



Tioga County Legislative Worksession Minutes April 5, 2018 – 1:00 p.m.

Legislators Present:

Legislator Hollenbeck
Legislator Huttleston
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Monell

Guests:

Matt Freeze, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Personnel Officer Bethany O'Rourke (*arrived @1:04 p.m.*)
ITCS Deputy Director Drew Griffin (*departed @1:07 p.m.*)
Chief Accountant/Budget Officer Rita Hollenbeck (*arrived @1:09 p.m.*)
Director of Veterans Services John Holton (*departed @1:12 p.m.*)
Commissioner of Social Services Shawn Yetter (*departed @1:18 p.m.*)
ED&P Director LeeAnn Tinney (*departed @1:38 p.m.*)
Public Health Director Lisa McCafferty
Public Health Deputy Director Sue Medina

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 1:00 p.m.

Shared Services Update:

ITCS Deputy Director Griffin reported the March Shared Services meeting went well. Mr. Griffin reported basic costs have been outlined and distributed to the municipalities, as well as a catalog of services identifying available services. Mr. Griffin reported the first initiative is with the Town of Owego and there is significant cost-savings for both town and county. For the smaller municipalities that are not currently expending funds for IT services, this would involve a budget increase. However, they have recognized the value in spending money to secure professional IT services from a security, consulting, and technical assistance standpoint. Mr. Griffin reported County Attorney DeWind is in the process of preparing a basic inter-municipal agreement template. Mr. Griffin reported we are currently at the point where formal approval is required from both the Town of Owego Board and the County Legislature to proceed. Mr. Griffin reported the next steps entail signing agreements and entering into contracts. Mr. Griffin reported there is potential grant funds available through CFA that would offset some of the initial startup hardware costs. Mr. Griffin reported additional information on this grant process, as well as additional cost information is expected to be available by the April 19, 2018 Legislative Worksession.

Legislator Weston inquired as to whether all municipalities have agreed on this shared service. Mr. Griffin reported all the municipalities were excited to have the opportunity to have professional IT services.

Legislator Standinger inquired whether the services are available ala carte. Mr. Griffin reported a full list of available services has been provided to municipalities to choose services based on their individual needs, therefore, can be ala carte services such as desktop support, phone services, web work, email support, security, etc.

Chair Sauerbrey reported one of the best advantages is the ability for smaller municipalities to have the opportunity to secure their data.

Legislator Sullivan inquired as to whether the Legislature will be presented with a resolution or a contract next month. Potentially, Mr. DeWind reported this could be a resolution and an inter-municipal agreement.

Legislator Sullivan reported the County is at the point where serious work will be expended by several staff in an effort to move this process forward, therefore, wanted to ensure the Legislature was still in favor of proceeding. Legislator Sullivan reported due to the timing of the Town of Owego's new facility and installation of services this process is going to move rapidly.

Legislator Weston inquired as to whether the ITCS Legislative Committee was in favor of moving forward.

Legislator Roberts reported the ITCS Legislative Committee is unanimously in favor of moving forward.

Active Shooter Presentation:

Chair Sauerbrey reported Sheriff Deputies Josh Delmage and John Delmage provided an Active Shooter presentation for the Department Heads this month. The Deputies will also be conducting two presentations on April 25th and May 2nd from 9:00 a.m. – 12:00 p.m. for all employees at 56 Main Street, including the outside agencies who occupy space in the building. Chair Sauerbrey reported she sent an email to the employees at 56 Main Street strongly encouraging them to attend and to register with Deputy Legislative Clerk Haskell. All Legislators are welcome to attend and should register with Ms. Haskell.

Approval of Worksession Minutes – March 22, 2018:

Legislator Sullivan motioned to approve the March 22, 2018 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Huttleston, Mullen, Roberts, Sauerbrey, Standinger, Sullivan and Weston voting yes with Legislator Monell being absent. Motion carried.

Action Items:

Currently, there are no action items.

Other:

- ***Budget Modification Resolution (Veterans Service Agency)*** – Director of Veterans Services Holton reported during the budgetary process last fall, discussions occurred regarding the \$6,000 pass through funds from Mental Hygiene to the Veterans Office for mental hygiene community service activity. Mr. Holton reported the \$6,000 pass through funds were included in the 2018 budget, however, as an oversight in the process the line items were not established as additional funding available for the purposes of executing the contract with Mental Hygiene. Mr. Holton requested the Legislature approve the oversight with the adoption of the resolution at the April 10, 2018 Legislature meeting establishing the budgeted line items.
- ***Authorize Chair of Legislature to Sign Memorandum of Understanding “Raise the Age” Compliance Coalition – Department of Social Services*** – Commissioner of Social Services Yetter reported he is taking the lead on working with the Coalition of counties who are working together with a consultant to develop a specialized security detention facility. It is a requirement for counties to have the availability to place 16 and 17 year olds shifting from the criminal system to the youthful offender system. Mr. Yetter reported he believes the numbers will be low, as this is not a huge population for Tioga County. However, we do need to have placement options for this population. Mr. Yetter reported the Coalition has been meeting with ten counties in the Finger Lakes Region. Mr. Yetter reported the first step is for the Chair of the Legislature to sign the Memorandum of Understanding, therefore, a resolution has been prepared for Legislature consideration at the April 10, 2018 Legislature meeting. Mr. Yetter reported there is specific language in the MOU stating this is non-fiscally binding. The Memorandum of Understanding states that Tioga County is committed to continue working with the Coalition and that each county will have a representative present in any decision-making process. Mr. Yetter reported the first contract will be with the consultant and the initial cost was estimated at approximately \$13,000 per county, however, this is closer to \$10,000 per county due to less work required by the consultant and more counties participating. Mr. Yetter reported this cost is fully reimbursable and will go into the County’s Raise the Age Plan. At this point, Mr. Yetter reported the State is committed to reimbursing all related costs.

Legislator Weston inquired as to whether any feasibility studies have been done and if facilities exist within the State. Mr. Yetter reported these facilities do not exist.

Legislator Mullen reported the State previously closed 30% of the Division for Youth Facilities that were already in place, funded and staffed and then a year later decided that 16 and 17 year olds would be juveniles in NYS. Legislator Mullen reported this is an issue for every municipality, especially ones with a police department.

Legislator Standinger reported Mr. Yetter and Probation Director Bennett have worked diligently to try to figure out how the County could best provide what is required and your efforts are appreciated.

→ **ED&P Part-Time Ag Economic Development Specialist** – ED&P Director Tinney provided the following timeline in regards to the part-time Ag Economic Development Specialist position:

- 2016 – The County adopted the Ag Farmland Protection Plan and made the commitment to assist in some manner with the implementation of the Plan.
- 2017 – The County made the commitment to collaborate with CCE and made an annual contribution of \$25,000 toward funding a person to bring the Plan forward and implement the identified areas. The County determined, during the 2018 budget process, the partnership with CCE was not working as envisioned; therefore, the Legislature made the decision to transfer the \$25,000 committed funds into the 2018 ED&P budget to create a permanent, part-time Ag Economic Development Specialist.
- 2018 – ED&P took steps towards the hiring of the position, but given the required qualifications for this part-time position, it is proving to be challenging in finding a suitable candidate. Personnel Office posted the position and received three responses. Interviews were conducted with all three candidates and determined only one was suitable. The position was offered, but the candidate declined for another full-time opportunity. As a result, ED&P explored possibilities such as private/public partnerships and we had an entity that was interested, but there were too many pitfalls to warrant further consideration of this option.

Ms. Tinney reported she would like to propose making this part-time position into a full-time position over the course of the next 1 ½ years with no impact to the County budget. This would allow ED&P to establish the position and test whether this position is viable, determine whether there is a need for a dedicated Ag Economic Development Specialist, and whether the position is going to be effective.

Ms. Tinney proposed the following:

- \$25,000 – 2018 budgeted funds for part-time Ag Economic Development Specialist (June – December).
- \$20,000 – 2019 part-time employee salary for the 8-Yr Ag District Review. Historically, the County has allowed ED&P to hire a part-time employee at \$20,000 annual salary to complete the assessment.
- \$5,000 – 2018 IDA contribution.
- \$20,000 - 2019 IDA contribution.

Ms. Tinney reported discussion occurred at last night's IDA Board meeting regarding this position and the IDA Board is very interested in seeing this type of position created. Therefore, the IDA Board passed a resolution agreeing to fill the gap in 2018 up to \$5,000 and up to \$15,000 in 2019 so there will be no impact to the County ED&P budget to convert this position from part-time to full-time over the next 1 ½ years.

Ms. Tinney reported she spoke with Budget Officer Hollenbeck and she believes there is a mechanism to allow for the IDA contribution. Ms. Tinney reported she has a local candidate who is graduating in May with a B.A. in Economics who is interested in a full-time position. Chair Sauerbrey reported this candidate worked previously as an IDA intern.

Legislator Sullivan reported this option allows the opportunity to test this position with no cost to the County, therefore, does not see any reason why it should not be pursued.

