



Tioga County Worksession Minutes **October 10, 2024 – 1:00 p.m.**

Legislators Present:

Legislator Brown
Legislator Ciotoli
Legislator Flesher
Legislator Monell
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger

Legislators Absent:

Legislator Mullen

Guests:

None

Staff present:

Peter DeWind, County Attorney
Cathy Haskell, Legislative Clerk
Jackson D. Bailey II, County Administrator
Rich Hallett, Undersheriff (*departed @ 1:37 p.m.*)
Heather Vroman, Public Health Director (*departed @ 2:20 p.m.*)
Jim McFadden, County Treasurer
Linda Parke, Personnel Officer

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

Policy/Budget Discussion: Undersheriff Hallett presented earlier this week at the Public Safety Committee and was asked to come to today's Worksession to present to the full Legislature on the following three topics:

- ***Overtime Request for Management/Confidential Staff*** – Due to staff shortages and not overburdening staff with additional overtime assignments such as hospital duty, transports, the current and upcoming murder trials, etc. the Captain and the Undersheriff are requesting Management/Confidential staff be allowed to work some overtime shifts for necessary coverage. Undersheriff Hallett provided statistics on the number of overtime shifts in Road Patrol and the Jail for August, September, and October to date, as well as budgetary information on the additional overtime costs stating some of the Department's grants could possibly absorb the additional costs with

minimal impact on local share. Grants that are not fully expended within a given year result in lower grant amounts awarded the following year. Undersheriff Hallett reported that the County policy states that Management/Confidential staff are only permitted to work overtime or accrue comp during a State of Emergency declared by either New York State or Federal government, however, he is requesting Legislature consideration to revise the current policy and carve out the Sheriff's Office as an exception.

County Attorney DeWind reported the first step would be to draft a resolution revising the County policy to carve out the Sheriff's Office Management/Confidential staff and allow them to work overtime, as needed. Secondly, the Legislature would need to work with the union, as this is a bargain for employment condition as the union would need to agree to utilize Management/Confidential staff for unionized Deputy duties. If the union were agreeable, the County and union would enter into a Memorandum of Understanding.

Legislator Roberts reported there are other County departments with Management/Confidential staff that are currently short staffed and are not eligible for overtime pay due to the current County policy, which could present an issue.

Legislator Standinger reported the Management/Confidential administrative staff are salaried employees and that is the distinction between the unionized employees.

Legislator Flesher reported the Sheriff's Office is a little more unique, as they are required to cover 24/7 and they have a limited eligible pool of staff to fill these required shifts that cannot go unfilled.

On a straw poll vote, Legislator Brown was in favor of gathering additional information for consideration with Legislators Flesher, Standinger, Roberts, Ciotoli, Monell, and Sauerbrey not in favor of pursuing this request further due to the reasons stated.

- **STOP DWI Purchase** – Legislator Flesher reported the Sheriff's Office is interested in purchasing a DWI simulator with STOP DWI grant funds for educational purposes to be used at the local schools. Based on the price, a formal competitive bid process was not required, however, obtaining quotes is required. One of the quotes the Sheriff's Office received is from a company that an employee and his spouse own.

County Attorney DeWind reported if the employee is completely removed from the decision-making and budgeting processes, it would not disqualify him or his company from providing the product.

Undersheriff Hallett reported this would be purchased with one-time grant funds and must be ordered, received, and paid for before December 31, 2024 or the funds will be forfeited.

Legislator Roberts reported that since this did not go through a formal bid process, we are not obligated to follow such a process. However, County Attorney DeWind reported the quote received was the lowest responsible quote.

Legislator Ciotoli inquired as to whether this is a conflict of interest violation of County policy. County Attorney DeWind reported this is not.

ACTION: This topic will be tabled until the next scheduled Worksession on October 24, 2024.

- **Ambulance Transports** – As a point of information, Undersheriff Hallett reported the Sheriff's Office received a letter on October 3, 2024 from Campville Fire Department informing the Department that effective January 1, 2025 they intend to charge for inmate ambulance transports. Based on the current year transport numbers, this could conservatively have an annual budgetary impact of \$20,000 providing a Medicaid rate could be used. If not, this amount could be significantly higher. Currently, this service is not budgeted.

