

**NOT
APPROVED**

SPECIAL MEETING OF THE
BOARD OF LEGISLATORS

January 24, 2006

Legislators Present

G. Benson, D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, D. Russo, R. Truax, N. Ungermann (Absent: B. Reynolds)

Others Present

L. Dibble, R. Heineman, J. Margeson, B. Riehle

The special meeting was scheduled to provide legislators an opportunity to ask administrative and policy questions as well as brainstorm ideas. Chairman of the Board Curtis Crandall stated that the issues brought up at this meeting would not be debated tonight. Any questions or concerns will be addressed and all items will be answered and prioritized at a future time. The following list of ideas, questions, concerns and suggestions was compiled during the meeting:

1. Staggered legislative terms
2. Receive conflicting/different information from different informers
3. Put all Accountants under Treasurer
4. Hire a grant writer
5. Pay property taxes in installments or payments
6. Put public relations person in Human Resources
7. Zip Code issue – mailings do not reach residents with out-of-county zip codes
8. Look at District Court issue
9. Wellsville city status, ramifications and/or financial concerns for County
10. Sell the landfill
11. Expand the landfill – (\$43.4 million to expand, \$1.4 million to close)
12. Lights at Exits 29 & 30 on I-86
13. Niagara Falls Power Project to supply low cost power – try to tap our share
14. Purchasing Policy (are we using our size to our advantage?)
15. Buy Allegany County First Program – provide enhancements for things purchased in the County. Create policy to buy/contract within the County.
16. Governor's budget proposal to reduce property taxes. Put funds in reserve.
17. Renewal Energy Source Project – pitch for ethanol plant
18. Crude Oil Refinery – dual refinery with ethanol
19. Windmills
20. Pave parking lot and driveway at Crossroads (entrance to the County)
21. Infrastructure at Crossroads – fiber optic connections
22. Same day voting issues – get information to legislators prior to meetings
23. Use of designated forms – MOE, Request to Fill Position
24. New van purchased for Alert Team – grant funds
25. Control overtime in the Sheriff's Office by hiring more deputies
26. Overtime in jail – contract out security for the Courts
27. Sheriff's Office budget – personnel costs for part-time employees is less than 1 percent of the total personnel costs
28. Meeting day and time
29. Cost of housing out vs. housing in

30. Hold court at jail – have judges do the traveling
31. Bring back ad hoc Transportation Committee
32. Central motor pool
33. Expand County insurance program to include local government
34. Have everyone contribute to health insurance (10%)
35. Contributions to retirement
36. Look at legislators' compensation - \$8,500 + health insurance
37. #36 – would be capping the amount the County will contribute to health ins.
38. Mileage for legislators
39. Keep legislators informed especially on economic development
40. Develop all six exits in the County
41. Groom someone to replace John Margeson
42. Employees retained after grant expires
43. Hire outside consultant for manpower study.
44. Department heads don't keep good personnel files on employees
45. Supervisor needs to maintain control of comp use
46. Eliminate buy backs of sick and vacation time
47. Complaints of Department Heads working less hours and selling back time
48. Millennium pipeline – run pipeline across Southern Tier/I-86
49. More privatization of County work – eliminate duplication of services to
 · increase sales tax revenue
50. Share sales tax with local municipalities
51. We took over bridges, Health Dept. + community college payments for sales tax
52. Discontinue plowing snow – act as backup only
53. Expand ceramic businesses or enterprise
54. Privatize home health care – study public vs. private
55. Privatize DOH sanitation services
56. Paying mileage vs. providing vehicles
57. Space needs study – extra jail space
58. Court space needs/issues
59. Investigate Belmont school, etc. when IDA litigation is over
60. Investigate cost to eliminate and/or reduce sales tax on heating energy
61. Charge local municipalities for use of County equipment
62. Savings from Medicare Part D taking over senior citizen prescription care
63. Review previous strategic plan
64. Monitoring overtime
65. Monitor department head time off – timesheets
66. County Administrator vs. County Manager
67. Park all vehicles
68. Are there County vehicles without permanent County stickers on them
69. Wellsville airport expansion and promotion, extend strip
70. Legislators role and/or privilege in monitoring building & employees
71. Does the Sheriff have a road patrol? 369 traffic stops last year
72. Verifiable standards for every department's mission
73. Criteria to judge performance
74. Fuel farm + retail gas vs. state bid price
75. Is County using contract energy provider for cheaper rate?
76. Create a state park – only county in NYS without one
77. Use County and state land for guided hunts
78. Capitalize on outdoors – ATV, etc.
79. Investigate cost and need of outside attorneys and negotiators, etc.
80. Have similar meeting once every quarter
81. State statute requires each legislative district to have quarterly meetings with
 local towns.

82. Address HAVA (Help America Vote Act) issue

Mr. Crandall stated that all of the items listed would be typed and distributed and we will begin to prioritize the list at the special meeting in February. John Margeson, County Administrator, indicated that he may be able to provide answers or information for about half of the items on the list.

A second meeting will be held on Tuesday, February 21, from 6:30 to 9:00 p.m. at the Crossroads Commerce & Conference Center to have any questions answered by the proper department and to prioritize the ideas and decide which items warrant further action or referral.

Adjournment

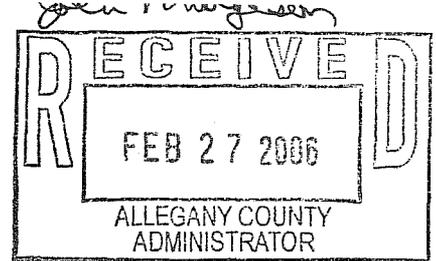
There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,
Brenda Rigby Riehle, Clerk of the Board

**NOT
APPROVED**

**SPECIAL MEETING OF THE
BOARD OF LEGISLATORS**

February 21, 2006



Legislators Present

G. Benson, D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, R. Truax (Absent: D. Russo, N. Ungermann)

Others Present

J. Foels, R. Heineman, J. Margeson, B. Riehle, K. Ross

Pledge of allegiance to the flag.

This special meeting was scheduled as a follow up to the January 24 meeting which was held to provide legislators an opportunity to ask administrative and policy questions as well as brainstorm ideas.

Development Update

John Foels, Development Director, provided an overview of some of the activities the Development Office has been involved with.

Mr. Foels talked about the creation of a water and sewer district indicating that it was necessary because the water and sewer lines for the Crossroads Area will pass across town lines. Mr. Foels indicated that they will be creating a timeline chart that will show what has been accomplished and what still needs to be done within estimated time frames. Mr. Foels stressed that expenses associated with bringing water and sewer to the Crossroads Area will not be borne by the citizens of Allegany County. It appears that the Town of Friendship has sufficient water and sewer capacity for Crossroads as well as the area in between. They will be meeting with representatives from Friendship on Friday.

Mr. Foels indicated that over the last few weeks he has met with several prominent retail entities that have expressed an interest in the Crossroads Area. Representatives from the various entities have made site visits, and Crossroads passed their site evaluations.

The proposed \$25 million Cuba Retirement Community continues to move forward.

The Swain lodging and ice arena projects continue to move forward, and there have been ongoing meetings. It has been a difficult year with the lack of snow.

The Covered Wagon hopes to break ground in the spring.

Mr. Foels indicated that he has been working with ACCORD to streamline our revolving loan fund. There has been some talk of combining efforts to create an Allegany Business Center.

Mr. Foels will be updating the Board on a regular basis.

Health Care and Nursing Home Facilities in Allegany County

Curtis Crandall, Chairman of the Board, stated that the Commission on Health Care Facilities in the 21st Century announced that there will be a public hearing for the Western Region, Regional

Advisory Committee on Monday, February 27, at the Niagara County Community College in Sanborn. The Regional Advisory Committee will use the information from the public hearings to develop a non-binding recommendation for reconfiguring its region's hospital and nursing home bed supply to align bed supply with regional and local needs.

Kimberley Toot, Office for the Aging Director, requested Chairman Crandall to sign a letter voicing the Board's concern over the possible recommendation for closure of health care facilities in Allegany County by the Commission. (A copy of the letter is attached to the original minutes.) A motion was made by Kruger, seconded by Dibble and carried requesting the Chairman to sign the letter and send it to be included as a part of the public hearing comments.

Review of Items Addressed by County Administrator

A copy of the County Administrator's responses to items raised at the January 26, 2006 special meeting has been attached to the original minutes, and only the items discussed will be addressed below. The original item numbers have been included for reference.

Put all Accountants under the jurisdiction of the County Treasurer (#3). Board members wish to identify how such an action would expand the Treasurer's responsibilities, and they would also like to get input from the Accountants and Department Heads regarding the matter. Legislator Ronald Truax expressed concern that we might not be able to receive state aid reimbursement for the Accountants in the Health Department and Social Services if they are placed under the Treasurer. The possibility of the Treasurer having authority over the Accountants while having them physically remain in their respective departments was also discussed. The need for a desk audit of each accountant was also mentioned. A motion was made by Reynolds, seconded by Kruger and carried to refer the matter to the Ways and Means Committee. ***Refer to Ways and Means***

Hire a Grant Writer (#4). Board members briefly discussed the possibility of contracting with an agency or individual for this service as well as combining a Grant Writer position with other positions. The biggest concern is that there may be funding available that we never even hear about. Although this has not been a high priority in the past, the Board members believe it should be investigated further. A motion was made by Reynolds, seconded by Pullen and carried to refer the matter to the Personnel Committee. (Voting No: Kruger) ***Refer to Personnel***

Paying property tax by installment payments (#5). It was noted that the County Treasurer and Real Property Tax Director plan to report on this issue in May.

Put Public Relations person in Human Resources Department (#6). Legislator David Pullen mentioned that at a seminar he attended at the NYSAC Conference, one of the topics addressed was being your own public relations person and getting your own message out. Mr. Pullen suggested that perhaps the legislators should take greater responsibility for doing this. Chairman Crandall briefly mentioned the newsletter he has been working on. Legislator William Dibble suggested having the Human Resources Department send out an occasional statement, while Legislator Timothy O'Grady mentioned using college students to help in this area. Board members agreed that public relations are important, and we have a lot of room for improvement; however, they will plan to look at this matter again in the future rather than referring at this time.

District Courts (#8). Although Board members agreed that there could be a potential savings if the courts were consolidated, such an undertaking would be very involved and require the cooperation of different entities, and it may not realistically be worth considering at this time.

Same day voting issue and use of designated forms (#22 and #23). Chairman Crandall indicated that these topics were discussed at a Department Head meeting, and greater effort will be made to use designated forms and properly inform legislators about issues.

Contracting for Court security (#26). It was noted that the New York State Office of Court Services provides \$250,000 per year to off-set local cost for providing Court security. This amount fully reimburses the cost of salaries but not fringe benefits. Board members requested Mr. Margeson to investigate this issue further. Refer to John Margeson

Meeting date and time (#28). Following a brief discussion regarding the time and day of our Board meetings, a motion was made by Truax, seconded by Hall and carried to refer that matter to the Ways and Means Committee. Refer to Ways and Means

Expand County Health Insurance Program to include Town/Village Government (#33). Board members requested Mr. Margeson to investigate this issue further. Refer to John E. Margeson

Have everyone contribute to health insurance (#34). Numerous scenarios were discussed regarding this issue including: Revisiting supplying health insurance to retirees, starting with the legislators when making health insurance changes, having new employees pay a greater portion of their health care, making changes across the board. A motion was made by Pullen, seconded by Kruger and carried to refer the matter to the Personnel Committee. (Voting No: Fanton) Refer to Personnel Committee

Groom an Assistant to the County Administrator (#41). Legislator Timothy O'Grady suggested that we could combine an Assistant to the County Administrator with the positions of Grant Writer, and Public Relations person. Legislator David Pullen stated that good management ends up paying for itself, and that many issues get thrown to Mr. Margeson that he couldn't possibly have time to pursue adequately. Mr. Pullen asserted that so much has been passed on to Mr. Margeson to take care of that his job is virtually impossible, and we should give him the resources he needs. Legislator Dwight Fanton suggested that if the legislators did their job better, perhaps Mr. Margeson wouldn't have so much to do. Several legislators recognize the need to groom someone to assist and then replace Mr. Margeson but thought the matter could wait a year or two. It was noted that Mr. Margeson's office does not have the physical space to accommodate another person. Legislator Curt Crandall expressed concern that we could be facing the retirement of several County officials all at the same time. Mr. Pullen suggested that he could discuss the matter further with Mr. Margeson to see what a job description for an assistant should contain. Legislator William Dibble suggested that the matter be readdressed in the fall before the 2007 budget is wrapped up. No official action was taken at this time.

Hire an outside consultant to objectively analyze departmental staffing levels (#43). Mr. Margeson will be attending a County Administrator's meeting soon, and he will plan to ask his colleagues about this issue. Refer to John E. Margeson

Eliminate buy back of sick and vacation time (#46). Legislator Karl Kruger believes that we should look into this and asserted that it is costing Allegany County an extra \$24,000 per year because of the inability to pay our retirement bill on time caused by the lack of funds at year end due to payment of sick and vacation time buy backs. Mr. Kruger stated that he believes it costs the County \$161,000 to pay the buy backs of sick and vacation time. Legislator Brent Reynolds suggested trying to eliminate the benefit the next time the County negotiates contracts. Legislator Timothy O'Grady stated that paying buy backs could create a savings in the Sheriff's Office because it would be less expensive to pay a deputy straight time for sick and vacation time not taken rather than paying overtime to replace someone taking the sick or vacation time. No further action was taken at this time.

Complaints of Department Heads working less hours and selling back time (#47). Legislator Karl Kruger asserted that there should be a written policy dictating how many hours per week department heads should work, and that they must keep time sheets. Legislator David Pullen indicated that the issue to him wasn't a matter of how many hours a Department Head worked, but that the job was done well and properly; however, he did express concern about allowing Department Heads to sell back time without a policy. Legislator Timothy O'Grady stated that the real issue is accountability for Department Heads. Mr. Kruger also talked about having Department Heads available and answerable to the public. Legislators agreed to talk about implementing some policy in the future regarding this issue, but no specific action was taken at this time. It was noted that **Monitoring Department Head time-off (#65)** should be combined with this issue.

Share sales tax with local municipalities (#50). Mr. Margeson will compile previous documentation regarding the County's willingness to finance a percentage of town bridges, County owned and operated landfill, and contributions to Community Colleges in lieu of sharing the sales tax revenue with the towns and report back to the Board. Refer to John E. Margeson

Discontinue plowing snow (#52). Board members talked about the fact that some towns depend on the revenue generated from snow plowing County roads, and noted that if a town is making a profit, the County is most likely taking a loss. Legislator Karl Kruger believes the County could save a lot of money if they plowed their own roads. Some didn't believe it would be cost effective for the County to plow 10 miles in one town, and then go to another town and plow another 10, etc.

Court space needs (#58). LaBella and Associates recently studied this issue, and a report will be made to the Board soon.

Monitoring overtime (#64). A motion was made by Dibble, seconded by Fanton and carried to refer this matter to the Budget Committee. Refer to Budget Committee

County Administrator vs. County Manager (#66). A County Manager has more authority and power than a County Administrator and has sole authority to appoint and remove department heads. Mr. Margeson indicated that he did not believe it was necessary to change his title.

Investigate cost and need for outside counsel and labor specialist (#79). A few Board members had very differing opinions on this issue. Legislator Kruger indicated that there didn't seem to be much trust between a hired negotiator and the union, and that the union would respond to negotiations much more positively if they could just sit down and discuss the issues with individual County officials. Legislators Hall and O'Grady believe that it would be very detrimental to the County to not use outside counsel for union negotiations. Board members continued discussing the matter, but the majority did not want to do away with outside counsel.

One legislator expressed concern that not all County vehicles have permanent decals on them.

Board members plan to meet in the near future to discuss the priority lists created from their January 24 meeting.

Adjournment

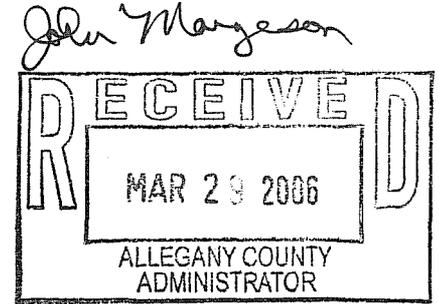
There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,
Brenda Rigby Riehle, Clerk of the Board

**NOT
APPROVED**

**SPECIAL MEETING OF THE
BOARD OF LEGISLATORS**

March 21, 2006



Legislators Present

G. Benson, D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, R. Truax, N. Ungermann (Absent: D. Russo)

Others Present

R. Heineman, J. Margeson, B. Riehle, K. Ross, M. Streeter

Approval of Minutes

The minutes of January 24 and February 21, 2006 were approved on a motion by Dibble, seconded by Fanton and carried.

At the February 21 meeting, County Administrator John Margeson addressed about half of the items on the list the legislators created at the January 24 meeting. Legislators took the remaining items and prioritized them into three categories – Financial Issues, Policy Issues, Development Issues – for today's meeting.

