

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, SEPTEMBER 11, 2012

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN COONAN)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

23-39

V MINUTES (8/14/12; 8/21/12)

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

VII PETITIONS AND COMMUNICATIONS

A. Ruth McAlpine, Manager, Bay Medical Care Facility - Upcoming Millage Proposal for Medical Care Facility

B. GIS Parks Layer Demonstration (Dirk Westbury will do a brief presentation)

C. Progress Report on Construction Grant - Pinconning Park (Powerpoint presentation separate e-mail attachment - Michael Gray, Assistant County Executive for Recreation and Administrative Services, will address)(**Receive**)

D. Upcoming Darbee, Bosco & Hammond, P.C. (**Receive**)

1

1. Dow Corning Corporation - Application for Exemption of New Personal Property

2

2. Dow Corning Compound Semiconductor Solutions, LLC - Application for Exemption of New Personal Property

VIII

REPORTS/RESOLUTIONS OF COMMITTEES

A. WAYS AND MEANS (ERNIE KRYGIER, CHAIR; DONALD J. TILLEY, VICE CHAIR)

- 3 1. No. 2012-138 - Secondary Road Patrol - PA 416 Grant (Sheriff Dept.)
- 4 2. No. 2012-139 - Register of Deeds - Making Strides Against Breast Cancer Fundraiser
- 5 3. No. 2012-140 - 2012-2013 Child Care Fund Annual Plan and Budget (Probate Court)
- 6 4. No. 2012-141 - Agreement for Student Work Exploration Opportunities with Bay Arenac ISD (Animal Control)
- 7 5. No. 2012-142 - 2012-2013 Comprehensive Planning, Budgeting and Contract (CPBC) Agreement (Health Dept.)
- 8 6. No. 2012-143 - Budget Adjustments

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

- 9 1. No. 2012-144 - Purchase of Government Service Credit for Retirement Purposes - Patricia Shorkey (Clerk's Office)
- 10 2. No. 2012-145 - Vacancies: Finance Dept., Community Corrections, Pinconning Park, Community Center, Community Center/Civic Arena

C. HUMAN SERVICES (DONALD J. TILLEY, CHAIR; BRANDON KRAUSE, VICE CHAIR)

- 11 1. No. 2012-146 - Plan of Organization (Health Dept.)
- 12 2. No. 2012-147 - Agreement w/Blue Care Network - Blue Care Complete (Health Dept.)
- 13 3. No. 2012-148 - Helen M. Nickless Renewal Agreement (Health Dept.)
- 14 4. No. 2012-149 - NMS Labs Agreement (Health Dept.)
- 15 5. No. 2012-150 - Amendment to Morgue Agreement (Health Dept.)

D. COMMISSIONER ERNIE KRYGIER, 5TH DISTRICT

16

1. No. 2012-151 - Efforts re Clean-up of Beach Fronting Spray Park/ Playground at Bay City State Recreational Facility

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

17

1. No. 2012-152 - Accounts Payable/BAYANET/Center Ridge Arms

18-22

2. No. 2012-153 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

- A. County Executive

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

- A. 2012 Appointments:

1. October:

- a. Land Bank Authority - One At-Large Representative, 3 year term - Nicholas Madaj
- b. Department of Human Services Board of Directors (One 3 year term - Governor's Appointment)

2. November: Building Authority (Two 6 year terms - John Pflueger & Scott Brink)

3. December: Division on Aging Advisory Council (Five 2 year terms, Districts 2 (Kathleen Sutter), 4 (Michael Olk), 6 (Paul L. Rabidoux), 8 (Michael R. Dewey) and at-large rep (David Ramsay))

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (9/4/12)
- WHEREAS, The Bay County Sheriff Department has participated in the Secondary Road Patrol (PA 416) State Office of Highway Safety grant for several years, said grant providing funding for three (3) officers, two (2) patrol vehicles and additional support equipment; and
- WHEREAS, Grant funding in the projected amount of \$125,916 is available for FY 2012-2013 (\$134,910 was funded for FY 2011-2012) and the Bay County Sheriff again wishes to make application for P.A. 416 funding; and
- WHEREAS, In order to maintain grant compliance, Bay County must continue Maintenance of Effort of twenty-three (23) locally funded Road Patrol officers for the FY 2013 grant cycle; Therefore, Be It
- RESOLVED By the Bay County Board of Commissioners that the application for Secondary Road Patrol (PA 416) and Traffic Accident Prevention Program funding for 2012-2013 is approved; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute the grant documents (application, grant award, all related 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 with the Finance Department whose staff will provide financial oversight of said grant; Be It Finally
- RESOLVED That related budget adjustments, if required, are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Sheriff Dept - PA 416 Grant - 2013

