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**House Government Oversight Committee**  
House Bill 430 – Interested Party Testimony  
Kyle Petty, Managing Director of Policy

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Chairman Peterson, Vice Chair Thomas, Ranking Member Humphrey, and members of the House Government Oversight Committee, thank you for the opportunity to provide testimony on House Bill 430. House Bill 430 would allow for a board of county commissioners to contract with another county engineer to fill a vacancy in the office of county engineer and allow county engineers to maintain a private practice without having their statutory pay reduced. CCAO takes no position on the private practice provision, but we would like to suggest several changes to the vacancy contracting provisions currently contained in the bill.

CCAO appreciates the effort to provide a new path forward when vacancies occur. Commissioners have experience with a similar process for filling vacancies for county coroners under R.C. 313.04. This process has been successful and resulted in multiple partnerships between counties throughout the state to provide coroner services. CCAO is optimistic that, if enacted, House Bill 430 could provide for similar successful partnerships for engineer services.

Currently, the bill only requires the board of commissioners filling a vacant county engineer office to approve the contract. CCAO respectfully requests that the committee amend House Bill 430 to require approval from the board of county commissioners of the county of the engineer whose services are being contracted as well. Commissioners are the contracting authority for the county and are responsible for overseeing contracts within it. This change to the bill will ensure that both counties have a chance to review the contract and can adequately provide the county engineer with the resources to carry out that office's duties in each county.

Within R.C. 313.04 and the process for county coroners, boards of county commissioners filling a coroner vacancy can negotiate the salary that will be paid to the contracted county coroner of a different county. In House Bill 430, the commissioners lack the ability to negotiate the appropriate salary to be paid for the county engineer services. Therefore, CCAO requests the bill be amended to mirror the current contracting process for a vacant county coroner office in R.C. 313.04. As stated above, boards of county commissioners are familiar with the process in R.C. 313.04, and it has been successful in filling county coroner vacancies throughout Ohio.

Finally, in consideration of the workload of county engineers across the state and their capacity to work with additional counties, CCAO proposes allowing a board of county commissioners to contract with a private engineer or private surveyor to fill the duties of a vacant county engineer. CCAO recognizes counties may find themselves in a situation where they are unable to find another county engineer willing or able to take on the responsibility of the office, and this authority would provide another avenue for filling the vacancy and the duties associated with the office. Our members have experience with hiring outside licensed attorneys to provide legal counsel to the board of commissioners in addition to those services provided by the county prosecutor. However, in that scenario, the office of county prosecutor is not vacant. Regardless, our members



feel the same logic could potentially apply to the vacant office contemplated by HB 430 and would appreciate the additional contracting flexibility.

CCAO thanks Representative Klopfenstein and Representative Rogers for introducing this legislation. We also would like to thank the County Engineers Association of Ohio for bringing this issue forward. We are committed to continuing discussions about House Bill 430, and our members are interested in creative solutions to address the shortage of qualified and dual licensed candidates for county engineer. I appreciate the opportunity to provide testimony on behalf of CCAO, and I would be happy to answer any questions at this time.