

Minutes

September 9, 2021

At 2:00 p.m. there was a telephone conference call with Allen, Auglaize, Hardin and Putnam Counties regarding Ottawa River maintenance. Tammy Erwin was also present. Allen County prepared a resolution for a re-assessment of the Ottawa River Watershed for approval. Resolution #644-21 – Joint Board of County Commissioners of Allen, Auglaize, Hancock, Hardin and Putnam Counties, Ohio certifies collection assessment for maintenance on the Joint County Ottawa River Stream Enhancement Project #1239 to the Auditors of Allen, Auglaize, Hancock, Hardin and Putnam County, Ohio. The resolution passed and a copy will be forwarded to our office for our files.

Commissioners present: Timothy Bechtol and William Bateson.

Also Present: Tammy Erwin, Adam Witteman, Phil Johnson and Mary Ann LaRoche.

Commissioner Bechtol opened the meeting at 2:30 p.m. in the Commissioner's 2nd floor conference room. The Pledge of Allegiance was recited. Minutes from the September 7th, 2021 meeting were read with William Bateson making a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

The Assistant Clerk presented the following resolutions for consideration:

Resolution #595-21 – Additional appropriation within the Auditor's certification – Commissioner's to appropriate to Capital Projects. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #596-21 – Transfer of funds from the General Fund to Capital Projects. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #597-21 – Transfer of funds from the General Fund to Juvenile Probate Bond Retirement. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #598-21 - Transfer of funds from the General Fund to Sheriff Bond Retirement. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #599-21 – Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #600-21 – Transfer of funds within the appropriation – E911. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #601-21 – Transfer of funds within the appropriation – Developmental Disabilities. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

William Bateson made a motion to approve the Warrant Journal, Timothy Bechtol seconded. Motion passed 2-0.

Payroll for JFS and the Commissioner's staff was approved. The Commissioners signed the request from JFS for an employee to continue a 30-day Temporary Workload as a Social Service Supervisor 1.

William Bateson made the motion and Timothy Bechtol seconded for Commissioner Bechtol (Chair) to sign the PY 2020 Target of Opportunity Program CDBG CARES Act (CDBG-CV) Environmental Review. A Joint Proclamation with the City of Findlay was read for 9/11 as a Day of Remembrance.

The Assistant Clerk presented the following resolutions to be considered from the Prosecutor's office:

Resolution #602-21 – Authorizing sale of real property at 201 Durrell Street in Findlay at auction, and authorizing advertisement of that auction in The Courier pursuant to O.R.C. Section 307.09 ET SEQ. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Resolution #603-21 – Resolution approving County credit card for Hancock County Veterans Service office. William Bateson made a motion to approve, Timothy Bechtol seconded. Motion passed 2-0.

Adam Witteman stated that they will need to meet with the Commissioners in a few weeks to discuss financial matters relating to debt and notes. He also asked if Veteran Services were aware of the ORC requirements for the resolution regarding the credit card and stated that he would contact them to make them aware of those requirements.

Phil Johnson requested an executive session in regards to potential real estate acquisition and pending litigation.

Meetings/Reports

William Bateson presented a Constitution proclamation for Daughters of the American Revolution yesterday.

Timothy Bechtol had nothing to report.

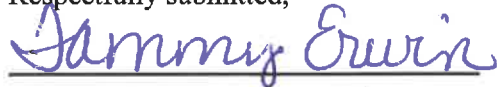
At 2:48 p.m. Timothy Bechtol made a motion to enter into executive session to discuss potential real estate acquisition and pending litigation. William Bateson seconded. A roll call vote resulted as follows: Timothy Bechtol, yes; William Bateson, yes.

At 3:05 p.m., Timothy Bechtol made a motion to come out of executive session, having discussed potential real estate acquisition and pending litigation with no action taken. William Bateson seconded. Motion passed 2-0.

