

Minutes

Human Services Committee

Wednesday, January 18, 2017, 5:15 pm, Room 331

Gerace Office Building, Mayville, NY

Members Present: Tarbrake, Lemon, Whitford, Wilfong, Rankin

Others: Tampio, Himelein, K. Geise, J. Anderson, D. Anderson, Starks, Lis

Chairman Tarbrake called the meeting to order at 5:15 p.m.

MOVED by Legislator Lemon, SECONDED by Legislator Wilfong the minutes were approved. (12/14/16)

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

Motion – Proclaiming February Black History Month

Chairman Tarbrake: Any discussion? I think it's a good initiative proposed by Chairman David Himelein. We have done this every year.

Legislator Whitford: I'll make the motion.

Chairman Tarbrake: We don't need a motion. Do we sign it?

Clerk Tampio: You can now or I can have you sign it at another time.

Proposed Resolution – Amend Chautauqua County Department of Health & Human Services 2016 Budget for Increased Child Care (Foster/Institutional) Costs

Ms. Lis: This one is our Foster Care, the children who are in institutions and these institutions include like the New York State School for the Blind, Gateway, Hillcrest, Hillside and other thing that gets charged to this account are adoption subsidies. These costs have gone higher than expected this year so I would like to transfer some money out of our contractual account in Social Services admin to cover the difference between the increase in costs that I am budgeting for and the revenue that would come from it.

Chairman Tarbrake: So if there is no additional cost, local?

Ms. Lis: No because we're transferring it from another account that we had over budgeted for. That is the same account that we have been using for other resolutions that - you know how we had budgeted for like the most extreme if we had spent the whole contract on everything that went under that account and it's not going to happen that way.

Chairman Tarbrake: Any questions or comments?

Unanimously Carried

Proposed Resolution – Amend Chautauqua County Health & Human Services 2016 Budget for Increased Handicapped Preschool Education Tuition Costs

Ms. Lis: This one is where I say, as we all know, we have a lot more children in our handicap children education program. The costs are going up, we're sending children farther afield so we finally see – their invoices come in quite late during the year. It's finally come true and we all knew that it was going to happen so, I need to increase that budget by \$250,000. We are funded 59 1/2% by the State so I'm increasing our revenue as well and the difference is being funded out of that contractual account again.

Chairman Tarbrake: Same account?

Ms. Lis: Yes.

Legislator Lemon: What is the line number for the contractual account?

Ms. Lis: The point fours, you mean?

Legislator Lemon: Yes.

Ms. Lis: Yes, that's the point four.

Legislator Lemon: So this was all money we had budgeted ahead in case things like these happen?

Ms. Lis: Not so much. What happened was, we budgeted, we're just fortunate that we had over budgeted in another account because the way we budgeted it for 2016 was, we looked at all the contracts we had under that umbrella of that account and we said, here is the max that we are going to spend on that rather than saying here is how much we normally spend on that because sometimes we'll have contracts for different options, like cancer services is a good example of one of them that we'll set up with several doctors, several hospitals to do test and maybe \$50,000 apiece. But they are not all going to hit \$50,000, we just have a bunch of them so people have option. It's the same sort of –

Legislator Lemon: So here is what I am thinking. Once the contractual funds have run out, we can't have any more of these.

Ms. Lis: Well, this is for 2016 so we're getting there. For 2017, we budgeted more in line with historical usage of those contracts so we won't have that extra this year.

Legislator Lemon: Now I understand.

Chairman Tarbrake: Any other comments or questions?

Unanimously Carried

Proposed Resolution - Amend Chautauqua County Health & Human Services 2016 Budget for Increased Handicapped Preschool Education Transportation Costs

Ms. Lis: This one is related to the previous because this is the transportation for those children that are in that program. We've already done this once if you remember earlier in the year. But one more of our driving vendors, Jamestown School, has now gone over budget. They got a new contract this year and they have a rate increase and again, there is just more children. So we are increasing that by \$30,000. We are funded 59 ½% so we're increasing our revenue to offset and the difference is coming out of that same contractual account.

Chairman Tarbrake: Any questions or comments?

Unanimously Carried

Discussion – Transitional Assistance – Welfare to Work Program

Done by Jon Anderson, Diane Anderson, and Katy Giese.

Discussion – Amend Rules & Regulations – Verbatim Minutes

Chairman Tarbrake: We discussed this at our last committee meeting, Public Safety. The main thing that was brought up was the software issue that we would have to buy software to help in this process. My own opinion is, I think that the way that we do minutes now is done fairly well. My opinion was, what it's worth is, I think that we should keep it the way we do it but I'm open to any suggestions or comments.

Legislator Wilfong: And the reason that we're changing is that it just makes it easier on the girls. Is that what we're doing?

Chairman Tarbrake: Not necessarily. We haven't decided to change anything.

Legislator Wilfong: That's correct, I understand. But are we looking at it to make it easier in the office or no?

Legislator Lemon: What is the purpose of this discussion?

