

Approved 6/8/07

MINUTES

GOVERNMENT OPERATIONS COMMITTEE

MAY 11, 2007 2:00 P.M. COURTHOUSE CONFERENCE ROOM

Present: G. Stevenson, Chair; M. Sigler; M. Hattery; D. Kiefer; P. Mackesey (arrived at 2:25 p.m.)
Staff: C. Covert, Clerk of the Legislature; D. Squires, Finance Director; J. Wood, County Attorney; G. Potter, Information Technology Services Director; V. Coggin, Assessment Director; S. Whicher, County Administrator; M. Lynch, Public Information Officer; E. Marx, Planning and Public Works Commissioner; K. Borgella, Planning Department; P. Younger, Deputy County Administrator

Call to Order

The meeting was called to order at 2:03 p.m.

Changes to Agenda

There were no changes to the agenda. Ms. Kiefer referenced the minutes from the last meeting and commented that a resolution would be submitted for the County Historian's request. Mrs. Covert noted that she had not received a proposal yet. [A follow-up report was given later in the meeting.]

Chair's Report

Mr. Stevenson said he did not have a report.

County Administrator's Report

Mr. Whicher was not present at this time.

Report from the County Attorney

Mr. Wood did not have a report.

Finance Director's Report

Mr. Squires reported on a bill in the State Legislature the Treasurer's Association is following in regard to foreclosures and County's being required to give access proceeds back to original owners. This presents a huge problem as the County guarantees taxes to municipalities. The only way to recover that burden is through the excess proceeds. The Association is opposing this and Mr. Squires believes this legislation will not go through.

Report from the Public Information Officer

Ms. Lynch said she did not have a report.

Report from the County Administrator

Mr. Whicher referenced a letter he recently sent to Legislators and said he will make the announcement official at the next Legislature's meeting.

As mentioned above, Ms. Kiefer asked about the County Historian's request. Mr. Whicher said there is \$2000 leftover in the Budget from 2006 and this will be addressed during the budget season. When he spoke to the County Historian, her request was for 2008.

Assessment Department

Assessment Data on the Internet

Mr. Franklin reviewed the following proposal for the Committee to consider:

Proposal: To merge the Advanced Imagemate with the Basic Imagemate into one system, in order to provide the entire public with the same information online that is available in our office free of charge with the changes listed below.

Data items to be added to Basic version:

1. Ability to query by owners' name
2. Links to all scanned documents (e.g. photos, sketches, ownership history cards, tax map revisions, surveys, etc.)

Data items to be removed from Advanced version:

1. Mailing address information
2. Name of the exemption listed

Discussion followed and Mr. Sigler asked if the information being removed is important information for real estate agents as it is information they currently have access to. Mr. Franklin did not believe the information being removed was valuable.

Ms. Kiefer asked if there was any other information that may be considered sensitive. Mr. Franklin said he could not think of any that was not already displayed elsewhere, but said it would depend on one's definition of what might be considered sensitive information.

Ms. Coggin confirmed that the department looked at all aspects of the information and said phone numbers and exemption codes have been removed. There is no information on the County's site that is not already available. She visited other county sites and said the amount of information available varies.

Ms. Kiefer believes there should be more publicity to let the public know that this information is proposed to be available, that there are some privacy concerns and ask for feedback.

Discussion followed concerning process and it was noted that there is a resolution on the books adopted in 1999. *Department staff was directed to prepare a resolution as appropriate for the next Committee meeting.*

Mr. Franklin in response to a question raised, said the Department's year runs from July 1 - June 30. Renewal subscriptions for the Advance version should be going out soon, but believes one or two months at no cost to the companies would be acceptable.

Ms. Kiefer reiterated her comments that she would like to have some publicity. Mr. Stevenson said there has been some already including articles in the newspaper.

It was MOVED by Mr. Hattery, seconded by Mr. Sigler, to draft a resolution for the next Committee meeting that addresses the appropriate action necessary to move this proposal as presented forward.

A brief discussion followed and concerns expressed in regard to the potential loss of revenue the Department would incur. Mr. Squires spoke about tax records and noted the County charges \$25 for proof

that there are unpaid tax items for closings. His Department generates between \$15,000-\$20,000 per year in tax search fees. Mr. Potter also noted that the County Clerk's office has a similar situation. He said these issues are under discussion as this is the direction governments are headed.

A voice vote resulted as follows on the motion to draft a resolution: Ayes – 4 (Sigler, Hattery, Kiefer, and Stevenson); Noes – 0; Absent – 1 (Mackesey). MOTION CARRIED.

