

Agenda



TIOGA COUNTY LEGISLATURE

4/11/2017

12: 00 PM

EDWARD D. HUBBARD AUDITORIUM
 RONALD E. DOUGHERTY COUNTY OFFICE BUILDING
 56 Main Street
 Owego NY 13827

Meeting called by:

Chair Martha Sauerbrey

Type of meeting:

4th Regular

Attendees:

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

Agenda topics

Invocation

Legislator Mullen

Pledge of Allegiance

Legislator Mullen

Employee 4th Quarter and Year-End 2016

Mary Hogan-Information Technology

Recognition Resolutions (3)

Recognizing Douglas Swarts-Sheriff Office
 Recognizing William Spangenberg-Sheriff Office

Recognizing Kristine Madison-Mental Hygiene

Proclamations (1)

Alcohol Awareness Month

<p>Privilege of the Floor Approval of Minutes Petitions, Communications & Notices Appointments/Reappointments Reports Standing/Special Committees</p>	<p>March 1 and 16, 2017 2nd Deputy Chair</p>	
<p>RESOLUTIONS:</p>	<ol style="list-style-type: none"> 1. Change May 2017 Legislative Meeting Time 2. Appoint REAP Board Member 3. Appoint Member-Board of Ethics 4. Appoint Member-Board of Ethics 5. Appoint Members to Traffic Safety Board 6. Re-Appoint Member to the Tioga County Planning Board 7. Amend Resolution No. 218-15 Amending Fees Real Property Office 8. Inter-Municipal Agreement Hazardous Waste 9. Authorize the Submission of PTS (Police Traffic Services) Grant Application Sheriff's Office 10. Accept Award of Roadside Marker Grant and Appropriate Funds 11. Authorize Chair Signature on Host Community Agreement between Tioga County and Renovus Energy, Inc. 12. Adopt Policy 59 Tioga Video Security Surveillance Policy 13. LOCAL LAW TO BE INTRODUCED – A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021 14. Schedule Public Hearing Local Law Introductory No. A of 2017 15. Ratify Collective Bargaining Agreement with Tioga County Corrections Association and National Correctional Employees Union 16. Authorize Appointment of Deputy Director of Public Health Public Health Department 17. Authorize Salary Reallocation Senior Computer Maintenance Technician Information Technology & Communication Systems 	

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -17

RESOLUTION RECOGNIZING
DOUGLAS SWARTS'
25 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY

WHEREAS: Douglas Swarts was appointed as a Corrections Officer on 1/2/92; and

WHEREAS: Douglas Swarts has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Douglas Swarts will retire from the Tioga County Sheriff's Office on April 29, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Douglas Swarts for his 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Douglas Swarts.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -17

RESOLUTION RECOGNIZING
WILLIAM SPANGENBURG'S
25 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY

WHEREAS: William Spangenburg was appointed as a Corrections Officer on 12/30/91; and

WHEREAS: William Spangenburg has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William Spangenburg will retire from the Tioga County Sheriff's Office on March 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William Spangenburg for his 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, William Spangenburg.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -17

RECOGNITION OF
KRISTINE A. MADISON'S 20 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE

WHEREAS: Kristine A. Madison was appointed to the position of Account Clerk Typist on January 6, 1997, and promoted to Senior Account Clerk Typist in March 1999, amended to Account Associate II on January 25, 2017 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Kristine A. Madison has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 20 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Madison retired on March 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Kristine A. Madison for her over 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Kristine A. Madison.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Tioga County Public Health identifies alcohol abuse as a threat to the health of the community; and

WHEREAS: Alcohol-related motor vehicle injuries and deaths in Tioga County are nearly double the New York State average; and

WHEREAS: The percentage of adults that binge drink is 24%, which is higher than all neighboring counties; and

WHEREAS: Binge drinking can be identified as the practice of consuming more than 5 drinks for men and 4 drinks for women in a single sitting; and

WHEREAS: Alcohol remains the number one substance responsible for admission to a treatment program; and

WHEREAS: Over 60 diseases are related to alcohol use including cancer, liver cirrhosis, cardiovascular disease and depression; and

WHEREAS: Alcohol abuse can be devastating to an individual's life, their family and can lead to child abuse and or neglect; and

WHEREAS: Children that grow up in a household where alcohol is abused are 4 times more likely to also abuse alcohol; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim April as

ALCOHOL AWARENESS MONTH

and encourages all residents to educate themselves, talk to their children and to seek help when coping with alcohol and other substance abuse situations.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -17 CHANGE MAY 2017
LEGISLATIVE MEETING TIME

WHEREAS: The May 2017 Legislative meeting has been scheduled for Tuesday, May 9, 2017 at 12:00 p.m.; and

