

Agenda Item Summary

1. **REQUESTED MOTION:** Approve certain administrative adjustments related to the implementation of Lee County Resolution 92-09-51, "Agreement and Guidelines Between Lee County and Court Services, now "Court Administration".
ACTION REQUESTED: Approve use of County F.E.I.N. for Court Administration "County Court" employees, for federal and state reporting purposes only and other articulated adjustments.

WHY ACTION IS NECESSARY: Over the course of the past 10 years, certain administrative circumstances have changed with respect to reporting certain matters between the Clerk of Courts and Court Administration.

WHAT ACTION ACCOMPLISHES: Provides authorization for certain administrative matters between the Clerk of Courts and Court Administration to be revised, updated and corrected to reflect current procedures for reporting, accounts management and auditing.

2. **DEPARTMENTAL CATEGORY:** A12B
COMMISSION DISTRICT #:

3. **MEETING DATE:** 08-27-2002

4. **AGENDA:**
 CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC
 WALK ON
TIME REQUIRED:

5. **REQUIREMENT/PURPOSE:**
(Specify)
 STATUTE
 ORDINANCE
 ADMIN. CODE
 OTHER
 Resolution 92-09-51 and Agreement

6. **REQUESTOR OF INFORMATION:**
A. COMMISSIONER
B. DEPARTMENT County Attorney
C. DIVISION General Services
 BY: David Owen

7. **BACKGROUND:** On 9/30/92 the County and Court Services (now Court Administration) entered into an agreement by resolution (92-05-51 with Guidelines) for the separation of Court Administration from County Policy and Procedures. Over the course of the past 10 years certain circumstances have changed which require adjustments and interpretations to the Agreement and Resolution.

8. **MANAGEMENT RECOMMENDATIONS:**

9. **RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
				<i>[Signature]</i> 8/12/02	OA 8/12/02	OM 8/14/02	Risk 8/13/02	GC 8/14/02	<i>[Signature]</i> 8-15-02

10. **COMMISSION ACTION:**
 APPROVED
 DENIED
 DEFERRED
 OTHER

CA
 8/12 400
 COUNTY ADMIN.
 FORWARDED TO: *[Signature]*
 8/15 300

Page No. 2

Subject: Resolution 92-09-51 and Agreement

Desired revisions to the implementation of the Resolution and Agreement between the County and Court Administration have been discussed between the County, the Clerk and the Court Administrator. The results of their discussions have been reduced to the three attached writings which outline the administrative changes to be made as agreed upon by the Parties.

See: a) 6/18/02 memo from Donna Harn to David Owen
b) 7/12/02 letter from Charlie Green to William D. ("Doug") Wilkinson, and
c) 7/29/02 letter from David Owen to Doug Wilkinson

With the Board's approval the described administrative changes will be made by the parties in an effort to better administer Lee County Resolution 92-09-51 and the attendant agreement between the County and Court Administration.

The proposed revisions are outlined by the second set of "Bullet Points" in the 7/12/02 letter from Charlie Green to Doug Wilkinson.

WILMA 2216

WALK-ON BY CHARLIE GREEN

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 921699

1. REQUESTED MOTION: Request Board approve a Resolution which executes Court Services to manage all of it's operational and fiscal responsibilities as per the attached Agreement. Request Board approve Budget Amendments to close out funds #110 and #102 as per agreement with Court Services and the Board of County Commissioners to transfer above funds under the Clerk of Court.		2. SUBJECT CATEGORY: Dept. of Information Management
4. AGENDA: <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC TIME REQUIRED: _____		3. MEETING DATE: September 30, 1992
5. REQUIREMENT/PURPOSE: (Specify) <input type="checkbox"/> STATUTE <input type="checkbox"/> ORDINANCE <input type="checkbox"/> ADMIN. CODE <input type="checkbox"/> OTHER _____		6. REQUESTOR OF INFORMATION: A. (ALL REQUESTS) NAME <u>Bruce Loucks</u> <u>FOR DOUG WILKINSON</u> DEPT. <u>Information Management FOR COURT SE</u> B. (PUBLIC ONLY) CITIZEN NAME _____ CITIZEN PHONE _____

7. BACKGROUND:

The attached resolution satisfies the Agreement with Court Services and Lee County Board of County Commissioners to approve Court Services to perform their own operational and fiscal responsibilities without support or interaction with the Lee County Board of County Commissioner's policies or procedures.

