



BUDGET COMMITTEE MEETING

July 16, 2021

JD Peacock, II
OKALOOSA COUNTY
EXECUTIVE COUNCIL CHAIR

Jeffrey R. Smith, CPA, CGMA
INDIAN RIVER COUNTY
VICE-CHAIR

Tiffany Moore Russell, Esq.
ORANGE COUNTY
SECRETARY/TREASURER



STACY BUTTERFIELD, CPA
POLK COUNTY

JOHN CRAWFORD
NASSAU COUNTY

TODD NEWTON
GILCHRIST COUNTY

LAURA E. ROTH
VOLUSIA COUNTY

HARVEY RUVIN, ESQ.
MIAMI-DADE COUNTY

RON FICARROTTA
13TH JUDICIAL CIRCUIT JUDGE
SUPREME COURT APPOINTEE

NIKKI ALVAREZ-SOWLES, ESQ.
PASCO COUNTY
SENATE APPOINTEE

KEN BURKE, CPA
PINELLAS COUNTY
HOUSE APPOINTEE

JOHN DEW
EXECUTIVE DIRECTOR

FIRM OF BOYD AND DURANT
GENERAL COUNSEL

2560-102 BARRINGTON CIRCLE | TALLAHASSEE, FLORIDA 32308 | PHONE 850.386.2223 | FAX 850.386.2224 | WWW.FLCCOC.ORG

BUDGET COMMITTEE MEETING

July 16, 2021

Meeting: 8:00 AM – 1:00 PM, Eastern

Location: EpiCenter, St. Petersburg College, Boardroom (1-451, 1-453, 1-455)
13805 58th St. North, Clearwater, FL 33760

WebEx Link: <https://flclerks.webex.com/flclerks/j.php?MTID=m7ff7e0ddc320cf9b35b249c682427e89>

Meeting Code: 172 265 9604, Password: CCOC

Conference Call: 1-866-469-3239; Access Code: 172 265 9604

- 1) Call to Order and Introduction.....Hon. JD Peacock
- 2) Approve AgendaHon. JD Peacock
- 3) Approve Minutes from June 14, 2021 Meeting.....Marleni Bruner
- 4) Jury Management ProcessHon. Angela Vick
- 5) Budget DeliberationsHon. JD Peacock
- 6) Reserve Policy Workgroup Update.....Hon. Jeffrey Smith
- 7) Other Business.....Hon. JD Peacock
 - a) Public Comment
 - b) Next Meeting

Committee Members: JD Peacock, Chair; Jeffrey Smith, CPA, Vice-Chair; Tom Bexley; Ken Burke, CPA; Stacy Butterfield, CPA; Pam Childers, CPA; Gary Cooney, Esq.; John Crawford; Brenda Forman; Greg Godwin; Tara S. Green; Carla Hand, CPA, CGFO; Bill Kinsaul; Kellie Rhoades, CPA; Tiffany Moore Russell, Esq.; Donald C. Spencer; Cindy Stuart; Carolyn Timmann; and Angela Vick



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Minutes of June 14, 2021, CCOC Budget Committee Meeting

Committee Action: Review and approve with amendments, as necessary.

The Budget Committee of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on June 14, 2021. CCOC distributed an agenda and materials in advance of the meeting and posted on the CCOC website. Supplied below is a summary of staff notes from the meeting. Staff notes document committee action and are not to be a complete record of committee discussions. All motions adopted by the committee are in **bold** text. All CCOC staff action items based on committee direction are in red and **bold** text.

Agenda Item 1 – Call to Order and Introduction

Clerk JD Peacock, Chair of the Budget Committee, called the meeting to order.
Marleni Bruner, CCOC Senior Budget Manager, called the roll.

Present via WebEx: Clerk JD Peacock, Clerk Jeff Smith, Clerk Ken Burke, Clerk Stacy Butterfield, Clerk Pam Childers, Clerk Gary Cooney, Clerk John Crawford, Clerk Brenda Forman, Clerk Tara Green, Clerk Carla Hand, Clerk Bill Kinsaul, Clerk Tiffany Moore Russell, Clerk Don Spencer, Clerk Cindy Stuart, Clerk Carolyn Timmann

Absent from conference call: Clerk Tom Bexley (excused), Clerk Greg Godwin, Clerk Kellie Rhoades, Clerk Angela Vick

Agenda Item 2 – Approve Agenda

Clerk Peacock asked if there were any objections to adopting the agenda. **Hearing none, the committee adopted the agenda by consent.**

Agenda Item 3 – Approve Minutes from the Meeting on May 17, 2021

Clerk Peacock asked if there were any corrections to the minutes as presented. **Hearing no objections, the committee adopted the minutes by consent.**

Agenda Item 4 – Pandemic Recovery Plan

Jason Welty, CCOC Deputy Executive Director reviewed the Weighted Workload Measure Distribution spreadsheet that was developed to allocate the \$6.2 million state appropriation including the source of the data for each column. The spreadsheet is pages 13-25 of the meeting packet. Mr. Welty also explained a spreadsheet that helped to build the source data for some columns of the Weighted Workload Measure Distribution spreadsheet.

Individual county weighted workload measure (green columns) and a statewide weighted workload measure was calculated (blue columns of the spreadsheet). CCOC tied their numbers to the same method that the Office of the State Courts Administrator (OSCA) used to calculate the backlog of cases. The CCOC uses ten court divisions while OSCA used seven; CCOC staff was able to group our divisions similarly to run the calculations.

Clerk Cooney raised concerns and felt that we were mixing apples and oranges, along with mixing cases that have not been reviewed and verified. Mr. Welty clarified that the second spreadsheet showed took CCOC collected case counts and compared them to CCOC assigned case weights to achieve a weighted workload by court division and tie our divisions to what OSCA used for their court divisions. Clerk Cooney requested non-SRS cases to be removed to better align with OSCA numbers.

Clerk Burke explained the reason behind the direction given to CCOC staff, stating that an independent body is coming up with the numbers, the courts are telling us what the backlog is that using their numbers is a good way to define the backlog. He agreed that they may not be the best numbers, but that there was a calculation and since CCOC does not have a definition for backlog, this was something that could be adopted and worked with relatively easily as opposed to asking a workgroup to work on this issue to develop a better way to allocate the money.