WHEREAS: The Legislature would like to change the meeting time; therefore be it

RESOLVED: That the May 9, 2017 Legislative meeting time be changed from 12:00 p.m. to 11:00 a.m.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -17 APPOINT REAP BOARD MEMBER

WHEREAS: The By-Laws of the REAP Board require that the Legislature nominate one person to act as its member on the REAP Board of Directors; and

WHEREAS: Bryant Myers, Executive Administrator for the IDA, term ends April 14, 2017; and

WHEREAS: Brittany Woodburn, Economic Development Specialist, is willing to serve on the REAP Board of Directors; therefore be it

RESOLVED: That Brittany Woodburn, Economic Development Specialist, be hereby appointed to the REAP Board for a two year term from April 15, 2017 through April 14, 2019.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -17 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: The term of John Hitchings on the Board of Ethics expired on March 31, 2017; and

WHEREAS: Barbara Crannell has expressed interest and willingness to serve on the Board of Ethics; therefore be it

RESOLVED: That Barbara Crannell, Chair nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2017 through March 31, 2020.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -17 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: The term of F. John Waite on the Board of Ethics expired on March 31, 2017; and

WHEREAS: Joan Case has expressed interest and willingness to serve on the Board of Ethics; therefore be it

RESOLVED: That Joan Case, Minority Party nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2017 through March 31, 2020.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -17

APPOINT MEMBERS TO
TRAFFIC SAFETY BOARD

RESOLVED: That the following members be reappointed to the Traffic Safety Board for a term as follows:

TITLE	TERM
James DeVita	3/31/17-4/1/20
Tioga County STOP DWI Coordinator or Designee	3/31/17-4/1/20
Tioga County Fire Coordinator or designee	3/31/17-4/1/20

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -17

RE-APPOINT MEMBER TO THE TIOGA
COUNTY PLANNING BOARD

WHEREAS: The Village of Waverly's position on the Tioga County Planning Board has been vacant since December 2016 upon William Dimmick III's resignation; and

WHEREAS: William Dimmick, III's living situation has changed and he will now remain living in the Village of Waverly; and

WHEREAS: The Village of Waverly Board of Trustees has re-nominated William Dimmick, III to continue serving in this position as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint William Dimmick, III to the Tioga County Planning Board to continue his three-year term of 1/1/2017 – 12/31/19, effective April 12, 2017.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -17 AMEND RESOLUTION NO. 218-15
AMENDING FEES
REAL PROPERTY OFFICE

WHEREAS: Resolution Nos. 385-90, 102-00, 150-07, 345-09 and 218-15 established and modified schedules of charges; and

WHEREAS: Resolution No. 218-15 amended the RPS Data Files on CD, emailed, rps160d1, rps 155p1, rps150p1, per tax entity; and

WHEREAS: The Real Property Tax Service Agency has recommended that the fee be changed to \$75.00 per extract with all other fees remaining the same, be it therefore

RESOLVED: That Resolution No. 218-15 as amended by Resolution Nos. 385-90, 102-00, 150-07, and 345-09 be hereby amended and that the fee for RPS data files services be and hereby are established and modified as follows effective as of 05/01/2017:

RPS data files on CD, e-mailed,rps160d1,rps155p1,rps150p1, per tax entity 75.00

REFERRED TO: PUBLIC WORKS COMMITTEE
RESOLUTION NO. -17 INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last sixteen years; and

WHEREAS: Broome County has developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the years 2017-2019; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the years 2017-2019 upon approval by the County Attorney.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -17

AUTHORIZE THE SUBMISSION OF
PTS (POLICE TRAFFIC SERVICES)
GRANT APPLICATION
SHERIFF'S OFFICE

WHEREAS: The NYS Governor's Traffic Safety Council has announced a FY'17 PTS (Police Traffic Services) grant; and

WHEREAS: Applications for this grant must be received no later than May 1, 2017; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -17 ACCEPT AWARD OF ROADSIDE MARKER GRANT AND APPROPRIATE FUNDS

WHEREAS: The William G. Pomeroy Foundation strongly believes that historic markers play an important role in local historic preservation by serving a dual purpose. They educate the public and foster historic tourism, which in turn can provide much needed economic benefits to the towns and villages where the markers are placed; and

WHEREAS: The program will commemorate historic people, places or things by awarding grants to install historic markers. This funding includes a standard marker, mounting pole and shipping. Grantees are responsible for the installation of the marker; and

WHEREAS: Tioga County has been awarded \$1,060.00 for the 2017-2018 Centennial Historic Roadside Marker Grant Program for the 100th anniversary of NYS Women's Suffrage; and

