

GOVERNMENT OPERATION COMMITTEE AGENDA

February 7, 2022

Committee members: Ed Bronson, Rick Willson, Dick Harper, Carlie Chilson, Mark Morris (Zoom), Bonnie Percy

Others present: Jesse Jayne, Bill Holgate, Terry Button, Tim Cutler, Pat Killen, Doug Paddock, Carlie Chilson, Leslie Church, Nonie Flynn, Emilee Miller, Tim Groth, Scott Falvey, Robert Brechko, Robert Schwarting, Arlene Wilson, Colby Petersen, Lois Hall

Ed & Rick will do the audit this month.

The minutes of the January meeting were approved as presented.

PUBLIC COMMENT

John Prendergast spoke about polling places and voting. He does not want the Himrod polling place removed. Many of the Mennonite Community vote there as it is the easiest place for them to vote.

County Attorney: Scott Falvey

Scott reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Authorize and Approve an Opioid Settlement Agreement (Allergan)

Elections: Robert Brechko and Robert Schwarting

Bob reported that the governor signed legislation extending the COVID related reason for applying for and receiving an absentee ballot until the end of the year for all the elections.

Bob reported the Issues of Significance or Needing to be Resolved.

Bob reported the January Objectives Achieved.

Bob reported the February Objectives.

Bob reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Authorize Legislature to Ratify Contract Extension For Elections Cybersecurity Remediation Grant Contract # BOE01-C004288-1110000

Soil & Water: Colby Petersen

Colby reported that there was a 9 Element Update on February 3 and the recording should be available on the website.

Colby reported that there are also 2 grant opportunities coming up.

Colby reported that the District Staff anticipate completing over 400 inspections in 2022. Notice of violation letters are being prepared for home owners that didn't comply with the request letters in 2021. These will be distributed to their respective Code Enforcement Officers for their review and then released to the home owners for compliance before June. If compliance is not achieved by June, summons will be issued by the Code Enforcement Officers.

Colby reported that the District Staff have completed 82 worksheets for landowners. They anticipate completing over 120 for the year. Worksheets can be completed until March 1st. The charge is \$40 per worksheet and \$20 for updates or reprints. It is required that the landowners complete these worksheets when changes are made to their agricultural parcels.

Colby reported that Yates County awarded a grant to the New York Wine and Grape Foundation to update the VineBalance workbook. VineBalance is a program for vineyard operations to assess environmental sustainability. The workbook was originally completed in 2000 and was in need of updating to reflect current sustainable practices. Tom Eskildsen from Soil & Water has served on both the Technical Review Committee and the Grower Advisory Committee for the updates.

Colby reported that the Five Cattle Dead in Manure Gas Poisoning Incident on Finger Lakes Dairy Farm article will be distributed in the Flame newsletter to the Mennonite Community. He also reported that there will be a Slow Moving Vehicle Workshop on February 15th, 2022 from 7-9 p.m. at the Benton Fire Department.

Cornell Cooperative Extension: Arlene Wilson

Arlene provided Program Updates.

There was discussion with the Committee regarding the CCE office being closed during their lunches and during “snow days”.

Arlene reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Authorize Chairwoman to Sign Memorandum of Understanding with Cornell Cooperative Extension

IT: Tim Groth

Tim reported that in the month of December there were 261 I.T. Help Desk calls.

Tim updated the Committee on the following programs: MDM on all the new Public Safety AT & T FirstNet phones, Backup E911 Center, Microsoft Windows Cumulative Update, Time Clock Plus migration to their Cloud solution, NYS LGITDA working with multiple NYS Leaders on Cyber Security initiatives, and Evaluation of Monsido’s Accessibility SaaS Solution.

The Committee has interest in moving forward with Evaluation of Monsido’s Accessibility SaaS Solution. Tim will produce a resolution for the Legislature meeting.

Tim reviewed the 2021 Summary of Help Desk Tickets by Department.

