

SPECIAL MEETING

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, DECEMBER 18, 2018

4:30 P.M.

OR IMMEDIATELY FOLLOWING THE PERSONNEL/HUMAN SERVICES COMMITTEE MEETING)

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN HEREK)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

V CITIZEN INPUT

VI ITEMS FOR CONSIDERATION

**A. Resolutions from Personnel/Human Services Committee Meeting
12/18/18**

- | | |
|------|---|
| I | 1. No. 2018-295 - Legal Stenographer Vacancy (Prosecutor) |
| 2-7 | 2. No. 2018-296 - Rescission of Res. No 90151 - Process for Purchase of Military Service Credit (Retirement) |
| 8 | 3. No. 2018-297 - Waiver of Board Rules to Expedite Adoption of Amendment to Bay County Employees' Retirement System Ordinance (Retirement) |
| 9-11 | 4. No. 2018-298 - Bay County Employees' Retirement System (BCERS) Ordinance Amendment re Purchase of Military Service Credit (Retirement) |

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)

WHEREAS, As of December 10, 2018, there is a Legal Stenographer vacancy in the Bay County Prosecutor's Office; and

WHEREAS, This is full time position with benefits and the current rate of pay is \$15.09 per hour entry progressing to \$17.91 per hour after 2 years; and

WHEREAS, Funding for this position is included in the Prosecutor's 2019 budget; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes posting/filling the position of the full time Legal Stenographer in the Bay County Prosecutor's Office; Be It Further

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.

TOM RYDER, CHAIR
AND COMMITTEE

Prosecutor - Legal Stenographer Vacancy

MOVED BY COMM. RYDER

SUPPORTED BY COMM. KRYGIER

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED _____ WITHDRAWN _____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

-/-

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)

WHEREAS, On June 12, 1990, the Bay County Board of Commissioners adopted resolution no. 90151 outlining the process for purchase of military service credit for retirement purposes; and

WHEREAS, State law was modified several years ago to allow the purchase of military service that would be credited under the federal government for services in the reserves; and

WHEREAS, The Bay County Employees' Retirement System Ordinance must be amended to comply with MCL 46.12(a)(13) and (14); and

WHEREAS, Bay County's process for purchase of military service credit is no longer in compliance with State law; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that resolution no. 90151 adopted June 12, 1990 is hereby rescinded.

TOM RYDER, CHAIR
AND COMMITTEE

Retirement - Rescission of Res. No. 90151 dated 6-12-90
Process for Purchase of Military Service Credit

MOVED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)

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

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

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

RESOLVED By the Bay County Board of Commissioners that, for the sake of expediency, Article XIII of the Rules of the Bay County Board of Commissioners is hereby suspended for the adoption of an Amendment to Bay County Employees' Retirement System Ordinance.

**TOM RYDER, CHAIR
AND BOARD**

Retirement - Waiver of Ordinance Adoption Process
MOVED BY COMM. RYDER

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			TOM RYDER	X						

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

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

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

- BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)
- WHEREAS,** The BCERS Ordinance currently does not allow for any military service to be purchased that could be used for obtaining or increasing a benefit from another retirement system; and
- WHEREAS,** State law had been modified several years ago to allow the purchase of military service that would be credited under the federal government for services in the reserves; and
- WHEREAS,** Ordinance §4.032 must be amended to comply with MCL 46.12(a)(13) and (14), please see attached; and
- WHEREAS,** The cost of the purchase of military service time is set by statue and memorialized in the Ordinance; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners hereby adopts the modification to the Bay County Employees' Retirement System (BCERS) Ordinance; Be It Further
- RESOLVED** That the Chairman of the Board is authorized to execute all documents required for the Ordinance amendment on behalf of Bay County following Corporation Counsel review/approval; Be It Finally
- RESOLVED** That related budget adjustments, if required are approved.

TOM RYDER, CHAIR
AND COMMITTEE

Corporation Counsel - Retirement Ordinance Amendment - Military Service

MOVED BY COMM. RYDER

SUPPORTED BY COMM. KRYGIER

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

VOTE TOTALS:

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

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

4.032 Credited service; military service; conditions.

Sec. 32.