The attached Agreement has been reviewed and approved by all parties involved.

8. STANDING COMMITTEE REVIEW:

Reviewed by _____ Board Management & Planning Committee Date(s): _____
 _____ COMMITTEE REVIEW NOT REQUIRED

RECOMMENDED APPROVAL

DEPARTMENT DIRECTOR	DEPT. OF INFORMATION MANAGEMENT				OTHER	COUNTY ATTORNEY	COUNTY ADMINISTRATOR
	Purch.	Budget	Services	Dir.			
	BA	GC	Rise	Dir.			
	<i>RK</i>	<i>AK/11</i>	<i>AK/11</i>	<i>AK/11</i>	<i>AK/11</i>	<i>AK/11</i>	<i>AK/11</i>

10. COMMISSION ACTION: 9-28

APPROVED
 DENIED
 DEFERRED
 OTHER

REC'D 9/21/92
 FILED 9/21/92
 9/21/92

RESOLUTION #92-09-51

WHEREAS, Court Services desires to manage its operational responsibilities without support or interaction with Lee County Board of County Commissioner's policies or procedures.

WHEREAS, Lee County Board of County Commissioners will, through the attached criteria, will maintain its purview with Court Services.

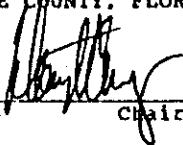
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that Court Services manage its operational and fiscal responsibilities in accordance with the guidelines as set forth in the attachment.

The foregoing Resolution was offered by Commissioner Manning, who moved for its adoption. The motion was seconded by Commissioner Lopez-Wolfe, and upon being put to a vote, the vote was as follows:

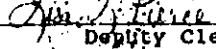
Douglas St. Cerny	<u>Aye</u>
Vick Lopez-Wolfe	<u>Aye</u>
John Manning	<u>Aye</u>
Donald Slisher	<u>Aye</u>
Ray Judah	<u>Aye</u>

Duly adopted by the Board of County Commissioners this 30th day of September, 1992.

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA


Chairman

ATTEST:
CHARLIE GREEN, Ex-Officio Clerk

BY: 
Deputy Clerk

APPROVED AS TO FORM


OFFICE OF COUNTY ATTORNEY

(2105M)

W.O.#3
9-30-92

09

GUIDELINES

1. EXPENSES

- A. A single line item will be budgeted to expend the monthly disbursement to Court Services.
- B. Disbursements will be made on a monthly basis of 1/12 of the total disbursement excluding funds for capital outlay. The specific date that monthly disbursements are to be made will be determined administratively and may vary from fiscal year to fiscal year. Funds allocated for capital outlay will be disbursed in the first week of November. In the month of January, a disbursement for January and September will be made with no disbursement being made in September. These disbursements apply General fund expenditures. As the Courts have a number of special revenue funds, these will be treated as identified below.
1. Criminal Justice Trust Fund (currently Fund 110) will be transferred to the Clerk of Circuit Court, along with the required reporting to the State of Florida.

The revenues associated with the fund will be used to reimburse the Board of County Commissioners' General Fund for expenditures as defined in Section 27.3455 of the Florida Statutes on a monthly basis.
 2. Arbitration and Mediation Fund (currently Fund 123) will be transferred to the Clerk of Circuit Court, along with any required reporting.
 3. Responsibility for reporting to the State, the Statement of Conflict Counsel Expenses and Costs Form as defined in Section 925.037 (5) (b) will be transferred to the Court Administrator. The reimbursement from the state associated with this form will be deposited in the Board of County Commissioners' General Fund.
- C. The Court Services costs are to be paid from the Court Services draw and not to be considered costs of the Clerk of Circuit Court in any manner.
- D. All unexpanded funds and interest earnings from each fiscal year will be returned to the Board of County Commissioners.

