



Tioga County Legislative Worksession Minutes March 8, 2018 – 1:00 p.m.

Legislators Present:

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

Legislators Absent:

None

Guests:

Bryant Myers, Tioga County IDA Executive Director (*departed @1:41 p.m.*)
Matt Freeze, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Personnel Officer Bethany O'Rourke
Planning Director Elaine Jardine (*departed @1:01 p.m.*)
Democratic Election Commissioner Kristine Kwiatkowski (*departed @ 1:19 p.m.*)
Republican Election Commissioner Bernadette Toombs (*departed @ 1:19 p.m.*)
ITCS Director Doug Camin (*arrived @ 1:33 p.m./departed @1:55 p.m.*)

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 1:00 p.m.

1:00 PM – Public Hearing: Annual Agricultural Inclusions:

Legislative Clerk Dougherty read the legal notice for today's public hearing. County Planning Director Jardine reported two requests from the Town of Nichols totaling 122 acres active dairy farm land. Ms. Jardine reported the Ag & Farmland Protection Board met and recommended the Tioga County Legislature approve the modification. A resolution is included in the meeting packet for Legislature consideration at the March 13, 2018 Legislature meeting. Public hearing adjourned at 1:01 p.m.

Board of Elections Voting Machine Technicians:

Due to an unforeseen medical leave of one of the voting machine technicians, Chair Sauerbrey reported the Board of Elections was unable to provide assistance for the Village of Owego election. Chair Sauerbrey reported the County certainly wants to provide election support to the villages and school districts, however, to do so the County needs to make some changes.

Legislator Sullivan reported the Administrative Services Committee and election commissioners have been discussing this issue over the past couple of months. Legislator Sullivan reported she sent an email to the Legislators yesterday providing background information and provided hard copies at today's meeting. Legislator Sullivan reported one of the options is to increase the two voting machine technician's hours. Currently, these are part-time, hourly positions with hours not to exceed on average 17 hours per week. Legislator Sullivan further reported the committee wants to avoid converting these positions to full-time.

Legislator Sullivan outlined the committee's proposal as follows:

1. Maintain the two voting machine technicians as part-time, hourly employees but increase their hours from 17 to 29.5 hours per week on average. Legislator Sullivan reported Personnel Officer O'Rourke researched and advised that as long as the hours remained under an average of 30 hours per week then they are not eligible for the benefits of a full-time employee.
2. All six employees of the Board of Elections office should maintain their skills and training levels on these voting machines, so that in the event there is a vacancy the office can continue to conduct business without interruption. This requires all six employees receive training as soon as possible.

Legislator Sullivan reported the above-outlined proposal requires additional, unanticipated expenses in 2018. Legislator Sullivan reported the additional salary expenses for the increased hours for the two voting machine technicians equates to \$14,800. Legislator Sullivan reported for all six employees to comply with the training requirement would be an additional cost of \$13,000. In addition to the above-referenced increased expenses, Legislator Sullivan reported this exercise brought to light that this year's Board of Elections budget was already underfunded in the part-time line, creating a \$12,300 shortage for the voting machine technicians at the original 17 hours per week.

Legislator Mullen reported when the Board of Elections provides election support to a municipality or school district, there is zero cost to the County. Board of Elections invoices the municipalities for all time and services provided. Republican Election Commissioner Toombs reported this includes all programming of the voting machines, testing, running a mock election, and all time spent from start to finish. Ms. Toombs reported the municipalities directly pay the printer for the paper ballots, as well as the election inspectors. Ms. Toombs reported Board of Elections request the municipalities utilize election inspectors that have been trained through their Department.

Legislator Weston inquired as to whether the voting machine technicians would work year-round. Legislator Sullivan concurred they work year-round, but their hours will fluctuate every week based on need, but cannot exceed 29.5 hours per week on average. Legislator Weston inquired as to who will be responsible for tracking the voting machine technicians time to ensure they are not exceeding the allotted hours. Legislator Sullivan reported the County is relying on the commissioner's to run a cumulative total number of hours as the year progresses and to manage their Department accordingly so the technicians do not exceed their allotted hours.

Chair Sauerbrey reported it is critical to ensure that we have trained staff using these machines to avoid possible election challenges and nullifications.

Although early voting operations could be in our future, Legislator Sullivan reported this is a separate issue from the proposal stated above.

Chair Sauerbrey requested Legislature support to amend the Board of Elections 2018 budget shortage, increase the two voting machine technician's hours, and additional expenses to train all six Board of Elections staff.

