

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, FEBRUARY 11, 2014

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

44-59

V MINUTES (1/14/14; 1/21/14)

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

VII PETITIONS AND COMMUNICATIONS

A. Public Hearings (4:00 p.m.)

1. Establishment of a Property Assessed Clean Energy Program P.A.C.E. Program (Res. No. 2014-30 on pages 39-42 of agenda)

1- 9

2. Ordinance for Civil Rights in Bay County Governmental Affairs (Note: Pursuant to Board Rules, comments will be solicited and the Ordinance is to be referred to "the appropriate committee and counsel to consider and evaluate the input and suggestions...at the public hearing". The referral committee (Personnel/Human Services Committee) will meet on February 18, 2014 at 4:00 p.m. and, if the Committee approves the draft Ordinance for recommendation to the full Board on March 11, 2014, a notice will be placed in the newspaper for 3 consecutive days advising that at the full Board meeting 3/11/14 at 4:00 p.m. there will be a vote considering final passage of the draft Ordinance. If the schedule is followed and the Ordinance approved, it will become effective 51 days after Board approval, i.e. May 1, 2014.)

- B. Presentation - Consumers Energy - Helping Neighbors and CARE (Consumers Affordable Resource for Energy) (Mary A. Kulis, Darlene Kusterer and Rob Cook, Consumers Energy representatives, will make presentation)
- C. Requests for March Appointment to Region VII Area Agency on Aging Advisory Committee **(Receive)**
 - 10 1. Melvin C. McNally (Incumbent)
 - 11 2. Kenneth Smith
 - 12-13 3. Zane Rybkowski
- D. City of Bay City - Application for Industrial facilities Tax Exemption Certificate - Baldauf Enterprises dba Kerkau Manufacturing - \$1,056,885.11

VIII REPORTS/RESOLUTIONS OF COMMITTEES

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

- 17-19 1. No. 2014-15 - Support for Retention of Current Income Tax Rate - Road Commission
- 20 2. No. 2014-16 - Equitable Sharing Program (Sheriff Dept.)
- 21 3. No. 2014-17 - Amendment # 2 to Comprehensive Planning, Budgeting and Contracting Agreement (CPBC) (Health Dept.)
- 22-23 4. No. 2014-18 - Control Material Bids (Mosquito Control)
- 24-25 5. No. 2014-19 - Light Trap Data Collector Agreements (Mosquito Control)
- 26 6. No. 2014-20 - Scrap Tire Projects (Mosquito Control)
- 27 7. No. 2014-21 - Radio Replacement (Phase Two) (Mosquito Control)
- 28 8. No. 2014-22 - Mechanic/Spray Technician (pt) (Golf Course)
- 29 9. No. 2014-23 - Fairway Mower (Golf Course)
- 30 10. No. 2014-24 - Waiver of Step Process for Hiring Information Systems Manager (Personnel)
- 31 11. No. 2014-25 - Corporation Counsel Transition - Marty Fitzhugh (Personnel)

32 12. No. 2014-26 - MSU Extension Annual Work Plan (MSU Extension)

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

33 1. No. 2014-27 - Vacancies: Mosquito Control; Community Corrections Program; Parks and Recreation Division; Buildings and Grounds; Payroll and Benefits

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

34 1. No. 2014-28 - Accounts Payable/BAYANET/Center Ridge Arms

35-38 2. No. 2014-29 - Reports of County Executive

39-42 3. No. 2014-30 - Establishment of a Property Assessed Clean Energy Program

43 4. No. 2014-31 - Reinstatement of Revenue Sharing - 2015

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

A. **2014 Appointments:**

1. MARCH:

a. **Bay Arenac Behavioral Health Authority (Four (4) year terms expiring: Boyd Boettger; James Anderson; Richard Gromaski; Colleen Maillette)**

b. **Region VII Area Agency on Aging Advisory Council (One 3 year term expiring: Melvin McNally)**

2. JUNE: Library Board (One 5 year term - Frank Quinn)

3. OCTOBER:

- a. **Land Bank Authority - One Township Representative, 3 year term - Terry Watson)**
- b. **Department of Human Services Board of Directors (One 3 year term - Mary Ewald Sayles)**

4. NOVEMBER: Building Authority (One 6 year term - Darrell Maciag)

5. DECEMBER: Division on Aging Advisory Committee (Four 2 year terms; districts 2, 4, 6 & 8 and At-large)

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: FEBRUARY 11, 2014

MOTION/ INTRODUCTION/ ADOPTED AMENDED CORRECTED DEFEATED REFERRED TABLED WITHDRAWN
 RES. NO. SUBMITTED BY SUBJECT OF RESOLUTION/MOTION

MOTION/ RES. NO.	INTRODUCTION/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2014-15	Ways and Means	Road Commission - Support for Retention of current Income Tax Rate	XX						
2014-16	Ways and Means	Sheriff Dept. - Equitable Sharing Program	XX						
2014-17	Ways and Means	Health Dept. - Amendment #2 to CPBC Agreement	XX						
2014-18	Ways and Means	Mosquito Control - Award Control Material Bids for 2014	XX						
2014-19	Ways and Means	Mosquito Control - 2014 Light Trap Data Collector Agreements (12)	XX						
2014-20	Ways and Means	Mosquito Control -Scrap Tire Projects, Environmental Rubber Recycling, Inc.	XX						
2014-21	Ways and Means	Mosquito Control - Radio Replacement (Phase Two)	XX						
2014-22	Ways and Means	Golf Course - Mechanic/Spray Technician, part time position	XX						
2014-23	Ways and Means	Golf Course - Fairway Mower purchase	XX						
2014-24	Ways and Means	Personnel - Waiver of Step Process for Hiring ISD Manager	XX						
2014-25	Ways and Means	Personnel - Corp. Counsel Transition, M. Fitzhugh legal services	XX						
2014-26	Ways and Means	MSU Extension - MSU Extension Annual Work Plan	XX						
2014-27	Personnel/Human	Vacancy; Mosq. Control, Comm. Correction, Parks/Rec., Bldg./Grds., Payroll/Benefits, Corp.Counsel	XX						
2014-28	Board of Comm.	Accounts Payable, Housing Dept. - Center Ridge Arms claims	XX						
2014-29	Board of Comm.	Reports of Executive: Employment 1/2014, Unemployment 4 th Quarter 2013	XX						
2014-30	Board of Comm.	Establishment of a Property Assessed Clean Energy Program (PACE)	(See Motion 25)						XX
2014-31	Board of Comm.	Reinstatement of Revenue Sharing - 2015	XX						

