



Tioga County Legislative Worksession Minutes **October 25, 2018 – 10:00 a.m.**

Legislators Present:

Legislator Hollenbeck
Legislator Monell (*arrived @ 10:09 a.m.*)
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Huttleston

Guests:

Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Chief Accountant/Budget Officer Rita Hollenbeck
Probation Director Joy Bennett
Sheriff Gary Howard (*departed @10:30 a.m.*)
Undersheriff Mike Jackson (*departed @10:30 a.m.*)
Captain Rich Hallett (*departed @10:30 a.m.*)
Lieutenant Nate Marsh (*departed @10:30 a.m.*)
Personnel Officer Bethany O'Rourke (*arrived @ 10:04 a.m.*)

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 10:02 a.m.

2019 Budget Update -

Budget Officer Hollenbeck reported there are two outstanding payroll issues related to positions in the Probation Department and Sheriff's Office for Legislature decision. Ms. Hollenbeck reported the Probation Department is requesting the reclassification of a part-time position to full-time and the Sheriff's Office is requesting five full-time correction officers and the elimination of 12 part-time staff. Ms. Hollenbeck reported once these decisions are made she can move forward with finalizing the 2019 budget.

At the last worksession, Chair Sauerbrey requested discussion occur within the Public Safety committee in order to bring forth recommendations today regarding these positions, however, believes these are still outstanding issues. Legislator Mullen reported several discussions have occurred over the past couple of months regarding these departmental position proposals. Chair Sauerbrey reported both departments are represented here today, therefore, recommended the Legislature move forward with the decision-making process.

- **Probation Department: Reclassification of Office Specialist I Position from Part-time to Full-time** – Probation Director Bennett distributed a handout detailing the current part-time position, as well as the proposed full-time position with fringe/salary. Ms. Bennett reported the current part-time Office Specialist I position is scheduled to work 17 hours per week; Monday (9-5), Wednesday (9-5), and Friday (9-12) to cover the days county court is in session and when individuals report for release of supervision. However, Ms. Bennett reported she is requesting to enlarge this position from part-time to full-time in order to accommodate office coverage on Tuesdays for JD appearance tickets, which she expects will double with Raise the Age. In addition to the expectation of doubling the number of juvenile appearance tickets, Ms. Bennett reported Raise the Age currently requires tracking of all activity for 16 year olds and the same for 17 year olds starting next year in order to submit claims for the Raise the Age Comprehensive Plan. In regards to Raise the Age, Ms. Bennett included this position in the comprehensive plan and is requesting 100% reimbursement, however, the plan has not been approved by the State at this time nor have any plans been approved in NYS. Ms. Bennett reported the Probation Office is currently on their fourth submission.

Legislator Mullen reported the confusion with this position lies with the fact that the employee identified to fill this position recently left employment for another county. Legislator Mullen reported he supported the initial request and continues to support this position reclassification request.

Ms. Bennett inquired as to whether she needs to inform potential candidates at time of interview that the position is full-time, but may be reduced to part-time in the future depending on funding. Legislator Mullen concurred indicating that the position is full-time for 2019 with further discussion to occur next year.

On a straw poll vote, Legislators Mullen, Roberts, Standinger, Weston, Hollenbeck, Monell, Sauerbrey, and Sullivan were in favor of reclassifying the Office Specialist I position from part-time to full-time in the Probation Department for the 2019 budget with Legislator Huttleston being absent.

- **Sheriff's Office: Addition of Five (5) New Full-Time Correction Officers and Elimination of Part-Time Correction Officers** – Sheriff Howard reported during the budget process the part-time line was reviewed. Sheriff Howard reported for the last five months, the Sheriff's Office has not had any part-time correction officers. Sheriff Howard reported the allotment is twelve (12) part-time correction officers, but recruitment is proving difficult due to individuals uninterested in accepting part-time employment or individuals

unsuccessfully passing the required test. Sheriff Howard reported the proposal is to eliminate the part-time correction officers and hire five full-time correction officers. Sheriff Howard reported the cost to the county for part-time staff includes eight weeks of field training and eight additional weeks of basic academy for \$10,000 total training for each position. Sheriff Howard identified the following issues related to lack of staff:

- ✓ Overtime – Overtime shifts are being filled with full-time staff due to lack of part-time staff. Sheriff Howard reported Undersheriff Jackson did an overtime analysis on the jail and on average over the last four years 71% of overtime was solely to cover shifts with the remaining 29% used for transports, hospital details, constant and medical watches, etc.
- ✓ Comp Time - The Sheriff's Office has accrued \$82,000 in comp time with several employees reaching the maximum cap of 480 hours. Once they reach this cap, they are eligible to convert comp time for overtime pay.
- ✓ Vacation Time – The usage of comp time presents an issue with vacation usage. Currently, 19 correction officers receive the maximum 20 vacation days per year, therefore, usage of comp time affects their ability to use vacation time. Sheriff Howard reported the County only allows a certain amount of carryover vacation time.

Sheriff Howard reported the next corrections officer test is being offered on November 17th with 19 people registered. Sheriff Howard reported the last test given 24 people were registered. Of these 24 registrants, two applications were rejected, two failed to show, 14 passed the written test, but only six of these individuals passed the agility test. Sheriff Howard reported of these individuals, three were hired and the others declined due to part-time employment status. Sheriff Howard reported there are over 1500 days (8 hour shifts) of overtime and part-time hours on average that need to be filled annually.

Chair Sauerbrey inquired as to whether the hiring of five full-time correction officers will eliminate the part-time and overtime issues. Sheriff Howard reported the full-time proposal request will not eliminate the overtime issues, but will drastically reduce.

Legislator Sullivan inquired about the net added cost to the County. Ms. Hollenbeck reported five full-time correction officers, without the inclusion of comp time, overtime, or training, at the identified salary and fringe minus the elimination of the 12 part-time positions salary and fringe equates to the net local share cost of \$123,112. Sheriff Howard reported based on the timing of the test given, results received, and process of hiring these positions; the Sheriff's Office most likely would not fill these positions until April 2019.

Based on discussion at the last worksession regarding the possibility of only adding three versus five full-time correction officers and eliminating only eight of the 12 part-time staff, Ms. Hollenbeck reported the net cost is not much different. Ms. Hollenbeck reported the local share cost would be \$59,328, however, the overtime line would need to be increased to \$50,000 for a total local share of \$109,328.

Undersheriff Jackson reported the Sheriff's Office reviewed budgets for the past four years and looked at the known realities of part-time recruiting difficulties and the average number of overtime hours and part-time hours worked over this period requires filling 1531 days of extra work and how best to accomplish these issues.

Mr. Jackson reported the Sheriff's Office prepared three scenarios using three, four, and five full-time staff using the following formula:

Example: Three full-time staff at \$37,208 for a total of \$111,624. Multiply this by 70% (estimated fringe) for a total cost of \$189,760 for salaries/fringe. In addition, each staff person is required to work 260 days annually, however, they receive four personal days and sick time, therefore, most likely, this number is reduced to 250 days annually. Multiplying 250 days by three staff equals 750 days, therefore, creating a shortage of 781 days that needs to be filled with overtime. This scenario requires \$227,000 to cover the overtime to meet the required number of workdays.

Mr. Jackson applied this formula for three, four, and five full-time staff and with the maximum number of five full-time staff with salaries/fringe at \$315,367; overtime is reduced to \$83,000. Mr. Jackson reported the current part-time hourly wage is \$14.39 and there are part-time jobs available in other businesses at or close to this rate with far less liability. Mr. Jackson reported regardless of whether the Legislature decides to hire five full-time staff the hours still need to be met with overtime, which presents another issue of staff burnout.

Legislator Mullen reported he has had several conversations over the last couple of months regarding these positions and realized the request for five full-time staff is legitimate based on the information provided. Legislator Mullen reported the liability situation is huge and burnout is realistic. Legislator Mullen reported he believes five full-time positions is the best-case scenario and supports the Sheriff's Office proposal.

Legislator Standinger reported it is unfortunate that we are in this situation, however, will go along with the Public Safety Committee recommendation.

Of the three scenarios, Legislator Sullivan inquired as to whether the hiring of five full-time versus three full-time employees would create less of an impact on overtime. Mr. Jackson reported this is correct.

Legislator Roberts inquired as to whether the Public Safety Committee was in favor of hiring five full-time correction officers with the elimination of part-time correction officers. Chair Sauerbrey reported the committee is in agreement with the five full-time correction officer and elimination of part-time corrections officer proposal.

