



Tioga County Worksession Minutes August 24, 2017 – 10:00 a.m.

Legislators present:

Legislator Hollenbeck
Legislator Huttleston
Legislator Monell (*arrived @ 10:15 a.m.*)
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Absent:

None

Guests:

Matt Freeze, Reporter, Morning Times (*departed @ 11:10 a.m.*)
Margaret Ball, Agriculture Development Specialist, Tioga Co. CCE (*departed @ 10:30 a.m.*)
Pam Moore, Member, Tioga Ag Resource Group (*departed @ 10:30 a.m.*)
Andy Fagan, Executive Director, Tioga Co. CCE (*departed @ 10:30 a.m.*)

Staff present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Chief Accountant/Budget Officer Rita Hollenbeck
Director of Emergency Management Mike Simmons (*departed @ 10:53 a.m.*)
Deputy Director of Emergency Management Bob Williams (*departed @ 10:53 a.m.*)
Director of Public Health Lisa McCafferty
ED&P Director LeeAnn Tinney (*departed @ 11:05 a.m.*)
Personnel Officer Bethany O'Rourke

Ag & Farmland Protection Plan Progress Report – Lawton's Jersey Farm

In light of this being budget season, CCE Agriculture Development Specialist Margaret Ball reported it was recommended to her by ED&P Director Tinney to provide a brief presentation today followed by a full report later in November. Ms. Ball reported she will focus today's presentation on one project; Lawton's Jersey Farm. Ms. Ball reported it is important to impress upon the Legislature, as well as the public that agriculture is an important business in Tioga

County and is a main driver of our economy. Ms. Ball reported dairy is the largest sector of the County's agri-business industry. Ms. Ball reported this project is part of the Southern Tier Agriculture Industry Enhancement Program implemented through NYS Ag & Markets and administered through Tioga County Soil & Water. Ms. Ball reported eligible farms could apply for assistance in the amount of \$20,000 - \$100,000 for projects that improve farm profitability, efficiencies, or environmental areas. Ms. Ball reported Lawton's Jersey Farm was awarded a grant for a renovation of their tie stall barns. Ms. Ball reported the total project budget was \$86,000; \$64,500 grant program funds and \$21,000 applicant match. In terms of estimated impact from this project, the new and old barn each had very good production data collected over the years and improvements to the old barn are expected to increase milk production to be similar to the new barn with a potential for an 18% increase. Ms. Ball reported the project consisted of raising the barn ceiling approximately 2 ½ feet, removing posts from inside of the stalls, and also installation of energy efficient LED lighting above the stalls. Ms. Ball reported the LED lights are on 16-18 hours per day, which increased lighting attributes to increased health and milk production. Ms. Ball reported the production impact could be up to 13 lbs. per cow. Ms. Ball reported milk prices are very volatile and farmers have very little control over this aspect. Ms. Ball estimated the range of profitability could increase \$11,000 - \$37,500 annually for this project. Ms. Ball reported the energy savings from the LED lights decreased their energy use in the barn by 64%, reducing their costs by \$3,000 annually. Ms. Ball reported the employment impact of this project is helping to retain approximately four full-time agricultural jobs on the farm and created nine temporary construction jobs.

Legislator Sullivan inquired as to how many agri-businesses in the County over the last 1-2 years have been able to take advantage of grant money to improve their business. Ms. Ball reported the Southern Tier Ag Industry Enhancement Grant was one of the main programs that has been in place for the past couple of years and 14 awards were granted in the first round with six projects, to date, entirely completed. Ms. Ball reported round two awards were just announced.

Chief Accountant/Budget Officer Hollenbeck reported some of the smaller dairy farms over the past 3-4 years have gone under due to lack of a supply truck pickup, which is also out of the farmer's control. Ms. Hollenbeck inquired as to whether this is being addressed through the Ag Committee. Ms. Ball reported this is a serious challenge for the smaller dairy farms. Ms. Ball reported it is very difficult to start a dairy farm, as it is hard to get signed up with someone to buy the milk and also someone who will truck the milk. Ms. Ball reported there is not a whole lot that can be done about these types of issues on the local level, however, we can try to promote best practices on the dairy farms that will improve efficiencies.