FINANCIAL ISSUES:

Sheriff's Office Budget

Legislator Dwight Fanton stated that we are using less than one percent of our personnel budget for part-time deputies, but overtime and compensation expenses are out of control. Mr. Fanton stated that in 2004 the overtime and compensation expense for the jail was \$772,365 with an additional \$112,277 in overtime and compensation expenses for the Sheriff's general administrative staff. In 2005 the overtime and compensation expense for the jail was \$896,839 with an additional \$133,744 in overtime and compensation expenses for the Sheriff's general administrative staff. Some legislators stated they could understand some overtime expenses in the jail, but expressed concern about the high overtime and compensation expenses for the Sheriff's general administrative staff.

Legislator Norman Ungermann stated that in 2005 the Sheriff's accounts were over budget by \$666,025, and the Sheriff's accounts have been over budget by an average of almost \$661,000 every year for the last seven years.

Legislator Brent Reynolds suggested that the loss of certain variances such as double bunking might account for some of the increase in budget. Mr. Reynolds suggested having the Sheriff come to a meeting to explain his budget overages to us.

Legislator O'Grady asked if anything had drastically changed other than losing some of our variances. What is driving the Sheriff's budget? Have the costs actually changed or are we cutting the Sheriff's budget too far?

Chairman Curt Crandall stated that one of the reasons he supported building the jail was because he felt if we stayed where we were, we would continue to have large overruns in the Sheriff's

budget. Mr. Crandall believes we will experience more level budgeting when the new facility opens. Mr. Crandall noted that when looking at the 2007 and 2008 Sheriff's budget, we won't be able to use the patterns of the last few years; everything will be different. Both Mr. Crandall and Mr. Margeson agree that 2006 was the hump to get over for the jail, and although it won't be smooth sailing in 2007, we should see a leveling of expenses.

Legislator Dwight Fanton stated that we should hire part-time people to fill the four spots where employees are currently out on Workers' Compensation in the Sheriff's Office rather than paying overtime for those positions to be covered. Legislators briefly discussed the Sheriff's Union contract and the proper use of part-time employees as well as what control the Board may have over the use of part-time people in the Sheriff's Office. Mr. Margeson indicated he will discuss filling those four positions with the Sheriff this week.

Legislator Michael McCormick asked how the jail is being financed and asked if the County would be able to refinance if the funds don't come in as quickly as we hope. Mr. Margeson indicated that the jail is financed through bonds, but he has never known a municipality to be able to make interest only payments. Mr. Margeson noted that borrowing can be restructured, but it's usually done to accelerate payments rather than defer them. Legislator David Pullen briefly described the principle of probable usefulness.

Legislators discussed the seven new deputy positions that were recently created noting that they aren't in the budget until September. Some believe they will need to start sooner in order to receive adequate training before they are needed. There was a brief discussion on whether or not the seven positions could be filled with part-time people, and Mr. Margeson indicated that according to a staffing analysis from the COC, the positions need to be filled with permanent full-time employees.

Legislator Timothy O'Grady explained that in Cattaraugus County, the Sheriff's Office has a pool of part-time people. These people work continually until they reach the maximum number of hours they are allowed to work, and then they are replaced with another pool of part-time workers.

Chairman Curt Crandall stated that the concern is the Sheriff's budget and continuing to expend beyond the budgeted amounts. The overages land mainly within overtime and staffing levels. Mr. Crandall suggested asking the Sheriff to put together a reasonable staffing report that shows vacancies and the use of part-time and overtime as it relates to the Sheriff's budget at the time the Sheriff comes to make his financial report. The Sheriff should be able to show a reasonable accounting of what has been done every month for the first quarter of 2006.

Legislator David Pullen discussed the idea of hiring additional correction officers and deputies to cut down on overtime expenses noting that we have to offer overtime to current full-time deputies before part-time employees can be called to come in. If extra employees are already in the jail, it won't be necessary to call people in on overtime. Mr. Pullen indicated such an action would also result in opening negotiations because employees won't be earning the overtime they are accustomed to making. Mr. Pullen stated that if negotiations are reopened, a certain amount of overtime hours could be guaranteed instead of a much higher number. Legislator Ronald Truax asserted that the County has tried hiring extra employees in the Sheriff's Office three times to cut down on overtime expenses, and it's never been successful; overtime costs continue to increase. Legislator Hopkins suggested that we should be able to see how Mr. Pullen's theory will work as we will be hiring seven additional deputies while the jail is still only half full, and that should make a good trial period. Legislator Crandall stated that the new facility will be like a factory running 24/7 – you absolutely have to have certain positions that are required by the COC there. You should be able to budget and schedule to operate the facility and still factor in sick time, vacation time, etc.

Legislator Pullen suggested taking Mr. Crandall's proposal and creating a subcommittee of Public Safety to research and investigate the matter. After a brief discussion, a motion was made by

Legislator William Hall, seconded by Pullen and carried to refer the matter to the Budget Committee. The Sheriff will be requested to create a staffing report to include with his financial report to the Budget Committee with a copy to the Public Safety Committee. **Refer to Budget Committee**

The Budget Committee plans to begin monitoring overtime. They plan to boil down overtime and the use of part-time employees as they look at departmental budgets.

County Landfill

Legislators agree that we need to start making some decisions regarding the County Landfill.

Legislator Norman Ungermann suggested that we move forward and begin the permitting process. It can take two to three years to obtain a permit at a cost of approximately \$300,000. Mr. Ungermann stated that it is easier for a municipality to obtain a permit than it is for the public sector, and it should make the landfill more valuable if we decide to sell, or we will be ready to move forward if we decide to expand. Mr. Ungermann noted that permits can be passed on to subsequent owners as long as the terms of the permit are followed. Mr. Margeson indicated that the cost of obtaining a construction permit would be budgeted over a few years.

At our current rate of filling the landfill, it will probably only last another four to five years. We have an additional 17 acres that could be used to expand the landfill.

Legislator Brent Reynolds indicated that people are very sensitive about the landfill. Two years ago several legislators talked with Casella, and they offered to take all County garbage for \$25 per ton. Mr. Reynolds asserted that we have to look at any and all options that might save taxpayers money.

Legislator Karl Kruger stated that the citizens of District II were adamant about wanting to keep the landfill at the last District II meeting. Our landfill creates competition and helps to keep costs down. Once a big company has a monopoly, costs may increase considerably.

Legislator Dwight Fanton stated that we need to do research and have a strategy. How much life is actually left at the landfill? We only have 17 acres, and we may only get another 17 years out of the landfill. What will we do then? Mr. Fanton believes the County is being negligent if we don't look at all of our options. Chairman Crandall suggested that statistics be gathered and put into some kind of form so that pros and cons can be discussed. All factors and options must be considered. A motion was made by Dibble, seconded by Hopkins and carried to refer the matter to the Public Works Committee to research the options and bring back various ideas and choices to the Board by the end of May. **Refer to Public Works Committee**

POLICY ISSUES:

Space Needs

The NYS Office of Court Administration (OCA) has been asking the County to address the overcrowding concerns and other issues involving the County Judicial System for quite some time. In December 2004 representatives from the NYS Office of Court Administration addressed a Committee of the Whole to review the County's seventeen-year history of non-compliance since being directed in 1987 to submit a capital plan for provision of adequate facilities for the Courts. The OCA also presented a schedule for the County to follow to provide adequate facilities. Mr. Margeson indicated that the penalty for not taking any action is that the OCA can make a recommendation to the State Comptroller to withhold state aid to rectify the situation. Such a penalty would amount to about \$10 million for Allegany County.

Legislator Norman Ungermann indicated that he had a conversation with one of the judges regarding the possibility of using existing jail space, and the judge indicated that they could use three to four offices out of the existing jail for domestic violence cases. Legislators briefly discussed the needs of the courts. Legislator Michael McCormick commented on the beautiful staircase leading up to the court rooms, and then the apparatus at the top.

Verifiable Standards for Every Department's Mission

Legislators discussed the possibility of having every department create a mission statement. In addition, legislators believe that there should be verifiable standards to gauge how well each department is performing.

Legislator David Pullen mentioned Rudolph Giuliani's book, Leadership, wherein he describes how he had every department in New York City define their job and then set up standards that could be used to determine how successful they were at their job. Each department went through a process of identifying what they were really there for. This process enabled New York City to reduce their crime and murder rates by 95 percent. Mr. Pullen stated that the book pointed to continually striving to improve performance. Mr. Pullen went on to name a few departments noting that there is a price tag for certain services; what does the public really want?

Legislator Karl Kruger stated that there needs to be "good business" at Allegany County. Mr. Kruger asserted that we might not have control over the Sheriff's Office, but we have complete control over the Public Works, Health and Social Services Departments. Mr. Kruger indicated that he was bothered by Medicaid and the positions that are filled noting that the more money you use, the more money you pay – it drives our cap up. Mr. Kruger stated that we need to discuss goals to streamline departments and combine positions and assess necessity of positions to avoid a huge layoff at some point down the road. We need to make departments more efficient; there has been a lack of direction to management.

Legislators continued to discuss the need for each department to have a mission statement. Legislator Hall stated that we need to develop a system to measure how each department is performing compared to their mission statement. There needs to be a set of goals to accomplish a specific mission and then a measurement to use to say here is where we are on a particular issue and here is where we want to go. Legislators need to be able to determine if a particular department is performing and achieving the goals it wants to achieve.

A motion was made by Dibble, seconded by Fanton and carried requesting Mr. Margeson to request Department Heads to create a mission statement and forward those statements to their committees of jurisdiction. **Refer to County Administrator**

DEVELOPMENT ISSUES:

Infrastructure at Crossroads

It was noted that there are fiber optic capabilities ready for connection over by the hospital clinic in Belvidere. Legislator William Hall indicated that there appears to be quite a bit of fiber optic cable, but what we don't have is the access point so that we can take advantage of that fiber. Southern Tier West is working on a program for us to work on hookups, but they are having trouble getting enough people interested in working on a grant.

Legislator William Dibble stated that we have to have sewer and water in place before we can hope to attract businesses. Mr. Dibble also mentioned expanding the ceramic businesses or enterprises.

District V Legislators (Burdick, Hall, and Reynolds) briefly mentioned the businesses at the ceramic incubator, and they hope Sugar Hill will be occupied soon. Legislator Brent Reynolds believes that the incubator has hurt Allegany County because industries have not stayed here.

Mr. Hall stated that Alfred University has approximately \$8 million in grants coming in. Over \$2 million will be used for industry; another \$2+ million will be used for basic research through National Funding (NSF); and an additional \$2+ million for the Center for Advanced Ceramic Technology. The Center for Advanced Ceramic Technology uses the ideas from the basic research for the engineers to develop and use. The incubator ends up graduating engineering companies, and then they relocate out of state. Legislators discussed the difficulties of keeping businesses in Allegany County as well as New York State as a whole. Someone is always after viable businesses to relocate.

Legislator William Hall would like to see us talk to people about how we can develop small businesses. There are a lot of opportunities for small business, and it would help the County tremendously. Mr. Hall suggested that it would be nice to have small businesses where you have engineers come together to produce a product. You also have engineering art – start looking at different ways to grow artist colonies and then they can see the other things that are in the area. It's the small projects that get people interested; they will generate money and a stronger economy.

Mr. Hall stated that one of the things hurting Allegany County is the high cost of power in New York State as well as the way monopolies use power. Small businesses can go other places with cheaper land and cheaper taxes. High taxes are a big problem.

Legislator William Dibble stated that if we could tap the Niagara Falls Power Project it would be a real plus, and he suggested the County push our state leadership to work toward doing this.

Development of I-86 Exits

Legislators discussed the lights and lack thereof at the exits on I-86 within Allegany County. A motion was made by Dibble, seconded by McCormick and carried to move the issue of developing all six exits and the lights at exits 29 and 30 on I-86 to the Planning and Development Committee. **Refer to Planning and Development Committee**

State Park

Allegany County is one of only two counties in New York State without a state park. Legislators talked about the Corbin Hill state property. It was also mentioned that there are approximately 800 acres of state land close to the Belvidere exit. A motion was made by Truax, seconded by Fanton and carried to refer the matter to the Planning and Development Committee. **Refer to Planning and Development Committee**

Emblems on County Vehicles

Legislator Karl Kruger brought up the fact that the Public Works Superintendent's and Public Health Director's vehicles do not have the permanent County decals affixed to the door. Mr. Kruger said the vehicles belong to the taxpayers and should be identified as such. Mr. Kruger stated that if a

decal had to be removed from a vehicle that he would remove the decal free of charge and also pay to repair damages if any were caused during the removal process. A motion was made by Kruger and seconded by Reynolds to require that permanent County decals be placed on all County vehicles including leased vehicles. Mr. Reynolds withdrew his second noting that he would like the matter to go through the committee process. Mr. Ungermann seconded the motion which was defeated with Benson, Burdick, Dibble, Fanton, Hall, O'Grady, Pullen and Reynolds voting no.

NYS DOT Bridge Restrictions

Legislator Norman Ungermann suggested we write a letter on behalf of Allegany County businesses regarding the hardships that will be caused by the NYS DOT bridge restrictions that are scheduled to take effect on April 1. Mr. Margeson indicated that he was been discussing the matter with Public Works Superintendent David Roeske, and eight bridges in Allegany County have been included on the DOT's list. Mr. Roeske will be meeting with the regional director in Hornell later this week, and we should have more answers then. Legislators want to know if there are going to be detours around the bridges, and when each bridge will be replaced. Mr. Margeson hopes to be able to supply more information to legislators on Monday, and after facts have been gathered, Mr. Margeson will put a letter together.

Chairman Crandall thanked the legislators for attending the meetings and suggested they consider holding similar meetings in June and again in the fall.

Adjournment

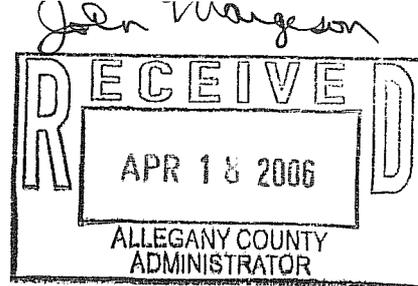
There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,
Brenda Rigby Riehle, Clerk of the Board

**NOT
APPROVED**

COMMITTEE OF THE WHOLE

April 10, 2006



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann; **Absent:** W. Hall

Others Present: R. Belmont, R. Hartwick, D. Reynolds, T. Ross, B. Rigby Riehle, A. Finnemore; **Media:** R. Heineman – Alfred Sun

The meeting was called to order at 3:45 p.m. by Chairman Curtis W. Crandall for the purpose of discussing questions and concerns regarding the Sheriff's Office that were raised at the March 21, 2006 Committee of the Whole meeting.

Legislator Kruger asked if the opening date for the new jail is known. Sheriff Belmont responded it would be sometime this summer; they're shooting for June. They haven't received even a temporary certificate of occupancy yet; contractors are still working on housing units; parts haven't arrived yet for the sprinkler system; and the Health Department is conducting water testing today. It was noted that some of the issues holding up completion, i.e. missing glass and security doors, are out of our control. Barring any snags, the permanent certificate of occupancy should be received from the State and Commission of Corrections in May.

Legislator Ungermann suggested that the project manager should be asked to submit a report with a firmer time frame for completion of the facility. The County Administrator will be asked to contact the project manager to request that they attend the next meeting on April 24 with a schedule for completion. A motion was made by Legislator Ungermann, seconded by Legislator Truax and carried to approve the request.

Legislator Reynolds noted that some of the concerns raised at the March 21 Committee of the Whole meeting involved overtime expenses in the Sheriff's budget. Sheriff Belmont was asked about the large amount of overtime in the Sheriff Administration Account (A3110) as opposed to the Jail Account (A3150). Sheriff Belmont responded that when administrative personnel works in the jail to fill in, they are still paid from the same account they are normally paid from (A3110). When they work in the jail, they work as correction officers.

Overtime and compensatory pay figures for 2005 were quoted and Sheriff Belmont was asked to explain the steady increase. Jail population continues to rise and 98 percent of overtime is caused by transports of inmates, juveniles, and inmates with mental health issues. There is some reimbursement for juveniles and those with mental health issues, but none on regular inmates. The number of transports outside of the County should go down after the new jail is occupied.

Chairman Crandall commented on the Sheriff's Office budget estimates for 2007. Some costs will be known, although it will take a year or two to establish a "track record." Sheriff Belmont has submitted a five-year plan as requested by the Budget Committee. There will be some variables, such as whether federal inmates are taken (part of that agreement would involve transports, which would only be reimbursed at straight time). Legislator Ungermann stated he would like to see a written, estimated projection of costs, including how much the new facility will cut down on overtime. Chairman Crandall noted that the five-year plans requested by the Budget Committee are almost ready for distribution, and the Sheriff's plan will include most of this information.