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)

WHEREAS, State, County and Municipal roads are deteriorating at a record pace due to under-funding for maintenance for the last 10 years; and

WHEREAS, the longer quality maintenance is deferred due to lack of funding, the more it will cost to bring our county and state road network back into quality condition; and

WHEREAS, our state and county are in the single worst economic downturn since the Great Depression and business development is less likely to occur if our road and highway infrastructure is failing; and

WHEREAS, investment in our road infrastructure will provide needed improvements and provide good paying jobs in our state and these wages will be spent in Bay County and Michigan to further assist our economy; and

WHEREAS, the Bay County Road Commission has seen its Michigan Transportation Fund (MTF) road maintenance revenue decline 9.6 percent over the last ten years and is projected by the Michigan Department of Transportation to increase by no more than 1% in 2014 and remain at that level into the foreseeable future; and

WHEREAS, the Bay County Road Commission has seen its costs for critical road maintenance materials and fuel rise substantially since 2004; and

WHEREAS, the Bay County Road Commission has instituted agency-wide efficiencies to deal with the detrimental effect of revenue reductions and increasing costs, including reducing its work force through attrition from 71 employees in 2002, to 53 employees in 2014, a 25% reduction in work force, and is currently under a hiring freeze and an eight year wage freeze; and

WHEREAS, the Bay County Road Commission has also found it necessary to reduce services, including:

- No longer plowing residential roads on overtime (nights and weekends).
- No longer paving any length of primary road each year other than with limited federal aid funds (previously paved 18 miles of primary road per year).
- Other services including patching, mowing and tree trimming are also gradually being reduced.

WHEREAS, in 2009, the Bay County Road Commission had 27 out of a total of 80 bridges or 34% with reduced legal load limits due to deterioration, increasing to 38 out of a total of 78 or 49%, an increase of 15% in just four years, of bridges that need major rehabilitation or replacement soon that cannot be funded under current conditions; and

WHEREAS, in 2009, the Bay County Road Commission had 147 miles or 40% of the total 367 miles of Primary roads with a PASER rating of 4 or below, indicating poor condition, increasing to 233 miles or 63% of the total 367 miles of Primary roads, an increase of 23% in just four years and *most troubling*, the Bay County Road Commission has not had a County-wide Primary Road Program since 2005, which repaired, rehabilitated or reconstructed, 1/20th of the overall Primary road system, allowing the Bay County Road Commission to "*Keep the Good Roads Good*" and enabling the Bay County Road Commission to keep all the Primary roads in the County at a PASER rating of 6 or above; and

WHEREAS, 233 miles or 35% of the Bay County Road Commission's 669 miles of local roads have PASER rating of 4 or below, indicating poor condition, most of which cannot be addressed under the current funding conditions and has forced the Bay County Road Commission to return four miles of paved road to gravel in Mt. Forest Township in 2013 with more mileage planned in 2014 and beyond; and

WHEREAS, the state and other county road commissions in the state have either laid people off, reduced employment by attrition, shut down operations, or restricted maintenance schedules, such as snow removal, to weekdays; and

WHEREAS, When compared to other states, Michigan's state and local transportation funding has ranked 42nd or worse, for more than four decades (statistics derived from the County Road Association of Michigan); and

WHEREAS, gas tax revenues generated in 1999 were virtually the same as those in 2011 and only 1.6% greater in 2013 (0.013% increase per year), further verifying road funding has not kept pace with material cost increases or inflation; and

WHEREAS, the current Governor Snyder administration and past Governor Granholm administration both concluded and presented to the Michigan Legislature and people of Michigan that Michigan is short approximately \$1.2 billion a year to address highway and road issues in the state, and, in addition, numerous other voices across the state – many major newspapers, road industry trade associations, municipal and county associations, labor associations and chambers of commerce have expressed that Michigan must invest more dollars into road maintenance.

WHEREAS, in January, 2014 it was announced that Michigan will experience a surplus of funds in 2014 due to the reduction of the income tax rate that could generate up to \$1.0 billion; and

WHEREAS, this administration and the previous administration have concluded the funding needed to address Michigan's roadways is in excess of \$1.2 billion, to which minimal action has been taken by any administration to direct or obligate any funding to address this issue, especially at the local level, which is contrary to the State's Asset Management based approach whose slogan is "*Keep the Good Roads Good*"; and

WHEREAS, this administration has a unique opportunity to address Michigan's deteriorating road and bridge infrastructure by a means that does not require raising existing taxes or instituting new taxes, by allowing current enacted legislation to continue un-amended, resulting in a funding excess estimated at \$1.0 billion, which can be directly appropriated to repairing road and bridge infrastructure; and

RESOLVED, That the Board of Bay County Board of Commissioners goes on record in support of the Bay County Road Commissioners' request that the Governor and the Michigan Legislature retain the current Income Tax rate and direct the generated funding surplus to improve Michigan roads, bridges and highways, especially at the local Road Commission and Township level; and

RESOLVED, That this Resolution be forwarded to Michigan Governor Rick Snyder, each member of the Bay County delegation of the State Legislature, and the other 82 counties and each of the 14 Townships in Bay County.

