

**BAY COUNTY BOARD OF COMMISSIONERS**

**AGENDA**

**TUESDAY, MAY 21, 2024**

**4:00 P.M.**

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

**PAGE NO.**

**I. CALL TO ORDER (CHAIRMAN BEGICK)**

**II. ROLL CALL**

**III. INVOCATION**

**IV. PLEDGE OF ALLEGIANCE**

57-67

**V. MINUTES (4/16/24)**

**VI. AGENDA APPROVAL**

**VII. CITIZEN INPUT**

**VIII. PETITIONS AND COMMUNICATIONS**

**A. (4:00 P.M.) Presentations:**

1

**1. Bay Metro Transit 50<sup>th</sup> Anniversary (Res. No. 2024-63 - Adopt and present)**

**2. Phil Eich Re: Quarterly Report for Hey, Bay City! (Receive)**

2-4

**B. Notification of Resignation of Shelley Niedzwiecki as representative of the City of Bay City to the Bay County Land Bank Authority (Receive)**

5

**C. Bay County Treasurer – Delinquent Tax Foreclosure Report (Receive)**

**IX. REPORTS/RESOLUTIONS OF COMMITTEES**

**A. COMMITTEE OF THE WHOLE – MAY 7, 2024 (Tim Banaszak, Chair; Kaysey L. Radtke, Vice Chair)**

6

**1. No. 2024-64 - Homeland Security Grant FTY 2025 – Operation Stonegarden Grant (OPSG) (Sheriff)**

- 7                                   2. No. 2024-65 - Pinconning Area School Resource Officer Agreement FTY 2024-2025 (Sheriff)
- 8                                   3. No. 2024-66 - Bay City Public School Resource Officer Agreement FTY 2024-2025 (Sheriff)
- 9                                   4. No. 2024-67 - Bangor Township and Bangor School Resource Officer Agreement FTY 2024-2025 (Sheriff)
- 10                                  5. No. 2024-68 - Byrne Community Project Funding FTY 2024 (Sheriff)
- 11                                  6. No. 2024-69 - Crime Victim Rights Grant Agreement for 2024-2025 (Prosecutor)
- 12                                  7. No. 2024-70 - Grant Applications Supporting Treatment Court Services (Courts)
- 13                                  8. No. 2024-71 - Juvenile Court Assessments Coordinator (PU06) (Probate)
- 14                                  9. No. 2024-72 - IPAWS MOU Renewal for 2024-2027 (9-1-1 Central Dispatch)
- 15                                  10. No. 2024-73 - Letter of Intent to Region VII, AAA (Department on Aging)
- 16                                  11. No. 2024-74 - Temporary Part-Time Kennel Attendant Position – June 1 – August 17, 2024 (Animal Services)
- 17                                  12. No. 2024-75 - Full-Time Juvenile Home Youth Development Worker Position Hired at 2-Year Rate (Personnel/Juvenile Home)
- 18                                  13. No. 2024-76 - Payables (Finance)

**B. COMMITTEE OF THE WHOLE – MAY 14, 2024 (Tim Banaszak, Chair; Kaysey L. Radtke, Vice Chair)**

- 19                                  1. No. 2024-78 - Notice of Intent for Materials Management Plan (Environmental Affairs & Community Development)
- 20                                  2. No. 2024-79 - Daysmart/Card Connect Upgrade for Civic Arena & Community Center & Budget Adjustment \$8,000 (Recreation & Facilities)
- 21-25                               3. No. 2024-80 - Sexual Harassment Policy (Personnel)

**C. BOARD OF COMMISSIONERS (Vaughn J. Begick, Chair; Thomas M. Herek, Vice Chair)**

- 26-29                               1. No. 2024-81 Move Part-Time to Full-Time Legal Secretary Position (Personnel/Criminal Defense/Public Defender)
- 30-33                               2. No. 2024-82 - Reports of County Executive – April

- 34-36                    3. No. 2024-83 - Concurrence with the County Executive's Recommended Appointment of Johnathan Branson to the Great Lakes Bay Michigan Works! Workforce Development Board of Directors for Prosperity Region 5 (County Executive)
- 37-40                    4. No. 2024-84 - Restatement of the Monitor Township DDA Development Agreement 2016 – Amendment No. 1 (County Executive)
- 41                        5. No. 2024-85 - Bay County Opioid Steering Subcommittee – RFP for Funding Proposals

**X.        REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

**A.    County Executive**

**XI.      COMMISSIONER COMMENTS**

**A.    Report of the Opioid Steering Committee**

**1.    Discussion**

- 42-55                    2. Minutes (8/23/23; 9/27/23;10/12/23; 4/11/24) (Receive)

**XII.     UNFINISHED BUSINESS**

**A.    Referral from the 5/14/24 Committee of the Whole Meeting**

- 56                        1. No. 2024-77 - Authorize Personnel Director to Approve Hire at 2-Year Rate for Remainder of 2024 (C. Banaszak)

**XIII.    NEW BUSINESS**

**XIV.    PUBLIC INPUT**

**XV.     MISCELLANEOUS**

**XVI.    ANNOUNCEMENTS**

**A.    2024 APPOINTMENTS**

**1.    June**

- a.    Library Board (one, 5-year term: P.Travis)**

**2.    October**

- a.    Lank Bank Authority (one, 3-year term expiring: T.Hickner)**

- b.    Bay County Department of Human Services (one, At-Large, 3-year term: R.Aumock - Governor's Appointment)**

**3. December**

- a. Bay County Veteran's Affair Committee (one, 4-year term: T. Eckstein)
- b. Department on Aging Advisory Committee (four, 2- year terms expiring: Districts 2,4, & 6 and one at-large)

**XVII. CLOSED SESSION**

- A. Discussion of written legal opinion regarding Monitor DDA request to waive attorney conflict

**XVIII. RECESS/ADJOURNMENT**

PLEASE NOTE: THE COMMITTEE CHAIR HAS REQUESTED THAT ANY ELECTED OFFICIAL DEPARTMENT/DIVISION HEAD PLACING AN ITEM ON THIS AGENDA BE PRESENT OR HAVE A REPRESENTATIVE PRESENT TO SPEAK TO THEIR REQUEST AND/OR ANSWER ANY QUESTIONS POSED BY COMMITTEE MEMBERS.

If any participants plan to be present via Zoom, please contact Nick Paige prior to the meeting ([paigen@baycounty.net](mailto:paigen@baycounty.net)).

[Join Zoom Meeting](#)

<https://us02web.zoom.us/j/81694266170>

Meeting ID: 816 9426 6170

Passcode: 547697

One tap mobile

+13126266799,,81694266170#,,,,\*547697# US (Chicago)

+19292056099,,81694266170#,,,,\*547697# US (New York)

The County of Bay will provide necessary and reasonable auxiliary aids and services such as signers for the hearing impaired and audio tapes of printed materials to individuals with disabilities upon 10 days' notice to the County of Bay. Individuals with disabilities requiring auxiliary aids or services should contact the County of Bay by writing or calling:

Amber Davis-Johnson, ADA Coordinator

Corporation Counsel

515 Center Avenue

Fourth Floor, Bay County Building

Bay City, MI 48708

989-895-4131

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** BAY COUNTY BOARD OF COMMISSIONERS (5/21/24)

**WHEREAS,** The Bay County Board of Commissioners and Bay County Executive are pleased to recognize the Bay Metropolitan Transportation Authority on its 50<sup>th</sup> Anniversary serving Bay County and its residents; and

**WHEREAS,** In 1973, The Bay County Board of Commissioners organized the Bay County Metropolitan Transportation Authority (BCMTA) as a regional transportation authority under Michigan Public Act 204 of 1967; and

**WHEREAS,** In 1992, the BCMTA Board of Directors reorganized the agency as a public transportation authority under Public Act 196 of 1986 renaming it the Bay Metropolitan Transportation Authority (BMTA) and also known as Bay Metro Transit; and

**WHEREAS,** Bay Metro Transit began serving Bay County on July 15, 1974 and is viewed as an vital asset to the residents of the community, many of whom rely on Bay Metro Transit as their only means of transportation; and

**WHEREAS,** To date, Bay Metro Transit has transported nearly 31 million passengers, adhering to its mission to serve the needs of all county residents, particularly the needs of seniors and the disabled, which has been assigned a special priority; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners and the Bay County Executive are proud to take this opportunity to acknowledge the 50<sup>th</sup> Anniversary of Bay Metro Transit and the impact and importance of the services they provide in our community; Be It Further

**RESOLVED** That the Bay County Board of Commissioners and Bay County Executive extend their best wishes to Bay Metro Transit for continued success, growth and prosperity.

VAUGHN J. BEGICK, CHAIR  
AND BOARD

Bay Metro Transit – 50<sup>th</sup> Anniversary

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_ NO ACTION TAKEN \_\_\_\_\_

**FW: Letter of Resignation**

Weston Prince &lt;PrinceW@baycounty.net&gt;

Tue 4/23/2024 1:45 PM

To:Lindsey Arsenault &lt;ArsenaultL@baycounty.net&gt;

📎 1 attachments (902 KB)

doc04390120240416121217.pdf;

Attached please find the resignation letter for Shelley from the Bay City Commission.

Thank you,  
Wes**From:** Dana Muscott <dmuscott@baycitymi.org>**Sent:** Tuesday, April 23, 2024 1:40 PM**To:** Weston Prince <PrinceW@baycounty.net>**Cc:** Tina Mueller <MuellerT@baycounty.net>**Subject:** RE: Letter of Resignation

I will discuss with the Commission Officers and let you know once a replacement is approved.

Dana L. Muscott, CMMC, CPM  
City Manager  
City of Bay City  
301 Washington Avenue  
Bay City MI 48708  
989-894-8146**PRIDE\_Professionalism\_Responsibility & Respect\_Integrity & Ideals\_Dedication to Duty\_Employee Excellence\_CITY OF BAY CITY****From:** Weston Prince <PrinceW@baycounty.net>**Sent:** Tuesday, April 23, 2024 11:49 AM**To:** Dana Muscott <dmuscott@baycitymi.org>**Cc:** Tina Mueller <MuellerT@baycounty.net>**Subject:** Letter of Resignation**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dana,

As I am sure you are aware, Shelley Niedzwiecki was the Bay City Commission representative on the Bay County Land Bank Authority Board. With her resignation we now have a vacancy on the board. Can  
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you provide me with a copy of the signed letter of resignation to submit to my Board of Commissioners?  
There will need be a new appointment made to the Land Bank Board by the City Commission. If you  
have any questions or concerns, please feel free to call my office.

Thank you,

Weston Prince  
Bay County Treasurer  
515 Center Ave. Suite 602  
Bay City, MI 48708  
989-895-4285



April 16<sup>th</sup>, 2024

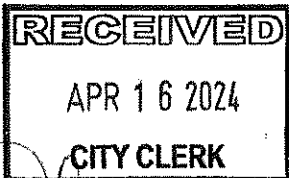
Dear City of Bay City Commission, Dana Muscott & Tema Lucero,

Please accept this as my formal resignation of the 7<sup>th</sup> Ward Commission seat, effective immediately.

With gratitude,



Shelley Ann Niedzwiecki





## MEMORANDUM

To: Vaughn Begick, Chairperson, Bay County Board of Commissioners  
From: Weston Prince, Bay County Treasurer  
Date: April 18, 2024  
Subject: 2024 Delinquent Tax Foreclosure

**Background:**

On April 1, 2024, the Bay County Treasurer Office foreclosed on 29 parcels located throughout Bay County. This includes 14 residential homes (one occupied), 14 lots, and 1 commercial property. Attached please find a breakdown by unit dating back to the foreclosures in 2019 to present. This breakdown continues to show a positive trend of foreclosures remaining low throughout the county and maintaining home ownership for individuals who own and occupy their homes. Much of this progress can be attributed to the work of the Bay County Treasurer Office staff to place homeowners in a hardship exemption program and partnering with local agencies and local unit of governments to find assistance for individuals. These partnerships and extensions provide a lifeline to many individuals and families facing foreclosure and utility shutoffs. The first Auction will take place on Wednesday August 21, 2024. The auction will be held virtually on tax-sale.info with bidding opening 30 days prior to the auction.

**Recommendation:**

Receive and accept this report regarding the 2024 foreclosures.

CC:  
Board of Commissioners  
Lindsey Arsenault  
Hailey Wentz

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)

**WHEREAS,** The Bay County Sheriff wishes to apply for the Operation Stonegarden Grant (OPSG) for FY2025; and

**WHEREAS,** Department of the Homeland Security (DHS)/ Federal Emergency Management Agency's (FEMA) grant programs are available to facilitate law enforcement partnership and enhance border enforcement capabilities through cooperation with CBP/Border Patrol to collaboratively address border security issues; and

**WHEREAS,** There are no match funds required; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners authorizes the submittal of the application for the 2024 Operation Stonegarden Grant (OPSG) for FY2025 and approves acceptance of the awarded grant funding; Be It Further

**RESOLVED** That the Chairman of the Board is authorized to execute grant application and grant award documents on behalf of Bay County (Sheriff) following review and approval by the Finance Department and Corporation Counsel; Be It Further

**RESOLVED** That the grant applicant/recipient departments are required to work simultaneously 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.

