



Tioga County Work Session Minutes **October 8, 2020 – 1:00 p.m.**

Legislators present:

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

Staff present:

Peter DeWind, County Attorney (*arrived @ 1:12 p.m.*)
Jackson Bailey, Budget Officer
Cathy Haskell, Clerk of Legislature
Diane Stephens, Secretary to County Attorney
Ellen Pratt, Sustainability Manager
LeeAnn Tinney, Director of ED&P
Bethany O'Rourke, Personnel Officer
Amy Poff, Benefits Manager
Gary Howard, Sheriff
Amy Poff, Benefits Manager

Guest: Matt Freeze, Morning Times

Call Meeting to Order: Chair Sauerbrey opened the meeting at 1:00 p.m.

Budget Update: Budget Officer Bailey reviewed the following budgetary updates:

2021 Outside Agency Funding Requests: Mr. Bailey stated he has received all requests for outside agency funding. He asked whether there was going to be special consideration given to outside agency funding, will they be held to the 10% budgetary cut or an additional amount. Chair Sauerbrey stated Legislator Sullivan suggested a 15% budgetary cut at the last Legislative Worksession.

Legislator Sullivan asked to address those agencies that did not submit a 10% budgetary cut.

- **A New Hope Center (ANHC):** Legislator Mullen stated they perform services for Probation relative to domestic violence cases that may fall back to Probation to do. Legislator Sullivan reported she would like a dollar amount for the services conducted on behalf of the County, and the amount it would cost the County if the service fell back to Probation to perform. Legislator Roberts reported the Legislature needs to understand the

value of the service they are currently receiving for their money. Legislator Mullen stated he would check with Probation Director Bennett for further clarification.

- **Libraries:** Legislator Sullivan asked why the libraries could not reduce their budgets by the requested 10%. Mr. Bailey reported they just stated due to their own budgetary restrictions. Legislator Sullivan stated they need to make the 10% budgetary cut and they have not given reasons for not doing so. Legislator Standinger stated he did not feel it was unreasonable to expect them to take the 10% budgetary cut, Legislator Mullen agreed. Chair Sauerbrey stated she feels all should be required to make the 10% budgetary cut.

It was the consensus of the Legislature that the outside agencies should be required to make the 10% budgetary cut. ANHC's budget will be determined once services and cost for service information is obtained.

2021 Tentative Capital Budget w/ Reserve Analysis: Two items have been added for consideration and discussion.

- **Voting Machines:** These had previously been budgeted for the past three years for a total of \$350,000 with the intention of transferring the amount into the reserve. The funds were deemed allocated but never actually put into the reserve, so funds remain in the fund balance for the capital fund. The funds are there, they just cannot be clearly seen in a reserve. The reserve for equipment is currently at \$2.6 million, so there is plenty of funds to cover the voting machines. The impact on the bottom line for the capital account will not be any different; it just depends on how procedurally the Legislature wants to handle this.

There was discussion regarding the voting machines, life expectancy, warranty and the software that supports them.

Chair Sauerbrey suggested the Legislature require the Board of Elections to have a 5-7 year capital plan to cover the cost of replenishing voting machines. Furthermore, Chair Sauerbrey reported all departments that have missed these types of items should be directed to have capital plans so that no one is blindsided. Mr. Bailey stated currently the only departments that have capital plans are ITCS and DPW. It is his recommendation that departments with any long-term capital items need to have capital plans.

Legislator Sullivan suggested the balance of the money for the voting machines be transferred into a capital reserve account. Mr. Bailey stated a resolution to transfer funds would be prepared and presented for the next meeting.

There was some discussion regarding the use of the "general" capital reserve fund. Mr. Bailey stated if the purchase meets the requirements of the reserve account, the money could be used without a resolution to transfer the funds. Legislator Sullivan stated the ability is needed to easily use the funds whether it is for ITCS, DPW or BOE.

