

**MADISON COUNTY BOARD OF SUPERVISORS  
Organization Meeting – Tuesday, January 6, 2015**

The Board convened at 2:00 p.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present.

Pledge of Allegiance.

At this time a proclamation was presented to the Board and read by Chairman Becker as follows:

**PROCLAMATION**

**IN RESPECT TO THE DEATH OF GOVERNOR MARIO CUOMO**

**WHEREAS, former New York State Governor Mario Cuomo departed from this life on January 1, 2015; and**

**WHEREAS, Mario Cuomo served as the 52<sup>nd</sup> Governor of New York for three terms from 1983 to 1994; and**

**WHEREAS, Mario Cuomo served as Lieutenant Governor of New York from 1979 to 1982; and**

**WHEREAS, Mario Cuomo served as Secretary of State of New York from 1975 to 1978; and**

**WHEREAS, Governor Cuomo will long be remembered for his leadership, eloquence and service to the residents of New York State; and**

**NOW, THEREFORE, I, John M. Becker, Chairman of the Madison County Board of Supervisors, and on behalf of the Board of Supervisors, hereby express my appreciation for Governor Mario Cuomo's years of faithful service spent in the public interest and my deepest sympathy to Governor Mario Cuomo's family in their bereavement.**

**UNFINISHED BUSINESS**

**Resolution No. 472-14 – Authorizing Agreement Extension for Dog Shelter Services. Tabled by Supervisor Becker, seconded by Supervisor Jones on December 22, 2014.**

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Degear:**

**RESOLUTION NO. 1-15**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO  
AN AGREEMENT WITH TIME WARNER CABLE**

**WHEREAS**, Madison County has an agreement with Finger Lakes Technology Group to provide a new VOIP phone system for the County (Resolution #275-14, dated September 9, 2014); and

**WHEREAS**, the Madison County Highway Department's Morrisville shop located at 85 Cedar St, Morrisville, NY currently utilizes Frontier for internet service; and

**WHEREAS**, the speed of the Frontier internet service is not adequate to provide a usable VOIP phone connection; and

**WHEREAS**, Time Warner Cable provides high speed internet access in Morrisville that would provide the needed speeds for a VOIP phone connection; and

**WHEREAS**, the total cost of Time Warner Cable internet service is \$99.99 per month for a three-year agreement; and

**WHEREAS**, funding is allocated in the Highway Department Budget; and

**WHEREAS**, the Government Operations Committee recommends entering into an agreement with Time Warner Cable to provide internet service at the Madison County Highway Department's Morrisville Shop;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman be and hereby is authorized to execute an Agreement with Time Warner Cable, on behalf of Madison County, in the form as is on file with the Clerk of the Board; and

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 2-15**

**AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE  
(District Attorney)**

**WHEREAS**, Successful Trial Strategies Training will be held January 26-30, 2015, in Tampa, FL; and

**WHEREAS**, William Gabor, District Attorney, has requested that Elizabeth Healy, Second Assistant District Attorney, attend this conference; and

**WHEREAS**, her expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff's Office; and

**WHEREAS**, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee and the Government Operations Committee;

**NOW, THEREFORE BE IT RESOLVED** that Elizabeth Healy be and hereby is authorized to attend said conference at no expense to the County.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 3-15**

**DESIGNATING NEWSPAPERS FOR 2015**

**WHEREAS**, Subdivision 2 of Section 214 of the County Law states that the Board of Supervisors shall annually designate two newspapers to publish local laws, notices and other matters required by law to be published; and

**WHEREAS**, in designating such newspapers, “. . .consideration shall be given to those newspapers [with] general circulation throughout the county”; and

**WHEREAS**, Subdivision 1 of Section 214 of County Law requires that a majority of the members of the Board of Supervisors from each party designate a newspaper for the publication for concurrent resolutions, election notices issued by the secretary of state, and the official canvass; and

