

## GOVERNMENT OPERATION COMMITTEE AGENDA

March 7, 2022

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

Others present: Rick Willson, Dan Banach, Jesse Jayne, Leslie Church, Doug Paddock, Tim Cutler, Pat Killen, Terry Button (Zoom), Nonie Flynn, Emilee Miller, Tim Groth, Bob Schwarting, Kerry Brennan, Colby Petersen, Len Kataskas, Lois Hall, Molly Linehan, Arlene Wilson (Zoom)

Ed & Dick will do the audit this month.

The minutes of the February meeting were approved as submitted.

### **Elections: Robert Schwarting**

Bob reported that several new bills were drafted relating to elections, but nothing to report at this time.

Bob reported that they are still awaiting new regulations and procedures for reporting, tracking, opening and casting absentee ballots. Changes will affect training, inspector manuals, new ballot envelopes, poll site procedures and office procedures, and lastly enhanced security of “live” ballots.

Bob reported that they are still awaiting new regulations and procedures for processing registrations and requests for absentee ballots processed through a NYS BOE website electronic voter portal.

Bob reviewed the February Objectives that were achieved.

Bob reviewed the March Objectives.

### **Soil & Water: Colby Petersen**

Colby reported that the district staff anticipate completing over 400 inspections in 2022. The Notice of Violation (NOV) letters have been prepared for home owners that didn't comply with request letters in 2021. The NOV's have been distributed to their respective Code Enforcement Officers (CEO) for their review and will be released to the home owners on April 1<sup>st</sup> with expectations for compliance before June 1<sup>st</sup>. If compliance isn't achieved by June 1<sup>st</sup>, summons will be issued by the CEOs.

Colby reported that district staff have completed 114 worksheets for landowners, they anticipate completing over 120 for the year. Worksheets can be completed after March 1<sup>st</sup> with Assessor's approval. They charge \$40 per worksheet and \$20 for updates or reprints. When changes are made to their agricultural parcels the landowners are required to have worksheets completed.

Colby reported that the Farm Safety Workshop was held at the Benton Fire Department on February 15<sup>th</sup> with about 100 attendees. There will be an article later this month in the Chronicle Express.

Colby reported that they will apply implementation project funding under two grant application opportunities. The deadline to apply is the end of March. Several severe storm events in the county during 2021 have showcased a large need for further erosion and runoff control projects.

Colby reported that the Climate Resilient Farming Program goal is to help farms deal with climate change through adoption of best management practices controlling water flow from frequent heavy rainstorm events and improvement of soil health aiding in both carbon sequestration and water infiltration.

Colby reported that the Agricultural Non-Point Source Pollution and Abatement Control Program has been the main point of funding that they have utilized over the years for implementation of agricultural projects. They have active grants from this program in the Seneca, Keuka, and Canandaigua Lake watersheds in cooperation with adjacent counties.

### **Cornell Cooperative Extension: Arlene Wilson**

Arlene reported that the Pesticide Credit Class scheduled for March 12 has been expanded. They had a request from New York State to add more space in that. Not a lot of Counties are having in person Pesticide Credit Courses. They are increasing the capacity from 20 to 40.

Arlene reported that they helped 2 Local Farmers with Farm Business Planning for taxes. They originally hoped to have 8 people for the Dundee Seed to Supper 6 week program and they have 15.

Arlene reported that they are currently in the process of reviewing Agricultural Farm Land Protection Plans from neighboring Counties. They are going to develop an RFP for proposal by the end of May that will be shared with the Legislators. Once they have identified a Contractor to put the Plan together, they will bring a resolution forward for funding disbursement.

### **IT: Tim Groth**

Tim reported that in the month of January, the I.T. Help Desk took in 300 calls.

Tim reported that the 2022 mandatory Cyber Security Training has been sent out and if anyone has any problems with it to let him know. It gives you 30 days to complete it, after that it will start sending reminder emails. The trainings are not bad and are short. The second one talks about the Phishing Feature that they have in their email.

Tim reported that Kerry puts out an Annual Training for everyone and there is one portion that requires you to get to the Intranet. There was an issue where people are having trouble logging into the Intranet. If someone runs into this issue, they should contact Tim and not Kerry.

Tim reported that the Time Clock is completely converted, they are all in the Cloud now, and they have run Payroll through it a couple of times. They have gotten most of the bugs worked out and there were a couple of hiccups in the beginning. After that they have been getting along pretty well.

