

**WAYS AND MEANS PERSONNEL/HUMAN SERVICES
COMMITTEE OF THE WHOLE
AGENDA**

TUESDAY, SEPTEMBER 10, 2024

4:00 PM

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. CHANGES TO AGENDA**
- V. APPROVAL OF AGENDA**
- VI. MINUTES**
- VII. PUBLIC INPUT**
- VIII. PETITIONS AND COMMUNICATIONS**
 - A. (4:00 P.M.) Presentation: Phil Eich Re: Quarterly Report for Hey, Bay City! (Receive)**
 - 1-3 B. Equalization Director – L-4029 2024 Tax Rate Request (Seeking authorization for Board Chair and County Clerk to sign form – proposed resolution attached)**
 - 4-5 C. Bay County Fair Board – Date Requests for 2025 (Seeking Board approval for the use of Bay County Fairgrounds for the 2025 dates as outlined in resolution – proposed resolution attached)**
 - 6-7 D. Recreation & Facilities Director – Lease Agreement with Mid-Michigan Hockey Development Program (MMDHP) (Seeking Board approval of Lease Agreement; authorization for Board Chair to sign; approval of required budget adjustments – proposed resolution attached)**
 - E. Finance Officer**
 - 8-10 1. Waiver of Ordinance Amendment Process – Bay County Ordinance No. 28, Budget Stabilization Fund (Seeking Board, for the sake of expediency and pursuant to Article XXI(1) of the Board Rules, suspend, waive and bypass the requirements of**

Article XIII of the Board Rules of the Bay County Board of Commissioners, and allow the adoption of an Amendment to Bay County Ordinance No. 28, Budget Stabilization Fund, Section 3.004, Limitations on Fund, by majority vote to reduce the maximum reserve for a long term advance to the budget stabilization fund from 20% to 15%. – proposed resolution attached)

- 11-12 **2. Amendment to Ordinance No. 28 – Budget Stabilization (Seeking Board to amend the Bay County Budget Stabilization Fund Ordinance, No. 28, Section 3.004 - Limitations on Fund; amendment to take immediate effect – proposed resolution attached)**
- 13-15 **3. Review/Adjustment - Budget Stabilization, FY Ending December 31, 2023 (Seeking Board to approve no change to Bay County’s General Fund’s committed fund balance — Budget Stabilization arrangement from the unassigned fund balance account – proposed resolution attached)**
- 16-17 **4. Animal Control Construction Short-Term Financing (Seeking Board approval for Bay County Finance Department to establish a system in which Bay County’s General Fund will advance money to the Bay County Animal Services construction project in order to complete the construction in a timely manner. As the annual millage is collected, the Animal Services Millage will then repay the General Fund for any money received with no interest or fees; approval of required budget adjustments – proposed resolution attached)**
- 18-19 **5. Land Bank Demolition and Excavation Project Short-Term Financing (Seeking Board approval for the Bay County Finance Department to establish a system in which Bay County’s General Fund will advance money to the Bay County Land Bank for the State Land Bank grant amount. As the reimbursement funds for this project are collected, the Bay County Lank Bank will then repay the General Fund for any money received with no interest or fees; approval of required budget adjustments – proposed resolution attached)**
- 20-23 **6. Information Systems: Agreement with Law Enforcement Agencies Multi-Factor Authorization (Seeking Board approval of separate Agreements; authorization for Board Chair to sign separate Agreements; approval of required budget adjustments – proposed resolution attached)**
- 24-25 **7. Information Systems: Agreement with Vertiv & Purchase of Cooling System from CDW-G (Seeking Board approval of Agreement with Vertiv; authorization to purchase cooling system from CDW-G; authorization for Board Chair to sign; approval of required budget adjustments – proposed resolution attached)**

8. information Systems: Acceptable Use Policy (Seeking Board to adopt policy – proposed resolution attached)

- IX. REFERRALS
- X. UNFINISHED BUSINESS
- XI. NEW BUSINESS
- XII. CLOSED SESSION (WHEN REQUIRED)
- XIII. MISCELLANEOUS
- XIV. ANNOUNCEMENTS
- XV. 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@baycountymi.gov).

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
EQUALIZATION DEPARTMENT**

James A. Barcia
County Executive

Keegan Bengel
Director
bengelk@baycountymi.gov

To: Bay County Board of Commissioners
From: Keegan Bengel, Equalization Director
Date: September 10, 2024
RE: 2024 L-4029 (Tax Rate Request)

The 2024 Tax Rate Request (L-4029) is a state required form completed to certify that the tax rates (millages) have been reduced, if necessary, to comply with the state constitution. (Columns 6 and 8 have a "Headlee" millage reduction fraction of 1.0000 and a Truth in Assessing/Equalization Millage reduction fraction of 1.0000.)

It also authorizes the levy of the listed tax rates on the 2024 tax roll.

- Financial officer of each unit of local government computes tax rates in accordance with MCL 211.34d and 211.34 MCL and governing body certifies that rates comply with Section 31, Article 9, of 1963 Constitution and MCL 211.24e, Truth in Taxation, on STC form L-4029 on or before September 30.

If there are any changes made to the authorized millages after September 30th, 2024, this form may need to be revised.

Thank you.

Keegan Bengel
Equalization Director

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)

WHEREAS, The 2024 Tax Rate Request (L-4029) is a state required form completed to certify that the tax rates (millages) have been reduced, if necessary, to comply with the state constitution; and

WHEREAS, Columns 6 and 8 have a "Headlee" millage reduction fraction of 1.0000 and a Truth in Assessing/Equalization Millage reduction fraction of 1.0000; and

WHEREAS, The form also authorizes the levy of the listed tax rates on the 2024 tax roll; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that authorization is granted for the Board Chairman and County Clerk to sign the attached 2024 Tax Rate Request form (L-4029) on behalf of Bay County.

TIM BANASZAK, CHAIR
AND COMMITTEE

Equalization – 4029 Form - 2024

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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 ___

L-4029

2024 Tax Rate Request (This form must be completed and submitted on or before September 30, 2024)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory. Penalty applies.

