOARD ADD A CATEGORY TO THE SCHEDULE TO ADAPT TO TRENDS IN UNDERGROUND CONSTRUCTION. THE USE OF BORE TECHNOLOGY TO INSTALL UNDERGROUND UTILITIES CONTINUED TO EXPAND AND ALTHOUGH THERE WAS A CATEGORY FOR UTILITIES DISTURBING SOIL, IT WAS DESIGNED WITH OPEN TRENCHING AND INSTALLATION IN MIND. THE PLAN REVIEW FEE WAS \$73.00, THE PERMIT FEE WAS \$250.00 AND A BORE PROJECT WOULD BE THAT AMOUNT PLUS \$25.00 FOR EACH BORE PIT BEYOND THE FIRST Y2 MILE OF PROJECT LENGTH. THIS CHANGE WILL ALSO NEGATE THE NEED FOR AN UNDERGROUND CABLE CATEGORY AS WELL AND IT WAS BELIEVED THIS APPROACH WAS JUST AND REFLECTS CHANGING UTILITY INSTALLATION PRACTICES. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2019-120: COMM. HEREK MOVED TO ADOPT RES. 2019-120 WHICH APPROVED A FIREWORKS FESTIVAL PARKING LOT LEASE AGREEMENT FOR THE PERIOD 2019-2024 BETWEEN BAY COUNTY AND THE BAY CITY FIREWORKS FESTIVAL COMMITTEE AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO SIGN SAID LEASE AGREEMENT ON BEHALF OF BAY COUNTY (RECREATION AND FACILITIES) FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THERE WAS NO FINANCIAL IMPACT. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-121: COMM. HEREK MOVED TO ADOPT RES. 2019-121 THAT APPROVED A CONTRACT WITH CIMCO REFRIGERATION FOR SYSTEM REVIEW, INSPECTION AND ON-SIGHT TRAINING OF STAFF ON THE REFRIGERATION SYSTEM AT THE BAY COUNTY CIVIC ARENA. A CIMCO CONTRACTUAL ARRANGEMENT WOULD NOT ONLY BRING IN A MECHANIC TO PERFORM A THROUGH INSPECTION OF THE CURRENT SYSTEM AND PROVIDE ALL FINDINGS TO STAFF, BUT ALSO REPAIR ISSUES OF IMMEDIATE CONCERN IF THE PART WAS ON-HAND, AND IF NOT, CIMCO WILL PRESENT A QUOTE FOR THE WORK NEEDED. FUNDS ARE AVAILABLE IN THE CIVIC ARENA BUDGET WITH NO ADDITIONAL FUNDS REQUESTED. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-122: COMM. HEREK MOVED TO ADOPT RES. 2019-122 APPROVED THE INTERSTATE HOCKEY LEAGUE (IHL) CONTRACT AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID CONTRACT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THAT THE DONATION OF THE VIDEO SCOREBOARD TO THE BAY COUNTY CIVIC ARENA BY THE INTERSTATE HOCKEY LEAGUE WAS ACCEPTED WITH GRATITUDE. THE IHL WAS REQUESTING APPROVAL TO SELL DASHER BOARDS UP TO 50% OF THE SPACE AVAILABLE AND WILL GIVE BAY COUNTY A 10% CUT OF THEIR SALES. BAY COUNTY WILL CONTINUE TO SELL DASHER BOARDS AS WELL AS THERE WAS OVER 50% OF DASHER BOARD SPACE AVAILABLE EVEN AFTER ALL OF BAY COUNTY'S ADVERTISING SALES. THE LEAGUE WILL PAY \$15,000 UP-FRONT FOR 16 HOME GAMES AND 26 PRACTICES WHICH BREAKS DOWN TO AN HOURLY ICE TIME OF \$202.70 PER HOUR. ANY ADDITIONAL ICE TIMES WILL BE BILLED AT \$235 PER HOUR. IF A LOCKER ROOM WAS AVAILABLE, IT WAS REQUESTED TO BE LEASED TO THE TEAM AT AN ADDITIONAL COST OF \$1,500 PER SEASON. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-123: COMM. HEREK MOVED TO ADOPT RES. 2019-123 FOR A TWO-YEAR CONTRACT BETWEEN BAY COUNTY (HOUSING DEPARTMENT) AND HOUSING AUTHORITY ACCOUNTING SPECIALISTS, INC. (HAAS) FOR THE ANNUAL FEE OF \$4,392 AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID CONTRACT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. BAY COUNTY HOUSING HAD BEEN PARTNERING WITH HAAS, INC., SINCE 2006, TO PROVIDE BAY COUNTY HOUSING WITH A FEE

