

**BAY COUNTY BOARD OF COMMISSIONERS**

**A G E N D A**

**TUESDAY, JANUARY 11, 2011**

**4:00 P.M.**

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

**I CALL TO ORDER (CHAIRMAN TILLEY)**

**II ROLL CALL**

**III INVOCATION**

**IV PLEDGE OF ALLEGIANCE**

15-46 **V MINUTES (11/23/10; 12/14/10; 1/3/11)**

**VI CITIZEN INPUT (4:00 P.M.)**

**VII PETITIONS AND COMMUNICATIONS**

A. Ceremonial Installation of Commissioners

**VIII REPORTS/RESOLUTIONS OF COMMITTEES**

**A. WAYS AND MEANS (ERNIE KRYGIER, CHAIR; KIM COONAN, VICE CHAIR)**

1 1. No. 2011-01 - Memorandum of Understanding - MDOT/BCATS/BMT (Environmental Affairs)

2- 8 2. No. 2011-02 - Budget Adjustments (Various)

**B. PERSONNEL/JUDICIAL (TOM RYDER, CHAIR; ERNIE KRYGIER, VICE CHAIR)**

**C. HUMAN SERVICES (MICHAEL J. DURANCZYK, CHAIR; BRANDON KRAUSE, VICE CHAIR)**

9  
10-14

**D. BOARD OF COMMISSIONERS (DONALD J. TILLEY, CHAIR; KIM COONAN, VICE CHAIR)**

1. No. 2011-03 - Accounts Payable/Center Ridge Arms
2. No. 2011-04 - Reports of County Executive

**IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

- A. County Executive

**X UNFINISHED BUSINESS**

**XI NEW BUSINESS**

**XII MISCELLANEOUS**

**XIII ANNOUNCEMENTS**

- A. **2011 Appointments:**

1. **March - Bay Arenac Behavioral Health Authority (Four 3 year terms)**
2. **June - Library Board (One 5 year term)**
3. **October**
  - a. **Department of Human Services Board of Directors (One 3 year term)**
  - b. **Board of Canvassers (Two 4 year terms)**
4. **December - Division on Aging Advisory Council (Five 2 year terms, Districts 1, 3, 5, 7 and 9)**

**XIV CLOSED SESSION (If requested)**

**XV RECESS/ADJOURNMENT**



**BAY COUNTY BOARD OF COMMISSIONERS**

**1/11/11**

**RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (1/4/11)

WHEREAS, Bay County has been provided a Memorandum of Understanding that details the activities, roles and the responsibilities of the Bay County Transportation Planning Division which acts as the Metropolitan Planning Organization known as the Bay City Area Transportation Study (BCATS); and

WHEREAS, BCATS is required to maintain a certified planning program according to federal regulations in order to utilize federal funds for road construction projects in the Bay City Urbanized Area; and

WHEREAS, The Memorandum of Understanding outlines the roles and responsibilities of MDOT, BCATS, and BMTA during each fiscal year; and

WHEREAS, Each fiscal year requires an annual work program description (Unified Work Program) which further details the work items that will be produced during that fiscal year and also requires specific annual authorization forms which detail the amount of funding being allocated to such work activities. The specific annual authorization forms are approved by the full Board each year.; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Understanding between the Michigan Department of Transportation (MDOT), Bay City Area Transportation Study (BCATS) and Bay Metro Transit Authority (BMTA) and authorizes the Chairman of the Board and/or other appropriate officials to execute said MOU following legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

WAYS AND MEANS CHAIR  
AND COMMITTEE

BCATS - Memorandum of Understanding

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Coonan

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davis	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernie Krygier	✓			Christopher Rupp	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

-/-

By: **WAYS AND MEANS COMMITTEE 1/04/2011**

**RESOLVED:** By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 1/11/2011 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.

Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
2011-01-002	General Fund Animal Control To budget for a new Animal Control truck to be purchased using a \$20,905.40 donation from Richard E. Demara in memory of his wife_ The money was received 12/8/10, receipt #25170.			X
	General Fund Animal Control		\$3,375	
2011-01-003	Animal Control power washer system for the trucks is broken. Need to increase Animal Control budget for this purchase. Also need to budget for the dual lance wands for the power washer system.			
2011-01-036	General Fund Payroll activity  To budget for actuarial studies to be done in 2011.		\$11,000	

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davis	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernie Krygier	✓			Christopher Rupp	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:  
 ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

Budget Amendment Detail Lines



Summary

Journal 2011/01 2 Ref TRUCK-Desk ANIMAL COM Eff Date 01/11/2011

Org	Object	Description	ID	Amount
10143000	98100	VEHICLES	I	20,906.00

Add Description

Journal Totals	
Increase	00
Decrease	00

# Bay County Michigan

## Additional Comments

Journal:                    2 Line:            1

TO BUDGET FOR A NEW ANIMAL CONTROL TRUCK TO BE PURCHASED USING A \$20,905.40  
DONATION FROM RICHARD E. DEMARA IN MEMORY OF HIS WIFE. THE MONEY WAS RECEIVED  
12-08-10, RECEIPT NUMBER 25170.