(a) A member who has served in any branch of the Armed Forces of the United States shall be entitled to credited service for periods of active duty lasting 30 or more days, if each of the following conditions is satisfied:

(i) The member performed the military service in question (~~"Non-Intervening Military Service"~~) before becoming an Employee;

(ii) The member files with the Board an application for the purchase of military service on a form prescribed by the Board;

(iii) The member submits his/her application and proof of the military service to the Bay County Board of Commissioners;

(iv) The member has ~~has at least eight (8)~~ the number of years of credited service to vest, not including any service credited under this section;

(v) The member pays to the Retirement System five (5%) percent of his/her annual rate of compensation which the member is earning at the time of the approval of the member's application by the Bay County Board of Commissioners, multiplied by the period of service being purchased; and

(vi) The Bay County Board of Commissioners approves the purchase through resolution by an affirmative vote of a majority of its members; and

(vii) Fractional months of armed service is not recognized.

(b) A member shall not be credited with more than five (5) years of ~~Non-Intervening Military Service~~, including any credited military service purchased under former sections of this Ordinance.

(c) Credited service shall not be granted for periods of ~~Non-Intervening Military Service~~ which are or could be used for obtaining or increasing a benefit from another retirement system, except for service that is or would be credited under the federal government for service in the reserve. ~~Unless extenuating circumstances are presented to the Board's satisfaction, a~~ member may request only one (1) purchase for ~~Non-Intervening Military Service~~ credit and must fully pay for the service credit within one (1) year from the date of approval by the Bay County Board of Commissioners, but not later than the member's retirement date. Failure to comply with these payment requirements shall foreclose any further request and shall result in refunding without interest to the member any partial payments made for the purchase of ~~Non-Intervening Military Service~~ credit.

(d) Effective for transfers of benefits after December 31, 2001, a member who wishes to be credited with credited service corresponding to ~~Non-Intervening Military Service~~ pursuant to Subsection (a) of this section may make a direct trustee-to-trustee transfer of benefits from --

(i) an annuity contract described in Section 403(b) of the Internal Revenue

Code; or

(ii) an eligible plan under Section 457(b) of the Internal Revenue Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state. to purchase credited service, as permitted by Sections 403(b)(13)(A) and 457(e)(17)(A) of the Internal Revenue Code, respectively.

(e) Any member who is on a leave of absence by reason of military duty with the Armed Forces of the United States shall receive contributions, benefits, and service credit with respect to qualified military service ("Intervening Military Service") in accordance with the Uniformed Services Employment and Reemployment Rights Act ("USERRA") and Section 414(u) of the Internal Revenue Code. Upon such member's reemployment by the County within the period prescribed by USERRA, the member shall be treated as having received the compensation and credited service that would have been paid or credited to the member as an active employee for the entire period of the member's armed service.

(f) Effective with respect to deaths occurring on or after January 1, 2007, the survivors of a member who dies while performing Intervening Military Service are entitled to any additional benefits (other than benefit accruals relating to the period of Intervening Military Service) provided under the Plan as if the member had resumed and then terminated employment with the County on account of his death. For these purposes, the member shall be credited with credited service for vesting purposes during the period of Intervening Military Service.

(g) Effective on and after December 31, 2008, if the Company makes "differential wage payments" as defined in Code Section 3401 (h)(2) to individuals performing qualified military service, then: (1) the individual receiving a differential wage payment shall be treated as an Employee of the Company; (2) the differential wage payment shall be treated as Compensation for purposes of Code Section 415(c)(3); and (3) the Plan will not be treated as failing to meet the nondiscrimination requirements of Code Sections 401(a)(4), 401(a)(26), 410(b) or 416 by reason of any benefit that is based on the differential wage payment. The exemption from the nondiscrimination rules described in (3) above applies only if all of the employees of all Related Companies performing services in the uniformed services are entitled to receive differential wage payments on reasonably equivalent terms.

(Res. No. 2002-12, adopt. 2-5-02; Res. 2003-21, adopt. 2-4-03; Res. No. 2010-211, adopt. 10-12-10, Res. No. 2018- , adopt. _____)

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)

WHEREAS, Bruce Mannikko, an employee of the Department of Public Defender, has submitted a request to purchase his military service time from July 7, 1981 through July 6, 1985 (4 years and 0 months) for retirement purposes; and

WHEREAS, All required documents have been filed by Mr. Mannikko with the Bay County Retirement Office; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the request of Bruce Mannikko to purchase 4 years and 0 months (7/7/81 thru 7/6/85) of his military time for retirement purposes.

