

## REGULAR SESSION – MONDAY, MARCH 14, 2016

The Yates County Legislature convened in regular session Monday, March 14, 2016 at 1:00p.m. in the Legislative Chambers, Chairman Dennis presiding.

Minutes of the January and February meetings were approved as presented.

Chairman Dennis asked for a report of the auditing committees. The audit was approved as presented.

Airport Fund	\$ 264,023.36
Finance	\$6,650,814.82
Flint Creek	\$ 0.00
Government Operations	\$ 90,797.83
Human Services	\$ 345,628.46
Prior to Audit	\$ 53,000.35
Public Safety	\$ 60,066.86
Public Works	\$ 283,133.45

### COMMITTEE REPORTS:

Mr. Holgate reported last month a resolution was tabled to hire a new investigator. Since then at the Public Safety Committee meeting, the Sheriff feels he has come up with a workable solution. At this point the Sheriff will be looking into other options.

Mr. Paddock reported the latest sales report shows that the returns from sales taxes are not as high as we would like them to be as compared to last year. We will be reviewing this next month to consider if there are additional actions that we should take.

Mr. Button reported he attended the Flint Creek Small Watershed Protection Board meeting and gave various updates from the meeting.

Mrs. Church reported at the Human Services Committee meeting there was a presentation by the Finger Lakes Addiction Counseling and Referral Agency (FLACRA) which is an outpatient and residential substance abuse treatment provider serving the residents of Wayne, Ontario, Seneca, Yates and Schuyler Counties. FLACRA has been providing services to residents over 20 years. In Penn Yan the outpatient clinic is the primary service site located in Yates County. The Clinic provides evaluations and individual counseling and group therapy. It was a very interesting presentation and showed how much is offered during this crisis of substance abuse with Heroin.

Also, this month is National Colorectal Rectal Awareness Month.

Mr. Banach reported on March 9<sup>th</sup> at a press conference in Albany, Senator O'Mara and Assemblyman Palmesano requested that the Governor increase the CHIPS funding at least matching what's going down state. They did a very good job outlining the needs of what is happening upstate with bridges and roads.

Mr. Banach attended the Finger Lakes Fish and Wildlife Board meeting three weeks ago. It is very interesting and discussion was around what is going on with all the conservation clubs in the Finger Lakes Area. Yates County was brought up with regards to maybe doing something at the end of the road in Vine Valley that leads to the lake, next to the Middlesex Town Park and swimming area but docks are needed. Discussions have been going on as to what funding might be available.

Mr. Banach attended the Airport Council meeting. Bids were received for the new T-Hangar, Iverson was the winner of that bid. There is a need for another T-Hangar all hangars are currently rented. There is no cost to the county for this project.

Chairman Dennis thanked the Highway Department for attending the airport meeting last week there are some minor issues that Highway will be able to help out with.

Chairman Dennis stated he is working on having STN and ECC at the April Legislative meeting to give their quarterly update.

### **RESOLUTION NO. 91-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Smith.

#### **REAPPOINT MEMBERS TO THE YATES COUNTY PLANNING BOARD (Charles Mitchell, Town of Jerusalem), (Paul Danielson, Town of Barrington), (David Granzin, Town of Torrey), (Judy Wiltberger, Town of Milo), (Sarah Vestal, Village of Penn Yan), (Ronald Rubin, At-Large), (Alan Snyder, At-Large)**

WHEREAS, Charles Mitchell (3113 Yoder Hill Rd, Keuka Park), Paul Danielson (5347 Dutch Street, Dundee), David Granzin (1839 Perry Point Road, Penn Yan), Judy Wiltberger (2421 Millers Cove, Penn Yan), Ronald Rubin, At-Large (2605 Ayers Road, Penn Yan), Sarah Vestal (130 Hamilton St. Upper Apt, Penn Yan), and Alan Snyder, At-Large (118 Ogden Street, Penn Yan) have been recommended by their respective municipalities to be their representation on the Yates County Planning Board,

NOW, THEREFORE, BE IT RESOLVED, that *Charles Mitchell* is hereby reappointed as a member of the Yates County Planning Board, representing the *Town of Jerusalem*, to a term to expire on March 14, 2018, and *Paul Danielson* is hereby reappointed as a member of the Yates County Planning Board, representing the *Town of Barrington* to a term to expire on March 14, 2018, and *David Granzin* is hereby reappointed as a member of the Yates County Planning Board, representing the *Town of Torrey*, to a term to expire on March 14, 2018, *Judy Wiltberger* is hereby reappointed as a member of the Yates County Planning Board, representing the *Town of Milo*, to a term to expire on March 14, 2018, *Sarah Vestal* is hereby reappointed as a member of the Yates County Planning Board, representing the *Village of Penn Yan*, to a term to expire on March 14, 2018, to a term to expire on March 14, 2018, *Ronald Rubin, At-Large* is hereby reappointed as a member of the Yates County Planning Board, to a term to expire on March 14, 2018, and *Alan Snyder, At-Large* is hereby reappointed as a member of the Yates County Planning Board, to a term to expire on March 14, 2018, and be it further

RESOLVED, that copies of this resolution be given Charles Mitchell, Paul Danielson, David Granzin, Judy Wiltberger, Sarah Vestal, Ronald Rubin, and Alan Snyder, the County Planner, the Towns of Jerusalem, Barrington, Torrey, and Milo and a copy filed with the County Clerk.

VOTE: Unanimous

### **RESOLUTION NO. 92-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Morris.

#### **AUTHORIZING YATES COUNTY TREASURER TO MAKE PAYMENTS TO KEUKA HOUSING COUNCIL PRIOR TO AUDIT FOR ADMINISTRATION OF A COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, the Yates County Planning Office contracts with Keuka Housing Development in the interest of providing septic and water well replacements or repairs and installation of water/sewer laterals to low income homeowners, and

WHEREAS, these needs require the expenditures of payments outside the monthly Legislative vouchering process,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Treasurer be authorized to process these payments and write appropriate checks, according to the protocols set up for proper accounting of these payments, prior to the monthly auditing process, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Yates County Treasurer and Planning Department.

VOTE: Unanimous

**RESOLUTION NO. 93-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**2016 BUDGET TRANSFERS**

BE IT RESOLVED, that the following transfers be made in the 2016 budget:

From:	To:	Amount:
A3150.54815 JAIL-Corrections	A3110.54019 SHER-EAP	165.76
D5010.58305 HWY-Med. Ins. NU	D5110.51509 HWY-Comp. Time CSEA	454.83
D9010.58400 HWY-NYS Retirement.	D9089.58600 HWY-HRA	600.00

and be it further

RESOLVED, that copies of this resolution be given to the Sheriff, Highway Superintendent and County Treasurer/Budget Officer.

VOTE: Unanimous

**RESOLUTION NO. 94-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Multer.

**APPROPRIATE OCCUPANCY TAX RESERVE**

WHEREAS, an additional appropriation of \$13,784.00 is required to fund the total 2016 request from the Tourism Advisory Committee, and

WHEREAS, these funds are not part of the 2016 budget,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$13,784.00:

Revenue: A511.000 Appropriate Occupancy Tax Reserve

Appropriation: A6410.54203 YC Tourism Promotion Agency

VOTE: Unanimous

**RESOLUTION NO. 95-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**APPROPRIATE CARRYOVER OF IAP GRANT  
(Public Health)**

WHEREAS, in the Public Health Office received a NYS Immunization Action Plan grant, and a balance of \$5,438.25 remained at the end of 2015, and

WHEREAS, these funds are not part of the 2015 budget and can be carried over into the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$2,406.00:

Appropriation  
A4010.54469 Public Health – Supplies: Nursing

Revenue  
A4010.43401 Public Health – State Aid

and be it further

RESOLVED, that copies of this resolution be given to the Director of Public Health and County Treasurer/Budget Officer.

VOTE: Unanimous

**RESOLUTION NO. 96-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Smith.

**AMEND RESOLUTION 256-15 TITLED “ADOPTING A POLICY REGARDING  
THE SALE OF TAX ACQUIRED PROPERTIES BY PRIVATE SALE”**

WHEREAS, the Yates County Legislature wishes to amend a requirement to Resolution 256-15;

NOW, THEREFORE, BE IT RESOLVED, that the following sentence be modified to read:

- 1) All of the said former owners make such a request to reacquire the property no later than two weeks prior to the close of the bid date of the first public tax sale of the property;

and be it further

RESOLVED, that copies of this resolution be given to the County Treasurer/Budget Officer.

VOTE: Unanimous

## **RESOLUTION NO. 97-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Morris.

### **PUBLIC SALE FOR DELINQUENT TAX LIENS FOR 2016**

WHEREAS, the Yates County Legislature has taken title to tax delinquent properties through a tax foreclosure process pursuant to Article 11 of Real Property Tax Law;

NOW, THEREFORE, BE IT RESOLVED, that the public sale for delinquent tax liens for 2016 shall be by public auction with Pirrung Auctioneers Inc., upon such notices, terms of sale and all other terms as established by the Yates County Treasurer, with the County having the right to reject any and all bids; and be it further

RESOLVED, that upon the approval of the County Attorney that the Chairman is authorized to sign said contract with Pirrung Auctioneers;

and be it further

RESOLVED, that copies of this resolution be given to the County Attorney and County Treasurer/Budget Officer.

VOTE: Unanimous

## **RESOLUTION NO. 98-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Gleason.

### **AUTHORIZE CHAIRMAN TO EXECUTE CERTAIN DOCUMENTS, AT THE REQUEST OF THE VILLAGE OF PENN YAN, CONCERNING ACCESS TO THE PENN YAN MARINE PROPERTY**

WHEREAS, Yates County is the owner of a parcel of real property on the east bank of the Keuka Lake Outlet, commonly referred to as the *Penn Yan Marine Property*, located in the Village of Penn Yan, Town of Milo, County of Yates, State of New York, bearing a current tax map number of 61.26-1-1, commonly known as 15 Waddell Avenue, and as more particularly described in a Tax Deed to Yates County dated May 27, 1998 and recorded May 27, 1998 in the Yates County Clerk's Office in Liber 398 of Deeds, at page 638 (hereinafter referred to as the "Penn Yan Marine Property"); and

WHEREAS, requests have been made by the Village of Penn Yan for certain access to said property;

NOW, THEREFORE, BE IT RESOLVED, that on behalf of Yates County, the Chairman of the Legislature may execute and deliver the following documents, upon the approval of the County Attorney: 1) Property Release form granting permission to the Village of Penn Yan, Penn Yan Municipal Utilities, and/or its contractors or agents, temporary use of the Penn Yan Marine Property for the purpose of ingress and egress of construction equipment necessary for the installation of a waterfront sewer system between the Penn Yan Marine Property and Monnell Street and 2) Permission to Inspect Property form granting permission to the New York State Department of Environmental Conservation to inspect the Penn Yan Marine Property as it relates to the Village of Penn

Yan's location of a new box culvert that is part of the Village of Penn Yan's design for Charles Herrmann Way; and be it further

RESOLVED, that a copy of this resolution be given to the County Attorney and Village of Penn Yan.

VOTE: Unanimous

#### **RESOLUTION NO. 99-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Morris.

#### **DESIGNATING COUNTY OFFICIAL TO SERVE AS APPEAL OFFICER UNDER CSEA DISCIPLINARY GRIEVANCE PROCEDURE**

WHEREAS, Article 27 of the current collective bargaining agreement between the County of Yates and CSEA requires this County Legislature to designate one or more County officials to serve as the "Designated County Official" to hear employee appeals under Step 2 of the contractual disciplinary grievance procedure; and

WHEREAS, such position is currently vacant;

NOW, THEREFORE, BE IT RESOLVED, that the County Personnel Officer be and hereby is designated as the sole County Official for such purpose; and be it

FURTHER RESOLVED, that, upon its adoption, the Clerk of this Legislature is hereby directed to promptly provide a certified copy of this Resolution to the CSEA Unit President and the County's Labor Attorney.

VOTE: Unanimous

#### **RESOLUTION NO. 100-16**

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Gleason.

DISCUSSION:

Mr. Morrison commented at last week's committee meeting it was stated that this has been discussed for the last year however he just heard about this last week. We have this resolution presented as a done deal. The site has been chosen, the parameters of the building have been chosen, and the County Attorney has been working on this for some number of hours and then it is presented to us. Mr. Morrison feels the legislature should have had a heads up on this so that other options could have been explored. One that comes to mind is putting this building at the county barns as opposed to the airport.