Summary

Journal  
Journal 2011/01 3 Ref POWER Desk WASHER Eff Date 01/11/2011

Journal Lines

Org	Object	Description	ITD	Amount
10110100	40001	FUND BALANCE	I	3,375.00
		APPROPRIATION EXPENSE	I	3,375.00

Add Description

Journal Totals

Increase	00
Decrease	00



# Bay County Michigan

## Additional Comments

Journal:                    3 Line:            1

ANIMAL CONTROL POWER WASHER SYSTEM FOR THE TRUCKS IS BROKEN. NEED TO INCREASE ANIMAL CONTROL BUDGET FOR THIS PURCHASE. ALSO NEED TO BUDGET FOR THE DUAL LANCE WANDS FOR THE POWER WASHER SYSTEM.



Summary

Journal

Journal 2011/01 36 Ref PAYROL Desc ACTUARIAL Eff Date 01/11/2011

Journal Lines

Org	Object	Description	ID	Amount
10110100	4000	FUND BALANCE		11,000.00

Add Description

Journal Totals

Increase  .00  
Decrease  .00

# Bay County

## Additional Comments

Journal: 36 Line: 1

TO BUDGET FOR AN ACTUARIAL STUDIES TO BE DONE IN 2011.

- 8 -

**BAY COUNTY BOARD OF COMMISSIONERS**

1/11/11

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS

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

Accounts Payable:

12/15/10	\$472,461.33
12/22/10	\$612,365.54
12/29/10	\$209,709.86
1/5/11	\$146,511.38
1/5/11	\$68,251.28.28

Center Ridge Arms-Payables:

1/5/11	\$34,570.92
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DONALD J. TILLEY, CHAIR  
BAY COUNTY BOARD OF COMMISSIONERS

Payables - Jan Bd Mtg

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krause

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davis	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernie Krygler	✓			Christopher Rupp	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED  DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**1/11/11**

**RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS (1/11/11)

RESOLVED By the Bay County Board of Commissioners that the reports of the County Executive, listed below and attached, are received:

Employment Status Report: December 2010

Workers' Compensation Report: November 2010

DONALD J. TILLEY, CHAIR  
AND BOARD

County Executive - Status Reports

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Rupp

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davis	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernie Krygler	✓			Christopher Rupp	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**CHANGES IN EMPLOYMENT STATUS  
December, 2010**

<b>EMPLOYEE NAME</b>	<b>DEPARTMENT/FUNDING</b>	<b>DATE</b>
<b><u>NEW HIRE/APPOINTMENT</u></b>		
James Ramseyer Dispatcher	Central Dispatch 911 Funds	12/1/2010
Bernd Ratfisch Custodian/Kennel Attendant	Animal Control General fund	12/20/2010
<b><u>TRANSFERS:</u></b>		
Shawn LaMere TO: Sr Tech Serv Coord FROM: Hardware/Software Computer Tech.	Information Systems Information Systems	12/01/2010
Julia LaPrairie TO: Staff Accountant FROM: Account Clerk IV	Finance Finance	12/06/2010
Matt Romeo TO: Comm Corr Coord FROM: Pre-trial Specialist	Community Corrections Community Corrections	12/06/2010
Ryan Gale TO: Chief Dispatcher II FROM: Chief Dispatcher I	Central Dispatch Central Dispatch	12/07/2010
Ryan Lotian TO: Lieutenant FROM: Sgt.	Road Patrol Road Patrol	12/05/2010
Michael Shore TO: Sgt. FROM: Deputy	Road Patrol Road Patrol	12/05/2010
Ellis McRae TO: Kitchen Aide II FROM: On-call Driver	Division on Aging Division on Aging	12/16/2010
<b><u>SEPARATIONS:</u></b>		
Ryan Foor PT Youth Dev Worker	Juvenile Home	12/09/2010

-11-

Stephanie Reed PT Youth Dev Worker	Juvenile Home	12/09/2010
Jennifer Barnes Judge	District Court	12/31/2010
Benjamin Belkholm Intern	Drain Office	12/10/2010
Kelly Rosenbrock Typist Clerk II	WIC	12/31/2010
Jo Ellen Bollman Typist Clerk II	Animal Control	12/31/2010
Guinevere Mailley Deputy Court Clerk	District Court	12/31/2010
Mechelle Wittbrodt Judicial Secretary	Circuit Court	12/31/2010
David LaPrairie On-call Day Treatment	Probate Court	12/17/2010
Sara Doyle Law Clerk/Bailiff	Circuit Court	12/31/2010
Timothy Keyes Custodian/Maintenance	Housing Department	12/31/2010
Amanda Garcia Account Clerk II	Treasurer's Office	12/31/2010
Jill Eichorn Typist Clerk III	Register of Deeds	12/31/2010
Cindy Ashley P.T. Public Health Nurse	Health Department	12/14/2010
<b><u>RETIREMENTS:</u></b>		
Patrick Beson Vice Chairperson	Board of Commissioners	12/31/2010
Eugene Gwizdala Commissioner	Board of Commissioners	12/31/2010