ACCOUNTANT WHO ENSURES THE BOOKS, MONTHLY FINANCIAL REPORTS AND ALL OTHER REQUIRED HUD FINANCIAL DOCUMENTATION ARE INTACT, ACCURATE AND SUBMITTED TIMELY IN ORDER TO REMAIN IN COMPLIANCE WITH HUD. HAAS, INC WILL KEEP THE TOTAL ANNUAL FEE OF \$4,392 THE SAME AND THERE WILL BE NO INCREASES FOR THE NEXT TWO YEARS. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-124: COMM. HEREK MOVED TO ADOPT RES. 2019-124 REGARDING THE PURCHASE OF A CUB CADET ZERO-TURN COMMERCIAL LAWN MOWER, IN THE AMOUNT OF \$10,119.20, MONIES TO COME FROM THE 2019 BUDGETED HUD CAPITAL PROJECT SUBSIDY MONEY UNDER THE HOUSING FUND. THERE WAS NO FINANCIAL IMPACT TO BAY COUNTY OR THE GENERAL FUND. ALL NECESSARY QUOTES HAVE BEEN OBTAINED AS PER BAY COUNTY PURCHASING POLICIES. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-125: COMM. HEREK MOVED TO ADOPT RES. 2019-125 THE BAY COUNTY BOARD OF COMMISSIONERS, WITH GRATITUDE, ACCEPTED THE GRANT AWARD IN THE AMOUNT OF \$500 FROM THE CIVIC LEAGUE OF BAY COUNTY ADVISORY ENDOWMENT FUND OF THE BAY AREA COMMUNITY FOUNDATION TO BE USED TO OFFSET THE COST OF TOOLS NEEDED FOR THE DEPARTMENT ON AGING HANDYMAN PROGRAM. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-126: COMM. HEREK MOVED TO ADOPT RES. 2019-126 AUTHORIZED THE REQUIRED BUDGET ADJUSTMENT FOR CONGREGATE MEALS NSIP GRANT, HOME DELIVERED MEALS NSIP GRANT, AND NON TITLE III-C NSIP GRANT FOR CONGREGATE (KAWKAWLIN ACTIVITY CENTER). THE DEPARTMENT ON AGING RECEIVED THE REVISED AWARD LETTER FROM REGION VII AREA AGENCY ON AGING ON 5/22/2019 REGARDING THE 2019 FUNDING FOR THE NSIP WHICH RESULTED IN AN OVERALL INCREASE OF \$15,301 FOR THE DEPARTMENT ON AGING. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-127: COMM. HEREK MOVED TO ADOPT RES. 2019-127 GRANTING PERMISSION FOR THE TRANSFER OF \$21,000 FROM THE MEDICAID FULL COST REIMBURSEMENT SETTLEMENT FUNDS TO THE FAMILY PLANNING PROGRAM, OF THE BAY COUNTY HEALTH DEPARTMENT,

