1. Agenda

WASHTENAW COUNTY
BOARD OF COMMISSIONERS
Ways and Means Committee
Administration Building - Board Room
220 N. Main Street
Ann Arbor, Michigan
WASHTENAW COUNTY WEBSITE

1.1. Supplemental Agenda

Documents:
SUPPLEMENTAL AGENDA.PDF

2. Roll Call

3. Citizen Participation

4. Commissioner Follow Up To Citizen Participation

5. New Business

5.1. A. Civic Infrastructure

1. Building Inspection
   a. Civil Infraction Ordinance
      - Adopt an Ordinance to provide for issuance of municipal civil infractions for violations of the State of Michigan Construction Code Act
      - Establish the Municipal Civil Infraction Violations Bureau as the Washtenaw County Building Inspection Department
      - Provide an effective date for the Ordinance
      - To increase enforcement of County Ordinances
      - Streamline enforcement of the State of Michigan Building Code
      - Increase public safety and reduce costs through enforcement
      - Washtenaw County Building Inspection Department is an Enterprise Fund and does not impact the general fund in any way.
      RECOMMENDATION: APPROVAL
   b. Plumbing/Mechanical Inspector Position Creation
      - Approval of creation of new grade 30 Plumbing/Mechanical Inspector Position
      - Current Plumbing/Mechanical Inspector is planning to retire by 12/31/2019
      - Current Position is .6 FTE permanent part time but was previously full time
      - Due to increases in volume of permits and inspections there is a need to create a full time position to better serve citizens and contractors
      - Creation of new position will allow for inspections to occur five days per week and more frequent access to inspector for code issues
      - Eliminate the following 0.6 FTE:
      - 0.6 FTE Plumbing/Mechanical Inspector
        Group 1100, Grade 30
        Salary Range: $58,294 - $77,066
      - Create the following 1.0 FTE:
        1.0 FTE Plumbing/Mechanical Inspector
        Group 1100, Grade 30
        Salary Range: $58,294 - $77,066
      - Net budget increase of $27,218
      - Overlap time expected between 2 positions, will be used for training purposes
      - Increased costs are expected to be covered by current year revenue surplus or fund balance, if needed
      - Position creation will not impact County budget as Building Inspection is a special revenue fund. Building Inspection current operations can absorb this increase.
      RECOMMENDATION: APPROVAL

Documents:
A1A CIVIL INFRACTION ORDINANCE.PDF
A1B 2019 PLUMBING-MECHANICAL INSPECTOR POSITION.PDF

5.11. B. Public Safety And Justice

1. Public Defender
      - Ratifying the signature of the County Administrator on the MIDC Contract;
      - Approving the budget amendment to the MIDC Fund
      - Approving the position modifications
      - To the Michigan Indigent Defense Commission
- For the period of October 1 2018 through September 30, 2019
- To implement changes in the Washtenaw County Indigent Defense System which bring the system into compliance with the first 4 approved minimum standards issued by the Michigan Indigent Defense Commission
- Adequate education and training of Defense Counsel
- Sufficient time and space for an initial interview with each client
- Access to investigative resources and expert witnesses
- The presence of counsel at first appearance and other critical stages
- The grant and compliance plan were previously approved by the Board of Commissioners on November 15, 2017 and again on July 11, 2018 when a revision was submitted
- As functions of the new program were developed the contract took longer than anticipated, however an agreement has been reached and the department is ready to proceed with the program
- Approving the budget amendment to the MIDC Fund
- Includes MIDC State Share Revenue of - $1,462,463
- Includes Transfers In of - $3,229,010
- Total Program cost - $ 4,691,473

- All Public Defender activities will be shifting to the MIDC fund 1900
- There are no new General Fund Revenues included in this budget; all have been approved through prior board action
- Create the following 8.0 FTE:
  - 1.0 FTE Deputy Public Defender
    Group 4100, Grade 33
    Salary Range: $ - $70,959 - $108,819
  - 1.0 FTE First Assistant Public Defender
    Group 6100 Grade 34
    Salary Range: $70,402 - $99,522
  - 1.0 FTE Assistant Public Defender I/II/II
    Group 6100, Grade 28/30/32
    Salary Range: $55,676 - $91,540
  - 3.0 FTE Legal Clerk
    Group 1100 Grade 16
    Salary Range: $34,961 - $43,144
  - 1.0 FTE Social Worker
    Group 1000 Grade 22
    Salary Range: $43,144 - $56,115
  - 1.0 FTE Management Analyst I/II
    Group 4100 Grade 27/29
    Salary Range: $39,464 - $66,733

RECOMMENDATION: APPROVAL

Documents:

B1A MIDC CONTRACT, BUDGET AMENDMENT, AND POSITION CREATIONS.PDF

6. Report Of The Administrator
7. Report Of The Chair Of Ways And Means
8. Report Of The Chair Of The Board
9. Items For Current/Future Discussion
10. Pending
11. Adjournment

Next Ways & Means Meeting
[May 15, 2019]
Board Room
220 N. Main Street
Ann Arbor, MI 48104
6:30 p.m.
 Attached are supplemental materials received after the print deadline. For consideration at the Ways & Means meeting on May 1, 2019:

**IV B. Public Safety and Justice**

1 A – Public Defender – Michigan Indigent Defense Contract, Budget Adjustment, and Position Creations. This item is an updated version of the resolution included in your packet, and is intended to be a substitute for that item. The only changes in this version reflect that the positions created through this action would be classified as grant status positions. This information was inadvertently omitted from the printed version.

If I can be of further assistance, please contact me at 222-6824 or deleeuwa@washtenaw.org.

