



Sullivan County Charter Review Commission Meeting

August 17, 2016 at 6:00 PM

Present: Steve Altman, Paul Burckard, Bruce Ferguson, Sandra Johnson Fields, Peg Harrison, Michael Levinson, Bill Liblick, Brian McPhillips, Larry Richardson, Sara Sprague, Ken Walter

Absent: Norman Sutherland

Others Present: Nancy Buck, Elton Harris, Dick Riseling, Dan Hust, Andrew Ford, Chris Salonich, Laurie Dutcher, Cheryl McCausland

The Sullivan County Charter Review Commission Meeting was called to order by Co-Chairperson Paul Burckard at 6:00 pm.

Co-Chairperson Burckard entertained a few speakers at their request before addressing the agenda.

County Treasurer Nancy Buck stated that last week from NYSAC's daily "news around the region" that they send and on the top of it was something interesting. She has heard the Commission say many times that counties that do not have a County Executive do not have an in with the Governor. She then inquired if the Commission knew how many County Executives there are in New York State? Number one, do they know how many counties are in the state? The Commission responded 62. Ms. Buck continued by stating that there are 18 County Executives, so if they go with the Commission's scenario that means that 44 counties have no say with the Governor.

Co-Chairperson Burckard stated that he does not think that they do not, but less influence because Executives have their own association that is very powerful through NYSAC.

Ms. Buck stated that she thinks that it is very interesting that the push is for that reason and to her the Commission is saying that those 44 counties have nothing.

Mr. Liblick inquired if that includes New York County?

Ms. Buck stated that the article said that there are 23 charter counties, 18 have County Executives and 5 have appointed Administrators. It talks about the counties that have the appointed administrators/administration and then it said that there are 8 counties that have Legislative bodies with no Administrator.

Co-Chairperson Burckard stated that Mr. Elton Harris is here, he was the former Supervisor for the Town of Rockland, and they knew each other for years. Mr. Burckard used to do the damage assessment for the Sullivan County and they spent many hours out in the mud and the floods.

Mr. Elton Harris stated that he was the Chairman of the Commission back when they throughout the idea of being Legislators versus Supervisors. It was the same environment that he thinks there is now, people are somewhat frustrated and how can they fix it. He did support going to the Legislative form of government, he did think that was good for everyone in the County. After witnessing it for 25 years or however long it has been, he thinks that it was a mistake. There is so much that he can share tonight but he knows that the Commission has their plate full and he does not want to take away from the agenda. He read an article in the paper that the Commission is talking about this elected County Executive and he just needed to share this with them. They spent a tremendous amount of time on the initial Charter Commission that he chaired and 3 years later when they did their first review. He read that article, he thought to himself that he could understand why they may feel that it is time to make some changes, and as he looks at the County government is, being operated with an elected County Executive, which we know is going to cost more money. We know that they have their own power but he thinks that it is more of how they function or have been functioning in this county. That is, the Manager is here and he is running the day-to-day operations, the Legislature comes in once a week and has committee meetings and meet once a month to pass resolutions. They have made many stupid decisions, a lot of them over the last 50 years in this county. They are building a new jail if anyone did their homework they would know that it is cheaper to build up then build out, people argue about the safety but quite frankly hotels build up because it is cheaper, so do hospitals but in Sullivan County we want to sprawl out a jail. They have a landfill that is sucking the earth out of us and a nursing home that is sucking the money out of us and going to an elected County Executive will do the same thing to us. The minute you put that on the ballot you have no control over it within very few election cycles it can be someone from New York or Brooklyn or anywhere else by absentee ballots if they win that election and you cannot do a damn thing about it for at least 4 years, just think about that. If you do not think that there is power going on in the county in places where you do not have the wherewithal and the qualified people, he could tell them right now that there are not a lot of people that you will hand over the multi-million dollars that they spend a year, you have to have someone that has business acuity, business sense and then there are the politics in it. He truly thinks that it would be a disaster in this county to open that up for someone from the outside, if they think that the lower end of the county has problems, you are going to have it right here in Monticello, mark his words. What they have to do is go to their Legislature and say "they cannot keep functioning the way they are now with all these department heads going into the County Manager and saying they need money for this or that and he draws up the resolution and it goes to the Legislature and they bat them around and vote on them." They have to change the way they operate that function of the county. He stated that he tells his kids, if you want more blue birds, you build more blue bird nests. They have a problem here with the welfare, they have created a situation where someone will take a nice Victorian home and turn it into welfare apartments, rent it out for \$1,000 a month through welfare and they do not pay taxes for 2-2 ½ years before they foreclose on them, do the math. He is here to help poor people, do not get him wrong. He went into the gas station the other day a well fed lady with orange/red hair comes in goes to the ATM and gets 2 \$20 bills and asks for a pack of cigarettes and said she had \$7 left on the benefit card can she use that first, and the lady told her no, so she paid with a \$20 bill and she showed up in one of the Medivans that they are paying for. He is thinking to himself that they have a serious problem in this county. If you are going to allow for the blue bird nest to be built and carry on, put the damn assessment so high that the people cannot afford to be in these slumlord businesses and maybe these people will go elsewhere. Let them go back to where they came from, they are not coming here for jobs they are coming because they are a system that is broken and then on the side they are selling dope to the kids. They have to fix it inside they have to fix what they are doing in here it is not the form of government. What they had with the Supervisors was good but it is

the internal functions that are not working the way that they should. A nursing home should not be costing the taxpayers a million dollars a year; they were a million dollars behind before they opened the doors. He told Paul Rouis to sell it they will never get their million dollars back and now its a million dollars a year going out. If you sold it tomorrow, you will not get your money out of it, let the private sector do it and take a million dollars off the taxpayers. Those are the things that they have to do in this county. You cannot just keep doing it over and over and think that someday they are going to wake up and say “oh we have an answer” no it has taken years to evolve to this. They have to tell their manager that this is what they want, they have a \$3 million bus building sitting over there that god only knows what is going on with that. There can always be an argument, if they do not take the grant than someone else will get it, well then let someone else have it. They have to fix internal issues here before they can look to say they are going to fix it by the way they function their government, like electing someone who may not even be from here. He cautions them on that because you see it happening here because if you get that function in that room, you cannot touch it for four years and they are going to do anything that they want to do. It is going to cost us dearly. People that used to retire are not staying here anymore because they cannot afford to be here and that is a shame. It is not because they do not feel that they live in a beautiful place, it is because they cannot afford to be here. He thinks that they need to fix the internal workings that they have here because they are looking at the Manager as being the problem, it is not the Manager, and he is doing what he is told to do. The Legislature needs to get their feet on the ground and figure out the functions of every one of these issues and change or get rid of some of the stuff that is costing them this kind of money. If you lower the cost of government, it will lower the taxes and the economy will fix itself, it is that simple and he does not have a degree in economics. It is the government that is forcing the people out of here. He then thanked the Commission.

Mr. Liblick stated that Mr. Harris sounds like a County Executive.

Co-Chairperson Burckard stated that many of the things that Mr. Harris spoke about they have been discussing and looking at it as far as operations is concerned. It is not that the Charter Commission has not been looking at that.

Mr. Harris stated that he is not blaming the Commission, he thinks it is the way that things have been done here, when the Supervisors left and the Legislators came in, nothing changed.

Mr. Levinson inquired if someone was going to run would they not need to be a resident of the county.

Co-Chairperson Burckard stated yes.

Mr. Harris stated that you could register to vote anywhere you want.

APPROVAL OF MINUTES:

Co-Chairperson Burckard stated that there were a few corrections that he would like to be corrected before they approve the minutes; he stated that he will speak to Ms. Huck and get the minutes corrected and they can be approved at the September meeting. Any members that pick up on a problem in the minutes please reach out to Ms. Huck to make the correction. All members were good with that.

