

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, APRIL 9, 2013

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

69-86 **V MINUTES (3/12/13; 3/19/13)**

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

VII PETITIONS AND COMMUNICATIONS

A. Presentations - 4:00 P.M.

1. Michigan Green School Achievement (Adopt and present Res. No. 2013-51)
 - A. Auburn Area Catholic School
 - B. Bay-Arenac ISD Career Center
 - C. St. James Catholic School
 - D. Bangor Township John Glen High School
2. Sexual Assault Awareness Month (Adopt and present Res. No. 2013-52)
3. National Public Safety Telecommunications Week - April 14 - 20, 2013 (Adopt and present Res. No. 2013-53)

- 4- 6 B. City of Bay City - Application for Industrial Facilities Tax Exemption Certificate - Modern Machine Company - \$250,000 **(Receive)**
- 7- 8 C. State Department of Community Health - Successful Accreditation Process by Bay County Health Department **(Receive)**
- 9 D. Bay County Drain Commissioner 2012 Annual Report **(Receive - Note: Report provided to Board electronically; posted on the Drain Commissioner's website)**

VIII REPORTS/RESOLUTIONS OF COMMITTEES

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

- 10 1. No. 2013-54 - Renewal of Bay 3 TV Contract (Administrative Services)
- 11 2. No. 2013-55 - Professional Services Agreement w/Richard Gruber for Equalization Services (Equalization)
- 12 3. No. 2013-56 - Amendment # 4 Comprehensive Planning, Budgeting and Contracting (CPBC) Agt. (Health Dept.)
- 13 4. No. 2013-57 - Great Lakes Restoration Initiative Grant (Env. Affairs/Community Development - Gypsy Moth Program)
- 14-19 5. No. 2013-58 - 2013 Bay County Equalization (Equalization)
- 20 6. No. 2013-59 - Annual Maintenance Agreement - Tyler Munis Software (Administrative Services - ISD)
- 21 7. No. 2013-60 - Budget Adjustments (Various)
- 22-56 8. No. 2013-61 - Homeland Security Purchasing Polllcy (Finance Dept.)

B. PERSONNEL/HUMAN SERVICES (BRANDON KRAUSE, CHAIR; DONALD J. TILLEY, VICE CHAIR)

- 57 1. No. 2013-62 - Kayak Rental Program - Pinconning Park (Administrative Services - Recreation)
- 58 2. No. 2013-63 - 2013 Summer Recreation Program - Boys and Girls Club (Administrative Services - Recreation)
- 59 3. No. 2013-64 - Boller Replacement at Center Ridge Arms (Housing Dept.)

- 60 4. No. 2013-65 - Purchase of Government Service Credit for Retirement Purposes - David Engelhardt (Environmental Affairs Transportation Planning)
- 61 5. No. 2013-66 - Purchase of Government Service Credit for Retirement Purposes - Barry Hugo (Health Dept. - Environmental Health)
- 62 6. No. 2013-67 - Delta College Fitness Center Agreement (Personnel Dept.)
- 63 7. No. 2013-68 - Vacancies: Division on Aging; Health Department

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

- 64 1. No. 2013-69 - Accounts Payable/BAYANET/Center Ridge Arms
- 65-67 2. No. 2013-70 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

- A. County Executive

X UNFINISHED BUSINESS

- 68 A. Res. No. 2013-48 - Appointment of Greg Purtell to Michigan Works! Workforce Development Board

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

- A. **2013 Appointments:**

- 1. **JUNE: Library Board (One 5 year term - Mark Kaplenski)**

- 2. **OCTOBER:**

- a. **Board of Canvassers Two 4 year terms expiring: Dennis Poirier ® ; Janet Pierson (D) NOTE: Appointments made from lists provided by the major political parties.**

- b. **Land Bank Authority - One Township Representative, 3 year term - William Tacey)**
 - c. **Department of Human Services Board of Directors (One 3 year term - Thomas Starkweather)**
- 3. **NOVEMBER: Building Authority (Two 6 year terms - William Borch & Don Goulet)**
 - 4. **DECEMBER: Division on Aging Advisory Committee (Four 2 year terms; districts 1, 3, 5 & 7)**

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF SPECIAL BOARD MEETING: APRIL 9, 2013

PAGE 1 of 2

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2013-48	Board of Comm.	Recommendation to appt. G.Purtell to MI Works! Workforce Dev. Bd.							XX
2013-51	Ways and Means	Michigan Green School Achievement	XX						
2013-52	Board of Comm.	Sexual Assault Awareness Month	XX						
2013-53	Board of Comm.	National Public Safety Telecommunications Week April 14-20, 2013	XX						
2013-54	Ways and Means	Administrative Services - Renewal of Bay 3 TV Contract	XX						
2013-55	Ways and Means	Equalization - Professional Services Agrmt. W/Richard Gruber	XX						
2013-56	Ways and Means	Health Dept. - Amendment #4 CPBC Agreement	XX						
2013-57	Ways and Means	Envir. Affairs Dept. - Great Lakes Restoration Initiative Grant	XX						
2013-58	Ways and Means	Equalization - Bay County Equalization for 2013	XX						
2013-59	Ways and Means	Admin. Services - Annual Maintenance Agrmt w/Tyler Munis Software	XX						
2013-60	Ways and Means	Various Budget Adjustments	XX						
2013-61	Ways and Means	Finance Dept. - Homeland Security Purchasing Policy	XX						
2013-62	Personnel/Human	Admin. Services - Kayak Rental Program at Pinconning Park	XX						
2013-63	Personnel/Human	Admin. Services - Summer Recreation Program, Boys and Girls Club	XX						
2013-64	Personnel/Human	Housing Dept. - Boiler Replacement at Center Ridge Arms	XX						
2013-65	Personnel/Human	Envir. Affairs - Government Serv. Credit for Retirement, D. Engelhardt	XX						
2013-66	Personnel/Human	Health Dept. - Government Serv. Credit for Retirement, Barry Hugo	XX						
2013-67	Personnel/Human	Personnel Dept. - Delta College Fitness Center Agreement	XX						
2013-68	Personnel/Human	Fill Vacancies: Division on Aging and Health Department	XX						

BAY COUNTY BOARD OF COMMISSIONERS

3/12/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (3/12/13)

WHEREAS, Greg Purtell, Vice President of Human Resources, McLaren Bay Region, has been nominated for service on the Workforce Development Board by the Bay Area Chamber of Commerce to represent the private sector; and

WHEREAS, The Bay County Executive recommends in favor of Greg Purtell's appointment; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners concurs with the County Executive's recommendation and appoints Greg Purtell, Vice President of Human Resources, McLaren Bay Region, to the Michigan Works! Workforce Development Board.

ERNIE KRYGIER, CHAIR
AND BOARD

Michigan Works! - Greg Purtell

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

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

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/2/13)

WHEREAS, In 2010 the Bay County Board of Commissioners approved participation in the Michigan Green School Initiative which grants "Michigan Green School" designation to any public or private school in Michigan which meets certain criteria; and

WHEREAS, In 2012 the Board of Commissioners approved continued participation in this program with administration of the program being provided through the Environmental Affairs and Community Development Department; and

WHEREAS, This year Michigan Green School applications have been received from the Auburn Area Catholic School, Bay-Arenac ISD Career Center, John Glenn High School and St. James Catholic School, all of which met the requirements outlined in the Act to qualified as Michigan Green Schools; and

WHEREAS, Three schools, Auburn Area Catholic School, St. James Catholic School and the Bay-Arenac ISD Career Center have each submitted 20+ points and meet the requirements to be awarded the Evergreen Level MI Green Schools designation and the fourth school, Bangor Township John Glenn High School, submitted 10 points qualifying it for the MI Green School designation; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and Bay County Executive go on record recognizing the hard work and commitment shown by Auburn Area Catholic School, St. James Catholic School and the Bay-Arenac ISD Career Center for achieving their Evergreen Level MI Green Schools designation and the Bangor Township John Glenn High School for achieving its designation as a MI Green School.

KIM COONAN, CHAIR
AND COMMITTEE

Env Affairs - Michigan Green Schools

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krause

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 7 NAYS 0 EXCUSED 0

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

-1-

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

- BY: BAY COUNTY BOARD OF COMMISSIONERS
- WHEREAS, In our society, violence against women and children continues to escalate; and
- WHEREAS, Sexual violence affects every person in the Bay County as a survivor or as a family member, significant other, neighbor or co-worker of a survivor; and
- WHEREAS, Bay County recognizes the importance of designating a time devoted to increasing the general public's awareness of sexual assault; and
- WHEREAS, The Bay County Women's Center is dedicated to providing quality services and assistance to sexual assault survivors by staffing a 24-hour hotline, responding to emergency calls and offering support, resources, and advocacy during medical exams and criminal justice proceedings; and
- WHEREAS, The Bay County Women's Center volunteer advocates and staff members promote sexual assault prevention by offering educational programs to schools, churches and civic groups, as well as professional training to medical, mental health, law enforcement, education and criminal justice personnel regarding sexual assault issues; and
- WHEREAS, It is vitally important that continued educational efforts to provide information about the prevention and services of survivors of sexual violence be supported and enhanced; and
- WHEREAS, It is critical to intensify public awareness of sexual violence, to educate people about the need for citizen involvement in efforts to reduce sexual violence, to increase support for agencies providing sexual assault services, and to increase awareness of the healing power of creative expression; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners proclaims the month of **April as Sexual Assault Awareness Month in Bay County** and calls upon the citizens of Bay County, community agencies, faith groups, medical facilities and businesses to observe this month with the goal of preventing the sexual assault of women and children.