KIM COONAN, CHAIR
AND COMMITTEE

Road Commission - Support for Retention of Current Income Tax Rate

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

2/11/14

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)
 WHEREAS, The US Department of Justice, Department of the Treasury, has submitted an Equitable Sharing Agreement and Certification to the Bay County Sheriff Department; and
 WHEREAS, This Agreement allows for participation in the federal equitable sharing program and outlines restrictions upon the use of federally forfeited cash, property, proceeds and interest earned thereon, which are equitably shared with the participating law enforcement agencies; and
 WHEREAS, The Bay County Sheriff Department has been involved in this program since 2007 and has received significant funds as the result of participation in this program; and
 WHEREAS, The Board Chair's signature is required on the Equitable Sharing Agreement; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners authorizes the Chairman of the Board to execute Equitable Sharing Agreement and Certification on behalf of Bay County, said Agreement having been approved as to form by Corporation Counsel; Be It Further
 RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR
 AND COMMITTEE

Sheriff - Equitable Sharing Agt & Certification - FY 2013

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

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

BAY COUNTY BOARD OF COMMISSIONERS

2/11/14

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)

WHEREAS, The 2013-2014 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, This Amendment reflects adjustments to funding levels as follows:

a. Allocation Changes – Existing Projects

Project Title	Current Amount	Amended Amount	New Project
Eat Safe Fish	50,706.00	2,578.00	53,284.00
Public Health Emergency Preparedness (PHEP) 10/1/13 – 6/30/14	93,432.00	1,948.00	95,380.00
TOTAL :	144,138.00	4,526.00	148,664.00

b. New Allocation – New Projects

Project Title	Current Amount	Amended Amount	New Project
Biomonitoring of Persistent Toxic Substances in Michigan Urban Fisheaters	0.00	0.00	0.00
TOTAL :	0.00	0.00	0.00

WHEREAS, The increase for the Eat Safe Fish and Public Health Emergency Preparedness reflects the remainder of the allocation for the coming year that was not on the original CPBC contract from by the Michigan Department of Community Health (MDCH). The second allocation under "New Projects" reflects the extension of the project that monitors sustenance fish eaters in Saginaw Bay Area and allows for the Health Department to be reimbursed for services rendered under that project; Therefore Be It

RESOLVED That the Bay County Board of Commissioners approves amendment #2 to the 2013-2014 CPBC Contracting Agreement; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute and submit electronically (if required) the grant documents (application, grant award, amendments, and all related 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 - Amendments to 2013-14 CPBC Agt

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

2/11/14

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)
WHEREAS, The Bay County Mosquito Control Director opened control material bids jointly with Midland and Tuscola Counties on 1/15/14; and
WHEREAS, Analysis of the control material bids resulted in a recommendation to award the control materials bid to the lowest qualified bidder, copy of 2014 insecticide bid summary attached; and
WHEREAS, The total cost of the control materials will not exceed the 2014 budgeted funds; Therefore, Be It
RESOLVED By the Bay County Board of Commissioners that the control materials bid for Bay County Mosquito Control for 2014 is awarded to the lowest bidder based on the insecticide bid summary attached; Be It Further
RESOLVED That the Chairman of the Board is authorized to sign any required documents following legal review/approval; Be It Finally
RESOLVED That budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Mosquito Control - Control Material Bids

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Herek

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

**Midland, Bay & Tuscola County Mosquito Control Agencies
2014 INSECTICIDE BID SUMMARY**

16-Jan-14

Material	Amount		Vendor - Unit Price (pound, gallon, case)					
	B	Bay	Adapco	All Pro Vector Group	Clarke	Helena	Univar USA	Valent Biosci.
	M	Midland						
T	Tuscola							
A. Abate 5%PG	M	1,584 lb.	N.B.	N.B.	\$15.45 4	N.B.	N.B.	N.B.
B. Temephos 4E	M	10 gal.	N.B.	\$203.00	\$217.00 4	N.B.	N.B.	N.B.
C. Larvicide Oil		Brand	BVA -2		Coco Bear	BVA-2	Kontrol	
	M	1,650 gal.	\$7.70	N.B.	\$16.94 4	\$8.03	\$8.65	N.B.
	T	550 gal.	\$8.06	N.B.	\$17.69 4	\$8.03	\$8.95	N.B.
D. Altosid Pellets	M	1,320 lb.	\$25.05	N.B.	\$25.05	N.B.	\$25.05	N.B.
E. Altosid XR Briq.	M	2 case	\$682.00	N.B.	\$682.00	\$615.40	\$682.00	N.B.
F. ULV Permethrin		Brand	Perm-X 4-4	Evoluer 4-4	Biomist 4+4	Perm-X 4-4	Kontrol 4-4	
	B	2,475 gal.	\$12.01 62	\$12.30	\$17.90	\$12.18	\$14.41	N.B.
	M	3,850 gal.	\$12.01 62	\$12.30	\$17.90	\$12.18	\$14.41	N.B.
	T	4,950 gal.	\$12.01 62	\$12.30	\$17.90	\$12.18	\$14.41	N.B.
G. Cythion ULV	M	55 gal.	N.B.	N.B.	5	N.B.	N.B.	N.B.
H. BTI Liquid	M	3,730 gal.	\$26.68 2	N.B.	N.B.	N.B.	N.B.	\$26.29 7
	T	540 gal.	\$30.59 2	N.B.	N.B.	N.B.	N.B.	\$26.29
I. B.sphaericus G	B	1,000 lb.	\$5.98 3	N.B.	\$6.08	N.B.	N.B.	N.B.
J. Natular XRT	B	10 cases	N.B.	N.B.	\$906.40 4	N.B.	6	N.B.

notes:

- 1 Alternate Bids offered: Pursuit 4-4 @ \$13.58/gal
- 2 2015 & 2016 pricing offered: No more than 5% increase/yr
- 3 2015 & 2016 pricing offered: \$6.04/lb and \$6.12/lb
- 4 5% discount offered for Abate, Oil and Natular:
purchase by Feb. 28, delivery by March 31

- 5 Alternate Bid: Mosquito Mist 2+2 @ \$48/gallon
- 6 Alternate Bid: Altosid XR @ \$682/case
- 7 2015 & 2016 pricing offered:
2015 - \$26.97/gal, 2016 - \$27.65/gal.