Clerk Peacock stated that a quick review did not reveal to him that the non-SRS cases would be material to the overall calculation but cautioned that he would give Mr. Welty time to update his calculations. Clerk Cooney state that he thought the number would be significant in domestic relation cases. Clerk Cooney just wants to apply apples to apples in how OSCA has counted cases to how CCOC counts cases.

Clerk Smith stated that he agreed with Clerk Burke because if the CCOC used the data from OSCA we have something to hang our hat on, and secondly, he disagrees with taking out non-SRS cases because that is workload for ever county.

Clerk Cooney responded we should take out non-SRS cases because it was not included in the OSCA numbers as they only use SRS cases in their calculation of the backlog. Clerk Peacock stated that we are trying to find a distribution methodology for the state appropriation that can be done across all the counties using weighted cases. He further inquired if Clerk Cooney had a problem using the CFY 2019-20 case counts

and if there would be a material difference using non-SRS case types versus only using SRS case types. Clerk Cooney responded that the Case Counting Workgroup already knows there are anomalies and that a lot of corrections have been made but their work is still not done. He believed that the case counts, and weights could be substantial for some counties, especially small counties. He felt that CCOC should not use non-SRS cases and felt that the money could be divided by the percentage of backlog cases to the total dollar.

Clerk Peacock explained that if the percentage were applied without taking into account case weights, then the smaller counties would receive a smaller portion compared to what they would receive using weighted cases.

Clerk Butterfield asked if the CFY 2019-20 case counts were still being reviewed would the CFY 2018-19 case counts be a more comfortable number. Clerk Cooney responded that those were never reviewed and would not recommend using those numbers.

Clerk Peacock asked Clerk Cooney if he had a timeline for when the data review would be finalized and ready. Clerk Cooney stated that the hiccup receiving the data from the CCOC stalled their work, his office has reviewed over seven hundred emails related to the data and clarifying the counts and was initially told to plan for the August Budget Committee Meeting. The workgroup has found issues that they did not expect and is waiting for information from some counties, including the largest in the state.

Clerk Burke pointed out that the appropriation is effective July 1, 2021 and needed to be spent by June 30, 2022. Clerk Peacock stated that a quarter of the funding would overlap the current fiscal year. He further stated that the Executive Council would have to adopt the distribution if a methodology was adopted during the current Budget Committee meeting.

Clerk Burke also mentioned that when seeking this funding that the ask was for an immediate need and not anticipated that it would be put off. Further discussion took place from several committee members regarding the timing of the distribution and how best to get funds to counties that they can plan and prepare. Clerk Burke expressed his opinion that one of the choices be selected at the meeting so that counties would know how much funding they will receive and can plan.

Clerk Moore Russell motioned to adopt the calculation using the statewide without non-SRS cases to disburse \$6.2 million received for the Pandemic Recovery Plan. Clerk Childers seconded the motion. Clerk Peacock asked for questions and debate.

Questions were raised on how funds would be tracked and recorded when received during the Quarter 4 of County Fiscal Year 2020-21 but in Quarter 1 of the State Fiscal Year 2021-22. Mr. Welty explained that this funding is received outside of the current county fiscal year, and it will be treated like the jury funding with any unexpended rolled to the next fiscal year. He further explained that if the funds were unexpended by June 30, 2022, then the CCOC would need to determine how to recoup the funds and

redistribute. Some counties expressed concern with receiving the funding before they will have the opportunity to spend it and impacts that may have on their budget authority. It was also expressed that the funding would nonrecurring. **The motion was amended to include distribution timeframe. Motion is to apply the distribution of the \$6.2 million using the statewide weighted cases using statewide case numbers minus non-SRS cases, to go into effect upon adoption by the Executive Council that would begin in CFY 2020-21 and carry into CFY 2021-22. The committee adopted the motion unanimously.**

Clerk Peacock stated that the appropriation will be released in quarterly amounts from the state. CCOC staff and several clerks did not feel the CFY 2020-21 budgets needed to be amended. Clerk Stuart and Clerk Butterfield requested a letter regarding the revenue source that could be presented to their auditors regarding the funding.

Agenda Item 4 – Other Business

There was no new business brought before the Budget Committee.

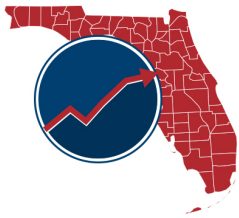
Clerk Stuart requested more information on the July Budget Committee meetings. Clerk Peacock and Marleni Bruner explained that the Budget Committee will meet over two days; on the first day clerks will have the opportunity to present their budget requests. Each clerk will have 5 minutes; however, there is not a clock, and everyone will be allowed as much or as little time as they need. Many counties accepted the CCOC estimates for FRS and Health Insurance and/or New Judges and did not put in any additional requests so they would not need to present. Only counties who are requesting amounts over those in the Base Budget. CCOC will send out a sign-up list to see how many counties plan to present. Presenters would be in-person or WebEx. Hotel and meeting information is on the CCOC website and more information will be send via email.

The second day, the committee will make decisions on the requests above the base budget. This meeting will set the Approved Expenditure Budget. The location of this meeting will be in St. Petersburg at the EpiCenter, St. Petersburg College.

Clerk Smith reported that the Reserve Policy Workgroup has met and will be providing a recommendation at the July Budget Committee meeting.

Clerk Peacock thanked the CCOC staff and FCCC meeting management staff that has made remote meetings so efficient.

The meeting adjourned at 2:22 PM.



AGENDA ITEM 4

DATE: July 16, 2021
SUBJECT: Jury Funding
COMMITTEE ACTION: Approve Jury Funding Process and Form

OVERVIEW:

In SB 838 (2021), the Legislature changed the juror management funding process to a reimbursement model, replacing the current advance-and-reconciliation process. This change is effective as of July 1, 2021.

CCOC will require each clerk to submit a request for reimbursement within 10 days after each quarter concludes; this request should detail the actual costs to compensate jurors, meals or lodging provided to jurors, and jury-related personnel costs. CCOC will review the submissions and forward the total request to the Justice Administrative Commission (JAC). The JAC will then ensure that funds are available and submit a request for payment to the Chief Financial Officer (CFO).