ERNIE KRYGIER, CHAIR
AND BOARD

Sexual Assault Awareness Month

MOVED BY COMM. Lutz

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

- 2 -

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, The Public Safety Dispatchers of Bay County Central Dispatch 9-1-1 who process, on average, over 150,000 telephone calls per year, are the first and most critical contact that our citizens have with Bay County's emergency services; and

WHEREAS, These dispatchers are the vital link to those calling for help and to police officers, firefighters, and paramedics; and

WHEREAS, Dispatchers monitor emergency personnel's activities by radio and telephone and provide them with lifesaving information to ensure their safety; and

WHEREAS, The safety of our police officers, firefighters and paramedics is dependent upon the quality and accuracy of information obtained by all 9-1-1 Emergency Telecommunicators from the citizens who telephone Bay County Central Dispatch 9-1-1; and

WHEREAS, The 9-1-1 Emergency Telecommunicators of Bay County Central Dispatch 9-1-1 have contributed significantly to the apprehension of criminals, suppression of fire, and the treatment of patients in life-threatening situations; and

WHEREAS, Each dispatcher, the unseen individual providing a calm voice when emergencies arise, has exhibited compassion, empathy, and professionalism, keeping our county and its citizens safe; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and the Bay County Executive do hereby proclaim April 14 - 20, 2013 as

NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

in Bay County and urge all citizens to honor the employees of Bay County 9-1-1 Central Dispatch and recognize them for their diligence and professionalism in helping to keep Bay County and its citizens, employees and visitors safe.

ERNIE KRYGIER, CHAIR
AND BOARD

911 - National Public Safety Telecommunications Week - 2013

MOVED BY COMM. Krause

SUPPORTED BY COMM. Lutz

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/2/13)
- WHEREAS, Bay County, along the Bay City Public Schools, is a partner in the operations of Bay 3 TV; and
- WHEREAS, Since the inception of the Bay 3 TV Partnership, the contract period has been one year at a time, coinciding with the fiscal year of the managing partner which is the Bay City Public Schools; and
- WHEREAS, Each year in March or April, the partners are requested to approve a new contract and a proposed contract covering the period July 1, 2013 through June 30, 2014 has been submitted; and
- WHEREAS, The contribution for Bay County (and the other partner) went to \$41,000 three years ago; and
- WHEREAS, The first 50% of the new contract period has been budgeted (along with the last 50% of the current year) in the Recreation and Administrative Services budget; and
- WHEREAS, Approval of the one year contract extension will commit the County to a 2nd 50% payment in the first six months of 2014; and
- WHEREAS, When the City of Bay City withdrew, working with Superintendent of the Bay City Public Schools Doug Newcombe, the \$41,000 from each of the remaining partners stayed at \$41,000; and
- WHEREAS, While a detailed budget has been requested, it has not yet been received and this recommendation is predicated on a status quo budget and County funding of \$41,000; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the contract with the other Bay 3 TV Partner for the period July 1, 2013 through June 30, 2014 in the amount of \$41,000, subject to concurrence at the same level by the Bay City Public Schools; 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; Be It Finally
- RESOLVED That budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Bay 3 TV Contract - 2013-2014
MOVED BY COMM. Coonan

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

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

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

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/2/13)
- WHEREAS, In December 2008 Kelly Rifenbark was appointed to the position of interim Equalization Director, however, Bay County must contract with someone with a level 4 certification in order to provide the State of Michigan required services; and
- WHEREAS, Bay County entered into a Professional Services Agreement with Richard N. Gruber (EQU Services) at a fee of \$18,000 per year and that Agreement is expiring; and
- WHEREAS, Richard N. Gruber meets and exceeds the standards required by the State of Michigan; and
- WHEREAS, County Administration recommends renewal of the Professional Services Agreement with Mr. Gruber's EQU Services for a two (2) year period paying a professional fee of \$18,000 per year; Therefore, Be it
- RESOLVED That the Bay County Board of Commissioners approves Professional Services Agreement with Richard N. Gruber (EQU Services) for a two (2) year period at an annual cost of \$18,000, monies to come from funds included in the Equalization Department budget; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute required Professional Services Agreement on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Equalization - Professional Services Agt - Richard N. Gruber

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krause

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

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

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

-11-

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/2/13)

WHEREAS, The 2012/2013 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, The purpose of Amendment # 4 is as follows:

1. Add and revise language in Attachment I: Annual Budget Instructions
2. Add and revise language in Attachment III: Program Specific Assurances and Requirements
3. Incorporate Attachment IV: Funding/Reimbursement Matrix as revised for the Essential Local Public Health Services (ELPHS) and categorical budget details, output measures and performance criteria; and

WHEREAS, Due to time constraints from the Michigan Department of Community Health, this amendment has been submitted electronically by the Board Coordinator on behalf of the Chairman of the Board; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves amendment # 4 to the 2012-2013 CPBC Contracting Agreement and authorizes the Chairman of the Board to execute all 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 - Amend 4 - 2012-2013 CPBC Agt

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Herek

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

-12-

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/2/13)
- WHEREAS, In 2012 the Bay County Board of Commissioners authorized application for grant opportunities through the US EPA Great Lakes Restoration Initiative (GLRI) that fund environmental and community restoration projects (res. no. 2012-11); and
- WHEREAS, On March 12, 2013, a grant opportunity was announced that the GLRI was requesting proposals that would restore urban and community forests severely impacted by Emerald Ash Borers (EAB) and the Gypsy Moth Program Coordinator, with authorization from the Director of Environmental Affairs/Community Development, applied for grant funding to pay for treatment of ash trees, removal of ash trees killed by EAB and replacement trees at the Bay County Golf Course and in Pinconning Park; and
- WHEREAS, \$63,620 in grant funding has been requested for removal and replacement of ash trees killed by the EAB, and for treatment to 305 ash trees to protect them from further damage by EAB; and
- WHEREAS, The cost of providing the EAB treatment throughout the rest of the County and administration of the Program, funds already being expended by the Gypsy Moth Program, will be used a the local match for this grant with no general fund dollars required;
- RESOLVED That the Chairman of the Board is authorized to execute the GLRI grant documents (grant award acceptance and 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.

KIM COONAN, CHAIR
AND COMMITTEE

GypsyMoth- GLRI Grant
MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krause

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

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

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS
4/9/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/2/13)

RESOLVED By the Bay County Board of Commissioners that the County Equalization for 2013, as presented, is approved and the Chairman of the Board authorized to execute the required documents on behalf of Bay County.

KIM COONAN, CHAIR
AND COMMITTEE

2013 EQUALIZATION.

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krause

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 7 NAYS 0 EXCUSED 0

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

Personal and Real Property - TOTALS

The instructions for completing this form are on the reverse side of Page 3.

Bay County

Statement of acreage and valuation in the year 2013 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Township of City	Number of Acres Assessed (Col. 1) Acres Hundredths	Total Real Property Valuations (Totals for pages 2 and 3)		Personal Property Valuations		Total Real Plus Personal Property	
		(Col. 2) Assessed Valuations	(Col. 3) Equalized Valuations	(Col. 4) Assessed Valuations	(Col. 5) Equalized Valuations	(Col. 6) Assessed Valuations	(Col. 7) Equalized Valuations
<i>Townships</i>							
BANGOR	6,694.93	409,824,450	409,824,450	45,553,650	45,553,650	455,378,100	455,378,100
BEAVER	22,623.43	95,015,950	95,015,950	2,042,400	2,042,400	97,058,350	97,058,350
FRANKENLUST	14,181.43	130,553,000	130,553,000	6,430,050	6,430,050	136,983,050	136,983,050
FRASER	20,524.21	104,693,500	104,693,500	8,321,800	8,321,800	113,015,300	113,015,300
GARFIELD	22,862.14	59,722,800	59,722,800	1,407,450	1,407,450	61,130,250	61,170,092
GIBSON	22,787.88	37,091,800	37,091,800	2,127,700	2,127,700	39,219,500	39,219,500
HAMPTON	17,073.77	404,559,600	404,559,600	36,654,500	36,654,500	441,214,100	441,214,100
KAWKAWLIN	21,219.97	157,454,480	157,454,480	12,990,150	12,990,150	170,444,630	170,444,630
MERRITT	20,204.01	65,045,850	65,045,850	8,432,800	8,432,800	73,478,650	73,478,650
MONITOR	24,320.51	356,772,200	356,772,200	49,900,500	49,900,500	406,672,700	406,672,700
MOUNT FOREST	23,040.53	47,793,595	47,793,595	1,885,300	1,885,300	49,678,895	49,678,895
PINCONNING	23,102.43	76,383,868	76,383,868	7,592,550	7,592,550	83,976,418	83,976,418
PORTSMOUTH	12,425.87	89,159,700	89,159,700	3,726,200	3,726,200	92,885,900	94,701,575
WILLIAMS	21,133.05	170,242,600	170,242,600	24,580,900	24,580,900	194,823,500	194,823,500
<i>Cities</i>							
AUBURN	524.30	47,901,100	47,901,100	2,618,100	2,618,100	50,519,200	50,519,200
BAY CITY	5,107.50	491,562,278	491,562,278	55,986,450	55,986,450	547,548,728	547,548,728
ESSEXVILLE	1,180.24	68,117,150	68,117,150	5,237,500	5,237,500	73,354,650	73,354,650
MIDLAND	233.55	5,098,500	5,098,500	397,800	397,800	5,496,300	5,496,300
PINCONNING	454.90	22,462,900	22,462,900	5,681,650	5,681,650	28,144,550	28,144,550
Totals for County	279,694.65	2,839,455,321	2,841,310,838	281,567,450	281,567,450	3,121,022,771	3,122,878,288

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF BAY COUNTY, MICHIGAN

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land in each township in the County of Bay and of the value of the real property and of the personal property in each township and city in said county as assessed in the year 2013, and of the aggregate valuation of the real property and personal property in each township and city in said county as equalized by the Board of Commissioners of said county on the 9th day of April, 2013, at a meeting of said board held in pursuant of the provisions Sections 209.1 - 209.8, MCL. We further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 198 of 1974; P.A. 255 of 1978; P.A. 385 of 1984; P.A. 224 of 1985; or Section 5 of Article IX of the Constitution of the State.

