

Agenda
Tuscola County Board of Commissioners
Committee of the Whole – Monday, April 9, 2018 – 8:00 A.M.
HH Purdy Building - 125 W. Lincoln, Caro, MI

Finance/Technology
Committee Leaders-Commissioners Kirkpatrick and Bierlein

Primary Finance/Technology

1. **Court Request to Purchase OnBase Workflow Software (See A)**
2. **Indigent Defense Funding (See B)**
3. **Jail Remodeling Meeting Planning April 11th and 12th**
4. **Receive and Place on file Dispatch 2017 Annual Report**
5. **Meeting to Discuss Caro Regional Center**

On-Going and Other Finance

1. Update Regarding Potential Dental Clinic
2. Continue Review of Road Commission Legacy Costs
3. Behavioral Health 2017 Audit
4. Update Wind Turbine Revenue History and Projections
5. Work to Resolve Remaining Assessing/Taxation Disputes with Wind Turbine Companies
6. Presentation of County Treasurer Investment Reports
7. Water Rates Paid for County Facilities Along M24 and Deckerville Roads
8. Assess Avoidance Costs from Retirement System Changes Previously Implemented
9. Solar Assessing/Taxation Information
10. Update Regarding Indigent Defense Plan
11. March 20th Meeting in Bay City Regarding Medical Examiner System
12. Opioid Lawsuit Update
13. Update Regarding Airport Zoning Board of Appeals
14. Empower Deferred Compensation Proposed Contract Changes
15. Potential Personnel Property Tax Changes
16. Work on an Update to the Multi-Year Financial Plan

Personnel
Committee Leader-Commissioner Bardwell

Primary Personnel

1. **Resignation of Sharon Mika from County Recycling Committee (See C)**
2. **Authorization to Refill Vacant Material Handler Position**

On-Going and Other Finance

1. Reporting Relationship (Nepotism Policy)
2. Review the Potential Formation of Quarterly Meetings with County Leaders
3. Procedural Coordination with HR Director Regarding Hiring/Discharge/Payroll/Record Keeping
4. Develop a System to Keep Job Postings on the Web Site Current
5. Determine how to Gain Help for the County from the Leaders Program
6. Process and Cost to Replace County Health Department Medical Director

Building and Grounds
Committee Leaders-Commissioners Young and Vaughan

Primary Building and Grounds

1. Jail Impoundment Project
2. Purdy Door Replacement Bids
3. Purdy Building Partial Roof Replacement Bids
4. Jail Rooftop HVAC Replacement Bids
5. MSU-e Parking lot Sealing Bids
6. Vanderbilt Park Update

On-Going and Other Building and Grounds

1. County Property Ownership Identification
2. Recycling Building Remodeling – Next Steps
3. Review Potential Acquisition of Land from State Near Caro Regional Center
4. Update 10 Year Capital Improvement Plan
5. 2018 Budgeted Driveway, Parking Lot and Sidewalk Repairs
6. Vanderbilt Park Next Steps for Further Improvement
7. Planning for County Record Storage Needs
8. Potential Annexation of County Property to City for Water/Sewer Cost Reductions
9. Update Regarding County Record Storage Needs

Other Items Not Assigned to a Committee

1. Review of Alternative Solutions Concerning the Caro Dam –Meeting 4/18/18
2. 2018 MAC Priorities
3. Cass River Greenways
4. On-Going Economic Development Activity Updates from EDC Director
5. Review County-Wide Economic Development Strategic Plan
6. Dairy Farmers of America Phase 2– Cass City
7. Road Commission Organizational Alternatives – Next Steps
8. Sunday Retail Sales of Spirits, Beer and Wine – Next Steps

Other Business as Necessary

Public Comment Period

Commissioners

The following is information that is intended to assist in your decision making regarding the court request to purchase the OnBase software module for Probate Court. This proposal increases county costs for 2018 by approximately \$97,000.

Overall System Objectives – Web Based and Software Based Versions

The state has mandated E-Filing of court documents. This mandate allows for citizens and their attorneys to file court cases with the County electronically. This is in an attempt to ease filling out complex forms and reduce travel time for the citizens, as well as begin the paperless process for the court system. The State will provide a free, web based solution to the County to retrieve these digitally submitted documents. How the Court wants to handle that document, is then up to them. Adding workflow software to the State’s E-File solution is an option.