Attached is the new juror management reimbursement form, which is very similar to the current jury actuals form; CCOC made a few changes to the form, including:

- Breaking out the “Jury Funding” section into a “Reimbursement Request” line and an “Actual Disbursement” line.
- Creating a cell for each clerk to provide the “Juror Management Funds Available as of June 30, 2021.” The “Reimbursement Request” line is locked and provides quarterly calculations to balance against the starting funds available position.
- Condensing the meals-related lines from “Breakfast,” “Lunch,” “Dinner,” and “Other” to just one “Meals” line. This change will help streamline the data required on the form.

Clerks will no longer use the quarterly Jury Estimate form as of October 1, 2021. However, for April through June 2021, the current actuals form will still need to be completed and submitted by July 20, 2021. Once approved, the new form will be available on the CCOC website. The first quarterly due date for July through September 2021 will be October 10, 2021.

In addition to the current appropriation of \$11.7 million, the \$2.4 million of unexpended funds in CFY 2020-21 will be reverted and appropriated for the same purpose in CFY 2021-22. As a result, these funds are available for clerks to use in the upcoming year.

AGENDA ITEM 4 - JURY FUNDING

COMMITTEE ACTION: Approve Jury Funding Process and Form

LEAD STAFF: Jason L. Welty, Deputy Executive Director
Griffin Kolchakian, Budget and Communications Director

ATTACHMENTS:

1. SFY 2021-22 Quarterly Jury Management Reimbursement Form

Agenda Item 4 - Attachment 1
Quarterly Clerk Jury Management Reimbursement Request
State Fiscal Year 2021-2022



County:

Contact:

E-Mail Address:

Reporting Qtr:

Version #:

Jury Management Budget Authority:

CCOC Form DRAFT Version 2
 Created 05/05/2021
 #N/A

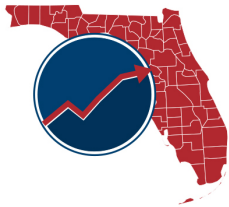
Clerk Personnel Cost	Jul - Sep SFY Q1 (CFY Q4 PY)	Oct - Dec SFY Q2 (CFY Q1)	Jan - Mar SFY Q3 (CFY Q2)	Apr - Jun SFY Q4 (CFY Q3)	Total Expenditures by Area During State Fiscal Year
Includes Managers/Supervisors, Deputies, and all others in all phases of the jury management process.					\$ -
Clerk Operational Cost *					
Include cost of Summons procedures. *Do not include costs of Juror Mgmt software or Juror parking.					
Postage					\$ -
Printing					\$ -
Supplies					\$ -
Other (Include Specific Description ON row 48, Below)					\$ -
Operating Cost Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Juror Per Diem					
Petit Juror Payment (per day)					
\$15.00					\$ -
\$30.00					\$ -
Other (Include Specific Description ON row 48, Below)					\$ -
Petit Juror Payment Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Grand Juror Payment (per day)					
\$15.00					\$ -
\$30.00					\$ -
Other (Include Specific Description ON row 48, Below)					\$ -
Grand Juror Payment Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Juror Meals/Lodging					
Meals					\$ -
Lodging					\$ -
Meals and Lodging Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Juror Cost Total:	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursable Jury Management Cost:	\$ -	\$ -	\$ -	\$ -	\$ -

Jury Funding	Cash Position as of June 30, 2021	Jul - Sep SFY Q1 (CFY Q4 PY)	Oct - Dec SFY Q2 (CFY Q1)	Jan - Mar SFY Q3 (CFY Q2)	Apr - Jun SFY Q4 (CFY Q3)	Jury Management Funding During State Fiscal Year
Jury Management Funding - Quarterly REIMBURSEMENT REQUEST from JAC:		\$ -	\$ -	\$ -	\$ -	\$ -
Jury Management Funding - Quarterly ACTUAL DISBURSEMENT from JAC:	\$ -					\$ -
Amount necessary to cover Juror Management expenditures from CCOC Funds:						\$ -
REMAINING Jury Management Budget Authority after Quarter's Expenditures:		#N/A	#N/A	#N/A	#N/A	

Specific Descriptions of "OTHER" reported above					
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Please provide **justification** and **calculations** for any changes made to **1)** prior period actual amounts; **2)** any applicable information deemed necessary to support reasonableness of the above expenditure amounts; **3)** and/or disagreements with form calculations in the area below.

Additional Information	
Jul - Sep SFY Q1 (CFY Q4 PY)	
Oct - Dec SFY Q2 (CFY Q1)	
Jan - Mar SFY Q3 (CFY Q2)	
Apr - Jun SFY Q4 (CFY Q3)	



AGENDA ITEM 5

DATE: July 16, 2021
SUBJECT: Budget Deliberations
COMMITTEE ACTION: Establish the CFY 2021-22 Needs-Based Budget

OVERVIEW:

To build the Clerks' budget for CFY 2021-22, the Budget Committee used the approved Needs-Based Budget from the prior year (CFY 2020-21) as a starting point which totaled \$448.4 million. At the May Budget Committee meeting, the Committee established and approved the Adjusted Base Budget of \$457.2 million. This included three statewide approved increases: 1) an estimated FRS increase per county, 2) a percentage increase for health insurance, and 3) the associated costs for the statutorily created new judges over the past two years.

During the month of June, each Clerk's office submitted any budget issues requested above the approved Adjusted Base Budget. These requests include additional FRS or health insurance increases, salary increases, cost of living increases, new positions, and other various operational issues. These requested issues totaled \$14.0 million.

The Committee will review these budget issue requests and determine which of these items, if any, to include into the CFY 2021-22 Needs-Based Budget. This approved amount will also likely serve as the starting point for the CFY 2022-23 budget development process to be completed next year. At the August Budget Committee meeting, the Committee will reconcile the approved Needs-Based Budget with the projected available revenues to establish the CFY 2021-22 Revenue Limited Budget. This will be the final approved operational budget implemented for CFY 2021-22.