County Clerk: Lois Hall

Lois reported that today New York State has gone to a new system for all CDL Drivers. Entry level applicants must obtain training from a training provider. It is managed by Federal Motor Carrier Safety Administration. The system will list all of the approved training providers. There is a 28 page list of regulations that will be required. They are no longer talking about allowing 18 year olds to get their CDL License. All of this is done through the Federal Motor Carrier and then they come to the DMV once they have passed all of the requirements.

Lois reported that there were 1785 DMV transactions with fees for retention collected for December 2021, \$15,993.47 and year to date retention of \$168,928.25 and with \$67,259.95 sales tax collected for December. COPRS Internet fees collected \$1,702.44 in December with a year

to date amount collected of \$15,178.29. The online transactions totaled \$637,611.75. After they reach the threshold of \$170,587.25 they receive 3.25% of these receipts totaling \$15,178.29.

Lois reported the DMV and Clerk Updates.

Lois reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Authorize County Clerk to Sign Memorandum of Understanding (MOU) for E-Recording

Personnel: Nonie Flynn

Nonie thanked Sheriff Ron Spike, Sergeant Frank Ryan, Deputy Sheriffs Megan Moorehouse, Sydney Forshay, Caitlin Schenck, and college intern, Alexandria Smart for conducting De-Escalation Training for Yates County employees. The level of professionalism displayed by all involved was greatly appreciated. Each employee has received a letter of commendation and a copy has been placed in their personnel files.

Nonie reported the February collection for the Living Well is Super Bowl (Soaper Bowl), bar, hand, dish, and laundry soap.

Nonie reported that on January 26, 2022 the U.S. Department of Labor's Occupational Safety and Health Administration is withdrawing the vaccination and testing emergency temporary standard issued on Nov. 5, 2021, to protect unvaccinated employees of large employees of large employers with 100 or more employees from workplace exposure to coronavirus.

Nonie reported that Kerry is looking for willing participants from the Government Ops Committee to sit on the committee to review Workers Compensation RFP's.

Nonie reviewed the Personnel Office Vacancy Report.

County Administrator: Nonie Flynn

Nonie reported that CSEA Negotiation meetings are scheduled for February 14th and 28th.

Nonie reported that Finger Lakes Problem Gambling Resource Center has requested a proclamation and for buildings to be lit in yellow on March 8th to bring awareness around problem gambling.

There was discussion regarding the yellow light on the building.

Nonie reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Problem Gambling Awareness Month 2022

Legislative Clerk: Emilee Miller

Emilee reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Ratify Letter of Support
- Change Date of March Legislative Meeting
- Change Date of October Legislative Meeting

Legislative Operations: Chairwoman Church

Chairwoman Church reviewed the following resolution that would be needed. After discussion the Committee approved.

- Authorize Chairwoman to Sign Consulting Agreement (Hayes)

The Committee reviewed the proposed contract and requested some modifications including changing the method of payment to be hourly and putting a limit of \$2,400 for the year in place.

Legislative Operations: Doug Paddock

Doug presented a PowerPoint Presentation (Attached) reporting on the Ad Hoc Reapportionment/Redistricting Committee's findings in regards to the rearrangement of boundaries prepared by Planning and Soil and Water and other alternatives to achieve more equalized representation as required by NYS County Law.

The Ad Hoc Committee's report was sent to all legislators on Wednesday February 2nd.