NEW BUSINESS:

2007 Charter Review Commission Co-Chair Presentation-

Co-Chairperson Burckard stated at the last meeting they had asked to have the two co-chairs of the 2007 Charter Commission, Robert Green and Dick Riseling. Mr. Green is out in Detroit at a meeting, he spoke to him several times and he will not be able to be here tonight, Mr. Riseling was available and Mr. Green stated that Mr. Riseling was an excellent co-chair and he would be extremely helpful to the Commission. He is glad that Mr. Riseling has agreed to come and he hopes that they can get a few questions that they have cleared up. Co-Chairperson Burckard introduced Mr. Riseling and stated that he was the owner of Apple Pond Farms and Mr. Riseling added Renewable Energy Education Center and the former Co-Chair of the 2007 Charter Commission.

Mr. Riseling stated that he is very happy to be here. He then thanked the Commission for the opportunity to have a conversation about how to improve the performance of the Sullivan County government through amendment to their charter. He then said that he is deeply grateful to the Commission members for their service on this very important matter and for the many other contributions to local government and promotion to general welfare. He has missed attending meetings of this Commission personally but circumstances prevented him from doing so. He has some thoughts to share with the Commission based upon recent review of the Commission's discussion today and on the work of the previous Charter Review Commission. He has a copy of that final report of the previous Commission here if it needs to be referred to. He has some thoughts that he wants to share in hopes that the Commission will consider putting it in the Charter. Mr. Riseling stated that he will discuss some of the things that he feels should be included in the Charter. Recommending a County Executive form of government with the Legislature which he knows has risen to the surface and he knows it is a matter of record that although the previous Commission experienced some growing support for a County Executive during the course of several meetings, no such recommendation was made. Although, there have been comments that such a recommendation was made, there was none. The summary of their discussions on this issue, the draft he has was done by Mr. Burckard's hand and his are reasons for a County Executive for Sullivan County mirrors the discussion of the earlier Commission. Mr. Riseling shared some of his additional thoughts that occurred to him in the intermittent of 10 years. On the issue of the County Executive, the question is this a way of getting more accountability, is it a way of answering the question of who is in charge, is it the way of getting them the capacity for leadership in substantive policy and responsiveness to new conditions or to hire a performing government in general. Recent comments from the Chair of the current Legislature "the arrival of economic projects more than double the county economy," and there is a major historic fact. The persistence of the second highest rate of poverty in the state and the same horrific ranking in terms of personal health. Two devastating things that all of them must somehow use our imagination more to give credit for and do something in a very serious charter based way. All these argue now along with many other factors in his opinion to establish a countywide elected Executive with Legislature form of government. Some say a popularity contest would prevail and the county government ends up with a leader who lacks competence and confidence of people. That is certainly true, they have lots of evidence from all around the world and also that he would say a very reasonable statement in their current presidential debate experience that this is not only possible but may be very possible. If there is a consensus that the Executive form of government is a more effective form of government in this historic moment, this vortex of economic development implemented by the bed of seemingly immovable poverty and very poor health among our population are two of the three reasons

for government, than he if for an Executive form of government. He has not determined that but he would sure like to be educated more on this subject. It is what you cannot provide and control, you cannot control the election, our form of government and its' principal should be the will of the people expressed in the form of their government preference. He has some concerns and questions; he thinks that the independence of the Treasurer's Office and the functions of Auditing are especially important in the context of going to a County Executive. These are points of special vulnerability as well as points of very imaginative public values and service programs can be provided. He can chapter a verse on how important that is. He hopes that the Commission will focus thoroughly on how this can be done and not rush to a conclusion that the Treasurer's Office for example must disappear and have this function fold into the office of the County Executive staff. They have a very able Department of Law and they should use them contiguously on issues like this. He hopes that they explore the issue of County Executive absolute veto power over Legislator votes that reject appropriation of funds, which will be one of their main and most important functions. Checks and balances can be provided in this respect in many different ways. He hopes that they carefully review the role of Planning capacity in County Government, he is certain that it is far below the investment currently needed. He hopes that they find ways to fix the hole that exists in the integration of IDA and economic development Partnership proposals, budget preparations, and the economic packages offered to other economic developing contracting parties to the county. He also suggests the Commission recommend that all members of the economic development agencies submit their resignation to each new County Executive; it does not mean that there will be wholesale change in the membership of the agencies or a lost talent. One of the worst things that can be said and it is said often in this room, they have a very small brain pool talent here, that is a despicable comment and it absolutely anti-democratic and they need government by and for the people. That statement is one of the worst statements that could be said, so let us give it some structure and put it right in the charter. He would also suggest that members of such bodies have term limits of no more than 8 years or some other number that is consistent with their thinking in getting new ideas and talents and new opportunities. The world is changing very rapidly and many of them are not keeping up at all. He would suggest the establishment of an office of Public Information, there was such an office before and he would say that the most important purpose would be to ensure a far wider and more effective way of sharing with the people. As one of the operators of the Sullivan County Farmers Network, they have 140 members and 28 of them use email, they are important people in the community and they now have 19 farmers shipping milk and one farm ships more than 50% of all the milk. They have many things too that they have not taken care of for a long time as Mr. Harris has said. Spend some time discussing how a county government can better address the ever-increasing asymmetry and capacity to make decisions on housing and building codes and project approvals of all kinds compared with the enormous new scale of economic development projects. It is very viable for county government especially, to play in this area, our towns need their help, our citizens even the developers need their help. The people who aspire to have the homes in the new developments or the people to aspire to have positions in the new economic projects. They need to negotiate this better, they need to get more players in and more recognized roles and formats to have some credibility and publicly respected. Finally, let us all hold true to the reality that the best scientists in the world agree that climate change may so alter the life support systems for human existence that today and every day become closer to the date which is in the life span of the members of our own family that life of the majority will cease and for the rest, time will tell what it will be like for them. Time is telling us now that we are not in charge of our future because we have devised ways of living that are not compatible with the requirements of earth's natural laws. Just as they are in large part responsible for the growing crisis, they are also responsible for working out their part in preventing it and mitigating it. The good news is there is

tremendous opportunity for optimism that Sullivan County is far below the reasonable response to the opportunity for prosperity for all and for protection with best practices that continued health and welfare of their people and glorious nature of landscape of their natural landscape. Find the language and the funds to invest in the development of a sustainable society and sustainable economy, put it into the charter or at least the recommendations and fight hard for it.

Mr. Liblick inquired about the final report; he asked a few charter review members from the last charter and he asked if it was included and some thought that there was a recommendation for a County Executive. He thinks what happened, from a few texts that he got, was basically that they wanted to do it but the new Legislature was ended and they were basically advised that they pretty much pacified them, most politicians were against it and they had the same agreements they hear now and they got Fanslau in and the Commission's time was up. Then the Commission was relieved of their duties, he also asked a former Legislator and they said that it was discussed and it was stopped by the Democratic caucus at that time. The Commission now is entailing something that Mr. Burckard, Ms. Harrison and Mr. Richardson were concerned with that they felt that they were also being rushed to give a final report by December 31st. They already gave one recommendation for staggered terms and they hope that there are committee meetings and it is going to be implemented. The next issue, the hotbed issue is the Executive where they are all emotional on that subject. His opinion is that the people of Sullivan County should decide. If they want it, they want it, not just them giving a report.

Mr. Riseling stated that he has to admit that he did not do an exhausted look at the records but he did look at the final report and it is not mentioned. As to the determination being caused by the caucus, he is not privy to their deliberations and he got no skinny on the side that was what it was. There was a question that they were given strong pressure after the first six months, they went for more than two years, and they were not going to have that. He cannot say for sure and he is not going to get into a contest with other people if it was or not but he did check with three of the people that are "younger" and have better memories than he does and they all agree that it was discussed and growing interest in it. He is only accountable for his statement.

Mr. Liblick stated and it is also 10/11 years later and they are still discussing the same issues that they were confronted with then.