**WHEREAS**, a majority of the members of the Board of Supervisors from each party have designated the *Oneida Daily Dispatch* and *Mid-York Weekly* as the papers to publish the concurrent resolutions, the election notices issued by the secretary of state, and the official canvass;

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Supervisors hereby designates the following newspapers for the following official publications:

<b>Concurrent Resolutions</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Mid-York Weekly</i></b>
<b>Official Canvass</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Mid-York Weekly</i></b>
<b>Election Notices</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Mid-York Weekly</i></b>
<b>Official Notices</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Mid-York Weekly</i></b>
<b>Local Laws, Notices, and other matters required by law to be published</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Mid-York Weekly</i></b>

**BE IT FURTHER RESOLVED**, that a copy of each County legal advertisement shall be distributed by the official County newspapers to all of the following located in Madison County: Town Clerks, Village Clerks, City Clerks, Public Libraries and Reading Centers, County Clerk, Clerk of the Board of Supervisors, County Veterans and County Board of Elections.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 4-15**

**AUTHORIZING CHAIRMAN TO AMEND AN AGREEMENT WITH FINGER LAKES TECHNOLOGY GROUP**

**WHEREAS**, Madison County has an agreement with Finger Lakes Technology Group to provide a new phone system and switches for the County (Resolution #275-14, dated September 9, 2014); and

**WHEREAS**, the current agreement includes installation, training and support for the first year; and

**WHEREAS**, subsequent years maintenance costs can be locked in at \$16,836 for years two and three and \$17,172.16 for year four with a 3-year contract; and

**WHEREAS**, the term of this agreement shall be extended to include maintenance service of the new phone system through February 28, 2019 with a 30-day termination clause; and

**WHEREAS**, the Government Operations Committee has reviewed the proposed amendment and recommends approval by the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and he is hereby authorized to sign the amended agreement with Finger Lakes Technology Group, Inc., a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 5-15**

**AMENDING PURCHASING POLICY AND PROCEDURES**

**WHEREAS**, Madison County is implementing “Munis”, a Tyler Technologies Software program to provide a county-wide electronic system for financial management, payroll and purchasing; and

**WHEREAS**, the Madison County Board of Supervisors has previously adopted a revised Purchasing Policy and Procedure; and

**WHEREAS**, due to the implementation of the new software, the current policy requires amendments to comply with required procedural changes; and

**WHEREAS**, the amendments will also increase efficiencies county-wide; and

**WHEREAS**, the Government Operations Committee has reviewed the amendments to the procedures and recommends adoption by the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors hereby adopts Madison County’s Purchasing Policy and Procedures as amended; and

**BE IT FURTHER RESOLVED**, that any future modifications to Madison County Purchasing Policy and Procedures be hereby approved by the Administration and Oversight Committee, the legislative committee responsible for the policy.

**ADOPTED: AYES – 1500 NAYS – 0**

# **MADISON COUNTY'S PURCHASING POLICY AND PROCEDURES**

**Nicole L. Schafer-Farino, Purchasing Agent  
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N. Court Street  
Wampsville, New York 13163  
(315) 366-2247**

2014

**MADISON COUNTY PURCHASING POLICY AND PROCEDURES**

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## STATEMENT OF INTRODUCTION

Pursuant to General Municipal Law (G.M.L.) Section (§)104-b, "goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interest of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption."

To further these objectives and in compliance with G.M.L. §104-b, the Madison County Board of Supervisors, by resolution, has adopted certain internal policies and procedures contained in this manual governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of G.M.L. §103 or of any other general, special or local law.

The purchasing function involves the procurement of commodities and services at the lowest possible cost consistent with the quality needed to meet the required standards of the County. Our goal is the promotion of the County's best interest through intelligent action and fair dealing which will result in obtaining the maximum projected value for each dollar expended.