Carefully read the instructions on page 2.

County(ies) Where the Local Government Unit Levies Taxes: **Bay County**

2024 Taxable Value of ALL Properties in the Unit as of 5-28-2024: **3,539,466,538**

For LOCAL School District: 2023 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties: **3,539,466,538**

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2024 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5)** 2023 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2024 Current Year "Headlee" Millage Reduction Fraction	(7) 2024 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy*	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Fixed	Operation	08-1986	6.0000	5.7078	1.0000	5.7078	1.0000	5.7078	5.7078		Frozen
Extra Voted	Library	11-2020	1.7500	1.7445	1.0000	1.7445	1.0000	1.7445	1.7445	1.7445	12-2025
Extra Voted	Senior Citizen Medical Care Facility	11-2022	0.8500	0.8500	1.0000	0.8500	1.0000	0.8500	0.8500	0.8500	12-2027
Extra Voted	Historical Preservation 9117County	11-2022	0.7500	0.7476	1.0000	0.7476	1.0000	0.7476	0.7476	0.7476	12-2028
Extra Voted	Dispatch	11-2014	0.1000	0.0948	1.0000	0.0948	1.0000	0.0948	0.0948	0.0948	12-2033
Extra Voted	Dispatch	11-2022	1.0500	1.0500	1.0000	1.0500	1.0000	1.0500	1.0500	1.0500	12-2027
Act 214	Veterans Forest Sustain.	N/A	0.1000	0.0996	1.0000	0.0996	1.0000	0.0996	0.0996	0.0996	12-2024
Extra Voted	Medical Care Facility	11-2022	0.1000	0.0996	1.0000	0.0996	1.0000	0.0996	0.0996	0.0996	12-2027
Extra Voted	Animal Service	11-2020	1.0000	0.9969	1.0000	0.9969	1.0000	0.9969	0.9969	0.9969	12-2029
Extra Voted	Animal Service	11-2022	0.7000	0.7000	1.0000	0.7000	1.0000	0.7000	0.7000	0.7000	12-2027

Prepared by: **Keegan Bengel** Telephone Number: **989-895-4075** Title of Preparer: **Equalization Director** Date: **08/26/2024**

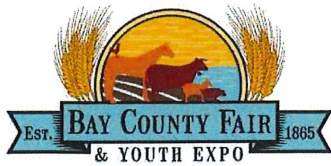
CERTIFICATION: As the representative for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

<input checked="" type="checkbox"/> Clerk	Signature	Type Name	Date
<input type="checkbox"/> Secretary			
<input checked="" type="checkbox"/> Chairperson	Kathleen Zanotti	Kathleen Zanotti	
<input type="checkbox"/> President			
	Signature	Type Name	Date
	Vaughn Begick	Vaughn Begick	

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

** **IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 2 of 2024 for instructions on completing this section.	Rate
Total School District Operating Rates to be Levied (HI/Supp and NH Oper ONLY)	
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	



800 Livingston Street
PO Box 633
Bay City, MI 48707
989-895-3744
mibaycountyfair@gmail.com
www.baycountyfair.com

TO: Mr. Tim Banaszak, Chair
Committee of the Whole
Bay County Board of Commissioners
515 Center Ave
Bay City MI 48708

FROM: Mary Jo Brandt, President, Board of Directors

DATE: August 29, 2024

SUBJECT: Committee As A Whole, September 10, 2024 Request

Per Section (2) of the Rental Agreement for Bay County Fairgrounds, The Bay County Fair and Youth Exposition Board of Directors would like to request approval for the following dates of usage at the Bay County Fairgrounds:

Livestock & Horse Barns and Arenas, Camping, Bathrooms & Showers, Grounds, Grandstands and Racetrack: July 19 – August 9, 2025. These dates are one week prior and one week after the Bay County Fair & Youth Exposition.

The Bay County Fair & Youth Exposition will be held Tuesday, July 29 – Saturday, August 2, 2025.

Canteen and Merchants Buildings: Friday, July 25 – Sunday, August 3, 2025.

There will be various additional dates for horse shows and races, in which we will coordinate with Beth Trahn, Bay County Community Center as soon as those 2025 events are finalized.

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)
WHEREAS, Per Section (2) of the Rental Agreement for Bay County Fairgrounds, the Bay County Fair and Youth Exposition Board of Directors would like to request approval for the following dates of usage at the Bay County Fairgrounds:

1. Livestock & Horse Barns and Arenas, Camping, Bathrooms & Showers, Grounds, Grandstands and Racetrack: July 19 – August 9, 2025. (These dates are one week prior and one week after the Bay County Fair & Youth Exposition)
2. The Bay County Fair & Youth Exposition is to be held Tuesday, July 29 – Saturday, August 2, 2025.
3. Canteen and Merchants Buildings: Friday, July 25 – Sunday, August 3, 2025

WHEREAS, There will be various additional dates for horse shows and races, the Bay County Fair and Youth Exposition Board of Directors will coordinate with the Recreation Coordinator at the Bay County Community Center as soon as those 2025 events are finalized; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the use of the Bay County Fairgrounds for the 2025 dates outlined above contingent upon compliance with all requirements outlined in the Fair Board Lease.

TIM BANASZAK, CHAIR
 AND COMMITTEE

Fair Board – Bay County Fairgrounds Date Requests for 2025

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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 ___

RECREATION & FACILITIES

CRISTEN GIGNAC, DIRECTOR

gignacc@baycounty.net

Jon Morse, Buildings & Grounds Supervisor

morsej@baycounty.net

Brad Moses, Civic Arena Manager

mosesb@baycounty.net

Daniel Neering, Recreation Manager

neeringd@baycounty.net

Dan Tomczak, Pinconning Park Manager

tomczakd@baycounty.net

Beth Trahan, Recreation Coordinator

trahanb@baycounty.net



BAY COUNTY

JAMES A. BARCIA
County Executive

Tel: (989) 895-4132

Fax: (989) 895-2094

To: Tim Banaszak, Chairman of the Committee of the Whole

From: Cristen Gignac, Director of Recreation & Facilities

Date: August 29, 2024

Subject: Civic Arena Lease of Space to MMDHP

Request: To gain approval to lease space to the Mid Michigan Hockey Development Program for a three-year term at the Bay County Civic Arena.