Ag Resource Group member Pam Moore reported if the dairy farmer is in a co-op the farmer cannot be cut loose like an independent farm that just has a renewable contract every two to three years. Ms. Moore reported the farms that are under contract are the ones that are very vulnerable now. As a member and part owner of a co-op, the farmer has a little more protection and a market to sell their milk.

CCE Executive Director Fagan reported all farmers should follow best practices and improving what they can is critical.

Ms. Ball reported other options include diversification of products the farms sell. Ms. Ball reported there are a few dairy farms that can succeed by moving towards value-added products, however, by doing so it completely changes their market channel and this type of transition is difficult.

Legislator Weston inquired as to whether Ms. Ball had any statistics on what is happening to the smaller farms and are they being absorbed by the larger surrounding farms so the land is still producing. Ms. Ball reported she does not have this statistical information.

Emergency Manager –

Legislator Mullen reported Tioga County is in the top 3 counties in the State for Presidential issued emergencies since 1957. In addition, Legislator Mullen reported we are one of the very few counties in the State that does not have a full-time Emergency Management Office. Legislator Mullen reported last month’s flash flood event and the bridge washout in Nichols, NY is a prime example of what an EMO should do and EMO Director Simmons and Frank Coordinator Okrasinski were on hand and involved from start to finish. Legislator Mullen reported the positions of EMO Director, EMO Deputy Director, and Fire Coordinator are all classified as part-time positions, but all of these individuals are working above and beyond their scheduled part-time hours and part-time pay.

EMO Director Simmons distributed handouts to the Legislators regarding the current structure of the EMO and Bureau of Fire, as well as the proposed new structure of consolidating these two departments. Mr. Simmons reported he surveyed other counties in the State in regards to their structure and received approximately 20 responses. Of these responses, Mr. Simmons reported all but two counties have combined these two departments. Mr. Simmons reported the two counties that have not moved towards consolidation are the ones who have nuclear power plants and receive extra funding.

Mr. Simmons reported he met with EMO Deputy Director Williams and Fire Coordinator Okrasinski and developed a proposal for consolidation of the two departments and staffing structure:

Current Position	Proposed New Position	Comments
Director of Emergency Management – Part-time	Director of Emergency Services – Full-time	Position re-classified as full-time consolidating EMO Director and Fire Coordinator
Fire Coordinator	None	Position would be eliminated.
Deputy Director of Emergency Management – Part-time	Deputy Director of Emergency Services – Part-time	Position would be retained with increased hours from 8 to 18 hours per week.
EMO Administrative Assistant – (part-time)	EMO Administrative Assistant – (part-time)	Position would be retained as is. Current position is heavily involved in financial and grant work for the Department.
Fire Administrative Assistant – (part-time)	Fire Administrative Assistant – (part-time)	Position would be retained as is.

(6) Deputy Fire Coordinators <ul style="list-style-type: none"> • EMS Coordinator • Fire Investigation Team Coordinator • Search and Rescue Team Coordinator • IT/Communications Coordinator • Dedicated Haz-Mat Coordinator • Training Coordinator 	(3) Deputy Fire Coordinators: <ul style="list-style-type: none"> • EMS Coordinator • Fire Investigation Team Coordinator • Search and Rescue Team Coordinator 	Proposed plan would retain (3) of the (6) Deputy Fire Coordinators who are paid a stipend of \$2,000 - \$3,000 annually and eliminate (3) positions. Redistribution of duties associated with IT/Communications Coordinator, Haz-Mat Coordinator, and Training Coordinator.
---	--	---

Mr. Simmons reported the current hours for the Director and Deputy Director of EMO are primarily used for meetings, therefore, both positions are currently working above and beyond the number of hours set by the County.