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Rupp

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

VOTE TOTALS:

ROLL CALL: YEAS 9 NAYS 0 EXCUSED 0

VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/4/12)
 WHEREAS, The Bay County Register of Deeds is again leading a team of Bay County employees to raise money and walk in the *Making Strides Against Breast Cancer Walk* on October 27, 2012; and
 WHEREAS, Additionally fund raising efforts will be undertaken in the form of a bake sale and by soliciting donations from Bay County employees; and
 WHEREAS, 100% of the donations received will be contributed to the American Cancer Society on October 27, 2012; and
 WHEREAS, Committee approval for the fund raising efforts are required pursuant to the Bay County Fund Raising Activities Policy; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the fund raising efforts of the Bay County Register of Deeds in support of *Making Strides Against Breast Cancer Walk* and bake sale with all proceeds to be contributed to the American Cancer Society.

ERNIE KRYGIER, CHAIR
 AND COMMITTEE

Reg of Deeds - Breast Cancer Fund Raiser

MOVED BY COMM. Krygier

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. Beglck	✓			Klm Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

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

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/4/12)
 WHEREAS, The 2012-2013 (October 1, 2012 to September 30, 2013) Child Care Fund Annual Plan and Budget serves as application to the Michigan Department of Human Services (DHS) for funds to provide services to juveniles in the court system who remain in-home as well as those juveniles who are placed out-of-home for care; and
 WHEREAS, Child Care funds are used for the operation of the Juvenile Home, the TODAY program, the Gender Services program, the community based alternative Day Treatment program and for the residential placements of both delinquent and neglected/abused youth; and
 WHEREAS, Additionally, the Bay County Department of Human Services uses funds for families in crisis; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the 2012-2013 Child Care Fund Annual Plan and Budget ; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute the grant documents (application, grant award, all related 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 with the Finance Department whose staff will provide financial oversight of said grant; Be It Finally
 RESOLVED That related budget adjustments, if required, are approved.

ERNIE KRYGIER, CHAIR
 AND COMMITTEE

Probate Court - 2012-2013 Child Care Fund Annual Plan & Budget

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Rupp

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

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/4/12)
 WHEREAS, In cooperation with Bay Arenac Intermediate School District, the Bay County Animal Control Manager is requesting approval of renewal of an Agreement for Student Work Exploration Opportunities which enables the BAISD Career Center Veterinary Science Program to enhance career exploration for students in its Veterinary Science Program; and
 WHEREAS, This Agreement allows a veterinarian to provide neutering/spaying services to a limited number of dogs and/or cats adopted from the Animal Control facility. Students will act as support staff performing services of veterinary assistant in the work place; and
 WHEREAS, The terms of this Agreement were originally negotiated by Bay County Corporation Counsel and BAISD's attorney in 2009; and
 WHEREAS, No additional costs will be incurred as a result of this 2-year contractual arrangement; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the Bay-Arenac Intermediate School District Agreement for Student Work Opportunities for a period of 2 years (7/1/2012 - 6/30/2014) and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval.

ERNIE KRYGIER, CHAIR
 AND COMMITTEE

Animal Control - BAISD Agt
 MOVED BY COMM. Krygier

SUPPORTED BY COMM. Tilley

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 _____
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BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (9/4/12)
- WHEREAS, The 2012-2013 Comprehensive Planning, Budgeting and Contracting (CPBC) Agreement between Bay County and the Michigan Department of Community Health sets forth a joint and cooperative Contractor/Department relationship and basis for facilitating the delivery of public health services to the citizens of Bay County; and
- WHEREAS, Public health services to be delivered under this agreement include Local Public Health Operations (LPHO) and Categorical Programs as specified in the Agreement; and
- WHEREAS, In accordance with the funding/reimbursement matrix, the total proposed State budget and amount committed for this period for the program elements covered by this Agreement is \$1,182,051, pending enactment of the FY 12/13 MDCH Appropriation Bill; and
- WHEREAS, Any subsequent allocation changes will be made in Amendment # 1; Therefore, Be It
- RESOLVED By the Bay County Board of Commissioners that the Agreement between Bay County and the Michigan Department of Community Health for the delivery of public health services under the Comprehensive Planning, Budgeting and Contract (CPBC) Process for the period October 1, 2012 through September 30, 2013 is hereby approved and the Chairman of the Board authorized to execute said Agreement and related documents, following legal review/approval; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute the grant documents (application, grant award, all related 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 with the Finance Department whose staff will provide financial oversight of said grant; Be It Finally
- RESOLVED That related budget adjustments, if required, are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Health Dept - 2012-2013 CPBC Agt.