At 3:05 p.m., the Commissioners met with staff of the Public Defender's office. Those present included Tammy Erwin, Adam Witteman, Paul Maekask, Roger Miller, Bill Alge, Tim Young and Natalie Click. Paul led the discussion regarding the new State budget for indigent reimbursement that will be going up to 100%. He stated that the County would be receiving the 100% reimbursement and in addition will be receiving \$190,000 from the City of Findlay. He stated the County will be coming out ahead with those payments. He presented a budget proposal and graphs of local areas between Wood County, Allen County and Hancock County and the pay differences. (see attached) Paul stated that they have 5 attorneys that are currently being paid less than other counties and the amount of cases have been well above what state requires and he stated that their office for Chief Public Defender's salary is substantially lower by \$15,000 to \$20,000. They are also in need of hiring another attorney. With increases from the State, Paul feels that a budget increase should be considered, at no cost to the County. Their office is not able to be competitive and they are worried they will lose attorneys because of the pay and lack of

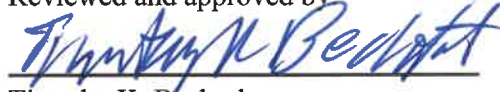
updated technology. They currently have technology issues and are unable to print documents in color so a lot of the attorneys have to take things home because their office lacks the proper technology to do it there. Paul stated that the cost of hiring a new person and retaining them is more expensive than retaining current staff and a budget increase would take care of some of the issues. Tim Young, from Ohio State Public Defender's Office introduced himself and spoke on behalf of the local Public Defender's Office updating the Commissioners on reimbursement and state funding. He stated that they are projecting 100% reimbursement through 2021 and into June 2022. They are expecting it to remain in the high 90's through July 2023. He discussed market rates for attorneys and stated that turnover is a real concern, along with the costs of technology. Timothy Bechtol asked how many counties surrounding Hancock County have Public Defender offices and Mr. Young stated besides 3 counties, Allen, Hancock and Wood. Auglaize is another county that is close by. Tim asked if they could do the indigent defense billing instead of the Commissioner's office. Paul stated that they could not do that due to conflict of interest. William Bateson asked for the numbers from Auglaize County since it is more comparable to Hancock County in size and Paul agreed to do that.

Respectfully submitted,



Tammy Erwin, Assistant Clerk

Reviewed and approved by:



Timothy K. Bechtol

Michael W. Pepple



William L. Bateson

100% Reimbursement: What does it mean to Hancock County?

Please look at the graphs our office has provided and the first one would be the cost to the county per year. The difficult issue is that our budget year runs from January to January whereas the State's runs from July to July. So for the State's fiscal year of 19 which is July 2018 to July 2019 the reimbursement rate was approximately 50% and the County was paying approximately \$360,000 in 2018 and 2019 for our office. For the State's fiscal year of 20 the reimbursement rate was approximately 80% and the County in 2020 spent approximately \$191,000 on our office, but did receive a payment from the City of Findlay for \$190,000 bringing the total cost to approximately \$1,000. In the State's fiscal year 21, the reimbursement rate fell slightly due to the pandemic and even though it was projected at 90% did end up at approximately 75%.

For the first half of 2021, the County ended up spending approximately \$105,000 on the office but with the \$190,000 from the City of Findlay will actually come out ahead by \$85,000 by the end of this year. Now, in the State's fiscal year 22 the reimbursement is projected at approximately 100%, which means the County in 2022 should be reimbursed for any and all costs and still will receive the \$190,000 from the City of Findlay contract, meaning the County should be ahead by \$190,000.

The second graph illustrates the average attorney salary per office, which for every group we received in July of 2021 except for the Hancock County Prosecutor, which are 2020 numbers. Our numbers are slightly skewed due to having to pay an attorney, who fell seriously ill. Our office was obligated to pay the attorney to work the first 7 months of the year, but the attorney never actually worked in the office in 2021. Further if our office were to add a sixth attorney that person would be earning approximately \$50,000, which would have also driven our average lower.

Currently, the Wood County Public Defender's *average* salary is more than anyone in this office earns. Having had discussion with the head of their office, she plans on requesting more money due to the 100% reimbursement. Further, the Allen County office has already lured away one of our attorneys to work for more pay, and surely they will be requesting more money for attorneys and salary with 100% reimbursement.

With the competition for qualified attorneys in Northwest Ohio it will be difficult to near impossible for us to hire a talented attorney for \$50,000 a year, when adjacent counties are offering sometimes \$20,000 more to start. This figure does not even figure in the local Prosecutor's offices, all three of which are earning much more per attorney than we are.

The next graph shows the caseload the attorneys in the office completed in 2020. Just so everyone is aware 2020 was actually a low year for cases due to the pandemic. The numbers on the graph are on the low side especially when compared to what they will be in 2022. This office absolutely must have six full time working attorneys in 2022 if cases are expected to be done professionally, accurately and efficiently.

The final graph demonstrates the disparity between Chief Public Defender's salaries. This office cannot move forward if the head of the office is not being paid anywhere close to what adjacent counties are being paid. The chief public defender of this office not only handles the caseload of one court, the administrative needs of the office, but also is the human resources director. During pandemic times, the human resource job sometimes takes more time than either the courtroom work or the

administrative duties. Further, because the chief has to be the highest paid in the office no one can move up salary wise.