WHEREAS: The funds will be used to purchase and install a historic marker on 18 Front Street in Owego NY representing the residence of Elizabeth Browne Chatfield, suffragist and private secretary to Susan B. Anthony; and

WHEREAS: Appropriation of funds and budget modification requires legislative approval; therefore be it

RESOLVED: That funding be appropriated and the 2017 budget be modified as follows:

A7510 420890 Other Culture & Recreation Income	\$ 1,060.00
A7510 540640 Supplies (Not Office)	\$ 1,060.00

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -17 AUTHORIZE CHAIR SIGNATURE ON HOST
COMMUNITY AGREEMENT BETWEEN TIOGA
COUNTY AND RENOVUS ENERGY, INC.

WHEREAS: The Economic Development & Planning Department has been in discussion with representatives of Renovus Energy, Inc. with regard to a potential solar energy system and related infrastructure ("Project") to be built and operated in the Town of Candor, Tioga County, New York; and

WHEREAS: The Town of Candor has authorized the proposed Project; and

WHEREAS: The Economic Development and Planning Legislative Committee has reviewed and recommended the agreement between Tioga County and Renovus Energy, Inc., hereafter referred to as the Host Community Agreement to the full Legislature; and

WHEREAS: The Tioga County Legislature has also reviewed the proposed Host Community Agreement; and

WHEREAS: The Tioga County Legislature believes that the best interests of the residents of Tioga County will be served by the execution of the Host Community Agreement which specifies the parties rights, interests and obligations relative to the construction and operation of the solar energy system and related infrastructure; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to sign the Host Community Agreement between Tioga County and Renovus Energy Inc. as recommended by the Economic Development and Planning Legislative Committee and upon approval by the County Attorney.

REFERRED TO: LEGAL/FINANCE COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -17 ADOPT POLICY 59
TIOGA VIDEO SECURITY
SURVEILLANCE POLICY

WHEREAS: The Safety Officer through working with the Information Technology Department and the County Attorney has expressed an interest in having a Video Security Surveillance Policy put in place for Tioga County; and

WHEREAS: There are video cameras currently installed and video cameras to be installed in County Office Buildings in designated areas for video security surveillance monitoring; therefore be it

RESOLVED: That Policy 59 Tioga Video Security Surveillance Policy is hereby adopted as follows and to be effective on adoption:

TIOGA VIDEO SECURITY SURVEILLANCE POLICY

Purpose: Tioga County may utilize video monitoring equipment at County facilities in an effort to create a safer and more secure environment at those locations. This policy is designed to detail the use of video surveillance to detail the collection and use of video information and thereby promote the privacy of those who work at and visit surveilled locations.

Systems Covered: This policy shall apply to all fixed video surveillance systems on county premises with the exception of: systems under the direction of the Sheriff including those at the Tioga Public Safety Building; those systems under the direct supervision of the NYS Office of Court Administration; covert systems employed by any law enforcement agency having jurisdiction; and video conferencing systems including those utilized for remote hearings and appearances.

General Policy: Video surveillance systems may only be deployed in public areas of county controlled premises. Conspicuous signage will be posted in common areas to inform visitors and employees that the area is being monitored.

The location and type of camera system to be deployed shall be determined by the Director of Information Technology. This may include systems and cameras which lack the capacity to record data. Placement of cameras shall only be considered for the security and safety of employees and visitors. Cameras shall never be placed in areas where privacy would normally be expected. Camera placement must take into consideration any confidential material that could be visible. No video surveillance system shall be intentionally deployed to monitor private property although the system may incidentally capture nearby premises and public activities if required to adequately monitor county areas.

Video surveillance systems will not record or monitor sound and shall not be monitored for the content of any visually captured conversations. Monitoring individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or other protected classification is prohibited.

Information and images produced by video surveillance systems are intended to: assist in the identification and prevention of threats; to deter theft and other crimes; to assist in identifying, apprehending and prosecuting offenders; to assist in gathering evidence for criminal actions; to help emergency services personnel respond to emergency events; and to assist in resolving a citizen or employee complaint or County investigation.

The County will designate personnel with the capability to monitor live surveillance footage. The County will designate a limited number of personnel with permission to view recorded video. Access levels will be designated by the Tioga Legislative Chair in consultation with the Finance, Legal and Safety Committee, the Director of Information Technology, the Director of Personnel and the County Attorney.

Recorded material may be viewed for the purposes of system maintenance, to investigate onsite incidents, claims, regulatory or policy violations and to locate material related to a legitimate criminal or other investigation. Recorded video shall not be released except as provided herein or as required by law.

