

Government Operations Committee
Regular Meeting Minutes
Thursday, July 15, 2010 9:30 AM
Scott Heyman Conference Room

Approved 8:19:10

Attendee Name	Title	Status
Michael Lane	Chair	Present
Carol Chock	Member	Present
Dooley Kiefer	Member	Excused
David McKenna	Member	Present
Pat Pryor	Member	Present

Staff: C. Covert, Clerk of the Legislature; P. Younger, Deputy County Administrator; M. Lynch, Public Information Officer; J. Wood, County Attorney; J. Mareane, County Administrator; D. Squires, Finance Director; G. Potter, Information Technology Services Director; A. Fitzpatrick, Personnel Commissioner; M. Reynolds, Deputy County Clerk

Legislator: M. Robertson, Chair

Guests: S. Shackford, Ithaca Journal Reporter

Call to Order

The meeting was called to order at 9:30 a.m.

Changes to Agenda

Mr. Lane requested and the Committee agreed to add to the agenda a discussion concerning Broadband.

Report from the Committee Chair

Mr. Lane said he would like to schedule a special Committee meeting to review the departmental ProgramImpact Assessment forms. The Committee agreed to meet August 5th at 2:00 p.m.

Report from the County Administrator

Mr. Mareane reported on a meeting he will be attending this morning with Senator Seward to discuss the County's Home Rule Request for the Mortgage Recording Tax. Another meeting is scheduled for July 19th with Senator Winner. Copies of the Impact Assessment forms as referenced above will be available prior to the special meeting, but are currently available electronically. He updated the Committee on the Health Benefits Consortium and said there are some signs of progress being made. A Board of Directors meeting is scheduled for next Thursday and he hopes to have more information at that time. He commended Tompkins County Council of Governments Chair Don Barber for the tremendous job he has done with this.

Mr. Lane briefly reported on the Committee Chairs meeting held this morning and said the budget process is very serious this year and the Legislature will need to do its best to help the public with the shortfalls, State Aid cuts, etc. The Committee will need to work with department heads during budget reviews and Mr. Lane believes there will need to be a look at programs for possible elimination.

Report from the County Attorney

Mr. Wood reported the Health Department will begin its move to Brown Road tomorrow. An open house will be scheduled for a later date.

Resolution (DOC ID: 2105): Authorization to Appropriate Funds from Contingent Fund to Pay for Annual Maintenance of County Code – County Attorney

Mr. Wood explained the following resolution and the recommendation many years ago to codify the County's local laws and Sanitary Code. The Code is available on-line and is updated regularly, which has resulted in the payment reflected in the resolution. The annual cost for this expense is unknown as the number of local laws adopted each year is different.

It was MOVED by Ms. Chock, seconded by Ms. Pryor, and unanimously adopted by voice vote by members present, to approve and submit the following resolution to the full Legislature for consideration:

WHEREAS, General Code Publishing periodically bills the County to maintain the County Code, and

WHEREAS, in past years money has been allocated to the County Attorney's Office to pay this cost, and

WHEREAS, the funds were inadvertently left out of the County Attorney's budget for the year 2010 and there are no funds within the County Attorney's budget to pay this cost, now therefore be it

RESOLVED, on recommendation of the Government Operations and the Budget and Capital Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriation:

FROM: A1990.54440	Contingent Fund	\$1,125
TO: A1420.54442	County Attorney	\$1,125

SEQR ACTION: TYPE II-20

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Report from Finance Director

Mr. Squires updated the Committee on the property auction and said there was one City of Ithaca property sold, but then the deal fell through. The purchaser forfeited a \$15,000 deposit and the second bidder declined to proceed. The property is now owned by the City of Ithaca. He reported on the new payroll system and said it continues to move forward. The program will provide better reporting of certain items. One example is a request received from the Attorney General about overtime padding of pension benefits. Tompkins County was required to provide eight years of information about overtime and the number of retirements in 2009 and with the current system it is very difficult to compile. Mr. Squires reported that he is working on collecting from a delinquent room tax case. He also provided a brief report on his departmental budget and said that his department is all personnel and has four distinctive programs.

Mr. Lane understands there are abuses Statewide with overtime padding of pension benefits, but not in Tompkins County and agrees with this report being done.

Report from the Public Information Officer

Ms. Lynch said a second Town Hall Budget meeting will be held this evening for the Town of Ithaca. She is also discussing with Legislator Herrera about having a budget session in the Fall Creek area.

Announcement

Mr. Lane said he would like to request an executive session later in the meeting to discuss a particular personnel matter.

Legislature

Report or Discussion Item (DOC ID: 2113): Policy on Minutes

Mr. Lane said this Committee has been tasked by Legislator Herrera and Legislature Chair Robertson to look at policies relating to record-keeping. Copies of Ms. Herrera's statement read at the Legislature meeting and Ms. Robertson's memo dated June 26, 2010, were distributed to Committee members. Mr. Lane explained that this issue began at a Capital Plan Review Committee meeting concerning some changes recommended by Legislator Kiefer clarifying statements by staff. Ms. Herrera believed that not to be proper and requested this Committee and other committees review related policies.

Mr. Lane said this issue has come up and been discussed in past years. He does not agree with verbatim or action-only minutes.

Mr. Lane asked the Committee to consider whether the 2005 task force report needs to be changed and/or revise the policy for taking minutes as adopted in 1995. Ms. Robertson agreed with that direction. She also expressed her opinion that it would be inappropriate for any Legislator to intimidate staff to make changes. Ms. Chock suggested if Committee members or other Legislators had changes to the policy to recommend that they be brought to the appropriate committee in writing for discussion. In comparing the two documents she believes the policy reflects much of what is in the task force report. She also expressed her appreciation in the level of detail in the way the minutes are presented and would not support action-only minutes. Ms. Pryor said she agreed with much of what Ms. Chock stated. Ms. Pryor suggested that action-only minutes be done and a separate companion document be prepared that is not part of the official record.

Ms. Younger explained the process for updating policies for amending policies and a formal change request form is available and that any changes can be tracked.

Mr. Wood explained what he understands to be the issue and current practice. It is his opinion that all substantive changes being recommended by a Legislator should be brought forward and voted on. In reference to Ms. Pryor's comments about having two separate records as mentioned above, he said the law only requires action minutes. The question is what would be the status of the other document and believes it would more difficult for staff to have two separate records.

Mr. Lane said he agreed with Mr. Wood's comments and believes the policy should be updated and the recommendations from the 2005 task force report incorporated.

Mr. McKenna said he opposes having two documents done by staff as suggested by Ms. Pryor.

It was suggested and the Committee agreed to have interested Legislators review the policy and report and make any recommended changes and come back to the Committee for discussion. Mr. Lane and Ms. Pryor said they would work with Ms. Younger with updating the policy.

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Report or Discussion Item (DOC ID: 2111): Redistricting

Mr. Lane said he would like to proceed with the redistricting process and commented on a couple of contacts that have been made since the last Committee meeting concerning this issue. He spoke with Don Barber, Chair of the Tompkins County Council of Governments and Legislator Robertson spoke with City of Ithaca Mayor Carolyn Peterson.

Ms. Robertson reported on her discussions with Mayor Peterson and said what the County does with their redistricting can have an impact on the City, but does not impact the town lines. The terms for

half of Common Council expires in 2011 and she believes that if the County and City lines were to be same, that the County may want to complete its redistricting prior to that time. Ms. Robertson asked if the County was required legally to have its line redrawn by the first election following the Census or if it needed to be complete prior to the Legislature's term. Mr. Wood said the County Charter only references the County's redistricting.

In response to Ms. Chock concerning the City's population, Mr. Potter said the Census information has not yet been distributed.