TIM BANASZAK, CHAIR  
AND COMMITTEE

Sheriff – FY2025 Operation Stonegarden Grant

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (5/7/2024)  
 WHEREAS, The Bay County Sheriff's Office is requesting renewal of the Pinconning Schools (Linwood Elementary School) Resource Officer Agreement, said agreement covering the beginning of the school year (2024) to the end of the school year (2025); and  
 WHEREAS, The School District agrees to pay Bay County (amount to be determined) payment for the continuance of services budgeted; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners approves the Pinconning Schools (Linwood Elementary School) Resource Officer Agreement for the school year (2024) to the end of the school year (2025) and authorizes the Chairman of the Board to execute said Agreement(s) and related documents on behalf of Bay County following Corporation Counsel review and approval; Be It Further  
 RESOLVED That related budget adjustments, if required, are approved

TIM BANASZAK, CHAIR  
 AND COMMITTEE

Sheriff - Pinconning Area Schools (Linwood Elementary School) Resource Officer Agreement - 2024-2025

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
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BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)  
**WHEREAS,** The Bay County Sheriff's Office is requesting renewal of the Bay City Public School Resource Officer Agreement, said agreement covering the beginning of the school year (2024) to the end of the school year (2025); and  
**WHEREAS,** This service will be budgeted as a continuance of services budgeted as in years past; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners approves the Bay City Public School Resource Officer Agreement for the school year (2024) to the end of the school year (2025) and authorizes the Chairman of the Board to execute said Agreement(s) and related documents on behalf of Bay County following Corporation Counsel review and approval; Be It Further  
**RESOLVED** That related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR  
 AND COMMITTEE

Sheriff - Bay City Public School Resource Officer Agreement - 2024-2025

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
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BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (5/7/2024)  
 WHEREAS, The Bay County Sheriff's Office is requesting renewal of the Bangor Township and Bangor School Resource Officer Agreement, said agreement covering the beginning of the school year (2024) to the end of the school year (2025); and  
 WHEREAS, This service will be budgeted as a continuance of services budgeted as in years past; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners approves the Bangor Township and Bangor School Resource Officer Agreement(s) for the school year (2024) to the end of the school year (2025) and authorizes the Chairman of the Board to execute said Agreement(s) and related documents on behalf of Bay County following Corporation Counsel review and approval; Be It Further  
 RESOLVED That related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR  
 AND COMMITTEE

Sheriff - Bangor Township and Bangor School Resource Officer Agreement – 2024-2025

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
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BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)  
**WHEREAS,** The Bay County Sheriff wishes to apply for the Byrne Community Project Funding FTY 2024 with specific intent to purchase equipment needed for the Sheriff’s Office; and  
**WHEREAS,** In partnership with Congressman Kildee, the Michigan State Police, Grants and Community Services Division, submitted a request under the U.S. Department of Justice fiscal year 2024, "Byrne Community Project Funding" for the Mid-Michigan Law Enforcement Modernization Plan; and  
**WHEREAS,** The Bay County Sheriff’s Office has an opportunity to be awarded up to \$500,000.00; and  
**WHEREAS,** There are no match funds required; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners authorizes the submittal of the application for the Byrne Community Project Funding FTY 2024 and approves acceptance of the awarded grant funding; Be It Further  
**RESOLVED** That the Chairman of the Board is authorized to execute grant application and grant award documents on behalf of Bay County (Sheriff) following review and approval by the Finance Department and Corporation Counsel; Be It Further  
**RESOLVED** That the grant applicant/recipient departments are required to work simultaneously 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.

TIM BANASZAK, CHAIR  
 AND COMMITTEE

Sheriff – Byrne Community Project Funding FTY 2024

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
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AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

- BY:** COMMITTEE OF THE WHOLE (5/7/2024)
- WHEREAS,** The Bay County Prosecutor’s Office has been the recipient of a Crime Victim Rights Grant since 1985; and
- WHEREAS,** The original grant provided funding for a full time Crime Victim Advocate and, in 1994, that funding was increased to provide for two full time Crime Victim Advocates with the funds coming from defendants who have been convicted of a crime in the State of Michigan; and
- WHEREAS,** The anticipated FY2024-2025 grant funding is \$185,995 which will cover salaries, wages and most fringes for the two full time employees; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners approves renewal of the 2024-2025 Crime Victim Rights Grant; Be It Further
- RESOLVED** That the Chairman of the Board is authorized to execute, and submit electronically (if required), the grant application documents and related documents as well as the approved funding agreements and related documents on behalf of Bay County following Finance and Corporation Counsel review and 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 Bay County; Be It Finally
- RESOLVED** That related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR  
AND COMMITTEE

Prosecutor - 2024-2025 Crime Victim Rights Grant

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

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BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)

**WHEREAS,** Grant applications supporting Treatment Court services in Circuit, District and Probate/Juvenile Courts for the grant cycle starting October 1, 2024 will be released soon; and

**WHEREAS,** The existing grant funded programs are Swift and Sure, Adult Drug, Adult Sobriety, Juvenile Drug and Family Dependency Drug Treatment Courts; and

**WHEREAS,** These grants come from a variety of sources such as the Federal Byrne Grant, Bureau of Justice Assistance, Office of Highway and Safety, SAMHSA and the State Court Administrator's Office and, because the timeline between actual release of the application and required submission dates do not coincide with the Board calendar, the Court Administrator requests consideration for recommendation to the Board of Commissioners to allow submission of these applications, and furthermore, to authorize the Board Chair to sign the applications once they are completed; and

**WHEREAS,** Signature of the application only supports the request; it does not commit the County and a formal request for funding will be submitted during the County's budget process and any awards will be presented for authorization upon receipt of notice; and

**WHEREAS,** The Courts have been a successful recipient of grants for the past several years. In order to continue operation of our Treatment Courts, grant dollars from these sources are very important as they make up the majority of the funding; Therefore, Be It

**RESOLVED** That the Chairman of the Board is authorized to execute, and submit electronically (if required), the grant application documents on behalf of Bay County (Courts) following Finance and Corporation Counsel review and approval; Be It Further

**RESOLVED** That the grant applicant/recipient departments are required to work simultaneously 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.

TIM BANASZAK, CHAIR  
AND COMMITTEE

Courts-Treatment Court Grants - 2024

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
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BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)

**WHEREAS,** With new legislation going into effect in October, Probate Court is anticipating a great strain on its resources and ability to properly implement the new requirements that have been imposed upon all juvenile courts across Michigan; and

**WHEREAS,** Probation staff has been spread very thin to service new and existing juvenile cases which have varying levels of risk and mental health issues; especially those who are within the seventeen-to-eighteen-year age range; and

**WHEREAS,** Beginning October 1, 2024, juvenile courts will be required to administer several assessments to determine things like level of risk, level of recidivism, necessity for placement both in detention and institutional and behavioral health assessments. These assessments are all required at the court level to provide the appropriate court and community resources to Bay County’s juvenile population; and

**WHEREAS,** This change in law creates the need for a new team member who will be responsible for working through all the required assessments and facilitation of placement in court and community-based programs; and

**WHEREAS,** As a childcare funded position, this change will have minimal impact on the county for three reasons:

1. This position is 75% reimbursable by the State of Michigan starting October 1, 2024.
2. With the 75% increase for all CCF funded employees, there will be a surplus of already budgeted funds that will cover this position without the need to increase the county budget.
3. This position was already built into our state budget as a PU06, in anticipation of this change coming with the new laws commencing October 1, 2024; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves a full time Juvenile Court Assessments Coordinator Position (PU06) (\$25.00/hr entry progressing to \$29.27/hr after 3 years) effective October 1, 2024, and authorizes posting/filling said position; 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 Bay County; Be It Finally

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

TIM BANASZAK, CHAIR  
AND COMMITTEE

Probate Court – New Position - Juvenile Court Assessments Coordinator Position (PU06)

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)

**WHEREAS,** The Integrated Public Alert & Warning System (IPAWS) is FEMA's national system for local alerting that provides authenticated emergency and life-saving information to the public through mobile phones using Wireless Emergency Alerts, to radio and television via the Emergency Alert System, and on the National Oceanic and Atmospheric Administration's Weather Radio; and

**WHEREAS,** IPAWS allows alerting authorities to write their own message using commercially available software that is Common Alerting Protocol (CAP) compliant, the message is then delivered to the Integrated Public Alert and Warning System, Open Platform for Emergency Networks (IPAWS OPEN), where it is authenticated and then delivered simultaneously through multiple communication pathways; and

**WHEREAS,** Through IPAWS, one message is created to reach as many people as possible to save lives and protect property; and

**WHEREAS,** Bay County currently utilizes Rave Alert to power Bay Alerts, our emergency mass-notification system; Rave Alerts is CAP compliant and a FEMA approved platform to deliver IPAWS alerts; and

**WHEREAS,** A Memorandum of Understanding has been submitted and this MOU would allow Bay County to utilize a current software platform to deliver IPAWS alerts at no additional cost to the county; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves the FEMA Integrated Public Alert and Warning System (IPAWS) Memorandum of Understanding (MOU) for 2024 through 2027 and authorizes the Chairman of the Board to execute said MOU on behalf of Bay County following Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR  
AND COMMITTEE

911 Central Dispatch – IPAWS MOU Renewal for 2024-2027

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

- BY:** COMMITTEE OF THE WHOLE (5/7/2024)
- WHEREAS,** As in the past, Region VII Area Agency on Aging released, for review and comment, the proposed allocation chart for funding for the fiscal year 2025 and, once the chart is approved for distribution, all interested service providers will be mailed a copy, along with a letter of intent form; and
- WHEREAS,** The letter of intent must be submitted before the specified deadline for an organization to apply for funding; and
- WHEREAS,** The Department on Aging is expected to meet the deadline for submission of the letter of intent and the subsequent due date for the completion of a multi-year grant proposal in order to be considered for future grant funding; and
- WHEREAS,** Due to the short turnaround time, the Director of Department on Aging is requesting authorization to submit the required documents and meet the deadlines for the new fiscal year; and
- WHEREAS,** Last year, the Department on Aging received \$561,310 in grant funds, local, state and federal, from Region VII, Area Agency on Aging; Therefore, Be It
- RESOLVED** By the Bay County Board of Commissioners that the Director of Department on Aging is authorized to submit to Region VII Area Agency on Aging the Letter of Intent to apply for funding for FY 2025; Be It Further
- RESOLVED** That the Director of Department on Aging is authorized to prepare and submit the grant application for funding for the same fiscal year; Be It Further
- RESOLVED** That all budget revisions resulting from the application are considered approved and the Board Chair, following Finance and Corporation Counsel review and approval, is authorized to sign all related documents including grant application, the Statement of Budget Allocation, Multi-Year Service Provider Designation, Assurances of Compliance, FY2025 Contract Addendum and the Agreement for Recipient of Supplemental Cash-in-Lieu of Payment; 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 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.

TIM BANASZAK, CHAIR  
AND COMMITTEE

DOA - Region VII Letter of Intent - 2024

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

DISPOSITION:

ADOPTED \_\_\_ DEFEATED \_\_\_ WITHDRAWN-\_\_\_

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)

**WHEREAS,** The Bay County Animal Services and Adoption Center is requesting authorization to hire a temporary part-time Kennel Attendant to aid Animal Services from June 1, 2024 through August 17, 2024; and

**WHEREAS,** This temporary employee will serve as a custodian/attendant to Animal Services; working in the kennels, responsible for animal care as well as facilitating the many dog walkers that appear on a regular basis; and

**WHEREAS,** This position is crucial for Animal Services during the busy season when the shelter remains at capacity, and work-based learning volunteers through New Dimensions and Bay-Arenac ISD (BAISD) leave for the summer; and

**WHEREAS,** This is a temporary part-time position (25 hours per week) without benefits at an entry rate of \$13.42/hr (TS04); and

**WHEREAS,** The additional funds for this position will come from the Bay County Animal Services and Adoption Center Millage; Therefore, Be it

**RESOLVED** That the Bay County Board of Commissioners authorizes hiring a temporary part-time Kennel Attendant (25 hours per week) without benefits at an entry rate of \$13.42/hr (TS04) from June 1, 2024, through August 17, 2024 with funds to come from the Bay County Animal Services and Adoption Center Millage; Be It Finally

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

TIM BANASZAK, CHAIR  
AND COMMITTEE

**Animal Services – Temporary Part-Time Kennel Attendant Position – June 1 – August 17, 2024 (TS04)**

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/7/2024)  
**WHEREAS,** The Department of Child Care Services (Bay County Juvenile Home) continues to struggle to maintain a full complement of staff; and  
**WHEREAS,** In the recent posting for a full-time Juvenile Home Youth Development Worker there were 29 applicants. There was the only candidate with extensive experience working in a Child Caring Institute (CCI). Specifically, this candidate has 9 years of experience in a CCI and had moved up to the position of supervisor; and  
**WHEREAS,** The Youth Development Worker (TU08) position is a full-time position with benefits as provided for within the USW labor agreement and funds exist within the current Juvenile Home budget. The entry level rate is \$19.21 per hour and the two-year rate is \$22.84 per hour; and  
**WHEREAS,** It is requested that the qualified candidate considered for this position be hire at the 2-year rate of \$22.84 per hour as opposed to the entry salary; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners approves hiring the qualified candidate for the full-time Juvenile Home Youth Development Worker position at the 2-year rate of \$22.84 per hour; Be it Finally  
**RESOLVED** That related budget adjustment, if required, are approved.

TIM BANASZAK, CHAIR  
 AND COMMITTEE

Personnel/Juvenile Home – Full-Time Juvenile Home Youth Development Worker Position Hired at 2-Year Rate

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (5/7/24)

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

ACCOUNTS PAYABLE:

4/3/2024	\$570,117.08
4/10/2024	\$436,518.92
4/17/2024	\$1,147,336.31
5/1/2024	\$1,388,876.09

TIM BANASZAK, CHAIR  
AND COMMITTEE

Payables

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (5/14/2024)

WHEREAS, The new Solid Waste Management legislation requiring each Michigan County to update their Solid Waste Management Plan, now called Materials Management (MM) Plans have a new focus on recycling and reuse of waste materials; and

WHEREAS, The Michigan Environment, Great Lakes and Energy (EGLE) department administrating the MMP Program encourages counties to explore regional opportunities to coordinate and work together for larger recycling efforts; and

WHEREAS, As part of the first step to begin MM planning, each County is required to submit a Notice of Intent (NOI) by July 6, 2024 indicating whether they intend to conduct their required MM planning in coordination with another County through an Interlocal Agreement or develop their MM Plan on their own. The County must also accept or decline to be the County Approval Agency (CAA) that will have the authority to develop and approve the MMP. If the County declines to accept the role as Bay County CAA, Michigan EGLE will prepare an enforceable MMP on our behalf and Bay County will be bound to comply and enforce that MMP; and

WHEREAS, Director of Environmental Affairs and Community Development has been appointed Designated Planning Agent (DPA) for Bay County Solid Waste Planning, and recently completed a MM Community Engagement effort funded by a grant from EGLE which explored neighboring recycling efforts and regional recycling facilities. That effort identified that Bay County has critical needs to establish Household Hazardous Waste collection and encourage local programs to increase recycling rates as a priority in our MM Planning effort. This analysis was shared with the Board of Commissioners and will be available on the Bay County website; and

WHEREAS, After internal discussions and in recognition of these priorities and the significant work required to update and develop a new MM Plan, it is recommended that Bay County file a Notice of Intent (NOI) indicating that Bay County will focus its planning effort independently on Bay County alone; and

WHEREAS, Additionally, letters will need to be sent to Bay County’s adjacent County neighbors asking if they are interested in working together on a MM Plan. However, others may also intend to develop their own Plan as well; and

WHEREAS, This will be a significant effort and there will be opportunities in the future to coordinate with neighboring communities and regional facilities; and

WHEREAS, Bay County’s first task must be to meet the EGLE requirements for MM Planning which are complex and expected to take three (3) years to complete; and

WHEREAS, No General Funds are requested at this time; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Chairman of the Board, following review and approval by Corporation Counsel, to sign and submit the Notice of Intent (NOI) stating that the Bay County Board of Commissioners accepts the role as the County Approval Agency (CAA) and that Bay County will be developing a Materials Management (MM) Plan independently on its own.

