

February 19, 2019

Members present: Mr. Huddle, Mr. Landon, Mr. Daniels.

With a quorum present, Mr. Huddle called the meeting to order at 6:30PM.

Mr. Daniels made a motion to approve minutes for 02/04/2019, Mr. Landon 2nd: Ayes -- Mr. Huddle, Mr. Landon, Mr. Daniels.

Minutes for 02/04/2019 (3-0)

Item 1. ORDINANCE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO ENTER INTO CONTRACT WITH RUDD EQUIPMENT FOR THE PURCHASE OF VOLVO L60H WHEEL LOADER FOR THE STREETS DEPARTMENT AND DECLARING AN EMERGENCY (Scott Kurz)

Mr. Kurz explained that enough funds are appropriated in the capital equipment budget for purchase of this replacement of a 1990 Case IH loader. This is state contract pricing. This unit would be ordered.

Mr. Daniels made a motion to recommend approval, Mr. Landon 2nd. Ayes – Mr. Huddle, Mr. Landon, Mr. Daniels.

Ordinance recommended to council (3-0)

Item 2. ORDINANCE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO ENTER INTO CONTRACT WITH BEST EQUIPMENT TO PURCHASE ONE SINGLE AXLE SANITATION PACKER TO BE USED IN THE SANITATION DEPARTMENT. THROUGH THE NATIONAL GOVERNMENT PRICING (SOURCEWELL) TO BE USED IN THE SANITATION DEPARTMENT, AND DECLARING AN EMERGENCY (Scott Kurz)

Mr. Kurz explained that enough funds are appropriated in the capital equipment budget for purchase of this replacement of a 2003 International. This is a Source well pricing (National government contract pricing). The unit is currently in stock.

Mr. Daniels made a motion to recommend approval, Mr. Landon 2nd. Ayes – Mr. Huddle, Mr. Landon, Mr. Daniels.

Ordinance recommended to council (3-0)

Item 3. ORDINANCE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO ENTER INTO CONTRACT WITH HENDERSON PRODUCTS, INC. AND INTERNATIONAL TRUCK FOR THE PURCHASE OF A DUMP BODY WITH PLOW FOR THE STREETS DEPARTMENT AND WITH INTERNATIONAL FOR THE CHASSIS AND DECLARING AN EMERGENCY (Scott Kurz)

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Mr. Kurz explained that enough funds are appropriated in the capital equipment budget for purchase of this replacement of a 2003 International truck. This is state contract and Sourcewell pricing.

Mr. Landon made a motion to recommend approval, Mr. Daniels 2nd. Ayes – Mr. Huddle, Mr. Landon, Mr. Daniels.

Ordinance recommended to council (3-0)

New Business:

Item 1. Presentation: Probation Budget Overview (Tom Stotts)

Mr. Huddle and Law Director Russell clarified that this is a presentation from the perspective of the probation department and the court. It is not intended to be a dialogue or a time to reach a complete determination of the issue.

Chief Probation Officer, Tom Stotts, made a presentation regarding the Probation Department. Since the veto, he states that there have been questions about what has changed in the probation department.

Probation Department Information:

- Current staffing level:
 - 8 full time probation officers, 1 PT
 - 2 clerks – 1 special dockets, 1 front desk
 - Department supervises 1,532 offenders on probation, up from 779 in 2014, 809 in 2015, 751 in 2016, 946 in 2017, 2018 is still being compiled.
 - More people are coming on probation than are getting terminated due to the opiate epidemic.
 - Front desk clerk is now FT and that salary is funded 100% from probation services fund as well as a portion of benefits. The duties have increased due to the increase in the number of offenders reporting on probation, more paying restitution, and more being placed on house arrest with the use of gps monitor due to jail overcrowding. In 2018, they had an average of 8 offenders a month put on house arrest. In 2019, they are adding 12 offenders per month in the first two months. House arrests have increased due to jail overcrowding. Since February 15th, they have had 30 misdemeanor offenders who were either released from jail early or were turned away from serving their commitment due to overcrowding. Depending on their situation, most of these people will be put on house arrest. The clerk has collected over \$5,200 restitution for victims in 2018. In 2019, the clerk has collected \$1,305 which is out pacing last year.
 - For them to continue to receive state and federal funding, they must meet state standards. In November, they passed 45 of 51 standards when reviewed by Ohio Department of Rehabilitation and Corrections. Drug

court, veterans and mental health courts have all met standards to be recertified.