Background: In 2020, Bay County agreed to lease Civic Arena space to the Mid Michigan Hockey Development Program. Having a program of this nature within our Civic Arena walls has been, and will continue to be, beneficial in the long term for development of skaters that call our arena home. I am requesting another 3-year lease with Mid-Michigan Hockey for a monthly fee of \$275 per month for the leased space plus a minimum of 80 hours of ice rental at the Board Approved rate per year.

Economics: n/a

Recommendation: It is recommended that the Board authorize the board chairman to sign agreements to lease space at the Bay County Civic Arena to the Mid Michigan Hockey Development Program for a term of three years.

Cc: Jim Barcia, Finance, Civic Arena, Corporation Counsel

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

- BY:** COMMITTEE OF THE WHOLE (9/10/24)
- WHEREAS,** In 2020, Bay County agreed to lease Civic Arena space to the Mid-Michigan Hockey Development Program (MMDHP); and
- WHEREAS,** The ability to lease space to Mid-Michigan Hockey for a three-year term at the Civic Arena for a hockey development program will be beneficial in the long term for the development of skaters that call the Civic Arena home;
- WHEREAS,** Mid-Michigan Hockey would like to rent the space for a monthly fee of \$275 per month for the leased space as well as a minimum of 80 hours of ice rental at the Board approved rate; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners approves a Lease Agreement with Mid-Michigan Hockey Development Program (MMDHP) to rent the space at the Bay County Civic Arena for a monthly fee of \$275, as well as agree to a minimum of 80 hours of ice rental at the Board approved rate for a three-year term; Be It Further
- RESOLVED** That the Chairman of the Board is authorized to execute said Lease Agreement and related documents 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

Civic Arena - Lease Agreement with Mid-Michigan Hockey Development Program (MMDHP)

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
TIM BANASZAK				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

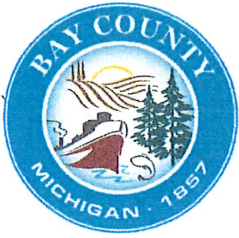
VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: YEAS ___ NAYS ___ EXCUSED ___

DISPOSITION: ADOPTED ___ DEFEATED ___ WITHDRAWN ___

AMENDED ___ CORRECTED ___ REFERRED ___ NO ACTION TAKEN ___



**BAY COUNTY
FINANCE DEPARTMENT**

James A. Barcia
County Executive


Shawna S. Walraven
Finance Officer
walravens@baycountymi.gov

Kimberly A. Priessnitz
Assistant Finance Officer
priessnitzk@baycountymi.gov

Frances A. Moore
Purchasing
moorefa@baycountymi.gov

Julie A. O'Malley
Information Systems Manager
omalleyj@baycountymi.gov

TO: Tim Banaszak, Chairperson
Ways and Means Committee

FROM: Shawna S. Walraven, Finance Officer 

DATE: September 3, 2024

RE: Bay County Ordinance No. 28 – Budget Stabilization

REQUEST:

To amend Bay County Ordinance No. 28 - Budget Stabilization changing the 20% maximum reserve requirement to 15%.

BACKGROUND:

Article XIII of the Board Rules of the Bay County Board of Commissioners outlines a process for consideration of ordinance and ordinance amendments, which requires at least three (3) successive full Board meetings. The process is as follows:

1. The sponsoring committee considers an ordinance or amendment and refers it to the full board;
2. The Board rejects or considers the amendment, a public hearing must be held but not until the NEXT Board Meeting (must be convened after 13 days) after publication of proper notice;
3. If the Board conducts a public hearing, no Board action on the ordinance or amendment may be taken, only public input is heard and, if any input, those comments are referred back to the sponsoring committee and legal counsel for consideration;
4. At the next Board meeting, following publication of proper notice, the Board may vote for final passage of the proposed ordinance or amendment by majority vote.

An alternative process is also provided for in Article XXI(1) of the Board Rules whereby the Board can elect to suspend Article XIII by a 2/3rds majority vote, bypass the requirements (1 through 4 above) and vote on the Ordinance or Ordinance Amendment before them.

ECONOMICS:

There are no known issues related to this request at this time.

RECOMMENDATION:

That the Bay County Board of Commissioners, for the sake of expediency and pursuant Article XXI(1) of the Board Rules, suspend, waive and bypass the requirements of Article XIII of the Board Rules of the Bay County Board of Commissioners, and allow the adoption of an Amendment to Bay County Ordinance No. 28, Budget Stabilization Fund, Section 3.004, Limitations on Fund, by majority vote to reduce the maximum reserve for a long term advance to the budget stabilization fund from 20% to 15%.

cc: Jim Barcia, County Executive
Kim Priessnitz, Assistant Finance Officer
Amber Johnson, Corporation Counsel
Lindsey Arsenault, Board Coordinator

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)
WHEREAS, Article XIII of the Board Rules of the Bay County Board of Commissioners outlines a process for consideration of ordinance and ordinance amendments, which requires at least three (3) successive full Board meetings. The process is as follows:

1. The sponsoring committee considers an ordinance or amendment and refers it to the full board;
2. The Board rejects or considers the amendment, a public hearing must be held but not until the NEXT Board Meeting (must be convened after 13 days) after publication of proper notice;
3. If the Board conducts a public hearing, no Board action on the ordinance or amendment may be taken, only public input is heard and, if any input, those comments are referred back to the sponsoring committee and legal counsel for consideration;
4. At the next Board meeting, following publication of proper notice, the Board may vote for final passage of the proposed ordinance or amendment by majority vote.