Dated April 9, 2013.

Page 1, Personal and Real Totals

Director of County Tax or Equalization Department

Chairperson of Board of Commissioners

Clerk of Board of Commissioners

Equalized Valuations - REAL

The instructions for completing this form are on the reverse side of Page 3.

Bay _____ County _____

Statement of acreage and valuation in the year 2013 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Township of City	Real Property Equalized by County Board of Commissioners							(Col. 7) Total Real Property
	(Col. 1) Agricultural	(Col. 2) Commercial	(Col. 3) Industrial	(Col. 4) Residential	(Col. 5) Timber-Cutover	(Col. 6) Developmental	(Col. 7) Total Real Property	
<i>Townships</i>								
BANGOR	0	107,563,050	13,488,000	287,789,900	0	983,500	409,824,450	
BEAVER	29,010,100	1,318,150	395,050	64,292,650	0	0	95,015,950	
FRANKENLUST	18,951,650	16,372,800	395,900	94,832,650	0	0	130,553,000	
FRASER	27,363,200	6,682,000	165,600	70,482,700	0	0	104,693,500	
GARFIELD	20,927,900	1,049,742	253,000	37,532,000	0	0	59,762,642	
GIBSON	20,663,900	336,700	261,400	15,829,800	0	0	37,091,800	
HAMPTON	24,075,900	47,043,000	182,526,300	150,914,400	0	0	404,559,600	
KAWKAWLIN	32,200,300	14,976,300	1,089,050	108,994,830	0	194,000	157,454,480	
MERRITT	39,646,750	886,050	1,275,900	23,237,150	0	0	65,045,850	
MONITOR	38,638,300	52,460,400	15,489,100	250,184,400	0	0	386,772,200	
MOUNT FOREST	17,231,600	114,800	375,600	30,071,595	0	0	47,793,595	
PINCONNING	28,770,488	5,663,200	676,700	41,273,480	0	0	76,383,868	
PORTSMOUTH	22,349,175	3,981,200	2,068,000	62,577,000	0	0	90,975,375	
WILLIAMS	28,740,900	7,832,400	31,779,050	101,890,250	0	0	170,242,600	
<i>Cities</i>								
AUBURN	0	11,107,100	0	36,794,000	0	0	47,901,100	
BAY CITY	0	100,628,900	23,226,850	367,706,528	0	0	491,562,278	
ESSEXVILLE	0	2,469,200	3,790,900	61,857,050	0	0	68,117,150	
MIDLAND	0	4,970,800	55,800	71,900	0	0	5,098,500	
PINCONNING	0	7,036,500	1,934,600	13,491,800	0	0	22,462,900	
Totals for County	348,570,163	392,492,292	279,246,800	1,819,824,083	0	1,177,500	2,841,310,838	

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF BAY COUNTY, MICHIGAN

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land in each township in the County of Bay and of the value of the real property and of the personal property in each township and city in said county as assessed in the year 2013, and of the aggregate valuation of the real property and personal property in each township and city in said county as equalized by the Board of Commissioners of said county on the 9th day of April, 2013, at a meeting of said board held in pursuant of the provisions Sections 209.1 - 209.8, MCL. We further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 198 of 1974; P.A. 255 of 1978; P.A. 385 of 1984; P.A. 224 of 1985; P.A. 147 of 1992; or Section 5 of Article IX of the Constitution of the State.

Dated April 9, 2013.

Page 2. Real Property Equalized

Director of County Tax or Equalization Department

Chairperson of Board of Commissioners

Clerk of Board of Commissioners

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Assessed Valuations - REAL

The instructions for completing this form are on the reverse side of Page 3.

Bay County

Statement of acreage and valuation in the year 2013 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Township of City	Real Property Assessed by County Board of Commissioners							Total Real Property
	(Col. 1) Agricultural	(Col. 2) Commercial	(Col. 3) Industrial	(Col. 4) Residential	(Col. 5) Timber-Cutover	(Col. 6) Developmental	(Col. 7)	
<i>Townships</i>								
BANGOR	0	107,563,050	13,488,000	287,789,900	0	983,500	409,824,450	
BEAVER	29,010,100	1,318,150	395,050	64,292,650	0	0	95,015,950	
FRANKENLUST	18,951,650	16,372,800	395,900	94,832,650	0	0	130,553,000	
FRASER	27,363,200	6,682,000	165,600	70,482,700	0	0	104,693,500	
GARFIELD	20,927,900	1,009,900	253,000	37,532,000	0	0	59,722,800	
GIBSON	20,663,900	336,700	261,400	15,829,800	0	0	37,091,800	
HAMPTON	24,075,900	47,043,000	182,526,300	150,914,400	0	0	404,559,600	
KAWKAWLIN	32,200,300	14,976,300	1,089,050	108,994,830	0	194,000	157,454,480	
MERRITT	39,646,750	886,050	1,275,900	23,237,150	0	0	65,045,850	
MONITOR	38,638,300	52,460,400	15,489,100	250,184,400	0	0	356,772,200	
MOUNT FOREST	17,231,600	114,800	375,600	30,071,595	0	0	47,793,595	
PINCONNING	28,770,488	5,663,200	676,700	41,273,480	0	0	76,383,868	
PORTSMOUTH	20,533,500	3,981,200	2,068,000	62,577,000	0	0	89,159,700	
WILLIAMS	28,740,900	7,832,400	31,779,050	101,890,250	0	0	170,242,600	
<i>Cities</i>								
AUBURN	0	11,107,100	0	36,794,000	0	0	47,901,100	
BAY CITY	0	100,628,900	23,226,850	367,706,528	0	0	491,562,278	
ESSEXVILLE	0	2,469,200	3,790,900	61,857,050	0	0	68,117,150	
MIDLAND	0	4,970,800	55,800	71,900	0	0	5,098,500	
PINCONNING	0	7,036,500	1,934,600	13,491,800	0	0	22,462,900	
Totals for County	346,754,488	392,452,450	279,246,800	1,819,824,083	0	1,177,500	2,839,455,321	

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF BAY COUNTY, MICHIGAN

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land in each township in the County of Bay and of the value of the real property and of the personal property in each township and city in said county as assessed in the year 2013, and of the aggregate valuation of the real property and personal property in each township and city in said county as equalized by the Board of Commissioners of said county on the 9th day of April, 2013, at a meeting of said board held in pursuant of the provisions Sections 209.1 - 209.8, MCL. We further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 198 of 1974; P.A. 255 of 1978; P.A. 385 of 1984; P.A. 224 of 1985; P.A. 147 of 1982; or Section 5 of Article IX of the Constitution of the State.

Dated April 9, 2013

Page 3, Real Property Assessed

Director of County Tax or Equalization Department

Chairperson of Board of Commissioners

Clerk of Board of Commissioners

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Equalized Valuations - PERSONAL

The instructions for completing this form are on the reverse side of Page 3.

Bay County

Statement of acreage and valuation in the year 2013 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Township of City	Personal Property Equalized by County Board of Commissioners							(Col. 7) Total Personal
	(Col. 1) Agricultural	(Col. 2) Commercial	(Col. 3) Industrial	(Col. 4) Residential	(Col. 5) Utility			
<i>Townships</i>								
BANGOR	0	15,633,500	22,446,300	0	7,473,850			45,553,650
BEAVER	0	464,200	0	0	1,578,200			2,042,400
FRANKENLUST	0	2,802,900	0	0	3,627,150			6,430,050
FRASER	0	2,727,200	0	0	5,594,600			8,321,800
GARFIELD	0	199,750	0	0	1,207,700			1,407,450
GIBSON	0	451,750	0	0	1,675,950			2,127,700
HAMPTON	0	6,483,500	4,589,600	0	25,581,400			36,654,500
KAWKAWLIN	0	3,625,400	465,100	0	8,899,650			12,990,150
MERRITT	0	5,346,500	108,100	0	2,978,200			8,432,800
MONITOR	0	10,448,500	18,371,400	0	21,080,600			49,900,500
MOUNT FOREST	0	576,600	0	0	1,308,700			1,885,300
PINCONNING	0	2,185,700	1,121,300	0	4,285,550			7,592,550
PORTSMOUTH	0	1,129,800	72,100	0	2,524,300			3,726,200
WILLIAMS	0	3,336,150	16,579,800	0	4,664,950			24,580,900
<i>Cities</i>								
AUBURN	0	1,494,300	0	0	1,123,800			2,618,100
BAY CITY	0	18,482,050	31,283,900	0	6,220,500			55,986,450
ESSEXVILLE	0	927,700	2,618,600	0	1,691,200			5,237,500
MIDLAND	0	230,500	0	0	167,300			397,800
PINCONNING	0	689,900	4,452,000	0	539,750			5,681,650
Totals for County	0	77,235,900	102,108,200	0	102,223,350			281,567,450

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF BAY COUNTY, MICHIGAN

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land in each township in the County of Bay and of the value of the real property and of the personal property in each township and city in said county as assessed in the year 2013, and of the aggregate valuation of the real property and personal property in each township and city in said county as equalized by the Board of Commissioners of said county on the 9th day of April, 2013, at a meeting of said board held in pursuant of the provisions Sections 209.1 - 209.8, MCL. We further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 198 of 1974; P.A. 255 of 1978; P.A. 385 of 1984; P.A. 224 of 1985; P.A. 147 of 1992; or Section 5 of Article IX of the Constitution of the State.