Legislator Pullen asked why overtime has to be used for transports. Sheriff Belmont replied that he has no staff on schedule for transports. Also, some correction officers can't transport juveniles and mental health runs. Not all part-time staff is certified to carry weapons, nor are all the correction officers. Deputies can be required to do transports, but they also work on the jail floor. The transports are controlled by other agencies and court orders. Legislator Pullen asked why part-time or temporary staff couldn't be used and was told it's against the union contract because it is considered scheduled work and full-time staff has to turn it down first. (Legislator O'Grady noted that it is fairly common for union contracts to include wording that if manpower is to be called in for work, that full-time personnel has to be offered the opportunity first.)

Legislator Reynolds inquired whether the housing-in contracts require long-term commitments. Sheriff Belmont stated that they are presently going through a fact-finding process related to INS (Immigration and Naturalization Service) and Federal inmates, but that neither requires a long-term contract. When asked if County Administrator John Margeson is involved with the INS and federal inmate issue, Sheriff Belmont responded that he will be after this initial stage. Legislator Kruger mentioned the need for interpreters for INS inmates. Sheriff Belmont stated that 80 percent speak English and we can request English-speaking inmates. It was noted that the Alfred and Houghton areas have diverse populations and interpreters may be available if needed. The contract that Sheriff Belmont has seen is quite general unless he requests something be added. Eventually, 20 to 40 beds will be utilized for INS and federal inmates. When asked about dealing with special dietary requirements, i.e. for INS inmates, Sheriff Belmont stated that they are already doing that.

Legislator Pullen asked Sheriff Belmont if he had any suggestions on how to impact and reduce overtime expenses. Sheriff Belmont said he would like to prepare a wish list for changes to go over and discuss with the Board prior to contract negotiations. Legislators should also list their concerns regarding contract issues. The contract expires at the end of 2007. It was noted that overtime expenses should fall after the move to the new facility.

When asked about approaching the union to open the contract early due to changes with the new facility, Sheriff Belmont stated that some labor/management issues have come up, but he can't do anything to request a contract re-opening.

Legislator McCormick asked for Sheriff Belmont's opinion on earlier discussions regarding all accounting positions reporting directly to the County Treasurer rather than department heads. Sheriff Belmont said that change would not be advantageous for his office because a lot of their cash flow relates to civil cases and stays within his office. The County receives a "poundage" for civil cases.

Legislators Fanton and Reynolds questioned the number of employees paid under Sheriff Administration Account A3110 and the large amount of overtime paid from that account. Court, Building Security, and Civil Deputies' salaries are paid from A3110; when these deputies work on the jail floor, the expense still comes from the same account, not the jail account. Who gets called in for overtime is determined by a call-in "wheel," which was established to ensure equity. Back-filling for sick time may be one area to be considered for change in the future. Legislator Crandall questioned the non-unit personnel receiving overtime pay under Account A3110 (the Undersheriff and Accountant) and asked why the Accountant would get overtime. Sheriff Belmont answered it was due to the amount of work. Since he was elected, the office has lost eight administrative positions and they've downsized tremendously. Although eight new positions have been created in the jail account (nine with the Nurse Practitioner transferred from the Health Department), none have been reinstated in administration.

Legislator Reynolds asked about what appears to be a road patrol. Why are so many deputies on the road? When Sheriff Belmont first came here, he re-instituted the wearing of uniforms and the use of marked cars for easy identification when assisting with motor vehicle break-downs or accidents and performing transports to courts, mental health visits, and counseling appointments. On weekends, he has ten people on staff with three extras for transports. If the extras aren't needed for transports, they're out on the road.

Chairman Crandall noted correspondence received from the Commission of Corrections in which they offered to come and field questions. He asked Sheriff Belmont to let him know if there are questions he'd like the Board to ask, or that may be more appropriate to come from the Board. Sheriff Belmont stated he would be at the meeting and also encouraged anyone with questions to write them down, i.e. verification on staffing issues and why the new jail includes 164 beds when original plans called for 110.

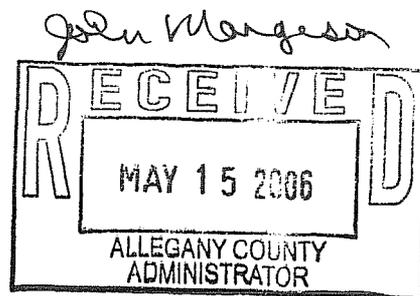
Adjournment: As there was no further business to come before the committee, the meeting as adjourned following a motion made by Mr. Fanton, seconded by Mr. Reynolds and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

COMMITTEE OF THE WHOLE

April 24, 2006



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, D. Russo, R. Truax, N. Ungermann; **Absent:** B. Reynolds

Crossroads Development Update:

Development Director John Foels gave a short update on the Crossroads area development. Phase one of the hotel and water park project is on schedule with financing being looked at. The challenge will be the water and sewer infrastructure. LaBella Associates' proposal to prepare the water and sewer district maps, plans and reports was approved by the Public Works Committee recently and will be considered by the full Board soon. Meetings have been scheduled with other entities such as National Fuel, RG&E, and Verizon, who want to be involved in the project and are giving it high priority. Utility marketing and development money may be available.

County Jail and Public Safety Facility Update:

Representatives were present from LP Ciminelli, the project managing firm for the new County Jail and Public Safety Facility, to present an update on the project and expected completion date. A cost overview report was distributed (attached to original minutes). Expenses to date are in line with projections. The project is 99 percent complete with some minor items including glass and hardware expected in within one week. Security training is taking place now. A temporary certificate of occupancy was issued to facilitate the training. Ciminelli is looking forward to turning over the building within the next three to four weeks (end of May).

Ciminelli's cost overview report shows \$902,717 in uncommitted funds. County Administrator John Margeson stated that at the time of design, it was decided not to contract out for telecommunications or Information Technology systems. Funds remaining in the project contingency (uncommitted funds) will be used. To save the County money, design and installation will be done in-house, with staff from Information Technology and the Sheriff's Office working with Verizon. It is estimated that \$230,000 will be needed for the telecommunications and IT system. Change orders and work still in process will account for approximately \$50,000 of the remaining project contingency funds.

The water and kitchen have cleared inspection, with meals being prepared for training participants.

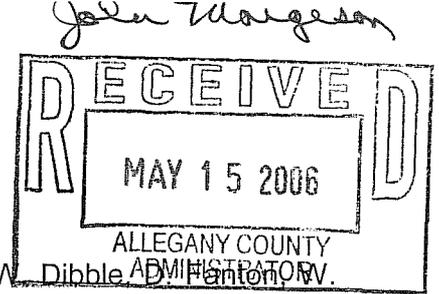
Sheriff Belmont reiterated that some training is taking place now, but moving will have to wait until the final documentation is in place. He anticipates June. Some critical parts are still missing. The contractor, UPE, is expecting that the work will be done within the three to four-week time frame reported earlier.

Adjournment: The meeting was adjourned following a motion made by Truax, seconded by Kruger and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

**COMMITTEE OF THE WHOLE
May 8, 2006**



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fenton, V. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

Others Present: Terry Moran, Field Operations Supervisor from the NYS Commission of Correction; William Heaney, Governor Pataki's Regional Representative; Sheriff Randal Belmont; Undersheriff Denis Reynolds; **Media:** M. Streeter – Olean Times Herald; P. Jannace – Wellsville Daily Reporter; R. Heineman – Alfred Sun

The meeting was called to order at 3:00 p.m. by Chairman Curtis W. Crandall, who then turned the meeting over to Terry Moran, Field Operations Supervisor for the NYS Commission of Correction, for a presentation on the Commission's involvement with the new County Jail project. The Commission of Correction is the oversight agency for local and state correctional facilities.

Legislator Ungermann had written a letter to the Commission inquiring about staffing requirements and other concerns about their involvement with the new facility. Mr. Moran stated that staffing requirements are critical for public safety, but in addition to setting minimum staffing levels, the NYS Commission of Correction is involved in every phase of jail openings, from the beginning planning stages to actual opening. NYS Commission of Correction receives its authority pursuant to NYS Constitution Article 17 and NYS Correction Law Article 3.

NYS Commission of Correction's Role:

- Minimum standard compliance (compulsory)
- Technical assistance (operations)
- Training (all new correction officers must complete)
- Investigations (incidents, escapes, inmate complaints)
- Capacity enhancement (variances, building utilization)
- Advise Governor (policy issues)

Involvement with Allegany County:

- Overcrowding
- Needs assessment
- Decision to build
- Design
- Transition process

Overcrowding:

- State COC authorized use of variance beds in current facility which saved the County hundreds of thousands of dollars in boarding out and associated costs.

Needs Assessment:

- State COC has conducted prior presentations addressing classification requirements and physical plant limitations; expansion of the existing jail is not feasible.

Decision to Build:

- Consider long-term needs
- Classification requirements (gender, special needs, security/safety)
- Contract with federal government (considering 40 beds for federal inmates/INS)
- 80 percent capacity rule (empty beds are needed for separation of inmates, moving inmates, logistics, and safety)

Design Phase:

- State COC worked with Sheriff, jail staff, and architect to ensure the project will meet standards and the process is as efficient as possible without jeopardizing safety.

Transition Process:

- Formal transition training
- Operational document reviews
- On-site assessments
- Move plan review
- Training assessment
- Substantial completion (the building is nearly done; still to complete are: testing of systems, training, certifications, move plan)

Staffing Requirements:

- COC jurisdiction pursuant to 9NYCRR, Part 7041
- Minimum staffing levels (security staff)
- Worked with Sheriff's staff
- Takes into account minimum standard requirements and generally accepted correctional practices

Staffing Elements Considered:

- Functions and activities, i.e. visitations, transports (studied to find most effective, efficient numbers)
- Capacity
- Minimum standards
- Types of inmates housed (special needs)
- Design of physical plant (fixed and fluid posts)
- Unique factors

Staffing Analysis, Based on Premise that:

- All housing areas will be used
- Increase in local population
- Contract to house federal prisoners

Staffing Conclusion: 58 full-time equivalent staff are required to operate the new facility. These numbers are based on full capacity (due to classification requirements, all pods will probably be utilized right from the start). Even though the pod system utilizes fewer officers in housing, COC evaluated the entire operation. Staffing levels will be studied after six to eight months to ensure estimates are adequate. Of the 58 staff, 53-54 have to be full-time positions; the remaining four positions can be filled using part-time staff or over-time hours.

Legislator Kruger referred to "substantial completion" and asked if there was any chance that contractors would leave prior to systems being tested. The contractors perform testing, systems will be tested again, then more testing following use or "movement."

Sheriff Belmont stated that the architect has not signed off on substantial completion. There are still some security doors that are not installed (on order with UPE).

Legislator Kruger asked who watches the jail clientele while staff is being trained. Not all staff is trained at once. When asked if over-time hours are used for training, Sheriff Belmont responded that training over-time was built into the bond.

Staffing for Opening Jail:

- All housing areas will be used
- Boarding inmates could occur within four to six months dependent on:
 - ✓ Success of operation
 - ✓ Staff and equipment
 - ✓ Compliance with standards

Housing Units:

- Lower number of inmates occupying housing areas:
 - ✓ More manageable for staff
 - ✓ Increase staff confidence
 - ✓ Flexibility in classifications
 - ✓ Improve post-move assessment

The question was asked if the authorization to board inmates would be granted a few at a time, or all at once. The COC prefers to take the conservative approach and authorization will be given in stages and assessed periodically.

Pre-Move:

- Facility searches (multiple, extensive)
- Testing equipment and systems
- Fire safety inspections
- Health Department inspections

Training:

- Facility staff (security and civilian)
- Law enforcement agencies
- Fire agencies
- Probation and parole
- Vendors
- Volunteers
- Visitors
- Inmates

Authorization to Open:

- Maximum facility capacity (pursuant to 9NYCRR, Part 7040)
- Determines the maximum number of inmates that can be housed
- Does not become effective until all transition related tasks have been addressed

Post-Move:

- Allows facility to assess:
 - ✓ Staff performance
 - ✓ Equipment and systems
 - ✓ Inmate acclimation
 - ✓ Policies and procedures

The COC will be present during the move and will return every couple of weeks to perform assessments.

Chairman Crandall asked about staffing levels prior to opening and once the facility is operational, and what would happen if the Board of Legislators did not fill positions. Mr. Moran answered that the COC would not give the capacity rating to open. They assess periodically,

consider attrition, and results could be issuance of a directive or court order depending on deficiencies. They can reduce capacity levels which would impact classifications.

Legislator Kruger requested a best guess for timing of opening and housing-in prisoners. Mr. Moran said he can't estimate, it's different case by case with outside forces that are beyond control. It could be as little as three to four months, or as high as a year. The more pre-planning that is done, the better.

Legislator Reynolds asked what the most common problems causing delays are. Mr. Moran responded that it's often security electronics or just numerous little things. When asked if there are manual overrides on things like doors, Mr. Moran answered that there are (keys).

Legislator McCormick asked if the COC has any involvement with the use of the existing jail space once the new facility is occupied. Mr. Moran stated that the present jail will be de-certified by COC and then can be used however the County wants, i.e. storage or offices.

Legislator Truax asked if the full capacity of the jail at 164 beds is the actual number of beds, or the 80 percent that was mentioned earlier. The jail has 164 actual beds, with the 80 percent being around 131 beds. There are a few cells that could be doubled up, but that would need to be approved. If the jail operates consistently over 80 to 85 percent, it raises concerns.

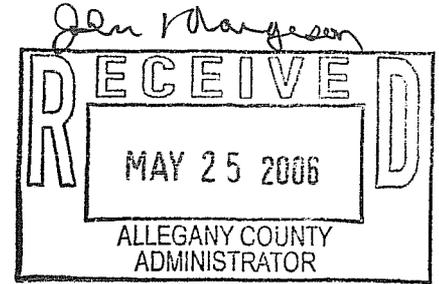
Adjournment: the meeting was adjourned.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

COMMITTEE OF THE WHOLE

May 22, 2006



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

The meeting was called to order at 2:35 p.m. by Chairman Curtis W. Crandall, who then turned the meeting over to County Administrator/Budget Officer John Margeson and County Treasurer Terri Ross for an update on the County's financial status. The 2005 financial books have been audited and information was presented through a slide presentation with printed hand-outs (copy attached to original minutes).

For the first time since 2000, the County experienced savings in appropriations and received additional revenues over what was budgeted, resulting in a fund equity balance of \$2.71 million for fiscal year 2005.

Problem areas where spending exceeded the budget were identified as: Assigned Counsel, Other Correction Agencies, Self-Funded Health Care, Jail Personnel, Labor Relations, Cost of Community College Tuition, Education of Pre-School Children, and Early Intervention Program Services. Some explanations for the over-spending and additional notes follow:

- Assigned Counsel – the 2005 contract for legal services in cases where conflicts exist with the Public Defender's Office was signed late in 2004, after the 2005 budget was approved, so the \$200,000 appropriation was not included.
- Other Corrections Agencies – inmate housing-out was under-budgeted.
- Health Care – costs have increased dramatically over the past year or two; the Personnel Committee is currently taking measures to bring these expenses under control. They are looking at other third party administrators that could potentially result in approximately \$500,000 in savings in 2007. Employee contributions have also been increased, and additional funds will be included in the 2007 budget.
- Jail Personnel – over-time expenses were under-budgeted.
- Labor Relations – investigating other ways to save.
- Community Colleges – the County pays the towns' share; it's hard to budget for this account because student enrollment is not known ahead of time.
- Education of Pre-School Children and Early Intervention Program Services – both are State-mandated programs for three to five-year-olds with developmental or intellectual disabilities. The programs are expensive; the County pays 40 percent and the State 60 percent.

Budget areas where the County saw savings were: Nursing Services, Long-Term Home Health Care Nursing, Contingency, Unallocated Insurance, Medicaid, and Social Services Administration.

General Fund Expenses for 2005, at \$70.79 million, were broken down into major budget areas with the following percentages:

- Economic Assistance & Opportunity (Social Services, Development, Veterans' Services, Weights & Measures, and Office for the Aging) – 42 percent
- Employee Benefits (Retirement, Social Security, Workers' Compensation, Disability Insurance, and Hospital & Medical Insurance) – 13 percent
- Health (Public Health, Narcotic Addiction Control, and Mental Health) – 10 percent
- Inter-Fund Transfers (General Fund Transfers to Other Funds, i.e. County Road, Road Machinery, Employment and Training WIA Grant, Capital, Debt Service, Jail Reserve, Risk Insurance, and Risk Retention) – 10 percent
- Public Safety (Sheriff, Sheriff Drug Program, E-911 Dispatch, Probation, STOP DWI, Jail, Other Correction Agencies, Traffic Control, Fire Prevention and Control, and Emergency Services) – 9 percent
- General Government Support (Legislative Board and Clerk of the Board, County Administrator, Unified Court Cost, District Attorney, Public Defender, Assigned Council, Justices, Medical Examiners & Coroners, Grand Jury, Auditor, Treasurer, Budget, Assessments, Tax Sale & Redemption, County Clerk, County Attorney, Human Resources, Elections, Public Works Administration, Central Service Telephone, Buildings & Grounds, Central Service Copying, Accounting & Auditing, Central Service UPS, Central Service Postage, Information Technology, Unallocated Insurance, Municipal Association Dues, Judgments, Taxes on Municipal Property, and Contingent) – 8 percent
- Education (Community Colleges and Special Education Physically Handicapped Children) – 4 percent
- Home and Community Services (Planning, Solid Waste, General Natural Resources, and Blind & Visually Handicapped) – 2 percent
- Miscellaneous – 2 percent

General Fund Revenues for 2005, at \$73.5 million, were split between the major budget categories as indicated below:

- Real Property Taxes – 27 percent
- Non-Property Taxes – 22 percent
- Federal Aid – 18 percent
- State Aid – 16 percent
- Departmental Income – 10 percent
- Inter-Fund Revenues – 2 percent

- Other Real Property Tax Items – 2 percent
- Miscellaneous – 2 percent
- Property Sales and Compensation for Loss – 1 percent

Additional information was given showing the financial trends and comparisons for: General Fund expenses, revenues, and gain or loss over the past five years; Total Budget appropriations, revenues, and tax levy for the past eight years; taxable assessed values, tax levy, and tax rates for the past eight years; and a history of Fund Balance appropriations and their impact on the tax levy over the past eight years.