1. The first method is to print all of this case information and package it into physical documents which may be labor intensive. This web based solution is free to the County.
2. The second method is to purchase OnBase Software. This software will process the court documents digitally and into an advanced workflow, which adds efficiency and reduces the amount of time required to prepare cases. The office clerks do not have to prepare case bundles to send to other offices. Instead, they will send them to a digital inbox for review, approval and processing. This sets the stage for advancing a paperless judicial process. This approach requires major county expenditures.

System Funding

The State and State Court Administrative Office (SCAO) costs to implement the new system were funded by a requirement that the counties assess \$25 per civil case filed. Since March 1, 2013 Tuscola County has forwarded over \$66,000 to the state to pay for SCAO implementation costs. However, no state funding was provided for the counties to implement the workflow software. It is extremely frustrating that the state did not provide funding for county workflow implementation costs. It is suspected that the state avoided a mandate without the funding by offering an alternative web based system with an alleged no cost to the counties.

Workflow Software Costs and Scope

This is a broad based system designed for the entire judicial and legal system of the county. The table below shows the eight county departments that make up this system: Friend of the Court, County Clerk, Juvenile Probation, Probate Court, District Court, Circuit Court, Prosecuting Attorney and Sheriff Department. Assuming the county purchases the workflow software, the estimated purchase costs for the eight departments is over \$1,194,000 in today dollars. In addition, annual maintenance costs are estimated at approximately \$124,000.

Tuscola County On-Base Cost Estimates			
Year Implemented	Department	Actual and Estimated Purchase Price	Annual Maintenance Cost
2008	Friend of the Court and County Clerk	\$188,925	\$22,140
2012	Juvenile Probation	\$52,600	\$24,159
2018 (Proposed)	Probate Court	\$84,493	\$12,742
2019 (Proposed)	District Court	\$308,185	\$13,875
2020 (Proposed)	Circuit Court	\$170,000	\$17,000
2020 (Proposed)	Prosecuting Attorney	\$220,000	\$17,000
2021 (Proposed)	Sheriff Office	\$170,000	\$17,000
Total		\$1,194,203	\$123,916

The workflow software is already purchased and in operation in three county departments: Friend of the Court, County Clerk and Juvenile Probation. Purchase cost for these three existing modules was approximately \$242,000 with annual maintenance costs of \$46,000. Annual maintenance costs have been increasing two to three percent per year.

The workflow software has not yet been purchased for the following five departments; Probate Court, District Court, Circuit Court, Prosecuting Attorney and Sheriff Office. The total purchase cost in today's dollars is estimated at \$952,000 with estimated annual maintenance costs of \$78,000.

Information Technology Support Costs

Substantial time is required by the information Technology (IT) staff to support the current OnBase workflow software. In fact, the Information Technology Director has explained one full-time staff person is dedicated to supporting the current software for just the three departments of Friend of the Court, County Clerk and Juvenile Probation. The IT Director believes it is possible to support the requested Probate module with current IT staff but any additional modules would require the hiring of more staff which as you know is another major expense of approximately \$60,000 or more when wages and fringe benefits are included.

Request to Purchase Probate Court Workflow Module

The court is currently requesting funding for the OnBase software module for Probate Court. The purchase cost is \$84,493 which includes annual support costs of \$12,743. Funding for the next workflow software module for Probate Court was requested by the court during development of the 2018 budget. The request was not approved by the board because other major computer hardware/software priorities were set including the need for new financial system software, critical core switching hardware and security equipment in the Courthouse totaling approximately \$356,000. Including other smaller items over \$400,000 in computer related technology is budgeted for 2018.

Recently the court was able to leverage one-time indirect cost funds from the state. The court determined that they could apply for indirect costs for childcare for which they previously had not applied. This application was made and the county received \$96,310. It is appreciated that the Chief Judge has agreed to use these funds for the purchase of the OnBase software module for Probate Court. The amount of indirect cost funds received is enough to purchase the workflow software.

Unfavorable Factors Regarding Purchasing Probate Court Workflow Module

The court needs to explain in detail the benefits of the Probate Court workflow software module. More specifically, what this workflow software will enable that is not possible now.

Another unfavorable factor is the precarious overall financial position of the county increasing the risk with any new major expensive . The non-wind turbine (WT) tax base is flat resulting in minimal property tax revenue growth. The flat non-WT tax base increases dependency on WT development to generate revenue needed operate county services. This dependency is concerning because it is unknown whether additional WT will be constructed. WT are controversial. Under the current method of assessing/taxation, significantly less revenue will be received in future years. If additional WT development does not occur, the amount of WT revenue received will decline quickly. Other than for NextEra, the outcome of the assessing/taxation dispute remains undetermined.