- Municipal Court Probation Staff Budget – Current (with veto)
- Currently without the \$100,000, the city of Marion funds \$77,000 or 13% of probation's budget. This covers a portion of the benefits for the remaining 5 probation officers. The \$100,000 was not only earmarked for salary and benefits of the chief probation officer, but a portion was also earmarked for a portion of 5 other probation officers for benefits. The probation department currently receives \$519,614 or 87% of probation's budget through grants and court acquired funding. This goes towards the salaries of 7 FT probation officers, 1 PT probation officer, 2 clerks, and the benefits for 4 probation officers and two clerks.
- Municipal Court Probation Staff Budget – Anticipated (without veto)
 - Should council appropriate the \$100,000 back to the courts, the city of Marion would be contributing 29% towards the probation budget.
- Breakdown of \$519,614 court acquired funds and grants
 - Although the probation department receives this money in grants and court funding and uses it on expenses, it is their interpretation that the state statute defines these costs as the responsibility of the city of Marion.
- ORC 1901.33(A) Court Employees (Probation Officers, Interpreters, Mental Health Professionals, Assignment Commissioner, Deputy Assignment Commissioner, Court reports, Statistical Clerks)
 - Mr. Stotts stated that ORC 1901.33(A) specifies that the city is responsible to fund all probation officers appointed by the judge out of the general fund.
- ORC 1901.31 Deputy Clerks
 - Mr. Stotts stated that ORC 1901.31 deputy clerk specifies that the city of Marion is responsible to fund all deputy clerks appointed by the Clerk of Court out of the general fund.
- ORC 5149.33 Prohibiting Reducing of Local Funding
 - Mr. Stotts stated that this section specifies that the City of Marion shall not reduce the probation departments general fund by greater or lesser amount in which it receives from state and federal grants.
 - Grants are to be used to supplement general fund monies.
 - Should the City of Marion violate this section, the Department of Rehabilitation and Corrections may discontinue grant payments to the probation department.
 - DRC happened to hear about their budget and paid a visit last Wednesday. They are concerned that they have been receiving the probation grant since the mid-1990s, saving the city of Marion over \$4 million, and yet the city of Marion is only contributing \$77,000 (not to mention the additional \$100,000 requested for the probation department). If the city should continue to reduce funding, DRC could discontinue the probation grant altogether. This meant that the city of Marion would have to pick up that cost as well.

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- Prior Monies Paid/Collected by Court
 - Probation Expansion/Engineer Renovation Paid by Court in 2018 - \$32905 (ORC 1901.36 Accommodations and Needs of the Court)
 - Council Chambers/Courtroom Renovation Paid by Court in 2017 - \$58,100 (ORC 1901.36 Accommodations and Needs of the Court)
 - Scanning Files for Storage in 2017 and 2018 - \$75,000 Paid by the Court (ORC 1901.36 Accommodations and needs of the Court)
 - Court Voluntarily Deappropriated \$200,000 for the Police Department in 2011
 - Traffic Safety Program - \$15,880 went directly to city in 2018; This comes from offenders who are issued a traffic citation by MPD or MCSO or OSHP; 884 offenders were referred by OSHP, 36 by MCSO, 0 by MPD; amount could have more than doubled if MPD had given out information about this program to offenders
 - Aggressively collects fines/costs through collections - \$288,201 in 2017 and \$308,685 in 2018; refer nonpayers to the Attorney General's office
 - Since 2016. they also acquired technology grants from the Supreme Court as a cost savings to the city;
 - In 2016 they acquired \$21,445 for the implementation of desktop scanners and imaging software.
 - In 2017, \$16,850 to update the probation case management system.
 - In 2018, they acquired \$60,099 to replace the courts server as well as upgrades to the court management system.
 - They saved close to \$100,000.
 - They currently have a technology grant submitted to the supreme court for \$35,189 to go towards new computers for court and probation department.

Items not on the Agenda

With no further business to come before the Finance Committee, Mr. Huddle adjourned the meeting at 6:51 PM.

Chairman Huddle

Clerk of Council