

**SPECIAL MEETING**

**BAY COUNTY BOARD OF COMMISSIONERS**

**TUESDAY, SEPTEMBER 5, 2023**

**4:30 P.M.**

**(Or immediately following the Ways and Means  
Committee Meeting)**

**COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING**

**PAGE NO.**

**I. CALL TO ORDER (CHAIRMAN BEGICK)**

**II. ROLL CALL**

**III. INVOCATION**

**IV. PLEDGE OF ALLEGIANCE**

**V. CITIZEN INPUT**

**VI. ITEMS FOR CONSIDERATION**

**A. Resolutions from the Ways and Means Committee Meeting of 9/5/23**

1                                   **1. No. 2023-151 – Brownfield Redevelopment Authority (BRA) Project Grant Award  
– Salzburg & Euclid (Environmental Affairs)**

2                                   **2. No. 2023-152 – Bay Area Community Foundation Grant – Play Equipment –  
Pinconning Park (Recreation & Facilities)**

3-4                                   **3. No. 2023-153 – Consolidated Early Voting Precinct – Elections Coordinator  
Position (County Clerk)**

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

**IX. MISCELLANEOUS**

**X. ANNOUNCEMENTS**

**XI. CLOSED SESSION (IF REQUIRED)**

## XII. RECESS/ADJOURNMENT

PLEASE NOTE: THE COMMITTEE CHAIR HAS REQUESTED THAT ANY ELECTED OFFICIAL DEPARTMENT/DIVISION HEAD PLACING AN ITEM ON THIS AGENDA BE PRESENT OR HAVE A REPRESENTATIVE PRESENT TO SPEAK TO THEIR REQUEST AND/OR ANSWER ANY QUESTIONS POSED BY COMMITTEE MEMBERS.

Join Zoom Meeting

<https://us02web.zoom.us/j/81694266170>

Meeting ID: 816 9426 6170

Passcode: 547697

One tap mobile

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+19292056099,,81694266170#,,,,\*547697# US (New York)

The County of Bay will provide necessary and reasonable auxiliary aids and services such as signers for the hearing impaired and audio tapes of printed materials to individuals with disabilities upon 10 days' notice to the County of Bay. Individuals with disabilities requiring auxiliary aids or services should contact the County of Bay by writing or calling:

Amber Davis-Johnson, ADA Coordinator

Corporation Counsel

515 Center Avenue

Fourth Floor, Bay County Building

Bay City, MI 48708

989-895-4131

**ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS**

| DATE   | MOTION/RES. NO.     | INTRODUCED/<br>SUBMITTED BY | SUBJECT OF RESOLUTION/MOTION  | ADOPTED | AMENDED | CORRECTED | DEFEATED | REFERRED | TABLED | WITHDRAWN |
|--------|---------------------|-----------------------------|---|---------|---------|-----------|----------|----------|--------|-----------|
| 9/5/23 | RESOLUTION 2023-151 | BANASZAK                    | ACCEPTED EGLE BROWNFIELD REDEVELOPMENT GRANT FOR THE TIM HORTON'S ON EUCLID AND SALZBURG  | XX      |         |           |          |          |        |           |
| 9/5/23 | RESOLUTION 2023-152 | BANASZAK                    | APPROVED THE SUBMITTAL OF THE BAY AREA COMMUNITY FOUNDATION'S GRANT APPLICATION FOR PLAY EQUIPMENT AT PINCONNING PARK   | XX      |         |           |          |          |        |           |
| 9/5/23 | RESOLUTION 2023-153 | BANASZAK                    | APPROVED ALL AGREEMENTS AND PURCHASES NEEDED TO EFFECTUATE A BAY COUNTY EARLY VOTING PRECINCT, INCLUDING POSTING AND FILLING AN ELECTIONS COORDINATOR POSITION. | XX      |         |           |          |          |        |           |
| 9/5/23 | MOTION 2023-74      | POIRIER                     | MOVED TO ADJOURN THE SPECIAL MEETING OF THE BOARD OF COMMISSIONER OF SEPTEMBER 5, 2023  | XX      |         |           |          |          |        |           |

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 19, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/5/2023)

WHEREAS, The Countywide Brownfield Redevelopment Authority (BRA) has been awarded their first grant for the redevelopment of a vacant parcel at the intersection of South Euclid and Salzburg Road in Monitor Township; and

WHEREAS, The project is proposed to be a new Tim Horton's and will create seven (7) full-time and 10-13 part-time jobs; and

