

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, NOVEMBER 1, 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

162-195 **V MINUTES (9/13/16; 9/20/16; 10/11/16; 10/18/16)**

VI CITIZEN INPUT

VII PETITIONS AND COMMUNICATIONS

- I A. William L. Powell - Resignation from Bay-Arenac Behavioral Health Board (Receive) [Note: Mr. Powell's term expires 3/31/18. This vacancy will be announced on BCTV and in the County Executive's Newsletter.]
- 2-3 B. John T. Andrus - Request for Appointment to Bay-Arenac Behavioral Health Board (Receive)
- 4-9 C. Tom Starkweather - Request for Reappointment to Department of Health and Human Services Board (Receive)
- 10-17 D. Probate Court Administrator - Child Care Fund Case Review (Receive)

VIII

REPORTS/RESOLUTIONS OF COMMITTEES

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

- | | | |
|-------|-----|--|
| 18-19 | 1. | No. 2016-259 - Polish Legion of American Veterans U.S.A. 2017 Biannual Convention - \$2,500 (Veterans) |
| 20-22 | 2. | No. 2016-260 - Youth Alcohol Grant - Renewal FTY2017 (Sheriff) |
| 23-24 | 3. | No. 2016-261 - Campaign Finance US Software Maintenance (County Clerk) |
| 25-27 | 4. | No. 2016-262 - Correction to 2016 Assessment Roll for the Kolb Drain (Drain Commissioner) |
| 28-29 | 5. | No. 2016-263 - Appropriation for Coverage During Maternity Leave of Recreation and Facilities Director (Recreation & Facilities) |
| 30-32 | 6. | No. 2016-264 - 2017 Remonumentation Grant/Related Documents and Resulting Contracts (Drain Office - Remonumentation Program) |
| 33-39 | 7. | No. 2016-265 - Saginaw Bay Reef Restoration Grant (Environmental Affairs & Community Development) |
| 40-41 | 8. | No.2016-266 - Enbridge Safety Community Grant Program (9-1-1 Central Dispatch) |
| 42-43 | 9. | No. 2016-267 - Amendment # 1 to CPBC Agreement (Health Dept.) |
| 44-45 | 10. | No. 2016-268 - Memorandum of Agreement for PATH Diabetes Program (Division on Aging) |
| 46-47 | 11. | No. 2016-269 - Memorandum of Agreement for the Matter of Balance Program (Division on Aging) |
| 48-49 | 12. | No. 2016-270 - EHIM Cares Program (Personnel Dept.) |
| 50-57 | 13. | No. 2016-271 - Medicare Advantage Plan (Personnel Dept.) |
| 58-59 | 14. | No. 2016-272 - Employees' Health Care Contribution Rates (Personnel Dept.) |
| 60-61 | 15. | No. 2016-273 - Waiver of Employee Cost to Wellness Center - 1/1/16 to 12/31/19 (Personnel Dept.) |
| 62-63 | 16. | No. 2016-274 - RFP for Excess Workers' Compensation Policy (Personnel Dept.) |

- 64 17. No. 2016-275 - Payables: General; Center Ridge Arms (Finance Dept.)
- 65-71 18. No. 2016-276 - Budget Adjustments (Various) (Finance Dept.)
- 72-75 19. No. 2016-277 - Grant Processing Policy (Finance Dept.)
- 76-88 20. No. 2016-278 - Travel Policy (Finance Dept.) [NOTE: Synopsis of changes to Travel Policy on pages 87-88.]
- 89-141 21. No. 2016-279 - Purchasing Policy (Finance Dept.) [NOTE: Synopsis of changes to Purchasing Policy on pages 136-141.]
- 142-147 22. Items to be Received:
 - a. Personnel Department - Tuition Reimbursement Information for Evan Griffiths (District Court) and Britney Reed (Probate Court)
 - b. Buildings and Grounds - Painting Project Updates
 - c. Finance Department - Analysis of General Fund Equity 2016
 - d. Finance Department - Executive Directive #2007-11

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

- 154 1. No. 2016-280 - Lease Agreements for Group Homes (Recreation and Facilities)
- 155 2. No. 2016-281 - Michigan Centralized Birth Certification System (County Clerk)
- 156 3. No. 2016-282 - Contract with Sherry LaMere (Health Department)
- 157 4. No. 2016-283 - Contract with eClinicalWorks LLC (Health Dept.)
- 158 5. No. 2016-284 - Shelter Agreement for Community Center Use by Red Cross (Recreation and Facilities)
- 159 6. No. 2016-285 - Vacancies: Mosquito Control; 9-1-1 Central Dispatch; Health Department (Personnel Dept.)

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

- 160-161 1. No. 2016-286 - 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. NOVEMBER:

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

b. Bay County Building Authority (One unexpired 6 year term (Chris Hennessy); term expires 11/30/2019)

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

B. Public Hearing on the 2017 Bay County Proposed Budget is scheduled for Tuesday, November 15, 2016 at 4:00 p.m.

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: NOVEMBER 1, 2016

PAGE 1 OF 3

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2016-259	COONAN	Polish Legion of American Vet's USA 2017 Biannual Convention \$2,500 (Vets)	XX						
2016-260	COONAN	Youth Alcohol Grant - Renewal FTY2017 (Sheriff)	XX						
2016-261	COONAN	Campaign Finance US Software Maintenance (County Clerk)	XX						
2016-262	COONAN	Correction to 2016 Assessment Roll for the Kolb Drain (Drain Comm.)	XX						
2016-263	COONAN	Appropriation for Coverage During Maternity Leave of Rec. And Fac. Director (Rec & Fac.)	XX						
2016-264	COONAN	2017 Remuneration Grant/Related Documents and Resulting Contracts (Drain Comm.)	XX						
2016-265	COONAN	Saginaw Bay Reef Restoration Grant (Env. Affair & Comm. Dev.)	XX						
2016-266	COONAN	Enbridge Safety Community Grant Program (9-1-1 Central Dispatch)	XX						
2016-267	COONAN	Amendment #1 to CPBC Agreement (Health Dept.)	XX						
2016-268	COONAN	Memorandum of Agreement for PATH Diabetes Program (Div on Aging)	XX						
2016-269	COONAN	Memorandum of Agreement for the Matter of Balance Program (Div. on Age)	XX						
2016-270	COONAN	EHIM Cares Program (Personnel Dept.)	XX						
2016-271	COONAN	Medicare Advantage Plan (Personnel Dept.)	XX						
2016-272	COONAN	Employees' Health Care Contribution Rates (Personnel Dept.)	XX						
2016-273	COONAN	Waiver of Employee Cost to Wellness Center - 1/1/16 to 12/31/19 (Personnel Dept.)	XX						
2016-274	COONAN	RFP for Excess Workers' Compensation Policy (Personnel Dept.)	XX						
2016-275	COONAN	Payables: General; Center Ridge Arms (Finance Dept.)	XX						
2016-276	COONAN	Budget Adjustments (Various) (Finance Dept.)	XX						

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: NOVEMBER 1, 2016

PAGE 2 OF 3

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2016-277	COONAN	Grant Processing Policy (Finance Dept.)	XX						
2016-278	COONAN	Travel Policy (Finance Dept.)	XX						
2016-279	COONAN	Purchasing Policy (Finance Dept.)	XX						
2016-280	LUTZ	Lease Agreements for Group Homes (Recreation and Facilities)	XX						
2016-281	LUTZ	Michigan Centralized Birth Certification System (County Clerk)	XX						
2016-282	LUTZ	Contract with Sherry LaMere (health Department)	XX						
2016-283	LUTZ	Contract with eClinicalWorks LLC (Health Dept.)	XX						
2016-284	LUTZ	Shelter Agreement for Community Center Use by Red Cross (Rec. & Fac.)	XX						
2016-285	LUTZ	Vacancies: Mosquito Control; 9-1-1 Central Dispatch; Health Dept. (Person. Dept.)	XX						
2016-286	TILLEY	Reports of County Executive	XX						
2016-287	COONAN	Execute Easement for Water Main, City of Essexville, on behalf of Bay County	XX						
MOTION									
16-104	Duranczyk	Approve Regular and Special Board Session Minutes	XX						
16-105	Duranczyk	Accept William L. Powell's Resignation from Bay-Arenac Behavioral Health Board	XX						
16-106	Coonan	Rec. the Req. of George Zanotti for Appt. to Bay-Arenac Behavioral Health Board	XX						
16-107	Coonan	Rec. the Req. of John T. Andrus for Appt. to Bay-Arenac Behavioral Health Board	XX						
16-108	Tilley	Rec. Tom Starkweather's Reappoint. To Depart. Of Health and Human Serv. Board	XX						

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, The Polish Legion of America Veterans Department of Michigan, a fraternal veteran organization Congressionally Chartered in 1984 to support veteran financial and medical needs in the State of Michigan, will be holding its 2017 Biannual Convention in Bay City, Michigan which will include election of State Department officers for the next two years, update of by-laws and procedures and approval of the annual budget for the organization; and

WHEREAS, The Polish Legion of America Veterans Department of Michigan is requesting a contribution of \$2,500 from funds budgeted for veterans' conventions to be used to pay for meeting space insuring that invited guests have ample hotel and banquet facilities; and

WHEREAS, This event provides an opportunity to bring the membership to Bay County to see and experience what our community has to offer inviting future vacations/visits to Bay County; and

WHEREAS, State law allows counties to contribute to veteran's groups for conventions and conferences up to \$5,000 per year; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes an appropriation of \$2,500 to the Polish Legion of America Veterans Department of Michigan for their Biannual 2017 Convention to be held at the Courtyard Marriot August 24, 2017 to August 27, 2017.

KIM COONAN, CHAIR

AND COMMITTEE

Veterans Conventions Appropriation - Polish Legion of America Veterans Department of Michigan

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: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, For many years the Bay County Sheriffs office has participated in the Youth Alcohol Grant program and the Department is again eligible for the program; and

WHEREAS, This grant seeks to improve communication among agencies, schools, prosecutors and the community and to develop a heightened awareness of underage drinking making agencies more efficient and effectively better to coordinate enforcement of the underage drinking laws; and

WHEREAS, The amount of the Grant is \$10,000.00 and there is no additional cost to Bay County for this grant. There is a new goal from last year - the goal states that you will liquidate at least 85% of your grant funds; Therefore, Be It

RESOLVED That the Chairman of the Board is authorized to execute, and submit electronically (if required), the Youth Alcohol Grant application and required documents on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant; Be It Further

RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County.

**KIM COONAN, CHAIR
AND COMMITTEE**

Sheriff Dept - Youth Alcohol Grant FTY17

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: X YEAS 7 NAYS 0 EXCUSED 0

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

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BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, On November 17, 2015, the Bay County Board of Commissioners approved resolution 2015-258 authorizing a contract with Campaign Finance USA for the installation of a computer campaign finance reporting system in the Bay County Clerk's Office at a cost not to exceed \$5,000, monies taken from the 2015 Clerk's Election computer software line item; and

WHEREAS, An annual maintenance expense of \$3,000 was approved as well but was subject to annual review by the Board of Commissioners and is dependent on levels of election funding remaining in future budgets; and

WHEREAS, The Bay County Clerk is requesting that the Board of Commissioners appropriate \$3,000 in the Clerk's 2017 budget to cover the maintenance expense for this election related service; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners appropriates \$3,000 in the 2017 Bay County Clerk's budget to cover annual maintenance fees associated with the Campaign Finance USA software package; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute document, if any required, on behalf of Bay County following legal review/approval.

**KIM COONAN, CHAIR
AND COMMITTEE**

County Clerk - Campaign Finance USA Annual Maintenance Expense

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, During the preparation of the assessment roll for the Kolb Drain, an error was discovered after it was submitted to the Township and Board of Commissioners; and

WHEREAS, Pursuant to Section 290.273 of Act 40 of 1956, as amended, that being the Michigan Drain Code, any such error is to be reported to the County Board of Commissioners with a request that the Board shall order the same corrected including any penalties or interest; and

WHEREAS, In this particular case, two parcels were not included in the sum total and there was some rounding issues; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby orders correction, to include any penalties or interest, to the 2016 assessment roll for the Kolb Drain.

KIM COONAN, CHAIR
AND COMMITTEE

Drain Commissioner - Correction to 2016 Assessment Roll for the Kolb Drain

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, Cristen Gignac, the Director of Recreation and Facilities, will be on maternity leave for 12 weeks starting in late 2016; and

WHEREAS, To cover this leave for the period of 12 weeks, it is proposed that Jon Morse, the Buildings and Grounds Supervisor, will address all needs in regards to Buildings & Grounds and Rick Pabalis, Buildings and Grounds Project Manager, will work up to 15 hours per week to cover the Recreation side of the department during that time period; and

WHEREAS, The funds are not budgeted for 2016 and an appropriation of up to \$2,300 is required from Fund Balance; and

WHEREAS, Professional Temporary Help funds are in the Executive Recommended Budget for 2017 to cover the remaining time and, if the funding is approved, no additional funds would be required; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners appropriates up to \$2,300 from Fund Balance to be placed in Professional Temporary Help in the Recreation and Facilities 2016 budget; Be It Further

RESOLVED That the required budget adjustment(s) is approved.

**KIM COONAN, CHAIR
AND COMMITTEE**

Recreation & Facilities - Appropriation for Maternity Leave Coverage

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						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	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

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, Bay County is in its 24th year of the Remonumentation Program with the State of Michigan and the grant program requires a yearly submission of a grant application identifying a work plan for the grant year; and

WHEREAS, The Remonumentation Program is funded through a combination of state grant dollars and a fee on deed recordings which are specifically allowed by state law to be allocated to the program in a reserve account; and

WHEREAS, No General Fund dollars are required; Therefore, Be it

RESOLVED That the Bay County Board of Commissioners approves submittal of the 2017 Remonumentation Grant application and authorizes the Board Chair to sign all required grant documentation as well as contracts for the Remonumentation Program, including awarding of the contracts for the survey work, following 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 budget adjustments related to the Remonumentation Program, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Drain Office - 2017 Remonumentation Program Grant

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, The historic rock reef complex of the inner Saginaw Bay provided critical spawning habitat for many native fish species for both the spring (walleye, smallmouth bass) and fall (Lake Whitefish, cisco, lake trout) spawning seasons. Over time, this important habitat complex was filled in and buried due to erosion and sedimentation, brought about by land-use changes including the timber harvest and land use conversion to agriculture; and

WHEREAS, The loss of this important fish habitat resulted in the decline of bay spawning fish species and these adverse impacts have been well documented since the 1960's. The Loss of Fish and Wildlife Habitat was listed as a Beneficial Use Impairment (BUI) and contributed to Saginaw River and Bay being designated as an Area of Concern (AOC) by the governments of Canada and the US; and

WHEREAS, Significant investment has been made to improve the water quality and physical environment of the Saginaw River and Bay by many local, state and federal agencies and agricultural practitioners over the past several decades, and clear signs of restoration are now being documented. Recent modeling of the Saginaw River shows that sediment transport and loading into the bay has declined, and indicate that restoration of the historic rock spawning reefs is now feasible; and

WHEREAS, A resource team of environmental restoration professionals including Michigan's leading fisheries habitat restoration experts have been working for the past five years to document conditions at the Saginaw Bay rock reefs for restoration and the Pre-Construction Assessment phase has recently been completed. The Assessment shows there is some remnant spawning still occurring at the degraded reef sites and water quality conditions are favorable for egg survival. Funding for the design and construction phase is now being pursued with a small public educational outreach component; and

WHEREAS, Bay County has been active in the restoration of the Saginaw River and Bay AOC is recognized as part of the reef restoration team for local stakeholder outreach and education. The Environmental Affairs and Community Development Director seeks authorization to apply to the Saginaw Bay Watershed Initiative Network (WIN) for \$25,000 to serve as a portion of local match needed (\$211,000) towards grant funding the reef restoration project, which is estimated to cost \$900,000. The WIN

grant funds would be administered through the Department and contribute to the required local match for project to be administered through the Michigan Department of Environmental Quality (DEQ) Remediation and Redevelopment Division; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Director of the Environmental Affairs and Community Development to apply for \$25,000 grant funds from Saginaw Bay WIN with the grant funds to be used towards the design, construction and post-construction monitoring of a fish spawning reef in the Saginaw Bay. The Director will provide up to 80 hours of time towards public education and community outreach, for an in-kind contribution of \$3,400; Be It Further

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

RESOLVED That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant; Be It Further

RESOLVED That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County.

