

MINUTES

Approved 6/13/08

GOVERNMENT OPERATIONS COMMITTEE

MAY 9, 2008 2:00 P.M. SCOTT HEYMAN CONFERENCE ROOM

Present: M. Hattery, Chair; P. Mackesey; G. Stevenson; M. Sigler; D. Kiefer (arrived at 2:06 p.m.)

Staff: C. Covert, Clerk of the Legislature; J. Wood, County Attorney; D. Squires, Finance Director; P. Younger, Deputy County Administrator; M. Lynch, Public Information Officer; J. Steiner, Public Library Director; V. Coggin, Assessment Director; E. Marx, Planning and Public Works Commissioner; J. Leccese, Planning Department; S. Doyle, Planning Department; G. Reinbolt, The History Center's Executive Director; E. Bixler, President of the Board of Trustees.

Call to Order

The meeting was called to order at 2:00 p.m.

Changes to Agenda

The agenda item concerning the Courthouse building security during meetings was withdrawn from the agenda.

Report from the Committee Chair

Mr. Hattery said he did not have a report.

Report from the County Administrator

Ms. Younger, Deputy County Administrator, did not have a report.

Report from the County Attorney

Mr. Wood did not have a report.

Report from the Finance Director

Mr. Squires said he did not have a report as most of his items are reflected on the agenda.

Report from the Public Information Officer

Ms. Lynch said she was contacted and asked to produce a Tompkins County supplement for June for the publication Legislative Gazette out of Albany at no cost to the County. She highlighted some of the ideas to feature in the issue including the Tompkins County Council of Governments Health Insurance Consortium, County Comprehensive Plan, empire zones, sustainability efforts, assessment program, etc. The deadline for filing news articles is June 11.

Ms. Kiefer arrived at this time.

2008 Committee Goals

Mr. Hattery said he met with Ms. Younger to discuss the Committee's goals and asked her to provide a brief summary of the 2007 goals. Ms. Younger provided an update on two of the four goals adopted by the Committee last year. The two goals she could not provide an update on were Goal 1: Communications Policy and Goal 4: Appointment policy.

Goal 3: Progress continues on the Subcommittee on Core Performance which is a joint goal of this Committee and the Budget and Capital Committee. There are three more meetings scheduled and the group hopes to have a final report prepared by the end of June and report out at a joint meeting of the Government Operations and Budget and Capital Committees. The group looked at a quality assurance model and chose the health care initiative and human resources payroll processing initiative as the two areas to use this approach.

Goal 2: Updating of the Administrative Manual policies continues. Over 50 percent of the policies have been given to the appropriate department(s) for review and updating. Ms. Younger briefly explained her own experience in going through the process of updating the policies for Administration. In addition, this is a standard item on the monthly Department Head agendas.

Ms. Kiefer asked if there would be a policy forthcoming through the process for the Committee to consider soon. *Ms. Younger agreed to bring forward a revised policy for Committee consideration and review how the process worked.*

Following further discussion regarding the process and moving revised policies through, Mr. Hattery and Ms. Younger agreed to prepare a memo to appropriate departments asking for a timeline for moving policies forward.

Ms. Kiefer said she continues to be concerned about the communications policy and also, although of less importance, with the lack of consistency with the appointment process. Mr. Hattery agreed to talk to Greg Potter, Information Technology Services Director, to attend a Committee meeting to discuss the communications policy. He also agreed that the appointment process could be discussed later in the year if time allows.

Ms. Kiefer asked if the letter in the Ithaca Journal from former Legislator Mike Lane regarding an ethics question could be discussed at a future meeting. Mr. Hattery said after reading the letter, he did not feel there was an issue; however, he would be willing to place the item on the agenda if any Committee member desired.

Assessment Department

Resolution – Annual Assessments

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, to approve and submit the following resolution to the full Legislature for approval. Ms. Coggin stated that regardless of which program is administered (annual or triennial), the amount of work will be essentially the same. The one difference with the annual cycle is the State Aid expected in the amount of \$150,000.

Mr. Hattery said in his experience since going to the triennial reassessment program, that people are much more confused about their assessments.

Ms. Mackesey said one reason she supported the triennial reassessment program was the rate of increases were so large every year, however, that has now changed and she would support an annual cycle.

Mr. Stevenson supported the triennial reassessment program 2+ years ago, but will support the proposed resolution at the Committee level to move it forward to the Legislature. However, some of his constituents support the three-year cycle and said he is unsure at this time how he will vote at the Legislative level.

