

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, APRIL 8, 2014

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (VICE CHAIR TILLEY)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

30-65 **V MINUTES (2/11/14; 3/11/14)**

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

VII PETITIONS AND COMMUNICATIONS

A. Michigan Green Schools - Presentation of Certificates (4:00 p.m. - Resolution no. 2014-48 on page 4 of agenda)

1 B. Drain Commissioner - 2013 Annual Report (Receive. Due to size of document, it is not reprinted as part of the agenda. It can be accessed through the Drain Commissioner's web page.)

VIII REPORTS/RESOLUTIONS OF COMMITTEES

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

2 1. No. 2014-34 - Resolution of Support of East Michigan Council of Governments Application on Behalf of the East Central Michigan Prosperity Region (County Executive) (Note: Referred by W&M Committee 3/4/14 without recommendation pending input from East Michigan Council of Governments)

- 3 2. No. 2014-47 - Historical Society Millage Renewal - November 4, 2014 Election
- 4 3. No. 2014-48 - Michigan Green Schools Initiative (Environmental Affairs)
- 5 4. No. 2014-49 - Treatment of Ash Trees to Control Emerald Ash Borer (Gypsy Moth Suppression Program)
- 6 5. No. 2014-50 - Aerial Treatment Contract - Earl's Spray Service (Mosquito Control)
- 7 6. No. 2014-51 - Acceptance of \$3,750 Grant Award for Scrap Tire Cleanup Projects (Mosquito Control)
- 8 7. No. 2014-52 - Motorola Service Agreement (9-1-1 Central Dispatch)
- 9 8. No. 2014-53 - 2014 Hazardous Materials Emergency Preparedness (HMEP) Grant for Local Emergency Planning Committee (LEPC) (Emergency Management)
- 10 9. No. 2014-54 - Donation of Equipment from BreitBurn Energy (Emergency Management)
- 11 10. No. 2014-55 - User Fee for Drop-in Dry Floor Sports (Recreation-Civic Arena)
- 12 11. No. 2014-56 - Amendment to Grant #MSC-2011-0757-HOA (MSHDA Housing Grant)
- 13 12. No. 2014-57 - Bay Area Community Foundation Grant - Modifications to Handicapped Ramp for Community Center Pool (Buildings and Grounds)
- 14 13. No. 2014-58 - Budget Adjustment: MSU Extension
- 15 14. No. 2014-59 - Tyler Munis Software Annual Maintenance Agreement (Finance Dept.)
- 15 15. Charter Communications Agreement (Housing Dept. Center Ridge Arms) **(Referred back to Administration for review and recommendation)**

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

- 16 1. No. 2014-60 - Community Garden at Bay County Fairgrounds (Buildings and Grounds)

- 17-24 2. No. 2014-61 - Michigan Works! Interlocal Agreement
- 25 3. No. 2014-62 - Vacancies: Sheriff Dept., Corporation Counsel, Juvenile Home, Community Corrections Prog., Bldgs. & Grnds.
- C. BOARD OF COMMISSIONERS (ERNIE KRYGIER, CHAIR, DONALD J. TILLEY, VICE CHAIR)**
- 26 1. No. 2014-63 - Accounts Payable/BAYANET/Center Ridge Arms
(Note: Center Ridge Arms payables not submitted at time of agenda preparation)
- 27-28 2. No. 2014-64 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

- A. County Executive
- 29 B. Wellness Coordinator - Bay County Wellness Center Report - April

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

- A. 2014 Appointments:
1. **JUNE: Library Board (One 5 year term - Frank Quinn)**
 2. **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)
 3. **NOVEMBER: Building Authority (One 6 year term - Darrell Maciag)**
 4. **DECEMBER: Division on Aging Advisory Committee (Four 2 year terms; districts 2, 4, & 6 and At-large)**

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: APRIL 8, 2014

PAGE 1 OF 2

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

2014-34	Ways and Means	Support of East Michigan Council of Governments application	XX					
2014-47	Ways and Means	Historical Society Millage Renewal on Nov. 4, 2014 Ballot	XX					
2014-48	Ways and Means	Environmental Affairs - Michigan Green Schools Initiative	XX					
2014-49	Ways and Means	Gypsy Moth - Treatment of Ash Trees to Control Emerald Ash Borer	XX					
2014-50	Ways and Means	Mosquito Control - Aerial Treatment Contract w/Earl's Spray Service	XX					
2014-51	Ways and Means	Mosquito Control - Grant Award for Scrap Tire Cleanup Project	XX					
2014-52	Ways and Means	911 Central Dispatch - Motorola Service Agreement	XX					
2014-53	Ways and Means	Emergency Mgt. - Hazardous Materials Emergency Preparedness Grant	XX					
2014-54	Ways and Means	Emergency Mgt. - Donation of Equipment from BreitBurn Energy	XX					
2014-55	Ways and Means	Recreation/Civic Arena - User Fee for Drop-in Dry Floor Sports	XX					
2014-56	Ways and Means	MSHDA Housing Grant - Amendment to Grant #MSC-2011-0757-HOA	XX					
2014-57	Ways and Means	Bldg./Grds. - Bay Area Comm. Foundation Grant, Handicap Ramp at Comm. Center	XX					
2014-58	Ways and Means	Budget Adjustment for MSU Extension	XX					
2014-59	Ways and Means	Finance Dept. - Tyler Munis Software Annual Maintenance Agreement	XX					
2014-60	Personnel/Human	Building Grounds - Community Garden at Bay County Fairgrounds	XX					
2014-61	Personnel/Human	Michigan Works! Interlocal Agreement	XX					
2041-62	Personnel/Human	Vacancies: Sheriff, Corp. Counsel, Juvenile Home, Comm. Corrections, Bldg. & Grds.	XX					
2042-63	Board of Comm.	Accounts Payable, BAYANET claims	XX					

