



## **Tioga County Legislative Worksession Minutes**

**April 9, 2020 – 1:00 p.m.**

**Zoom Phone Conference Meeting**

### **Legislators Present:**

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

### **Legislators Absent:**

None

### **Guests:**

Matt Freeze, Reporter, Morning Times

### **Staff Present:**

County Attorney Peter DeWind  
Legislative Clerk Cathy Haskell  
County Treasurer Jim McFadden  
Chief Accountant Stephanie Jerzak  
Personnel Officer Bethany O'Rourke  
Commissioner of Public Works Gary Hammond  
ED&P Director LeeAnn Tinney  
Public Health Director Lisa McCafferty  
Commissioner of Social Services Shawn Yetter  
Director of Emergency Services Mike Simmons  
ITCS Deputy Director Drew Griffin

### **Call Meeting to Order -**

Chair Sauerbrey called the meeting to order at 1:00 p.m. with a roll call noting participation of all Legislators. In addition, Chair Sauerbrey noted several Department Heads participated via phone conference with in-person attendance including Legislative Chair Sauerbrey, County Attorney DeWind, Legislative Clerk Haskell, County Treasurer McFadden, Personnel Officer O'Rourke, and ITCS Deputy Director Griffin. Chair Sauerbrey reported this is an audio conference and the recording would be posted on the County website.



**County Treasurer Update:**

Chair Sauerbrey requested County Treasurer McFadden provide a financial update of where the County was at year-end 2019 and our status currently.

Mr. McFadden reviewed the five-page financial packet he emailed to the Legislators prior to this meeting.

- ✓ **Annual Update Document (AUD) for Fiscal Year-End 2019 Fund Balance Comparison** – The Annual Update Document (AUD) submission to the State Comptroller's Office will occur by April 30, 2020. Mr. McFadden reported the first two pages of the financial packet is a synopsis of the 2018 and 2019 fund balance comparison for the General Fund. Mr. McFadden reported 2019 was a tremendous year resulting in an increase of over \$2.7 million from the previous year noting the expenses and total appropriations remained around \$71.5 million, which is relatively close to the 2018 amount. Overall, the year-end 2019 fund balance was \$27.2 million. Mr. McFadden reported the County has \$5.7 million in restricted funds, per previous Legislative decisions; therefore, resulting in a \$21.5 million unassigned fund balance at year-end 2019. This fund has shown a \$2.9 million growth since 2018. In January 2020, the Legislature adopted a resolution transferring \$1 million from casino funds to a capital reserve account, therefore, reducing the County's unassigned fund balance to \$20.5 million currently.
- ✓ **NYSAC Potential Sales Tax Loss** – New York State Association of Counties (NYSAC) has projected both non-severe and severe potential sales tax loss scenarios based on previous New York State recessions. Based on NYSAC's report, Tioga County residents spend approximately \$605 million annually; therefore, the projected non-severe scenario is a 3% loss or roughly \$785,000 whereas the severe scenario for when a recession is more long-term could result in a potential 9.9% loss or roughly \$2.4 million loss in sales tax revenue. Mr. McFadden reported there are many unknown variables such as consumer confidence and length of economic shut down to know anything definitive at this time.
- ✓ **Fiscally Distressed Hospital and Nursing Home Pool** – The Governor has created a new State fund to set aside \$50 million over the next two years via interception of County sales tax. Mr. McFadden reported this process is similar to the AIM funding. Mr. McFadden reported our first year sales tax withholding is \$151,000. Mr. McFadden reported details such as how the funds will be withheld (i.e., weekly, monthly, or quarterly) are unknown at this time.

Mr. McFadden addressed other financial areas of interest/concern:

- ✓ **Budget Impact Report** – The Governor received State Legislature permission, especially over the next three to six months, to withhold a percentage to any form of our State Aid (i.e., school districts, DSS claims, casino funds, sales tax, approved grants, etc.) if revenues are not generated at the State level. The Governor is anticipating a State deficit of \$15 billion. The State has extended the income tax filing date from April 15<sup>th</sup> to July 15<sup>th</sup>, which will delay incoming State revenue.
- ✓ **Stock Market Sell-Off** – Mr. McFadden reported a positive note of the stock market sell-off this past month is that a lot of investors and mutual funds are locking in capital gains



because the market has doubled or tripled the past ten years. Subsequently, the State will receive a significant amount of checks on April 15, 2021.