Mr. Riseling stated that one of the issues that he would add, several people and he shared that opinion and now ten years forward, it probably would be a good idea because even then and three decades before that they were talking about casinos, right. There was a move on the part of the state to push through. They were aware of those contexts and for those reasons, they thought they would see a lot of other development so they would need it.

Mr. Liblick inquired when they went through the amendments in the code and the charter that they were revising, how did they conduct that process?

Mr. Riseling stated that the code was always a very amorphous cloud that hung over them, it was an area that they did not get sufficient and useful council from the Law Department, he speaks plainly on that issue it was not County Attorney McCausland's responsibility in any way nor Mr. Ford's. They got pushbacks that many of their amendments did not raise to the status of being in the Charter but they could be taken care of in the Administrative Code. They asked for further conversation and neither the Chair who was Mr. Rouis whom he felt was quite dismissive and the County Attorney then said that they recommended to the Legislature on more

than one occasion when they made some opposition and asked for hearings before the Legislature that these things should go in the Administrative Code. There is a great saying “don’t should on me and I won’t should on you.”

Mr. Richardson stated that he wanted to address that issue because there were comments very early on that the issue of County Executive was presented to the Legislature and they just never acted on. The facts actually bear out that it was never presented to the County Legislature for consideration and if you read the July 2007 minutes from the previous Commission on page 4 it says, “Sandra Schultz suggested taking a poll regarding County Executive versus County Manager. A motion moved to conduct a vote on the number of members in favor of an elected County Executive versus a County Manager; motion moved by Ed Mack, seconded by Noel Van Swol, motion carried unanimously to vote.” The result of the vote is 3 members for County Executive, 7 members in favor of a County Manager and there was discussion by the members. “Co-Chairman Robert Green said that this Commission does not have support to explore the County Executive form of government.”

Mr. Liblick inquired when was that?

Mr. Richardson stated July 9, 2007.

Mr. Liblick stated that Shirley Felder has a different recollection.

Co-Chairperson Burckard stated that she was not at that meeting.

Mr. Richardson stated that he does not feel that it is in their best interest to keep repeating this.

Mr. Liblick stated that they are now 11 years later, and Mr. Riseling just said that they supported it.

Mr. Riseling stated no, he said that they supported the discussion; they did not make a recommendation for it.

Co-Chairperson Burckard stated an interesting note from the same page that Mr. Richardson just read from, they also voted not to do staggered terms.

Mr. Ferguson stated just a quick note, July 8th the final amended report from the previous Commission, he thinks that it was circulated to everyone but if anyone would like he can email that to the members.

Mr. Altman stated that he finds it interesting that the previous Commission was pushed to end and the Commission now is pushed to end. He feels that they should be left alone to do quality instead of rushing to judgment. He inquired if anyone knows where this rush comes from, what are they looking to protect?

Mr. Riseling stated that is a really good question that probably has an answer to it that prompts the question. He thinks that Mr. Altman’s answer would probably be the same as his. He continued by stating that they were pushed but they did not respond to it, they finally said “hey we are not getting responses from the legal authority” and some members began to lose interest in coming. They did a super majority for all votes and it became a problem in governance with a meeting that had integrity and actual functioning. They finally in a disgruntled fashion say, hey we did the best we can and that is it. They also had invited the Legislature in to advise them but the word advise is advisory, like this Commission it is limited, it is honorable but it is limited and can be powerful but it is very limited. He thinks that they should go on as long as they want.

Mr. Altman stated that the Legislature forms this Commission because the law says that they have to but they are not interested in change or protecting their own turf.

Mr. Ferguson stated that if it is called a public meeting, they do not want the public to attend and he thinks there is some truth to that and a parallel here.

Mr. Riseling stated that their greatest measure was what Mr. Harris stated work on the internal functions. That was something that they tried to do to make it more effective thinking the next Charter would do the exact same thing. In two sentences, that is the whole of it.

Co-Chairperson Burckard stated that when Mr. Riseling and he were speaking, Mr. Riseling stated that he was more into economic development and how Sullivan County was operating economically with the Charter Commission. He then inquired how that went and was there any result and effect or negativism that they received from doing that.

Mr. Riseling stated yes, there were comments and calls at home, they were somewhat perseverance from what some people said. The records will show that in 2007, the first 6 meetings and 4 after they finally settled on how to rule the governance internally in the Commission were on economic development. Robert Green and he agreed that it was the number one thing, which is responsible for that, where the language is in the Charter that says where your job starts and where it finishes. What they ended up doing was making a bunch of recommendations about getting agendas, there were not even public announcements of the Empire Zone and they kept no minutes.

Mr. Richardson stated that he wants to address that issue of economic development because it is big and they have had some pretty interesting discussions about it and the question of who is in charge. Mr. Burckard had called him excited about a page he found in the Administrative Code, page 20, the list the Economic Development Corporation and that there shall be an Economic Development Corporation organized as a local development corporation under the laws of the State of New York. They shall have a Board of Directors appointed by the Legislature, Mr. Richardson then continued to read the description from page 20 of the Administrative Code (please see attached).

Mr. Burckard stated that he read that and then he backtracked as to who it is, what it is, who is on the board, and what it is doing, he got absolutely nowhere. He finally got someone down in Planning who was extremely helpful. Historically back to the time that Fanslau was the County Manager here that ceased to exist. So, here we have a code, which is the law that the Legislature is supposed to be abiding by, it is strict instruction, you shall, you shall, you shall and they shall but it does not exist. Nothing has happened with it for all of these years, he will point out that on page 22 of the County Manager's changes to the code that he gave when he presented, and he specifically talks about the fact that the Economic Development Corporation is non-existent and non-functioning. His question is how is this happening. If the County Legislature decides they do not want it, they have the power to amend the code and get rid of it but until that is done it is the law. #3 that Mr. Richardson read from is exactly what is needed to compete with Ulster and Orange with what is going on today and it does not even exist.

Mr. Altman stated that they had a presentation by a County department that some of the members were stunned that was supposed to create economic development that just had a bunch of brochures. What he has found is that when someone comes here to start a business and all they get is roadblocks.

Mr. Harris stated that their initial Charter calls for an appointment of a County Manager, no contracts, no nothing, so if the board thought that the person was not doing their job they were supposed to get rid of them. They did not like that, so they changed it. He appreciates all that the Commission is doing and the time that they are putting into this but all this time and energy and then the Legislature puts it the way that they want to have it. Our IDA is a disgrace to the County, it has not done the job that it is supposed to be doing, and they have some serious problems here. He does not care who the County Manager is, he does not know this guy other than he knows who he is but you cannot blame one person. You have to have internal action in this County, the heartbeat of this county; they have to know what this code is and what their responsibilities are. They should tell the County Manager what they want done and he should get it done rather than the other way around, it is like the tail wagging the dog. It has gone on and on, whether it was with the Supervisors or the Legislature, nothing has changed. He just does not see what an elected County Executive is going to do for us instead of cost us money and agita down the road. It is not the Manager, it is not his fault, he has to be telling the Legislature what their obligation is and then the Legislature tells him how they want it done and he does it. You cannot have millions of dollars of unpaid child support landing on the county and millions of dollars here and there. We all know why we are in trouble, he knows why they are in trouble it is millions and millions here and there and everywhere. They have to put the brakes on this stuff.

Mr. Liblick stated that the answer is state mandates and you cannot blame the county.

Mr. Harris stated that some are state mandates there is no question about it. If you did not have the blue birdhouses, the blue birds would not be here would they.

Co-Chairperson Burckard stated that the Charter as it stands today and the Code are explicitly clear that the County Manager is the Chief Executive Officer of the County, not the Chairman of the Legislature; it is clearly the County Manager. The question is the performance and what that particular individual is doing running the show.

Mr. Harris stated that if he is not doing it the way the Code calls for then the Legislature has to deal with that.

