

ERIE COUNTY COMMISSIONERS

REGULAR SESSION

THURSDAY, NOVEMBER 16, 2023

ALL PRESENT

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President Shenigo called the meeting to order at 9:30 a.m. and opened with the Pledge of Allegiance.

On motion of Mr. Shoffner and second of Mr. Old, Board **approves the October 30, 2023 Commission Meeting Minutes**; Roll Call: All Aye

**Mr. Hank Solowiej re various issues.**

Bed Tax - Mr. Shenigo asked if we received November bed tax collections. County Administrator Hank Solowiej stated that \$761,000 was received for the month of November. Total for the year will be approximately \$2.3 million. Hank stated, for comparison, last November collections were \$694,000 and the year ended at \$1.9 million.

For the same time, sales tax collections totaled \$16 million in 2016 and is estimated to total \$21 million this year.

4% of Bed tax collections are used for tourism related attractions. The law states that the first 2% shall be set aside for visitors and convention bureaus to put towards tourism related activities. The Commissioners didn't impost a third percent bed tax until Sports Force was built. That percent and the fourth percent are directed to be used to pay off debt service related to tourism. The Commissioners recognized the huge increase in bed tax and sales tax collections over the past few years. Hank noted that there are funds building up in bed tax collections due to bond payment amounts increasing the closer it gets to the end of term of the bond.

The law does not specify how many visitors and convention boards can collect bed tax funds, so a second additional board can be formed or the current board could be dissolved and a different board created.

**Budget Work Session.**

The Meadows at Osborn Park - Director of Nursing/Assistant Director Donna Patrick and Administrator Mari Engelhardt were present.

Hank projected revenues for 2024 to be \$10.7 million vs. \$10.5 million projected in expenses. Medicaid rates were adjusted July 1st and will be adjusted again on January 1, 2024. Ms. Engelhardt noted that with the Medicaid rate changes, The Meadows may increase private pay rates as well.

The budget for 2024 is based on census being around 100 people and no agency contracts are being renewed after they expire within the next two months. With additional staff being hired, this should allow for additional skilled care staff for the residents.

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After reducing agency costs for 2024 and receiving \$605,000 in COVID stimulus funds in 2023, The Meadows looks to be in good shape for the 2024 year.

Hank mentioned there are only two capital requests for new refrigeration equipment in the amount of \$20,000 and courtyard sidewalks in the amount of \$40,000.

Public Defender - Public Defender Doug Clifford, Public Defender Board President Attorney Troy Wisehart and Attorney Robert Ritzler were present for this session.

Salaries & Benefits - County Administrator Hank Solowiej stated that Mr. Clifford is requesting Alternate A budget.

Hank noted that the 2020 budget was prior to the Public Defender asking for parity and the Commissioners did not approve additional funds for salaries at that time. The Commissioners recommended not replacing employees when they leave and using those funds to increase the wages of the current employees. The Public Defender at the time, decided to not follow the Commissioners' recommendation and kept the staffing numbers the same.

Hank's recommendation is to stay within policy and approve the 3% rate increase, which would bring the budget total to \$1,045.216.

Public Defender Doug Clifford stated that he is requesting an additional 10% rate increase for his employees. He reminded the Board that the disparity between the Public Defenders and the Prosecutor's Office is significant and the State has mandated that counties clear up the disparity. Since 2020, the State of Ohio has lost 10% of their attorney's.

Mr. Clifford added, that his staffs' clients who deal with significant life challenges such as: clients who live at the poverty level, have mental health and substance abuse issues, as well as PTSD. Mr. Clifford gave a comparison of the attorney's at the Prosecutor's Office vs. the attorney's at the Public Defender's Office who have worked at the position for the same amount of time. An attorney that has worked at the Prosecutor's Office for 12 years makes \$45.41 per hours vs. an attorney working at the Public Defender's Office also for 12 years makes \$35.79. Mr. Clifford is asking for \$110,000 in additional funds for wage increases, which would not correct the disparity.

Currently the state is reimbursing indigent defense costs at the rate of 85% and the County is paying the remainder of 15%. He recently attended a conference at the Ohio Public Defender's office, where a discussion took place that the state will not be anticipating taking over full reimbursement for at least 10 more years.

Mr. Clifford stated he has been practicing law for 22 years and he understands the concerns of the Commissioners, but his office protects the rights of citizens who are in crisis, which can be extremely stressful.

