

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY CLERK - MOTOR VEHICLES

DATE: JULY 6, 2011

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MCDEVITT
STRAINER
BELDEN
LOEB
WOOD

OTHERS PRESENT:

PAM VOGEL, COUNTY CLERK
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS GOODSPEED
KENNY
SOKOL
TAYLOR
THOMAS
VANNES

AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. McDevitt called the meeting of the County Clerk - Motor Vehicles Committee to order at 8:30 a.m.

Motion was made by Mr. Belden, seconded by Mr. Strainer and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Pam Vogel, County Clerk, who distributed copies of the agenda to the Committee members, a copy of which is also on file with the minutes.

Mrs. Vogel began by apologizing to the Committee for calling the meeting with such short notice, but advised it had been necessary due to the impromptu resignation of a Legal Recording Clerk within her Office. She apprised that this position represented one of only three in charge of manning the front desk for the County Clerk's Office, responsible for providing essential services to the public and the Court system. Mrs. Vogel then proceeded to outline the obligations, duties and annual workflow activity associated with the position, all of which were detailed in the meeting agenda. With respect to the financial aspect posed by the position to the County, Mrs. Vogel apprised that based on 2010 and 2011 year-to-date figures, her Office received approximately \$7 million in revenues per year, \$2.7 million of which contributed to the County's General Fund.

Mr. Belden questioned whether the position had to be advertised before it could be filled and Mrs. Vogel responded that it was a Civil Service tested position and noted that an existing list of tested individuals would be canvassed to fill the position. He then asked how long the position would remain vacant before it was filled and Mrs. Vogel advised she intended to fill it as quickly as possible, assuming final approval was given at the July 15th Board meeting. In response to Mr. Belden's inquiry as to whether her Office could maintain its current functionality without the Legal Recording Clerk position, Mrs. Vogel advised that they absolutely could not.

Motion was made by Mr. Belden and seconded by Mrs. Wood to approve the request to fill the vacant Legal Recording Clerk position, base salary of \$29,031, due to resignation.

Mr. Loeb recalled that the Board of Supervisors had recently adopted a resolution instituting new regulations for filling vacant positions and he pointed out that these guidelines had not been followed as prior authorization from

the County Administrator had not been obtained before presenting the matter to the Committee. Although he said he did not disagree with the prompt filling of the position due to its necessity within the Department, he felt the policy should be followed as written or many other Departments were likely to attempt to forego the procedures due to the urgency perceived in filling vacancies within their own divisions. Mr. Loeb concluded that they should either follow the approved procedure, or abandon it altogether.

Paul Dusek, County Attorney/Administrator, confirmed that the procedures outlined for filling vacant positions had technically not been followed because he had not performed his review of the position; however, he noted, if the Committee was inclined to approve the request, he would be able to complete it prior to the July 15th Board meeting. Mrs. Vogel explained that because many County employees had taken vacation time on the prior Friday in connection with the July 4th holiday weekend, she had been unable to make contact to schedule the reviews as outlined in the new procedures. In an effort to continue the process, she said she had discussed the position with both the Civil Service and Human Resources Departments and had provided an extensive explanation to Committee Chairman McDevitt before contacting the Clerk of the Board's Office to schedule the special Committee meeting. Mrs. Vogel noted that she was very appreciative of the assistance provided by Nicole Livingston, Deputy Clerk of the Board, in contacting the Committee members prior to scheduling the meeting to determine whether a quorum would be present.

Mr. McDevitt stated that it appeared Mrs. Vogel had made every attempt to follow the proper procedures for filling vacant positions but had been unable to do so due to circumstances beyond her control. In this case, he said, the vacancy was being created by an unpredictable occurrence and he did not feel the position should be left open until the August Board meeting due to its necessity to the Department. Mr. McDevitt added that although the process was logical, it should be made more flexible to deal with a crisis such as this where service to the public would suffer if the position was not filled. Mr. Taylor said he was glad that Mr. Loeb had raised the issue and suggested that the Committee compromise by approving the request, contingent upon Mr. Dusek's review and approval.

Mr. Belden amended his motion, and Mrs. Wood amended her second, to approve the request to fill the vacant position of Legal Recording Clerk, base salary \$29,031, contingent upon Mr. Dusek's review and approval.

Mr. Geraghty questioned whether overtime would be used to cover the duties of the vacant position until it was filled and Mrs. Vogel replied that she did not have a lot of overtime funding available in her budget and certainly not enough to cover all of the duties associated with the position being vacated. Mr. Geraghty advised that Mrs. Vogel should follow the personnel procedure for filling vacant positions, using overtime as necessary to continue operations in her Office. When Mrs. Vogel noted that overtime use would require a transfer of funds to cover the expense, Mr. Geraghty advised this was a regular process that would be approved as the funds were needed.

Speaking as former Chairman of the County Clerk - Motor Vehicles Committee, Mr. Kenny advised that Mrs. Vogel rarely used overtime within her Department and instead, preferred to move her staff around as necessary to perform necessary duties without incurring additional expenses to the County.

There being no more discussion on the matter, Mr. McDevitt called the question and the motion was carried by majority vote with Mr. Loeb voting in opposition to approve the request to fill the vacant position of Legal Recording Clerk, base salary \$29,031, contingent upon Mr. Dusek's review and approval, and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Concluding the agenda review, Mrs. Vogel announced that she anticipated introducing the formal version of the Warren County Bicentennial logo at the July 15th Board meeting.

As there was no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Loeb, Mr. McDevitt adjourned the County Clerk - Motor Vehicles Committee meeting at 8:47 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist