



Tioga County Legislative Worksession Minutes **January 10, 2019 – 1:00 p.m.**

Legislators Present:

Legislator Balliet
Legislator Hollenbeck
Legislator Monell (*arrived @ 1:18 p.m.*)
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Legislators Absent:

None

Guests:

Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
ED&P Deputy Director Teresa Saraceno
Chief Accountant/Budget Officer Rita Hollenbeck
Personnel Officer Bethany O'Rourke

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 1:03 p.m. and welcomed newly elected Legislator Balliet.

Approval of Worksession Minutes – December 5, 2018:

Legislator Weston motioned to approve the December 5, 2018 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Balliet, Hollenbeck, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes and Legislator Monell absent. Motion carried.



Action Items:

ACTION ITEMS FROM NOVEMBER 8, 2018:

ACTION ITEM #1– 11/8/18 – Fund Balance Plan –

Chief Accountant/Budget Officer Hollenbeck reviewed fund balance policies from Madison, Cayuga, and Genesee Counties and drafted a fund balance policy for Tioga County for Legislature review.

Legislator Sullivan inquired as to whether these three counties are comparable to Tioga County. In regards to budget and population, Ms. Hollenbeck reported Madison and Cayuga Counties are slightly higher than Tioga County whereas Genesee County is very close to Tioga County. Ms. Hollenbeck reported Madison County used a percentage of their appropriation expense, Cayuga County used a percentage of their revenue lines, and Genesee County did not specify a percentage or dollar amount. Ms. Hollenbeck reported Genesee County created a fund balance policy indicating they would review their fund balance on an annual basis and review their fiscal soundness of their fund balance to determine whether any action was required.

Ms. Hollenbeck recommended the Legislature draft a fund balance policy that is as flexible as possible. Ms. Hollenbeck recommended using a minimum 12% of the budgeted appropriation amount for an \$8 million dollar range for the fund balance. This would be useable, unrestricted funds. Ms. Hollenbeck reported she would not like to see this drop below \$8 million dollars. Ms. Hollenbeck recommended the maximum of 20 million, as any surplus over and above this amount should go into a reserve account such as capital fund for a bridge project, tax levy fund to offset a year when the tax levy doesn't allow much growth, or several other reserve accounts.

In regards to operational costs for the year, Ms. Hollenbeck reported the County does not receive a significant amount of revenue for the 1st quarter of the year. Ms. Hollenbeck reported health insurance costs and payroll costs for the 1st quarter of the year equate to approximately \$6 million dollars. Ms. Hollenbeck reported unless you have incoming revenue, the County's cash flow significantly decreases. Ms. Hollenbeck reported property tax settlements do not generally start coming in until April, therefore, the only large amount coming in to the County for cash flow purposes is sales tax and prior tax settlements. Ms. Hollenbeck reported the recommended amounts allows for a good operational cash flow for the County.

Based on this draft plan, Legislator Roberts inquired as to how the County will be able to come up with the funds to restore the fund balance in the event an



unexpected expense occurs, if necessary, without raising property taxes. Ms. Hollenbeck reported the following options: increase tax levy for the following year to increase the fund balance and override tax cap, if necessary; find additional revenue source, or cut expenses. Legislator Sullivan inquired as to whether it was necessary to specify this in the fund balance policy. Ms. Hollenbeck reported if the Legislature is not willing to address what happens if the fund balance drops below a certain level than why even create a fund balance policy. Legislator Sullivan suggested re-wording the draft policy to reflect that in the event the fund balance drops below the minimum level due to an unexpected expense such as a flood event that the Legislature will review the policy.

Legislator Weston inquired as to when Ms. Hollenbeck starts to look at the status of the fund balance, as this would not be done at the beginning of the year and most likely occurring at the end of the year. Ms. Hollenbeck reported during the budget time of November and December the Legislature is adopting the following year's budget and at that time one of the budget schedules is reserve fund balances and anticipated fund balance. Ms. Hollenbeck reported this is an estimate, however, it is a fairly accurate projection based on actual data of 75% of the current year. Ms. Hollenbeck reported all counties are required in March/April timeframe to complete their Annual Update Document (AUD) and this report provides a real clear picture of exactly where the County stands.

Ms. Hollenbeck reported the State Comptroller's Office is most likely not going to cite the County for having a too low or too high fund balance, but will for not having an established policy.

Legislator Sullivan recommended re-wording the draft policy that in the event the fund balance drops below the recommended 12% then the Legislature will review and address the fund balance.

Chair Sauerbrey thanked Ms. Hollenbeck for preparing the draft policy and suggested the Legislature review and submit feedback.