The positive benefits of the 2005 fiscal gains are already evident with the good rates received from financial markets for recent bonding quotes. Mr. Margeson stressed that although last year's financial picture is good and we're back on track now, we still need to concentrate on building the Fund Balance back up.

Mr. Ungermann commented that we still have a long way to go. The taxpayer needs a break, and there are other places to cut, such as health insurance.

Mr. Margeson stated that the major causes for recent tax increases have been the cost of retirement, which rose from \$450,000 to \$2.3 million in just one year, Medicaid, and employee medical insurance.

Mr. Hopkins commented that the stock market crash caused the retirement fund problem, and asked how safe the fund is now. Mr. Margeson said the current Comptroller has a different philosophy on investments than his predecessor (the last one tended to take more risks). The State tried to correct the retirement fund problems all at once, rather than spreading it out over several years.

County Treasurer Terri Ross noted that the funds borrowed for construction of the new jail have not been bonded yet. When asked how much those payments would be, she answered \$1.6 million per year plus interest over a period of 25 years.

Chairman Crandall commented that although he was elated with the \$2.7 million Fund Balance, we are not out of the woods yet. For the past five years, there hasn't been a positive Fund Balance, and we're not going to turn it around over night. The County has had to make many hard decisions to compensate for mistakes of the past, and we need to continue to spend less than we take in for many years to build the Fund Balance back up. Mr. Crandall is hoping for some stabilization now and is pleased with our new bond ratings, but we still need to hold the line on expenditures.

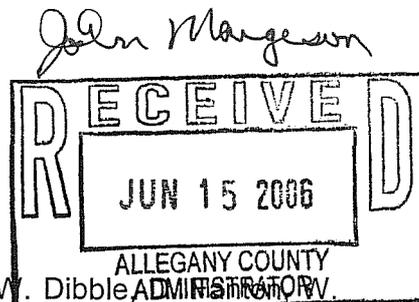
Adjournment: The meeting was adjourned at 3:25 p.m. following a motion made by Truax, seconded by Dibble and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

COMMITTEE OF THE WHOLE

June 12, 2006



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

The meeting was called to order at 2:45 p.m. by Chairman Curtis W. Crandall, who stated the purpose of the meeting was to hear a presentation by an independent health consulting firm, Health Economics Group, Inc., regarding the County's employee health insurance. Chairman Crandall turned the meeting over to Health Economics Group representatives Donald Bardeen and Eric Lintala.

Health Economics Group has administered health and dental plans since 1978, during which time they have seen a shift in how plans are administered to the point that Mr. Lintala feels self-funded plans are less cost-effective now than insured plans. The three main points to consider in negotiated plans are costs, benefits, and network access. Mr. Lintala focused his presentation on County health issues identified while preparing his proposal in response to the County's RFP.

Costs and Savings Issues:

In the last five months of the twelve-month period (ending with January 2006) that Mr. Lintala looked at, he noticed the County's health care costs rose from \$400,000 per month to \$500,000 per month. He feels this could be significant if the increase is a result of a shift in claims or a long-term trend, and could indicate problems with how our plan is administered. Mr. Lintala also noticed the County had several "shock" claims, or very large claims, over that same period. Only eight claims in the past twelve months accounted for \$827,000 of the plan's reimbursements. Management of these higher risks is an issue the County needs to look at.

Benefits Through Negotiation:

The County presently has a \$150 medical deductible. If we moved to an insured plan, carriers don't offer the \$150 deductible, so the County would have to either offer a better plan, or negotiate for a higher deductible. For prescriptions, the County currently has a \$5/\$10 copay. Most carriers use a three-tier system, typically \$10/\$25/\$40, with emphasis on trying to encourage usage of generics. Incentives could be established with lower or no copays for generics.

Network Access (Doctors and Hospitals):

Health Economics Group has worked mainly with the national Blue Cross/Blue Shield network of doctors and hospitals. They have worked to encourage doctors to participate in the network.

Discounts:

As Third Party Administrators, they work with the major insurance carriers to get claims costs down.

Funding Arrangements:

- Self-Funded – Administrative Services Only – If the County's current claim expense spike appears to indicate a long-term trend, it may be time to move to traditional health insurance. Insurance plans absorb some of the risks.
- Experience Rated – Insurance company takes all the risk. Subsequent years' costs are driven by "experience." The company holds all the data, so it may be a little hard to obtain the data needed for negotiation of new contracts.
- Minimum Premium – The employer and insurance company split the risk. The employer holds the cash flow advantage.

Retirees:

Statistically, the highest insurance costs are generated by the 55-65 aged male group. Consideration may be given to separate retirees to take advantage of the Medicare Advantage Plan. This would also shrink the risk pool. The Federal government is currently offering incentives for participation in the Medicare Advantage Plan, and insurance companies are offering richer plans to receive the Federal dollars.

Other Services:

Other services offered by Health Economics Group are in the areas of GASB 43 and 45, Medicare Part D, Medicaid Cost Controls, Administration, and Personal Support.

Alliance of New York Benefit Fund:

Mr. Lintala distributed information on The Alliance of New York Benefit Fund (copy attached to original minutes). This alliance is a buying co-op made up of public sector employees. Member entities join a Taft Hartley trust. All members form a large risk pool of similar demographics. The large group gives Flexcare Inc. leverage in negotiating with carriers for rates, plan design, and customer service. Under one umbrella, the single carrier utilizes an alternative funding mechanism to rate plans. Each entity can custom design a benefit plan as per union contract or choose from options offered by the trust. The results are: lower premium costs than community rated plans; more flexibility in plan design; stabilization of rates over time; emphasis on consumer driven outcomes; streamlined administrative services and additional discounted benefit offerings.

Flexcare Inc. utilizes a minimum premium arrangement with Blue Cross Blue Shield of Western New York. One of the advantages of this type of funding arrangement is that it allows the member groups the freedom in managing their premium dollars on a monthly basis. The options are fully insured and reserved, or monthly claims plus administration costs.

Health Economics Group presented the following rates for Allegany County. They believe this method of funding municipal clients is the most prudent and safest way to control the high cost of providing health coverage for municipal employees.

Two Tier Rates

<u>Rate Component</u>	<u>Monthly Cost</u>	<u>Monthly Cost *</u>
<u>Minimum Premium</u>		
Single	\$ 59.00	\$ 59.00
Family	\$ 163.00	\$ 164.00
<u>Employer Liability Monthly Maximum</u>		
Single	\$ 331.00	\$ 335.00
Family	\$ 917.00	\$ 930.00
<u>Terminal Liability (Reserve)</u>		
Single	\$ 43.00	\$ 44.00
Family	\$ 119.00	\$ 120.00

Above rates are for the following Benefit Design:

- Corporate PPO
- \$15 Copay
- Ambulance and ER Copay \$50
- \$5/\$10 (Managed) Rx Copay
- 19/23 Dependent Student
- Airborne Ambulance Amendment
- Out-of-Network: \$250/\$500 Deductible, 80-20 to \$2,500/\$5,000 family out-of-pocket maximum

* Last column rated with same criteria, with exception of: \$5/\$10/\$25 Rx Copay

Mr. Reynolds asked for an estimate of savings. Mr. Lintala stated that for hospitalization, which accounts for 30 percent of costs, there is the opportunity to save 20 percent, or \$360,000, with no benefit changes. For medical, which accounts for 35 percent of costs, savings realized could be around 10 percent. Beyond that, the County could look at management of claims costs, i.e. establishment of a wellness program.

Mr. Reynolds asked about the differences between RIMSCO, NOVA and the BLUES and what benefits they could offer the County. Mr. Lintala's response: RIMSCO is an Excellus firm, a good administrator, but is a Syracuse based Blue Cross Blue Shield, not on the national network and not Western New York based; NOVA is an Independent Health firm with concentration in the Southern Tier, more doctors (paid more), efficient administration, but limited doctors and hospitals; BLUES or Western New York Blues, national plan, only one that has all the doctors in our area. Third Party Administrators (TPAs) don't have all the discounts or all the doctors.

Mr. Kruger asked about a change from traditional insurance to HMOs. Mr. Lintala stated that this would not be the way to go, as most of the world is going away from HMOs to PPOs, as the County has.

Hospitals aren't giving the discounts they once did, and that may be one of the reasons for higher costs through self-funded plans. Mr. Lintala is recommending a move away from a self-funded plan which will allow splitting the risk between employer and insurance company.

Mr. Russo stated that he feels it's almost impossible to predict that a company can save the County money without doing the complete breakdown and analysis of our actual claims. Mr. Lintala responded that some companies will hide information, i.e. doctor discounts, by using only the lowest figure if a range of figures was given. He's not sure that more analysis would necessarily get closer to the truth.

Mr. Lintala summarized that his presentation covered some of the health insurance issues faced by the County and feels there is a need for a different kind of approach to management.

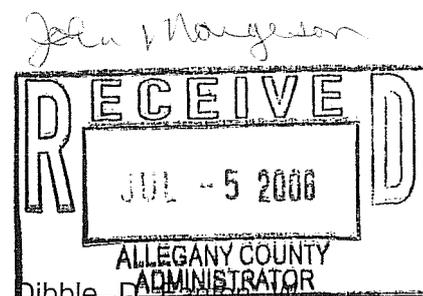
Adjournment: The meeting was adjourned at 3:40 p.m. following a motion made by Truax, seconded by Pullen and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

COMMITTEE OF THE WHOLE

June 26, 2006



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, R. Truax, N. Ungermann

Guests: William Clark, Office of Court Administration and Counsel for Capital Planning/Capital Review Board; Andrew Isenberg, Representative from the Office of the Administrative Judge for the 8th Judicial District; and Allegany County Court Chief Clerks Carolyn Miller and Kathleen Johnson; **Media:** P. Jannace, Wellsville Daily Reporter; M. Streeter, Olean Times Herald

The meeting was called to order at 3:00 p.m. by Chairman Curtis W. Crandall, who stated the purpose of the meeting was to hear a presentation by the New York State Office of Court Administration (OCA). Earlier in the year, OCA representatives met with Chairman Curtis Crandall, County Administrator John Margeson, and County Court Judge James Euken. All legislators have received copies of Mr. Margeson's overview of our involvement with the Court Facilities Capital Plan Act, Committee of the Whole minutes of December 13, 2004, and correspondence dated June 14, 2006 from Ronald Younkins, Chief of Operations, Office of Court Administration (copies attached to original minutes). This meeting was set up due to the large number of new legislators. Chairman Crandall turned the meeting over to William Clark, Counsel for Capital Planning/Capital Review Board in the Office of Court Administration.

Mr. Clark stated his main function is to assist municipalities in complying with the Court Facilities Act. History of the OCA and the Court Facilities Act was summarized:

- 1976 – OCA created as the oversight office for the court system, the State took over the major portion of court administration costs, including personnel and expenses, resulting in significant savings to localities. Responsibility for provision of adequate facilities remained with the municipalities.
- 1987 – Court Facilities Act adopted:
 - ✓ Capital Review Board established as an independent body representing all three branches of government.
 - ✓ Each municipality to submit a capital plan: evaluate and assess adequacy of court facilities; if found to be inadequate, municipality is required to develop a plan to remedy the situation and the Board approves the plan.
 - ✓ Codified the responsibility of the municipalities for provision of adequate facilities. (This is not a new responsibility.)

The County has a long-standing 17-year history of failing to fulfill its obligations to develop and implement a suitable plan to remedy deficiencies in the court facilities. History of Allegany County's involvement with the Court Facilities Act:

- 1995 – Review Board disapproved the County's plan to provide additional space; sanction process was initiated.
- 1996 – Plans were started for new construction or modification of existing facility; sanction process stayed.
- 1997-2001 – Project on track; stay extended.
- 2001 – The County shifted its plan to extending the court into the second floor of the County Office Building.
- 2003 – Meetings conducted; promise of action.
- 2004 – Harry Brand met with County Administrator to discuss renovations to offer some relief for the courts relative to the construction of the new jail facility.

- Fall 2004 – Plans to extend the courts no longer a priority.
- December 2004 – The County was advised of its responsibilities; a sub-committee was to convene.
- May 2005 – Some activity; funds appropriated for a study and to look at design options.
- 2006 – Today is the third visit in 2006; it is clear to the Review Board that nothing is being done; no further delay will be tolerated.

Correspondence dated June 14, 2006 was received by Chairman Crandall from the Office of Court Administration's Chief of Operations Ronald Younkens, in which he states that immediate action is required if the County wishes to avoid initiation of the sanction process. The County must submit a concrete proposal for addressing the needs of the courts on an expedited, but realistic schedule. The Court Facilities Act provides that if a city or county fails to provide suitable and sufficient facilities for the transaction of the business of the courts, the Chief Administrative Judge may determine the dollar value of such failure and certify same to the State Comptroller, whereupon the Comptroller must withhold that amount from any State aid otherwise payable to the County. For Allegany County, the sanction would be based on an estimate of what it would cost the County to provide an adequate facility. While this estimate has yet to be developed, based on a review of comparable localities, that sanction would amount to many millions of dollars in withheld State aid.

The County's court facilities' deficiencies, dating from the 1990s, are severe:

- The courthouse does not comply with the Americans with Disabilities Act (ADA) and does not lend itself to renovations that would allow compliance.
- The courthouse lacks appropriate attorney-client conference space. Such conferences currently occur in the hallways and lobbies of the courthouse, which also serve as the only waiting areas for the public.
- The courthouse lacks adequate secure storage space.
- The Court lacks appropriate office and testing facilities for the recently established Drug Court staff and lacks appropriate space for the soon-to-be-established Integrated Domestic Violence Court and staff.
- The existing facility does not currently provide sufficient space for the assembly of prospective jury panels.
- The building layout does not allow for the proper deployment of security personnel.
- Judges must use the public corridors when traveling to their courtroom.
- The courthouse lacks appropriate courtroom space for the Judicial Hearing Officer and Support Magistrate, who conduct their proceedings in the Legislative Chambers, Jury Room, or Law Library.
- Court security equipment is currently located at the top of the stairs, resulting in unacceptable and dangerous security queuing on the building's stairway.
- Neither Chief Clerk has a private office.
- The existing facility's building systems are unable to meet the needs of the court. The HVAC system in particular is inadequate and in need of replacement.

Other issues mentioned were: some modifications are difficult to achieve in older buildings, i.e. access for the disabled and computer cabling; additional space needs created by the establishment of the Drug and Domestic Violence Court Programs; security issues and screening require separate levels of circulation; court caseloads have increased between 150-200 percent over the past 25 years; and normal wear and tear on a 70 year old building.

The continuance of stays of sanction is at an end. The Review Board is ready to recommend action in the form of a sanction as explained in the reference to the June 14 correspondence above. To avoid the sanction process, the County must submit a concrete

proposal on an expedited basis, including determination on which design to adopt, financing details, and a schedule of milestones such as fee schedules, architect selection schedule, construction schedule, and construction dates. Options considered in the past included renovating the existing building, constructing an addition, or constructing a new building. The OCA's experience has shown that new construction is often the least expensive.

In summary, Mr. Clark reiterated the County's legal responsibilities, the court facilities' serious inadequacies, the County's failure to address the situation, and the Court Facilities Review Board's advice and imminent sanctions. He offered the County his and Mr. Isenberg's assistance in fulfilling its obligations.

Legislators' comments and questions:

Mr. O'Grady asked if all court systems in the State are covered by the same blanket policy with regard to compliance with the Court Facilities Act, as the needs of a small rural area would be much different than those of a larger urban area. Mr. Clark replied that rural areas are not held to the same standards as cities.

Mr. Kruger commented that it was a good thing for the State to take over the court personnel and expenses, but then the State created the Review Board to oversee the facilities left under the County's responsibility with no assistance for renovations that they mandate. He noted that he spent time on the County's Safety Committee and never heard any complaints regarding court officers having problems in public hallways. Mr. Clark stated that the responsibility for the court facilities has always been with the localities. When the State took over most of the other expenses, a lot of municipalities just stepped back and allowed the facilities to deteriorate.