Dated April 9, 2013

Personal Property Equalized

Director of County Tax or Equalization Department

Chairperson of Board of Commissioners

Clerk of Board of Commissioners

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Assessed Valuations - PERSONAL

The instructions for completing this form are on the reverse side of Page 3.

Bay _____ County _____

Statement of acreage and valuation in the year 2013 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Township of City	Personal Property Assessed by County Board of Commissioners							(Col. 7) Total Personal
	(Col. 1) Agricultural	(Col. 2) Commercial	(Col. 3) Industrial	(Col. 4) Residential	(Col. 5) Utility	(Col. 6) Other	(Col. 7) Total Personal	
<i>Townships</i>								
BANGOR	0	15,633,500	22,446,300	0	7,473,850	0	45,553,650	
BEAVER	0	464,200	0	0	1,578,200	0	2,042,400	
FRANKENLUST	0	2,802,900	0	0	3,627,150	0	6,430,050	
FRASER	0	2,727,200	0	0	5,594,600	0	8,321,800	
GARFIELD	0	199,750	0	0	1,207,700	0	1,407,450	
GIBSON	0	451,750	0	0	1,675,950	0	2,127,700	
HAMPTON	0	6,483,500	4,589,600	0	25,581,400	0	36,654,500	
KAWKAWLIN	0	3,625,400	465,100	0	8,899,650	0	12,990,150	
MERRITT	0	5,346,500	108,100	0	2,978,200	0	8,432,800	
MONITOR	0	10,448,500	18,371,400	0	21,080,600	0	49,900,500	
MOUNT FOREST	0	576,600	0	0	1,308,700	0	1,885,300	
PINCONNING	0	2,185,700	1,121,300	0	4,285,550	0	7,592,550	
PORTSMOUTH	0	1,129,800	72,100	0	2,524,300	0	3,726,200	
WILLIAMS	0	3,336,150	16,579,800	0	4,664,950	0	24,580,900	
<i>Cities</i>								
AUBURN	0	1,494,300	0	0	1,123,800	0	2,618,100	
BAY CITY	0	18,482,050	31,283,900	0	6,220,500	0	55,986,450	
ESSEXVILLE	0	927,700	2,618,600	0	1,691,200	0	5,237,500	
MIDLAND	0	230,500	0	0	167,300	0	397,800	
PINCONNING	0	689,900	4,452,000	0	539,750	0	5,681,650	
Totals for County	0	77,235,900	102,108,200	0	102,223,350	0	281,567,450	

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF BAY COUNTY, MICHIGAN

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land in each township in the County of Bay and of the value of the real property and of the personal property in each township and city in said county as assessed in the year 2013, and of the aggregate valuation of the real property and personal property in each township and city in said county as equalized by the Board of Commissioners of said county on the 9th day of April, 2013, at a meeting of said board held in pursuant of the provisions Sections 209.1 - 209.8, MCL. We further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 198 of 1974; P.A. 255 of 1978; P.A. 385 of 1984; P.A. 224 of 1985; P.A. 147 of 1992; or Section 5 of Article IX of the Constitution of the State.

Dated April 9, 2013

Page 3p, Personal Property Assessed

Director of County Tax or Equalization Department

Chairperson of Board of Commissioners

Clerk of Board of Commissioners

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BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/2/13)

WHEREAS, The annual Maintenance Agreement for Tyler Munis software has been submitted; and

WHEREAS, The annual cost is \$121,072.84 and funds have been budgeted in the ISD budget for this expense; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves renewal of the annual Maintenance Agreement for Tyler Munis software and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

ISD - Tyler Munis Software Maintenance Agreement

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Lutz

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: **WAYS AND MEANS COMMITTEE** 04/02/2013

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 04/09/2013 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
2013-04-002	MOSQUITO CONTROL FUND MOSQUITO CONTROL Total MOSQUITO CONTROL FUND			X
	TO ADJUST MOSQUITO CONTROL 2013 BUDGET FOR THE PURCHASE OF MANDATED REPEATER & RADIO UPGRADES. ALSO TO BUDGET FOR CONTINGENCY EXPENDITURES. ALL FUNDING SOURCES WITHIN MOSQUITO CONTROL'S 2013 BUDGET.			
2013-04-003	GENERAL FUND BOARD OF COMMISSIONERS INSTIT.OARE-DET.FAO(JUV.HOME) Total GENERAL FUND		\$1,532	
	CHILD CARE FUND INSTIT.OARE-DET.FAC(JUV.HOME) Total CHILD CARE FUND			X
	TO INCREASE 2013 BUDGET FOR A TIME CLOCK FOR THE PART TIME EMPLOYEES AT THE JUVENILE HOME.			
2013-04-004	DIVISION ON AGING FUND ADMINISTRATION - DIV. ON AGING DOA 2013 SPECIAL PROJECT Total DIVISION ON AGING FUND			X
	TO RE-ALIGN THE 2013 DIVISION ON AGING KITCHEN CONSTRUCTION PROJECT BUDGET.			

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

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

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/2/13)

WHEREAS, In February 2012 the Michigan State Police (MSP) conducted an audit of Bay County's purchasing policies in relation to administration of the Department of Homeland Security Region 3 grant procurement processes; and

WHEREAS, Although the audit revealed no fiscal improprieties, MSP provided a number of procedural issues associated with policy administration concerning Homeland Security, Region 3; and

WHEREAS, Those procedural issues have been addressed in the attached draft addition of Part IV, "Bay County Purchasing Policy for the Michigan Region 3 Homeland Security Planning Board"; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby adopts Part IV, "ay County Purchasing Policy for the Michigan Region 3 Homeland Security Planning Board"

KIM COONAN, CHAIR
AND COMMITTEE

Finance - Homeland Security Purchasing Policy

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

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

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

PART IV
BAY COUNTY
PURCHASING POLICY FOR THE MICHIGAN REGION 3 HOMELAND
SECURITY PLANNING BOARD

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 policy identifies the various policies and procedures generally accepted throughout government and tailored to specific needs in the procurement of products and services for the Michigan Region 3 Homeland Security Planning Board (R3HSPB).

PURPOSE

The purpose of this Policy is 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 laws, 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 Homeland Security Grant requirements and 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.

This policy shall communicate to County elected officials, department heads and employees the formal policy of the Board of Commissioners regarding the internal control for Homeland Security grants and awards.

Further, the policy requires that the County complies with federal laws, regulations and grant terms including OMB circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

APPLICATION

This Policy applies to contracts for the procurement of supplies, services, and construction entered into by Bay County as Fiduciary of the R3HSPB. It shall apply to every expenditure of Homeland Security funds by a public agency. 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 even where 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 1976 PA 442 of Michigan Compiled Laws (MCL) 15.231 and 5 USC 52, as amended by PL 104-231, 110 Stat 3048 and documents shall be available to the public as provided in cited statutes.

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, PA 139, 1973 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 their designee shall serve as Bay County's principal public purchasing official for the procurement of supplies, services, equipment, and construction needed by, as well as the disposal, by way of selling via competitive bids, trading, auctioning, or scrapping of surplus supplies and equipment belonging to Bay 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 their 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.; and 44 CFR 13.36 (Procurement), which 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. The County shall maintain the following standards of conduct governing the performance of its employees who are engaged in the award and administration of Homeland Security federally funded contracts. In the event of conflict among provisions, the more stringent requirement shall be applied.

- a. No employee, officer or agent of the County or any member unit of the R3HSB shall participate in the selection, or in the award or administration of a contract supported by federal Homeland Security Funds if a conflict or interest, real or apparent, would be involved.

In this instance, a conflict of Interest arises when (a) the employee, officer, or agent, (b) any member of his immediate family, (c) his or her partner, or (d) an organization which employs, or is about to employ, any of the above, has a financial or other Interest In the firm selected for award.

For example, If a member of the R3HSB or any of its subcommittees takes part in deciding, approving, disapproving, or advising on the use of Homeland Security grant revenues, that member may not benefit personally from, or be an employee of a non-public entity that benefits from those Homeland Security grant revenues.

- b. Costs of professional and consulting services rendered by persons who are members of a particular profession or possess a special skill and who are not officers or employees of the governmental unit are allowable expenditures for Homeland Security dollars derived from federal grants. However, an officer or employee of a unit of government is not permitted to be paid with Homeland Security grant fund revenues for providing professional services to the unit of government.