Thank you,

Andrew DeLeeuw, Executive Assistant to the County Administrator
A RESOLUTION AUTHORIZING THE CREATION OF THE WASHTENAW COUNTY
INDIGENT DEFENSE FUND AND THE APPROVAL OF THE CREATION OF EIGHT
POSITIONS IN THE PUBLIC DEFENDER OFFICE

WASHTENAW COUNTY BOARD OF COMMISSIONERS

May 15, 2019

WHEREAS, The Washtenaw County Public Defender Office represents approximately
75% of all criminal defendants throughout the county in state and local criminal matters,
including violations of probation matters, and the Public Defender office as well as the
Washtenaw county Indigent defense delivery system has enjoyed a long standing
reputation for excellence; and

WHEREAS, The Michigan Indigent Defense Commission (MIDC), created by legislation
in 2013 (MCL §780.991) and charged with identifying and encouraging best practices
for delivering the effective assistance of counsel to indigent defendants, required all
Michigan indigent defense delivery systems to create a separate fund to hold MIDC
Grants funds as well as local share funds MCL 780.993(14)(b); and

WHEREAS, The fund will be utilized for the accounting of expenditures and revenues
(state and local) for the operation of the local criminal indigent defense system; and

WHEREAS, The State Department of Treasury created this fund for the local chart of
accounts; and

WHEREAS, The funds that support the Washtenaw County juvenile indigent defense
system will also be transferred into the newly created fund account utilizing the same
high standards for the accounting of expenditures and revenues as for the adult indigent
system; and

WHEREAS, The MIDC Compliance plan approved by the Board of Commissioners on
November 15, 2017 and approved for re-submission with a budget adjustment on June
11, 2018 as well as approved by the MIDC; and

WHEREAS, The plan put forth in proposal identifies and addresses area were with
adequate financial resources as well as formalize best practices already used by the
Public Defender Office will ensure that the Washtenaw County Indigent defense delivery
system fully compliances with the first four standards issued by the MIDC; and

WHEREAS, In preparing for the implementation of the MIDC standards and as the
indigent defense system was modified with the input of county and court stakeholders, it
became evident that the staffing needs to fully comply with the standards needed to be
revised; and
WHEREAS, The Washtenaw Public Defender's office attorney staff numbers have remained unchanged for over 25 years while there has been a steady increase of the number of adult criminal actions filed; and

WHEREAS, it is requested that he Board of commissioners approved the creation of the Washtenaw County Indigent Defense Fund as required by MCL 780.993(14)(b) and to authorize the transfer of the Adult and Juvenile indigent defense system funds to be transfer into said account fund; and

WHEREAS, it is also requested that Board of Commissioners authorize the creation of eight positions in the Public Defender Office that were approved to be funded by the Michigan Indigent Defense Commission grant to fully comply with the approved Washtenaw County Compliance Plan for Standards 1-4 for improvements for to the Washtenaw County Indigent Public Defender Delivery System; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, Human Resources, the County Administrator's Office, and the Ways and Means Committee.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the creation of the Washtenaw County Indigent Defense Fund as required by MCL 780.993(14)(b).

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners authorizes the following actions contingent upon receipt of the grant award in conformity with the application:

1. Authorizing the Administrator to sign the Notice of Grant Award/Contract, and any necessary amendments to the grant award/contract, and any other grant award/contract related documents
2. Authorizing the Administrator to sign delegate contracts in conformity with the application/award upon review of Corporation Counsel, to be filed with the County Clerk.
3. Amending the budget as attached hereto and made a part hereof

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners authorizes the creation of the following grant status positions in ORG 19002900:

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<td>Management Analyst</td>
<td>27/29</td>
<td>4100</td>
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</tbody>
</table>
TO: Katie Scott, Chair  
Ways and Means Committee

THROUGH: Gregory Dill  
County Administrator

FROM: Deb Schmitt  
Washtenaw County Building Inspection Director

DATE: May 1, 2019

SUBJECT: Municipal Civil Infraction Ordinance

BOARD ACTION REQUESTED:
It is requested that the Board of Commissioners adopt an Ordinance to provide for the issuance of municipal civil infractions for violations of the State of Michigan Construction Code Act, to establish the Municipal Civil Infractions Violations Bureau as the Washtenaw County Building Inspection Department; and to provide an effective date as permitted by Public Act 236 of 1961 as amended, MCL 600.8701 et seq., the Revised Judicature Act of 1961; and Public Act 230 of 1972 as amended, MCL 125.1501 et seq “Stille-DeRossett-Hale single state construction code act”.

BACKGROUND:
The establishment of a municipal Civil Infraction ordinance for violation of the State Construction Code Act will provide for sanctions and violations of municipal civil infractions actions, and collect and retain civil fines and costs pursuant to a schedule as prescribed by this ordinance, as permitted by Public Act 236 as amended, MCL 600.8396, the Revised Judicature Act of 1961;

MCL 600.8396 “A county, city, village, or township may by ordinance establish a municipal ordinance violations bureau to accept admissions of responsibility for municipal civil infractions and to collect and retain civil fines and costs pursuant to a schedule as prescribed by ordinance. The expense of operating a municipal ordinance violations bureau shall be borne by the county, city, village, or township, and the personnel of the bureau shall be county, city, village, or township employees.”
DISCUSSION:
The ability to issue municipal civil infractions will increase enforcement of County Ordinances, streamline enforcement of the State of Michigan Building Code, increase public safety and reduce costs through enforcement.

This ordinance will also allow the Washtenaw County Building Inspection Department to:

- Enhance customer service.
- Ensure adequate provision of mandated services.
- Focus on the root causes of problems that affect the quality of life of County citizens by aggressively pursuing prevention strategies.
- Provide leadership on intragovernmental, intergovernmental and intersectoral cooperation and collaboration aimed at improving services to County citizens.

IMPACT ON HUMAN RESOURCES:
None

IMPACT ON BUDGET:
The Washtenaw County Building Inspection Department is an Enterprise Fund and does not impact the general fund in any way.

IMPACT ON INDIRECT COSTS:
None

IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:
None

CONFORMITY TO COUNTY POLICIES:
The requested board action conforms to all applicable county policies.

ATTACHMENTS/APPENDICES:
Resolution is attached
RESOLUTION TO ADOPT ORDINANCE TO CREATE A MUNICIPAL CIVIL INFRACTIONS BUREAU FOR THE WASHTENAW COUNTY BUILDING INSPECTION DEPARTMENT

WASHTENAW COUNTY BOARD OF COMMISSIONERS

May 15, 2019

WHEREAS, it has been recommended by the Washtenaw County Building Inspection Department that an ordinance regarding Municipal Civil Infractions be adopted by the Washtenaw County Board of Commissioners; and

WHEREAS, the purposed ordinance is: to designate violations of the State Construction Codes, Public Acts, and Administrative Rules as amended to be municipal civil infractions; to designate authorized local officials responsible to enforce violations of the State Construction Code; to adopt a schedule of fines; to place the municipal civil infractions violations bureau at the Washtenaw County Building Inspection Department; to adopt a savings clause; and to provide an effective date.