TO COVER ADDITIONAL COSTS FOR THE CURRENT YEAR. THE BUDGET ADJUSTMENTS RELATED TO THIS TRANSFER, IF REQUIRED, ARE APPROVED, WITH NO GENERAL FUNDS BEING UTILIZED. THERE WERE MORE THAN AMPLE FUNDS IN THE AFOREMENTIONED RESERVES. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-128: COMM. HEREK MOVED TO ADOPT RES. 2019-128 TO CONCUR WITH THE CLAIMS AGAINST THE COUNTY AS FOLLOWS: ACCOUNTS PAYABLE MISCELLANEOUS, PLEASE SEE RESOLUTION FOR DATES AND DOLLAR AMOUNT; CENTER RIDGE ARMS: 5/21/19 FOR \$73,307.75. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-129: COMM. HEREK MOVED TO ADOPT RES. 2019-129 THE FOLLOWING BUDGET ADJUSTMENTS ARE HEREBY APPROVED ON 6/11/2019 AND IF REQUIRED, THE CHAIRMAN OF THE BOARD WAS HEREBY AUTHORIZED TO EXECUTE ANY DOCUMENTATION NECESSARY FOR SAID BUDGET ADJUSTMENTS ON BEHALF OF BAY COUNTY. SOLDIERS' RELIEF FUND, \$200.00 DONATION FROM JAMES AND MARLENE MILITELLO TO BE USED FOR SOLDIERS AND SAILORS EMERGENCY RELIEF PROGRAM. DEPARTMENT ON AGING, INCREASE PERSONAL CARE LINE ITEMS \$10,000 FOR CONTRACTUAL SERVICES DUE TO FOUR EMPLOYEES NOT WORKING DUE TO VARIOUS REASONS. GOLF COURSE, BUDGET FOR REPAIR COSTS AT THE GOLF COURSE DUE TO FLOOD DAMAGES, INSURANCE WILL REIMBURSE. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-130: COMM. HEREK MOVED TO ADOPT RES. 2019-130 APPROVED THE AGREEMENT BETWEEN BAY COUNTY DEPARTMENT AND MIKE BURKE, PRESIDENT OF THE BAY COUNTY VIETNAM MONUMENT COMMITTEE, FOR USE OF RIVERSIDE'S PARKING LOT DURING THE 4<sup>TH</sup> OF JULY FIREWORKS FESTIVAL AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THERE WAS NO FINANCIAL COST TO BAY COUNTY OR BAY COUNTY DEPARTMENT ON AGING. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

**PERSONNEL/HUMAN SERVICES (TOM RYDER, CHAIR;  
MICHAEL J. DURANCZYK, VICE CHAIR)**



- RES. 2019-131: COMM. RYDER MOVED TO ADOPT RES. 2019-131 APPROVED REVENUE AGREEMENT NUMBER 20170705 - AMENDMENT NUMBER 1 - BETWEEN THE STATE OF MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES AND BAY COUNTY (CLERK) AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THERE WAS NO COST TO BAY COUNTY TO UTILIZE THE ACCESS SERVICES. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2019-132: COMM. RYDER MOVED TO ADOPT RES. 2019-132 AUTHORIZED THE PURCHASE AND INSTALLATION OF MONITORS FOR THE FREEZER, REFRIGERATOR AND WALK-IN COOLER AT THE RIVERSIDE CENTER, MONIES TO COME FROM THE DEPARTMENT ON AGING BUDGET AND RAP GRANT. FUNDS EXIST WITHIN THE 2019 DEPARTMENT ON AGING BUDGET AND A RAP GRANT WILL BE APPLIED FOR TO ASSIST WITH OFFSETTING THE COST OF SAID MONITORS. THE PROJECTED COST FOR THE MONITORS/INSTALLATION WAS \$1,275 AND THE REQUESTED RAP GRANT WILL BE IN THE AMOUNT OF \$318.25. BUDGET ADJUSTMENTS RELATED TO THE PURCHASE, INSTALLATION OF THE MONITORS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2019-133: COMM. RYDER MOVED TO ADOPT RES. 2019-133 WHICH GRANTS APPROVAL TO THE DEPARTMENT ON AGING FOR A POPCORN FUNDRAISER IN THE COUNTY BUILDING ON THE 2<sup>ND</sup> THURSDAY OF EVERY MONTH TO BENEFIT UNITED WAY OF BAY COUNTY. THE BAY COUNTY DEPARTMENT ON AGING WOULD BE SELLING POPCORN IN THE COUNTY BUILDING FOR .50 CENTS A BAG. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- RES. 2019-134: COMM. RYDER MOVED TO ADOPT RES. 2019-134 FOR AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT WITH SHERRY KAUFMAN REFLECTING THE INCREASE IN HOURLY RATE FROM \$55.00 PER HOUR TO \$60.00 PER HOUR. THE HEALTH DEPARTMENT HAS EMPLOYED SHERRY KAUFMAN, A NURSE PRACTITIONER INSTRUCTOR WITH SAGINAW VALLEY STATE UNIVERSITY AT THE BAY COMMUNITY HEALTH CLINIC AS AN INDEPENDENT CONTRACTOR SINCE 2016. SVSU WAS RENEWING THE SUB-AWARD AGREEMENTS AND HAVE BUDGETED NP COMPENSATION AT \$60.00 PER HOUR, SO THERE ARE NO