Mr. Ungermann emphatically stated that the County taxpayers' pockets are empty and the State has notified the County that we are very near our constitutional tax limit. Where is the money going to come from? Which bridge should we not fix so we can accomplish this? There is a limit to what we can spend. The County just paid \$24.7 million for the new jail facility. There's nothing left. They County previously discussed raising the constitutional tax limit. Would a State control board be next? Maybe the court system should be taken elsewhere. Mr. Clark stated that this matter has been brought to the County's attention over and over again. He came this time due to the large turn-over of elected personnel. The County's time is coming to an end.

Mr. Kruger pointed out that Allegany County is the most depressed county in the State. Friendship's assessments run 54 percent per thousand, and Allegany County residents are paying more per thousand in taxes than most other areas in the State. It's not a matter of whether or not the renovations are needed. There just are no answers on how to squeeze more money out of the taxpayers.

Mr. Reynolds noted that regardless of anyone's degree of anger, the eventual outcome will be the same. The legislators have an obligation to the taxpayers to avoid the Review Board's sanction. He mentioned there are times when it doesn't seem like a representative democracy, but we have no choice in this issue and will have to follow through.

Mr. Pullen asked if the sanction would be put in escrow or considered a fine. Mr. Clark responded that the withheld State aid money would be used to remedy the situation.

Chairman Crandall announced that he will form an ad hoc committee to deal with only these court issues. The last committee that dealt with it was also dealing with the new jail, which eventually took up most of their time. The new ad hoc committee will come back to the

Committee of the Whole in 90 days with a report and recommendations relative to the capital plan. They will review existing information, formulate a plan to satisfy the Review Board, and begin satisfactory movement by the Board to resolve the issue. The Board will also respond to the Office of Court Administration's June 14 correspondence.

Mr. Clark stated that the 90 days for the ad hoc committee's report is adequate for the actual capital plan, but is too long if it's just a "plan for a plan." There will be assistance available from Mr. Clark and Mr. Isenberg during the ad hoc meetings.

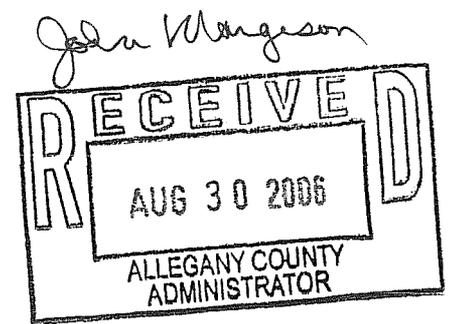
Adjournment: The meeting was adjourned at 3:45 p.m. following a motion made by Truax, seconded by Reynolds and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

**SPECIAL MEETING OF THE
BOARD OF LEGISLATORS**

August 24, 2006



Legislators Present

G. Benson, D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, N. Ungermann (Absent: R. Truax)

Others Present

R. Belmont, J. Foels, R. Hollis, M. Johnson, J. Margeson, B. Riehle, T. Ross,

Media Present

R. Heineman – Alfred Sun, M. Streeter – Olean Times Herald, P. Jannace – Wellsville Daily Reporter

Chairman Curtis Crandall opened the meeting and led the group in the Pledge of Allegiance to the Flag. The Chairman thanked everyone for coming indicating that he hopes everyone finds these meetings beneficial and encouraged the other legislators to give him feedback concerning the meetings.

Tracewell Systems

Development Director John Foels stated that he was informed early in the week from Larry Tracewell that Tracewell Systems (formerly Acme Electric) anticipates closing the Cuba operation by August 31, 2006. Mr. Foels indicated that they are closing due to cash flow issues noting that some of their contracts did not end up coming through. John Foels conveyed that Mr. Tracewell is appreciative of the County's efforts, and stressed that Tracewell is closing due to things we did not have control over. Employment and Training as well as the Workforce Investment Board are assisting the 73 people employed at Tracewell, and Mr. Foels believes that we have need for these trained employees in Allegany County.

Mr. Foels indicated that our next step will be financial to ensure that the long-term structuring of debt gets worked out. Mr. Foels noted that the Tracewell building is a Class A building in excellent shape with 96,000 square feet, and he will be discussing Tracewell's plans for the building with them.

Mr. Foels noted that although there has been some downsizing, we have not had a closure of significance in the last five years. Mr. Foels asserted that Tracewell had a great operation with a strong workforce, and he plans to be in constant contact with Mr. Tracewell.

Crossroads Projects

Mr. Foels indicated that we are moving forward with sewer and water for the area, and he thanked the Town of Friendship, Allardice Associates and Hodgson Russ for their assistance and cooperation in dealing with the matter. Mr. Foels stated that we must have the sewer and water infrastructure in place before we can get a commitment to the project. Mr. Foels noted that he has been attending meetings to work on the final drafts and scheduling of debt. John Foels believes that

the Crossroads Project is stronger today than it was a month ago noting that some key people are very interested in the project, and they have taken a stronger position and are very engaged in the project.

Community Revitalization Program

Mr. Foels briefly mentioned Governor Pataki's announcement of the *Restore NY Initiative* which will provide assistance to municipalities to help finance ongoing efforts to revitalize communities, encourage economic development, and improve housing in communities throughout the state. Mr. Foels indicated that \$300 to \$350 million in grant funds will be available. Applications have to be submitted by September 15, and the state hopes to award the first phase of funding in October. Mr. Foels noted that a few communities are in a very good position to apply, and he would be happy to assist them in any way that he can.

Court Facilities Issue

Chairman Crandall asserted that most cities and counties have come into compliance with the Courts' demands. We are the only County that is not in compliance, and there are four of five cities that haven't brought their facilities up to compliance. Allegany County is the longest standing entity in non-compliance.

Legislator William Hall summarized the meetings of the Court Facilities Ad Hoc Committee which met on July 17 and August 7. Mr. Hall stated that the Committee has met with individuals from Ciminelli, LaBella, NYS 8th Judicial District and the Court System. Mr. Hall briefly identified six options that were addressed for the situation that faces us with the Court System:

1. Refusing to comply and ramifications of not complying.
2. Dedicating entire Courthouse for renovations.
3. Acquiring an existing structure and renovating. (Former Belmont School)
4. Constructing a new facility for Court operations with accommodations for ancillary agencies.
5. Dedicating and renovating floor space in current County Office Building for Court operations.
6. Constructing an addition to the current Courthouse.

Mr. Hall indicated that LaBella Associates presented plans with estimated costs for building a new facility, renovating the County Office Building, and constructing an addition to the Courthouse. Mr. Hall explained that the issue is much more complicated than just looking at the cost noting that people have to be able to circulate safely in the building, accommodations need to be made for displaced personnel, and you need to determine what it will cost the County to borrow money to meet the Courts' needs. All building and renovating has gone up considerably in the last three years. The longer we wait the more debt service we are going to incur. Mr. Hall stated that the committee requested the representatives from LaBella to do some more analysis for the committee meeting on September 18. Mr. Hall also mentioned that we need to investigate any legal arrangements that might be necessary to move the courthouse, investigate the availability of water and sewer, and determine how people would be transported to the jail. Mr. Hall stated that there will be a full presentation to the Board on October 9 so that a final decision can be made, and we can begin working with the state. The legislators briefly discussed the need to work with the state to secure any available funding that might be available to assist us with this project.

Chairman Curtis Crandall stated that he has contacted William Clark from the Unified Court System in hopes of arranging an organized tour of our Court facilities so that they can show us first hand some of the concerns and shortcomings with our facility.

Legislator Michael McCormick questioned if there would be any opportunities to save or generate money by providing new or renovated space to the Courts. There does not appear to be any financial benefit to the County other than not having our state aid withheld for non-compliance.

District Courts

Legislator William Dibble stated that he believes it would be worth pursuing a District Court System. Mr. Dibble indicated that this has been done in two other counties, and if we could get a plan and lobby in Albany, it would really be a great thing and tremendous cost savings for Allegany County. Mr. Dibble noted that it would still be necessary to have the small town justices.

Legislative David Pullen also spoke in favor of a District Court System. Mr. Pullen mentioned the money that could be saved in personnel if the District Court was held in a consolidated manner, in central areas where it's predictable. Mr. Pullen stated that a District Court System would be part of the Unified Court System so the salaries would be picked up by the state; however, the facilities would have to comply with the same standards we are now facing with the Court System. Mr. Pullen indicated that he has discussed the matter with Andrew Isenberg from the NYS Eighth Judicial District, and Mr. Isenberg indicated that the Chief Administrative Judge for the Eighth District might be willing to work with us and provide help if we took the lead in trying to establish a District Court. Mr. Pullen noted that there are six Justice Courts in Allegany County that don't meet because no one in their towns wanted the position of Judge so this might be a good time to pursue a District Court System. **Refer to Public Safety**

Legislator Pullen stated that we are a lawyer shortage area noting that counties that have a strong legal system have a vibrant community. Mr. Pullen stated that a certain infrastructure is needed, and we are losing a local bank in Friendship, we are losing expertise, skills, etc. Mr. Pullen added that our educational institutions are very beneficial, but we don't have many specialists available to us in this County.

Jail Move

Sheriff Randal Belmont stated that the Jail is open, and they completed moving inmates at about 7:30 p.m. last night. All of the inmates that were housed out are now back in Allegany County, and we will no longer be spending money to house out our inmates. Sheriff Belmont indicated that the move went smoothly, and all systems are functioning well. Mr. Belmont stated that the Commission of Correction highly praised our move indicating it was one of the best moves they have seen. Sheriff Belmont met with representatives from the COC today, and they said everything was excellent and they left. Mr. Belmont said that the COC will be back in a few weeks after we are settled to reevaluate the Jail and staff. The Sheriff stated that they had six new intakes today.

Sheriff Belmont explained that the ability to house in inmates requires a variance that must be applied for. Six months to a year is the average time required to become compliant to house in inmates. The Sheriff will let legislators know if he discovers certain criteria and standards we must meet to become compliant to house in. The COC will continue to inspect us, and the better we do, the sooner we can begin housing in.

Security in the Courthouse and County Office Building

Legislator Daniel Russo stated that he received phone calls today from individuals expressing concern about the security in the Courthouse and County Office Building. Mr. Russo indicated that he

also received a complaint that no one was overseeing the monitors. Sheriff Belmont stated that these issues were supposed to be taken care of, and they were part of a plan that he had presented twice, and nothing was ever decided by the Board. Sheriff Belmont stated that he does not plan to man the "bubble," and it would create an overtime issue for his office. The Sheriff stated that although no one is in the "bubble," there is a Deputy who is roaming the facility, another Deputy is assigned to the Social Services floor, and the Courts have four Deputies. The Dispatch Center has communication with all of the Deputies.

Legislators also discussed the issue of panic buttons and agreed that it seemed like a reasonable plan to have the panic buttons buzz into the new E-911 Center so that a dispatcher can radio up to the Deputies in the building. Mr. Margeson stated that we have various panic alarm buzzers in five separate locations. They were installed by a private security company, and Mr. Margeson plans to talk with those representatives about a couple of different options. Mr. Margeson stressed that we are working on the issue and hope to resolve it very soon.

Mr. Margeson also indicated that he appears to be having some success in identifying someone we could hire on a contractual basis to man the "bubble" area from 5 to 9 p.m. weeknights. Mr. Margeson noted that this is actually a Public Works issue, not a Sheriff's Office issue. Mr. Margeson also talked about the possibility of installing card readers so that staff members can enter the building at night and on the weekends if necessary.

Sheriff Belmont also discussed some concerns he has about transporting inmates to Court hearings.

REFERRALS:

Legislators reviewed the following referrals which were generated from the February and March special meetings of the Board of Legislators:

Budget Committee

1. The Board would like the Budget Committee to request the Sheriff to create a staffing report to include with his financial report to the Budget Committee with a copy to the Public Safety Committee.

Committee members discussed this issue at the March 22 Budget Committee meeting, and they discussed the Sheriff's Office coding their payroll by assignment; however, it does not appear that any official or additional action has been taken.

County Treasurer Terri Ross stated that coding payroll would make it easier to identify how much manpower is associated with certain functions such as transports, the fair, etc. Ms. Ross indicated that the Health Department and Public Works Department are already in the habit of coding their payroll, the Probation Department and Office for the Aging separate their costs by grant.

2. The Board would like the Budget Committee to begin monitoring overtime.

County Treasurer Terri Ross will be providing overtime reports to the Budget Committee on a regular basis.

Legislator Theodore Hopkins, Chairman of the Budget Committee, indicated that they started to investigate overtime issues, and then they began working on the budget. As soon as the 2007 budget is referred to the Ways and Means Committee, the Budget Committee can begin tracking overtime

again. Chairman Crandall suggested having a benchmark where only overtime going over a certain level would be red flagged.

Personnel Committee

1. The Board would like the Personnel Committee to investigate having everyone contribute to health insurance.

This issue was discussed at the August 11, 2006 Personnel Committee meeting. Committee members plan to look at present costs, and then develop a plan to gradually implement the requirement of a health insurance contribution by non-unit staff and new hires, followed by eventual negotiations with employee unions. Personnel Officer Ellen Ruckle will be providing information regarding the number of employees covered by health insurance, number presently required to contribute, and the non-unit medical insurance cost for the September Personnel Committee meeting. The estimated costs for single and family coverage, including what each union employee pays under the different categories with the current rates, was also requested.

Legislator Daniel Russo, Chairman of the Personnel Committee, stated that the Personnel Officer will be providing the committee with the information that is needed to make decisions. Mr. Russo stated that we just recently changed health insurance carriers to Nova which should result in substantial savings. We also just changed insurance consultants, and they have a deep interest in how we can fix things. Mr. Russo noted that retirees incur a large portion of our medical expenses, and the consultants will be presenting cost-saving programs to the retirees as well.

Legislator Norman Ungermann stated that he believes the legislators need to lead by example, and if they are going to ask the labor unions to negotiate, then non-unit people should do it too.

Legislators discussed the fact that the County has not been diligent in calculating the proper amount that should be paid by employees who are required to pay a portion of their health insurance. After a discussion regarding the costs of the County's self-insured health costs, legislators agreed that the contribution should be calculated and adjusted on a regular basis, at least annually. Employees that contribute should be at the proper levels.

2. The Board would like the Personnel Committee to investigate hiring a Grant Writer.

This issue was discussed at the March 6, 2006 Personnel Committee meeting. Questionnaires were sent to departments asking how often they would use the services of a grant writer.

This issue was discussed later in the meeting.

Planning & Development Committee

1. The Board would like the Planning and Development Committee to discuss the issue of developing all six exits and the lights at exists 29 and 30 on I-86 and make recommendations to the full Board.

Legislator Norman Ungermann stated that he discussed the issue of lights at the exits with the Village of Cuba. Part of the lighting district is in the town and part is in the village, and the town pays the village a set annual fee. They average about \$3,500 per light per year to light the exits, but it's possible that a different company could offer different rates. Mr. Ungermann also stated that the Cuba exit has 13 lights, but he believes that the Belvidere exit would be fine with eight.

Legislator Michael McCormick stated that when Cuba put their lights up, I-86 was not a federal Interstate, and perhaps the Interstate could put the lights up or at least assist us. Mr. McCormick will investigate the matter further and report back.

Legislator David Pullen suggested we talk to some utility companies to see what types of rates we might be able to secure. Mr. Pullen noted that technology has changed and some costs have dropped significantly. One of the towns entered into agreement with a lighting franchise, and they replaced the old lights and lowered the costs – sometimes revisiting it can make a real difference.

Legislators requested that the issue of lights at the exits be referred back to the Planning and Development Committee for further investigation. Legislators would like to pursue the possibility of securing a grant, talk to different utility companies regarding rates, etc., and see if the Interstate might be able to assist us. **Refer to Planning and Development**

Legislator Norman Ungermann stated that there should be some consideration for lighting on State Route 19 and County Road 20 if companies are going to be coming in. We should be talking to the DOT about turning lanes and widening the lanes to accommodate turning lanes so when parcels are sold or developed they are set back far enough to allow room. Development Director John Foels indicated that he will be meeting with the DOT and RG&E soon, and he will discuss the matter with them and report back to the next Planning and Development Committee.

2. The Board would like the Planning and Development Committee to discuss the issue of creating a state park in Allegany County and present ideas, plans and options to the full Board.

Legislator William Dibble stated that he contacted the Commissioner regarding a state park in Allegany County. Mr. Dibble indicated that everyone agrees that we should have a state park so let's pick a spot, try to get grants and send a letter to the Office of Parks, Recreation and Historic Preservation. Mr. Dibble also indicated that Sullivan County wrote a grant and received an initiative. Their Public Works Department got paid for doing a lot of the work. Legislators would like the matter referred back to the Planning and Development Committee for further investigation. **Refer to Planning and Development**

Public Works Committee

1. The Board would like the Public Works Committee to research all options regarding the landfill and bring back various ideas and choices to the Board by the end of May.