TOM RYDER, CHAIR
AND COMMITTEE

Retirement - Purchase of Military Time - Bruce Mannikko

MOVED BY COMM. RYDER

SUPPORTED BY COMM. KRYGIER

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

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

- BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)
- WHEREAS,** The Bay County Board of Commissioners awarded a five year contract to Otis elevator for maintenance of the County's six (6) elevators (two (2) at Center Ridge Arms, two (2) at the County Building and two (2) at the Law Enforcement Center) pursuant to Resolution 2017-160, to commence November 1, 2017 and terminate October 31, 2022; and
- WHEREAS,** Otis subsequently offered to provide maintenance services on one additional modernized hydraulic elevator with Otis controls located at the Law Enforcement Center for the additional cost of \$150.00 per month which brought the annual cost of the total proposed elevator maintenance contract to \$18,408.00 for the first year of service, with possible annual price adjustments for any labor rate adjustments under Otis' contract with the International Union of Elevator Constructors (IUEC) and to reflect increases or decreases in material and labor costs, not to exceed 3% in any given year; and
- WHEREAS,** The full amount of any accurate invoice would be paid by the Finance Department, who would set up an internal receivable account from Center Ridge Arms and invoice Center Ridge Arms for the two CRA elevators being maintained and serviced under the contract; and
- WHEREAS,** Due to an overlap in the maintenance contracts entered into with Otis and the existing elevator servicer Schindler (who entered into a contract with the County in the early 1990s which automatically renewed on a rolling 20 month schedule) and the fact that the Schindler contract did not include maintenance of all elevators located at Center Ridge Arms, an amendment to the Otis contract is necessary; and
- WHEREAS,** Otis has agreed to reduce the invoice for the first year of their contract by 50% to service only the Center Ridge Arms elevators in exchange for the County's agreement to extend the five year contract one additional year to end October 31, 2023. The maintenance agreement with Schindler has been properly terminated effective January 1, 2019, with the appropriate notice as required by the terms of the agreement; and
- WHEREAS,** There will be a \$1,800 yearly financial impact during the term of the Otis Contract to the County as a result of the increased contract cost to cover the additional elevator not initially included in the bid. The cost to carry the Otis and Schindler contracts concurrently for 2018 will need to be approved as a one-time budget adjustment of \$7,393.00 for 2018; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves an amendment to the Otis contract as outlined above and authorizes the Board Chair to sign the Amendment(s) and related documents on behalf of Bay County following Corporation Counsel review/approval; Be It Finally

RESOLVED That approval is granted for any related, required budget adjustments as may become necessary.

TOM RYDER, CHAIR
AND COMMITTEE

Corporation Counsel - Amendment to Elevator Maintenance Contract

MOVED BY COMM. RYDER
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			TOM RYDER	X						

VOTE TOTALS:

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

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

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)

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:

A. VACANCIES:

1. Sheriff - Food Service Team Leader (full time; \$15.09/hr. entry)
2. Department on Aging - In-Home Services Worker (part time; \$10.91/hr. entry)
3. Animal Control - Custodian/Kennel Attendant (part time; \$11.71/hr. entry)

B. NEW POSITIONS:

1. Sheriff - Road Patrol Deputies (2) (full time; \$18.83/hr. entry)

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

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

TOM RYDER, CHAIR
AND COMMITTEE

Vacancies - December

MOVED BY COMM. RYDER

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			TOM RYDER	X						

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)

WHEREAS, Earlier this month, the Bay County Health Department entered into a grant agreement with the Michigan Department of Environmental Quality to map all current known systems within the Kawkawlin River Watershed area into the Fetch GIS system; and

WHEREAS, The grant provides resources to identify and communicate with all occupied properties which do not have any records of septic systems and make site visits to all properties within the watershed where no records exist and locate the septic systems and enter them into Fetch GIS. In order to facilitate the commencement of grant activities, the Health Department must enter into agreements with Amalgam LLC and the University of Michigan-Flint; and

WHEREAS, The agreement specifies that Bay County Health Department will provide \$65,500 to Amalgam LLC for mapping activities and \$40,934 to University of Michigan-Flint for program outreach services; and

WHEREAS, Only grant funds are to be utilized and no general funds will be used; Therefore, Be It RESOLVED That the Bay County Board of Commissioners approves the Agreements with Amalgam LLC and the University of Michigan-Flint and authorizes the Chairman of the Board to execute said Agreements and all related documents on behalf of Bay County following Corporation Counsel review/approval; Be It Finally

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

TOM RYDER, CHAIR
AND COMMITTEE

Health Dept - Agreements - Amalgam LLC and U of M-Flint

MOVED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (12/18/18)

WHEREAS, In the past there has been Material Assistance Voucher Program with other agencies within the county and Mid-Michigan Community Action Agency (MMCAA) has taken over the Material Assistance Voucher Program for Bay County; and

WHEREAS, Participation in this Program provides an opportunity for the Case Managers of Bay County Department on Aging to assist those who are clients with meeting material needs of low-income households with vouchers to resale shops; and

WHEREAS, There is no financial cost to Bay County or Bay County Department on Aging; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Understanding between Mid-Michigan Community Action Agency (MMCAA) and Bay County (Department on Aging) and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following Corporation Counsel review/approval.