BAY COUNTY BOARD OF COMMISSIONERS

2/11/14

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)

WHEREAS, Through contractual arrangement, the Bay County Mosquito Control Department locates 12 New Jersey Light Traps in various parts of Bay County which are monitored by senior citizens; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Light Trap Data Collector's Contracts between Bay County and various individuals (12) (listing attached) are approved and the Chairman of the Board authorized to execute said Agreements on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That the light trap collectors shall be reimbursed at the rate of \$45 per month for the months of June, July, August and September, totaling \$2,160 for the season, funds budgeted in the Mosquito Control 2014 budget.

KIM COONAN, CHAIR AND COMMITTEE

Mosquito Control-2014 Light Trap Data Contracts

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Begick

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

2014 LIGHT TRAP NETWORK

1. Bernice Bellor	2294 Ballor Lane (Fraser)	Linwood 48634	697-3614
2. Beverly Eschenbacher	204 Grant Street (Williams)	Auburn 48611	662-6652
3. Robert Gilbert	506 Columbian (BCW) (506 Columbian)	Bay City 48706	686-4867
4. Marjorie Jezewski	4792 Three Mile Road (Monitor)	Bay City 48706	684-2555
5. Ruth Kridler	2545 Old Beaver Rd (Kawkawlin)	Kawkawlin	686-3317
6. Donna Kruchowski	616 Third Street P.O. Box 211 (Pinconning)	Pinconning 48650	879-4605
7. Jeff Lambert	1526 Helen St LT @ 1600 S. Grant (BCE)	Bay City 48708	892-0459
8. Jerry Maxson	PO Box 233 (Mt. Forest)	Standish MI 48658	879-2433
9. Eileen Ostash	368 S. Trumbull Road (Portsmouth)	Bay City 48708	892-2311
10. Rev. Carl F. Trosien (trozeen)	1611 Nebobish (Essexville)	Essexville 48732	893-7224
11. John Zawilinski	51 Spruce Ridge Dr (BCW)	Bay City 48706	686-3554

* Light Trap Contracts 240.00-620.00-802.02

**BAY COUNTY BOARD OF COMMISSIONERS
2/11/14
RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (2/4/14)

WHEREAS, A major part of Bay County Mosquito Control's source reduction is the residential scrap tire projects which provide a way for homeowners to dispose of unwanted tires from around their yards and neighborhoods; and

WHEREAS, The overwhelming response generated by the scrap tire projects has been encouraging and two scrap tire projects have been scheduled for 2014; and

WHEREAS, Environmental Rubber Recycling, Inc. has provided past tire disposal services and has indicated that there will be no price change for tire disposal in 2014, the fee will be a flat rate of \$1,650 per trailer; and

WHEREAS, Funds are included in the 2014 Mosquito Control budget for these services; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the 2014 Scrap Tire Project/Agreement between the County of Bay and Environmental Rubber Recycling, Inc., for the disposal of accumulated used tires within Bay County known to be, or to have, the potential to become mosquito breeding sites, is approved and the Chairman of the Board authorized to execute said Agreement on behalf of Bay County, subject to favorable legal review/approval; Be It Further

RESOLVED That budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Mosquito Control - Scrap Tire Contract - 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

2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)

WHEREAS, Due to F.C.C. Narrow Banding requirements as of January 1, 2013, Bay County Mosquito Control must replace its radio system; and

WHEREAS, Phase one replacement of 20 obsolete radios was completed in May, 2013; and

WHEREAS, Phase two will complete the radio purchases and all vehicles will have the necessary radios; seven additional radios will also be purchased; and

WHEREAS, Purchase and installation of 13 new mobile radios in vehicles, purchase of 7 additional hand-held units, and the re-programming of existing units to digital format, 3 year warranty, is estimated to cost \$19,999.99 which includes a trade-in rebate and extra 5% discount; funds have not been budgeted in 2014 for this purchase, however, funds exist in Mosquito Control fund balance; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the purchase/ installation of 13 mobile radios, 7 hand-held radios, and the re-programming of existing radios at a cost not to exceed \$20,000, funds coming from the Mosquito Control budget; Be It Further

RESOLVED That the required related budget adjustment(s) are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Mosquito Control - Radios

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)

WHEREAS, The Greenskeeper position at the Bay County Golf Course was eliminated in the 2014 budget due to budgetary shortfalls with a savings realized by the Golf Course in the amount of \$62,917 and the current employee has the option to retire or bump pursuant to union contract language; and

WHEREAS, Due to the nature of the work at the Golf Course, it is essential that there is a certified employee able to assist the Grounds Superintendent in mechanical work, spraying, irrigation work, and other essential two-person skilled jobs at the Golf Course; and

WHEREAS, The needed restructuring of staff will allow the needed reduction in the budget, as well as meet the needs of maintenance staff in order to keep the course in the same condition as in the past; and

WHEREAS, The 1000 hour part-time position will be TU-07 - \$14.37 to \$17.06 per hour, not to exceed \$19,896) and the hired person should be placed in the pay level based on experience and skill; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the 1000 hour part-time Mechanic/Spray Technician position at the Bay County Golf Course to be paid between \$14.37 and \$17.06 per hour (not to exceed \$19,896) based on experience and skill, monies to come from the Golf Course Fund; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Golf Course - Part time Mechanic/Spray Technician

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 _____

-28-

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)

WHEREAS, The existing Fairway mower at the Bay County Golf Course, one of the most frequently used pieces of equipment, is 14 years old with 5,200 hours and, is beyond its life expectancy with major repairs possibly exceeding \$12,000; and