Ms. Hollenbeck reported she and Jackson Bailey, Accountant, will be participating in a webinar on January 23, 2019 through the State Comptroller's Office regarding recommended fund balance policies. Ms. Hollenbeck reported if the Legislature has questions she can address during this webinar then send them to her prior to this date.

Legislature



Legislator Mullen reported his preference is for the County to be proactive and take the lead on adopting a fund balance prior to the State coming out with the directive.

Legislator Weston inquired as to the County's fund balance status over the last three years. Ms. Hollenbeck reported she does not have an exact percentage, however, an audit would most likely cite the County in the plush range with a \$24 million dollar fund balance. Ms. Hollenbeck reported the last three years prior to 2017, the County contributed to the fund balance.

Legislator Weston inquired as to whether NYS is moving forward with adopting a permanent 2% tax cap. Chair Sauerbrey reported this is currently in discussion.

Ms. Hollenbeck reported the State has indicated they do not recommend a percentage for fund balance, as their recommendation is that a fund balance in place. Ms. Hollenbeck reported the three items that are going to benefit the County is the IT Plan, Capital Plan, and a longer term financial plan. Ms. Hollenbeck reported as long as these three plans are updated regularly they will keep the unrestricted fund balance down by restricting the funds in reserve funds.

Legislator Sullivan reported the question is asked annually regarding the fund balance and the answer has been that the County has a sound, healthy fund balance. Legislator Sullivan reported this healthy fund balance has been beneficial to the County to offset the large significant unexpected costs.

Ms. Hollenbeck reported 2018 financials have not been officially closed and there are three major items that will affect the 2018 fiscal year. This includes: \$400,000 demolition cost, therefore, negating a gain on the foreclosure auction; \$500,000 pension plan change for the Sheriff deputies; and the liability claim. Ms. Hollenbeck reported these three items total \$1.3 million dollars out of the County budget that was unanticipated.

Ms. Hollenbeck reported she has been advising the Legislature that unless something changes the County will be using \$1.5 million dollars from fund balance annually to bridge the budget gap. Ms. Hollenbeck reported this is sustainable now, however, not long-term.

Legislator Roberts reported the largest expense to the County is personnel, but yet we continue to give 2-3% increases annually.

Legislator Monell reported the other large expense to the County is health insurance. **This action item will be carried forward to the January 24, 2019 Legislative Worksession.**

Legislature



Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – December 5, 2018:

Legislator Weston motioned to approve the December 5, 2018 minutes as written, seconded by Legislator Hollenbeck with Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes. Motion carried.

Legislative Clerk Dougherty reported the following:

- The January Legislative Meeting is Tuesday, January 15, 2019, at 12:00 p.m. in the Hubbard Auditorium. Finance/Legal Committee will meet at 10:30 a.m. in the Legislative Conference Room.
- Legislator Sullivan will do the prayer, pledge, and start the voting process at the January 15, 2019 Legislature meeting.

Recognition Resolution (1) –

- **Recognition of Christine M. Anthony's 30 Years of Dedicated Service to Tioga County Department of Motor Vehicles** – Legislator Sullivan will read and present this resolution to Ms. Anthony at the January 15, 2019 Legislature meeting.

Proclamation (1) –

- **National Radon Action Month** – This resolution has been read in the past, therefore, this resolution will just be noted in the January 15, 2019 Legislative meeting minutes.

Legislative Appointments (1) –

- **Cornell Cooperative Extension** – Legislator Standinger agreed to serve another one-year term on the Cornell Cooperative Extension Board, therefore, Chair Sauerbrey will make this appointment at the January 15, 2019 Legislature meeting.

Chair Sauerbrey reported CCE reports to the monthly ED&P Legislative Committee, therefore, it would be ideal to have a Legislator who serves on the ED&P Committee also serve on the CCE Board, however, is not going to change for this coming year. Possibly this is something that we could look into next year.

Legislator Roberts inquired as to the need for CCE to report to the ED&P Committee since we do have Legislator representation on the Board and they are an outside agency. Chair Sauerbrey concurred and indicated Soil & Water is also an outside agency that reports to the ED&P Committee.

Legislature



Legislator Sullivan reported the Legislature could make the determination on the frequency of their attendance (i.e., monthly, quarterly, etc.). Legislator Roberts reported he would prefer to have CCE report on a quarterly basis and not on a monthly basis.

Legislator Monell reported this should be a discussion with the ED&P Committee Chair and the committee.