On a straw poll vote, Legislators Monell, Weston, Roberts, Standinger, Mullen, Hollenbeck, Sullivan, and Sauerbrey were in favor of the Sheriff's Office proposal for five full-time correction officers and the elimination of all part-time correction officers with Legislator Hutleston being absent.

Ms. Hollenbeck reported the following bottom line 2019 budget figures:

- ✓ Appropriations - \$81 million
- ✓ Estimated Revenues - \$54 million
- ✓ Fund Balance Usage - \$3.1 million
- ✓ Tax Cap – 2.05%

Ms. Hollenbeck reported she has three additional reports by department, function of government and overall judicial versus financial funding she could share with the Legislature today or email for later discussion. Legislators agreed Ms. Hollenbeck should email the reports with follow-up discussion to occur at the next worksession, if necessary.

Ms. Hollenbeck reported the last piece of the budget is the final assessment rolls, which are anticipated to be received tomorrow. Ms. Hollenbeck reported she would present the Legislature with the town tax rates, as well as the apportionment to each of the towns.

Legislator Weston inquired as to whether Ms. Hollenbeck has heard of any counties that will not be able to stay under the 2% tax cap. Ms. Hollenbeck reported she has heard of 3-4 counties that are possibly going to pass a resolution to override the tax cap. Ms. Hollenbeck reported when a county adopts a resolution to override a tax cap it potentially jeopardizes future grant funding.

Ms. Hollenbeck reported all Departments have enhanced their ability for vehicle purchases, programmatic services, additional funding, etc. by aggressively seeking grants. Ms. Hollenbeck reported the resolutions recently passed are the direct result of grant awards because the Legislature holds the Departments to a zero-based budget.

Legislator Weston inquired about bonding. Ms. Hollenbeck reported the County had one bond in 2010 and another one in 2013 and our debt continues to decrease. The first bond payoff is 2030. Ms. Hollenbeck reported the County's debt is minimal in comparison to other counties. Ms. Hollenbeck reported the \$2 million paid out of sales tax is first applied to the bond payment and any overage goes to the capital fund. Ms. Hollenbeck reported, as of September 2018, the County is contributing \$145,000 to the capital fund and anticipates this to be over \$500,000 by year-end. Ms. Hollenbeck reported this is the highest the County has seen go to the capital fund from sales tax in approximately eight years.

Legislator Standinger thanked Ms. Hollenbeck for doing this work noting it is not an easy task.

Approval of Worksession Minutes – October 11, 2018:

Legislator Monell motioned to approve the October 11, 2018 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes with Legislator Huttleston being absent. Motion carried.

Action Items:

Currently, there are no action items at this time.

Other:

- **November & December Date Changes** - Chair Sauerbrey announced the following date changes for November & December:
 - **2nd November Worksession** – Due to the Thanksgiving holiday, this worksession has been **rescheduled to Tuesday, November 20th**.
 - **December Committees (Public Works & Personnel) & 1st Worksession** – Due to a scheduling conflict, the committees & 1st worksession scheduled for Thursday, December 6th, have been **rescheduled to Wednesday, December 5th**.
- **Dick Huttleston's Recognition** – Chair Sauerbrey reported Legislator Huttleston is officially retiring at the end of the year. Chair Sauerbrey reported she is inviting Legislator Huttleston to attend as well as participate at the December 11, 2018 Legislature meeting at which time the Legislature will recognize his 26 years of dedicated service to the County. Invitations will be sent to those who have worked with Legislator Huttleston over the years. Chair Sauerbrey reported a small reception would immediately follow the meeting.

- **Passing of Kathy McEwen** – Chair Sauerbrey reported Kathy McEwen, former DSS employee and wife of former employee/Legislator Ron McEwen, passed away on October 21st. Calling hours and funeral will be held on Saturday, October 27th, from 10:00 a.m. – 12:00 p.m. at the MacPherson Funeral Home, Newark Valley. On behalf of the Legislature, a sympathy card was mailed to Mr. McEwen.

Executive Session:

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

Meeting adjourned at 10:44 a.m.

Next worksession scheduled for Thursday, November 8, 2018 at 1:00 p.m.

Respectfully submitted by,

Cathy Haskell

Deputy Legislative Clerk