Mr. Altman stated that many people think that he is just afraid to lose his job.

Mr. Harris stated that has been that way for a long time, they are dealing with the politics all day, every day.

Mr. Altman stated that is why they have talked about a super majority to fire him.

Co-Chairperson Burckard stated that they have discussed that but they have to keep the agenda moving because there is a lot to discuss tonight.

Mr. Walters stated that the County Manager is as strong as his protection. It was a super majority and the last Legislature by 5 votes changed it to a simple majority to fire because it did not have to go to referendum and no one went out and hustled to get the necessary petition with signatures to put it on the ballot. It became law and they said bye, bye. The Manager from what he has read is a four-year term and does not start with the present Legislature; it starts a year into their term and goes into the other Legislature so there is some continuity. The County Manager right now sits on a picket fence and he does not care who sits in there because you sit there hoping to keep five people happy. They talk about Legislative power and everything in that 2nd email is what they already have that is not going to change. They have the power to amend the Code if they want to, so if they do not want to do it, it is not going to happen. New York State has become the most non-free state in the

nation because of the restrictions we have. Any one of them cannot go out and nail a board on our house without someone asking you where the paper is and when you are in business, it is even worse. The amount of licenses that a garage has to have, this is the most restrictive state. When you look back at Sullivan County, there were no zoning laws if someone had a good season they put up more rooms. They have a lot of things in place institutionally that are not in their control. It is controlled by what they call local Home Rule, so you have two townships that say that you can have a pig farm here but you cannot have one here we are going to have a housing development, side by side because they are across the street from each other. There is no continuity and if you want to talk about a County Executive seriously, you talk about the zeros because right now our County is struggling financially. Yes, they will get \$2.5 million from the casino but they can use that to go towards the jail so they do not have a bigger nut to crack on that. When you look at these other counties and the bureaucracy is just for an Executive, can they afford that. You are not going to change a position called a County Manager because someone is going to have to have someone on staff who understands the laws of the State of New York and how things change from day to day. This way everyone stays on track, so you are not losing that position, he may be at the whim of someone else but you will not lose that position. As far as he is concerned, the way he looks at a County Manager and the way this information has been presented so far, it is like let us have a King or Queen in charge so we have someone at the head to beat up on. When push comes to shove, it is going to be the Republican and the Democratic parties finding a good ole boys to work with them. They are going to tell everyone why they should vote for them and hope they put together a good team because if he has an assistant that he appoints it is going to be one of the good ole boys. So, you are not gaining anything so 10 or 5 years from now they can say "that son of a bitch of a County Executive did this, let us get rid of him, this is the worst form of government we have ever had." Look at Orange County they went up and down depending on who got voted. They are sitting here debating on what they should do as far as who should be in charge but why do they not identify the problems and see if they can work the problems out in their present form of government without giving them another nut to crack as taxpayers.

County Attorney McCausland stated that she would like to make a point of clarification, the County Manager is four years, and it coincides with the Legislature. They amended the Code to permit a one-year extension for the continuity of government. So, his term does not end one year after the Legislature it is by contract that he has that added year.

Mr. McPhillips stated that he thinks that they are taking a lot of power out of the people's hands by assuming that it is a political party that is going to decide the vote. He thinks that they are downgrading the American way of life by not letting them pick who they want in that position. He thinks that they have talked about staggered terms for the reason that they have 7 new people who probably have yet to read the Code. If there are parts of that Code that are to establish the Economic Development portion, they probably did not even get to that yet. As far as County Executive, again he thinks that the costs are far outweighed when you run a business like a business that is what this county is. If you do not have a person in charge that can run it like a business, it is always going to fail whether it is the Manager, the Legislature or an Executive. If you are able to put someone in there that can better sell this county for the greatness that it has to offer and runs it like a better business, the money that gets brought in will far out way the cost of what that County Executive is going to be. He is looking at it from his perspective, he is 35 years old, he is not going anywhere, and he has 35 hopeful years left in this area. He can see the benefits here and he feels that some of the decisions that are being made, it should be the voters making those decisions.

Mr. Ferguson stated that they keep hearing this but it has not been established that a County Executive is more expensive. Dr. Benjamin told the Commission that is not the case because someone with the executive authority can actually eliminate a lot of the redundancy and waste in a way that the spaces that they have in this county is incapable of acting and more than offsets the cost of a separate staff for an Executive. They heard the same thing from the Ulster County Attorney who said that they significantly reduced cost in running the county when they went to County Executive. Let us not keep repeating that it is going to cost more, there is no evidence that it costs more, that is an opinion that is not a fact and he does not think that they should build a case around that.

Mr. Richardson stated that he would also echo the fact that they should be looking at the form of government not the people. To tag along with what Mr. McPhillips was saying; there is a possibility that you may get someone in there for whatever reason is not the best person for that position but let us give the people credit, people need to get involved. This is going to be a new thing, let us get the people involved from the ground up with the process of selecting that person and do not let it be someone who should not be in there. As the public, we are not as good about going out and getting involved but we need to.

Mr. Altman stated that he is just afraid whether it is a Republican or a Democrat, chooses and not who is the most skilled with running a county and someone who feels that it is his turn and is not the expert. As far as us giving the people the power, it is a popularity contest not an expertise contest. He is still for the County Manager and for the Manager having more power through protection of a super majority so he is brave enough to push back against the Legislature.

Mr. Liblick stated that he feels with the County Executive, if you have the accountability, even if it is a popularity contest you are still going to hire the right people because you still have to be accountable and answerable to the people. Anyone who is a County Executive has to have a form of compassion and passion in it as well because you are appealing to other issues besides running a business or a corporation. A County Manager does not have that link to him that identity of the passion and the compassion but the 9 Legislators do. What they always find is that the County Manager sits over here and the County Manager should be sitting over there because he is not really included in those discussions when they meet in here. There are a lot of problems with that but if you have two or three candidates come and say that they want to run for County Executive and they are presenting their viewpoint to the public they are going to have to have those people on their staff to work for them under their administration; they are going to have to hire the talent. That talent may be there but maybe that talent may be more comfortable working for someone who is accountable and answerable. He agrees with Mr. Riseling when it comes to the Treasurer maybe that office should still stay an independent office. His question to Mr. Riseling is this, they had the same situation that the last Commission has where you went from a different Chair of the Legislature to another Chair of the Legislature, the first time, did Mr. Riseling find that being the basis of change for the Charter Review Commission? Here they were appointed by a body of Legislators and then a new group came in and they did not select and pick many members and their input is not the same. Most of the Legislators do not come to their meetings, the Co-Chairs have come before them to give reports but they have not come to them. He inquired how Mr. Riseling's relationship differed from the first group of Legislators to the second group and the Chair from the first one to the second one?

Mr. Riseling stated that it was not an issue that was subtle to him in a significant way; it might have been for some other people.

Mr. Richardson stated that he does not see that as an issue Mr. Liblick. The Commission has not presented them anything yet.

Mr. Liblick stated we did.

Mr. Richardson stated and they have taken that into consideration but since then they have not presented anything for them to consider they cannot pass judgment on what they have not done. He continued by stating that they did meet last week with the County Attorney and Assistant County Attorney.

Mr. Liblick stated that he knows that there is a lot of support with the Legislators that are there now with the Charter Review Commission to work with them.

Mr. Ferguson stated that he thinks that they all agree that Economic Development is poorly handled, they have discussed that several times and because they know that, there is a mandated corporation that does not even exist which is ridiculous. If there was an individual instead of a corporation or committee that was responsible for economic development, where you put a name and a face to the responsibility it would be much harder for things to fall through the cracks. Committees and Legislators are not the most efficient ways of getting things done. If they had an appointed position for economic development under a County Executive or County Manager and that person was responsible than everyone is answerable to him and any agency like the Partnership would be answerable to him. He thinks they would be in a much better situation than they are now and he thinks that there it goes again from having a high profile empowered individual that takes responsibility and people can look at him when things go wrong and make the appropriate decisions with what to do with him or her.

