

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, JANUARY 12, 2016

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN KRYGIER)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

33-56 **V MINUTES (12/8/15; 12/15/15; 1/4/16)**

VI CITIZEN INPUT

VII PETITIONS AND COMMUNICATIONS

- 1 A. Presentation: Recognition of Harold Beauchamp on his Retirement from Bay 3 TV **(Adopt Resolution No. 2016-1 and present)**
- B. Brandon Krause, Register of Deeds - Office Update-Verbal **(Receive)**
- 2 C. Director of Environmental Affairs and Community Development - Presentation on The Saginaw-Bay Coastal Initiative and the Bay City State Recreation Area (BCSRA) Shoreline **(Receive)**
- 3-4 D. Superintendent of Bay City Public Schools - Notice of Withdrawal from Cooperative Operation of Educational/Government Access Channel Bay 3 TV **(Receive)**
- 5 E. Robin K. Wiess - Request for Appointment to Division on Aging Advisory Committee - 1st District **(Commissioner Duranczyk recommends appointment of Robin K. Wiess - concur)**

VIII

REPORTS/RESOLUTIONS OF COMMITTEES

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

- | | | |
|-------|-----|---|
| 6 | 1. | No. 2016-2 - Veterans Foundation - Grant Application (Administrative Services) |
| 7 | 2. | No. 2016-3 - Securus Technologies Third Amendment to Inmate Facility Services Agreement (Sheriff Dept.) |
| 8 | 3. | No. 2016-4 - Correctional Healthcare Companies Contract (Sheriff Dept.) |
| 9 | 4. | No. 2016-5 - RAP Grant Application - X-Ray Screening System (Sheriff Dept.) |
| 10 | 5. | No. 2016-6 - Road Patrol "Pooled" Contract for FY2016-2017 (Sheriff Dept.) |
| 11 | 6. | No. 2016-7 - 2016 Equitable Sharing Agreement (Sheriff Dept.) |
| 12-14 | 7. | No. 2016-8 - Fee Schedule for Bay County Golf Course (Recreation and Facilities) |
| 15 | 8. | No. 2016-9 - Fee Schedule Addition - Indoor Baseball/Golf Program (Recreation and Facilities) |
| 16 | 9. | No. 2016-10 - Equipment for Cardio Drumming Class (Recreation and Facilities) |
| 17-18 | 10. | No. 2016-11 - Community Center Fitness Center Equipment (Recreation and Facilities) [NOTE: New agenda item] |
| 19 | 11. | No. 2016-12 - A & D Home Health Care, Inc. Waiver Contract (Division on Aging) |
| 20 | 12. | No. 2016-13 - 2016 Hazardous Materials Emergency Preparedness Grant for Local Emergency Planning Committee (Emergency Management) |
| 21 | 13. | No. 2016-14 - Memorandum of Understanding with Mobile Kids Dental (Juvenile Home) |
| 22 | 14. | No. 2016-15 - Service Contract with MobileXUSA (Juvenile Home) |
| 23 | 15. | No. 2016-16 - Service Contract with BizStream (Juvenile Home) |
| 24 | 16. | No. 2016-17 - Major Capital Improvement Projects - Bid |

Process (Buildings and Grounds)

- 25 17. No. 2016-18 - Payables: General, BAYANET, Center Ridge Arms
- 26 18. No. 2016-19 - Contract Extension for Office Supply Agreement (Finance - Purchasing)
- 27 19. No. 2016-20 - Amendment to Ricoh Copier Contract (Finance - Purchasing)

B. PERSONNEL/HUMAN SERVICES (MICHAEL E. LUTZ, CHAIR; DONALD J. TILLEY, VICE CHAIR)

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

- 28-29 1. No. 2016-21 - Opposition to Senate Bill 110 (**Resolution introduced by Commissioner Donald J. Tilley, 6th District, letter of explanation included**)
- 30-32 2. No. 2016-22 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

A. **2016 Appointments:**

1. MARCH:

a. **Bay Arenac Behavioral Health Authority (Three (3) year terms expiring: Thomas L. Starkweather; Robert Pawlak; Richard Byrne)**