- c. Dual compensation is prohibited in all situations. An employee of a unit of government may not receive compensation from their unit or agency of government and from an award for a single period of time (e.g., from 9 a.m. to 11 a.m.) even where such work may benefit both funding sources. Employees of the County or another unit of government are prohibited from receiving payment for professional services from any Homeland Security award for the same period of time for which a unit of government compensates them for regular scheduled work time (including annual leave, sick leave, or any other paid leave time).
2. It shall be unethical for any employee or officer of the County to participate directly or indirectly in a procurement where the employee or officer knows that:
 - a. The employee or officer or any member of the employee's or officer's immediate family 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 immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.
3. 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).
4. 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.
5. 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, supplier 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.

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 the 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 statutes 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. Finance Department will disallow expenditures made in violation of this policy.

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 law 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 effect on the effective date of this Policy or are duly enacted thereafter 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

As Fiduciary for the R3HSPB, County shall comply with Executive Order 12549, Debarment and Suspension as implemented at 28 CFR Part 67 for prospective participants in primary covered transactions as defined at 28 CFR Part 67, Section 67.510.

- I. In implementing this Policy, the County shall require that its employees, bidders, and contractors shall attest that they:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court; or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not, in the preceding three years been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any other of the offenses enumerated in (b) above; and

- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.
- II. Requires that recipients establish procedures for the procurement of supplies and other expendable property, equipment, real property and other services with federal funds to ensure that such material and services are obtained in an effective manner and in compliance with the provisions of applicable federal statutes and executive orders.
- III. This section also requires that contracts not be made to parties listed on the General Services Administration's Excluded Parties List System (EPLS), in accordance with the E.O.s 12549 and 12689, "Debarment and Suspension." This list contains the names of parties debarred, suspended or otherwise excluded by agencies and contractors declared ineligible under statutory or regulatory authority other the E.O. 12549.

AUTHORITY TO DEBAR OR SUSPEND. After reasonable notice to the person(s)/vendor(s) involved and reasonable opportunity for that person 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, 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 their/their 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 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 Finance Officer determines to be so serious and compelling as to affect their/their 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.

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, the R3HSB and the Bay County Executive.

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

DISCRIMINATION

Bidders shall comply with Title VI of the *Civil Rights Act of 1964*, as amended; Title VIII of the *Civil Rights Act of 1968*; Title IX of the *Education Amendments of 1972 (Equal Opportunity in Education Act)*; the Age Discrimination Act of 1975; Titles I, II and III of the *Americans with Disabilities Act of 1990*; the Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended, MCL 37.2101 *et seq.*; the Persons with Disabilities Civil Rights Act, 1976 PA 220, as amended, MCL37.1101 *et seq.*, and all other federal, state and local fair employment practices and equal opportunity laws and covenants. The subgrantee shall not discriminate against any employee or applicant for employment, to be employed in the performance of this grant agreement, with respect to his or her hire, tenure, terms, conditions, or privileges of employment; or any matter directly or indirectly related to employment because of his or her race, religion, color, national origin, age, sex, height, weight, marital status, limited English proficiency, or handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. The bidder must agree in every subcontract entered into for the performance of this grant agreement not to discriminate in employment. A breach of this covenant is a material breach of the grant agreement.

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 which 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 and engineering 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 R3HSPB and the Bay County Board of Commissioners identifies the general scope of the work.
2. A selection schedule is established.
3. A list of design professional 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. Interviews are conducted.
8. Firms are ranked for selection.
9. 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.
10. All firms involved receive post-selection communications.

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. 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' Financial Analyst
3. The Purchasing Agent
4. Department/Division Head
5. R3HSPB Chair and/or two other selected representatives of R3HSPB
6. Corporation Counsel
7. Finance Officer
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.

SALES TAX EXEMPTION

The R3SHPB, like the County shall not be charged or pay sales tax. Bay County, as a Michigan Constitutional 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 statement to the effect that the purchaser is a governmental entity. This position was affirmed by the Michigan Department of Treasury through its Revenue Administrative Bulletin 1990-32, approved on October 11, 1990.

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, the R3HSPB 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

A Vendor Master file shall be maintained by the Finance Department. This file will be contained in the electronic financial management system currently used by the County. This database will be maintained by the Finance Department and will be developed using the on-line vendor registration process in use by the County.

LOCAL VENDORS

The purchasing profession does not advocate providing local vendors preferential treatment in the awarding of bids, contracts, or Purchase Orders. Therefore, in order to preserve the integrity of Bay County's procurement system, and to promote fair and pure competition for R3HSPB business, local vendors shall not be provided a preferential status in the procurement of goods or services for Bay County

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, 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 their 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 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 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 their 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.

CAPITAL ASSET TAGS

Equipment and real property management requires organizations to maintain an adequate equipment and property management system for its federal award programs and related activities.

It shall be the responsibility of Finance Department to assign a permanent, prenumbered Bay County asset tag to any item, purchased for Bay County, 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 along with the department's copy of the Purchase Order.

Upon the receipt of the goods it shall be the department's responsibility to attach the asset tag to the asset and note in the County's financial software system the date, quantity and packing list number into the Purchase Order Receiving File

A central file shall be maintained to ensure procedures are adhered to for the transfer of real property, and equipment to subrecipients as per requirements of the federal grant.

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.

Bay County will ensure that for any federal funds expended on construction projects the Davis-Bacon Act will be applied and that certified payrolls are reviewed and approved.

COMPUTER HARDWARE/SOFTWARE

The County has recognized the need to review and control the purchasing of computer hardware and software. All R3HSPB participants requesting computer hardware and/or software shall submit their requests through the Fiduciary to the Bay County Information Systems Division (ISD).

The Information Systems Division must review all requests regardless of funding source. If the requesting departments' 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.

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 their designee, and the Department/Division Head, Elected Official, or their 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 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 R3HSPB by the Purchasing Agent within 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 R3HSPB participants who will be traveling on R3HSPB 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.

PETTY (IMPREST) CASH PURCHASES

(PURCHASES COSTING LESS THAN \$100)

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 purchased from.
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 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 \$500)

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 five hundred dollars (\$500) is greater than the benefit the County will receive. Therefore, for the procurement of products or services costing less than five hundred dollars (\$500), 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 their assistant in 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.

Since there will not be a County Purchase Order number assigned to these purchases, the ability of Finance Department to facilitate the processing of invoices or problem resolution associated with these purchases is greatly diminished. In order to ensure expeditious processing of invoices or problem resolution, 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 Finance Department/Accounts Payable. Invoices sent directly to Finance Department without proper department identification will be immediately returned to the vendor noting Finance Department's inability to forward to the ordering department for processing, thus delaying payment.

Departments who receive invoices directly need only to completely fill out a Bay County Voucher or a voucher stamp impression on the invoice and forward to Finance Department for processing. When invoices are mailed directly to Finance Department from the vendor, which clearly identifies the ordering department, Finance Department will voucher stamp the invoice, enter the relevant information and forward the invoice to the department for account coding and authorization. The department, in turn, will send it back to Finance Department for processing.

MINIMAL PURCHASES

(PURCHASES COSTING \$500 BUT LESS THAN \$1,000)

Any acquisition of products or services costing five hundred dollars (\$500) but less than one thousand dollars (\$1,000) shall obtain quotes and place the order directly.

- A. The requesting department shall prepare and enter into the computerized financial system 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 Charge of Purchasing in Finance Department for processing.

The Purchase Requisition shall contain the following information:

1. Requesting department name.
2. Date of requisition.
3. Prior Vendor (if known).
4. Date the product or service is needed.
5. To whom or where the product or service is to be delivered.

6. The proper thirteen (13) digit budget account number(s) to be charged and their current budget balance(s).
 7. Indicate if budget adjustment is in process to accommodate the purchase.
 8. Name of requesting individual.
 9. Signature of authorizing individual.
 10. The product item number, if available.
 11. Quantity.
 12. Description of products or services, as detailed as possible.
 13. 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 five hundred dollars (\$500) but less than one thousand (\$1,000) 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 from the Purchasing Agent or their assistant and provide it to the selected vendor for inclusion on the vendor's invoice.
 - a. Vendors shall not fill an order for five hundred dollars (\$500) or greater unless they are provided a Purchase Order number.

4. Verify that the vendor can and will deliver. Some purchase situations may require that the County either pick up or arrange for special delivery of the order.
- C. Orders may be phoned, emailed or faxed to vendors.
- D. The Purchasing Agent or their assistant in Finance Department will be available to answer questions and/or provide direction regarding these purchases.

SMALL PURCHASES

(PURCHASES COSTING \$1,000 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 twenty thousand dollars (\$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 oral or written requests for quotations. All such purchases shall be made cooperatively by the Purchasing Agent in 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 completed Purchase Requisition along with any supporting documentation to the Purchasing Agent in Finance Department for processing. The Purchase Requisition shall contain the same information as outlined for "Minimal Purchases," Section A, Items 1 through 10.

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 twenty thousand dollars (\$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 twenty thousand dollars (\$20,000) bid-threshold.

4. 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.
5. 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 their 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.
6. At least three (3) oral or 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 fax or email shall be accepted as written quotes required by this procedure. The Purchase Order shall be placed after the receipt of the quotes.
7. On occasion, good business judgment or common sense may dictate deviations from the requirements outlined in Item 8 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.
8. 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. 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.
9. Documentation of a sole source provided for a required product and/or service shall be retained in the electronic financial system.
10. 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.

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.

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 and Federal Law.
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 and engineering services.

By exempting the procurement of products or services in an emergency (Item No. 4) and entering into contracts for professional services (Items No. 5) allows the County to remain in compliance with Public Act 167 and 168 of 1933.