## PURCHASING ETHICS RULES

Purchases shall be made in accordance with all applicable Federal, State and Local Laws Rules and Regulations, including Local law No. 6 of 1990 (A Local Law Relative to the Filing of Financial Disclosure Statements by Certain County Officials and Employees and to a Local Code of Ethics as Authorized by Article 18 of the General Municipal Law and the Municipal Home Rule Law) as amended and Local Law No. 5 (A Local Law Amending LL#2 of 1970 Establishing Standards of Conduct for Officers and Employees of the County of Madison) of 1985 as amended, Article 18 of the G.M.L. (State Conflicts of Interest Law for Municipal Officers and Employees) and Article 1-A of the Legislative Law (Lobbying Act).

## DEFINITIONS

**‘Alternate Procurement Method’** shall mean those methods of procuring commodities and services identified in **Section 5(II)(E)**, herein below.

**“Best Value”** shall mean the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis.

**‘Board’** shall mean the Madison County Board of Supervisors.

**‘Commodity’ or ‘Commodities’** shall mean a good(s), and shall include but not be limited to materials, equipment and supply items.

**‘Emergency’** under G.M.L. § 103(4), ‘in case of a public emergency arising out of an accident or other unforeseen occurrence of condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require immediate action’.

**‘Equipment’** shall mean a movable or fixed unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which meets all of the following conditions:

- a. It retains its original shape and appearance in use.
- b. It is non-expendable, that is, if the article is damaged or some of its parts are lost or worn out, it is usually more feasible to repair it rather than replace it with an entirely new unit.
- c. It represents an investment of money which makes it feasible and advisable to capitalize the item.

**‘Invoice’** shall mean a formal statement or billing submitted by a vendor showing the amount due and terms of payment for supplies delivered or services rendered.

**‘Leases’** shall mean “true leases”, not subject to competitive bidding under G.M.L. §103, and shall include leases of equipment with operators which equipment and operators are under the supervision and control of Madison County. Entry into leases shall not be ‘Purchasing’ or ‘Public Works Contracts’ hereunder.

**‘Mandated Sources’** or **‘New York State Preferred Sources’** shall mean those entities selling commodities in the form, function and utility being sought pursuant to §162 of the State Finance Law.

**‘Professional Services’** shall mean those services which are provided to the County and which shall be exempt from the competitive bidding procedures as outlined in this policy.

**‘Public Works’** shall mean all works constructed for public use, protection, or enjoyment, ordinarily of a fixed nature, such as buildings, docks, canals, waterworks, highways, etc., and shall apply to those commodities or projects involving labor or both materials and labor and shall include such items as construction, paving and repair contracts.

**‘Purchasing’** shall mean the act of obtaining commodities or services necessary to carry out a particular function of the County.

**‘Purchasing Agent’** shall mean the person or persons designated by the Board to coordinate procurement of necessary commodities and services.

**‘Quote’** shall mean an informal notice (usually written) by a vendor setting forth the terms on which he/she will furnish supplies or services to the County.

**‘R.F.P.’** shall mean a request for proposals.

**‘R.F.Q’** shall mean a request for quotes.

**‘Requisition’** shall mean a written request to the Purchasing Agent for one or more commodities or services necessary to carry on or improve a particular function of the County.

**‘Requisitioner’** shall mean the official or department head, or the authorized subordinate, initiating a request for commodities or services.

**‘Specifications’** shall mean a written description of needed commodities and/or services setting forth in a clear concise manner the performance and/or physical characteristics of the commodities and/or services to be purchased, and the circumstances under which the purchase shall be made.

**‘State Contract’** shall mean any contract entered into by the State of New York from which Counties within the State of New York are authorized to make purchases from and pursuant to the terms of said contract.

**‘Supply Item’** shall mean any commodity which meets one or more of the following conditions:

- a. It is consumed in use.
- b. It loses its original shape or appearance with use.
- c. It is expendable, that is, if the commodity is damaged or some of its parts are worn out, it is usually more feasible to replace it with an entirely new unit rather than repair it.
- d. It is an inexpensive item, having characteristics of equipment, whose small unit cost makes it inadvisable to capitalize the item.
- e. It loses its identity through incorporation into a different or more complex unit or substance.