Using indirect cost funds for the purchase of the OnBase software module for Probate Court means these funds will not be available if costs increase for children that may have to be placed in institutional or foster care or for other unanticipated cost increases. This means if the childcare funds do not have sufficient fund balance for increased costs, more funding from the general fund would be required. Childcare costs are in many respects unpredictable.

New computer hardware/software applications are significantly driving up computer department costs. In 2016, the computer department operating costs were approximately \$458,000 compared to \$611,000 currently budgeted for 2018. A full-time position was added in 2017 at an estimated cost of \$65,000 to help support current hardware/software systems and computer system security needs. Software and hardware service contract costs continue to substantially increase. Service contract costs were \$217,000 for 2017 compared to \$267,000 budgeted for 2018. It is unknown if or when the addition of more OnBase workflow software will produce a return on investment in terms of staffing reductions.

Favorable Factors Regarding Purchasing Probate Court Workflow Module

Indirect cost funds have been leveraged from the state to fund first year costs of the Probate Court workflow module. Staff conducted a financial review to determine if the indirect cost funds are used to purchase the software module would a supplemental general fund appropriation be required. Based on current childcare fund expenditure trends, a supplemental general fund appropriation for 2018 would not be required.

The IT Director has explained that the Probate Court workflow module could be added without increasing IT staff but any additional software modules would require more IT staff.

Purchase of this workflow software significantly reduces the need for more hard copy record storage in Probate Court and positions the county for more electronic record storage and workflow in the future.

Recommendation for Board Consideration

It is extremely frustrating that the state did not provide funding for the overall OnBase workflow system because it comes with significant new county cost. However, based on this analysis staff recommends the purchase of the Probate Court OnBase workflow software. This purchase is recommended contingent upon satisfactory explanation by court officials of the entire benefits of the purchase. A source of funding for the first year cost has been provided by the court. It is unlikely a near term increase in general fund appropriation would be required for childcare fund costs. Additional IT staff does not have to be hired for this additional software. The software will help with minimizing the need for additional physical record storage space.

With the current precarious county financial position it is not possible to purchase more workflow software modules and add IT staff to support an expanded OnBase workflow systems.

Mike

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From: mhoagland@tuscolacounty.org
Sent: Tuesday, April 3, 2018 4:22 PM
To: Senator Mike Green; Representative Canfield
Cc: bklimaszewski@michiganidc.gov; Judge Amy Gierhart; 'Caryn Michalak'; Nancy Thane Judge (Nancy Thane); Glaspie Judge; Deena Bosworth; 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Subject: State Fiduciary Responsibility to Pay Costs to Implement Minimum Indigent Defense Standards

Senator Green and Representative Canfield

The purpose of the email is to express strong opposition from Tuscola county officials to the governor's proposed method of funding improvements to the indigent defense system to meet minimum standards. The need for improvements to this system is not in question. What is in question is the proposed method of financing these changes.

PA 93 of 2013 mandated that the state pay all indigent defense costs above the amount already being paid by the county. The FY 2019 budget proposed by the governor did not have sufficient funding to pay the additional indigent defense expenses. The governor has now proposed the law be amended to "clarify and improve" PA 93 of 2013. The proposed so called "clarification and improvement" amendment is not an improvement at all because it shifts the burden of paying for the new upgraded indigent defense system to the counties.

Under the proposed amendment to PA 93 of 2013 a minimum local share for indigent defense costs would be \$7.25 per capita. For Tuscola County this is approximately \$387,000 based a 2016 population of 53,388 (if the higher 2010 official US Census county population is used the per capita cost would be even higher). Our local share based on the approved Michigan Indigent Defense Plan was approximately \$248,000. This so called improvement would add yet another financial burden of at least \$139,000 to the county which already has financial challenges.

Also under the proposed "clarification and improvement" amendment 90% of the revenue now collected by counties from partially indigent defendants be remitted to the state. Increased court fines/costs may also be imposed by the state and court revenue previously available to the county for helping to fund existing court operations may have to be transferred to the state for increased indigent defense costs.

Please vote no to any proposed amendments that would reduce or eliminate the state fiduciary responsibility to pay all additional costs required to implement the minimum indigent defense standards. The state has a commitment under PA 93 of 2013 to pay for any additional costs necessary to implement minimum indigent defense standards. The solution is not putting more financial burden on counties.