2. JUNE: Library Board (One 5 year term - Donald Carlyon)

3. OCTOBER:

a. **Land Bank Authority - One Local Unit of**

**Government Representative, 3 year term -
Richard L. Byrne)**

**b. Department of Health and Human Services Board
of Directors (One 3 year term - Thomas L.
Starkweather)**

**4. DECEMBER: Division on Aging Advisory Committee
(Four 2 year terms; districts 2, 4, 6 and at-large)**

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: JANUARY 12, 2016

PAGE 1 OF 2

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2016-1	Board of Comm.	Recognition of Harold Beauchamp on His Retirement from Bay 3 TV	XX						
2016-2	Ways and Means	Veterans Foundation - Grant Application (Administrative Services)	XX						
2016-3	Ways and Means	Securus Tech. Third Amendment to Inmate Facility Services Agreement (Sheriff Dept.)	XX						
2016-4	Ways and Means	Correctional Healthcare Companies Contract (Sheriff Dept.)	XX						
2016-5	Ways and Means	Rap Grant Application - X-ray Screening System (Sheriff Dept.)	XX						
2016-6	Ways and Means	Road Patrol "Pooled" Contract for FY2016-2017 (Sheriff Dept.)	XX						
2016-7	Ways and Means	2016 Equitable Sharing Agreement (Sheriff Dept.)	XX						
2016-8	Ways and Means	Fee Schedule for Bay County Golf Course (Recreation and Facilities)	XX						
2016-9	Ways and Means	Fee Schedule Addition - Indoor Baseball/Golf Program (Recreation and Facilities)	XX						
2016-10	Ways and Means	Equipment for Cardio Drumming Class (Recreation and Facilities)	XX						
2016-11	Ways and Means	Community Center Fitness Center Equipment (Recreation and Facilities)	XX						
2016-12	Ways and Means	A & D Home Health Care, Inc. Waiver Contract (Division on Aging)	XX						
2016-13	Ways and Means	2016 Hazardous Mat. Emerg. Preparedness Grant for Local Emerg. Planning Comm. (Emerg. Man.)	XX						
2016-14	Ways and Means	Memorandum of Understanding with Mobile Kids Dental (Juvenile Home)	XX						
2016-15	Ways and Means	Service Contract with Mobilixusa (Juvenile Home)	XX						
2016-16	Ways and Means	Service Contract with Bizstream (Juvenile Home)	XX						
2016-17	Ways and Means	Major Capital Improvement Projects - Bid Process (Buildings and Grounds)	XX						
2016-18	Ways and Means	Payables: General, Bayanet, Center Ridge Arms	XX						

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: THE BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, There are many individuals in Bay County deserving of recognition for their contributions to this community; and

WHEREAS, One of these worthy individuals is Harold Beauchamp; and

WHEREAS, A Marine Corps veteran and a former employee of the Bay County Sheriff Department, Harold Beauchamp has been employed by Bay 3 TV for the past 18 years and has worked closely with Bay County government highlighting Bay County operations and events; and

WHEREAS, Harold Beauchamp tirelessly provided services to the Bay County Prevention Network, Bay Area Chamber of Commerce, Bay Commitment Scholarship Foundation, CAN Council, Project Blue Light & other local non-profits to film their events and broadcast them live on TV; and

WHEREAS, Harold Beauchamp's achievements include but are not limited to producing a program entitled "Math Homework Live" which assisted Bay City Public School students with their math homework on live TV and implementing a Livestreaming service for Bay 3TV that allows for 24/7 free viewing to Bay County residents and anyone else around the world; and

WHEREAS, Harold Beauchamp has been instrumental in the planning and production of the Fireworks Festival Telethon and the St. Patrick's Day Parade, two staple events in our community; and

WHEREAS, In addition to his many and varied duties and his contribution of time and talent, Harold Beauchamp has donated countless pieces of equipment and updates in new equipment to Bay 3 TV to facilitate a smoother and more efficient operation, much of this equipment still in use; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and Bay County Executive take this opportunity to recognize Harold Beauchamp for his job performance and contributions to Bay County and offer best wishes for a well-deserved long and healthy retirement.

ERNIE KRYGIER, CHAIR
AND BOARD

Harold Beauchamp

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. HEREK

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

VOTE TOTALS:
 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

- / -

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (1/5/16)
- WHEREAS, The Bay County Veterans Foundation, a newly-formed 501(3-C) non-profit, wishes to apply for the Michigan Veteran Affairs Agency's County Incentive Grant in the amount of \$5,000 for technology upgrades/investments, however, the applicant must be a county; and
- WHEREAS, The Veterans Foundation wishes to utilize the grant funding to develop and maintain a veteran database in order to provide better services to Bay County veterans and potentially advance a cooperative effort with the Arenac County veteran service-organizations; and
- WHEREAS, Two computer terminals, basic office furniture (desk chairs), color printer and photocopier will be necessary in order to develop this database and effectively utilize the data provided and provide needed services to veterans in the Bay County area community; and
- WHEREAS, Additionally, a budget for funding toner and copier paper is required; and
- WHEREAS, While Bay County is the grantee, the Veterans Foundation is the sub-grantee for the grant funding, there is no cash match requirement from Bay County; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Department of Administrative Services to make application on behalf of the Veterans Foundation for the Michigan Veteran Affairs Agency's County Incentive Grant in the amount of \$5,000 and authorizes the Chairman of the Board to execute the required grant application and reward documents on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That Bay County is the grantee for the Michigan Veteran Affairs Agency's County Incentive Grant, with no County match to be provided for this grant; 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.

KIM COONAN, CHAIR
AND COMMITTEE

Veterans Foundation - MVAACI Grant
MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

COMMISSIONER	E	X		COMMISSIONER	E	X		COMMISSIONER	X		
MICHAEL J. DURANCZYK		X		KIM J. COONAN		X		MICHAEL E. LUTZ		X	
ERNIE KRYGIER		X		THOMAS M. HEREK		X					
VAUGHN J. BEGICK		X		DONALD J. TILLEY		X					

VOTE TOTALS:
ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

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BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, Securus Technologies currently provides the telephone services the Bay County Jail inmates; and

WHEREAS, A Third Amendment has been submitted for signature and this Third Amendment is effective as of the last date signed and amends and supplements the contract dated July 26, 2005, as subsequently amended by that certain First Amendment dated December 22, 2010; and