**KIM COONAN, CHAIR
AND COMMITTEE**

Env Affairs - Saginaw Bay Reef Restoration Grant

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

OCTOBER 11, 2016

RESOLUTION

- BY:** WAYS AND MEANS COMMITTEE (10/4/16)
- WHEREAS,** The Enbridge Safe Community Program awards grants to local first-responder organizations, in communities across North America; and
- WHEREAS,** The funds are intended to enhance the capabilities of first-responder agencies that reside near an Enbridge facility or an Enbridge pipeline right-of-way; and
- WHEREAS,** The Bay County Local Emergency Planning Committee (LEPC), Bay County Emergency Management and Bay County 9-1-1 Central Dispatch all qualify to apply for Enbridge Safe Community Program grant funding; and
- WHEREAS,** There are no matching funds or in-kind contributions required to receive the Enbridge Safe Community Grant Program and, if awarded, the Bay County LEPC, Emergency Management and 9-1-1 would each receive a \$1,000 award; and
- WHEREAS,** It is recommended that the Bay County Board of Commissioners authorize The LEPC, Emergency Management and 9-1-1 to apply for and, if awarded, receive the Enbridge Community Grant Program; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners authorizes application for 2016 Enbridge Safe Community Grant Program; Be It Further
- RESOLVED** That the Chairman of the Board is authorized to execute, and submit electronically (if required), the grant application documents on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED** That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant; Be It Further
- RESOLVED** That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County.

**KIM COONAN, CHAIR
AND COMMITTEE**

911 Central Dispatch - 2016 Enbridge Safe Community Grant Program

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: X YEAS 7 NAYS 0 EXCUSED 0

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

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BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, The 2016-2017 CPBC Agreement between Bay County and the Michigan Department of Community Health (MDCH) is being amended to incorporate the Annual Budget, Output Measures, Funding/Reimbursement Matrix, updated program language and revised allocations received since the original agreement was issued; and

WHEREAS, Amendment # 1 reflects adjustments to funding levels as follows:

FINANCIAL CONSIDERATIONS:

This Amendment reflects adjustments to funding levels as follows:

i-a. Allocation Changes – Existing Projects

Project Title	Current Amount	Amended Amount	New Project
Public Health Emergency Preparedness (PHEP) 10/1/16 - 6/30/17	94,932.00	1,540.00	96,472.00
TOTAL :	94,932.00	1,540.00	96,472.00

i-b. New Allocation – New Projects

Project Title	Current Amount	Amended Amount	New Project
CSHCS Medicaid Outreach	0.00	0.00	0.00
TOTAL :	0.00	0.00	0.00

WHEREAS, The increase in the above program funds reflects funds reallocated to the Bay County Health Department for the Public Health Emergency Preparedness Program. The second change does not reflect any budgeted amount, but is a categorical change.; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves amendment #1 to the 2016-2017 CPBC Contracting Agreement; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute and submit electronically (if required) the grant documents (application, grant award, amendments, and all related required documents) on behalf of Bay County; 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 budget adjustments relating to this amendment are approved.

**KIM COONAN, CHAIR
AND COMMITTEE**

Health Dept - Amendment # 1 to 2016-2017 CPBC Agt

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: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

-42-

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)
WHEREAS, A Memorandum of Agreement (MOA) for the Personal Action Towards Health (PATH) Diabetes Program between Region VII Area Agency on Aging and Bay County (Division on Aging) has been submitted for consideration; and
WHEREAS, The MOA, which covers a period through October 1, 2016 through September 30, 2017, aids in developing, implementing and assessing PATH (Personal Action Towards Health) Diabetes programs; and
WHEREAS, The Division on Aging is required to utilize all Title IID funding for programs and activities which have been demonstrated to be evidence-based; and
WHEREAS, Region VII Area Agency on Aging will provide \$100.66 per hour for training conducted; and
WHEREAS, The grant funds require matching funds and the (11.5 percent) match per unit would come from in-kind services; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Agreement (MOA) for the Personal Action Towards Health (PATH) Diabetes Program for the period October 1, 2016 through September 30, 2017, between Region VII Area Agency on Aging and Bay County (Division on Aging) and authorizes the Chairman of the Board to execute said MOA and all related documents on behalf of Bay County following legal review/approval; Be It Further
RESOLVED That budget adjustments required and related to the MOA for the PATH Diabetes Program are approved.

**KIM COONAN, CHAIR
 AND COMMITTEE**

DOA - PATH Diabetes Program

MOVED BY COMM. COONAN

SUPPORTED BY COMM. HEREK

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)
WHEREAS, Region VII Area Agency on Aging has submitted a Memorandum of Agreement for implementing and assessing Matter of Balance Program for the period October 1, 2016 through September 30, 2017; and
WHEREAS, The Matter of Balance Program is designed to manage concerns about falls and is designed to reduce the fear of falling and increase activity levels among older adults; and
WHEREAS, Region VII Area Agency on Aging will provide \$100.66 per hour of training in federal funding for provision of the evidenced-based program for the period of the grant and the Division on Aging must provide up to a maximum of three (3) sessions of training at 16 hours per session; and
WHEREAS, The grant funds require matching funds and the 11.5 percent match per unit would come from in-kind services; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Agreement between Region VII AAA and Bay County (Division on Aging) and authorizes the Chairman of the Board to execute said MOA and related documents on behalf of Bay County following legal review/approval; Be It Finally
RESOLVED That required budget adjustments related to the Matter of Balance Program for FY2016-2017 are approved.

KIM COONAN, CHAIR
 AND COMMITTEE

DOA - Matter of Balance Program

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: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, Specialty drugs are the fastest growing class of medications in the pharmacy industry and the most costly prescription drugs as well; and

WHEREAS, One of the most effective managed care programs our PBM provides is the EHIMCares Program, a program that searches for ways to completely defer the cost of these medications to other sources saving groups tens of thousands of dollars per year (in 2015, EHIM saved Bay County \$28,000 on one medication that was successfully deferred and paid by other programs); and

WHEREAS, The cost for this service for the upcoming plan year (2017) is \$1.00 PEPM fee and 10% of any successfully deferred medications; the 10% will only be charged should the medication be paid 100% by another source rather than by Bay County; and

WHEREAS, The funds are paid for out of the Health Insurance Fund and no General Fund dollars are required for this amendment; and

WHEREAS, The approximate annual cost of the service is \$6,360, however, the savings realized from deferred prescriptions can be substantially higher; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the EHIM Cares Program and authorizes the Chairman of the Board to execute the EHIMCares Program Group Wide Change Form as well as the Amendment to Administrative Services Agreement which updates HIPAA language on behalf of Bay County following legal review/approval.

KIM COONAN, CHAIR
AND COMMITTEE

Personnel - EHIMCares Program

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: X YEAS 7 NAYS 0 EXCUSED 0

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

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BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)
WHEREAS, Historically, retirees have been covered under the BCBS Medicare supplemental plan or the Blue Care Network HMO plan; and
WHEREAS, The BCN HMO plan has been a closed plan for many years and currently has 27 retirees on it while the BCBS plan is the current plan offered to new retirees and has 175 Medicare eligible retirees; and
WHEREAS, The renewal rates for the BCN plan have come in at a rate that is not sustainable for the County to continue and, over the last two years, the renewal rates have increased 97.56% and are expected to continue increasing in future years; and
WHEREAS, Due to the timing of the contract and the deadlines necessary, the plan change will be effective March 1, 2017 and this change in plans is estimated to save the County approximately \$251,000 in 2017; and
WHEREAS, The Medicare Advantage plan is an enhanced plan when compared to the BCBS Medicare Supplemental plan and County personnel are working with Brown & Brown to schedule informational meetings for retirees who will be affected by the plan change; and
WHEREAS, No additional funds are required; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners authorizes the change moving Medicare eligible retirees from the supplemental and HMO plans to the Medicare Advantage fully insured plan; Be It Further
RESOLVED That the Chairman of the Board is authorized to execute all documents required for the changes to the Medicare Advantage full insured plan on behalf of Bay County following legal review/ approval.

**KIM COONAN, CHAIR
 AND COMMITTEE**

Personnel - Medicare Advantage Plan

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 7 NAYS 0 EXCUSED 0
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, For several years, Bay County's represented and non-represented employees have borne a 15% cost contribution to their health care coverage, long before most counties; and

WHEREAS, A decrease in tax revenues has impacted the County's ability to offer raises which are in line with inflationary trends and health care costs, thereby placing a a burden on employees and their families; and

WHEREAS, On September 27, 2011, Public Act 152 became effective and provided, among other items, that the employer shall bear no more than 80% of the total health care costs (Section 3 of the Act) unless "Sec. 8.(1) by a 2/3 vote of its governing body each year, a local unit of government exempt itself from the requirements of this act for the succeeding year." MCL 15.568(1); Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby opts out of the requirements of P.A. 152 continues the allocation of health care costs of 85% to the County and 15% to employees.

KIM COONAN, CHAIR
AND COMMITTEE

Personnel - 85/15 Split for Health Care - 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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, Employees pay 15% of actual claims costs of the health care claims and the rates they pay are 15% of the total cost of health care for the previous calendar year. Therefore, the rates that will be effective on July 1, 2017 will be for the period January 1, 2016 through December 31, 2016. The total cost of health care will include the cost of the Wellness Center beginning on January 1, 2016; and

WHEREAS, The total cost of health care is anticipated to be about \$5.3 million for 2016, although the books are not yet closed for that period. It is also anticipated that the cost of the wellness center will be about 8% or so of the \$5.3M. Therefore, the employees' share of that portion of the health care costs for the Wellness Center will be about \$63,000 or so; and

WHEREAS, Bay County has undertaken a series of wellness initiatives in order to keep health care costs in line; and

WHEREAS, County Administration is recommending extension of the time period of the original resolution to continue through the health insurance claim period ending December 31, 2019; and

WHEREAS, In the long run, greater use of the Wellness Center will reduce the costs of chronic and catastrophic illness, as well as to reduce our overall claim costs to BCBS; and

WHEREAS, This recommendation will have no effect on the General Fund, as no transfers to the self-insurance fund will be required. The self-insurance fund may or may not be impacted by this, although the effect on that fund will probably be minimal. Given the size of the fund, it should not materially affect the fund over this time period; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners waives the provision that employees covered by health insurance contribute 15% toward the Wellness Center during the period from January 1, 2016 through December 31, 2019; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any documents required to facilitate extension of the time period for health insurance claims on behalf of Bay County following legal review/approval.

**KIM COONAN, CHAIR
AND COMMITTEE**

Personnel - Waiver of Employee Cost to Wellness Center - 12-31-19

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, The current contract with Midwest Employers Casualty Company for Workers' Compensation expires on January 1, 2017 and it is necessary to go out for bid; and

WHEREAS, The annual workers' comp premium currently is \$52,596; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes issuance of an RFP for an Excess Workers' Compensation Policy.

**KIM COONAN, CHAIR
AND COMMITTEE**

Personnel - RFP - Excess Workers' Compensation Policy

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						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

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

ACCOUNTS PAYABLE:

10/12/16	\$ 363,123.58
10/19/16	\$ 375,721.11
10/27/16	\$ 202,041.22

HOUSING (Center Ridge Arms):

10/11/16	\$ 31,781.66
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**KIM COONAN, CHAIR
AND COMMITTEE**

Payables-November

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: X YEAS 7 NAYS 0 EXCUSED 0

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

-64-

BY: WAYS AND MEANS COMMITTEE 11/01/2016

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 11/01/2016 and, if required, the Chairman of the Board is hereby authorized to execute any documentation necessary for said Budget Adjustments on behalf of Bay County:

Journal Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
2016-11-002	GENERAL FUND SWIMMING POOL Total GENERAL FUND			X
	TO RECOGNIZE ADDITIONAL REVENUE AT THE SWIMMING POOL FOR THE 2016 YEAR.			
2016-11-003	COMMUNITY CORRECTIONS FUND COMM.CORRECTION PLAN,OCT-DEC Total COMMUNITY CORRECTIONS FUND		\$1,500	
	BUDGET FOR COMMUNITY CORECTIONS ACTIVITY 27436481 TO USE \$1,500 OF THE RESTRICED FUND BALANCE. THE RESERVE MONEY WILL BE USED TO PURCHASED COMPUTER SUPPLIES FOR THE GED PROGRAM FOR INMATES.			
2016-11-004	GENERAL FUND BOARD OF COMMISSIONERS ACCOUNTING DEPARTMENT Total GENERAL FUND		\$4,000	
	BUDGET FOR A STATE FORMATTED COURT INDIRECT COST PLAN. FUNDING SOURCE IS THE GENERAL FUND, FUND BALANCE.			
2016-11-005	GENERAL FUND BOARD OF COMMISSIONERS CHILD CARE-PROBATE (CHILD IN C Total GENERAL FUND		\$212,500	
	CHILD CARE FUND CHILD CARE-PROBATE (CHILD IN C Total CHILD CARE FUND			X
	TO INCREASE THE BUDGET FOR CHILD CARE FUND 29266200 CHILD IN CARE ACTIVITY WHICH INVOLVES PLACEMENT OF NEGLECT AND ABUSED CHILDREN IN CHILD PLACEMENT AGENCIES. THE STATE OF MICHIGAN WILL REIMBURSE 50% OF THESE COSTS AND BAY COUNTY GENERAL FUND, FUND BALANCE WILL PAY THE OTHER 50%.			
2016-11-006	GENERAL FUND BOARD OF COMMISSIONERS CORPORATION COUNSEL			

Total GENERAL FUND

\$25,000

INCREASE OUTSIDE LEGAL FEES FOR CORPORATION COUNSEL BUDGET.

KIM COONAN, CHAIR

AND COMMITTEE

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, On February 7, 1995, Resolution No. 95-048 was adopted outlining the original grant approval process for specifically referenced grants; and

WHEREAS, On April 14, 1998, Resolution H 98-103 was adopted to authorize the Board Chairman to execute any and all grant and service agreements and required all grant applications to be reviewed by Corporation Counsel; and

WHEREAS, Revisions to this policy are necessary to comply with the Office of Management and Budgets (OMB) new Uniform Guidance 2 CFR Part 200; and

WHEREAS, This new Grant Processing Policy will supersede Resolution No. 95048 and Resolution No. 98-103; and

WHEREAS, Implementation of the new Grant Processing Policy will make the Board of Commissioners aware of any General Fund match dollars that would need to be committed at the grant application phase and, in addition, will provide the Finance Department with the required grant information needed to complete Bay County's Financial Audit, Single Audit and the SEFA; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the attached Uniform Grant Policy which supercedes Resolutions no. 95048 and 98-103, said Uniform Grant Policy to take immediate effect.

KIM COONAN, CHAIR
AND COMMITTEE

Finance - Uniform Grant Policy

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, On April 13, 1993, Resolution No. 93-113 was adopted approving the original travel process for all Employees/Elected Officials traveling on behalf of Bay County and submitting travel expense requests and vouchers; and

WHEREAS, On June 8, 2004, Resolution No. 04-115 was adopted to exclude the need to submit a travel authorization if an Employee/Elected Official were to travel contiguous counties; and

WHEREAS, Revisions to the current Travel Policy are necessary in order to comply with the Office of Management and Budgets (OMB) new Uniform Guidance 2 CFR Part 200; and

WHEREAS, This new Travel Policy would supersede Resolution No. 04-115 and Resolution No. 93-113; Therefore, Be It

RESOLVED That, in an effort to be compliant with the new Uniform Guidance 2 CFR Part 200, the Bay County Board of Commissioners approves the attached revised Category 350, No. 351 Travel Policy, effective immediately.

**KIM COONAN, CHAIR
AND COMMITTEE**

Finance - Revised Travel Policy

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: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN

AMENDED CORRECTED REFERRED

Category: 350

Number: 351

TRAVEL POLICY

1. PURPOSE: This policy shall govern all employees and elected officials submitting Bay County travel expense vouchers to Bay County for reimbursement.
2. AUTHORITY: Bay County Board of Commissioners
3. APPLICATION: All Bay County employees, department heads and elected officials.

STANDARD TRAVEL POLICY

Adopted: 4/13/93, Resolution #93-113

Amended: 6/8/04, Resolution #04-115

1. Section I - General

These policies shall govern all Employees/Elected Officials submitting Bay County Travel Expense Vouchers to Bay County for reimbursement.

Compliance with the Standard Travel Policy is the responsibility of each Department Head/Elected Official. The Bay County Finance Department shall question and appropriately adjust Travel Expense Vouchers which violate the intent of these policies. Only the Bay County Board of Commissioners may waive any policy when it is in the best interest of Bay County.

Employees/Elected Officials traveling on behalf of Bay County are expected to exercise the same care in incurring travel expenses that a reasonable and prudent person would if traveling on personal business.

Legitimate travel expenses incurred incidental to the efficient and effective transacting of Bay County business shall be held to a minimum.

Personal credit card receipts will be acceptable as evidence of payment if supported by a vendor statement/receipt.

No employee/Elected Official is authorized to apply for and possess a credit card, telephone calling card or gasoline charge card in the name of Bay County or a Bay County Department or Agency.

Bay County shall not reimburse any individual for travel expenses who has not complied with these standard travel policies.

The Department Head/Elected Official shall be responsible for compliance with this Standard Travel Policy and for the accuracy and appropriateness of the Travel Request Form and Travel Expense Voucher.

The Department/Director or designees approving the travel request shall be held responsible for all approved expenses as being necessary and reasonable.

Any Employee/Elected Official who shall fraudulently misrepresent travel expenses submitted for reimbursement shall be subject to disciplinary action and/or prosecution.