Mr. Walters made a point of order, if everyone can just let one person speak, Ms. Huck will be able to understand and get the minute's right and when people walk on someone else maybe that is where the mistakes are coming up in the minutes. Everyone should just take their time and let the one person speak and then raise your hand and wait for your turn.

Mr. McPhillips stated that he wanted to segway off Mr. Ferguson, and he brought this up at the last meeting again; with the County Executive being able to be that person who does economic development is the figure head, is in Albany and is pushing this county. That allows the Legislature to set the policy and procedure that is their real job, not to individually run sects of the county as far as he feels. He thinks that if they were able, it is just like a town board, if they have department heads that run their departments properly and it does not fall on the town board member, the town board is more opt to set the policy and procedure, which is their job.

Ms. Harrison inquired if Mr. Riseling is aware of the new resolution that is before the Legislators to allow employment opportunities for outside the county.

Mr. Riseling stated that he is not.

Ms. Harrison stated that she does not think it has passed yet.

County Attorney McCausland stated that she thinks it is on the agenda, it is not to allow it is to do away with the preclusion against considering out of county.

Mr. Riseling inquired where the sponsorship came for that.

Ms. Harrison stated internally because they are having a difficult time filling positions where they are going to look to allow outside.

Mr. Walters stated that he was there when it was discussed looking for department heads is becoming difficult to fill them with capable people. They have interviewed capable people and when they have asked them to move to Sullivan County they say forget it. If you ask someone to come to Sullivan County there is usually a second person involved in that family, not counting children and finding another job for that person can be difficult. They could be just across the border by one or two miles and they do not want to move, they like where they are. So, they are losing out on filling positions, they cannot find right now a second in command for the Commissioner of DPW because there are not a lot of people in the county that meet the qualifications and there are other positions that are the same way. That is why they are looking to loosen the reigns. He always looks at it another way, if they start to preclude people from living across the border and coming to our county why can they not retaliate and stop our people from working in their county. You give your best shot to the people that are qualified in your county but if you do not have the qualifications, you have a responsibility to the taxpayers to provide the best possible people to get the job done.

Co-Chairperson Burckard thanked Mr. Riseling for joining them and invited him to stay for the rest of the meeting.

Mr. Riseling stated that he would really like to stay and that he likes the Commission's focus and candor that is so important. It is one time for them to really feel their importance, you get this chance once in a lifetime and he wished them the very best.

Update on Meeting with County Attorney's Office:

Co-Chairperson Burckard stated that last week the Co-Chairs meet with County Attorney McCausland and Assistant County Attorney ("ACA") Ford on a couple of different topics. He thinks that they have one resolved at this point but County Attorney McCausland made an offer to them with possibly trying to assist them since there is a consensus by the Legislature that they would like them to finish by the end of the year. When he mentioned some of the other things he has no idea how in the world they will ever be able to do that. He handed the floor over the County Attorney McCausland because he felt she can explain it better.

County Attorney McCausland stated that she spoke to the Legislature because she sees that there is a natural grow, you do have people that are sitting that are elected officials and they have the responsibility of running the government and are eager to hear what the Commission ultimately reports. As time goes on, the likelihood of the Commission, especially when you are talking about an Executive, having a report that is complete and timely presented to the Legislature in a way that will allow for an educated discussion on it and the time that it would take. They have heard anything from 2, 4, 6, 8 years before the possibility of an Executive becomes a reality if the Legislature moves it forward for a vote. ACA Ford came last month and when they spoke the next morning, he said that there are a lot of ideas and a lot of thoughts, it seems that there are a lot of facts but meeting once a month it is going to be difficult for the Commission to actually articulate themselves in a written product in a timely way. He spoke to the Legislature and as the Commission knows that the County Attorney's office represents the Legislature. They would never take a position on a position that the Commission is taking however, they would like to offer their services to the extent that they have if they divide up their report and they have addressed a particular issue and they would like help in preparing a product that they can review and

finalize to present to the Legislature, they would like to assist the Commission in doing that. They are not 100% clear on exactly how that will work. For instance, they were asked if the County Attorney's office was given raw data will they just run with that and present something and they said no that is the Commission's product. They want to make sure that everyone understands that it is the Commission's product. She continued by stating that she thinks by having her office and ACA Ford work with them to try and reflect what it is that the Commission would like to resolve and discuss among themselves and present to the Legislature it may enable a final product in a timelier manner and relying on one another once a month. She assumes at some point the Commission will divvy up the work and say, next month they will address this aspect of, for example, the County Executive. So, if you have someone working on the language during the month and can circulate drafts, they may get into a rhythm of dealing with it paragraph by paragraph or issue by issue and it may enable the Commission to actually address some of the issues that will arise in preparing the document. As anyone who has prepared a document knows, you think you know it until you write it and then you write it and discuss it and you realize that you have not discussed it completely, that is the beauty of the process. So, if they can enable the Commission to address that in a more regular manner than relying on one another once a month, they would be happy to do that.

Co-Chairperson Burckard thanked County Attorney McCausland for the offer and stated that she may regret having made the offer and the Commission may take them up on that. They appreciate their assistance and they know that they are there for the technical questions if they have.

Mr. Ferguson stated that he remembers early that County Attorney McCausland suggested that the Commission is really here to review the Charter not really the Code. One of the things that might make sense would be to expedite what they are doing, if for example they reach a conclusion to recommend a County Executive. He then inquired if ACA Ford would then flag the County Code with things that would need to be modified in order to accommodate the recommendation they are making?

County Attorney McCausland stated that they have to walk a very fine line because it is the Legislators prerogative to discuss this and decide. However, if you come up with suggestions about a County Executive and the Commission says that this may have implications, they want it to have implications on particular positions, departments, divisions and to ask them what sections of the code would this implicate, she does not have a problem with that. As she has said a million times, they are not going to re-write the code, they will help the Commission write the report that will get the issue before the Legislature. Yes, a well-written report will certainly, as she mentioned to the three Co-Chairs they should have a pro and a con. If they are recommending something they have to analyze the pros and the cons and whatever their decision is it has to be based on the facts. As an aside, the best thing they can do is to acknowledge the implications that it will have for the divisions and departments. Her office can help them identify the divisions and departments that it would be implicating but they would not be re-writing any sections of the code.

Mr. Ferguson inquired if the County Attorney's office would make recommend that they make specific suggestions for the code or leave that to the Legislature?

County Attorney McCausland stated that she believes that the Commission has to focus on the Charter; her office can help the Commission to the extent to identify the sections of the Code that a change would implicate so that would help the Commission prepare their report, she does not have a problem with that.

Co-Chairperson Burckard stated that he spent all day Monday and Tuesday reading the Charter and the Code again every single word. You cannot do what the Commission is going to do if they are going to make the recommendation to go to a County Executive and not address the Code that would have to either be changed or amended. Their intent as a Commission has to be thoroughly enough presented to the Legislature so that they clearly understand where they are coming from

County Attorney McCausland stated that then Mr. Burckard is disagreeing with her, she continued to state that what her offer is and what they are authorized to offer, Mr. Burckard is saying that he does not agree with it. She stated that Mr. Burckard wants to thoroughly go through the Code and make recommendations.

Co-Chairperson Burckard stated wait let him finish that is not what he is saying.

County Attorney McCausland stated that they have to be clear.

Co-Chairperson Burckard stated that he wants to be clear but he wants to make sure that they understand that it is not as simple as saying let us go do a County Executive and leave it there.

ACA Ford stated that he wants to reiterate what County Attorney McCausland stated that for the sake of everyone here, the County Attorney's office will be involved with re-writing the Code if in fact charter changes are needed and the Legislature approves Charter changes that dictate that. What County Attorney McCausland stated makes great sense if the Commission inquiries from him how this effect if they go to a County Executive and he reports back to the Commission and they think that certain parts of the Code and the implications of going to a County Executive needs to be stressed, that would be part of the Commission's report. It is part in parcel.