2. The Court Administrator will provide a policy and procedure guideline to the Finance Division for administrating employee pay and benefits.
 3. The Court Services personnel will be paid in a separate pay cycle biweekly, beginning October 14.
 4. The Clerk of Circuit Court will monitor and deposit with the respective agencies all the payroll taxes and employee benefitr
- C. All Court Services' fixed assets will be transferred to the proper department/division under the Clerk of the Circuit Court.
- IX. These Guidelines are subject to revision and approval by the Board of County Commissioners and the Court Administrator.

(1850M)

70

09

AGREEMENT BETWEEN LEE COUNTY AND COURT SERVICES

I. EXPENSES

- A. A single line item will be budgeted to expend the monthly disbursement to Court Services.
- B. Disbursements will be made on a monthly basis of 1/12 of the total disbursement excluding funds for capital outlay. The specific date that monthly disbursements are to be made will be determined administratively and may vary from fiscal year to fiscal year. Funds allocated for capital outlay will be disbursed in the first week of November. In the month of January, a disbursement for January and September will be made with no disbursement being made in September. These disbursements apply General fund expenditures. As the Courts have a number of special revenue funds, these will be treated as identified below.
1. Criminal Justice Trust Fund (currently Fund 110) will be transferred to the Clerk of Circuit Court, along with the required reporting to the State of Florida.

The revenues associated with the fund will be used to reimburse the Board of County Commissioners' General Fund for expenditures as defined in Section 27.3455 of the Florida Statutes on a monthly basis.
 2. Arbitration and Mediation Fund (currently Fund 123) will be transferred to the Clerk of Circuit Court, along with any required reporting.
 3. Responsibility for reporting to the State, the Statement of Conflict Counsel Expenses and Costs Form as defined in Section 925.037 (5) (b) will be transferred to the Court Administrator. The reimbursement from the state associated with this form will be deposited in the Board of County Commissioners' General Fund.
- C. The Court Services costs are to be paid from the Court Services draw and not to be considered costs of the Clerk of Circuit Court in any manner.
- D. All unexpended funds and interest earnings from each fiscal year will be returned to the Board of County Commissioners.

II. REVENUES

All revenues will continue to be deposited into the General Fund. In addition the transfers from the Criminal Justice fund will also be reflected as a revenue to General Fund.

III. BUDGET DEVELOPMENT AND MONITORING

As budgets are developed, Court Services will provide to the Board of County Commissioners, for review and revision, their annual budget. The budget will be presented in a program format with line item expenditures identified with actual prior year expenditures, current year budget, current year estimated expenditures and proposed budget. Positions, the number, classification and salaries of, will also be provided.

Court Services will also, upon notification by the County, budget for and pay for any and all internal services provided to them by the County.

Court Services will provide quarterly expenditure reports to the County by program and line item expenditures.

Amendments which increase or decrease the budget will be approved by the Board of County Commissioners. Any budget action which changes the use of funds between the categories of personnel (object code 1XXX and 2XXX), operating (object code 3XXX, 4XXX, 5XXX), capital outlay (object code 6XXX), and other (object code 7XXX, 8XXX, 9XXX), but do not increase or decrease the total budget, will be included in the quarterly report.

IV. INSURANCE

Court Services will also budget and for and be provided all insurances for employee benefits (health, dental, disability, life) and for property, casualty, and workers compensation through the County insurance program unless otherwise agreed to with the Board.

V. PURCHASING

Court Services will be exempted from all County purchasing policies and will conduct fiscal activities in accordance with applicable Florida statutes.