The \$110,000 includes the staff and attorneys in his office. Mr. Clifford thanked the Commissioners for their understanding.

Hank also added that Mr. Clifford recently had a staff member vacate their position, and could have utilized that salary to give his staff a wage increase, but chose to fill the position. Mr. Clifford stated that this is an entry level position and the new staff members speaks Spanish, which in turn, will save funds for paying for translation services.

Services - Mr. Clifford is requesting \$35,000 more than Hank is recommending in services due to contract fees increasing for outside council. Mr. Clifford added that he is saving funds due to prepaying the indigent defense rates.

Mr. Shoffner stated he understands the difference between the Public Defender's Office and the Prosecutor's Office, but the Commissioners simply do not allocate 10% wage increases. He believes it is not the County's responsibility to subsidize their funding.

Mr. Old added that the Commissioners support indigent defense, but he believes it is the State of Ohio's responsibility to pay for these services.

Public Defender Board President Troy Wisehart stated that the goal of the rate increases is to prevent a mass exodus of the employees. There is a much higher expense paying court appointed attorneys and he believes if these employees are not compensated, it will be detrimental to the County in the long run. Mr. Wisehart added that they are not asking for a lot just to be treated equal to the Prosecutor's Office. He stated \$30,000 would make the Public Defender's Office happy. No action was taken at this time.

#### **Various Issues.**

Hank stated that he will present the last two budgets; Facilities Department budget and capital requests at Monday's Commission meeting.

Hank mentioned there are two resolutions for consideration today. The first resolution is the second amendment to the 2024 budget policies approving a 3% rate increase for non-bargaining employees. This increase will cost the General Fund approximately \$300,000 and \$631,000 in total. The second resolution is the first amendment to the 2023 personnel policies giving a one-time retention bonus of \$1,200 for all full-time employees and a prorated share for the part-time employees. Hank also mentioned that employees should not anticipate a bonus next year. The bonus will cost the General Fund about \$340,000 and total funds \$726,000.

Hank mentioned that after next Monday's meeting, all budget presentations will be complete and he will start calculating and completing the budget resolution for formal approval. Mr. Shengio inquired if the Engineer's budget has been finalized. Hank stated he has not heard from the Engineer on whether he is willing to borrow funds internally to pay for the vactor truck. Hank has been speaking with Project Engineer Matt Rogers and Administrative Assistant Denise Bellamy. He believes the only outstanding budget items left to deal with are the equipment requests. Hank feels it would be appropriate to give the Engineer's Office between \$100,000 and \$120,000 toward equipment purchases. Hank stated although there hasn't been a decision made on what roads are going to be funded, there is a budget amount set aside for road improvement.

Mr. Shenigo inquired as to why the purchase of a vactor truck was even an option when it was not listed on the Engineer's equipment list for 2024. Mr. Shenigo also mentioned that he will not approve the purchase of portable traffic lights, due to DOES having them and they can be shared. Hank stated he will address the capital projects next year on a case-by-case basis. He also stated that he believes the budget, as presented, is a fair budget, and therefore, will be using those figures that were presented last week.

Mr. Old stated that in a past meeting, he was quoted for saying that Erie County has a "pile of cash" and was criticized for saying that. He would like for Hank to report on exactly much money is in the "pile of cash," as well as, how much it costs to run Erie County without capital funds included. Mr. Old specifically requested the amount for salaries and contract services from the General Fund. Mr. Old is interested in cutting taxes for citizens of Erie County. He believes we are in a very strong situation but would like Hank to verify before he requests a tax cut.

On motion of Mr. Shoffner and second of Mr. Old, Board **cancel**s the following **December Commission Meetings**: Monday, December 4; Wednesday, December 6; Thursday, December 7; Wednesday, December 13; Monday, December 18; Thursday, December 21; Monday, December 25 (Christmas Day); Wednesday, December 27; and Thursday, December 28, 2023; Roll Call: All Aye

On motion of Mr. Shoffner and second of Mr. Old, Board **reappoints** Mr. Theodore Huston to the **Erie Metropolitan Housing Authority Board** for another five-year term expiring on December 9; 2028; Roll Call: All Aye