**‘Vendor’** shall mean a supplier of commodities or services to the County.

## **PURCHASING POLICY**

1. Pursuant to County Law, §625, the Purchasing Agent shall be appointed by the Board of Supervisors for a term for which the membership of such Board appointing him/her was elected. The Purchasing Agent working with the County Administrator will be responsible for reviewing and administering the purchasing program of the County of Madison. The County Administrator in cooperation with the Purchasing Agent shall be responsible for developing and overseeing the purchasing policy to be approved by the Government Operations Committee and ultimately the full Board of Supervisors.

2. The Purchasing Agent shall determine that the necessary commodities and non-professional services are purchased at the lowest possible prices from responsible providers and shall maintain the supporting documentation.

3. Pursuant to G.M.L. §103, all purchase contracts for commodities or non-professional services that involve an expenditure of over Twenty Thousand dollars (\$20,000) and all public works contracts exceeding Thirty Five Thousand dollars (\$35,000) shall be awarded only after public bidding pursuant to law for the solicitation of formal bids, unless purchased under State Contract or other New York State Preferred Sources. Items of a similar nature which are generally

handled by one vendor should be grouped together for the purpose of determining whether the limit is exceeded. It is the responsibility of the Department Head to identify the purchases to be made by his/her department in a fiscal year that will exceed the monetary limits stated above and to initiate the competitive bidding process by contacting the Purchasing Agent.

4. The Purchasing Agent or designee is authorized to open and record such bids.
5. Purchases shall be evaluated with attention given to cumulative dollar amounts expended in a commodity in any given fiscal year. When necessary, a canvass of all relevant departments will be conducted to determine the yearly value of a commodity or service. Past history may be taken into consideration when evaluating yearly costs associated with a purchase of a commodity or service. If the cost of a commodity or service is expected to exceed the bid limit, bidding shall take place. This decision shall be made by the Purchasing Agent, with the assistance of the Treasurer, and after consultation with affected Department Heads.
6. It is the responsibility of the Department Head and the County Administrator and/or Purchasing Agent to determine whether it is advantageous to the County to bid any purchase contracts less than these statutory limits.
7. The methods listed herein below shall be the methods used in procuring commodities or services and shall be made in accordance with the procedures set forth herein or by an alternative method authorized by law and approved by the Board of Supervisors.
8. If a commodity or service is available in the form, function and utility as required by the County, then the purchase must be made from New York State Preferred Sources in accordance with GML §104.
9. Items commonly used in the various departments thereof shall be uniform whenever consistent with the operational goals and in the interest of efficiency and economy.
10. The County of Madison will not be deemed responsible for commitments made circumventing these procedures.
11. All purchases shall be made in accordance with State Federal and Local Laws, including but not limited to the Lobbying Act (Legislative Law Article 1-A).
12. Every effort should be made to support private industries and businesses of Madison County, when possible, and so long as such action does not violate Federal Law, State Law, Local Law or County contracts, policies or resolutions.
13. The purchase of products containing recycled material is encouraged whenever its quality is adequate, it is economically and functionally feasible, and it is within State regulations concerning local financial transactions.
14. Determination of vendors from which goods and services shall be leased shall follow the procedures set forth in Purchasing Procedures Section 5.
15. The Purchasing Agent is designated to review the requisition form for completeness and approve or deny the requisitioner's request. Each Department Head shall be responsible for

compliance by him/her and his/her subordinates, to the purchasing procedures as herein stipulated and that the items ordered and their subsequent costs are within the budgetary appropriations.

16. Two ethical principles should be observed in all purchasing transactions.

First - Public funds may not be expended for the benefit of any individual outside of normal, customary and approved work related/public purposes. Even funds from private sources, once provided to or accepted by the County, become public funds.

