# **SPECIAL MEETING**

# **BAY COUNTY BOARD OF COMMISSIONERS**

# AGENDA

# **TUESDAY, JULY 30, 2013**

# 4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

| PΑ | GF     | NO  |
|----|--------|-----|
|    | $\sim$ | 114 |

|      | I    | CALL TO ORDER (CHAIRMAN KRYGIER)   |
|------|------|--|
|      | II   | ROLL CALL  |
|      | III  | INVOCATION   |
|      | IV   | PLEDGE OF ALLEGIANCE   |
|      | V    | CITIZEN INPUT (4:00 P.M.)  |
|      | VII  | ITEMS FOR CONSIDERATION  |
| 1-3  |      | A. No. 2013-129 - Resolution Encouraging a Local Community Mental Health System with Equitable Funding (BABHA)           |
| 4-6  |      | B. No. 2013-130 - Confirmation of County Executive's Recommendation to Appoint Joel Strasz as Bay County Health Director |
| 7-10 |      | C. Board of Canvassers -2013 Budget Allocation   |
|      | VIII | UNFINISHED BUSINESS  |
|      | IX   | NEW BUSINESS   |

X **MISCELLANEOUS** 

ΧI **ANNOUNCEMENTS** 

#### XII CLOSED SESSION

A. Corporation Counsel - Pending Litigation (2 Matters)

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

B. Personnel Director - Labor Negotiations

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (c): For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

### XIII RECESS/ADJOURNMENT

# ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: JULY 30, 2013

MOTTON/ RES. NO.

INTRODUCED/ SUBMITTED BY

SUBJECT OF RESOLUTION/MOTION

ADOPTED AMENDED CORRECTED DEFEATED REFERRED TABLED WITHDRAWN

PAGE 1 of 1

| KES. NO. | SOBINI LED BI  | Sobject of Resolution/Profices   | ADOFIED AMENDED CORRECTED DEFEATED REFERRED TABLED WITHDRAWN |   |
|----------|----------------|--|--|---|
| 2013-129 | Board of Comm. | Encourage Medicaid funding for Bay Arenac Behavioral Health Auth.      | ×  |   |
| 2013-130 | Board of Comm. | Appoint Joel Strasz as Bay County Health Director                      | X  | - |
| 2013-131 | Board of Comm. | Restore per diem line item to Board of Canvassers to cover scanning    | ×  |   |
|          |                |  |  |   |
| Motions  |                |  |  |   |
| 74       | Coonan         | Go into closed session regarding Labor Negotiations/Pending Litigation | X  |   |
| 75       | Lutz           | Back to regular session following closed session discussions           | ×  |   |
| 76       | Tilley         | Authorize the Attorney to act in manner discussed in Closed Session    | X  |   |
| 77       | Coonan         | Accept recommendation of Personnel Director re: Labor Negotiations     | ×  |   |
| 78       | Tilley         | To adjourn the Special Meeting of July 30, 2013                        | ×  |   |
|          |                |  |  |   |
|          |                |  |  |   |
|          |                |  |  |   |
|          |                |  |  |   |
|          |                |  |  |   |
|          |                |  |  |   |
|          |                |  |  |   |
|          |                |  |  |   |