TIM BANASZAK, CHAIR  
AND COMMITTEE

Environmental Affairs – Notice of Intent for Materials Management Plan

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/14/2024)

**WHEREAS,** The Bay County Civic Arena and Bay County Community Center have been utilizing RecPro software for many years. However, the company was purchased and absorbed by Daysmart; and

**WHEREAS,** Accordingly, it is necessary to upgrade to the Daysmart recreation software platform and purchase new credit card machines; and

**WHEREAS,** This software is used to connect directly with Card Connect for credit card processing, and with a lower rate than what Bay County is currently paying it is expected to save up to \$1,700 per year in processing fees if credit card sales remain the same; and

**WHEREAS,** A budget adjustment of \$8,000 from the General Fund for up to 6 months of service with Daysmart and the purchase of new credit card machines for both locations is necessary; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves the budget adjustment in the amount of \$8,000 from General Fund, Fund Balance to be used for the Daysmart recreation software platform and purchase of new credit card machines; Be It Further

**RESOLVED** That the Chairman of the Board is authorized to execute the Contract with Daysmart recreation software platform and Card Connect as a credit card processor and any related documents on behalf of Bay County (Recreation & Facilities) following Corporation Counsel review and approval; Be It Finally

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

TIM BANASZAK, CHAIR  
AND COMMITTEE

Rec & Facilities – Daysmart/Card Connect Upgrade for Civic Arena & Community Center & Budget Adjustment \$8,000

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_



BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY: COMMITTEE OF THE WHOLE (5/14/2024)**  
**WHEREAS, Bay County is committed to maintaining a safe workplace free of sexual harassment; and**  
**WHEREAS, A periodic review of polices determined the need for an updated Sexual Harassment policy; and**  
**WHEREAS, Sexual Harassment in the workplace is a violation of law and the updated policy identifies behaviors that would constitute harassment and provides employees with methods by which they can report harassment; and**  
**WHEREAS, This policy was developed by Personnel and reviewed by Corporation Counsel; Therefore, Be It**  
**RESOLVED That the Bay County Board of Commissioners approves the attached Sexual Harassment Policy.**

**TIM BANASZAK, CHAIR  
 AND COMMITTEE**

**Personnel – Sexual Harassment Policy**

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

## **Sexual Harassment Policy and Complaint/Investigation Procedure**

### **Objective**

The objective of this policy is to define workplace sexual harassment and to outline procedures for filing complaints, investigating sexual harassment claims and issuing appropriate disciplinary measures in the case of violations.

### **Scope**

This policy applies to all employees of Bay County at all locations. All employees, at every level, will be subject to discipline, up to and including discharge, for any violation of this policy. Employees are prohibited from harassing others both on and off the employer premises and during or outside of work hours.

### **Defining Sexual Harassment**

Sexual harassment is unwelcome conduct of a sexual nature that is persistent or offensive and interferes with an employee's job performance or creates an intimidating, hostile or offensive work environment. Sexual harassment is defined by the Federal Equal Employment Opportunity Commission as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment can be physical and/or psychological in nature. An aggregation of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

### ***Examples of prohibited conduct***

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation or attempts to commit these assaults, and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body.
- Unwelcome sexual advances, propositions or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.

- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.
- Sexual or discriminatory displays or publications anywhere in Bay County's workplace by the Bay County employees.
- Retaliation for sexual harassment complaints.

## **Responding to Conduct in Violation of Policy**

### ***Employees***

If an employee feels that he or she is being subjected to sexual harassment he or she may immediately inform the harasser that the conduct is unwelcome and needs to stop. If the inappropriate conduct does not cease, or if the employee is unable to or uncomfortable with addressing the alleged harasser directly, he or she should report the incident to his or her own supervisor or to the personnel director. It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and the names of any witnesses.

It is important to report all concerns of sexual harassment or inappropriate sexual conduct to the personnel director or a supervisor/manager as soon as possible. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

### ***Managers and supervisors***

Managers and supervisors must deal expeditiously and fairly when they have any knowledge of sexual harassment within their departments, whether or not there has been a written or formal complaint. They must:

- Take all complaints or concerns of alleged or possible harassment seriously no matter how minor or who is involved.
- Report all incidents to personnel immediately so that a prompt investigation can occur.
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Managers and supervisors who knowingly allow or tolerate sexual harassment or retaliation, including the failure to immediately report such misconduct to personnel, are in violation of this policy and subject to discipline.

## ***Personnel***

The personnel director is responsible for:

1. Ensuring that both the individual filing the complaint (complainant) and the accused individual (respondent) are aware of the seriousness of a sexual harassment complaint.
2. Explaining Bay County's sexual harassment policy and investigation procedures to all parties involved.
3. Exploring informal means of resolving sexual harassment complaints.
4. Notifying the police if criminal activities are alleged.
5. Arranging for an investigation of the alleged harassment and the preparation of a written report.
6. Submitting a written report summarizing the results of the investigation and making recommendations to designated county officials.
7. Notifying the complainant and the respondent of the corrective actions to be taken, if any, and administering those actions.

The personnel director will determine if an in-house investigation will be conducted or if a third party will be contracted to complete the investigation.

## **Complaint Resolution Procedures**

Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The personnel director may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the personnel director will dictate the verbal complaint.

To ensure the prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much of the following information as is possible:

1. The name, department and position of the person or persons allegedly committing harassment.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
4. The names of other individuals who might have been subject to the same or similar harassment.
5. What, if any, steps the complainant has taken to try to stop the harassment.
6. Any other information the complainant believes to be relevant to the harassment complaint.

## **Discipline**

Employees who violate this policy are subject to appropriate discipline. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for very serious or repeat violations is termination of employment. Persons who violate this policy may also be subject to civil damages or criminal penalties.

## **Confidentiality**

All complaints and investigations are treated confidentially to the extent possible and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation and the personnel director takes adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a sexual harassment complaint or investigation is maintained in secure files within the personnel department.

## **Other Available Procedures**

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of sexual harassment under local, state or federal law.

## **Administration**


This policy will be administered through Bay County's personnel office.



**BAY COUNTY  
PERSONNEL DEPARTMENT**

**James A. Barcia**  
County Executive

**Tiffany Jerry**  
Director  
[jerryt@baycounty.net](mailto:jerryt@baycounty.net)

To: Timothy Banaszak, Chair, Committee of the Whole  
From: Tiffany Jerry, Director of Personnel and Employee Relations   
Date: May 7, 2024  
Re: Committee of the Whole Agenda

Please consider the following items for the agenda of your committee meeting scheduled for May 14, 2024.

1. **Request:**

Andrea LaBean, Director of the Office of Criminal Defense, and Michael Huber, Director of the Public Defender's Office have submitted a request to move the part-time Legal Secretary position in both the Office of Criminal Defense and the Public Defender's Office to a full-time Legal Secretary position.

**Background:**

- The County, through the Office of Criminal Defense and the Public Defender's Office, are required to comply with the standards set forth by the Michigan Indigent Defense Commission (MIDC).
- That the offices are required to submit a grant renewal request every year detailing how the County plans to comply with the standards imposed by the MIDC as well as how much funding is required to meet those standards.
- Each year, more work and reporting are required, which directly impacts the support staff in each office.
- That each office currently has one full-time and one part-time legal secretary but requires the part-time to become a full-time employee to comply with the standards set by the MIDC.
- That the additional costs were submitted in the grant renewal and does not change the amount which the County is required to expend on indigent defense.

**Finance/Economics:**

No general funds are being requested. This change has been reflected in the 2024-2025 MIDC Grand submission.

**Recommendation:**

Approve the request to move the part-time Legal Secretary position in the Office of Criminal Defense and the Public Defender's Office to full-time employment. Further, allow for the Board Chair to accept state funding and approve any budget adjustments as needed.

Thank you for your consideration and approval of any necessary budget adjustments related to the  
aforementioned requests. If you have any questions or concerns, please feel free to contact me.

cc: Jim Barcia  
Amber Davis-Johnson  
Shawna Walraven  
Kim Priessnitz  
Andrea LaBean  
Michael Huber

May 7, 2024

**To:** Tim Banaszak, Chair for Committee of the Whole

**From:** Andrea LaBean, Director of the Office of Criminal Defense, and Michael Huber and Director of the Public Defender's Office

**Subject:** Part-Time to Full-Time Employment for Office Staff

**Background:**

- The County, through the Office of Criminal Defense and the Public Defender's Office, are required to comply with the standards set forth by the Michigan Indigent Defense Commission (MIDC).
- That the offices are required to submit a grant renewal request every year detailing how the County plans to comply with the standards imposed by the MIDC as well as how much funding is required to meet those standards.
- Each year, more work and reporting are required, which directly impacts the support staff in each office.
- That each office currently has one full-time and one part-time legal secretary but requires the part-time to become a full-time employee to comply with the standards set by the MIDC.
- That the additional costs were submitted in the grant renewal and does not change the amount which the County is required to expend on indigent defense.

**Finance:**

No general funds are being requested. This change has been reflected in the 2024-2025 MIDC Grant submission.

**Recommendation:**

Approve the request to move the part-time legal secretary position in the Office of Criminal Defense and the Public Defender's Office to full-time employment. Further, allow for the Board Chair to accept state funding and approve any budget adjustments as needed.



BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (5/21/24)

WHEREAS, Andrea LaBean, Director of the Office of Criminal Defense, and Michael Huber, Director of the Public Defender's Office have submitted a request to move the part-time Legal Secretary position in both the Office of Criminal Defense and the Public Defender's Office to a full-time Legal Secretary position; and

WHEREAS, Bay County, through the Office of Criminal Defense and the Public Defender's Office, are required to comply with the standards set forth by the Michigan Indigent Defense Commission (MIDC); and

WHEREAS, The offices are required to submit a grant renewal request every year detailing how Bay County plans to comply with the standards imposed by the MIDC as well as how much funding is required to meet those standards; and

WHEREAS, Each year, more work and reporting are required, which directly impacts the support staff in each office; and

WHEREAS, Each office currently has one full-time and one part-time legal secretary but requires the part-time to become a full-time employee to comply with the standards set by the MIDC; and

WHEREAS, The additional costs for this change is necessary, as it was submitted in the grant renewal and does not change the amount which Bay County is required to expend on indigent defense; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the part-time Legal Secretary Position in both the Office of Criminal Defense and Public Defenders Office to be moved to a full-time Legal Secretary Position; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute required MIDC grant documents on behalf of Bay County following Corporation Counsel review and 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 Bay County; Be It Finally

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

VAUGHN J. BEGICK, CHAIR  
AND BOARD

Personnel/Criminal Defense/Public Defender – Part time to Full-Time Legal Secretary Position

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (5/21/24)

RESOLVED By the Bay County Board of Commissioners that the following report is received:

1. Employment Status Report – APRIL 2024

VAUGHN J. BEGICK, 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
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

CHANGES IN EMPLOYMENT STATUS  
APRIL 2024

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<b><u>NEW HIRES (Regular Status):</u></b>		
Kaitlyn Dilleree Dispatcher	Central Dispatch	4/29/2024
Corrin Staudacher Registered Dietitian	Health Dept WIC	4/01/2024
<b><u>NEW HIRE (On-call/temporary):</u></b>		
Richard Hamois Marine Patrol	Sheriff's Office	4/26/2024
Lee Davis On-Call Driver	Department on Aging	4/22/2024
Kyle VanBuskirk On-Call Youth Development Worker	Juvenile Home	4/15/2024
Mark Herek On-Call Driver	Department on Aging	04/09/2024
<b><u>Golf Course:</u></b>		
Miles Yurgaites	Starter/Ranger	4/24/2024
Logan Neal	Service Assistant	4/24/2024
<b><u>TRANSFER:</u></b>		
Arthur Amador From: Youth Dev Worker To: Juvenile Home Supervisor	Juvenile Home	4/21/2024
Sarah Tackebury From: Public Health Nurse To: Pub Health Nursing Manager	Health Department	4/15/2024
Riley Larkin From: Concession Clerk/Tm Ldr To: Clubhouse Attendant	From: Civic Arena To: Golf Course	4/28/2024

Brandon Hofmeister  
 From: CA Concession Clerk  
 To: Service Assistant  
 From: Civic Arena  
 To: Golf Course  
 4/16/2024

Hayden LeBrun  
 From: Zamboni Driver  
 To: Clubhouse Attendant  
 From: Civic Arena  
 To: Golf Course  
 4/14/2024

Dan Pope  
 From: Zamboni Driver  
 To: Seasonal Foreclosed Homes  
 From: Civic Arena  
 To: B&G  
 4/29/2024

Dawn Kotcher  
 From: Part-time Legal Secretary  
 To: Full-time Legal Secretary  
 Public Defender's Office  
 4/22/2024

Linda Piotrowski  
 From: On-Call Cook  
 To: Part-time Cook  
 Department on Aging  
 4/15/2024

**RETURN:**

Lewis Wasek  
 Community Health  
 Educator/Analyst  
 Health Department  
 4/22/2024

**B&G**

Adam Wilkinson  
 Seasonal Rec Worker  
 4/29/2024

Duane Krueger  
 General Laborer  
 4/18/2024

**Mosquito Control:**

James Strasz  
 Day Technician  
 4/26/2024

Sean Monaghan  
 Day Technician  
 4/29/2024

Sam Alvarado  
 Night Technician  
 4/15/2024

James Hughes  
 Day Technician  
 4/15/2024

Charles Ackley  
 Day Technician  
 4/17/2024

Savanna Boettcher  
 Day Technician  
 4/16/2024

**Golf Course:**

Cameron Zielinski  
 Service Attendant  
 4/3/2024

**SEPARATIONS:**

Kelsey Young  
 Dispatcher  
 Central Dispatch  
 4/29/2024

Gary Bowersock  
 Emergency Relief Coordinator PT  
 Veteran Affairs  
 4/19/2024

**RETIREMENT:**

Jill Koziatek  
Legal Secretary Full-time

Public Defender's Office

4/20/2024

Personnel Department



**OFFICE OF  
BAY COUNTY EXECUTIVE**

**James A. Barcia**  
County Executive

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515 Center Avenue, Suite 401  
Bay City, Michigan 48708  
Tel: (989) 895-4130 | Fax: (989) 895-2094

**MEMORANDUM**

**TO:** VAUGHN BEGICK , CHAIRMAN  
BAY COUNTY BOARD OF COMMISSIONERS

**FROM:** JIM BARCIA, COUNTY EXECUTIVE

**RE:** WORKFORCE DEVELOPMENT BOARD

**DATE:** May 7, 2024

**BACKGROUND:**

We have received a recommendation for the Great Lakes Bay Michigan Works! Workforce Development Board of Directors for Prosperity Region 5.