COMMITTEE ACTION: Establish the CFY 2021-22 Needs-Based Budget

LEAD STAFF: Griffin Kolchakian, Budget and Communications Director
Jason L. Welty, Deputy Executive Director

ATTACHMENTS:

1. CFY 2021-22 Budget Spreadsheet

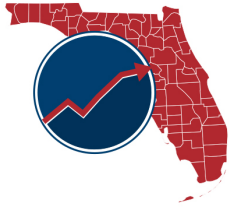
			APPROVED STATEWIDE ENHANCEMENT ISSUES				CFY 2021-22 ADJUSTED BASE BUDGET		ADDITIONAL BUDGET ISSUE REQUESTS – CFY 2021-22 NEEDS-BASED BUDGET								CFY 2021-22 REVENUE LIMITED
County	Peer Group	CFY 2020-21 Needs-Based Budget (B.C. Approved Sept. 2020)	ADD FRS Increase (ESTIMATES)	ADD Health Insurance Increase	ADD New Judges (15 Judges Created in 2020 & 2021)	Minimum Wage Issue - \$10 (INFORMATIONAL)	CFY 2021-22 Adjusted Base Budget (B.C. Approved May 2021)	Adjusted Base Budget Increase	Additional FRS Requests	Additional Health Insurance Requests	All other Budget Issue Requests	Request Total	CFY 2021-22 Adjusted Base Budget + Requests	Budget Request Increase	Requested FTE	CFY 2021-22 Needs-Based Budget (B.C. Will Approve Jul 2021)	CFY 2021-22 Revenue Limited Budget (B.C. Will Approve Aug 2021)
Calhoun	1	\$423,037	\$3,395	\$3,267			\$429,699	1.57%			\$29,377	\$29,377	\$459,076	8.52%	0.23		
Lafayette	1	\$292,156	\$2,239	\$2,896			\$297,291	1.76%				\$0	\$297,291	1.76%			
Liberty	1	\$288,357	\$3,338	\$3,323			\$295,018	2.31%	\$4,872			\$4,872	\$299,890	4.00%			
Union	1	\$457,872	\$4,100	\$4,383			\$466,355	1.85%			\$12,321	\$12,321	\$478,676	4.54%			
Baker	2	\$663,029	\$7,096	\$4,876			\$675,002	1.81%		\$7,200	\$41,465	\$48,665	\$723,667	9.15%	1.00		
Dixie	2	\$460,671	\$3,674	\$4,427			\$468,772	1.76%	\$1,214	\$2,822	\$30,575	\$34,611	\$503,383	9.27%			
Franklin	2	\$620,259	\$5,446	\$4,798			\$630,503	1.65%		\$1,078	\$14,410	\$15,488	\$645,991	4.15%			
Gilchrist	2	\$512,702	\$3,803	\$4,512		\$20,964	\$521,017	1.62%	\$1,483	\$521	\$32,507	\$34,511	\$555,528	8.35%			
Glades	2	\$498,452	\$3,371	\$6,724			\$508,547	2.03%	\$7,604	\$6,346	\$152,076	\$166,026	\$674,573	35.33%	0.50		
Gulf	2	\$460,067	\$3,917	\$3,404			\$467,389	1.59%			\$10,590	\$10,590	\$477,979	3.89%			
Hamilton	2	\$496,714	\$4,455	\$7,431			\$508,600	2.39%			\$65,616	\$65,616	\$574,216	15.60%			
Holmes	2	\$552,802	\$4,753	\$6,537			\$564,092	2.04%		\$814	\$27,833	\$28,647	\$592,739	7.22%	0.38		
Jefferson	2	\$466,416	\$4,241	\$3,868			\$474,524	1.74%	\$3,985	\$1,568		\$5,553	\$480,077	2.93%			
Taylor	2	\$525,751	\$3,527	\$12,303			\$541,581	3.01%			\$22,518	\$22,518	\$564,099	7.29%			
Washington	2	\$741,009	\$5,944	\$7,856			\$754,809	1.86%				\$0	\$754,809	1.86%			
Bradford	3	\$680,789	\$7,429	\$9,938		\$24,680	\$698,156	2.55%	\$3,588		\$139,152	\$142,740	\$840,896	23.52%			
DeSoto	3	\$762,973	\$4,848	\$8,048			\$775,869	1.69%			\$31,224	\$31,224	\$807,093	5.78%			
Gadsden	3	\$1,230,451	\$10,385	\$15,765			\$1,256,601	2.13%	\$10,930	\$6,141	\$43,906	\$60,977	\$1,317,578	7.08%	0.50		
Hardee	3	\$852,932	\$5,838	\$9,759			\$868,529	1.83%		\$9,020		\$9,020	\$877,549	2.89%			
Hendry	3	\$1,197,173	\$7,193	\$16,147			\$1,220,513	1.95%	\$3,139	\$3,853	\$101,550	\$108,542	\$1,329,055	11.02%	2.00		
Jackson	3	\$1,040,209	\$7,643	\$9,862			\$1,057,714	1.68%				\$0	\$1,057,714	1.68%			
Levy	3	\$1,017,692	\$7,855	\$11,468			\$1,037,015	1.90%		\$1,242	\$74,422	\$75,664	\$1,112,679	9.33%			
Madison	3	\$524,791	\$3,867	\$4,827			\$533,485	1.66%	\$891			\$891	\$534,376	1.83%			
Okeechobee	3	\$1,195,690	\$6,988	\$17,898			\$1,220,576	2.08%				\$0	\$1,220,576	2.08%			
Suwannee	3	\$1,088,604	\$9,548	\$11,848			\$1,110,001	1.97%	\$5,854	\$6,195	\$8,000	\$20,049	\$1,130,050	3.81%			
Wakulla	3	\$644,175	\$4,906	\$13,080			\$662,161	2.79%				\$0	\$662,161	2.79%			
Citrus	4	\$3,016,536	\$23,995	\$26,072	\$51,425		\$3,118,028	3.36%	\$7,052		\$90,032	\$97,084	\$3,215,112	6.58%	2.00		
Columbia	4	\$1,431,276	\$9,784	\$18,001			\$1,459,061	1.94%	\$4,246	\$232		\$4,478	\$1,463,539	2.25%			
Flagler	4	\$1,845,142	\$11,860	\$20,983			\$1,877,985	1.78%			\$165,000	\$165,000	\$2,042,985	10.72%	3.00		
Highlands	4	\$1,823,314	\$15,724	\$17,810			\$1,856,848	1.84%		\$7,209	\$358,824	\$366,033	\$2,222,881	21.91%	6.00		
Indian River	4	\$3,051,433	\$19,566	\$31,983		\$1,511	\$3,102,981	1.69%	\$685		\$36,478	\$37,163	\$3,140,144	2.91%	0.75		
Nassau	4	\$1,584,482	\$10,038	\$15,860			\$1,610,380	1.63%		\$42,488		\$42,488	\$1,652,868	4.32%			
Putnam	4	\$1,995,899	\$17,703	\$20,912			\$2,034,514	1.93%	\$2,558	\$2,355	\$53,317	\$58,230	\$2,092,744	4.85%			
Sumter	4	\$1,902,267	\$15,172	\$22,076			\$1,939,515	1.96%	\$6,661	\$9,448		\$16,109	\$1,955,624	2.80%			
Walton	4	\$1,659,220	\$12,369	\$17,313			\$1,688,902	1.79%	\$3,440		\$135,795	\$139,235	\$1,828,137	10.18%	2.00		
Alachua	5	\$5,969,088	\$37,868	\$65,930		\$153,721	\$6,072,886	1.74%	\$9,890		\$505,061	\$514,951	\$6,587,837	10.37%	5.32		
Charlotte	5	\$3,586,752	\$21,780	\$59,548			\$3,668,080	2.27%	\$4,385			\$4,385	\$3,672,465	2.39%			
Clay	5	\$3,723,844	\$28,212	\$39,654			\$3,791,710	1.82%	\$1,735		\$53,000	\$54,735	\$3,846,445	3.29%	1.00		
Hernando	5	\$3,440,662	\$19,738	\$59,053		\$203,628	\$3,519,453	2.29%	\$8,786		\$203,628	\$212,414	\$3,731,867	8.46%			
Martin	5	\$3,631,959	\$19,337	\$34,482			\$3,685,777	1.48%	\$1,798	\$19,464	\$76,936	\$98,198	\$3,783,975	4.19%	1.00		
Monroe	5	\$3,566,977	\$23,417	\$45,376			\$3,635,770	1.93%	\$19,020	\$59,094		\$78,114	\$3,713,884	4.12%			
Okaloosa	5	\$3,675,742	\$24,176	\$37,556	\$33,302		\$3,770,776	2.59%				\$0	\$3,770,776	2.59%			
Saint Johns	5	\$3,588,624	\$24,580	\$43,080	\$61,260		\$3,717,544	3.59%				\$0	\$3,717,544	3.59%			
Santa Rosa	5	\$3,199,438	\$19,977	\$53,685			\$3,273,100	2.30%	\$7,570	\$14,380		\$21,950	\$3,295,050	2.99%			
Bay	6	\$3,697,036	\$23,212	\$38,925	\$119,110		\$3,878,283	4.90%				\$0	\$3,878,283	4.90%			
Brevard	6	\$11,575,607	\$67,912	\$138,152			\$11,781,671	1.78%			\$145,286	\$145,286	\$11,926,957	3.04%			
Collier	6	\$6,604,814	\$36,442	\$89,525			\$6,730,782	1.91%			\$604,900	\$604,900	\$7,335,682	11.07%	9.00		
Escambia	6	\$7,003,363	\$37,933	\$73,664	\$26,300		\$7,141,260	1.97%		\$128,536	\$732,600	\$861,136	\$8,002,396	14.27%	1.00		
Lake	6	\$6,256,001	\$40,858	\$67,861		\$302,137	\$6,364,720	1.74%	\$23,422	\$4,511	\$516,634	\$544,567	\$6,909,287	10.44%	5.00		
Leon	6	\$6,019,139	\$66,204	\$71,951			\$6,157,294	2.30%			\$772,347	\$772,347	\$6,929,641	15.13%	11.51		