All forms referenced within this document may be found on the Bay County Intranet.

2. Section II - Non-County Personnel

Travel expenses of non-county personnel, as identified in Section V, Paragraph 2, exclusive of meal costs, are not allowed and shall not be reimbursed unless otherwise contractually obligated.

The cost of meals for non-county personnel shall be reimbursed only when it is incidental and necessary to the transacting of Bay County business. Receipts must be furnished with a complete explanation and justification, along with the name of the non-county personnel, his/her affiliation and place of meeting must be identified on the Bay County Travel Expense Voucher.

Travel expenses incurred by the immediate family member of an employee/Elected Official shall not be reimbursed under any circumstances.

3. Section III - Request for Travel

Travel requests shall be submitted at least five (5) work days prior to departure. Unexpected travel may cause the five (5) work day period to be waived by Bay County Executive, the Chair of the Bay County Board of Commissioners or other Bay County elected official as applicable. Travel outside the County's boundary, *exclusive of routine business travel to contiguous counties*¹ must be approved prior to departure by filing a Bay County Travel Request Form, regardless of whether expenses will be incurred, with the County Executive's Office or the Finance Department, whichever is applicable.

Travel requests shall be authorized and approved by the Division Head/Department Head/Elected Official, reviewed for appropriateness by the County Executive's Office or the Finance Department, whichever is applicable.

For unbudgeted trips exceeding three hundred (300) air miles from Bay City or for trips for which funds do not exist, approval must be granted prior to departure by two (2) of the three (3) following officials: Chair of the Board of Commissioners, Vice-Chair of the Board of Commissioners, or the Chair of the Ways and Means Committee. Such request shall be accompanied with the appropriate Budget Adjustment Request Form (if applicable) identifying the justification and the proposed source of funding for formal approval at the next meeting of the Ways and Means Committee and the Board of Commissioners.

The Bay County Travel Request form shall be completed in its entirety.

4. Section IV -Cash Advances

Cash advances may be provided for approved travel by completing the related section of the Travel Request Form. An approved request for an advance shall be submitted by the Division Head/Department Head/Elected official to the Bay County Finance Department. The Finance Department will determine if the request is reasonable and process a check no sooner than two (2) work days prior to departure. In no event shall the cash advance be in an amount less than the total daily meal allowance as identified in Section VII, Paragraph 2.

Advances spent shall be accounted for by filing a Bay County Travel Expense Voucher. Cash advances must be requested through Accounts Payable AFTER receipt of the Bay County Travel Authorization.

Unspent cash advances shall be remitted to the Bay County Treasurer's Office within five (5) work days from return date. Unspent advances which are not remitted to the Bay County Treasurer within the five (5) work days shall be deducted from the Employee's/Elected Official's payroll check.

5. Section V - Travel Expense Voucher

The Bay County Travel Expense Voucher shall be completed in its entirety and shall be used for reimbursement of all actual travel expenses incurred while attending conventions, conferences, seminars, training programs and meetings.

Not all travel expenses are reimbursable. The Finance Department shall review all travel expenses and determine whether they are reimbursable. Reimbursable travel expenses may include, for example: meals, lodging, and mileage, parking fees, air fare, cab fare, telephone charges, fax charges and gratuities.

The expense of only one traveler shall be included on a single Travel Expense Voucher, EXCEPT when an employee/Elected Official is in a custodial capacity, and is responsible for and pays the travel expenses of others who accompany him/her. Names of others shall be shown.

A Travel Expense Voucher shall not cover more than one trip and shall be submitted by the fifth (5th) work day after the employee/Elected Official returns from travel.

Travel expenses incurred for routine daily business travel within Bay County, the employee/Elected Official shall submit a monthly Travel Expense Voucher, detailing the travel expenses from the first day to the last day of the month, by the fifth (5th) work day of the subsequent month.

Supporting receipts shall be attached for all travel expenses being submitted for reimbursement. Travel expenses not supported by receipts shall not be reimbursed. EXCEPTION: Whenever a flat rate reimbursement allowance is used, as allowed by Section VII, no receipts are required.

6. Section VI - Transportation

All Bay County business transportation expenses shall be incurred by the most economical route and means available. Additional meals, lodging and time shall not be reimbursed if a more expensive route and/or method of travel is used.

Travel utilizing a personal vehicle or any Bay County vehicle shall be by the most direct route. If an employee/Elected Official travels by an indirect route for his/her own convenience, any extra costs shall be borne by the employee/Elected Official and reimbursement shall be based only on charges that would have been incurred by using the most direct route.

Arrangements for transportation by utilizing a Bay County vehicle may be made through the County Executive's Office. No mileage reimbursement shall be paid to employees/Elected Officials traveling in Bay County vehicles. Travel utilizing a Bay County vehicle shall commence from and end at a Bay County parking lot located at the Bay County Building.

The employee/Elected Official is responsible for refueling any Bay County owned vehicle immediately upon return from the trip. Expenses incurred for refueling a County owned vehicle while out of town on County business, shall be reimbursed, provided that a supporting receipt identifying the name and address of the commercial filling station, date and total charge is submitted with the Travel Expense Voucher.

County owned vehicles shall only be used for purposes within the scope of County employment and shall not be used for personal or social activities. Travel utilizing a privately owned vehicle is discouraged but will be allowed only when a Bay County vehicle is unavailable or when it is in Bay County's best interest.

When an employee/Elected Official uses a privately owned vehicle, reimbursement for actual miles driven shall be made at the standard mileage rate as identified annually by the Internal Revenue Service. The Finance Department shall notify all

Department Heads/Elected Officials of the rate and its effective date soon after notification is received. No reimbursement shall be made for gasoline, repairs or other incurred vehicle expenses. When two or more employees/Elected Officials travel in the same privately owned vehicle, mileage reimbursement shall be paid only to the owner of the vehicle.

If the employee is permitted to begin business travel from his/her residence, the amount of mileage claimed should be calculated from the employees work site to the place of travel. The employee will be reimbursed at the lesser amount of miles between his/her residence and the place of travel or the worksite and the place of travel.

The employee/Elected official shall possess a valid driver's license and have insurance coverage at the minimum levels required by the State of Michigan. Bay County assumes no liability for employee's/Elected Official's vehicles used while on Bay County business.

The expense of traveling by public carrier shall be based on actual cost. All public carrier travel shall be purchased at the lowest available economy fare. If an employee/Elected Official chooses to travel first- class, the cost differential shall be at the employee's/Elected Official's own expense. If an employee/Elected Official has to purchase a first-class ticket because of the unavailability of an economy seat, prior written approval shall be obtained from the employee's Department Head/Elected Official and a full written explanation shall be attached to the Travel Request Form.

Mileage reimbursement shall be allowed for travel in a privately owned vehicle from home to a public carrier terminal and return.

The Employee/Elected Official shall not be reimbursed for parking violation or traffic violation tickets.

Employees/Elected Officials may be reimbursed for taxi fares, parking fees, highway toll charges and, when it is in the economic best interest of Bay County, car rental. All car rental arrangements shall be made at the most economical rate.

For employees/Elected Officials whose workday commences with travel to a work site other than their office, mileage shall be paid for actual miles traveled in excess of the distance from the employee's/Elected Official's residence to their office.

For employees/Elected Officials whose workday terminates with travel from a work site other than their office, mileage shall be paid for actual miles traveled in excess of the distance from the employee's/Elected Official's office to their residence.

7. Section VII - Meals

Meals will be reimbursed up to the current annual GSA meal and incidental expense (M&IE) rates found at www.gsa.gov/perdiem, as applicable for the destination city for out-of-county travel. The rates include tips and taxes. The first and last day of travel is reimbursed at 75 percent of the allowed daily expense. Where meals are covered by a conference registrations fee, provided via a group meal, etc., they should be deducted from the daily allowed rate indicated per meal (e.g. for breakfast, lunch, dinner) amounts.

The employee/Elected Official shall be reimbursed only for those meal expenses incurred, whether actual or standard allowed, associated with his/her travel, during the time encompassing the actual travel to and from point of destination and time at destination. If an employee/Elected Official leaves earlier than necessary to reach his/her destination or later than necessary to return home with no benefit accruing to Bay County, the additional expenses incurred shall not be reimbursed.

An employee/Elected Official submitting a Travel Expense Voucher for reimbursement of all meal expenses shall attach detailed (detail receipt consists of: restaurant name, date and time of visit, items purchased with prices, tax and if applicable a tip) supporting restaurant receipts to confirm the expense. The Finance Department shall inform all Department Heads/Elected Officials of the rates and their effective date soon after notification is received from the State of Michigan.

Bay County shall reimburse an employee/Elected Official for meals associated with out-of-town travel beyond twenty-five (25) miles from the city limits of Bay City under the following circumstances:

- i. The breakfast will be reimbursed when travel is documented and starts prior to 6:00 a.m.
- ii. Dinner will be reimbursed when travel extends beyond 7:00 p.m.

Expenses for alcoholic beverages shall not be reimbursed. When the meal is identified as a "hot breakfast", "deluxe" or "super" continental breakfast that could include hot entrees, wide variety of Danish, muffins, rolls, cereals, fruits, juices, etc. there will be no additional reimbursement provided.

When a provider offers a limited selection such as a continental breakfast with a small selection of rolls, or is found to be inadequate, reimbursement can be sought with sufficient justification (i.e., receipts, explanation) for reimbursement.

Altered receipts shall not be reimbursed.

Employees/Elected Officials required to attend pre-arranged business meetings held in Bay County may be reimbursed for meal expenses associated with such meetings. The employee/Elected Official shall be representing Bay County at these meetings and it shall be established that it was not practical for the employee/Elected Official to return to his/her residence/office for the meal.

8. Section VIII - Lodging

The employee/Elected Official shall only be reimbursed for lodging expenses incurred at a commercial lodging establishment. An employee/Elected Official submitting a Travel Expense Voucher for reimbursement of lodging expenses shall attach a supporting receipt identifying the name and address of the commercial lodging establishment, the date(s) and rate of lodging, and total charge.

Any charge in the daily lodging rate on the commercial lodging receipt shall be explained on the Travel Expense Voucher.

As a Michigan Municipal Corporation, Bay County is exempt from Michigan State sales tax. The employee/Elected Official shall not pay Michigan State sales tax and is required to obtain from the Finance Department a Michigan State Tax Exemption Certificate Letter prior to traveling which is to be provided to the commercial lodging establishment.

The employee/Elected Official shall stay at the commercial lodging establishment designated by the conference/training, if the employee chooses to stay at a different lodging establishment and pay a higher rate the employee/Elected Official shall pay the difference.

9. Section IX - Miscellaneous

Gratuities to valets, charges for cleaning and pressing garments, and other personal expenses shall not be reimbursed.

Other expenses that are not reimbursable include, but are not limited to, the following:

- Books and publications
- Stationery and small tools
- Gifts
- Laundry
- Fitness center fees
- Room Service Fees
- In-room movies/videos

County related business telephone calls/fax charges are permissible. In order to be reimbursed, the name, affiliation, and telephone/fax number, including area code, shall be identified on the Travel Expense Voucher.

Enrollment or registration fees, which were not prepaid for conventions, conferences, seminars, training programs and meetings, shall be reimbursed provided supporting receipts are submitted with the Travel Expense Voucher.

Under no circumstances shall an employee be reimbursed for expenses reported on a Travel Expense Voucher which has not been authorized and signed by his/her Department Head/Elected Official.



**BAY COUNTY
FINANCE/INFORMATION SYSTEMS**

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TO: Kim Coonan, Chairperson
Ways & Means Committee

FROM: Jan Histed *JH*
Finance Officer / Information Systems Director

RE: Finance Policy, Category 350, No. 351 Travel Policy

DATE: October 25, 2016

REQUEST:

Too gain the Board of Commissioners approval of the revisions to the Travel Policy. The revisions to this policy are necessary to comply with the Office of Management and Budgets (OMB) new Uniform Guidance 2 CFR Part 200. This new Travel Policy would supersede Resolution No. 04-115 and Resolution No. 93-113. Please place this memo on the November 1, 2016, agenda for your committee's review.

BACKGROUND:

On April 13, 1993, Resolution No. 93-113 was the original travel process for all Employees/Elected Officials submitting travel expense requests and vouchers. On June 8, 2004, Resolution No. 04-115 was adopted to exclude the need to submit a travel authorization if an Employee/Elected Official were to travel contiguous counties.

ECONOMICS:

No known impact.

RECOMMENDATION:

Request the Board approve the new proposed Travel Policy in order to be compliant with the new Uniform Guidance 2 CFR Part 200.

Cc: Tom Hickner
Kim Priessnitz
Robert Redmond

SUMMARY OF PROPOSED CHANGES TO THE BAY COUNTY TRAVEL POLICY

Page 2 under "General"

Addition: "The Department/Director or designees approving the travel request shall be held responsible for all approved expenses as being necessary and reasonable."

Page 3 under "General"

Addition: "All forms referenced within this document may be found on the Bay County Intranet"

Page 4 under "Section III – Request for Travel"

Removal of (Exhibit B or C) and replacing with (if applicable).

Page 4 under "Section IV - Cash Advances"

Addition: "Cash advances must be requested through Accounts Payable AFTER receipt of the Bay County Travel Authorization."

Page 5:

Updated language.

Page 6 under "Section VI – Transportation"

Addition: "If the employee is permitted to begin business travel from his/her residence, the amount of mileage claimed should be calculated from the employees work site to the place of travel. The employee will be reimbursed at the lesser amount of miles between his/her residence and the place of travel or the worksite and the place of travel."

Page 7 under "Section VII – Meals"

Addition: "Meals will be reimbursed up to the current annual GSA meal and incidental expense (M&IE) rates found at www.gsa.gov/perdiem, as applicable for the destination city for out-of-county travel. The rates include tips and taxes. The first and last day of travel is reimbursed at 75 percent of the allowed daily expense. Where meals are covered by a conference registration fee, provided via a group meal, etc., they should be deducted from the daily allowed rate indicated per meal (e.g. for breakfast, lunch, dinner) amounts."

Third (3rd) paragraph addition: "...all meal expenses shall attach detailed (detail receipt consists of: restaurant name, date and time of visit, items purchased with prices, tax and if applicable tip) supporting restaurant receipts to confirm the expense."

Page 8 under "Section VII – Meals"

Removal of the meal reimbursement times, addition of new reimbursed meal times. "The breakfast will be reimbursed when travel is documented and starts prior to 6:00 a.m. Dinner will be reimbursed when travel extends beyond 7:00 p.m.

Clarification/addition: "Expenses for alcoholic beverages shall not be reimbursed. When the meal is identified as a "hot breakfast", "deluxe" or "super" continental breakfast that could include hot entrees, wide variety of Danish, muffins, rolls, cereals, fruits, juices, etc. there will be no additional reimbursement provided.

When a provider offers a limited selection such as a continental breakfast with a small selection of rolls, or is found to be inadequate, reimbursement can be sought with sufficient justification (i.e., receipts, explanation) for reimbursement.

Page 9 under "Section VIII - Lodging"

Addition: "The employee/Elected Official shall stay at the commercial lodging establishment designated by the conference/training, if the employee chooses to stay at a different lodging establishment and pay a higher rate the employee/Elected Official shall pay the difference."

Page 9 under "Section IX – Miscellaneous"

Addition: "Other expenses that are not reimbursable include, but are not limited to, the following:

- Books and publications
- Stationery and small tools
- Gifts
- Laundry
- Fitness center fees
- Room Service Fees
- In-room movies/videos

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

WHEREAS, Due to the Federal Regulations, purchasing process, nomenclature updates and internal needs, the Finance Department was asked to update the Purchasing Policy to reflect these necessary updates; and

WHEREAS, The revisions to this policy are necessary to comply with the Office of Management and Budget's (OMB) new Uniform Guidance 2 CFR Part 200, nomenclature updates, clarification of and amendments to the methods of purchasing goods or services, removal of items that have been deemed redundant; and

WHEREAS, This new Purchasing Policy would supersede Resolution Nos. 99-014, 99-050, 00-340, 01-016, 06-023 and by Motion No 131 from August 10, 2004; and

WHEREAS, The changes will also apply to the Purchasing Policy for the Bay County Building Authority and Bay County Housing Department Center Ridge Arms; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners, in an effort to be compliant with the new Uniform Guidance 2 CFR Part 200, nomenclature updates, clarification of and amendments to the methods of purchasing goods or services and the removal of items that have been deem redundant, hereby approves the attached Bay County Purchasing Policy; Be It Further

RESOLVED That the attached Bay County Purchasing Policy which supercedes Resolution Nos. 99-014, 99-050- 00-340, 01-016, 06-023 and Motion No. 131 (8/10/2004) shall take immediate effect.

