

Tioga County Worksession Minutes

May 21, 2020 – 10:00 a.m.

Legislators present:

Chair/Legislator Sauerbrey
Legislator Balliet
Legislator Hollenbeck
Legislator Standinger
Legislator Weston
Legislator Roberts
Legislator Sullivan via Zoom
Legislator Monell via Zoom

Absent:

Legislator Mullen

Guests:

Matt Freeze, Morning Times via Zoom

Staff present:

Peter DeWind, County Attorney
Bethany O'Rourke, Director of Personnel
Jackson Bailey, Budget Officer
Cathy Haskell, Clerk of Legislature
Diane Stephens, Secretary to County Attorney
Drew Griffin, Deputy Director ITCS
Mike Simmons, Director of Emergency Services via Zoom
Lisa McCafferty, Director of Public Health via Zoom
Denis McCann, PH Director of Administrative Services via Zoom

Call Meeting to Order: Chair Sauerbrey opened the meeting at 10:05 a.m.

Roll call was taken.

FOIL Appeal: County Attorney DeWind presented an appeal of a FOIL request for review and consideration by the Legislature. Attorney DeWind presented the original request and reasons for denial. The consensus of the Legislature was that the appeal should be denied. A letter will be drafted for Chair Sauerbrey's signature advising the appellant of the Legislature's decision.

Chair Sauerbrey thanked Deputy IT Director Drew Griffin for managing the Zoom meeting and County Attorney Secretary Diane Stephens for taking the minutes. In addition, she reported on the help the Clerk of the Legislature will be receiving due to the position of the Deputy Clerk not being filled and not anticipated to being filled in the near future. Diane Stephens will be taking the Legislative Worksession meeting minutes and the Treasurer's Office will help with coverage in the Legislative Office and with other projects as needed. In addition, she stated that this is an example of the job sharing she's been talking about

especially as the County moves into times when it is uncertain what staffing and the budget is going to look like.

Budget Update: Chair Sauerbrey introduced Budget Officer Jackson Bailey. Legislator Weston commended Mr. Bailey for the well-written document that he distributed laying out the process and goals in an understandable way. Chair Sauerbrey expressed her appreciation to Mr. Bailey for the thought and study he put into the plan, how he presented it to the departments and for working with them.

Mr. Bailey stated that on May 15, 2020 the COVID-19 financial plan was sent to the Departments explaining the goals the County is trying to accomplish and what is needed going forward, including the 10% departmental budget cut directive. He created the three-phase plan with least severe, more severe and most severe scenarios. He has received a lot of feedback, most of which has been positive. Mr. Bailey reported clarification is needed so he will be sending out additional information tomorrow with a more detailed explanation. Since the impact is unknown at this time, as to what is going to come from the State, Mr. Bailey will explain to the Department Heads what is being looked at right now and what is available to be cut. Mr. Bailey reported it is necessary right now to be proactive and to keep in mind the worst-case scenario, in order to protect what the County can do and to monitor the tax cap. Budget cuts now may prevent further budget cuts down the road. Mr. Bailey reported the more information departments could provide to him in regards to how their departments function is better, as this will be taken into consideration, but believes it is important to hold all departments accountable across the board. He stated that he appreciates all the feedback he has received and noted the support and effort he has seen coming from the departments is very positive, which reassures his faith in Tioga County. Mr. Bailey reported any immediate questions could be emailed to him.

Legislator Weston asked Mr. Bailey about any communication he has had with outside agencies about budget cuts. Mr. Bailey stated he has not reached out to any outside agencies at this time, but their funding has been reviewed. A definitive decision has not been made concerning outside agencies. Since these agencies have already received funding this year, any cuts to outside agencies would probably be better looked at in the 2021 budget. However, if it is felt that budgetary cuts are needed this year, they can look at what has not been funded and implement a cut in that direction.

Chair Sauerbrey stated there is also the issue that it is unknown at this time regarding what the Governor is going to cut. He has said differing amounts at different times ranging from 20% to 50%.

Legislator Weston asked Mr. Bailey about the items outlined in red in his memo. Mr. Bailey stated those are the items the County would like to avoid having to cut such as county benefits, any services the county provides, and furloughs and lay-offs. They want to see what options they have going forward before they have to delve into those.

Legislator Weston also asked Mr. Bailey regarding funding for mandated services. Mr. Bailey explained that anything that cannot be cut, regardless of what it is, would have to be funded from the fund balance. Currently \$2 million is appropriated out of the fund balance. Therefore, any shortfalls would have to come from there as well. Legislator Weston also

asked what the 10% budget cut (\$10 million) was based on. Mr. Bailey explained it was based on total expenditures, which are currently at \$96 million. This cut is based on a worst-case scenario and keeping the County very proactive.

Legislator Balliet asked Mr. Bailey if there was timeframe for when the information should be provided to him. Mr. Bailey stated he should information should be received by the end of the month and will communicate that information in the memo going out tomorrow.

Legislator Roberts asked whether the instruction to cut 10% is coming from Mr. Bailey, as Budget Officer or from the Legislature. Mr. Roberts was concerned that it would be perceived that the directive is coming from Mr. Bailey rather than the Legislature. After a brief discussion, it was agreed that Mr. Bailey is acting on behalf of the Legislature and it is the Legislature's directive. Any budget cut recommendations will be brought to the Legislature for their approval.

