

Is The County Doing All It Can To Keep You Safe?



The following commentary is provided by the Lorain County Deputies Association (LCDA) as a public service to the citizens of Lorain County. The space used in the newspaper was paid for by the LCDA from dues collected from its membership. There were no public monies used in the creation of this article. Our intent in publishing this is to make the public aware of the steps we have taken over the course of the last four months to restore the services affected by the layoffs put into place at the end of December in 2008 by the Lorain County Sheriff due to budget cuts by the Lorain County Commissioners.



There has been some criticism because the LCDA membership (Deputy Sheriffs) has not taken concessions to offset these budget cuts so that some or all of the layoffs could have been averted. In our defense, we did meet with various county officials prior to the layoffs taking effect to do just that. When exploring possible solutions, one of our ideas was to place our pay increases, which by the way had just been signed off by the County Commissioners in August of 2008, on hold. However, when we asked if these raises could be put on hold and then reinstated when the county began to regain solvency, we were told that could not be done and the raises would not be restored.

It was also suggested that we not only freeze our wages but give up all other benefits including longevity and uniform allowances among others. This would have been unfair to the membership since the longevity varies for all members based on their time in service. Therefore some members would have given up much more than others. We then countered with what we felt was a better solution. We suggested cutting back eight hours from every deputy in a single pay period. By doing this the deputies could maintain their hospitalization and the number of layoffs necessary would be fewer. However, this too was rejected because of the "scheduling nightmare" it would create.

So after several failed attempts to curb the layoffs, they went into effect and both the safety of the remaining officers and the safety of the citizens protected by the road patrol became jeopardized. At the end of 2008, twelve full time deputies and eight part time deputies were cut. It was at this time we decided to explore other possible solutions to this crisis.

The county administration also was seeking a solution and it came in the form of an emergency sales tax. In order to accomplish this, they would have to have a unanimous vote of approval by the three commissioners and hold sales tax hearings to allow the public and county officials to comment on the proposed tax options. This tax increase was approved and placed into effect on April 1st and will remain in effect until March 31st of 2010. If it is approved in the general election in November of 2009 it will become permanent.

Since the membership of the LCDA is made up of law enforcement, we decided to do what we do best, investigate. We wanted to confirm that the county was in fact in the financial peril that it claimed to be in. We hired a forensic accountant to do a financial review of the county's finances over the past several years to find out how bad the situation truly was. The results were eye opening to say the least.

While our investigation was underway, the county held the tax hearings which of course our representatives and some of our membership attended. During the first hearing held on January 15th it was presented to the public that if the sales tax is enacted the collection of the tax would begin in April of 2009 and this would allow the administration to begin restoration of the services affected by the layoffs by calling back some if not all of the employees who were laid off. This was encouraging but soon to change. In fact less than six days later at the next hearing held on January 21st this was rescinded. The commissioners now stated that no services would be restored and that the monies collected would be needed as carry over for the county through 2011. Furthermore, we were told if the sales tax fails in November of 2009 when voted on, there would be additional layoffs, perhaps as high as 15% more, which would equate to as many as ten more deputies. When we asked them what happened with restoring the current layoffs as stated previously, we were told that changes in their plans were necessary.

This is what we don't understand. All during the period since the layoffs took effect we were told that the county administrator and the commissioners knew this day was coming and had continuously forewarned the public. We questioned the administration during the tax hearing as to why we were not informed of the county's financial condition during our contract negotiations which took place in the first, second and third quarters of 2008. Keep in mind the layoffs took place in the fourth quarter. The answer given to us was that we would have just taken the contract to arbitration if we had not gotten any raise. It is our position that the decision to do that should have been ours and not taken away by hiding the fact that layoffs were coming, but yet now we are the bad guys for not taking concessions which as stated earlier were indeed offered.

