

**Agenda**  
**Tuscola County Board of Commissioners**  
**Committee of the Whole – Monday, November 7, 2016 – 8:00 A.M.**  
**HH Purdy Building - 125 W. Lincoln, Caro, MI**

**Finance**  
Committee Leaders-Commissioners Kirkpatrick and Bierlein

**Primary Finance**

1. **New Telephone System Update**
2. **Road Commission Legacy Costs**
3. **Requested Waiver of Enhanced Access Policy (See A)**

**On-Going Finance**

1. Draft County Video - 11/10/16 Meeting
2. 2017 Draft Budget Update - 11/10/16 Meeting
3. Indigent Attorney Contracts
4. Jail Planning Committee
5. Dispute Concerning Wind Turbine Assessing/Taxation
6. 4-H and Courts
7. Financial Impact 17 Year Olds as Juvenile Change
8. Audit Comment Regarding Bank Accounts
9. Personal Property Tax Reductions and Non-County Reimbursement
10. Child Care Fund - State Payment Update

**Personnel**  
Committee Leader-Commissioner Trisch

**Primary Personnel**

1. **Update Regarding Exempt and Nonexempt Employees (See B)**
2. **County and Court Personnel Policies – to be Distributed at Meeting**
3. **County Treasurer Family Medical Leave Temporary Staffing Request**
4. **Register of Deeds – Staffing Request to Replace Employee on Temporary Disability**
5. **Sheriff Request to Refill Vacant Corrections Officer Position (See C)**

**On-Going Personnel**

1. Labor Negotiations Update

**Building and Grounds**  
Committee Leader-Young

**Primary Building and Grounds**

1. Jail Plumbing, Electrical and Window Bid (See D)
2. Fire Safety Planning
3. Courthouse Security – Emergency Services Director
4. Request to use Courthouse Lawn (See E)

**On-Going Building and Grounds**

1. Vanderbilt Park Grant Application
2. Juvenile Program to Paint Window Wells of Courthouse

**Other Business as Necessary**

**Public Comment Period**

2.3.6 A public body may furnish access or enhanced access without charge or at a reduced charge if the public body determines that a waiver or reduction of fee is in the public interest because access or enhanced access can be considered as primarily benefiting the general public. Examples may include, but are not limited to, instances when:

1. The information is critical to public health or safety;
2. The information is required for non-profit research purposes such as academic or public interest research;
3. The information is required to meet legal, programmatic or governmental objectives;
4. The information explains the rights, entitlements and/or obligations of individuals;
5. The cost of administering the fees would exceed the revenue to be collected;
6. The reasonable fee established would have a serious detrimental impact on the financial position of particular groups or classes of users;
7. The reasonable fee established would limit the number of users enough to compromise achieving program or other governmental objectives.

2.3.7 Waiver or fee reductions shall be decided by the elected official, department head, agency, board, commission, council or other county public body legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of the public record(s) in question. The waiver or fee reductions shall be approved by the Board of Commissioners prior to the award of that waiver or reduction.



Tuscola County

Angie Daniels &lt;angie.daniels@tuscolacounty.org&gt;

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**GIS data - Tuscola County**

1 message

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Brewer, Mark A LRE <Mark.A.Brewer@usace.army.mil>  
To: "angie.daniels@tuscolacounty.org" <angie.daniels@tuscolacounty.org>  
Cc: "Brewer, Mark A LRE" <Mark.A.Brewer@usace.army.mil>

Mon, Oct 31, 2016 at 3:26 PM

Good Afternoon Ms. Daniels,

The USACE is currently working on a project along the Cass River and we need to determine ownership and the parcel foot print for owners along a section of the Ca River. This The Data we need is the polygons in GIS with ownership and parcel numbers information. We need this data for a section of river that starts at the county line and continues to the Bray bridge. We will only need approx. 0.2 miles from the river centerline. See attached.

I appreciate you taking my call this afternoon, You were helpful, informative, and very professional. We discussed the county policy to only sell the GIS data when it is requested.

I explained that we have no mechanism to facilitate this payment. We have worked with counties throughout the Great Lakes and received GIS data from them without having to pay for it.

Consequently, we respectfully request that we be allowed to receive this data without the standard fee

We look forward to developing and maintaining an excellent working relationship with the county as we work to maintain the our states infrastructure.

We appreciate your and your team's time and consideration of this important and time sensitive request.