VI. HUMAN RESOURCES

A. Court Services will be exempted from all County Personnel Policies and Procedures and will conduct personnel actions in accordance with applicable Florida Statutes, State and Federal laws.

B. Human Resources will no longer provide the following services to Court Services employees and Court Services employees will be notified in writing of the following changes:

1. Advertising, screening, interviewing, and new hire paperwork for vacancies.
2. Maintenance of personnel files.
3. Employee Relations service.
4. Inclusion in the pay plan.
5. Performance evaluation system.
6. Length of Service Awards or other recognition programs.
7. Tuition reimbursement program.
8. Sick leave transfer program.
9. Retirement counseling.
10. Health Assessment and Occupational Health Services

VII. EQUAL OPPORTUNITY

A. Record Keeping and Annual Reporting Requirements

1. Even though, as a matter of policy, employees of Court Services have been recognized by County Administration as an independent organizational entity staffed and funded in part by the Board of County Commissioners, Court Services in its current form does not meet the EEOC definition of a "Constitutional" office. Court Services employees and applicants for positions must be recorded monthly and reported annually as a part of the Lee County workforce that comes under the jurisdiction of the Board of County Commissioners according to the requirements of the U.S. Equal Employment Opportunities Commission (EEOC).

2. Operating separately may exempt Court Services from abiding by County policies and procedures. The separation however, does not release the Board of County Commissioners from its requirements to report the County's total workforce composition to the U.S. EEOC. Public entities that employ 15 or more employees are required by the EEOC to submit an annual workforce report.

B. The following alternatives appear feasible to ensure the Board of County Commissioners' compliance with current U.S. EEOC record keeping requirements for public entities:

1. Court Services will need to maintain an EEO applicant log to capture and retain EEO statistics on persons applying for or holding County funded positions within Court Services. The EEO applicant flow data should be collected and kept separate from the actual application used to make hiring decisions. Documentation related to interviewing, selection data, new hire data and disciplinary information, will have to be maintained in accordance with applicable state and federal record keeping requirements that apply under state and federal law.
2. The Court Administrator may submit an annual EEO-4 Report to the EEOC as an addendum to the County's annual report for those employees who technically are a part of the Board of County Commissioners workforce. The County-wide report with specified format and reporting requirements are usually received from the EEOC in August of each year and covers the yearly period from July 1st through June 30th. The Court Administrator should receive a copy of the report in order to comply with the reporting requirements of the Board of County Commissioners for employees that, as a matter of policy, will come under the control of the Court Administrator.
 - a. The function where Court Services is normally included on the annual EEO-4 Report will indicate by notation that the Court Administrator is responsible for the submission of a separate report to comply with the U.S. EEOC requirements that apply to the Board of County Commissioners.
 - b. The Office of Equal Opportunity may, if requested, assist Court Services in setting up monthly workforce reports that gather information needed to submit the annual EEO-4 Report.
3. The Office of Equal Opportunity will no longer be responsible for answering administrative formal charges of discrimination filed against Court Services by state or federal fair employment practice regulatory agencies; informal complaints will also not be investigated by the Office of Equal Opportunity but will be referred to the Court Administrator.

4. Employees of Court Services will have standing to file formal charges of discrimination against Court Services under the County Ordinance which may be investigated by the Office of Equal Opportunity, Anti Discrimination Program; the same right applies to applicants for employment to Court Services.
5. Court Services will be responsible for identifying discriminatory practice issues and affecting appropriate remedy (i.e., handicap/disabled accommodations, monetary liability, settlement alternatives, etc.) in order to comply with all applicable state, local and federal discrimination laws. Court Services will also provide training to employees and supervisors as required or necessary to comply with equal opportunity laws.
6. The County Attorney's Office shall determine if Court Services is subject to the provisions of the Board of County Commissioners, Affirmative Action Plan or should, if necessary, develop one of their own to comply with any applicable federal or state laws.
7. Court Services will be responsible for developing an American with Disabilities Act Transition Plan, and ensuring compliance with accessibility, employment, benefit and service program requirements.