AD HOC REAPPORTIONMENT/ REDISTRICTING COMMITTEE

Report to Government Operations Committee

FEBRUARY 7, 2022

Daniel Banach Robert Brechko Timothy Cutler Richard Harper

Douglas Paddock Bonnie Percy Robert Schwarting

Technical assistance from Jeffrey Ayers, Emilee Miller and Colby Petersen

Background

First YC legislature seated January 1, 1972

- Transitioned from a Board of Supervisors with 9 members
- 5 legislative districts/13 legislators

Reconfigured to 4 districts with 14 legislators

- First occurred in 1984
- Portion of Town of Milo was in District IV (Barrington/Starkey)
- Few changes until 2014 when Milo was consolidated into its own district

Required to review representation after each decennial census

Yates County Population by Town – 2010 vs. 2020

Town	Population		Change from 2010 to 2020	
	2020	2010	People	Percent
Barrington	1,541	1,672	(131)	(7.83)
Benton	2,971	2,784	187	6.72
Italy	1,099	1,141	(42)	(3.68)
Jerusalem	4,405	4,473	(68)	(1.52)
Middlesex	1,377	1,495	(118)	(7.89)
Milo	6,817	7,040	(223)	(3.17)
Potter	1,858	1,865	(7)	(0.38)
Starkey	3,407	3,530	(123)	(3.48)
Torrey	1,299	1,282	17	1.33
Total County	24,774	25,282	(508)	(2.01)

Representation by Legislative District – 2010 vs. 2020

2010 – Target residents per legislator → $25,282/14 = 1,806$; total difference = 13.5%

District	Population	Legislators	Per Legislator	% of Mean	Δ % from Mean
I	7,109	4	1,777	98.4	(1.6)
II	5,931	3	1,977	109.5	9.5
III	7,040	4	1,760	97.5	(2.5)
IV	5,202	3	1,734	96.0	(4.0)

2020 – Target residents per legislator → $24,774/14 = 1,770$; total difference = 22.2%

District	Population	Legislators	Per Legislator	% of Mean	Δ % from Mean
I	6,881	4	1,720	97.2	-2.8
II	6,128	3	2,043	115.4	15.4
III	6,817	4	1,704	96.3	-3.7
IV	4,948	3	1,649	93.2	-6.8

Requirements

Recent NYS law (2021 session):

- Requires single-member districts to make adjustments such that representation is within 5% total.
- Allows multi-member districts some flexibility.
- Courts have disallowed 8.80 and 9.98% in the past.
- Districts shall:
 - consist of contiguous territory;
 - be as compact in form as possible;
 - not be drawn to discourage competition or to favor incumbents, particular candidates or political parties;
 - be formed so as to promote the orderly and efficient administration of elections.
- Maintenance of cores of existing districts, of pre-existing political subdivisions including . . . Towns . . . shall also be considered.

Committee agreed that any adjustments should target no more than 5% total difference in representation.

- Also agreed that stability is desirable.

Achieving Parity

Three methods for achieving parity:

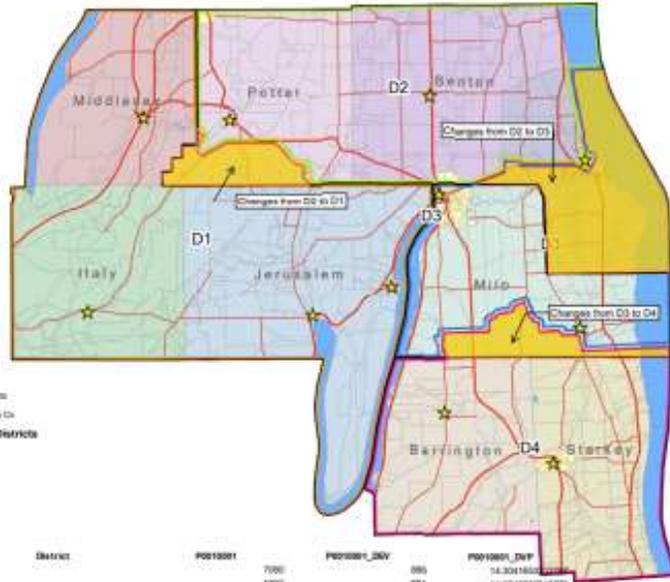
1. Rearrange legislative district boundaries.
2. Weighted voting based on the number of residents represented by each legislator.
3. Increasing or decreasing the number of legislators.