Second - No benefit should inure to any individual as a result of purchases made using public funds regardless of their source; i.e. federal, state or local funds.

It follows from these principles that individuals shall not benefit by receiving goods for personal use through County purchasing action. Additionally no private benefits or items shall be accepted for personal use from vendors doing business with the County. Strict compliance with the Madison County Code of Ethics (Local Law No. 5 of 1985, As amended) regarding gifts and gratuities should be observed.

It shall be the policy of Madison County that the reimbursement for or purchasing of food, food items, beverages or meals for consumption by County employees, County officials, volunteers, guests or private individual using public funds is prohibited except as indicated in the County Travel Policy and Procedures.

Exceptions to the policy. Medical necessity may justify exception to this prohibition of providing food/beverages at county expense. Examples of medical necessity exceptions are a) to provide snack or juice products to immunization clinic clients or blood donors where reactions to treatment may mitigated or avoided by taking food and or drink or b) prenatal clinic clients who may be gestational diabetes and require snacks and fluids

Other exceptions may be justified when the person receiving food/meals at County expense is in the custody of County officials (e.g. a child custody client) during normal mealtimes or for durations that prevent the individual from taking meals on their own recognizance.

Scheduling of meetings to include mealtimes is, in and of itself, not justification for providing food at county expense. Provisions should be made for attendees to leave the meetings for meals.

In general, approval for providing food/food items or beverages at County expense should be approved in advance by the County Administrator.

## **PURCHASING PROCEDURES**

### **1. GENERAL**

A. The purchasing procedures employed shall comply with all applicable laws and regulations of the State of New York, including but not limited to the use of prevailing wage rates when

applicable and the “Lobbying Act” Article 1A of the Legislative Law, and shall be subject to the approval of the Board.

- B. With the exception of those purchases made under emergency situations only the person designated by the Board of Supervisors as Purchasing Agent or County Administrator may commit the County for a purchase of commodities costing more than One Thousand dollars (\$1,000) Commitment by the County is only valid after a Purchase Order has been authorized and approved. Emergency purchases shall conform to the procedures set forth herein.
- C. The commodities and/or services to be purchased shall be of the quality and in the quantity required to serve the function in a satisfactory manner, as determined by the Requisitioner.
- D. It is the responsibility of the Requisitioner to provide an adequate description of commodities needed in the preparation of their bid specification. The specifications should be written so as not to restrict competition or otherwise preclude the most economical purchase of the required commodities.
- E. Standard supply lists of commonly used commodities and/or non-professional services shall be jointly developed for all categories or groups of supplies by the Purchasing Agent and the appropriate Requisitioners. These lists shall be used as the basis for requisitioning.
- F. When dealing with the procurement of goods and services under a Federal Grant Project, review should be made of the Federal Regulations for Procurement of Goods and Services under Federal Grant Projects which was adopted by the Board of Supervisors by Resolution No. 111 in April, 2007.

## 2. **SPECIFIC PURCHASING PROCEDURES**

### A. **Bidding Requirements** (Pursuant to G.M.L. §103(1))

#### **General Provisions:**

- i. G.M.L. §103 requires purchases exceeding Twenty Thousand dollars (\$20,000) and publicWorks contracts exceeding Thirty Five Thousand dollars (\$35,000) be awarded to the lowest responsible bidder after public advertising for sealed bids. (When bidding Public Works Contracts, the Department Head shall verify that prevailing wage rates are used when appropriate.)
- ii. Competitive bidding is required when it is known or can reasonably be expected that the Aggregate amount to be spent on commodities will exceed Twenty Thousand dollars (\$20,000) in a fiscal year. Supply items of a similar nature which are generally handled by one vendor should be grouped together for the purpose of determining whether the limit is exceeded.

- iii. It is the responsibility of the Department Head to identify the purchases to be made by his/her department in a fiscal year that will exceed the monetary limits stated above and to initiate the competitive bidding process by contacting the Purchasing Agent.