Mike

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VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

Minutes of a regular meeting of the Wexford County Board of Commissioners, held at the Wexford County Courthouse, 437 E. Division St., Cadillac, Michigan on the twenty-first day of March 2018 at 5:30 p.m.

PRESENT: Leslie D. Housler, Robert Hilty, Michael Bengelink, Michael Bush, Gary Taylor, Julie Theobald, Judy Nichols, and Bill Goodwill;

ABSENT: Michael MacCready

The following preamble and resolution were offered by Commissioner Nichols and supported by Commissioner Taylor.

**RESOLUTION NO. 18-09
OPPOSING AMENDATORY LEGISLATION TO MICHIGAN PUBLIC ACT 93 OF 2013**

WHEREAS, Michigan Public Act 93 of 2013 created the Michigan Indigent Defense Commission (MIDC), authorized the MIDC to establish minimum standards for the provision of indigent defense services, mandated compliance plans from all Michigan counties by November 20, 2017 to address the first four indigent defense standards, and mandated that any additional costs required to implement these minimum standards be paid by the state; and

WHEREAS, Wexford County partnered with Missaukee County to develop a mandatory compliance plan for implementing the first four indigent defense standards and submitted this plan to the MIDC by the November 20, 2017 deadline, and

WHEREAS, Governor Rick Snyder has now proposed a FY19 budget for the state of Michigan, which includes insufficient funding to pay the additional indigent defense expenses that are anticipated in association with implementation of the first four indigent defense minimum standards, as required by Michigan Public Act 93 of 2013; and

WHEREAS, realizing state funding as currently proposed is insufficient and in violation of Michigan Public Act 93 of 2013, the Governor has further proposed amendatory legislation, "to clarify and improve" Michigan Public Act 93 of 2013, which include, among other things, establishing a new minimum local share of indigent defense costs to \$7.25 per capita and requiring that 90 percent of the revenue now collected by counties from partially indigent defendants be remitted to the state to support statewide system costs; and

WHEREAS, it has been determined that the proposed amendatory changes to Michigan Public Act 93 of 2013 would result in an increase in expenses to Wexford County to provide indigent defense services in compliance with the first four standards, and

THEREFORE BE IT RESOLVED, the Wexford County Board of Commissioners hereby opposes any amendatory legislation to Michigan Public Act 93 of 2013 that would reduce or eliminate the state of Michigan's fiduciary responsibility to pay any and all additional costs required to implement the minimum indigent defense standards, as presently legislated.

BE IT FURTHER RESOLVED, the Wexford County Board of Commissioners remains committed to implementing the new minimum indigent defense standards as mandated by the MIDC, so long as the state of Michigan remains true to its original commitment to pay for any additional costs necessary for their implementation.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Snyder, Representative Hoyenga, Senator Boohar, the Michigan Association of Counties, and the other 82 counties.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:


AYES: Theobald, Nichols, Goodwill, Housler, Hilty, Bengelink, Bush, and Taylor;

NAYS: None

RESOLUTION DECLARED ADOPTED.



Leslie D. Housler, Chairman, Wexford County Board of Commissioners



Elaine L. Richardson, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

I hereby certify that the foregoing is a true and complete copy of Resolution 18-09 adopted by the County Board of Commissioners of Wexford County at a regular meeting held on March 21, 2018, and I further certify that public notice of such meeting was given as provided by law.



Elaine L. Richardson, County Clerk

April 5, 2018

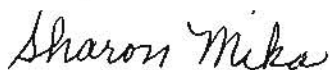
Dear Board of Commissioners

It is with much regret that I must notify you of my resignation as Chairperson and member of the Tuscola County Recycling Advisory Committee as of April 18, 2018. I will be moving out of the area and unable to continue my service on this committee.

I have appreciated the opportunity to serve on this committee in support of the recycling program over the years. I trust the county will continue to support recycling and the Advisory Committee as it moves to a new location and expands its operations and offerings. I regret I will not be here as the transition takes place but hope to come back for the open house.

I wish the county and Advisory Committee success on the future of recycling in Tuscola County. If I can be of any help, I will be available by telephone or email. Remember, if you are not buying recycled you're not really recycling!

Sincerely,



Sharon Mika

989-415-7418

Samika9080@gmail.com

Cc: Mike Miller

Cc: Mike Hoagland