Legislator Sullivan reported the current situation is by no fault of the commissioner's. Legislator Monell reported everyone should be taking responsibility for the situation.

Chair Sauerbrey thanked Ms. Toombs and Ms. Kwiatkowski for providing the requested data and thanked Legislator Sullivan for the work she did with this committee.

Legislator Weston inquired as to who delivers the voting machines. Ms. Toombs reported the machines are delivered by the voting machine technicians with use of the Board of Elections truck and one of the Buildings & Grounds trucks for transport.

Legislator Roberts inquired as to how the additional expenses will be funded. Chair Sauerbrey reported this most likely will come from the Contingency Account, however, discussion with Budget Officer Hollenbeck will need to occur next week.

On a straw poll vote, all legislators were in support of amending the Board of Elections 2018 budget shortage, increasing the two voting machine technician's hours, and additional expenses related to training all six Board of Elections staff.

Approval of Worksession Minutes – February 22, 2018:

Legislator Roberts motioned to approve the February 22, 2018 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:

Currently, there are no action items.

Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – February 8, 2018:

Legislator Monell motioned to approve the February 8, 2018 minutes as written, seconded by Legislator Sullivan with Legislators Hollenbeck, Huttleston, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes. Motion carried.

Legislative Clerk Dougherty reported the following:

- The March Legislative Meeting is scheduled for Tuesday, March 13, 2018, at 6:00 p.m. in the Hubbard Auditorium. The Finance/Legal Committee will meet prior at 4:30 p.m. in the Legislative Conference Room.
- Legislator Standinger will do the prayer and pledge and start the voting process at the March 13, 2018 Legislature meeting.
- Legislative Budget is tracking well.
- Review of Policies/ Policy Attestation – Due March 31, 2018. These are done electronically – no paper copies allowed. Ms. Dougherty provided instructions via email on how to access this information remotely. Legislators can also access this attestation on the Legislative Office computer.
- Financial Disclosure – Due May 15, 2018 – Submission is hardcopy only to the Law Dept.

Proclamations –

- **Welcome Home Vietnam Veterans Day** – Legislator Huttleston will read and present this proclamation to Veterans Service Agency Director Holton at the March 13, 2018 Legislature meeting.
- **Rabies Prevention & Awareness Month** – Legislator Standinger will read and present this proclamation to Public Health Director McCafferty at the March 13, 2018 Legislature meeting.

State of the County Address 2017:

Chair Sauerbrey will read and present the State of the County Address 2017 at the March 13, 2018 Legislature meeting.

Resolutions:

All resolutions were reviewed with discussion on the following:

- ▶ **Create a County Animal Response Team (CART)** – Legislator Mullen reported the County is required to establish this response team as a requirement to receive emergency management funding. Legislator Sullivan inquired as to whether this requirement would result in additional headcount or expenses and Legislator Mullen reported it would not.

Other:

- **Tioga County IDA Letter of Support for Tioga-Spencer, LLC PILOT Request** – IDA Executive Director Myers reported he presented the Cost Benefit Analysis and project to the Legislature at the February 22, 2018 Legislative Worksession and requested a letter of support from the Legislature. At that time, the Legislature asked Mr. Myers to gather additional information, which he later emailed the responses to the Legislature and provided handouts at today's meeting.

Mr. Myers reported approximately 823 Tioga County and 1,434 Chemung County residents will benefit from a reduction in their energy bills. Mr. Myers reported the property taxes that are paid on these three parcels would remain to be paid at 100%. Currently, Tioga County is receiving \$6,307.85 for all three parcels and \$340.00 for the recycling payment. Mr. Myers reported the first year PILOT payment is \$89,600 and from there it is going to escalate 2% annually over the course of the 30-year PILOT. Mr. Myers reported construction for this project is slated to commence at the end of the year.

Legislator Sullivan inquired about the sales tax abatement of \$673,000 and whether this is sales tax that would come to the County. Mr. Myers reported approximately 75% of

the 4% sales tax will remain in the County and the 25% will be distributed to the town. Legislator Sullivan inquired as to how the sales tax abatement amount was determined, as it is unlikely most of the materials will be purchased in Tioga County. Mr. Myers reported he spoke with the company today and was advised to stay with this amount as a worst-case scenario. Off from this number, Mr. Myers reported the anticipated change from last year's approval to this year for the County is \$140,000.

Legislator Weston inquired about a public hearing. Mr. Myers reported a public hearing was held in the Town of Spencer on 2/28/18. In addition, Mr. Myers reported he would be attending the Town of Spencer meeting next week and meeting with the school board this evening. Mr. Myers also met with Town of Spencer Supervisor Thayer last week to address some concerns.

