

**THOMAS L. HICKNER**  
**BAY COUNTY EXECUTIVE**



September 30, 2015

Ms. Cindy Luczak  
Bay County Clerk  
515 Center Avenue  
Bay City, MI 48708

Dear Cindy:

I am in receipt of your September 22, 2015, Service Enhancement Request (“SER”) from your office for a budget adjustment to accommodate the reinstatement/hiring of two additional full-time USWA Clerk Typist positions (TU07) in the Clerk’s Office. You indicate that you have determined a need for the additional two staff members “[b]ased on the demands of the Constitutionally mandated Clerk office,” that the programs impacted are “State constitutionally mandated functions to completion” and that the expected outcome of the enhancement will be “division of duties, completion of mandated functions; resolution of backlog; [and] serviceability to the public.”

Although I appreciate your submission, I need additional information from you, specifically outlining your needs, in order to appropriately consider your request. As you know, I must submit the proposed 2016 budget to the full Board no later than October 1, 2015, *so time is of the essence*. I received your SER on 24<sup>th</sup>, approximately one week before the proposed budget is due to the Board. As it is unlikely that you will be able to provide the documentation to me before I must submit the recommended budget tomorrow, I have directed the Finance Department to mark your requests as “Under Consideration” and the proposed budget can be amended as necessary after you provide the necessary information and Bob Redmond (on behalf of the Board) and I have a chance to review it.

Please provide the following information in support of your request as soon as possible:

- (1) You answered Question #2 that the need for two additional positions was determined based on the demands of the Constitutionally mandated Clerk’s office. This response is vague and does not provide sufficient information to determine what specific function(s) of the Clerk’s office is/are in jeopardy. Is the Clerk’s office unable to function “serviceably” at its existing staffing level? For purposes of this question, “serviceability” is defined as whether your office can, at its current staffing level, fulfill the statutory obligations of the office of the County Clerk.

**515 Center Avenue, Suite 402, Bay City, MI 48708-5125 (989) 895-4130**

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Page Two

A serviceable level of operation is not the optimal level of operation, but rather a level where the mandated function or service can be carried out in a barely adequate manner, but will nonetheless be carried out. For instance, your office would not be functioning at a serviceable level if your staffing level either eliminates a statutorily mandated function or creates an emergency immediately threatening the existence of that function.

(2) If the Clerk's office is unable to function "serviceably" at its current staffing level, please provide the following information:

- (a) Has your current staffing level created an emergency that immediately threatens the existence of any statutorily mandated function or duty? If yes, what specific, statutorily mandated functions or duties have been threatened and how? What is the nature of the emergency? Please list specific examples or specific occurrences whereby this mandated function or service has not been offered and detail how often this has occurred within the last 12 months.
- (b) Has your current staffing level resulted in a significant backlog or delay in providing statutorily mandated services in your office? If yes, please state the time/amount of backlog or delay and the dates of delay.
- (c) Has your current staffing level resulted in an inability for your department to meet deadlines – whether statutorily mandated or created by function of local policy or directive? If yes, please specify what deadlines are not being met and detail how often this has occurred within the last 12 months.

(3) Explain, in detail, how you arrived at the number of additional staff members requested?

(4) What specific processes are impacted? You stated: compliance, mandates, efficiency, backlog, clerical, state law, state statutes, voting requirements. This response does not provide sufficient information to determine what specific processes are impacted. For example, what mandates have been impacted and how? What voting requirements have been impacted and how?

(5) What specific programs are being impacted?

(6) You failed to state what priorities would be advanced by your proposal. Please specify.

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Page Three

(7) Regarding the expected outcome of the enhancement of adding two positions, are there specific constitutionally or statutorily mandated functions that are not being performed? If so, please identify. You stated that the expected outcome would resolve a backlog. Again, please identify which function(s) currently or in the recent past have backlog(s), the length of the backlogs and the number/amount. Finally, please specify how the serviceability to the public will be enhanced by adding two positions.

(8) What additional services would be provided to the public if these positions were filled? How does this benefit both the public AND the County? Are these services mandated by law or are they permissive?

(9) How, if at all, would the addition of two staff members affect your office's hours of operation?

I look forward to receiving additional data from your office so I may further consider your request.

Sincerely,



TOM HICKNER  
County Executive

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