Legislator Mullen inquired as to what types of projects this person would be involved with and has specific projects been identified. Ms. Tinney reported the employee first needs to familiarize themselves with the Ag Farmland Protection Plan and garner an understanding of the priorities identified by the Ag community. Ms. Tinney reported connecting farmers with markets outside of Tioga County, establishing a food hub, connecting farmers with potential funding sources and local lenders, working with Soil & Water, addressing the influx of Amish to the community to take advantage of the opportunities are just a few areas where need has been identified.

Legislator Weston reported we are in an area where hemp could be a viable crop market and possibly developing a processing plant. Legislator Weston reported fallow farmland owners could possibly participate.

Ms. Tinney reported she would like to bring a resolution forward to the ED&P Committee in May.

Legislator Roberts inquired about the fringe amount and thought the County fringe was closer to 70%. Ms. Hollenbeck reported the countywide fringe benefit averages 72%, but Ms. Tinney was given specific fringe amounts for the position based on the information she provided for individual health insurance. Ms. Hollenbeck reported this amount would be higher if the candidate was seeking family coverage.

Legislator Sullivan inquired if the fringe amount presented today becomes higher due to the need for family coverage could Ms. Tinney offer the assurance this would still have no cost to the County during this 1 ½ year timeframe. Ms. Tinney reported she cannot speak for the IDA Board, however, will inquire prior to the May ED&P Committee meeting and ask the IDA Board if they will commit to additional funds in the event the situation as presented changes.

Legislator Roberts inquired as to how this position's deliverables would be measured in 2019 to determine that the County is benefiting from the position. Ms. Tinney reported ED&P would be responsible for developing a good tool to measure the impact (i.e., job creation, increased sales tax, increased real property tax, creation of new farming industry, etc.).

Ms. O'Rourke reported the Legislature has the authority to abolish the position if they do not feel it is warranted for continuation, however, the candidate needs to be aware this position is newly created and will be evaluated at the end of 2019 to determine continuation.

→ **Health Insurance for Public Health Dentist** – Public Health Deputy Director Medina reported Public Health has a part-time dentist for the past 13 years and he is requesting assistance with health insurance. Ms. Medina reported she spoke with Ms. O'Rourke regarding possible options and she referenced Policy 44 – Non-Union Benefits with the addition of another position of part-time dentist to allow the employee the ability to obtain health insurance. Ms. Medina reported this has been done previously to allow for the part-time county attorneys. Ms. Medina reported a majority of the work is preventative care with dental hygienists, but Public Health is required to have the dentist position to bill under his license and provide general oversight of the dental hygienists work.

Legislator Sullivan reported dental services could not be billed unless the dentist is a County employee and we cannot contract with a dentist to provide this service. Ms. Medina reported this is correct. Ms. O'Rourke reported she is of the opinion that if the IRS audited the County they would likely find that the way the dentist functions now it would be determined an employee relationship and not a contractual relationship. This is partly due to the 2007 IRS audit of the Dental Coordinator position and determined the position was functioning as an employee relationship versus a contractual relation. Ms. O'Rourke reported the audit cited the County and the County was required to create a County position. Ms. Medina reported the community depends on this service and it is difficult to recruit a professional into the area so we run the risk of losing our current staff as well as having difficulty recruiting someone to fill the role. This was discussed in both the HHS and Personnel Committees.

Ms. O'Rourke reported initial discussion in the Personnel Committee was to amend Policy 44 allowing the dentist to participate in health coverage at 20%; the same rate as the part-time county attorneys, however, the Committee was more inclined with a 25% starting point.

Ms. O'Rourke provided the following annual County costs based on 20% and 25% contributions:

- o Individual Coverage @ 25% would cost the County \$8,500 annually.
- o Family Coverage @ 25% would cost the County \$19,600 annually.

- o Individual Coverage @ 20% (*same percentage as part-time county attorneys*) would cost the County \$8,900 annually.
- o Family Coverage @ 20% (*same percentage as part-time county attorneys*) would cost the County \$20,570 annually.

Ms. O'Rourke reported if the Legislature agreed to amend the policy and allow the part-time dentist to participate in the health care coverage this year, these figures would need to be pro-rated, as these are annual figures.

Ms. O'Rourke reported part of the rationale as to why health insurance was offered to the part-time county attorneys was very similar to this scenario, which is a recruiting issue.

Legislator Sullivan inquired as to what other part-time professional positions are currently in the County that the Legislature may be approached with a similar discussion. Ms. O'Rourke identified the following part-time higher level positions: Nurses, Deputy Director of Emergency Services, Director of Weights and Measures, Safety Officer, and Budget Officer.

Legislator Mullen reported the County recently approved the new dental van and obtained a grant and believes the 25% contribution is a reasonable request especially since this is a revenue source for the County. Without this position, the County cannot bill for the services rendered.