WHEREAS, This Third Amendment shall commence on the Third Amendment effective date and shall remain in effect through the Term of the Agreement; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Third Amendment to the Inmate Facility Services Agreement between Securus Technologies and Bay County (Sheriff Department) and authorizes the Chairman of the Board to execute said Third Amendment to Inmates Facility Services Agreement on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budget adjustments related to the Third Amendment, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Sheriff - Inmate Telephone Services - Securus Technologies

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

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

VOTE TOTALS:

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

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/6/15)
 WHEREAS, Bay County Sheriff Department has contracted with Correctional Healthcare Companies (CHC) since 2008 to provide professional healthcare services with adequate staffing and services for inmate care at the Sheriff Department; and
 WHEREAS, Correctional Healthcare Companies (CHC) has submitted a new contract to cover the period September 1, 2015 through August 31, 2020; and
 WHEREAS, Funds for these services are included in the Sheriff's 2016 budgets; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves renewal of the Inmate Medical Services Contract with Correctional Healthcare Companies (CHC) for the period 9/1/2015 through 8/31/2020 for the Sheriff Department; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute the Contract with Correctional Healthcare Companies (CHC) on behalf of Bay County following legal review/approval; Be It Further
 RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR
 AND COMMITTEE

Sheriff Dept - CHC - Medical Services - 2015-2020

MOVED BY COMM. COONAN

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
YAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, The Bay County Sheriff is responsible for overseeing security at the Bay County Court Facility; and

WHEREAS, In addition to providing personnel to screen visitors at the entrance of the facility, an X-Ray Screening system is required for added security. The current system is outdated and in need of replacement in order to effectively provide security; and

WHEREAS, The cost for the X-Ray Inspection (#5333) System, Handheld Explosive and Narcotic Detection System and Metal Detection System is \$15,742.00. No funds were budgeted for this equipment, requiring a budget adjustment from General Fund; and

WHEREAS, Risk Avoidance Program (RAP) funding is available through Michigan Municipal Risk Management Authority (MMRMA). Bay County has received RAP Grant funding in the past for the Bay County Juvenile Home and other Bay County facilities from MMRMA; and

WHEREAS, Authorization is sought to apply for RAP grant funding for this project in the amount of \$7871.00 (one-half), the application deadline is January 29, 2016; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Sheriff to work with Bay County Administrative Services to apply for RAP Grant funding from Michigan Municipal Risk Management Authority (MMRMA) for the X-Ray Screening System and supplemental equipment for efficient operation of this system; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute RAP grant documents on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budget adjustments related to this RAP grant are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Sheriff - RAP Grant Application

MOVED BY COMM. COONAN

SUPPORTED BY COMM. DURANCZYK

COMMISSIONER	E			COMMISSIONER	E			COMMISSIONER	E		
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED ___ WITHDRAWN ___
AMENDED ___ CORRECTED ___ REFERRED ___

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BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, The Bay County Sheriff wishes to continue contracts for the Road Patrol Services Agreements for Pooled Contracts (60/40) that have been in effect since 2009; and

WHEREAS, The Pooled Road Patrol Agreement will be in effect from April 1, 2016 through March 31, 2017; and

WHEREAS, The calendar year Agreements with Monitor, Bangor, Portsmouth and Williams Townships and with the City of Auburn also need to be renewed for the period January 1, 2016 through December 31, 2017; and

WHEREAS, These services will be budgeted as a continuance of services budgeted in years past; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves continuation of the Township Road Patrol Contracts with the Pooled Townships for the period 4/1/2016 through 3/31/2017 and the Agreements with Monitor, Bangor, Portsmouth and Williams Townships and with the City of Auburn for the period January 1, 2016 through December 31, 2017; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said Agreements on behalf of Bay County following legal review/approval; Be It Finally

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

KIM COONAN, CHAIR
AND COMMITTEE

Sheriff Dept - Road Patrol Contracts thru 2017

MOVED BY COMM. COONAN

SUPPORTED BY COMM. DURANCZYK

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

VOTE TOTALS:

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

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, The US Department of Justice, Department of the Treasury, has submitted an Equitable Sharing Agreement and Certification to the Bay County Sheriff Department; and

WHEREAS, This Agreement allows for participation in the federal equitable sharing program and outlines restrictions upon the use of federally forfeited cash, property, proceeds and interest earned thereon, which are equitably shared with the participating law enforcement agencies; and

WHEREAS, The Bay County Sheriff Department has been involved in this program since 2007 and has received significant funds as the result of participation in this program; and

WHEREAS, The Board Chair's signature is required on the Equitable Sharing Agreement; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Chairman of the Board to execute Equitable Sharing Agreement and Certification on behalf of Bay County, following legal review/approval; Be It Further

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

KIM COONAN, CHAIR
AND COMMITTEE

Sheriff - Equitable Sharing Agt & Certification - FY 2016

MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, Bay County Administration wishes to overhaul and simplify the fee schedule for the Bay County Golf Course and memorialize the base mark-up for inventory and special orders at the Bay County Golf Course; and

WHEREAS, The Bay County Golf Course sets fees for golf, carts and other services offered at this recreation site. In an effort to simplify the fee schedule for our customers and our employees, a change the fee schedule structure for the golf course is recommended; and

WHEREAS, The changes included combining golf and cart prices to better organize the fee schedule (the current fee schedule has these two items listed separately), increasing a few fees, and adding fees not previously on the fee schedule; and