The final page is our budget proposal taking into account the 100% reimbursement from the State in 2021-2022. Our office desperately needs pay increases for the five attorney we currently have and in order to hire a talented sixth attorney. Our investigators are also shouldering increased caseloads and salary increases are needed to retain them.

Finally, our budget proposal discusses the technology we need moving forward. WIFI is at the top of the list of needs we have. Laptop computers and working remotely are now a necessity for attorneys and staff, especially with the ongoing pandemic. Also, the office needs other technology and equipment that are necessary for work productivity.

Taking all this into account, The Hancock County Public Defender's office hopes the Commissioner's office understands the overwhelming need for a budget increase and also understands that there so should not be any cost directly to the County in increasing that budget.

HANCOCK COUNTY PUBLIC DEFENDER BUDGET PROPOSAL

The Ohio State Public Defender is reimbursing counties **100%** of their Public Defender budget beginning July 2021. The Hancock County Public Defender Office is requesting a budget increase for salary parity with neighboring Public Defender Offices and the Hancock County Prosecutors Office, as well as additional funds for new technology.

Current Budget: \$917,244.00

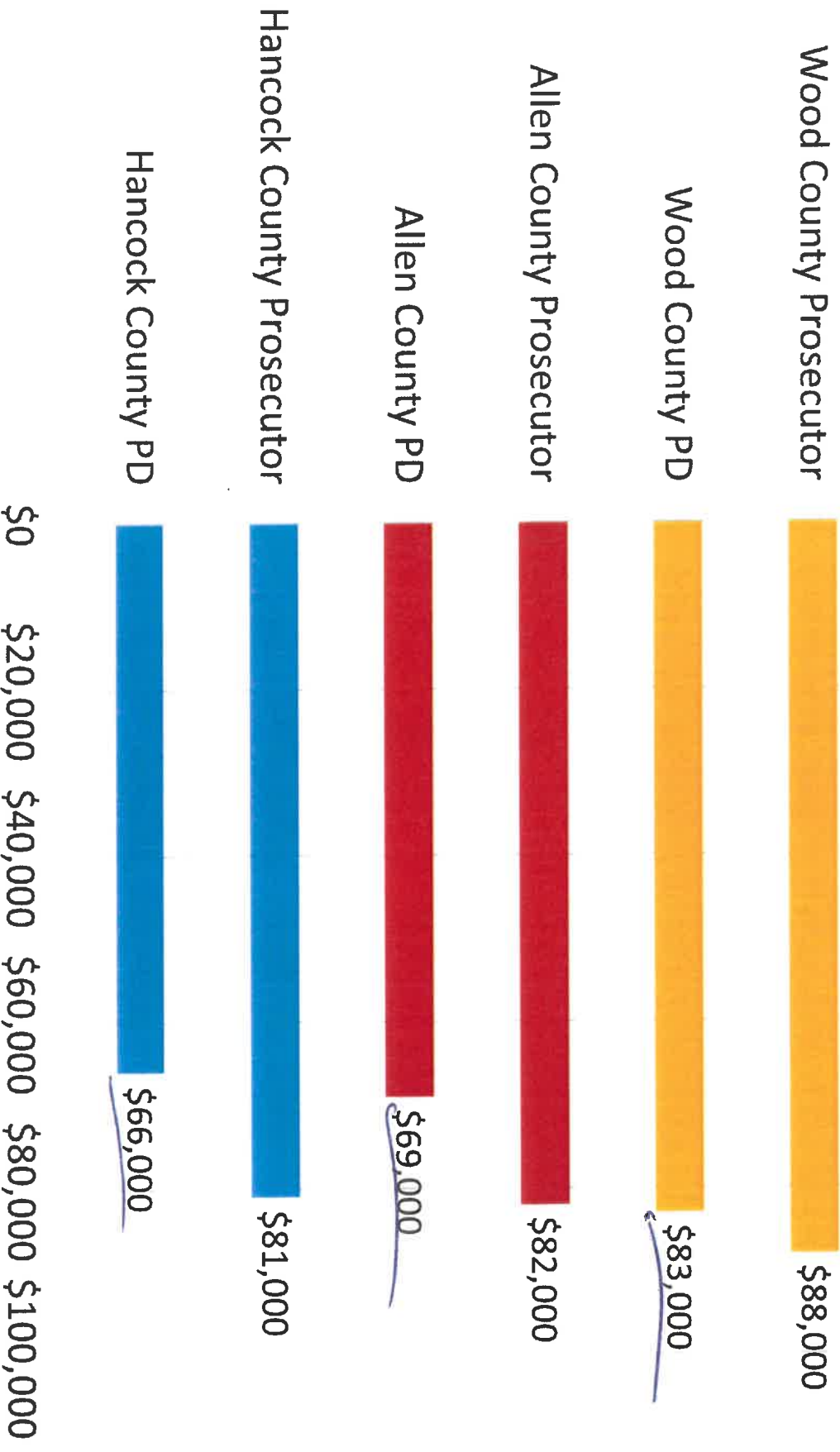
Proposed Budget: \$1,200,000.00

Increase: \$282,756.00 at no increased cost to Hancock County

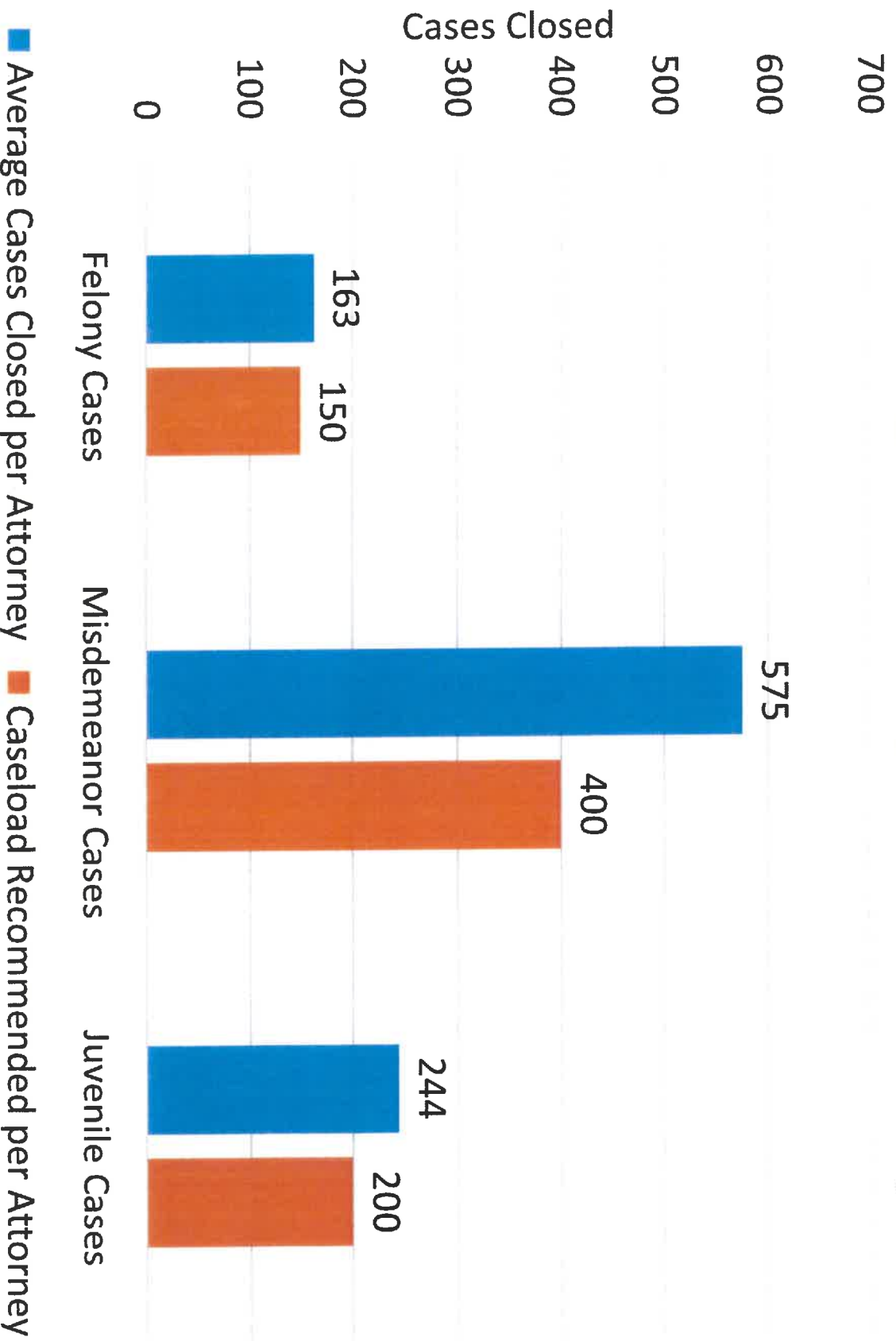
Increase includes salary increase for Attorneys for much needed parity pay, and technology including but not limited to:

- WIFI
- Laptop computers with docks for all staff members to enable remote work and courtroom access
- New Copier, Industrial Paper Shredder, Desktop Scanners and other necessities for work productivity

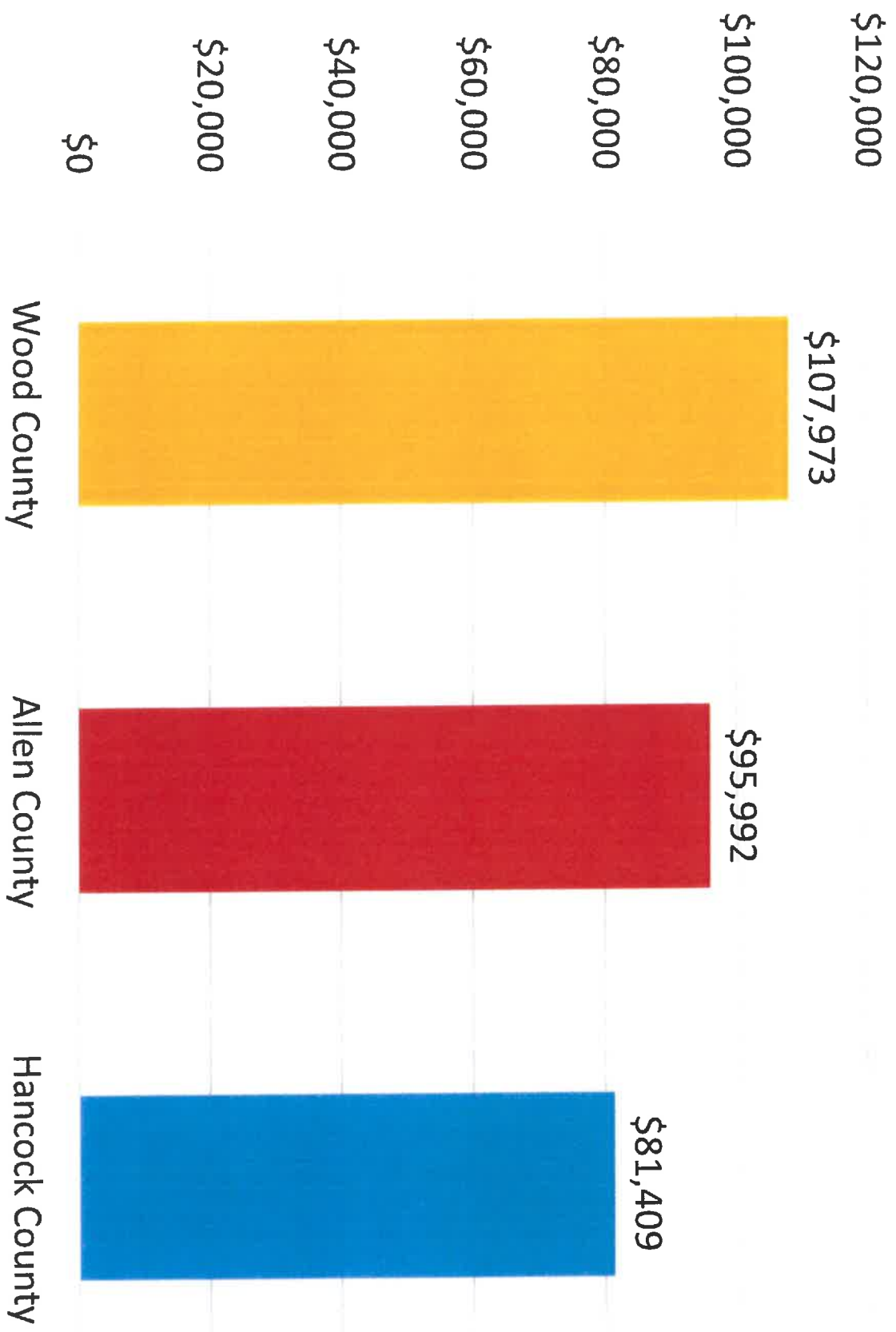
Average Attorney Salary Per Office



2020 Average Cases Completed per Attorney



Chief Public Defender Salary



Public Defender Budget Cost to County