Public Works Superintendent David Roeske indicated that they are still in the process of analyzing the proposed area for expansion, and they hope to have a report from the consultant sometime in September.

Legislator Dwight Fanton, Chairman of the Public Works Department, reported that originally 17 acres had been marked for landfill development. There is bedrock in most places where the tentative site might be, and it is even shallower further north. Preliminary estimates show that we would have to move 100 million cubic yards of material to make a landfill site out of that acreage. The DEC has readjusted some numbers, and we should have more concrete figures in mid-September.

Mr. Fanton stated that after analyzing the issue, committee members agreed they were not currently interested in privatizing the landfill. Mr. Fanton indicated that we need to make some decisions in the next four or five years if we do or don't want to stay in the landfill business. It looks like it will be very costly to develop our existing land. The Public Works Committee will continue to investigate the landfill issue.

Ways and Means Committee

1. The Board would like the Ways and Means Committee to discuss the time and day of the regular Board meetings.

This issue was discussed at the March 22, 2006 Ways and Means Committee meeting and committee members decided not to take any official action at this time.

2. The Board would like the Ways and Means Committee to pursue the possibility of placing all Accountants under the jurisdiction of the County Treasurer

At the March 22, 2006 Ways and Means Committee meeting, John Margeson distributed copies of the feedback he had requested from Department Heads regarding this matter. In addition, Kimberley Toot, Jerry Garmon and David Roeske attended the meeting and indicated that they work with their Accountants on a daily basis and like them to be in close proximity.

Legislators once again discussed the advantages and disadvantages of placing all Accountants under the jurisdiction and direct supervision of the County Treasurer. They discussed the need to have consistent and accurate financial reporting in a unified manner when it is requested. They also discussed the issue of allegiance and accountability. Legislator Theodore Hopkins, Chairman of the Budget Committee, indicated that they will continue to look at the issue with County Treasurer Ross and try to develop a better system. Mr. Hopkins stated that they will keep working at these issues noting that changes don't happen overnight.

Grant Writer and Planner

Legislators discussed the advantages of having a Planner and Grant Writer working for the County. They talked about the fact that a professional Grant Writer could be hired on a percentage or contractual basis, and he/she quite often has knowledge of opportunities that might become available.

Michael Johnsen, Town of Grove Supervisor, introduced himself and stated that he is the secretary of the Northeast Area Coalition. Mr. Johnsen stated that he has done research concerning Grant Writers, and he has also looked at how other counties handle this. Mr. Johnsen said that Livingston County contracted with Stewart Brown Associates for \$40,000 per year, and they have returned \$40 million in grants, a 100 to 1 return on their investment. Mr. Johnsen said that he is very impressed with Stewart Brown Associates and suggested the County consider contacting the firm. Mr. Johnsen briefly discussed working out a per diem contract with a Grant Writer. Mr. Johnsen emphasized that a good Grant Writer is out there "beating the bushes" to see what is out there -- If a department has a specific need, turn the Grant Writer loose on it, and if a Grant Writer knows what is out there, sometimes they can find an application for it in the County. Mr. Johnsen added that in Livingston County an offshoot benefit to hiring per diem is that the firm generally dedicates a certain number of hours to the community so communities have the option to go to a Grant Writer with their needs.

Legislator Norman Ungermann stated that without a County Planner, the Planning Board does not have any guidelines to go by. Mr. Ungermann talked in support of hiring a County Planner and gave numerous examples of guidelines that might be established regarding things such as where the fire hydrants are going to be located, how many parking spaces will be needed at a given establishment, how much lighting is necessary, how much green should be around each building and signage issues. Development Director John Foels expressed how helpful an entity or person who has an intimate knowledge of Allegany County would be to his department.

Mr. Ungermann stated that brick and mortar are going to pay far more taxes than a hiking trail. Mr. Ungermann went on to express disappointment with our Tourism Department and questioned whether we are getting our money's worth. Mr. Ungermann held up a tourism booklet noting that there was very little about Allegany County in the booklet. Mr. Foels indicated that tourism is a contractual arrangement.

Legislator William Hall expressed concern about hiring another person at the County asking how we can justify cutting positions and having employees contribute to health insurance, etc. and then turn around and hire additional people. Mr. Hall indicated that he is willing to enter into a contract for a Grant Writer, but he still needs to be convinced about adding another employee. Legislator Timothy O'Grady commented that it looks like additional cuts may need to be made to the 2007 budget, and if we hire an additional employee, it means we need to cut somewhere else.

Chairman Crandall stated that he believes everyone is in agreement that Allegany County needs a Planner and Grant Writer, and whether or not they are employees or have a contractual arrangement, money still needs to be placed in the 2007 budget, or we are not going to end up with them. Mr. Crandall stated that part of the issue is financial – it needs to be put in the budget. The other part of the issue is to determine what we need and establish what we are looking for.

A motion was made by Reynolds, seconded by Kruger and carried to research and find or add money to the 2007 budget for a Grant Writer. **Refer to Budget Committee**

A motion was made by Reynolds, seconded by Fanton and carried to include money to pay a Planner in the 2007 budget. (Voting No: Hall, McCormick) **Refer to Budget Committee**

A motion was made by Reynolds, seconded by Ungermann and carried to make a referral to the Planning and Development Committee to outline duties for both a Planner and Grant Writer. **Refer to Planning and Development**

John E. Margeson, County Administrator/Budget Officer

The Board requested Mr. Margeson to take action on the following items:

1. Contracting for Court security.

Mr. Margeson stated that security for the Court System is currently provided by the Sheriff's Office. If we change and hire from the private sector, we are immediately going to run into impact negotiations. Legislator Pullen stated that he also discussed the matter with County Attorney Daniel Guiney who indicated that security for the Court System must be handled by a law enforcement agency, and that you cannot go to an outside agency.

2. Expand County Health Insurance Program to include Town/Village Government.

Mr. Margeson stated that on Monday the legislators will be voting on a resolution to contract with Manning and Napier for insurance consulting services. Mr. Margeson indicated that our former consultant indicated that it would not be possible to include towns and villages on our insurance program; however, representatives from Manning and Napier believe it should be investigated further. Mr. Margeson will continue to investigate the matter.

3. Hire an outside consultant to objectively analyze departmental staffing levels.

Mr. Margeson stated that he has contacted a number of his colleagues to determine if they have used a private company to analyze departmental staffing levels, and he also contacted NYSAC to see if they could find a firm or company that would provide these services. Mr. Margeson indicated that if you can even find a company that provides these services, it's going to be very expensive.

Legislator Dwight Fanton suggested Mr. Margeson contact Livingston County noting that with the exception of sales tax revenue, Livingston County's expenses and revenues are very close to Allegany County's, and they have a 25 percent higher staffing level than we do. Mr. Margeson indicated that he will work with the Personnel Officer to identify six or seven counties and have them provide their staffing levels. **Refer to County Administrator John Margeson**

4. Share sales tax with local municipalities.

This issue has been previously discussed and documented, and it was briefly noted that the County does some things for the towns in lieu of sharing sales tax revenue.

Legislator David Pullen distributed copies of spreadsheets showing sales tax revenue and trends and spreadsheets listing the tax levy, tax rate, taxable assessed value, and total County budget for the last 10 years. Mr. Pullen asserted that after reviewing the spreadsheets, you can tell exactly why we are in the predicament we are in. Sales tax revenue is essentially flat, and costs are going up. Mr. Pullen stressed that the only way to change, is to bring development into the County noting that we have to "bite the bullet" and spend more to bring development in.

5. Discuss hiring replacements for employees off on workers' compensation with the Sheriff.

Mr. Margeson stated that the collective bargaining agreement dictates how this matter is handled, and right now he believes the contract dictates that the time has to be offered to full time permanent employees first. Legislator Dwight Fanton indicated that he does not interpret the contract that way. Mr. Margeson indicated that he will resurrect a memo he sent to the legislators regarding this issue several months ago and investigate the matter further. **Refer to County Administrator John Margeson**

6. Request Department Heads to create a mission statement and forward those statements to their committees of jurisdiction.

Department heads have presented their mission statements to their committees of jurisdiction previously in the year.

7. Draft letter for Chairman to sign regarding NYS DOT Bridge Restrictions.

This issue was taken care of back in March 2006.

Miscellaneous Issues

Chairman Crandall indicated that he has tickets for the "Colors for Life" cancer fundraiser to be held at the Wellsville Elementary School tomorrow night if anyone is interested.

Chairman Crandall stated that the NYSAC Fall Seminar will be held September 27 through September 29, and that if any legislators plan to attend, they should let the Clerk of the Board know as soon as possible.

Legislator Norman Ungermann indicated that he had a few more issues he would like to bring up, and Chairman Crandall suggested that Mr. Ungermann forward his ideas to Brenda Rigby Riehle to add to the next Special Meeting of the Board of Legislators' agenda.

Legislator Karl Kruger expressed concern and disappointment that legislators were packing up to leave just because it was after 9 p.m., and stated, "Imagine what could be done if we didn't hurry out." After brief comments, Chairman Crandall indicated that he plans to schedule another special meeting in the near future.

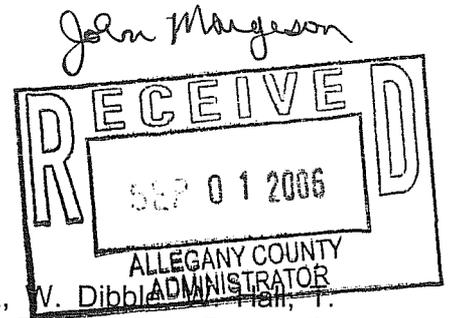
Adjournment

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,
Brenda Rigby Riehle, Clerk of the Board

**NOT
APPROVED**

**COMMITTEE OF THE WHOLE
August 28, 2006**



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, T. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

Others Present: J. Margeson, A. Finnemore

The meeting was called to order at 2:40 p.m. by Chairman Curtis W. Crandall, who stated the purpose of the meeting was to begin discussion of Section IV County Officer and Non-Unit Personnel Salaries for 2007. Mr. Crandall then turned the meeting over to County Administrator John Margeson. Several of the salaries under consideration require a local law if a change is made mid-term. To stay on schedule for passage of that local law prior to the beginning of 2007, a decision for salary increases for those positions will need to be made by the end of the Committee of the Whole meeting on September 11.

Executive Session:

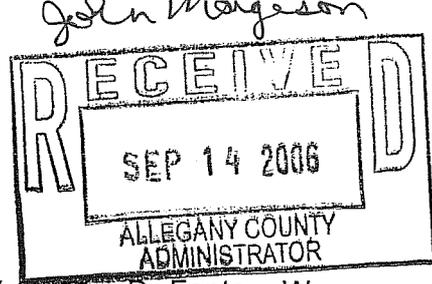
A motion was made by Truax, seconded by Reynolds and carried to enter into executive session to discuss the employment history of particular individuals. Following discussion, a motion was made by Reynolds, seconded by Dibble and carried to close the executive session and the meeting was reconvened in regular session.

Adjournment: The meeting was adjourned at 3:40 p.m. following a motion made by Reynolds, seconded by Kruger and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

**COMMITTEE OF THE WHOLE
September 11, 2006**



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann (15 Present)

Others Present: J. Margeson, B. Riehle, A. Finnemore

The meeting was called to order at 2:45 p.m. by Chairman Curtis W. Crandall, for the purpose of discussing Section IV County Officer and Non-Unit Personnel Salaries for 2007.

Executive Session:

A motion was made by Fanton, seconded by Truax and carried to enter into executive session to discuss the financial or employment history of particular individuals. Following discussion, a motion was made by Truax, seconded by Reynolds and carried to close the executive session and the meeting was reconvened in regular session.

A motion was made by Reynolds, seconded by Truax and carried to recommend the Committee's agreed upon changes on the percentage increases for the positions discussed that will require a local law to amend mid-term (County Attorney, Coroners, Public Health Director, Public Defender, Real Property Tax Director, Social Services Commissioner, County Clerk, Employment & Training Director, Personnel Officer, Public Works Superintendent, and Treasurer). Voting No: Kruger, McCormick, Russo, Ungermann. Mr. Ungermann noted that he only supports the increases for the Treasurer, County Clerk, and Coroners. The Clerk of the Board will notify the department heads included in the above recommendation.

Mr. Kruger stated that these three percent or higher raises are for the higher salaried positions in the County and this will be hard to accept for the average employee.

Mr. Truax and Mr. Ungermann went on record that they still would have recommended a larger increase for the Coroners, as their per diems have been at the same level for ten years or more.

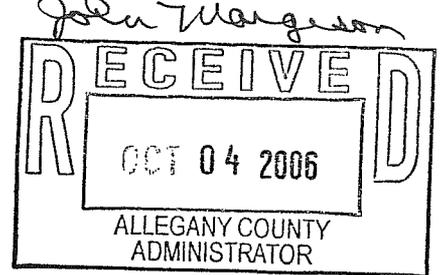
A motion was made by Fanton, seconded by Russo and carried to hold off on salary recommendations for the remaining positions on the Section IV listing until the budget process is farther along; and that personnel affected by the recommendations made today will be allowed to appear at the next Committee of the Whole meeting on September 25, following the regular Board meeting, to discuss proposed salaries.

Adjournment: The meeting was adjourned at 3:50 p.m. following a motion made by Reynolds, seconded by Kruger and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

COMMITTEE OF THE WHOLE
September 25, 2006



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann (14 Present)

Others Present: J. Margeson, B. Riehle, A. Finnemore

The meeting was called to order at 2:20 p.m. by Chairman Curtis W. Crandall, for the purpose of discussing Section IV County Officer and Non-Unit Personnel Salaries for 2007.

Executive Session:

A motion was made by Hopkins, seconded by Dibble and carried to enter into executive session to discuss the financial or employment history of particular individuals. Following discussion, a motion was made by Truax, seconded by Dibble and carried to close the executive session and the meeting was reconvened in regular session.

County Treasurer Salary:

A motion was made by Pullen, seconded by Truax and Hall and carried to direct Chairman Crandall to send a memo to the Treasurer stating that the Committee appreciates her comments and they plan to look at the structure of the salary plans in the future. Opposed: Fanton. *Referred to Chairman Crandall*

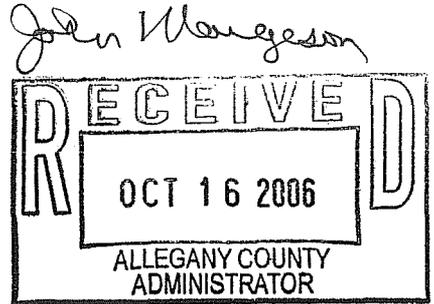
Adjournment: The meeting was adjourned at 3:00 p.m.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

COMMITTEE OF THE WHOLE

October 10, 2006



Legislative Board Members Present

B. Benson, D. Burdick, C. Crandall, W. Dibble, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann
(Absent: Fanton)

Others Present

J. Margeson, B. Riehle

Executive Session

A motion was made by Hopkins, seconded by Dibble and carried to enter into executive session to discuss the employment history of a particular person. Immediately following the executive session a motion was made by Hall, seconded by Kruger and carried to come out of executive session and return to the regular meeting.

A recess was called to hold a brief special Personnel Committee meeting, and then the Committee of the Whole reconvened.

Alfred State College

Dr. John B. Clark, interim president of the State University College of Technology at Alfred, introduced himself and provided a brief overview of his education and experience.

Dr. Clark stated that Alfred State College is expanding and described several of their construction initiatives some of which included:

- Engineering Technology Building Phase II Rehab
- Athletic Field Upgrade
- Central Dining Building Rehab
- Town House Complex Construction

Dr. Clark indicated that Alfred State College currently offers 13 different Baccalaureate degrees, and they are expanding some of their other programs as well. Alfred State is working collaboratively with other colleges, and they hope to bring the institutions in this area together. Dr. Clark stressed that the college is reaching out to the community businesses and industrial leaders to define strategies that will support workforce development and economic growth. Their hope is to create a bond between workforce and education. Dr. Clark described Alfred State College as the educational partner assisting and servicing the community in a multitude of venues.

Dr. Clark informed legislators that 2008 will mark Alfred State College's centennial, and he invited all legislators to attend and participate in upcoming events. Dr. Clark also encouraged legislators to become actively involved in Alfred State's search for a new president.

Chairman Curtis Crandall thanked Dr. Clark for addressing the Board and presented him with an Allegany County pen and pin.

Adjournment

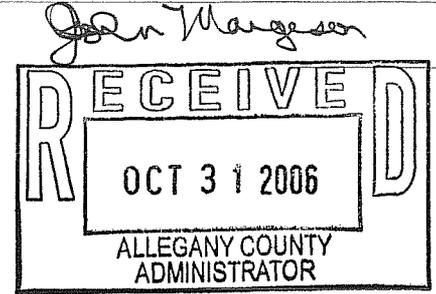
There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,
Brenda Rigby Riehle, Clerk of the Board

**NOT
APPROVED**

**SPECIAL MEETING OF THE
BOARD OF LEGISLATORS**

October 17, 2006



Legislators Present

G. Benson, D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, D. Russo, N. Ungermann (Absent: B. Reynolds, R. Truax)

Others Present

J. Foels, J. Margeson, B. Riehle, T. Ross,

Media Present

K. Doyle – Olean Times Herald, P. Jannace – Wellsville Daily Reporter

Chairman Curtis Crandall opened the meeting and led the group in the Pledge of Allegiance to the Flag.