Mr. Bailey listed the five reserves on the worksheet, noting he has the voting machines allocated to the Equipment reserve. The voting machines, the three equipment (not cars) reserves total \$342,154. The reserve balance is \$2.6 million. Once these costs are expended, there will be a remaining balance of \$2.3 million.

- **Black Creek Software:** Sheriff Howard stated this software runs the security system for the Jail. Legislator Sullivan inquired with the upgrade done this year from Windows 7 to Windows 10, why this system was not upgraded as well. Sheriff Howard explained Black Creek is the vendor that controls the jail system, which is a stand-alone system that has nothing to do with the County IT system. Sheriff Howard reported Microsoft is no longer supporting Windows 7, which also controls their other systems such as their video recording and locking systems. Sheriff Howard reported the last system upgrade was in 2015. Legislator Sullivan asked when those systems became unsupported. Sheriff Howard stated Windows 7 has not been supported since January, the Viacom system since around May. There were some questions from Legislator Sullivan and Legislator Standinger about when the Sheriff's Office first knew they needed this upgrade. Sheriff Howard stated Black Creek did not inform them of the need to do the upgrade until September. The total upgrade cost is \$312,000. Sheriff Howard spoke with the president of Black Creek regarding the proposal, which offers an option of a 25% down payment with financing over the next five years. Sheriff Howard explained they did budget this year for a "stop gap", but since the system was working fine, they did not use it and expend the \$35,000.

Chair Sauerbrey asked Mr. Bailey for suggestions on how to proceed. Mr. Bailey stated there is \$140,000 in the software reserve and the remainder could be transferred out of the fund balance. Mr. Bailey further explained that some software expenditures could be done as a pre-paid expense, so the expense could be broken out over 3-5 years, which is another option. He needs to consult with the Treasurer and Accountant before going forward with this option. Chair Sauerbrey questioned whether the money in the software reserve is needed by ITCS. Mr. Bailey stated ITCS put off many of their bigger software upgrades to 2022, so this coming year they do not have anything, but any money coming in to refund the reserve would be questioned. Chair Sauerbrey stated the Sheriff's Office should have this expense on a capital plan for tracking purposes.

It was discussed that it appears, from history, the Sheriff's Office will be looking at another upgrade in five years (2025). Legislator Mullen suggested doing a capital reserve for this and then in another five years do the same so they are not faced with this issue again at that time.

Mr. Bailey asked the Legislature if they agreed to add the Black Creek expense to the capital budget for 2021, which they did. He suggested going with the pre-paid option for a lesser financial hit.

Legislator Sullivan recommended the expenses for voting machines, Sheriff's security system, and other capital needs like this get included in the ITCS budget. She believes it is important for ITCS to be aware of these things because not all departments have "IT knowledge" to understand and recognize when the support for these items will expire. She would like the capital items from these departments merged in with the ITCS capital budget. Mr. Bailey stated the voting machines were included in the IT capital budget, but the Jail software was not.

Mr. Bailey reiterated he will officially add these two items (voting machines and jail security system software) to the capital budget, it will be closed and turned over to the operating budget, so any further changes will be done at the Legislative level.

Fringe Benefit Estimates: Mr. Bailey provided the following:

- State Retirement increased by \$100,000, which was anticipated
- Social Security has not changed – numbers are based on 2020
- Workers' Comp decreased by \$51,000 due to a new negotiated rate
- Life insurance \$2600
- Unemployment \$25,000
- Disability decreased by \$2500 due to a new negotiated rate
- Health Insurance increased by \$782,288, a 14.50% increase. Total cost is \$8,743,636, less the 15% contribution rate
- HRA deductible stayed the same at \$873,392
- Medicare Part B - A final amount is needed. Currently it is at \$115.

There was no official recommendation made. Mr. Bailey looked for direction on whether to keep this number the same, increase it, or revisit it next year. This topic of discussion will be taken back to the Personnel Committee for a recommendation to the full Legislature.