I would like to appoint the following individual from Bay County:

1. From the Michigan Sugar Co., Johnathan Branson, Vice President of Human Capital, for appointment to the Great Lakes Bay Michigan Works! Workforce Development Board for a term ending June 30, 2026.

**FINANCIAL IMPACT:**

None.

**RECOMMENDATION:**

I request the Bay County Board of Commissioners concur in my appointment of this individual to represent the Bay County community as member of the Great Lakes Bay Michigan Works! Workforce Development Board of Directors covering Prosperity Region 5.

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Email: [countyexecutive@baycounty.net](mailto:countyexecutive@baycounty.net) | Web: [www.baycounty-mi.gov](http://www.baycounty-mi.gov)



April 10, 2024

Kristen Wenzel  
Great Lakes Bay Michigan Works!  
1409 Washington St.  
Midland, MI 48640

Dear Mrs. Wenzel:

I would like to support the nomination of Johnathan Branson, Vice President of Human Capital at Michigan Sugar Co., to serve on the board of Great Lakes Bay Michigan Works! Workforce Development. I understand that this recommendation is for a term through June 30, 2026.

The Bay Area Chamber of Commerce recognizes the importance of Workforce Development in the Great Lakes Bay Region. As an advocate for pro-business public policy, we are committed to attracting and retaining employees to the region.

Through Michigan Sugar, Johnathan's commitment to workforce at one of Bay County's largest employers. I am confident that he will be a great asset to the Workforce Development Board and am looking forward to the continuing partnerships.

Sincerely,

A handwritten signature in cursive script that reads "Magen Samyn".

Magen M. Samyn  
President & CEO

**BAY COUNTY BOARD OF COMMISSIONERS**

**MAY 21, 2024**

**RESOLUTION**

**BY: BAY COUNTY BOARD OF COMMISSIONERS (5/21/24)**

**RESOLVED** The Bay County Executive recommends in favor of appointment of the following individual from Bay County to the Great Lakes Bay Michigan Works! Workforce Development Board of Directors for Prosperity Region 5:

1. From the Michigan Sugar Co., Johnathan Branson, Vice President of Human Capital, for appointment to the Great Lakes Bay Michigan Works! Workforce Development Board for a term ending June 30, 2026. Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners concurs with the County Executive’s recommendation and appoints Johnathan Branson to the Michigan Works! Workforce Development Board for Prosperity Region 5 as outlined above.

**VAUGHN J. BEGICK, CHAIR  
AND BOARD**

**County Executive – Michigan Works! – Appointment of Johnathan Branson**

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

**VOTE TOTALS:**

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_





**OFFICE OF  
BAY COUNTY EXECUTIVE**

**James A. Barcia**  
County Executive

---

515 Center Avenue, Suite 401  
Bay City, Michigan 48708  
Tel: (989) 895-4130 | Fax: (989) 895-2094

To: Vaughn Begick, Chairperson  
Bay County Board of Commissioners

From: Jim Barcia, Bay County Executive

Date: May 9, 2024

Re: Monitor Township

Background:

The Bay County (the "County") Board of Commissioners (the "Board") previously considered a proposal set forth by Monitor Township (the "Township") Downtown Development Authority (the "DDA"), as well as the legal ramifications of any Amendment to the Restatement of the DDA Agreement 2016 (the "2016 Restatement"), and the legal options available to the Board.

The 2016 Restatement allowed the DDA Development/TIF Plan ("Development/TIF Plan") to continue until December 31, 2026. Additionally, it required the DDA to make a one-time reversion of \$400,000 of TIF revenue back to the County. It also allowed the DDA to market the two remaining lots, to assist in the development of new infrastructure, and to finance any immediate projects. Finally, the Township, the DDA, NLI, and the County were required to meet no later than December 31, 2025, to discuss the status of the 2016 Restatement. The required December 31, 2025 (or prior), meeting has taken place. The parties are attempting to work together to assist the Township in attracting business and assist the County in increasing its population.

On August 25, 2023, Attorney Kevin Kilby, on behalf of the County, prepared an Amendment No. 1 to the 2016 Restatement (the "Amendment"). Based upon this proposed Amendment, Mr. Ebel (DDA Attorney) rejected the Amendment and set forth a counter proposal. The Board thereafter discussed Mr. Kilby's written legal opinion on that counterproposal in closed session as allowed by law.

Following closed session, the Board voted in open session to allow attorney Kilby to negotiate appropriate agreements with the DDA that reflected the discussions had during closed session. In response, attorney Kilby proceeded to prepare documents containing the following provisions to present to the DDA:

- The County would agree to the DDA extending its Development/TIF Plan for a period of thirty (30) years.

- As the DDA has limited funds available, the County would advance the Township \$50,000 to prepare the documents needed to extend the life of the Development/TIF Plan. After the DDA begins capturing, the County would be repaid the \$50,000. In short, the first \$50,000 of County revenue captured by the DDA shall be returned to the County to repay the advancement.
- The Board would agree to “reset” the base year of DDA District 1 to December 31, 2022. This was based upon a few different assumptions. First, there is two lots and approximately 10 acres that are still available for development within the district. As most of SK Siltron is built, even if these lots are developed, the financial impact to the County should be minimal compared to the revenue it will/has receive from the construction of SK Siltron. The Board would allow the DDA to capture its revenue in DDA District 1 moving forward based upon using December 31, 2022, as the based year.
- The amendment to the Restatement should be amended to read that sometime after year twenty-eight (28) the DDA would need to approach the Board to renegotiate its position. The Board that is in place at that time will be in the best position to determine if it still wants to participate in the DDA capturing the County’s revenue in DDA District 1.

The Agreements were prepared, forwarded to County Corporation Counsel for review, and presented to the DDA Attorney. It is believed that the Township and the DDA approved the Agreements at their April Meetings and have signed the same. The County Board must now vote to approve the Agreements and authorize the Board Chair to sign the two negotiated Amendments/Agreements prepared by attorney Kilby and authorize any budget adjustments necessary to effectuate the \$50,000 tax capture advance.

Financial Impact:

The Board will be advancing \$50,000 in general fund dollars to cover the advance of the DDA’s tax capture, which will be repaid to the County when collected.

Recommendation:

That the Board approve the Amendment No. 1 to the Restatement of the Monitor Township Downtown Development Authority Development Agreement 2016 dated November 29, 2016 and the Amendment No. 1 to the Monitor Township Downtown Development Authority Revenue Sharing Agreement Dated November 29, 2016; authorize the Board Chair to sign the same, and approve any necessary budget adjustments to effectuate the \$50,000 tax capture advance.

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (5/21/24)

WHEREAS, The Bay County (the "County") Board of Commissioners (the "Board") previously considered a proposal set forth by Monitor Township (the "Township") Downtown Development Authority (the "DDA"), as well as the legal ramifications of any Amendment to the Restatement of the DDA Agreement 2016 (the "2016 Restatement"), and the legal options available to the Board; and

WHEREAS, The 2016 Restatement allowed the DDA Development/TIF Plan ("Development/TIF Plan") to continue until December 31, 2026. Additionally, it required the DDA to make a one-time reversion of \$400,000 of TIF revenue back to the County. It also allowed the DDA to market the two remaining lots, to assist in the development of new infrastructure, and to finance any immediate projects. Finally, the Township, the DDA, NLI, and the County were required to meet no later than December 31, 2025, to discuss the status of the 2016 Restatement. The required December 31, 2025 (or prior), meeting has taken place. The parties are attempting to work together to assist the Township in attracting business and assist the County in increasing its population; and

WHEREAS, On August 25, 2023, Attorney Kevin Kilby, on behalf of the County, prepared an Amendment No. 1 to the 2016 Restatement (the "Amendment"). Based upon this proposed Amendment, Mr. Ebel (DDA Attorney) rejected the Amendment and set forth a counter proposal. The Board thereafter discussed Mr. Kilby's written legal opinion on that counterproposal in closed session as allowed by law; and

WHEREAS, Following closed session, the Board voted in open session to allow attorney Kilby to negotiate appropriate agreements with the DDA that reflected the discussions had during closed session; and

WHEREAS, In response, attorney Kilby proceeded to prepare documents containing the following provisions to present to the DDA:

The County would agree to the DDA extending its Development/TIF Plan for a period of thirty (30) years.

As the DDA has limited funds available, the County would advance the Township \$50,000 to prepare the documents needed to extend the life of the Development/TIF Plan. After the DDA begins capturing, the County would be repaid the \$50,000. In short, the first \$50,000 of County revenue captured by the DDA shall be returned to the County to repay the advancement.

The Board would agree to "reset" the base year of DDA District 1 to December 31, 2022. This was based upon a few different assumptions. First, there is two lots and approximately 10 acres that are still available for development within the district. As most of SK Siltron is built, even if these lots are developed, the financial impact to the County should be minimal compared to the revenue it will/has receive from the construction of SK Siltron. The Board would allow the DDA to capture its revenue in DDA District 1 moving forward based upon using December 31, 2022, as the based year.

The amendment to the Restatement should be amended to read that sometime after year twenty-eight (28) the DDA would need to approach the Board to renegotiate its position. The Board that is in place at that time will be in the best position to determine if it still wants to participate in the DDA capturing the County’s revenue in DDA District 1.

**WHEREAS,** The Agreements were prepared, forwarded to County Corporation Counsel for review, and presented to the DDA Attorney. It is believed that the Township and the DDA approved the Agreements and have signed the same. The County Board must now vote to approve the Agreements and authorize the Board Chair to sign the two negotiated Amendments/Agreements prepared by attorney Kilby and authorize any budget adjustments necessary to effectuate the \$50,000 tax capture advance; and

**WHEREAS,** The Board will be advancing \$50,000 from General Fund, Fund Balance to cover an advance to Monitor Township (the “township”) Downtown Development Authority (the “DDA”) which will be repaid to the County during DDA tax recapture process; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approve the Amendment No. 1 to the Restatement of the Monitor Township Downtown Development Authority Development Agreement 2016 dated November 29, 2016, and the Amendment No. 1 to the Monitor Township Downtown Development Authority Revenue Sharing Agreement Dated November 29, 2016; Be It Further

**RESOLVED** That the Chairman of the Board is authorized to sign the same, and the board approve any necessary budget adjustments to effectuate the \$50,000 tax capture.

**VAUGHN J. BEGICK, CHAIR  
AND BOARD**

**County Executive - Amendment No. 1 - Restatement of the Monitor Township DDA Development Agreement 2016**

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

- BY:** BAY COUNTY BOARD OF COMMISSIONERS (5/21/24)
- WHEREAS,** Bay County joined a nationwide settlement to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J"); and
- WHEREAS,** By the means of the financial settlement Bay County has received two (2) payments from the Distributors settlement and five (5) payments from the J&J settlement. Due to funding amounts changing annually, Bay County will, on average, have \$250,000 available each year for opioid remediation activities for a period of 3 years. However, the number of payments/length of time for each settlement will also differ; and
- WHEREAS** The Chairman of Bay County Board of Commissioners appointed the Bay County Opioid Steering Subcommittee to help develop recommendations for Bay County Board of Commissioners on the most effective strategies to utilize the settlement funds to align with the requirements of this funding; and
- WHEREAS,** The Bay County Opioid Steering Subcommittee met on April 11, 2024, to discuss their desire to accept proposals for Opioid Settlement Fund dollars relating to the Primary Prevention Findings and Recommendations of the Bay County Opioid Use Needs Assessment; and
- WHEREAS,** The Bay County Opioid Steering Subcommittee recommends the authorization of Request for Proposal (RFP) for organizations or groups addressing opioid prevention and harm reduction to apply for funding to support development, implementation, enhancement or expansion of programs. This includes programs addressing substance use disorders, polysubstance use and co-occurring mental health and substance use disorder; and
- WHEREAS,** It is further recommended that due to the amount of funds available annually, \$250,000 of Opioid Settlement Funds total will be disbursed for the year 2024; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners authorizes the release of Request for Proposal (RFP) for Bay County Opioid Settlement Funds Request for Funding Proposals and authorizes award funding based upon the recommendation of the Opioid Steering Committee; with awards brought back to the Full Board to be received; Be It Further
- RESOLVED** That the Bay County Board of Commissioners approves disbursement of up to \$250,000 from Opioid Settlement Funds for the year 2024; Be It Further
- RESOLVED** That the Chairman of the Board is authorized to execute any documents required on behalf of Bay County following Corporation Counsel review and approval; Be It Finally
- RESOLVED** That related budget adjustments, if required, are approved.