Information and images produced by surveillance systems may be monitored or copied by law enforcement personnel when authorized by the Tioga Sheriff or District Attorney, by the Chair of the County Legislature, and by any other persons if authorized by a court of competent jurisdiction. The Information Technology Department may monitor, review, or copy only such video as may be necessary for system maintenance. A

log of who accessed, when and for what purposes will be maintained by the Information Technology Department.

Surveillance footage shall not be utilized to conduct personnel investigations including those related to work place attendance or work quality. However, the County may utilize routine security camera recordings in support of disciplinary proceedings or in a civil suit or other proceeding involving person(s) whose activities are shown on the recording and relate to the proceeding.

Digital data will be stored on servers accorded appropriate computer security with access by authorized personnel. Recorded analog or digital data shall be stored and maintained for at least 90 days after the date of recording, unless the Tioga Sheriff, District Attorney, Chair of the County Legislature or County Attorney determines that specified video may be material and relevant to law enforcement or administrative investigation, or to potential claims and litigation. In these cases, the imagery shall be destroyed or erased as soon as practicable, but no less than three years following the date of recording.

The Information Technology department shall be responsible for the operation and maintenance of the video surveillance systems covered by this policy, and for the implementation of this policy.

Surveillance system feeds are a tool which may be monitored to support investigations and enhance safety. The existence of such systems and of this policy, are not a guarantee of safety and does not imply that security cameras will be monitored in real time.

LOCAL LAW TO BE INTRODUCED
County of Tioga

Local Law No. of the Year 2017.

A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public office of County Treasurer shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for Office of County Treasurer for the four-year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

SECTION 2: ANNUAL SALARY

A) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2018 and continuing through and including December 31, 2021 is hereby established as follows:

1. County Treasurer	\$68,000
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SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2018.

REFERRED TO:

LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. -17

SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. A OF 2017

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2017 A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021 in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, May 4, 2017 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

REFERRED TO:

LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -17

RATIFY COLLECTIVE BARGAINING
AGREEMENT WITH TIOGA COUNTY
CORRECTIONS ASSOCIATION AND
NATIONAL CORRECTIONAL
EMPLOYEES UNION

WHEREAS: The current collective bargaining agreement between Tioga County and the Tioga County Corrections Association expired December 31, 2016; and

WHEREAS: Negotiation of a successor agreement began in August 2016; and

WHEREAS: The parties have reached a Tentative Agreement of the years 2017-2019; and

WHEREAS: The membership ratified the agreement on March 20, 2017; therefore be it

RESOLVED: That the Tioga County Legislature hereby ratifies the tentative contract for the years 2017-2019 retroactive to January 1, 2017; and be it further

RESOLVED: That the Chair of the Legislature is hereby authorized to sign the Agreement along with the Sheriff, as joint employers; and be it further

RESOLVED: That the Tioga County Legislature does hereby agree to implement the funds necessary to carry out the terms and provisions of said contract.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -17 AUTHORIZE APPOINTMENT OF
DEPUTY DIRECTOR OF PUBLIC
HEALTH
PUBLIC HEALTH DEPARTMENT

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The Deputy Director of Public Health position became vacant on December 31, 2016 and recruitment efforts have been made to backfill said vacancy; and

WHEREAS: The Director of Public Health has identified a qualified candidate who is willing and able to accept appointment; therefore be it

RESOLVED: That Susan Medina is appointed to the title of Deputy Director of Public Health at an annual, non-union salary of \$64,500 effective April 15, 2017; and be it further

RESOLVED: That Ms. Medina's appointment shall be provisional pending successful completion of civil service examination requirements and appointment from the appropriate eligible list.

REFERRED TO: INFORMATION TECHNOLOGY &
COMMUNICATION SYSTEMS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO.-17 AUTHORIZE SALARY REALLOCATION
SENIOR COMPUTER MAINTENANCE
TECHNICIAN
INFORMATION TECHNOLOGY &
COMMUNICATION SYSTEMS

WHEREAS: Legislative approval is required for the reallocation of positions within salary grades; and

WHEREAS: As a result of the recent desk audit of the Senior Computer Maintenance Technician position, there is justification that work is being performed at a salary level inconsistent with the current salary grade assignment (CSEA SG XI) for said title; and

WHEREAS The Personnel Officer has recommended that in order to rectify this disparity, the title should be reallocated to CSEA SG XIII, which is representative of a difference of \$3,800; therefore be it

RESOLVED: That the title of Senior Computer Maintenance Technician is reallocated CSEA SG XIII retroactive to February 23, 2017; and be it further

RESOLVED: That Richard Dixon's annual salary shall increase to \$48,470 retroactive to February 23, 2017.