WHEREAS, a public hearing was held at the Washtenaw County board of Commissioners’ meeting of May 15th, 2019 at 6:30pm with regard to the adoption of the referenced proposed ordinance.

THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approve and adopts the attached ordinance.

BE IT FURTHER RESOLVED that the Washtenaw County Clerk is directed to cause the ordinance to be published in a newspaper of general circulation.

BE IT FURTHER RESOLVED that the ordinance shall take effect when notice of its adoption is published in a newspaper of general circulation.
AN ORDINANCE TO DESIGNATE VIOLATIONS OF THE STATE CONSTRUCTION CODES, PUBLIC ACTS, AND ADMINISTRATIVE RULES AS AMENDED TO BE MUNICIPAL CIVIL INFRINGEMENTS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE VIOLATIONS OF THE STATE CONSTRUCTION CODE, PUBLIC ACTS, AND ADMINISTRATIVE RULES AS AMENDED; TO ADOPT A SCHEDULE OF FINES; TO PLACE THE MUNICIPAL CIVIL INFRACTIONS VIOLATIONS BUREAU AT THE WASHTENAW COUNTY BUILDING INSPECTION DEPARTMENT; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF WASHTENAW ORDAINS:

SECTION 1. DESIGNATION OF VIOLATIONS OF THE STATE CONSTRUCTION CODE, PUBLIC ACTS, AND ADMINISTRATIVE RULES AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OR LAWS OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, CONSTRUCTION CODE COMMISSION, AND ENFORCED BY WASHTENAW COUNTY, AS MUNICIPAL CIVIL INFRINGEMENTS.

A. Pursuant to the authority set forth in the following Codes, Public Acts, and Rules, any violation of any provision of the: 1) State Construction Code Act 230 of 1972, and Part 4 Building Code, all as amended, which have been adopted through rules or laws of the Michigan Department of Licensing and Regulatory Affairs, Construction Code Commission, and which are enforceable by Washtenaw County, or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act which is prohibited or made or declared to be unlawful or an offense, and any omission or failure to act where the act is required by the State Construction Code, Public Acts, or Administrative Rules as amended.

B. The sanction for any violation of the State Construction Codes, Public Acts, and Administrative Rules as amended, which is a municipal civil infraction, shall be a civil fine as provided herein, plus any cost, damages, expenses and other sanctions, as authorized under Chapter 87 of 1961 PA 236, as amended, and other applicable laws.

C. The Washtenaw County Building Inspection Department, deputies of the Washtenaw County Sheriff, and other persons specifically designated by the Director of the Washtenaw County Building Inspection Department, are the County officials authorized to issue municipal civil infraction violation notices and municipal civil infraction citations for violations of the State Construction Code, Public Acts, and Administrative Rules as amended.

D. In addition to enforcement of violations of the State Construction Code, Public Acts, and Administrative Rules as amended as municipal civil infractions, enforcement of violations of the State Construction Code, Public
Acts, and Administrative Rules as amended may be accomplished by civil action, along with any other remedies provided by law. Violation of this Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of the State Construction Code, Public Acts, and Administrative Rules as amended and shall not preclude other civil proceedings to abate such nuisance.

E. Each day that a violation exists constitutes a separate infraction.

SECTION 2. ADOPTION OF A SCHEDULE OF FINES FOR VIOLATIONS OF THE STATE CONSTRUCTION CODE, PUBLIC ACTS, AND ADMINISTRATIVE RULES AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES AND LAWS OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, CONSTRUCTION CODE COMMISSION, AND ENFORCED BY WASHTENAW COUNTY.

A. Fines to be established by County Board Resolution

The County Board of Commissioners, shall by Resolution, adopt a schedule of fines for violations of the State Construction Code, Public Acts, and Administrative Rules as amended, which may be amended by subsequent Resolution. For purposes of establishing an initial schedule of fines, the following schedule is adopted.

B. Fine for issuance of Violation and Notices

A person, corporation or firm who, as a result of violating any provision of the State Construction Code, Public Acts, or Administrative Rules as amended and receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Washtenaw County Municipal Civil Infractions Violations Bureau of $50.00.

(1) In the case of another offense within one year of the date of the initial infraction, the civil fine shall be $75.00. (This shall be known as the second offense.)

(2) In the case of another offense within one year of the date of the second offense, the civil fine shall be $150.00. (This shall be known as the third offense.)

(3) In the case of another offense within one year of the date of the third offense, the civil fine shall be $500.00. (This shall be known as the fourth offense.) All subsequent offenses shall be subject to a civil fine of $500.00.
C. Fines for Municipal Civil Infraction Citations

(1) A person, corporation or firm who violates any provision of the (State Construction Code, Public Acts, and Administrative Rules as amended), and any other rules or laws adopted through the Michigan Department of Licensing and Regulatory Affairs, Construction Code Commission as amended and is found responsible at the district court for a municipal civil infraction citation, shall pay a civil fine of not less than $75.00 nor more than $500.00, plus costs and other sanctions, for each infraction.

(2) Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, a repeat offense, means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision of the State Construction Code, Public Acts, and Administrative Rules as amended, committed by a corporation, person or firm within any 12-month period and (b) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense shall be as follows:

(i) The fine for any offense that is a repeat offense shall be no less than $200 plus costs and other sanctions.

(ii) The fine for any offense that is a second repeat offense shall be no less than $300 plus costs and other sanctions.

(iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than $500.00 plus costs and other sanctions.

SECTION 3. ESTABLISHMENT OF MUNICIPAL CIVIL INFRINGEMENTS VIOLATIONS BUREAU FOR DISPOSITION OF VIOLATIONS OF THE STATE CONSTRUCTION CODE, PUBLIC ACTS, AND ADMINISTRATIVE RULES AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OR LAWS OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, CONSTRUCTION CODE COMMISSION, AND ENFORCED BY WASHTENAW COUNTY.

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the State Construction Code, shall be located at the Washtenaw
SECTION 4. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. SEVERABILITY.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 6. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 7. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Lawrence Kestenbaum, Washtenaw County Clerk, certify that this ordinance was adopted by the Washtenaw County Board of Commissioners and published on ____________________________.