VAUGHN J. BEGICK, CHAIR  
AND BOARD

Bay County Opioid Steering Subcommittee – RFP for Funding Proposals

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_ NO ACTION TAKEN \_\_\_\_\_

## OPIOID SETTLEMENT TASK FORCE

MEETING 8-23-2023

### BOARD CHAIR'S OFFICE

Attendees-Vaughn Begick, Tom Herek, Tim Banaszak-Steering Committee

Other Attendees-Heather Brady Pitcher, Lindsey Arsenault, Hailey Wentz

This was the first meeting of the Opioid Settlement Steering Committee.

Heather Brady Pitcher, the committee legal advisor, presented the committee background information on the opioid litigation against the manufacturers and pharmaceutical companies. Heather provided the financial report with the breakdown of the amount of payments from different companies and the length of time from each. See the attached report from Heather. The amount paid Bay County thus far is \$810, 570.42 with more to come over the next 15 years. 15% of the funds can be used for administrative costs.

The Michigan Association of Counties has resources available to help counties to distribute the funds. They have a person on staff whose job is to help counties with the process. Her name is Amy Dolinky and her title is Technical Advisor, Opioid Settlement Funds Planning and Capacity Building. She is available for presentations. The committee discussed this and it was decided to invite her and invite those organizations in Bay County that provide services that are related to treatment and recovery from opioid addiction. A list of organizations and individuals was developed by the steering committee to invite to the presentation. The date of September 27, 2023, was selected and it will be held at the Bay County Community Center. A letter is attached that was sent to them. After the presentation by Amy, there will be discussion time about how the funds should be spent and how that determination should be made per the requirements in the settlement agreement.

The steering committee meeting was then adjourned.

## OPIOID SETTLEMENT TASK FORCE

8-23-2023

To Opioid Settlement Advisors,

The opioid settlements with the pharmaceutical companies and manufacturers of opioids are coming to a close with a nationwide settlement against several of them in 2021. There is litigation still pending against several more companies that should be settling soon and precedent has been set in the earlier settlements. See the enclosed background information in the document from Heather Brady Pitcher, the Assistant Corporation Counsel for Bay County. It gives the history of Bay County's participation in the litigation and how by entering into the lawsuits early on, we were able to get a larger percentage of the settlements. Heather's document also has a breakdown of the settlement amounts and how many years they are spread out. At this time, the ones that settled range from 6-15 years for the payouts. A quicker payout could be more desirable but the longer payouts give more sustainability to any programs that are set up.

There are strict restrictions on how the money may be spent and the Michigan Association of Counties has retained the services of Amy Dolinky, Technical Adviser, Opioid Settlement Funds Planning and Capacity Building; and there is no fee for her services to the counties in Michigan. She has agreed to attend a meeting we are scheduling for September 27, 2023 at the Bay County Community Center, 800 John F. Kennedy Drive, Bay City at 6 pm. She will be giving an overview on the settlement and the guidelines for spending the money. There will be discussion afterwards from you on how you think the funds should be spent and how that determination should be made. We are looking for your thoughts on how best to spend the money and sustain the programs once they are started. Please RSVP to e-mail [wentzh@baycounty.net](mailto:wentzh@baycounty.net).

Vaughn Begick, Board

## CORPORATION COUNSEL



## BAY COUNTY

**Amber Davis-Johnson, Corporation Counsel**  
johnsona@baycounty.net

**JAMES A. BARCIA**  
County Executive

**Heather Brady Pitcher, Assistant Corporation Counsel**  
pitcherh@baycounty.net

Tel: (989) 895-4131  
Fax: (989) 895-2094

To: Board of Commissioners Opioid Settlement Steering Committee  
From: Heather Brady Pitcher, Assistant Corporation Counsel  
Date: August 22, 2023  
Re: Summary of Opioid Settlements

### Background Information

In 2017, Bay County filed a lawsuit in the United States District Court to address the public nuisance that is the Opioid Epidemic against defendants Janssen Pharmaceuticals, Inc., Amerisource Bergen Corp., Cardinal Health, Inc., and McKesson Corporation.

The lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation*, MDL 2804. Our retained outside legal counsel, Motley Rice has assisted Bay County and the other plaintiffs in navigating this global litigation.

In 2021, a \$26 billion nationwide settlement was reached to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen (“Distributors”), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, “J&J”).

The State of Michigan is slated to receive nearly \$800 million over 18 years from that lawsuit. The national agreement also requires significant industry changes that will help prevent this type of crisis from ever happening again. In 2021, Bay County, along with all 83 Michigan counties, executed the state-subdivision agreement with the State of Michigan setting forth the distribution allocation of the opioid settlement funds in the lawsuit against the Distributors, and manufacturer Janssen Pharmaceuticals, Inc., and its parent company J&J.

Bay County’s early participation in that lawsuit resulted in an increased allocation of the settlement proceeds and Bay County is scheduled to receive 3.6 million in settlement payments from the Distributor and Janssen. **Janssen** is estimated to pay **\$700,000 over 6 years** and the **Distributors** are estimated to pay approximately **3 million over 15 years**. The use of these settlement funds is restricted for such purposes as drug abatement, education, and treatment. Accordingly, Bay County can use these proceeds to broaden access to naloxone and medications



to treat the opioid disorder, improve treatment in the jail, enrich prevention strategies, and expand harm reduction programs.

There are several other pending opioid lawsuits against additional pharmaceutical companies and manufacturers. Due to Bay County's participation in the earlier distributor opioid litigation, Bay County was included as a Plaintiff in these additional lawsuits. In 2022, a settlement was reached in the lawsuit against the pharmaceutical companies and manufacturers, CVS, Walmart, Allergan and Teva. In mid-March 2023, Bay County and other local municipalities were forwarded the final settlements agreements and asked to sign on to the settlements with CVS, Walmart, Allergan and Teva. These four settlements are expected to bring in around \$450 million to Michigan. As a litigating Plaintiff, Bay County's allocation under the **Allergan** (\$129,420-7 years), **Teva** (\$217,238.52-13 years), **CVS** (\$287,356.31-10years) and **Walmart** \$162,725.43 (1-6 years) was approximately **\$796,740.64**. Later, Walgreens would also reach a settlement agreement with Michigan and Bay County. Under the **Walgreens Settlement Agreement**, Bay County was allocated 1.233% with an approximate payout of **\$860,874.14** payable over 15 years.

Michigan can also expect additional funds received from Purdue Pharma, Mallinckrodt PLC and Endo, which are pursuing bankruptcy plans that include funding opioid abatement trusts. Nationally, settlements with Purdue Pharma, Mallinckrodt PLC and Endo are expected to total \$6 billion, \$1.7 billion and \$19.56 million respectively. When finalized, Bay County may have the opportunity to participate in these settlements and receive additional funds.

To date, Bay County has received settlement payments from Janssen and the Distributors. The following is a breakdown of those payments and the projected allocations.

Settling Defendant	Estimated Total Allocation from Settlement Agreement \$5,257,614	Number of Years to Make Settlement Payments	Payments made to Bay County \$810,570.42	Projected Allocations
Distributors	\$3,020,000	15 years	Payment 1 January 31, 2023 \$86,394.36  Payment 2 January 31, 2023 \$94,186  Payment 3 August 2, 2023 \$94,186.72	July 2024-\$134,633 July 2025-\$134,633 July 2026-\$134,633 July 2027-\$134,633 July 2028-\$236,607 July 2029-\$236,607 July 2030-\$236,607 July 2031-\$198,892 July 2032-\$198,892 July 2033-\$198,892 July 2034-\$198,892 July 2035-\$198,892 July 2036-\$198,892 July 2037-\$198,892 July 2038-\$198,892
Janssen	\$710,00	6 years	Payments 1-5 January 31, 2023 Payment 1 \$39,151 Payment 2 \$111,730 Payment 3 \$86,373 Payment 4 \$140,812 Payment 5 \$157,733.95	June 2026-\$15,471 June 2027-\$15,471 June 2028-\$30,653 June 2029-\$39,026 June 2030-\$39,026 June 2031-\$39,026
Teva	\$217,238	13 years (\$16,710)	0	
Allergan	\$129,420	7 years (\$18,488)	0	
CVS	\$287,356	10 years (\$28,735)	0	
Walmart	\$162,725	1-6 years (\$27,120)	0	
Walgreens	\$860,874	15 years (\$57,391)	0	

Bay County currently has been paid approximately \$810,570.42 in settlement funds and we anticipate annual payments in various sums over the next 15 years.

**9/27/2023 – OPIOID SETTLEMENT TASKFORCE MEETING – MINUTES (NOT WRITTEN VERBATIM)**

MEETING STARTED AT 6:00 P.M.

- CHAIRMAN OF BAY COUNTY COMMISSIONERS, VAUGHN BEGICK INTRODUCED COMMISSIONER T. BANASZAK, COMMISSIONER T. HEREK, A. JOHNSON – BAY COUNTY CORPORATION COUNSEL, H. PITCHER – BAY COUNTY CORPORATION COUNSEL, AND PRESENTED THE AGENDA. HE THEN INTRODUCED AMY DOLINKY FROM MAC.
  
- A. DOLINKY PRESENTED ON SETTLEMENT FUNDS / REQUIREMENTS / RECOMMENDATION, ETC.
  - BAY CO. IS ESTIMATED TO RECEIVE A TOTAL \$6,734,078.49 OVER AN 18-YEAR PERIOD.
  - FUND NUMBER 384 – DESIGNATED FOR OPIOID SETTLEMENT FUNDS AND SHOULD BE USED AT A LOCAL LEVEL
  - SUB-FUNDS – DIFFERENT REQUIREMENTS
  - CANNOT SKIP PAYMENTS FOR CONSECUTIVE YEARS – FUNDS RECEIVED EACH YEAR WILL VARY
    - BAY COUNTY EXECUTIVE, JIM BARCIA THANKED EVERYONE FOR BEING HERE, AND THANKED AMY FOR PRESENTING THE INFORMATION TO EVERYONE; WHO ARE ALL VERY INTERESTED IN MAKING A DIFFERENCE IN THE OPIOID EPIDEMIC
  
- A. DOLINKY CONTINUED THE PRESENTATION:
  - 15% OF FUNDS HAVE NO REQUIRED USE
  - 85% OF FUNDS MUST BE USED FOR OPIOID REMEDIATION
    - 70% MUST BE USED FOR FUTURE REMEDIATION
  - DEFINITION OF OPIOID REMEDIATION
    - ADDRESS MISUSE
    - TREAT OR MITIGATE
    - MITIGATE OTHER ALLEGED EFFECTS OF, INCLUDING ON THOSE INJURED AS A RESULT OF, THE OPIOID EPIDEMIC
  - REPORTING REQUIREMENTS
    - BI-ANNUALLY INTO BROWNGEER PAYMENT PORTAL ON ALL EXPENDITURES THAT DO NOT ALIGN WITH THE “OPIOID REMEDIATION”
    - MALLINCKRODT (SPECIFIC SETTLEMENT) IS EXPECTED TO BRING IN \$37 MILLION TO MI.
    - OPIOID TASKFORCE (REGIONALLY) RUN BY MDHHS
    - OTHER SETTLEMENTS WILL DIFFER IN REQUIREMENTS
  - MAC SETTLEMENT DASHBOARD – ON MAC WEBSITE FOR DETAILED INFORMATION ON EACH SETTLEMENT(S)

- **RECOMMENDED STEPS FOR SPENDING**
  - **MI OPIOID SETTLEMENT FUND TOOLKIT – WILL BE OUTDATED AS NEW INFORMATION HAS COME OUT RECENTLY**
  - **JOHNS HOPKINS VITAL STRATEGIES & NATIONAL ASSOCIATION OF COUNTIES – PROVIDE A LIST OF POSSIBLE FUNDING METRICS**
  - **RECOMMENDED STEPS: STAKEHOLDER ENGAGEMENT, GATHER INFORMATION, DETERMINE PROCESS MOVING FORWARD**
- **A. DOLINKY EXPLAINS HER BACKGROUND (847.309.4340; [DOLINKY@MICOUNTIES.ORG](mailto:DOLINKY@MICOUNTIES.ORG)– CELL NUMBER & E-MAIL FOR ANY QUESTIONS, CONCERNS, OR REQUESTS)**
- **L. ZIOLKOWSKI FROM GREAT LAKES BAY REGION FAMILIES AGAINST NARCOTICS ASKED IF MAC IS AWARE IF THE STATE OF MI WILL HAVE THE SAME REQUIREMENTS FOR UTILIZING THESE FUNDS AS MAC DOES AS FAR AS SPENDING FUNDS ON PREVENTION, TREATMENT, AND HARM REDUCTION.**
  - **A. DOLINKY EXPLAINS THAT THE DEFINITION OF ‘OPIOID REMEDIATION’ IS IN THE NATIONAL SETTLEMENT DOCUMENTS SO IT DOES APPLY TO EVERYONE – WHAT IT COMES DOWN TO IS CORPORATION COUNSEL INTERPRETATION.**
- **BAY COUNTY SHERIFF’S DEPARTMENT’S, LT. BEN LATOCKI ASKED: HAS ANY MONEY BEEN SPENT ON LOCAL JAILS, SHERIFF’S OFFICES, AND CORRECTIONS; FOR OPIOID REMEDIATION IN ANY OTHER COUNTIES?**
  - **A. DOLINKY RESPONDED YES, IN JAILS, RE-ENTRY PROGRAMS, PEER SUPPORTS, AND DRUG COURTS. SOME COUNTIES HAVE FOCUSED ON INTERDICTION; IT IS NOT TO SAY IT IS NOT ALLOWABLE, BUT NOT RECOMMENDED**
- **LT. LATOCKI ASKED, IF FUNDS WOULD BE AVAILABLE FOR SOMETHING SUCH AS AN INTERDICTION TEAM.**
  - **A. DOLINKY STATED IT IS NOT THE RECOMMENDATION OF THE OPIOID REMEDIATION FUNDS BUT DOES NOT MEAN IT IS NOT ALLOWABLE**
- **COMMISSIONER T. BANASZAK ASKED IF BODY SCANNERS WOULD QUALIFY UNDER THE FUNDS.**
  - **AMY DOLINKY SAID NO, IT IS MORE TOWARD TREATMENT, AND BODY SCANNERS TEND TO CAUSE MORE CONSEQUENCES**
- **DR. WILLIAM MORRONE, MEDICAL DIRECTOR FOR RECOVERY PATHWAYS STATED HE BELIEVES IF THERE WAS A COMPREHENSIVE EVIDENCE-BASED GRANT FUND THAT APPLIED A PORTION OF THE OPIOID LEGISLATIVE SETTLEMENT TO POST INCARCERATION RE-ENTRY AND IN JAIL BEGINNING OF M.A.T., THERE IS A WAY TO DISCUSS REDUCING SUPPLY AND DEMAND.**
  - **A. DOLINKY RESPONDED SHE IS NOT ABLE TO SPEAK ON WHAT IS ALLOWABLE AND NOT ALLOWABLE FOR THE COUNTY SPECIFICALLY, BUT THE FOCUS POINT OF WHEN**