MICHAEL E. LUTZ

# **BAY COUNTY BOARD OF COMMISSIONERS**

### 7/30/13

# RESOLUTION ENCOURAGING A LOCAL CMH SYSTEM WITH EQUITABLE FUNDING

| COMMISSIONER                            | ŀ     | Y             | N              | E               | COMMISSIONER                                   | Υ              | N ,            | E            | COMMISSIONER           | Y           | N     | E         |
|---|-------|---------------|----------------|-----------------|--|----------------|----------------|--------------|------------------------|-------------|-------|-----------|
| SUPPORTED BY CO                         | мм    | L             | ut?            | <u>~</u> _      |  |                |                |              | <u> </u>               | 1           | 1     |           |
| BABHA - CMH<br>MOVED BY COMM.           | 21215 | 191 \<br>1011 | NIIF<br>an     | ı EQU           | JITABLE FUNDING                                |                |                |              |                        |             |       |           |
| D4004 0001                              | CVCTT | 78.8 Y        | A / T-7-)      | ורסי            | AND BOAR                                       | D              |                |              |                        |             |       |           |
| *.                                      |       |               |                |                 | ERNIE KRYGIER                                  |                | AIR            |              |                        |             |       |           |
|   | PIHP  |               |                |                 |  |                |                |              |                        |             | -     |           |
|   | Healt | th A          | utho           | rity (          | BABHA) is a part, is                           | incre          | ased           | to t         | hat of the better fun  | ıded ı      | egic  | mal       |
|   | Medi  | Caid          | ціу I<br>1 Pre | naid            | Inpatient Health Pla                           | ın (P          | (HHI           | , of         | which Bay-Arena        | c Bel       | avi   | ora       |
| RESOLVED                                | Lnat  | ເກe<br>ພະເຕ   | Day<br>167 L   | UUU<br>Healtl   | h to ensure that the pe                        | ussiu.<br>Reni | nllee          | Me           | edicaid funding for    | the R       | egic  | n 5       |
| DEGOLVED                                | tor M | DC<br>W       | H to           | corr            | ect this longstanding<br>inty Board of Comm    | iceio          | ing II<br>nere | ıeql         | es the Michigan D      | u<br>enarti | men   | t of      |
| WHEREAS,                                | The f | orn           | nation         | n of t          | his new regional PIHI                          | on,            | Janu           | ary          | 1, 2014, provides at   | ı oppı<br>r | ortu  | шij       |
|   | acces | s to          | mer            | ıtal h          | ealth care, regardless                         | of w           | here           | in tl        | he state they live; an | nd          |       |           |
| WHEREAS,                                | Asaı  | mat           | ter of         | f Me            | dicaid policy, Michiga                         | an's l         | Medi           | caid         | recipients should h    | ave t       | he sa | ıme       |
|   | Coun  | itv:          | and            |                 |  |                |                |              |                        |             |       |           |
|   | come  | reh           | ensiv          | venes           | ss of the mental heal                          | th se          | rvice          | s av         | vailable to the resid  | dents       | of l  | Вау       |
|   | Medi  | cai<br>12 H   | i ine          | siaic<br>ollars | annually – thus                                | ere<br>ere     | eatly          | · im         | proving the acc        | ess         | to    | and       |
| WHEREAS,                                |       | g10.<br>Ic :- | n Dii<br>The   | ecelv<br>etete  | ved the same per-em<br>, the 12 partner CMH    | fg wa          | nld r          | ecei         | ive over \$100 million | on ad       | ditio | na        |
| ummer (c                                | parts | of t          | he st          | ate; a          | and<br>ved the same per-eni                    | ممالت          | Ma             | dica         | id funding as the l    | netter      | fim   | dec       |
|   |       |               |                |                 | d time shortened serv                          | ices t         | han a          | ire a        | vailable to the resid  | ients       | ot o  | the       |
| ,                                       | thous | sand          | ls of          | perso           | ons in need of mental                          | heal           | th se          | rvic         | es and are forced to   | prov        | ide   | less      |
| WHEREAS,                                | Annu  | ıaİlv         | y, as          | a re            | sult of this funding                           | ineq           | uity,          | sor          | ne Region 5 CMH        | Is tur      | n a   | way       |
| 111111111111111111111111111111111111111 | in ma | any           | of th          | e cot           | inties in Region 5; an                         | d              |                |              |                        |             |       |           |
| WHEREAS,                                | This  | fun           | ding           | inear           | uity has led to signific                       | ant g          | aps i          | n th         | e public mental hea    | lth sa      | fety  | ne        |
|   | hoeni | itale         | out I          | s uic<br>deve   | lopmental disability c                         | enter          | s, and         | d par        | st Medicaid billing r  | oracti      | ces:  | ano       |
| WHEREAS,                                | 1 ms  | run           | aing<br>but:   | ineq            | uity is not related to result of past appropri | ation          | natte          | erne         | the locations of sta   | te nsv      | chia  | ıtric     |
| WHEREAS,                                | Regio | on S          | has            | som             | e of the most poorly f                         | unde<br>ع:د    | d CN           | 4Hs          | in the state; and      | of pr       | ović  | line      |
|   | and   |               |                |                 |  |                |                |              |                        |             |       |           |
| ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | 370,0 | 000           | Med            | icaid           | enrollees, which is la                         | rger t         | han t          | he l         | Medicaid enrollmen     | t in 1      | 7 sta | ites      |
| WHEREAS,                                | Regio | on 5          | will           | lincl           | ude a new Prepaid In                           | patie          | nt H           | ealtl        | n Plan (PIHP) consi    | isting      | ofo   | ve        |
|   | Com   | miii<br>miii  | nity N         | Ment:           | al Health programs (C                          | CMH            | s) on          | erat         | ing in 21 counties:    | and         |       |           |
| WHEREAS,                                | The I | M10           | niga           | n De            | partment of Commugions which will place        | miy.           | RH             | uı (ı<br>∆in | to Region 5 which      | incl        | ndes  | <br>3. 12 |
| *************************************** | servi | ng o          | over:          | 5,000           | residents of Bay and                           | l Are          | nac (          | Jour         | nties each year; and   | l<br>Con    | 20111 | nits      |
|   | ment  | al l          | nealth         | n and           | l developmental disa                           | bility         | ser            | vice         | s provider for this    | com         | mur   | iity      |
| WHEREAS,                                | Bay-  | Are           | nac I          | 3eha            | vioral Health (BABH                            | A) h           | as sei         | rved         | , for over 42 years,   | as th       | e pu  | blio      |
| BY:                                     |       |               |                |                 | DARD OF COMMISS                                |                |                |              |                        |             |       |           |