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (3/4/14)
WHEREAS, Governor Snyder and the Michigan Legislature have created the Regional Prosperity Initiative; and
WHEREAS, In 2012, the State of Michigan formed a Regional Reinvention Initiative Committee to plan for improving collaboration between Michigan's Regional Planning Agencies, Work Force Development Agencies, Adult Education Providers, Economic Development Agencies and other agencies; and
WHEREAS, In August 2013 the Regional Reinvention Initiative Committee introduced the Regional Prosperity Initiative that includes ten new Prosperity Regions, and various levels of funding to enhance collaboration and to develop a Five Year Regional Prosperity Plan for each of Michigan's ten Prosperity Regions; and
WHEREAS, The Regional Prosperity Initiative is intended to foster greater communication and collaboration among organizations involved in economic development, education, work-force development, regional planning and transportation agencies, local and state government, and private business; and
WHEREAS, The East Central Michigan Regional Prosperity Initiative will serve an 8 county area which includes 218 local governments, 7 higher education institutions, 3 Work Force Boards, 3 Metropolitan Planning Organizations, 1 Regional Planning Agency, 2+ Rural Transportation Task Forces, one sovereign Tribal government, and many Economic Development and non-profit organizations; and
WHEREAS, The East Michigan Council of Governments, the Bay Area Transportation Study (BCATS), the Saginaw Area Transportation Study (SMATS) and the Midland Area Transportation Study (MATS) have agreed that establishment of a collaborative and cooperative approach is necessary for the implementation of the Regional Prosperity Initiative; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners hereby supports the East Michigan Council of Governments as the grant applicant on behalf of the East Central Michigan Prosperity Region.

KIM COONAN, CHAIR AND COMMITTEE

Support of EMCG Application - East Central Michigan Prosperity Region

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 6 NAYS 0 EXCUSED 1 VOICE: YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED [checked] DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

RESOLVED That the Bay County Board of Commissioners authorizes placement of a ballot question to be submitted to the electors of Bay County on November 4, 2014 for the purpose of renewing the property tax limitation by .1 of a mill for historic preservation work within Bay County; Be It Further

RESOLVED That the wording of the actual Historical Preservation Millage proposal will be submitted at a future Board meeting to allow for language input from Historical Society and approval as to form by Corporation Counsel.

KIM COONAN, CHAIR
AND COMMITTEE

Historical Society - Placement of Millage Question on November Ballot

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 6 NAYS 0 EXCUSED 1

VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/14

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

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 that 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 meet the requirements outlined in the Act to qualify them 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 15 points qualifying it as an Emerald Level 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 to promote sound environmental stewardship and energy conservation shown by Auburn Area Catholic School, St. James Catholic School and the Bay-Arenac ISD Career Center in achieving their Evergreen Level MI Green Schools designation and the Bangor Township John Glenn High School in achieving its designation as an Emerald Level MI Green School.

KIM COONAN, CHAIR
AND COMMITTEE

Env Affairs - Michigan Green Schools

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 6 NAYS 0 EXCUSED 1
VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

-4-

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

BAY COUNTY BOARD OF COMMISSIONERS

4/1/2014

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/1/14)
- WHEREAS, In 2011, the Gypsy Moth Suppression Program began treating 2,566 ash trees to protect them from the Emerald Ash Borer (EAB), an invasive, non-native pest which was first confirmed as present in Bay County in August 2007; and
- WHEREAS, There are 750 ash trees that meet the criterion for inclusion in the EAB Treatment Project and they are in fair to good condition and were either treated in 2012 or have never been treated and would benefit from treatment to control EAB larvae; and
- WHEREAS, These trees are on publicly owned lands and their protection under this program would further reduce the environmental impacts of EAB and mitigate the potential economic and safety risks associated with EAB damage; and
- WHEREAS, Trees treated in 2013 should not be treated again until 2015;
- WHEREAS, The Ash Tree inventory on public lands in Bay County has been updated to determine the efficacy of the 2012 & 2013 EAB Treatment Projects and to locate and evaluate the condition and health of ash trees on each publicly held property in the County; and
- WHEREAS, This inventory resulted in the determination that 750 of the 3700 plus ash trees located in developed areas of publicly owned lands throughout Bay County would benefit from treatment to control EAB in the spring of 2014; and
- WHEREAS, It is the intent of the Program to use a competitive bidding process to select qualified bidders for treatment that must be conducted between May 1, 2014 and June 15, 2014 for optimum effect and treatment will be done using the Arborjet treatment system with the product TREE-age since this is the treatment recommended by the State as the only product with proven multiple years efficacy; and
- WHEREAS, No general fund dollars will be used for this treatment project as funds are available in the Gypsy Moth Suppression Program Millage Fund Balance and \$100,000 has been included in the 2014 budget for this Emerald Ash Borer Treatment Project; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes the Gypsy Moth Suppression Program to seek competitive bids for treatment to ash trees to control Emerald Ash Borer; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute contract(s) with qualified application firms; Be It Finally
- RESOLVED That related budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Gypsy Moth - 2014 Treatment to Ash Trees - EAB