Chairman Dennis stated this evolved through lengthy discussions by the Soil & Water Board and it is their decision as to what they would like to do. We have two voting members on that board and Chairman Dennis feels the legislature was adequately represented. It was discussed in some length at the Airport Council and it does show up that that discussion occurred by the Airport Council in the minutes. Chairman Dennis does not feel the need to second guess all the people that have done all the work on this especially once it has been signed off on by our County Attorney.

Mr. Banach stated the airport council discussed this and it is fully in the realm of the guidelines and so forth. Everyone there thinks it is a good place for it. Soil and Water wanted a place that was more centrally located in the County and the airport would be a better location than the highway barns. Mr. Banach stated he has also been involved with this as a member on the municipal board. This is something that has been going around for over a year.

Mr. Paddock pointed out that the Soil & Water Conservation District operates as an independent board of directors. They report information to Government Operations but Government Operations is not the overarching or the governing body of the district. This has been ongoing for quite some time. The Village was approached, there was no suitable site in the Village. The District looked at tax acquired properties, none of those were sufficient for their need. They have been in at least two or three different locations where they have tried to rent storage, the owners have had better use for the space than the District. This is an opportunity to store the necessary equipment at a reasonable price at a centrally located space.

Mr. Morris commented this was brought up as a last minute resolution. It came up after the Government Operations meeting. When the discussion was started Mr. Morris checked with the other Government Operations members to see if they were ok with us proceeding with this discussion or if they wanted this to circle back through. We are not talking about spending any county money, they are going to get grants for this. Ideally it would have been better if this had come up during the Government Operations meeting but Government Operations was willing to defer the discussion.

Mr. Button questioned where the equipment is being stored now. Mr. Paddock stated he is not sure of the exact location and it is Mr. Paddock's understanding that it was only going to be allowed for the winter.

Mr. Montgomery stated if this isn't costing the taxpayers anything, this is not a big deal to him either. Relative to the location, Mr. Montgomery understands that the airport location is central. Mr. Montgomery stated that one of the reasons the county cars are stored at highway is because they fuel up there. Mr. Montgomery questioned if Soil and Water also fuel their vehicles at the highway barns. If so it might make more sense to have the building in Benton.

Mr. Paddock stated they use the same method that the Sheriff uses.

**AUTHORIZE CHAIRMAN TO ENTER INTO AN INTERMUNICIPAL LEASE AGREEMENT WITH YATES COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE LEASE OF CERTAIN COUNTY REAL PROPERTY LOCATED AT PENN YAN-YATES COUNTY AIRPORT**

WHEREAS, the County of Yates has previously determined that the conservation of soil and water resources and control and prevention of soil erosion and prevention of floodwater and sediment damages are problems of public concern in the County and that it is the policy of the County to provide for the necessary conservation, improvements and controls necessary to address these issues, and as such and in accordance with the Soil and Water Conservation Districts Law of New York State created the Yates County Soil and Water Conservation District to effectuate such policy; and

WHEREAS, the Yates County Soil and Water Conservation District has a number of powers and objectives related to soil and water applications, as is more further delineated in the Soil and Water Conservation Districts Law of New York State and the County of Yates having various flood control and soil conservation powers, as is more further delineated in the County Law of the State of New York, including the power to financially assist its soil and water conservation district in carrying out the provisions of said Soil and Water Conservation Districts Law; and

WHEREAS, the Yates County Soil and Water Conservation District is in need of a storage building to house assorted equipment, tools and supplies related to the District's

effectuation of soil and water conservation applications in fulfillment of the County's soil and water conservation policy; and

WHEREAS, pursuant to Section 119-o of the New York State General Municipal Law, a County and Soil and Water Conservation District may enter into cooperative agreements, and such agreements may contain provisions related to the lease of real property;

NOW, THEREFORE, BE IT RESOLVED, that upon approval by the County Attorney, Yates County hereby authorizes and the Chairman may enter into, a written lease with Yates County Soil and Water Conservation District for the rental of a parcel of real property situated at the Penn Yan-Yates County Airport, in the Town of Milo, County of Yates, State of New York, on Kimball Road, for the area defined therein, and which currently consists of vacant land, for a term of five (5) years commencing April 1, 2016 and ending March 31, 2021 for a yearly rent of \$500 per year, and granting said tenant the right to construct a storage building, along with the construction of a driveway enabling access to said building from Kimball Road and improvements to the lands surrounding the building to allow for the parking and placement of motor vehicles and/or equipment, and containing any other provisions approved by the County Attorney; and be it further

RESOLVED, that a copy of this resolution be given to the County Treasurer, County Attorney and Yates County Soil and Water Conservation District

VOTE: Unanimous with one abstention

#### **RESOLUTION NO. 101-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mrs. Percy.

#### **APPROPRIATE 2016 GTSC GRANT**

WHEREAS, the Yates County Sheriff's Office has received a grant in the amount of \$6,965, entitled "2016 DWI Crackdown & DRE call out," through the Governor's Traffic Safety Committee (GTSC), and these funds are not a part of the 2016 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by \$6,965;

Revenue:

A3110-44388 (Grant: GTSC)	\$6,965.00
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Appropriation:

A3110-54954 (Grant: GTSC-Supp)	\$6,965.00
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and be it further

RESOLVED, that a copy of this resolution be given to the Sheriff, Budget Officer/Treasurer.

VOTE: Unanimous

#### **RESOLUTION NO. 102-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mr. Banach.

#### **ACCEPT AND APPROPRIATE FY15 PSAP SUSTAINMENT GRANT**

WHEREAS, the New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications under PS15-1047-D00 Contract # WM15198564 has awarded a FY15 grant to facilitate the sustainment for improvement of the Yates County 911 communications center public safety answering point, and this grant requires appropriation to the 2016 budget,

Revenue:

A3021-43324 PSAP Conso & Sustainment \$170,021.00

Appropriation:

A3021-54951 PSAP Conso & Sustainment \$170,021.00

and be it further,

RESOLVED, that a copy of this resolution be given to the Treasurer/Budget Officer and the Sheriff.

VOTE: Unanimous

### **RESOLUTION NO. 103-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mrs. Percy.

#### **APPROPRIATE CARRYOVER FY13 PSAP SUSTAINMENT GRANT**

WHEREAS, the FY13 grant from New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications under PS13-1022-D00, Contract # C198401 to facilitate the maintenance and sustainment for improvement of the Yates County 911 communications center public safety answering point and that the amount \$25,161.31 carry over balance has not been appropriated into the 2016 budget;

NOW, THEREFORE, BE IT RESOLVED that this grant is hereby carried over to the 2016 budget and the following accounts shall be appropriated by being increased:

Revenue:

A3021-43324 PSAP Conso & Sustain \$25,161.31

Appropriation:

A3021-54951 PSAP Conso & Sustain \$25,161.31

and be it further,

RESOLVED, that a copy of this resolution be given to the Treasurer/Budget Officer and the Sheriff.

VOTE: Unanimous

### **RESOLUTION NO. 104-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mr. Gleason.

#### **ACCEPT AND APPROPRIATE DRUG ENFORCEMENT GRANT**

WHEREAS, the Sheriff's Office has been awarded a legislative initiative grant for drug enforcement LG15-101551, Contract T101551 in the amount of \$5,000,

NOW, THEREFORE, BE IT RESOLVED, that this grant is hereby accepted and the following accounts shall be appropriated in the 2016 budget by being increased:

Revenue:

A3110-43325 Legislative Initiative \$5,000

Appropriation:

A3110-52988 Legislative Grant \$5,000

And be it further,

RESOLVED, that a copy of this resolution be provided the Treasurer/Budget Officer, and the Sheriff.

VOTE: Unanimous

#### **RESOLUTION NO. 105-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mrs. Percy.

#### **APPROPRIATE CARRYOVER OF INDIGENT LEGAL SERVICES GRANT (Public Defender)**

WHEREAS the Office of Public Defender received an Indigent Legal Services Grant through the New York State Office of Indigent Legal Services, and a balance remained at the end of 2015, and

WHEREAS, these funds are not part of the 2016 budget and can be carried over to the 2016 fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the following accounts be increased by a total of \$10,000.00:

Appropriation

A1170.54941 PD-Indigent Legal Services Expense \$10,000.00

Revenue

A1170.43025 PD-Indigent Legal Services Revenue \$10,000.00

and be it further

RESOLVED, that copies of this resolution be given to the Public Defender and County Treasurer/Budget Officer.

VOTE: Unanimous

#### **RESOLUTION NO. 106-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mr. Banach.

#### **AUTHORIZE SHERIFF TO SIGN POLYGRAPH CONTRACT RENEWAL**

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the county attorney that the Sheriff is authorized to sign the renewal contract with a firm utilized for

several years known as Prescott Polygraph Service of Box 233, Victor, NY 14564 to provide as necessary and applicable polygraph services as the terms and conditions and costs remain the same, and

RESOLVED, that any outstanding payments due Prescott presently, that the Treasurer is authorized to make payment forthwith while this unchanged contract proceeds via the administrative process, and

FURTHER RESOLVED, that a copy of this resolution be provided to Mr. Lynn Prescott and to the Sheriff.

VOTE: Unanimous

### **RESOLUTION NO. 107-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mrs. Percy.

#### **DISCUSSION:**

Mr. Morrison stated he has no problem accepting a \$30,000 grant. Mr. Morrison stated from what he has read there is a latitude as to what this money can be spent for and given that it is county money, there is wide latitude and this can be used as dual purpose money. Mr. Morrison stated a couple of years ago a vehicle was purchased from this grant funding. Mr. Morrison is questioning if there can be some agreement that the department head come to the Legislature and we have a discussion between the legislature and the department head to determine how best to use this money.

Chairman Dennis stated the resolution has nothing to do with how the funding will be spent, we are debating whether to accept the grant. As to how it will get spent, Chairman Dennis assumes the intention for that is usually referred to the committee before it is spent.

Brian Winslow confirmed that yes that discussion takes place in the committee.

Mr. Morrison question when that discussion might take place. The reason Mr. Morrison would like to have an overall discussion, for instance if Mr. Winslow should come to the Legislature and have two or three items for \$5,000 to \$10,000 each but out there somewhere is an item that would use it all. Once we chip away at the funding that option is gone. Mr. Morrison would like to have an overall discussion at some time.

Chairman Dennis question if Mr. Morrison's intention was that the department heads create a plan for this grant and then give that plan to us or should we create that plan and give it to them.

Mr. Morrison stated he would like it to be collaborative.

Brian Winslow stated that unfortunately part of the issue is that when we get these notifications for these grants there is a short turn around. Generally this funding has been applied to items we think we need. Brian stated that he has purchased highway a generator and a there was a new UPS System purchased for the Public Safety Building. He is looking at thermal imaging cameras for the fire service which is used to rescue individuals that are trapped in a house. Some of the camera's cost \$10,000.

Mr. Morrison questioned if a copy of the grant itself could be shared with the Legislature so they could see what the restrictions were and also a list of equipment that is approved.

Chairman Dennis questioned the Public Safety Committee and the Board, do we want to be operating at that level or not.

Mr. Holgate stated a discussion needs to take place on how far the legislature is going to micromanage things. We have always allowed department heads to pretty much steer where their grants are going. Rather than taking this one instance, we need to look at how much we are going to micromanage.

Mrs. Percy stated she feels the same as Mr. Holgate. The Department Head knows better than the legislature what equipment they need and also when they need to replace equipment. Brian is talking about thermal imaging camera, they don't go to all the fire departments. They are spaced throughout the county so they can be shared.

Mr. Gleason stated that several years ago he obtained a member item grant from the state to purchase two new cars for the Veterans Service Agency. He received the money, he ordered the cars, they delivered them here and we used them. The Human Services Committee, the County Legislature, nobody came and told Mr. Gleason that he had to buy a Buick, Chevy, Ford or whatever. He purchased the cars that he thought would function for the agency as well as the County.

Mr. Morris suggested that since one of the Committee members is asking for some additional information, can't this be listed as one of the items on Brian's agenda for next month. Let him explain what he is thinking about for this.

Chairman Dennis stated that he has no problem with that. If it is necessary that the Legislature read every grant and fine tune it because we don't trust the department heads with grants then that is what we have to do, but he is not sure the Board feels that way.

Mr. Smith stated he feels that some level of oversight with respect to grants is essential particularly with the example that Legislature Gleason brought up. Because there are a number of cases where grants are offered which then subsequently obligate the county to ongoing recurring costs. For example the purchase of a car or a patrol boat. The boat is free the car is free. The gasoline, insurance the upkeep the maintenance all that is not free and is a burden on the county for the duration of the life of that vehicle. To suggest that we have no right to even give an input on what it is we doing and how that could potentially impact the county financially over the long time is misguided. Mr. Smith would ask that we do give input before those decisions are made.

Mr. Paddock commented that he thought he heard Brian say, he asks for certain things in the grant application. You essentially put together a list of things that you intend to acquire, apply for the grant and they say yes or no right?

Brian stated that is correct. This is a yearly grant and is a non-matching grant that has been given to us for the last 4 years of which Brian gets \$30,000 and \$10,000 goes to the Sheriff. We have to say yes or no if we are interested, then you apply for the grant. Brian stated it is a short turn around.

Mr. Paddock stated what will be purchased with this grant has already been determined. What might be purchased with one next year is somewhat flexible.

Brian clarified that nothing has been determined on this \$30,000.

Chairman Dennis stated he believes the consensus of the Board is that we would like input before the grant money is spent and that they be made aware of what it is going to be spent for.

## ACCEPT AND APPROPRIATE 2016 (SHSP) GRANT

WHEREAS, the Yates County Office of Emergency Management has been awarded a non-matching FY2016 Division of Homeland Security and Emergency Services emergency management equipment grant award in the amount of \$30,000.00 to enhance regional preparedness, and

WHEREAS, these funds are not a part of the 2016 budget,

NOW, THEREFORE, BE IT RESOLVED, Chairman of the Legislature is authorized to accept this grant, and be it further

RESOLVED, that the Treasurer is authorized to make the following appropriations increasing the 2016 OEM expenses and revenue by \$30,000.00:

Revenue  
A3645.44303 (Federal Grant Money)

Expenditure  
A3645.52957 (Equipment)

RESOLVED, that a copy of this resolution be given to the Treasurer, Office of Emergency Management and the Budget Officer.

VOTE: Unanimous

### RESOLUTION NO. 108-16

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mrs. Percy.

## ACCEPT FY2016 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) (OEM)

WHEREAS, the Yates County Office of Emergency Management has been awarded Project FY2016 Emergency Management Performance Grant (EMPG) in the amount of \$14,495.00 matching Federal Grant monies administered by New York State Division of Homeland Security and Emergency Services (DHSES) and;

NOW, THEREFORE, BE IT RESOLVED, the Chairman is authorized to accept the EMPG funding:

and be it further

RESOLVED, that a copy of this resolution be given to the Emergency Preparedness Coordinator, Budget Officer and County Treasurer.

VOTE: Unanimous

### RESOLUTION NO. 109-16

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mrs. Percy.

DISCUSSION:

Mr. Morris stated there were concerns from several legislators when this was approved in September. In Mr. Morris's opinion, nothing has changed since that point. He will be voting "no" on this. At the time several of us were saying we need to let the part time option work. We need to try the part time option and there were some other concerns and issues that came up too.

Mr. Smith stated the creation of these two correction officer positions and the authorization to fill them was discussed and voted on at the September 14, 2015 legislation session and was done by Resolution No. 301-15. At that time Mr. Smith made the argument that what we were trying to do is reduce overtime cost for the purposes of reducing overall costs of our corrections facility. We had just prior to that increased the pay for part time correction officers significantly. It seemed that the nature of the work of correction officers was somewhat driven by cyclical nature or the changing numbers of prison inmates. Mr. Smith felt that that would be well addressed by part-time work because there are times, particularly when say we have 60 prisoners, to hire full time people to address what would be a peak need, when different times of the year you would have something less like 45 or 47 prisoners like we do now, is not necessarily the optimal solution. In addition what we are looking at is the balance between full time and part time and the need for overtime. Mr. Smith did not feel that a rigorous analysis then to determine that two was the correct number of full time correction officers to add was done. None the less when this went forward it was determined that we do need to do periodic analysis of the results of hiring the two corrections positions and the results of the increase in pay of part time officers. Mr. Smith is still waiting for those analysis, he has not seen it nor does he think it has been done. If the increase in pay for part time is still not attracting sufficient candidates maybe we should consider increasing that rate again. Mr. Smith believes the nature of increasing and decreasing the demand for correction officers due to the increasing and decreasing number of inmates is a key thing at play. Lacking that analysis and lacking anything changing from last September Mr. Smith cannot support this.

Mr. Morrison stated right now we seem to have a bit of a lull we are down to 47 inmates. Mr. Morrison feels it is past time to do an analysis of our policy of housing federal prisoners. On a 24/7 operation if you can reduce each shift by one person that translates into a head count of 5 people. If we could get rid of one person per shift we would reduce our needed head count by 5. That in turn translates to at least \$350,000 which Mr. Morrison feels would more than offset what we are getting for the federals. It would immediately eliminate your overtime problem. It is hard for Mr. Morrison to understand that we get paid about \$85 a day to house a prisoner and it costs us twice that. But yet we are told it is a good thing to do. Mr. Morrison feels a study needs to be done. Based on this alone Mr. Morrison is voting against this. The other issue that concerns him is the issue of part time employees. It seems like we are not making as much progress as he had hoped in getting a roster of part time individuals available. It seems like we need to increase the pay more or many look at our intake process.

Chairman Dennis stated the Sheriff did address a lot of those concerns in the Committee meeting. Chairman Dennis stated it is his understanding of the Sheriff's explanation on housing the federals has a lot to do with the classification of the inmates. He used that term several times and we know if there is somebody presentencing they can't be mixed with those that are sentenced along with age and sex that has to be separated. The space being taken up by the federal prisoners has a fixed cost whether they were there or not.

Mr. Holgate stated the sheriff has looked at the issue of housing federal prisoners before and he feels that housing them is the best way to utilize the jail.

Mr. Paddock commented in committee the sheriff responded that removing a post would require shutting down the dormitory which houses 16 people of a certain status but he still would not be able to shut down a section of the jail because of the classifications as the Chair has indicated. So you will need to remove 16 prisoners in order to shut down the dormitory and the last report was there were 7 federal prisoners. The Chairman is correct in that the cost are pretty well fixed other than water, sewer and food.

Mr. Morrison stated we have the dorm and two blocks that are able to hold 16 prisoners each. Those two blocks together would house more prisoners than we have today. If you were going to close something down the last place he would close down would be the dorm because it holds the most. This is why Mr. Morrison feels an independent look is needed. Mr. Morrison stated every time he mentions it, and he feels it is a scare tactic, if we ask SCOC to come down here, and he would very much like to be on the delegation that talks to them if they ever do come down here, that they will require us to have 6 more guards. Right now we have 40 full time guards and 47 prisoners. It seems like we are pretty well stacked.

**AUTHORIZE SHERIFF TO FILL VACANCY  
(CORRECTIONS OFFICER)**

NOW, THEREFORE, BE IT RESOLVED, that effective March 14th, 2016, the Sheriff is hereby authorized to fill the vacant position of Corrections Officer, and be it further

RESOLVED, that copies of this resolution be given to the Sheriff, Personnel Officer and Treasurer.

VOTE: Roll Call – Paddock, Bronson, Percy, Multer, Holgate, Banach, Church, Gleason, Dennis voting “Yes” Montgomery, Morrison, Morris, Button, Smith, voting “No” motion carried.

**RESOLUTION NO. 110-16**

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mr. Multer.

DISCUSSION:

Mr. Morris commented that at the last meeting he had asked the Sheriff to provide some comparison information on this position. The Sheriff did send that information to Mr. Morris on Friday which he has reviewed and he is satisfied letting this particular position go through. We don't look a lot different than the surrounding counties on this particular measure. Mr. Morris thanked the Sheriff for getting him the information. He feels there is an opportunity for some improvement and consolidation in here but not by the legislature alone.

**AUTHORIZE SHERIFF TO FILL VACANCY  
(EMERGENCY SERVICES DISPATCHER)**

NOW, THEREFORE, BE IT RESOLVED, that effective March 14th, 2016, the Sheriff is hereby authorized to fill the vacant position of Emergency Services Dispatcher, and be it further

RESOLVED, that copies of this resolution be given to the Sheriff, Personnel Officer and Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 111-16**

Mr. Banach offered the following resolution and moved its adoption, seconded by Mr. Morris.

DISCUSSION:

Mr. Banach stated it was brought up that this did not go through committee and this is something that is in the budget and we have done this every year and he doesn't feel the need to hold off on this, let's get the advertising out there.

Mr. Morris stated he does not have a problem with us going ahead with items that are not urgent. The question that Mr. Morris had was is this urgent and the answer was no it is not urgent, so why not bring it through committee. We had another that had been brought forward in Government Operations at the last minute and Mr. Morris asked if it was urgent and it wasn't so he decided to move it to next month. Mr. Morris feels that the legislature needs to agree amongst themselves if something comes up after the committee, we need to ask, is it urgent, does it matter if it runs through the committee next month. If it doesn't Mr. Morris feels it should be brought through the normal committee process.

Mrs. Church stated that if this is budgeted and it went up for discussion and everyone was aware of it. Mrs. Church does not have a problem with moving forward with this as long as it is in the budget.

Mr. Morris moved to table the resolution, motion died for lack of a second.

### **AUTHORIZE HIGHWAY SUPERINTENDENT TO HIRE SUMMER HELP**

WHEREAS, the Yates County Highway Department has several summer construction projects scheduled, and

WHEREAS, the full-time permanent employees use vacation and leave time during the summer, leaving the department shorthanded, and

WHEREAS, the department also performs the task of mowing along County roadsides or safety flagging, and

WHEREAS, there is specific funding allocated in the 2016 Budget for summer help,

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent is authorized to hire two temporary Laborers at \$11.94 per hour with the understanding that the total expenditure cannot exceed the budgeted amount of \$22,667, and be it further

RESOLVED, that a copy of this resolution be given to the Yates County Highway Superintendent, the Treasurer and the Personnel Officer.

VOTE: Unanimous

### **RESOLUTION NO. 112-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Bronson.

### **AMEND RESOLUTION #402-15**

### **AUTHORIZING CONTRACT RENEWALS FOR COMMUNITY SERVICES**

WHEREAS resolution # 402-15 authorized renewals of contracts with the Yates County Community Services and,

WHEREAS, said resolution needs to be amended to reflect a correction in the funding for the following contracts which is 100% state funded:

ARC of Yates for Developmental disability Services:, non-620; Administration \$11,225.00, OPWDD Share \$16,200.00, Yates ARC \$120,366.00 for a total of \$ 147,821.00.

Crestwood Children's Center/Hillside Family of Agencies for outreach \$129,323.00.

Lakeside Health Services to adult consumers of mental Health Services: outreach \$41,099.00, social club \$59,237.00, drop in center \$24,740.00, supportive housing \$16,931.00, crisis transitional apartments \$50,921.00 and supportive housing rental assistance \$8,494.00 for a total of \$201,422.00.

These changes reflect updated 2016 funding approved spending plans.  
And be it

RESOLVED that copies of this resolution be provided to the Yates County Department of Community Services and the Yates County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 113-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Bronson.

#### **AUTHORIZE CHAIRMAN TO SIGN AN INTERMUNICIPAL AGREEMENT RENEWAL WITH SCHUYLER COUNTY ALONG WITH THE COMMUNITY SERVICES BOARD OF SCHUYLER COUNTY.**

WHEREAS Schuyler provides Clinical Group Services for a specific population of the county, provided by a qualified licensed therapist and

WHEREAS, the parties hereto desire to make available to Yates the services of Clinical Group Therapy as authorized by the applicable laws of the State of New York; and

WHEREAS, Schuyler is qualified to provide and is willing and authorized to furnish such services to Yates; and

WHEREAS, Yates desires to contract with Schuyler for the furnishing of such services as aforesaid, and Schuyler has agreed to render and furnish such services to Yates at a rate of \$75.00 per hour to the extent herein indicated, and under the terms and conditions hereinafter provided; and

WHEREAS, it is the purpose of this Agreement to establish a formal, binding relationship between Schuyler and Yates by which Schuyler, through its Community Services Mental Health Clinic, shall undertake to provide to Yates services consistent with Clinical Group Therapy as regulated by the New York State Office of Mental Hygiene.