WHEREAS, An alternative process is also provided for in Article XXI(1) of the Board Rules whereby the Board can elect to suspend Article XIII by a 2/3rds majority vote, bypass the requirements (1 through 4 above) and vote on the Ordinance or Ordinance Amendment before them; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners, for the sake of expediency and pursuant to Article XXI(1) of the Board Rules, suspend, waive and bypass the requirements of Article XIII of the Board Rules of the Bay County Board of Commissioners, and allow the adoption of an Amendment to Bay County Ordinance No. 28, Budget Stabilization Fund, Section 3.004, Limitations on Fund, by majority vote to reduce the maximum reserve for a long term advance to the budget stabilization fund from 20% to 15%.

TIM BANASZAK, CHAIR
 AND COMMITTEE

Waiver of Ordinance Amendment Process – Bay County Ordinance No. 28, Budget Stabilization Fund

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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
FINANCE DEPARTMENT**

James A. Barcia
County Executive

Shawna S. Walraven
Finance Officer
walravens@baycountymi.gov

Kimberly A. Priessnitz
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priessnitzk@baycountymi.gov

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moorefa@baycountymi.gov

Julie A. O'Malley
Information Systems Manager
omalleyj@baycountymi.gov

TO: Tim Banaszak, Chairperson
Ways and Means Committee

FROM: Shawna S. Walraven, Finance Officer

DATE: September 3, 2024

RE: Bay County Ordinance No. 28 – Budget Stabilization

REQUEST:

To amend Bay County Ordinance No. 28 - Budget Stabilization changing the 20% maximum reserve requirement to 15%.

BACKGROUND:

After review of the County's financial standing, it makes fiscal sense to lower the maximum reserve required for budget stabilization from 20% to 15%.

ECONOMICS:

There are no known issues related to this request at this time.

RECOMMENDATION:

Request the Board approve an amendment to Ordinance 28, Section 3.004, "Limitations on Fund," as amended August 9, 2016, to read as follows:

3.004 – Limitations on Fund

Sec 4. The amount of money in the fund shall not exceed either fifteen percent (15%) of the County's most recent General Fund budget, as originally adopted, or fifteen percent (15%) of the average of the County's five most recent General Fund budgets, as amended, whichever is less.

cc: Jim Barcia, County Executive
Kim Priessnitz, Assistant Finance Officer
Amber Johnson, Corporation Counsel

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)

WHEREAS, After a review of Bay County's financial standing, the Bay County Finance Officer requests to lower the maximum reserve required for budget stabilization from 20% to 15%, as it makes fiscal sense; and

WHEREAS, The Bay County's Budget Stabilization Fund Ordinance, No. 28, Section 3.004, "Limitations on Fund," as amended August 9, 2016, will read as follows:

"3.004 — Limitations on Fund

Sec 4. The amount of money in the fund shall not exceed either fifteen percent (15%) of the County's most recent General Fund budget, as originally adopted, or fifteen percent (15%) of the average of the County's five most recent General Fund budgets, as amended, whichever is less".

RESOLVED That the Bay County Board of Commissioners hereby amends the Bay County Budget Stabilization Fund Ordinance, No. 28, Section 3.004 - Limitations on Fund to read as follows: "The amount of money in the fund shall not exceed either fifteen percent (15%) of the County's most recent General Fund budget, as originally adopted, or fifteen percent (15%) of the average of the County's five most recent General Fund budgets, as amended, whichever is less"; Be It Finally

RESOLVED This amendment to Bay County's Budget Stabilization Fund Ordinance, No. 28, Section 3.004 - Limitations on Funds shall take immediate effect.

TIM BANASZAK, CHAIR
AND COMMITTEE

Finance - Amendment to Ordinance No. 28 – Budget Stabilization

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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
FINANCE DEPARTMENT**

James A. Barcia
County Executive

Shawna S. Walraven
Finance Officer
walravens@baycountymi.gov

Kimberly A. Priessnitz
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Frances A. Moore
Purchasing
moorefa@baycountymi.gov

Julie A. O'Malley
Information Systems Manager
omalleyj@baycountymi.gov

TO: Tim Banaszak, Chairperson
Ways and Means Committee

FROM: Shawna S. Walraven, Finance Officer

DATE: September 3, 2024

RE: Annual Review/Adjustment Fund Balance – Budget Stabilization, Fiscal Year
Ending December 31, 2023

REQUEST:

To provide annual review/adjustment to General Fund's committed fund balance for the Budget Stabilization arrangement. Per County Ordinance No. 28, recommended to be amended September 10, 2024 and states the fund will not exceed 15% of the County's most recent General Fund budget or 15% of the average of the County's five most recent General Fund budgets, whichever is less.

BACKGROUND:

Per Bay County Ordinance No. 28, Section 3.002 Appropriations to the Fund states, "Each fiscal year the County Commission may appropriate by a resolution adopted by two-thirds of its members elected and serving, all or part of the surplus in the General Fund resulting from an excess of revenues in comparison to expenses, to the Budget Stabilization Agreement."

ECONOMICS:

For the Fiscal Year Ending December 31, 2023, Bay County ended the year with a General Fund surplus of revenue over expenditures of \$5,217,950. The current balance in the budget stabilization arrangement is \$7,344,396.88 which is 18.99% of the average of the County's five most recent General Fund budget average of \$38,660,263.20.

The amount of money reserved in the Budget Stabilization Fund will not exceed fifteen percent (15%) funding levels in future years. Bay County will treat this overpayment of 3.99% as a prepayment for future years.