________________________________
Lawrence Kestenbaum
Washtenaw County Clerk

Approved as to form:

___________________________
CURT HEDGER, P.C.
Official observes work in violation of Section 1 of the ordinance

Public complaint about work in violation of Section 1 of the ordinance

County Official

Official observes work in violation of Section 1 of the ordinance

Official writes violation notice

Copy of violation notice kept by official

Copy of violation notice personally served to alleged violator or mailed to owner of property

Official observes work being done by unlicensed workers when license is required

Alleged violator admits responsibility

Alleged violator shows proof of valid permit or license

Alleged violator admits responsibility with explanation

Alleged violator denies responsibility

Alleged violator requests court appearance from Bureau

Alleged violator does not respond

Original violation notice sent to Bureau

Bureau enters violation notice into database

Violator pays fine to Bureau and starts process to obtain permits

Bureau dismisses violation notice

Copy of citation retained by Bureau and send to attorney

Original citation to court

Bureau updates violation status in database

Judge dismisses citation

Judge finds defendant responsible and imposes fine/costs

Magistrate dismisses citation

Magistrate finds defendant responsible and imposes fine/costs

Defendant pays fines (and starts process to obtain permits or is ordered to stop working)

Defendant pays fines

Default judgment entered (additional fines)

Defendant appears at court with attorney

Defendant appears at court w/o attorney

Defendant requests informal hearing by court

Defendant requests formal hearing by court

Defendant fails to respond to citation

Bureau issues civil citation and provides copy to defendant

Bureau issues civil citation and mails copy to defendant

Defendant requests court appearance from Bureau

Defendant requests informal hearing by court

Defendant fails to respond to citation

Bureau issues civil citation and provides copy to defendant

Copy of violation notice sent to Bureau

Copy of violation notice kept by official

Bureau enters violation notice into database

Violator pays fine to Bureau and starts process to obtain permits

Bureau dismisses violation notice

Copy of citation retained by Bureau and send to attorney

Original citation to court

Bureau updates violation status in database

Judge dismisses citation

Judge finds defendant responsible and imposes fine/costs

Magistrate dismisses citation

Magistrate finds defendant responsible and imposes fine/costs

Defendant pays fines (and starts process to obtain permits or is ordered to stop working)

Defendant pays fines

Default judgment entered (additional fines)

Defendant appears at court with attorney

Defendant appears at court w/o attorney

Defendant requests informal hearing by court

Defendant requests formal hearing by court

Defendant fails to respond to citation

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Bureau issues civil citation and mails copy to defendant

Defendant requests court appearance from Bureau

Defendant requests informal hearing by court

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Magistrate dismisses citation

Magistrate finds defendant responsible and imposes fine/costs

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Defendant appears at court with attorney

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Defendant requests informal hearing by court

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Magistrate dismisses citation

Magistrate finds defendant responsible and imposes fine/costs

Defendant pays fines (and starts process to obtain permits or is ordered to stop working)
TO: Katie Scott, Chair  
Ways & Means Committee

THROUGH: Gregory Dill  
County Administrator

FROM: Deb Schmitt, Director  
Washtenaw County Building Inspection Department

DATE: May 1, 2019

SUBJECT: Plumbing/Mechanical Inspector position creation

BOARD ACTION REQUESTED:
It is requested that the Board of Commissioners approve the creation of a new grade 30 plumbing/mechanical inspector position.

BACKGROUND:
The current Plumbing/Mechanical Inspector has informed the department that he will be retiring by December 31, 2019. This is currently a .6 FTE permanent part time position. The inspection services we provide with this position are three days per week.

In the past this was a full time position. When the previous inspector retired the position was eliminated and we created the current .6 position to accommodate the down turn in the construction industry at the time.

DISCUSSION:
Based on volume of permits and inspections we have found the need to create a full time position in order to better serve the citizens and contractors within the jurisdictions where we are the enforcing agency. This will enable us to provide inspections five days per week while also providing more frequent access to the inspector for code issues.

This position is dual licensed and saves us the cost of retaining two separate inspector positions thereby reducing our cost by an entire FTE.

There will be an overlap from when the new position would be filled to when the part time position will be eliminated at the end of the year. This overlap time will be used to train the new inspector.

There is no anticipated short fall to the budget as a result of this overlap. 2018 resulted in a surplus and we are anticipating the same for 2019. Should any shortfall occur it would be absorbed with existing fund balance.
**IMPACT ON HUMAN RESOURCES:**
Approval of this request will result in the elimination of a .6 Plumbing/Mechanical Inspector position-PCN #28220001 and the creation of a 1.0 Plumbing/Mechanical Inspector position-PCN#28220002 with a net increase of .4 FTE.

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**IMPACT ON BUDGET:**
The current 2019 salary and fringe cost for the .6 FTE position is $72,480.00. The 2019 salary and fringe cost for the full time 1.0 FTE position is $100,198.00. The net increase to the budget will be $27,718.00.

Building Inspection is an Enterprise Fund and therefore does not impact the General Fund. Building Inspection projects enough fee revenue to cover the cost difference as well as the temporary overlap. If costs exceed 2019 revenue due to the overlap training period, Building Inspection will be able to use available fund balance.

**IMPACT ON INDIRECT COSTS:**
None.

**IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:**
All county departments, local municipalities, homeowners and contractors, particularly those where we are the enforcing agency for the Michigan Building Codes, will benefit by the increased inspection availability and better access to the inspector for code issues.

**CONFORMITY TO COUNTY POLICIES:**
The requested board action conforms to all applicable county policies.

**ATTACHMENTS:**
- Resolution
- Job Description
A RESOLUTION APPROVING THE CREATION OF A NEW GRADE 30 PLUMBING/MECHANICAL INSPECTOR POSITION IN THE WASHTENAW COUNTY BUILDING INSPECTION DEPARTMENT.

WASHTENAW COUNTY BOARD OF COMMISSIONERS

May 1, 2019

WHEREAS, the current Plumbing/Mechanical Inspector has informed the department that he will be retiring by December 31, 2019. This is currently a .6 FTE permanent part time position. The inspection services we provide with this position are three days per week; and

WHEREAS, in the past this was a full time position. When the previous inspector retired the position was eliminated and we created the current .6 position to accommodate the down turn in the construction industry at the time; and

WHEREAS, based on volume of permits and inspections we have found the need to create a full time position in order to better serve the citizens and contractors within the jurisdictions where we are the enforcing agency. This will enable us to provide inspections five days per week while also providing more frequent access to the inspector for code issues; and

WHEREAS, this position is dual licensed and saves us the cost of retaining two separate inspector positions thereby reducing our cost by an entire FTE; and

WHEREAS, the current 2019 salary and fringe cost for the .6 FTE position is $72,480.00. The 2019 salary and fringe cost for the full time 1.0 FTE position is $100,198.00. The net increase to the budget will be $27,718.00; and

WHEREAS, There will be an overlap from when the new position would be filled to when the part time position will be eliminated at the end of the year. This overlap time will be used to train the new inspector; and

WHEREAS, there is no anticipated short fall to the budget as a result of this overlap. 2018 resulted in a surplus and we are anticipating the same for 2019. Should any shortfall occur it would be absorbed with existing fund balance; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves the elimination and creation of the following positions in the Washtenaw County Building Inspection Department.