VIII. FINANCE AND PAYROLL

- A. A one-twelfth monthly draw of total line item budget provided for the Court Services' operations (including court-ordered costs) will be paid to the Clerk of Circuit Court, along with the Clerk's monthly draw via wire transfer to the Clerk's depository.
- B. The Court Services will maintain a separate payroll which will be processed in the current manner, with the following exceptions:
 1. The payroll financial system will not utilize a position control facility which enabled a position to be distributed to more than one budgetary account.

2. The Court Administrator will provide a policy and procedure guideline to the Finance Division for administering employee pay and benefits.
 3. The Court Services personnel will be paid in a separate pay cycle biweekly, beginning October 14.
 4. The Clerk of Circuit Court will monitor and deposit with the respective agencies all the payroll taxes and employee benefits.
- C. All Court Services' fixed assets will be transferred to the proper department/division under the Clerk of the Circuit Court.
- IX. This Agreement is subject to revision and approval by the Board of County Commissioners and the Court Administrator.

(1850M)

MEMORANDUM CHARLIE GREEN CLERK OF CIRCUIT COURT
FINANCE & RECORDS DEPARTMENT
335-2300

Date: June 18, 2002

To: David Owen, Assistant County Attorney

From: Donna G. Harn, Finance & Records Director

Re: Court Administration/BOCC Resolution 92-09-51/
Agreement dated September 30, 1992

In our conversation June 23rd, the idea of auditing the Court Administration Office separately from the Clerk's Office was mentioned. To completely separate the two offices financial transactions within the annual financial audit we would have to literally report their transactions separately for all reporting – federal, state and local. In researching this idea I reread the above agreement and found the following language:

"EXPENSES

I. C. The Court Services costs are to be paid from the Court Services draw and not to be considered costs of the Clerk of Circuit Court in any manner.

BUDGET DEVELOPMENT AND MONITORING

III As budgets are developed, Court Services will provide to the Board of County Commissioners, for review and revision, their annual budget.....

(Skipping to the third paragraph)

Court Services will provide quarterly expenditure reports to the County by program and line item expenditures. Amendments which increase or decrease the budget will be approved by the Board of County Commissioners. Any budget action which changes the use of funds between the categories of personnel...operating...capital outlay and other, but do not increase or decrease the total budget, will be included in the quarterly report. **(Something that the BOCC Departments provide to the Board, but not Constitutional Officers)**

PURCHASING

V. Court Services will be exempted from all County purchasing policies and will conduct fiscal activities in accordance with applicable Florida statutes.

HUMAN RESOURCES

VI. A. Court Services will be exempted from all County purchasing policies and will conduct fiscal activities in accordance with applicable Florida statutes.

EQUAL OPPORTUNITY

VII A. 1. Even though, as a matter of policy, employees of Court Services have been recognized by County Administration as an independent organizational entity staffed and funded in part by the Board of County Commissioners, Court Services in its current form does not meet the EEOC definition of a "Constitutional" office. Court Services employees and applicants for positions must be recorded monthly and reported annually as part of the Lee County workforce that comes under the jurisdiction of the Board of County Commissioners according to the requirements of the U.S. Equal Employment Opportunities Commission EEOC). The separation, however, does not release the Board of County Commissioners from its requirements to report the County's total workforce composition to the U.S. EEOC....."

7/2

MTB. W/ DONNA H. Re: TRANSITION of COURT SERVICES
from CLERK'S OFFICE.