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 Finance Department, a Purchase Requisition which shall contain, in addition to the same information as outlined for "Minimal Purchases" Section A, Items one (1) through thirteen (13), 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, upon receipt of the Purchase Requisition, and after discussion with the requesting Department, indicates in a signed and dated statement on the Purchase Requisition their reasons for disagreement.
3. The Purchase Requisition is then forwarded to Finance Officer for consideration and final decision.
4. 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) through three (3) shall still occur, although after the fact, within two (2) business days of the emergency condition.

B. REQUEST FOR INVITATION TO 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:

The award criteria, based on the RFP's Scope of Work (SOW) must be objective and numeric and follow the SMART goal which stands for Specific, Measurable, Achievable or Attainable, Relevant and Time-Bound see Exhibit A. This criteria shall be consistent with the provisions of 2 CFR 22 Attachment § 32.

The payment structure is based on specific deliverables as detailed in the SOW; this payment structure is to consider all soft costs as well the deliverables detailed. As each deliverable is completed, the work is verified and the reimbursement approved. If the deliverable is only partially completed, only a portion of the payment will be rendered.

Procedure:

1. Scope of Work is developed by Department.
2. Bay County Request for Invitation to Bid Form Services is completed using the S.M.A.R.T goals (Attachment A). The Request for Invitation to Bid Form may be developed but not submitted until approved in Federal Grant/Award.
3. Form, Grant Award Letter and any additional information will be forwarded to Bay County Purchasing Agent.
4. Request for Proposal developed using the information received in the Invitation to Bid Form and any additional 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 Request for Proposal to Finance Officer and Corporation Counsel for their review and final approval.

D. BID PACKAGE PREPARATION

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

1. Invitation to Bid
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 Request for Proposal to all applicable vendors who are included on the County's Vendor Master File. The Purchasing Agent shall publish in a local newspaper, on Bay 3TV, cooperative purchasing websites, the County website and Facebook page as well as any other pertinent

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publications, a notice inviting sealed competitive bids, for at least two days, preferably in a Sunday or Saturday 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. Request for Proposal 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-bidders conference(s) as determined by the Purchasing Agent and the Department/Division Head, Elected Official or their 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 Request for Proposal needs to be amended, an addendum will be emailed to all vendors who previously received a copy of the original Request for Proposal by the Purchasing Agent.

F. WALK THROUGH AND PRE-BID/PROPOSAL CONFERENCE

When it has been determined that a walk through or pre-bidders/proposal conference is necessary, the Purchasing Agent or their designee shall include language within the Request for Proposal identifying the following:

1. The date, time, and location of the walk through or pre-bidders/proposal conference.
2. Whether or not potential bidders/proposers attendance is mandatory.
3. That potential bidders/proposers 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 proposal/conference.

If attendance by potential bidders/proposers is mandatory and a prospective bidder or proposer 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 proposers shall sign-in at the location of either the walk through or pre-bidders/proposal conference and provide all the information requested on the sign-in form provided by the Purchasing Agent, or their 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/Request for Proposal. 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 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/Request for Proposal.

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 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 their designee. A formal written request for withdrawal must be made to the Purchasing Agent, who shall file the request in the Request for Proposal file. Bids shall be opened promptly at the time designated in the Public Notice/Request for Proposal 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 their designee shall open and review the bid(s) and read 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 their 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 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 Finance Officer with an analysis identifying the best low/high qualified bidder and a recommendation as to which bidder to award the bid. The term best low/high qualified bidders means a bidder whose bid conforms in all material respects to the Request for Proposal, 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 lowest/highest qualified bidder, the Purchasing Agent or their 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 their designee that the bidder(s) has a full understanding of and can conform to the requirements of the Request for Proposal. 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 best value 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 successful bidder by the Bay County Finance Officer upon the following criteria being met:
 - a. The product or service for which the Request for Proposal was written is included and funded in the current years adopted/amended budget.
 - b. The lowest/highest qualified 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, Finance Officer shall notify the Bay County Board of Commissioners, the Bay County Executive, and all bidders of their intent to award the bid to the lowest/highest qualified bidder on the eleventh (11th) working day from the date of notice. Said notice shall include the names and addresses of all bidders, their respective bid(s), reason(s) for disqualifying certain bidders and for awarding the bid to a bidder other than the lowest/highest qualified 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 Finance Officer in writing and 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 by the Bay County Finance Officer because the criteria in Subsection (1) immediately above could not be met, then:
 - a. The recommendation to 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, 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 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 their 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, whether:
 1. To accept the recommendation of 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 their designee shall notify all bidders of the final action taken, either by 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 Finance Officer 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 their designee to the best value bidder through one of two procedures:
 - a. By facilitating the execution of a formal contract between Bay County and the successful bidder, 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

When 2 or more bidders have submitted equally qualified bids in the same dollar amount and that has caused an inability to decide which bid to accept, then, the selection of the selected bidder shall be determined in the following manner: The Purchasing Agent shall appoint a day for the appearance of all affected bidders before the Purchasing Agent for the purpose of determining by lot among such bidders right to the bid. The Purchasing Agent shall give written notice to all of the bidders whose bids are equally qualified. The Purchasing Agent shall prepare as many slips of paper as there are such persons, and write the word "bid accepted" on as many slips of paper as there are bids to be accepted, and the words "bid rejected" on the remaining slips, and fold the same so as to conceal the writing and so that they may appear as nearly alike as possible. The slips shall be placed in a box and, at the time and place appointed for the drawing of the lots, each of these bidders may draw 1 of the slips from the box, and any person drawing a slip on which is written the word "bid accepted" shall be deemed to be a selected bidder and the Purchasing Agent shall forthwith give him a certificate of bid award subject to any contingencies. The Purchasing Agent may appoint any person present to draw a slip for any affected bidder who fails to appear at the time specified in the notice.

K. EXTENSION OF DATES

As a result of extenuating circumstances, it may be necessary for the County to either extend the date which 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 their 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 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 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 Request for Proposal 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, bid solicitation, award, or disclosure of information marked confidential in the bid or offer:

1. Bidders may 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 their designee.
2. 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 their 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.
3. A bidder may file a protest within ten (10) working days after the date of the Notice of Intent by submitting the completed form to the Purchasing Agent or their designee or submitting a written protest.
4. Within seven (7) working days of the filing of the bid protest form, the Finance Officer or other County personnel as assigned, 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 Finance Officer regarding the bid protest filed under Subsection (2) of this section, the bidder(s) may address the Ways and Means Committee of the Board of Commissioners by requesting Finance Officer place their protest on the agenda of their next scheduled meeting. Said request must be in writing and received in 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 Finance Officer shall not award any bid until the protest has been settled, unless the Board of Commissioners or 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 or offerors whose bids(s), quotes(s), or proposal(s) were rejected enumerating the reasons for rejection.

APPENDIX A

GLOSSARY

Allowable Costs/Costs Principles. Requires that both direct and indirect costs meet certain criteria to be eligible for federal reimbursement. In addition, costs must conform to limitations or exclusions set forth in Circular A-87, allowable cost principles, or with limitations or requirements specified in the program regulations or agreement.

Bid Protest Form. A form filed by a bidder lodging a formal protest regarding the bid process.

Blanket Purchase Order. A purchase order issued to a vendor for a specific dollar amount, without identifying the items to be purchased or their value, that can be used by a department to purchase materials and/or supplies that will be purchased on a frequent or repetitive basis.

Centralized Purchasing. The function of procuring products and services for the entire County by a single Department.

Collusion. A secret agreement between two or more parties to defraud the County.

Debar. To prevent or prohibit, for a period of time not exceeding three (3) years, from participating in quoting or bidding on County needs, or providing products and/or services to the County.

Discrimination. The act of unjustly making a distinction without merit, favoring one person over another.

Embezzlement. The act of fraudulently obtaining County money or property for one's own use.

Emergency Procurement. The purchase of a product or service where there exists a threat to the public's health, welfare, or safety without having to abide by the requirements of the County's Purchasing Policy.

Employee. A nonrelated person, whether appointed or selected through a personnel selection procedure receiving a salary, wages, or other compensation from the County.

Federal Grant/Award. Federal financial assistance and federal cost reimbursement contract that non-federal entities receive directly from federal awarding agencies or indirectly from pass-through entities.

Gratuity. A payment, loan, subscription, advance deposit of money, services, or anything of more than nominal value, present or promised, tangible or intangible in the nature of gifts, favors, entertainment, discounts, passes, transportation, accommodations, hospitality, or offers of employment.

Highest Qualified Bidder. A Bidder who submitted the highest responsive bid, relative to the procurement of County property and who met all the requirements and specifications set forth in the request for proposal.

Immediate Family. Is a Spouse, Child, Step-child, Parent, Current Step-parent, Grandparent, Grandchildren, Parent-in-law, Son-in-law, Daughter-in-law, Sister, Brother, Sister-in-law, Brother-in-law, or a permanent member of the employee's family.

Large Purchase. Purchases costing \$20,000 or more.

Low Tie Bids. Are low responsive bids from responsible bidders that are identical in price and which meet all the requirements and specifications set forth in the Request for Proposal.

Lowest Qualified Bidder. A bidder who submitted the lowest responsive bid, relative to selling a product and/or providing a service to the County, who met all the requirements and specifications set forth in the request for proposal.

Minimal Purchase. Purchases costing \$500 or more, but less than \$1,000.