Mr. Stevenson asked Ms. Lynch to provide publicity as requested by the Committee. Ms. Kiefer commented that she had done an article a few years ago and will share that with Ms. Lynch as well.

Finance/Planning Departments

Ms. Mackesey arrived at this time.

2007 Foreclosure Report

Mr. Squires provided a brief overview of the foreclosure process. If taxes have not been paid in 24 months for vacant land or 36 months for residential or farmland, the County can foreclose. In October, notices are sent to property owners saying they have 90 days to pay. The County has a right if the taxes are not paid by that date to go to court and get a deed. However, the County's land policy requires an evaluation of each property and report back before going to court. The auction on the foreclosed properties is scheduled for June 12th.

Mr. Squires referenced the Foreclosure Report distributed with the agenda and said there is one property that is being recommended to be withheld. During the investigation of properties in addition to himself, representatives from the Planning Department, an Assessor, and the auctioneer take a tour of the properties. He also noted that this year a GPS unit was used for the first time that assisted to more accurately describe the location of properties.

At this time, Ms. Borgella explained the request to withhold one parcel on Breed Road in the Town of Lansing from the 2007 auction. This will allow one year to determine its role and value in stream buffer protection efforts in the County.

Ms. Kiefer said when parcels include a portion of unique natural areas and are likely to be foreclosed the EMC (Environmental Management Council) is typically notified and believes that did not happen this year. She asked if that feedback could be sought. Ms. Borgella agreed and said she recalls that being an informal procedure in the past. She provided detailed maps of the two parcels (Buck Road and Peruville Road) and explained each of them and said that both parcels in question are less than one acre. The Buck Road property is a landlocked parcel. The Peruville Road property contains a mobile home and is also located in a unique natural area and has some of the National Wetlands Inventory on it. It also runs adjacent to the abandoned railroad bed (the proposed Owasco Inlet Trail). A brief discussion followed concerning withholding the Peruville Road parcel, but no action was taken.

It was MOVED by Ms. Kiefer, seconded by Mr. Hattery, to approve the removal of the Breed Road parcel from the 2007 auction for one year as recommended. A voice vote resulted as follows: Ayes – 3 (Sigler, Kiefer, Mackesey, and Hattery); Noes – 1 (Stevenson). MOTION CARRIED.

Discussion continued on the list of foreclosed properties. Ms. Kiefer commented that the County only has information on wetlands bigger than 12 acres and asked if there was any way to use improved GIS information to begin collecting unique natural areas data. Ms. Borgella said the National Wetlands Inventory goes down to one acre in size. Water Resources Council is working next year to have a committee to look at very small wetlands.

Mr. Squires brought to the Committee's attention that the property on West Dryden Road has a \$28,000 IRS lean against this property and is being told that IRS agents will be seizing the excess proceeds after the sale. In addition the IRS has the right to redemption for 120 days from the date we offered the sale. This information will be available at the time of the auction.

Ms. Kiefer reiterated her interest in having the EMC's subcommittee look at the properties with unique natural areas.

Resolution

It was MOVED by Ms. Mackesey, seconded by Mr. Hattery, and unanimously adopted by voice vote, to approve and submit the following resolution to the full Legislature for approval:

RESOLUTION NO. – AUTHORIZATION TO EXECUTE QUITCLAIM DEEDS – SALE OF FORECLOSURE PROPERTIES AT PUBLIC AUCTION

WHEREAS, by tax foreclosure proceedings, the County acquired certain parcels in the County, and

WHEREAS, said properties will be sold, contingent upon Legislature approval, at public auction on June 12, 2007, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That upon payment in full of the bid price, plus current taxes and filing fees, that the County Administrator be and hereby is authorized to execute quitclaim deeds for all parcels sold at the public auction.

SEQR ACTION: TYPE II-20

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Approval of Minutes

March 9, 2007

It was MOVED by Ms. Kiefer to approve the minutes of March 9th with the corrections submitted by Ms. Kiefer. MOTION FAILED FOR LACK OF A SECOND.

It was MOVED by Ms. Kiefer, to approve the minutes of March 9th with the corrections submitted by Ms. Kiefer with the exception of the first paragraph. MOTION FAILED FOR LACK OF A SECOND.