Tim reported that he is feverishly working on the Cyber Security Insurance. He is trying to get them in a position to even be able to apply for it. The Insurance Companies have completely redone the requirements for Cyber Security because of the hits and the pay increase has gone crazy since COVID and even before that. In the last two years the hits on Cyber Security Insurance has been very heavy and they are putting all kinds of requirement on them to even apply for it. If these requirements are not in place, the underwriters reject you all together and won't allow you to have Cyber Security Insurance. Some of the regulations are geared more towards the people who have higher level privileges. To login to Administrator Accounts they have to use two factor authentication going forward. It makes the job more difficult for them, but it is for the protection of the County System.

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

- Authorize I.T. Director to Purchase Monsido Accessibility SAAS Solution (Monsido – Durham, NC)
- Authorize Chairwoman to Sign Contract (ePlus-Rochester, NY)

Tim reported that the Legislative Clerk will be taking over Zoom for the Committee and Legislative Meetings. I.T. will still be available and ready for when groups come in or if there are any questions or concerns.

### **Historian: Len Kataskas**

Len reported that they are about 33% of the way completed with the Inventory and Index of the Map Room. This will continue into his proposed 2022 Goals. They have a Bicentennial Ball scheduled for May of 2023 and then October 7, they have the 1823 Dinner scheduled. Len reviewed the status of the rest of his 2021 Goals.

Len reviewed his proposed 2022 Goals.

### **County Clerk: Lois Hall & Molly Linehan**

Lois reported that there were 1494 DMV transactions with fees for retention collected in January 2022. They collected \$12,410.85 in DMV fees with \$53,095.31 in Sales Tax Collected. COPRS Internet fees collected year to date is \$0. There were 3210 County Clerk transactions and \$215,550.98 collected in fees. Total fees collected for the County Clerk in January 2021 was \$304,514.05 and in the DMV for January 2021 was \$9,565.04.

Lois reported that a lot of people are coming into the DMV wanting them to set up something for them to pay their tickets. This is not something the DMV does, it has to go through their Town's Courts. They get 10-12 people a week that come in trying this. They have to go to the respective Court where they issued the Summons.

Lois reported that the DMV computers were updated and they are having issues today with rolling it out the updates. Lois is hoping they have it corrected at this point.

Lois reported that she has gotten the E-Recording MOU back to the vendor. The company will contact them to set up training. They haven't heard anything back yet from CSC Recordings, but they said they would be in touch once everything was in place. CSC Recordings plans to provide them with a Webinar. Lois is hoping that it will be beneficial for everyone. At this point, it is optional to use the E-Recording System.

Lois reported that Molly is in the process of being trained in different areas. Brittany is doing really well with passports. Next year when passport recertification comes around Molly will not be doing the recertification. Molly is currently shadowing Lois in the DMV and County Clerk's Office. Molly should be able to take over for Lois when she retires or if she is not there.

Lois reported that everyone in the Clerk's Office will be trained on the Land Recordings. Pistol Permits continue to be an issue and they are teaching themselves at this point. Ron Spike and Judge Cook are helping. They have had some issues where they have had to do some research on their own to find out things because the Pistol Permit Clerk was not there.

### **Personnel: Kerry Brennan**

Kerry reported that the collection for March will be Pet Supplies (food, treats, toys, etc.). All donations will be given to Pet Partners.

Kerry reported that there will be a Blood Drive held on March 23, 2022 from 9:00 a.m. to 1:00 p.m.

Kerry reported that a consultant from NYS Retirement will be available virtually on April 6 to meet with employees. If employees are interested in signing up, they should contact Karen Bradley to schedule an appointment.

Kerry reviewed the Vacancy Report.

**County Administrator: Nonie Flynn**

Nonie reported that they had a couple meetings during February for CSEA Negotiations and their next two meetings will be April 6th and 21st. Tish, their Labor Attorney, will be speaking with them at the March 17<sup>th</sup> Legislative Meeting to give an update.

Nonie reported that Kerry did the research on coming up with some good Customer Service Training. Nonie reviewed some of Kerry's suggestions they picked the Fred Prior Instructors. The training will be held on May 11<sup>th</sup>. Each session will be three hours long and they will have 2 sessions, one in the morning and one in the afternoon. The May 11<sup>th</sup> date gives all of the employees enough time to plan ahead as their attendance is mandatory. The Public Safety employees do not have to attend as they have their own Customer Service Training.