**DISCUSSING SPENDING THE FUNDS SHOULD BE THE ECOSYSTEM AND FULL CONTINUUM.**

- **JESSIE SCOTT WOOD, BAY COUNTY JUDGE FOR 18<sup>TH</sup> JUDICIAL CIRCUIT COURT, AND RUNS THE ADULT TREATMENT PROGRAM, STATED THAT WHAT IS FRUSTRATING IS THAT DUE TO GRANTS, PARTICIPANTS THAT ARE INITIALLY STARTING A DRUG USE OR OTHER ADDICTION, THAT THEY CANNOT BE PART OF THE PROGRAMS DUE TO GRANT REGULATIONS. AN EXPANSION FOR THOSE IN THE EARLY-USING STAGE(S) WOULD BE HELPFUL.**
  - **A. DOLINKY RESPONDED THAT ITEMS THAT QUALIFY UNDER THE FUNDS ARE STAFFING, ADMINISTRATIVE COSTS, VEHICLES OR INFRASTRUCTURES**
  
- **KATIE BALL, BAY CO. PREVENTION NETWORK COORDINATOR ASKED IF FUNDS THAT ARE SENT TO OFFICES THAT FOCUS ON PREVENTION SPECIFICALLY ARE DEEMED AS QUALIFIED.**
  - **A. DOLINKY RESPONDED THAT IT IS PART OF IT, BUT THAT THERE COULD BE FUNDS SPENT THAT DO NOT ALIGN WITH EXHIBIT E GUIDELINES.**
  - **K. BALL STATED A NEEDS ASSESSMENT WOULD BE HUGE TO BAY COUNTY**
  - **YOUTH SPECIFICALLY NEEDS TREATMENT, IT IS NOT WIDELY AVAILABLE WITHIN OUR COUNTY.**
  
- **COMMISSIONER T. HEREK ASKED FOR MORE INFORMATION REGARDING THE 15% OF FUNDS THAT HAVE NO SPENDING REQUIREMENTS.**
  - **AMY DOLINKY RESPONDED THAT IT CAN BE USED TOWARDS ANYTHING AS LONG AS IT IS BEING REPORTED.**
  
- **RICARDO BOWDEN, PRESIDENT OF LONG-TERM RECOVERY ASKED MORE SPECIFICALLY ABOUT STAFFING**
  - **A. DOLINKY STATED YES, MANY OPPORTUNITIES FOR STAFFING, TRAINING FOR STAFFING, ETC. INFRASTRUCTURE, TRANSPORTATION, ETC.**
  
- **A. JOHNSON, BAY COUNTY CORPORATION COUNSEL DIRECTOR, ASKED FOR CLARIFICATION ON THE 15% UNRESTRICTED FUNDS VS ADMINISTRATIVE COSTS**
  - **A. DOLINKY - DEPENDS ON HOW ADMINISTRATIVE COSTS ARE BEING USED – HAS TO BE SPECIFIC TO OPIOID REMEDIATION**
  
- **A. JOHNSON ALSO ASKED FOR MORE INFORMATION ON REQUIREMENTS OR TERMS FOR SETTING UP PROGRAMS THAT CAN CONTINUE PAST THE FUNDING DATE**
  - **A. DOLINKY - NO REQUIREMENT ON WHEN TO SPEND FUNDS, AND WHEN TO STOP SPENDING FUNDS. MOST COUNTIES TAKE THE TOTAL AND DIVIDE IT BY 18 (YEARS)**
  
- **DR. WILLIAM MORRONE ASKED IF THE STATE IS ACCEPTING GRANT PROPOSALS FOR OPIOID LEGISLATIVE FUNDING FROM GROUPS LIKE US TODAY TO USE THE FUNDS OR ARE THE FUNDS LOCKED INTO THE STATE OF MICHIGAN'S IDEAS OF FUND USES.**

- A. DOLINKY RESPONDED ORGANIZATIONS AT THE COMMUNITY LEVEL CAN APPLY FOR FUNDS, AND RIGHT NOW THERE IS NOT CENTRALIZED LOCATION FOR RFP'S UNLESS THERE IS AN EGS ACCOUNT TO APPLY FOR FUNDS. THERE WILL BE A STATE SETTLEMENT WEBSITE AVAILABLE IN THE FUTURE. THE STATE WILL ALSO BE WORKING WITH ITS OWN OPIOD POLICY TEAM AND WILL BE OPEN TO READING AND LISTENING TO IDEAS FROM THOSE AT COMMUNITY LEVELS.
- JOEL STRASZ, PUBLIC HEALTH OFFICER FOR BAY COUNTY HEALTH DEPARTMENT STATED IT IS OUR RESPONSIBILITY TO LOOK AT THE FUNDS YEAR BY YEAR RATHER THAN SPENDING IT ALL AT ONCE.
- STEVE GOSS, BAY CITY LIONS CLUB ASKED WHAT EFFORTS FROM THE TASK FORCE OR THE OPIOID COMMISSION ARE BEING MADE TO EDUCATE THOSE WITHIN THE COMMUNITY.
  - A. DOLINKY RESPONDED THAT MEDICAL PROFESSIONALS ARE ON THE OPIOID ADVISORY COMMISSION AS WELL AS THE OPIOID TASK FORCE. THERE ARE ALSO UNIVERSITIES WITHIN THE STATE PROVIDING TECHNICAL ASSISTANCE, SPECIALIZED SUPPORT AND EDUCATION FOR PROVIDERS AND THEIR MEMBERS.
- DARRELL LENTZ, PRESIDENT/CEO OF MCLAREN BAY REGION ASKED IF THERE IS A ROADMAP THAT OTHER COUNTIES ARE USING TO START / TAKE OFF FROM.
  - A. DOLINKY RESPONDED THE TOOLKIT THAT MAC PUTS OUT IS THE FIRST PLACE TO START, THE NEXT IS AN ADVISORY PANEL OR STEERING COMMITTEE; THERE IS NOT NECESSARILY A MODEL THAT COUNTIES ARE FOLLOWING; ALL ARE HANDLING IT DIFFERENTLY
- K. BALL, BAY COUNTY PREVENTION NETWORK COORDINATOR STATED THE PREVENTION NETWORK HAS HAD INFORMATIONAL MEETINGS IN THE PAST AND IS LOOKING TO DO THEM AGAIN IN THE NEAR FUTURE. ALL ARE ALWAYS WELCOME TO COME TO ANY RECOVERY NETWORK MEETING BEING HELD.
- DR. WILLIAM MORRONE STATED THERE SHOULD BE ENFORCED MEETINGS FOR HEALTH CARE PROVIDERS.
- DARREL LENTZ STATED THERE IS A PATHWAY NEEDED TO BE USED FOR DATA OUTCOMES, DIFFERENT STRATEGIES, AND WORKING WITHIN THE MEDICAL COMMUNITY TO BRING AWARENESS AND SET LIMITS.
- C. PINTER CEO OF BAY ARENAC COMMUNITY MENTAL HEALTH STATED HE FEELS THE RECOVERY AND PREVENTION OFFICES AND NETWORKS NEED A BETTER RELATIONSHIP WITH BAY COUNTY AND THESE FUNDS NEED TO ENHANCE THE COUNTY AND ITS PREVENTION AND RECOVERY.

- **JOELIN HAHNZ FROM BAY ARENAC BEHAVIORAL HEALTH STATED THAT MENTAL HEALTH ORGANIZATIONS HAVE SEEN REPERCUSSIONS FROM THE FAULTS ON THE MEDICAL MARIJUANA FUNDING. SHE ENCOURAGES PEOPLE TO DEMAND FOR FUNDING FOR THINGS THE COUNTY IS BATTLING.**
- **LORI ZIOLKOWSKI STATED THAT VAPING, CANNABIS, AND ALCOHOL NEED BETTER REGULATIONS AND EDUCATION FOR CHILDREN – CANNABIS COMPANIES HAVE BEEN HELPFUL. SHE STATED THE ONLY WAY OUT OF THESE EPEDMICS IS TO EDUCATE PEOPLE.**
- **KATIE BALL ASKED IF FUNDING COULD BE USED FOR COMMUNITY POLICING, EDUCATING ON CERTAIN LAWS AND ENFORCEMENT, OR BRINGING ON ANOTHER STAFF MEMBER TO DO SO.**
  - **A. DOLINKY RESPONDED THE REQUIREMENTS FOR FUNDS DO NOT COVER ANYTHING THAT IS MARIJUANA SPECIFIC.**
- **CHAIRMAN BEGICK – EXPLAINED HIS BACKGROUND WITHIN THE MEDICAL FIELD FOR 47 YEARS; AND STATED THAT AN EMAIL WILL BE SENT OUT REGARDING AN ADVISORY COMMITTEE FOR THE OPIOID SETTLEMENT FUNDS.**
- **SHAWNA WALRAVEN STATED THERE WAS ORIGINAL TALK OF A PROCESS SIMILAR TO THE CURRENT BAY COUNTY BID PROCESS WHERE THERE WOULD BE AN ADVISORY COMMITTEE AND A RUBRIC TO BE SCORED BASED UPON THE GROUP DECISION OF WHAT SERVICES OR PURCHASES WITH THE FUNDS ARE BEING USED ON.**
- **CHAIRMAN BEGICK ASKED JOEL STRASZ ABOUT A NEEDS ASSESSMENT WITHIN THE COUNTY AND POSSIBLY DOING ANOTHER ONE INCLUDING QUESTIONS REGARDING OPIOIDS.**
- **CHAIRMAN BEGICK ANNOUNCED BAY COUNTY HAS A FREE HEALTH CLINIC FROM 4:30-7 P.M. FOR THOSE WHO DO NOT HAVE HEALTH INSURANCE. HE ALSO ANNOUNCED A FOLLOW-UP E-MAIL WILL BE SENT OUT TO THOSE WHO PARTICIPATED INCLUDING THE MINUTES, ZOOM LINK TO THE MEETING, WELL AS ANOTHER E-MAIL REGARDING THE OPIOID ADVISORY COMMITTEE.**

**WRITTEN BY: HAILEY WENTZ, TYPIST CLERK**

**MEETING ADJOURNED AT 7:20 P.M.**



OPIOID SETTLEMENT TASKFORCE MINUTES

MEETING OF THE BAY COUNTY OPIOID SETTLEMENT TASKFORCE SUB-COMMITTEE HELD ON OCTOBER 12, 2023, 7<sup>TH</sup>  
FLOOR, BAY COUNTY BUILDING

These typed minutes provide an overview of the meeting and are not verbatim.

Page No. 1

Present: Vaughn Begick, Tim Banaszak, Kathy Niemiec, Kim Priessnitz, Shawna Walraven and Hailey Wentz.

There was a discussion about the Opioid Settlement Funds. The County is able to keep 15% of all received opioid settlement funds to cover previous damages. The second recommendation is that 15% of the remaining 85% be used to recover previous costs incurred related to opioid damages. This was agreed upon by the steering committee and a resolution will be sent to the Board of Commissioners.

Current funds are:

- a. Total funds received: \$810, 570.42
- b. 15% Unrestricted: \$121,585.56
- c. 15% of remaining 85% (losses): \$103,347.72.
- d. Remaining funds: \$585,637.14

There will be a reservation of funds done on an annual basis based on amounts received in that year.

A needs assessment will be done by the Health Department by March 2024.

After that, requests for proposals will be sent out to providers of the services in the Community.

There will be State of MI funds available to local providers also.

The meeting was then adjourned.