**KIM COONAN, CHAIR
AND COMMITTEE**

Finance - Revised Purchasing Policy

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						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

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

Category: 230

Number: 231

Subject: **PURCHASING POLICY**

1. PURPOSE: To provide for the fair and equitable treatment of all persons involved in public purchasing by Bay County, to maximize the purchasing value of public funds in procurement, to provide safeguards for maintaining a procurement system of quality and integrity, to inform and provide guidance to all individuals involved in public purchasing regarding the application of the policies and procedures to be adhered to in the procurement of products and services, and to ensure that expenditures are incurred and recorded timely in compliance with the annual budget.
2. AUTHORITY: Bay County Board of Commissioners
3. APPLICATION: All Bay County employees, department heads and elected officials.

BAY COUNTY, MICHIGAN

PURCHASING POLICY

ADOPTED APRIL 14, 1998

AMENDED FEBRUARY 9, 1999, BY RESOLUTION NO. 99-014
AMENDED MARCH 9, 1999, BY RESOLUTION NO. 99-050
AMENDED DECEMBER 12, 2000, BY RESOLUTION NO. 00-340
AMENDED FEBRUARY 6, 2001, BY RESOLUTION NO. 01-016
AMENDED AUGUST 10, 2004, BY MOTION NO. 131
AMENDED FEBRUARY 21, 2006 BY RESOLUTION NO. 06-023

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**BAY COUNTY
PURCHASING POLICY**

PART I

PREFACE

The most common and simplistic definition of purchasing is buying and everyone knows what buying involves. However, governmental purchasing, whether at the local, state, or federal level, is very different and far more complex than buying that occurs in the private sector. Unlike everyday consumer buying, governmental purchasing involves the expenditure of taxpayers' money to obtain products and services that the government will use to deliver public services. The legal requirements of governmental purchasing complicate the seemingly simple task of procuring needed products and services. As a result, this critical support function has evolved into a highly controlled and accountable process that is governed by a myriad of laws and ordinances, rules and regulations, judicial and administrative decisions, and procedures and practices.

The following Purchasing Policy ("policy") identifies the various policies and procedures generally accepted throughout government and tailored to Bay County's ("the County") specific needs in the procurement of its products and services.

PURPOSE

The purpose of this Policy is; (1)to provide for the fair and equitable treatment of all persons involved in public purchasing by Bay County ("the County"); (2), to maximize the purchasing value of public funds in procurement; (3) to provide safeguards for maintaining a procurement system of quality and integrity; (4)to inform and provide guidance to all individuals involved in public purchasing regarding the application of the policies and procedures to be adhered to in the procurement of products and services; (5) to ensure that expenditures are incurred and recorded timely in compliance with the annual budget as adopted by the Bay County Board of Commissioners via their General Appropriation Budget Act Resolution and any amendments to the annual budget as approved by the Bay County Board of Commissioners; and (6)assure that the County complies with the federal laws, regulations and grant terms under OMB circular 2 CFR 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*.....

APPLICATION

This Policy applies to contracts for the procurement of supplies, services, and construction entered into by the County after the effective date of this Policy. It shall apply to every expenditure of public funds by a public agency for purchasing irrespective of its source. When the procurement involves the expenditure of Federal or State assistance or contract funds, the procurement shall be conducted in accordance with any applicable mandatory Federal or State law and regulations which are not reflected in this Policy. Nothing in this Policy shall prevent any public agency from complying with the terms and conditions of any grant, gift, or bequest which are otherwise consistent with law.

PUBLIC ACCESS TO PROCUREMENT INFORMATION

Procurement information shall be a public record to the extent provided in Act 442 of the Public Acts of 1976 (Michigan Compiled Law (MCL) 15.231 *et seq.*), as amended, and shall be available to the public as provided in said statute.

REPEAL AND AMENDMENT OF INCONSISTENT ORDINANCES AND RESOLUTIONS

All ordinance or parts of ordinances in conflict with this Policy, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Policy full force and effect.

VALIDITY OF WHOLE IF PART IS HELD INVALID

If any provision of the Policy or any application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this Policy which can be given effect without the invalid provision or application.

CENTRALIZED PURCHASING

Purchasing shall be centralized within the Finance Department as per the resolve of the Board of Commissioners in compliance with the Optional Unified Form of County Government Act, 1973 PA 139, Article 5.302(63), Section 13(b) which states:

"THE DEPARTMENT OF FINANCE SHALL supervise the execution of the annual county budget and maintain expenditure control; perform all central accounting functions; collect monies owing to the county not particularly within the jurisdiction of the county treasurer; PURCHASE SUPPLIES AND EQUIPMENT REQUIRED BY COUNTY DEPARTMENTS; and

perform all investment, borrowing, and debt management functions except as done by the county treasurer.”

In accordance with this Policy and under the direct supervision of the Finance Officer, the Purchasing Agent or his/her designee shall serve as the County's principal public purchasing official for the procurement of supplies, services, equipment, and construction needed by Bay County, as well as the disposal, by way of selling via competitive bids, trading, auctioning, or scrapping of surplus supplies and equipment belonging to the County.

Consistent with this Policy and with the approval of the Finance Officer, the Purchasing Agent may adopt operational procedures relating to the execution of his/her duties and may delegate authority to purchase certain supplies, services, equipment, or construction items to other County officials, if such delegation is deemed necessary for the effective and efficient procurement of those items.

ETHICS IN PUBLIC PROCUREMENT

All County employees and officers (public servants) shall conduct themselves in conformity with 1968 PA 317, MCL 15.321 *et seq.*; MSA 4.1700 (51) ("Act 317"). Act 317 establishes standards in respect to governmental decisions and conflicts of interest arising out of the solicitation, negotiation, or approval of contracts between public servants and public entities such as the County.

I. ETHICAL STANDARDS OF CONDUCT

A. CONFLICT OF INTEREST

1. It shall be unethical for any employee or officer of the County to participate directly or indirectly in a procurement, without disclosure where the employee or officer knows that:
 - a. The employee or officer or any member of the employee's or officer's family member has a financial interest pertaining to the procurement; or
 - b. Any other person, business, or organization with whom the employee or officer, or any member of an employee's or officer's family member is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

2. It shall be unethical for, and this Policy prohibits, employees or officers of the County from acting as a vendor of Bay County. This prohibition shall not apply to part-time County employees who are paid for working an average of twenty-five (25) hours or less per week pursuant to Public Act 317 of 1968, as amended (MCL 15.321, et seq).
3. It shall be unethical for any current employee or officer of the County who is participating directly or indirectly in the procurement process to be or become employed by any person or firm contracting with the County.
4. It shall be unethical for any current employee or officer of the County to use a County Purchase Order or their County influence to obtain goods or services for themselves or others at County prices or at a discount which could not otherwise be obtained.

B. CONFIDENTIAL INFORMATION AND COLLUSION

1. Confidential Information. It shall be unethical for any employee, officer, former employee, or former officer to knowingly use confidential information for actual or anticipated personal gain or for the actual or anticipated personal gain of any other person.
2. Collusion. It shall be unethical for two (2) or more vendors, suppliers or bidders to collude with the intent to defraud the County by submitting prices, quotes, or bids that are identical or nearly identical or submitting prices, quotes, or bids that will favor one or more vendors, suppliers, or bidders.
 - a. When for any reason collusion or other anti-competitive practices are suspected among any bidders or offers, a notice of the relevant facts shall be transmitted to the State Attorney General.

C. DISCLOSURE

1. All bidders must disclose any pecuniary interest held by County employees or officers in their request for proposal or request for information packet.
2. Any employee or officer of the County participating directly or indirectly in procurement must disclose any pecuniary interest in the contract to the official body that has power to approve the

contract which disclosure shall be made a matter of record in its official proceedings.

3. If the employee or officer of the County will directly benefit from the contract in an amount less than \$250.00 or less than 5% of the public cost of the contract, then the employee or officer must file a sworn affidavit to that effect with the official body or the contract is for emergency repairs or services, the disclosure shall be made in either of the following manners:
 - a. The employee or officer must promptly disclose, in writing, to the presiding officer, or to the clerk if the presiding officer is making the disclosure, the pecuniary interest in the contract at least 7 days prior to the meeting at which a vote will be taken. The disclosure shall be made public in the same manner as a public meeting notice.
 - b. The employee or officer discloses the pecuniary interest at a public meeting of the official body. The vote shall be taken at a meeting of the official body held at least 7 days after the meeting at which the disclosure is made. If the amount of the direct benefit to the public servant is more than \$5,000.00 disclosure must be made as provided under the subparagraph.
4. The contract is approved by a vote of not less than 2/3 of the full membership of the approving body in open session without the vote of the public servant making the disclosure.
5. The official body discloses the following summary information in its official minutes:
 - a. The name of each party involved in the contract.
 - b. The terms of the contract, including duration, financial consideration between parties, facilities or services of the public entity included in the contract, and the nature and degree of assignment of employees of the public entity for fulfillment of the contract.
 - c. The nature of any pecuniary interest.

6. This disclosure does not prevent an employee or officer from making or participating in making a governmental decision to the extent that the public servant's participation is required by law. If 2/3 of the members are not eligible under this Section to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will directly benefit from the contract in an amount less than \$250.00 and less than 5% of the public cost of the contract and the member files a sworn affidavit to that effect with the official body. The affidavit shall be made a part of the public record of the official proceedings. As used in this subsection, "governmental decision" means a determination, action, vote or disposition upon a motion, proposal, recommendation, resolution, ordinance, order or formulates public policy.

II. ADMINISTRATIVE SANCTIONS

A. EMPLOYEES/OFFICERS

1. The Board of Commissioners or County Executive may impose on a County employee or officer, for any violations of the ethical standards of conduct set forth in this section, any one or more of the following administrative sanctions as allowed for in any applicable labor agreement, personnel policy, or State statute.
 - a. Oral or written warnings or reprimands;
 - b. Suspension from work, with or without pay, for specified periods of time; or
 - c. Termination of employment.
2. Disallowed Expenditures. Michigan law prohibit officers or employees from using funds under the officer's or employee's official care for personal gain or benefit. Therefore, Bay County officials and employees are prohibited from expending County Funds for flowers, plants, fruit baskets, expressions of sympathy, etc. except as authorized specifically by statute. The Finance Department will disallow expenditures made in violation of this policy. Please see the sections relating to "Public Celebrations and Events" and "Food and Beverage Purchases" for further details.

B. NON-EMPLOYEES

1. The Board of Commissioners or County Executive may impose on a non-employee for any violation of the ethical standards of conduct set forth in this section, any one or more of the following administrative sanctions:

- a. Written warnings or reprimands;
- b. Termination of contracts, or;
- c. Debarment or suspension from conducting business with the County for specified periods of time.

III. CRIMINAL PENALTIES

To the extent that violations of the ethical standards of conduct set forth in this section constitute violations of the State Criminal Code they shall be punishable as provided therein. Such penalties shall be in addition to the administrative sanctions set forth in this section and/or any civil sanctions. Criminal, civil, and administrative sanctions against employees or non-employees which are in existence on the effective date of this Policy shall not be impaired.

IV. RECOVERY OF VALUE

The value of anything transferred or received as the result of a violation of any of the ethical standards of conduct set forth in this section by any employee or non-employee shall be recovered from said employee or non-employee.

DEBARMENT OR SUSPENSION

AUTHORITY TO DEBAR OR SUSPEND. After reasonable notice to the person(s)/vendor(s) involved and reasonable opportunity for that person/vendor to be heard, the Finance Officer, after consulting with the County's Corporation Counsel and Purchasing Agent, is authorized to debar a person/vendor, for cause, from consideration for award of contracts. The debarment shall not be for a period of more than three (3) years. After consultation with the County's Corporation Counsel and Purchasing Agent, the Finance Officer is authorized to suspend the person(s)/vendor(s) from consideration for award of contracts if there is a probable cause to believe that the person(s)/vendor(s) has engaged in any activity which might lead to debarment. The suspension shall not be for a period exceeding three (3) months. The causes for debarment include:

1. Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;
2. Conviction under state and federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects his/her responsibility as a County contractor;
3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;
4. Violation of contract provisions, as set forth below, of a character which is regarded by the Finance Officer to be so serious as to justify debarment action:
 - a. Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contracts; or
 - b. A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment.
5. Any other cause the Finance Officer determines to be so serious and compelling as to affect his/her responsibility as a County contractor, including debarment by another governmental entity for any cause listed in this policy; and
6. For violation of the ethical standards set forth in the ETHICS IN PUBLIC PROCUREMENT section of this policy.

The Finance Officer shall issue a written decision to debar or suspend. The decision shall state the reasons for the action taken and inform the debarred or suspended person(s)/vendors(s) involved of their rights concerning judicial or administrative review. A copy of the decision shall be mailed or otherwise furnished immediately to the debarred or suspended person(s)/vendors(s), the Bay County Board of Commissioners, and the Bay County Executive.

A decision to debar or suspend shall be final and conclusive unless the debarred or suspended person(s)/vendors(s), within ten (10) days after receipt of the decision, makes an appeal to the Bay County Board of Commissioners or commences a timely action in court in accordance with applicable law.

DISCRIMINATION

Any individual or business entity providing goods and/or services to Bay County shall be required to comply with current provisions of the Americans with Disabilities Act (ADA) (the Equal Opportunity Act for Individuals with Disabilities 42 USC 12101 *et seq.*), Equal Employment Opportunities (42 USC 2000e), Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), the Elliot-Larsen Civil Rights Act (MCL 37.1201 *et seq.*), and the Michigan Person with Disabilities Civil Rights Act (MCL 37.1101 *et seq.*). Such individual or business entity shall not discriminate against any individual with respect to hire, tenure, terms, conditions or privileges of employment because of a handicap that is unrelated to the individual's ability to perform the duties of a particular job position, or because of race, color, religion, national origin, age, sex, height, weight, or marital status. Breach of this covenant shall be regarded as a material breach of any transaction or agreement between the County and the individual or business entity. The County shall vigorously enforce this covenant through use of sanctions available within this Policy or other available legal action.

QUALIFICATIONS-BASED SELECTION

Qualifications-Based Selection (QBS) has received national and state attention in the public sector through legislation for many years. In 1972, the federal government enacted Public Law 92-582 (The Brooks Selection Bill) covering the selection of architects and engineers based on qualifications. In 1987, the Michigan Legislature passed House Concurrent Resolution #206 which provided a documented understanding of the process.

Qualifications-Based Selection is a fair and rational procedure that facilitates the selection of a design professional on a basis of qualifications and competence in relation to the scope and needs of a particular project shall be used for obtaining architectural, engineering, land surveying, and other related professional design services on Bay County public projects. The QBS process, as outlined in the publication, Qualifications-Based Selection of Design Professionals by Qualifications-Based Selections, Inc., or a modified version thereof suitable to the project being undertaken will include all or some of the following steps:

1. The Bay County Board of Commissioners identifies the general scope of the work.
2. A selection schedule is established.
3. A list of firms is developed.
4. Qualification documents are requested.

5. Qualification documents are evaluated.
6. A short list of firms to be interviewed is composed.
7. A briefing is held
8. Interviews are conducted.
9. Firms are ranked for selection.
10. Detailed scope of work negotiated with the top ranked firm.
11. A contract is negotiated with the top ranked firm.
 - a. If an agreement cannot be reached, those negotiations are ended and negotiations are begun with the second ranked firm, and so on down the line, until agreement is reached and a firm selected.
12. All firms involved receive post-selection communications.

Qualifications-Based Selection may be used for the selection of other, non-federally funded, professional services as deemed appropriate by the Purchasing Agent or his/her designee and the Department/Division Head, Elected Official or their designee from the requesting department. These other, non-federally funded, professional services shall include, but are not limited to, the following:

1. Architects
2. Professional Engineers
3. Professional Surveyors
4. Other Professional Services

When deemed appropriate to utilize the QBS process in the selection of professional services, this process shall be carried out through the establishment of a QBS Committee. QBS shall be used in every instance where the Qualifications-Based Selection Committee determines that attorney services needed for a proposed project are likely to exceed \$20,000. This Committee will be charged with the responsibility of implementing the QBS process at a level commensurate to the project at hand and to provide a recommendation to the Bay County Board of Commissioners.

The composition of the QBS Committee shall consist of the following individuals or their designee:

1. Chair of the Board of Commissioners (or designee)
2. Board of Commissioner's Financial Analyst
3. The Purchasing Agent.
4. The Elected Official (or designee), Department/Division Head.
5. _____
6. Finance Officer.
7. For all QBS involving the procurement of information technology related products and/or services a representative of the Information Systems Dept.
8. Any other individual who could provide valuable input and be beneficial to the selection process as identified by the three (3) previous named individuals, such as the Director of Administrative Services, etc.

Comment [JH1]: We feel we (Corporation Counsel) should remain on the QBS Committee, because we are an important part of the review process and have to review the contracts and assist with legal matters.

SALES TAX EXEMPTION

The County shall not be charged or pay sales tax. Bay County, as a Michigan municipal corporation, is exempt from sales tax per Act 167 of Public Acts established in 1933. Per Section 4 of the General Sales Tax Act, MCL 205.54(5); MSA 7.524(5), and Michigan Sales and Use Tax Rule, 1979 AC, R205.79 provides that sales to the United States government, the State of Michigan, and their political subdivisions, departments and institutions are not taxable when ordered on a Purchase Order and paid for by warrant on government funds. In the alternative, the government may claim exemption at the time of purchase by providing the seller with a signed Certificate of Exemption stating that the purchaser is a governmental entity. This position was affirmed by the Michigan Department of Treasury through its Revenue Administrative Bulletin 2002-15, approved on June 10, 2002.

