



Tioga County Legislative Worksession Minutes September 19, 2019 – 10:00 a.m.

Legislators Present:

Legislator Balliet
Legislator Hollenbeck
Legislator Mullen (*departed @ 10:53 a.m.*)
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger (*arrived @ 10:05 a.m.*)
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Monell

Guests:

Christina Olevano, Tioga Co. ASAP Coalition Project Coordinator (*departed @ 10:25 a.m.*)
Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Cathy Haskell
Commissioner of Public Works Gary Hammond (*departed @ 10:26 a.m.*)
District Attorney Kirk Martin (*departed @ 10:26 a.m.*)
Chief Accountant/Budget Officer Rita Hollenbeck (*arrived @ 10:03 a.m.*)
Personnel Officer Bethany O'Rourke (*arrived @ 10:04 a.m.*)

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 10:00 a.m.

Sixth Special Legislative Meeting –

Chair Sauerbrey called the Sixth Special Legislature Meeting of 2019 to order at 10:00 a.m. with seven Legislators present, Legislators Monell and Standinger being absent, for Legislature consideration of the following resolution:

- ✓ **Award Construction Oak Hill Road Bridge BIN: 3334940**

Special Meeting adjourned at 10:03 a.m. with regular worksession immediately following.



Chair Sauerbrey introduced and welcomed Christina Olevano, Project Coordinator for the Tioga County Allies in Substance Abuse Prevention Coalition, as well as Director of CASA-Trinity. Ms. Olevano is also a former County employee.

Tioga County Allies in Substance Abuse Prevention (ASAP) Coalition Presentation –

Ms. Olevano provided an update to the Tioga County Legislature on what the drug-free substance abuse prevention coalition has been doing over the past year.

Last September, Tioga County was awarded the Drug-Free Community Grant for \$124,000 per year over the course of five years to fund the Tioga County Allies in Substance Abuse Prevention (ASAP) Coalition to address youth substance abuse issues. Currently, the Coalition is heading into Year 2 of this grant, as the first year officially ends as of September 30, 2019.

Ms. Olevano reported this is a nationwide, federal grant and Tioga County is one of 17 coalitions in NYS to receive this grant. Ms. Olevano reported there is a potential for a grant extension for Years 6-10 through an application process providing the Coalition is able to achieve goals and manage finances during the initial 5-year grant. Ms. Olevano reported that if Tioga County were to receive the grant extension, a total of \$1.3 million would be awarded over the course of the ten-year grant.

Ms. Olevano reported a large part of the Coalition is the mandatory requirement of partnerships. Ms. Olevano reported the mandatory requirement is 12 community sectors who must sign agreements stating they are willing to collaborate and support the efforts of the Coalition. Initially, the Coalition had all 12 sectors; however, we currently have two vacancies; school partnership and civic/volunteer representative.

Ms. Olevano provided the following highlights:

- ✓ **Awareness Events:** The Coalition hosted several awareness events. Of these events, two were held in Owego and Waverly focusing on grandparents who are currently raising their grandchildren due to parents actively using or incarcerated due to substance abuse.
- ✓ **School District Partnerships:** The Coalition collaborated with all six school districts this past year. In 2017, a Prevention Needs Assessment Survey for students in grades 8th, 10th, and 12th was implemented. This survey is a requirement of the grant and is expected to be conducted every other year. The last time a survey of this nature was implemented countywide was in 2002. The 2019 survey is currently being created for distribution to the school



districts in October with anticipated results known by December 2019 or January 2020. The Coalition will compile the results and then meet with each individual school district to go over their own personal data and discuss how they wish to proceed. Ms. Olevano reported alcohol, marijuana, and prescription drugs are the main focal areas. Vaping and e-cigarettes was also a huge concern last year for 4-6 school districts, which the Coalition addressed.

In regards to alcohol, Ms. Olevano reported the data collected revealed Tioga County students in 8th and 10th grade is significantly higher than the nationwide average. In regards to binge drinking, the charts look very similar noting the location where students drink is at home with parent's permission or at home with someone else's permission, therefore, working on educating parents on the danger of serving to minors.

- ✓ **Project Sticker Shock** – The Coalition implemented Project Sticker Shock where youth place stickers on alcohol products at different retailers, with their permission. Ms. Olevano reported alcohol is by far the most used and abused substance by youth noting the recent rise of e-cigarette usage. Ms. Olevano reported the perception of harm for marijuana was alarming, as youth do not believe marijuana is dangerous or an issue. Ms. Olevano reported the Coalition is working with schools to educate the youth on the short-term and long-term effects of marijuana use.
- ✓ **Establishment of Facebook Page** – The Coalition established a social media presence through Facebook with 25-30 initial followers, which has grown to almost 800 followers currently. The Facebook page is primarily focused on the parent population with resource information on what they can do to reduce risk of substance abuse.
- ✓ **Action Plan** – Ms. Olevano reported the Coalition is required to submit an annual 12-month action plan in order to sustain grant funds. The Coalition submitted their annual plan in January 2019 noting the successful completion of many outlined goals, therefore, received notice of award for Year 2, which starts on September 30, 2019.
- ✓ **Community Change Forum** – The Coalition is hosting this forum on October 15, 2019 at Calvary's Love Church to gather input and garner support from the community, key stakeholders, and school personnel for formulation of Years 3-5 annual plans. Up until now, the annual plan was primarily formed by data and the Coalition.

Ms. Olevano provided an outline of the strategies used and statistics:

- ✓ **Evidence-based Strategies** - Prevention is a science and these are research-based strategies that coalitions have to use in order to make an impact.



Research shows that these strategies reduce active substance abuse, but also violence and other risk behaviors. Overall, coalitions that utilize these strategies can lower adolescent substance use rate by up to 44% in communities. Comparing pre-grant and post-grant funding the prevalence is lowered by an average of 19% for adolescent substance use. Tioga County is in a real good strong position, as data was collected pre-grant funding, therefore, establishing baselines.

Ms. Olevano highlighted the cost-benefit and burden for Tioga County:

- ✓ DWI arrests have increased from 131 to 141.
- ✓ In 2017, 134 calls for service to the Sheriff's Office directly related to substance abuse.
- ✓ In 2017, 77 overdose responses.
- ✓ 21% of calls to Child Protective Services contain allegations of drug use. This percentage is up from 18% in 2017 and 14% in 2016.
- ✓ In 2016, the data for Tioga County through a State survey for adults revealed 16% of adults in Tioga County reported regular binge drinking.
- ✓ The NYS budget shows 21.6% spent on all substance abuse; prevention, treatment, recovery services. Money spent for prevention yields a higher return rate.

Legislator Standinger inquired about Narcan trainings. Ms. Olevano reported the Coalition collaborated with the VFW Family Fun Day Event where 12 individuals were trained, as well as partnered with Waverly for a Kickball Tournament where five people were trained on Narcan.

Chair Sauerbrey reported Ms. Olevano took a failing organization and revamped it and she is very passionate about what she does. The Coalition is very grateful for her efforts.

Chair Sauerbrey presented a Legislative proclamation to Ms. Olevano proclaiming the month of October as Substance Abuse Prevention Month.

Hiring Request: District Attorney's Office -

District Attorney Martin reported the Legislature previously approved a position and re-structuring of the staffing in the District Attorney's Office. Mr. Martin reported he and Personnel Officer O'Rourke have been communicating and outlining the next steps. Mr. Martin reported the salary range for this vacant position is approximately \$57,000 - \$67,000, therefore, would like to receive Legislature approval to make an offer of \$65,000. This salary is commensurate with another position in the office and believes he can recruit highly qualified individuals at this salary.

Legislature



On a straw poll vote, Legislators Balliet, Roberts, Standinger, Weston, Mullen, Hollenbeck, Sullivan, and Sauerbrey were in favor of the \$65,000 proposed salary for the vacant position in the District Attorney's office with Legislator Monell being absent.

Going forward, Ms. O'Rourke reported the Personnel Office would need information to perform a criminal background check and ultimately Mr. Martin will need to submit a resolution to hire the chosen candidate.

Budget Update -

Budget Officer Hollenbeck distributed the following handouts:

- ✓ **Summary of Salary Increases** – Ms. Hollenbeck reported the Legislature previously decided on the Legislative salaries, non-union hourly salaries, and salary base changes whereas the Deputies and CSEA salaries were previously decided through negotiations.
 - **Legislative Office:** Noting the Legislators and Chair of the Legislature 2% increase, a small cost savings via transition of Legislative Clerk, and using the top of the range for the Deputy Clerk position, as this position is currently not filled, there is an overall cost savings in this Department. Since the Deputy Clerk position is currently vacant it is still unknown whether this individual will require insurance, and if so, whether this would be single or family coverage. Therefore, fringe is currently not calculated on this position. This office represents 11 employees.
 - **Deputies:** The salaries were previously decided. Ms. Hollenbeck reported a 7.65% FICA increase on top of the newer salaries for 31 deputies.
 - **Non-Union/Hourly Employees:** The Legislature previously agreed on a 2.5% increase for approximately 100 employees. Based on other Legislative decisions, Ms. Hollenbeck removed the employees who are eligible for the salary base change increases, as they will not be receiving the 2.5% increase on top of the lump sum increase.
 - **CSEA Employees:** The 3% increase was already negotiated. This is the largest group with 206 employees. Ms. Hollenbeck reported the only fringe increase associated with this group is FICA.
 - **Salary Base Changes:** Ms. Hollenbeck reported salary changes have been proposed for approximately 19 employees representing \$89,000 salary increase. Again, noting the only additional fringe associated with this group is FICA.



Overall, Ms. Hollenbeck reported without the new or changed positions that are yet to be decided, the total salary impact for the above-referenced positions is \$585,000 with an additional \$45,000 fringe impact for a total of \$630,000.

- ✓ **New or Changed Positions** – Ms. Hollenbeck reported these proposed changes have yet to be decided by the Legislature for inclusion in the 2020 budget process. Ms. Hollenbeck reported it is her understanding these changes came through the Personnel Office and the respective Legislative Committees.

Overall, Ms. Hollenbeck reported the total salary impact for the new or changed positions is \$813,000 with an additional \$211,000 fringe impact for a total of over \$1 million dollars. Ms. Hollenbeck reported this is the gross amount, as she has not taken into consideration any reimbursements that might be applicable to the new or changed positions.

Chair Sauerbrey inquired about the District Attorney's new attorney positions. Ms. Hollenbeck reported these positions are not reflected on this handout, as they were already decided in the 2019 budget.

Board of Elections: Ms. Hollenbeck reported the Board of Elections is not included in these position change calculations, as it was a generic request in relation to the increased number of hours required to work due to early voting mandate. Ms. Hollenbeck reported a formal request has not gone through the Personnel Office, therefore, no actual figures are known at this time.

Chair Sauerbrey reported it was noted the Board of Elections Commissioners and Deputies would need to be compensated for the increased hours due to the early voting mandate.

Legislator Balliet reported he would discuss this further at the October Administrative Services Committee meeting. Ms. Hollenbeck reported this type of change can occur during the year via a budget modification and not necessarily during the budget process, however, it would be ideal to know the figures to determine the overall budget impact.

Information Technology: Ms. Hollenbeck reported Information Technology also mentioned a potential change to the Records Clerk position in 2020, however, no solid information was presented or known at this time. Again,



Ms. Hollenbeck reported this type of change could occur during the year via a budget modification and not necessarily during the budget process.

Department of Motor Vehicles – Principal Motor Vehicle Examiner:

Ms. Hollenbeck reported this is a higher-level position. This is also a revenue-producing Department and currently their revenue exceeds their expenses. Ms. Hollenbeck also noted there is no local share and, in fact, actually offsets other Department's local share. Ms. Hollenbeck reported this new position went through the Administrative Services Committee and Personnel Office.

Ms. O'Rourke clarified the Personnel Committee did not entertain new position requests from other Departments.

Ms. Hollenbeck reported it is her understanding that through the budget process, all Departments presented the position requests to their respective committees with notification to the Personnel Office. Ms. Hollenbeck reported it is her responsibility to present the proposed requests to the Legislature during the worksession.

Legislator Roberts inquired as to whether the County Clerk provided a business plan regarding the revenue potential for the proposed new position.

Legislator Mullen reported a full-time opening became available and the part-time employee filled this position. The DMV numbers are up high enough with the Real ID and Enhanced Licenses to warrant the position. In addition, a local car dealership approached the County Clerk stating they are bringing all of their vehicle sales to Tioga County DMV for processing.

Legislator Roberts expressed concern regarding the car dealership vehicle sales processing, as this could be temporary and hiring of a new position could be permanent. The County has no guarantee or agreement in place with this local car dealership.

The Administrative Services Committee was in favor of the new proposed position.

Legislator Sullivan reported consideration was taken in regards to separation of duties by law where employees are qualified to do two different things, increase in the two different types of licenses, and past issues of trying to recruit part-time personnel.