Legislator Weston inquired if the Deputy Director is increased to 18 hours per week does this constitute the position as half-time where the employee is eligible for benefits. Mr. Simmons reported the Deputy Director will remain as a part-time position. Personnel Officer O'Rourke reported this is a non-union position, therefore, no benefits are currently offered for part-time positions. Ms. O'Rourke reported the Affordable Care Act stipulates if an employee is working 30 hours consistently then benefits would have to be offered. Legislator Sullivan reported the intent of this position is to remain part-time, therefore, no benefits are required. Mr. Simmons reported, with the exception of the Director of Emergency Services, all positions are part-time.

Personnel Officer O'Rourke reported the EMO Administrative Assistant also serves as the Secretary to the Sheriff. Ms. O'Rourke reported this position is no longer offered as a stipend. The duties of the EMO Administrative Assistant have been included in the job description for the Secretary to the Sheriff position, therefore if the current employee were to retire it would be expected that the new hire would continue with the same duties.

Mr. Simmons reported the Deputy Director of EMO is responsible for grant writing. We are currently in the process of trying to bring the Local Emergency Planning Committee (LEPC) back together, as it has been a few years since they have met and the Deputy Director would be responsible for this committee. In addition, the Deputy Director would be responsible for managing and directing the COAD group, which is involved with the volunteer groups following a disaster. The Deputy Director will also be involved with working with the public schools and Red Cross to develop plans. Mr. Simmons reported one position in the Fire Coordinator's Office is the Fire Police and Liaison Instructor and this position was held by Mr. Williams as the Deputy Fire Coordinator. This position will be absorbed into the Deputy Director of Emergency Services position. Mr. Simmons reviewed the duties of the other part-time Fire Coordinator positions.

Legislator Weston inquired as to whether there is a list of deliverables for the positions that are changing. Mr. Simmons reported he, along with Mr. Williams and Mr. Okrasinski, have reviewed

the current duties and the positions being retained will assume the extra duties. For the three fire coordinator positions that are being proposed for elimination, these duties will be redistributed to the Director, Deputy Director, or the remaining three fire coordinators. These duties will be assigned based on familiarity, therefore, eliminating training or drastic changes.

Mr. Simmons reported the proposed budget includes salaries without benefits and fringe for the proposed positions and there will be a net savings for the three fire coordinator positions that are proposed for elimination. Mr. Simmons reported he, as Director of Emergency Services, currently does not need retirement or health insurance, however, it has been recommended to include benefits for the position and not the individual.

Ms. Hollenbeck reported, based on the 2018 budgets submitted by EMO and Fire Bureau, the total budget was approximately \$177,000 for the two departments which included fringe without salary and fringe increases, therefore, indicating a possible cost-savings in consolidating the two departments. However, today's proposal is a budget of \$177,000 without fringe included and is not necessarily indicating a cost-savings, but definitely has the benefit for efficiency and streamlining.

From a headcount standpoint, Legislator Sullivan reported that currently there are no full-time positions in either Department and the proposal is to combine the two part-time Department Heads into one full-time position. Currently, there are six part-time positions in the Fire Bureau and two part-time positions in the EMO and the proposal is to change from 8 part-time positions to 3 part-time positions. Legislator Sullivan requested a comparison of positions and salaries from 2017 to 2018 in regards to head count; full-time, part-time (half-time), and part-time (incidental hours).

EMO Deputy Director Williams reported currently with the Emergency Management Office, half of the salaries are reimbursed by the State through grants whereas the salaries in the Fire Bureau are 100% County expense. However, if the proposed restructure is approved and all positions fall under the EMO, then all position salaries are eligible for 50% salary reimbursement by the State. Legislator Sullivan reported this is critical information and needs to be included in the salary comparison request. Ms. Hollenbeck reported this comparison should also include an increase in revenue.

Legislator Mullen reported it is the intent to have this new proposed structure in place for January 2018, therefore, needs to be part of the current 2017 budget discussions.