It was MOVED by Ms. Kiefer, seconded by Mr. Stevenson, and unanimously adopted by voice vote, to amend the minutes of March 9th with the following correction:

page 2 – under Rpt. from PIO – *add* at end: **“Ms. Kiefer inquired about attendance and was told there were many officials in attendance but estimates of public attendance ranged between 5 and 10 persons.”**

It was MOVED by Ms. Kiefer, seconded by Mr. Stevenson, and unanimously adopted by voice vote, to further amend the minutes of March 9th as follows:

– after para. 4 *insert* new paragraph: **“Ms. Kiefer noted the County has had one purchasing specification in place that has allowed us to pay up to 5% more for paper with recycled content.”**

It was MOVED by Ms. Kiefer, seconded by Ms. Mackesey, and adopted by voice vote with Mr. Stevenson voting no, to further amend the minutes of March 9th as follows:

– under Co. Atty. Further discussion followed and Ms. Kiefer stated that she did not want to act **again** on the County Attorney's **salary** [proposal] in 2007 **since, during 2007 budget time, the Legislature had already raised his salary for 2007.** Mr. Wood said that although he had reported that

he was in the process of reorganizing his Department during the budget process last year, he was dissuaded from bringing it through at that time. It was recommended that his budget be approved for 2007 with no change in **overall** funding, with the understanding [it] **that the reorganization** would be presented early in 2007 to the appropriate standing committee.”

It was MOVED by Ms. Kiefer, seconded by Mr. Sigler, to further amend the minutes of March 9th as follows:

– under Co. Atty.

Para. 2 – *revise* to read: “Ms. Fitzpatrick said in her opinion [she believes] the interpretation of policy in the memorandum is correct. She spoke of previous years’ discussions regarding the rating of the County Attorney’s position. **This was brought up about 3 years ago at the committee that then handled personnel. As background she mentioned that in 1988-1989 there was a pay-equity study focusing on equal pay for equal work, which affected job classifications.** At this time [,] she [also] gave a brief overview of the existing reclassification policy, **noting that at one point each reclassification had to be approved by legislative committee, but around 1990 the legislature gave that authority to the Personnel Commissioner,** including the appeals process. [and the c] Changes were made in the **appeals process** [policy] over the last few years, **and 1-2 years ago paragraph 3 of the appeals-process policy was modified.**

A voice vote resulted as follows: Ayes – 1 (Kiefer); Noes – 4 (Stevenson, Mackesey, Sigler, and Hattery). AMENDMENT FAILED.

It was MOVED by Mr. Hattery, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve the minutes of the March 9th meeting as amended.

Committee Goals

Ms. Younger distributed copies of goals 3 and 4 for review and discussion. At the Committee’s request she added a new Goal 4 – review of County Legislature’s Appointment Policy. In addition, she changed the order of the goals and made the County’s Communication policy Goal 1 because of the GroupWise migration time line that is already in progress. The completion date of Goal 1 has been changed to September 10, 2007 and she asked Mr. Potter to provide an update. At this time, she provided an overview of the remaining changes made to the goals.

Mr. Potter reviewed the approach he will be following with updating the Communications Policy. The existing policy includes specific details about types of communications systems such as e-mail, telephones, fax machines, etc. Although the goal of the Committee is to focus on e-mail, the policy will include other communications systems. He said that there are some Department Heads interested in working on this policy including the Personnel Commissioner. Because of personnel focused and related procedures within the policy, the Personnel Committee will need to review the policy as well. Ms. Kiefer asked and the Committee agreed that the policy include oversight may extend to other communications systems. He said one area the Committee will need to address is the question of elected officials using the County’s e-mail system.

A brief discussion followed concerning Goal 3 and Mr. Sigler said he supported it. Ms. Younger said there is a proposal that the Budget and Capital Committee will be discussing and will share it with this Committee. The proposal recommends a working group of Legislators and Department Heads to design a process for doing this. This subject is being discussed at the next Budget and Capital Committee.

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Ms. Kiefer spoke about Goal 4 and suggested bylaws be included in the list of documents to be reviewed.

It was MOVED by Mr. Sigler, seconded by Mr. Hattery, and unanimously adopted by voice vote, to approve the attached goals for 2007 as revised and recommended by the Committee.

Approval of Minutes

April 13, 2007

It was MOVED by Mr. Hattery, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve the minutes of April 13, 2007, as corrected.

Mr. Whicher referenced the minutes that suggests that he and the Assessment Director and Assistant present a proposal concerning revaluation program needs. He said he has requested staff to present a plan to him by next Wednesday.

Mr. Whicher also announced the Tompkins County Council of Governments (TCCOG) has been awarded a \$266,030 grant, under the Department of State's Shared Municipal Services Incentive (SMSI) program. The grant award will enable the county's municipalities, working together through the Council of Governments, to establish the Tompkins Health Care Consortium.