IMMEDIATE ECONOMIC CONSIDERATIONS. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-135: COMM. RYDER MOVED TO ADOPT RES. 2019-135 THE BAY COUNTY BOARD OF COMMISSIONERS ACCEPTED THE SUB-AWARDS FOR THE BAY COMMUNITY HEALTH CLINIC WHICH HAD BEEN IN OPERATION SINCE JANUARY OF 2015. THE CLINIC WAS CURRENTLY FUNDED THROUGH A COMBINATION OF GRANT FUNDS AND REVENUE GENERATED THROUGH PATIENT VISITS. THE ESTIMATED ADDITIONAL UNSPENT FUNDS AVAILABLE THROUGH SVSU WAS ESTIMATED TO BE \$80,625 AND \$94,950 TO WHAT WAS ALLOCATED FROM HRSA TO SVSU VIA THE INTEGRATED SERVICES GRANTS. THERE ARE NO MATCH REQUIREMENTS AND NO ADDITIONAL FINANCIAL COST TO THE HEALTH DEPARTMENT AS ALL COSTS ASSOCIATED FOR THE PROJECT ARE TO BE INCLUDED IN THESE FUNDS. IT WAS SUPPORTED BY COMM. BEGICK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-136: COMM. RYDER MOVED TO ADOPT RES. 2019-136 APPROVED RENEWAL OF THE AGREEMENT WITH CARAVAN HEALTH FOR AFTER HOURS NURSE ADVICE LINE FOR BAY COMMUNITY HEALTH CLINIC PATIENTS AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY (HEALTH DEPARTMENT) FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. IN ORDER TO RETAIN CERTIFICATION AS A PATIENT CENTERED MEDICAL HOME (PCMH) CLINIC, IT WAS NECESSARY TO OFFER AFTER HOURS NURSE CONSULTATION VIA A TELEPHONE SERVICE TO PATIENTS THAT NEED IMMEDIATE/NON-EMERGENCY CONTACT. THE COST FOR THE SERVICE WAS FREE TO PATIENTS WITH MEDICARE AND .25 PER MONTH FOR PATIENTS WHO DO NOT HAVE MEDICARE WITH THE AVERAGE COST PER MONTH BEING \$50.00. IT WAS SUPPORTED BY COMM. LUTZ AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-137: COMM. RYDER MOVED TO ADOPT RES. 2019-137 APPROVED RENEWAL OF THE AGREEMENT WITH THE MICHIGAN CENTER FOR EFFECTIVE IT ADOPTION (MCEITA) AND ALTARUM. ALSO, AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF BAY COUNTY FOLLOWING CORPORATION COUNSEL REVIEW/APPROVAL. THE FEE OF REENTERING THE CONTRACT WITH MPHI/MCEITA TO DETERMINE IF THE CURRENT NURSE PRACTITIONERS AND THE MEDICAL DIRECTOR ARE ELIGIBLE WAS \$700 AND EXISTING INCENTIVE

FUNDING WILL BE USED WITH NO ADDITIONAL GENERAL FUNDS BEING UTILIZED. IF ELIGIBILITY WAS AGAIN FAVORABLY DETERMINED, THE HEALTH DEPARTMENT MAY BE ABLE TO ACCESS UP TO \$32,000 OF MEANINGFUL USE INCENTIVES IN THE COMING TWO YEARS. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