Under above referenced documents, the State of Michigan maintains that Bay County is not required to have a sales tax exemption number and that unless a purchase is paid for by warrant on governmental funds (with a Bay County check), the seller does not have to exempt the sale. The issuance of a Bay County Purchase Order or a Michigan Sales Tax Exemption Certificate does not, by itself, mandate the seller to exempt the sale. Therefore, all departments, divisions, and elected officials shall utilize Bay County's Purchase Order and accounts payable system to the fullest extent possible

when purchasing and paying for tangible personal property while still adhering to the other provisions within this Purchasing Policy.

VENDOR MASTER FILE AND LOG BOOK

VENDOR MASTER FILE

A Vendor Master File shall be maintained by the Finance Department that will serve as its source document to be used by all responsible employees and officials in the procurement process.

This file will be contained in the electronic financial management system currently in use by the County. This database will be maintained and developed by the Finance Department and including use of the on-line vendor registration process currently in use by the County.

LOCAL VENDORS

The County does not advocate providing local vendors preferential treatment in the awarding of bids, contracts, or Purchase Orders. In order to preserve the integrity of the County's procurement system, and to promote fair and pure competition for the County's business, local vendors shall not be provided a preferential status in the procurement of goods or services for the County; however, when vendor submissions are equal, supplies offered by vendors who have an established local business in the County shall have preference.

MINORITY/WOMEN BUSINESSES

When required, pursuant to the federal Office of Management and Budget Circular 102, Grants and Cooperative Agreements with State and Local Government, the Common Rule for Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and State of Michigan, Public Act 428 of 1980, affirmative steps will be implemented to seek out, solicit and use minority-owned firms and/or women's business enterprises when purchasing goods or services with federal funds.

SOLE SOURCE PROCUREMENTS

A contract may be awarded without competition when the Purchasing Agent or his or her designee determines, in writing, after conducting a good faith review of available resources, and upon the concurrence of the Finance Officer, that there is only one appropriate source for the requested product or service. The Purchasing Agent will conduct negotiations, as appropriate, as to price, delivery, and terms. A record of sole source procurements will be maintained in the electronic financial system as a public

record that lists each vendor's name, the amount and type of each purchase, and a listing of the item(s) procured from each vendor.

EMERGENCY PROCUREMENTS

Notwithstanding any other provision of this Policy, when there exists a threat to the public's health, welfare, safety, or a threat of deterioration of a critical departmental service the Purchasing Agent or his/her designee, upon the concurrence of the Finance Officer, may make emergency procurements of products or services; or in a circumstance when an emergency condition arises during a time, e.g., after regular business hours, when the procedures outlined in the exemption section under "Large Purchases" are not practicable, the Department/Division Head, Elected Official, or their designee may procure only those products or services minimally required to alleviate the emergency condition provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of a particular vendor shall be included in/on the procurement file/paperwork. As soon as it is practicable, a record of each emergency procurement shall be made and it shall set forth the vendor's name, the amount and type of each purchase, a listing of the item(s) procured from each vendor.

FLEETING BUSINESS OPPORTUNITY

The Finance Officer may, in his or her discretion, authorize a department to accept a fleeting business opportunity that is presented to the County that would become unavailable through ordinary competitive bidding opportunities. A fleeting business opportunity may include the acquisition of goods or services at significantly reduced prices for a narrow time period, the pursuit of grants under time constraints, taking advantage of a substantial benefit that becomes available for County employees and other similar situation. Under these circumstances, the County should make and document any reasonable efforts to ensure that the County received fair and reasonable value for the service rendered or goods received under the time constraints involved and taking into account the significance of the fleeting opportunity.

REVERSE ON-LINE AUCTIONS

When the Finance Officer determines that the use of an RFP will not result in the best value for the County, the Finance Officer may use an alternative form of competitive selection known as the "Reverse Auction." A Reverse Auction is a real-time purchasing event that is conducted over the internet. Interested bidders submit responses in a manner similar to those in a standard Invitation for Bid (IFB), with the exception that no prices are included. Those bidders whose products or services meet the specifications are invited to the reverse auction event. These bidders will then be provided with instructions for the reverse on-line auction event. These bidders will then

be provided with instructions for the reverse on-line auction event. During the event, bidders may submit multiple prices electronically over a short time period, with the lowest cost winning. Reverse Auctions are often advantageous for items of definite quantity and definite delivery. Price is a primary factor in the award.

CAPITAL ASSET TAGS

It shall be the responsibility of the Finance Department to assign a permanent, prenumbered Bay County asset tag to any item purchased deemed by them to be an item necessary to be inventoried and controlled. The asset tag shall be assigned at the time the purchase is made and shall be noted on the Purchase Order. The asset tag shall be sent to the applicable department and it shall be the department's responsibility to attach the asset tag to the asset.

LABOR-MANAGEMENT COOPERATION AGREEMENTS/PREVAILING WAGES

Unless prohibited by law, the Board of Commissioners may designate projects for which a prevailing wage standard or labor-management cooperation agreement shall be advantageous to the County and shall be employed.

The County will ensure that construction or repair contracts that utilize Federal funds in excess of \$2,000.00 (or any amount as required by law) will comply with all requirements of the Davis-Bacon Act, 40 U.S.C. 3141 *et seq.*

The County will ensure that construction or repair contracts utilizing of State funds will comply with all requirements of Michigan's Prevailing Wage Law, 1965 PA 166; MCL 408.551 *et seq.*

METHODS OF CONSTRUCTION MANAGEMENT

The selection of an appropriate method to manage a construction project should depend on factors such as: the method of the construction to be procured, the uncertainties which may be involved in the construction; and the extent to which the County or the Contractor is to assume the risk of the cost of performance of the construction contract. The various methods differ in the degree of responsibility assumed by the contractor.

The objective when selecting an appropriate method to manage a construction project is to obtain the best value in the needed construction, in the time required, and at the lowest cost to the County. In order to achieve this objective, the County, before choosing a construction method, should review those elements of each alternative method which directly affect the cost, time, risk, and profit incentives bearing on the performance.

Among the factors to be considered are:

1. The type and complexity of the construction;
2. The difficulty of estimating performance costs such as the inability of the County to develop definite specifications, to identify the risks to the contractor inherent in the nature of the work to be performed, or to establish clearly the requirements of the project;
3. The amount and type of financing available;
4. The administrative costs to both parties;
5. The degree to which the County must provide technical coordination during the construction project and a realistic appraisal of the availability, qualifications, and experience that County personnel can bring to the project;
6. The availability of outside consultants;
7. The effect of the choice of the method of management of the construction project on the amount of competition to be expected;
8. The stability of material prices or wage levels;
9. The urgency of the construction;
10. The length of construction;
11. The size, scope, complexity, and economics of the project;
12. The location of the project and whether a contractor's site may be used;
13. The results achieved on similar projects in the past and the methods used; and
14. The extent to which the County's requirements and the ways in which they are to be met are known.

The following are the most common methods of construction management which are not all mutually exclusive and may be combined on one project:

1. SINGLE PRIME CONTRACTOR. The single prime contractor method of contracting is typified by one business, a general contractor, contracting

with the County to timely complete an entire construction project in accordance with plans and specifications provided by the County. Often these plans and specifications are prepared by a private architectural firm under contract to the County. Further, while the general contractor may take responsibility for successful completion of the project, much of the work may be performed by specialty contractors with whom the prime contractor has entered into contracts.

2. MULTIPLE PRIME CONTRACTORS. Under the multiple prime contractor method, the County or County's Agent contracts directly with a number of specialty contractors to complete portions of the project in accordance with the County's plans and specifications. The County or its agent may have the primary responsibility for successful completion of the entire project, or the contracts may provide that one of the multiple prime contractors has this responsibility.
3. DESIGN-BUILD OR TURNKEY. In a design-build or turnkey project, a business contracts directly with the County to meet the County's requirements as described in a set of performance specifications by constructing a facility to its own plans and specifications. Design responsibility and construction responsibility both rest with the design-build contractor. This method can include instances where the design-build contractor supplies the site as part of the package.
4. CONSTRUCTION MANAGER. A Construction Manager is a person experienced in construction that has the ability to evaluate and to implement plans and specifications as they affect time, cost, and quality of construction; and the ability to coordinate the design and construction of the project, including the administration of change orders. The County contracts with a qualified Construction Manager to act for the County in the construction project as specified in the Construction Management Contract. At times the Construction Manager may become a single prime contractor, or may guarantee that the project will be completed on time and will not exceed a specified maximum price (Guaranteed Maximum Price - GMP). At such times the Construction Manager will become responsible, just as any single prime contractor, to complete the project at or below the specified price.
5. CONSTRUCTION CONSULTANT. The Construction Consultant is a person that shall serve as agent of the County, providing pre-construction and construction administration services by assisting and providing administrative support to the County in connection with a construction project. The Construction Consultant accepts the relationship of trust and confidence established between it and the County. The Construction

Consultant agrees to furnish its best skill and judgment to perform its services in the most expeditious economical manner consistent with the stated interests of the County and with the staff organization of the Construction Consultant.

6. SEQUENTIAL DESIGN AND CONSTRUCTION. Sequential design and construction denotes a method in which design of substantially the entire structure is completed prior to beginning the construction process.
7. PHASED DESIGN AND CONSTRUCTION OR FAST-TRACK CONSTRUCTION. Phased design and construction denotes a method in which construction is begun when appropriate portions have been designed, but before substantial design of the entire structure has been completed.

CONSTRUCTION CONTRACT CHANGE ORDERS

During the course of a construction project it may become necessary to modify the scope of the project in varying degrees depending on each individual circumstance. By modifying the scope of the project it will necessitate amending the construction contract via a change order. Construction contract change orders may be approved by the Bay County Board of Commissioners after consultation with the architect, engineer, consultant, or a qualified individual involved with and has knowledge of the project and the requested modification, and that the Bay County Board of Commissioners is satisfied with the rationale provided for the requested change. Any change order must be in writing and signed by both parties to the contract.

BID AND PERFORMANCE BONDS

All contracts for equipment, supplies and services may require bid security and performance bonds at the discretion of the Finance Officer in consultation with the applicable department head. Bid security, when required, shall be in an amount equal to at least five percent (5%) of the amount of the bid. Performance bonds, when required, will normally be equal to 100% of the contract. A determination regarding bids received for equipment, supplies and services without requiring bid security will be made by the Finance Officer. A cashier's check/official bank check made payable to the County may be submitted in lieu of a bond. All construction contracts in excess of \$50,000.00 shall require both a bid and performance bond.

BLANKET PURCHASE ORDERS

Blanket purchase orders are those Purchase Orders that are issued in response to ongoing purchases made during a specific twelve (12) month period of time to a single vendor and will expire at the end of the fiscal year. Blanket purchase orders may be issued when the Purchasing Agent or his/her designee determines, after consultation

with the requesting department, that the issuance of a blanket purchase order will result in procurement efficiencies or in a financial benefit to the County.

Items such as food services, household goods storage, equipment maintenance or leases, printing services and the like, use permits, software licenses, etc. fall into this category. Blanket purchase orders shall not be used for the purchase of equipment.

COMPUTER HARDWARE/SOFTWARE

The County has recognized the need to review and control the purchasing of computer hardware and software. All County departments requesting computer hardware and/or software shall submit their requests to the Information Systems Division (ISD).

The Information Systems Division must review all requests regardless of funding source. If the requesting department requirements are budgeted within ISD's budget, ISD will initiate the necessary procurement documents. In order to produce efficiencies in the procurement of computer hardware and/or software, to enhance employee productivity, and to receive financial benefits from excellent pricing, the Information Systems Division shall purchase computer hardware and/or software at or below the prices that have been negotiated for federal Government Service Administration (GSA) contract pricing or the State of Michigan, Department of Management and Budget, Extended Purchasing Program, when applicable.

VENDING MACHINES

The County has recognized the need to control the placement of vending machines in or at all County facilities. The placement of vending machines in or at a County facility is a contractual relationship between the vendor and the County. It shall be the responsibility of the Purchasing Agent or his/her designee to solicit, through Competitive Sealed Bids, potential vendor(s) who would be interested in contracting with the County to place vending machines of the type requested and in/at the facilities designated by the County.

MAINTENANCE CONTRACTS

Generally, no full, preventative, or time and material maintenance contracts shall be purchased on equipment that has a replacement value of less than one thousand dollars (\$1,000) unless deemed financially beneficial by the Department/Division Head, Elected Official or their designees, and the Purchasing Agent.

Equipment having a replacement value in excess of one thousand dollars (\$1,000) shall be eligible for coverage under a full, preventative, or time and material maintenance contract as deemed appropriate by the Purchasing Agent or his/her designee, and the

Department/Division Head, Elected Official, or his/her designee of the benefiting department.

INSUFFICIENT FUNDS

If the balance in an identified budget account number or budget category (as required in the annual General Appropriation Budget Act Resolution) is insufficient to accommodate the purchase, the department shall be required to submit to the Finance Department/Budget Division an appropriate budget adjustment form. No Purchase Order shall be assigned or placed until a budget adjustment in a sufficient amount to accommodate the order has been entered into the system or has been approved by the Bay County Board of Commissioners.

PROCUREMENT RECORDS

All determinations and other written records, such as purchase requisitions/orders and bid files, pertaining to the solicitation and/or award of County business shall be maintained for the County by the Purchasing Agent within the Finance Department.

All procurement records shall be retained and disposed of by the County in accordance with the records retention schedules and guidelines as determined by the County Finance Officer.

TRAVEL EXPENDITURES

For all County Employees and Elected/Appointed Officials who will be traveling on County business and who will be incurring business related expenses associated with their travels should refer to the County of Bay, Standard Travel Policy, for guidance.

PUBLIC CELEBRATIONS AND EVENTS

MCL 46.11a specifically allows counties to appropriate money for the purpose of a public celebration of Armistice (Veterans) Day.

It is improper for a unit of government to expend public money for an annual picnic or their celebration that is not specifically authorized by law and does not serve a public purpose. The Michigan Supreme Court in *Wayne County v Hathcock*, 471 Mich 445; 684 NW2nd 765 (2004), defined "public purpose" as having "for its objective the promotion of the public health, safety, morals, general welfare, security, prosperity and contentment of all the inhabitants or residents with the municipal corporation, the sovereign powers of which are used to promote such public purpose.

FOOD AND BEVERAGE PURCHASES

The purchase of coffee, food, etc., must be for a public, not an individual or private group or purpose. These expenditures for use at a regular or special meeting where the public is also participating in the coffee, food, etc., for volunteer or full-time employees, when working an extended period of time or when dedicating public buildings are normally considered expenditures for a public purpose.

Coffee, food, etc., for employees use during normal working hours is considered personal, not for a public purpose and improper unless specifically provided for in a collective bargaining agreement or duly adopted employment policy of the governmental unit (fringe benefit). See the definition of "public purpose" in "PUBLIC CELEBRATIONS AND EVENTS" section above.

PETTY (IMPREST) CASH PURCHASES

(PURCHASES COSTING \$100 OR LESS)

All items of expense with a value of one hundred dollars (\$100) or less may be purchased with cash. These cash acquisitions can be advanced and/or reimbursed to the employee or official through the petty (imprest) cash fund maintained by the County Treasurer or their department upon submission of a Bay County Petty Cash Voucher.

The Petty Cash Voucher must be completed in its entirety before it can be honored by the Bay County Treasurer or the individual department. The Petty Cash Voucher requires the following information to be supplied in addition to a sales slip, invoice, or some other document that can support the purchase and be attached to the Petty Cash Voucher, if applicable.

1. Date purchased/advanced.
2. Amount advanced.
3. Vendor.
4. Item(s) purchased.
5. Cost per item purchased.
6. Total price paid.
7. Department name.

8. Thirteen (13) digit budget account number(s) and related amount to be charged.
9. Employee/Official who made the purchase/received advance.
10. Department/Division Head or Elected Official or their designee authorization for reimbursement.

The Bay County Treasurer or individual department may advance up to one hundred dollars (\$100) from petty cash to any employee/official to facilitate the purchasing needs of the procuring department upon receipt of a Petty Cash Voucher authorizing an advance to be granted. Such advance must be expended within the working day the advance was granted. By the end of the working day the employee/official shall return to the custodian of the petty cash fund any unspent cash remaining after the procurement, along with a completed Petty Cash Voucher and any support documents as identified above. The total of the remaining cash returned and the Petty Cash Voucher must equal the total amount advanced.

The Bay County Treasurer or any department which maintains a petty (imprest) cash fund shall not honor a Petty Cash Voucher unless all the required information requested on the Petty Cash Voucher is supplied. Periodically, when their funds are nearly depleted, and by utilizing the Petty Cash Vouchers they have honored, the County Treasurer and other departments shall replenish their petty cash funds by completing, and forwarding to the Finance Department/Accounts Payable, a Master Bay County Accounts Payable Voucher for processing identifying the various departmental budgets and amounts to be charged.