WHEREAS, Additionally, the Bay County Golf Course Pro Shop carries golf-related inventory. The mark-up on each piece of inventory to be sold is based on the item and industry standard. It is recommended that a baseline percentage for which an inventory item cannot drop below for resale be established. It should be noted that items may be priced over the baseline mark-up, just not below. When inventory is carried over from year to year, this base-line mark-up method will allow the Recreation Manager to change prices of the old inventory when new comes in. Additionally, the Recreation Manager processes special orders for golfers for specific items at the golfer's request, such as special fittings of clubs. These special orders will require an up-front payment; and

WHEREAS, The Golf Course user fees are proposed as follows:

9 HOLES

- GREEN FEES \$14.00
- TWILIGHT, SPRING, FALL \$12.00
- SENIOR \$10.00
- JUNIOR \$8.00

9 HOLES W/CART

- GREEN FEES \$20.00
- TWILIGHT, SPRING, FALL \$17.00
- SENIOR \$16.00
- SENIOR SPRING, FALL \$15.00
- JUNIOR \$14.00
- JUNIOR SPRING, FALL \$13.00

18 HOLES

- GREEN FEES \$23.00
- WEEKEND \$25.00
- TWILIGHT, SPRING, FALL \$20.00
- SENIOR \$15.00
- JUNIOR \$11.00

18 HOLES W/CART

• GREEN FEES	\$35.00
• WEEKEND	\$37.00
• TWILIGHT, SPRING, FALL	\$29.00
• SENIOR	\$27.00
• SENIOR SPRING, FALL	\$24.00
• JUNIOR	\$23.00
• JUNIOR SPRING, FALL	\$20.00

MISCELLANEOUS

• PULL CART	\$3.00
• YEARLY TRAIL FEE (Increased by \$20)	\$125.00
• CART STORAGE	\$300.00

*Twilight is after 3:00pm (not valid for pm leagues)

*Senior Rate Monday – Friday before 3:00pm

*Spring ends the second Monday in May

*Fall begins the second Monday in September

7 DAY MEMBERSHIP

• SINGLE	\$775.00
• COUPLE	\$975.00
• SENIOR SINGLE	\$625.00 (New)
• SENIOR COUPLE	\$775.00 (New)
• ADDITIONAL CHILD (Increased \$10)	\$125.00
• COLLEGE	\$400.00
• JUNIOR	\$275.00
• HIGH SCHOOL TEAM SEASON	\$575.00 (New)
• HIGH SCHOOL PLAYER (OUT OF SEASON)	\$175.00 (New)

7 DAY MEMBERSHIP WITH CART

• SINGLE	\$1,475.00
• COUPLE	\$1,875.00
• SENIOR SINGLE	\$1,325.00
• SENIOR COUPLE	\$1,675.00
• ADDITIONAL CHILD	\$250.00
• COLLEGE	\$900.00

5 DAY MEMBERSHIP

• SINGLE	\$575.00
• COUPLE	\$775.00
• SENIOR SINGLE	\$525.00
• SENIOR COUPLE	\$675.00
• ADDITIONAL CHILD (Increased \$5)	\$100.00

5 DAY MEMBERSHIP WITH CART

• SINGLE	\$1,075.00
• COUPLE	\$1,475.00
• SENIOR SINGLE	\$1,025.00
• SENIOR COUPLE	\$1,375.00
• ADDITIONAL CHILD	\$200.00

Special orders - baseline mark-up of 30%. To be paid for by the customer upfront at the time of order.

RESOLVED That the Bay County Board of Commissioners approves the addition of the above-outlined user fees to the Bay County Golf Course fee schedule.

KIM COONAN, CHAIR
AND COMMITTEE

Recreation & Facilities - Revised Golf Course Fees Schedule

MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, The Bay County Community Center recently purchased and installed an indoor baseball/golf net in the small gym. This net can be set up in about 5 minutes or less by Community Center staff and will allow people to practice their game inside during the cold and wet seasons when it is difficult to play these sports outside; and

WHEREAS, The following user fees are recommended to be added to the Community Center's fee schedule for the Indoor Baseball/Golf Program:

- 1. Drop In - \$4.00 per person per hour
- 2. Team Price - 30 Minutes - \$20.00
- 3. Team Price - 1 hour - \$40.00
- 4. Team Price - 2 hours - \$80.00

RESOLVED That the Bay County Board of Commissioners approves the above outlined Indoor Baseball/Golf Program fee schedule.

KIM COONAN, CHAIR
AND COMMITTEE

Recreation & Facilities - Community Center Indoor Baseball&Golf Fee Schedule

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

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

VOTE TOTALS:
ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, The Bay County Community Center offers a variety of classes taught by the Recreation Coordinator, Beth Trahan; and

WHEREAS, Cardio Drumming, a full body workout that combines light resistance, cardio and drumming, is a class the County would like to offer employees/spouses/retirees and the public to enjoy; and

WHEREAS, A budget adjustment in the amount of \$300 is necessary to purchase the required exercise balls and drum sticks; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby approves a budget adjustment of up to \$300.00 from the general fund for the purchase of exercise balls and drum sticks for the Cardio Drumming class.