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the agreement by the Yates County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign said agreement and be it

RESOLVED, copy of this resolution is to be given to Schuyler County, the Yates County Director of Community Services, and the Yates County Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 114-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Bronson.

#### **APPOINT MEMBER TO THE YATES COUNTY ALCOHOL/SUBSTANCE ABUSE SUBCOMMITTEE**

BE IT RESOLVED, that the Yates County Legislature appoint Jacqueline M. Shrader, RN, M.S., CNS. Residing at 292-C Strait Lane, Himrod, New York 14842 to the Alcohol and Substance Abuse Subcommittee, to a term ending, 12/31/2018.

RESOLVED, that a copy of this resolution be provided to Jacqueline M. Shrader, RN, M.S., CNS. and to the Yates County Department of Community Services.

VOTE: Unanimous

**RESOLUTION NO. 115-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**ENTER INTO CONTRACT FOR POLYGRAPH SERVICES**

RESOLVED, that after review by the County Attorney, the Chairman of the Legislature and the Social Services Commissioner are authorized to sign a contract for polygraph Services with Michael Pliszka at \$275 per session for the period of 1/1/16-12/31/16.

RESOLVED, that a copy of this resolution be provided to the Commissioner of Yates County Dept. of Social Services and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 116-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Button.

**AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING FOR ALLOCATION OF FUNDING**

WHEREAS, funding has been appropriated in the 2016 Yates County Budget for the following municipalities

Village of Penn Yan (Lifeguard Services) \$10,260.00

Town of Middlesex (Lifeguard Services) \$1,026.00

Town of Torrey (Lifeguard Services) \$1,026.00

NOW, THEREFORE IT BE RESOLVED, the chairman of the Yates County Legislature is hereby authorized to sign said memorandums of understanding for the allocation for these funds, and it be further

RESOLVED, that a copy of this resolution be provided to the County Treasurer and the Youth Bureau Director.

VOTE: Unanimous

**RESOLUTION NO. 117-16**

Mrs. Church offered resolutions 117 and 188-16 and moved their adoption, seconded by Mr. Bronson.

**WORKFORCE DEVELOPMENT BUDGET TRANSFER**

BE IT RESOLVED, that the following transfers be made in the Yates County Workforce Development account:

FROM:	CD6293.1B	WIA Dislocated – Staff Wage	\$ 500.00
	CD6293.4B	WIA Dislocated – Staff Operating	\$1,350.00

TO: CD6293.8B WIA Dislocated – Staff Fringe \$1,850.00

AND be it further

RESOLVED, that copies of this resolution be provided to the Workforce Development Director, and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 118-16**

**WORKFORCE DEVELOPMENT BUDGET TRANSFER**

BE IT RESOLVED, that the following transfers be made in the Yates County Workforce Development account:

FROM: CD6292.11L KKP Adult Participant Wage \$ 101.00

TO: CD6292.41L KKP Adult Operating \$ 101.00

AND be it further

RESOLVED, that copies of this resolution be provided to the Workforce Development Director, and the Yates County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 119-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENTS WITH FINGER LAKES PERFORMING PROVIDER SYSTEMS, INC.**

RESOLVED, that the Chairman is hereby authorized to sign agreements with Finger Lakes Performing Provider Systems, Inc. (FLPPS) as a partner in Delivery System Reform Incentive Payment Program Projects for Phase I Performance Period 1 July 1, 2015- September 31, 2015 at \$3,000 and Performance Period 2 October 1, 2015- December 31, 2015 at \$3,000 and be it further

RESOLVED, that a copy of this resolution be sent to the Public Health Office and the County Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 120-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**CREATION OF A YATES COUNTY WORKSITE WELLNESS COMMITTEE**

WHEREAS, Yates County will establish a Worksite Wellness Committee to assist in the management of worksite wellness programs at the County,

WHEREAS, The Yates County Worksite Wellness Committee will be structured and tasked with the following,

The Worksite Wellness Committee will be established according to these guidelines:

- The committee will be comprised to ensure broad representation of all county departments.
- Department Managers choosing to be represented will designate one staff to the committee.
- The committee will be chaired by Public Health, who will prepare and agenda in advance of all meetings and submit official minutes of all meetings conducted.
- Minutes will be distributed to all committee members, Department Managers and members of the Human Services Committee of the Legislature.
- Members of the committee will serve a term of one year and may be reappointed for subsequent years at the approval of their Department Manager.
- The committee will meet no more frequently than one time per month and no less frequently than one time per quarter.

The Goals of the Worksite Wellness Committee will be to:

- Encourage open discussion on Worksite Wellness strategies and activities.
- Discuss methods to improve health status and employee morale, reduce employee absenteeism due to chronic illness and control county costs related to healthcare.
- Offer educational opportunities to employees aimed at health improvement.
- Activities and strategies recommended by the committee will be developed into action plans for review and authorization as appropriate. Quarterly updates will be provided to the Human Services Committee by the Director of Public Health.

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature recognizes the value of a Worksite Wellness Program and therefore approves the creation of the Yates County Worksite Wellness Committee, and be it further

RESOLVED, that a copy of this resolution be provided to the Department Heads and the Personnel Officer.

VOTE: Unanimous

**RESOLUTION NO. 121-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Bronson.

**ADOPT SLIDING FEE SCHEDULES**

RESOLVED, that Yates County Legislature hereby adopts the following fee schedules for the License Home Care Services Agency, lead screenings and administration of immunizations effective April 1, 2016:

**YATES COUNTY PUBLIC HEALTH  
CHILDHOOD LEAD POISONING PREVENTION PROGRAM  
2016 SLIDING FEE SCALE**

Percent of Fee	0%	25%	50%	75%	100%
Lead Test	\$0.00	\$7.50	\$15.00	\$22.50	\$30.00

Family Size	200% FPG *	250% FPG	300% FPG	350% FPG	400% FPG
1	0 - 23,760	23,761 - 29,700	29,701 - 35,640	35,641 - 41,580	41,581 +
2	0 - 32,080	32,081 - 40,100	40,101 - 48,120	48,121 - 56,140	56,141 +
3	0 - 40,400	40,401 - 50,500	50,501 - 60,600	60,601 - 70,700	70,701 +
4	0 - 48,720	48,721 - 60,900	60,901 - 73,080	73,081 - 85,260	85,261 +

5	0 -	57,040	57,041	71,300	71,301	85,560	85,561	99,820	99,821	+
6	0 -	65,360	65,361	81,700	81,701	98,040	98,041	114,380	114,381	+
7	0 -	73,680	73,681	92,100	92,101	110,520	110,521	128,940	128,941	+
8	0 -	82,000	82,001	102,500	102,501	123,000	123,001	143,500	143,501	+
9	0 -	90,320	90,321	112,900	112,901	135,480	135,481	158,060	158,061	+
10	0 -	98,640	98,641	123,300	123,301	147,960	147,961	172,620	172,621	+
11	0 -	106,960	106,961	133,700	133,701	160,440	160,441	187,180	187,181	+
12	0 -	115,280	115,281	144,100	144,101	172,920	172,921	201,740	201,741	+
13	0 -	123,600	123,601	154,500	154,501	185,400	185,401	216,300	216,301	+
14	0 -	131,920	131,921	164,900	164,901	197,880	197,881	230,860	230,861	+
15	0 -	140,240	140,241	175,300	175,301	210,360	210,361	245,420	245,421	+
16	0 -	148,560	148,561	185,700	185,701	222,840	222,841	259,980	259,981	+
17	0 -	156,880	156,881	196,100	196,101	235,320	235,321	274,540	274,541	+
18	0 -	165,200	165,201	206,500	206,501	247,800	247,801	289,100	289,101	+
19	0 -	173,520	173,521	216,900	216,901	260,280	260,281	303,660	303,661	+
20	0 -	181,840	181,841	227,300	227,301	272,760	272,761	318,220	318,221	+
Percent of Fee		0%		25%		50%		75%		100%

Based on guidelines effective  
January 25, 2016

Revised  
3/01/16

For families with more than 20 members, add \$8,320 for each additional member.

\*FPG = Federal Poverty Guidelines

**YATES COUNTY PUBLIC HEALTH  
IMMUNIZATION ADMINISTRATION  
2016 SLIDING FEE SCALE**

Family Size	200% FPG *	250% FPG	300% FPG	350% FPG	400% FPG
1	0 - 23,760	23,761 29,700	29,701 35,640	35,641 41,580	41,581 +
2	0 - 32,080	32,081 40,100	40,101 48,120	48,121 56,140	56,141 +
3	0 - 40,400	40,401 50,500	50,501 60,600	60,601 70,700	70,701 +
4	0 - 48,720	48,721 60,900	60,901 73,080	73,081 85,260	85,261 +
5	0 - 57,040	57,041 71,300	71,301 85,560	85,561 99,820	99,821 +
6	0 - 65,360	65,361 81,700	81,701 98,040	98,041 114,380	114,381 +
7	0 - 73,680	73,681 92,100	92,101 110,520	110,521 128,940	128,941 +
8	0 - 82,000	82,001 102,500	102,501 123,000	123,001 143,500	143,501 +
9	0 - 90,320	90,321 112,900	112,901 135,480	135,481 158,060	158,061 +
10	0 - 98,640	98,641 123,300	123,301 147,960	147,961 172,620	172,621 +
11	0 - 106,960	106,961 133,700	133,701 160,440	160,441 187,180	187,181 +

12	0 - 115,280	115,281	144,100	144,101	172,920	172,921	201,740	201,741	+
13	0 - 123,600	123,601	154,500	154,501	185,400	185,401	216,300	216,301	+
14	0 - 131,920	131,921	164,900	164,901	197,880	197,881	230,860	230,861	+
15	0 - 140,240	140,241	175,300	175,301	210,360	210,361	245,420	245,421	+
16	0 - 148,560	148,561	185,700	185,701	222,840	222,841	259,980	259,981	+
17	0 - 156,880	156,881	196,100	196,101	235,320	235,321	274,540	274,541	+
18	0 - 165,200	165,201	206,500	206,501	247,800	247,801	289,100	289,101	+
19	0 - 173,520	173,521	216,900	216,901	260,280	260,281	303,660	303,661	+
20	0 - 181,840	181,841	227,300	227,301	272,760	272,761	318,220	318,221	+
Percent of Fee	0%	25%	50%	75%	100%				
Charge	\$0.00	\$6.25	\$12.50	\$18.75	\$25.00				

Based on guidelines  
effective January 25, 2016

For families with more than 20 members, add  
\$8,320 for each additional member.

**Revised  
3/01/16**

\*FPG = Federal Poverty Guidelines

**YATES COUNTY PUBLIC HEALTH  
 LICENSED HOME CARE SERVICES AGENCY  
 SCHEDULE OF CHARGES EFFECTIVE January 25, 2016**

**SERVICE CHARGES**

	Minimum	10% of Fee	20% of Fee	30% of Fee	40% of Fee	50% of Fee	Full Fee
<b>Nursing</b>	\$5.00	\$16.00 /visit	\$32.00 /visit	\$48.00 /visit	\$64.00 /visit	\$80.00 /visit	\$160.00 /visit

Family Size:	100% FPL	100 – 125% FPL	125 – 150% FPL	150 – 175% FPL	175 – 200% FPL	200 – 250% FPL	250+ % FPL
<b>1</b>	* 0 - \$11,880	\$11,881 \$14,850	\$14,851 \$17,820	\$17,821 \$20,790	\$20,791 \$23,760	\$23,761 \$29,700	\$29,701 +
<b>2</b>	* 0 - \$16,040	\$16,041 \$20,050	\$20,051 \$24,060	\$24,061 \$28,070	\$28,071 \$32,080	\$32,081 \$40,100	\$40,101 +
<b>3</b>	* 0 - \$20,200	\$20,201 \$25,250	\$25,251 \$30,300	\$30,301 \$35,350	\$35,351 \$40,400	\$40,401 \$50,500	\$50,501 +
<b>4</b>	* 0 - \$24,360	\$24,361 \$30,450	\$30,451 \$36,540	\$36,541 \$42,630	\$42,631 \$48,720	\$48,721 \$60,900	\$60,901 +
<b>5</b>	* 0 - \$28,520	\$28,521 \$35,650	\$35,651 \$42,780	\$42,781 \$49,910	\$49,911 \$57,040	\$57,041 \$71,300	\$71,301 +
<b>6</b>	* 0 - \$32,680	\$32,681 \$40,850	\$40,851 \$49,020	\$49,021 \$57,190	\$57,191 \$65,360	\$65,361 \$81,700	\$81,701 +
<b>7</b>	* 0 - \$36,840	\$36,841 \$46,050	\$46,051 \$55,260	\$55,261 \$64,470	\$64,471 \$73,680	\$73,681 \$92,100	\$92,101 +
<b>8</b>	* 0 - \$41,000	\$41,001 \$51,250	\$51,251 \$61,500	\$61,501 \$71,750	\$71,751 \$82,000	\$82,001 \$102,500	\$102,501 +

\*Adult Medicaid Level (85% FPL) Inform Patient of Probable Eligibility

**Revised on  
 3/01/16**

**VOTE: Unanimous**

**RESOLUTION NO. 122-16**

Mrs. Church offered the following resolution and moved its adoption, seconded by Mr. Gleason.