<table>
<thead>
<tr>
<th>Position ID(s)</th>
<th>Position Title</th>
<th>Grade</th>
<th>Group</th>
<th>Create</th>
<th>Eliminate</th>
</tr>
</thead>
<tbody>
<tr>
<td>28220001</td>
<td>Plumbing/Mechanical Inspector</td>
<td>30</td>
<td>1100</td>
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<td>.6</td>
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<td>28220002</td>
<td>Plumbing/Mechanical Inspector</td>
<td>30</td>
<td>1100</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>
Washtenaw County
JOB DESCRIPTION

Job Code: 3049
Authorization: 92-0037; 13-0200
Employee Group: 1100

CLASS TITLE: PLUMBING / MECHANICAL INSPECTOR
DEPARTMENT: Building Inspection
FLSA STATUS: Non-Exempt

JOB SUMMARY
Under the supervision of a higher classified employee, performs on-site inspections of residential, commercial and industrial plumbing, heating and refrigeration installations, working closely with contractors and building owners determining compliance of newly constructed, remodeled and existing structures to state and national codes, along with various local ordinances. Examines construction plans, blueprints of plumbing and mechanical diagrams to determine compliance to applicable codes and ordinances. In addition, maintains records and prepares a variety of reports, along with assisting contractors and residents with questions regarding plumbing, heating and refrigeration systems.

EXAMPLES OF DUTIES
Essential Duties:

- Reviews construction plans, blueprints of plumbing and mechanical diagrams, noting materials and methods to be used, issuing permits and approving construction when requirements are complied with for plumbing, heating and refrigeration systems.

- Conducts on-site inspections, assuring appropriate permits have been issued, evaluating construction materials and methods, examining plumbing, heating, refrigeration and related systems, materials and methods used and test circuits, connections, fuel lines, checks for adequate ventilation, etc., making sure they meet requirements.

- Approves applications for permits when codes and ordinances are complied with or may issue violation notices when necessary.

- Assists contractors and community residents providing technical advice and information on the installation and servicing of plumbing, heating and refrigeration systems in regard to codes and ordinances.

- Conducts various tests for pressure, leaks and proper installation of fuel tanks and lines, etc., on heating and refrigeration systems such as pool heaters, building furnaces and air conditioners.

- Prepares summary reports of inspection activities and maintains files and records of all permits issued.

- Investigates a variety of complaints regarding plumbing, heating, refrigeration and related systems that come under the Facilities Department.

- May be required to prepare and issue violation notices, along with appearing in court to present testimony regarding code and ordinance violations and complaint cases.
- Seeks voluntary compliance where possible or may issue violation notices enforcing codes and ordinances when necessary.

- Prepares corrective instructions when inspection reveals code violations.

- Inspects existing structures when requested to determine compliance with plumbing codes and ordinances.

- Performs other related duties as assigned.

The above statements are intended to describe the general nature and level of work being performed by employees assigned this classification. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified.

**EMPLOYMENT QUALIFICATIONS**

**Knowledge, Skills, and Abilities:**

**LICENSES/CERTIFICATIONS**

Journeyman Plumbers License. Licensed as a contractor in one or more of the work classifications defined in Public Act 192 of 1984 of the State of Michigan. Ability to meet State of Michigan requirements for registration as a Mechanical Inspector, and maintain that registration, in accordance with State requirements, as per Public Act 54 of 1986 of the State of Michigan. Possession of a valid Michigan vehicle operator’s license.

The qualifications listed above are guidelines. Other combinations of education and experience that could provide the necessary knowledge, skills and abilities to perform the job should be considered.

**PHYSICAL DEMANDS**

**EDUCATION**

Possession of a high school diploma or its equivalent.

**EXPERIENCE**

A minimum of four (4) years experience in one or more of the following work classifications as defined by Public Act 192 of 1984 of the State of Michigan:

- Hydronic heating and cooling process piping.
- HVAC equipment.
- Duct work.
- Refrigeration.
- Limited service, heating or refrigeration.
- Unlimited service, heating or refrigeration.
• Fire suppression.
• Specialty.

Two of the four years of experience shall have been at the Journeyman level or at a higher level.

This class description intends to identify the major duties and requirements of the job and should not be interpreted as all-inclusive. Incumbents may be requested to perform job-related duties other than those outlined above and may be required to specific job-related knowledge for successful job performance.
TO: Katie Scott, Chair
Ways & Means Committee

THROUGH: Gregory Dill
County Administrator

FROM: Delphia Simpson, Chief Public Defender
Washtenaw County Public Defender Office

DATE: May 1, 2019

SUBJECT: Washtenaw County Indigent Defense Fund Creation
Office of Public Defender Position Creation

BOARD ACTION REQUESTED:

It is requested that the Board of Commissioners authorize the creation of the Washtenaw County Indigent Defense Fund to be used to account for earmarked state grant revenue and mandated local share contribution to provide indigent defendants in criminal cases with effective assistance of counsel as required in MCL 780.993(14)(b).

It is also requested that Board of Commissioners authorize the creation of eight positions in the Public Defender Office that were approved to be funded by the Michigan Indigent Defense Commission grant to fully comply with the approved Washtenaw County Compliance Plan for Standards 1-4 for improvements for to the Washtenaw County Indigent Public Defender Delivery System for the period of October 1, 2018 through September 30, 2019. These new positions consist of 1 Deputy Assistant Public Defender, 1 Management Analyst, 1 Frist Assistant Public Defender, 1 Assistant Public Defender, 1 Social Worker/ Mental Health Clinician and 3 Legal Clerks.