County Administrator Report/2025 Budget Update:

County Administrator Report:

- **Strategic Plan Quarterly Updates** – County Administrator Bailey reported Departments have been reporting their Strategic Plan updates at this week's Committee meetings. We will hear Chair Sauerbrey's Legislative update today and the County Treasurer update at next week's Finance, Legal & Safety Committee. Departments have been informed they will be expected to provide another update in January 2025 and any changes or additions made at that time will move into a revised Strategic Plan for 2025.
- **Department Visits** – Mr. Bailey visited the Personnel Office on September 27, 2024 and met with all the staff and provided with an overview of daily operations. Mr. Bailey gave accolades to Civil Service Technician Weston. She explained how the C&C software works and how their processes flow from time the position is posted to the application process to the civil service testing. Mr. Bailey reported Sr. Civil Service Technician Quick was able to elaborate on this process. Mr. Bailey reported he anticipates Public Works to be the next departmental visit.
- **Resolution to Contract with Pracademic Partners** – Mr. Bailey reported this contract is with Ian Coyle, Livingston County Administrator for leadership and administrative training. The contract is for a six-month agreement that is expected to commence on November 1, 2024. Services will include one onsite visit per month, weekly remote training sessions, and unlimited phone and email correspondence. In the meantime, Mr. Coyle will be onsite on October 18, 2024 to meet with Mr. Bailey before the process begins.

2025 Budget Update:

Budget Status – Mr. Bailey reported the budget is currently at Level 3 (Legislative) and following the next Worksession will roll to Level 4 (Tentative). Based on the tentative budget, Mr. Bailey will start to prepare the budget brief and documentation for the public hearing on November 12, 2024. Following the public hearing, no changes can be made without conducting another public hearing.

Mr. Bailey distributed the following documents for discussion:

- **Fringe Benefit Estimate** – Mr. Bailey reported he received fringe figures from Personnel. Mr. Bailey reviewed each line of the worksheet noting an overall change of 9.03%.
- **Preliminary Budgets by Fund (Level 3 Legislative)** – Mr. Bailey reported total appropriations of \$101,509,727 as opposed to last year's appropriations of \$98,491,622. Total anticipated revenues of \$67,631,341 as opposed to last year's revenues of \$68,960,636. As the budget stands today, the appropriated amount of fund balance is \$6.8 million to balance the 2025 budget. Regarding the Capital Budget, \$107,047 will be absorbed by the reserves and will not have a fund balance impact.

- **General Fund Balance Worksheet** – If everything comes in dollar for dollar, the fund balance will be within range of the County's Fund Balance Policy of 12-28%.
- **Outside Agency Funding Request Worksheet** – Mr. Bailey reported two of the outside agencies will be returned to their initial 2020 level of funding requests, as this was not requested or done when the other agencies were restored to their 2020 requested amounts. Mr. Bailey reviewed each outside agency request for Legislature determination. Legislators were in favor of providing a level of increase, but not necessarily the full amount requested. A decision was made that no new agencies will be funded at this time.

Tioga Castings Property Clean Up: Public Health Director Vroman provided an update and timeline on the Tioga Castings Property.

On September 16, 2024, the Public Health Department served the property owner of record for Tioga Castings a notice of violation that addresses the deficiencies at the property.

On September 24, 2024, the Board of Health issued a Public Health Order outlining the entire steps from the first day the Public Health Department was involved until September 24th. Approximately 25-30 law enforcement, County staff, and non-profit agencies went to the encampment and provided everyone with a copy of the Public Health Order and posted the entire property with placards notifying them that the soil is contaminated, and the property is not suitable for occupancy. All individuals were offered resources for housing and mental health/substance abuse treatment. Six individuals agreed to temporary housing and two accepted inpatient rehabilitation services.

On October 8, 2024, Commissioner Yetter confirmed that three of the six are still in temporary housing, which is considered successful considering Public Health had been told none of the individuals would agree to housing or be receptive to resources. A hearing was conducted, per the Public Health Order, for due process opportunity for both the property owner of record as well as any respondents. No one showed at the hearing. Legislator Standinger, Chair of Health & Human Services, and two Board of Health members were present. The Hearing Officer is expected to write a formal recommendation.

Ms. Vroman reported law enforcement and code enforcement are monitoring and policing the area and issuing tickets, as necessary.

Chair Sauerbrey reported we need to remove the debris from this property. We will have to go through the formal competitive bidding process for the debris clean up. Bids are expected to be received by October 11, 2024 for a scheduled bid opening on October 15, 2024. A resolution will be required to enter into a contract with the lowest responsible bidder. Chair Sauerbrey stated a Special Meeting of the Legislature may be required at the next Worksession to accept the bid and enter into a contract.

In-Rem Discussion: County Attorney DeWind reported the Legislature previously discussed the process and determined that anyone interested in a sell back consideration would have to write a letter detailing their circumstances and the reason they believe the property should be restored to their ownership. There are five properties with funds on account awaiting Legislature decision. Properties that are allowed for sellback require all liens of record be restored. One of these properties is ineligible for sellback as it is an estate, but we do not have any estate, estate holder, or anyone that can sign the documents for a deed to be recorded.