Mr. Sigler commented that many of his constituents also support the triennial program.

Mr. Stevenson suggested that any assistance from public information and assessment staff could provide with helping the public understand annual reassessment would be appreciated.

A voice vote on the resolution resulted as follows: Ayes – 4 (Hatter, Kiefer, Mackesey, and Stevenson); Noes – 1 (Sigler). RESOLUTION CARRIED.

RESOLUTION NO. - DIRECTING TOMPKINS COUNTY DEPARTMENT OF ASSESSMENT TO VALUE REAL PROPERTY IN THE COUNTY IN ONE-YEAR INTERVALS – SUPERSEDES RESOLUTION NO. 271 OF 2006

WHEREAS, by Resolution No. 270 of 2005, the Tompkins County Legislature adopted a local law providing that real property in the County shall be valued at a uniform percentage of fair market value and reviewed by the professional appraiser staff of the Department of Assessment at time periods determined by resolution of the County Legislature, and

WHEREAS, by Resolution No. 271 of 2006, the County Legislature adopted a time period of three years, and

WHEREAS, the County has lost and will continue to lose significant State funding if it does not value properties at one-year time intervals, and

WHEREAS, annual, uniform, and full-value assessment is the most equitable, transparent, and easily understood form of assessment available to us, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That all property in the County of Tompkins shall be valued at a uniform percentage of fair market value and reviewed by the professional appraisers staff of the Department of Assessment at one-year time intervals,

RESOLVED, further, That Resolution No. 271 of 2006 is no longer in effect and is superseded by this resolution.

SEQR ACTION: TYPE II-20

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Planning Department

Resolutions – Breed Road Parcel

Following a brief explanation by Ms. Leccese, it was MOVED by Ms. Mackesey, seconded by Mr. Stevenson, and unanimously adopted by voice vote, to approve and submit the following resolution to the full Legislature for approval:

RESOLUTION NO. ___ MAKING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE IN RELATION TO RESOLUTION NO. ___ OF 2008: AUTHORIZATION TO HOLD A CONSERVATION EASEMENT ON TAX PARCEL # 7.1-11.1 LOCATED ON BREED ROAD, TOWN OF LANSING

WHEREAS, in Resolution No. __ of 2008, the Tompkins County Legislature would authorize the County Administrator to execute any documents necessary for the County to hold, maintain and enforce, in perpetuity, a conservation easement on tax parcel number 7-1-11.1 in the Town of Lansing for purposes of stream buffer protection, and

WHEREAS, the Tompkins County Legislature has reviewed and accepted as adequate an Environmental Assessment Form with respect to that action, now therefore be it

RESOLVED, on recommendation of the Governmental Operations Committee, That Resolution No. ___ of 2008 is an unlisted action,

RESOLVED, further, That the County Legislature hereby makes a negative declaration of environmental significance in regard to Resolution No. ___ of 2008.

SEQR ACTION: Unlisted

(Negative Declaration and short Environmental Assessment form on file with the Clerk of the Legislature)

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It was MOVED by Ms. Mackesey, seconded by Mr. Stevenson, to approve and submit the following resolution to the full Legislature for approval. Mr. Squires reminded the Committee that the County guarantees the taxes for villages, towns, and school districts for properties with unpaid taxes. The only way to recover that money is to take the gains of sales from foreclosed properties. This particular resolution deviates from that policy and the parcel is being treated individually. He recommended that the budgeted revenue Account No. 9999.4105 be met before reimbursing the Planning Department. Further discussion followed and the Committee agreed to insert the following statement in the resolution: if there are net proceeds from the auction.

RESOLUTION NO. - AUTHORIZATION TO HOLD A CONSERVATION EASEMENT ON TAX PARCEL # 7-1-11.1 LOCATED ON BREED ROAD, TOWN OF LANSING

WHEREAS, in 2007, the Tompkins County Planning Department was awarded grant funds through the New York State Department of Environmental Conservation's Water Quality Improvement Projects to develop stream buffer protection measures, and

WHEREAS, in 2007, the Governmental Operations Committee determined that Town of Lansing Tax Parcel No. 7-1-11.1, a 7.7 acre (3.08 hectares) parcel located on Breed Road in the Town of Lansing and bisected by Locke Creek, should be withheld from the 2007 auction to evaluate the natural features on this parcel, including a 17.4 acre (6.96 hectares) National Wetlands Inventory wetland of which 3 acres (1.2 hectares) is located on the parcel, and how they may fit into a broader stream buffer protection program in the County, and

