

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE

DATE: JULY 27, 2015

COMMITTEE MEMBERS PRESENT:

SUPERVISORS DICKINSON
KENNY
MONROE
VANSELOW
BROCK
SEEBER
SIMPSON

OTHERS PRESENT:

MARCY FLORES, PUBLIC DEFENDER
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS WOOD
GIRARD
FRASIER
BRIAN LAFLURE, DIRECTOR, OFFICE OF EMERGENCY SERVICES/FIRE
COORDINATOR
SHAWN LAMOUREE, UNDERSHERIFF
AMY HIRSCH, EMERGENCY SERVICES COORDINATOR
DON LEHMAN, *POST STAR*
MOLLY GANOTES, LEGISLATIVE OFFICE SPECIALIST

Mr. Dickinson called the meeting of the Criminal Justice Committee to order at 9:01 a.m.

Motion was made by Mr. Monroe, seconded by Mr. Kenny and carried unanimously to approve the minutes from the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Marcy Flores, Public Defender, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing with her agenda review Ms. Flores started with the discussion portion of the agenda. She explained she had not previously submitted a request to fill the 5th Assistant Public Defender with the requests to fill the 1st-4th Assistant Public Defender positions because she had been working with Paul Dusek, County Administrator, on a cost analysis for managing the Public Defenders Office versus subcontracting the work out; she advised their researching had proven it was more cost effective to continue managing the Public Defenders Office in house. She continued, the total estimated cost for subcontracting all the services of the Public Defenders Office in Warren County was \$838,654, while the total for all services to be done in house was \$634,501. Ms. Flores then proceed to present her request to fill the vacant position of 5th Assistant Public Defender, with an annual base salary of \$54,091, using existing budgeted funds. In addition, she presented a request to amend the Table of Organization and Salary Schedule to create and fill the 6th Assistant Public Defender position with an annual base salary of \$45,000 which would be fully funded through a grant from the Office of Indigent Legal Services for a duration of three years; she added that upon non-renewal of the grant the position would be dissolved. Ms. Seeber asked if the Public Defenders Office was still eligible for reimbursement of the Indigent Funds if the work was contracted out and Ms. Flores answered in the negative. Ms. Seeber questioned if municipalities were the only ones eligible for the reimbursement and Ms. Flores replied affirmatively.

Motion was made by Mr. Kenny, seconded by Ms. Seeber and carried unanimously to approve the request to fill the 5th Assistant Public Defender position and to refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position Form is on file with the minutes.*

Ms. Flores reminded the Committee of her second request and noted that if the Committee would need to take action to create and fill the 6th Assistant Public Defender to be fully funded through the Office of Indigent Legal Services.

Ms. Seeber asked if the position required would require a local share and Ms. Flores replied in the negative, advising the salary and benefits for the position would be fully funded. Ms. Seeber inquired if the position was eligible for a rate increase at budget time and whether any salary increase provided would also be grant funded, to which Ms. Flores replied the 6th Assistant Public Defender position would not be eligible for additional salary increases during the three year grant term.

Motion was made by Mr. Monroe, seconded by Mr. Simpson and carried unanimously to amend the Table of Organization and Salary Schedule to create and fill the new position of 6th Assistant Public Defender effective August 24, 2015, and refer same to the Personnel Committee. *Copies of the resolution request form and the Notice of Intent to Fill Vacant Position form are on file with the minutes.*

Next, Ms. Flores requested to amend the County Budget to increase estimated revenues and appropriations in the amount of \$75,117 to reflect the receipt of funds from the Year 1 Distribution of Upstate Quality Improvement and Caseload Reduction grant funds pending from the Office of Indigent Legal Services. She advised these funds would be used for salaries, fringe benefits and the purchase of a computer.

Motion was made by Mr. Kenny, seconded by Mr. Monroe and carried unanimously to approve the request to amend the County Budget as outlined above and forward same to the Finance Committee *A copy of the request is on file with the minutes.*

Mr. Monroe inquired if \$75,117 was the total amount of the grant, as he recalled the initial estimated amount of the grant had been around \$200,000; Ms. Flores answered \$75,117 was the total for one year, all of which would not be spent in 2015.

Mr. Dusek apprised he and Rob Lynch, Deputy Treasurer/Fiscal Assistant to the County Administrator, had researched the sky rocketing cost of legal defense in an effort to determine whether there were any other methods available to handle the work without hiring additional staff. He added Ms. Flores had assisted in this research, providing a considerable amount of information, and he thanked her for those efforts. Mr. Dusek stated both he and Mr. Lynch were comfortable moving ahead with the 5th and 6th Assistant Public Defender positions, as approved by the Committee.

There being no further business to come before the Criminal Justice Committee, on motion made by Mr. Monroe and seconded by Mr. Simpson, Mr. Dickinson adjourned the meeting at 9:08 a.m.

Respectfully submitted,
Molly Ganotes, Legislative Office Specialist