Co-Chairman Burckard stated that they do not disagree.

ACA Ford stated that it does not mean that they are dictating Code changes the Commission is saying this is what you have to see and why and then the Legislature would look at that and make the decision and if they approve the County Executive, they may still want to make that Code change or they may not. He feels that what County Attorney McCausland is suggesting will work perfectly for this purpose and it does not take away from the Commission's point either.

Co-Chairperson Burckard stated that ACA Ford just said exactly correctly, what he is saying.

County Attorney McCausland stated that what she said at the meeting is that their goal is to get the Commission the best product that they can have to present to the Legislature. She said it privately and she will say it publicly, the Commission has to opportunity to present a well thought-out prepared report. Even if this Legislature chooses not to act on it, it will be a report that sits there with facts and explanations and recommendations that is a well-written report. Would it not be great if the Commission presented a well-written report and as a result of that, the Legislature says to the County Attorney's office, what would this mean for us? The Commission got the Legislature to think and her office has to do their job then and say that they will present to the Legislature what it will mean for them. First, they have to get the report in front of them and if they want the Legislature to focus on the big issue and anyone that has been before a large body knows that, they are going to lose people if you get stuck in the minutia. That is why they are saying for purposes of the report, the Commission makes the recommendation and outline their facts/determinations however they determine and she assumes it will be a vote and they will all have their reasons, up, down, or in between and

they can help the Commission to the extent that they want to know for example, what are the implications for the Treasurer, it is now elected. What are the opportunities for a County Executive, would you leave it to the people, or have the County Executive do it, what kind of Code change would that need, they have outlined some of that to help your point and let the Legislators know that you have thought it through? Her office cannot get involved with the Code changes from the Commission.

Co-Chairman Burckard stated that they do not disagree at all.

Mr. Liblick stated that when they give a report and let us say that we recommend a County Executive but let us say that the Legislature does not want the County Executive and they have some changes in the Code that would not be the same as what it is with the current government. He inquired if they in essence give two types of reports with the Charter and the Code?

County Attorney McCausland stated that she thinks that they need to make a decision, take a vote, she was already under the impression that they had already agreed that they were going forward with the County Executive so now they need to analyze the pros and cons. The Commission then needs to get their statistics and their facts together, they are making an educated decision on it, there may be implications and they want to address those implications and if that is what their vote is then stay with that. That does not mean that you do not look at the other provisions of the Charter, she understands that this is the big one. So, rather than the Commission focus on the Code that is not in their bailiwick, focus on the other issues of the Charter if there are others. If they have priorities and that is the number one priority, maybe they have 6 other issues that they would like to have addressed, spend your time addressing those recommendations and let the process play out in a manner that allows the Legislature to understand what the implications are and not get bogged down in the minutia.

Mr. Liblick stated that is a good point.

Co-Chairperson Burckard stated that he is not disagreeing with what County Attorney McCausland is saying at all. He then thanked Ms. McCausland.

List of Reasons for County Executive:

Co-Chairperson Burckard stated that at the last meeting they asked all the members if they felt that we should move to a County Executive form of government to bring in their reasons why we should. In order to get this conversation started he would like to go over a list that Mr. Richardson kindly got out for him along with a memo that he sent. Mr. Burckard then read his memo aloud (please see attached). After he sent this memo out, he heard from Ms. Harrison right after and then shortly thereafter from Mr. Ferguson who had some other language that they felt would be easier possibly for the Legislature, close to where they were before.

Mr. Richardson stated that if you look at the two lists, he agrees with Mr. Burckard on the substance of both of these lists, he was just being more of a diplomat maybe, he looked at the wording and the phrasing to make it may be less confrontational as he read Mr. Burckards.

Co-Chairman Burckard stated that he was trying to be very direct with reasons for it.

Mr. Ferguson stated that he agrees with Mr. Richardson that they are going to want to try and sell this. If they all support this and want to bring it forward, they should try to be diplomatic and put it in a way that it is going

to be most likely to convince the Legislature that this is the road to go down. They do not want to say anything needlessly to get them to dig in their heels because they feel like they are losing something; he thinks that would be a mistake.

Co-Chairperson Burckard stated that if Mr. Walters and Mr. Altman pick up on something in the list that is not right please do not hesitate to point it out. He then read “The Reasons for a County Executive for Sullivan County”:

#1- Provide for a position where the holder is the Chief Executive Officer of the County and is the undisputed person in charge. Mr. Richardson’s replacement was provide for a position where the office holder is a Chief Executive Officer of the County and therefore retains the sole responsibility for the operation and efficiency of county government.

The Commission agreed to use Mr. Richardson’s version.

#2- This position is elected by all the people of the County so the holder represents the County as a whole and is responsible to all the people of the County for their performance and office. Mr. Richardson’s replacement was, since this position is elected by all the people of the County the office holder represents the County and the administration of the County as a whole and therefore answers only to the electorate and no other.

The Commission agreed to use Mr. Richardson’s version.

#3- The County Legislature cannot remove the County Executive since the position is elected and the holder does not work for the Legislature and is not beholding to it. Mr. Richardson’s replacement was; an elected County Executive can only be removed by the electorate or due process.

The Commission agreed to use Mr. Richardson’s version.

The Commission then had a discussion about who had prepared their list and why they were not comparing all of their prepared lists. There was a miscommunication; some members thought that they were going to have a broad discussion based on their prepared lists they were bringing to the meeting. No one emailed the group their prepared lists besides Mr. Burckard and Mr. Richardson. At this point in the meeting, County Attorney McCausland offered to make copies for the Commission of everyone’s prepared lists. There was a brief break in the meeting for the Commission to get organized in regards to the lists of reasons for a County Executive.

#4- The County Executive is responsible for the overall operation and function of County government he is responsible to the whole County electorate for failure to perform.

The Commission agreed with Mr. Burckard’s version.

#5- The County Executive is the most powerful official in County government and has the capacity, with the effective use of bully pulpit, to take on any and all scenarios both in and out of County government including the Legislature when necessary. Mr. Richardson’s replacement was the County Executive is the most powerful official in County government has the capacity with the effective use of the bully pulpit, to take on any and all scenarios both in and out of County government with the best interest of the County in mind.

Some members took issue with the use of the word “powerful”. The Commission agreed with Mr. Richardson’s version but removed “most powerful official in” and replaced that with “leader of”. The new complete revised

version is, the County Executive as the leader in County government, has the capacity with the effective use of the bully pulpit, to take on any and all scenarios both in and out of County government with the best interest of the County in mind.” The Commission had a brief discussion regarding the word “bully pulpit” and if that word should be used or not.

Mr. Altman stated that they are writing about the County Executive but should they not also be writing about what the Legislator’s responsibilities are.

Mr. Richardson stated that they will but that is another page.

#6- The County Executive has the ability to act immediately in emergency situations and to effectively respond as the situation warrants.

The Commission agreed with Mr. Burckard’s version.

#7- The County Executive in the form of government with his or her appointed Finance Commissioner, with no elected County Treasurer, has the overall responsibility to manage the County’s finances. Through their budgets, they bring not only financial control of all county departments and operations but also bring their vision for the county’s immediate and long-range financial stability and economic health.

Mr. Ferguson takes issue with #7 and would like to have a thorough discussion about why there cannot be a Treasurer. Mr. Richardson stated that they will have this discussion later. Mr. Burckard stated that they will have that discussion later because he has a surprise for the Commission. He continued by stating at the last meeting the Commission agreed that they wanted a strong form of a County Executive. A strong form is to have the Finance Commissioner under the County Executive. If they were to change that then they would change the language in #7. He stated until that time, they should leave #7 the way that it is and he inquired if the Commission agreed to that. Mr. Ferguson replied no not with him. Mr. Richardson stated that they will come back to this one. Mr. Burckard stated that they will have to have another vote on it because if they are not going to go with a strong Executive that is a whole different discussion.