In order to understand the impact these layoffs have caused one must understand what exactly the duties of a deputy are. Patrolling and providing police protection for the unincorporated areas of the county (townships) is only part of our responsibility. The Sheriff of any County in Ohio has many other duties mandated by the State that he uses the deputies to assist with. These duties affect the entire county not only townships but also cities as well. Some of the duties include but are not limited to serving all warrants issued by the Common Pleas Court, serving civil subpoenas, providing court security, tracking and making personal contact with sexual predators living anywhere in the county including all cities, processing all applications for concealed carry permits which may include not only residents of Lorain County but any adjoining county as well. This means that any resident of Cuyahoga County who wants to avoid a lengthy wait may apply in Lorain County which increases our workload. Lastly any criminal

charged with a felony in Lorain County regardless of where the crime occurred, once arraigned in municipal court is then transferred to the county court system. If the person is incarcerated within the city, they will then be transferred to the county jail and transportation to court, hospitals, other detention facilities, etc. becomes the duties of the deputies.

In order to provide these mandated services the Sheriff was forced to reduce the road patrol even more since the layoffs occurred. Currently the road patrol consists of only twelve officers to cover three shifts every day. Due to inmate transports, scheduled days off and other unforeseen circumstances there are occasions where there has only been one deputy available to patrol the eighteen townships of Lorain County which comprises approximately 360 square miles.

At this time we would like to present the results of the financial review and the subsequent hearing held to address the issues uncovered by our investigation.

The county of Lorain is self insured using Medical Mutual as the provider. A self insured entity must maintain a hospitalization account with enough monies to provide for claims as they are submitted. Some of these claims could be catastrophic, i.e., cancer or other life threatening conditions. An agreement is negotiated with the provider to establish what is known as a stop-loss limit. When the claims pertaining to this condition reach this limit, the self insured party is no longer responsible for claims exceeding that limit. Currently the stop-loss limit for Lorain County is set at \$125,000. This is a low stop-loss limit and also lowers the amount necessary to maintain in the hospitalization account. However, what we discovered is that the county's hospitalization fund is extremely over funded.

During the course of our investigation we spoke with the consulting company that the county uses to determine what rate that the employee's premium should be and what percentage of the previous year's claims should be allotted in the hospitalization budget. They suggested eighteen (18%) percent of the claims should be set aside. Our financial review revealed that there was 20 million dollars in total claims paid out for 2008. Based on the recommendation of the county's own consulting firm, the balance set aside should be 3.6 million dollars. In checking with other sources including private and government self insured entities, we found most funds were at twenty-five (25%) percent. If you use that percentage to calculate the fund, it would be 5 million. The shocking news is that the budget account for Lorain County's Hospitalization fund is currently in excess of 13 million dollars, over eight million dollars than what most entities would be and over nine million dollars than what the county's own consulting firm advised. When questioned about these facts during the hearing regarding our financial review, we were advised that the county administrator's "comfort level" is to be at forty (40%) percent which would be 8 million dollars and not 13 million dollars.

So to analyze the results of this, currently the county is at a sixty-five (65%) level in this account, rather than the county administrator's suggested forty (40%) percent, which as previously outlined is higher than other entities are at and higher than the suggested rate by their own consultant. This raises some important questions. First of all, how much is the county paying its consulting firm to ignore their advice? Secondly, what is more important to the County Commissioners, the "comfort level" of the County Administrator or the safety of the county citizens and the safety of the remaining Deputy Sheriffs?

From what we have determined, the county could make available approximately eight million dollars in addition to the taxes they have already begun collecting from the sales tax implementation. The estimated amount this tax is generating is approximately 1.25 million dollars monthly. So why are the County Commissioners not bringing back the staff that is laid off? Why are the citizens of the townships going without adequate protection and why are the remaining Deputies subject to more risks than necessary?

Will it take the death or severe injury of a citizen or a deputy before they will act on this issue?

We urge the citizens of Lorain County to voice your opinion to the Lorain County Commissioners and the County Administrator.

The Commissioners hold a public meeting every Thursday at 9:30am in the County Administration Building or you can call them by phone at (440) 329-5111. You may also contact them by email at the following addresses:

Commissioner Betty Blair.....bblair@loraincounty.us
 Commissioner Ted Kalotkalo@loraincounty.us
 Commissioner Lori Kokoski.....lkokoski@loraincounty.us
 Administrator Jim Cordes.....jcordes@loraincounty.us