



Tioga County Legislative Worksession Minutes **March 5, 2020 – 1:00 p.m.**

Legislators Present:

Legislator Balliet
Legislator Hollenbeck
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Monell

Guests:

Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Cathy Haskell
Deputy Legislative Clerk Cheryl Heffernan
Personnel Officer Bethany O'Rourke

Call Meeting to Order -

Chair Sauerbrey called the meeting to order at 1:03 p.m.

Preserving the Medicaid Cap: Chair Sauerbrey reported on the Executive Budget Proposal. The Governor is proposing three separate initiatives referred to as "Medicaid Local District Spending Reforms" because they are billions of dollars in debt in the Medicaid Program.

- **Cap eFMAP Federal Fiscal Benefits to Counties** – This is money we receive from the federal government through the state to help pay our Medicaid cost.
- **Require Counties to Adhere to the 2% Property Tax Cap** – Counties that do not adhere to this requirement will lose the savings from the state-funded local Medicaid growth cap.



- **Adhere to the Local Share Medicaid Cost Increase of No More than 3%** - If a county's local share and associated savings exceeds 3% in any given year, the county is required to refund any excess benefit over 3% back to the state.

Chair Sauerbrey reported with the additional cost being filtered down to our counties we have to stay below the 2% property tax cap to avoid paying all Medicaid costs, and if we exceed the 3% increase cap in Medicaid, we will be responsible for refunding any excess over the 3% back to the state.

Chair Sauerbrey reported additional information could be obtained on the NYSAC website: www.nysac.org/medicaid.

Chair Sauerbrey reported New York State Association of Counties (NYSAC) is currently working with all counties across the state to lobby the Assembly and Senate, as this is now in the Governor's budget. Chair Sauerbrey reported the thirty-day amendment period is completed and the Governor's budget is not going to change. It is now up to the Assembly and Senate to speak out and inform the Governor that the counties do not agree with this proposal. The counties agree any state Medicaid proposal must protect local services, local taxpayers, and keep the current cost control caps in place.

Chair Sauerbrey also reported the State has been trying to take over Medicaid for years and has been unsuccessful. The plan they have implemented isn't working and now the counties have no control.

As New Yorkers, we are at risk of paying higher taxes or losing vital services under this Medicaid proposal. NYSAC created a fiscal impact calculator to see the potential annual local taxpayer impact of the Medicaid proposal for Tioga County. The lower figure is estimated at \$164,338, however it could cost our county up to \$1,272,946. As the cost continues to increase it could also affect our outside agencies, Tioga Opportunities, Cornell Corporate Extension, Soil and Water, public libraries, and Council on the Arts to name a few. We fund over \$1,029,000 to our outside agencies and the Legislature may have to consider reduced allocations if expenses increase significantly.

Legislator Weston reported if we end up having to pay for services, it would cost the county more, as the outside agencies are more cost efficient.

Chair Sauerbrey reported she would be reaching out to the outside agencies as a courtesy to inform them this may become a reality.

Chair Sauerbrey reported she will be working with Commissioner of Social Services, Shawn Yetter to create a team of those involved with the Medicaid



programs as well as including the financial planner, Deputy Commissioner of Social Services Gary Grant. Mr. Grant conveyed to Chair Sauerbrey that the State is already two years behind in their Medicaid audits and this is an extremely complicated process.

Legislator Roberts reported an argument the Governor made is that we spend too much and do not control cost. Legislator Roberts inquired as to whether there is any way to look at this for cost control.

Legislator Mullen reported during the Health & Human Services Committee meeting, Mr. Yetter mentioned the county has very limited ways of controlling cost. If a person comes in requiring a specific service, we have to provide that service, according to the state requirements, no matter the cost. The cost we can control are on the periphery. We have contracts with care providers and we negotiate the best possible price. We have no say over services that have to be rendered.

Legislator Weston responded the other counties are in the same situation as we are.

Legislator Standinger reported New York State has a very generous Medicaid program with many benefits, which is one reason it costs so much. Legislator Standinger reported this program comes from Albany and we do not have any control over the program.

Approval of Worksession Minutes, February 20, 2020 -

Legislator Hollenbeck motioned to approve the February 20, 2020 Legislative Worksession minutes as written, seconded by Legislator Standinger with Legislators Balliet, Hollenbeck, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes with Legislator Monell being absent. Motion carried.

Action Items -

Currently there are no action items.

Legislative Support – Legislative Clerk Haskell –

Approval of Legislative Support Committee Minutes – February 6, 2020:

Legislator Roberts motioned to approve the February 6, 2020 minutes as written, seconded by Legislator Sullivan with Legislators Balliet, Hollenbeck, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes with Legislator Monell being absent. Motion carried.