**AUTHORIZE COMMISSIONER OF SOCIAL SERVICES TO FILL VACANCY (SOCIAL WELFARE EXAMINER)**

WHEREAS, effective March 14th, 2016, the Commissioner of Social Services is hereby authorized to fill the vacant position of Social Welfare Examiner, and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Social Services is approved to the subsequent vacancy as a direct result of this filling the Social Welfare Examiner position, and be it further

RESOLVED, that copies of this resolution be given to the Commissioner of Social Services, Personnel Officer and Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 123-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mr. Multer.

**FILE COUNTY DEPARTMENT MANAGER AND ELECTED OFFICIALS ANNUAL REPORTS WITH CLERK OF LEGISLATURE**

RESOLVED, that all County Department Manager and Elected Officials Annual reports be filed with the Clerk of the Legislature by April 1, 2016 and that said copies will be in the form of electronic and hard copy and be it further

RESOLVED, that copies of this resolution be forwarded to all County Departments.

VOTE: Unanimous

**RESOLUTION NO. 124-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mrs. Percy.

**AUTHORIZE YATES COUNTY BOARD OF ELECTIONS TO ENTER INTO ELECTION SERVICES AGREEMENTS WITH SCHOOL DISTRICTS AND OTHER ENTITIES IN THE COUNTY PURSUANT TO SECTION 3-224 OF ELECTION LAW**

WHEREAS, the Yates County Board of Elections in the interest of the Yates County tax payers would like to offer School Districts and other entities the use of its voting equipment; and

WHEREAS pursuant to Section 3-224 of Election Law, the Board of Elections may permit towns, villages, school districts, fire, ambulance, water, sanitation, police and other special districts within the county to use voting machines and other equipment owned by it and used for the conduct of elections or for educational and instructional purposes, upon such rental and other terms and conditions as shall be fixed by it;

NOW, THEREFORE BE IT RESOLVED, that the Legislature authorizes the Board of Elections to periodically enter into and sign agreements with the aforementioned school districts and other entities in accordance with Section 3-224 of Election Law for the provision of election services consisting of, but not limited to, programming the voting machines, training of Inspectors, delivery of the machines and equipment to include setup of equipment, startup of the voting machines, resolving any problems that may occur during the day that may require Board of Elections assistance, assisting in closing the polls and return of equipment; and be it further

RESOLVED, that any such election services agreement shall be specific to a particular election and election year, and the execution of such agreement by the Board of Elections is contingent upon its first receiving County Attorney approval of the particular election services agreement issue; and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners and the County Attorney.

VOTE: Unanimous

**RESOLUTION NO. 125-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mrs. Percy.

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN CONTRACT  
EXTENSION APPENDIX X FOR HAVA SHOEBOX MONEY  
CONTRACT # T003215**

WHEREAS, the New York State Board of Elections has allocated certain State funds provided to New York State for reimbursement of certain HAVA related expenditures and

WHEREAS, the Yates County Board of Elections desires to use the \$7,248.22 balance for the purposes set forth

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Legislature be authorized to sign the contract appendix extending the time to use the appropriations to March 31, 2017 and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners, and the Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 126-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mr. Gleason.

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN CONTRACT T002583,  
APPENDIX X EXTENDING THE EXPIRATION DATE OF THE CONTRACT  
POLL WORKER TRAINING/VOTER EDUCATION GRANT TO 3-31-2017**

WHEREAS, the New York State Board of Elections has allocated funds provided to New York State for Poll Worker Training and Voter Education as part of Congressional appropriations

WHEREAS, the Yates County Board of Elections desires to use the \$4,778.91 appropriation BALANCE for the purposes set forth

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Legislature be authorized to sign the contract Appendix X extending the time to use the appropriations to March 31, 2017 and be it further

RESOLVED, that a copy of this resolution be given to the Election Commissioners, and the Treasurer.

VOTE: Unanimous

### **RESOLUTION NO. 127-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mrs. Percy.

#### **AUTHORIZE CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT (MOA) REGARDING MASS PROPHYLAXIS DISPENSING CLOSED POINT OF DISPENSING (POD) WITH YATES COUNTY PUBLIC HEALTH**

WHEREAS, the CDC, through the NEW YORK STATE HEALTH DEPARTMENT (NYSDOH), will provide resources from the Strategic National Stockpile (SNS), which includes medications and/or medical supplies, to NYSDOH for the Yates County area; and

WHEREAS, YCPH intends to transfer a pre-determined quantity of the aforementioned medication and/or medical supplies to the Yates County Workforce as needed to respond to a particular public health emergency in accordance with the policies and procedures outlined in the Yates County Public Health Emergency Response Plan and the Yates County Workforce's own Mass Prophylaxis Dispensing Plan; and

WHEREAS, the YCPH wishes to collaborate with the Yates County Workforce to enhance its ability to respond to a catastrophic biological incident or other public health emergency requiring mass dispensing of medications and/or medical supplies; and

WHEREAS, the Yates County Workforce is to include Cornell Cooperative Extension of Yates County, Yates County Soil and Water, and Yates County Judicial Court employees,

NOW, THEREFORE BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign the MOA with Yates County Public Health; and be it further

RESOLVED, that copies of this resolution be given to the Personnel Officer, Treasurer, Election Commissioner(s), Director of Veteran Affairs, County Clerk, DSS Commissioner, OEM Director, Clerk of the Legislature, Highway Superintendent, Director of Public Health, Historian, Director of Community Services, Building Maintenance Supervisor, Sheriff, County Attorney, Director of Probation, County

Planner, District Attorney, Cornell Cooperative Extension Executive Director, Soil and Water, Director of Aging and Nutrition Services (ProAction)

VOTE: Unanimous

**RESOLUTION NO. 128-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mr. Smith.

**AUTHORIZE CHAIRMAN TO SIGN BUSINESS ASSOCIATE AGREEMENT WITH BENETECH**

WHEREAS, Yates County authorizes Benetech Inc. to have access to Protected Health Information in fulfilling its responsibilities under the Plan Management Agreement; and

WHEREAS, Sections 261 through 264 of the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, known as “the Administrative Simplification provisions,” direct the Department of Health and Human Services to develop standards to protect the security, confidentiality and integrity of health information; and

NOW, THEREFORE BE IT RESOLVED, that contingent upon the approval of the County Attorney, the Chairman of the Yates County Legislature is hereby authorized to sign an agreement with Benetech; and be it further

RESOLVED, that a copy of this resolution be provided to Benetech, Personnel Officer and Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 129-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mr. Multer.

**AMEND RESOLUTION 83-16**

**AUTHORIZE CREATION AND FILLING OF POSITION (PAYROLL SPECIALIST)**

WHEREAS, resolution 83-16 authorized the Treasurer to create and fill the Payroll Specialist position at an hourly rate of \$21.05/hour, and

WHEREAS, said resolution needs to be amended to reflect the a correct CSEA hourly rate of \$22.33/hour, and be it further

RESOLVED, that copies of this resolution be given to the Treasurer and the Personnel Officer.

VOTE: Unanimous

**RESOLUTION NO. 130-16**

Mr. Morris offered resolutions 130 thru 135-16 and moved their adoption, seconded by Mr. Smith.

**ADOPT WAIVER OF PERFORMANCE TEST POLICY**

**WHEREAS**, the Yates County Personnel Office desires to create a Performance Test Waiver Policy, and

**NOW, THEREFORE BE IT RESOLVED**, that the Yates County Legislature hereby adopts the aforementioned policy, and be it further

**RESOLVED**, that a copy of this resolution be forwarded to the, Personnel Officer, Department Heads and the County Collective Bargaining Units

**YATES COUNTY  
WAIVER OF PERFORMANCE TEST**

---

**I. PURPOSE:**

To establish a uniform policy for performance test waivers.

**II. SCOPE:**

This policy applies to all candidates who are subject to performance tests by the Yates County Civil Service Agency.

**III. PHYSICAL AGILITY PERFORMANCE TEST WAIVER POLICY:**

**DEPUTY SHERIFF/POLICE OFFICER:**

A candidate who successfully completed the Basic Law Enforcement Academy and completed a physical agility test where the requirements were set by the Municipal Police Training Committee (MPTC) within one (1) year preceding the local physical agility performance test may be eligible for a waiver. The candidate will be required to submit verifiable evidence of qualifying at the time of application in order for the waiver to be accepted.

**CORRECTIONS OFFICER:**

A candidate who successfully completed the Standardized Physical Agility Fitness Test for Corrections Officers within one (1) year preceding the local physical agility performance test may be eligible for a waiver. The candidate will be required to submit verifiable evidence of qualifying at the time of application in order for the waiver to be accepted.

**IV. TYPING PERFORMANCE TEST WAIVER POLICY:**

A candidate who successfully completed a typing performance test within (1) year preceding the local typing performance test may be eligible to have the performance test waived. The candidate will be required to submit verifiable evidence of qualifying at the time of application in order for the waiver to be accepted.

**V. EMERGENCY SERVICES DISPATCHER PERFORMANCE TEST WAIVER POLICY:**

A candidate who passed the Emergency Services Dispatcher performance test provided by any local jurisdiction in New York State within one (1) year preceding the local physical agility performance test may be eligible to have the performance test waived. The candidate will be required to submit verifiable evidence of qualifying which must include the title, location, and date of the performance test at the time of application in order for the waiver to be accepted.

VOTE: Unanimous

## RESOLUTION NO. 131-16

### ADOPT EMPLOYMENT PROBATIONARY PERIOD POLICY

WHEREAS, the Yates County Personnel Office desires to create an Employment Probationary Period Policy, and

NOW, THEREFORE BE IT RESOLVED, that the Yates County Legislature hereby adopts the aforementioned policy, and be it further

RESOLVED, that a copy of this resolution be forwarded to the, Personnel Officer, Department Heads and the County Collective Bargaining Units

#### Yates County Policy on the Employment Probationary Period

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##### **I. PURPOSE:**

To establish a uniform policy for the administration of probationary periods for employees employed by Yates County.

##### **II. DEFINITIONS:**

For the purpose of this policy, **Probationary Period** means the permanent appointment from an open competitive list and every original appointment to a position in the non-competitive, exempt or labor class. An appointment shall become permanent upon the retention of the probationer after his completion of the maximum period of service or upon earlier written notice following completion of the minimum period of service that his/her probationary period is successfully completed.

**Supervising authority** is defined as the appointing authority that hired or appointed the employee and supervises the individual either directly or indirectly.

##### **III. SCOPE:**

This policy applies to all Yates County employees unless otherwise specified.

##### **IV. PURPOSE OF PROBATION PERIOD:**

The probation period is considered a continuation of the employment selection process and provides:

- A. A trial working period that gives the supervising authority an opportunity to observe and evaluate the capacity of the employee, which includes the employee's ability to satisfactorily perform the assigned duties; and to observe and evaluate the employee's work habits and conduct, including attendance and the employee's relationships with coworkers and supervisors;
- B. The employee time to demonstrate qualifications and abilities by actual on the job performance; and to demonstrate capabilities and potential for higher assignments;

- C. The supervisor time to train and guide new employees in the successful performance of their job duties; to observe work performance and work habits; to provide counseling, as needed, on ways to overcome deficiencies; to discern and commend strong points; and to help develop the employees to their fullest capacity in the job;
- D. A means of adjusting the employee's probation period and removing or rejecting an unsatisfactory employee as appropriate.