William Caprathe  
Judge

Circuit Court

12/31/2010

Personnel Department  
January 5, 2011



**WORKERS' COMPENSATION REPORT**  
**November, 2010**

<b>EMPLOYEE NAME</b>	<b>DEPARTMENT</b>	<b>DATE OF INJURY</b>	<b>REASON FOR PAYMENT</b>
Marla Backus	Division on Aging	09/30/2010	Medical Only
Pat Bilbrey	Gypsy Moth	10/18/2010	Medical Only
Margaret Brown	Health Department	05/19/2006	Legal Only
Sandra Fader	Division on Aging	03/03/2010	Medical Only
Robert Lee	Sheriff Department	01/28/2010	Medical & Indemnity
Shirley Lijewski	Sheriff Department	06/13/2010	Medical & Indemnity
Caryn Loeffler-Truax	Housing Department	01/08/2009	Legal Only
Janice Luptowski	Probate Court	10/29/2010	Medical Only
Lynn Oliver	Animal Control	05/24/2010	Medical & Indemnity
Jill Torres	Building and Grounds	04/03/2003	Medical & Indemnity

**Note:** Employees appear on this report if there has been a payment during the month from the self-insurance fund for a work related injury. A name appearing on this report does not necessarily mean the employee is off work. Oftentimes, medical bills are received a month or two after the date of injury.

Submitted by: Danean Wright/Bay County Finance Dept.  
Dated: December 3, 2010

## BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE:     JANUARY 11, 2011    

MOTION SPONSORED BY:     COMM. KRYGIER    

MOTION SUPPORTED BY:     COMM. DURANCZYK    

MOTION NO.:     8    

TO APPROVE THE SPECIAL BOARD SESSION MINUTES OF  
NOVEMBER 23, 2010; THE REGULAR BOARD SESSION  
MINUTES OF DECEMBER 14, 2010 AND ORGANIZATIONAL  
MEETING MINUTES OF JANUARY 3, 2011.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davis	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygier	X			Christopher Rupp	X		
Vaughn J. Beglick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

ROLL CALL:   YEAS            NAYS            EXCUSED         

VOICE:   XX   YEAS   9     NAYS   0     EXCUSED   0  

DISPOSITION:   ADOPTED   XX     DEFEATED            WITHDRAWN         

                  AMENDED            CORRECTED            REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE:   JANUARY 11, 2011  

MOTION SPONSORED BY:   COMM. BEGICK  

MOTION SUPPORTED BY:   COMM. RUPP  

MOTION NO.:   9  

TO ADOPT A NEW RESOLUTION, PRESENTED BY COMMISSIONER BEGICK, THAT STATES, STARTING JANUARY 1, 2013 THE BAY COUNTY BOARD OF COMMISSIONERS AND ROAD COMMISSIONERS WILL NOT RECEIVE ANY HEALTH CARE BENEFITS, RETIREMENT BENEFITS, PER DIEM OR MILEAGE REIMBURSEMENT FROM BAY COUNTY, DUE TO IT BECOMING INCREASINGLY DIFFICULT TO BALANCE THE BAY COUNTY BUDGET.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk		X		Joe Davis	X			Tom Ryder		X	
Brandon D. Krause		X		Ernie Krygler		X		Christopher T. Rupp	X		
Vaughn J. Begick	X			Kim Coonan		X		Donald J. Tilley		X	

**VOTE TOTALS:**

ROLL CALL: **XX** YEAS   3   NAYS   6   EXCUSED   0  

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED   XX   WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

## BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 11, 2011

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. RUPP

MOTION NO.: 10

TO GO INTO CLOSED SESSION PURSUANT TO MCLA 15.268,  
SECTION 8(e): TO CONSULT WITH ITS ATTORNEY  
REGARDING TRIAL OR SETTLEMENT STRATEGY IN  
CONNECTION WITH SPECIFIC PENDING LITIGATION, BUT  
ONLY WHEN AN OPEN MEETING WOULD HAVE A  
DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATING OR  
SETTLEMENT POSITION OF THE PUBLIC BODY.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davis	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygier	X			Christopher Rupp	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

ROLL CALL: **XX** YEAS 9 NAYS 0 EXCUSED 0

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

## BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 11, 2011

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 11

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED  
SESSION DISCUSSIONS REGARDING PENDING LITIGATION.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davis	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygler	X			Christopher Rupp	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: JANUARY 11, 2011

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 12

TO ADJOURN THE REGULAR BOARD SESSION MEETING OF  
JANUARY 11, 2011 AT 4:30 P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davis	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygier	X			Christopher Rupp	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_