

**2009
Expenditures
Department Response**

DEPARTMENT: Hamilton County Recorder

DEPARTMENT HEAD / ELECTED OFFICIAL: Rebecca Prem Groppe

OCA TITLE: 220038 - Index

Hamilton County departments and agencies have the opportunity to respond and provide insight to the Office of Budget and Strategic Initiatives (BSI) initial assessment as to non-mandated services. This response form should be used for each specific BSI assessment; not a general response for entire department. Take as much space as necessary for each question.

Introduction: The Recorder disagrees with the characterization of the listed expenses by the Budget Office as “non mandated”. The referenced items in this OCA title are addressed below. In general, the indexing section of the Recorder’s office is essential for the statutory cross indexing and location of records recorded in this office. Absent geographic indexing, as performed by the assigned employees of this office, the thousands of documents recorded each week would be unlocatable to the citizens, real estate and banking professionals who rely upon this information. The statutory obligations of the Recorder to index documents so that they may be located are found specifically in Ohio Revised Code sections 317.18, 317.19 and 317.20. Additionally, the requirement is imposed by numerous other statutes dealing with the Recorder’s handling of specific documents and the common law of real property in Ohio, along with substantial custom and usage.

1. Are there elements of the BSI non-mandated services that you believe are mandated? If so, provide the specific Ohio Revised Code (ORC) citation, Code of Federal Regulation (CFR) and/or relevant case law information. Please be especially diligent if there is a specific service or staffing level prescribed by law.

The service in question is broadly categorized as “office supplies”. As applied to this OCA title and department, office supplies are used for computer and printer maintenance along with copies of real estate documents needed for researching information utilized in the indexing, such as plat maps and old index book pages. As noted above, the statutory obligations of the Recorder to index documents so that they may be located are found specifically in Ohio Revised Code sections 317.18, 317.19 and 317.20.

2. Who are the recipients of the service or activity for the non-mandated service? How many recipients? Please note any internal customers, other county departments, jurisdictions, businesses, etc. If the service is geographic specific (i.e., a satellite probation office), please identify the neighborhood, township or municipality.

The indexing is essential for the work of all title examiners and real estate professionals in the county. It is essential for citizens who wish to access any documents affecting land and searching for additional items handled by this office such as cemetery records, and powers of attorney. Additionally, the services are utilized by county agencies.

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3. Are there county revenues associated with the non-mandated services? If so, please provide the methodology for any lost revenues. Please consider state or federal reimbursements, grants, fees, etc. Please note if the service or activity is included in the county's indirect cost plan.

The Recorder's office is a substantial source of revenue for the county along with the statutorily mandated collection for the state housing fund. ORC 317.36 and ORC 317.32. Absent proper indexing, documents would be unlocatable, useless and account for lost copy revenue.

4. If the county did not provide the non-mandated service, is there the potential for increased expenditures in another jurisdiction within Hamilton County? If so, please list the specific municipality and/or township.

Unknown.

5. Does the non-mandated service include Board of County Commissioner policy via resolution or motion?

Yes, historically. The land records of Hamilton County have been geographically indexed for over 200 years.

6. Are there contracts or agreements that preclude the elimination of a non-mandated service? If so, please provide the specific language as to termination and/or amendment terms.

The service is provided to fulfill the statutory obligation of the Recorder.

7. What are the equipment/non-personnel expenditure considerations with discontinuing a non-mandated service? (i.e., surplus equipment).

Unusable and unserviced computer terminals and printers, along with microfilm viewers.

8. Do any of the non-mandated services include employees represented by a bargaining unit? If so, please note the union and provide information as to reduction-in-force and job abolishment considerations.

Not applicable.

9. For positions within non-mandated services, are there are special circumstances that preclude a traditional job abolishment process? Separation costs will be addressed centrally including leave

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balance payouts, unemployment compensation and severance (based on current Commission policy).

Job abolishment was not addressed by the budget office within this OCA title.

10. In addition to positions associated with non-mandated services, the Budget Office included a review of management layers, support staff, and currently vacant positions. Please comment on the impact of eliminating these positions.

See above, not applicable within this OCA title.

11. What is the performance impact of not providing the non-mandated service? For example, wait times, waiting lists, case loads, operating hours and other consequences of not providing the service.

As addressed above, failure to properly index would render the land records of Hamilton County unusable.

12. Are there any alternatives that result in savings to the general fund?

Unknown

13. Are there more efficient ways to deliver a mandated service that may allow for the savings to offset the cost of a non-mandated service?

No, the computerization of geographic indexing was deemed the most efficient method.

14. Is there an opportunity to transfer any non-mandated expenditures to another funding source (i.e., restricted fund or grant)?

Unknown

15. Does your department have any fees that could be raised to offset the cost of a mandated service?

This issue is undergoing research and consideration.

Other Considerations and Comments: **The Recorder disagrees with the characterization of the listed expenses by the Budget Office as “non mandated”. Absent geographic indexing, as performed by the assigned employees of this office, the thousands of documents recorded each week would be unlocatable to the citizens, real estate and banking professionals who rely upon this information. The statutory obligations of the Recorder to index documents so that they may be located are found specifically in Ohio Revised Code sections 317.18, 317.19 and 317.20.**