MINUTE PURCHASES

(PURCHASES COSTING LESS THAN \$1,000)

Providing for the adequate and proper controls over the procurement of products or services to ensure that County dollars are being expended in compliance with adopted budgets and to detect or to prevent irregularities in the procurement functions would necessarily require Purchase Orders to be produced for all procurements. However, a determination needs to be made regarding the efficiency and cost effectiveness of controlling every purchase made by the County through the issuing of Purchase Orders. The question needs to be asked as to whether the value of the benefit received is greater than the cost incurred in controlling every purchase. It is the opinion of the Board of Commissioners that the cost of issuing Purchase Orders on purchases, whether for products or services, costing less than \$1,000 is greater than the benefit the County will receive. Therefore, for the procurement of products or services costing less than \$1,000 the following shall apply:

1. Purchase Orders shall not be required.
2. Departments can place the order or purchase the product(s) or service(s) directly, or utilize the Purchasing Agent or his/her assistant in the Finance Department for purchasing assistance.
3. Three (3) phone quotations shall not be required prior to procurement.

However, all departments are encouraged to implement the prudent person philosophy when placing an order. This philosophy dictates that a department shall carry out this function with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character with like aims.

Whenever possible user departments are encouraged to utilize existing contracts for the procurement of goods and/or services regardless of the dollar amount. These contracts have been established to increase efficiency by streamlining the procurement process for both the Purchasing Division and user departments. Other benefits include pricing discounts resulting from volume purchasing. Since there will not be a County Purchase Order number assigned to these purchases, it is essential that the department placing the order informs the vendor that it is critical that the following information be clearly and accurately identified on the face of the invoice:

1. Name of the person who placed the order.
2. County Department that placed the order.
3. Proper mailing address where the invoice should be mailed.

If the vendor is not willing to identify items one (1) and two (2) above on the face of the invoice, the proper mailing address should be that of the ordering department; otherwise, the invoice can be sent to the Finance Department/Accounts Payable.

MINIMAL PURCHASES

(PURCHASES COSTING \$1,000 BUT LESS THAN \$5,000)

Any acquisition of products or services costing \$1,000 but less than \$5,000 shall obtain quotes and place the order directly.

- A. The requesting department shall enter a requisition into the computerized financial system with the required information and attach any supporting documentation. The requisition shall be released and forwarded to the Department/Division head for approval. The requisition is then forwarded to the Purchasing Agent in the Finance Department for processing.

The Purchase Requisition shall contain the following information:

1. Requesting department name.
2. Date of requisition.
3. Date the product or service is needed.
4. To whom or where the product or service is to be delivered.
5. The proper Thirteen (13) digit budget account number(s) to be charged and their current budget balance(s).

Indicate if a budget adjustment is in process to accommodate the purchase.

6. Name of requesting individual.
7. The product item number.
8. Quantity.
9. Description of products or services, as detailed as possible.
10. Freight/shipping charges, if applicable.

B. When a department decides to place an order, the department shall do so according to the following:

1. Purchase all office supplies from the Board of Commissioners designated contract vendor, subject to availability.
2. One phone or written quote is sufficient for purchases costing \$1,000 but less than \$5,000 dollars or when it is determined that there is an emergency condition or there is only a sole source provider to purchase the products and/or services. In the event a department is claiming an emergency or sole source condition, the procedures identified in the exemptions section under "Large Purchases" must be adhered to. Phone quotes must be documented as to the name of company and salesperson contacted, unit price of the product and/or service requested, quantity ordered, time and date of the call and any other pertinent information.
 - a. Quotes shall be net of freight charges and exclusive of sales tax. When obtaining quotes, the vendor must be questioned concerning

any freight or additional charges and these items should be identified separately on the Purchase Requisition.

3. Obtain a Purchase Order number and Terms and Conditions from the Purchasing Agent or his/her assistant and provide it to the selected vendor for inclusion on the vendor's invoice.
 - a. Vendors shall not fill an order for \$1,000 or greater unless they are provided a Purchase Order number.
 4. Confirm delivery mode and inquiry about and any special delivery instructions such as a lift truck or other equipment.
- C. Orders may be phoned, emailed or faxed to vendors.
- D. The Purchasing Agent or his/her assistant in the Finance Department will be available to answer questions and/or provide direction regarding these purchases.

SMALL PURCHASES

(PURCHASES COSTING \$5,000 BUT LESS THAN \$20,000)

Although Competitive Sealed Bidding is the procedure universally preferred in governmental procurement, consideration of the time and cost involved dictates that a less formal procedure be used for small purchases.

This Purchasing Policy provides that purchases, including professional services, not exceeding \$20,000 may be made in the open market without a formal written bid, and further provides that these purchases, when practicable, shall utilize competitive written requests for quotations. All such purchases shall be made cooperatively by the Purchasing Agent in the Finance Department and the Department/Division Head, Elected Official or their designees.

The requesting department shall prepare and forward via the electronic financial system a Purchase Requisition attaching any supporting documentation and release for approval. The Purchase Requisition shall contain the same information as outlined for "Minimal Purchases", Section A, Items 1 through 11.

In utilizing the small purchases procedures, the following shall apply:

1. Award shall be made to the vendor providing the greatest value for the cost while meeting the minimum needs of the County.

2. Requisitions shall not be artificially divided so as to constitute small purchases.
3. If any Department foresees a need for products or services of a like or similar nature, costing more than \$20,000 in aggregate within a fiscal year, it shall arrange for Competitive Sealed Bidding, even though the products and services individually may be under the \$20,000 bid-threshold.
4. Departments or Divisions with County-wide responsibility for products or services, such as the Buildings and Grounds Department for hand towels and tissues, shall combine requirements for like or similar commodities expected to be needed in the foreseeable future (usually a fiscal year) and arrange for Competitive Sealed Bidding.
5. When previous experience indicates a reasonable expectation that combined requirements from all Departments and/or Divisions, for a product or service, will exceed the bid threshold within a fiscal year, the Purchasing Agent shall solicit requirements from all users of this product or service, and cause specifications and bid documents to be developed, and shall arrange for Competitive Sealed Bidding.
6. The Purchasing Agent shall be responsible for obtaining the quotations required by this procedure. In instances where it is more practicable, the Purchasing Agent may delegate the obtaining of quotes to his/her designee or to the requesting/user department. This shall not absolve the Purchasing Agent from the responsibility of having proper quotes on file prior to issuing a Purchase Order, as required by this procedure, or from assuring that acceptable value is being obtained.
7. At least three (3) written quotes are required, with the exception of an emergency condition or sole source provider. In the event a department is claiming an emergency or sole source condition, the procedures identified in the exemption section under "Large Purchases" must be adhered to. Quotations received via photo facsimile (FAX) machines or email shall be accepted as written quotes required by this procedure. The Purchase Order shall be placed after the receipt of the quotes.
8. On occasion, good business judgment or common sense may dictate deviations from the requirements outlined in Item 7 of this section. In this instance, the reason(s) for the deviation shall be documented by the Purchasing Agent on the Purchase Requisition and such deviations shall not violate any other requirement of the Purchasing Policy.

9. Emergency purchases shall be exempt from some of the provisions of this policy. A request and explanation of the reasons for the declaration of an emergency shall be documented by the department requesting such declaration and forwarded to the Purchasing Agent who in turn will forward the request to the Finance Officer. The Finance Officer shall decide whether or not the request is warranted and instruct the Purchasing Agent to act accordingly. The request and explanation shall be attached to the requisition. This provision shall be used only if there is imminent danger to the health or welfare of the citizens of the County, or threat of deterioration of a critical departmental service.
10. Documentation of a sole source provided for a required product and/or service shall be attached to the requisition.
11. The Purchasing Agent, assisted by the Department/Division Head, Elected Official or their designee from the requesting department shall have the responsibility for selection of the vendor.
12. The Purchasing Agent after consultation with the Department/Division Head may elect to seek pricing using a more formal method. A use of a Request for Quotation (RFQ) will be used to secure pricing.

Request for Quotation (RFQ) is a small order amount purchasing method. Generally used for small orders under a certain dollar threshold. A request is sent to suppliers along with a description of the commodity or services needed and the supplier is asked to respond with price and other information by a pre-determined date. Evaluation and recommendation for award should be based on the quotation that best meets, price, quality, delivery, service, past performance and reliability.

LARGE PURCHASES

COMPETITIVE SEALED BIDS

(PURCHASES COSTING \$20,000 OR MORE)

Competitive Sealed Bids shall be solicited for products or services that meet one of the following requirements:

- The product or service being procured has an individual cost of twenty thousand dollars (\$20,000) or more.
- When the requirements of a Department and/or Division, or the combined requirements of all Departments and/or Divisions, for products or services of a

like or similar nature has an aggregate cost of twenty thousand dollars (\$20,000) or more within a fiscal year.

- Determination of solicitation method (Invitation for Bid or Request for Proposal) shall be made after discussions between the Purchasing Agent and requesting department.
- An Request for Information will be utilized if assistance is needed in order to development the scope of a RFP. Request for Information (RFI) is a non-binding method whereby a jurisdiction publishes via newspaper, internet or direct mail its need for input from interested parties for an upcoming solicitation. It is a procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation. Generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc.

The following section outlines the exemptions, elements, processes, and procedures for competitive sealed bids.

A. EXEMPTIONS

The Bay County Purchasing Policy provides that no procurement of products or services equal to or over twenty thousand dollars (\$20,000) shall be made without soliciting competitive sealed bids, except:

1. When cooperative purchases with other public entities are made.
2. When contracts of other local units of government or other public entities are used, if the Contractor extends the identical terms and conditions to the County, provided that the contract has been awarded through procedures substantially similar to those required by the Bay County Purchasing Policy.
3. When there is only a sole source for the required products or services.
4. In the event of the existence of an emergency procurement condition.
5. In the procurement of architectural, engineering, legal, landscape architectural, or land surveying services, when QBS is to be used.
6. In the procurement of services of an independent Certified Public Accountant selected to audit the County's books/operations, when QBS is to be used.

7. In the procurement of consultant, advisor, or other professional services as identified by the Bay County Board of Commissioners, when QBS is to be used.

By exempting the procurement of products or services in an emergency (Item No. 4) and entering into contracts for professional services (Items No.5, No.6, and No.7) allows the County to remain in compliance with Public Act 167 and 168 of 1993.

In the event when a Department requests an exemption from soliciting competitive sealed bids for the procurement of products or services for reasons of a sole source supplier or an emergency condition, the following shall occur:

1. The requesting department shall submit, to the Purchasing Agent, in the Finance Department, a Purchase Requisition which shall contain, in addition to the same information as outlined for "Minimal Purchases" Section A, Items 1 through 10, an attestation signed by the authorizing department official that the named vendor on the Purchase Requisition is the sole supplier of the requested product or service or; in the case of an emergency procurement condition, that the condition existing within the requesting department is causing an emergency situation and identify the consequences that will occur if the product or service is not purchased posthaste.
2. The Purchasing Agent, after discussion with the requesting Department, shall indicate approval or rejection and forward the requisition to the Finance Officer for consideration and final decision.
3. In a situation that required a Department/Division Head, Elected Official or their designee to make an emergency procurement(s), the above items one (1) and two (2) shall still occur, although after the fact, within two (2) business days of the emergency condition.

B. REQUEST FOR COMPETITIVE SEALED BID

The Department requesting the products or services that require competitive sealed bids be solicited shall present the request to the Purchasing Agent, which includes the following:

1. A brief description of the goods and/or services to be bid.
2. Source of funding for the expenditure (budget, grant, etc.) and budgeted amount

3. The Organization and object code to which the expenditure is to be charged.
4. Specifications for the equipment and/or service.
5. Specific requirements that shall be adhered to by each bidder.
6. Other pertinent information.

C. REVIEW OF BID PRIOR TO PUBLIC RELEASE

The Purchasing Agent shall request any additional information from the Department requesting the products and/or services and shall submit a draft of the Competitive Sealed Bid to Corporation Counsel and then the Finance Officer for their review and final approval.

D. BID PACKAGE PREPARATION

After the draft of the Competitive Sealed Bid is approved by Corporation Counsel and the Finance Officer, a final formal Competitive Sealed Bid shall be prepared by the Purchasing Agent, in conjunction with the Department/Division Head, Elected Official or his/her designee. The Competitive Sealed Bid shall include:

1. Invitation to Bid or Request for Proposal description
2. Specifications
3. Requirements of Bidders
4. General Conditions
5. ADA Assistance
6. Applicable Bid Forms

E. BID PACKAGE DISTRIBUTION AND PUBLIC NOTICE

The Purchasing Agent will distribute the Competitive Sealed Bid to all applicable vendors who are included on the County's Vendor Master File. The Purchasing Agent will advertise in one or all of the following: The Bay City Times, on Bay 3TV, cooperative purchasing websites, the County's website and Facebook page or any other pertinent publication, a notice inviting sealed competitive bids, for at least two days, preferably the Sunday publication for one or two weekends. There shall be an interval of at least five (5) days between the date of the final

notice and the bid opening. The notice shall include the following, when applicable:

1. Brief description of the product(s) or service(s) to be bid.
2. Place where bid documents, including specifications are available.
3. Competitive Sealed Bid Identification Number.
4. Cost, if any, of bid documents.
5. Date and time the bids are due.
6. All walk through(s) and/or pre-bid/proposal conference(s) as determined by the Purchasing Agent and the Department/Division Head, Elected Official or his/her designee of the requesting department.
7. Telecommunication Device for the Deaf (TDD) information and an Americans with Disabilities Act (ADA) statement that auxiliary aids and services are available upon request.

In addition to the public notice, the Purchasing Agent shall notify all vendors who have indicated an interest in furnishing the requested products and/or services to the County.

In the event that the original Competitive Sealed Bid needs to be amended, an addendum will be emailed to all known vendors who previously received a copy of the original Competitive Sealed Bid by the Purchasing Agent and the addendum will also be placed on the County's website and on cooperative purchasing websites.

F. WALK THROUGH AND PRE-BID/PROPOSAL CONFERENCES

When it has been determined that a walk through or pre-bid/proposal conference is necessary, the Purchasing Agent or his/her designee shall include language within the Competitive Sealed Bid identifying the following:

1. The date, time, and location of the walk through or pre-bid/proposal conference.
2. Whether or not potential bidders/offers attendance is mandatory.
3. That potential bidders/offers will not be compensated for their attendance.

4. That written and verbal questions will be accepted and addressed, with the County's preference that as many questions as possible be in writing in advance of the date of the walk through or pre-bidders/offerors conference.

If attendance by potential bidders/offerors is mandatory and a prospective bidder or offeror does not attend but does submit a bid or proposal, said bid or proposal shall be disqualified and returned unopened accompanied by a memo explaining why the bid or proposal was returned and not considered for the award.

All potential bidders or offerors shall sign-in at the location of either the walk through or pre-bidders/offerors conference and provide all the information requested on the sign-in form provided by the Purchasing Agent, or his/her designee.

G. BID SUBMISSION AND OPENING

Sealed bids are to be received and retained by the Purchasing Agent in the Finance Department until the date and time for the bid opening, as specified in the Public Notice/Competitive Sealed Bid. The sealed bid envelope shall be marked with a date stamp identifying the date (month/day/year) the bid was received in the Finance Department. The time of the day the sealed bid envelope arrived, if not automatically imprinted, will be manually written on the lines provided by the date stamp and initialed by the employee of the Finance Department who received the bid. Sealed bids are also accepted in person at the location of the bid opening up until the time specified by the Public Notice/Competitive Sealed Bid.

Bids received after the date and time specified in the Public Notice/Request for Proposal shall be disqualified and returned unopened accompanied by a memo explaining why the Request for Proposal was returned and not considered for the award. After receipt in the Finance Department, bids may be withdrawn up to the scheduled time for opening upon presentation of proper identification, as determined by the Purchasing Agent, or his/her designee. A formal written request for withdrawal must be made to the Purchasing Agent, who shall file the request in the Competitive Sealed Bid file. Bids shall be opened promptly at the time designated in the Public Notice/Competitive Sealed Bid by the Purchasing Agent or any other individual as designated by the Finance Officer, County Executive or County Board of Commissioners. The Purchasing Agent or his/her designee shall open and review the bid(s) and reads aloud the name of the bidder(s), the amount of the bid(s), and any other pertinent information contained in or omitted from the bid(s). The Purchasing Agent or his/her designee shall initial and date each bid after he/she has reviewed it and proceed to forward it to all individuals present at the bid opening for them to review,

initial, and date. The proceedings are recorded by the Purchasing Agent or some other designated individual.

Bidders/offerors and the public are encouraged to attend bid openings, and may examine the bid documents after all bids have been opened.