Non-union Salary Recommendation: Mr. Bailey asked if it was still the recommendation of the Legislature to have a 0% increase. Legislator Sullivan asked if this was the recommendation of the Non-Union Committee. Personnel Officer O'Rourke stated the recommendation did not come from the Non-Union Committee. The 0% increase was communicated as being the intention of the Legislature, so the Non-Union Committee did not submit a recommendation. Legislator Roberts stated he would like to see a recommendation from the Non-Union Salary Committee for the Legislature to act on.

Legislator and Part-Time Salaries: A 0% increase was agreed upon by the Legislature.

Implications of State Aid: Mr. Bailey stated he has not received any real detail from the departments. The Treasurer's Office has seen several smaller receipts for departments with reductions in their State Aid claims, but they have not seen any from the bigger claims coming out of MH, PH, or DSS yet. He asked the Legislature if he should instruct the departments across the board to reduce their budget by 20% for their State Aid. The total budgeted amount for State Aid in 2021 is \$9.8 million. A 20% reduction would decrease it by \$1.9 million.

Legislator Mullen reported he is not in favor of passing this deficit on to the taxpayers, therefore, would like to take the \$1.9 million from the fund balance.

Chair Sauerbrey presented the question of whether the Legislature wants to go back to the departments and have them cut their State Aid budgets by 20% or leave them as they currently are and let the County bear the entire burden of the \$1.9 million deficit.

Legislator Sullivan believes those departments who get the grant funds need to bear the burden of some of the loss.

Legislator Standinger stated he understood that those departments have already anticipated the 20% reduction. Mr. Bailey stated they put the full amount in their budgets.

Legislator Roberts stated he agrees with Legislator Sullivan, although they will have to cut back on their services. Legislator Roberts stated taking money from the reserve is not sustainable.

Legislator Sullivan stated DPW's capital budget has already been cut and they cannot keep going there to find the necessary cuts. Cutting the equipment capital and chipping away at the fund balance while at the same time not keeping equipment up to date is not sustainable. Budgetary cuts have to start coming from services provided.

Chair Sauerbrey asked the other Legislators to weigh in on this topic.

Legislator Monell stated we need to be prepared for the worst-case scenario. He agreed to the 20% State Aid budgetary cut.

Legislator Hollenbeck agreed with making the 20% State Aid budgetary cut.

Legislator Balliet agreed with making the 20% State Aid budgetary cut with the caveat that exceptions may have to be made for certain departments, and if necessary, use the reserve to cover those exceptions.

Legislator Mullen questioned whether they should take the \$1.9 million deficit out of the general fund and transfer it into an "emergency COVID fund". The departments start with the 20% State Aid budgetary cut, but if during the year they come up short, they can access the money that has been set aside.

Legislator Monell stated if a 20% budgetary cut is made, this will involve elimination of services and personnel.

It was clarified the options are either to go back to the departments and do the 20% State Aid budgetary cut or set aside the \$1.9 million to be used as needed, not both.

Legislator Weston stated we have to look at the mandated programs because if they are not done, the State will take the money away anyway. It may come down to the hard part, which is to reduce employees. He believes they need to know more about the mandated services and the result if they reduced or eliminated.

Legislator Sullivan stated the Department Head should look at their programs, mandated or otherwise and see what they can do. They need to do the analysis and assume 20% less revenue from the State.

Legislator Monell stated departments should be told to be ready for receiving only 80% in State Aid and they need to figure out how they are going to work with that. Legislator Monell further stated if State Aid to a mandated program is reduced, then the mandated program is reduced.

Legislator Roberts agreed with making the 20% budgetary cut, but not establishing a "rainy day" fund.