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 6 NAYS 0 EXCUSED 1
VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

-5-

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, An important part of the Mosquito Control program is the aerial treatment of Bay County woodlots, a contracted service; and

WHEREAS, Bids for this service have been received and the lowest, qualified bidder is Earl's Spray Service of Breckenridge, Michigan, Earl's Spray Service has provided service to Bay County for the past five years; and

WHEREAS, Mosquito Control administration is recommending approval of a two year contract with Earl's Spray Service for the 2014 and 2015 seasons; and

WHEREAS, This contracted expense is included in the 2014 budget; Therefore, Be It RESOLVED That the Bay County Board of Commissioners approves the contract with Earl's Spray Services for the 2014 and 2015 seasons and authorizes the Chairman of the Board to execute said contract on behalf of Bay County; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR
AND COMMITTEE

MosqCont - Earl's Spray Service - 2014-2015

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 6 NAYS 0 EXCUSED 1
VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

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

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, Mosquito Control has been awarded a \$3,750 grant to help defray costs associated with fiscal year 2014 scrap tire cleanup projects; and

WHEREAS, To accept the grant award, Bay County must sign a contract with the Michigan Department of Environmental Quality by April 15, 2014, the same agreement as entered into for the past several years; and

WHEREAS, There is no local match associated with the \$3,750 grant award; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves acceptance of the \$3,750 grant award for the 2014 scrap tire cleanup projects and authorizes the Chairman of the Board to execute the contract with the Michigan Department of Environmental Quality on behalf of Bay County; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR AND COMMITTEE

Mosq Cont - MDEQ Grant Award - Scrap Tire Projects

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krause

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Kim J. Coonan, Michael E. Lutz, Ernie Krygier, Thomas M. Herek, Vaughn J. Begick, and Donald J. Tilley.

VOTE TOTALS:

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

DISPOSITION: ADOPTED DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, 9-1-1 Central Dispatch maintains VHF and 800 MHz radio equipment and related radio infrastructure in order to facilitate communications between Bay County 9-1-1 and the Bay County First Responder community; and

WHEREAS, A Motorola Service Agreement ensures the Bay County 9-1-1 Communications equipment and infrastructure has a high operational value 24/7 365; and

WHEREAS, A 36 month contract (7/1/2014 to 6/30/2017 has been submitted and the annual cost is \$41,154.84, an annual increase of \$3,911.76 over the previous contract and the increase is due to new equipment that was previously under warranty; and

WHEREAS, The 36 month contract reflects a 30% pricing discount and funds for this service agreement have been included in the 2014 budget; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Motorola Service Agreement (renewal) for annual maintenance on all radio equipment located in the 9-1-1 Dispatch Center between Bay County (9-1-1 Central Dispatch) and Motorola for the period 7/1/14 thru 6/30/17 is approved and the Chairman of the Board authorized to execute said Agreement on behalf of Bay County; Be It Further

RESOLVED That related budget adjustments required are approved.

KIM COONAN, CHAIR

AND COMMITTEE

911 - 2014-2017 Radio Maint-Motorola

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 6 NAYS 0 EXCUSED 1

VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, The Bay County Local Emergency Planning Committee (LEPC) is charged with developing emergency site plans (a/k/a SARA Title III, Section 302, off-site response plans) to respond to certain chemical accidents based upon information provided by local farms businesses as to the chemicals they have on site; and

WHEREAS, For the past several years, the State of Michigan has issued Hazardous Materials Emergency Preparedness (HMEP) grant funds to County LEPCs for the purpose of enhancing hazardous material response planning for the County and to provide support for the ongoing operation of local LEPCs; and

WHEREAS, Reimbursement will be provided this year to LEPC's on a per plan and/or updated plan basis; and

WHEREAS, Emergency site plans developed and submitted by the Bay County LEPC will be reimbursed at a rate of \$250 for each new site plan completed and \$30 for each updated existing site plan; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Chairman of the Board authorized to sign the HMEP Planning Grant Application/Agreement and all related documents required by the State of Michigan on behalf of Bay County; Be It Further

RESOLVED That budget adjustments required, pertaining to this grant, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Emergency Management - 2014 HMEP Grant for LEPC