Sincerely,

Mark Brewer | Realty Specialist | Real Estate Division | Great Lakes Team  
Buffalo, Chicago, and Detroit Districts | U.S. Army Corps of Engineers  
477 Michigan Avenue, Detroit, MI, 48226  
(313) 226-6567 office | mark.a.brewer@usace.army.mil

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10312016\_RequestingParcelInfo\_Tuscola\_Saginaw.pdf  
200K

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## *Update on the 12/1/16 FLSA Overtime Exemption Rule's effect on Tuscola County*

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- 19 Employees affected: 15 in the Courts, 1 in the IT Dept, 2 in Controller's office & 1 Grant Funded at Sheriff's Department. (1 court employee is under the \$47,476 but is projected to be above it for 2017).
- Reclassification of those positions from Salary-Exempt to Salary-Non-Exempt
- Update Personnel policies to reflect new class
  - Current Overtime policy will need to be updated to include the Salary-Non-Exempt group.
  - Current Compensatory time policy will need to be updated
  - Current Administrative time policy will need to be updated
- Using Current Attendance System Court & Controller's office employees can report overtime worked.
- Grant funded employee will need to complete time sheets, as the Sheriff's Department does not use Attendance Enterprise
- Employee will be required to check "approve time card" before payroll can be processed
- Supervisor will be required to check "approve time card" before payroll can be processed
- Depending on department/employee election:
  - Payroll will convert hours worked over to overtime rate and credit COMP TIME BANK or
  - Payroll will pay hours worked over at overtime rate.

**AND**

  - OT rate will be calculated by taking base biweekly salary and dividing it by the scheduled hours (37.5 or 40) and multiplying that by 1.5
- Employees will request time off using COMP TIME using the same method they currently use to request vacation, sick or personal time.
- For audit purposes time cards are printed, Employee approval will be noted on time card to confirm number of hours worked over normal schedule **EVEN IF THE NUMBER IS 0**. This will protect the county from potential claims of employees claiming to have not been paid overtime.
- As current employees retire and new employees start at bottom of wage schedule, their classification will need to be reviewed.
- This will need to be addressed every 3 years when the salary level automatically updates.



BRAUN KENDRICK  
ATTORNEYS AT LAW

## **compliance alert**

### **Final FLSA Overtime Exemption Salary Test Rule Provides Dollars and a Date**

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Last summer, the Department of Labor (DOL) announced its proposal to amend the “salary test” to the Fair Labor Standards Act (FLSA) “White Collar” exemption rules. The “White Collar” exemption rules apply to employees whose primary duties are either executive, administrative or professional in nature, including special provisions for computer workers. The Final Rule has been released, with only slight adjustments from the proposal, which means **big adjustments** for most employers. The time to prepare for required changes is now.

#### **Key changes:**

- Increase minimum salary level that exempts an employee from overtime pay from \$23,660 to \$47,476 per year, or \$913 per week
- Increase “Highly Compensated Employee” white collar exemption minimum salary level from \$100,000 to \$134,004 per year
- Automatically update salary levels every 3 years, instead of annually as proposed

Employees who do not meet the minimum salary threshold will be required to be paid overtime for every hour worked after 40 in a given workweek.

#### **Timetable:**

Compliance is required by December 1, 2016.

#### **What to do NOW:**

- Implement timekeeping for current exempt workers to identify and analyze affected workers
- Analyze pay scales and staffing models
- Confirm that all exempt employees meet duty and salary requirements. Even though the duties test did NOT change, this your opportunity to correct misclassifications.
- For employees who will be affected, determine the amount of time
  - worked remotely, including cell phone availability
  - spent on-call
  - spent on the road
- Develop a communication plan
- Review and update personnel policies on overtime work, which may need to be more specific about email and cell phone use, working through lunch, travel time, and benefits tied to exempt status
- Confirm recordkeeping compliance, including documentation of the reclassification

**For further assistance, please email Ellen Crane , Jamie Nisidis, Bob Kendrick, Gary Gudmundsen, or Mike Krempa or call (989)-498-2100.**



# Tuscola County Sheriff's Office

420 Court Street • Caro, MI 48723

Lee Teschendorf, Sheriff  
Glen Skrent, Undersheriff

Phone (989) 673-8161  
Fax (989) 673-8164

November 4, 2016

Tuscola County Board of Commissioners  
Mr. Michael Hoagland, County Controller

I am advising you that Deputy Jonathan Bonk of the corrections division has resigned to take a similar position with the Shiawassee County Sheriff's Office. His last day was Thursday November 3, 2016. I am requesting approval to hire a replacement as soon as a qualified candidate can be found.

Additionally I am pleased to advise you that Todd Brow has been hired to fill the vacancy in the uniformed division created by the retirement of Lt. James Giroux and subsequent promotions. Mr. Brow has been employed by the Buena Vista Township Police Department and has approximately 10 years of law enforcement experience.

Sincerely,

Leland Teschendorf, Sheriff

**From:** Bob VanPutten <bob@landmark.us.com>  
**Sent:** Monday, October 31, 2016 2:11 PM  
**To:** Mike Miller  
**Cc:** Steve Jara; Morgan Landon; Mike Hoagland  
**Subject:** Re: Jail Projects

Hello Mike.

I agree with that. I would go ahead with the plumbing/electrical work and re bid the windows in early 2017 for a spring 2017 project.