Approval of Minutes

A motion was made by Dibble, seconded by Fanton and carried to approve the following minutes from previous special meetings of the Board of Legislators: January 24, 2006, February 21, 2006, March 21, 2006, and August 24, 2006. Legislator Norman Ungermann requested that future minutes be approved at a regular Board meeting following distribution of the minutes.

Sewer and Water for Crossroads

Development Director John Foels reported that they hope to be able to tie up the Map, Plan and Report for the sewer and water project soon. The report will contain the cost of the system and the cost to users. They will then be able to take that document to developers, financial partners, etc. You cannot get letters of intent until a timetable is established. With the exception of under-sized electric, there are no utilities at the Crossroads, and Mr. Foels has been talking with National Fuel and RG&E. Verizon has put infrastructure in Belvidere, and they should have DSL in about two weeks.

County Administrator John Margeson indicated that they have been having regular meetings for the past three months or so with the Friendship Town Supervisor, Friendship Town Board, Mr. Foels, Mike Schaffron with LaBella, David Allardice, and Karl Kruger as well as a battery of attorneys (Daniel Guiney, Friendship Town Attorney, Dan Spitzer). Water and sewer will extend from the Town of Friendship along County Road 20 and incorporate a majority of acreage on the right hand side of Route 19 south of I-86. Mr. Margeson stated that the Town of Friendship has been extremely cooperative in getting the Water and Sewer District created. We have been assured that Friendship has the necessary capacity to supply water volume for expansion at Crossroads. The system calls for a water storage tank, and the preliminary location has been identified. We have met with the private landowner on whose land we hope to site the tank; however, further negotiations will have to be made. The legislature wishes to be the lead agency for the DEC SEQR process. Mr. Margeson briefly described the process required to create the district noting that it will probably be late summer or early fall before we receive all of the necessary approval from the regulatory departments.

Development Office Update

Mr. Foels indicated that Tracewell is an ongoing project, and they will be ending their operations on the 31st. Employment & Training and WIB have been in to assist the employees. Tracewell continues to occupy a lot of Mr. Foels' time. Mr. Foels noted that people have been looking at the Tracewell building, and they hope to fill the 96,000 square foot facility in the future. Tracewell will be maintaining the building until the first of the year. Legislators discussed the possibility of meeting with the Tracewell employees, and a meeting will be set up in the very near future. Quite a few of the Tracewell employees live in Pennsylvania, and legislators briefly discussed the differences in benefits. Legislator David Pullen questioned if there would be any negative exposure to the IDA or anyone else. It was noted that the County was involved with the restructuring of Tracewell's long-term debt along with Southern Tier West and the bank. Mr. Foels indicated that Tracewell hopes to satisfy all indebtedness when they sell the building.

Mr. Foels stated that he has been actively working with Buffalo Niagara Enterprise, the company that will be helping us market on a national basis. Mr. Foels indicated that there has been constant communication with the corporate office and sharing information on leads. Mr. Foels is confident but noted that we must be consistent in our activities there.

The Cuba Hospital Retirement Community has restructured their design. The project is very much alive and moving forward.

The Covered Wagon has received final estimates on their construction package. They will be a multiple facility – rail and truck on the same campus.

The lodging project at Swain will be a 2007 rather than a 2006 project.

Mr. Foels stated that they are continuing to touch 50 or so other projects, but he is not in a position to discuss them at this time. Mr. Foels will continue to update the Legislature as the opportunity presents itself.

New Jail

Mr. Margeson announced that the Sheriff received word from the Commission of Correction on October 13 that we have been granted permission to house-in prisoners at the new jail. The County is not restricted to any certain number of inmates that we can house from other facilities; and the Sheriff believes we can take upwards of 80 inmates based on the local population. The Sheriff controls who the County does and does not house-in.

Legislators briefly discussed the possibility of housing-in INS (Immigration/Naturalization) inmates. INS has a process they would require the County to go through to qualify for housing-in INS prisoners, and their requirements tend to be a little more structured than agreements we would have with other counties. It was also noted that their per diem reimbursement may be less.

All revenue from housing-in prisoners must be applied to debt service per Resolution No. 118-04. The County's annual debt service for the jail is \$1.6 million. Legislator McCormick and Legislator Ungermann expressed concern about placing all revenue received from housing-in prisoners into a Reserve Fund dedicated to repaying the debt rather than applying some of the income toward the increased expenses that will result from housing-in. Mr. Margeson indicated that when the resolution was approved, legislators discussed amending it to have income partially applied to expenses, and although Mr. Margeson was in favor of it, it was not approved.

Legislators discussed the need to track all jail expenses, and County Treasurer Terri Ross indicated that they do keep track of all expenses associated with the jail including building expenses. Ms. Ross indicated that per inmate costs will be tracked by the jail. Mr. Margeson indicated that they will be putting some figures together, and housing-in per diem figures will be set. Mr. Margeson stated that normally housing-in figures are approved by contract individually by county.

Legislators briefly discussed the pros and cons of amending Resolution No. 118-04 to allow some of the revenue to go toward current year's expenses. Legislators noted that this really only becomes an issue when the revenue from housing in prisoners exceeds \$1.6 million. The annual debt service payment is \$1.6 million, and if \$1.6 million in revenue is not collected, the remainder will have to come from the General Fund so the end result remains the same. Legislators briefly talked about the possibility of paying off the debt early.

Court Facilities Update

Chairman Curtis Crandall reminded legislators that representatives from LaBella will be making a presentation regarding the Court Facilities immediately following the Board meeting on Monday. The presentation will conclude the work of the Court Facilities Ad Hoc Committee chaired by Legislator William Hall. Chairman Crandall indicated that the County Attorney is working on a resolution that will be distributed Monday so that legislators have time to review it before it is pre-filed and considered at the November 13 Board meeting. Chairman Crandall also stated that he has been working on creating a committee that can dedicate time to addressing the issues of the Court Facilities as well as the other space needs. Chairman Crandall stated that he does not want this committee to be an ad hoc committee; he wants the committee to be able to address recommendations and sponsor resolutions. Chairman Crandall has been working with Mr. Margeson and Attorney Guiney to outline how the committee will function and what its duties and charges will be. Chairman Crandall went on to say that we do not have any choice other than to move ahead to satisfy the Unified Courts; if we throw our hands up, it will be taken care of without our input. We don't want to go raring into it blind, but we need to move forward and have milestones that we can mark off.

Legislator William Hall provided an update on the committee's meetings. Mr. Hall indicated that the engineers have looked at every option and the estimated costs thereof. Mr. Hall asserted that we need to methodically move forward. Regardless of what the Board decides to do, we need to show that we are making progress or the Court System will come in and make the decisions for us. Legislator Karl Kruger expressed concern for the taxpayers and their ability or inability to pay higher taxes, etc. Mr. Hall stated that the consequences for the taxpayer have been considered noting that if we say we aren't going to move forward, the consequences may be worse for the taxpayer. Chairman Crandall stated that one of the biggest advantages to moving forward is the financial part of it. We can come up with the design, etc. which will impact the finances. In addition, if we continue to show forward movement, we can finance the project over 30 years. If our state aid is intercepted, we will end up financing it over two or three years, and have a huge mess.

Legislator Hall also stated that many of the concerns with the current Court facilities do not just involve space – there are many safety issues, and we are responsible for the safety of the people in the Courthouse.

Legislator David Pullen stated that we are the longest standing entity in non-compliance; the other counties have complied with the demands of the Unified Court System. The state will indeed intercept our state aid – they are not bluffing. State aid was intercepted in both Lewis County and the City of Newburgh. The money coming from the state would completely stop – Medicaid, highway, etc. – we won't receive any of it. They will continue to withhold the money until we develop our own facility, and that could have devastating impacts. We have to choose the best available option; we can't

gamble with losing state aid. Legislator Norman Ungermann stated that he believes there is a Mediation Program where the state can't force you to pay more than you can afford.

Contributions to Health Insurance

At the October 10 Personnel Committee meeting the issue of having all department heads and non-unit employees contribute 5 percent to the cost of health insurance coverage was referred to the Ways and Means Committee.

Some of the comments that legislators made regarding this topic included the following:

1. We should give the employees an opportunity to speak and present their ideas.
2. We are not targeting the non-unit employees as an immediate cost savings; it's an entry point and sets the table for future savings.
3. It will help when we go to bargain with the unions.
4. It's not a form of punishment; it's a matter of good business.
5. This has become a power struggle – we can't include everyone every time we need to make a major decision.
6. Five percent is only a starting point.
7. The original proposal suggested requiring contributions of 5 percent starting July 1, 2006, 10 percent starting January 1, 2007 and then go to 15 percent and cap it there.
8. Cap it at 2006 levels and let employees pick up additional costs after that.
9. Companies can no longer sustain the high cost of health coverage. Costs are out of control, and something needs to be done.
10. This is a very emotional issue.

Executive Session

A motion was made by Kruger, seconded by Russo and carried to enter into executive session to discuss the employment history of a particular person. Immediately following the executive session, a motion was made by Dibble, seconded by Fanton and carried to end the executive session and return to regular session.

Compensation Packages

Legislator David Pullen stated that we need to develop a formal policy that addresses the entire compensation package. Mr. Pullen indicated that the policy should include a list of factors that will be considered when salaries are set or raises are given. Our current process does not really reward good performance. Although everyone will have different views that favor certain attributes, we should be able to develop a list of factors so that employees will know what to expect.

Legislator Russo asked if it would be possible to get copies of how other counties handle this, and Mr. Margeson indicated that he could obtain that information. **Refer to County Administrator**

Health Insurance for Former Legislators

Legislator Norman Ungermann questioned why legislators get health insurance, and why some continue to get insurance after they have lost an election or retired. Mr. Ungermann indicated that a few legislators that are no longer on the Board are short of having 10 years of service yet they still continue to receive health insurance benefits. Mr. Ungermann noted that prior to 2001, a legislator had

to work more than one year to get a one-year credit in the NYS Retirement System. Resolution No. 236-01 established the standard workday for County Legislators as a five day work week with a six hour day noting that the resolution was effective retroactively to January 1, 2000. It was noted that New York State mandated that we set a work day for County Legislators. Mr. Ungermann indicated that he was expressing concern over why the resolution was retroactive to January 1, 2000 noting that a legislator used to have to work more than one year to get credited one year of service. Legislator David Pullen pointed out that what the state requires for a one-year credit of service is a separate issue from the years of service the County requires to maintain health insurance benefits. Chairman Crandall requested Mr. Margeson to put something together to clarify the issue. *Refer to County Administrator*

Restriction on the Use of County Owned Vehicles

Legislator Norman Ungermann stated that the Health Department put together a summary of how much was saved as a result of parking County vehicles rather than driving them home at night. The report indicated that the nurses ended up saving quite a bit, and the technicians were about the same. Mr. Ungermann suggested that we park additional cars.

Legislator Karl Kruger stated that we have all the evidence we need to justify parking additional vehicles. Mr. Kruger stated that with our financial situation in Allegany County, we've just been lucky that certain windfalls have bailed us out of a few tough spots. We have to create a financial situation by taking control of our finances and not relying on the luck of the market to generate revenue for us. There are a few places to grab the money and hang onto it, and we need to do what we can to control our finances.

Legislator Daniel Russo stated that the lower wear and tear on the vehicles wasn't even factored into the savings reported. Mr. Russo also stated that there were only five people allowed to take cars home when the resolution was originally proposed, and the committee caved when people came in.

Legislators questioned why a few employees were listed on the vehicle restriction exemption list. A motion was made by Hopkins, seconded by Dibble and carried to refer the matter back to Ways and Means. *Refer to Ways and Means Committee*

Representation on Ways and Means

Legislator Karl Kruger expressed concern that District II is not represented on the Ways and Means committee noting that due to his new job, Legislator Ron Truax has not been able to attend any Ways and Means Committee meetings this year. Mr. Kruger asked if there would be a way for Legislator Ungermann or him to sit in for Legislator Truax. Chairman Crandall answered that the makeup of the Ways and Means Committee is not district oriented like the other committees are.

Meetings

Legislator Theodore Hopkins requested the Clerk of the Board to e-mail meeting agendas out prior to the meetings when possible.

Chairman Crandall stated that we have had some meetings going on simultaneously after some of our main Board meetings. Chairman Crandall indicated that he wasn't sure that standing committees should meet after Board meetings, but he would rather not have one meeting every day of the week. The Chairman suggested consolidating meetings when possible. Legislator Ungermann stated that

Cattaraugus County does everything on Wednesday. Several legislators agreed that it does not work well to have standing committee meetings after regular Board meetings. A few legislators also commented on the fact that scheduling standing committee meetings after the regular Board meetings results in quite a few people standing around the halls waiting when they could be doing other things. Legislators briefly discussed holding meetings on certain mornings.

Christmas Party

The Legislators' annual Christmas Party will be held at Moonwinks on December 15 this year. There will be a social hour at 6 p.m. with a buffet dinner at 7 p.m.

Budget

John Margeson and Terri Ross plan to hold a budget seminar for any legislators interested in attending. Mr. Margeson and Ms. Ross will answer any questions that legislators may have regarding the budget as well as point out pertinent information.

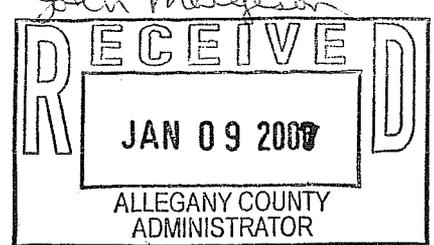
Adjournment

There being no further business to come before the committee, a motion was made by Russo, seconded by Ungermann and carried to adjourn the meeting.

Respectfully submitted,
Brenda Rigby Riehle, Clerk of the Board

APPROVED

**COMMITTEE OF THE WHOLE
December 11, 2006**



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

The meeting was called to order at 2:50 p.m. by Chairman Curtis W. Crandall, for the purpose of hearing a presentation by the Industrial Development Agency (IDA). Chairman Crandall turned the meeting over to Charles Jessup.

Appointment of IDA Member:

Jeffrey Spear has resigned as a member of the Industrial Development Agency, effective December 31, 2006. The IDA would like to recommend the appointment of Theodore Hopkins to fill the remainder of Mr. Spear's term. The Agency has worked with Mr. Hopkins in the past, he is up to date on projects, he lives in the same district as the resigning member, and his appointment will forge a stronger link between the IDA and the Legislature. Chairman Crandall will facilitate the appointment in the proper form.

IDA Update, John Foels:

John Foels, Industrial Development Agency Director, spoke briefly on Ted Hopkins' qualifications as an appointee. Mr. Foels also noted some statewide changes occurring for IDA Boards, one of which involves reporting to the State Comptroller.

The IDA applies incentives to businesses and individuals, where applicable to expand, retain, and attract business development in the County. Financial assistance is given through bonding and refinancing, as with the Cuba Hospital. Current projects include the expansion at Alstom Preheater in Wellsville and Swain development. Marketing is a big component of development and the IDA also works with the Friendship Empire Zone and NYS Economic Development.

An update was given on the status of the Tracewell facility in Cuba. Most of the equipment was sold at auction last week and a firm in Connecticut has been contacted to deal with the building. They plan to market it on a broad-based arena as a mid-sized, multi-use facility. Mr. Foels noted that there has been some interest, and he is confident the building will be filled.

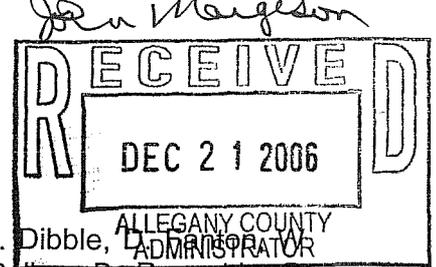
Charles Jessup mentioned some additional projects being worked on including Covered Wagon in Cuba and a wind farm in Centerville.

Adjournment: Following a motion made by Mr. Kruger, seconded by Mr. Pullen and carried, the meeting was adjourned.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

**COMMITTEE OF THE WHOLE
December 11, 2006**



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

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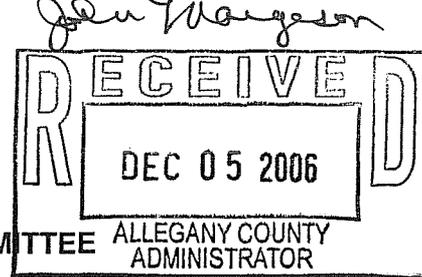
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Charles Jessup mentioned some additional projects being worked on including Covered Wagon in Cuba and a wind farm in Centerville.