RECOMMENDATION:

Request the Board approved no change to General Fund's committed fund balance – Budget Stabilization arrangement from the unassigned fund balance account.

cc: Jim Barcia, County Executive
Kim Priessnitz, Assistant Finance Officer
Amber Johnson, Corporation Counsel
Julie LaPrairie, Staff Accountant

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)

WHEREAS, To provide an annual review/adjustment to General Fund's committed fund balance for the Budget Stabilization Arrangement per County Ordinance No. 28 (recommended to be amended on September 10, 2024) states the fund will not exceed 15% of the County's most recent General Fund budget or 15% of the average of the County's five most recent General Fund budgets, whichever is less; and

WHEREAS, Per Bay County Ordinance No. 28, Section 3.002 Appropriations to the Fund states, "Each fiscal year the County Commission may appropriate by a resolution adopted by two-thirds of its members elected and serving, all or part of the surplus in the General Fund resulting from an excess of revenues in comparison to expenses, to the Budget Stabilization Agreement."; and

WHEREAS, For the Fiscal Year Ending December 31, 2023, Bay County ended the year with a General Fund surplus of revenue over expenditures of \$5,217,950. The current balance in the budget stabilization arrangement is \$7,344,396.88, which is 18.99% of the average of the County's five most recent General Fund budgets average of \$38,660,263.20; and

WHEREAS, The amount of money reserved in the Budget Stabilization Fund will not exceed fifteen percent (15%) funding levels in future years. Bay County will treat this overpayment of 3.99% as a prepayment for future years; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves no change to Bay County's General Fund's committed fund balance — Budget Stabilization arrangement from the unassigned fund balance account.

TIM BANASZAK, CHAIR
AND COMMITTEE

Finance - Review /Adjustment - Budget Stabilization, FY Ending December 31, 2023

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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
FINANCE DEPARTMENT**

James A. Barcia
County Executive

Shawna Walraven
Finance Officer
walravens@baycountymi.gov

Kimberly A. Priessnitz
Assistant Finance Officer
priessnitzk@baycountymi.gov

Frances A. Moore
Purchasing/Housing Rehab
mooref@baycountymi.gov

Julie A. O'Malley
Information Systems Manager
omalleyj@baycountymi.gov

TO: Tim Banaszak, Chairperson
Committee of the Whole

FROM: Shawna S. Walraven
Finance Officer

RE: Animal Control Construct Cash Flow Gap *SW*

DATE: August 30, 2024

REQUEST:

Consider approval for financing any cash flow gaps or delays in the Animal Services building construction project.

BACKGROUND:

County voters approved the establishment of a millage to fund construction of a new Animal Services building. Due to the collection of the millage which will take place over several years, there may be cash flow issues in paying for the construction while the mileage is being collected. In order to ensure a smooth building process, a system of advancing funds on an as needed basis would alleviate any potential cash flow problems that may arise with the collection of the millage over several budget years.

ECONOMICS:

The impact to the general fund will be temporary as when the yearly millage is collected, the money will then be repaid to the General Fund until paid in full with no interest or fees.

RECOMMENDATION:

Establish a system in which the General Fund will advance money to the Animal Services construction project in order to complete the construction in a timely manner. As the annual millage is collected, the Animal Services millage will then repay the General Fund for any money received.

cc: James A. Barcia
Shawna Walraven
Kim Priessnitz

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)

WHEREAS, Bay County voters approved the establishment of a millage to fund the construction of a new Animal Services building; and

WHEREAS, Due to the collection of the millage, which will take place over several years, there may be cash flow issues in paying for the construction while the millage is being collected; and

WHEREAS, To ensure a smooth building process, it is recommended that a system of advancing funds on an as-needed basis would alleviate any potential cash flow problems that may arise with the collection of the millage over several budget years; and

WHEREAS, The impact on the General Fund will be temporary. When the yearly millage is collected, the money will be repaid to Bay County’s General Fund until paid in full with no interest or fees; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Bay County Finance Department to establish a system in which Bay County’s General Fund will advance money to the Bay County Animal Services construction project in order to complete the construction in a timely manner. As the annual millage is collected, the Animal Services Millage will then repay the General Fund for any money received with no interest or fees; Be It Further

RESOLVED That related budget adjustments, if required, are approved

TIM BANASZAK, CHAIR
AND COMMITTEE

Finance – Animal Control Construction Short Term Financing

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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
FINANCE DEPARTMENT**

James A. Barcia
County Executive

Shawna Walraven
Finance Officer
walravens@baycountymi.gov

Kimberly A. Priessnitz
Assistant Finance Officer
priessnitzk@baycountymi.gov

Frances A. Moore
Purchasing/Housing Rehab
mooref@baycountymi.gov

Julie A. O'Malley
Information Systems Manager
omalleyj@baycountymi.gov

TO: Tim Banaszak, Chairperson
Committee of the Whole

FROM: Shawna S. Walraven
Finance Officer

RE: Land Bank Grant Cash Flow Gap *SWW*

DATE: September 3, 2024

REQUEST:

Consider approval for financing any short term cash flow gaps for the Bay County Land Bank in executing the State Land Bank grant for demolition and excavation of properties located between N. Madison Avenue and N. Jefferson Street between Columbus Avenue and 11th Street.

BACKGROUND:

The Bay County Land Bank received a \$2.1 million dollar grant from the State Land Bank to excavate property located between N. Madison Avenue and N. Jefferson Street between Columbus Avenue and 11th Street. The site currently houses the old YMCA, County Market, along with an abandoned house. Once excavated, Bay City Housing Commission will build a new residential complex on the site. This new complex will accommodate approximately 112 units of mixed use. There will be one to two bedroom apartments along with two to three bedroom townhouses.

ECONOMICS:

The impact to the General Fund will be temporary. The State Land Bank will reimburse the Bay County Land Bank, the money will then be repaid to the General Fund until paid in full with no interest or fees.