Ms. Hollenbeck reported the current budget reflects five full-time and one part-time employee. It is unknown as to whether the County Clerk intends to



abolish the part-time employee with the creation of a full-time position or maintain the part-time employee. In the event the part-time position is abolished, Ms. Hollenbeck reported the figures presented would change. Ms. Hollenbeck will clarify with County Clerk Klett whether her intention is to abolish the part-time position or to maintain this position in addition to the proposed full-time position.

Civil Service Technician Position (Personnel Office) – Ms. O'Rourke reported this position was presented to the Personnel Committee and briefly with the Legislature. Ms. O'Rourke reported the Personnel Committee unanimously supported this position. Ms. O'Rourke reported this position is requested due to the significant increase in turnover in County retirements that Personnel has seen over the past several years. This trend was supported through the Institute for Advancement analysis and Ms. O'Rourke reported she does not foresee this trend ending soon. Ms. O'Rourke reported the Personnel Office is also responsible for service to the schools, towns, and villages.

Legislator Roberts inquired as to what services are conducted for the schools and municipalities and whether this is necessary. Ms. O'Rourke reported it is a mandated service that includes recruitment and orientation on the front-end and employment exiting on the back-end, as well as annual certification of non-instructional payrolls.

Ms. O'Rourke reported she would offer a promotion to an existing employee and then backfill the lower level position.

Chair Sauerbrey reported the Personnel Committee supported this new position and expressed her support for this position as well, therefore, majority support for this new position to move forward in the budget process.

Public Health Positions: Ms. Hollenbeck reported the two new dental positions and one Early Intervention position went through the Health & Human Services Committee, as well as discussed with the Personnel Office.

In regards to the Early Intervention position, Ms. Hollenbeck reported the Department currently has three Early Intervention positions and the new position is for a Lead Early Intervention Service Coordinator, which is one grade higher than the current three positions. Ms. Hollenbeck reported these four positions are all CSEA positions.

In regards to the dental positions, Ms. Hollenbeck reported Public Health receives fee for service on the dental van.



Ms. O'Rourke reported it is her understanding from the Director of Public Health that the current dental positions are contractual and the analysis revealed it is less expensive to bring these contractual employees on as County employees. Legislator Standinger concurred. Legislator Roberts inquired whether the analysis included fringe expenses.

Ms. Hollenbeck reported the two dental positions are approximately \$140,000 total. Ms. Hollenbeck will request validation that these positions are offsetting the contracted costs or revenue and then recalculate. Ms. Hollenbeck will email information to Legislators prior to the next worksession.

In regards to the Early Intervention position, Legislator Standinger reported this position is State reimbursed at approximately 50%.

Legislator Roberts reported he would like to have a better understanding of these positions, as he is not on these committees.

For the future, Legislator Sullivan suggested having people more prepared to explain the requests and have information in advance of the meeting.

In addition to the County Clerk (DMV) and Public Health departments that Ms. Hollenbeck will follow-up with for clarification, Legislator Sullivan suggested Ms. Hollenbeck request any other supporting documentation for these requests.

Legislator Roberts reported he did not believe this was the Budget Officer's responsibility and that these requests should come from and through the respective Legislative Committee Chairs.

Legislator Balliet, as Chair of the Administrative Services Committee, reported he would make sure the DMV position is clarified.

Chair Sauerbrey clarified the three Public Health positions (Lead Early Intervention Service Coordinator and two dental positions) are approved to move forward for inclusion in the budget process.

Changes in Current Positions: Ms. Hollenbeck reported the following proposed position changes for either increased salaries, title changes, or employment status changes from part-time to full-time were discussed in their respective Legislative Committees, as well as with the Personnel Office.



Ms. Hollenbeck reported the fringe is not as significant, as they all currently have a level of fringe associated with the position, with the exception of, the part-time to full-time employment status request.

In regards to the employment status change request from part-time to full-time, Legislator Balliet reported this request is still under discussion and a meeting is scheduled for later today.

Ms. O'Rourke reported for the Veterans position there is a vacancy regulation that has to be posted for 60 days upon decision to recruit regardless of part-time or full-time status. Ms. O'Rourke suggested posting as soon as the Legislative decision is known.

Chair Sauerbrey reported further discussion regarding this position would occur in an executive session at the conclusion of this regular meeting.

On a straw poll vote, Legislators Balliet, Roberts, Standinger, Weston, Hollenbeck, Sullivan, and Sauerbrey were in favor of moving the other two changed positions identified on the handout forward for inclusion in the budget process.