WHEREAS, The estimated cost of a Fairways mower is approximately \$48,000 and and RFP is now required since the companies utilized for quotes use MI-Deal which is the lowest price available; and

WHEREAS, Administration is requesting authorization to purchase a new Fairway mower only in the event there is a catastrophic failure in the existing mower at the Golf Course; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the purchase a new Fairway mower at the Golf Course only in the event there is a catastrophic failure in the existing mower, monies to come from the Golf Course Fund and, if insufficient, from General Fund Fund Balance; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Golf Course - Mower Replacement

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

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

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)
 WHEREAS, Resolution no. 2013-88 approved the hiring of an Information Systems Manager at up to an MB-13 level, hire rate (\$59,300 annually-2014); and
 WHEREAS, A highly qualified candidate for this position with 15 years experience in a similar position with supervision over 15 employees has been selected. The other candidates were not nearly as qualified in experience, education and managerial components; and
 WHEREAS, The individual has a broad background in all areas of information systems, both in hardware and software and has a bachelors and master's degree in computer information systems and administrative science, respectively; and
 WHEREAS, The candidate has been offered the position and she has accepted but only if the County could offer a salary of at least \$65,000 which can be accomplished by hiring her at a 3rd year rate for MB-13; and
 WHEREAS, The candidate is aware that the job could not be raised beyond an MB-13 level (which caps out at \$68,432 after 4 years) and she is satisfied with the range of MB-13 being appropriate, but not the starting salary; and
 WHEREAS, This position was budgeted for 2014 but because of the delay in filling it, the net cost of this position for 2014 will not require a budget adjustments; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves waiver of the step process in hiring the Information Systems Manager with the candidate hiring in at an MB-13, 3 year level - \$66,185.60.

KIM COONAN, CHAIR
 AND COMMITTEE

Personnel - Information Systems Manager - Waiver of Step Process

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

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

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (2/4/14)
 WHEREAS, With the retirement of Marty Fitzhugh March 1, 2014, applications are being accepted for Corporation Counsel positions until 2/6/14, however, it is unlikely that a candidate will be selected much sooner than two weeks following; and
 WHEREAS, In all likelihood, the candidate will give two weeks' notice to his/her employer; and
 WHEREAS, It is possible that Ms. Fitzhugh's services may be required to do limited on-going work during the short period in which the position may not be staffed; and
 WHEREAS, Depending on whether the successful candidates have governmental/municipal experience, the amount of time needed for training is variable; and
 WHEREAS, It is recommended that up to 500 hours at \$43.36, with no additional benefits, be approved for Ms. Fitzhugh's services; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the Corporation Counsel transitional request, i.e. 500 hours at \$43.36/hr. for legal services provided by Marty Fitzhugh, monies to come from the Corporation Counsel budget; Be It Further
 RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
 AND COMMITTEE

Corporation Counsel - Transition Legal Services

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

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

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (2/4/14)
- WHEREAS, MSU Extension submits for approval an Annual Work Plan which reflects the contributions of MSU Extension and Bay County for delivery of MSU Extension programs; and
- WHEREAS, The amount reflected in the Annual Work Plan is paid to MSU Extension through quarterly payments for the following: operating costs (travel, communication, office expenses) for MSUE funded Educators; Coordinator of 4-H program in the county; and operating costs for 4-H program in county; and
- WHEREAS, The base assessment for Bay County is \$63,331 and Bay County will receive a \$56,700 credit towards this assessment due to the 4-H Program Coordinator being a Bay County staff member and salary/fringe and operating is paid by Bay County; and
- WHEREAS, In addition to the county assessment, the Annual Work Plan FY 2014 reflects 50% of the Family Consumer Science Extension Educator salary and fringe (\$45,940) under the MoA; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Annual Work Plan FY 2014 between Bay County and MSU Extension and authorizes the Board Chair to execute the required documentation on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That required related budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

MSU - Annual Work Plan FY 2014

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Begick

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

2/11/14

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/21/14)

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:

SEASONAL:

- a. Mosquito Control - Thirty (3) Seasonal Field and/or Biology Technicians (temporary, \$8.00/hr. day shift and \$10.00/hr. night shift)

VACANCIES:

- a. Community Corrections Program - Community Corrections Coordinator (ft, \$37,274 entry)
- b. Parks and Recreation Division - Equipment Operator/Fabricator (ft, \$14.37/hr. entry)
- c. Buildings and Grounds (Law Enforcement Center) - Maintenance IV (ft, \$15.81/hr. entry)
- d. Payroll and Benefits Division - Typist Clerk II (pt, \$11.95/hr. entry)
- e. Department of Corporation Counsel - Corporation Counsel (ft, PN11 \$60,064 entry)

RESOLVED That budget adjustments, if required, are approved.

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

BRANDON KRAUSE, CHAIR
AND COMMITTEE

Vacancies - February

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

2/11/2014

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (2/11/14)

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

Accounts Payable:

01/15/14	\$ 409,486.50
01/15/14	\$ 127,962.79
01/22/14	\$ 484,771.83
01/22/14	\$ 101,476.72
01/29/14	\$ 522,564.18
01/29/14	\$ 136,704.64
02/05/14	\$ 505,181.46
02/05/14	\$ 275,967.67

Housing Department - Center Ridge Arms:

January 16, 2014 \$ 49,482.86

ERNIE KRYGIER, CHAIR
AND BOARD

Payables-February 2014

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 _____

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (2/11/14)