#8- The County Executive has the ability to look down on the County from an airplane view and respond to any and all situations they see, both good or bad they see and to address, promote, control, correct or fix as their observation and the situation warrants.

Ms. Harrison stated that she thinks that they should add “as a single entity” as opposed to a majority vote because what your comparing the County Executive to is not really the Manager but the Legislature because the Legislature has this responsibility but has to do it by majority, not the County Manager. In the current form of government, this responsibility is of the Legislature and she believes that should be identified as opposed to saying this as if it was the County Manager’s responsibility.

Mr. Burckard stated that he is lost here, what he has in #8 is also the responsibility of the County Manager, he is the Chief Executive Officer of the County if something is going on, he is supposed to be looking down at the County to and seeing everything that is happening.

Ms. Harrison stated that he cannot necessarily fix it; he has to have a majority vote to fix it. She thinks that some of these points that Mr. Burckard has should be contrasted.

Mr. Richardson stated that County Attorney McCausland mentioned early on that when all is said and done they should have pros and cons, and there is your con.

Ms. Harrison stated that she does not know that it is a con but more a comparison.

Mr. McPhillips stated that he is having a hard time with the structure. He understands that it is getting to the reasons of why but he almost thinks that it would be a better format of current and the change. He does not know if eventually they will get there.

Mr. Burckard stated that they have to have something to work with to get there.

Mr. McPhillips stated that they are skipping over ones to discuss but there are other ones they are making the decision to change maybe because it is an easier change. He then stated that there are two things that are dragging him down because they skipped them as long as they go back he is fine.

Mr. Liblick stated that #8 is a major problem that you have with the Legislature that they have been discussing, who has the power the Legislature or the County Manager. It goes back and forth.

Ms. Harrison stated that she wonders if they would be better off putting this into a matrix and analyzing it that way. She then discussed how it could be set up using #8 as an example.

Mr. Burckard stated that this list is why the County Executive form is needed.

Mr. Ferguson stated that some of it is why it is needed and some of it is a job description.

Mr. Altman stated that what is said in the Code and the Charter is not what happens here. They are not describing the new position against the old position; they are doing the new position and what was twisted into the old position.

County Attorney McCausland stated as a point of reference, it is a dangerous road to go down, any and all. She is thinking, that is not true because you have civil service rights there are a lot of rights in a municipal government that are out of hands, whether that be an Executive, a Manager or Legislature. She continued by stating that the Commission may want to work on that. The other point of reference is when the Commission talks about airplane view, she refers to that as policymaking, the Legislature is policy making. The Commission may want to further define what it is that they believe the proper role of the County Executive and the County Legislature. It does seem that for some members they are looking at this, the three documents, for the first time and she does not know that they have had enough time to sift through the nuances and suggestions.

Mr. Burckard stated that is not what is supposed to be happening here, it was sent out so that everyone was supposed to go through them and be ready tonight to discuss the whole document.

County Attorney McCausland stated that very may have been but she is not getting a sense that everyone is comfortable with decision-making. She suggested that Mr. Burckard ask everyone to read what is there and think about it and present everyone with thoughts about each of them it is just her thought.

Ms. Harrison made a suggestion, since she is chairing the next meeting, she can put this on her agenda and she can look at doing a matrix of who has the responsibility now and who has it under the County Executive. That might give them a better idea to work through Mr. Burckard's reasons for a County Executive. Right now when

she reads this, some of the comments and some of the words she realizes exist right now but they are not noting who is responsible for them if the change occurs and the matrix would allow them to see that.

Mr. Richardson stated that this is something that he hoped to have started last meeting and they were not prepared to do it and now this is the next meeting and they are still not prepared to do it. The Legislature would like a finished document by the end of December and now they are talking about next month they are going to be doing the same thing for the third meeting. That is his frustration. They are talking about reasons for a County Executive; the Legislature is still going to be responsible for the overall policy of the County that is not going to go away. They are trying to make the point, maybe the wording could be better but this County Executive sees a problem in many cases that person is going to be in a position to address that problem as quickly as government goes versus some Legislator takes it back to some committee to discuss this problem and goes to another committee to discuss the problem.

Mr. Ferguson stated that he thinks that there are three documents that they should think about creating, a narrative (not a list), the reasons for a County Executive that raises the pros and cons and addresses them and persuades people, a documents that describes what changes with a County Executive, and a document that describes the role of the Legislature with a County Executive.

Mr. Richardson stated that he did send that out. What he sent out pretty much came from Ulster County but it did list the continued responsibilities of the Legislature even under a County Executive. He can send it again.

Mr. Burckard stated that it is going to be a real problem if some people are not getting emails and others are.

Ms. Johnson Fields stated that she did not know that they were going to go off of one list here tonight. The memo, which she has with her, says to bring your list to the meeting, which is what she did. She was not aware that they would go off of one list and go point by point and say if they agree or not agree because then they are just sitting there as an audience as opposed to participants.

Mr. Burckard stated that is not the intention, they are trying to get something by some methodology that they can work with.

Ms. Johnson Fields stated that they sometimes have guest speakers that add a lot of validity to this they just do not have enough time to discuss so she feels that they are being rushed because they are saying that December is when it ends. They always have speakers so they have no time to flesh out why or why not. They just had an alternate viewpoint from Mr. Harris about why they should not have it although they have decided to but they have not heard that viewpoint before because the public does not really have a lot of input because they do not come to the meetings. So, they have not digested that part yet and they are still moving forward, which she is not saying they should not but she is saying the discussion part is lost as far as she is concerned. Generally, she sits here very quiet but she thought that they were going to discuss tonight.

Mr. Burckard stated that he thought they were going to do that, get through the list and then have everyone's input with the list that they brought for anything that they disagreed with or wanted to add to, etc. He did not know how else to get this done because you have to start somewhere with something. He is open to anything that someone else has that will work.

Mr. Richardson stated that there are a couple more points that they should finish and then if they are happy with at least the ones that they agreed to that can be a starting point to work with and they will add or change them at the next meeting.

ACA Ford stated that he agrees with Mr. Richardson finish with the list that is already being circulated and if people want to then submit to Ms. Harrison within the next x number of days any additional thoughts that they want on the list, he could then collate the information and then think about things during the month. That would be one part and then someone could start the narrative portion. There are two ways of looking at this, one is you are preparing something that the Commission wants to show the public as an educational document of what they are thinking and why or you are drafting the first part of the report to the Legislature on the Executive issue. This may allow for more work to be done in between meetings.

County Attorney McCausland stated that she had suggested it previously, there is nothing preventing the Commission from having subcommittees. If there was a group of say 3 of them that wanted to work on the narrative, 3 want to work on the matrix and 3 want to work on the list. If they agree for purposes of moving the process forward, that might be an effective use of their time in between the meetings so that their "subcommittees" collaborate on something and then present it. Like ACA Ford said, this list they will work through it and have your comments you can get them to Ms. Harrison who can get them to ACA Ford, it will all be documented and he can maybe try to present back to the Commission to move forward on a collaborative list that the Commission does not have to think about until the list is presented back to them.

ACA Ford stated this way it becomes more of a discussion at the meeting and some of the heavy lifting has been done in between meetings. It is pretty much what Mr. Burckard was trying to do by sending the list before the meeting.

Mr. Burckard stated yes and his memo said that.

The Commission continued a brief discussion about what members were going to work on which document and what format they were going to draft it in. Mr. Ferguson will draft the narrative and send it out to the members. Mr. Richardson will make the changes to the working list and send it to all the members. The Commission members will respond to the emails and say "I got it" and if someone does not respond in a few days the sender will resend to those members. The Commission agreed to continue the last few points on the list and only have a work session at the next meeting with no presentations.