Minute Purchase. Purchases costing less than \$500.

Non-Employee. A person who is not an employee as defined in this Purchasing Policy.

Notice of Bid Action. A notice sent by the Purchasing Agent notifying all bidders of the final actions taken, either by Finance Officer or the Board of Commissioners regarding a bid award.

Notice of Cancellation. A notice sent by the Purchasing Agent notifying all bidders of a cancellation of a Request for Proposal(s), Invitation(s) for Bids/Quote(s), or any other solicitation.

Notice of Intent of Award Form. A form used by Finance Officer to notify the Board of Commissioners, the County Executive, and all bidders of their intent to award the bid to the lowest/highest qualified bidder on the eleventh (11th) working day from the date of the notice.

Notice of Recommendation. A notice sent by the Finance Officer, when he/she cannot directly award the bid, notifying all bidders of their recommendations, regarding the awarding of a bid, to the Ways and Means Committee of the Board of Commissioners, for their action.

Notice of Rejection. A notice sent by the Purchasing Agent to all bidders whose bid(s), quote(s), or proposal(s) were rejected enumerating the reasons for rejection.

Officer. Is a person elected, either at large or from respective districts, to the office of county commissioner; county executive; county prosecuting attorney; county sheriff; county clerk; county treasurer; county register of deeds; county drain commissioner; county circuit court judge; county district court judge; county probate court judge; and their deputies and appointees.

Petty (Imprest) Cash Purchase. Purchases costing less than \$100.

Program Income. Requires program income earned during the project period be retained by the recipient and be used in accordance with federal awarding agency regulations or the terms and conditions of the award.

Proprietary. Pertaining to property or ownership rights (e.g., trade secrets).

Prime Contractor. A person who has a contract with the County to build, alter, repair, improve, or demolish any public structure or building, or other real public improvements of any kind to any public real property.

Prudent Person Philosophy. A department shall carry out its ability to independently purchase products and services within the parameters of the Purchasing Policy 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 acts.

Purchase Order. A document which authorizes the delivery of specified merchandise or the rendering of certain services and the making of a charge for them.

Purchase Requisition. A document prepared by a requesting department used to initiate and facilitate the purchase of products or services by detailing the specific information regarding the product or service which they wish to purchase.

Qualified Based Selection (QBS). An objective, flexible procedure for obtaining architectural and engineering services..

Reporting. Requires that specific reports be filed (either financial and/or programmatic) and additional requirements that apply to those reports.

Request for Proposal. A document used to solicit sealed competitive bids for products and services costing more than \$15,000, which identifies all the requirements and specifications relative to the product or service the County wishes to purchase.

Sanction. A penalty for disobedience or violations.

Small Purchase. Purchases costing \$1,000 or more, but less than \$20,000.

Sole Source. Only one supplier of a requested product or service.

Subrecipient Monitoring. Requires recipients to (1) have an adequate subrecipient monitoring and follow-up system covering entities to which it has passed through funds, (2) identify to the subrecipient certain award information and requirements, and (3) determine whether an applicant for a non-Recovery Act subaward has provided a DUNS number before funds are awarded

Suspension. To prevent or prohibit, for a period of time not exceeding three (3) months, from participating in quoting or bidding on County needs, or providing products and/or services to the County.

ATTACHMENT A

SMART Goals Template

What exactly do I want to achieve (be Specific)?

How do you intend to Measure the goal?

How will you know the goal has been Achieved?

How Relevant is this goal to the overall Region?

What is the Timeframe (Time-bound)?

Adopted April 14, 1998
Amended February 9, 1999, Resolution No. 99-014
Amended March 9, 1999, Resolution No. 99-050
Amended December 12, 2000, Resolution No. 00-340
Amended February 6, 2001, Resolution No. 01-016
Amended August 10, 2004, Motion No. 131
Amended February 21, 2006 Resolution No. 06-023

BAY COUNTY BOARD OF COMMISSIONERS

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/19/13)

WHEREAS, Bay County has been approached by Bob and Ellen Charlebois with a request to renew kayak rental to Pinconning Park patrons; and

WHEREAS, The Charlebois' would post a sign with contact information and kayaks would be stored on a rack on site (Pinconning Park) with no added duties for staff; and

WHEREAS, For the 2012 season, 5% of the rentals was required to be paid to Bay County, however, due to the late season, the amount paid to the County was less than \$100; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes renewal of the kayak rental program for the 2013-2015 camping seasons at Pinconning Park to be operated by Bob and Ellen Charlebois with a 5 percent charge by the County, with a monthly report to be provided by the Charlebois'; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any and all documents related to the kayak rental program at Pinconning on behalf of Bay County; Be It Further

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

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Adm Serv - Kayak Rental Program - Pinconning Park

MOVED BY COMM. Krause

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

04/09/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/19/13)

WHEREAS, With approval of the Bay County Board of Commissioners, the Boys and Girls Club of Bay City and Pinconning run a summer Recreation Program for children throughout Bay County; and

WHEREAS, The program ensures children of Bay County a safe and fun leaning environment and offers a variety of activities and Bay County has assisted with this program and its success in recent years;

WHEREAS, The Bay County Board of Commissioners has always been supportive of summer programs for the youth of Bay County; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Boys and Girls Summer Recreation Program and appropriates \$13,000 for the operation of the program, monies to come from Fund Balance; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any documentation required for the Summer Recreation Program on behalf of Bay County following legal review/approval; Be It Finally

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

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Adm Serv - 2013 Summer Recreation Program - Boys and Girls Club

MOVED BY COMM. Krause

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

04/09/13

RESOLUTION

- BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/19/13)
- WHEREAS, Center Ridge Arms currently has three boilers, which are original to the building, are approximately 30 years old and have outlived their life expectancy; and
- WHEREAS, The boilers require regular repair work at a significant cost due to age and the necessary parts becoming obsolete; and
- WHEREAS, Energy efficient "smart" boilers, which run at a lower temperature and reduce both cost and energy, are available and it is important that the process of purchasing boilers begins now so the replacement can be accomplished before heat is needed in September; and
- WHEREAS, Given the cost to replace the boilers, an RFP is required; and
- WHEREAS, Funding to replace boilers is available from HUD through the Capital Fund Program grant; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes the purchase of new energy efficient boilers at Center Ridge Arms in accordance with adopted Purchasing Policy; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute any documents required to facilitate the boiler purchases on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That related required budget adjustments are approved.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Housing Dept - CRA - Boiler Replacement

MOVED BY COMM. Krause

SUPPORTED BY COMM. Lutz

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS
4/9/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/19/13)

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 David Engelhardt (Environmental Affairs/Transportation Planning) to purchase two (2) years and five (5) months of governmental service credit (1984 thru 1985 - Bangor Township and 1989 thru 1990 - City of Bay City) for retirement purposes in accordance with all terms and conditions contained in resolution no. 96-331.

BRANDON KRAUSE, CHAIR
 AND COMMITTEE

GovtServCredit-Retirement-David Engelhardt

MOVED BY COMM. Krause

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS
4/9/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/19/13)

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 Barry Hugo (Health Department/Environmental Health) to purchase one (1) year and seven (7) months of governmental service credit (10/4/1999 to May 2001 - Western Upper Peninsula District Health Department) for retirement purposes in accordance with all terms and conditions contained in resolution no. 96-331.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

GovtServCredit-Retirement-Barry Hugo

MOVED BY COMM. Krause

SUPPORTED BY COMM. Herek

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/19/13)

WHEREAS, Bay County has had a contractual arrangement with Delta College for the past 8 years for full use of the Delta College Fitness and Recreation Center through nine (9) shared corporate memberships; and

WHEREAS, The total cost for nine memberships (\$325/membership), shared among eligible County employees, is \$2,925; and

WHEREAS, County employee use of the Delta College Fitness and Recreation Center has been consistent with past years; and

WHEREAS, Funds for the memberships have been budgeted for 2013; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves renewal of the Delta College Fitness and Recreation Center Membership Agreement and authorizes the Chairman of the Board to execute said Agreement and all related documents on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Delta College Fitness Ctr Agt - 2013

MOVED BY COMM. Krause

SUPPORTED BY COMM. Coonan

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE		✓		KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: ✓ YEAS 6 NAYS 1 EXCUSED 0

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

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/19/13)

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. Division on Aging
 - A. On-call Drivers (2) (part time; \$9.88/hr.)
 - B. On-call Cook (part time; \$10.63/hr.)
2. Health Department
 - A. Registered Dietitian (WIC) (part time; \$19.06/hr.)
 - B. Analyst (Environmental Health) (Funded entirely by Great Lakes Restoration Initiative Grant; part time; \$17.40/hr entry)
 - C. Health Director (ft; \$62,254 to \$73,237 after 4 years)

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.