WHEREAS, The site was previously developed and some environmental contamination is anticipated. The EGLE grant of \$300,000 will assist the Developer in covering some of the costs of the environmental actions necessary for site development. The Countywide BRA bylaws require that a grant or loan cannot be accepted unless authorized by resolution of the Board of Commissioners; and

WHEREAS, The Michigan Department of Environment, Great Lakes, and Energy (EGLE) and the Michigan Economic Development Corporation (MEDC) have a variety of financial tools including grants to support the redevelopment of previously developed sites that are frequently contaminated; and

WHEREAS, By providing funding assistance to help address costly environmental cleanup and blight, new development/redevelopment is encouraged at properties where the building and surrounding soils have been contaminated from past environmental practices. This creates opportunities for new business growth and new job creation in our community; and

WHEREAS, The grant award to the BRA is obligated to the project and will cover authorized expenses for site development in coordination with EGLE. The Director of Environmental Affairs and Community Development serves as the technical liaison to the BRA and will provide technical assistance; and

WHEREAS, No general funds will be used or obligated; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners accepts the EGLE Brownfield Redevelopment grant award and authorizes the Chairman of the Board to execute any and all documents required for the EGLE grant award following Finance and Corporation Counsel review and approval; Be It

Finally

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

TIM BANASZAK, CHAIR  
AND COMMITTEE

Environmental Affairs – Brownfield Redevelopment Authority (BRA) Project Grant Award – Salzburg & Euclid

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. HEREK

| COMMISSIONER     | Y | N | E | COMMISSIONER         | Y | N | E | COMMISSIONER      | Y | N | E |
|------------------|---|---|---|----------------------|---|---|---|-------------------|---|---|---|
| KATHY NIEMIEC    | X |   |   | COLLEEN M. MAILLETTE | X |   |   | DENNIS R. POIRIER | X |   |   |
| TIM BANASZAK     | X |   |   | THOMAS M. HEREK      | X |   |   |                   |   |   |   |
| VAUGHN J. BEGICK | X |   |   | KAYSEY L. RADTKE     | X |   |   |                   |   |   |   |

VOTE TOTALS:

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

VOICE: YEAS 7 NAYS \_\_\_ EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_ WITHDRAWN-\_\_\_

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 19, 2023

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/5/2023)

WHEREAS, Bay County Recreation & Facilities is requesting to apply for the Bay Area Community Foundation's Grant to purchase new play equipment at the Pinconning Park; and

WHEREAS, Up to three (3) pieces of new spring rider equipment will be requested to replace currently outdated and broken pieces of play equipment that are obsolete; and

WHEREAS, While there is no monetary match requirement, Bay County Recreation & Facilities will provide in-kind labor for the installation of the equipment and cement pads where required, which can be done within the current budget; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes submittal of the Bay Area Community Foundation's Grant application, and further authorizes the Chairman of the Board to execute grant application and grant award documents required on behalf of Bay County (Recreation & Facilities) following Finance and Corporation Counsel review and approval; Be It Further

RESOLVED That the grant applicant/recipient departments are required to work simultaneously 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.

TIM BANASZAK, CHAIR  
AND COMMITTEE

Recreation & Facilities – Bay Area Community Foundation Grant – Play Equipment – Pinconning Park

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. RADTKE

| COMMISSIONER     | Y | N | E | COMMISSIONER         | Y | N | E | COMMISSIONER      | Y | N | E |
|------------------|---|---|---|----------------------|---|---|---|-------------------|---|---|---|
| KATHY NIEMIEC    | X |   |   | COLLEEN M. MAILLETTE | X |   |   | DENNIS R. POIRIER | X |   |   |
| TIM BANASZAK     | X |   |   | THOMAS M. HEREK      | X |   |   |                   |   |   |   |
| VAUGHN J. BEGICK | X |   |   | KAYSEY L. RADTKE     | X |   |   |                   |   |   |   |

VOTE TOTALS:

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

VOICE: YEAS 7 NAYS \_\_\_ EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_ WITHDRAWN \_\_\_