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Krause

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

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: ✓ YEAS 9 NAYS 0 EXCUSED 0

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AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/4/12)

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 09/11/2012 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
2012-09-002	GENERAL FUND BOARD OF COMMISSIONERS PURCHASING DEPARTMENT Total GENERAL FUND		\$3,594	

ADJUST PURCHASING 2012 BUDGET DUE TO INCREASED NUMBER OF BIDS & ADVERTISING REQUIRED, MEMBERSHIP IN MITN PURCHASING COOPERATIVE INCREASED POSTAGE, PURCHASING COPIER COSTS UNDER BUDGETED. INCREASE TRAVEL AND CONFERENCE EXPENSES IN ORDER TO ATTEND TRAINING RELATED TO STRENGTHENING THE BID PROCESS.

Ernie Krygier, Chairman W. & M. and Committee

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Tilley

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

VOTE TOTALS:

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

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

**BAY COUNTY BOARD OF COMMISSIONERS
9/11/12**

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (8/21/12)

RESOLVED By the Bay County Board of Commissioners that pursuant to its resolution no. 96-331- OTHER GOVERNMENTAL SERVICE CREDIT FOR RETIREMENT - adopted December 17, 1996, authorization is granted for Patricia Shorkey (Clerk's Office) to purchase up to five years and six months of governmental service credit (January 1, 1999 to July 1, 2004) from Williams Charter Township, for retirement purposes in accordance with all terms and conditions contained in resolution no. 96-331.

TOM RYDER, CHAIR
AND COMMITTEE

GovtServCredit-Retirement-Patricia Shorkey

MOVED BY COMM. Ryder

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. Beglck	✓			Klm 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

9/11/12

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (8/21/12)

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, monies for said positions to come from the respective departmental budgets:

- A. Finance Department
 - 1. Payroll Clerk (ft, \$15.35/hr. entry)
 - 2. Payroll Clerk Support (pt, 800 additional hours in 2012 and 2013, \$15.35/hr. entry)
- B. Community Corrections - Community Corrections Coordinator (ft, \$36,192/yr. entry)
- C. Pinconning Park - Senior Park Ranger (ft, \$13.95/hr. entry)
- D. Community Center - Community Center Attendants (2) (pt, \$10.63/hr. entry)
- E. Community Center/Civic Arena - Programming Manager (ft, \$45,531/yr. Entry)

RESOLVED That budget adjustments, if required, are approved.

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 - September

MOVED BY COMM. Ryder

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davls	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernte Krygler	✓			Christopher Rupp	✓		
Vaughn J. Beglck	✓			Klm Coonan	✓			Donald J. Tilloy	✓		

VOTE TOTALS:

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

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

-10-

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (8/21/12)

WHEREAS, Pursuant to Part 24, Section 333.2431 of the Michigan Public Health Code (P.A. 378 of 1978) all local health departments must submit and receive approval of its Plan of Organization by the Michigan Department of Community Health (MDCH) and demonstrate ability to provide required services; and

WHEREAS, Part of this process requires the Bay County Health Department to submit its Plan of Organization to the MDCH once every three years and, at least two months before the scheduled Local Health Department On-Site Evaluation; and

WHEREAS, Another requirement is approval of the Plan of Organization by the local governing entity; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Bay County Department of Community Health (Health Department) Plan of Organization and further authorizes the Board Chair and County Executive to execute all required documents on behalf of Bay County.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Health Dept - Plan of Organization

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krygier

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 _____

-11-

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (8/21/12)

WHEREAS, Blue Care Network has added a Health Maintenance Option for Medicaid enrollees entitled "Blue Cross Complete" and while the Bay County Health Department maintains a provider agreement with Blue Care Network, there is no current provision for "Blue Cross Complete" enrollees; and

WHEREAS, There is no direct financial cost to the Health Department to enter or execute the agreement, however, entering into the agreement will broaden the opportunity for revenues in the Health Screening, Family Planning and Immunization Divisions; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Agreement between Blue Care Network (BCN) Blue Cross Complete and Bay County (Health Department) and authorizes the Chairman fo the Board to execute said Agreement on behalf of Bay County following legal review/approval; Be It Finally