Approval of May 7, 2020 Worksession Minutes: On motion of Legislator Roberts, seconded by Legislator Hollenbeck and unanimously approved the May 7, 2020 minutes were approved.

Action Items: Chair Sauerbrey stated that although there are no actions items, there is a lot going on.

Chair Update: Chair Sauerbrey reported that Tioga County is part of the Southern Tier Regional Control Room, which includes Steuben, Schuyler, Chemung, Chenango, Tompkins, Broome, Delaware and Tioga Counties. All counties are working together, per appointment by the Governor, to open the region because their numbers have proven sufficient to do so. The numbers are based on the number of current hospitalizations. We are in the first week of Phase 1 and hopefully, Phase 2 will begin on May 29, 2020. Daily conference calls take place with the Governor's Office to talk about specific business situations. For example, the opening of Tioga Downs was brought before the Governor and now they will be open for harness racing without spectators. There are many small business re-openings that are in question, as well as summer camps. Since a majority of summer camps is community-run, the municipalities will be allowed to open them under the directives given by the State. When businesses are able to re-open, they have to go to the New York Forward website, review the requirements and fill out an attestation stating they have read and agree to the requirements. Chair Sauerbrey stated there are new questions daily.

Chair Sauerbrey also reported there are daily calls with Assemblymen and Senators. Unemployment issues, safety of corrections officers, nursing homes, testing of staff and residents at nursing homes and getting the necessary PPE are concerns that have been discussed and worked through. The virus, the recovery and re-opening, and the effects to the budget have and will continue to need management.

Chair Sauerbrey acknowledged the great job done by Director of Emergency Services Mike Simmons and expressed her appreciation to Public Health, who have worked seven days a week. She also acknowledged County Attorney DeWind and Legislative Clerk Cathy Haskell who have worked continuously throughout this situation.

Chair Sauerbrey also reported we are given daily numbers on the virus, which include quarantines and deaths. The public wants to know the numbers, which are sent out every day with additional helpful information that people may have questions about. The Governor's press releases are being forwarded to the Legislators.

In addition, Chair Sauerbrey reported about "Pause on Enforcement", where people can file complaints regarding non-essential businesses or gatherings. The complaints are forwarded to the Sheriff and herself to be dealt with.

Legislator Weston asked about sports betting at the casino. Chair Sauerbrey stated that Jeff Gural has every intention of re-opening and has a plan for such, but it all depends on when the Governor gives permission to re-open.

Legislator Weston also asked about the criteria for the phases of re-opening by individual regions. Chair Sauerbrey reported the decision to move forward to the next phase is based on the number of hospitalizations and not confirmed cases by region. Chair Sauerbrey stated data is collected by our Public Health Department and submitted to the State where calculations are done.

Legislator Monell asked about hospitalization information. Chair Sauerbrey stated the information is at the State level and not available to counties.

Other:

- **Employee Recognition Committee:** Personnel Director Bethany O'Rourke asked for directive on the employee recognition ceremonies that normally take place in May. She does not want the opportunity for these recognitions to be lost in the midst of everything else that has been going on. In lieu of pin ceremonies, Ms. O'Rourke proposed pin recipients would receive their pins through inter-office mail with a note of recognition signed by Chair Sauerbrey. For those that would normally be recognized at the annual luncheon for their milestone years of service, would instead be invited to a Legislative meeting to receive their gift and be recognized by their Department Head. Legislators were in agreement with Ms. O'Rourke's proposal noting the recipients with milestone years of service would be recognized at the July 14, 2020 Legislative meeting.

- **June Legislative Meetings:** Legislative Clerk Haskell discussed the June meetings and requested direction on Legislature preference for in-person versus Zoom meetings. In addition, Legislative Clerk Haskell stated there are three known upcoming retirements and at least one retiree who retired in April that was desirous of being recognized at a Legislative meeting and receiving their plaque. Because there have been no in-person meetings this has been postponed.

Legislator Roberts stated that since we are asking the rest of the employees in the County to get back to work and back to normal, we should do the same. If anyone was uncomfortable with attending in-person, the Zoom option is available.

It was decided that, with social distancing, in-person meetings should be resumed with the option for Zoom to be used for those uncomfortable with appearing in person and that recognition of the retirees should take place at the July 14, Legislative meeting.

Chair Sauerbrey suggested the Legislators should be in contact with their committees because a lot is happening.

Chair Sauerbrey also stated that as of May 6, 2020 she deemed all employees as essential. Chair Sauerbrey reported DSS currently is not meeting with the public for the most part, but scheduling by appointment. The DMV Office is processing work for car dealerships and waiting for permission from the State Commissioner to work by appointment only hopefully by June 6, 2020. The County Clerk has made a plan for the DMV Office with the Safety Officer, who has been very helpful.

Legislative Clerk Cathy Haskell reminded the Legislators that the annual Financial Disclosure Statements and policy review/attestation is due June 1.

Chair Sauerbrey asked Attorney DeWind if it was permissible to have a Legislative meeting with some attending in-person and some attending by Zoom. Attorney DeWind stated as long as we continue to be under the Governor's Emergency Order this is permissible.

Executive Session: On motion of Legislator Hollenbeck and seconded by Legislator Balliet the meeting went into Executive Session at 10:55 a.m.

Executive session ended at 11:15 a.m.

Minutes submitted by Diane Stephens