- RES. 2019-138: COMM. RYDER MOVED TO ADOPT RES. 2019-138 AUTHORIZED THE CHAIRMAN OF THE BOARD TO ENTER INTO CONTRACTS WITH THE OVERFLOW ATTORNEYS FOR INDIGENT DEFENDANTS TO ALLOW THEM TO BE PLACED ON THE OVERFLOW ATTORNEY LIST. THE BOARD CHAIR WAS AUTHORIZED TO SIGN THE INITIAL AND SUBSEQUENT YEARLY RENEWALS OF THE CONTRACTS IN ORDER TO COMPLY WITH ANY NEW MIDC REQUIREMENTS, FOLLOWING REVIEW AND APPROVAL BY CORPORATION COUNSEL. EACH ATTORNEY WOULD SIGN AN AGREEMENT TO BE PLACED ON THE ASSIGNED COUNSEL OVERFLOW ATTORNEY ROSTER AND EACH CONTRACT WOULD BE RENEWED ANNUALLY WITH ANY NECESSARY UPDATES AS REQUIRED BY THE MIDC (IE, ADDITIONAL CONTINUING EDUCATION REQUIREMENTS, REPORTING REQUIREMENTS, CHANGE IN HOURLY RATE, ETC.) WITHOUT THE NEED TO SEEK ONGOING APPROVAL FROM THE BOARD EACH TIME A CONTRACT WAS REVIEWED/RENEWED. THERE WAS NO FINANCIAL IMPACT TO BAY COUNTY AS THIS WAS ONGOING PRACTICE ALREADY PAID FROM MONIES DRAWN FROM THE BUDGET IN THE GENERAL FUND AS WELL AS FROM THE MIDC GRANT FUNDING. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.
- COMM. COONAN: COMMISSIONER COONAN STATED THAT ON THE BACKGROUND INFORMATION HE RECEIVED, THERE WAS NO ADDITIONAL CHARGE TO THE COUNTY FOR THE EDUCATION OF THE ATTORNEYS THAT SIGN UP FOR THIS PROGRAM. COMM. COON QUESTIONED IF THIS WOULD BE THE SAME IN FUTURE YEARS, OR IF THE COUNTY WOULD BE EXPECTED TO PAY FOR THIS AT A LATER DATE.
- ANDREA LABEAN: DIRECTOR OF CRIMINAL DEFENSE, ANDREA LABEAN, CONFIRMED THERE WAS NO ADDITIONAL CHARGE TO THE COUNTY FOR THE EDUCATION EXPENSES. SHE CONTINUED THAT IT WOULD STILL BE PAID BY THE MIDC, THE GRANT MONEY REQUESTED FOR THIS YEAR WAS REQUESTED AT A HIGHER NUMBER AND ALL FUNDS HAVE NOT BEEN USED AT THIS POINT. THIS WILL BE A YEARLY GRANT AND ANNUALLY THERE WILL BE A BUDGET FOR TRAINING AND EDUCATION.

RES. 2019-139: COMM. RYDER MOVED TO ADOPT RES. 2019-139 CONCURRENCE WAS GIVEN TO FILL THE FOLLOWING POSITIONS, MONIES FOR SAID POSITIONS TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS: VACANCIES, PROSECUTOR: SENIOR LEGAL SECRETARY AND LEGAL STENOGRAPHER (ONLY IF FILLED SR. SECRETARY WAS FILLED WITHIN THE PROSECUTOR'S OFFICE). JUVENILE HOME - YOUTH DEVELOPMENT WORKER (PART TIME); HEALTH DEPARTMENT (PUBLIC HEALTH NURSE (TEMPORARY)). IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

**BOARD OF COMMISSIONERS (MICHAEL DURANCZYK, CHAIR,  
MICHAEL LUTZ, VICE CHAIR)**

RES. 2019-140: COMM. LUTZ MOVED TO ADOPT RES. 2019-140 THAT THE FOLLOWING REPORT WAS RECEIVED: EMPLOYMENT STATUS REPORT - MAY 2019. IT WAS SUPPORTED BY COMM. RYDER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-142: COMM. LUTZ MOVED TO ADOPT RES. 2019-142 EXPRESSED OPPOSITION TO INCLUSION OF THE 298 PILOTS IN THE PROPOSED MEDICAID WAIVER AMENDMENT APPLICATIONS AND URGES THAT THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES REJECT THE 298 PROPOSALS AND INSTEAD, CONTINUE TO PURSUE HEALTHCARE INTEGRATION EFFORTS THAT ARE CONSISTENT WITH STATE LAW AND BUILDING ON THE EXISTING STATE AND COUNTRY PARTNERSHIP FOR PUBLIC MENTAL HEALTH SERVICES. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-143: COMM. LUTZ MOVED TO ADOPT RES. 2019-143 THAT THE BOARD OF COMMISSIONERS WAS OPPOSED TO THE USE OF LOCAL BAY-ARENAC BEHAVIORAL HEALTH FUNDING FOR THE PURPOSES OF INCREASING THE MEDICAID CAPTION RATE OF THE PREPAID INPATIENT HEALTH PLANS (PIHPS). THE COMMISSIONERS REQUEST THAT THE GOVERNOR, STATE SENATE, AND STATE HOUSE OF REPRESENTATIVES SUPPORT LEGISLATIVE EFFORTS TO PHASE OUT THE LOCAL COMMUNITY MENTAL HEALTH FUND OBLIGATIONS INCLUDED IN SECTION 928 NOTED ABOVE FROM FUTURE STATE APPROPRIATION ACT REQUIREMENTS. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