#9- Since the County Executive is elected by all the people of the county this form of government prevents the County Legislature from removing or perpetrating the incumbent at will for political or other purposes. That decision is made by the electorate every 4 years based on the Executive's performance and capabilities. Mr. Richardson's replacement was, since the County Executive is elected by all the people of the county this form of government insulates the office holder from the day-to-day pressures of politics. Any decision to remove the office holder would be made by the electorate every 4 years based on the Executive's performance and capabilities.

Mr. Ferguson stated that the second sentence belongs up with #3.

The Commission agreed to circle that one and come back to it.

#10-#14 Mr. Burckard and Mr. Richardson's are exactly the same, the Commission has both of them so they can put it together and work with it from there.

Mr. Burckard will give the draft to Ms. Harrison to do at the next meeting. The Commission agreed to this.

Discussion of Treasurer Vs. Finance Commissioner:

Co-Chairperson Burckard stated that there were some concerns from members like Mr. Ferguson with what we can do in regards to the elected Treasurer. There are three counties that have Executives that have Treasurers and one just changed and that was Suffolk. He has not finished but he will be working on contacting those counties and he will feed the information to the other Co-Chairs. It was fascinating what he found out from Suffolk, in Suffolk the County Director has been there for over 20 years and happens to be the wife of Senator Laval. He had a conversation with her about the Treasurer position under the Executive, Suffolk wanted to get rid of the Treasurer's position but they combined it somehow with an elected Comptroller. He thinks that it is extremely confusing to even think about doing because inherently that is almost impossible to do. The Comptroller is the Auditor and has the Auditors functions and they cannot be subservient to yourself. She sent the preamble in the budgets because the Executive is very tough on the budget. Ms. Harrison brought the Suffolk County Charter if anyone wants to take a crack at how they are doing this (what they had and what they have done). The document that he received raises tremendous question about how they are legally doing this. There is more investigation that they have to do to see if what they are doing is viable.

ACA Ford stated that their time may be better spent on the two that remain and how they make it work instead of trying to figure out what Suffolk is doing and how they are doing it.

Co-Chairperson Burckard stated that he will look into this.

Mr. Ferguson inquired if it would be in the purview of ACA Ford to look into this issue.

Mr. Liblick stated that they would like to look into keeping the Treasurer's position with a County Executive.

Ms. Harrison inquired if County Treasurer Buck can help them look through the Charter and the Code for the duties that she currently has and what areas they need to look at.

County Treasurer Buck stated that she does not know the County Executive side but to her that is your boss and if you do not say how high when he says jump you are fired. That is what the County Attorney said in Ulster County, she said he fired a lot of people when he walked in and also said that the people that they hired that did not do what they wanted they fired them too until they had a team that they were happy with.

Ms. Harrison stated that is not what she meant. She meant about the responsibilities under the Treasurer's office in the Charter would be subject to change dramatically.

Mr. Richardson stated that he does not mean to be offensive in any way but he does not feel that the Commission should be asking the Treasurer to evaluate her position under a new government.

County Attorney McCausland stated that she would like to make a suggestion; her office can look at these other three county's charters. There is no right or wrong, there is no absolute when you talk about what the Legislature retains, a lot of this is Charter specific so do not be confused that if they go to a County Executive that this Legislature retains something that is reflected, for example, in the Ulster County Charter. You have a

blank pallet here. Her office can report to the Commission for example in Nassau County they have this and these are the responsibilities, etc. and let the Commission figure out what they envision.

The Commission agreed.

County Treasurer Buck stated that the one thing that sticks out to her that is a big thing is the borrowing. Right now she can tell them no and with an Executive they cannot.

Co-Chairperson Burckard stated that a County Executive is not eminent; their powers are limited to an extent by state statute. They read their Charter and their Code it very clearly stipulates the areas where the Executive does not have anything to do with the operations except generally financially but not running the show in some of the departments which are quasi-state operations. They cannot think this as they walk in here that they are the ultimate power because that is just literally not the case. He continued by stating that ACA Ford will look at the three counties and compare them. Mr. Burckard informed the Commission that his wife will be operated on September 13th and he is running into a scenario where he will definitely not be at the September meeting and he is not sure he will be here in October; he will do what he can.

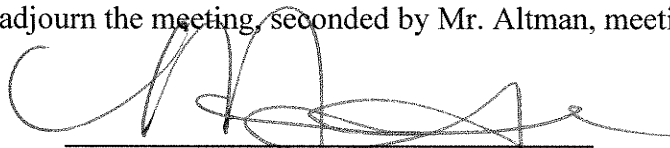
PUBLIC COMMENT: None

NEXT MEETING ANNOUNCEMENT:

September 21, 2016 at 6:00 PM *Legislative Hearing Room*

ADJOURNMENT:

Mr. Burckard made a motion to adjourn the meeting, seconded by Mr. Altman, meeting adjourned at 8:31 pm.



Michelle Huck, Secretary

- Administration of the County of Sullivan Employee Benefit Plans, which may include other municipal entities through municipal cooperative agreements.
- (3) Provision for all adequate insurance and surety bond coverage protecting the County from all reasonable risks of loss or damage, as directed by the County Manager.
 - (4) Administration of the County's Loss Prevention Program.
 - (5) Administration of the County's disability insurance or leave program.
- K. County Clerk. For administrative purposes only, the County Clerk shall be part of the Division of Management and Budget. The Clerk shall retain all powers and duties as conferred by the Charter and the laws of New York State.
- L. Board of Elections. For administrative purposes, the Board of Elections shall be part of the Division of Management and Budget. The Election Commissioners shall retain all powers and duties as conferred by New York State law.
- M. Department of Consumer Affairs.
- (1) For administrative purposes, the Department of Consumer Affairs shall be part of the Division of Management and Budget.
 - (2) The Department of Consumer Affairs shall be subject to the legislative oversight of the Government Services Committee.
- N. Grants Administration Department. The Grants Administration Department shall be headed by the Commissioner of the Division of Management and Budget.
- (1) The Department of Grants Administration shall be responsible for the coordination of all grant applications on behalf of Sullivan County.
 - (2) Grants Administration shall have control of all grant processes and shall have the responsibility for the fiscal tracking and timely filing of reimbursements due to Sullivan County.
 - (3) Grants Administration shall be authorized to provide technical assistance to the towns and villages of the County, as approved by the County Manager.
 - (4) Research and write grant applications on behalf of any County department, as assigned or approved by the County Manager.
- O. Economic Development Corporation. There shall be an Economic Development Corporation, organized as a local development corporation under the laws of the State of New York, which shall have a Board of Directors appointed by the County Legislature. The Economic Development Corporation shall perform, but not limited to, the following duties:
- (1) Be responsible to perform tasks assigned to support the primary goal/mission of the County Legislature's and County Manager's Economic Development strategic plan, to enhance the economy of Sullivan County and to create, retain and upgrade jobs and job opportunities within the County.
 - (2) Work in close association with local, regional and state agencies and organizations whose mission is similar to the corporation, to foster job growth and to improve the overall economy and enhance quality of life.
 - (3) Facilitate coordination of activities among the Sullivan County Industrial Development Agency, the Sullivan County Partnership for Economic Development, the Sullivan County

Visitor's Association, the Center For Workforce Development, the Sullivan County Empire Zone Administrative Board, and all Chambers of Commerce within the County.

- P. Payroll Department. There shall be a Payroll Department, headed by the Commissioner of the Division of Management and Budget, or his designee. The Payroll Department shall be responsible for:
- (1) All payroll functions of the County, including withholding tax, pension contributions, employer taxes, any garnishments, or other court orders associated with payroll regarding a County employee.
 - (2) The time-keeping system.
 - (3) Ensuring coordination and compliance with the County's financial software management system.