			APPROVED STATEWIDE ENHANCEMENT ISSUES				CFY 2021-22 ADJUSTED BASE BUDGET		ADDITIONAL BUDGET ISSUE REQUESTS – CFY 2021-22 NEEDS-BASED BUDGET								CFY 2021-22 REVENUE LIMITED
County	Peer Group	CFY 2020-21 Needs-Based Budget (B.C. Approved Sept. 2020)	ADD FRS Increase (ESTIMATES)	ADD Health Insurance Increase	ADD New Judges (15 Judges Created in 2020 & 2021)	Minimum Wage Issue - \$10 (INFORMATIONAL)	CFY 2021-22 Adjusted Base Budget (B.C. Approved May 2021)	Adjusted Base Budget Increase	Additional FRS Requests	Additional Health Insurance Requests	All other Budget Issue Requests	Request Total	CFY 2021-22 Adjusted Base Budget + Requests	Budget Request Increase	Requested FTE	CFY 2021-22 Needs-Based Budget (B.C. Will Approve Jul 2021)	CFY 2021-22 Revenue Limited Budget (B.C. Will Approve Aug 2021)
Manatee	6	\$6,029,043	\$33,930	\$74,587			\$6,137,561	1.80%	\$13,852	\$15,260	\$134,380	\$163,492	\$6,301,053	4.51%			
Marion	6	\$6,699,240	\$37,310	\$81,466			\$6,818,016	1.77%		\$4,116	\$63,224	\$67,340	\$6,885,356	2.78%	1.00		
Osceola	6	\$7,444,219	\$47,216	\$91,418	\$60,168		\$7,643,021	2.67%	\$5,922	\$270,984	\$521,453	\$798,359	\$8,441,380	13.40%	7.00		
Pasco	6	\$11,939,169	\$80,800	\$132,303			\$12,152,272	1.78%				\$0	\$12,152,272	1.78%			
Saint Lucie	6	\$6,826,679	\$31,455	\$104,438			\$6,962,572	1.99%	\$35,879	\$136,780	\$56,616	\$229,275	\$7,191,847	5.35%	1.00		
Sarasota	6	\$8,322,251	\$48,017	\$78,609			\$8,448,877	1.52%	\$2,115			\$2,115	\$8,450,992	1.55%			
Seminole	6	\$8,976,091	\$51,188	\$143,914			\$9,171,192	2.17%		\$75,909	\$368,874	\$444,783	\$9,615,975	7.13%			
Duval	7	\$19,581,352	\$252,116	\$133,974			\$19,967,442	1.97%	\$94,527		\$28,760	\$123,287	\$20,090,729	2.60%			
Lee	7	\$11,701,006	\$63,105	\$181,948	\$65,670		\$12,011,729	2.66%				\$0	\$12,011,729	2.66%			
Pinellas	7	\$23,266,824	\$122,153	\$319,077			\$23,708,054	1.90%			\$2,790,151	\$2,790,151	\$26,498,205	13.89%	36.70		
Polk	7	\$12,500,543	\$66,971	\$151,449		\$370,500	\$12,718,963	1.75%			\$1,075,883	\$1,075,883	\$13,794,846	10.35%	8.14		
Volusia	7	\$11,762,046	\$64,312	\$112,961			\$11,939,319	1.51%	\$30,009			\$30,009	\$11,969,328	1.76%			
Broward	8	\$39,379,598	\$219,726	\$350,619			\$39,949,943	1.45%	\$99,028	\$180,622	\$518,551	\$798,201	\$40,748,144	3.48%	12.00		
Hillsborough	8	\$30,169,607	\$157,238	\$304,984	\$389,160		\$31,020,989	2.82%	\$61,032	\$157,118	\$365,000	\$583,150	\$31,604,139	4.75%			
Miami-Dade	8	\$72,170,831	\$390,983	\$870,394			\$73,432,208	1.75%				\$0	\$73,432,208	1.75%			
Orange	8	\$29,213,120	\$167,860	\$260,824	\$122,500		\$29,764,305	1.89%	\$52,140	\$25,176	\$418,000	\$495,316	\$30,259,621	3.58%			
Palm Beach	8	\$30,873,796	\$166,032	\$417,132			\$31,456,960	1.89%			\$625,465	\$625,465	\$32,082,425	3.91%			
STATEWIDE TOTAL		\$448,398,803	\$2,768,067	\$5,128,797	\$928,895	\$1,077,141	\$457,224,562	1.97%	\$539,312	\$1,200,482	\$12,253,737	\$13,993,531	\$471,218,093	5.09%	118.03	\$0	\$0