| VOTE TOTALS:  ROLL CALL: YEAS NAYS EXCUSED  VOICE: YEAS NAYS EXCUSED 2 | 2_  |
|--|-----|
| DISPOSITION: ADOPTED DEFEATED WITHDRAWN REFERRED                       | -3- |

KIM J. COONAN

THOMAS M. HEREK

DONALD J. TILLEY

**BRANDON KRAUSE** 

VAUGHN J. BEGICK

ERNIE KRYGIER

#### 7/30/13

#### **RESOLUTION**

| BY:      | BAY COUNTY BOARD OF COMMISSIONERS (7/30/13)  |
|----------|--|
| WHEREAS, | Based on his work experience, education and civic involvement over the span of his career, the Bay County Executive has submitted the name of Joel Strasz as the new Bay County Health Director; and |
| WHEREAS, | Pursuant to P.A. 139 of 1973, the Board of Commissioners' concurrence with this appointment is required; Therefore, Be It  |
| RESOLVED | That the Bay County Board of Commissioners concurs with the County Executive's appointment of Joel Strasz as the Bay County Health Director.   |

# ERNIE KRYGIEIR, CHAIR AND BOARD

Health Dept. - Joel Strasz as Health Director

| MOVED BY COMM   | $\Box$   | دالت | وبړ_  | <del></del>      |          |   |   |                 |   |   |          |
|---|----------|------|-------|------------------|----------|---|---|-----------------|---|---|----------|
| SUPPORTED BY COMM   |          | Lut  | - 2-  |                  |          |   |   |                 |   |   | <b>1</b> |
| COMMISSIONER  | Y        | N    | E     | COMMISSIONER     | Υ        | N | E | COMMISSIONER    | Υ | N | E        |
| BRANDON KRAUSE  |          |      | /     | KIM J. COONAN    | /        |   |   | MICHAEL E. LUTZ | / |   |          |
| ERNIE KRYGIER   | <b>/</b> |      |       | THOMAS M. HEREK  |          |   | / | ·               |   |   |          |
| VAUGHN J. BEGICK  | 1        |      |       | DONALD J. TILLEY | <b>/</b> |   |   |                 |   |   |          |
| VOTE TOTALS: ROLL CALL: YEAS_ VOICE: YEAS_5  DISPOSITION: ADOPTED AMENDED | /        | DE   | FEATE |                  |          |   |   |                 |   |   |          |

-6-

#### 7/30/13

#### RESOLUTION

| ı | D١         | /1 |  |
|---|------------|----|--|
| ı | <b>7</b> 1 | ·  |  |

BAY COUNTY BOARD OF COMMISSIONERS (7/30/13)

**RESOLVED** 

That the Bay County Board of Commissioners hereby restores the per diem line item as of 7/9/13 to the Board of Canvassers 2013 budget with \$3,100 appropriated to cover scanning and record retention of elections/minutes by a temporary employee through 8/30/13 with the remaining balance to cover per diem expenses in accordance with Michigan Election Law at the rate \$100 per day.