Uniform representation would target 5,310 residents in a 3-member district and 7,080 residents in a 4-member district. This would necessitate moving:

- 197 residents from District II into District I (7,078);
- 622 residents from District II (5,309) into District III;
- 360 residents from District III (7,079) into District IV (5,308).

Committee considered 5 possible rearrangements of districts.

Plan 1



Legend

- 2011 Legislative Districts
- Polling Locations (Voter Co)
- Adjusted Legislative Districts**
- Districts
- Unassigned
- D1
- D2
- D3
- D4

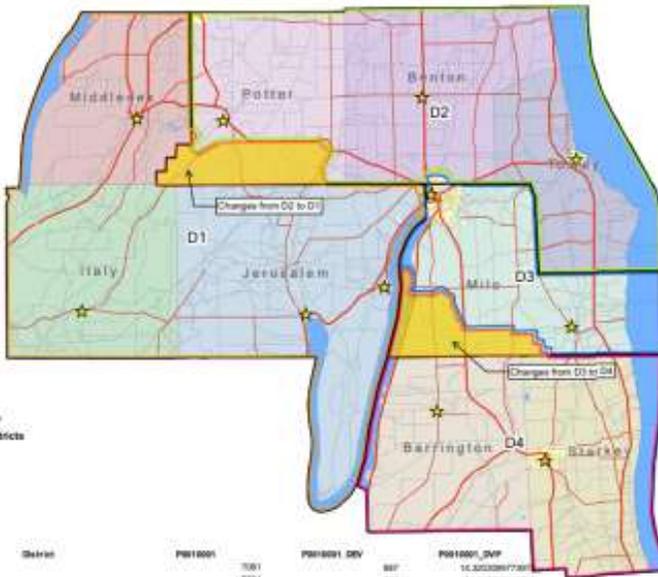
DIST_ID	District	P0010001	P0010001_DEV	P0010001_DWP
1 D1		7000	886	14.3341852
2 D2		8000	881	-14.3344860-8725
3 D3		7081	887	14.332338773375
4 D4		9310	884	-14.271876200041

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Plan 2



Legend

- 2011 Legislative Districts
- Polling Locations (Voter Co)
- Adjusted Legislative Districts**
- Districts
- Unassigned
- D1
- D2
- D3
- D4

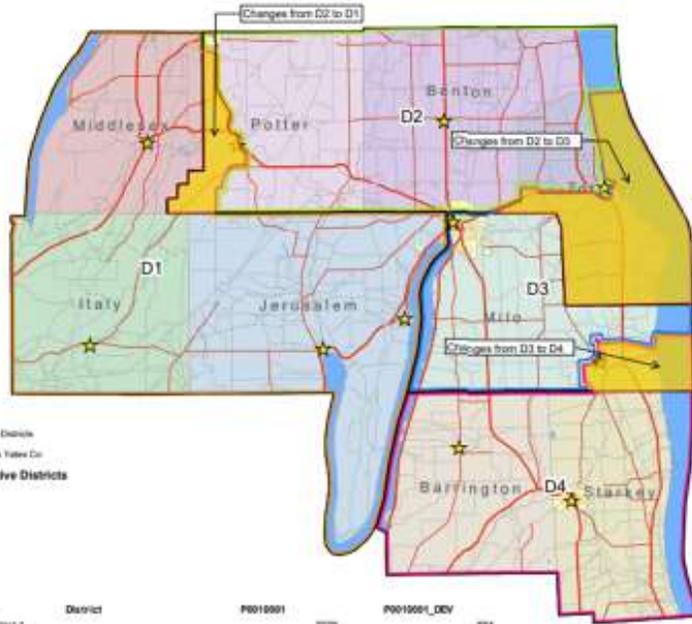
DIST_ID	District	P0010001	P0010001_DEV	P0010001_DWP
1 D1		7001	887	14.332338773375
2 D2		8004	882	-14.334732847154
3 D3		7079	880	14.3300359601586
4 D4		9310	884	-14.271876200041

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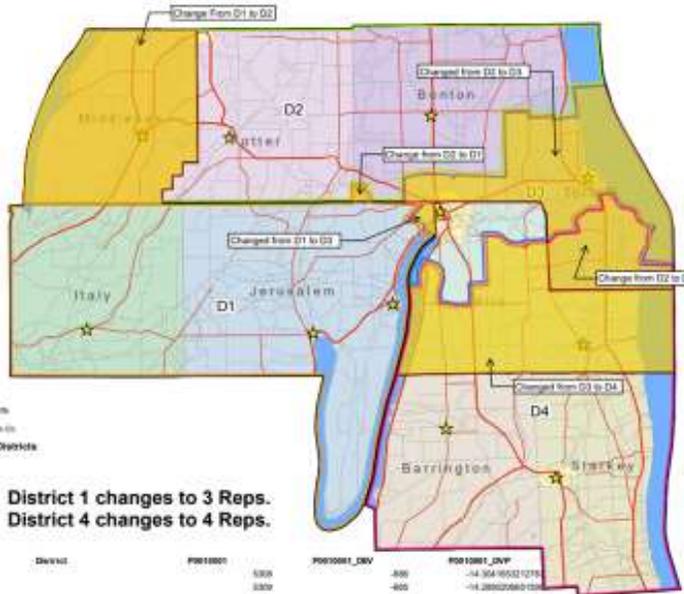
Plan 3



Legend
 2011 Legislative Districts
 Polling Locations (Voter Ctr)
Adjusted Legislative Districts
 Districts
 Unassigned
 D1
 D2
 D3
 D4

DIST_ID	District	P0010001	P0010001_OCV	P0010001_DCV
1	District 1	7076		884
2	District 2	9309		-885
3	District 3	7076		885
4	District 4	5312		-882