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

Employment Status Report: January 2014

Unemployment Report - 4th Quarter 2013

ERNIE KRYGIER, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. Tilley

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 7 NAYS 0 EXCUSED 0

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

**CHANGES IN EMPLOYMENT STATUS
January, 2014**

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<u>NEW HIRES:</u>		
Jennifer Malott Dispatcher	Central Dispatch 911 Funds	1/02/2014
Michael Rayl Dispatcher	Central Dispatch 911 Funds	1/02/2014
Mary Jane Tacey Retirement Admin./Acct.	Personnel/Emp. Relations Retirement Funds	1/06/2014
Cristen Lipinski Department Director	Recreation & Facilities General Funds	1/06/2014
Abigail Garlick Court Clerk	Circuit Court General Funds	1/13/2014
Daniel Elliott Maintenance II	Housing Department HUD funds	1/22/2014
<u>NEW HIRES (Temporary/Seasonal/On-call):</u>		
Melissa Rieman Temporary Legal Secretary	Criminal Defense	1/21/2014
Judy Delestowicz Temp. Account Clerk IV	Finance Department	1/24/2014
<u>TRANSFERS:</u>		
Robert Markille TO: Mechanical Contractor FROM: Maintenance IV	Building and Grounds Building and Grounds	1/14/2014
Jamie Yelsik TO: Typist Clerk III FROM: Account Clerk III	Register of Deeds Treasurer's Office	1/08/2014
Tim Fedak TO: Lead Equip. Operator FROM: Equipment Operator	Building and Grounds Building and Grounds	1/20/2014
<u>SEPARATIONS:</u>		
Melanie Perry Community Health Educator (Part-time)	Health Department	12/31/2013

Michael Rayl Dispatcher	Central Dispatch	1/21/2014
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Andrew Grochulski Road Patrol Deputy	Sheriff Department	1/16/2014
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Kristy Bray Senior Family Evaluator	Friend of the Court	1/31/2014
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SEPARATIONS: (Temporary/Seasonal)

Tim Keyes Temp. Maintenance II	Housing Department	12/20/2013
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RETIREMENT:

Judy Delestowicz Account Clerk IV	Finance	1/23/2014
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Catherine Odney Register of Probate	Probate Court	1/23/2014
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Personnel Department
February 3, 2014

UNEMPLOYMENT REPORT
4th QUARTER, 2013
Total: \$14,270.83

Name	Department
Patricia Bostick	Administrative Services
Robert Metcalfe	Administrative Services
Bert Mendoza	Building and Grounds
Brian Lorenz	Central Dispatch
David Gill	Civic Arena
Sara Julian	Division on Aging
Barry Hugo	Environmental Health
Mike Finan	Golf Course
Richard Rapin	Golf Course
Gregory McMath	Juvenile Home
Sanford DeGreif	Mosquito Control
James Hughes	Mosquito Control
Rachel Lauria	Mosquito Control
Tracey O'Driscoll	Mosquito Control

Submitted by: Tiffany Jerry/Bay County Finance Dept.
Date: January, 2014

NO. 2014-30
COUNTY OF BAY
STATE OF MICHIGAN

**RESOLUTION APPROVING THE ESTABLISHMENT
OF A PROPERTY ASSESSED CLEAN ENERGY PROGRAM**

Minutes of a regular meeting of the Board of Commissioners of Bay County, Michigan (the "County"), held on the _____, at _____, prevailing Eastern Time.

PRESENT: Commissioners _____

ABSENT: Commissioners _____

WHEREAS, the Board of Commissioners of Bay County, Michigan previously has adopted a Resolution of Intent to authorize the establishment of a property assessed clean energy program ("PACE Program") and create a PACE district pursuant to Act No. 270, Public Acts of Michigan, 2010 ("Act 270"), for the purpose of promoting the use of renewable energy systems and energy efficiency improvements by owners of certain real property; and

WHEREAS, the Board of Commissioners hereby finds that financing energy projects is a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the County; and

WHEREAS, the types of energy projects, either energy efficiency improvements or renewable energy systems, that may be financed under the PACE Program include, but are not limited to: insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems; storm windows and doors; multi-glazed windows and doors; heat-absorbing or heat-reflective glazed and coated window and door systems; and additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption; automated energy control systems; heating, ventilating, or air-conditioning and distribution system modifications or replacements; caulking, weather-stripping, and air sealing; replacement or modification of lighting fixtures to reduce the energy use of the lighting system; energy recovery systems; day lighting systems; installation or upgrade of electrical wiring or outlets to charge a motor vehicle that is fully or partially powered by electricity; measures to reduce the usage of water or increase the efficiency of water usage; any other installation or modification of equipment, devices, or materials approved as a utility cost-savings measure by the Board of Commissioners; a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity. Renewable energy resources include, but are not limited to: biomass (includes a biomass stove but does not include an incinerator or digester); solar and solar thermal energy; wind energy; geothermal energy and methane gas captured from a landfill; and

WHEREAS, the Board of Commissioners conducted a public hearing on _____, 2013, at _____, in the Board of Commissioners office, 515 Center Avenue, Ste. 405, Bay City, Michigan 48708 to receive comments on the proposed PACE Program, including the Report referenced in Section 9(1) of Act 270 (the "PACE Report"); and

WHEREAS, the Board of Commissioners intends to establish a PACE Program as described in the PACE Report, so as to provide a property owner based method of financing and funds for energy projects, including from the sale of bonds or notes which shall not be a general obligation of the County, amounts advanced by the County from any other source permitted by law, or from owner-arranged financing from a commercial lender, which funds and financing shall be secured and repaid by assessments on the property benefited, with the agreement of the record owners, such that no County moneys, general County taxes or County credit of any kind whatsoever shall be pledged, committed or used in connection with any project as required by, and subject to Act 270.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The PACE Program for the County is established and approved.
2. The PACE district, having the same boundaries as the County's jurisdictional boundaries, is established.
3. The PACE Program constitutes a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the County.
4. The PACE Report is incorporated herein in full by reference, and is approved and adopted.
5. The County formally joins Lean & Green Michigan™ and Levin Energy Partners, LLC is designated as PACE administrator to administer the PACE Program.
6. In accordance with the PACE Report, amendments to the PACE Program shall not require a public hearing, with the exception of amendments regarding property eligibility parameters found in paragraph 11 of the PACE Report.
7. In accordance with Act 270, an assessment imposed under the PACE Program, including any interest on the assessment and any penalty, shall constitute a lien against the property on which the assessment is imposed until the assessment, including any interest or penalty, is paid in full. The lien runs with the property and has the same priority and status as other property tax and assessment liens. The County has all rights in the case of delinquency in the payment of an assessment as it does with respect to delinquent property taxes. When the assessment, including any interest and penalty, is paid, the lien shall be removed from the property. The County Executive, or his designee,, are authorized and directed to execute and

deliver any special assessment agreement, document or certificate necessary or appropriate to create, establish and record an assessment under the PACE Program.