ACTION: Mr. Simmons will develop a comparison of positions and salaries from 2017 to 2018 in regards to headcount; full-time, part-time (half-time), and part-time (incidental hours) including grant reimbursements. In addition, this comparison will include incidental expenses and revenue from 2017 to 2018. Mr. Simmons will work with Budget Officer Hollenbeck and send this information to the Legislature, who in turn, will make the determination as to whether Mr. Simmons will need to attend a future worksession for additional discussion.

Legislator Mullen reported discussion has occurred at the committee level regarding whether we can change the Director of Emergency Services position from a competitive exam position to an appointed position serving at the pleasure of the Legislature. Ms. O'Rourke reported this is a civil service matter that has to be done and approved at the State level and not at the local level. Ms. O'Rourke reported combined titles are typically competitive positions. Mr.

Simmons reported he found that most of these Director positions are appointed whereas the Deputy Director positions are competitive, tested positions. Mr. Simmons reported he has been informed this is a change from past practice. Mr. Simmons reported he believes an appointed position has more security for the Legislature. Ms. O'Rourke reported the opposite indicating Tioga County used to have an appointed position and the change was to require an exam.

ACTION: Personnel Officer O'Rourke will inquire as to whether the Director of Emergency Services position can be changed from competitive to appointed.

Legislator Weston requested Deputy Director Williams be a part of this information gathering as he is very knowledgeable in the grant process.

2018 Budget Update –

Ms. Hollenbeck distributed handouts including the tax cap calculation and budget summary. In regards to the property tax cap calculation, Ms. Hollenbeck is projecting \$535,000 for a maximum allowable percentage of 2.31% tax levy for the County's 2018 budget. Ms. Hollenbeck reported she previously sent an email to the Legislators outlining additional scenarios using different percentage rates and reported if the Legislature were to use a true 2% tax levy there would be a dollar variance of \$460,000 with rollover of \$70,000 to use in 2019. Ms. Hollenbeck reported last year the allowance was .67% and the Legislature chose to proceed with a 0% increase. Ms. Hollenbeck reviewed the year-to-year allowances that have been used in the past. In regards to the \$535,000, Ms. Hollenbeck reported she does not want the Legislature to lose the levy leverage, however, does not necessarily recommend using the entire 2.31% maximum allowance. Ms. Hollenbeck recommended the Legislature use a true 2% or slightly under to allow rollover funds. From a budget standpoint on paper, Ms. Hollenbeck reported the County is looking at a \$3 million shortfall of the levy amount for expenses and revenues. Ms. Hollenbeck reported this shortfall needs to be gapped by appropriating fund balance. Ms. Hollenbeck reported the local share is approximately \$26 million annually and the levy amount is only \$23 million, therefore, creating a shortfall of \$3 million. Ms. Hollenbeck reported the County showed a gain in the fund balance for years 2014 and 2015. Currently, the financials are being prepared for 2016 and early projections are showing a decrease of \$1 million coming out of the fund balance. Ms. Hollenbeck recommends moving forward conservatively on the budget.

In regards to the tax cap, Ms. Hollenbeck outlined the bottom line difference from year-to-year from 2012 through current. From a year-to-year growth standpoint, Ms. Hollenbeck reported it is very minimal in regards to annual health insurance and salary increases. Ms. Hollenbeck reported there was a decrease in health insurance last year, however, this coming budget year we have increases in health insurance, as well as increases in salaries and retirement. Ms. Hollenbeck reported these increases will exceed the \$535,000 for the coming budget year, therefore, the growth is very minimal and will always warrant the use of fund balance. Ms. Hollenbeck reported currently the County has a sound fund balance, however, that cannot be sustained without an influx of good sales tax, revenue, and conservatively watching the casino revenue. Ms. Hollenbeck reviewed the first look summary of the Department's budgets and provided a year-to-year comparison. Ms. Hollenbeck reviewed the proposed 2018 budget as it currently stands, which does not include salary, retirement, and health insurance increases, or FICA increases due to the salary increases. Ms. Hollenbeck reported she applied 3% across the board for health insurance as a worst case scenario. Ms.