Minutes prepared by

Hailey Wentz

## OPIOID SETTLEMENT TASKFORCE MINUTES

**MEETING OF THE BAY COUNTY OPIOID SETTLEMENT TASKFORCE SUB-COMMITTEE HELD ON THURSDAY,  
APRIL 11, 2024, FOURTH FLOOR, BAY COUNTY BUILDING – 4:00 PM**

**These typed minutes provide an overview of the meeting and are not verbatim.**

**Present: J. Straz, S.Walraven, J.Barica, L.Aresnault, V.Begick, T.Banaszak, and T. Herek**

**Welcome and Introductions: Board Chair Begick opened the meeting by thanking people for attending to discuss the opioid use needs assessment.**

**Minutes: Minutes from the August 23, 2023, and September 27, 2023, meeting were provided, and it was noted that the minutes from the October 12, 2023, meeting will be shared at the next sub-committee meeting.**

**Report on Current Funds: Director of Finance Shawna Walraven and Commissioner Banaszak discussed the option of individual disbursement of the opioid settlement funds and the committee touched on the concern of reporting on the allocation of funds that individuals will have to follow per the requirements.**

**Ms. Walraven continued by sharing that the current balance that is left after fifteen percent has been removed for administrative fees per Board resolution (Res. No. 2023-221).**

**Review Opioid Use Needs Assessment From Bay County Health Department: Board Chair Begick stated that he will reach out to the Michigan Association of Counties (MAC) to see what ideas are recommended. The Committee discussed guidance on how the Board would like to disburse the opioid settlement funds. Commissioner Herek suggested that the Board consider limiting the total amount allocated for the first year and space out the remaining over the length of the settlement.**

**The Committee continued to discuss the options they would like to recommend to the Board concerning continuation with sustainability vs expansion of programming. They concluded that sustainability needs to be a requirement in the request for opioid settlement funding. Additionally, the committee discussed limiting the first year's disbursement to \$250,000 total.**

**Commissioner Begick and County Executive Barcia agreed they would like to see what the state's plan is on disbursement of funding before Bay County decides.**

**Commissioner Begick and the Committee discussed the option of creating a Request for Proposal (RFP) Committee to help aid in the disbursement of funds with the help of the Bay County Finance Department.**

**Primary Prevention/ Secondary Prevention-Treatment/ Tertiary Prevention-Continuum of Care/ Appendices: Commissioner Begick said that primary prevention (education, schools, dare program) solicits responses to address primary prevention first. Discussion continued if DARE programs continue then the committee would need to identify what age group should be addressed as primary prevention. Commissioner Banaszak added that contingency plans should also be addressed if these prevention programs are successful.**

**Next Steps/Action Items-Assignment:** The Committee concluded that the primary focus is to start with prevention as this year's allocation focus and agreed to limit the first year's disbursement to a total of \$250,000. The Committee concluded that prevention over treatment will take priority for this year's allocation of funds. A resolution will be brought to the Full Board to authorize the release of bid for an RFP, and limit the first years disbursement of funds to \$250,000 total.

**Meeting adjourned at 4:49 PM**

**Minutes prepared by:**

**Lindsey Arsenault**

**Board Coordinator**

BAY COUNTY BOARD OF COMMISSIONERS

MAY 21, 2024

RESOLUTION

**BY:** COMMITTEE OF THE WHOLE (5/14/2024)  
**WHEREAS,** Due to current hiring challenges and labor shortages it has been difficult to find qualified candidates for vacant positions at Bay County; and  
**WHEREAS,** In an effort to streamline the hiring process, the Bay County Board of Commissioners authorizes the Bay County Personnel Director to approve budgeted positions at the higher year rate for qualified candidates; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners authorizes the Bay County Personnel Director to approve budgeted positions at the higher year rate based on candidate qualifications and experience for the remainder of the year 2024 so long as no budget adjustments for the position that have already been approved in the 2024 Bay County Budget are required.

TIM BANASZAK, CHAIR  
 AND COMMITTEE

**Committee Chair Banaszak – Authorize Personnel Director to Approve Hire at 2-Year Rate for 2024**

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				DENNIS R. POIRIER			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE TOTALS:

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

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

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

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

## **BAY COUNTY BOARD OF COMMISSIONERS**

**APRIL 16, 2024**

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY APRIL 16, 2024, FOURTH FLOOR, OF THE BAY COUNTY BUILDING, 515 CENTER AVENUE, BAY CITY, MI 48708. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN VAUGHN BEGICK AT 4:00 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS KAYSEY RADTKE, DENNIS POIRIER, THOMAS HEREK, KATHY NIEMIEC, TIM BANASZAK, COLLEEN MAILLETTE, AND CHAIRMAN VAUGHN BEGICK

OTHER MEMBERS: KATHLEEN B. ZANOTTI, BAY COUNTY CLERK  
LISA DAVIS, SECRETARY TO THE COUNTY CLERK  
LINDSEY ARSENAULT, BOARD COORDINATOR  
HAILEY WENTZ, TYPIST CLERK

ALSO PRESENT: JAMES BARCIA, BAY COUNTY EXECUTIVE  
TIFFANY JERRY, PERSONNEL AND EMPLOYEE RELATIONS DIRECTOR  
SHAWNA WALRAVEN, FINANCE OFFICER  
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL  
MATTHEW BEAVER, DIRECTOR OF ADMINISTRATIVE SERVICES AND VETERAN'S AFFAIRS  
CRISTEN GIGNAC, RECREATION & FACILITIES  
VARIOUS ELECTED OFFICIALS  
VARIOUS DEPARTMENT HEADS

INVOCATION: THE INVOCATION WAS GIVEN BY THE BAY COUNTY CLERK, KATHLEEN B. ZANOTTI

PLEDGE OF ALLEGIANCE:

IN ADDITION TO THESE TYPED MINUTES, WHICH ARE NOT VERBATIM BUT AN OVERVIEW OF ACTION TAKEN, THIS MEETING WAS VIDEOTAPED BY BCTV AND THOSE TAPES ARE AVAILABLE FOR REVIEW IN THE ADMINISTRATIVE SERVICES DEPARTMENT OR CAN BE VIEWED ON BAY COUNTY'S WEBSITE.

### **MINUTES**

MOTION 27: COMM. POIRIER MOVED TO APPROVE THE BOARD MINUTES FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR BOARD

MEETING OF MARCH 19, 2024, AS PRESENTED. IT WAS SUPPORTED BY COMM. RADTKE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

### **AGENDA APPROVAL**

MOTION 28: COMM. BANASZAK MOVED TO APPROVE THE AGENDA FOR THE BAY COUNTY BOARD OF COMMISSIONERS' REGULAR SESSION BOARD MEETING OF APRIL 16, 2024. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

### **CITIZENS INPUT**

NONE

### **PETITIONS AND COMMUNICATIONS**

RES. 2024-62: COMM. POIRIER MOVED TO ADOPT RES. 2024-62; THE BAY COUNTY BOARD OF COMMISSIONERS AND BAY COUNTY EXECUTIVE HEREBY HONOR THE KNIGHTS OF COLUMBUS COUNCIL #414 ON THE OCCASION OF ITS 125<sup>TH</sup> ANNIVERSARY BY DESIGNATING APRIL 20, 2024, AS KNIGHTS OF COLUMBUS DAY. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

MS. ZANOTTI: READ THE PROCLAMATION HONORING THE KNIGHTS OF COLUMBUS COUNCIL # 414 INTO THE RECORD. RESOLUTION #24-62.

COMM. BEGICK: THANK YOU FOR YOUR SERVICE. I BELONG TO THE LIONS CLUB, WHICH IS ANOTHER SERVICE AGENCY AND WE ALL WORK TOGETHER TO HELP THE COMMUNITY.

MR. BARCIA: WE APPRECIATE ALL THE KNIGHTS OF COLUMBUS ORGANIZATIONS THAT WE HAVE IN THE REGION AND ESPECIALLY 414. IT'S SPECIAL BECAUSE I HAVE BEEN A GUEST THERE MANY TIMES AND WE KNOW THAT YOU'VE BEEN AN INTEGRAL PART OF OUR COMMUNITY AND APPRECIATE ALL THE GOOD WORK THAT YOU DO, SO I'M PROUD TO DESIGNATE APRIL 20 AS KNIGHTS OF COLUMBUS DAY IN BAY COUNTY TO ENCOMPASS NOT JUST 414 BUT ALL THE KNIGHTS OF COLUMBUS. YOU HAVE ENHANCED THE QUALITY OF LIFE FOR ALL OF US. CONGRATULATIONS ON 125 YEARS.

MR. COVALESKI: I WOULD LIKE TO THANK EVERYONE HERE. THIS MEANS A LOT TO US. I AM THE GRAND KNIGHT OF OUR COUNCIL. WE CERTAINLY HAVE PUT A LOT OF OUR BLOOD SWEAT AND TEARS INTO THIS. WE SUPPORT LOTS OF THINGS IN THE COMMUNITY AND NOT JUST OUR CHURCH. CAMP FISH TALES AND THE FOOD PANTRIES AND JUST ALL SORTS OF STUFF. WE DO A LOT AND WE ARE JUST EXCITED FOR WHAT WE DO. WE HOPE TO CONTINUE FOR ANOTHER 125 YEARS. THANK YOU!

MOTION 29: COMM. POIRIER MOVED TO RECEIVE THE BAY COUNTY DRAIN COMMISSIONER'S 2023 ANNUAL REPORT. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

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

#### **COMMITTEE OF THE WHOLE – APRIL 2, 2024 (TIM BANASZAK, CHAIR; KAYSEY L. RADTKE, VICE CHAIR)**

RES. 2024-42: COMM. BANASZAK MOVED TO ADOPT RES. 2024-42; THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED THE ELECTRONIC SUBMITTAL OF THE 2024-2025 MICHIGAN INDIGENT DEFENSE COMMISSION (MIDC) APPLICATION FOR GRANT RENEWAL. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-43: COMM. BANASZAK MOVED TO ADOPT RES. 2024-43; THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED TO EXECUTE THE COMMUNITY CORRECTIONS GRANT DOCUMENTS AND SUBMIT INCLUDING ELECTRONICALLY (IF REQUIRED) THE GRANT APPLICATION DOCUMENTS AND GRANT AWARD DOCUMENTS IF CONSISTENT WITH THE APPROVED APPLICATION REQUEST ON BEHALF OF BAY COUNTY FOLLOWING LEGAL REVIEW/APPROVAL. THE GRANT WAS \$166,264 AND IT IS EXPECTED TO BE AROUND THE SAME AMOUNT FOR FY2025. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-44: COMM. BANASZAK MOVED TO ADOPT RES. 2024-44; THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED THE BAY COUNTY COMMUNITY CORRECTIONS TO ENTER INTO THE FOLLOWING 2025 SERVICE AGREEMENTS WITH THE SERVICE

PROVIDERS: NON-CORE SERVICE AND OMSP INPATIENT AGREEMENT WITH SMB PROBATION CENTER, SUBSTANCE ABUSE EVALUATIONS AGREEMENT WITH SACRED HEART, OUTPATIENT SUBSTANCE ABUSE TREATMENT AGREEMENT WITH SACRED HEART, AGREEMENT FOR EDUCATION/RESTAURANT - READY SERVICES PROVIDED BY EDUCATION TRAINING CONNECTIONS, AND MEMORANDUM OF UNDERSTANDING FOR ETHICS IN PARENTING WITH DR. KIRK WOLF. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY VOICE VOTE: 5 YEAS, 0 NAYS, 2 EXCUSED.

RES. 2024-45: COMM. BANASZAK MOVED TO ADOPT RES. 2024-45; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) MOU AND AUTHORIZED THE CHAIRMAN OF THE BOARD TO EXECUTE SAID MOU. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-46: COMM. BANASZAK MOVED TO ADOPT RES. 2024-46; THE BAY COUNTY BOARD OF COMMISSIONERS ACCEPTED FUNDS FROM THE REGION VII AREA AGENCY ON AGING, IN THE AMOUNT OF \$12,856, FOR PREMIUM PAY FOR DIRECT CARE WORKERS WHO PROVIDE HOMEMAKING AND PERSONAL CARE SERVICES FOR THE DEPARTMENT ON AGING CLIENTS. IT WAS SUPPORTED BY COMM. RADTKE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-47: COMM. BANASZAK MOVED TO ADOPT RES. 2024-47; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE MOU FOR THE SENIOR PROJECT FRESH/MARKET FRESH PROGRAM BETWEEN THE BAY COUNTY DEPARTMENT ON AGING AND THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES AGING AND ADULT SERVICES AGENCY. IT WAS SUPPORTED BY COMM. POIRIER AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-48: COMM. BANASZAK MOVED TO ADOPT RES. 2024-48; THE BAY COUNTY BOARD OF COMMISSIONERS AUTHORIZED AN APPROPRIATION OF \$2,500 TO THE BAY CITY CHAPTER 513 OF THE MILITARY ORDER OF THE PURPLE HEART FOR THE BIENNIAL 2024 CONVENTION TO BE HELD AT THE DOUBLETREE IN BAY CITY, MICHIGAN FROM MAY 29, 2024, TO MAY 31, 2024. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

COMM. BEGICK: THIS IS A CONVENTION THEY HAVE PERIODICALLY AND WE HAVE THE FUNDING FOR THIS IN THE BUDGET.



- RES. 2024-49: COMM. BANASZAK MOVED TO ADOPT RES. 2024-49; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE FOLLOWING REVISION TO THE 2024 BAY COUNTY FEE SCHEDULE: YOUTH ON COURSE (YOC) FOR GOLFERS 18 YEARS OF AGE OR YOUNGER WITH AN ACTIVE YOC MEMBERSHIP WILL PAY \$5 FOR A 9-HOLE ROUND OF GOLF. THE YOC PROGRAM WILL REIMBURSE BAY COUNTY \$4 PER ROUND RECORDED. IT WAS SUPPORTED BY COMM. RADTKE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.
- RES. 2024-50: COMM. BANASZAK MOVED TO ADOPT RES. 2024-50; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE BUDGET ADJUSTMENT FOR THE PEOPLE-DRIVEN SOFTWARE FOR THE SELF-SERVICE SUBSCRIPTION AND THE MFA ADD-ON NEEDED FOR DUO SECURITY FOR THE ADDITIONAL AMOUNT OF \$3,156 FROM THE GENERAL FUND. IT WAS SUPPORTED BY COMM. POIRIER AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.
- RES. 2024-51: COMM. BANASZAK MOVED TO ADOPT RES. 2024-51; THE BAY COUNTY BOARD OF COMMISSIONERS RECEIVED THE NOTIFICATION OF INTENT TO AWARD REQUEST FOR PROPOSAL (RFP) 2023-18, HEALTH DEPARTMENT ELECTRONIC HEALTH RECORDS SOFTWARE TO PATAGONIA HEALTH. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.
- RES. 2024-52: COMM. BANASZAK MOVED TO ADOPT RES. 2024-52; THE BAY COUNTY BOARD OF COMMISSIONERS RECEIVED THE NOTIFICATION OF INTENT TO AWARD REQUEST FOR PROPOSAL (RFP) 2023-19 TO DYNAMIC SPORTS CONSTRUCTION'S ALTERNATIVE BID FOR BAY COUNTY COMMUNITY CENTER GYM FLOOR REPLACEMENT. IT WAS SUPPORTED BY COMM. RADTKE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.
- COMM. BEGICK: I PLAYED ON THE GYM FLOOR. IT WAS A VERY OLD GYM FLOOR AND A VERY SLIPPERY GYM FLOOR.
- MS. GIGNAC: IT IS NOW A MULTIPURPOSE FLOOR SO YOU WILL STILL BE ABLE TO PLAY SPORTS BUT ALSO HAVE BABY SHOWERS AND OTHER STUFF.
- RES. 2024-53: COMM. BANASZAK MOVED TO ADOPT RES. 2024-53; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE CLAIMS AGAINST THE COUNTY FOR MARCH. IT WAS SUPPORTED BY COMM.