XC: JBY

In reviewing the above statements from the agreement, I feel there are enough reporting criteria to the Board, as well as a clear statement that the Court Services was not intended to be reported as part of the Clerk's Office financial activities to back a position of reporting Court Services as a Board activity, not Clerk.
This argument is based on the following points:

- a) The agreement clearly expects Court Services to report their expenditures to the Board on a quarterly basis. (The revenues they collect are given to the Board).
- b) Any changes to the budget between object types are also to be reported quarterly.
- c) The EEOC reporting clearly states the Court Services activity is reported as part of the Board's annual report.
- d) The agreement states that the activity of Court Services is not to be considered costs of the Clerk's Office IN ANY MANNER.

Additionally: The activity of Court Services is currently handled as a separate fund (entity) on the Clerk's financial system and clearly discernable.

What I feel may be a satisfactory solution to the Clerk's current concern is:

- 1) Court Services continue to utilize the Clerk's financial system via Clerk's Accounting (Maria Silva).
- 2) At fiscal year-end, we take the Court Services' funds and associated activity when we are preparing the financial statements and combine the activity as part of the Board's financial activity.
 - a. The activity can be separately audited and treated as a stand-alone statement similar to the enterprise statements we have done in the past.
 - b. In the County's financial statement Court Services would be identified as a separate fund within the report but the activity would be reported as Board activity.
- 3) The Clerk's audited financial report would report only the activity generated by the Clerk's operations.

What would be required to accomplish the above:

- Q. WHETHER WE CAN USE COURT SERVICES FEIN?*
- 1) Move the Court Service employees from the Clerk's FEIN to the Board's FEIN for the following (their employees would receive 2 different W2's):

- a. Employment Taxes to the IRS
- b. Retirement contributions for FRS
- c. Deferred Compensation payments to NACO, Aetna

- 2) Have the Budget Office approve a change order to move the Clerk's Office's audit from Markham, Norton and Stroemer (Jeff Tuscan) to KPMG's contract. By transferring the Clerk's Office and Court Services audit to the Board's auditor we avoid issues related to
 - a. Dependence on another auditor's work/report and
 - b. The audit of the Clerk's financial system by both auditors.

I will be out of the office from June 13 through 24. Our auditors will start our audit process in July, so I will need to have a viable plan of action in place by the end of June or first week of July.

**Charlie Green
Clerk of Circuit Court
Lee County, Florida**

02 JUL 16 PM 1:49
RECEIVED
LEE CO. ATTORNEY

July 12, 2002

Mr. William D. Wilkinson
Trial Court Administrator
Twentieth Judicial Circuit Court of Florida
Lee County Justice Center
1715 Monroe Street
Fort Myers, Florida 33901

Dear Mr. Wilkinson:

In compliance with the resolution separating the Court Services functions from overview of the Board of County Commissioners (BOCC) departments, we will be reporting the Court Administration financial activities as part of the BOCC financial reports rather than Clerk's. We believe this was the original intent of the agreement based on the following statements:

- "Court Services costs are ...not to be considered costs of the Clerk of Circuit Court in any manner" (Section I.C.)
- "Court Services will provide quarterly expenditure reports to the County by program and line item expenditures" (Section III.)
- "Court Services employees and applicants for positions will be recorded monthly and reported annually as part of the Lee County workforce that comes under the jurisdiction of the Board of County Commissioners" (Section VII. A. 1.)

* The following are the anticipated changes anticipated for bringing the financial reporting in compliance with agreement's intent:

- Separation of Clerk and Court Administration financial activity is already in place by virtue of the separation of activity by fund in Clerk's financial system
- Reporting/Purchasing activities remain unchanged.
- Financial information audited separately by Board auditor. Financial information will be reflected as a Special Revenue fund (one of several) in Board statements. Court Administration will have stand alone financial statements.
- Separation of Court Administration benefits, taxes and salary, and other employee related information from BOCC and Clerk activities.