Legislator Sullivan inquired as to whether the current dentist has given notice. Ms. Medina reported the dentist has not given notice, but he is exploring options.

Chair Sauerbrey reported the Legislature decides whether to allow certain part-time positions to participate in health insurance coverage. Chair Sauerbrey further reported

job seekers are looking for full-time employment with benefits and it is difficult to recruit for part-time positions.

Legislator Roberts inquired as to whether the reimbursement is a set amount or if this amount can be adjusted due to increased costs. Ms. Medina reported the amount we are receiving is the maximum allowed amount.

Legislator Standinger reported \$20,000 is the maximum the County may have to pay if we pursue the 25% contribution and that is a reasonable number considering the fact we pay the dentist less than what he would make elsewhere.

Legislator Weston reported the dental program is an important way to give back to the community for a small amount of money.

On a straw poll vote, Legislators Mullen, Hollenbeck, Sauerbrey, Weston, and Standinger were in favor of Public Health preparing a resolution for May to amend Policy 44 identifying inclusion of the part-time dentist for health insurance at 25% contribution with Legislators Roberts, Huttleston, and Sullivan not in favor and Legislator Monell being absent.

→ **Governor's Budget** – Chair Sauerbrey reported the proposal for extended voting did not pass in the State Budget. Chair Sauerbrey reported she is reviewing the NYSAC report and will provide updates.

Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – March 8, 2018:

Legislator Roberts motioned to approve the March 8, 2018 minutes as written, seconded by Legislator Standinger with Legislators Hollenbeck, Huttleston, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes with Legislator Monell being absent. Motion carried.

Legislative Clerk Dougherty reported the following:

- The April Legislative Meeting is scheduled for Tuesday, April 10, 2018, at 12:00 p.m. in the Hubbard Auditorium. The Finance/Legal Committee will meet prior at 10:30 a.m. in the Legislative Conference Room.
- Legislator Sullivan will do the prayer and pledge and start the voting process at the April 10, 2018 Legislature meeting.
- Legislative Budget is tracking well.
- Attended Leaders Meeting – Active Shooter Training
- Sales Tax proposal related to the energy service providers discussed at last month's worksession was not passed in the State budget, therefore, is not an issue.
- Legislative Office Petty Cash – Determined the Legislative Office no longer has a need for this fund, therefore, turned the \$50.00 back over to the Treasurer's Office.
- Notary service assistance provided to Public Works off-site on Day Hollow Road.

Recognition Resolution (1) –

→ **Recognize Kimberly A. Clark's 33 Years of Dedicated Service – Social Services –**
Legislator Standinger will read and present at the April 10, 2018 Legislative meeting.

Proclamations (4)–

→ **Earth Awareness Week (April 15th – 22nd)** – Legislator Standinger will read and present this proclamation to Public Health Director McCafferty and Sustainability Manager Pratt at the April 10, 2018 Legislature meeting.

- **Public Health Week (April 2nd – 8th)** – Proclamation will just be noted in the minutes of the April 10, 2018 Legislative meeting.
- **Military Appreciation Month** – Legislator Huttleston will read and present this proclamation to Veterans Service Director Holton at the April 10, 2018 Legislature meeting.
- **Child Abuse Prevention Month** - Proclamation will just be noted in the minutes of the April 10, 2018 Legislative meeting.

Legislator Sullivan reported the Legislature does not have a procedure in place to vote on or approve proclamations, therefore, inquired as to how it is determined how a proclamation moves forward.

Ms. Dougherty reported there is no protocol in place regarding proclamations other than repeat proclamations are not presented yearly and are just noted in the meeting minutes. Ms. Dougherty reported proclamations could be treated the same as resolutions where they need to go through the committee process with a straw poll vote occurring at the worksession. Ms. Dougherty suggested reviewing the Rules of Procedure of the Legislature policy for possible amendment to establish a proclamation protocol or request the Chair of the Legislature to draft a memo to the Departments outlining the procedure.

Chair Sauerbrey reported there are times when she drafts a proclamation in the middle of the month that does not go through the Legislature and this is done as a community outreach service.

Mr. DeWind reported there is some precedent for Roberts Rules of Order, which the Legislature follows for voting that can be applied to proclamations. This area could be further addressed if the Legislature decides to do so.

Resolutions:

All resolutions were reviewed for the April 10, 2018 Legislature meeting.

Executive Session –

With no confidential topics presented for discussion, an Executive Session was not necessary.

Meeting adjourned at 2:19 p.m.

Next worksession is scheduled for Thursday, April 19, 2018 at 10:00 a.m.

Respectfully submitted by,
Cathy Haskell, Deputy Legislative Clerk