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 6 NAYS 0 EXCUSED 1
VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, BreitBurn Energy contacted the Emergency Services department in regards to an equipment donation that they would like to contribute to Bay County; and
 WHEREAS, BreitBurn is an oil and gas company that has production facilities within Bay County and they periodically provide resources to the first responder community within the counties that they work in as part of their community outreach; and
 WHEREAS, As part of this project, the Bay County Local Planning Team met to identify several projects that the first responder community is currently in need of and a list of ten projects was provided to BreitBurn for them to decide what projects they would be willing to fund; and
 WHEREAS, From the list of ten, they identified three specific projects that they would like to provide the funding for and they will pay for the projects directly to the vendors and arrange for installation, with the cooperation of Emergency Management; and
 WHEREAS, Two of the projects will require Board approval, as they will be County assets:

1. Outdoor Public Warning Project (Board approval needed)

This project would add 4 sirens to the public warning system in Bay County. These sirens would add an outdoor warning system to 3 of the smaller villages in Northern Bay County (Pinconning, Linwood, and Kawkawlin,) and address a lack of service to part of Hampton Township.
 4 Sirens \$81,000.00

2. Communication Towers for Fire Paging (Board approval needed)

This project would provide 2 new tower sites for the emergency pager system that our fire departments use. Since the narrow banding project that was mandated by the Federal Government, the signal that is sent to the fire pagers does not have adequate coverage. These two towers would fill that gap.
 2 Towers \$119,832.46

5 Gas, Air Monitors (not County assets)

This project would provide one 5 gas air monitor for each of the 16 fire departments in Bay County.
 16 Monitors \$83,848.00

RESOLVED That, on behalf of Bay County, the Bay County Board of Commissioners, with gratitude, hereby accepts the generous donation from BreitBurn Energy.

KIM COONAN, CHAIR
 AND COMMITTEE

Emergency Management - BreitBurn Energy Donation

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 6 NAYS 0 EXCUSED 1
 VOICE: YEAS 6 NAYS 0 EXCUSED 1

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

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, The Civic Arena will be taking out a sheet of ice on April 24th and the Professional Arena will be a cement floor until the middle of August when the ice demand returns; and

WHEREAS, In an effort to increase revenues and fill the empty space of the otherwise vacant cement floor and bring in new customers, Recreation Administration wishes to add a "dry floor sports" fee to its fee schedule; and

WHEREAS, Sports that may utilize the dry floor are roller hockey, broomball, kickball and other sports that may have demand; and

WHEREAS, With summer activities in full swing, it is proposed that a fair competitive price of \$4 per person per visit be instituted for "drop-in" dry floor sports, a fee which is consistent with the current "drop-in" stick and puck rate on ice; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby approves the addition of a \$4.00 per person per visit fee for "drop-in" dry floor sports, effective immediately.

KIM COONAN, CHAIR AND COMMITTEE

Civic Arena - Drop-in Fee for Dry Floor Sports

MOVED BY COMM. Coonan

SUPPORTED BY COMM. Krause

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Kim J. Coonan, Michael E. Lutz, Ernie Krygier, Thomas M. Herek, Vaughn J. Begick, and Donald J. Tilley.

VOTE TOTALS: ROLL CALL: YEAS 6 NAYS 0 EXCUSED 1 VOICE: YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, The Michigan State Housing Development Authority (MSHDA) has authorized an amendment to Grant # MSC-2011-0757-HOA to reflect a change in the budget; 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 ; 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

MSHDA Grant Amendment - Budget

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

WHEREAS, During an audit of the Community Center pool in 2013, it was discovered that the handicapped ramp that allows access to the shallow end of the pool did not measure 36 inches wide and Buildings and Grounds would like to widen the ramp and the fiberglass floor to meet the 36 inch width to permit wheelchair access to enter the pool at the shallow end; and

WHEREAS, The estimated cost to make the modifications is \$2,412 and the Supervisor of Buildings and Grounds wishes to make application for a Bay Area Community Foundation grant to accomplish the modification; and

WHEREAS, The Foundation grant would pay the cost and County staff would deliver the ramp to a local metal fabricator and pick it up to reinstall the ramp upon completion; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes application for a Bay Area Community Foundation Grant for modification of the stainless steel handicapped ramp at the Bay County Community Center to permit wheelchair access to enter the pool at the shallow end; Be It

RESOLVED That the Chairman of the Board is authorized to execute and submit electronically (if required) the grant documents (application, grant award, 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 related budget adjustments, if required, are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Bldgs&Grnds - Grant for Handicapped Ramp in Community Center Pool

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 6 NAYS 0 EXCUSED 1

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

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE 04/01/2014

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 04/08/2014 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
2014-04-002	GENERAL FUND BOARD OF COMMISSIONERS M.S.U. EXTENSION Total GENERAL FUND		\$892	

THE MICHIGAN STATE UNIVERSITY EXTENSION OFFICE AT THE JUNE 2012 BAY COUNTY AUCTION SOLD SOME ITEMS FOR \$891.95, RECEIPT 47554, DATED JUNE 15, 2012. BUT MSU EXTENSION OFFICE NEVER SPENT THIS MONEY THEREFORE THIS REVENUE CLOSED INTO FUND BALANCE. SO THE MSU EXTENSION OFFICE WOULD LIKE TO BUDGET FOR THE PURCHASE OF ONE OR TWO COLOR PRINTERS WITH THESE FUNDS.