Clerk of County Court - Comptroller - Auditor - Recorder - Custodian of County Funds
P.O. Box 2396, Fort Myers, Florida 33902-2396 (941) 461-3270 Fax: (941) 461-5887

WTO . w/ D. Wilkinson
7/22/02
Access Court Records: www.leeclerk.org

Revise to: BOCC
FEIN

Employees
back to
BOCC for
Remaining
purposes
only

- Transfer Florida Retirement System and IRS reporting to Court Administration's FEIN at end of calendar 2002.
- Transfer Deferred Compensation reporting to Court Administration's FEIN.
- A new Aetna deferred compensation contract signed by Court Administration.
- Transfer Unemployment Compensation reporting to Court Administration's FEIN.
- Transfer audit contract for Clerk and Court Administration to the Board's auditors, KPMG. This transfer avoids issue of KPMG's dependence on another auditor's work within a single entity (BOCC) and provides potential future cost savings by having the same auditor review the JDE financial system (used by Board and Clerk).

The above stated changes provide more control of financial activity to Court Administration while providing a clear separation of financial activities of the Clerk and Court Administration. The Clerk will continue to pre-audit and process payments and other financial transactions for Court Administration.

We will work with your staff members to make this transition without affecting any day-to-day activities. I am confident that the changes detailed above will provide improved financial reporting for both the Clerk and Court Administration and will allow Court Administration to continue to benefit from the accounting services provided by the Clerk.

Very truly yours,

Lee County Clerk of Circuit Court

Charlie Green
Charlie Green

CC: Honorable William L. Blackwell, Chief Judge
David Owen, Esquire

MTG. of D. W. [unclear]
7/22/02

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 335-2236

Facsimile (239) 335-2606

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

July 29, 2002

Mr. William D. Wilkinson
Court Administrator
Twentieth Judicial Circuit, Lee County
Lee County Justice Center
1700 Monroe Street
Fort Myers, Florida 33901

**RE: F.E.I.N. FOR COURT ADMINISTRATION'S
"COUNTY" EMPLOYEES**

Dear Doug:

Thank you for our meeting last Monday morning to discuss Charlie Green's July 12, 2002 letter (attached) concerning the implementation of certain procedural changes to better administer the County's 1992 Resolution (92-09-51) and Agreement relating to Court Services (also attached); none of which in my opinion, require an amendment to either the Agreement or the Resolution, but will need formal Board of County Commissioners' approval.

You brought out at our meeting that in order to best protect Court Administration's "County" employees, it would be in everyone's interests if the Court Administration employees that are currently carried under the Clerk's F.E.I.N., be transferred back to the County's F.E.I.N. for reporting purposes only. You explained that the Court Administration F.E.I.N. was established solely for the "Mediation Account", and may not be an appropriate F.E.I.N. for personnel reporting matters. From the legal perspective, this office concurs.

Also, I have had the opportunity to discuss this issue with our County Budget representatives, and they agree that the County's F.E.I.N. for "County" Court Administration personnel would be appropriate and acceptable for reporting purposes only.

You agreed that the balance of the matters discussed in Mr. Green's July 12, 2002 letter are acceptable to Court Administration.

FEIN FOR COURT ADMIN. COUNTY EMPS.wilkinson.wpd

Mr. William D. Wilkinson
July 29, 2002
Page 2

**RE: F.E.I.N. FOR COURT ADMINISTRATION'S
"COUNTY" EMPLOYEES**

For purposes of finalizing these issues, I am circulating this letter to all affected parties for any comment prior to approval by the Board of County Commissioners.

Your continued cooperation and assistance in the resolution of this matter is greatly appreciated. It was my pleasure to meet with you last week; my continued best wishes in your future endeavors.

Cordially,



David M. Owen
Chief Assistant County Attorney

DMO/dm
Attachments

xc: Honorable William L. Blackwell, Chief Judge, Twentieth Judicial Circuit
James G. Yaeger, County Attorney
Donald D. Stilwell, County Manager
William Hammond, Deputy County Manager
Bruce Loucks, Assistant County Manager
Antonio Majul, Director, Budget Services
Honorable Charlie Green, Clerk of Courts
Donna Harn, Clerk's Office, Finance