**Guidelines For Bidding:**

- i. Detailed specifications of the desired commodities shall be prepared by the Department Head in conjunction with the County Administrator.
- ii. These specifications shall be submitted to the Purchasing Agent in their draft form. It will be the Purchasing Agent's responsibility to enter these specifications into the County's approved bid document.
- iii. The Purchasing Agent will arrange for the legal notice to be placed in the official newspaper(s) of the County, the cost of which will be charged back to the originating department.
- iv. The Purchasing Agent will also establish a date and time for the opening and reading of the bids as per G.M.L.
- v. Bids will be opened at a public meeting by the Purchasing Agent, assisted by his/her designee. A department representative may be requested to attend the bid opening by the Purchasing Agent.
- vi. Awarding of the bid will take place only after the requesting department and their legislative committee have had time to jointly research the bids to make sure that the bidders have complied with the specifications, that sufficient monies have been appropriated within the department's current budget, and that the G.M.L. has been adhered to. When a low bidder proposes an alternative as "an equal" to that specified, it is the responsibility of the requisitioner to determine whether the proposed substitution is, in fact, an equal.
- vii. The bid will be awarded to the lowest responsible bidder. The rejection of the low bid will be documented by the originating department with an explanation as to the basis for such a rejection and provided to the Purchasing Agent. This documentation shall be maintained in the Purchasing Agent's file.

**B. Commodities and Non-Professional Services for Non-Public Works Contracts**

- i. Purchases of commodities or non-professional services costing less than One Thousand dollars (\$1,000) do not require a formal quote. However, all requisition must be accompanied by confirming price documentation.
- ii. Purchases of commodities or non-professional services costing more than One Thousand dollars (\$1,000) but less than Three Thousand

dollars (\$3,000) requires a minimum of three oral or written quotes, unless an Alternate Procurement Method applies. In the event that, after documented diligent efforts have been made to obtain three oral or written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent and/or County Administrator.

- iii. Purchases of commodities or non-professional services costing more than Three Thousand dollars (\$3,000) but less than Twenty Thousand dollars (\$20,000) requires a minimum of three written quotes, unless an alternate purchasing procedure applies. (SEE SECTION 2. E.) In the event that, after documented diligent efforts have been made to obtain three written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent and/or County Administrator.
- iv. A record of all quotes shall be made and maintained in Munis attached to the electronic purchase file. For oral quotes there shall be a telephone log or written record which shall record the date, commodity or service requested, price quoted, name of vendor, name of vendor's representative making the quote and the name of the person or Purchasing Agent receiving the quote. For written or facsimile quotes Vendors shall provide: date, description of commodity or details of service to be provided, quote, name of vendor, name of vendor's representative. Written quotes may be received by mail, electronic mail or by facsimile.
- v. Department Heads shall only order from a vendor if said vendor has been approved by the Purchasing Agent, or if they are making an emergency purchase. Emergency purchases shall conform to the procedures set forth herein.
- vi. All awards from quotes shall be made to the lowest responsible vendor, unless a valid and acceptable basis for deviation from this rule exists. Purchases made from anyone other than the vendor with the lowest quote shall detail the circumstances and reasons which justify and dictate the basis for such a deviation (e.g. delivery requirements, quality or quantity requirements, known past experience of vendor). All purchases must be reviewed and approved by the Purchasing Agent and shall require a requisition.
- vii. If the Purchasing Agent, with the assistance of the Treasurer, believes that the total cost of the commodities or non-professional services will exceed the minimum monetary threshold established by G.M.L. §103, then the Purchasing Agent shall advise the Department Head of the situation and require the Department Head, in conjunction with other appropriate County personnel if appropriate, to follow the bidding procedures detailed herein.