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution declaring certain Erie County equipment surplus and ordering same to be sold by **internet auction**; Roll Call: All Aye (#23-352)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution declaring certain items surplus and ordering same to be **discarded or salvaged**; Roll Call; All Aye (#23-353)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution **amending the 2024 Budgetary Policies and Guidelines** (Amendment No. 2); Roll Call; All Aye (#23-354 - 3% increase in the 2023 base wage rate)  
On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution **authorizing payment for services and supplies provided**; Roll Call: All Aye (#23-355 - Loris Printing)

On motion of Mr. Shoffner and second of Mr. Old, Board adopts resolution **amending the 2023 Budgetary Policies and Guidelines** (Amendment No. 1); Roll Call: All Aye (#23-356 - \$1,200 one-time retention bonus)

Board approves the following **Revised Auditor's Certificates**:

- **US Bank Equipment Finance** in an additional amount of \$543.01 re providing a lease for Xerox AltaLink B8075H2 copier for The County Prosecutor
- **Northwest Group Services Agency, Inc.** in an additional amount of \$830.00 re on-line open enrollment and Flexible Spending Account and COBRA administration for the Erie County employees' health insurance program for HR Department
- **Dietrich, LLC** in an additional amount of \$160.00 re providing courier services for Clerk of Courts
- **Courtview Justice Solutions, Inc.** in an additional amount of \$6,110.78 re providing a Case Management Software System for the Erie County Municipal Court
- **ICP, Inc.** dba Institutional Care Pharmacy in an additional amount of \$10,000 re providing adult incontinent care products for residents at The Meadows at Osborn Park
- **Select Rehabilitation, LLC** in an additional amount of \$25,000 re providing staffing services at The Meadows at Osborn Park.
- **Frontline Healthcare Staffing LLC** in an additional amount of \$30,000 re providing staffing services for healthcare professionals at The Meadows at Osborn Park
- **Aramark Correctional Services, LLC** in an additional amount of \$100,000 re providing dietary, janitorial and laundry outsourcing services for The Meadows at Osborn Park
- **VIP Supreme Staffing** in an additional amount of \$12,000 re providing nursing staffing services at The Meadows at Osborn Park.
- **MedlCare** in an additional amount of \$10,000 re providing staffing support services for The Meadows at Osborn Park

Board authorizes expenses for **Andrew Gwinner**, Auditor's Office, attending Weights and Measures ODA Fall Conference in Reynoldsburg, Ohio, on 11/28 and 11/29/23 in an estimated amount of \$185.00.

Board approves Travel Request Form for **Tim Jonovich**, EMA, attending North Central EMAO Regional Meeting in Bucyrus, Ohio, on 11/17/23 at no cost.

Board approves Personnel Action Form for **DOES** re **John Kanney**, Equipment Operator I - Landfill, employment effective 11/13/23.

Board approves Personnel Action Form for **Human Resources** re **Clark Garris**, from HR Specialist to Loss Control Coordinator effective 12/10/23.

Board approves Personnel Action Forms for **ECDJFS** re **Kathy Herchler**, Eligibility Specialist 3, resignation effective 11/10/23, took a position at the Treasurer's Office effective 11/13/23; **Hayden Loparo**, Social Service Worker 3, successful completion of probation effective 11/5/23; **Mackenzie Powell**, Social Service Worker 3, resignation effective 11/14/23.

Board approves Personnel Action Forms for **The Meadows at Osborn Park** re **Amy Appleman**, full-time STNA, employment effective 11/6/23; **Alexis Appleman**, full-time STNA, employment effective 11/6/23; **Khalil Holt**, part-time STNA, employment effective 11/19/23.

Board approves **Job Description** re **Loss Control Coordinator** for Human Resources Department.

Board approves **Job Description** re **Director of Admissions/Market with Social Worker duties** for The Meadows at Osborn Park.

Commissioners have no objection to **transferring** a liquor license from Culinary Vegetable Institute, Inc. & Garden, Grounds and Deck to **Chefs Garden, Inc. and Garden, Grounds and Deck**, Milan Township.

Commissioners have no objection to **issuing** a liquor license to **Rio Grande Street Taco's Inc.**, Perkins Township.

Received cover letter and copy of **Erie County Engineers inventory of tools, road machinery and equipment for 2023** and recommendations for same during 2024, per O.R.C. 5549.01.

Received copy of memo to All Township Trustees for County Engineer re **notice of annual meeting on December 7, 2023**.

On motion of Mr. Old and second of Mr. Shoffner, Board **adjourns** at 10:40 a.m.; Roll Call All Aye

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