8. In accordance with Act 270, installments of assessments due under the PACE Program may be included in each summer and winter tax bill issued under the General Property Tax Act, 1893 PA 206, MCL 211.1 to 211.155 ("Act 206"), and may be collected at the same time and in the same manner as taxes collected under Act 206. Under owner-arranged financing, the County may impose an assessment and forward payments to the commercial lender or the record owner may pay the commercial lender directly. In all projects where the property owner will pay the installments of assessments through periodic payments to the County, the PACE special assessment agreement will provide for the County to be reimbursed for the actual costs of administering the billing and payment process.

9. The County may join with any other local unit of government, or with any person, or with any number or combination thereof, by contract or otherwise as may be permitted by law, for the implementation of the County's PACE Program, in whole or in part, and the County Executive, or his designee, are authorized to execute and deliver such documents, agreements or certificates as may be necessary or advisable to permit the cooperative implementation of the PACE Program as provided by Act 270 or other applicable law.

10. The County Executive, or his designee, are authorized to sign necessary documents, agreements or certificates, and to take all other actions necessary or convenient to implement a PACE Program consistent with the PACE Report.

11. All resolutions and parts of resolutions inconsistent with this Resolution are repealed to the extent of such inconsistency.

YEAS: Commissioners _____

NAYS: Commissioners _____

RESOLUTION DECLARED ADOPTED.

Cynthia A. Luczak
County Clerk

- 41 -

I HEREBY CERTIFY that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of Bay, Michigan, at a regular meeting held on _____, 2013, at _____, prevailing Eastern Time, and that public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by Act 267.

Cynthia A. Luczak
County Clerk

21482753.1\DEPT-PBFN

BAY COUNTY BOARD OF COMMISSIONERS

2/11/2014

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, In the Governor's recommendation for the FY 2015 budget, counties are scheduled to receive 100% full funding of revenue sharing totaling \$211,134,899; and

WHEREAS, This will bring counties to the level of revenue sharing agreed upon in 2004 for the 2005 FY; and

WHEREAS, The attached spreadsheet details the full funding allocations for FY 2015 for each county; and

WHEREAS, This marks the first time in fourteen years that the administration has recommended full funding for county revenue sharing; and

WHEREAS, Counties have worked diligently for the past decade by leading the effort to reform, consolidate, and right size government in an effort to increase efficiency and adjust declining revenues; and

WHEREAS, Revenue sharing is more than just a pot of money to be allocated in whole or in part to counties but is a statutory promise made to counties in exchange for giving up local taxing authority and for a more recent change in local taxing administration; and

WHEREAS, Revenue sharing is used by counties to pay for the multitude of state mandated services including the courts, the jails, the constitutional officers, elections and the public health system and, coupled with the recent reductions in property values and increased mandated state service delivery, counties are stretched to the financial limit; Therefore Be It

RESOLVED, That the Bay County Board of Commissioners would like to thank the Governor for fully funding county revenue sharing payments fiscal year 2015; Be It Further

RESOLVED, That the Bay County Board of Commissioners calls upon the state legislature to live up to their promise and adopt the Governor's recommendation for fully funding county revenue sharing in FY 2015; Be It Finally

RESOLVED, That copies of this resolution be forwarded to the Governor, our State Legislators, and the Michigan Association of Counties.

ERNIE KRYGIER, CHAIR
AND BOARD

Revenue Sharing
MOVED BY COMM. Tilley

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 7 NAYS 0 EXCUSED 0

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



FY 2015 Governor Recommendation
Full Funding for County Revenue Sharing

TOTAL
\$211,134,891

County	FY 2014 Appropriation	Exec. Rec. FY 2015 Full Funding	Increase over FY 2014 Appropriation
Alger	\$153,281	\$191,722	\$38,441
Allegan	\$1,798,266	\$2,249,250	\$450,984
Alpena	\$581,800	\$727,709	\$145,909
Arenac	\$269,045	\$336,518	\$67,473
Baraga	\$149,869	\$187,454	\$37,585
Barry	\$917,369	\$1,147,434	\$230,065
Bay	\$2,065,870	\$2,583,966	\$518,096
Benzie	\$0	\$333,039	N/A
Berrien	\$2,912,427	\$3,642,830	\$730,403
Branch	\$773,292	\$967,225	\$193,933
Calhoun	\$2,395,979	\$2,996,863	\$600,884
Cass	\$832,455	\$1,041,225	\$208,770
Cheybogan	\$0	\$304,634	N/A
Chippewa	\$573,860	\$717,778	\$143,918
Clare	\$515,942	\$645,334	\$129,392
Clinton	\$546,612	\$1,334,321	\$787,709
Crawford	\$0	\$243,604	N/A
Delta	\$641,278	\$802,102	\$160,824
Dickinson	\$457,940	\$572,786	\$114,846
Eaton	\$1,771,839	\$2,216,196	\$444,357
Grand Traverse	\$0	\$1,517,350	N/A
Genesee	\$7,901,123	\$9,882,633	\$1,981,510
Gladwin	\$407,184	\$509,301	\$102,117
Gogebic	\$270,902	\$338,841	\$67,939
Gratiot	\$686,494	\$858,658	\$172,164
Hillsdale	\$750,497	\$938,712	\$188,215
Houghton	\$545,591	\$682,419	\$136,828
Huron	\$640,624	\$801,286	\$160,662
Ingham	\$4,867,925	\$6,088,744	\$1,220,819
Ionia	\$941,489	\$1,177,604	\$236,115
Iosco	\$424,833	\$531,376	\$106,543
Iron	\$216,366	\$270,628	\$54,262
Isabella	\$994,164	\$1,243,488	\$249,324
Jackson	\$2,696,542	\$3,372,803	\$676,261
Kalamazoo	\$4,148,454	\$5,188,838	\$1,040,384
Kent	\$9,632,745	\$12,048,525	\$2,415,780
Lake	\$0	\$124,089	N/A
Lapeer	\$1,336,401	\$1,671,555	\$335,154
Lenawee	\$1,626,725	\$2,034,689	\$407,964