BACKGROUND:

The Washtenaw County Public Defender Office represents the close to 75% of criminal defendants throughout the county in all state and local criminal matters, including violations of probation matters. The Public Defender office as well as the Washtenaw County Indigent defense delivery system has enjoyed a long standing reputation for excellence. The Office has been called the state’s model for the delivery for Indigent defense services. Several of the most recently created Public Defender Offices (i.e.
Muskegon, Berrien, Ingham, Marquette and Kalamazoo) have or are in the process of designing their offices after the Washtenaw County Public Defender Office.

Although Washtenaw County has a 35 year long history of being a leader in delivering quality indigent defense services, and in many areas meets or exceeds the minimum standards currently set by the Michigan Indigent Defense Commission (MIDC), there are some aspects where lack of financial resources have hindered the system.

The MIDC Compliance plan approved by the Board of Commissioners on November 15, 2017 and approve for re-submission with a budget adjustment on June 11, 2018 identified and addressed these areas where lack of financial resources as well as formalize best practices already used by the Public Defender Office will ensure that the Washtenaw County indigent defense delivery system fully complies with the first four standards issued by the MIDC

**MIDC Approved Standards**

The MIDC standards are as followed:

**Standard 1 - Training and Education of Counsel**- Attorneys shall complete 12 hours of continuing legal education per year

**Standard 2 – Initial Interview** – The County shall provide confidential meeting space in the courthouse and Attorney will conduct client intake interview within three business days after appointment

**Standard 3 – Experts and Investigators** - Requires counsel to conduct an independent investigation.

**Standard 4 – Counsel At First Appearance and Other Critical Stages of the Case**- Attorneys will be provide to all persons appearing for arraignments and an attorney shall be appointed for all who are determined to be indigent

**Washtenaw County Indigent Defense Delivery System**

The delivery of indigent defense in Washtenaw County uses a combination of several systems to provide the most effective services to its residence.

- Public Defender Office that represents all indigent felony defendants in the 22nd Circuit Court and misdemeanor indigent clients in the 14A District Courts, the 14B District Court.

- As part of the compliance plan, 14B District Court and the Washtenaw County Public Defender Office will be collaborating.
The Washtenaw County Trial Court contracts with a criminal defense firm and maintains an assigned counsel list to provide representation in the event of any ethical conflict of interests, multiple co-defendants or any other conflict.

The 14A and 14B District Courts each have a centralized assigned counsel list for conflicts.

On April 20, 2018 the MIDC approved the amended Washtenaw County MIDC Compliance plan and the Board of Commissioner re-authorized the submission and the adjusted grant request.

**DISCUSSION:**

The Michigan Indigent Defense Commission Act (MCL 780.993(14) (b), requires all indigent criminal defense systems to create a separate fund to hold MIDC Grants funds as well as local share funds. The State Department of Treasury created this fund for the local chart of accounts. The fund will be utilized for the accounting of expenditures and revenues (state and local) for the operation of the local criminal indigent defense system.

For financial efficiency, the Washtenaw County Indigent Defense Fund will not only contain the state grant and local share funds for the adult indigent defense system, but the funds that support the Washtenaw County juvenile indigent defense system would also be transferred into the newly created fund account. The same high standards used for the accounting of expenditures and revenues for the adult indigent system will be used for the juvenile indigent system.

In preparing for the implication of the MIDC standards and as the indigent defense system was modified with the input of county and court stakeholders, it became evident that the staffing needs to fully comply with the standards needed to be revised. The Washtenaw Public Defender’s office attorney staff number have remained unchanged for over 25 years while there has been a steady increase of the number of adult criminal complaints (cases) filed.

The existing MIDC budget was adjusted, without an increase, to address the need for support and attorney staff, supervisory and administrative/management staff as well as client mental health staff.

The new positions will allow for a seamless implementation of the new standards and support in the preparation of quarterly MIDC reporting requirements.
**IMPACT ON HUMAN RESOURCES:**

1 FTE – Deputy Public Defender
1 FTE – Frist Assistant Public Defender
1 FTE – Assistant Public Defender
3 FTE – Legal Clerks
1 FTE – Social Worker
1 FTE – Management Analyst

<table>
<thead>
<tr>
<th>Position ID(s)</th>
<th>Position Title</th>
<th>Grade</th>
<th>Group</th>
<th>Create</th>
<th>Eliminate</th>
</tr>
</thead>
<tbody>
<tr>
<td>33430001</td>
<td>Deputy Public Defender</td>
<td>33</td>
<td>4100</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>33030004</td>
<td>First Assistant Public Defender</td>
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<td>6100</td>
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<td></td>
</tr>
<tr>
<td>28050015</td>
<td>Assistant Public Defender</td>
<td>28/30/32</td>
<td>6100</td>
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<td></td>
</tr>
<tr>
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<td>1100</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>23110001</td>
<td>Social Worker</td>
<td>22</td>
<td>1000</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>27190019</td>
<td>Management Analyst</td>
<td>27/29</td>
<td>4100</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

* The only position that did not exist prior to this grant is the Deputy Public Defender. The job description for this position is included in the attachments.

**IMPACT ON BUDGET:**
The Public Defender’s Office will be switching from a General Fund Department to a Non-General Fund Department. All operations including the Local Share and Juvenile services will be transferred to the MIDC grant fund.

**IMPACT ON INDIRECT COSTS:**
None

**IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:**
The follow will benefit from the grant activities:

Washtenaw County Trial Court – 22nd Circuit Court
14A District Court
14B District Court
15th District Court
Washtenaw County Sheriff Office
Washtenaw County Bar Association
CONFORMITY TO COUNTY POLICIES:
The requested Board action conforms with all applicable County policies.