Legislative Clerk Haskell reported the following:

- **Legislative Office Annual Report** – Prepared and submitted to Chair Sauerbrey on February 10, 2020.
- **Leaders Meeting**- Ms. Haskell attended on February 26, 2020.
- **Governor’s Budget Presentation**- Ms. Haskell attended on February 27, 2020.
- **Board of Ethics Vacancy** – One vacancy as of March 31, 2020, as Gwendolyn Isham has declined re-appointment.
- **Annual Review of County Policies** – Review of policies and completion of attestation form on the County’s Intranet is due by March 31, 2020.
- **Financial Disclosures** – Law Department sent an email on March 2, 2020 to all Legislators and hard copies were provided at today’s meeting. Deadline for submission is May 15, 2020.
- **Two-Year Sales Tax Extender Bill** – Ms. Haskell reported eight signed, sealed Home Rule Request Forms were mailed to Assemblyman Friend’s office in Albany, NY on 2/19/2020, per their instruction, for distribution and processing. Follow-up email was sent to Assemblyman Friend, Senator Akshar, Legislators, County Attorney, and County Treasurer on 2/19/2020 to notify of the mailing.

Contacted Assemblyman Friend's office on 3/3/2020 to inquire whether forms were received and was informed by Chief of Staff, Scott Esty, that he received notification on 3/2/2020 that the Assembly is possibly interested in pursuing 3-year sales tax extenders instead of the original 2-year extender. Mr. Esty will research and contact Ms. Haskell with direction on how to proceed. In the event they choose to proceed with a 3-year extender, new Home Rule Request Forms will need to be prepared and another resolution identifying the three-year term will need to be adopted by the Legislature.

The Third Regular Legislative Meeting is scheduled for Tuesday, March 10, 2020 at 6:00 p.m. in the Hubbard Auditorium with Finance, Legal & Safety Committee at 4:40 p.m. in the Legislative Conference Room.

Chair Sauerbrey will present the State of the County Address 2019 at the March 10, 2020 Legislature Meeting.

Legislator Mullen will do the prayer, pledge, and start the voting process at the March 10, 2020 Legislature Meeting.

Proclamations (5)

- **Women’s History Month: 100th Anniversary of Passage and Ratification of the 19th Amendment to United States Constitution:** Chair Sauerbrey will read and present this proclamation at the March 10, 2020 Legislature meeting.



- **Women Veteran’s History Month:** Legislator Balliet will read and present this proclamation at the March 10, 2020 Legislature meeting.
- **March 29, 2020 as “Welcome Home Vietnam Veterans Day” in Tioga County:** This proclamation has been read in the past, therefore, this proclamation will just be noted at the March 10, 2020 Legislative meeting minutes.
- **Rabies Prevention & Awareness Month:** This proclamation has been read in the past, therefore, this proclamation will just be noted at the March 10, 2020 Legislative meeting minutes.
- **Public Health Week (4/6-4/12/2020):** This proclamation has been read in the past, therefore, this proclamation will just be noted at the March 10, 2020 Legislative meeting minutes.

Resolutions -

Ms. Haskell reviewed all resolutions with the Legislature for the upcoming March 10, 2020 Legislature Meeting and discussion occurred on the following:

- **Amend Employee Handbook Section II – Ethics Rules, Schedule A –** Ms. Haskell reported this amendment reflects the addition of two Deputy Director positions and the Property Development Corporation (Land Bank) Board on Schedule A who are required to complete and submit annual financial disclosure statements.

Other –

- **Coronavirus Update:** Legislative Weston inquired if we have information on the Coronavirus.

Chair Sauerbrey reported Lisa McCafferty, Public Health Director, is in Albany and will provide updates to the Legislators as received. Emergency Management and Public Health continue to work together to strategize plans. In addition, Chair Sauerbrey reported there are daily conference calls on this topic and she has been participating.

- **Mural:** Chair Sauerbrey reported there are three new pieces of art in the hallway. This mural once was on the side of Tioga State Bank. This piece was created by a local artist through the Arts Council. It is similar to the artwork that is on the top windows of 56 Main Street. Chair Sauerbrey requested permission to hang this artwork in the hallway.

Legislator Roberts inquired if the mural was going to be permanent or displayed for a period of time.

Chair Sauerbrey reported the mural would be hung permanently if everyone agrees.



All Legislators were in agreement for the mural to be displayed on the hallway wall outside of the Law Office.

- **Legislative Office & Conference Room Painting** – Chair Sauerbrey requested permission to paint the Legislative Conference Room and the Legislative Offices.

Legislator Roberts inquired as to whether the plaques will be hung back up in the Legislative Conference Room upon completion of the painting.

Chair Sauerbrey reported there is a 3-D Tioga County logo she would like to display on the Legislative Conference Room wall that is currently on the wall near the back exit of the Hubbard Auditorium. She spoke with Public Works Commissioner Hammond regarding the possibility of Buildings & Grounds staff doing some touch-up work to this piece in anticipation of moving this to the Legislative Conference Room.

All Legislators were in agreement to proceed with the painting of the Legislative Office and Conference Room.

Executive Session -

Motion by Legislator Mullen, seconded by Legislator Sullivan to move into Executive Session to discuss negotiations and a personnel matter. Motion carried to go into Executive Session at 1:36 p.m. with County Attorney DeWind, Personnel Officer O'Rourke and Legislative Clerk Haskell remaining in attendance. Ms. O'Rourke and Ms. Haskell departed at 2:15 p.m.

Executive Session adjourned at 2:30 p.m.

Meeting adjourned at 2:30 p.m.

Next Worksession scheduled for Thursday, March 19, 2020, at 10:00 a.m.

Respectfully submitted,

Cheryl Heffernan
Deputy Legislative Clerk