



Memorandum

To: Livingston County Board of Commissioners
From: Brian Jonckheere
Date: January 18, 2022
Re: Resolution Authorizing the Creation of an Engineering Surveyor Position

Honorable Commissioners,

The office of the Drain Commissioner has only recently achieved some level of stability in its personnel needs after nearly seven years of attrition through retirement, internal promotion, leaving for another job, etc. As we continue to train a relatively stable yet new field staff, we have become more efficient with our work in the field. This is allowing us to transition to longer-term planning items such as training, strategic planning, regulatory trends, etc.

In light of the above changes, my supervisory staff are still heavily involved in direct support operations to field staff, and significant overtime responsibilities. We are under no illusions that this will change anytime soon, and in many respects value that interaction in the field. However, I see a significant support need for my administrative staff that I initially began working on several years ago. The uncertainties of COVID and related changes in society and the economy have delayed that initiative. However, in order to avoid burnout and best prepare the office for expanding roles, and the likelihood of continued acceleration of project requests, support for our supervisory staff is all the more critical.

What is being proposed: We are requesting the addition of the position of Engineering Surveyor. We currently have one Engineering Surveyor position filled, which is primarily focused on assessing for stormwater drains, plan design for drain construction projects, stormwater GIS data collection and data management. The new position would share some of those responsibilities while also dedicating time to update and manage GIS for the wastewater infrastructure and supporting supervisory staff. Drafting reports, collecting data for analysis as well as for populating our GIS are tasks which have not been appropriately staffed in the past.

Why it is being proposed:

1. **Drain petitions:** Aging drain infrastructure (often well in excess of 100 years old), coupled with more intense rain events, is driving an increase in drainage repair and petition projects. With numerous new petitions hitting our office every year, and a single person to handle all project oversight, easement acquisition, development plan review, and a supervisory role for the majority of the office, this is probably the greatest area of need.
2. **Wastewater Duties:** The increase in development is prompting the need to evaluate, rehabilitate, and move pump stations to account for differing conditions and needs within the system.
3. **Regulatory obstacles:** Whether complying with internal policies such as finance, IT, the BOC, and personnel, or with state regulations on wastewater, lakes, dams, etc., the result commonly includes more complex rules, enhanced justification, and additional checks and balances. The impact to our office is substantial. In addition, the array of penalties, reporting requirements, and the seemingly unending changes in process and policy create significant headwinds, even in the face of technological enhancements. As an example, virtually every action which involves activities on drains, lakes, streams, or wetlands invariably requires documentation of the work in accordance with the statutes or permits to

operate. The formalities involved with acquiring these “permissions” now often account for much or, in some cases, most of the time and expense involved in the project.

4. **Dams and lakes:** The failure of dams in Midland County in 2020 is already having an impact on our operations in the form of new regulations, enhanced reporting, and inquiries regarding new dams. While somewhat minimal at this time, we already know what is on the horizon in terms of comprehensive reforms to state statutes and regulatory oversight.
5. **ARPA Funding:** We anticipate these funds to drive a significant number of new projects, even if only 25% or 50% of the request funds are made available. The compressed timeline for project initiation and completion will necessarily result in the simultaneous management of numerous construction contracts. This position will be critical in aiding our oversight of these projects.

How the position will be funded: Many of the operational costs incurred by our office are assessed to the drainage districts we maintain to reimburse the county for personnel costs (including benefits). For example, our office reimbursed the county \$1,239,123 in the 2020 budget year for personnel related costs incurred by many of the projects supervised by this office. Currently, we are proposing the following:

1. Make both Engineering Surveyor positions 50% billable (e.g. 50% of the cost of these positions would be assessed to our various enterprise funds and reimbursed to the county general fund). The current Engineering Surveyor position is not reimbursed to the county general fund. However, we have reviewed the job responsibilities of this position which, combined with some past changes in state statute, will allow us to reimburse the county for certain personnel costs related to our drain projects. This change would compensate the county for the cost of the wages, fringes, and benefits of the new position.

We respectfully request approval of this position, with the caveat that both engineering surveyor positions will be structured to reimburse the county for 50% of their respective costs for both wages and fringes. Given the constantly changing landscape of work in our office, we will evaluate the duties of both positions over the coming year to determine whether that reimbursement percentage can be increased.

If you have any questions regarding this matter, please contact me.

Related: *You may recall from my 2020 annual report that I voiced significant concern with the massive amount of money being unleashed by the federal government. This, along with supply chain and other COVID related impacts has the potential to drive significant and unprecedented growth in government. Specific concerns we are seeing are:*

1. *Lack of contractor and skilled tradesmen driving DPW/Drain to undertake projects in-house.*
2. *Government regulation forcibly encouraging the consolidation of private assets under government control as we are beginning to see with dams.*
3. *A general trend away from the old rural and agrarian concept of self-reliance to one of government oversight.*
4. *Public aversion to objective land use decision making and coordinated planning. Every project is now attacked and opposed without compromise or willingness to review facts. This trend necessitates more staff time, cost, and political acumen simply to defend against the litany of accusations, threats, and scrutiny that projects now encounter.*

I am repeating my request for the Livingston County Board of Commissioners to consider discussions within its subcommittee structure or other ad hoc committees to work comprehensively on a plan to anticipate and plan for these issues. Without such preparation and education. I am convinced that one of the few responses my office and others in the county will have to these factors is to continue to request more staff. Planning for these eventualities would help the county respond to approaching trends, mandates, and needs with more than simply the addition of personnel. Whether that comes through consultants, new technology, collaboration with other units of government, or other pathways, I feel it is imperative that we work toward that eventuality.