Hollenbeck also took the 2017 salaries and applied a 2% salary increase for a total of \$18 million, which includes all salaries, as well as overtime, stipends, vacation sell-backs, etc. Ms. Hollenbeck reported this is most likely a high number. Ms. Hollenbeck reported she does not have a 2017 projection at this time in regards to the amount appropriated versus expended. Ms. Hollenbeck reported one of the main points in the preliminary budget projection is that the Solid Waste fund is the first levy amount that needs to be taken care of, therefore, taxpayers will see a significant increase in solid waste and will be an increase of more than the 2%, as it has minimal to no fund balance to use. Ms. Hollenbeck reported this same scenario occurred three years ago when the solid waste recycle contract was due. The resolution for the recycling contract extension was adopted this month versus going out for bid, as it was explained this would be significantly less. Ms. Hollenbeck reported included in this budgetary amount is additional services for the psychiatrist position that was recently added and some of the services being enhanced. Ms. Hollenbeck reviewed the year-to-year comparisons showing the County contributed \$1.6 million in fund balance in 2015, however, withdrawing \$1 million of the \$3 million appropriated in 2016. Ms. Hollenbeck anticipates using \$1.5 million of the \$3 million appropriated in 2017. Ms. Hollenbeck reported the most significant detail in the 2018 budget is the addition of \$756,000 in revenue due to sales tax increase, as well as increased casino revenue. Ms. Hollenbeck reported the casino revenue could potentially be \$1.3 million, however, conservatively only budgeted \$1 million. Chair Sauerbrey reported she does not want to use the casino revenue for normal operating expenses. Ms. Hollenbeck reported the allowable amount in the fund balance is \$18 million, however, the entire fund balance is approximately \$23 million. Ms. Hollenbeck reported the County will receipt approximately \$1.2 million for casino revenues in 2017. Ms. Hollenbeck reported the one-time casino host amount of \$1 million was placed in reserve accounts back in 2016. Ms. Hollenbeck reported the Legislature has not done a resolution earmarking the \$685,000 received so far or the additional \$600,000 yet to be received in 2017. Chair Sauerbrey inquired as to when the Legislature should be doing these resolutions. Ms. Hollenbeck reported it is her understanding that there are two resolutions that have been or will be adopted; one through ITCS and one through DSS that will require funding. Ms. Hollenbeck reported once the DSS contract has been approved, a second resolution will be done to appropriate the contracted funds out of the software reserve account. Ms. Hollenbeck reported presently there is insufficient funds in this reserve account to encompass the contracted amount or the anticipated IT expense that is forthcoming. In light of this, Ms. Hollenbeck recommended the County adopt a resolution in September to earmark the funds into the software reserve accounts. Ms. Hollenbeck will determine the shortfall of what is needed versus what is currently in the reserve account and suggested transferring \$100,000 of the \$685,000 casino revenue funds received into the software reserve account to offset the contracted expenses.

ACTION: Ms. Hollenbeck will draft a resolution to move \$100,000 of the \$685,000 casino revenue funds into the software capital reserve account with the Legislature making a decision at a later date on allocating the remaining \$585,000 casino funds.

Chair Sauerbrey inquired about the Departments that were unable to submit a zero-based 2018 budget and the reasons for the increases.