Adjournment: Following a motion made by Mr. Kruger, seconded by Mr. Pullen and carried, the meeting was adjourned.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**



COMMITTEE OF THE WHOLE / PERSONNEL COMMITTEE
November 27, 2006

Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann (*Absent: W. Hall*)

Call to Order: The Committee of the Whole meeting was called to order by Chairman Crandall at 3:15 p.m. for the purpose of finalizing County Officer salaries and non-unit salary increases.

Executive Session:

A motion was made by Russo, seconded by Dibble and carried to enter into an executive session to discuss the employment and financial history of particular individuals. Following discussion, a motion was made by Truax, seconded by Dibble and carried to end the executive session and reconvene in regular session.

PERSONNEL COMMITTEE:

A special meeting of the Personnel Committee was called to order by Chairman Russo at 4:30 p.m. to consider salary proposals discussed in Committee of the Whole.

A motion was made by Pullen, seconded by Burdick and carried to accept the salary proposals discussed in Committee of the Whole. The motion included the following resolution requests which will be referred on to the County Attorney for preparation.

- A Resolution in Relation to the Compensation of County Officers and Employees (covering all union, Section 4, and non-unit employees)
- Amendment of Resolution No. 297-75 to Provide New Salary Grade Schedule in County Non-Unit Salary Plan, to include a 3 percent across-the-board salary increase to all employees in the non-unit salary plan graded position classification

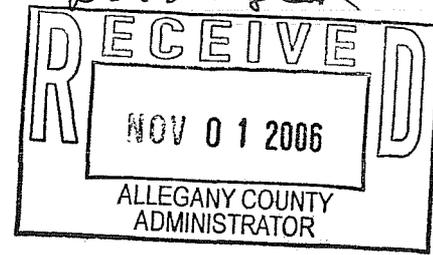
Prepare Resolutions

Adjournment: As there was no further business to come before the committee, the meeting was adjourned at 4:40 p.m.

Respectfully submitted,
Adele Finnemore, Journal Clerk

**NOT
APPROVED**

**COMMITTEE OF THE WHOLE
October 23, 2006**



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann (15 Present)

Guests: Mark Kukuvka and Mark Tayrian, Representatives from LaBella and Associates; Andrew Isenberg, Representative from the Office of the Administrative Judge for the 8th Judicial District; **Media:** P. Jannace, Wellsville Daily Reporter; K. Doyle, Olean Times Herald; R. Heineman, Alfred Sun

The meeting was called to order at 3:00 p.m. by Chairman Curtis W. Crandall, for the purpose of hearing a presentation by LaBella and Associates on the Allegany County Court Study and recommendations by the Court Facilities Ad Hoc Committee.

Chairman Crandall appointed the ad hoc committee following a June 26 report to the Committee of the Whole by William Clark, Office of Court Administration (OCA) and Counsel for Capital Planning/Capital Review Board. In addressing the long-standing issue of non-compliance with the Court Facilities Capital Plan Act, the ad hoc committee reviewed six options: refusal to comply, renovation of existing Court facilities, purchase and renovation of another existing structure, new construction, renovation of floor space in the County Office Building, and construction of an addition to the Courthouse. Chairman Crandall noted the active participation in the meetings by Andrew Isenberg, from the Office of the Administrative Judge for the 8th Judicial District.

Chairman Crandall introduced Mark Kukuvka and Mark Tayrien, from LaBella and Associates, who were hired to investigate the issues of Court space related to OCA requirements and develop a plan to bring the County into compliance. LaBella explored the feasibility and costs of three options:

- Renovation of existing Courthouse and County Office Building (COB)
- Addition to existing Courthouse
- New Courthouse facility on a new site

LaBella's study included compiling a "program of requirements" for Court space, concept plans to demonstrate feasibility, cost estimates, analysis of alternatives, and coordination with OCA. Program content space requirements included per OCA are for Court, Grand Jury, District Attorney, and Public Defender. Satellite offices included are Department of Social Services, County Attorney, and Support Collections. (The program of requirements is calling for 68,000 square feet.) Diagrams were shown for each of the three scenarios and factors in value comparison were also listed:

- Parking provided:
 - ✓ Renovation & Addition maintain existing; New adds 150 spaces
- Buildings demolished:
 - ✓ Addition demolishes Buildings & Grounds and Office for the Aging; none in others

- Non-Court occupants displaced:
 - ✓ Renovation displaces County Treasurer and all current County Office Building occupants
 - ✓ Addition displaces County Treasurer, Buildings & Grounds, and Office for the Aging
 - ✓ New displaces no current occupants
- Space made available:
 - ✓ Renovation – all space now occupied or vacant in County Office Building used; no additional space vacated in Courthouse or County Office Building
 - ✓ Addition – space now vacant in County Office Building remains available; no additional space vacated in Courthouse or County Office Building
 - ✓ New – space now vacant in County Office Building remains available; additional 7,800 NSF vacated in Courthouse and County Office Building

“Effective costs” for each scenario were estimated which factor in costs to replace demolished buildings, land acquisition for parking, and housing of displaced occupants; and credit was given for additional parking gained or space made available:

Effective Cost Comparison			
Project Component	Renovation	Addition	New
New Space	4,650 sf	47,075 sf	60,178 sf
Renovated	65,940 sf	23,640 sf	- 0 - sf
Combined Cost	\$ 14,020,566	\$ 18,934,350	\$ 19,099,802
Replace Demolished Buildings	None	\$ 444,000	None
Land Acquisition for Parking	None	\$ 350,000	None
House Displaced Occupants	\$ 11,217,356 *	\$ 1,625,687 *	None
Direct Cost Subtotal	\$ 25,237,922 *	\$ 21,354,037 *	\$ 19,099,802
Additional Parking (Credit)	None	None	\$ (247,500)
Space Available (Credit)	None	6,000 nsf \$ (1,510,488)	13,800 nsf \$ (3,477,348)
Adjusted Effective Cost	\$ 25,237,922 *	\$ 19,843,549 *	\$ 15,374,954
* Space for displaced occupants only duplicated in kind. No allowance made for expansion called for in study program. Expansion space for displaced would add \$10.5 million to Renovation or \$650,000 to Addition.			

In the Fall of 2003, a study was completed that explored the use of the vacant Belmont school building for County Office Building (COB) space (not part of the Court facility space study, but relevant due to housing considerations for displaced occupants in two of the options analyzed). That study included many, but not all, occupants that would be displaced by a Court renovation option. The bottom line was that the cost to reuse the school building to house displaced COB offices saved 15 percent compared to new construction, but included several key disadvantages:

- Anticipated use of only the newest portion of the building
- Would require ongoing maintenance (or demo) of the older spaces
- Poor opportunity to develop new parking
- Improvements required included roof, parking, HVAC, electric, fire alarm, hardware, etc.

- Still some asbestos remaining in the building

The study did not investigate the use of the school building for Court facility space. As Court space requirements are much more complicated than those for general office space, given security and circulation issues, the cost savings compared to new construction would be considerably less than the 15 percent figure quoted above.

Mr. Kruger stated that he's not convinced that the County can't renovate the school building cheaper than constructing a new building. He also feels consideration should have been given to renovation of the school building for Court facilities. Only one space would have to be renovated and no one is displaced. With a second floor added in the present gym, the new portion of the school contains close to the square footage needed.

Mr. Reynolds pointed out that when the study was originally discussed, the renovation of the school building was reported as being cost prohibitive (\$6 million) and the Board had decided it was not interested in pursuing it. LaBella stated previously that the school building renovation was not a viable option.

Other Issues Considered		
Renovation	Addition	New
Delays Court construction	Delays Court construction	No delay
Court cost inflation	Court cost inflation	No inflation
Expand displaced occupants	Expand displaced occupants	None displaced
Security/circulation difficult	Security/circulation moderate	Security/circulation excellent
Swing space & disruption	Swing space & disruption	No swing space or disruption
Same campus parking load	Same campus parking load	Reduced campus load
None demolished	Building demo/replacement	None demolished
No land acquisition	Acquire adjoining land	Possible site acquisition
Future additions possible	No future campus additions	Future additions possible
Courtrooms on different floors	Courtrooms on different floors	Courtrooms on same floor
Non-Court visitors screened	Non-Court visitors screened	Only Court visitors screened
Increased security staffing	Increased security staffing	Single security post
No leftover space for COB	Some leftover space for COB	Much leftover space for COB

Steps to move forward include:

- Select scenario (Renovation, Addition, or New)
- Select site (if New)
- Schematic design to develop floorplan w/ OCA and refine cost estimate
- OCA approval of schematic plan
- Authorize balance of design
- Bid project
- Construction

Chairman Crandall stated that the process has been discussed at recent Committee of the Whole meetings held at the Crossroads Center following months of study by the ad hoc committee. The recommendation of the ad hoc committee is for new construction, for financial reasons, as it was the least expensive option to come into compliance with OCA. A resolution has been prepared by the County Attorney for consideration at the November 13 Board meeting (copy attached to original minutes). We don't have refined costs yet, but the resolution will

narrow it down. Chairman Crandall advised that the Board needs to keep on track with compliance, as he has no doubt that if we fail to move forward, the OCA will bring us into compliance, and it will be much more expensive. A committee will be appointed to work on the Court facilities project, preferably a standing committee with the jurisdiction to bring resolutions forward to expedite the process. Chairman Crandall would like to see much attention given to the financial aspects of the project; and if there are funds available for assistance, we can not leave any stone unturned.

Mr. Ungermann asked Mr. Isenberg if he knows of any remediation process specific to the Court whereby a municipality wouldn't be forced to pay what it can't afford, referring to the fact that the County is very close to its constitutional taxing limit. Mr. Isenberg answered that under the judicial law, all he knows of is remediation in the event that a sanction is levied, as a process to challenge the sanction. Mr. Ungermann requested that the matter be investigated. Mr. Hall pointed out that the County still has to move forward. Remediation would fall into play if a plan is rejected.

Mr. Kruger noted that in leaving "no stone unturned" while trying to save money for the taxpayers, he feels LaBella should have been asked to look at the school building for Court use. Mr. Crandall pointed out that there was a lot of discussion on the use of the school. The study in 2003 addressed the use of the building for general office use. The big concern for this project is movement or circulation in the Court facility, which is really three facilities in one. Considering renovation of the school to come into compliance with the OCA escalates the costs in comparison with renovation for general office space. LaBella representatives concurred, stating that it is a much tougher challenge to place the Court facilities in the school than general offices because circulation complicates the issue. It was also noted that the ceilings would be too low for the Courts if a second story was added to the gym.

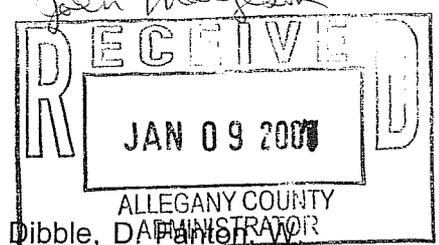
Mr. Hall, as Chairman of the Court Facilities Ad Hoc Committee, thanked the committee members and Court personnel that participated in the process so far. Key considerations are safety and circulation. We need to use common sense and look at what we can do. The committee made their recommendation based on that. New construction is the only option in order to save as much as possible for the taxpayers.

Adjournment: The meeting was adjourned at 4:05 p.m.

Respectfully submitted,
Adele Finnemore, Journal Clerk

APPROVED

**COMMITTEE OF THE WHOLE
December 26, 2006**



Members Present: Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Patton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

The meeting was called to order at 2:45 p.m. by Chairman Curtis W. Crandall, for the purpose of hearing a presentation by Legislator Norman Ungermann regarding the court facilities. Chairman Crandall made mention of the new Court Facilities and County Space Needs Committee that will begin meeting after the first of the new year, and information offered today will be referred to them.

Comprehensive Plan for Allegany County:

Discussion at a recent Planning and Development Committee meeting resulted in a suggestion that a committee be formed to work on a comprehensive plan for the County. Chairman Crandall announced that a planning meeting will be held in January including both Planning Board members and Legislators. A comprehensive plan has never been done for the entire County before, and seems to be a positive move.

Court Facilities, Information on Alternate Plans by Norman Ungermann:

Legislator Norman Ungermann presented information on other options for meeting the space needs of the court system. After touring the present Courthouse and both the old and new jail facilities, and with his own observations, experience, and discussions, Mr. Ungermann put together some maps and information for either new construction on State Route 19 near the new jail or renovation of the Courthouse second floor and County Office Building third floor (former jail) spaces. His comments are attached to the original minutes and also summarized below:

Long Term –

A map (attached to original minutes) was provided showing County-owned property on State Route 19 at the new County Jail & Public Safety Facility site. Sketched in along with the new jail facility are a Courthouse, an Office Building (possibly needed in the future), and a water tower.

Pros:

- *Plenty of land available*
- *Proximity to a state highway*
- *Plenty of parking area*

Cons:

- *No public sewer (Village sewer plant doesn't have the capacity and needs updating. Use of a septic system for a large facility is risky, i.e. Cuba-Rushford School has had problems and needs continual pumping; residential systems last at maximum 10-20 years.)*
- *Questionable soils*
- *Additional water and water storage needed for fire protection – water storage tower (For the new jail facility, approximately \$200,000 to \$400,000 was spent for water tanks and booster pumps for fire protection, which also take up valuable space inside a building.)*
- *Railroad proximity creates building vibration as well as noise*

- Belmont business district would suffer greatly by moving
- Developable land for increasing tax base would be used up

Short Term –

The current court configuration uses 1,100 square feet on the first floor of the Courthouse and 9,400 square feet on the second floor of the Courthouse, for a total of about 10,500 square feet. There is space totalling 16,240 square feet in the former jail on the third floor of the County Office Building. Mr. Ungermann is proposing using the second floor of the Courthouse and the third floor of the County Office Building for the court system, which provides a total of 25,600 square feet, or nearly two and one-half times the space currently used.

It had been rumored that the former jail floor wouldn't be suitable because the floor wouldn't hold the weight. The building drawings of the structural steel show that the floor for the third floor is far stronger than the one below it. Also, with the removal of approximately 40,000 pounds of jail steel, the floor is more than adequate.

The courts now require four courtrooms, and security will soon have to be moved to main entrance doors to make the entire building secure. If a judge is in need of extra security, he/she could drive into the building and go up to the third floor of the County Office Building on the old jail elevator. Other pros and cons for the use of the former jail floor include:

Pros:

- 16,240 additional square feet
- Public elevator shaft goes there
- Additional elevator can be installed (accessible to penthouse/mech.rm.)
- Jail elevator goes there
- It can be very secure
- Two holding cells are already in place
- No disruption of other services during construction
- No temporary movement of people
- Plenty of existing water/sewer capabilities everywhere for bathrooms
- Outdoor walk area can be roofed over, creating two courtrooms with skylights
- Attorney/Client rooms are available
- Adequate room for judges, clerks, and the public (with space for daycare)
- Break room for employees and deputies
- Heating and air conditioning housed in penthouse above
- Drug coordinator could be moved into Warren Emerson's old office
- Two existing courtrooms could still be used (thus preserving "old blue")
- Judge Hartley can be moved out of the "coat closet"
- All offices could have an outside window
- Space for visiting judges and court reporters
- Surrogates Court and Jury Commissioner could move upstairs, giving the County Clerk more space for DMV. A filing system similar to what is used in the DMV could be installed in the new Surrogates Court, saving a tremendous amount of space.
- Cost – rule of thumb numbers: \$85/square foot to remodel; \$150/square foot to build new. At three different levels of quality or aesthetics, renovations could cost:
 - @ \$100/square foot, the cost would be approximately \$1.6 million
 - @ \$120/square foot, the cost would be approximately \$2 million
 - @ \$200/square foot, the cost would be approximately \$3.2 million

Cons:

- *It is up one floor*
- *The Grand Jury may still need to use the Legislative Chambers on occasion*
- *Parking is limited, although it has improved without jail staff here*
- *Limited room for further expansion*
- *May have to use blue courtroom for jury selections*

Mr. Ungermann has worked for forty years in the construction business, and therefore has contacts in engineering and construction firms. He has given drawings to Clark Patterson Associates, of which Tom McElhaney and Tom Swift, both principles in Clark Patterson, are residents of Allegany County and have offered to do a space study on this proposal for free. Wyoming County's courthouse, considered the epitome of courthouses, was engineered by the MRB Group. The engineer who designed it now works for Clark Patterson.

County Administrator John Margeson questioned the dimensions in Mr. Ungermann's lay-out of the former jail floor. Mr. Ungermann stated these could be changed, but he was very generous with measurements. The Unified Court Capital Plan specifies dimensions of some offices and courtrooms.

Chairman Crandall noted that Mr. Ungermann put a lot of work into this proposal and feels it should be investigated further.

A motion was made by Truax, seconded by Kruger and carried to refer Mr. Ungermann's proposal to the new Court Facilities and County Space Needs Committee and to the County Administrator. **Referred to Committee and County Administrator**

Adjournment: Following a motion made by Kruger, seconded by Reynolds and carried, the meeting was adjourned.

Respectfully submitted,
Adele Finnemore, Journal Clerk