**Legislative Clerk: Emilee Miller**

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

- File County Officers Annual Reports with the Clerk of Legislature

**Legislative Operations: Doug Paddock**

Doug reported that he set up a supplemental report on the reapportionment. Doug took the opportunity to get additional input from people with more experience. He sent their reports to Jerry Benjamin, who had previously helped them decide if they wanted a County Administrator. Their review is that the original proposal of 14 Legislators with Weighted Voting would pass constitutional muster. They can probably put the decision off another month, but the proposal as presented by the Committee has been reviewed by outside counsel consultants, at no cost to the County and it does pass legal muster in their opinion. Doug questioned how the Committee would like to proceed. They can wait a month, but there is a timeline that they need to meet. Doug stated that no matter what they do, if it is subject to permissive referendum, they will need to wait 45 days for someone to file a petition. They need to pass a law at the latest in June or it goes on to the next year.

Rick stated that because many of the Legislators are the representatives of the various townships they spoke with the different Towns regarding this. He believes that the Towns of Torrey and Potter have it on their schedule to discuss this at their upcoming meetings. He highly suggests and recommends that the Legislature hold off on making any decisions until he can get feedback from the Towns that he is involved with.

Ed stated that he had one person from the Town Board of Middlesex call him after they had reviewed the documentation/report from the Ad Hoc Committee and they were for the Weighted Voting. They thought it was the best option and they weren't really interested in changing the boundaries of the Districts. Tim reported having similar feedback in Jerusalem.

Pat stated that he tried to reach out to some different folks about this. There was some discussion at the meeting down at the Wagner with people that are very much opposed to it and some people had to have it explained to them as they were not clear as to why it had to be looked at. Pat has gotten a lot of pushback when he's spoken to people about rearranging the boundaries, where they have to vote, how their votes will be counted, or how it would work. He had mixed responses.

Doug clarified that a person's vote would still count the same. Weighted Voting would be strictly applied in Legislative Operations.

Dan stated that the people he has spoken to either don't care either way or they want one person one vote.

Leslie stated that they talked about it in the Town of Milo meeting and most of the Board Members had very little opinion on it except one. After reading the report, the member concluded that Weighted Voting was the better way to go.

Mark stated that there was one individual who wanted to go with the option that made the least change to the current system. They thought it would be best to keep the Legislative Districts the same, but increase the Legislature by one. Mark is not sure why that is not a good option and asked if it was because of the extra cost of adding another Legislator.

Doug stated that it adds cost and it numerically gets them closer, but can also add some complexity and adds another person. In discussion with Dick, he expressed it best, that if you have to go with Weighted Voting, which you would have to with 15 people still in order to get the numbers in range, why not just do the Weighted Voting with 14.

Dick stated that another issue is that you have to look down the road of what you're going to be doing. For example, Milo is looking at some significant housing projects this year which will change things in another decade. If they get into Changing Boundaries then they will probably be changing them every 10 years. He is trying to look at it as keeping as much continuity in the process as they can, so they don't have to change things so often. That state said they need to level the playing field somewhat, but at the same time they need to understand that if they as the Legislature are not there they are impacting that Weighted Voting anyways. It works really well for one person one vote if everyone is present, but there are not a lot of Legislative meetings where they are fully at 100%.

Dan stated that the same can be true in the future if they go with Weighted Voting. Not everyone is going to be there and that can impact it severely.

Tim stated that they had the discussion with Dr. Benjamin and one of the other presenters at the Webinar. They are not doing this for the fun of it, it is driven largely by the population. It's proportional to the population because they each represent a different number of residents depending on the District. The important thing to remember is that the feedback they received is that they are in the Constitutional window. The idea is to be compliant with the law.

Terry stated that he listened to what Mark had said and he ran a few costs. Over and above just the cost of the Legislature. He looked at the Election Staff, training, mileage, and all those other costs. Terry thought about adding one more person, microphone, and desk and the outcome is that they are still able to pass a resolution. He is for just adding one more person and moving on.

Rick questioned what the changes were that were made 10 years ago.

Doug stated that the Town of Milo was consolidated into a District. Starkey and Barrington together became a District and Milo became a District by itself. Doug pointed out that if there is consideration for moving District lines, then there is potential for Milo to have something like 8 Legislators. This would not be fair either depending on how the lines got moved.

