

SPECIAL MEETING

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, JUNE 4, 2019

4:30 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN DURANCZYK)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

V CITIZEN INPUT

VI ITEMS FOR CONSIDERATION

A. RESOLUTIONS

- | | |
|----------|--|
| 1 | 1. No. 2019-112 - Memorandum of Understanding with The PEW Charitable Trusts (Sheriff) |
| 2 | 2. No. 2019-113 - Commemoration of 125th Anniversary of Saginaw Bay Yacht Club (The County Executive will present at the celebration of the SBYC Anniversary on June 9th) |

VII UNFINISHED BUSINESS

VIII NEW BUSINESS

IX MISCELLANEOUS

X ANNOUNCEMENTS

XI CLOSED SESSION

- A. Corporation Counsel - Pending Litigation: Jason Holsapple; Adam Brown**

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (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.

XII RECESS/ADJOURNMENT

BAY COUNTY BOARD OF COMMISSIONERS

JUNE 4, 2019

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (6/4/19)

WHEREAS, On April 17, 2019, Governor Gretchen Whitmer signed an Executive Order 2019-10 creating a Joint Task Force on Jail and Pretrial Incarceration; and

WHEREAS, The purpose of the joint task force is to evaluate justice systems in Michigan and to craft recommendations for statewide policy regarding judicial system efficiency and effectiveness; and

WHEREAS, State and local leaders invited PEW Charitable Trusts (PEW) to provide technical assistance to the task force by collecting and analyzing criminal justice system data to be provided by local and state agencies; and

WHEREAS, The Bay County Sheriff's Office has been selected by the task force to provide jail inmate data to PEW to assist with the task force's objectives and the Bay County Sheriff's Office is seeking the Bay County Board of Commissioner's approval to enter into a Memorandum of Understanding (MOU) with PEW; and

WHEREAS, The MOU sets forth the parties' understanding regarding the protection of the data provided to PEW by the Bay County Sheriff's Office. The term of the MOU is eleven (11) months and may be renewed for an additional three (3) months; and

WHEREAS, There would be no financial impact to the County; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Understanding between Bay County (Sheriff's Office) and The Pew Charitable Trusts (PEW) for a term of eleven (11) months with possible renewal for an additional three (3) months and authorizes the Chairman of the Board to execute said MOU on behalf of Bay County following Corporation Counsel review/approval.

THOMAS M. HEREK, CHAIR
AND COMMITTEE

Sheriff - MOU with PEW

MOVED BY COMM. HEREK

SUPPORTED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

JUNE 4, 2019

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (6/4/19)
 WHEREAS, On June 9, 2019, the members of the Saginaw Bay Yacht Club will gather for the Blessing of the Fleet and celebration of the 125th Anniversary of the Saginaw Bay Yacht Club, one of the oldest clubs on the Great Lakes; and
 WHEREAS, The Bay City Boat and Fishing Club was established in 1894 by William Jennison and 109 enthusiastic charter members, with a change in name to the Saginaw Bay Yacht Club in 1924; and
 WHEREAS, The clubhouse for the Saginaw Bay Yacht Club was erected in 1895; and
 WHEREAS, Forty sawmills lined the banks of the Saginaw River from the mouth to above Bay City and the heavy traffic of steam tugs, tow barges leaving the mills with finished lumber, as well as incoming towing log rafts or barges loaded with logs from lumbering areas, proved to be a challenge and hazard for the sail and steamboats navigating the river; and
 WHEREAS, Outgrowing the club house and with the shortage of mooring space, the club members decided to relocate downriver, moving their clubhouse and adding a new facility, with the grand opening of a beautiful 40' x 50' Victorian building held on July 8, 1904; and
 WHEREAS, With the deterioration of that clubhouse, in 1959 construction began on a new clubhouse and the grand opening of that facility was held in conjunction with the Commodores' Ball in April 1960; and
 WHEREAS, The Saginaw Bay Yacht Club continues to grow and improve its facilities to maintain its reputation as one of the finest clubs on the Great Lakes; and
 WHEREAS, The Saginaw Bay Yacht Club, with a membership of nearly 250, is a unique community of individuals with shared values and common interests in an atmosphere of friendship and mutual respect standing tall and proud along the river; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners and Bay County Executive commemorate the 125th Anniversary of the Saginaw Bay Yacht Club and recognize its long history in Bay County, extending best wishes for future success and continued growth.

MICHAEL J. DURANCZYK, CHAIR
 AND BOARD

SBYC
 MOVED BY COMM. HEREK

SUPPORTED BY COMM. KRYGIER

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			TOM RYDER	X						

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

- 2 -

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 4, 2019

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 56

MOVED 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 PENDING LITIGATION IN REGARD TO THE CASES INVOLVING BOTH JASON HOLSAPPLE AND ADAM BROWN.

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			Tom Ryder	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 4, 2019

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 57

MOVED TO GO BACK TO REGULAR SESSION AFTER CLOSED SESSION TO DISCUSS PENDING LITIGATION IN REGARD TO THE CASES INVOLVING BOTH JASON HOLSAPPLE AND ADAM BROWN.

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			Tom Ryder	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 4, 2019

MOTION SPONSORED BY: COMM. LUTZ

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 58

MOVED TO FOLLOW THE RECOMMENDATIONS OF DEFENSE
COUNSEL REGARDING THE SETTLEMENT DEMAND ON COURT
CASE: JASON HOLSAPPLE VS. TROY CUNNINGHAM, U.S.
DISTRICT COURT - EASTERN DISTRICT OF MICHIGAN, CASE
NO. 1:18-CV-11271-TLL-PTM.

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			Tom Ryder	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 4, 2019

MOTION SPONSORED BY: COMM. RYDER

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 59

TO DECLINE PAYMENT OF DEFENSE IN THE COURT CASE:
BRENDA A. AMTHOR VS. ADAM BROWN, BAY COUNTY 18TH
CIRCUIT COURT, CASE NO. 18-3726-NO-HG.

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		Tom Ryder	X						

VOTE TOTALS:

ROLL CALL: YEAS NAYS EXCUSED

VOICE: X YEAS 6 NAYS 1 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED WITHDRAWN

 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 4, 2019

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 60

MOVED TO ADJOURN THE SPECIAL SESSION OF THE BAY COUNTY BOARD OF COMMISSIONERS OF JUNE 4, 2019. THE MEETING CONCLUDED AT 5:08 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			Tom Ryder	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____