Legislator Weston reported if the decision is made to no longer have CCE attend the ED&P Committee, as ED&P Committee Chair he will contact them and let them know that all information can be relayed through their Legislative Board member representative. In regards to Soil & Water, Legislator Weston reported he and Legislator Monell serve as the Legislator representatives for the Soil & Water Board and we can relay the information.

Chair Sauerbrey reported she believes both agencies should report to the ED&P Committee and it is a matter of determining the frequency.

Legislator Monell suggested having these committees attend on a quarterly basis.

Legislator Mullen concurred and indicated the County funds these outside agencies, therefore, should attend quarterly.

Standing Committees 2019 – Chair Sauerbrey will announce the establishment of the Standing Committees for 2019 at the January 15, 2019 Legislature meeting. Chair Sauerbrey distributed copies of the new committee appointments for 2019. Primarily, the change of Legislator Balliet assuming Legislator Huttleston's committee appointments with Chair of the Administrative Services Committee. Legislators Standing and Sullivan made a minor change in committees. The newly formed committees will go into effect February 2019.

Resolutions – Ms. Dougherty reviewed all resolutions with the Legislature for the upcoming January 15, 2019 Legislature meeting and discussion occurred on the following:

- **Re-Appoint Member to the Tioga County Property Development Corporation (TCPDC) Board** - Ms. Dougherty reported there are two

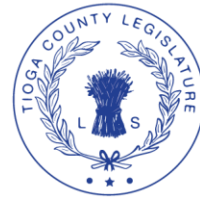


resolutions for re-appointments that did not go through the ED&P Committee.

ED&P Deputy Director Saraceno reported these two resolutions are to re-appoint Town of Newark Valley Supervisor, Stuart Yetter, and Town of Tioga Supervisor, Lewis Zorn, as their terms expired 12/31/18. Ms. Saraceno reported both individuals have agreed to serve another two-year term and the TCPDC Bylaws allows for consecutive terms.

- **Amendment of the Bylaws of the Tioga County Property Development Corporation (TCPDC), a New York Land Bank to Increase the Number of Board Members from Seven to Nine** – Ms. Saraceno reported seven board members can be challenging for a quorum and the two Legislators who serve on the Board are unable to participate as committee members. Ms. Saraceno reported this resolution requests the amendment of the bylaws in order to increase board membership from seven to nine. Ms. Saraceno reported at the next TCPDC meeting, board membership will be discussed with the intent to identify two potential candidates for Legislature consideration.
- **Resolution to Approve Continued MOU between Tioga County Probation Department and Smart Start** – Legislator Sullivan raised the question to Legislator Mullen, as Chair of the Public Safety Committee, regarding the wording in the first WHEREAS and recommended the word “drink” change to “drinking”. Legislator Mullen concurred the wording needs to be changed. Ms. Dougherty will revise the resolution prior to posting the agenda to the website.
- **Fund FMAS Software Development for Residency Certificates** – Legislator Sullivan reported this is another step in the direction of eliminating the AS/400.
- **Authorize Appointment of Safety Officer (PT)** – County Attorney reported the new part-time Safety Officer started working on Monday, January 7th. Legislator Sullivan inquired as to whether former Safety Officer Kenville has been available for training. Mr. DeWind reported Mr. Kenville was on-site 1/7 and 1/8/19.

Late-File Resolutions – Ms. Dougherty reported at this time she is not aware of any late-file resolutions.



Other –

- **Mileage Reimbursement** – Chair Sauerbrey reported any outstanding 2018 mileage needs to be submitted by 1/31/19.
- **Bishop Sheen Housing – Flash Flood Grant Opportunity** – Chair Sauerbrey reported she received a phone call from Bishop Sheen Housing and they have funds available for Tioga and Seneca Counties for those affected by the August 13-15, 2018 flash flood event. Chair Sauerbrey gathered the information and provided handouts to the Legislators to share with their constituents affected by this event. Chair Sauerbrey reported she emailed this information to Soil & Water Conservation District Manager Walsh, as well as other outside agencies. Chair Sauerbrey reported the County's only role in this is sharing of information. Chair Sauerbrey reported there is a deadline of February 2, 2019 to apply for funds. Chair Sauerbrey this is exclusively for residential homeowners and not commercial businesses.

Executive Session –

Motion by Legislator Monell, seconded by Legislator Hollenbeck to move into Executive Session to discuss an individual personnel matter. Motion carried to go into Executive Session at 1:42 p.m. with County Attorney DeWind remaining in attendance. Executive Session adjourned at 2:01 p.m.

Meeting adjourned at 2:01 p.m.

Next worksession scheduled for Thursday, January 24, 2019, at 10:00 a.m.

Respectfully submitted,

Cathy Haskell

Deputy Legislative Clerk