Kim Coonan, Chairman W. & M. and Committee

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 6 NAYS 0 EXCUSED 1
 VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

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

-14-

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/1/14)

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

WHEREAS, The annual cost is \$126,896.46 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; Be It Further

RESOLVED That related required budget adjustments are approved.

KIM COONAN, CHAIR AND COMMITTEE

Finance/ISD - Tyler Munis Software Maintenance Agreement

MOVED BY COMM. Coonan

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/18/14)
 WHEREAS, The Saginaw Valley Sustainability Society (SVSS), a 501c3 organization, is promoting creation of a community garden at the Bay County Fairgrounds; and
 WHEREAS, A community garden is a plot of land used by members of a community to grow healthy food and the community benefits are many and include: personal connections among neighbors; production of clean, safe, local food; wholesome family activities and exercise; beautification of the Fairgrounds, and turning an empty lawn into a productive vegetable garden; and
 WHEREAS, The proposal is for use of a 50' x 10' plot of land which will accommodate five (5) plots 10' x 10' each to be cared for by an individual or family, plus space for a compost bin to discard weeds, stems, etc. If approved, one plot is already spoken for with interest in two others and it is anticipated all the lots will be utilized; and
 WHEREAS, Buildings and Grounds Project Manager Rick Pabalis is working with the SVSS and has recommended utilization of the same location at the Fairgrounds as was used for this purpose in the past and advised SVSS that Bay County could provide the first tilling to remove the sod; and
 WHEREAS, The SVSS has requested use of water when rain is not adequate as well as permission to erect a small sign at the garden plot identifying the garden with a small weatherized message box to communicate with other gardeners; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves the Saginaw Valley Sustainability Society (SVSS) request for use of a 50' x 10' plot of land at the Bay County Fairgrounds for a community garden; Be It Further
 RESOLVED That the Chairman of the Board is authorized to execute a Use Agreement on behalf of Bay County, said Agreement to be drafted by Corporation Counsel.

BRANDON KRAUSE, CHAIR
 AND COMMITTEE

Bldgs & Grnds - Fairgrounds Community Garden 2014

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 6 NAYS 0 EXCUSED 1
 VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

-16-

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/18/14)

WHEREAS, The Great Lakes Bay Michigan Works! has submitted a revised Interlocal Agreement which amends an Interlocal Agreement dated June 28, 1983 establishing the Saginaw County/Midland County/Bay County Job Training Partnership Act (JTPA) Consortium; and

WHEREAS, The proposed new Interlocal Agreement is an entire rewrite of the old Agreement and it streamlines and updates the former agreement; and

WHEREAS, The new Agreement was developed through a joint effort of corporate counsel for all three counties under the direction of the Bay County Consortium Board made up of elected officials from each county; and

WHEREAS, In the 30 years since 1983, Congress changed the workforce system's enabling legislation, many new programs were added by the State and federal governments, the Michigan Works! System was created and the local operation evolved into a truly regional effort resulting in the need for a new Interlocal Agreement; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the attached Restatement of the Interlocal Agreement Dated June 28, 1983, as amended, contingent upon execution of said document by the other parties to said Restatement of the Interlocal Agreement Dated June 28, 1983 and authorizes the Chairman of the Board to execute said Interlocal Agreement on behalf of Bay County.

BRANDON KRAUSE, CHAIR AND COMMITTEE

Michigan Works! - Interlocal Agreement

MOVED BY COMM. Krause

SUPPORTED BY COMM. Begick

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include Brandon Krause, Kim J. Coonan, Michael E. Lutz, Ernie Krygier, Thomas M. Herek, Vaughn J. Begick, and Donald J. Tilley.

VOTE TOTALS: ROLL CALL: YEAS 6 NAYS 0 EXCUSED 1. VOICE: YEAS 6 NAYS 0 EXCUSED 1. DISPOSITION: ADOPTED DEFEATED WITHDRAWN AMENDED CORRECTED REFERRED

RESTATEMENT OF THE INTERLOCAL AGREEMENT
DATED JUNE 28, 1983, AS AMENDED,
ESTABLISHING THE SAGINAW COUNTY/MIDLAND COUNTY/BAY COUNTY
JOB TRAINING PARTNERSHIP ACT (JTPA) CONSORTIUM

This Restatement of the Interlocal Agreement (hereinafter "Restatement") is entered into as of the _____ day of _____, 20__, by the County of Saginaw, the County of Midland, and the County of Bay, pursuant to the Michigan Urban Cooperation Act, being Public Act 7 of 1967 (ex. sess.), as amended.