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_ NO ACTION TAKEN \_\_\_

## BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 19, 2023

## RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (9/5/2023)
- WHEREAS, Bay County clerks are faced with yet another change to Michigan's voting system, with the passage of Proposal 2022-2; and
- WHEREAS, One of the constitutional amendments requires each jurisdiction to have a precinct open and fully staffed for at least nine days of early voting in addition to election day. Bay County has 18 jurisdictions, of which only one local clerk's office maintains hours each business day and many local clerks have other full-time jobs; and
- WHEREAS, Implementation of an early voting location in each township would cost an enormous amount of resources, staff time, and money for Bay County taxpayers. The total implementation cost of each jurisdiction to individually run their own precinct is estimated to be over \$1,200,000 as opposed to the cost of a consolidated county precinct which is estimated to cost \$215,000; and
- WHEREAS, Proposal 2022-2 allows for consolidation among local jurisdictions or with the county clerk to share costs and resources for an early voting precinct. The Bay County Clerk, Kathleen Zanotti, has offered to host a consolidated early voting precinct that meets all the requirements under the Michigan Constitution and the Michigan Legislature; and
- WHEREAS, Every Local clerk in Bay County has expressed interest in participating in the Bay County Clerk's early voting precinct. A consolidated Bay County precinct would save Bay County taxpayer money while still offering early voting as required by law; and
- WHEREAS, Public Act 81 of 2023 requires that each jurisdiction who wishes to consolidate with the county clerk to enter into a county agreement. Each participating Bay County jurisdiction will enter into a cost-sharing agreement and be charged a fee of \$8,024 per year. This will cover the staffing, equipment, and location expense; and
- WHEREAS, Each early voting precinct is required to have both a designated Election Coordinator and a Site Supervisor for each day of early voting. The Bay County Clerk will require additional staff to satisfy the requirement of having supervision at the precinct during election hours while still providing coverage at the Bay County Clerk's office; and
- WHEREAS, In addition to early voting site supervision, the Bay County Elections Coordinator will assist with the open and close of the precinct during the day, the final closing of the precinct on election day, early voting election inspector recruitment, early voting election inspector training, processing of election inspector wages, create voter education programs and testing of all early voting equipment; and
- WHEREAS, The Election Coordinator, responsible for many duties, will also serve as an administrative assistant to the County Election Commission, School District Election Coordinating Committees, and County Board of Canvassers; and
- WHEREAS, This full-time position will be funded through the early voting county agreement; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves all agreements and purchases needed to effectuate a Bay County Early Voting precinct, including but not limited to the following: posting and filling an Elections Coordinator position (PB06); entering into an Early Voting contract with participating jurisdictions; and to apply for any early voting grants; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute all related agreements/documents, i.e. Early Voting Contracts with participating jurisdictions, early voting grant application(s), and award documents; Be It Finally
- RESOLVED That related budget adjustments, if required, are approved.

TIM BANASZAK, CHAIR  
AND COMMITTEE

County Clerk – Consolidated Early Voting Precinct – Elections Coordinator Position

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 19, 2023

RESOLUTION

MOVED BY COMM. BANASZAK

SUPPORTED BY COMM. MAILLETTE

| COMMISSIONER     | Y | N | E | COMMISSIONER         | Y | N | E | COMMISSIONER      | Y | N | E |
|------------------|---|---|---|----------------------|---|---|---|-------------------|---|---|---|
| KATHY NIEMIEC    | X |   |   | COLLEEN M. MAILLETTE | X |   |   | DENNIS R. POIRIER | X |   |   |
| TIM BANASZAK     | X |   |   | THOMAS M. HEREK      | X |   |   |                   |   |   |   |
| VAUGHN J. BEGICK | X |   |   | KAYSEY L. RADTKE     | X |   |   |                   |   |   |   |

VOTE TOTALS:

ROLL CALL: YEAS      NAYS      EXCUSED     

VOICE: YEAS   7   NAYS      EXCUSED   0  

DISPOSITION: ADOPTED   X   DEFEATED      WITHDRAWN     

AMENDED      CORRECTED      REFERRED      NO ACTION TAKEN

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: 9/5/2023

MOTION SPONSORED BY: COMM. POIRIER

MOTION SUPPORTED BY: COMM. RADTKE

MOTION NO.: 74

MOVED TO ADJOURN THE SPECIAL MEETING OF THE  
BOARD OF COMMISSIONERS ON 9/5/2023 AT 4:45 PM.

| COMMISSIONER     | Y | N | E | COMMISSIONER      | Y | N | E | COMMISSIONER   | Y | N | E |
|------------------|---|---|---|-------------------|---|---|---|----------------|---|---|---|
| Kathy Nierniec   | X |   |   | Colleen Maillette | X |   |   | Dennis Poirier | X |   |   |
| Tim Banaszak     | X |   |   | Thomas Herek      | X |   |   |                |   |   |   |
| Vaughn J. Begick | X |   |   | Kaysey Radtke     | X |   |   |                |   |   |   |

**VOTE TOTALS:**

ROLL CALL: YEAS      NAYS      EXCUSED     

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED      WITHDRAWN     

AMENDED      CORRECTED      REFERRED