H. EVALUATION OF BIDS AND RECOMMENDATION OF SUCCESSFUL BIDDER

Following the bid opening, the Purchasing Agent presents the results of the bid opening to the Finance Officer with an analysis identifying the most responsible bidder/offeror and a recommendation as to which bidder/offeror to award the bid. The term "most responsible bidder" means a bidder whose bid conforms in all material respects to the Competitive Sealed Bid, who has the capability in all respects to perform the requirements, and who by its integrity and reliability gives reasonable assurance of good faith performance for the financial benefit of the County.

In determining the most responsible bidder, the Purchasing Agent or his/her designee may, after the bid opening, enter into discussions with any responsible bidder who submitted a proposal which is determined to be reasonably susceptible of being awarded the bid, to obtain additional information regarding the bidders ability to perform or to clarify a bidders proposal to assure the Purchasing Agent or his/her designee that the bidder(s) has a full understanding of and can conform to the requirements of the Competitive Sealed Bid. Bidders shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Such revisions may be permitted, after the bid opening and prior to awarding, for the purpose of obtaining best and final offers. In conducting the discussions, there shall be no disclosure of any information derived from proposals submitted by competing bidders.

No bidder is permitted to alter the dollars bid after the opening.

A voluntary or negotiated reduction/increase in price from most responsible bidder can be accepted after the opening of the bid, provided such reduction/increase does not result in the modification or deletion of any conditions or specifications contained in the bid documents.

I. BID AWARD

1. The bid shall be awarded directly to the most responsible bidder/offeror by the Purchasing Agent upon concurrence of the Bay County Finance Officer upon the following criteria being met:

- a. The product or service for which the Competitive Sealed Bid was written is included and funded in the current years adopted/amended budget.
 - b. The most responsible bid received by the County, for which the bid will be awarded, is either equal to or less/greater than the amount budgeted for this procurement/sale in the current year adopted/amended budget.
 - c. Utilizing the Notice of Intent to Award form, the Purchasing Agent upon concurrence of the Finance Officer shall notify the Bay County Board of Commissioners, the Bay County Executive, and all bidders of his/her intent to award the bid to the most responsible bidder/offeror on the eleventh (11th) working day from the date of notice. Said notice shall include the names and addresses of all bidders/offerors, their respective bid(s), reason(s) for disqualifying certain bidders/offerors and for awarding the bid to a bidder other than the best responsible bidder.
 - d. If concerns or opposition from the Board of Commissioners and/or County Executive, inclusive of an unresolved bid protest being filed by a bidder in accordance with the procedures outlined in Section I, to the Intent to Award arise within ten (10) working days from the date of the Notice of Intent to Award, said concerns or opposition shall be communicated to the Finance Officer in writing and the Finance Officer shall be precluded from awarding the bid and shall follow the procedures outlined in Subsection (2) immediately below.
2. If the bid cannot be directly awarded to the successful bidder/offeror by the Bay County Finance Officer because the criteria in Subsection (1) immediately above could not be met, then:
- a. The recommendation to the Finance Officer from the Purchasing Agent is forwarded by the Finance Officer to the Ways and Means Committee of the County Board of Commissioners for their consideration and action who in turn will forward their recommendation to the full County Board of Commissioners for awarding.
 - b. Utilizing the Notice of Recommendation, the Finance Officer shall notify all bidders/offerors, as soon as it is practical, of his recommendation to the Ways and Means Committee of the Board of Commissioners.

c. If a Bid Protest form has been filed by a bidder/offeror in accordance with the procedures outlined in Section L relative to the Notice of Recommendation within the time allotted for such filing, the Finance Officer shall communicate such protest to the Ways and Means Committee prior to their action on his/her recommendation. The Ways and Means Committee must then decide, after reviewing the Bid Protest and listening to the testimony of the Finance Officer and the protesting bidders/offerors, whether:

1. To accept the recommendation of the Finance Officer and follow Subsection 2. (a) above and Section L. (4), or
2. To take no action on the Finance Officer's recommendation and follow Section L. (4).

3. The Purchasing Agent or his/her designee shall notify all bidders/offerors of the final action taken, either by the Finance Officer or the Board of Commissioners, by preparing and mailing to them a Notice of Bid Action. For informational purposes only, a copy of the Notice of Bid Action shall be placed on the agenda of the next Ways and Means Committee meeting of the Board of Commissioners. In addition to the Notice of Bid Action being mailed, the Purchasing Agent shall also execute or facilitate the execution of the documents described below in Subsection 4.

4. The execution of the Notice of Bid Action is made by the Purchasing Agent or his/her designee to the most responsible bidder through one of two procedures:

- a. By facilitating the execution of a formal contract between Bay County and the successful bidder/offeror, supported by a performance and payment bond, if required, when periodic payments are made for work performed pursuant to a Contract and prior to completion of all the work, (e.g., construction work), or
- b. By issuing a Bay County Purchase Order.

J. LOW TIE BIDS

At the discretion of the Board of Commissioners, award shall be made in any permissible manner that will discourage tie bids. If no permissible method will be effective in discouraging tie bids, then the award shall be made by drawing lots.

K. EXTENSION OF DATES

As a result of extenuating circumstances, it may be necessary for the County to either extend the date which competitive sealed bids are due to be received by the County or the date to which all bids are to be valid. In either case, it shall be the responsibility of the Purchasing Agent or his/her designee to inform all parties concerned, via written communications, of the County's intent on extending the relevant date, inclusive of any other pertinent date(s) that will change, along with the reasons for the extension.

If the date which the competitive sealed bids were to be received has been extended, along with all the other pertinent dates, the dates identified in Subsection G of this section, "Bid Submission and Opening," shall be those identified in the above stated communication.

If the date to which all competitive sealed bids were to be valid needs to be extended, all bidders will have the right to withdraw their bid from consideration. A formal written request for withdrawal must be made to the Purchasing Agent, who shall file said request in the Competitive Sealed Bid file.

L. BID PROTEST PROCEDURE

The following process will be used to allow bidders to officially lodge a protest regarding any phase of the bid process including but not limited to specification preparation, competitive sealed bid solicitation, award, or disclosure of information marked confidential in the bid or offer:

1. Bidders/offerors must obtain and complete a Bid Protest form identifying the substance and reason for the protest. The Bid Protest form can be obtained from the Purchasing Agent in the Bay County Finance Department or his/her designee.
2. The bidder/offeror must file the protest within ten (10) working days from the date of the Notice of Intent by submitting the completed form to the Purchasing Agent or his/her designee.
3. The bidder must file the protest the earlier of the day prior to the County's Ways and Means Committee meeting, or within ten (10) working days from the date of the Notice of Recommendation by submitting the completed form to the Purchasing Agent or his/her designee. The protesting bidder(s) may address the Ways and Means Committee at the meeting where the Committee will consider the recommendation of the Finance Officer.

4. Within seven (7) working days of the filing of the bid protest form, the Finance Officer, after consultation with the Purchasing Agent, shall prepare and send, via certified mail through the U.S. Postal Service, a response to the bid protest filed under either Subsection (2) or (3) of this section.
5. If not satisfied with the response of the Finance Officer regarding the bid protest filed under Subsection (2) of this section, the bidder(s)/offeror(s) may address the Ways and Means Committee of the Board of Commissioners by requesting the Finance Officer place their protest on the agenda of their next scheduled meeting. Said request must be in writing and received in the Finance Department or postmarked within seven (7) working days from the date of response to the protestor. The protestor must clearly identify on the envelope "**BID PROTEST.**"

The Purchasing Agent shall upon written request make available to any interested party information submitted that bears on the substance of the protest except where information is proprietary, confidential, or otherwise permitted or required to be withheld by law or regulation.

The Board of Commissioners or the Finance Officer shall not award any bid until the protest has been settled, unless the Board of Commissioners or the Finance Officer makes a written determination after consulting with Corporation Counsel that the award of the bid without delay is necessary to protect substantial interests of the County.

M. CANCELLATION OF INVITATIONS/REQUESTS FOR OR REJECTION OF QUOTES/BIDS/PROPOSALS

An Invitation for Quotes/Bids, a Request for Proposal, or any other solicitation may be canceled, or any or all bids, quotes, or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is for a good cause and in the best interest of the County. The reason(s) for the cancellation or rejection shall be made part of the specific procurement file. Each solicitation issued by the County shall state that the solicitation may be canceled and that any quote, bid, or proposal may be rejected in whole or part for good cause when in the best interests of the County. A Notice of Cancellation shall be sent to all vendors solicited. The notice shall identify the solicitation, provide the reason(s) for cancellation, and, when appropriate, identify that an opportunity will be given to all vendors to resubmit a quote, bid, or proposal, on any resolicitations or any future solicitations of similar items. A Notice of Rejection shall be sent to all bidders whose bids(s), quotes(s), or proposal(s) were rejected enumerating the reasons for rejection.

SELECTION PROCESS FOR SUPPLEMENTAL PRIVATE ATTORNEYS

The Purchasing Policy hereby adopts all relevant portions of the Bay County Civil Counsel Guidelines adopted on June 17, 2014 by Resolution 2014-113.

DEFINITIONS

County procurement. Any transaction by which the County acquires, trades, or rents goods, equipment, land, services, or construction for County use; enters into concession agreements or rents, sells, or disposes of County property. The judicial appointment of assigned counsel for indigent defendants, mental incompetency cases, and public administrator for estates is deemed to be a County procurement.

County business. Any business which or person who has taken part in a County procurement as a contractor or as a County-approved sub-contractor within the previous 24 months, or which is expected to take part within the next 12 months. "Expected to take part" means that some specific action has taken place which manifests an intent to compete for a County procurement, such as the active solicitation of County work, a response to a bid or request for proposals, or a written request to be included on the bidders mailing list.

County employee. An individual drawing a salary or wages from the County, including, for the purposes of this Policy only, County elected and appointed officers, or any non-compensated individual who is performing contract management services for the County, such as a volunteer, or a member of an appointed board or commission. Judges of the 74th District Court, 18th Circuit Court and Probate Court are not contained within this definitional provision, but are subject to the Canons of Ethics of the Michigan Judicial Tenure Commission. (Note: County employees who manage or are party to contracts with or for the benefit of the courts remain subject to this article.)

Pecuniary interest.

- (1) Ownership of any interest or involvement in any relationship from which, or as a result of which, a person within the past year has received, or is presently or in the future entitled to receive, more than \$500.00 per year, or its equivalent; except:
 - (a) That a person who deposits personal funds in a financial institution and earns interest on these funds, or who has a loan, at a rate and on terms available to the general public is not deemed to have a financial interest in that institution; and
 - (b) That ownership of stocks and bonds which are listed and traded on the American or New York Stock Exchanges, NASDAQ, or foreign stock exchanges, which have a current value of less than \$10,000.00, and which constitute less than one percent of the total outstanding shares of any specific ventures, or ownership of any amount of a publicly-traded mutual fund, is not deemed to be a substantial financial interest;

- (2) Ownership of five percent or more of any property or business; or
- (3) Holding a key position in a business such as an officer, director, trustee, partner, sales manager, or the like, or holding any position of management, but not including persons who serve without compensation on the board of directors of a charitable organization, which has recognized status under section 501(c)(3) of the Internal Revenue Code.

Family Member. People related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the grandfather or grandmother of an individual's spouse. It shall also include a former spouse or an individual with whom the County employee or public servant has had a child in common as well as domestic partner and parents thereof, including domestic partners of any individual listed above. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Best Interests of the County shall mean advantageous to Bay County.

Business shall mean any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.

Change order shall mean an agreed-upon written order to a contractor executed by the County and the contractor after execution of the base contract, directing a change in the work which may include a change in the contract price, the time for the contractor's performance, or any combination thereof.

Construction shall mean the process of building, altering, repairing, improving or demolishing any public structure, or building, or other public improvements of any kind to any public real property.

County shall mean all agencies, boards, commissions, departments, and offices of the County of Bay.

Days shall mean a calendar day.

Designee shall mean a duly authorized representative of a person with formal responsibilities under this Policy.

Emergency procurement shall mean the procurement of goods, services, supplies or construction:

- (1) Necessary for the imminent protection of or to mitigate an imminent threat to public health, welfare or safety, including, but not limited to, widespread or severe damage, injury, or loss of life or property;
- (2) To avert a catastrophe from a natural or human-made cause, including, but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination,

- blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders;
- (3) For emergency repair or construction caused by unforeseen circumstances when the repair or construction is necessary to protect life or property;
 - (4) In response to a declared state of emergency or state of disaster under Michigan Public Acts 1976 of 390; 1945 of 302; or 1982 of 191;

Invitation for Bid (IFB) shall be used when a competitive sealed bid is required for solicitations where price is the determining factor.

Public notice means the distribution or dissemination of information using methods that are reasonably available to interested parties. Such methods will often include publication in newspapers of general circulation, electronic or paper mailing lists, and web site(s) designated by the Finance Officer and maintained for that purpose.

Procurement shall mean the buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, services, or construction services. It also includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection, and solicitation of sources, preparation and award of contracts, and all phases of contract administration.

Public agency shall mean a public entity subject to or created by the County.

Real property shall mean any land, all things growing on or attached thereto, and all improvements made thereto including buildings and structures located thereon.

Request for Information (RFI): A non-binding method whereby a jurisdiction publishes via newspaper, internet or direct mail its need for input from interested parties for an upcoming solicitation. A procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation. Generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc. *Request for Proposals (RFP)*: shall mean the submission of proposals to provide supplies, services, or construction services based on a generalized scope of work which ordinarily results in the award of the contract to the responsible person(s) submitting the most advantageous and responsive proposal. The award of the contract must be made on the basis of evaluation factors which must be stated in the RFP, and must include, but not be controlled alone by the factor of price proposed to be charged.

Request for Qualifications (RFQu): A document which is issued by a procurement entity to obtain statement of the qualifications of potential development teams or individuals (i.e. consultants) to gauge potential competition in the marketplace, prior to issuing the solicitation.

Request for Quotation (RFQ): A small order amount purchasing method. Generally used for small orders under a certain dollar threshold. A request is sent to suppliers

along with a description of the commodity or services needed and the supplier is asked to respond with price and other information by a pre-determined date. Evaluation and recommendation for award should be based on the quotation that best meets, price, quality, delivery, service, past performance and reliability.

Responsible bidder/offeror: A contractor, business entity or individual who is fully capable to meet all of the requirements of the solicitation and subsequent contract. Must possess the full capability, including financial and technical, to perform as contractually required. Must be able to fully document the ability to provide good faith performance.

Responsive bidder/offeror shall mean a person who has submitted a bid which conforms in all material respects to the minimum requirements set forth in the solicitation.

Service(s) shall mean the furnishing of labor, time, or effort by a contractor not required to deliver specific end product, other than reports which are merely incidental to required performance. This term does not include employment agreements or collective bargaining agreements.

Shall denotes mandatory.

Subcontractor shall mean any business having a contract to perform work or render service to a prime contractor as a part of the prime contractor's agreement with the County.

Specification shall mean any description of the physical or functional characteristics or of the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing, or preparing a supply, service, or construction item for delivery.

Supplies shall mean all personal property, including but not limited to equipment, materials, printing and insurance but excluding real property or an interest in real property.

Written or in writing shall mean the product of any method of forming characters on paper, other materials, or viewable screen, which can be read, retrieved, and reproduced, including information that is electronically transmitted and stored.

Written determination shall mean a written decision resolving a question or controversy, or finalizing a position within the limits of authority under this chapter.