RECOMMENDATION:

Establish a system in which the General Fund will advance money to the Bay County Land Bank for the State Land Bank grant amount. As the reimbursement funds for this project are collected, the Bay County Land Bank will then repay the General Fund for any money received.

cc: James A. Barcia
Shawna Walraven
Kim Priessnitz

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)

WHEREAS, The Bay County Land Bank received a \$2.1 million dollar grant from the State Land Bank to excavate property located between N. Madison Avenue and N. Jefferson Street between Columbus Avenue and 11th Street; and

WHEREAS, The site currently houses the old YMCA, County Market, and an abandoned house. Once excavated, Bay City Housing Commission will build a new residential complex on the site. This new complex will accommodate approximately 112 units of mixed use. There will be one to two bedroom apartments along with two to three bedroom townhouses; and

WHEREAS, The Bay County Finance Officer recommends Bay County’s General Fund financing any short term cash flow gaps for the Bay County Land Bank in executing the State Land Bank grant for demolition and excavation of properties located between N. Madison Avenue and N. Jefferson Street between Columbus Avenue and 11th Street; and

WHEREAS, The impact on the General Fund will be temporary. The State Land Bank will reimburse the Bay County Land Bank; the money will then be repaid to Bay County’s General Fund until paid in full with no interest or fees; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Bay County Finance Department to establish a system in which Bay County’s General Fund will advance money to the Bay County Land Bank for the State Land Bank grant amount. As the reimbursement funds for this project are collected, the Bay County Land Bank will then repay the General Fund for any money received with no interest or fees; Be It Further

RESOLVED That related budget adjustments, if required, are approved

TIM BANASZAK, CHAIR
AND COMMITTEE

Finance – Land Bank Demolition and Excavation Project Short Term Financing

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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
FINANCE/INFORMATION SYSTEMS**

James A. Barcia
County Executive


Shawna Walraven
Finance Officer
walravens@baycountymi.gov

Kimberly A. Priessnitz
Assistant Finance Officer
priessnitzk@baycountymi.gov

Frances A. Moore
Purchasing/Housing Rehab
mooref@baycountymi.gov

Julie A. O'Malley
Information Systems Manager
omalleyj@baycountymi.gov

TO: Tim Banaszak, Chairperson
Committee of the Whole

FROM: Julie O'Malley 
Information Systems Manager

RE: Agreements for Law Enforcement Agencies Multi Factor Authorization

DATE: September 3, 2024

REQUEST:

After review by Corporation Counsel authorize the Board Chair to sign any documents relating to law enforcement agencies to use multi factor authorization to access CJIS information on the Bay County network.

BACKGROUND:

In accordance with FBI Criminal Justice Information Services (CJIS) Security Policy additional security requirements for authentication are required. The controls under Identification and Authentication in section 5.6 of the CJIS Security policy require the implementation of multifactor authentication for access to privileged and non-privileged accounts. CJIS requires law enforcement personnel to use multifactor authentication at every location, including headquarters and patrol vehicles. This means any user accessing the Bay County network to access law enforcement information regardless of using a mobile computer in a patrol vehicle or from a computer in the agency headquarters connected to the Bay County network will be required to use MFA. The new security requirements for MFA are auditable after October 1, 2024. The interlocal agreements with agencies will take time to implement with each agency.

ECONOMICS:

Information Systems Division recommends a one-time fee of \$250 for each agency to setup, configure and implement multi factor authentication to each agency that use mobile data computers that access the Bay County network for law enforcement programs. If users from the agencies wish to use a Duo fob, it will be a cost of \$36 per fob per user. If a user wishes to use their cell phone, the only cost is the license fee of \$5 per month for Duo. Each agency will be required to pay for the use of Duo for all users who are assigned Bay County users accounts. To

implement the bridge between licensing and billing, an agreement between Bay County and each agency is required. Each agency will need to have its own agreement with Bay County to cover the usage of Duo and support of Duo.

RECOMMENDATION:

Authorize the Board Chairman to sign any and all documents related to the separate agreements with each agency to provide multi factor authentication for use on the Bay County network.

cc: James A. Barcia Shawna Walraven Kim Priessnitz Amber Davis-Johnson

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

- BY:** COMMITTEE OF THE WHOLE (9/10/24)
- WHEREAS,** In accordance with the FBI Criminal Justice Information Services (CJIS) Security Policy, additional security requirements for authentication are required; and
- WHEREAS,** The controls under Identification and Authentication in section 5.6 of the CJIS Security Policy require the implementation of multi-factor authentication (MFA) for access to privileged and non-privileged accounts; and
- WHEREAS,** CJIS requires law enforcement personnel to use multi-factor authentication at every location, including headquarters and patrol vehicles. This means any user accessing the Bay County network to access law enforcement information, regardless of using a mobile computer in a patrol vehicle or from a computer in the agency headquarters connected to the Bay County network, will be required to use MFA; and
- WHEREAS,** The new security requirements for MFA are auditable after October 1, 2024. The interlocal agreements with agencies will take time to implement with each agency; and
- WHEREAS,** The Bay County Information Systems Division recommends a one-time fee of \$250 for each agency to set up, configure, and implement multi-factor authentication for each agency that uses mobile data computers that access the Bay County network for law enforcement programs. If users from the agencies wish to use a Duo fob, it will cost \$36 per fob per user. If a user wishes to use their cell phone, the only cost is the license fee of \$5 per month for Duo. Each agency will be required to pay for the use of Duo for all users who are assigned Bay County user accounts; and
- WHEREAS,** Agreements between Bay County and each agency are required to implement the bridge between licensing and billing. Each agency will need to have its own Agreement with Bay County to cover the usage of Duo and support of Duo; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners approve separate Agreements between Bay County (Information Systems Division) and each law enforcement agency to provide multi-factor authentication to access FBI Criminal Justice Information Services (CJIS) information on the Bay County network; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said separate Agreements and related documents 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**

Information Systems – Agreement with Law Enforcement Agencies Multi-Factor Authorization

MOVED BY COMM. _____
SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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
FINANCE/INFORMATION SYSTEMS**

James A. Barcia
County Executive

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walravens@baycounty.net

Kimberly A. Priessnitz
Assistant Finance Officer
priessnitzk@baycounty.net

Frances A. Moore
Purchasing/Housing Rehab
mooref@baycounty.net

Julie A. O'Malley
Information Systems Manager
coppensj@baycounty.net

TO: Tim Banaszak, Chairperson
Committee of the Whole

FROM: Julie O'Malley *JO*
Information Systems Manager

RE: Agreement and Purchase of Cooling System in Data Center

DATE: September 3, 2024

REQUEST:

After review by Corporation Counsel authorize the Board Chair to sign any documents relating to a new cooling system for the Data Center.