TOM RYDER, CHAIR
AND COMMITTEE

DOA - MOU - Mid Michigan Community Action Agency

MOVED BY COMM. RYDER

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			TOM RYDER	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: Bay County Board of Commissioners (12/18/18)

WHEREAS, Michigan’s Republican dominated legislature is pushing forward measures aimed at hamstringing newly elected State Officials who will take office in January; and

WHEREAS, Republicans have already sent legislation to Governor Snyder that would make it much harder for executive branch agencies to issue regulations that are stricter than federal ones, strip campaign finance regulation authority from the newly elected Democratic Secretary of State, give the Legislature an unchallenged voice in lawsuits overseen by the newly elected Democratic Attorney General and prevent newly elected officials from forcing nonprofit political advocacy groups to disclose who bankrolls their campaigns; and

WHEREAS The Legislature’s moves are unsettling to some members of both parties; and

WHEREAS, The blatant misuse of power in the lame duck session will continue to drive a wedge between the elected officials in Lansing where efforts should be underway to seek common ground in their representation of the citizens of Michigan; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners calls on Governor Snyder to veto any and all new legislation that changes existing law pertaining to the duties of the Governor, Secretary of State and Attorney General; Be It Finally

RESOLVED That copies of this resolution be forwarded to Governor Snyder, our local State representatives and the other 82 Michigan counties.

THOMAS M. HEREK, CHAIR
AND BOARD

Coonan - Lame Duck Session

Resolution sponsored by Commissioner Kim Coonan, 4th District

MOVED BY COMM. DURANCZYK

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	X	TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS 6 NAYS 1 EXCUSED 0
VOICE: X YEAS 6 NAYS 1 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/18/18)

WHEREAS, On November 13, 2018 the Bay County Board of Commissioners adopted resolution no. 2018-245 voicing intent to establish a Department of Veterans Affairs and setting a public hearing on this issue for December 11, 2018; and

WHEREAS, The public hearing was held December 11, 2018; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the following:

- 1) The Department of Veterans Affairs shall be designated an Act 139 Department (the Bay County Department of Veterans Affairs) from a Division of the Administrative Services Department (Soldiers and Sailors Relief Commission) under the authority of the County Executive following a public hearing by MCL 45.564 (a) and (b), and pursuant to MCL 35.621 to 35.624;
- 2) Appointment of a 5 member Veterans Affairs Board, said appointments to be made at the January 8, 2019 Board meeting, and
- 3) Approval of related necessary budget adjustments, if required.

THOMAS M. HEREK, CHAIR
AND BOARD

County Executive - Establishment of Department of Veterans Affairs

MOVED BY COMM. DURANCZYK

SUPPORTED BY COMM. KRYGIER

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

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 18, 2018

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (12/18/18)

WHEREAS, As the result of ongoing discussion with Bay County Courts' representatives and confirmation by MGT Consulting Group as to allowable use of the Court's 215 Fund, the Courts have agreed that a one-time additional appropriation from the Court's 215 Fund would be authorized to assist in covering expenditures related to the Warrant Officer in the 2019 budget appropriation; and

WHEREAS, It was further agreed that if a need is demonstrated in the 2020 budget cycle, an additional one-time appropriation for the Warrant Officer position would be permitted after confirmation from MGT Consulting Group that the funding is sufficient and would not adversely impact the 215 Fund; and

WHEREAS, After December 31, 2020 no additional 215 Fund monies above the historical normal expenditures will be approved by the Courts for withdrawal under this agreement; and

WHEREAS, A Memorandum of Understanding between Bay County Courts and the Bay County Board of Commissioners has been submitted for approval; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Understanding between Bay County Courts and the Bay County Board of Commissioners and authorizes the Board Chair to execute said MOU on behalf of Bay County following Corporation Counsel review/approval.

THOMAS M. HEREK, CHAIR
AND BOARD

Courts - Warrant Officer - MOU re Funding

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			TOM RYDER	X						

VOTE TOTALS:

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

DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: DECEMBER 18, 2018

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 102

MOVED TO ADJOURN THE SPECIAL MEETING OF THE BAY COUNTY BOARD OF COMMISSIONERS OF DECEMBER 18, 2018. THE MEETING CONCLUDED AT 5:00 P.M.

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____