Legislator Sullivan inquired as to whether there is any contract language to ensure the company's responsibility for cleanup at the end of the project. Mr. Myers reported the company is responsible for cleanup, which should not be an issue as there is actually value in the material that the company is able to re-sell.

On a straw poll vote, all legislators were in favor of issuing a letter of support to the Tioga County IDA for the Spencer-Tioga Solar, LLC PILOT request.

ACTION: Chair Sauerbrey will draft a letter of support to the Tioga County IDA for the Spencer-Tioga Solar, LLC PILOT request.

- **Resolution Opposing the Extension of Early Voting Operations** – Chair Sauerbrey reported the Governor is in favor of establishing early voting operations for populations of 50,000 or above. Chair Sauerbrey reported the Governor is proposing one location for populations of 50,000 to be operational daily for 12 days. Chair Sauerbrey reported Steuben County provided an example of their resolution opposing early voting operations and inquired as to whether the Legislature was interested in drafting a similar resolution in opposition of early voting operations. All Legislators were in favor of drafting a similar resolution in opposition of early voting operation as a late-file resolution for Legislature consideration at the March 13, 2018 Legislature meeting.

Legislator Mullen encouraged the Legislature stay on top of this issue, as this will be an increased expense creating a potential shortfall in the Board of Elections budget if the Governor passes early voting operations.

ACTION: Legislative Clerk Dougherty will draft a late-file resolution for Legislature consideration at the March 13, 2018 Legislature meeting.

- **Shared Services Initiative** – Chair Sauerbrey reported the Shared Services Panel met last evening and was successful in reducing the current list of seven items to one; IT Shared Services. Chair Sauerbrey reported the Shared Services Panel believes there is taxpayer dollar savings in IT shared services. Chair Sauerbrey reported today's Morning Times features an article on last night's meeting and Deputy Legislative Clerk Haskell will email the meeting minutes to the Legislature. Chair Sauerbrey reported ITCS Director Camin has developed a plan where Tioga County IT Department can work with towns and villages for connectivity and improving data security and services. Chair Sauerbrey reported this is a multi-year project.

In anticipation of this type of request, Mr. Camin reported the IT Department over the last few years has laid a lot of groundwork internally to offer these types of services to the municipalities. Mr. Camin gathered data from the municipalities to determine potential savings. For example, the Town of Owego could see a savings of \$20,000 -

\$30,000 annually and then this savings would accrue back to the County as it allows the opportunity to spread out the dollars the County spends on IT services over a larger base of users and reduces the local tax burden. Mr. Camin reported two primary goals of this shared service is to improve services of IT that is currently available in the towns and villages and the other is to improve their security profile and posture. Mr. Camin reported the Shared Services Panel was receptive to this idea, including the smaller municipalities, as they are interested in securing their data.

Legislator Standinger inquired as to whether fire departments have been taken into consideration. Mr. Camin reported he has discussed this concept with Emergency Services Director Simmons and has laid the foundation work on how to build connectivity through use of grants, etc., however, this is not part of the current roll out plan. Chair Sauerbrey reported this is outside of the Shared Services Initiative, as fire departments are not eligible to participate.

Legislator Sullivan inquired as to whether the Legislature supports the IT staff taking the next steps to continue their efforts on this plan.

Legislator Weston inquired as to whether this plan will require a larger workforce for the County. Mr. Camin reported not at this time. The plan is that the current IT staff should be able to handle the workload.

Legislator Standinger reported this plan makes sense and supports the County in moving forward.

Chair Sauerbrey reported there was 100% buy-in from the towns and villages in attendance last evening, however, they will need to obtain approval from their respective Boards.

Chair Sauerbrey reported a formal presentation to the Legislature will be done when the final plan has been developed, as part of the Shared Services Initiative requirement. The final plan will detail costs and timeline of this multi-year project. This plan will require Legislature approval.

On a straw poll vote, all Legislators were in favor of moving forward with developing a plan for IT shared services for Legislature approval.

Executive Session –

Motion by Legislator Hollenbeck seconded by Legislator Sullivan to move into Executive Session to discuss an individual personnel matter. Motion carried to go into Executive Session at 1:55p.m. County Attorney DeWind and Personnel Officer O'Rourke remained in attendance.

Executive Session ended at 2:34 p.m. Meeting adjourned at 2:34 p.m.

Next worksession is scheduled for Thursday, March 22, 2018 at 10:00 a.m.

Respectfully submitted by,
Cathy Haskell, Deputy Legislative Clerk