ERNIE KRYGIER, CHAIR AND BOARD

Board of Canvassers - Restoration of 2013 Budget

| Begi |           | <del></del> |                  |  |  |  |   |   |  |  |
|------|-----------|-------------|------------------|--|--|--|---|---|--|--|
|      | Ī         | T           | T                |  | Τ  | 1_   |   | 1,,   | T  |  |
| Υ    | N         | E           | COMMISSIONER     | Y  | N  | E  | COMMISSIONER  | Y   | N  | E  |
|      |           | 1           | KIM J. COONAN    | 1  |  |  | MICHAEL E. LUTZ   | 1   |  | !<br>!   |
| 1    |           |             | THOMAS M. HEREK  |  |  | r  |   |   |  |  |
| V    |           |             | DONALD J. TILLEY | <b>V</b>   |  |  |   |   |  |  |
|      | Begi<br>Y | YN          | Begick  Y N E    | Begick  Y N E COMMISSIONER  KIM J. COONAN  THOMAS M. HEREK | Begick  Y N E COMMISSIONER Y  KIM J. COONAN  THOMAS M. HEREK | Begick  Y N E COMMISSIONER Y N  KIM J. COONAN  THOMAS M. HEREK | Begick  Y N E COMMISSIONER Y N E  KIM J. COONAN  THOMAS M. HEREK  Y | Begick  Y N E COMMISSIONER Y N E COMMISSIONER  KIM J. COONAN Y MICHAEL E, LUTZ  THOMAS M. HEREK Y | Begick  Y N E COMMISSIONER Y N E COMMISSIONER Y  KIM J. COONAN | Begick  Y N E COMMISSIONER Y N E COMMISSIONER Y N  KIM J. COONAN |

| VOTE TOTALS:<br>ROLL CALL:<br>VOICE: | YEAS     | NAYS<br>NAYS | EXCUSED_<br>EXCUSED_ | <u>.</u><br><u>2</u> |
|--------------------------------------|----------|--------------|----------------------|----------------------|
| DISPOSITION:                         | ADOPTED_ | V DEFEATI    |                      | WITHDRAWN            |

| MEETING DATE: JULY 30, 2013       |
|-----------------------------------|
| MOTION SPONSORED BY: COMM. COONAN |
| MOTION SUPPORTED BY: COMM. TILLEY |
| MOTION NO.:74                     |
|                                   |

TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (c): FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARBAINING AGREEMENT WHEN EITHER NEGOTIATING PARTY REQUESTS A CLOSED HEARING.

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

| COMMISSIONER     | Υ | N | E | COMMISSIONER     | Υ | N | E        | COMMISSIONER | Υ | N | Ε        |
|------------------|---|---|---|------------------|---|---|----------|--------------|---|---|----------|
| Brandon Krause   |   |   | х | Kim Coonan       | х |   |          | Michael Lutz | x |   | <u> </u> |
| Ernie Krygier    | Х |   |   | Thomas Herek     |   |   | х        |              |   |   | <u> </u> |
| Vaughn J. Begick | х |   |   | Donald J. Tilley | х |   | <u> </u> |              |   |   |          |

| VOTE TOTALS:   |                               |  |
|----------------|-------------------------------|--|
| ROLL CALL: XX  | YEAS 5 NAYS 0 EXCUSED 2       |  |
| VOICE:         | YEAS NAYS EXCUSED             |  |
| DISDOSITION:   | ADOPTED XX DEFEATED WITHDRAWN |  |
| D151 051116111 | AMENDED CORRECTED REFERRED    |  |

| MEETING DATE: JULY 30, 2013      |
|----------------------------------|
| MOTION SPONSORED BY: COMM. LUTZ  |
| MOTION SUPPORTED BY:COMM. COONAN |
| MOTION NO.:75                    |
|                                  |

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION DISCUSSIONS REGARDING LABOR NEGOTIATIONS AND PENDING LITIGATIONS MATTERS.

| COMMISSIONER     | Υ | Ň | E | COMMISSIONER     | Υ | N | E | COMMISSIONER | Υ | N | E        |
|------------------|---|---|---|------------------|---|---|---|--------------|---|---|----------|
| Brandon Krause   |   |   | х | Kim Coonan       | х |   |   | Michael Lutz | х |   | <u> </u> |
| Ernie Krygier    | х |   |   | Thomas Herek     |   |   | х |              |   |   |          |
| Vaughn J. Begick | Х |   |   | Donald J. Tilley | х |   |   |              |   |   |          |

| VOTE TOTALS: |                               |
|--------------|-------------------------------|
| ROLL CALL:   | YEAS NAYS EXCUSED             |
| VOICE: XX    | YEAS 5 NAYS 0 EXCUSED 2       |
| DISPOSITION: | ADOPTED XX DEFEATED WITHDRAWN |
|              | AMENDED CORRECTED REFERRED    |

| MEETING DATE: <u>JULY 30, 2013</u>       |  |
|--|--|
| MOTION SPONSORED BY: <u>COMM. TILLEY</u> |  |
| MOTION SUPPORTED BY: <u>COMM. COONAN</u> |  |
| MOTION NO.:76                            |  |