KIM COONAN, CHAIR
AND COMMITTEE

Recreation & Facilities - Cardio Drumming Class Equipment Budget Adjustment

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (1/12/16)

WHEREAS, The Bay County Community Center has a fitness center used by employees, spouses, retirees and the public alike; and

WHEREAS, As some of the equipment has aged and is worn from use, it is necessary to replace the universal machine that is past its useful life with four (4) separate machines; a leg press, chest press, tricep machine and lat pull down; and

WHEREAS, In addition, Recreation Administration wishes to purchase a treadmill, an incline bench, and various small pieces of undesignated equipment with remaining funds; and

WHEREAS, Up to \$12,500 is required for the purchase of the outlined equipment and these funds are not included in the 2016 budget; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that authorization is granted to purchase a leg press, chest press, tricep machine, lat pull down, treadmill, an incline bench, and various small pieces of undesignated equipment for the Bay County Community Center fitness center, monies (up to \$12,500) to come from fund balance; Be It Further

RESOLVED That required budget adjustments are approved.

ERNIE KRYGIER, CHAIR AND BOARD

Recreation & Facilities - Community Center Fitness Center Equipment

MOVED BY COMM. COONAN

SUPPORTED BY COMM. HEREK

COMMISSONBR E				COMMISSIONER E				COMMISSIONERE			
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

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

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, A & D Home Health Care Waiver Division operates on a contract basis with the Bay County Division on Aging and a contract to extend the current agreement that covers payment and services under the MI Choice Waiver Program for the period 10/1/15 through 9/30/16 has been submitted; and

WHEREAS, Bay County Division on Aging desires to maintain a working relationship with A & D Home Health Care to continue to receive funding for services provided to this agency's Waiver clients; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves extension of the contract with A & D Home Health Care for Waiver Services and the Chairman of the Board is authorized to execute said Agreement and all related documents on behalf of Bay County following legal review/approval; Be It Finally

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

KIM COONAN, CHAIR
AND COMMITTEE

DOA - A&D Home Health Care Waiver Extension

MOVED BY COMM. COONAN

SUPPORTED BY COMM. DURANCZYK

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (1/5/16)
- WHEREAS, The Bay County Local Emergency Planning Committee (LEPC) is charged with developing emergency site plans (a/k/a SARA Title III, Section 302, off-site response plans) to respond to certain chemical accidents based upon information provided by local farms and businesses as to the chemicals they have on site; and
- WHEREAS, For the past several years, the State of Michigan has issued Hazardous Materials Emergency Preparedness (HMEP) grant funds to County LEPCs for the purpose of enhancing hazardous material response planning for the County and to provide support for the ongoing operation of local LEPCs; and
- WHEREAS, Reimbursement will be provided this year to Bay County LEPC on a per plan and/or updated plan basis; and
- WHEREAS, Emergency site plans developed and submitted by the Bay County LEPC will be reimbursed at a rate of \$250 for each new site plan completed and \$30 for each updated existing site plan; Therefore, Be It
- RESOLVED By the Bay County Board of Commissioners that the Chair of the LEPC is authorized to sign the HMEP Planning Grant Application/Agreement and all related documents required by the State of Michigan following County legal review/approval; Be It Further
- RESOLVED That the grant applicant/recipient departments are required to work with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
- RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County; Be It Finally
- RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Emergency Management - 2016 HMEP Grant for LEPC

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER			COMMISSIONER			COMMISSIONER		
MICHAEL J. DURANCZYK	X		KIM J. COONAN	X		MICHAEL E. LUTZ	X	
ERNIE KRYGIER	X		THOMAS M. HEREK	X				
VAUGHN J. BEGICK	X		DONALD J. TILLEY	X				

VOTE TOTALS:
ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/15)

WHEREAS, It is required by the State of Michigan that Child Care Institutions provide a dental examination within 90 calendar days after admission; currently residents receive emergency treatment as needed; and

WHEREAS, Mobile Kids Dental has provided services to other juvenile detention facilities in the State; and

WHEREAS, The services for examinations will be at no cost to the Juvenile Home unless it is agreed in advance; and

WHEREAS, The Juvenile Home has funds to aid in cost of immediate-need services that are not covered by another source; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves a Memorandum of Understanding with Mobile Kids Dental to provide dental examinations to residents of the Bay County Juvenile Home as required by the State of Michigan; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said MOU on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That related, required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Juvenile Home - Mobile Kids Dental - MOU

MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, On occasion when determined to be necessary for a Juvenile Home resident to have an X-ray, the resident will be transported to a medical facility equipped to conduct the X-ray; and

WHEREAS, This requires additional staff and staff cost for either overtime or additional hours worked and the use of a County vehicle for transport and, if either are unavailable, the assistance of the Sheriff's Department is required for transport making them unavailable to respond to emergency incidents in the community; and

WHEREAS, Transporting residents is an added risk for escape, injury and access to possible contraband; and

WHEREAS, MobileXUSA can provide X-ray services on-site charging a flat rate (\$90 per event) thus reducing the liability and cost of transporting a youth outside the facility; and

WHEREAS, The current cost to transport is the hourly rate (\$16.56/hr.) of two juvenile home employees and, in some instances, overtime rates; and

WHEREAS, Funds are available in the Juvenile Home budget; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves a Service Contract with MobileXUSA for X-ray services to Juvenile Home residents; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the Service Contract on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That related, required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Juvenile Home - MobileXUSA Service Contract

MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, The Bay County Juvenile Home has acquired a service from BizStream in Grand Rapids for maintenance of an electronic filing system for all residents since 2011; and

WHEREAS, BizStream was contracted by other juvenile detention centers in the State to create a software system that would provide electronic, paperless files and ability to produce reports necessary for state requirements; and

WHEREAS, BizStream has upgraded this system and, at this time, still maintains the old system; however, in 2016 BizStream will no longer maintain the old system and expects all users to upgrade to the newer version; and

WHEREAS, The cost to include training, e-mail support, bug fixes and patches, scheduled upgrades and enhancements, managed backup and recovery of customer data, constant server monitoring and 99.9% uptime guaranteed, is \$676 per month for a total of \$8,112 per year and these funds have been budgeted; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves a Service Contract with BizStream for upgrades to the current electronic filing system at the Bay County Juvenile Home and authorizes the Chairman of the Board to execute said Service Contract on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That related, required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Juvenile Home - BizStream Service Contract

MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

COMMISSIO NER E			COMMISSIONER E			COMMISSIONER		
MICHAEL J. DURANCZYK	X		KIM J. COONAN	X		MICHAEL E. LUTZ	X	
ERNIE KRYGIER	X		THOMAS M. HEREK	X				
VAUGHN J. BEGICK	X		DONALD J. TILLEY	X				

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, There are three major Capital Improvement Projects for 2016 as follows:

1. New roof over the Health Dept. and Court Facility. The roof over the Health Dept. and Court Facility is over 20 years old and needs to be replaced. This will require a total tear off of the old membrane and insulation.
2. A new County wide Telecommunications System. The main telephone system that serves the Health Dept., Court Facility, LEC and the County Building is over 23 years old and should be replaced before we have a catastrophic failure. In addition, we need to comply with the Michigan Public Service Commission rules 484.901-484.906 for a multi-line telephone system. This means being able to identify a specific location and floor of a building in the event a 911 emergency call is placed.
3. Asphalt parking lot at the Law Enforcement Center (LEC). A portion of the parking lot in front of the LEC and Bay City Police Dept. is in dire need of replacement. The City will pay for the section on their side of the facility and the County will pay for our portion.

WHEREAS, Funding for the outlined projects has been included in the 2016 budget; Therefore, Be It RESOLVED That the Bay County Board of Commissioners authorizes the bid process for the Capital Improvement Projects (Health Department, Court Facility Roof, Telecommunications System, LEC parking lot) pursuant to the County Purchasing Policy; Be It Further RESOLVED That the Chairman of the Board is authorized to execute all documents required for the bid award(s) on behalf of Bay County following legal review/approval; Be It Finally RESOLVED That budget adjustments that are required for the Capital Improvement Projects are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Bldgs&Grnds – Capital Improvement Projects 2016

MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

-24-

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

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

ACCOUNTS PAYABLE:

12/09/15	\$	291,036.30
12/16/15	\$	840,030.24
12/22/15	\$	60,201.33
01/06/16	\$	272,357.10*
01/06/16	\$	148,422.49*

BAYANET:

November 2015

1. Payables	\$	17,737.64
2. Payroll	\$	8,370.99

HOUSING (Center Ridge Arms):

12/15/15	\$	31,938.03
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* Received after Ways and Means Committee meeting.

KIM COONAN, CHAIR
AND COMMITTEE

Payables-January

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (1/5/16)
- WHEREAS, Bay County's existing contract with OfficeMax expires in July of 2016; and
- WHEREAS, Since the Office Depot/OfficeMax merger, conversion to the new platform has been ongoing and the agreement, while still valid, needs to be modified to reflect the final conversion to Office Depot; and
- WHEREAS, Through the America Saves Cooperative, Oakland County has negotiated an agreement that will allow other municipalities to purchase off of this agreement; and
- WHEREAS, The new agreement will switch Bay County to the Office Depot ordering platform, opening up a larger catalog of goods at competitive or better pricing than currently enjoyed by Bay County and will also allow for an increase in Bay County's annual rebate since a number of municipalities with the Great Lakes Bay Consortium did not switch to OfficeMax or they added Office Depot to their office supply options; and
- WHEREAS, Another factor driving this request is the potential merger of Staples and Office Depot and since there is a plan in place with the Federal Trade Commission for Staples to buy Office Depot, having a contract extension in place will allow for a smooth continuation of office supplies without the worry of an expiring or new contract getting lost in the merger; Therefore, Be it
- RESOLVED That the Bay County Board of Commissioners approves extension of Bay County's existing Office Supplies Agreement changing the name of the vendor from OfficeMax to Office Depot, said Agreement to be in place until June 30, 2018; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute said Office Supplies Agreement on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That budget adjustments related to Agreement, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Finance - Extension of Office Supplies Agreement - Office Depot

MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

- 24 -

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (1/5/16)

WHEREAS, During a review of the existing Contract between Bay County and Ricoh, it was determined the Bay County's print/copy volume had significantly decreased due to the County's efforts to save paper, decreasing to the point that an estimate monthly savings of \$430.52 will be recognized or an overall \$10,763 decrease in total payments during the remainder of the existing Contract; and