ATTACHMENTS:
Resolution
Michigan Indigent Defense Fund Adjusted Budget
MIDC Position Allocations
Department of Treasury – 260 Indigent Defense Fund Letter
A RESOLUTION AUTHORIZING THE CREATION OF THE WASHTENAW COUNTY INDIGENT DEFENSE FUND AND THE APPROVAL OF THE CREATION OF EIGHT POSITIONS IN THE PUBLIC DEFENDER OFFICE

WASHTENAW COUNTY BOARD OF COMMISSIONERS

May 15, 2019

WHEREAS, The Washtenaw County Public Defender Office represents approximately 75% of all criminal defendants throughout the county in state and local criminal matters, including violations of probation matters, and the Public Defender office as well as the Washtenaw county Indigent defense delivery system has enjoyed a long standing reputation for excellence; and

WHEREAS, The Michigan Indigent Defense Commission (MIDC), created by legislation in 2013 (MCL §780.991) and charged with identifying and encouraging best practices for delivering the effective assistance of counsel to indigent defendants, required all Michigan indigent defense delivery systems to create a separate fund to hold MIDC Grants funds as well as local share funds MCL 780.993(14)(b); and

WHEREAS, The fund will be utilized for the accounting of expenditures and revenues (state and local) for the operation of the local criminal indigent defense system; and

WHEREAS, The State Department of Treasury created this fund for the local chart of accounts; and

WHEREAS, The funds that support the Washtenaw County juvenile indigent defense system will also be transferred into the newly created fund account utilizing the same high standards for the accounting of expenditures and revenues as for the adult indigent system; and

WHEREAS, The MIDC Compliance plan approved by the Board of Commissioners on November 15, 2017 and approved for re-submission with a budget adjustment on June 11, 2018 as well as approved by the MIDC; and

WHEREAS, the plan put forth in proposal identifies and addresses area were with adequate financial resources as well as formalize best practices already used by the Public Defender Office will ensure that the Washtenaw County Indigent defense delivery system fully compliances with the first four standards issued by the MIDC; and

WHEREAS, In preparing for the implementation of the MIDC standards and as the indigent defense system was modified with the input of county and court stakeholders, it became evident that the staffing needs to fully comply with the standards needed to be revised; and
WHEREAS, The Washtenaw Public Defender’s office attorney staff numbers have remained unchanged for over 25 years while there has been a steady increase of the number of adult criminal actions filed; and

WHEREAS, it is requested that the Board of commissioners approved the creation of the Washtenaw County Indigent Defense Fund as required by MCL 780.993(14)(b) and to authorize the transfer of the Adult and Juvenile indigent defense system funds to be transfer into said account fund; and

WHEREAS, it is also requested that Board of Commissioners authorize the creation of eight positions in the Public Defender Office that were approved to be funded by the Michigan Indigent Defense Commission grant to fully comply with the approved Washtenaw County Compliance Plan for Standards 1-4 for improvements for to the Washtenaw County Indigent Public Defender Delivery System; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, Human Resources, the County Administrator’s Office, and the Ways and Means Committee.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the creation of the Washtenaw County Indigent Defense Fund as required by MCL 780.993(14)(b).

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners authorizes the following actions contingent upon receipt of the grant award in conformity with the application:

1. Authorizing the Administrator to sign the Notice of Grant Award/Contract, and any necessary amendments to the grant award/contract, and any other grant award/contract related documents
2. Authorizing the Administrator to sign delegate contracts in conformity with the application/award upon review of Corporation Counsel, to be filed with the County Clerk.
3. Amending the budget as attached hereto and made a part hereof

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners authorizes the creation of the following positions

<table>
<thead>
<tr>
<th>Position ID(s)</th>
<th>Position Title</th>
<th>Grade</th>
<th>Group</th>
<th>Create</th>
<th>Eliminate</th>
</tr>
</thead>
<tbody>
<tr>
<td>33430001</td>
<td>Deputy Assistant Public Defender</td>
<td>33</td>
<td>4100</td>
<td>1</td>
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</tr>
<tr>
<td>33030004</td>
<td>First Assistant Public Defender</td>
<td>33</td>
<td>6100</td>
<td>1</td>
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</tr>
<tr>
<td>28050015</td>
<td>Assistant Public Defender</td>
<td>28/30/32</td>
<td>6100</td>
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</tr>
<tr>
<td>Code</td>
<td>Position</td>
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<td>Salary</td>
<td>Grade</td>
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<tr>
<td>16540002-1654004</td>
<td>Legal Clerk</td>
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<td>1100</td>
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<tr>
<td>23110001</td>
<td>Social Worker</td>
<td>22</td>
<td>1000</td>
<td>1</td>
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<tr>
<td>27190019</td>
<td>Management Analyst</td>
<td>27/29</td>
<td>4100</td>
<td>1</td>
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</tr>
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</table>
Impact of Shifting PD to NGF due to MIDC Grant Requirement

<table>
<thead>
<tr>
<th>2019 Current Budget</th>
<th>Recommended Budget</th>
<th>Variance</th>
<th>2020 Current Budget</th>
<th>Recommended Budget</th>
<th>Variance</th>
<th>2021 Current Budget</th>
<th>Recommended Budget</th>
<th>Variance</th>
<th>2022 Current Budget</th>
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<td>12,759,294</td>
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<td>12,804,895</td>
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<td>65000 Fines &amp; Forfeitures</td>
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<td>1,012,100</td>
<td>-</td>
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<tr>
<td>67000 Other Revenue &amp; Reimbursement</td>
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<td>2,127,365</td>
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<td>8,572,904</td>
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</table>

Total Revenue and Other Sources: 120,183,181

<table>
<thead>
<tr>
<th>2019</th>
<th>Recommended</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>70000 Personal Services</td>
<td>76,786,236</td>
<td>74,181,479</td>
</tr>
<tr>
<td>72500 Supplies</td>
<td>1,568,849</td>
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<tr>
<td>80000 Other Services &amp; Charges</td>
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<td>12,629,709</td>
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<tr>
<td>94000 Internal Service Charges</td>
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<td>95000 Capital Outlay</td>
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<tr>
<td>98000 Reserves</td>
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<td>300,000</td>
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<tr>
<td>99000 Transfers Out/Appropriations</td>
<td>27,153,176</td>
<td>30,382,186</td>
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</table>

Total Expenditures and Other Uses: 120,183,181

<table>
<thead>
<tr>
<th>Recommended</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>20% of Recommended Budget Amount</td>
<td>24,036,636</td>
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Indigent Defense Fund

<table>
<thead>
<tr>
<th>2019</th>
<th>Recommended</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>70000 Personal Services</td>
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<tr>
<td>80000 Other Services &amp; Charges</td>
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<td>94000 Internal Service Charges</td>
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<td>95000 Capital Outlay</td>
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<td>99000 Transfers Out/Appropriations</td>
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Total Expenditures and Other Uses: 1,494,647
## MIDC Grant Position Allocations