RES. 2019-144 COMM. LUTZ MOVED TO ADOPT RES. 2019-144 APPROVED THE MEMORANDUM OF UNDERSTANDING WITH EASTERN HIGH SCHOOL WHICH PROVIDES FOR RUNNING THE DAY TREATMENT PROGRAM

IN A JOINT EFFORT WITH EASTERN HIGH SCHOOL, EFFECTIVE IMMEDIATELY, AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID MOU ON BEHALF OF BAY COUNTY PROBATE COURT, SUBJECT TO REVIEW/APPROVAL BY CORPORATION COUNSEL. EASTERN HIGH SCHOOL HAD AGREED TO ALLOW THE COURT'S PROGRAM TO RUN WITHIN ITS BUILDING WHERE THE PARTICIPANTS WILL RECEIVE BOTH THEIR EDUCATION, AS WELL AS THE TREATMENT AND COMMUNITY BASED INVOLVEMENT, SUPERVISED BY THE DAY TREATMENT STAFF. IT WAS SUPPORTED BY COMM. KRYGIER AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

KIM MEAD: BAY COUNTY COURT ADMINISTRATOR, KIM MEAD, STATED THAT JUDGE JAN MINER AND AMBER DAVIS-JOHNSON HAD WORKED ON THIS RESOLUTION TOGETHER. HE STATED THAT IT WAS PART OF THE PLAN WITH JUVENILE COURT, THAT EASTERN HIGH SCHOOL WAS A BETTER FIT FOR THE DAY TREATMENT PROGRAM. THERE WAS NO COST TO MOVE THE PROGRAM TO THIS NEW SCHOOL. EVEN THOUGH IT WAS ONLY JUNE, TO GET THE PROGRAM MOVED AND APPROVED, THEY WERE REQUESTING THE RESOLUTION BE PASSED, TODAY.

AMBER DAVIS-JOHNSON: CORPORATION COUNSEL, AMBER DAVIS-JOHNSON STATED THAT THE DAY TREATMENT PROGRAM, TAKES THE JUVENILES UNDER THE JURISDICTION OF THE PROBATE COURT WHO ARE REQUIRED TO GO-TO, ALTERNATIVE EDUCATION COURSES AND HAVE WORKERS WHO TAKE THEM TO SCHOOL, ACCOMPANY THEM THROUGH OUT THEIR DAY, THEN TAKE THE STUDENT BACK HOME. THE LOGISTICS OF EASTERN HIGH SCHOOL, ARE A BETTER FIT FOR THE PROGRAM. THE REASON THEY ARE LOOKING TO MOVE IT THROUGH THE SYSTEM QUICKLY, IN ADDITIONAL TO SCHOOL STARTING AFTER LABOR DAY, WAS THEY ARE STARTING A SUMMER PROGRAM AS WELL. IF THE RESOLUTION WAS APPROVED TODAY, SOME OF THESE STUDENTS CAN BE ENROLLED IN THE SUMMER PROGRAM.