Adjournment

The meeting adjourned at 3:45 p.m.

2007 Government Operations Committee Goals

Goal 1: With direct support from the County's Director of Information Technology Services, oversee and give guidance to updates to the County's Communication policy. Although focused on the usage of the County's electronic mail (e-mail) system, i.e., Section 01-18 of the *County Administrative Policy Manual*, these updates will also address changes in communication technology which affect County operations overall.

The updates and implementation steps should be completed by September 10, 2007.

Need Statement: Recently, the County began the first steps in upgrading its e-mail system. Once the technical changes are in place, there will be a need for training and technical assistance not only on how to use the system, but also on the appropriate use of the system. Section 01-18 of the County Administrative Policy Manual is intended to address the latter; however, current information is sparse in content and has not been reviewed or revised since February 2, 2001. E-mail is a very important and powerful tool that is used daily by County staff and officials to conduct business. To minimize potential risk in areas such as confidentiality breaches, legal liabilities, e-mail retrievals to support FOIL requests and other matters of law, and waste of valuable bandwidth resources due unnecessary network congestion, there is need for a policy, based on industry standards, that:

- Provides current guidelines on the appropriate uses of the County e-mail system.
- Helps increase awareness of the potential risks to the County organization if the guidelines are not followed.

At a minimum, the revised policy should address the following:

- E-mail risks
- Best practices (e-mail etiquette, writing rules, etc.)
- Personal usage
- Prohibited content
- Document retention
- Treatment of confidential data
- E-mail monitoring

Goal 2: Administer the development of a plan, including guidelines and process, for routine review and/or updates to the *County Administrative Policy Manual*. The plan should be in place by the end of the 2007 calendar year and should provide a suggested timeline for improving Manual currency by 50% by the end of 2009.

Need Statement: Currently, there is no coordinated approach to updating sections of the Administrative Policy Manual or stated guidelines on how this should be done. The need for a coordinated approach is critical because the information contained in the Manual is used to support all departments and administrative units of the County. The Manual consists of six core sections and 94 subsections. The majority of the recorded policies (63%) originated in 1981, indicating that most of the information is approximately 26 years old. Roughly 75% of the policies have been revised at least once; however, revision dates range from 1984 to 2006, which is a significant span of 22 years. Inconsistencies in our policies need to be identified and resolved. Policies that are inaccurate or outdated jeopardize the overall quality of our operations. Because we rely on our policies for guiding our management, financial, and administrative decisions and actions, it is important that we have a plan and a process in place for routinely ensuring the accuracy and currency of the County's Policy Manual.

Goal 3: In concert with the Budget and Capital Committee, establish a process, based on the County's Core Performance Framework, that enables Legislators/Standing Committees to have ongoing knowledge about and a common understanding of County Department operations, accomplishments, challenges, and/or needs. At a minimum, the process will provide Legislators/Standing Committees with continuing data about a department's programming, staffing levels, and spending rates based on its current operating budget. Look to pilot the process by July 2007.

(Note: This goal is directly related to Goal 3, Strategic Objective 3d of the Budget and Capital Standing Committee.)

Need Statement: Legislators are frequently asked to make key decisions that might impact a department, but often without adequate knowledge about the department, its services, or the ultimate effect of a decision on a department's overall operations, including a department's structure, staffing levels, programming, or expenditures. Additionally, Legislators do not have a consistent method for routinely assessing or monitoring operations and programming at the department level to better guide policy, budget, and funding decisions. Conversely, Department Heads often struggle with identifying what information is most helpful to Legislators as well as the best format for presenting this information in a way that is engaging and useful.

Goal 4: Conduct a review of the County Legislature's Appointment Policy, which is documented in the *Rules of The Tompkins County Legislature*, to identify inconsistencies and outdated procedures. Also look to ensure that the information contained in the *Rules of The Tompkins County Legislature* regarding the Appointment Policy is congruent with other documented practices related to this policy, such as those referenced in Section 01-26 of the *County Administrative Policy Manual*; any bylaws adopted by the various County-affiliated boards, commissions, and committees; and the appointment process guidelines currently used by the Clerk of the Legislature staff.

Need Statement: The County Legislature's Appointment Policy supports the recruitment and recommendation of appointments to County-affiliated boards, commissions, and committees. The current policy, which has not received a thorough review or update since 2003, does not contain general standards for outreach and recruitment, or a core criteria for application review. A policy review is needed to ensure equity and objectivity, and to ensure consistent practice in policy implementation across all Standing Committees.