County Treasurer McFadden inquired as to whether the new State Law passed by the Legislature this spring allows for sellback up until the night of the auction. County Attorney DeWind reported the County has the same right to do a sellback that we have always had, and the new law does not create any new right up to the eve of auction.

On a straw poll vote, Legislators Ciotoli, Roberts, Standinger, and Brown were in favor of selling back these five properties with Legislators Flesher, Monell and Sauerbrey not in favor.

Legislative Strategic Plan Quarterly Update: Chair Sauerbrey provided the Legislative Strategic Plan Quarterly Update:

Taxpayer Value Objectives:	Milestones	Status
Hire and Train County Administrator	Q1–Q3 Milestones: Recruit, Hire, and Train County Administrator	COMPLETED
	Q4 Milestone: Start Taking Active Role in County Work, as Listed in Job Requirements	IN PROGRESS
Accessibility to Services Objectives:	Milestones	Status
Waverly Mental Hygiene Site	Q1– Q3 Milestones: Identify and Plan New Site	COMPLETED
	Q4 Milestone: Help Work on New Waverly Mental Hygiene Site	IN PROGRESS
Public County Job Fair/ County Services Expo	Q1 Milestone: Work with G. Hammond on Location and Time & Build Team	COMPLETED
	Q2 Milestone: Start Planning Meetings with County Business Show Planning Committee and Identify Date	ONGOING
	Q3 Milestone: Delivery Date may be During this Time or Earlier in the Year	ONGOING
	Q4 Milestone: Conduct Survey & Compile Results. Issue Report to Key Players and Begin Planning for Implementation of How to Address Identified Gaps in 2025	ONGOING
Workforce Objectives:		
Improve Communications	Q1– Q4 Milestones: Create a Team, Develop Goals and Objectives, Plan Continuation, Review Success	ONGOING

Increase Employee Appreciation Opportunities	Q1 Milestone: Meet with Employee Recognition Committee (ERC) to Explore New Ideas for Employee Appreciation Q2–Q4 Milestones: Continue to Explore Ideas, Finalize and Implement Employee Appreciation Items	COMPLETED ONGOING
Conduct Newly Elected Legislator & Newly Appointed Officials Training	Q1 Milestone: Conduct training for County Administrator Q2 – Q4 Milestones: Work w/County Administrator & Executive Team to Update Orientation Manual, Conduct Orientations	COMPLETED ONGOING
Enhance Leader’s Meetings	Q1- Q4 Milestones: Try Team Building Strategy, Hear and Implement Leaders Suggestions	ONGOING
Address Remote Work Policy for Employees	Q1- Q4 Milestones: Develop & Evaluate Reporting System for Departments, Extend Pilot Policy or Adopt Permanent Policy	ONGOING

Approval of Worksession Minutes: On motion of Legislator Roberts, seconded by Legislator Brown, the September 19, 2024 minutes were unanimously approved.

Action Items:

ACTION ITEMS FROM MAY 23, 2024:

ACTION ITEM #1 – 5/23/24 Legislative Worksession – Confidential Databases/Software Programs

The Legislature was in favor of County Attorney DeWind speaking to Chief Information Officer Loveland regarding the amendment of the Comprehensive Security Policy to include language regarding access and usage of confidential databases/software program and disciplinary action for improper usage or access to unauthorized users. The Legislature expressed there was no immediate urgency but did want the policy revised at some point to address this issue. **This action item will be carried forward to the October 24, 2024 Legislative Worksession.**

Legislative Support: Legislative Clerk Haskell will type the Legislative Support minutes and will be sent to the Legislators as a separate document.

Resolutions: Ms. Haskell reviewed the agenda and resolutions for the October 15, 2024 Legislature meeting.

Other:

- ***Follow-Up Response to Request of Renaming DPW Building*** – Earlier this year, the Legislature received a request from Mrs. Korba for Legislature consideration of renaming the DPW Building in honor of her late husband, former Commissioner of Public Works Korba. Chair Sauerbrey advised the Legislature that she has corresponded with Mrs. Korba a couple of times, including her latest letter received in September.

Executive Session: Eight Legislators were in attendance. Motion by Legislator Standing, seconded by Legislator Flesher, to move into Executive Session for negotiations at 3:04 p.m. Motion carried. Motion by Legislator Ciotoli to adjourn, seconded by Legislator Monell. Executive Session adjourned at 3:11 p.m.

Meeting adjourned at 3:11 p.m.

Next Worksession scheduled for Thursday, October 24, 2024, at 10:00 a.m.

Respectfully submitted,

Cathy Haskell

Legislative Clerk