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/18/16)

WHEREAS, The Lease Agreements with the respective providers (Saginaw-Bay Human Services and Michigan Community Services, Inc.) for the group homes on Almont Street (2), Bangor Road, Bay Valley Road, Fisher Road, Grove Street, Ireland Street, Parker Street, and Zielinski Lane all expire November 30, 2016 and all require renewal; and

WHEREAS, The providers for the group homes will remain same, however, the Bangor Road home will have a new provider, Central State Community Services, for this agreement; and

WHEREAS, Rental prices will remain at the current level of \$2,600 a month for the group homes with the exception of the Parker Street Group home which pays \$1,600 a month; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Lease Agreements for the group homes on Almont Street (2), Bangor Road, Bay Valley Road, Fisher Road, Grove Street, Ireland Street, Parker Street, and Zielinski Lane and authorizes the Board Chair to execute said Lease Agreements on behalf of Bay County following legal review/approval.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Recreation & Facilities - Lease Agreements for Group Homes

MOVED BY COMM. LUTZ

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: X YEAS 7 NAYS 0 EXCUSED 0

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

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BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/18/16)

WHEREAS, The Michigan Department of Community Health, Division for Vital Records and Health Statistics, operates and maintains a computer application that is used to manage birth record information for all registered births in the State of Michigan; and

WHEREAS, This system, the Birth Registry System (BRS), allows users to search, view, update, edit, print and generate certified copies of birth record images and birth facts; and

WHEREAS, A modification to the BRS has been completed for the express purpose of providing a tool for use by local vital records offices in conducting their official duties with regard to vital records services; and

WHEREAS, The BRS System has been renamed Michigan Centralized Birth Certification System (MiCBCS); and

WHEREAS, An agreement governing the terms and conditions under which a local vital records registration office may access this system for official uses including the administration of their official duties and to meet the needs of customers requesting vital records services was approved by the Bay County Board of Commissioners on April 22, 2014 (Res. No. 2014-68), said agreement covering the period 4/15/2014 through 9/30/2016; and

WHEREAS, Under this agreement the Local Registrar (County Clerk) provides payment of service fees to the Department based on a State provided fee schedule and these payments will be made quarterly; and

WHEREAS, State Department of Health and Human Services has submitted a revised Agreement which will be effective through fiscal year 2019 with the option to extend it to 2021; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the 3 year (10/1/16 to 9/30/2019) Agreement between the State of Michigan Department of Health and Human Services and Bay County (County Clerk, Local Registrar) and the Chairman of the Board is authorized to execute said Agreement on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related, required budget adjustments are approved.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

County Clerk - Michigan Centralized Birth Certification System

MOVED BY COMM. LUTZ

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: X YEAS 7 NAYS 0 EXCUSED 0

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

-155-

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/18/16)

WHEREAS, The University Clinic has been in operation since January of 2015 and provides a variety of services for Bay County residents including primary care, nursing care, occupational therapy, and social work services; and

WHEREAS, Saginaw Valley State University recently provided additional grant funding to the Health Department to expand the clinic to include mental health and additional social work services; and

WHEREAS, In order to be able to bill and further sustain the social work services, oversight from a Licensed Medical Social Worker with experience in the clinical setting must take place; and

WHEREAS, Sherry LaMere, LMSW currently oversees students with Saginaw Valley, but no contract is in place to have her supervise social work operations for billing purposes and this work is above and beyond her current capacities at the Clinic; and

WHEREAS, The Bay County Health Department wishes to enter into a contract with Sherry LaMere for social work supervision at the University Clinic; and

WHEREAS, The rate of pay for Ms. LaMere is \$50/hour and is limited to available grant funding from Saginaw Valley State University for the purposes stated above; No general funds will be utilized and there is no additional cost to the Health Department; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves a contract with Sherry LaMere for social work supervision at the University Clinic at \$50/hour, monies derived from grant funding from Saginaw Valley State University; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said Contract on behalf of Bay County following legal review/approval.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

Health Dept - Contract with Sherry LaMere

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	X						

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

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

-156-

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

- BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (10/18/16)
- WHEREAS,** Since June, the Health Department, and Saginaw Valley State University have reviewed a number of available electronic medical record software providers; and
- WHEREAS,** Data requirements such as meaningful use reporting and federal stipulations regarding the Uniform Data Systems as well as the necessity to provide thorough analysis of revenues, costs and productivity mandate a more robust system; and
- WHEREAS,** eClinicalWorks has met all of the requirements for reporting (UDS, Population Health Measurement, HEDIS, etc) and is an established software provider to numerous clinics and health departments, including several in the state of Michigan; and
- WHEREAS,** The cost of licensing and implementation is \$16,479, roughly half the cost the Health Department currently pays with its current provider and funds are already budgeted and, in addition, recent work to acquire meaningful use incentives with the Michigan Center for Effective IT Adoption average has indicated that the Health Department is initially eligible for at least \$120,000 of incentive funds; and
- WHEREAS,** Additional grant funding from Saginaw Valley State University earmarks an additional \$76,800 over the coming two years for the software; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners approves entering into a Contract with eClinicalWorks LLC for electronic medical record software and authorizes the Board Chair to execute said Contract and related documents on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED** That budget adjustments required for the purchase and installation of the specified software are approved.

**MICHAEL E. LUTZ, CHAIR
AND COMMITTEE**

Health Dept - eClinicalWorks LLC

MOVED BY COMM. LUTZ

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: X YEAS 7 NAYS 0 EXCUSED 0

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

-157-

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/18/16)

WHEREAS, The Bay County Community Center has been selected as a shelter by the Red Cross and this requires a Shelter Agreement to be signed by both agencies; and

WHEREAS, Shelters are opened by the Red Cross any time there is a need to provide a safe place for people who are evacuated from their homes due to any kind of natural disaster such as a flood, tornado, fire, or freeway closure; and

WHEREAS, There are many shelters designated in our area, and County's site could be utilized based on the nature and location of the event and needs of the evacuated people; and

WHEREAS, In the event the Community Center is used as a shelter, Bay County is only providing the space; the Red Cross provide the evacuees with all the necessary items, such as a cot and blankets or food and water; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Shelter Agreement between Bay County and the American Red Cross East Central Bay Chapter and authorizes the Board Chair to execute said Agreement on behalf of Bay County following legal review/approval.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Recreation & Facilities - Shelter Agreement with Red Cross

MOVED BY COMM. LUTZ

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: X YEAS 7 NAYS 0 EXCUSED 0

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

-158-

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (10/18/16)

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. Mosquito Control - Mosquito Control Manager (full time, \$46,904/year entry)
2. 9-1-1 Central Dispatch - Dispatcher (full time, \$26,936/year entry)
3. Health Department - Clerk (part time, \$12.91/hr. entry) [NOTE: Authorization is granted to fill any vacancies from within that occur as a result of filling this Clerk position.]

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 - November

MOVED BY COMM. LUTZ

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: X YEAS 7 NAYS 0 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (10/11/16)

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

- I. Employment Status Report - October 2016

**ERNIE KRYGIER, CHAIR
AND BOARD**

County Executive - Status Reports

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: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

NOVEMBER 1, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (11/1/16)

RESOLVED By the Bay County Board of Commissioners that the Chairman of the Board is authorized to execute the Easement for Water Main (attached), granted to the City of Essexville, on behalf of Bay County following legal review/approval.

**KIM COONAN, CHAIR
AND COMMITTEE**

Comm Lutz - Easement for Water Main - City of Essexville

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: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

ON NOVEMBER 2, 2016 CLERK WAS CONTACTED AND TOLD THAT THE RESOLUTION SHOULD NOT HAVE BEEN APPROVED, SEE MINUTES FOR 11-15-2016. RESOLUTION WILL BE RESCINDED AT THAT MEETING.

EASEMENT FOR WATER MAIN

The County of Bay, a Michigan governmental organization, by the authority of its Board of Commissioners, of 515 Center Avenue, Bay City, Michigan 48708, as Grantor,

For the sum of one Dollar (\$1.00) paid to the Grantor by the Grantee, the receipt of which is hereby acknowledged, conveys and warrants to the Grantee,

The City of Essexville, a Michigan Home Rule City, of 1107 Woodside Avenue, Essexville, Michigan 48732, its successors and assigns, forever,

the easement and right to enter upon the parcels of land hereinafter described to lay, construct, operate, maintain, repair, inspect, replace, improve, enlarge, or remove an underground water main for the purpose of transmitting water under the strips of land located within the parcels of lands which lie within the Township of Bangor, County of Bay, and State of Michigan owned by Grantor and described as:

(Parcel Number 010-032-100-100-01):

The west 450 feet of the north 40 feet of the south 70 feet, and the east 40 feet of the west 125 feet south 70 feet, of the following parcel:

Lot 9 and part of lot 5 Lauria Gardens subdivision, according to the plat thereof recorded in liber 7 of plats, page 21, Bay County records and part of the northwest $\frac{1}{4}$ of section 32, town 15 north, range 5 east, township of Bangor, Bay County, Michigan, being more particularly described as beginning at a point from the west $\frac{1}{4}$ corner of section 32 which is N01°06'05"E, along the west line of said section 32, 192.58 feet and N89°58'43"E, along the westerly extension of the northerly plat line of Lauria Gardens subdivision, 645.04 feet to the northwest corner of the east 75 feet of lot 4 of the recorded plat to the point of beginning; thence N00°52'53"E, along the northerly extension of said westerly line of the east 75 feet of said lot 4, 85.99 feet; thence N66°32'10"E, 82.32 feet to a point on the west line of lot 5 of said recorded plat, said point being S00°52'53"W, 28.26 feet from the northwest corner of said lot 5; thence continuing N66°32'10"E, 71.02 feet to a point on the north line of said lot 5, said point being N89°58'43"E, 64.71 feet from the northwest corner of said lot 5; thence continuing N66°32'10"E, 131.95 feet; thence N00°00'26"E 272.74 feet; thence N90°00'00"E, 430.45 feet; thence S00°03'25"W, 472.05 feet to a found monument; thence S89°58'43"W, along the northerly plat line of said recorded plat, 131.38 feet to the northeast corner of lot 9 of said recorded plat; thence S00°52'53"W, along the east

line of said lot 9, 154.36 feet; thence N89'48'39"W, along the south line of said lot 9, 60.05 feet; thence N00'52'53"E, along the west line of said lot 9, 154.13 feet; thence S89'58'43"W, along the northerly line of said recorded plat, 326.52 feet to a found monument; thence S89'58'43"W, along the southerly line of the north 147' of said lot 5 of said recorded plat, 100.08 feet to a found monument; thence S89'58'43"W, along the northerly line of said recorded plat, 75.01 feet to the northwest corner of the east 75 feet of lot 4 of said recorded plat to the point of beginning. Containing 5.73 acres of land and being subject to any Easements, restrictions or rights of way of record, and

(Parcel Number 010-032-100-100-00)

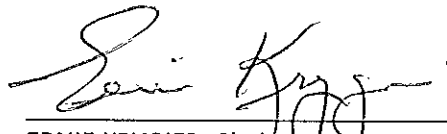
The east 160 feet of the north 40 feet of the south 70 feet of the following parcel:

Part of lot 5 of Lauria Gardens subdivision, according to the plat thereof recorded in liber 7 of plats, page 21, bay County Records and part of the northwest $\frac{1}{4}$ of section 32, town 15 north, range 5 east, township of Bangor, Bay County, Michigan, being more particularly described as beginning at a point which is N01'06'05"E, along the West line of said section 32, 403.35 feet from the west $\frac{1}{4}$ corner of said section 32; thence continuing N01'06'05"E, along said west line, 446.70 feet; thence S89'48'52"E, 333.29 feet; thence N01'04'58"E, 150.00 feet; thence S89'48'52"E, 990.11 feet to a found monument; thence S00'03'25"W, 330.48 feet; thence S90'00'00W, 430.45 feet; thence S00'00'26W, 272.74 feet; thence S66'32'10"W, 131.95 feet to a point on the north line of lot 5 of Lauria Gardens subdivision, said point being N89'58'43"E, 64.71 feet from the northwest corner of said lot 5; thence continuing S66'32'10"W, 71.02 feet to a point on the west line of said lot 5 of said recorded plat, said point being S00'52'53"W, 28.26 feet from the northwest corner of said lot 5; thence continuing S66'32'10"W, 82.32 feet to a point on the northerly extension of the westerly line of the east 75 feet of lot 4 of said recorded plat, thence S00'52'53"W, along said northerly extension, 85.99 feet to the northwest corner of the east 75 feet of said lot 4 of said recorded plat; thence S89'58'43"W, along the north line of said recorded plat, 457.12 feet; thence N01'15'12"E 134.76 feet; thence N63'51'29"W, 170.90 feet; thence N88'55'02"W, 33.41 feet to the point of beginning. Containing 17.15 acres of land and being subject to any easements, restrictions, or rights of way of record.

Grantor agrees that, for the purpose of maintenance of said underground water main, that no buildings or other structures will be placed upon the surface of the ground above any of the easements created herein.

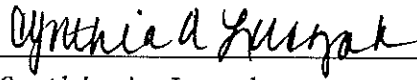
These easements are exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate tax pursuant to the provisions of MCLA 207.526(f).

IN WITNESS WHEREOF, the Grantor has executed this instrument this 1st day of November, 2016.



ERNIE KRYGIER, Chairman
Bay County Board of Commissioners

The foregoing instrument was executed before me in Bay County, Michigan on November 1, 2016 by ERNIE KRYGIER, known to me to be the person described herein and who executed the within instrument after acknowledging the same to be his free act and deed.



Cynthia A. Luczak
Notary Public, Bay County, Michigan
Acting in Bay County, Michigan
My Commission Expires: February 4, 2020

Prepared by:
Gerald W. Pergande
Attorney at Law
303 Hart St
Essexville, Michigan 48732
989 894-2000

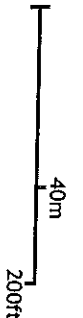
Return to:
City of Essexville
1107 Woodside Avenue
Essexville, Michigan 48732



Bay Area GIS

010-032-100-100-01

Map Publication:
11/01/2016 3:41 PM



powered by
FetchGIS

Disclaimer:
This map does not represent a survey or legal document and is provided on an "as is" basis. Bay City/County expresses no warranty for the information displayed on this document.

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 104

MOVED TO APPROVE THE REGULAR AND SPECIAL BOARD SESSION MINUTES FROM THE SEPTEMBER 13, 2016; SEPTEMBER 20, 2016; OCTOBER 11, 2016 AND OCTOBER 18, 2016 BOARD MEETINGS 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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 105

MOVED TO RECEIVE WILLIAM L. POWELL'S LETTER OF RESIGNATION FROM THE BAY-ARENAC BEHAVIORAL HEALTH BOARD. MR. POWELL'S TERM IS SCHEDULED TO EXPIRE ON MARCH 31, 2018.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 106

MOVED TO RECEIVE THE REQUEST OF GEORGE ZANOTTI FOR APPOINTMENT TO BAY-ARENAC BEHAVIORAL HEALTH BOARD. THIS WOULD BE TO FILL THE VACANCY OF WILLIAM L. POWELL, CURRENTLY RESIGNING REPRESENTATIVE THROUGH MARCH 31, 2018.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 107

MOVED TO RECEIVE THE REQUEST OF JOHN T. ANDRUS FOR APPOINTMENT TO BAY-ARENAC BEHAVIORAL HEALTH BOARD. THIS WOULD BE TO FILL THE VACANCY OF WILLIAM L. POWELL, CURRENTLY RESIGNING REPRESENTATIVE THROUGH MARCH 31, 2018.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 108

MOVED TO RECEIVE TOM STARKWEATHER'S LETTER OF REQUEST FOR REAPPOINTMENT TO THE BAY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD. FOR ONE THREE (3) YEAR TERM, THE TERM IS SET TO EXPIRE ON OCTOBER 31, 2019.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 109

MOVED TO RECEIVE THE PROBATE COURT CHILD CARE FUND CASE REVIEW AND ELIGIBILITY REQUIREMENTS; FOSTER CARE PLACEMENT REVIEW, AFDC STANDARD OF NEEDS CHART AND ELIGIBILITY REQUIREMENTS FOR TITLE IV-E FUNDING AS ON AGENDA PAGES 10 - 17.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 110

MOVED TO RECEIVE THE PERSONNEL DEPARTMENT - TUITION REIMBURSEMENT INFORMATION FOR EVAN GRIFFITHS, DEPUTY COURT CLERK, DISTRICT COURT EMPLOYEE FOR THE TUITION REIMBURSEMENT AMOUNT OF \$604.95. BRITTNEY REED, ADMINISTRATIVE ASSISTANT, PROBATE COURT, FOR THE TUITION REIMBURSEMENT AMOUNT OF \$1,608.60. FUNDS REMAIN IN THE 2016 BUDGET.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 111

MOVED TO RECEIVE THE BUILDINGS AND GROUNDS PAINTING PROJECTS UPDATE. THE DETAIL OF ALL PROJECTS THAT HAVE BEEN FINISHED, ARE CURRENTLY BEING COMPLETED AND UNFINISHED PROJECTS CAN BE VIEWED IN THERE ENTIRETY ON AGENDA PAGES 148 - 151.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 112

MOVED TO RECEIVE THE ANALYSIS OF GENERAL FUND EQUITY 2016 FROM THE FINANCE DEPARTMENT. 2016 FUND BALANCE AS OF OCTOBER 25, 2016 ESTIMATED UNASSIGNED FUND BALANCE OR (DEFICIT) \$5,741,674. AS OF REPORT DATE: 10/25/2016.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 113

MOVED TO RECEIVE THE EXECUTIVE DIRECTIVE #2007-11 FROM THE FINANCE DEPARTMENT. ON OCTOBER 12, 2016 AN EMAIL WAS SENT REQUESTING DEPARTMENTS TO CONTACT THEIR GRANTOR AGENCIES TO CONFIRM THEIR LEVEL OF GRANT FUNDING FOR THE CURRENT YEAR. THE STATE GRANTOR AGENCIES THAT HAVE RESPONDED TO DEPARTMENT'S REQUESTS INDICATE THAT FUNDING LEVELS FOR THE STATE GRANTS WITH REGARD TO FISCAL YEAR 2015 AND/OR 2016 APPEAR TO HAVE NO CHANGES.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 114

MOVED TO APPROVE THE REAPPOINTMENT OF TOM STARKWEATHER TO THE BAY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD FOR ONE THREE (3) YEAR TERM EXPIRING OCTOBER 31, 2019.

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: NOVEMBER 1, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 115

TO ADJOURN THE WAYS AND MEANS COMMITTEE AND
COMBINED REGULAR BOARD SESSION OF NOVEMBER 1,
2016. THE MEETING CONCLUDED AT 4:35 PM.

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 _____