WHEREAS, the County Planning Department, after thorough consideration of the various aspects of the property and analysis of available data, has determined that protection of the portion of this parcel that buffers the stream will enhance water quality and conserve important riparian functions that are in the best interest of the public, and

WHEREAS, a conservation area and a development area have been surveyed on the parcel and a conservation easement has been developed, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the County Administrator is authorized to execute any necessary documents for the County to hold, maintain and enforce, in perpetuity, a conservation easement on Town of Lansing Tax Parcel No. 7-1-11.1,

RESOLVED, further, That said tax parcel will be offered for sale, encumbered by a conservation easement, in the 2008 auction of foreclosed properties,

RESOLVED, further, That proceeds of the foreclosure auction in excess of payment of local taxes, will be used to reimburse fees associated with the development of this protection measure including survey costs initially paid for using Water Quality Improvement Project Grant funds if there are net proceeds from the auction,

RESOLVED, further, That maintain and enforce means the County will monitor the conservation easement on an annual basis and will follow the procedural enforcement as defined in the easement.

SEQR ACTION: Unlisted

(Negative Declaration and short Environmental Assessment form on file with the Clerk of the Legislature)

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Note: Annual costs for conducting monitoring visits of the Breed Road property held under easement is estimated at between \$125 to \$250.

2008 Foreclosure Report

Ms. Leccese said there are 11 parcels on the list subject to foreclosure proceedings. Two of the parcels have unique natural areas. One parcel is on Fall Creek Road and identified as potentially having significant natural resources. Ms. Leccese briefly described the parcel and said the Planning Department is recommending the parcel be foreclosed on, but withheld from auction for one year to explore protection options.

The second parcel is on Hanshaw Road and includes a small portion that is located in a unique natural area. The Planning Department does not feel it would provide an opportunity for significant natural resource protection and therefore recommends the Committee to proceed with foreclosure proceedings and auction the parcel. Ms. Kiefer recommends that the Committee wait until the UNA (Unique Natural Area) subcommittee of the Environmental Management Council meets on June 19th to review this and to comment on this before this Committee. The Committee agreed to meet prior to the June 3 Legislature meeting to take any necessary action.

Ms. Leccese provided a brief update on the parcels withheld from past auctions including Breed Road (see action taken earlier in the meeting) and Buttermilk Falls State Park additions. There was an issue with one of the titles with the three parcels being bought by the State Parks. However, the situation is being remedied and the County will be moving forward with the sale.

It was MOVED by Ms. Kiefer, seconded by Ms. Mackesey, to approve withholding the Fall Creek Road parcel from the foreclosure proceedings as recommended by the Planning Department. A voice vote resulted as follows: Ayes – 4 (Kiefer, Mackesey, Stevenson, and Sigler); Noes – 1 (Hattery). MOTION CARRIED.

County Administration

History Center Proposal

Ms. Kippola introduced Gary Reinbolt, The History Center's Executive Director, and Elizabeth Bixler, President of the Board of Trustees. Ms. Kippola explained the proposal and request for a multi-year agreement with The History Center and said she is not asking for action by the Committee at this meeting but will have a final resolution for consideration at the next meeting, noting the resolution was presented last year and the Committee asked that it be brought back when the County is not in the midst of budget deliberations. Ms. Kiefer noted the resolution with this agenda does not include the change passed at the September 2007 Government Operations Committee meeting. Mr. Reinbolt distributed copies of the Center's annual report and provided an overview of the activities including a brief history of their occupancy arrangements and costs over the years. *Following discussion and suggestions by Committee members, Ms. Kippola agreed to revise the resolution as appropriate and bring it back next month for consideration.*

Resolution – Legal Counsel for Health Benefits Consortium

Following a brief discussion by Ms. Kippola, it was MOVED by Mr. Stevenson, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve and submit the following resolution for approval. *Ms. Kiefer requested an explanation of the process followed as outlined by Ms. Kippola be added to the resolution.* In response to a question by Ms. Kiefer, Ms. Kippola speculated the total cost will be \$5,000 over the next year.