- ✓ **AIM Funding** – The County is obligated to pay \$55,000 to the villages on May 10, 2020 or the State will intercept these funds from our sales tax. In addition, the State will intercept \$270,000 in AIM funding on December 6, 2020 for payment to the towns.
- ✓ **Public Works Highway Aid** – Mr. McFadden reported Public Works Highway Aid and School Aid is temporarily frozen.
- ✓ **Sales Tax Check** – By April 16, 2020, Mr. McFadden reported he would be receiving the County's second sales tax collection check for the month of March. Last March, Mr. McFadden reported the County received \$2.3 million in sales tax for the month. Mr. McFadden reported there are predictions that this year could be higher, as several companies pay quarterly, so January and February will be part of the equation. However, Mr. McFadden reported this could look significantly different on May 15, 2020 for April sales tax.
- ✓ **Casino Revenue** – The County receives quarterly payments equating to \$110,000 per month. Based on Tioga Downs' temporary closure, this has already affected the last month.
- ✓ **Additional Stimulus Package** – Mr. McFadden reported there are several House and Senate Bills regarding another stimulus package. In the event there is a permanent loss in State and County revenues due to a recession, Mr. McFadden reported they might pass another stimulus package. The State is planning to borrow \$10 billion for the next 90 days to meet their payroll and cover the anticipated loss of sales tax until income taxes are filed on July 15, 2020. Mr. McFadden reported consumer confidence is key, as there are predictions that this is going to be a long-term recession and spending may not increase until 2021. Legislator Hollenbeck expressed concern about State grants for our Departments. Legislator Sullivan acknowledged the County has a healthy fund balance, however, believes the County needs to be as cautious as possible with our spending based on the projected scenarios and the unknown variables.

### **Approval of Worksession Minutes – March 17, 2020 -**

Legislator Sullivan motioned to approve the March 17, 2020 Legislative Worksession minutes as written, seconded by Legislator Standing with Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standing, Sullivan, and Weston voting yes. Motion carried.

### **Action Items –**

Currently there are no action items.

### **Fourth Regular Legislative Meeting - April 14, 2020 -**

Legislative Clerk Haskell reported next week's Legislative meeting is April 14, 2020 at 12:00 p.m. via Zoom phone conference. Following today's meeting, Ms. Haskell will email the complete agenda and Zoom call-in phone conference information, as the meeting ID and password are different from today's meeting information.

**Prayer, Pledge, Voting Process** – Legislator Roberts will lead us in the prayer, pledge and start the voting process for the April 14, 2020 Legislature meeting.



**Proclamations (1) -**

- **Child Abuse Prevention Month** – Ms. Haskell reported this resolution is a standard annual resolution, therefore, only noting in the April 14, 2020 Legislative meeting minutes.

**Resolutions -** Ms. Haskell reviewed all resolutions with the Legislature for the upcoming April 14, 2020 Legislature Meeting and discussion occurred on the following:

- **Authorize the Submission of Homeland Security Grant Application (SHSP20): Office of Emergency Services** – Legislator Sullivan requested clarification, as the resolution requests authorization to submit a grant application, however, the 1<sup>st</sup> WHEREAS statement indicates specific funding, therefore, suggesting the County may have already received these grant funds. Director of Emergency Services Simmons reported the County receives notification regarding set allocated funds and then the County has to submit an application to secure the funds, if interested. Legislator Hollenbeck inquired about State grants going forward and whether this grant will be available. Mr. Simmons reported he feels confident this grant will be available due to allocation of funds. However, future grants are unknown. Mr. Simmons reported grants are federally funded and funneled through the State and in the current situation there are some unknown variables, therefore, would be reluctant to commit funds until more secure information is known from the Federal and/or State government.
- **Award Salt Storage Building Replacement at DPW** – Legislator Sullivan inquired as to the current condition of the building noting she would be inclined to wait on making a decision to spend this money. Commissioner of Public Works Hammond reported the current condition is functional; however, there is truss damage and some loss in the actual mounting assembly that is beyond repair. Mr. Hammond reported he is hesitant to say this purchase could be delayed another year and is concerned if the structure fails it could be detrimental to operations. In addition, Mr. Hammond reported he budgeted \$300,000 for this structure and the bid came in less than \$100,000. From a safety standpoint, Legislator Weston expressed liability concern knowing there is malfunction that requires repair or replacement. Legislator Standinger reported he looked at the current facility noting there is no question it is on borrowed time. Legislator Standinger further reported this is a good bid and believes we should move forward. Legislator Roberts reported this expense was in the approved budget, discussed and approved by the Public Works Committee, and is a \$210,000 savings from initial budgeted amount, therefore, does not believe delaying this expense would be beneficial. Legislator Sullivan thanked Mr. Hammond for the additional budget and bid information.

**UPDATE: Following the meeting, it was noted the original budgeted amount for this storage building was \$200,000 and not \$300,000 as reported. However, still representing over \$100,000 savings. Mr. Hammond sent an email to all Legislators for clarification.**

- **Authorization to Transfer Small Cities Community Block Grant Funds to Tioga County Industrial Development Agency** – Legislator Sullivan asked ED&P Director Tinney to provide a brief summary of this resolution. Ms. Tinney reported the County has approximately \$792,000 available in the HUD Revolving Loan Fund account. Ms. Tinney reported the intent is to create a Small Business Emergency Relief Fund using \$475,000 of the HUD revolved loan funds, therefore, causing no budgetary impact to the County. Ms. Tinney reported Legislator Mullen requested she pursue HUD permission to re-allocate the use of these funds, which



she received written correspondence in favor and support of the re-allocation request. Ms. Tinney reported the Tioga County IDA would be the loan administrator given their experience and capacity to do so. Ms. Tinney reported the IDA was receptive and voted in favor of being the loan administrator. Ms. Tinney reported the purpose of the program is to allow quick access up to \$25,000 for our small businesses across the County in the form of a gap loan with a six-month deferment. At the conclusion of the six months, the business can make a lump re-payment or the IDA will re-evaluate and provide a recommendation to the Legislature on loan structuring based on competitive rates, although noting there is a cap of no more than 4% interest. Ms. Tinney reported businesses are encouraged to apply for one of the two SBA funding resources first and use this funding for gap additional funding up to the allowable amount. Legislator Weston inquired if the funds are on a first-come, first-serve basis, and what does a business need to provide to show need. Ms. Tinney reported this is a first-come, first-serve opportunity as this is a limited fund. The process would include a review by the already-established IDA Loan Committee who would make a recommendation to the ED&P Legislative Committee for final approval. Legislator Mullen thanked Ms. Tinney and her team for all the hard work in creating this funding source for the small businesses. This is really Tioga County helping our own. Legislator Mullen reported the message to the businesses would be to borrow what they need so that we can help as many businesses as possible. Legislator Roberts seconded Legislator Mullen's comments and stated he is very happy with the result. Ms. Tinney thanked Legislator Mullen for his original contact to inquire about possible resources to help our local small businesses. In addition, Ms. Tinney thanked the Legislature for allowing the re-allocation of these funds as this is a way to accomplish something big for Tioga County without having an impact to our budget. This shows great leadership by the Legislature and a proactive approach to helping our small businesses who need it most.

- **Amend Budget and Appropriate Funds: Public Health** – Ms. Haskell reported she received a revision to this resolution late yesterday reflecting an increase of State Aid from the original \$67,490 to \$95,373. Ms. Haskell emailed Legislators, as well as the County Attorney, Chief Accountant, and Public Health staff the revised resolution prior to today's meeting.
- **Authorize Increase of Hours and Change Job Type of Vacant Part-Time Public Health Nurse Position: Public Health** – Legislator Sullivan thanked Ms. McCafferty for the email explaining the staffing situation and that public health nurses are 100% reimbursed. Ms. McCafferty confirmed this is an essential function, so 100% reimbursable. Ms. McCafferty reported her intent is to fill this position before the anticipated vacancy occurs.