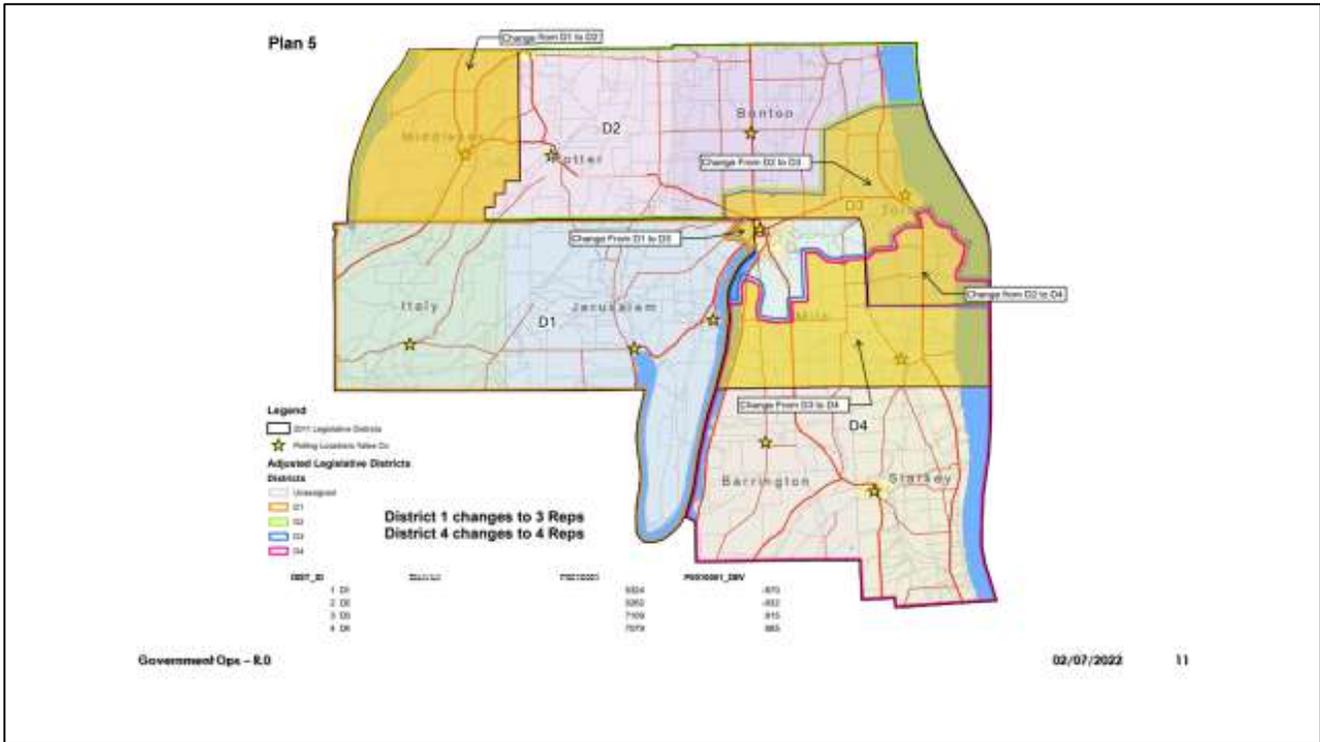
Plan 4



Legend
 2011 Legislative Districts
 Polling Locations (Voter Ctr)
Adjusted Legislative Districts
 Districts
 Unassigned
 D1
 D2
 D3
 D4

**District 1 changes to 3 Reps.
 District 4 changes to 4 Reps.**

DIST_ID	District	P0010001	P0010001_OCV	P0010001_DCV	P0010001_DVP
1	D1	5308		-886	-14,304,9552,1215
2	D2	5309		-885	-14,28522080,1215
3	D3	7076		884	19,2178180004,1
4	D4	7075		885	-14,28522080,1215



New Voting Districts Required, by Plan

Plan	New Voting Districts Required	Locations	Distinct Ballots Required
Current	0	--	9
1	3	1 each in Milo, Potter and Torrey	12
2	4	1 each in Benton, Jerusalem, Milo and Potter	12
3	3	1 each in Milo, Potter and Torrey	12
4	6	2 each in Benton and Torrey; 1 each in Jerusalem and Milo	15
5	4	1 each in Benton, Jerusalem, Milo and Torrey (Note: 1.3% deviation)	13

Election costs increase from an anticipated minimum (Plans 1 and 3) of \$2,632 per year to a maximum (Plan 4) of \$23,853 per year, depending on number of primaries and poll workers required. A more realistic four-year average cost ranges from \$6,581 to \$13,162.

Advantages/Disadvantages of Rearranging District Boundaries

Advantages

- Each legislator represents the same number of residents.
- Depending on plan chosen, some municipalities would have more representatives.

Disadvantages

- Increased potential for confusion by residents and/or on ballots.
- Depending on plan chosen, some municipalities would have fewer representatives.
- Requires additional voting districts.
- Increased potential for errors on petitions.
- Increased cost for elections.
- Likely that district boundaries will need to be adjusted further in future years.

Weighted Voting

Used by 16 county Boards of Supervisors in those counties that still have that type of legislative body.

Used by other legislatures to achieve parity.

Each legislator's vote reflects the number of residents represented.

Recommended by Committee 6 to 1.

Method agreed upon unanimously by committee.

Weighted vote calculated by:

Number of residents in the district,

Divided by the number of legislators representing the district,

Divided further by 10.