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

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Health Dept - Blue Cross Complete Agt

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Davis

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

9/11/12

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (8/21/12)
 WHEREAS, The Helen M. Nickless (HMN) Volunteer Clinic serves the uninsured and underinsured of Bay County by providing free primary medical care, prescriptions, referrals for further care and referrals for insurance; and
 WHEREAS, The HMN Volunteer Clinic operates Wednesday evenings from 5:00 p.m. until the last patient is seen; and
 WHEREAS, The Clinic has limited physical capacity to offer breast and cervical health screening and the Bay County Health Department has been collaborating with the Clinic for a number of years to provide clinical space for such exams through an Agreement and this Agreement is up for renewal; and
 WHEREAS, There is no financial consideration as the HSN Volunteer Clinic provides all necessary paperwork and supplies as well as staff (volunteer Nurse Practitioner) to provide services; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves renewal of the Agreement between Helen M. Nickless (HMN) Volunteer Clinic and Bay County (Health Department) and authorizes the Chairman of the Board to execute said Renewal Agreement on behalf of Bay County following legal review/approval.

DONALD J. TILLEY, CHAIR
 AND COMMITTEE

Health Dept - Helen M. Nickless Renewal Agt

MOVED BY COMM. Tilley

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 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
9/11/12**

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (8/21/12)
 WHEREAS, In the past the Bay County Health Department has utilized NMS Toxicology Labs to provide toxicology services for Medical Examiner cases; and
 WHEREAS, A renewal Letter of Agreement between Bay County (Health Department) and NMS Toxicology Labs to provide toxicology testing services through December 31, 2012 has been submitted; and
 WHEREAS, The Letter of Agreement includes special discounted pricing for frequently ordered blood and urine tests; and
 WHEREAS, These costs have been included in the Bay County Health Department's 2012 and 2013 budgets; Therefore, Be It
 RESOLVED By the Bay County Board of Commissioners that the Letter of Agreement between Bay County (Health Department) and NMS Toxicology Labs for toxicology services is approved; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute said Letter of Agreement on behalf of Bay County following legal review/approval; Be It Finally
 RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

HealthDept - NMS Labs Agt

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krause

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davls	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernlo Krygler	✓			Christopher Rupp	✓		
Vaughn J. Beglck	✓			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 _____

-14-

BAY COUNTY BOARD OF COMMISSIONERS

9/11/12

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (8/21/12)

WHEREAS, Each year the Bay County Medical Examiner (BCME) orders approximately 85 autopsies and, through agreement, utilizes the morgue facilities available at McLaren Bay Region; and

WHEREAS, The Bay County Medical Examiner wishes to extend the current agreement with MBR through December 2013; and

WHEREAS, MBR is requesting no increase in reimbursement and will continue providing the facilities at a flat rate of \$9,600 annually and these funds have been budgeted; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Amendment to the Agreement between Bay County (Health Department) and McLaren Bay Region for use of morgue facilities through December 2013 and authorizes the Chairman of the Board to execute said Amendment on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR AND COMMITTEE

Health Dept - Amended Morgue Agt - BRMC

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krause

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Michael J. Duranczyk, Brandon Krause, Vaughn J. Beglick, Joe Davis, Ernie Krygler, Kim Coonan, Tom Ryder, Christopher Rupp, and 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

9/11/12

RESOLUTION

BY: COMMISSIONER ERNIE KRYGIER, 5TH DISTRICT
 WHEREAS, The Bay City State Recreation Area is a 2,100 acre state park located in Bay County on the shore of the Saginaw Bay; and
 WHEREAS, The Tobico Marsh, one of the largest remaining freshwater coastal wetlands on the Great Lakes, is located in the Bay City State Recreation Area and the over 2,000 acres of wetland woods, wet meadows, cattail marshland and oak savannah prairies make it an ideal staging area for migratory birds; and
 WHEREAS, Among the activities available at the Bay City State Recreation Area are hunting, wildlife viewing, swimming, hiking, biking, cross-country skiing, fishing in the Tobico Lagoon, picnicking, camping, and metal detecting; and
 WHEREAS, The 2011 addition of a spray park to the playground area at the Bay City State Recreation Area has provided an added attraction for families and has been very well received by the community and plans for additions are in the works; and
 WHEREAS, While there is beach area fronting the spray park, it is inaccessible and the only groomed sandy beach area is located a considerable walking distance from the spray park area making it difficult for families with children to utilize that area; and
 WHEREAS, Discussions have centered on clean-up and grooming of the beach area fronting the spray park to return to life the beach that existed in the past, however, the Department of Natural Resources has not been receptive; and
 WHEREAS, The Bay City State Recreation Area is considered to be a jewel in Bay County on one of its most valued resources and all efforts should be made to restore and enhance this recreational facility; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners calls upon and urges Governor Rick Snyder and our area legislators to assist with all efforts to clean-up the beach area fronting the playground and spray park at the Bay City State Recreation Area.