WHEREAS, There is also a reduction in charges for staples utilized resulting in additional savings; Therefore, Be it

RESOLVED That the Bay County Board of Commissioners approves the Contract Addendum to the Ricoh Copier Lease Agreement decreasing the paper and staple volume resulting in a significant savings to Bay County; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said Contract Addendum to the Ricoh Copier Lease Agreement on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That budget adjustments required are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Finance - Contract Addendum - Ricoh Copier Lease Agreement

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIO N R E			COMMYSSIONER E			COMMISSIONERE			
MICHAEL J. DURANCZYK	X		KIM J. COONAN	X		MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X		THOMAS M. HEREK	X					
VAUGHN J. BEGICK	X		DONALD J. TILLEY	X					

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (1/12/16)

WHEREAS, Senate Bill No.110, a bill to amend 1973 PA 139, provides for forms of county government to synchronize the election cycle of a county executive with the gubernatorial election cycle, after a two-year term in 2017 and 2018; and

WHEREAS, Currently the Act requires a county executive to be elected for a term of four years concurrent with the term of the county prosecuting attorney, county clerk, county register of deeds, county treasurer, county sheriff, elected county auditors, and county drain commissioner; and

WHEREAS, The bill would require that, at the November 2016 general election, a county executive be elected on a partisan basis for a term of two years beginning on January 1, 2017 and ending on December 31, 2018. At the November 2018 general election, and every fourth year after that, a county executive would have to be elected for a term of four years beginning on January 1 following the election; and

WHEREAS, This change in the election cycle for county executive is of no merit to the voters of Bay County; and,

WHEREAS In Bay County, passage of SB 110 would result in a reduction of over 19% (15,344) of the voters electing the county executive;

WHEREAS, SB 110 is currently before the Michigan House of Representatives; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners, by this resolution, goes on record opposing SB 110.

ERNIE KRYGIER, CHAIR
AND BOARD

Tilley - Opposition to Senate Bill 110

Resolution introduced by Commissioner Donald J. Tilley, 6th District

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. COONAN

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 6 NAYS 1 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (1/12/16)

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

- I. Employment Status Report - December 2015

ERNIE KRYGIER, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. LUTZ

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

VOTE TOTALS:

ROLL CALL: YEAS ___ NAYS ___ EXCUSED ___

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED ___ WITHDRAWN ___
AMENDED ___ CORRECTED ___ REFERRED ___

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/15/15)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies/new positions, monies for said positions to come from the respective departmental budgets:

- I. Prosecutor - Legal Secretary

RESOLVED That budget adjustments, if required, are approved; Be It Further

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated or hours reduced if grant funding is terminated or reduced.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Vacancies - 1/12/16

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. BEGICK

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 12, 2016

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (1/12/16)

WHEREAS, As a number of community members have asked the County to enact a "County-wide" panhandling ordinance in response to individuals panhandling at busy intersections near Bay City, the question has been raised as to whether such a "County-wide" ordinance is feasible; and

WHEREAS, After reviewing the applicable statutes, attorney general opinions and case law, it is the opinion of the Department of Corporation Counsel that any County-wide panhandling ordinance would be unenforceable as a matter of law.

Counties have only those powers conferred to them by statutes and the Michigan Constitution. County boards have limited general power to enact ordinances. That power is conferred by MCL 46.1 *et seq.* Section (11)(j) of that statute reads as follows:

Sec. 11. A county board of commissioners, at a lawfully held meeting, may do 1 or more of the following:

(j) By majority vote of the members of the county board of commissioners elected and serving, pass ordinances **that relate to county affairs and do not contravene the general laws of this state or interfere with the local affairs of a township, city, or village within the limits of the county**, and pursuant to section 10b provide suitable sanctions for the violation of those ordinances.

MCL 46.11(j)(emphasis added). Statutes may also authorize county boards to enact ordinances for specific purposes. Examples include noxious weed (MCL 247.70), zoning (MCL 125.201 *et seq.*), and animal control (MCL 287.289a) ordinances. Absent a "specific purpose" statute authorizing the enactment of an ordinance, a county board is limited to enacting only those governed or authorized by MCL 46.11(j). Those ordinances must: (1) relate to county affairs; and (2) not contravene the general laws of the state or interfere with the local affairs of a township, city, or village within the limits of the county. *Ibid.* Finally, cities, villages and townships are authorized to adopt their own ordinances that relate to matters of their own local concern. *Detroit Edison Co v Township of Richmond*, 150 Mich App 40, 47 (1986).

WHEREAS, What constitutes "county affairs" in county enacted ordinances has been addressed by the Michigan Attorney General's Office. In 1990, Attorney General Kelley held that a county had no authority to regulate placement of cigarette vending machines in the municipalities within the county's borders, but did have the authority to regulate placement *on its own property*. OAG 1990, No 6665. The issue of a county-wide noise ordinance was discussed by Attorney General Granholm's Office in OAG 2001 No 7096. In that opinion, the Attorney General opined that

[a] countywide noise control ordinance . . . would apply beyond the affairs of a county, which have been characterized in prior Attorney General Opinions as "affairs relating to the county in its organic and corporate capacity and included within its governmental or corporate powers." On the other hand, it is possible that a noise control ordinance could be adopted by a county board of commissioners, provided that the ordinance was limited to the regulation of noise on property owned or occupied by the county government or its boards, commissions, or agencies.