WHEREAS, the County of Saginaw, the County of Midland, and the County of Bay (hereinafter referred to collectively as "the Counties") are each a "public agency" as defined by the Michigan Urban Cooperation Act, being Public Act 7 of 1967 (ex. sess.), as amended; and each may separately exercise the power, privilege, and authority they share in common and wish to exercise jointly with the other; and,

WHEREAS, the Counties desire to maintain an optimal level of community service and maximum efficiency in carrying out the requirements of the Workforce Investment Act of 1998, 29 USC 2801 *et seq* and the Michigan Works One-Stop Service Center System Act, being Public Act 491 of 2006, MCL 408.111 *et seq*; and

WHEREAS, the Counties have an industrial base and are contiguous in location; and

WHEREAS, the Boards of Commissioners of the Counties have determined that the best method of maintaining an optimal level of community service and maximum efficiency in each of the Counties is through this Restatement;

THEREFORE, the Counties agree to the following:

I.

PURPOSE

A. Replacement of Existing Interlocal Agreement. This Restatement replaces and supersedes the Interlocal Agreement dated June 28, 1983, as amended in 1988 and 1999, in its entirety.

B. Name Change. The Saginaw County/Midland County/Bay County Job Training Partnership Act Consortium shall now be called the Great Lakes Bay Michigan Works! Consortium (hereinafter referred to as the "Consortium").

C. Purpose. The Consortium shall administer state, federal, and other workforce programs as prescribed by law and the requirements established by each grant funding source and perform such other functions as are necessary and related to same. The Consortium shall exercise the role of the local elected officials as prescribed by applicable law.

II.

AUTHORITY

A. Certification. The Counties certify that federal, state, and local law permit the services to be provided under this Restatement, including, without limitation, the Workforce Investment Act of 1998, being 29 USC §2801 *et seq* and the Michigan Works One-Stop Service Center System Act, being Public Act 491 of 2006, MCL 408.111 *et seq*.

B. Filing. This Restatement shall be filed with the county clerks of the Counties and with the Michigan Secretary of State.

III.

SERVICE AREA

A. Service Area. The geographical boundaries of the Counties shall constitute the service delivery area under this Restatement.

IV.

CONSORTIUM BOARD

A. Creation. As of the effective date of this Restatement, there is created the Great Lakes Bay Michigan Works! Consortium Board (hereinafter called the "Consortium Board").

B. Powers. The Consortium Board shall be vested with all of the powers authorized under applicable state and federal law and shall be operated in accordance with same. Said powers include:

- i. Maintaining and presenting adequate books, records, and reports of all audits, transactions, revenues, and expenditures in accordance with grant source requirements and with generally accepted accounting principles, or otherwise instructing the Director

to do same. Such books and records are public documents subject to the Michigan Freedom of Information Act, being Public Act 442 of 1976, as amended.

- ii. Conducting an independent, annual audit, or otherwise instructing the Director to do same, and receiving from the Director such audit reports and certifications that funds have been expended in accordance with approved budget and federal and state guidelines.
- iii. Presenting regular program reports regarding the effectiveness of the various workforce programs, or otherwise instructing the Director to do same. Such reports are public documents subject to the Michigan Freedom of Information Act, being Public Act 442 of 1976, as amended.
- iv. Requesting and receiving from the Director regular reports concerning the status, both financial and operational, of all employment and training programs, and the contracts relating to same, in the service delivery area.
- v. Reviewing and approving the cost budget.
- vi. Interviewing and recommending the candidate nominated for appointment as Director to the Administrative Unit.
- vii. Procuring and maintaining appropriate comprehensive general liability insurance coverage.

C. Limitations on Powers. The Consortium and Consortium Board shall not have the power to:

- i. Sue or be sued in its own name.
- ii. Incur any debt, liability, or obligation that can be passed on to any party to this Restatement, other than as stated herein.
- iii. Levy any tax, issue any bond or note, or borrow money.
- iv. Employ staff.
- v. Operate on a for-profit basis.

D. Membership. The membership of the Consortium Board shall consist of members of the County Board of Commissioners of the Counties. In the case of Bay County, one of its members may be its chief elected official, the Bay County Executive, or his or her appointee. Each County shall establish its own rules and procedures for appointing its members to Consortium Board. Each County may remove their respective Consortium Board members (and alternates, if applicable) at will.

- i. The Consortium Board shall consist of 10 members: 5 members from Saginaw County, 2 members from Midland County, and 3 members from Bay County.
- ii. A quorum of the Consortium Board shall consist of a majority of its members and will be required in order to conduct business.

- iii. The addition of another county to the Consortium Board shall require the affirmative vote of each of the Counties and a majority vote of the Consortium Board.
- iv. The County Board of Commissioners for each County shall determine whether its members of the Consortium Board shall serve with or without compensation.

E. Organization of Consortium Board: The Consortium Board shall:

- i. Elect its own Chairperson and Vice-Chairperson from among its members on an annual basis. Members shall be eligible to serve for additional terms, if elected.
- ii. Adopt by-laws that are consistent with this Restatement.
- iii. Hold at least one regularly scheduled meeting each quarter. The Consortium Board shall conduct all meetings in compliance with the Michigan Open Meetings Act, being Public Act 267 of 1976, as amended.
- iv. Documents and other records generated by the Consortium Board are public records subject to the requirements and exemptions of the Michigan Freedom of Information Act, being Public Act 442 of 1976, as amended.

F. Voting. An affirmative vote of a majority of the membership present shall be required in order to pass any motion or resolution. However, adoption or amendment of the Consortium Board's by-laws shall require the affirmative vote of seven (7) members of the Consortium Board.