TOTAL:

\$3,307,379	\$6,329,279
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AGENDA ITEM 6

DATE: July 16, 2021

SUBJECT: Reserve Policy Draft

COMMITTEE ACTION: Determine the option(s)/details to implement the reserve fund

OVERVIEW:

The Reserve Policy Workgroup, led by Clerk Jeff Smith, met on May 13 to discuss developing policies for the Contingency fund established in SB 838 (2021). The workgroup met again on June 3, June 11, and June 28 to create and review a draft policy addressing the implementation of the reserve fund.

The reserve policy draft provides the purpose of and authority for the reserve fund, related definitions, and outlines the procedures on initiating, using, and maintaining the reserve. The draft policy provides potential options for how to implement this reserve for the Budget Committee to consider and approve.

The workgroup's draft options are focused on the policy side of the reserve; the workgroup will rely on the expertise of the Budget Committee to determine the specific percentages and amounts of the selected options. These draft options attempt to address building up the reserve fund during the initial few fiscal years, determining the appropriate amounts or percentages to add to the reserve each of the following fiscal years, and how to handle this fund if it is depleted in future years.

COMMITTEE ACTION: Determine the option(s) and specific details on the implementation of the reserve fund.

LEAD STAFF: Griffin Kolchakian, Budget and Communications Director
Jason L. Welty, Deputy Executive Director

ATTACHMENTS:

1. CCOC Reserve Policy (DRAFT)



FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

2560-102 BARRINGTON CIRCLE ✧ TALLAHASSEE, FLORIDA 32308 ✧ PHONE 850.386.2223 ✧ FAX 850.386.2224 ✧ WWW.FLCCOC.ORG

TITLE: Reserve Fund Policy

I. PURPOSE:

Provide the Florida Clerks of Court Operations Corporation's (CCOC) Budget Committee an official policy for the establishment and management of a reserve for contingencies within the Clerks of the Court Trust Fund. This policy will provide guidance to the Committee as to funding of the reserve as well as distributions from the reserve in accordance with ss. 28.36(3)(c), F.S.

II. AUTHORITY:

Subsection 28.36(3), F.S.

III. DEFINITIONS:

As used in this Policy, the following terms are defined:

- a. Continuation Budget – the current budget authority approved for the current county fiscal year by the Executive Council carried forward into the upcoming fiscal year.
- b. Cumulative Excess – revenues derived from fines, fees, service charges, and court costs collected by the clerks of court which are greater than the Original Revenue Projection.
- c. Deficit – occurs when the revenue available to the clerks of court falls below the original revenue projection for that county fiscal year.
- d. Emergency – any natural, technological, or manmade occurrence (or threat thereof) that causes damage of sufficient severity and magnitude to result in a declaration of a state of emergency by a county, the Governor, or the President of the United States.
- e. Original Budget Authority – the budget authority amount approved by the Executive Council prior to the beginning of the upcoming county fiscal year.
- f. Original Revenue Projection – the official estimate, as determined by the Revenue Estimating Conference, of revenues from fines, fees, service charges, and court costs available for court-related functions for the county fiscal year covered by the projection.

- g. Reserve – moneys specifically retained and carried forward into the following county fiscal year for future use within the Clerks of the Court Trust Fund.
- h. Revenue Available – the sum of the fines, fees, court cost, and service charges collected and kept by the clerks in the local Fine & Forfeiture Fund. The revenue available for any fiscal year is the revenue from September through August.
- i. Total Budget Authority – the statewide spending level approved by the Executive Council which is inclusive of CCOC-controlled funding sources and excludes funding sources such as Title IV-D. The total budget authority may not exceed the sum of:
 - i. Section 142.01, F.S., revenue projected by the Revenue Estimating Conference;
 - ii. Unspent budgeted funds from the most recently completed county fiscal year;
 - iii. The balance of funds remaining in the Clerks of the Court Trust Fund after any necessary transfers to the General Revenue Fund pursuant to ss. 28.37(3)(b), F.S., and subsequent identification and designation of the amount to be held in reserve; and,
 - iv. Legislative appropriations.