**V. INITIAL PROBATION PERIOD:**

- A. Employees shall serve an initial probationary period of not less than eight (8) nor more than (52) fifty-two weeks. The probationary period for Police Officer and Deputy Sheriff positions shall not be less than twelve (12) nor more than seventy-eight (78) weeks. The supervising authority or designee may extend an employee's probation period for an additional amount of time not to exceed the length of the original probation period. If an employee's probation is extended, it must be done prior to the conclusion of the original probation period, the reasons for the extension must be documented, and a probationary period performance evaluation must be completed.
- B. Any periods of authorized or unauthorized absence aggregating up to ten (10) work days during the probationary period, may, in the discretion of the supervising authority, be counted as time served in the probationary period. Any such periods of absence in the excess of an aggregate of ten (10) work days shall not be counted as time served in the probationary period.
- C. Supervising authorities shall monitor the newly hired employee's level of performance. A means of monitoring an employee's performance is through the Probationary Period Performance Evaluations. These evaluations will be completed at eight (8), twenty six (26) and forty eight (48) weeks. The evaluations become part of the employee's official personnel file. The purpose of these evaluations is to provide direction, receive feedback, and to provide encouragement to the new employee.
- D. Prior to the completion of the initial probation period, all new employees shall receive a completed probationary period performance evaluation form reflecting their performance over the entire probationary period.

**VI. PROMOTION, TRANSFER, or REASSIGNMENT PROBATION PERIOD:**

- A. Employees, who are promoted, transferred, or reassigned into a different classification, shall serve a twelve (12) week probation period in the new classification.
- B. Employees who are promoted, transferred, or reassigned and who have not completed their initial probation period, shall serve a new twelve (12) week period of initial probation in the new classification.

- C. The supervising authority or designee may extend an employee's probation period for an additional amount of time not to exceed the length of the original probation period.
- D. With the exception of paragraph B of this section, the supervising authority or designee may shorten the probation period of an employee serving a probation as a result of a promotion, transfer, or reassignment to a minimum of eight (8) weeks. If an employee's probation is shortened, the reasons for the action must be documented, and a probationary period performance evaluation must be completed. All documents must be submitted to the Personnel Officer.
- E. Supervising authorities should monitor the employee's level of performance. A means of monitoring an employee's performance is through the Probationary Period Performance Evaluation. This evaluation shall be completed at eight (8) weeks. The evaluation becomes part of the employee's official personnel file. The purpose of this evaluation is to provide direction, receive feedback, and to provide encouragement to the new employee. An employee should have at least one such evaluation during the promotional probation period.
- F. Prior to the completion of the promotional/transfer probation period, all employees shall receive a completed probationary period performance evaluation form reflecting their performance over the entire probationary period. This evaluation becomes a part of the employee's official personnel file.

**VII. PROBATION UPON REINSTATEMENT or TRANSFER:**

- A. An employee who is reinstated into a classification other than the employee's former classification or who transfers into a different classification shall be required to serve a twelve (12) week probation period.
- B. An employee who is reinstated into the same classification in which they left or who transfers into a position of the same classification will not be required to serve a new probation period unless the employee did not complete the original probation period during the prior period of employment.

**VIII. EMPLOYEES NOT SUBJECT TO PROBATION PERIODS:**

- A. An employee who is appointed, hired or promoted into a position of Deputy County Clerk or Deputy Treasurer is not subject to a probation period. An employee appointed, hired or promoted into one of these categories of employment is an employee who serves at the pleasure ("at will") of his or her supervising authority and can be removed at any time for any reason, or for no reason. An employee who transfers from one of these positions to a position requiring a probation period will be treated as a new hire and subject to the appropriate probation period.
- B. An employee who is reinstated in the same classification previously held and served a satisfactory probation, is not subject to a new probation period. If the employee has not completed an original probation period upon reinstatement, the employee will serve the remainder of the period.

- C. An employee whose position is reclassified, and who has served an original probation period in the former classification, is not subject to a new probation period. If the employee has not completed an original probation period and is reclassified, the employee will serve the remainder of the probation period in the new classification.
- D. An employee appointed to a position on a temporary, contractual or emergency basis is not subject to a probation period. If the employee subsequently is hired or converted into a position requiring a probation period, then the employee will be treated as a new hire and subject to the appropriate probation period.
- E. An employee who is demoted into a classification in which the employee has completed a probation period is not subject to a new probation period.

#### **IX. RESULTS OF THE PROBATION PERIOD:**

Following completion of the probationary period performance evaluation form, the rater must then make a determination of the recommended action on the employee's probationary period status:

- A. Satisfactory completion of probation period: If the employee is performing at an overall "Satisfactory" level or above at the conclusion of the probation period, then the employee has successfully completed the probation period and becomes a regular employee.
- B. Extension of probation period: The supervisor may at any time prior to the completion of the probation period request an extension of the original period to the Personnel Officer. The supervising authority must provide documentation supporting the reasons for the extension. The Personnel Office will advise the supervisor/department manager of the approval or denial of the extension request. If approved, the probation period can be extended only once for a period not to exceed the length of the original probation period.
- C. Termination on probation: An employee who, in the judgment of the supervisor, is not satisfactorily performing the job duties or exhibiting satisfactory work habits and conduct, and if documentation to that effect is provided, may be terminated from the position after consultation with the supervising authority and the Personnel Officer.
  - 1. An employee may be terminated on probation at any time after the minimum eight (8) week probationary period and prior to the completion of the probation period maximum of forty eight (48) weeks or seventy eight (78) weeks for Deputy Sheriffs.
  - 2. The supervising authority shall provide the employee in writing with the reason(s) for the termination on probation, the effective date of the termination, and the appropriate procedure for review of the termination, if any.
  - 3. An employee terminated on initial probation is terminated from employment with Yates County.

4. An employee terminated on probation while serving a probationary period as a result of a promotion, transfer, or reinstatement shall be returned to the employee's previous position if vacant. If the previous position is not vacant, the supervising authority, at his or her discretion, shall place the employee in any vacancy in the previous classification or comparable classification for which the employee meets the minimum qualifications, if available. The employee's employment will be terminated if there are no vacancies in the employee's previous position, in any classification previously held by the employee, or in any comparable position.
  5. An employee serving probation for one of the above reasons also may be terminated from employment due to progressive discipline. If an employee on promotional probation is terminated from employment, then the employee will not be returned to the employee's previous position or a comparable position.
- D. If the supervising authority fails to recommend an action pertaining to an employee's probation period and to provide the required probationary period performance evaluations to the employee prior to the conclusion of the probation period, then the employee automatically becomes a regular employee in the new classification with all rights and conditions of such.
- E. Following approval of the recommended action of the employee's probationary period status, the supervising authority should discuss the employee's probationary period performance evaluations and status. The employee will then be given an opportunity to comment on the evaluation form, sign the form, and be given a copy of the completed performance evaluation form.

**X. REVIEW OF TERMINATION ON PROBATION:**

An employee terminated on probation may request in writing a review of the termination to the Personnel Office.

**PROBATIONARY PERIOD PERFORMANCE EVALUATION FORM**

<b>EMPLOYEE NAME:</b>		<b>DEPARTMENT:</b>	
<b>CLASSIFICATION:</b>		<b>DATE OF HIRE:</b>	
<b>DATE OF HIRE:</b>		<b>LAST DAY OF PROBATION:</b>	

**Instructions to supervising authority:** Evaluators should refer to the employee's job description when completing this form; the evaluation should focus on the employee's ability to perform the job duties listed in the job description. Employees should be evaluated three times – at eight (8) weeks, twenty six (26) weeks, and one other time before the end of the probationary period. Indicate the evaluation of the employee's job performance by writing a number between 1 and 3 on the blank line to the right of each attribute, in the appropriate column (depending on whether this is the eight week, twenty six week, or final evaluation of the employee). Use the following scale:

1 = Unacceptable; 2 = Needs Improvement; 3 = Satisfactory

See page two of this form for additional comments to the evaluator and the employee.

ATTRIBUTE		8 WEEKS	26 WEEKS	48 WEEKS
	DATE:			
<b>QUANTITY OF WORK:</b> The extent to which the employee accomplishes assigned work of a specified quality within a specified time period				
<b>QUALITY OF WORK:</b> The extent to which the employee's work is well executed, thorough, effective, accurate				
<b>KNOWLEDGE OF JOB:</b> The extent to which the employee knows and demonstrates how and why to do all phases of assigned work, given the employee's length of time in his/her current position				
<b>RELATIONS WITH SUPERVISOR:</b> The manner in which the employee responds to supervisory directions and comments. The extent to which the employee seeks counsel from supervisor on ways to improve performance and follows same				
<b>COOPERATION WITH OTHERS:</b> The extent to which the employee gets along with other individuals. Consider the employee's tact, courtesy, and effectiveness in dealing with co-workers, subordinates, supervisors, and customers				
<b>ATTENDANCE AND RELIABILITY:</b> The extent to which employee arrives on time and demonstrates consistent attendance; the extent to which the employee contacts supervisor on a timely basis when employee will be late or absent				
<b>INITIATIVE AND CREATIVITY:</b> The extent to which the employee is self-directed, resourceful and creative in meeting job objectives; consider how well the employee follows through on assignments and modifies or develops new ideas, methods, or procedures to effectively meet changing circumstances				
<b>CAPACITY TO DEVELOP:</b> The extent to which the employee demonstrates the ability and willingness to accept new/more complex duties/responsibilities				

**Comments to Evaluator and Employee:** Evaluators should discuss the evaluation results with the employee. At a minimum, employees must be given a copy of the evaluation for their own records. Both the evaluator and the employee should sign the evaluation form. The employee signature indicates only that the employee received a copy of the evaluation. It does not necessarily signify employee concurrence. Both employees and evaluators are strongly encouraged to include written comments. After each evaluation, after the employee signs the form, the evaluator should give one copy to the Personnel Officer. At the final evaluation only, after the employee signs the form, the evaluator should give one copy to the employee, retain one copy for department files and forward the original evaluation to the Personnel Officer.

**8 WEEK  
EVALUATION**

\_\_\_\_\_  
(Employee Signature and Date)

\_\_\_\_\_  
(Evaluator Signature and Date)

**26 WEEK  
EVALUATION**

\_\_\_\_\_  
(Employee Signature and Date)

\_\_\_\_\_  
(Evaluator Signature and Date)

**48 WEEK  
EVALUATION**

\_\_\_\_\_  
(Employee Signature and Date)

\_\_\_\_\_  
(Evaluator Signature and Date)

Employee Comments (please include date; attach additional paper if necessary):

\_\_\_\_\_  
\_\_\_\_\_

Evaluator Comments (please include date; attach additional paper if necessary):

\_\_\_\_\_

**TO BE COMPLETED ONLY AT LAST EVALUATION BEFORE END OF PROBATIONARY PERIOD:**

- I recommend this employee become permanent and continuous.
- I recommend this employee be dismissed before the end of the probationary period.
- Employee resigned before completion of probationary period.

\_\_\_\_\_  
Evaluator Signature

\_\_\_\_\_  
Date

VOTE: Unanimous

**RESOLUTION NO. 132-16**

**ADOPT APPLICATION RECEIPT POLICY**

**WHEREAS**, the Yates County Personnel Office desires to create an Application Receipt Policy, and

**NOW, THEREFORE BE IT RESOLVED**, that the Yates County Legislature hereby adopts the aforementioned policy, and be it further

**RESOLVED**, that a copy of this resolution be forwarded to the, Personnel Officer, Department Heads, Towns, Villages, School Districts and Special Districts

## **YATES COUNTY APPLICATION RECEIPT POLICY**

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### **I. PURPOSE:**

The purpose of application review is to identify a field of qualified candidates. Each applicant is responsible for supplying complete, relevant and accurate information. The Yates County Civil Service Agency is responsible for assuring that the minimum qualifications are clearly defined and articulated; providing sufficient opportunity for applicants to present their qualifications for review; and rendering fair, well-founded decisions as to whether or not the applicant meets the minimum qualification requirements.