G. Administrative Unit. The Consortium Board shall select from the Counties an Administrative Unit. The Administrative Unit shall have all of those powers vested in it by law including, but not limited to:

- i. Serving as fiscal agent and providing professional, technical, legal, and clerical staff support to the Consortium Board. All staff members shall be employees of the Administrative Unit and governed by the Administrative Unit's policies and applicable collective bargaining agreements.
- ii. Entering into contracts and other necessary agreements, upon legal review.
- iii. Signing, executing, and doing all things incident and necessary to properly submit grant applications.
- iv. Hiring and firing the Director upon the recommendation of the Consortium Board.

H. Director. The Director shall oversee day-to-day administration of the services provided by the Great Lakes Bay Michigan Works! Consortium. The Director shall be responsible for keeping and maintaining adequate books and records of all revenues, rates, charges, expenses, accounts receivable and payable, and other debts and obligations in accordance with the law

and generally accepted accounting principles; and the Director shall establish such controls and procedures as are necessary to ensure strict financial accountability.

The personnel policies and procedures of the Administrative Unit shall be complied with in regard to the recruitment, advertisement, application, and hiring process for the Director position. Candidates for the Director position will be interviewed and nominated by a joint committee comprised of members of both the Consortium and Workforce Investment Boards. Such nomination must be approved by both the Consortium Board and the Workforce Investment Board for submission to the Administrative Unit.

The Director's performance will be reviewed on an annual basis by the Consortium Board. The Consortium Board may recommend the termination of the Director to the Administrative Unit with the affirmative vote of seven (7) members of the Consortium Board.

V.

WORKFORCE INVESTMENT BOARD

A. Establishment. The Consortium Board shall establish a local Workforce Investment Board in accordance with Section 2832 of the Workforce Investment Act of 1998, being 29 USC 2832, and the administrative rules promulgated thereto. If the applicable rules governing the workforce programs under this Agreement call for the elected official(s) to appoint members to the Workforce Investment Board, then the Consortium Board shall not make the appointments. In such cases, the appointments shall be made by the respective Boards of Commissioners of the Counties.

B. Membership. Pursuant to 29 USC 2832, MCL 408.121 and other applicable laws, the Workforce Investment Board shall, at a minimum, consist of representatives from the following sectors:

- i. Local businesses and other private sector representatives;
- ii. Educational entities;
- iii. Representatives of the appropriate State departments;
- iv. Vocational rehabilitation providers;
- v. Labor organizations or other representatives of employees;
- vi. Community-based organizations;
- vii. Economic development agencies; and
- viii. Such other individuals or representatives of entities as the Consortium Board deems appropriate.

Representation from the Counties on the Workforce Investment Board shall be in approximate proportion to their respective populations.

C. Duties and Responsibilities. The Workforce Investment Board, in partnership with the Consortium Board, shall provide the policy, program guidance, and independent oversight services for all activities under the Workforce Investment Act of 1998.

D. Operation of Workforce Investment Board. All aspects of governance of the Workforce Investment Board shall be in accordance with Section 2832 of the Workforce Investment Act of 1998, being 29 USC 2832, including, without limitation, the appointment of a chairperson, development of a budget, and identification and selection of providers.

VI.

FINANCIAL RESPONSIBILITY OF THE COUNTIES

A. Financial Support. The Consortium Board shall not require any County to provide any financial support for any activities under this Restatement unless that County agrees to provide that support in a separate agreement.

B. Liability, Generally. The Counties shall not be required to pay any debts, liabilities, or obligations of the Consortium Board or the Workforce Investment Board.

C. Liability for Disallowed Costs. The Counties shall repay such any disallowed costs only after the following payment hierarchy has been exhausted:

- i. Payment shall first be made by the service provider, agent, or third party that is responsible for the disallowance.
- ii. Payment will then be made from any applicable insurance carrier or bond insurer.
- iii. A waiver or approval of an offset from the grant funding source will then be pursued.
- iv. Any remaining required repayment will then be paid by the Counties. The responsibility for any disallowed costs shall be apportioned according to the services contracted for in each County.

D. Privileges and Immunity. Nothing in this Restatement shall be construed to affect the Counties' rights and privileges under governmental immunity. All of the privileges and immunities from liability and exemptions from laws, ordinances, and other rules, and all pension, relief, disability, worker's compensation, and other benefits which apply to the activity of the officers, agents, or employees of the Counties, shall apply to the same degree and extent

to the performance of such functions and duties of the members of the Consortium Board and Workforce Investment Board.

VII.

DURATION OF RESTATEMENT

A. Effective Date and Duration. This Restatement shall be effective commencing on the date first written above and shall remain in effect as long as at least two of the Counties remain as signatories to it.

B. Termination of Participation. Any County may withdraw from the Consortium Board and the obligations created by this Restatement upon service of 120-day written notice to the remaining Counties. Upon termination of participation by all of the Counties, this Restatement shall continue in effect until the final grant concludes.

VIII.