Weighted Voting Plan Recommended by Committee

Summaries	District	Leg. #	Votes/Leg.
	II	5	204
		6	204
		7	204
	I	1	172
		2	172
		3	172
		4	172
	III	8	170
		9	170
		10	170
		11	170
	IV	12	165
		13	165
		14	165
Maximum % of Minimum			123.6
Total No. of Votes			2475
Majority			1238
Minimum No. of Legislators for Majority		7	
Resulting Votes - Max. & Descending			1300
% of Legislators		50.0	
Maximum No. of Legislators for Majority		8	
Resulting Votes -Min. & Ascending			1347
% of Legislators		57.1	

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Proposed YC Weighted Voting Plan Compared to Other Counties

Summaries	County, Legislator No. and Votes									
	Cayuga		Genesee		Otsego		Schenectady		Steuben	
	Leg. #	Votes/Leg.	Leg. #	Votes/Leg.	Leg. #	Votes/Leg.	Leg. #	Votes/Leg.	Leg. #	Votes/Leg.
	6	86	4	47	5	627	4	1,0799	12	723
	2	75	2	45	3	554	5	1,0799	8	694
	7	68	3	43	6	534	6	1,0799	14	660
	9	67	5	43	4	523	1	1,0572	11	625
	3	65	6	38	2	503	2	1,0572	2	605
	5	62	1	28	10	497	3	1,0572	6	605
	8	61	8	28	1	439	7	0.9939	3	601
	1	53	9	28	7	405	8	0.9939	9	597
	11	52	7	26	8	390	9	0.9939	10	595
	4	51			9	375	10	0.9939	13	593
	15	51			12	356	11	0.9939	4	562
	10	49			11	348	12	0.9048	5	542
	13	48			13	346	13	0.9048	7	542
	14	48			14	339	14	0.9048	1	513
	12	47					15	0.9048	17	513
									15	451
									16	451
									17	
Total No. of Legislators	15		9		14		15		17	
Maximum % of Minimum		183.0		180.8		185.0		119.4		160.3
Total No. of Votes		883		326		6228		15		9572
Simple Majority		442		164		3115		8		4937
Minimum No. of Legislators for Majority	7		4		6		8		8	
Resulting Votes		484		178		3228		8,3991		5110
% of Legislators	46.7		44.4		42.9		53.3		47.1	

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Advantages/Disadvantages of Weighted Voting

Advantages

- Continues districts that have been in existence for ten years.
- Respects existing town boundaries.
- Allows consolidation of voting districts, lowering cost of elections.
- Reduces confusion and potential for errors on the part of voters, petition carriers and election employees.
- Legislators more fairly represent the number of residents in their districts.
- Weighting can be readily adjusted in the future.

Disadvantages

- 7 of 14 legislators could decide a question.
- Requires spreadsheet to tally votes.

Next Steps

Prepare a local law incorporating the plan chosen by the legislature.

- Local law is subject to a permissive referendum, at least.
- May require a mandatory referendum, depending on plan chosen.

Additional Considerations

Committee has met on several occasions; minutes have been distributed and contain more detail.

NYSAC webinar: <https://www.youtube.com/watch?v=-7iEKb9T8u8>.

Emilee demonstrated the use of a weighted voting system spreadsheet.

Doug asked for recommendation from the Government Operations Committee as to how to proceed with the Reapportionment/Redistricting.

The Committee discussed the proposed options for Reapportionment/Redistricting.

A member of the public (who did not state their name) spoke about the first time the Legislature needed to address Reapportionment/Redistricting. They were a Board of Supervisor and ended up changing to the Board of Legislators to take care of the issue then. The idea of having one Legislator to one vote is very important.

The consensus of the Committee was to give the Legislature time to look this over and time for the towns to review it.

Mr. Willson moved to enter executive session to discuss:

1. Contract Negotiations with members of the Committee, other members of the legislature, and the County Administrator;
2. Employee telecommunicating with members of the Committee, other members of the legislature, and the County Administrator;
3. Employment History of a particular individual with members of the Committee, other members of the legislature, and the County Administrator.

Seconded by Ms. Chilson.

The Committee Recessed at 3:45 p.m. for the Human Services meeting.

Executive Session commenced at 5:30 p.m.

Meeting adjourned at 5:39 p.m.