IV. POLICY/PROCEDURES:

- a. Deposits into the reserve fund:
 - i. ***Statutory Minimum*** – Until the reserve reaches the statutorily required percentage limit, the Budget Committee will deposit at least 10% of any cumulative excess into the reserve fund at the conclusion of each county fiscal year per s. 28.36(3)(b), F.S.
 - ii. ***Additional Option*** – If the cumulative excess in any given year is greater than \$X,XXX,XXX, the Budget Committee will deposit XX% of the cumulative excess into the reserve fund. If the cumulative excess in any given year is less than \$X,XXX,XXX, the Budget Committee will deposit XX% of the cumulative excess into the reserve fund.
 - iii. ***Additional Option*** – For the first XX county fiscal years after the statutory establishment of the reserve fund, the Budget Committee will deposit XX% of any cumulative excess into the reserve fund.
 - iv. ***Additional Option*** – At the conclusion of each county fiscal year, at least XX% of the cumulative excess shall be deposited into reserve. Of this total, each county that contributes to the reserve will be allocated their percentage of the total amount that individual county sent to reserve as additional budget authority in the following county fiscal year.

b. Maintenance of reserve fund:

- i. **Optional** – Once established, the Budget Committee shall not allow the reserve fund balance to fall below X% of the total budget authority for the clerks of court during the current county fiscal year.

c. Use of reserve funds:

- i. **Statutory Requirement** – Any moneys held in reserve in the Clerks of the Court Trust Fund may only be utilized in accordance with ss. 28.36(3)(c), F.S.
- ii. **Statutory Requirement** – To release the funds in reserve, the CCOC is required to submit a budget amendment through the Budget Amendment Processing System (BAPS) to the Executive Office of the Governor’s Office of Policy and Budget (OPB) pursuant to s. 216.292, F.S. The CCOC will work with the Department of Revenue (DOR) to complete this process.
- iii. **Statutory Requirement** – Moneys held in reserve may be used by the CCOC to offset a current deficit between the revenue available and the original budget authority, to provide funding for an emergency as defined in ss. 252.34(4), F.S., or to provide funds in the development of the total aggregate budget of the clerks of court to endure a minimum continuation budget is met per ss. 28.36(3)(c), F.S.
- iv. The CCOC will ensure that the policy aligns with state required policies for funds held in reserve. The CCOC will work with DOR on a continual basis for the administration of these funds.

d. Restoration and replenishment of reserve funds:

- i. Each fiscal year, the Budget Committee shall determine an appropriate fund balance for the reserve.
- ii. In the event reserve funds drop below the identified fund balance, the Budget Committee shall determine an appropriate method to replenish the reserve funds.

V. **REPORTING:**

The CCOC is statutorily required to report the balance and use of the reserve funds during each county fiscal year as part of the CCOC’s Annual Report (submitted per ss. 28.35(2)(h), F.S.).

VI. **REVISIONS/EXEMPTIONS:**

- a. The provisions of this policy shall not be waived or suspended except by a two-thirds vote of the Budget Committee and subsequently approved by the Executive Council.
- b. Proposed revisions to the policy shall be made by a two-thirds vote of the Budget Committee and subsequently approved by the Executive Council.