- viii. All awards from quotes shall be made to the lowest responsible vendor, if possible. Circumstances, which will be documented on the face of the quote form and attached to the electronic requisition in Munis, may dictate purchase from other than the lowest quote (e.g., delivery requirements, quality or quantity requirements, documented past experience of vendor).
- ix. If any department purchases or projects are under bidding limits, but are suspected to exceed the Twenty Thousand dollars (\$20,000) limit on a Countywide basis, discretion shall be used, inquiries made, and if appropriate, the bidding procedure will take effect.

All Non-Public Works Purchase Contracts

Up to \$1,000	No quote necessary but should have confirming pricing
\$1,000 up to \$3,000	3 Oral and/or Written Quote or Approved Waiver
\$3,000 up to \$20,000	3 Written Quote or Approved Waiver
\$20,000 and Over	Formal Bid

**C. Commodities and Non-Professional Services for Public Works Contracts**

- i. Purchases of commodities or non-professional services costing less than One Thousand dollars (\$1,000) do not require a formal quote. However, all requisition must be accompanied by confirming price documentation.
- ii. Purchases of commodities or non-professional services costing more than One Thousand dollars (\$1,000) but less than Three Thousand dollars (\$3,000) require a minimum of three oral or written quotes, unless an Alternate Procurement Method applies. In the event that, after documented diligent efforts have been made to obtain three oral or written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent and/or County Administrator.
- iii. Purchases of commodities or non-professional services costing more than Three Thousand dollars (\$3,000) but less than Thirty Five Thousand dollars (\$35,000) requires a minimum of three written quotes, unless an alternate purchasing procedure applies. In the event that, after documented diligent efforts have been made to obtain three oral or written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent and/or County Administrator.
- iv. A record of all quotes shall be made and maintained in Munis attached to the electronic purchase file. For oral quotes there shall be a telephone log or written record which shall record the date, commodity or service requested, price quoted, name of vendor, name of vendor's representative making the quote and the name of the person or Purchasing Agent receiving the quote. For written or facsimile quotes Vendors shall

provide: date, description of commodity or details of service to be provided, quote, name of vendor, name of vendor's representative. Written quotes may be received by mail, electronic mail or by facsimile.

- v. Department Heads shall only order from a vendor if said vendor has been approved by the Purchasing Agent, or if they are making an emergency purchase. Emergency purchases shall conform to the procedures set forth herein.
- vi. All awards from quotes shall be made to the lowest responsible vendor, unless a valid and acceptable basis for deviation from this rule exists. Purchases made from anyone other than the vendor with the lowest quote shall detail the circumstances and reasons which justify and dictate the basis for such a deviation (e.g. delivery requirements, quality or quantity requirements, known past experience of vendor). All purchases must be reviewed and approved by the Purchasing Agent and shall require a requisition.
- vii. If the Purchasing Agent, with the assistance of the Treasurer, believes that the total cost of the commodities or non-professional services will exceed the minimum monetary threshold established by G.M.L. §103, then the Purchasing Agent shall advise the Department Head of the situation and require the Department Head, in conjunction with other appropriate County personnel if appropriate, to follow the bidding procedures detailed herein.
- viii. All awards from quotes shall be made to the lowest responsible vendor, if possible. Circumstances, which will be documented on the face of the quote form and attached to the electronic requisition in Munis, may dictate purchase from other than the lowest quote (e.g., delivery requirements, quality or quantity requirements, documented past experience of vendor).
- ix. If any department purchases or projects are under bidding limits, but are suspected to exceed the Thirty Five Thousand dollar (\$35,000) limit on a Countywide basis, discretion shall be used, inquiries made, and if appropriate, the bidding procedure will take effect.