<table>
<thead>
<tr>
<th>Position ID</th>
<th>Position Title</th>
<th>Group</th>
<th>Grade</th>
<th>State Share</th>
<th>Local Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>33430001</td>
<td>Deputy Assistant Public Defender</td>
<td>4100</td>
<td>33</td>
<td>38%</td>
<td>62%</td>
</tr>
<tr>
<td>33030004</td>
<td>Frist Assistant Public Defender</td>
<td>6100</td>
<td>34</td>
<td>38%</td>
<td>62%</td>
</tr>
<tr>
<td>28050015</td>
<td>Assistant Public Defender</td>
<td>6100</td>
<td>28/30/32</td>
<td>38%</td>
<td>62%</td>
</tr>
<tr>
<td>16540002-</td>
<td>Legal Clerk</td>
<td>1100</td>
<td>16</td>
<td>38%</td>
<td>62%</td>
</tr>
<tr>
<td>16540004</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23110001</td>
<td>Social Worker</td>
<td>1000</td>
<td>22</td>
<td>38%</td>
<td>62%</td>
</tr>
<tr>
<td>27190019</td>
<td>Management Analyst</td>
<td>4100</td>
<td>27</td>
<td>38%</td>
<td>62%</td>
</tr>
</tbody>
</table>
260--Indigent Defense Fund

The Indigent Defense Fund may be found in applicable counties, cities, or townships. This fund is used to account for earmarked state grant revenue and mandated local share contributions to provide indigent defendants in criminal cases with effective assistance of counsel. This fund is required by the Michigan Indigent Defense Commission (MIDC) Act, Public Act 93 of 2013, as amended.

Indigent Defense state grants must only be used to bring an indigent criminal defense system into compliance with the minimum standards established by the MIDC in accordance with the MIDC Act. Local units should contact the MIDC for more information on the standards and what types of expenditures would comply with them.

Grants from the MIDC must be classified as a state grant revenue. If no other state grants are received within the fund, use of the State Grants Control 260-000-539 may be used. Otherwise use Indigent Defense Grant 260-000-571.

The revenue should be recognized when all eligibility requirements are met. If a grant is received prior to eligibility requirements being met, a deferred inflow must be recorded instead of a revenue until those requirements are completed.

The cash and investments of the Indigent Defense Fund are subject to the requirements of 1943 PA 20, MCL 129.91, and may be included in pooled cash and investment accounts.

The Indigent Defense Fund must operate only with a budget adopted by the local unit governing body as required by 1968 PA 2, MCL 141.421 to MCL 141.440a.

All claims (expenditures) must be approved by the legislative board or council pursuant to: Cities--1895 PA 215, MCL 87.7, MCL 88.20; Townships--Revised Statutes of 1846, MCL 41.75; Counties--1851 PA 156, MCL 46.11(g); 1909 PA 58, MCL 46.71; 1943 PA 182, MCL 46.53; and 1923 PA 301, MCL 46.63.
Washtenaw County
JOB DESCRIPTION

Job Code: 3343
Authorization: RES#
Employee Group: 4100
Non-union

CLASS TITLE: DEPUTY PUBLIC DEFENDER
DEPARTMENT: Public Defender
FLSA STATUS: Exempt

JOB SUMMARY
Under administrative direction of the Public Defender, this position develops, recommends, implements and coordinates policies, programs, and projects related to the office of Public Defense. Provides organizational direction to department and responsible for staff, policy, and program assistance to the cooperative working relationships among County management staff, intergovernmental, and regulatory agencies and various public and private organizations. May provide project or ongoing direction to designated County management. Performs related work as assigned.

EXAMPLES OF DUTIES
Essential Duties:

• Works closely with the Public Defender to develop and implement legal goals, objectives, policies, procedures and work standards to include the planning, organization, assignment, direction, review and evaluation of the work of trial attorneys, support staff and volunteers.

• Coordinates the implementation of policies and programs, developing procedures and utilizing staff, financial and community resources as required.

• Advises the Public Defender on issues and programs; prepares specific proposals for action on current and future County needs; develops and directs the creation of management systems and work standards to evaluate program effectiveness and efficiency.

• Works with Public Defense staff to assist with litigation and providing assistance for large case loads.

• Direct the attorney workforce plus training and coordination of support staff and all student interns.

• Confers with staff at all levels to coordinate activities, foster cooperative working relationships and facilitate efficient and cost effective service delivery.
• Represents the office of Public Defense with governmental agencies, community groups and various businesses, professional and other organizations.

• Performs other duties as assigned.

The above statements are intended to describe the general nature and level of work being performed by employees assigned this classification. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified.

EMPLOYMENT QUALIFICATIONS
Knowledge, Skills, and Abilities:
• Administrative principles and practices, including goal setting, program and budget development and administration and human resources in a public agency setting.

• Principles and practices of public administration.

• Applicable federal, state and local laws and regulations.

• Funding sources impacting program development and service delivery.

• Social, political, environmental and related issues influencing local government functions and activities.

• Basic supervisory principles and practices.

• Planning, organizing, coordinating and administering varied programs, projects and services in a public agency setting.

• Developing, recommending, and coordinating the implementation of goals, objectives, policies, procedures, work standards and internal controls.

• Interpreting, applying and explaining complex laws, policies and regulations.

• Analyzing complex administrative problems, evaluating alternative solutions and adopting effective courses of action.

• Using sound, independent judgment within general policy and legal guidelines.

• Preparing clear, concise and effective written materials.

• Establishing and maintaining effective working relationships with the County staff and a variety of public and private organizations.
**LICENSES/CERTIFICATIONS**
Must be licensed in good standing to drive a motor vehicle and to practice law in the State of Michigan. Admittance to practice in front of federal courts and the U.S. Supreme Court is desirable.

**PHYSICAL DEMANDS**
Duties require sufficient mobility to work in a normal office setting and use standard office equipment including a computer, vision to read printed materials and a computer screen and hearing and speech sufficient to communicate in person or over the telephone.

These requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

**EDUCATION**
Possession of an Undergraduate Degree (with preferable courses in business management and/or criminal law) plus a Juris Doctor Degree with a required Certificate of Admittance to the State Bar of Michigan as evidence of continued good professional standing and authority to practice law throughout the state.

**EXPERIENCE**
A minimum of five (5) years of experience in the practice of criminal law or governmental law, or the equivalent.

This class description intends to identify the major duties and requirements of the job and should not be interpreted as all-inclusive. Incumbents may be requested to perform job-related duties other than those outlined above and may be required to have specific job-related knowledge for successful job performance.