ERNIE KRYGIER, 5TH DISTRICT
 COUNTY COMMISSIONER

Krygier - Bay City State Recreation Area - Addl Beach Clean-up

MOVED BY COMM. Krygier

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davls	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernie Krygler	✓			Christopher Rupp	✓		
Vaughn J. Beglick	✓			Klm 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

9/11/12

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:

08/08/12	\$ 803,362.52
08/15/12	\$ 531,253.40
08/20/12	\$ 375.00
08/22/12	\$ 466,060.39
08/29/12	\$1,169,668.99
09/05/12	\$2,512,301.89

BAYANET:

07/01/12 to 07/31/12	
Payroll	\$ 18,963.36
Payables	\$ 20,321.17

Center Ridge Arms-Payables:

09/05/12	\$ 65,299.82
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KIM COONAN, CHAIR
BAY COUNTY BOARD OF COMMISSIONERS

Payables - September

MOVED BY COMM. Tilley

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. Beglck	✓			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

9/11/12

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (9/11/12)

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

Employment Status Report: August 2012

Workers' Comp Status Report: June 2012

KIM COONAN, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Rupp

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Joe Davls	✓			Tom Ryder	✓		
Brandon Krause	✓			Ernie Krygler	✓			Christopher Rupp	✓		
Vaughn J. Beglck	✓			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
August, 2012

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<u>NEW HIRES:</u> <i>(Temporary or On-call status)</i>		
Jordon DeRosia Temporary C.F.O.	Sheriff Department	7/26/2012
Marc Milster Seasonal Control Technician	Mosquito Control	8/29/2012
<u>TRANSFER:</u>		
Rachelle Anderson TO: Housing Director FROM: Community Health Educator	Housing Health Department	8/15/2012
<u>SEPARATIONS:</u>		
Stephen Remington Part-time Community Center Attendant	Building and Grounds	8/11/2012
Bryan Lorenz Dispatcher	Central Dispatch	8/28/2012
Janis Bostwick Enforcement Clerk	Friend of the Court	8/23/2012
<u>SEPARATIONS:</u> (Temporary/Seasonal)		
<u>Pool:</u>		
Alexis Jackson	Cashier	8/26/2012
Angela Raynak	Cashier/Fill-In Counselor	8/26/2012
Tyler Russell	Pool Supervisor	8/26/2012
Darcey Diebolt	Asst. Pool Supervisor	8/26/2012

Rachel VanWormer	Lifeguard	8/26/2012
Brent Avery	Lifeguard	8/26/2012
Madison Behmlander	Lifeguard	8/26/2012
Brandon Russell	Lifeguard	8/26/2012
Olivia Schultz	Lifeguard	8/26/2012
Kelsey Dukaj	Lifeguard	8/26/2012
Noah Delano	Lifeguard	8/26/2012
Russell Bauer	Lifeguard	8/26/2012
Rafe Maxwell	Lifeguard	8/26/2012

Summer Recreation Program:

Rebecca Dewyse	Program Supervisor	8/09/2012
Amy Jo Fetter	Program Supervisor	8/09/2012
Kristen Jones	Program Assistant	8/09/2012
Amber Stender	Program Assistant	8/09/2012
Heather Bauer	Program Assistant	8/09/2012
Molly Braun	Program Assistant	8/09/2012
Jodi Fry	Program Assistant	8/09/2012
Paul Jacobs	Program Assistant	8/09/2012
Katie Neering	Program Assistant	8/09/2012
Susan Parker	Program Assistant	8/09/2012
Brooke Rosebrock	Program Assistant	8/09/2012
Caitlyn Keuvelaar	Program Assistant	8/09/2012
Taylor Scholz	Program Assistant	8/09/2012
Sean Reilly	Program Assistant	8/09/2012

Building and Grounds:

Jeffrey Fisher	Asst. Parks Maintenance Worker	8/10/2012
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Pinconning Park:

Dennis Arquette	Park Ranger	8/15/2012
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Mosquito Control:

Emily Bladecki	Seasonal Control Technician	8/18/2012
Nathan Brown	Seasonal Control Technician	8/18/2012
James Hunter	Seasonal Control Technician	8/18/2012
Blake Dittenber	Seasonal Control Technician	8/17/2012
Colleen Milster	Seasonal Control Technician	8/18/2012

RETIREMENT:

Eunice Wilson Typist Clerk III	Health Department/ Family Planning	7/28/2012
Andrea Lynch Lead Cook	Division on Aging	7/21/2012

Personnel Department
September 5, 2012

WORKERS' COMPENSATION REPORT
June, 2012

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Robert Anderson	Division on Aging	03/29/2012	Medical only
Margaret Brown	Health Department	05/09/2006	Settlement
Wendy Donnelly	Building and Grounds	05/30/2012	Medical only
Tim Fedak	Building and Grounds	05/29/2012	Medical only
Leon Hathaway	Sheriff Department	10/05/2011	Medical only
Pamela Pfundt	Division on Aging	04/25/2012	Medical only
Harry Steger	Building and Grounds	03/09/2012	Medical only
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: July 11, 2012

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 84

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF
AUGUST 14, 2012 AND SPECIAL BOARD SESSION MINUTES OF
AUGUST 21, 2012 AS PRESENTED.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davls	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygler	X			Christopher Rupp	X		
Vaughn J. Beglck	X			Klm 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: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 85

TO RECEIVE THE GIS PARKS LAYER DEMONSTRATION AS
PRESENTED BY DIRK WESTBURY, GIS DEPARTMENT.

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: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. KRAUSE

MOTION NO.: 86

TO RECEIVE THE PROGRESS REPORT ON THE CONSTRUCTION GRANT FOR PINCONNING PARK AS PRESENTED BY MICHAEL GRAY, ASSISTANT COUNTY EXECUTIVE FOR RECREATION AND ADMINISTRATIVE SERVICES.

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. Beglck	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: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. RUPP

MOTION NO.: 87

TO RECEIVE THE LETTER DATED AUGUST 16, 2012 FROM DARBEE, BOSCO & HAMMOND, P.C. REGARDING DOW CORNING CORPORATION, 1998 P.A. 328 APPLICATION FOR EXEMPTION OF NEW PERSONAL PROPERTY FOR NEW PROPERTY TO BE PLACED AT ITS AEM SITE, LOCATED AT 5300 ELEVEN MILE ROAD IN WILLIAMS TOWNSHIP.

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. Beglck	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: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 88

TO RECEIVE THE LETTER DATED AUGUST 17, 2012 FROM DARBEE, BOSCO & HAMMOND, P.C. REGARDING DOW CORNING COMPOUND SEMICONDUCTOR SOLUTIONS, LLC, 1998 P.A. 328 APPLICATION FOR EXEMPTION OF NEW PERSONAL PROPERTY FOR NEW PROPERTY TO BE PLACED AT 5300 ELEVEN MILE ROAD IN WILLIAMS TOWNSHIP.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davls	X			Tom Ryder	X		
Brandon Krause	X			Ernie Krygler	X			Christopher Rupp	X		
Vaughn J. Begick	X			Klm 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: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. RUPP

MOTION NO.: 89

TO AUTHORIZE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$29,328.00 TO LINE ITEM 101.00-262.00-740.00, ELECTION OPERATING SUPPLIES, FOR THE COUNTY CLERK'S OFFICE.

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. Beglck	X			Klm 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: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 90

TO REFER THE RECOMMENDATION OF THE COUNTY EXECUTIVE, TOM HICKNER, TO ADOPT A RESOLUTION URGING THE ELECTION COMMISSION TO REQUIRE ALL FUTURE ELECTION BALLOT PURCHASES BE BASED ON COMPETITIVE BIDS FROM EVERY QUALIFIED VENDOR, TO THE SPECIAL BOARD MEETING ON SEPTEMBER 18, 2012.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Joe Davls	X			Tom Ryder	X		
Brandon Krause	X			Ernle Krygler	X			Christopher Rupp	X		
Vaughn J. Beglck	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: SEPTEMBER 11, 2012

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 91

TO ADJOURN THE REGULAR BOARD SESSION OF
SEPTEMBER 11, 2012 AT 5:30 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 Krygler	X			Christopher Rupp	X		
Vaughn J. Beglck	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 _____