

**SPECIAL MEETING**  
**BAY COUNTY BOARD OF COMMISSIONERS**  
**A G E N D A**  
**TUESDAY, SEPTEMBER 18, 2012**

**4:45 P.M. (Or immediately following Committee meeting(s))**

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

**I            CALL TO ORDER (CHAIRMAN )**

**II            ROLL CALL**

**III           INVOCATION**

**IV           PLEDGE OF ALLEGIANCE**

**V            CITIZEN INPUT (4:45 P.M.)**

**VII           ITEMS FOR CONSIDERATION**

A.    Personnel/Judicial Committee 9/18/12

1.    Res. No. 2012-154 - Election Ballots

**VIII           UNFINISHED BUSINESS**

**IX            NEW BUSINESS**

**X            MISCELLANEOUS**

**XI           ANNOUNCEMENTS**

**XII           CLOSED SESSION**

A.    Corporation Counsel - Pending Litigation

**Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (e): To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.**

**XIII           RECESS/ADJOURNMENT**



**BAY COUNTY BOARD OF COMMISSIONERS**

**9/18/12**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (9/18/12)  
 WHEREAS, With the 2012 elections in Bay County, concerns have been raised about the purchase of ballots and award of the job to Michigan Election Resources without going out for bid; and  
 WHEREAS, Michigan Election Resources has previously printed election ballots for Bay County and is the County Clerk's choice vendor; and  
 WHEREAS, Under normal circumstances the Purchasing Division would issue a request for competitive bids from every qualified vendor and, in this case, there are at least two qualified companies who print election ballots, Printing Systems, Inc. and Michigan Election Resources; and  
 WHEREAS, The Bay County Board of Election Commissioners, comprised of the Probate Judge, County Clerk and County Treasurer, has legal duties under Michigan law with respect to the conduct of elections, including ballots and the County Clerk has traditionally assumed responsibility for the details of the printing of ballots; and  
 WHEREAS, The Bay County Board of Commissioners is charged with adopting a balanced budget and monitoring the wise and efficient expenditure of taxpayer dollars; and  
 WHEREAS, Recently the Purchasing Division requested bid quotes for the printing and delivery of approximately 48,200 election ballots based on the order delivered for the August 7<sup>th</sup> primary and the response produced a \$12,000 total ballot cost by Printing Systems, Inc. (a qualified company used by many units of government) and \$23,044 by Michigan Election Resources, a difference of \$11,044 or 92% higher; and  
 WHEREAS, The Bay County Clerk's 2012 budget (operating supplies) required a budget adjustment of \$29,328 in addition to the approved 2012 amount of \$150,000; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners urges the Bay County Board of Election Commissioners to adopt the Bay County Purchasing Policy as its purchasing policy.

TOM RYDER, CHAIR  
 AND COMMITTEE

Election Commission - Ballot Printing

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. Beglick		✓		Kim Coonan	✓			Donald J. Tilley			✓

VOTE TOTALS:  
 ROLL CALL: ✓ YEAS 5 NAYS 3 EXCUSED 1  
 VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

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

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**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: SEPTEMBER 18, 2012

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 92

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

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			Kim Coonan	X			Donald J. Tilley			X

**VOTE TOTALS:**

ROLL CALL: **XX** YEAS 8 NAYS 0 EXCUSED 1

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

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: SEPTEMBER 18, 2012

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 93

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. Beglck	X			Klm Coonan	X			Donald J. Tilley			X

**VOTE TOTALS:**

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

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

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

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

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: SEPTEMBER 18, 2012

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. KRAUSE

MOTION NO.: 94

TO ADJOURN THE SPECIAL BOARD SESSION OF  
SEPTEMBER 18, 2012 AT 5:45 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			Klm Coonan	X			Donald J. Tilley			X

**VOTE TOTALS:**

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

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

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

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