### **II. LEGAL BASIS:**

§50.2 of the Civil Service Law requires in part that the Civil Service Agency shall issue announcements for each competitive examination setting forth the minimum qualifications required.

§50.3 of the Civil Service Law states that the Civil Service Agency will require prospective applicants to file formal applications during a prescribed time period in which they must demonstrate their qualifications for the position sought.

§50.4 of the Civil Service Law permits the Civil Service Agency to disqualify applicants from competing when they are found to lack any of the minimum requirements and for a number of other reasons such as intentionally making a false statement on the application.

§50.5 of the Civil Service Law permits the Civil Service Agency to collect fees from applicants.

### **III. APPLICATION FEES:**

Application fees are generally required for:

- A. Each separately numbered open-competitive examination; or
- B. Each centrally administered open-competitive, continuous recruitment examination.
- C. Promotion examinations
- D. Transition examinations
- E. Decentralized open-competitive examinations

Application fees are NOT required for: Military comparable examinations

- A. State examinations held pursuant to CSR 4.2b
- B. State examinations held pursuant to CSL §70.4

Applicants need not submit fees if:

- A. They can demonstrate that they are currently receiving supplemental social security payments or certain forms of public assistance as stated under "Applicant Fee" on the examination announcement; or

#### **IV. FEE REFUNDS**

Refunds are granted only in the case where an examination is cancelled.

#### **V. APPLICATION DEADLINES:**

The Yates County Civil Service Agency reserves the right to reject for lateness or to accept applications filed after the advertised filing period.

Applications rejected due to lateness are kept on file for six (6) months for record keeping purposes. Any fees submitted are returned to the applicant with a notice that the application was not accepted.

Late applications received from provisional employees appointed - prior to the last date for filing; will be accepted and processed provided examination arrangements can still be made. Such employees are considered to have become applicants as of the date of original provisional appointment.

Under certain circumstances the last date for filing applications may be extended with the approval of the Personnel Officer.

#### **VI. TIMELINESS OF APPLICATION REVIEW:**

Generally, applications are reviewed for minimum qualifications prior to the examination date. This pre-review minimizes public relations problems, enhances examination security and facilitates timely establishment of eligible lists.

Review of applications for minimum qualifications after test administration may be authorized by the Personnel Officer when one or more of the following circumstances exist:

- A. An extremely large number of applications makes pre-review impracticable or impossible;
- B. Minimum qualifications are such that virtually all applicants are expected to meet the eligibility requirements.

#### **VII. CONSISTENCY OF APPLICATION REVIEW:**

Standards for review of applications against the announced minimum qualifications must be uniformly applied for all applicants. The minimum qualifications should be structured to leave little room for subjective or conflicting interpretations.

Determinations made to clarify the minimum qualifications must be consistently applied to all applicants.

#### **VIII. ELIGIBILITY LIMITATIONS:**

Promotion applications from individuals permanently employed in the title for which the promotion examination is being held will not be approved except that applications from such employees who have not yet completed the required probationary period will be conditionally approved.

Applicants who meet both promotion and open-competitive qualifications for the same title may file for both. If successful, such candidates will only be certified for appointment from the promotion eligible list.

Applicants who meet the anticipated eligibility requirements for taking the test but not the requirements for appointment, may apply for both the promotion and open-competitive examinations. If successful, they will no longer be eligible for appointment from the open-competitive list once they meet the time-in-title requirements for appointment from the promotion list.

Applicants who qualify for both a transition examination and an open-competitive examination for the same title may apply for both and, if successful, be certified for appointment from both lists.

Promotion applications will be accepted from employees who are currently on a preferred list or who are on a leave of absence provided they had sufficient permanent service in a qualifying title before being placed on the preferred list or on leave of absence.

**IX. PART TIME AND/OR VOLUNTEER EXPERIENCE:**

Appropriate and verifiable volunteer experience will be accepted.

Appropriate part-time experience will be accepted for an open -competitive examination on a pro-rated basis.

Part-time experience in a qualifying title will be equated to full-time for purposes of meeting the time-in-title requirements for promotion examinations.

**X. ACCEPTABLE DEGREES:**

College degrees and credit for college courses received from a regionally accredited college or university or from one recognized by the New York State Education Department will be credited in meeting the announced education qualifications.

Foreign degrees are credited toward meeting education qualifications if granted by schools listed as members of the Association of Commonwealth Universities or the International Association of Universities. Also acceptable, are degrees granted by non-member schools listed in the handbooks of these associations, who are recognized by the association's governmental authority as entitled to issue degrees in higher education.

A foreign degree found acceptable for admittance to an advanced educational program by an accredited school in this country or by an "approved" foreign school as described above, will also be credited toward meeting education qualifications.

**XI. APPLICATION SUBMISSION:**

Applications will ONLY be accepted for announced examinations and for positions currently being recruited for, unless approval is granted by the Personnel Officer.

The Yates County Civil Service Agency will keep applications on file for six (6) months, after that time period applicants are required to resubmit an application.

VOTE: Unanimous

**RESOLUTION NO. 133-16**

**ADOPT ALTERNATE TEST DATE POLICY**

**WHEREAS**, the Yates County Personnel Office desires to create an Alternate Test Date Policy for Civil Service examinations, and

**NOW, THEREFORE BE IT RESOLVED**, that the Yates County Legislature hereby adopts the aforementioned policy, and be it further

**RESOLVED**, that a copy of this resolution be forwarded to the, Personnel Officer, Department Heads, Town, Villages, School Districts and Special Districts

**YATES COUNTY  
ALTERNATE TEST DATE POLICY**

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**I. PURPOSE:**

To facilitate the security of examination materials, a test shall be administered only on the announced date (if any), with due provision being made for religious observance; provided, however, the Yates County Civil Service Agency may provide for rescheduling the administration of a test to a candidate under such circumstances of personal hardship and under such conditions as defined by that office.

**II. SCOPE:**

It is the policy of the Yates County Civil Service Agency to provide alternate test dates to those candidates who are unable to appear on the announced scheduled dates for written tests because of religious beliefs, emergencies, or scheduling conflicts beyond their control. However, with respect to each written test administration, this policy will be weighed against the overriding need of the Civil Service Agency to maintain the security and integrity of the written test. Because written tests require considerable planning, preparation, and expense, candidates are expected to make every effort to take tests on the scheduled dates. When an alternate test date is requested, appropriate documentation acceptable to the Yates County Civil Service Agency must be submitted to verify the need for the alternate test date.

**III. ALTERNATE TEST DATE POLICY:**

An alternate written test date will be provided for a candidate who can establish one of the following:

A death in the immediate family or death of a member of the household in which the candidate resides within the week immediately preceding the announced written test date.

Religious beliefs which preclude a candidate from taking an examination on the announced date.

Military duty.

A conflict with a previously scheduled commitment to participate as a member of a ceremonial party, such as a wedding, baptism, bar or bat mitzvah, or graduation, or as a member of the family or household of the individual for whom the ceremony is being held.

A conflict with a professional or educational examination. Examples of professional examinations include the Certified Public Accountant or Professional Engineer examinations. Examples of educational examinations include the Scholastic Aptitude Test and Graduate Record Examination.

A conflict with a previously scheduled vacation, professional conference, or retreat for which a deposit of at least \$100 (one hundred dollars) was made prior to the date the examination announcement was issued.

A conflict with a court-ordered appearance.

Hospital confinement or medical emergency or health problem of the candidate or member of the immediate family or household in which the candidate resides, if documented by an attending physician.

Emergency weather conditions, verified by the local public safety agency, that result in the closing of specified roads, highways, or independent transportation services which prevent a candidate from reaching the test center.

**IV. NOTIFICATION OF NEED FOR ALTERNATE TEST DATE:**

As soon as a candidate is aware of a conflict prior to the scheduled test date, the candidate should notify the Yates County Civil Service Agency in writing or by phone call. The address is: Yates County, Personnel Office, 417 Liberty Street, Penn Yan, NY 14527. The telephone number is (315) 536-5112. The request should contain a complete explanation of the reason the candidate cannot take the test on the scheduled date and include appropriate supporting documentation. It is essential that the Yates County Civil Service Agency receives these requests before the date of the written test. Requests received on the date of the written test or thereafter will not be considered, unless they involve unforeseen emergencies. Medical emergencies or illness occurring on the date of the examination must be documented by a medical professional seen on the date of the examination.

VOTE: Unanimous

**RESOLUTION NO. 134-16**

**ADOPT PERFORMANCE TEST RETEST POLICY**

**WHEREAS**, the Yates County Personnel Office desires to create a Performance Test Retest Policy, and

**NOW, THEREFORE BE IT RESOLVED**, that the Yates County Legislature hereby adopts the aforementioned policy, and be it further

**RESOLVED**, that a copy of this resolution be forwarded to the, Personnel Officer, the Sheriff, the Chief of Police, Department Heads and the County Collective Bargaining Units

**YATES COUNTY  
RETEST POLICY FOR PERFORMANCE TESTS**

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**I. PURPOSE:**

To establish a uniform policy for the administration of retests for performance tests.

**II. SCOPE:**

This policy applies to all candidates who are subject to performance tests by the Yates County Civil Service Agency.

### **III. PHYSICAL AGILITY PERFORMANCE RETEST POLICY:**

A candidate who passes the written examination but does not pass the physical agility performance test, may be allowed to retake the physical agility performance test one time. Candidates may retake the physical agility performance test within 30 days from the original attempt date, unless extenuating circumstances do not permit this from happening, such as scheduling conflict with the designated trainer or location. Regardless if the candidate previously passed a portion of the exam, they will be required to complete the entire physical agility performance test during their retest.

A candidate who does not participate in the physical agility performance test on the scheduled date due to a reason that is disclosed to the Yates County Civil Service Agency prior to the date of examination, will be eligible to take the initial examination at a later scheduled date and will have the opportunity for a retest if applicable.

A candidate who does not participate in the physical agility performance test on the scheduled date due to illness is required to contact the Yates County Civil Service Agency prior to the examination. Proof that the candidate was under the care of a medical provider at the time of the test is required in order for the candidate to be eligible to take the initial physical agility performance test on a future scheduled date as well as have the opportunity for a retest if applicable. Failure to provide documentation from a medical provider on the first business day following the date of test will result in automatic removal from the eligible list.

Candidates who do not successfully complete the physical agility performance test and retest will be removed from the eligible list since the physical agility performance test is part of the examination process.

In the event an unusual incident or event occurs a Critical Incident Report is generated. If a Critical Incident Report is completed and the incident that occurred caused one (1) or more candidates to fail the physical agility performance test, the candidate who failed and subsequently all candidates who failed on that particular test date, will be offered a retest to be held at a later date not to exceed 30 days from the original attempt unless an extenuating circumstance permits this from happening.

Candidates who voluntarily withdraw from the physical agility performance test will be removed from the eligible list and will not be subject to a retest.

### **IV. TYPING PERFORMANCE RETEST POLICY:**

A retest will be administered to a candidate who fails the first attempt on the performance typing test immediately following the initial attempt on the same day.

If the candidate fails the typing performance test twice in the same day, the candidate will be allowed two additional attempts to pass the typing performance test after a seven (7) day period has elapsed. On the newly scheduled date, the candidate will be given the performance typing test and if they fail the first attempt they will be given a second attempt immediately following.

If the candidate fails all four forms of the typing performance test, the candidate will not be eligible for appointment and they will be removed from the eligible list.

### **V. EMERGENCY SERVICES DISPATCHER RETEST POLICY:**

Candidates will be offered two opportunities to pass the performance test. If they fail in their first attempt, they will be given the opportunity to be re-tested immediately.

**VI. PROVISIONAL APPOINTMENTS:**

Per NYS Civil Service Law § 65.3 Termination of provisional appointments, “A provisional appointment to any position shall be terminated within two months following the establishment of an appropriate eligible list for filling vacancies in such positions; provided, however, that where there are a large number of provisional appointees in any department or agency in the service of the state or any civil division thereof to be replaced by permanent appointees from a newly established eligible list, and the appointing officer or body deems that the termination of the employment of all such provisional appointees within two months following establishment of such list would disrupt or impair essential public services, evidence thereof may be presented to the civil service department or municipal commission having jurisdiction which, after due inquiry, and upon finding that it is in the best interest of the public service, may waive the provisions of this subdivision requiring the termination of the employment of provisional appointees within two months following the establishment of an appropriate eligible list and authorize the termination of the employment of various numbers of such provisional appointees at stated intervals prescribed by such commission; provided, however, that in no case shall the employment of any such provisional appointee be continued longer than four months following the establishment of such eligible list.”

