

**SPECIAL MEETING
BAY COUNTY BOARD OF COMMISSIONERS**

A G E N D A

TUESDAY, MAY 5, 2015

4:30 P.M.

(Or immediately following the Ways and Means Committee meeting)

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN KRYGIER)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

V CITIZEN INPUT

VII ITEMS FOR CONSIDERATION

A. Resolutions:

1. Personnel/Human Services Committee (4/21/15)

1 a. No. 2015-91 - Vacancies: Division on Aging; Prosecutor's Office

2. Ways and Means Committee (5/5/15)

2 a. No. 2015-92 - Vacancy: Register of Deeds' Office

3 b. No. 2015-93 - Architectural Services Agreement with Spicer Engineering - Roofing System at Court Facility and 911 (Buildings and Grounds)

4 c. No. 2015-94 - Structural Assessment Contract with MacMillian and Associates - County Market Canopy (Buildings and Grounds)

5 d. No. 2015-95 - RFP for Elevator Service Agreement (Buildings and Grounds)

VIII UNFINISHED BUSINESS

IX NEW BUSINESS

X MISCELLANEOUS

XI ANNOUNCEMENTS

XII CLOSED SESSION

A. Corporation Counsel - Legal Opinion

Motion: To go into closed session pursuant to MCL 15.268(h) to consider material exempt from discussion or disclosure by state or federal statute. The statute relied upon is the Michigan Freedom of Information Act which exempts from disclosure "public records subject to the attorney-client privilege." [MCL 15.243(g)]

XIII RECESS/ADJOURNMENT

BAY COUNTY BOARD OF COMMISSIONERS

5/5/2015

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (4/21/15)

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:

- 1. Division on Aging - Cooks (3) - 2 On-call and 1 Temporary
2. Prosecutor's Office - Legal Stenographer (ft, \$14.37/hr entry)

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 - May

MOVED BY COMM. Lutz
SUPPORTED BY COMM. Herek

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, Donald J. Tilley, and Michael E. Lutz.

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

DISPOSITION: ADOPTED DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

5/5/2015

RESOLUTION

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

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:

1. Register of Deeds - Typist Clerk III (ft, \$13.09/hr. entry)

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.

KIM COONAN, CHAIR
AND COMMITTEE

Vacancies2- May

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Tilley

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 7 NAYS 0 EXCUSED 0

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

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BAY COUNTY BOARD OF COMMISSIONERS

5/5/2015

RESOLUTION

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

WHEREAS, County staff have made numerous repairs to the roofing system on the Court Facility and 911 and it has been determined that it is time for replacement; and

WHEREAS, The area encompasses approximately 33,000 square feet of roofing and is located directly over the Courtrooms, Judges Chambers, lobby and 911; and

WHEREAS, Architectural services will be required to assist Bay County in reviewing and making recommendations for the RFP for installation of the new roofing system; and

WHEREAS, Funds for this service have been included in the 2015 Buildings and Ground's budget; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Architectural Services Contract with Spicer Engineering at a cost of \$1,800 for assistance with the Court Facility and 911 roofing system RFP; Be It Further

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

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Bldgs & Grnds - Architectural Services - Spicer - Court Facility and 911 Roofing System

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Tilley

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

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

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

5/5/2015

RESOLUTION

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

WHEREAS, City officials have requested a review of the Market columns and concrete piers for safety and structural integrity and Buildings and Grounds staff met with two structural engineering companies on site and explained the concerns and what would be required from the engineering companies; and

WHEREAS, Bids were received from the two companies and MacMillian & Associates is the recommended choice for this project; and

WHEREAS, The cost for the structural engineering services is \$1,750 and funds are included in the Recreation and Facilities budget to cover this expense; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Structural Assessment Contract for the Market Canopy and authorizes the Board Chair to sign said 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

Recreation & Facilities - County Market Canopy - Structural Assessment Contract

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Tilley

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

VOTE TOTALS:

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

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

4

BAY COUNTY BOARD OF COMMISSIONERS

5/5/2015

RESOLUTION

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

WHEREAS, Bay County has been on a year-to-year contract with the current elevator service company for many years and in previous bidding, the current elevator service company was always the low bidder; and

WHEREAS, It has now been determined it may be financially beneficial to bid out the elevator maintenance and service contracts, saving the County a significant amount of money; and

WHEREAS, Monies for this service are included in the Buildings and Grounds 2015 budget; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Buildings and Grounds Department to secure bids for the service agreement on elevators in the County Building and the Law Enforcement Center; Be It Further

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

RESOLVED That related required budgets are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Bldgs & Grnds - Elevator Service Agreement

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Duranczyk

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

VOTE TOTALS:

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

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

-5-

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MAY 5, 2015

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 33

TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (h):
 TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR
 DISCLOSURE BY STATE OR FEDERAL STATUTE. THE STATUTE
 RELIED UPON IS THE MICHIGAN FREEDOM OF INFORMATION
 ACT WHICH EXEMPTS FROM DISCLOSURE "PUBLIC RECORDS
 SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE." [MCL
 15.243 (g)]

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: MAY 5, 2015

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 34

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED
SESSION DISCUSSIONS REGARDING LEGAL OPINION.

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: MAY 5, 2015

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 35

MOTION REQUESTING BAY COUNTY ADMINISTRATION AND CORPORATION COUNSEL, AS DISCUSSED IN CLOSED SESSION PURSUANT TO MCL 15.268 (h), PRESENT TO THE BOARD FOR ITS CONSIDERATION AT ITS MAY 12, 2015 MEETING, A MEMORANDUM ADDRESSING THE POSSIBLE RESCISSION OF BOARD RESOLUTION 96-311, ADOPTED DECEMBER 17, 1996.

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: MAY 5, 2015

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 36

TO ADJOURN THE SPECIAL BOARD SESSION OF MAY 5, 2015
AT 5:20 P.M.

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