POIRIER AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

**COMMITTEE OF THE WHOLE – APRIL 9, 2024 (TIM BANASZAK, CHAIR; KAYSEY L. RADTKE, VICE CHAIR)**

RES. 2024-54: COMM. BANASZAK MOVED TO ADOPT RES. 2024-54; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE USE OF THE BAY COUNTY FAIRGROUNDS FOR THE 2024 DATES OUTLINED IN THIS RESOLUTION (SEE RESOLUTION) CONTINGENT UPON COMPLIANCE WITH ALL REQUIREMENTS OUTLINED IN THE FAIR BOARD LEASE. BE IT FURTHER THE BOARD APPROVED THE IMPROVEMENT PROJECTS OUTLINED IN THIS RESOLUTION (SEE RESOLUTION) ALL IMPROVEMENTS MADE ARE TO BE COVERED BY A WRITTEN CONTRACT FIRST REVIEWED AND APPROVED BY BAY COUNTY CORPORATION COUNSEL. BE IT FINALLY THE BAY COUNTY FAIR AND YOUTH EXPOSITION BOARD IS AUTHORIZED TO MAKE APPLICATIONS FOR AVAILABLE GRANT FUNDING THROUGH THE MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT AS WELL AS THE GERSTACKER FOUNDATION AND WHEN APPLICATIONS AND AWARDS ARE SECURED, THEY WILL BE BROUGHT BACK TO THE BOARD FOR FINAL APPROVAL. IT WAS SUPPORTED BY COMM. POIRIER AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

MS. BRANDT: THE BAY COUNTY FAIR IS AUGUST 6<sup>TH</sup> THROUGH THE 10<sup>TH</sup>. WE ARE HAVING SOME NEW THINGS AND WE ARE BRINGING BACK SOME THINGS. WE ARE BRINGING BACK WRESTLING BECAUSE THAT WAS A BIG HIT LAST YEAR. WE WILL STILL HAVE DIRT DRAGS, BUMP AND GRIND, AND FIGURE EIGHT THIS YEAR. WE ARE GOING TO HAVE A FREE SAND ART EVENT. THEY ARE GOING TO COME AND BUILD SAND SCULPTURES.

RES. 2024-55: COMM. BANASZAK MOVED TO ADOPT RES. 2024-55; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE PURCHASE OF THE UPGRADE FOR CELLEBRITE TOUCH2 AND THE DIGITAL DOWNLOAD DEVICE. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-56: COMM. BANASZAK MOVED TO ADOPT RES. 2024-56; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE INMATE ADMINISTRATIVE SERVICES CONTRACT (ASC) BETWEEN BAY COUNTY (SHERIFF DEPARTMENT) AND BLUE CROSS BLUE SHIELD

FOR THE PERIOD OF MAY 2024 TO APRIL 2025. IT WAS SUPPORTED BY COMM. POIRIER AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-57: COMM. BANASZAK MOVED TO ADOPT RES. 2024-57; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE VERTIV MAINTENANCE AGREEMENT IN THE AMOUNT OF \$2,070 FOR THE 9-1-1 CENTRAL DISPATCH. IT WAS SUPPORTED BY COMM. HEREK AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-58: COMM. BANASZAK MOVED TO ADOPT RES. 2024-58; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED HIRING THE QUALIFIED CANDIDATE FOR THE BAY COUNTY JUVENILE HOME SUPERVISOR POSITION AT THE 2-YEAR RATE OF \$55,390.40 PER YEAR (MB07). IT WAS SUPPORTED BY COMM. RADTKE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

COMM. BEGICK: I SEE YOU HAVE HAD SOME POSITIONS OPEN UP SO YOU ARE NOT FULLY STAFFED THEN.

MS. REYNOLDS: NO, WE ARE NOT. THE STATE OF MICHIGAN LIKES TO TAKE MY EMPLOYEES. WE DO HAVE A SUPERVISOR POSITION AVAILABLE FOR AN INTERNAL CANDIDATE WHO HAS EXPERIENCE. THEY ARE VERY GOOD IN CRISIS SITUATIONS. WITH THAT EXPERIENCE WE REQUESTED TO HAVE THE HIGHER PAY.

RES. 2024-59: COMM. BANASZAK MOVED TO ADOPT RES. 2024-59; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE 2025 BUDGET SCHEDULE AND CALENDAR. (SEE THE RESOLUTION FOR THE BUDGET AND CALENDAR) IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

**BOARD OF COMMISSIONERS (VAUGHN J. BEGICK, CHAIR;  
THOMAS M. HEREK, VICE CHAIR)**

RES. 2024-60: COMM. HEREK MOVED TO ADOPT RES. 2024-60; THE BAY COUNTY BOARD OF COMMISSIONERS RECEIVED THE EMPLOYMENT STATUS REPORT FOR MARCH 2024. IT WAS SUPPORTED BY COMM. RADTKE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

RES. 2024-61: COMM. HEREK MOVED TO ADOPT RES. 2024-61; THE BAY COUNTY BOARD OF COMMISSIONERS APPROVED THE BAY COUNTY EQUALIZATION REPORT FOR 2024 AND THE CHAIRMAN OF THE

BOARD IS AUTHORIZED TO EXECUTE REQUIRED DOCUMENTS RELATED TO THE 2024 EQUALIZATION REPORT. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

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

### **COUNTY EXECUTIVE, JIM BARCIA**

MR. BARCIA: WE HAVE HAD SEVEN CORPORATIONS SUBMIT RFPs FOR THE NEW BAY COUNTY HEALTH SERVICES CENTER. WE WILL BE GOING THROUGH THAT PROCESS AND SELECTING A QUALIFIED CONTRACTOR. ALL THE RESPONSES THAT WERE SUBMITTED WERE EXCELLENT.

### **COMMISSIONER COMMENTS**

COMM. BÉGICK: WE ARE PLANNING ON A PRESENTATION AT THE MAY 14<sup>TH</sup> MEETING ON THE POOL FEASIBILITY STUDY.

### **UNFINISHED BUSINESS**

THERE WAS NO UNFINISHED BUSINESS.

### **NEW BUSINESS**

THERE WAS NO NEW BUSINESS.

### **PUBLIC INPUT**

DR. MORRONE: THIS COMMISSION REQUESTED A COMMUNITY ASSESSMENT ON OPIOID USE. IT WAS PUT TOGETHER BY THE BAY COUNTY HEALTH DEPARTMENT. I HAVE HAD A CHANCE TO REVIEW IT WITH THE TREATMENT AND PREVENTION PROVIDERS IN THE CITY. THEY CAN'T ALL BE HERE BECAUSE OF OTHER OBLIGATIONS. SOME OF MY DISAGREEMENTS WITH THE COMMUNITY ASSESSMENT ARE: THE STRUCTURE AND FORMAT ARE FROM THE OPIOID USE ASSESSMENT FROM 2018 AND THE DATA COLLECTED IN 2017. THE FORMAT, INCLUDING THE QUESTIONS, ARE 8 YEARS OLD. MY SECOND COMMENT IS THAT THE REPORT BASED ON THIS 8-YEAR DIFFERENCE LOOKS AT HEROIN AND WE ARE TALKING ABOUT FENTANYL. MY THIRD COMMENT IS IT TALKS ABOUT ESPERT AND PROJECT ASSERT IN OUR PREVENTION EFFORTS AND EVIDENCE-BASED STUDIES PROJECT ASSERT AND ESPERT HAVE ONLY BEEN

VALID IN ALCOHOL RECOVERY. THEY HAVE NEVER BEEN VALIDATED IN OPIOID RECOVERY. DAVID FROM THE HEALTH DEPARTMENT, WHO PUT THE STUDY TOGETHER, HAD A VERY TRANSPARENT HEART. HE PUSHED ALL OF US TO FEEL LIKE WE WERE PART OF THE PROBLEM AND THE TREATMENT PROVIDERS WERE NOT COLLABORATING. HOWEVER, WE TALK TO EACH OTHER OVER DINNER, ON THE PHONE, OR IN OTHER WAYS. I SEE DAVID STOPPED THE OPIOID DATA IN 2021 AND I GAVE HIM A CHART SHOWING THAT WE HAD IMPROVEMENTS WITH TREATMENTS. HE CANCELED OR CENSORED SOME OF THE DATA THAT I OFFERED HIM. THE TREATMENT AND PREVENTION WORLD TALKS ABOUT TREATMENT AND PREVENTION BECAUSE THE GOVERNMENT EFFORTS SAY THAT 80% OF THE MONEY SHOULD GO TO TREATMENT AND PREVENTION. TREATMENT HAS TO PAY MALPRACTICE; TREATMENT HAS TO PAY SALARY AND A LOT OF PREVENTION EFFORTS ARE MUCH LOWER IN COST SO THEY'RE LESS, AND HIS EFFORT TO SAY THAT PRIMARY TREATMENT OR PRIMARY PREVENTION IS PREVENTION AND SECONDARY PREVENTION IS TREATMENT, I THINK, IS VERY MISLEADING BASED ON A CLINICAL PERSPECTIVE. I ALSO WILL CLOSE WITH THIS REMARK: THE BRONX CLINICAL ASSESSMENT THAT WAS PUT OUT THERE WAS DONE FOR LAW ENFORCEMENT, BUT THERE WERE THREE PHYSICIAN PARTICIPANTS - NOT ANONYMOUS QUESTIONS TO PEOPLE IN AGENCIES BUT PHYSICIANS THAT HELPED GUIDE IT, AND THERE WERE NO PHYSICIANS THAT HELPED GUIDE THE DATA OR THE RECOMMENDATIONS. IF YOU ARE GOING TO USE ANY TOOLS, I ASK THAT YOU CONSIDER MY COMMENTS ABOUT THE OPIOID ASSESSMENT BASED ON THE BRONX MODEL THAT WAS USED, THE AGE OF THE MODEL, AND THE LACK OF ACTUAL PHYSICIAN GUIDANCE OF THE DATA.

COMM. BEGICK: THERE IS ANOTHER ASSESSMENT COMING OUT. THERE WAS A QUESTIONNAIRE RECENTLY SO I AM WAITING TO SEE WHAT IS SAID COMPARED TO WHAT WE HAVE, AND THAT WOULD BE MORE CURRENT. THE CURRENT ONE THAT THEY'RE DOING AND WE WILL EVALUATE WILL BE FROM THE MICHIGAN ASSOCIATION OF COUNTIES. THEY ARE AFFILIATED WITH U OF M AND MSU-THERE IS A WHOLE GROUP COLLABORATION.

MR. BARCIA: THE MORE INPUT WE CAN RECEIVE THE BETTER WHETHER IT IS FROM MAC OR OUR HEALTH SERVICES. YOU AND I HAVE HAD A DISCUSSION ON THE EFFICACY OF THE DARE PROGRAM AND HOW IT HAD A TEMPORARY EFFECT. SOME OF THE DISCUSSION IS

WHETHER WE SHOULD PUT RESOURCES INTO THE SCHOOLS AND AT WHAT AGE OR GRADE LEVEL.

DR. MORRONE: THE SPECIFIC DATA FROM THE UNIVERSITIES OF ILLINOIS AND KENTUCKY SHOWED THAT THE 10-YEAR FOLLOW-UP FOR DRUG USE HAD A NEGLIGIBLE EFFECT AND THE UNIVERSITY OF ILLINOIS STUDY SHOWED THAT EXPOSURE TO DRUG INFORMATION INCREASED DRUG USE IN DARE PARTICIPANTS.

**MISCELLANEOUS**

NONE

**ANNOUNCEMENTS**

COMM. BEGICK: MONITOR TOWNSHIP IS HOLDING AN INFORMATIONAL OPEN HOUSE TONIGHT FROM 6:00 PM TO 9:00 PM. IT IS A DROP-IN TYPE THING, NOT A FORMAL MEETING.

2024 APPOINTMENTS

**JUNE**

LIBRARY BOARD (ONE, 5-YEAR TERM: P. TRAVIS)

**OCTOBER**

LAND BANK AUTHORITY (ONE, 3-YEAR TERM EXPIRING: T. HICKNER)

BAY COUNTY DEPARTMENT OF HUMAN SERVICES (ONE, AT-LARGE, 3-YEAR TERM: R. AUMOCK – GOVERNOR'S APPOINTMENT)

**DECEMBER**

BAY COUNTY VETERAN'S AFFAIRS COMMITTEE (ONE, 4-YEAR TERM: T. ECKSTEIN)

DEPARTMENT ON AGING ADVISORY COMMITTEE (FOUR, 2-YEAR TERMS EXPIRING: DISTRICTS 2,4, & 6 AND ONE AT-LARGE.

**CLOSED SESSION**

THERE WAS NO NEED FOR A CLOSED SESSION.

**RECESS/ADJOURNMENT**

MOTION 30: COMM. POIRIER MOVED TO ADJOURN THE REGULAR BOARD SESSION OF APRIL 16, 2024. THE MEETING CONCLUDED AT 4:34

P.M. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY  
VOICE VOTE: 7 YEAS, 0 NAYS, 0 EXCUSED.

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VAUGHN BEGICK, CHAIRMAN  
BOARD OF COMMISSIONERS  
BAY COUNTY MICHIGAN

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KATHLEEN ZANOTTI  
BAY COUNTY CLERK  
BAY COUNTY MICHIGAN

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LISA DAVIS  
SECRETARY TO THE CLERK  
BAY COUNTY MICHIGAN