We are willing to help in any way possible.

Bob Van Putten, President  
Landmark Design Group, PC

On Oct 31, 2016, at 11:46 AM, Mike Miller <[mmiller@tuscocounty.org](mailto:mmiller@tuscocounty.org)> wrote:

Thanks Bob, I did send out an email to Booms for some help in understanding their cost. I am not to surprised at the window cost, but the fixtures seem extreme to me.

If the Board decides to rebid, would it be helpful to have the window project start next spring? I am wondering if the contractors felt that it all had to been completed this year.

Mike M.

On Fri, Oct 28, 2016 at 8:08 AM, Bob VanPutten <[bob@landmark.us.com](mailto:bob@landmark.us.com)> wrote:  
Hello Mike.

Always disappointing when we do not get good competitive bidding. We sent the bid advertisement out to eight contractors. We expected Ripke Construction to bid. They did not. The project was well advertised but I think they are all busy.

We estimated that the plumbing cost would be \$200 to \$300k. Since the bid was within the budget, maybe the County could move ahead with that work.

The windows could be rebid later on along with the security toilet replacement. It might be helpful to talk to Booms as to why the window/toilet work is high, they may have some suggestions to reduce cost.

Bob VanPutten, President  
Landmark Design Group, PC

> On Oct 27, 2016, at 3:39 PM, Mike Miller <[mmiller@tuscocounty.org](mailto:mmiller@tuscocounty.org)> wrote:  
>  
> Hello to all,

- >
- > We had the bid opening at 2 pm today and we only had 1 bid submitted. It is from Booms Construction from Bad Axe the breakdown is as follows:
- >
- > Based bid (Plumbing) \$239,000
- >
- > Electrical - \$9800
- >
- > Windows - \$223,000
- >
- > New Security Plumbing Fixtures - \$101,000
- >
- > 150 days for project - assuming this is just plumbing
- >
- > 15% on changes
- >
- > They did acknowledge Addendum 1
- >
- > 5% Bond
- >
- > The County has a budget number currently of \$310,000 for plumbing and windows, so this is a problem.
- >
- > My concern is that we only had one bidder, I would have thought we would have at least a few more. Do you know if there was some concern from the contractors that might have prevented them from bidding? Or are they just that busy?
- >
- > I know that we will bring this information to the next Committee meeting for discussion, I feel that it would be unwise to award such a large project based on one bid. Steve do you have any thoughts on rebidding it? Might we try again in a month? Would it make a difference?
- >
- > I know that word was out on the project as I did receive calls from all the news desks asking questions, so I feel that communication was good.
- >
- > Please let me know your thought and suggestions.
- >
- > Thank You
- > Mike M.

**mhoagland@tuscolacounty.org**

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**From:** mhoagland@tuscolacounty.org  
**Sent:** Friday, October 28, 2016 8:09 AM  
**To:** ctrisch@tuscolacounty.org; 'Bardwell Thom'; 'Bierlein Matthew'; 'Kirkpatrick Craig'; 'Thomas Young'  
**Cc:** Mike Miller (Mike Miller); Clayette Zechmeister (Clayette Zechmeister)  
**Subject:** FW: Jail Projects

Commissioners

Bad news.

Bids for the jail project were due yesterday at 2:00 P.M. Only one bid was received. The bid total was \$572,800 for plumbing, electrical and window work. This bid exceeded the \$310,000 original budget by \$262,800 or by about 46%. If we proceed with this jail project using this bid 262,800 would have to be added to the current capital improvement budget. I asked Mike Miller to discuss this issue with the architects and review alternatives including possible rebidding the project. See email below.

Mike

Michael R. Hoagland  
Tuscola County Controller/Administrator  
989-672-3700  
[mhoagland@tuscolacounty.org](mailto:mhoagland@tuscolacounty.org)

**VISIT US ON LINE FOR COUNTY SERVICES @ [www.tuscolacounty.org](http://www.tuscolacounty.org)**

**From:** Mike Miller [mailto:mmiller@tuscolacounty.org]  
**Sent:** Thursday, October 27, 2016 3:39 PM  
**To:** Steve Jara <steve@landmark.us.com>; Bob Van Putten <bob@landmark.us.com>; Morgan Landon <morgan@mlandon.com>  
**Cc:** Mike Hoagland <mhoagland@tuscolacounty.org>  
**Subject:** Jail Projects

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I know that word was out on the project as I did receive calls from all the news desks asking questions, so I feel that communication was good.

Please let me know your thought and suggestions.

Thank You  
Mike M.

November 1, 2016

Dear Commissioners,

The Caro Womens Interfaith Committee for Christmas request the use of the Courthouse lawn from Saturday, November 26, 2016 thru January 14, 2017, to display their Nativity Scene.

Thank you for your attention in this matter.

Respectfully submitted,  
Marsh Perry  
Chairman  
673-2997