RESOLUTION NO. - AUTHORIZING AGREEMENT FOR LEGAL COUNSEL FOR HEALTH BENEFITS CONSORTIUM

WHEREAS, the County, on behalf of the Tompkins County Council of Governments (TCCOG) has been awarded a Shared Municipal Services Incentive (SMSI) Grant from the New York State Department of State, and

WHEREAS, the total grant amount to Tompkins County is \$266,030 to design and establish a Health Benefits Consortium for the employees of all municipalities within Tompkins County, and

WHEREAS, once the Health Benefits Plan is designed, each participating municipality will be expected to sign an inter-municipal health benefits consortium agreement that defines the consortium structure, and

WHEREAS, the legal matters concerning an inter-municipal health benefits consortium are complex and require expert counsel experienced with health care, municipal, and consortium laws, and

WHEREAS, it makes sense to have one expert law firm to represent the interests of the future consortium, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee and the Tompkins County Council of Governments (TCCOG), That the County enter into an agreement with Hancock & Estabrook of Syracuse, New York to provide legal representation to TCCOG's future health benefits consortium,

RESOLVED, further, That the funds to pay for legal representation be paid from the SMSI Grant.
SEQR ACTION: TYPE II-20

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Explanatory note: The TCCOG Health Benefits Steering Committee requested recommendations from TCCOG's consultant, Steve Locey of Locey & Cahill, for suggestions for counselors experienced in providing legal counsel for the establishment of health-related municipal consortiums. The Steering Committee reviewed and received three proposals, and interviewed representatives of two law firms. While all of the firms were competent, Hancock & Estabrook clearly stood out as a solid fit to meet the needs of TCCOG. The Steering Committee and TCCOG recognize an economy of scale by hiring one law firm well-versed in complex laws regarding health benefits and municipal consortiums, rather than consuming the valuable time all of the municipal attorneys.

Appointment(s)

Library Board of Trustees

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, to approve and submit the appointment of Christine Sanchirico to the Library Board of Trustees for a term that expires December 31, 2010. *Discussion followed concerning process and Ms. Mackesey requested the information that is used to make decisions by the nominating committee. Ms. Steiner said she would provide copies of the guidelines used to committee members as requested.* Ms. Steiner also provided a brief overview of the process for filling vacancies.

A voice vote resulted as follows on the Library Board of Trustees appointment: Ayes – 5, Noes – 0. APPOINTMENT CARRIED.

County Legislature

2010-2013 Legislature Salaries

Ms. Kiefer believes the Committee should wait to discuss this item until after the budget season. Following a brief discussion the Committee agreed to begin discussing salaries for the next term in

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August. *Committee members requested copies of the resolution establishing Legislature salaries for the last few years.*

Professional Services Agreement – County Administrator Search Committee

The Committee briefly discussed the proposal to hire a consultant for the County Administrator Search Committee and the funds coming from the professional services budget line of the Legislature's budget. Ms. Kiefer said there is a difference of opinion on whether committee action is needed. Ms. Mackesey said the search committee voted that they wanted a consultant. There were differences of opinions on the role of the consultant and the list of deliverables in the proposal is subject to negotiation. Ms. Kiefer expressed concern that program committees should have the opportunity to comment and give direction on these type of decisions.

Approval of Minutes

April 11, 2008

This item was deferred to the next meeting.

Resolution – Lansing Library

It was MOVED by Mr. Sigler, seconded by Mr. Hattery, to approve and submit the following resolution to the full Legislature for approval. Mr. Sigler explained the resolution and said he believes it is out of fairness to the Lansing Library to provide funding for \$5,000 as the County did with the other rural libraries for the Dynix system. It was noted that the Lansing Library has already received a grant for this purpose.

A voice vote resulted as follows on the resolution: Ayes – 1 (Sigler); Noes – 4 (Hattery, Kiefer, Mackesey, and Stevenson). RESOLUTION LOST.

RESOLUTION NO. FUNDING FOR LANSING COMMUNITY LIBRARY CENTER

WHEREAS, the Lansing residents voted to change the Lansing Reading room to the Lansing Community Library Center, making it a member of the Finger Lakes Library System, on December 11, 2007, and

WHEREAS, as of March 2008 Lansing Library has been chartered by the New York State Department of Education, and

WHEREAS, Tompkins County funded the rural libraries \$5,000 a piece for a total of \$20,000 when they joined the Finger Lakes Library System to allow for that transition, now therefore be it

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

From: Contingent Fund	1990.54400	\$5,000
To: Lansing Community Library Center	7410.54400	\$5,000

SEQR ACTION: TYPE II-20

Adjournment

The meeting adjourned at 4:05 p.m.