Id (internal citations omitted).

WHEREAS, While Attorney General opinions are considered persuasive and not binding on Michigan's Courts, the reasoning behind both referenced Opinions is sound, and like the enactment of a county-wide noise or vending machine ordinance discussed above, the enactment of any County-wide panhandling ordinance would exceed the scope of the County's authority, and could also improperly conflict or interfere with any panhandling ordinance enacted by a village, city or township within Bay County's border; and

WHEREAS, There are also potential First Amendment concerns that accompany these panhandling ordinances. Our Sixth Circuit Federal Court of Appeals has held that such panhandling: (1) is protected First Amendment Free Speech; that (2) any restrictions on the activity is subject to strict scrutiny; and (3) a municipality cannot pass a "blanket prohibition" on the activity. *Speet v Schuette*, 726 F3d 867, 875 (6th Cir. 2013); and

WHEREAS, Many panhandling ordinances passed in Michigan following the *Speet* case have included buffer zones, traffic regulations and bans on traffic islands, repeated requests, time of day restrictions, etc., in an attempt to avoid overbroad and unconstitutional ordinances. However, at least one federal court outside our circuit in November of 2015 held that such ordinances, even with those limiting provisions, violate free speech rights. See *Thayer v City of Worcester*, 2015 WL 6872450 (D Mass. Nov. 9, 2015)(on remand from *Thayer v City of Worcester*, Mass, 135 S Ct 2887 (2015). Another federal court in that circuit held that an "aggressive panhandling" ordinance was unconstitutional where the government simply duplicated existing assault laws, calling an "aggressive panhandling" ordinance nothing more than a "panhandling+assault" ordinance *McLaughlin v City of Lowell*, 2015 WL 6453144 (D Mass Oct 23, 2015); Therefore, Be It

RESOLVED That the Bay County Board of Commissioners takes no action to enact any "County-wide" panhandling ordinance because it exceeds the scope of the County's authority; Be It Further

RESOLVED That this Board suggests that other Bay County municipalities consult with their own legal counsel on this very complex and sensitive issue. Each municipality has the ability to make their own determination on a local level whether enacting a panhandling ordinance is the right solution for their community. Absent a contract with the County Prosecutor or Sheriff, it would also be incumbent on each municipality to enforce and prosecute its own local panhandling ordinance, as is the case with all other locally enacted ordinances.

ERNIE KRYGIER, CHAIR
AND BOARD

Corporation Counsel - Panhandler Ordinance

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. LUTZ

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 12, 2016

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 9

MOVED TO APPROVE THE REGULAR BOARD SESSION MINUTES OF DECEMBER 8, 2015; SPECIAL SESSION ON DECEMBER 15, 2015; AND AN ORGANIZATIONAL MEETING ON JANUARY 4, 2016 AS PRESENTED.

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 12, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 10

MOVE TO RECEIVE THE PRESENTATION BY LAURA OLGAR, DIRECTOR OF ENVIRONMENTAL AFFAIRS AND COMMUNITY DEVELOPMENT, ON THE SAGINAW-BAY COASTAL INITIATIVE AND THE BAY CITY STATE RECREATION AREA (BCSRA) SHORELINE.

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 12, 2016

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 11

TO RECEIVE THE COMMUNICATION SUBMITTED BY
 JANET GREIF, SUPERINTENDENT OF BAY CITY PUBLIC
 SCHOOLS- NOTICE OF WITHDRAWAL FROM
 COOPERATIVE OPERATION OF
 EDUCATIONAL/GOVERNMENT ACCESS CHANNEL BAY 3
 TV. WITH FINAL OPERATION EFFECTIVE JUNE 30, 2016.

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 12, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 12

TO CONCUR WITH THE ELECTIVE RECOMMENDATION
ROBIN K. WIESS - REQUEST FOR APPOINTMENT TO
DIVISION ON AGING ADVISORY COMMITTEE - 1ST
DISTRICT. (COMMISSIONER DURANCZYK RECOMMENDS
APPOINTMENT OF ROBIN K. WIESS - CONCUR).

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 12, 2016

MOTION SPONSORED BY: COMM. LUTZ

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 13

TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (e): TO CONSULT WITH ITS ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH SPECIFIC PENDING LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATING OR SETTLEMENT POSITION OF THE PUBLIC BODY. TO DISCUSS THE ISSUES OF CYNTHIA A. LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY BOARD OF COMMISSIONERS, ET AL 2015-3583-AW.

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

VOTE TOTALS:

ROLL CALL: XX YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS NAYS EXCUSED

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 13, 2016

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 14

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS CYNTHIA A. LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY BOARD OF COMMISSIONERS, ET AL 2015-3583-AW.

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 12, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 15

MOVED TO PROCEED WITH THE RECOMMENDATION OF CONTRACTUAL, OUTSIDE COUNSEL ALEX BOMMARITO AND AUTHORIZING HIM TO PROCEED AS DISCUSSED IN THE CLOSED SESSION FOLLOWING COMMENTS MADE BY BAY COUNTY LEGAL COUNSEL AMBER DAVIS-JOHNSON.

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 12, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 16

MOVED TO ADJOURN THE REGULAR BOARD SESSION OF
JANUARY 12, 2016.

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____