Health Insurance: Ms. Hollenbeck reported she is still waiting for actual 2020 health insurance rates. Ms. Hollenbeck reported the health insurance is capped at 10%, but the actual rates are unknown at this time. In regards to the HRA, Ms. Hollenbeck reported a 72% utilization rate. Ms. Hollenbeck reported she would be providing final budget numbers in October.

Capital Expenses: Ms. Hollenbeck reported she has not received Legislative approval in regards to the capital budgets that were presented at the last worksession. Chair Sauerbrey reported the Legislature needs to see where the budget stands before making final decisions.

Ms. Hollenbeck reported the County has a tax cap variance from year-to-year in order to stay within the 2% (\$450,000 - \$500,000). This is a variable based on the PILOTs. Ms. Hollenbeck reported the salary increases presented and approved are well over this amount. Ms. Hollenbeck anticipates the Legislature having to appropriate over \$3 million from fund balance.

Legislator Weston reported the Legislature is mostly reactive and decisions are not proactive. Legislator Weston suggested at looking at other opportunities for revenue increases within our Departments to offset the increased expenses.

Legislature



Ms. Hollenbeck reported the Legislature has three 5-year plans in place; Information Technology, Capital, and Financial. Ms. Hollenbeck reported when the 5-year Financial Plan was done initially it was used as a negotiating tool as the County was doing so well, however, the last two years the Legislature appropriated from the fund balance. Ms. Hollenbeck suggested an updated 5-year Financial Plan. Secondly, Ms. Hollenbeck reported she has previously shared with the Legislature the local share increases. This would provide a snapshot of the Departments expenditures, revenues, and their local share to determine whether there is an actual local share increase.

HAVA Funds (Board of Elections): Legislator Sullivan reported it was recently determined there are available HAVA funds for the Board of Elections. Legislator Sullivan inquired as to how much is currently set aside for voting machines. Ms. Hollenbeck reported there is currently \$240,000 set aside in a capital fund. Legislator Sullivan inquired as to whether these funds are strictly reserved for Board of Elections. Ms. Hollenbeck reported these funds are not in a separate reserve account specifically for voting machines, therefore, these capital funds can be used for other capital expenses.

Legislator Balliet reported there is \$140,000 in HAVA funds. Ms. Hollenbeck reported it has been clarified the HAVA funds can be used for voting machines or electronic poll books. Of this \$140,000, Ms. Hollenbeck reported \$60,000 would be used to offset the electronic poll books per the recently adopted resolution, therefore, a remaining balance of \$80,000.

Legislator Balliet reported more information would be forthcoming at the October meeting.

Approval of Worksession Minutes – September 5, 2019 -

Legislator Roberts motioned to approve the September 5, 2019 Legislative Worksession minutes as written, seconded by Legislator Sullivan with Legislators Balliet, Hollenbeck, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes with Legislators Monell and Mullen being absent. Motion carried.

Action Items -

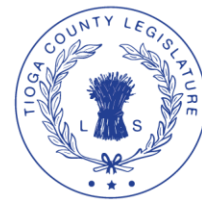
ACTION ITEM FROM SEPTEMBER 5, 2019:

ACTION ITEM #1 – 9/5/19 – Budget Update: Outside Agency Requests (Tourism) –

Chair Sauerbrey contacted ED&P Director Tinney and requested written documentation supporting the original Tourism funding commitment. Information was provided to the Legislature and the decision was made for the 2020 budget.

This item is completed and will be removed from the Action Item List.

Legislature



Other –

- **Cold War Exemption** – Legislator Roberts reported the Legislature previously discussed the Cold War Exemption and inquired about the status outcome. Chair Sauerbrey reported the Legislature did not pursue the exemption as it was exempting another group of people from paying taxes that would be spread over the rest of the population.

Executive Session –

Motion by Legislator Roberts, seconded by Legislator Hollenbeck to move into Executive Session to discuss an individual personnel matter. Motion carried to go into Executive Session at 11:17 a.m. with County Attorney DeWind and Personnel Officer O'Rourke remaining in attendance.

Executive Session adjourned at 11:32 a.m.

Meeting adjourned at 11.32 a.m.

Next worksession scheduled for Thursday, October 10, 2019, at 1:00 p.m.

Respectfully submitted,

Cathy Haskell

Legislative Clerk