Ms. Hollenbeck outlined the following 2018 Departmental increases:

Department	Increase Amount	Reason for Increase
Solid Waste	\$98,000	Contract for curbside recycling
Assigned Counsel	\$25,000	Additional costs due to recent arrests
Treasurer	\$186,000	\$285,000 loss in VLT revenue. Gained \$756,000 in revenue due to sales tax and casino revenue
Board of Elections	\$15,000	Insufficient funds to cover technicians salaries and increases in certain line items.
Public Works – Building & Grounds	\$25,000	Ms. Hollenbeck did not specify a reason for increase.
Liability Insurance	\$15,000	Flood insurance - double digit increase. Partners Insurance – 2.5% increase expectation, but final number yet to be received.
Sales Tax to Towns/Villages	\$150,000	Increased sales tax revenue
Public Health – Handicapped Education	\$84,000	Department does not have much control over this increase. Department used contingency funding the past two years.
911 Dispatch	\$35,000	Increase due to salary reclassification
Sheriff	\$41,000	Reduced revenue
Probation	\$12,000	Device expenses and reduced revenue
Outside Agencies	\$25,000	Request from Tourism for visitor center
ED&P	\$15,000	Services rendered for negotiating contracts

In regards to Emergency Management and Bureau of Fire, Ms. Hollenbeck reported they reduced their local share. Fire Bureau had a reduction of \$27,000 and EMO had a reduction of \$11,000. However, this information is subject to change if the Legislature chooses to move forward with the proposed restructure.

In regards to the Jail, Ms. Hollenbeck reported this is a reduction in revenue of no longer housing inmates from surrounding counties and the County paying to house inmates elsewhere in light of the recent major drug arrests, as well as inmate meals and medical expenses. Ms. Hollenbeck reported line items increased and the Jail has a hit of at least \$300,000.

In regards to Public Health and Mental Hygiene, these budgets have decreased through increased fee for services, increase in revenues, and a slight decrease in some expenses. However, these decreases do not take into consideration possible salary and fringe benefit increases.

Ms. Hollenbeck reported capital expenses are reflected in total as \$3 million in capital and \$2 million in revenue for an \$823,000 shortfall. Ms. Hollenbeck reported this includes all the vehicle and equipment requests. Ms. Hollenbeck reported she will be summarizing the capital requests and presenting at a later date.

Approval of Worksession Minutes – August 10, 2017

Legislator Monell moved to approve the August 10, 2017 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Huttleston, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes. Motion carried.

Action Items:

ACTION ITEMS FROM JULY 6, 2017:

ACTION ITEM #1 – 7/6/17 – Paying Costs for Demolished Properties –

This item will be carried forward, as we are waiting on the results from the Monroe County issue that is still pending. This action will be carried from the August 24, 2017 Legislative Worksession.

Other –

- ▶ **Senator Akshar Visit** – Chair Sauerbrey reminded the Legislature that Senator Akshar will be attending the September 7th Legislative Worksession. The purpose of the visit is to establish a dialogue and hear the concerns or issues of the Legislature and/or their constituents. Chair Sauerbrey reported one topic of discussion will be the recent major drug arrests and the County having to solely bear all the costs.
- ▶ **Senate Bills to Eliminate the SAFE Act**– Legislator Roberts reported Senator Chris Collins has introduced a Senate Bill to eliminate the SAFE Act on the national level instead of NYS level. Legislator Roberts inquired as to whether the Legislature is interested in adopting a resolution and preparing a letter of support. All legislators were in favor of the request.

ACTION: Legislative Office will draft a resolution and letter of support for signature by Chair Sauerbrey.

UPDATE: Letter has been prepared for Chair signature, as well as resolution for Legislature consideration at the September 12, 2017 Legislature meeting. Letter and resolution will be sent following the September 12, 2017 Legislature meeting.

Department Head Evaluations – Legislative Clerk Dougherty reminded the Legislators of the September 8, 2017 deadline for completing and submitting the Department Head evaluations.

Executive Session -

Motion by Legislator Monell seconded by Legislator Mullen to move into Executive Session to discuss contract negotiations. Motion carried to go into Executive Session at 11:35 a.m. County Attorney DeWind and Personnel Officer O'Rourke remained in attendance.

Executive Session adjourned at 12:04 p.m.

Meeting adjourned at 12:04 p.m.

Next worksession is scheduled for Thursday, September 7, 2017.

Respectfully submitted by,
Cathy Haskell
Deputy Legislative Clerk