Legislator Wilfong: We're changing it for some reason.

Chairman Tarbrake: Exactly, that is what I would like to know.

Legislator Rankin: Well, has there ever been a time when we had to go back and look at these verbatim results? That is my question because if not, it seems like a lot of work for something we're not using (*inaudible*).

Mr. Abdella: I will make a few comments. As far as how often they get used, first off, I guess there is the instance where during that month's committee process and full Legislature meeting process Legislators might be interested in reading what happened at committee and what debate and discussion took place prior to taking a vote that same month. After that, it's sporadic but there are occasions where myself, the Law Department, or other departments have a desire to look back at that discussion to try and clarify what the legislative intent was. We have had a few litigation matters where it's been helpful to me to be able to actually present as an exhibit what the debate was on a local law, whatever it might be, to show what the intent of the Legislature was. I had mentioned to other committees that I definitely would recommend that whether it's an audio format or stays in written format, we would like those to be kept permanently because you just never know when something is going to crop up. One of these was just a few years ago and I was very interested in the legislative testimony or debate from something about 1979-1980. It was very helpful to be able to look at those minutes. I don't have a preference per say. Jim Caflisch spoke before the Administrative Services and he was describing his occasional need to look back as far as people wondering what the process was for the sale of property by the County. Whether it be a tax foreclosure property or otherwise and it's convenient to be able to quickly access those minutes and be able to give an explanation. He had concerns about whether if it was just in audio format how easily would he be able to find it and I think if this were to go forward there is a mechanism whereby those audio tapes would be keyed in some manner to what resolution so you wouldn't have to be searching through the whole tape. You'd at least be able to find the debate of the resolution easily enough. So there is a need for them both contemporaneously as the legislation is moving through but then also in the future. As far as the office aspect. I mean, you've had over the years, a gradual reduction in your legislative staff and I think including just recently Becky taking a position in Real Property Tax and you offset that – I don't know if it was a quick pro quo, I mean a straight on hours exchange, but you did raise of the hours of the remaining two staff including the Clerk to try and offset that loss. But, I think there was an interest in seeing where can we, as we're reducing staff and looking for savings and trying to reduce hours, is this an area where perhaps – the hours spent right now by legislative staff could be reduced and potentially result in a savings, I suppose. So, I don't know that there is a firm idea of what that would be. One of the other discussions I'll just mention was the possibility of having selective creation of verbatim written minutes. Not that we have a crystal ball but I mean for instance I might say, with the passage of any local law, I'd like to have those minutes. Not that there is that much in it but they wouldn't needed necessarily instantly but just maybe local law debate we would have verbatim minutes for so they don't have to be located on the audio tape and then be transcribed. The sale of real property is one, again, I don't think it would necessarily be that much but maybe the adoption of policies by the Legislature.

Occasionally you update the procurement policy with Ethics Code going through, that happens to be a local law. Those are incidences that where having that legislative debate history can be helpful. Some of the other ones I think maybe it's not so critical, the tape would be there so that was just another idea.

Legislator Wilfong: Maybe we could put something in here instead of just going cold turkey maybe we could try for a year and then revisit it. Or a 6 month trial to see how it worked. I'm just throwing that out there. It just seems like now we're just trying to change. There is no gun to our head that we have to change but we could come back and revisit it in a year and if we like it, we'll stay, and if we don't, -

Legislator Lemon: Who is suggesting or recommending this or even putting it forward for discussion?

Clerk Tampio: I can speak to that quite a bit. This whole process started as Steve mentioned, pretty much after Becky left and we had reorganized the office and change in workload and so on. It started in the Audit & Control Committee and the Chairman, Mr. Chagnon, was concerned about efficiency, the drudgery of minutes, whether that would affect the staff, the time element and so on and then we had discussions with IT, Jon DeAngelo and Kim Lawrie and they brought us information. They directed them to explore software options for transcription software which they did and then they presented a report to them which showed pretty clearly that the current software that is out there now would not be feasible for what the purposes of our transcription of minutes and so on. Also, it was cost prohibitive and hardware prohibitive. So, then they were exploring options of well, do we need to have verbatim minutes transcribed or could an audio file be made accessible to Legislators? That's when the Audit & Control Committee really started this whole process. It didn't come from the office, although they asked our advice on it. As you've probably seen since Becky left, we've managed the minutes, I think quite well and the only delay in producing the minutes comes and has traditionally come even with Becky there, during the budget hearing process for all of the committees. As you saw this year, the minutes were not completed before the Legislature had to meet and approve the budget. So, that was an issue and that was something that Mr. Caflisch brought up too that if we did want them before the meeting, perhaps the Legislature would consider authorizing hiring a transcriptionist to come in, a stenographer, and attend all those meetings at the estimated cost of \$1,000 a day. Or, there is another suggestion that I can offer if a Legislator couldn't attend all the committee meetings for budget hearings and if they wanted to hear what happened, we can provide the audio file that would be unofficial minutes at that point but we can send you the audio file and you can listen to what was discussed. So we're not, in the office we're not advocating either way. We're willing to do whatever the Legislature directs us to do.