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Vacancies - April

MOVED BY COMM. Krause

SUPPORTED BY COMM. Lutz

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

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

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

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/9/13)

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

Accounts Payable:

3/13/13	\$ 435,110.93
3/14/13	\$ 118.65
3/20/13	\$ 400,000.25
3/27/13	\$ 459,661.28
4/03/13	\$ 287,652.58

BAYANET:

02/01/13 to 02/28/13

Payroll	\$ 6,815.22
Payables	\$ 75,926.41

Center Ridge Arms-Payables:

04/01/13	\$ 6,100.00
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ERNIE KRYGIER, CHAIR AND BOARD

Payables-April

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Herek

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

-64-

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/9/13)

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

Employment Status Report: March 2013

Workers' Comp Status Report: February 2013

ERNIE KRYGIER, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Herek

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

**CHANGES IN EMPLOYMENT STATUS
March, 2013**

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<u>NEW HIRES:</u>		
Ryan Manz Emergency Management Coordinator	Central Dispatch General Fund	3/11/2013
Kelly Dore Public Health Nurse - BSN	Health Department Health Funds	3/18/2013
Amanda Carmona Public Health Nurse - BSN	WIC Health Funds	3/25/2013
Joseph Gilles On-call Driver	Division on Aging Aging funds	3/25/2013
<u>NEW HIRES (Temporary/Status):</u>		
Sean Desjarlals Temp. CFO	Sheriff Department	3/25/2013
<u>SEPARATIONS:</u>		
Bryce Wilcox Zamboni Driver	Civic Arena	3/02/2013
Megan Snyder Public Health Nurse	WIC	3/01/2013
Deanna Grosart Deputy Court Clerk	District Court	3/08/2013
Russell Tanner Driver	Division on Aging	3/19/2013
<u>RETURN:</u>		
Ryan Gale TO: Asst. Chief Dispatcher FROM: Military Leave	Central Dispatch	3/01/2013

Personnel Department
April 3, 2013

WORKERS' COMPENSATION REPORT
February, 2013

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Ashley Deming	Sheriff Department	02/01/2013	Indemnity and Medical
Sandy Graff	Health Department	09/01/2012	Indemnity and Medical
Robert Kinde	Building and Grounds	12/03/2012	Medical only
Shirley Lijewski	Sheriff Department	07/13/2010	Legal only
Danielle Sizick	District Court	02/14/2013	Indemnity and Medical

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: March 7, 2013

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/9/13)
WHEREAS, The Michigan State Housing Development Authority (MSHDA) has authorized an amendment to Grant # MSC-2010-0757-HOA to extend the term of the grant from 7/1/2010 - 3/31/2013 to 7/1/2010 - 5/31/2013; and
WHEREAS, No other terms of the grant are being amended; Therefore, Be It
RESOLVED That the Chairman of the Board is authorized to execute the grant amendment and 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

MSHDA Grant Amendment - Term

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 Brandon Krause, Ernie Krygier, Vaughn J. Begick, Kim J. Coonan, Thomas M. Herek, and Donald J. Tilley.

VOTE TOTALS:

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

DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/9/13

RESOLUTION

- BY: BOARD OF COMMISSIONERS (4/9/13)
- WHEREAS, The Bay County Division on Aging is seeking to apply for a grant to the Banfield Charitable Trust through the Meals on Wheels Association of America for a grant to help support pet food distribution to Home Delivered Meal clients for companion animals; and
- WHEREAS, The purpose of the grant is to help assist the Division on Aging in providing a pet food delivery program that will enable homebound clients to receive food and litter for their companion animals; and
- WHEREAS, There is no financial cost to the Division on Aging as all costs associated with the project are included in the grant; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes the Director of Division on Aging to make application to the Banfield Charitable Trust to support pet food distribution to Home Delivered Meals clients; 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 BOARD

DOA - Banfield Charitable Trust Grant

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Lutz

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
BRANDON KRAUSE	✓			KIM J. COONAN	✓			MICHAEL E. LUTZ	✓		
ERNIE KRYGIER	✓			THOMAS M. HEREK	✓						
VAUGHN J. BEGICK	✓			DONALD J. TILLEY	✓						

VOTE TOTALS:

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

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

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: APRIL 9, 2013

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 40

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF
MARCH 12, 2013 AND SPECIAL BOARD SESSION MINUTES OF
MARCH 19, 2013 AS PRESENTED.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	X			Thomas Herek	X						
Vaughn J. Beglck	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: APRIL 9, 2013

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 41

TO RECEIVE THE LETTER DATED MARCH 15, 2013 FROM THE CITY OF BAY CITY REGARDING APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FROM MODERN MACHINE COMPANY, BAY CITY, MICHIGAN FOR PROPERTY LOCATED AT 1111 S. WATER STREET, IN THE AMOUNT OF \$250,000.00.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	X			Thomas Herek	X						
Vaughn J. Beglck	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: APRIL 9, 2013

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. KRAUSE

MOTION NO.: 42

TO RECEIVE THE LETTER DATED MARCH 21, 2013 FROM THE STATE OF MICHIGAN DEPARTMENT OF COMMUNITY HEALTH TO BARBARA MACGREGOR, HEALTH OFFICER OF BAY COUNTY HEALTH DEPARTMENT, REGARDING PARTICIPATION IN THE MICHIGAN LOCAL PUBLIC HEALTH ACCREDITATION PROGRAM.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	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: APRIL 9, 2013

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 43

TO RECEIVE THE BAY COUNTY DRAIN COMMISSIONER 2012 ANNUAL REPORT AS PRESENTED BY JOSEPH RIVET, DRAIN COMMISSIONER.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	X			Thomas Herek	X						
Vaughn J. Beglck	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: APRIL 9, 2013

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 44

TO CONCUR WITH THE RECOMMENDATION OF ADMINISTRATION, TO APPOINT JOEL STRASZ AS INTERIM DIRECTOR OF THE BAY COUNTY HEALTH DEPARTMENT EFFECTIVE APRIL 13, 2013, AS A RESULT OF THE RESIGNATION OF BARBARA MACGREGOR.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	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: APRIL 9, 2013

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 45

TO REFER RES. 2013-48, CONCURRING WITH THE COUNTY EXECUTIVE'S RECOMMENDATION TO APPOINT GREG PURTELL, VICE PRESIDENT OF HUMAN RESOURCES, MCLAREN BAY REGION, TO THE MICHIGAN WORKS! WORKFORCE DEVELOPMENT BOARD, BACK TO ADMINISTRATION.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	X			Thomas Herek	X						
Vaughn J. Beglck	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: APRIL 9, 2013

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 46

TO GO INTO CLOSED SESSION PURSUANT TO MCLA 15.268, SEC. 8 (h): TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE OR FEDERAL STATUTE. THE STATUTE RELIED UPON IS THE MICHIGAN FREEDOM OF INFORMATION ACT WHICH EXEMPTS FROM DISCLOSURE "PUBLIC RECORDS SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE." [MCL 15.243 (g)].

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	X			Thomas Herek	X						
Vaughn J. Beglck	X			Donald J. Tilley	X						

VOTE TOTALS:

ROLL CALL: **XX** YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: **ADOPTED** XX **DEFEATED** _____ **WITHDRAWN** _____

AMENDED _____ **CORRECTED** _____ **REFERRED** _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: APRIL 9, 2013

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 47

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED
SESSION DISCUSSIONS REGARDING LEGAL OPINION.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	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: APRIL 9, 2013

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 48

TO ADJOURN THE REGULAR BOARD MEETING OF APRIL 9,
2013 AT 5:35 P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygler	X			Thomas Herek	X						
Vaughn J. Beglick	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 _____

Senator and Representative

Please review the following State Revenue Sharing issue of concern.

Per our conversation from this morning and per your request, I am providing additional information that explains counties are again receiving cuts in state revenue sharing (SRS) under the governor's proposed 2013/2014 state budget. On the surface it would appear counties are receiving a \$10 million increase but in reality the 2013/2014 proposed SRS budget is a 22% or \$42 million cut. Attached is a spreadsheet prepared by the Michigan Association of Counties which shows that all counties are receiving cuts for 2013/2014 because the state is not fulfilling its share of the bargain under the 2004/2005 "roll forward" program.

In 2004/2005 counties agreed to forgo SRS over a period of time, in order to assist the State in balancing the budget and were promised a return of that funding once reserves from each respective counties "roll forward" program were depleted. The counties have saved the state over \$1 billion dollars since 2004/2005 but the state has not returned the counties to the funding level they were promised. Instead, what is happening is each county is receiving less funding because the state is not providing enough funding to cover counties who's "roll forward" program funds have been exhausted. Also, the state is not providing enough funding to comply with the level agreed to under the 2004/2005 "roll forward" program.

Tuscola County has been a leader for years in the work to reform and consolidate services for efficiency. Attached is a spreadsheet that shows the numerous service base consolidations resulting in tremendous saving, value and efficiency. We have satisfied all state compliance requirements to receive SRS but the state keeps raising the bar. We are spending considerable staff time to comply and receive SRS. This is a source of revenue counties already earned under the Glenn Steil State Revenue Sharing Act when they gave up local taxing authority.

Counties keep receiving less from this critical revenue source yet ironically are expected to continue to fund state mandated services. SRS is used by counties to fund a multitude of state mandated services including jails, courts, constitutional officers, elections and the public health systems. SRS coupled with major reductions in property values have stretched counties to their financial limit. Tuscola County is \$250,000 less than what it should be funded for 2014.

THE STATE HAS NOT LIVED UP TO THEIR PART OF THE BARGAIN ! Before funding new programs the state needs to live up to the 2004/2005 "roll forward" program by fully funding revenue sharing payments to counties in fiscal year 2013/2014. Counties are simply not being treated fairly. Even more frustrating is while counties receive a 22% cut, cities, villages and township receive a 4% increase.

Your review of this SRS inequity is appreciated and we trust you will do all you can to correct this situation in the best interests of the residents of Tuscola County. Thank you for your dedication in serving the citizens of Michigan.

Please contact me if you have any question or Ben Botkin (MAC Staff) at 517-712-4905.