BACKGROUND:

Over the past decade there have been issues with the cooling system in the County data center. One of the biggest issues that requires a new system is the inconsistency with cooling and efficiency of a cooling system. There is a need for a commercial grade cooling system to cool and protect the equipment that runs the County's information systems infrastructure. The existing system has reached its life expectancy and not operating enough to cool the room.

ECONOMICS:

Through our partnership with CDWG, a government sector of CDW, we can interact and work with a team of members to consult and provide the best solution to cool the data center. Vertiv, the same manufacturer as our battery backup solution, has an enterprise cooling system that provides a solution for effectiveness, reducing the chance for hot spots and improve the overall cooling in the room. This government pricing allows the purchase of this data center without a sealed competitive bid by using a co-operative purchase pursuant to the Purchasing Policy. The proposed solution will not exceed \$44,000. Funds exist within the ISD budget, however we request a budget adjustment for the necessary funds for this project.

RECOMMENDATION:

Authorize the Board Chairman to sign any and all documents the new cooling system with Vertiv and CDWG and approve any necessary budget adjustments.

cc: James A. Barcia Shawna Walraven Kim Priessnitz Amber Davis-Johnson

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

- BY:** COMMITTEE OF THE WHOLE (9/10/24)
- WHEREAS,** Over the past decade, there have been issues with the cooling system in the Bay County data center; and
- WHEREAS,** A significant issue that requires a new system is the inconsistency and efficiency of a cooling system. A commercial-grade cooling system is needed to cool and protect the equipment that runs the Bay County’s Information Systems infrastructure; and
- WHEREAS,** The existing system has reached its life expectancy and is not operating enough to cool the room; and
- WHEREAS,** Through Bay County’s partnership with CDW-G, a government sector of CDW, It allows the ability to interact and work with a team of members to consult and provide the best solution to cool the data center; and
- WHEREAS,** Vertiv, the same manufacturer as Bay County’s battery backup solution, has an enterprise cooling system that provides a solution for effectiveness, reducing the chance for hot spots and improving the overall cooling in the room; and
- WHEREAS,** This government pricing allows the purchase of this equipment for the data center without a sealed competitive bid by using a cooperative purchase pursuant to the Bay County Purchasing Policy. The proposed solution will not exceed \$44,000. Funds exist within the Information Systems Division Budget; however, a budget adjustment is needed for the necessary funds for this project; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners approves the Agreement between Bay County (Information Systems Division) and Vertiv and authorizes the purchase from CDW-G for a cooling system for the Bay County Data Center with funds not to exceed \$44,000; Be It Further
- RESOLVED** That the Chairman of the Board is authorized to sign any and all related documents following Corporation Counsel review and approval; Be It Finally
- RESOLVED** That related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR
AND COMMITTEE

Information Systems – Agreement & Purchase of Cooling System for Data Center – Vertiv/CDW-G

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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
FINANCE/INFORMATION SYSTEMS**

James A. Barcia
County Executive


Shawna Walraven
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walravens@baycountymi.gov

Kimberly A. Priessnitz
Assistant Finance Officer
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Purchasing/Housing Rehab
mooref@baycountymi.gov

Julie A. O'Malley
Information Systems Manager
coppensj@baycountymi.gov

TO: Tim Banaszak, Chairperson
Committee of the Whole

FROM: Julie O'Malley 
Information Systems Manager

RE: Update Acceptable Use Policy

DATE: September 3, 2024

REQUEST:
That the Board of Commissioners adopt the attached Acceptable Use Policy.

BACKGROUND:
The existing approved Acceptable Use Policy was adopted in 1999. Major changes to the County's systems and infrastructure have been made which make some of the existing policy obsolete. The new proposed Acceptable Use Policy includes clauses for security and proprietary information, guidelines of unacceptable use and a new clause regarding Artificial Intelligence Technology. Additionally, when the Policy was approved there was no wireless network or threats created by personal device use.

ECONOMICS:
There are no funds requested.

RECOMMENDATION:
To adopt the Acceptable Use Policy. Should Corporation Counsel need to modify the Policy pursuant to law, they will make modifications and send revisions to the Board of Commissioners to be received.

cc: James A. Barcia Shawna Walraven Kim Priessnitz Amber Davis-Johnson

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 17, 2024

RESOLUTION

BY: COMMITTEE OF THE WHOLE (9/10/24)
 WHEREAS, Bay County’s existing approved Acceptable Use Policy was adopted in 1999; and
 WHEREAS, Major changes to Bay County’s systems and infrastructure have been made, making some of the existing policy obsolete. The new proposed Acceptable Use Policy includes clauses for security and proprietary information, guidelines of unacceptable use and a new clause regarding Artificial Intelligence Technology; and
 WHEREAS, Additionally, when the Policy was approved, there was no wireless network or threats created by personal device use; Therefore, Be It
 RESOLVED By the Bay County Board of Commissioners that the attached Bay County Acceptable Use Policy is hereby adopted and shall take effect immediately and that should Corporation Counsel need to modify the Policy pursuant to law, they will make modifications and send revisions to the Board of Commissioners to be received.

TIM BANASZAK, CHAIR
 AND COMMITTEE

Finance/ISD – Acceptable Use Policy

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
KATHY NIEMIEC				COLLEEN M. MAILLETTE				JAYME A. JOHNSON			
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 ___

Acceptable Use Policy

1.0 Overview

Bay County Information Systems is committed to protecting Bay County's employees, partners, vendors, and the County from illegal or damaging actions by individuals, either knowingly or unknowingly. Internet/Network related systems, including but not limited to computer equipment, software, operation systems, storage media, network accounts providing electronic mail, Internet browsing, File Transfer Protocol, any electronic file transfer is property of Bay County. These systems are used for business purposes in serving the interest of the County for normal operations. Effective security is a team effort involving the participation and support of every Bay County employee and affiliate who deals with information and/or information systems. It is the responsibility of every device user to know these guidelines and to conduct their activities accordingly.