County	FY 2014 Appropriation	FY2015 Full Funding Amount	Increase over FY 2014 Appropriation
Livingston	\$2,485,764	\$3,109,165	\$623,401
Luce	\$102,601	\$128,332	\$25,731
Macomb	\$13,137,739	\$16,432,531	\$3,294,792
Manistee	\$432,446	\$540,898	\$108,452
Marquette	\$1,019,897	\$1,275,675	\$255,778
Mecosta	\$680,809	\$851,547	\$170,738
Menominee	\$424,368	\$530,794	\$106,426
Midland	\$1,578,910	\$1,974,882	\$395,972
Missaukee	\$226,816	\$283,698	\$56,882
Monroe	\$2,481,791	\$3,104,195	\$622,404
Montcalm	\$993,378	\$1,242,506	\$249,128
Montmorency	\$0	\$171,377	N/A
Muskegon	\$2,879,056	\$3,601,090	\$722,034
Newaygo	\$762,808	\$954,111	\$191,303
Oakland	\$0	\$24,423,251	N/A
Oceana	\$428,156	\$535,533	\$107,377
Ogemaw	\$0	\$456,948	N/A
Ontonagon	\$138,531	\$173,272	\$34,741
Osceola	\$453,161	\$566,809	\$113,648
Oscoda	\$0	\$17,469	N/A
Otsego	\$0	\$433,599	N/A
Ottawa	\$3,748,173	\$4,688,171	\$939,998
Presque Isle	\$0	\$144,008	N/A
Roscommon	\$405,795	\$507,564	\$101,769
Saginaw	\$3,650,812	\$4,566,393	\$915,581
Sanilac	\$732,483	\$916,181	\$183,698
Schoolcraft	\$147,661	\$184,693	\$37,032
Shiawassee	\$1,152,357	\$1,441,355	\$288,998
St. Clair	\$3,001,610	\$3,754,379	\$752,769
St. Joseph	\$1,098,111	\$1,373,505	\$275,394
Tuscola	\$877,359	\$1,097,391	\$220,032
Van Buren	\$1,229,726	\$1,538,127	\$308,401
Washtenaw	\$5,522,843	\$6,907,907	\$1,385,064
Wayne	\$39,984,520	\$50,012,170	\$10,027,650
Wexford	\$537,136	\$671,844	\$134,708
Total	\$145,760,000	\$211,134,899	\$37,205,531

Data Source: Michigan Department of Treasury

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: FEBRUARY 11, 2014

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 20

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF
JANUARY 14, 2014 AND THE SPECIAL SESSION MINUTES OF
JANUARY 21, 2014.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	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: FEBRUARY 11, 2014

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 21

TO GO OUT OF REGULAR SESSION FOR THE PURPOSE OF HOLDING A PUBLIC HEARING ON THE ESTABLISHMENT OF A PROPERTY ASSESSED CLEAN ENERGY PROGRAM P.A.C.E. PROGRAM (RES. 2014-30) AND FOR THE PROPOSED ORDINANCE FOR CIVIL RIGHTS IN BAY COUNTY GOVERNMENTAL AFFAIRS.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	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: FEBRUARY 11, 2014

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. KRAUSE

MOTION NO.: 22

TO GO BACK TO THE REGULAR ORDER OF BUSINESS FOLLOWING PUBLIC HEARING ON THE ESTABLISHMENT OF A PROPERTY ASSESSED CLEAN ENERGY PROGRAM P.A.C.E. PROGRAM (RES. 2014-30) AND FOR THE PROPOSED ORDINANCE FOR CIVIL RIGHTS IN BAY COUNTY GOVERNMENTAL AFFAIRS.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	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: FEBRUARY 11, 2014

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 23

TO RECEIVE THE FOLLOWING APPLICATION REQUESTS FOR
MARCH APPOINTMENT/REAPPOINTMENT TO REGION VII
AREA AGENCY ON AGING ADVISORY COMMITTEE FOR A
TERM EXPIRING MARCH 31, 2014:

1. MELVIN C. MCNALLY (INCUMBENT)
2. KENNETH SMITH
3. ZANE RYBKOWSKI

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	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: FEBRUARY 11, 2014

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 24

TO RECEIVE THE LETTER DATED JANUARY 13, 2014 FROM THE CITY OF BAY CITY REGARDING APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FROM BALDAUF ENTERPRISES DBA KERKAU MANUFACTURING, BAY CITY, MICHIGAN, FOR PROPERTY LOCATED AT 1321 S. VALLEY CENTER DRIVE, IN THE AMOUNT OF \$1,056,885.11.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	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: FEBRUARY 11, 2014

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 25

TO REFER RES. 2014-30, ESTABLISHMENT OF A PROPERTY ASSESSED CLEAN ENERGY PROGRAM P.A.C.E. PROGRAM, 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 Krygier	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: FEBRUARY 11, 2014

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. KRAUSE

MOTION NO.: 26

TO ADJOURN THE REGULAR BOARD SESSION OF
FEBRUARY 11, 2014 AT 7:00 P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Brandon Krause	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	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 _____