County	CCOC Revenues (Sep 18-Aug 19)	Budget Authority (CFY 2018-19)	Funds Deposited In TF	Option iv - Incentive Money to Contributing Counties (25% of the Amount to Reserve)	Funds Deposited In TF	Percentage Share
Orange	\$ 34,620,578.65	\$ 27,006,971.00	\$ 7,613,607.65	\$ 117,383.38	\$ 7,613,607.65	23.62%
Lee	\$ 15,755,786.52	\$ 10,911,289.00	\$ 3,872,221.02	\$ 59,700.26	\$ 3,872,221.02	12.01%
Polk	\$ 14,861,133.03	\$ 11,573,392.00	\$ 3,287,741.03	\$ 50,689.00	\$ 3,287,741.03	10.20%
Miami-Dade	\$ 70,950,354.69	\$ 67,696,403.00	\$ 3,253,951.69	\$ 50,168.05	\$ 3,253,951.69	10.09%
Osceola	\$ 8,870,684.78	\$ 6,535,519.00	\$ 2,335,165.78	\$ 36,002.60	\$ 2,335,165.78	7.24%
Bay	\$ 4,906,906.20	\$ 3,390,963.00	\$ 1,515,943.20	\$ 23,372.17	\$ 1,515,943.20	4.70%
Hernando	\$ 4,262,127.11	\$ 3,209,853.00	\$ 1,052,274.11	\$ 16,223.52	\$ 1,052,274.11	3.26%
Collier	\$ 7,222,351.83	\$ 6,187,449.00	\$ 1,034,902.83	\$ 15,955.69	\$ 1,034,902.83	3.21%
Santa Rosa	\$ 3,960,752.55	\$ 2,830,132.00	\$ 867,986.18	\$ 13,382.24	\$ 867,986.18	2.69%
Duval	\$ 18,401,997.99	\$ 17,588,394.00	\$ 813,603.99	\$ 12,543.80	\$ 813,603.99	2.52%
Lake	\$ 6,151,963.00	\$ 5,407,078.00	\$ 744,885.00	\$ 11,484.32	\$ 744,885.00	2.31%
Clay	\$ 3,869,408.86	\$ 3,171,152.00	\$ 698,256.86	\$ 10,765.43	\$ 698,256.86	2.17%
Citrus	\$ 2,806,803.61	\$ 2,191,658.00	\$ 615,145.61	\$ 9,484.05	\$ 615,145.61	1.91%
Indian River	\$ 3,442,174.31	\$ 2,839,503.00	\$ 602,671.31	\$ 9,291.73	\$ 602,671.31	1.87%
Marion	\$ 6,570,136.75	\$ 6,033,563.00	\$ 536,573.75	\$ 8,272.67	\$ 536,573.75	1.66%
Manatee	\$ 6,138,615.66	\$ 5,738,374.00	\$ 400,241.66	\$ 6,170.76	\$ 400,241.66	1.24%
Okaloosa	\$ 3,797,723.83	\$ 3,402,079.00	\$ 395,644.83	\$ 6,099.88	\$ 395,644.83	1.23%
Sumter	\$ 2,007,991.03	\$ 1,647,397.00	\$ 360,594.03	\$ 5,559.49	\$ 360,594.03	1.12%
Hillsborough	\$ 30,568,788.00	\$ 28,055,057.00	\$ 327,716.00	\$ 5,052.59	\$ 327,716.00	1.02%
Martin	\$ 3,457,973.15	\$ 3,196,230.00	\$ 261,743.15	\$ 4,035.45	\$ 261,743.15	0.81%
Escambia	\$ 6,500,245.95	\$ 6,244,314.00	\$ 255,931.95	\$ 3,945.85	\$ 255,931.95	0.79%
Madison	\$ 725,254.79	\$ 510,301.00	\$ 214,953.79	\$ 3,314.07	\$ 214,953.79	0.67%
Saint Johns	\$ 3,614,774.62	\$ 3,404,737.00	\$ 210,037.62	\$ 3,238.27	\$ 210,037.62	0.65%
Charlotte	\$ 3,453,609.35	\$ 3,284,698.00	\$ 168,911.35	\$ 2,604.20	\$ 168,911.35	0.52%
Saint Lucie	\$ 6,604,527.07	\$ 6,445,895.00	\$ 158,632.07	\$ 2,445.72	\$ 158,632.07	0.49%
Bradford	\$ 787,439.14	\$ 643,534.00	\$ 143,905.14	\$ 2,218.67	\$ 143,905.14	0.45%
Seminole	\$ 8,468,452.78	\$ 8,324,931.00	\$ 143,521.78	\$ 2,212.76	\$ 143,521.78	0.45%
Flagler	\$ 1,713,141.77	\$ 1,595,211.00	\$ 117,930.77	\$ 1,818.21	\$ 117,930.77	0.37%
Suwannee	\$ 1,062,620.48	\$ 994,218.00	\$ 68,402.48	\$ 1,054.60	\$ 68,402.48	0.21%
Nassau	\$ 1,497,725.28	\$ 1,430,675.00	\$ 67,050.28	\$ 1,033.75	\$ 67,050.28	0.21%
Glades	\$ 542,536.32	\$ 482,017.00	\$ 60,519.32	\$ 933.06	\$ 60,519.32	0.19%
Columbia	\$ 1,441,604.11	\$ 1,408,086.00	\$ 33,518.11	\$ 516.77	\$ 33,518.11	0.10%
Hamilton	\$ 421,533.54	\$ 432,807.00	\$ (11,273.46)			
Hendry	\$ 963,978.85	\$ 987,157.00	\$ (23,178.15)			
Highlands	\$ 1,635,571.01	\$ 1,686,635.00	\$ (51,063.99)			
Holmes	\$ 512,146.36	\$ 567,484.00	\$ (55,337.64)			
Wakulla	\$ 553,487.13	\$ 610,086.00	\$ (56,598.87)			
Jefferson	\$ 338,215.96	\$ 399,371.00	\$ (61,155.04)			
Taylor	\$ 431,427.89	\$ 496,913.00	\$ (65,485.11)			
Washington	\$ 461,520.57	\$ 545,900.00	\$ (84,379.43)			
Baker	\$ 499,299.37	\$ 609,318.00	\$ (110,018.63)			
Walton	\$ 1,390,011.00	\$ 1,512,483.00	\$ (122,472.00)			
DeSoto	\$ 601,843.63	\$ 727,070.00	\$ (125,226.37)			
Liberty	\$ 141,894.68	\$ 275,350.00	\$ (133,455.32)			
Dixie	\$ 307,292.81	\$ 441,673.00	\$ (134,380.19)			
Sarasota	\$ 7,426,130.95	\$ 7,561,998.00	\$ (135,867.05)			
Lafayette	\$ 117,781.99	\$ 270,644.00	\$ (152,862.01)			
Jackson	\$ 839,889.36	\$ 995,231.00	\$ (155,341.64)			
Levy	\$ 679,919.62	\$ 870,756.00	\$ (190,836.38)			
Calhoun	\$ 201,349.70	\$ 406,693.00	\$ (205,343.30)			
Gulf	\$ 240,879.39	\$ 448,173.00	\$ (207,293.61)			
Okeechobee	\$ 978,332.66	\$ 1,187,722.00	\$ (209,389.34)			
Hardee	\$ 554,070.16	\$ 770,566.00	\$ (216,495.84)			
Union	\$ 153,115.81	\$ 412,787.00	\$ (259,671.19)			
Gilchrist	\$ 227,144.39	\$ 489,197.00	\$ (262,052.61)			
Gadsden	\$ 731,879.11	\$ 1,059,586.00	\$ (327,706.89)			
Franklin	\$ 190,670.86	\$ 592,227.00	\$ (401,556.14)			
Monroe	\$ 2,664,634.12	\$ 3,282,275.00	\$ (617,640.88)			
Palm Beach	\$ 28,162,011.76	\$ 28,822,358.00	\$ (660,346.24)			
Putnam	\$ 983,680.88	\$ 1,737,655.00	\$ (753,974.12)			
Leon	\$ 4,472,203.84	\$ 5,472,079.00	\$ (999,875.16)			
Pinellas	\$ 20,127,541.47	\$ 21,402,811.00	\$ (1,275,269.53)			
Broward	\$ 35,387,546.12	\$ 36,705,664.00	\$ (1,318,117.88)			
Volusia	\$ 9,059,668.33	\$ 10,545,633.00	\$ (1,485,964.67)			
Alachua	\$ 4,004,411.27	\$ 5,634,478.00	\$ (1,630,066.73)			
Pasco	\$ 8,669,756.43	\$ 10,434,730.00	\$ (1,764,973.57)			
Brevard	\$ 9,049,191.89	\$ 11,115,588.00	\$ (2,066,396.11)			
	\$ 432,216,216.13	\$ 412,892,171.00	\$ 15,903,119.26	\$ 496,973.00	\$ 32,234,184.34	

Clerks Portion of Cumulative Excess	\$ 7,951,560.00
Amount to reserve (25% of total)	\$ 1,987,890.00
Clerks Portion of C.E. minus Reserve	\$ 5,963,670.00
Option iv - Incentive Money to Contributing Counties (25% of the Amount to Reserve)	\$ 496,973.00
Amount available for all Counties via the Base Budget	\$ 5,466,697.00

Option iv

At the conclusion of each CFY, at least 25% of the cumulative excess shall be deposited into reserve. Of this total, each county that contributes to the reserve will be allocated their percentage of the total amount that individual county sent to reserve as additional budget authority in the following CFY.