2.0 Purpose

The purpose of this policy is to outline the acceptable use of computer equipment and network access at Bay County. These rules are in place to protect employees and Bay County. Inappropriate use exposes Bay County to risk including virus attacks, malware, and compromises of the network systems and services, and legal issues.

3.0 Scope

This policy applies to employees, contractors, consultants, temporary staff, and other workers at Bay County, including all personnel affiliated with Bay County. This policy applies to all equipment that is owned or leased by Bay County, or any device accessing the County's network.

4.0 Policy

4.1 General Use and Ownership

- 4.1.1 While Bay County network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the corporate systems remains the property of Bay County. Users shall have no expectation of privacy. Because of the need to protect Bay County network, management cannot guarantee the confidentiality of information stored on any network device belonging to Bay County.
- 4.1.2 Employees are responsible for exercising good judgement regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet activity. In the absence of such policies, employees should consult their supervisor or management.
- 4.1.3 Bay County recommends that any information that a user considers sensitive or vulnerable (examples: LEIN data, NCIC information on a computer terminal that has access to the Internet, PII data and CJIS information) be encrypted.
- 4.1.4 For security and network maintenance purposes, authorized individuals within Bay County may monitor equipment, systems, and network traffic at any time, per Bay County policy.
- 4.1.5 Bay County reserves the right to audit the network and systems on a periodic basis to ensure compliance with this policy.

4.2 Security and Proprietary Information

- 4.2.1 The user information contained on Internet/network related systems should be classified as either confidential or non-confidential, as defined by agency confidentiality guidelines. Examples of confidential information include, but are not limited to: Criminal Justice Information (CJI), Bay County personnel data, Personal Identifiable Information (PII) etc. Employees should take all necessary steps to prevent unauthorized access to this information.
- 4.2.2 Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts.
- 4.2.3 All approved devices, laptops, and workstations shall prevent further access to the system by initiating a session lock after a maximum of 15 minutes of inactivity. Users shall directly initiate session lock mechanisms to prevent inadvertent viewing when a device is unattended.
- 4.2.4 Information contained on portable computers is especially vulnerable, special care should be exercised. Protect laptops in accordance with this policy.
- 4.2.5 All devices used by employees that are connected to the Bay County Internet/network whether owned by the employee or Bay County, shall be continually executing approved virus-scanning software with a current database. Devices unless required for 24x7 use, should be turned off every night.
- 4.2.6 Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, malware, e-mail bombs, or Trojan horse code.
- 4.2.7 All users shall authenticate their identity user multi-factor authorization (MFA).

4.3 Unacceptable Use

- 4.3.1 The following activities are, in general, prohibited. Under no circumstances is an employee of Bay County authorized to engage in any activity that is illegal under local, state, federal, or international law utilizing Bay County owned resources. The list below is by no means exhaustive but attempts to provide a framework for activities which fall into the category of unacceptable use and prohibited system and network activities.
 - 4.3.1.1 Unauthorized access, copying, or dissemination of classified or sensitive information (CJI).
 - 4.3.1.2 Installation of any copyrighted software for which Bay County or end user does not have an active license.
 - 4.3.1.3 Installation of any software without preapproval and virus scan.
 - 4.3.1.4 Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, bots, logic bombs, etc.)
 - 4.3.1.5 Revealing your account password to others or allowing use of our account by others.
 - 4.3.1.6 Effecting security breaches or disruptions of network communication. Security breaches include, but not limited to, accessing data of which they employee is not an intended recipient, or logging into a server that the employee is not expressly authorized to access, unless these duties

are within the scope of regular duties. For the purpose of this policy, “disruption” includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, engaging in the use of a proxy service to bypass network protocols, and forged routing information for malicious purposes.

- 4.3.1.7 Port scan scanning or security scanning is expressly prohibited unless prior notification has been given to Bay County.
- 4.3.1.8 Executing any form of network monitoring that will intercept data not intended for the employee’s host unless this activity is a part of the employee’s normal job/duty.
- 4.3.1.9 Circumventing user authentication or security of any host, network, or account.
- 4.3.1.10 Interfering with or denying service to any user other than the employee’s host.
- 4.3.1.11 Using any program/script/command or sending messages of any kind, with the intent to interfere with or disable a user’s terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- 4.3.1.12 Using an unauthorized personal device on the County network to gain access for personal use of the Bay County network.
- 4.3.1.13 Personal devices are prohibited from use on the County network, including County private and public wireless.

4.4 ChatGPT and Artificial Intelligence Technology

- 4.4.1 Authorized Use: Employees are authorized to use ChatGPT for work-related purposes only. This includes tasks such as research, data analysis, and communication with citizens and colleagues.
- 4.4.2 Confidentiality: Employees must not disclose any confidential information while using ChatGPT. This includes but is not limited to trade secrets, intellectual property, financial information, or any other sensitive data. Employees should also ensure that they are not discussing any confidential matters in areas where others may overhear their conversations.
- 4.4.3 Security: Employees are responsible for maintaining the security of their login credentials and must not share their login information with anyone else.
- 4.4.4 Personal Use: Employees are prohibited from using ChatGPT during working hours for personal use.
- 4.4.5 Prohibited Activities: Employee must no use ChatGPT for any activities that may be illegal or unethical, including but not limited to spreading false information, engaging in cyberbullying or harassment, or attempting to gain unauthorized access to any systems or networks.
- 4.4.6 Acceptable Conduct: Employees should conduct themselves in a professional and respectful manner while using ChatGPT. Failure to comply may result in disciplinary action, up to and including termination of employment pursuant to Bay County policies.

5.0 Penalties

Violations of this policy include but are not limited to: accessing data to which the individual has no legitimate right; enabling unauthorized individuals to access data; disclosing data in a way that violates applicable policy, procedures, or relevant regulations or law; inappropriately modifying or destroying data; inadequately protecting restricted data. Any violation of this policy may result in network removal, access revocation, corrective, or disciplinary action, civil or criminal prosecution and termination of employment pursuant to Bay County policies.