### **COMMISSIONER RESOLUTIONS**

RES. 2019-141: COMM. RYDER MOVED TO ADOPT RES. 2019-141 DECLARING THE MONTH OF JUNE 2019 AS WOMEN'S VOTERS' RIGHTS MONTH IN BAY COUNTY IN COMMEMORATION OF THE PASSAGE OF THE WOMEN'S VOTERS' RIGHTS ACT ON JUNE 10<sup>TH</sup> 1919. THE BOARD REAFFIRMS BAY COUNTY'S COMMITMENT TO EMPOWERING AND UPLIFTING THE VOICES OF THE WOMEN OF BAY COUNTY. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

COMM. RYDER: COMMISSIONER RYDER STATED THAT THERE WAS 143 YEARS IN THE HISTORY OF AMERICA BEFORE THE PASSAGE OF THE 19<sup>TH</sup> AMENDMENT TO THE CONSTITUTION. RYDER CONTINUED, TO PUT IT INTO PERSPECTIVE, IT HAD ONLY BEEN 100 YEARS SINCE WOMEN HAD THE RIGHT TO VOTE.

### **REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

THERE WAS NO REPORT OF THE COUNTY OFFICIALS

### **UNFINISHED BUSINESS**

THERE WAS NO UNFINISHED BUSINESS

### **NEW BUSINESS**

THERE WAS NO NEW BUSINESS

### **MISCELLANEOUS**

THERE WAS NO MISCELLANEOUS

### **ANNOUNCEMENTS**

COMM. KRYGIER: COMMISSIONER KRYGIER ANNOUNCED THAT JUNE 29, 2019, WAS THE BEACH WELLNESS RUN AND WALK AT BAY CITY STATE RECREATION AREA.

COMM. HEREK: COMMISSIONER HEREK INVITED ALL TO THE POLISH FESTIVAL, HELD AT SAINT STANS, JUNE 27 - 30, 2019. COMM. HEREK CONTINUED, THERE WILL BE A RUN/WALK, POLKA MUSIC, FOOD AND BEVERAGES.

COMM. DURANCZYK: COMMISSIONER DURANCZYK ANNOUNCED THE CHEESE TOWN FESTIVAL TO BE HELD ON JUNE 14 - 16, 2019, EVENTS INCLUDE A RUN/WALK, FIREWORKS, AND PARADE.

COMM. BEGICK: COMMISSIONER BEGICK URGED BOARD MEMBERS TO SUPPORT THE MICHIGAN ASSOCIATION OF COUNTIES POLITICAL ACTION FUND. BEGICK CONTINUED TO PLEASE CONSIDER SUPPORTING IF YOU HAD A FEW DOLLARS TO HELP THE LOBBYING ORGANIZATION.

CHAIRMAN DURANCZYK NOTED THE UPCOMING 2019 APPOINTMENTS AS FOLLOWS:

#### **3. OCTOBER:**

A. LAND BANK AUTHORITY - ONE THREE YEAR TERM EXPIRING: FRANCES DEWYSE, TOWNSHIP REPRESENTATIVE.

B. DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD OF DIRECTORS - ONE 3-YEAR TERM, PATRICK MCFARLAND.

C. BOARD OF CANVASSERS - TWO 4 YEAR TERMS EXPIRING: WALTER WOZNIAK (DEMOCRAT); MATTHEW LANCE (REPUBLICAN). APPOINTMENTS MADE FROM LISTS SUBMITTED BY THE MAJOR POLITICAL PARTIES.

4. NOVEMBER:

A. BUILDING AUTHORITY (TWO SIX (6) YEAR TERMS EXPIRING: CHAD M. LUTZ; TRAVIS BRADY)

5. DECEMBER:

A. DEPARTMENT ON AGING ADVISORY COMMITTEE - FOUR 2 YEAR TERMS; DISTRICTS 1, 3, 5 AND 7.

**CLOSED SESSION**

THERE WAS NO NEED FOR A CLOSED SESSION

**RECESS/ADJOURNMENT**

MOTION 65:

COMM. KRYGIER MOVED TO ADJOURN THE REGULAR BOARD SESSION OF JUNE 11, 2019. IT WAS SUPPORTED BY COMM. COONAN THE MEETING CONCLUDED AT 4:58 P.M. BY A VOICE VOTE OF: 7 YEAS, 0 NAYS.

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MICHAEL DURANCZYK, CHAIRMAN  
BOARD OF COMMISSIONERS

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CYNTHIA A. LUCZAK  
COUNTY CLERK  
BOARD OF COMMISSIONERS

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DIANE YAWORSKI  
SECRETARY TO THE CLERK  
BOARD OF COMMISSIONERS