Rick stated that his understanding of why they moved away from a Board of Supervisors to a Legislature was to get rid of the Weighted Vote. If they are going to go with Weighted Voting then maybe the best thing is to just do away with the Legislature and go back to a Board of Supervisors. That would definitely save them money.

Jesse stated that District 4 feels well under represented as it is. They do not feel that they get represented at the County well. District 4 heard that their votes are going to be worth less than everyone else. He tried to explain it the best he could, but Barrington is really not happy. Adding another Legislator would bring it to 11% and they do not know legally what they have to be at.

Doug and Ed stated that the state has said it has to be within 5% for single person districts. Doug stated that it is not strictly based on population. It is based on amount of influence and they can go through the various analyses that the folks from the Webinar put on for NYSAC. The point is, that either 14 or 15 Legislators will meet the muster and they have 14 now. Doug stated that he thinks that many of their voters think that they have more than enough people as it is and adding one more would just increase the size of the government.

Jesse stated that without getting a solid number from the state, they don't know if this is a bad or good decision. He thinks they should get an Attorney to help to see if that 11% is sufficient. If they run the numbers 10 years on that graph the 11% actually goes down. If it stays the same way and Benton grows and everyone else's population stayed the same it actually goes down to maybe almost 9%. The population is probably not going to do the same thing, but if it did then it would be the one man one vote.

Tim stated that even if they add another Legislator to make it 15 they still need to do Weighted Voting. The only way they can avoid Weighted Voting is to go to 21 Legislators. That would mean increasing the Legislature by 50% to really get to where they can have the population proportional to Legislative response.

Pat stated that looking at the numbers they can kind of guess a trend, but he's hesitant to guess 3 years out, never mind 10 years out. With New York State's tax issues and things they will probably lose more population than they gain. Although, certain populations within our Community tend to have larger families and they know where they are located, they could guess that those areas may grow more, but it is hard to say what is actually going to happen.

Jesse asked if they added one more Legislator to make 15, if they would still need to have Weighted Voting because they would be at 11%. They would not need the Weighted Voting if the State said that 11% was efficient.

Doug stated that in the report, it included Weighted Voting and the analysis that was done by the consultant showed they would probably need both, but perhaps not. He asked that questions of the County Attorney and he has not gotten a response yet.

Jesse stated that they have to get it done right.

Rick stated that if they go to Weighted Vote and adding another Legislator, then you're looking for a perfect distribution. The courts do not say that is has to be perfect. He realizes that they will not be perfect with just adding another person, but they don't have to be perfect.

Bonnie stated that there is a percentage. There were two Court Decisions that were made and they couldn't do what they wanted because it was in the 10% range.

Doug stated that Bonnie is correct, they were less than 10%, but were found to be out of the required specifications. Doug also ran the numbers reducing or increasing the level of voting power or number of votes in District 4 by 5% and reducing it by 5% in District 2 and the numbers came out the same. It does get them closer, but it doesn't get them within the 5%. Doug offered reducing them by 10% to see what that does, but they are getting farther and farther off from the representation of the population.

Terry stated that he thinks back to what Doug said about the study they did and the way they did it, but they didn't necessarily do it the way that Jesse asked. Terry is concerned for Bill Holgate, Jesse, and Bonnie as this is how their representation could be even more diluted another 10 years.

Bonnie stated that it may be diluted in another 10 years, but they would also change the Weighted Voting. She does not have a dispute having the lower voting power because she is representing the people that are in that District.

Ed proposed that they have a Special Government Ops meeting at 12:30 p.m.\* on the 17<sup>th</sup> so that the Towns of Potter and Torrey have had a chance to give their input. If they make a decision on the 17<sup>th</sup>, they will be able to get a draft of the proposed law for the April Meeting.  
\*Note: the time of the Special Government Ops. Meeting to 12:00 p.m.

The Committee agreed to the Special Meeting.

Terry stated that he is going to try to attend the meetings for Potter and Torrey, but again he feels like they are rushing to make decisions. As they have heard, they can put this off for a year. He has heard it two or three times now, but they are always pushing themselves into a corner, they always do that, and they always use the threat of Lawsuits. Terry stated that is the sad part about it, they don't stand up and take their time and get it right.

Mr. Willson moved to enter executive session to discuss:  
The Employment History of particular individuals with members of the Committee, other members of the Legislature present, and the County Administrator.  
Seconded by Mr. Morris.

Meeting adjourned at 2:56 p.m.