TO AUTHORIZE THE ATTORNEY TO ACT IN THE MANNER DISCUSSED IN CLOSED SESSION, PER CORPORATE COUNSEL, MARTHA FITZHUGH.

| COMMISSIONER     | Υ | N | Е | COMMISSIONER     | Υ | N | E | COMMISSIONER | Υ | N | E |
|------------------|---|---|---|------------------|---|---|---|--------------|---|---|---|
| Brandon Krause   |   |   | х | Kim Coonan       | x |   |   | Michael Lutz | x |   |   |
| Ernie Krygier    | х |   |   | Thomas Herek     |   |   | х |              |   |   |   |
| Vaughn J. Begick | х |   |   | Donald J. Tilley | х |   |   |              |   |   |   |

| VOTE TOTALS: |                               |
|--------------|-------------------------------|
| ROLL CALL:   | YEAS NAYS EXCUSED             |
| VOICE: XX    | YEAS 5 NAYS 0 EXCUSED 2       |
| DISPOSITION: | ADOPTED XX DEFEATED WITHDRAWN |
|              | AMENDED CORRECTED REFERRED    |

| MEETING DATE: <u>JULY 30, 2013</u> |
|------------------------------------|
| MOTION SPONSORED BY: COMM. COONAN  |
| MOTION SUPPORTED BY: COMM. LUTZ    |
| MOTION NO.:                        |
|                                    |

TO ACCEPT THE RECOMMENDATION OF THE PERSONNEL DIRECTOR, TIM QUINN, CONCERNING LABOR NEGOTIATIONS BROUGHT FORTH IN CLOSED SESSION.

| COMMISSIONER     | Y | N | E | COMMISSIONER     | Υ | N | Ε | COMMISSIONER | Y        | N | Е |
|------------------|---|---|---|------------------|---|---|---|--------------|----------|---|---|
| Brandon Krause   |   |   | х | Kim Coonan       | х |   |   | Michael Lutz | х        |   |   |
| Ernie Krygier    | х |   |   | Thomas Herek     |   |   | х |              |          |   |   |
| Vaughn J. Begick | х |   |   | Donald J. Tilley | х |   |   |              | <u> </u> |   |   |

| OTE TOTALS:  |                               |
|--------------|-------------------------------|
| ROLL CALL:   | YEAS NAYS EXCUSED             |
| OICE: XX     | YEAS 5 NAYS 0 EXCUSED 2       |
| DISPOSITION: | ADOPTED XX DEFEATED WITHDRAWN |
|              | AMENDED CORRECTED REFERRED    |

| MEETING DATE: <u>JULY 30, 2013</u> |
|------------------------------------|
| MOTION SPONSORED BY: COMM. TILLEY  |
| MOTION SUPPORTED BY: COMM. COONAN  |
| MOTION NO.:                        |
|                                    |

TO ADJOURN THE SPECIAL BOARD MEETING OF JULY 30, 2013 AT 6:00 P.M.

| COMMISSIONER     | Υ | N | E | COMMISSIONER     | Υ | N | E | COMMISSIONER | Υ | N | E        |
|------------------|---|---|---|------------------|---|---|---|--------------|---|---|----------|
| Brandon Krause   |   |   | х | Kim Coonan       | х |   |   | Michael Lutz | x |   |          |
| Ernie Krygier    | х |   |   | Thomas Herek     |   |   | х |              |   |   | <u> </u> |
| Vaughn J. Begick | х |   |   | Donald J. Tilley | Х |   |   |              |   |   |          |

| VOTE TOTALS: |                               |
|--------------|-------------------------------|
| ROLL CALL:   | YEAS NAYS EXCUSED             |
| VOICE: XX    | YEAS 5 NAYS 0 EXCUSED 2       |
| DISPOSITION: | ADOPTED XX DEFEATED WITHDRAWN |
|              | AMENDED CORRECTED REFERRED    |