Mr. Lane said he has heard from a couple of people who are interested in serving on a commission and hopes the Committee will discuss the structure, membership, etc. He suggested Committee members begin thinking about this and begin to put together lists of interested individuals who would like to serve on a commission. Mr. Potter also suggested the Committee consider the administrative and technical support that would be needed.

Ms. Robertson suggested the Board of Elections Commissioners come to a meeting and speak about this topic and if there are models other counties are using. Ms. Chock again recommended Committee members review the Brennan report about redistricting.

Rollover Request (DOC ID: 2110): Certified Rollover

A brief discussion followed concerning the concept of rollover and Mr. Lane explained he is having a problem with rollover and understanding the full basis of the affect. The total amount of rollover is substantial and he is concerned with approving use of it when there is the potential of State cuts or the Mortgage Recording Tax not being approved.

Mr. Mareane has stated that it is his preference that rollover funds be used for one-time requests and not recurring expenses.

Ms. Pryor agrees that the rollover policy allows departments to use their certified rollover for better budgeting and planning. However, she expressed concern with this particular budget year and that the Legislature may need to hold on to these funds.

Following a detailed explanation of each Rollover request as submitted by departments, it was MOVED by Mr. McKenna, seconded by Ms. Chock, to approve and submit to the Budget and Capital Committee for consideration the Rollover requests outlined below:

Administration

Mr. Lane said he would like to have these requests brought back next month to better understand the budget implications across departments. Ms. Pryor commented that the funds being requested is money that would need to be spent anyway. Mr. McKenna believes the money being requested is well spent and will save in the long run.

A voice vote resulted as follows: Ayes – 3 (Chock, McKenna, and Pryor); Noes – 1 (Lane); Excused – 1 (Kiefer). ROLLOVER REQUESTS APPROVED.

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Broadband

Ms. Younger reviewed the information distributed relating to the May 24th Pre-Planning Meeting on Countywide Broadband Needs. This meeting was held to help this Committee to form a recommendation to the Chair of the Legislature with regard to a special committee on broadband.

Mr. Lane said this Committee was directed by the Chair of the Legislature to make a recommendation and at this Pre-Planning Meeting it was the opinion of the group that a special committee should be created. He said he agreed with the direction to proceed with the County committee and asked other Committee members for their opinion.

Ms. Pryor said she supports having a special committee and said this was discussed at length at the pre-planning meeting and believes that was the sense of that group.

The Committee reviewed the "Concept Paper" and agreed with the recommendation of the 15-20 members on the special committee. The Committee also believes the group should meet at least monthly and provide an interim report after six months. Under "purpose" the Committee suggested changing it to read: "To explore and advise the Legislature on how to promote..." . The Committee also agreed that the group on an as needed basis be responsible for leading special initiatives related to broadband, such as the recent Google Fiber to Communities initiative. There was also agreement that support staff is needed.

It was MOVED by Mr. McKenna, seconded by Ms. Chock, and unanimously adopted by voice vote by members present, to recommend to the Chair of the Legislature to form a committee based on the Concept Paper with the recommendations mentioned above.

Budget Adj. & Transfers (Info. Only) (DOC ID: 2116): Transfer - Board of Elections

No action taken or discussion held.

Committee Goals

Report or Discussion Item (DOC ID: 2115): Appointment Policy - Discussion

Ms. Chock agreed to defer discussion on this issue until the next meeting.

RESULT: WITHDRAWN-NOT FINAL Next: 8/19/2010 9:30 AM

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Approval of Minutes

It was MOVED by Ms. Chock, seconded by Ms. Pryor, and unanimously adopted by voice vote by members present, to approve the minutes of June 1, June 15, and June 17, 2010, as submitted.
MINUTES APPROVED.

Executive Session

It was MOVED by Mr. McKenna, seconded by Ms. Pryor, and unanimously adopted by voice vote by members present, to hold an executive session to discuss personnel matters (particular employees) at 11:53 a.m. The meeting returned to open session at 12:05 p.m.

Adjournment

The meeting adjourned at 12:05 p.m.