**Other –**

- **Chair's Remarks:** Through this challenge, Chair Sauerbrey acknowledged the great and amazing employees working for Tioga County, as everyone has stepped up and is doing a wonderful job. Currently, we are abiding under the Governor's Executive Order of a 50% workforce reduction and many staff are working remotely thanks to ITCS Chief Information Officer Camin and staff for their quick response in facilitating this service. Chair Sauerbrey reported Public Health, Emergency Services, Social Services and Mental Hygiene are working to meet the needs of our community. Chair Sauerbrey acknowledged Legislative



Clerk Haskell is doing a great job, along with County Attorney DeWind. In regards to staffing at the County Office Building, Chair Sauerbrey reported there are approximately three staff working on the first floor and eight staff on the 2<sup>nd</sup> floor. The Treasurer's Office staff is working split shifts and is doing a great job. The ED&P staff are primarily working remotely with one employee staffing the office daily. Chair Sauerbrey reported we have a great team working for Tioga County. Chair Sauerbrey reported it is unknown as to how long this is going to last. Our numbers have been low, however, there is going to be an increase, some dynamics changing, and could get very close to home, but everyone is doing their part. We need to remain calm and see this through to the end. Chair Sauerbrey encouraged all Legislators to work in the communities you represent to assure the residents that we will get through this and that you are working on their behalf. Our office sends out daily updates so you are aware of the current situation. Chair Sauerbrey reported things are changing on a daily basis. The Governor's press conference in the morning followed by a conference call with the Governor's staff in the afternoon provides new direction; however, the official executive orders regarding implementation lag by a day or two. Legislator Hollenbeck thanked Chair Sauerbrey, the County, and our employees for a great job. As much as we can be, Legislator Hollenbeck stated he believes we are on top of this. Legislator Standinger publicly acknowledged the Public Health Department for stepping up and dealing with the issues at hand. This is not an easy task. In addition, for working with Emergency Services and working through the difficulties, which is greatly appreciated. Legislator Standinger reported he is looking forward to going back to doing our business as usual. Legislator Sullivan acknowledged her gratitude and asked that employees continue to do the work you have been doing for our residents.

• **Director's Remarks:**

**Public Works:** Commissioner of Public Works Hammond provided an update on the Department's projects and the operation thereof. Most of the Public Works projects are federally funded that come through the State. Most of the State funding is bonded, so the debt service would not come into play until the next fiscal year, therefore not bonding will not save the State money. At this time, it is not anticipated that any of the overall funding for road and bridges will be reduced.

**Social Services:** Commissioner of Social Services reported the national headlines indicate the unemployment claims have risen to over 16 million across the country. To date, NYS has had 785,000 unemployment applications through the Department of Labor that are COVID-19 related over the last three weeks. Mr. Yetter reported these numbers provide a vivid picture of how this is affecting our residents and that it is going to be a long haul for quite some time.

**Public Health:** Public Health Director McCafferty reported Public Health understands the economic consequences of this and staff is working with these individuals daily listening to their stories and fears they are facing while putting them in quarantine, isolation, and offering case management. Ms. McCafferty reminded everyone to stay calm, stay apart, and support one another as we move through this time.



## **Executive Session -**

Motion by Legislator Mullen, seconded by Legislator Hollenbeck to move into Executive Session to discuss contract negotiations. Motion carried to go into Executive Session at 1:51 p.m. with County Attorney DeWind, Personnel Officer O'Rourke and Legislative Clerk Haskell remaining in attendance.

Executive Session adjourned at 1:57 p.m.

Meeting adjourned at 1:57 p.m.

Next Worksession scheduled for Thursday, April 23, 2020, at 10:00 a.m. (*via Zoom phone conference*).

Respectfully submitted,

*Cathy Haskell*

Legislative Clerk