VOTE: Unanimous

**RESOLUTION NO. 135-16**

**ADOPT MANDATORY SAFETY AND PROFESSIONAL TRAINING POLICY**

**WHEREAS**, the Yates County Personnel Office desires to create a Mandatory Safety and Professional Training Policy, and

**NOW, THEREFORE BE IT RESOLVED**, that the Yates County Legislature hereby adopts the aforementioned policy, and be it further

**RESOLVED**, that a copy of this resolution be forwarded to the, Personnel Officer, Department Heads and the County Collective Bargaining Units

**YATES COUNTY  
POLICY ON MANDATORY SAFETY AND PROFESSIONAL TRAINING**

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**I. PURPOSE:**

The purpose of this policy is to provide guidelines for safety and professional development training for employees of Yates County.

**II. DEFINITIONS:**

**Employees and Supervisors:** For purposes of this policy the term “employees” includes all individuals employed by Yates County. The term “supervisors” includes all employees whose jobs encompass supervisory duties; specifically department heads and their designee(s).

**III. SCOPE:**

Employees of Yates County will be required to take safety training courses at the time of hire and at periodic intervals to satisfy Yates County, Occupational Safety and Health Administration (OSHA) and Public Employee Safety and Health (PESH) requirements.

#### **IV. PURPOSE OF TRAINING:**

- A. New hires will take a safety course at the beginning of their employment as part of the onboarding process.
- B. There are general courses that employees will be responsible to complete on an annual basis. Such training is to include but is not limited to Workplace Violence/Active Shooter; Bloodborne Pathogens; Sexual Harassment; Slips, Trips and Falls; Hazard Communication; Emergency Action and Fire Prevention; and Fire Extinguishers. The on-going and mandatory OSHA courses will be assigned on a quarterly basis. Some of the courses must be completed annually to satisfy mandatory OSHA and PESH requirements.
- C. The County may conduct periodic emergency drills to satisfy emergency preparedness standards. Individual employees may be given specific assignments in the case an emergency does occur in the County building or other County facilities.
- D. Supervisors may assign employees to complete training that includes but is not limited to professional development and corrective action to disciplinary action.

VOTE: Unanimous

#### **RESOLUTION NO. 136-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mrs. Percy.

#### **AMEND RESOLUTION 417-15 AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH BONADIO FOR AUDIT SERVICES**

**NOW THEREFORE, BE IT RESOLVED**, that contingent upon review by the County Attorney, the Chairman is authorized to sign a contract with Bonadio for auditing related services to the Yates County Deferred Compensation Plan Procedures for the period of January 1, 2016 through December 31, 2018 in the amount of \$4,500 per year and for January 1, 2019 through December 31, 2020 in the amount of \$5,000, and be it further

**RESOLVED**, that a copy of this resolution be given to the County Treasurer, County Administrator, Personnel Officer, and Bonadio & Co.

VOTE: Unanimous

#### **RESOLUTION NO. 137-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mrs. Percy.

#### **AUTHORIZE CHAIRMAN TO SIGN INTERNET & TELEPHONE SERVICES CONTRACT (Time Warner Cable Business Class)**

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign contract with Time Warner Cable Business Class of Rochester for Internet & Telephone Services for the following services for a one (1) year term.

Monthly Recurring Charges

13 Static IP addresses	50.00
(3) 100 Block DID	45.00
20k Long Distance Bundle	340.00
Business Class SIP 24 call paths	432.00
100Mbps Dedicated Internet Access	1,250.00
20Mbps EPL circuit to Highway	618.00
Managed Router Services at COB	235.00
Managed Router Services at HWY	120.00

Total MRC - 3,090.00

Non-Recurring Charges

Managed Router Installation at COB	150.00
Managed Router Installation at HWY	150.00

Total NRC - 300.00

and be it further

RESOLVED, that a copy of this resolution be given to TWCBC and to the IT Director.

VOTE: Unanimous

**RESOLUTION NO. 138-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mrs. Percy.

**GRANT UNPAID LEAVE OF ABSENCE  
(E. Miller)**

RESOLVED, that Public Health Nurse Edith Miller is hereby granted an unpaid leave of absence from March 15<sup>th</sup>, 2016 until further notice, and be it further

RESOLVED, that a copy of this resolution be given to Ms. Miller, the Public Health Supervisor, Personnel Officer and the Treasurer.

VOTE: Unanimous

**RESOLUTION NO. 139-16**

Mr. Morris offered the following resolution and moved its adoption, seconded by Mr. Gleason.

**DISCUSSION:**

Mr. Montgomery read the following letter that he had emailed to the legislature. The vacancies created by the resignations of County Administrator (CA) and County Planner (CP) have created an unique opportunity for a revisit / rework of the duties, responsibilities, and structure of Yates County government.

Opportunities of this magnitude do not occur often.

I believe, we should seize this opportunity and work diligently to craft a job description that includes all of the tasks that had been covered by these positions in the recent past, current year objectives, and a look forward a couple (not too many) years.

We need to define those tasks and collectively work together to ensure that "the jobs" done in an efficient and effective manner.

While doing that we must be ever mindful of the budgets for 2016, 2017, and beyond. Given the "constant" struggle to best balance needs (level of service) and spending (tax levy) for Yates County taxpayers we must, I believe, capitalize on this opportunity with an eye on reduced spending. Very early sales tax data, unresolved questions of both budgeted and non-budgeted fiber project expenses, and unresolved union contract negotiations are cause for concern of our 2016 spending. Further, it is not too early to start thinking about 2017 with ~1% tax levy cap.

The budget for the CA and CP positions is significant.

CA 2016 Budget: salary \$99,491, FICA & Insur \$13,714, pension \$15,919 = \$129,124

CP 2016 Budget: salary \$65,776, FICA & Insur \$23,463, pension \$10,525 = \$99,764

---on payroll until end of Feb and then vacation so "savings" is approximately \$75,000

---some expense for Tim Cutler in PT / Temp role Total 2016 budget opportunity \$129K + \$75K = \$204K; this amount is available to reinvest in a new CA, a new CP, or other options required to get work done and / or simply balance the 2016 budget.

The decision about where we go from here belongs to the Legislature - not the Taskforce. The Taskforce did a fine job, but we, the 14 members of the Yates County Legislature, need to carry the ball the rest of the way.

After the job description is complete and accepted by the Legislature we can then make a decision about how to best accomplish the defined tasks with a new hire or new hires or a restructure of duties within the current work force.

Therefore, I suggest that Resolution 139-16 be tabled on Monday March 14.. Tabled until the job description is completed and agreed to. With that document in hand we can begin the discussion of how to best accomplish those tasks.

Chairman Dennis questioned that since Mr. Montgomery would like to have this resolution tabled but he would still like a job description written, who would write the job description. Mr. Montgomery stated that he felt the 14 legislators should develop the job description.

Mr. Paddock stated this resolution authorizes the Task Force to get back together and draft a job description. Mr. Paddock then read an email that he had also sent to the legislature which stated - This resolution charges the Task Force with creating a draft job description for the position of the County Administrator. The draft job description would then be brought back to Government Operations for further discussion and likely revisions and presented to the entire legislature. So if this is tabled today it goes no further. Mr. Paddock stated that he has also found that it is better to start with a document and edit from there rather than trying to create something from scratch.

Mr. Montgomery stated, what bothers him about the resolution as it is drafted is, he feels the legislature should put together the job description.

There is a place to start and that is with the information in the presentation that was given. Mr. Montgomery is also bothered by the wording in the resolution as it is drafted today. The resolution talks about a full time County Administrator, Mr. Montgomery does not want to jump that far ahead he is unsure that this is something that we need to do. Mr. Montgomery feels this is a big deal, in how we structure the business, the potential for saving money and reinvesting money and we may have a problem with the budget in looking at the sales tax reports. Mr. Montgomery does not know of anything that isn't getting done today. Mr. Cutler is taking on the function of the Planner on the interim and that Chairman Dennis is also taking on more that would probably have gone to an administrator.

Chairman Dennis stated he reread Dr. Benjamin's summary notes from the workshop and if you go back to the joint meeting we had with the Department Heads, one of the concerns was to have a policy in place so that people are treated uniformly. The point is that policies get implemented in a uniform manner across all agencies. Chairman Dennis does not see how that can continue to go on without a central figure that oversees those. There are 5 separate committee chairs and each can interrupt those policies differently. They may not be familiar with them and they may have different levels of energy and ability.

Mr. Morris does not feel there was enough emphasis on cost savings, cost drives you to a different option. Mr. Morris would like to have the roll split between the Committee Chairs, the Chairman of the Legislature and administrative support.

Mr. Smith state he is not totally on board with this resolution either. It presumes that the legislature has collectively agreed that we need a county administrator. When you create a job description for a position that becomes increasingly difficult to then consider other options. Mr. Smith would like to step back, identify what it is that is not being done. Are there activities that are just falling through the cracks? Mr. Smith is not aware of any and that is to everyone's credit that we do have a well-run organization. If we unable to identify things that are not being done, then it questions why we would need to hire a full time administrator that we haven't identified as a critical need. We need to look at perhaps things are being done but is it putting an undue hardship on particular individuals. If that is the case could we address those hardships through further delegation of activities or roles or reassign particular tasks. Mr. Smith reminded the legislature over a year ago we were considering sharing a department head with another county, so there maybe opportunity there to give that individual administrative duties or functions. With regards to uniformity of treatment, one of the primary reasons for the lack of uniform treatment of employees and staff was the combination of a couple of issues such as actions/lack of action by individuals and clear and concise policies.

Mr. Button stated he feels the way the resolution is worded is locks us into something and takes away our options.

Mr. Bronson stated he believes the task force should go forward and work on a job description. It is easier for a small group to come to some consensus. Mr. Bronson feels there should be input from the department managers as this is crucial to them as it is to the legislature. Mr. Bronson would like the task force to receive more direction from the legislature. There were 3 possibilities put forward for the county administrator. Mr. Bronson would like direction as to which of the 3 possibilities are a priority.

Mr. Multer stated that he does not believe that the Task Force spoke to all the individuals in the counties that do not have a county administrator position. The Committee Chairs are probably fine with it but what about the department heads? The Task Force came up with the recommendation to have a county administrator and now the question is do we draft a job description or not?

Mr. Morrison stated he favors a full time administrator. Page 15 of the power point presentation that was given lists various duties and with that he does not see the position being full time with just those duties. Mr. Morrison feels other duties would need to be added such as combining the positions of Planner and County Administrator. Mr. Morrison also feels the legislature or a legislative task force should be writing the job description.

**CHARGING THE YATES COUNTY ADMINISTRATOR TASK FORCE WITH  
THE DRAFTING OF A PROPOSED JOB DESCRIPTION FOR THE POSITION  
OF COUNTY ADMINISTRATOR**

WHEREAS, the Yates County Administrator Task Force (hereinafter referred to as the “Task Force”) was created to study and make recommendations to the Legislature and/or its Government Operations Committee concerning issues related to the position of County Administrator; and

WHEREAS, after due consideration and deliberation, the Task Force has recommended to the Government Operations Committee that the County of Yates retain the position of a full-time County Administrator with potentially additional job responsibilities;

NOW, THEREFORE, BE IT RESOLVED, that the Legislature hereby requests that the Task Force continue, and that it be charged with the drafting of a proposed job description for the position of County Administrator, and the presentation of such draft proposal to the Legislature and/or its Government Operations Committee for its consideration; and be it further

RESOLVED, that a copy of this resolution be given to the Yates County Administrator Task Force

VOTE: Roll Call – Paddock, Bronson, Percy, Multer, Holgate, Banach, Church, Gleason, Dennis voting “Yes” Montgomery, Morrison, Morris, Button, Smith voting “No” motion carried.

Mrs. Church moved to enter executive session to discuss the employment history of a particular person with the legislature and Amy Miller present, seconded by Mr. Bronson.

VOTE: Unanimous

The Legislature reconvened in open session at 3:02p.m. and the following action was taken.

The resignation of Mr. Montgomery from the County Administrator Task Force was accepted and Legislator Jim Smith was appointed to the Task Force.

Meeting adjourned at 3:04p.m.