Legislator Rankin: Is this passes, does that affect every committee or is it a committee decision? Does it affect everybody?

Chairman Tarbrake: It affects everybody.

Legislator Rankin: So everybody would follow the same – (*cross talk*)

Legislator Whitford: I don't think that we can pick and choose.

Legislator Rankin: Everybody would do it the same way, whatever we chose.

Mr. Abdella: It could be selective but I would ask to draft in the manner it would apply to all committees.

Chairman Tarbrake: How accessible would this be to the public as compared to what we are doing now?

Clerk Tampio: There are options that Steve discussed the other day. An audio file if the minutes aren't verbatim that audio file would have to be maintained permanently and be made accessible to anyone. Whether you post it on the website along with our minutes of the meeting or you have it made available to the public upon request.

Chairman Tarbrake: Do they have to file like a FOIL request or how would that work?

Clerk Tampio: I am not sure.

Mr. Abdella: It's however you want to have it. At the minimum it would have to be (*inaudible*) FOIL request at one extreme. The other extreme would be that you'd just have them sit on the website and anyone could click on it and see it.

Chairman Tarbrake: It would be by our choice as far as passing a resolution, correct?

Legislator Whitford: Just to try and help resolve this because there has been a lot of discussion in all of the committees. I don't think there is a sense of urgency that we need to pass this resolution this month. My personal opinion would be to have an ad hoc committee that would sit down just informally, I mean it has to be open, but to discuss all the pros and cons and all of these questions that are really unanswered. I mean, do we do it this way, do we do it that way, well we're not really sure. I mean, there are more questions than we have answers. I think just for the sake of really investigating it properly is to have a committee sit down and discuss it, especially the ones who proposed it, Audit & Control. They probably had some focus on how this would expedite things for them, the Legislature and access to the public. But, I don't honestly believe that we can move this forward for a vote this month anyway because it's just too complicated for voice recognition, the technology, the cost, you know what road blocks the department heads will have accessing the audio minutes and how the cost of that being transcribed for them to defend some position or the same with the legal office. I, personally, I think we have to have more discussion outside of separate committees to be able to come and answer all these questions to the satisfaction of the committee members. All the committees because they all have to make a decision on this.

Legislator Rankin: Including, along the (*inaudible*), I'd be curious to know how other County Legislature bodies have done this and if they have gone from verbatim to a summary and recordings, if they have experienced any problems or what their recommendation might be to us

based on their experience. That might be interesting to know. Which would take a little more time.

Clerk Tampio: I can tell you that part of the Clerk's Association for Legislatures' and periodically someone sends out the question and all the Clerk's will respond to that information and they did send out a question last year do you use transcription software? If you do, what kind and I can tell you that I only saw, of those who responded, I only saw one response that said they used transcription software, it was Dragon, and it was a product that was looked at by our IT Department and they didn't like it and they stopped using it. Everybody else does it the way we do it.

Mr. Abdella: They all do (*cross talk*) debate?

Clerk Tampio: Yes, as far as making a hard copy minutes and having it in a word file. I am not sure, I can't answer whether they meant verbatim or not but I can tell you nobody liked transcription software.

Chairman Tarbrake: Well, I guess, what did we do in Public Safety Paul. We just recommended that we pass it onto Audit & Control.

Legislator Whitford: Our recommendation to Audit & Control and Public Safety was to maintain the procedure that we have at present.

Legislator Lemon: I would be in favor of that.

Chairman Tarbrake: Is there a second to that?

Legislator Wilfong: I will second that.

Chairman Tarbrake: All those in favor?

Unanimously Carried

Chairman Tarbrake: We will pass that onto Audit & Control.

Legislator Lemon: I probably should have asked this before but is it – have you found that it is becoming a burden and taxing to come up with the verbatim minutes?

Clerk Tampio: No.

Legislator Lemon: So there is not a need for a part timer to come in and help you keep up your – doing alright where you are at.

Clerk Tampio: Yes. Like I said, the only glitch that we have sometimes is during the budget hearings because there is only so much time for that and then there is prefile and then the regular committee meetings. Unless those regular committee meetings are done, we give them

priority and we switch to doing those prior to the Legislature meeting and then when they are done we go back and do the budget hearings.

Legislator Lemon: Are the audio minutes available before the earlier than the verbatim minutes at budget time?

Clerk Tampio: Yes.

Legislator Lemon: So there is still available.

Clerk Tampio: We download the files every day.

Other

Chairman Tarbrake: Anything else we need to discuss tonight? If not –

Legislator Lemon: MOVE to adjourn.

Legislator Wilfong: Second.

Unanimously Carried

Meeting adjourned at 6:02 p.m.

Respectfully submitted and transcribed,
Kathy K. Tampio, Clerk/Lori J. Foster, Deputy Clerk/Secretary to the Legislature