After much discussion, Chair Sauerbrey took a straw poll vote regarding the 20% budgetary cut:

Legislator Weston - Yes

Legislator Sullivan – Yes

Legislator Standinger – Yes

Legislator Roberts – Yes

Legislator Mullen – Yes

Legislator Monell – Yes

Legislator Hollenbeck – Yes

Legislator Balliet – Yes

The next three topics Mr. Bailey had were the preliminary budget by fund, the tax cap calculation and the recycling status, all of which, he stated, are dependent on the recycling status. Chair Sauerbrey stated they would know the recycling status by Tuesday afternoon and she would let him know the outcome at that time. Once Mr. Bailey receives that information, he will update the information and get it back out to everyone.

Police Reform Update: Chair Sauerbrey reported Sheriff Howard is working on updating policies and sharing information with Waverly and Owego Police Departments. Chair Sauerbrey, Sheriff Howard, and County Attorney DeWind recently met and created a timeline to ensure the deadline of April 1, 2021 is met for plan submission to the State. Chair Sauerbrey will be working on community input and either setting up a survey or a series of community meetings.

Recycling Update: Chair Sauerbrey reported 24 written responses were received from the community. One of those submissions was a Facebook survey that included 136 written comments, many of which were from outside of the county and the state. The information posted on Facebook was not completely forthcoming because it lacked details. Legislator Sullivan stated that, in her opinion, the Facebook survey should be disregarded because the matter was not presented thoroughly and so many of those responding do not live in Tioga County. Legislator Roberts stated he responded to the Facebook survey and told them they were not factual, but received no reply.

Approval of Worksession Minutes: Upon motion of Legislator Mullen, seconded by Legislator Monell and unanimously carried, the minutes of the September 24, 2020 Legislative Worksession were approved.

Action Items: None

Legislative Support: Legislative Clerk Haskell received approval of the Legislative Support minutes from September 10, 2020.

Ms. Haskell reminded the Legislators of their need to complete required trainings by the end of October.

Ms. Haskell reported she has had several responses to the Legislative Deputy Clerk vacancy (3 internal and 8 external candidates).

The next Legislative meeting will take place on October 13, 2020 at 12:00 noon with Legislator Hollenbeck doing the prayer, pledge and vote.

One proclamation (Sudden Infant Death Syndrome Awareness Month) will be read and presented by Legislator Standing.

The 2021 tentative budget hearing is scheduled for November 10, 2020 at 9:30 a.m. A brief discussion took place regarding the time of the public hearing. Ms. Haskell stated in the past the public hearing has been held both during the day and evening, however, noting recent

past years has been held at 9:30 a.m. prior to the Finance/Legal Committee and Legislature meeting. Chair Sauerbrey suggested it could be a Zoom meeting as well. The budget hearing will be held at 9:30 a.m. as it has been done in recent years, noting this will also be held via Zoom due to COVID-19 attendance restrictions and for the public who is unable to attend in-person.

Resolutions: Ms. Haskell reviewed the agenda and resolutions for the October 13, 2020 Legislature meeting with discussion on the following:

- ✓ ***Adopt Local Law No. 1 of 2020 A Local Law Establishing the Tioga County Mandatory Source Separation Law Commencing January 1, 2021 and Repealing Local Law No. 2 of the Year 1992, Enacted on August 1, 1992, Entitled Tioga County Recycling and Source Separation Law*** – Legislator Roberts requested to make the motion to adopt this local law.
- ✓ ***Local Law Introductory No. C of 2020*** – Legislator Weston will introduce this local law presented by the Economic Development & Planning Department.

Executive Session: Motion by Legislator Standinger, seconded by Legislator Sullivan to move into Executive Session to discuss a personnel matter. Motion carried to go into Executive Session at 2:25 p.m. with Personnel Officer O'Rourke and Budget Officer Bailey remaining in attendance.

Executive Session adjourned at 2:50 p.m.

Meeting adjourned at 2:50 p.m.

Next Worksession scheduled for Thursday, October 22, 2020, at 10:00 a.m.

Minutes submitted by Diane Stephens.