MISCELLANEOUS

A. Amendment. Any amendments to this Restatement require the approval of the Board of Commissioners of each of the Counties.

B. Changes in Applicable Laws. In the event the laws and regulations pertaining to this Restatement, including, but not limited to, the Workforce Investment Act of 1998, are amended or repealed, the Counties, in their individual discretion, may determine whether such changes render it infeasible or unadvisable to carry of this Restatement. In that event, the County may terminate this Restatement by submitting 30-day written notice to the other Counties.

C. Severability. If any word, phrase, part or section of this Restatement is determined to be illegal or unenforceable, the other portions of the Restatement shall remain in full force and effect so long as those other portions are sufficient to constitute a valid agreement.

D. Full Agreement. This document, along with any attachments or appendices or other incorporations by reference, constitutes the entire agreement between the Counties. Accordingly, this Restatement supersedes all previous or contemporary agreements between the Counties covering the subject matter of this Restatement.

BAY COUNTY BOARD OF COMMISSIONERS
4/8/14
RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (3/18/14)

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:

1. Sheriff Department - Correctional Facility Officer (CFO) - ft, \$15.95/hr. entry
2. Corporation Counsel - Assistant Corporation Counsel (ft, \$59,425.60)
3. Juvenile Home
 - a. Youth Development Worker (pt, \$14.81/hr. entry)
 - b. Cook/Driver (pt, \$10.95/hr. entry)
4. Community Corrections Program - Pre-Trial Specialist (pt, \$15.00/hr., grant funded)
5. Buildings and Grounds - Maintenance III (ft, \$14.37/hr. entry)

RESOLVED That budget adjustments, if required, are approved; Be It Further

RESOLVED That due to the Affordable Health Care Act rules and regulations regarding summer employment, the Personnel Director is authorized to hire seasonal help as needed without exceeding the budgeted appropriations;

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. 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 6 NAYS 0 EXCUSED 1
 VOICE: YEAS 6 NAYS 0 EXCUSED 1

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

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/8/14)

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

Accounts Payable:

03/12/14	\$ 554,151.85
03/19/14	\$ 373,715.19
03/26/14	\$ 345,406.12
03/28/14	\$ 102.00
04/02/14	\$ 352,509.34

BAYANET:

2/1/14 - 2/28/14	
Payroll	\$ 5,385.33
Payables	\$ 52,191.97

ERNIE KRYGIER, CHAIR
AND BOARD

Payables-April 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 6 NAYS 0 EXCUSED 1
VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

4/8/2014

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/8/14)

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

Employment Status Report: March 2014

ERNIE KRYGIER, CHAIR
AND BOARD

County Executive - Status Reports

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 6 NAYS 0 EXCUSED 1

VOICE: ✓ YEAS 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

**CHANGES IN EMPLOYMENT STATUS
March, 2014**

<u>EMPLOYEE NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
<u>NEW HIRES:</u>		
Julie Coppens Manager	Information Systems General funds	3/03/2014
Eric Auch Equipment Operator	Building and Grounds General funds	3/03/2014
Lukus Harbourne PC Technician	Information Systems General funds	3/17/2014
Chelsea Self PT Community Health Educator	Health Grant funds	3/12/2014
Amber Davis-Johnson Asst. Corp. Counsel	Corporation Counsel General funds	3/18/2014
Jonni Phillips PC Technician	Information Systems General funds	3/31/2014
<u>NEW HIRES (Temporary/Seasonal/On-call):</u>		
Hope Christensen Concessions Clerk	Civic Arena	3/06/2014
Chris Monville Temp. CFO	Sheriff Department	3/31/2014
<u>SEPARATIONS:</u>		
Chelsea Self PT Community Health Educator	Health Department	3/16/2014
<u>RETURN:</u>		
Keith Schluckbier PT Mechanic/Spray Technician	Golf Course	3/03/2014

Personnel Department
April 1, 2014

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: APRIL 8, 2014

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 35

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF
FEBRUARY 11, 2014 AND MARCH 11, 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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: APRIL 8, 2014

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 36

TO RECEIVE THE 2013 ANNUAL DRAIN COMMISSIONER
REPORT AS SUBMITTED BY JOSEPH RIVET, BAY COUNTY
DRAIN COMMISSIONER.

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 6 NAYS 0 EXCUSED 1

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

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: APRIL 8, 2014

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 37

TO RECEIVE THE 2013 BAY COUNTY MOSQUITO CONTROL ANNUAL REPORT AS PRESENTED BY MOSQUITO CONTROL MANAGER, THOMAS J. PUTT AND BIOLOGIST, MARY MCCARRY.

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: APRIL 8, 2014

MOTION SPONSORED BY: COMM. LUTZ

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 38

TO RECEIVE THE BAY COUNTY WELLNESS CENTER REPORT
FOR APRIL, 2014 AS PRESENTED BY JEANIE DECKERT, BAY
COUNTY WELLNESS COORDINATOR.

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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: APRIL 8, 2014

MOTION SPONSORED BY: COMM. KRAUSE

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 39

TO ADJOURN THE REGULAR BOARD SESSION OF APRIL 8,
2014 AT 5:05 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 6 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____