All Public Works Contracts

Up to \$1,000	No Quote Necessary but should have confirming pricing
\$1,000 up to \$3,000	Oral and/or Written Quote or Approved Waiver
\$3,000 up to \$35,000	Written Quote or Approved Waiver
\$35,000 and Over	Formal Bid

**D. REQUISITIONS**

**Completing and Submitting Requisitions**

i. The proper requisition form shall be completed in Munis. The electronic form shall be submitted electronically to the Purchasing Agent for approval. The requisition must be entered in all capital letters and contain the following information:

- a. General Description of the items being purchased
- b. Vendor chosen (if not the lowest priced, a satisfactory written explanation is required)
- c. Title of the ship to Department
- d. Quantity of the items being purchased
- e. Unit Price
- f. Unit of measure
- g. Detailed description of the item(s) being purchased beginning with the item number. (ex. 123456 BLUE BIC PENS)
- h. Current budget line item code
- i. contract notation, if applicable, on each line of the requisition
- i. attachment(s) with confirming price and/or quote form and /or additional supporting documentation

ii. Upon electronic approval by the Department Head or his/her designee, the Munis electronic requisition will be turned in to a Purchase Order by the Purchasing Agent or his/her designee. The requestor will receive an electronic notification that their PO has been approved.

iii. The requesting department will print and distribute their purchase order to the vendor along with any additional supporting documentation and a W-9 form, if required.

iv. In the event a quote was required and the lowest vendor was not selected, the requisitioner shall provide a detailed explanation as to why the vendor with the lowest quoted price was not selected. This explanation shall be on a separate sheet if necessary and maintained in the Purchase Agents file. If approved, the requisitioner may then order the items from the chosen vendor.

iv. When the Department Heads or his/her designee prepare their vouchers for payment an electronic copy of the original invoice **MUST BE ATTACHED TO THE VOUCHER if available** and submitted electronically to the Treasurer's Office for payment processing and audit by the Board of Supervisors.

- iv. If the commodities ordered were taken from a current County bid sheet or from an Alternative Procurement Method, the original voucher and requisition shall contain specific details regarding the purchase (e.g., Bid Award Date or State Contract Number).

### **Exceptions To The Purchasing System**

- i. There are certain expenditures for which the processing of a requisition is unnecessary.

"Overpapering" can ruin the effectiveness of the system almost as quickly as non-compliance. The following should be made without requisition:

- a. Contracts for professional services.
- b. Employee expenses such as conference expenses, mileage and other reimbursable expenses in performance of day-to-day duties.
- c. Reimbursement of petty cash funds.
- d. Interdepartmental charges (e.g. central services, printing, postage).
- e. Emergency medical and dental examinations (e.g. Jail, Mental Health, Public Health).
- f. Contract items in Central Services.
- g. Professional legal and related services, as required by the County Attorney's Office

**E. Alternative Procurement Methods:**

- i. Mandated Sources/Preferred Sources - Mandated procurement sources shall be investigated when commodities and/or services offered by these sources are requested. These sources are referred to as New York State Preferred Sources. A list of the priority between the Preferred Sources should be obtained from the Purchasing Agent, who shall obtain the most recent priority schedule from the Office of General Services. If the commodity or service is available in the form, function and utility as required by the County, then the purchase must be made from the mandated/preferred source. The requisition submission process listed above must be followed.
- ii. State Contract - As an alternative to securing quotes or following the bid procedures identified herein, a Department head may purchase from a State Contract, with approval by the Purchasing Agent, by submitting a requisition as directed herein. The Requisition must contain in the notes of each item a valid state contract number.
- iii. Other County Contracts - As an alternative to securing quotes or following the bid procedures identified herein, a Department head may purchase from a another County's Contract, with approval by the Purchasing Agent, in accordance with the provisions of GML §103(3), when authorized pursuant to the provisions of County Law §408-A(2). Such purchases shall comply with the procedures and terms established by the County from whom said contract was originated. The Requisition must contain in the notes of each item the agency name and contract/bid/reference number.

- v. Sole Source - When there is only one possible source from which to procure commodities and/or services, thus indicating there is no possibility of competition, the following shall be documented in writing and certified by the Purchasing Agent in addition to a sole source letter from the vendor :
  - a. There is no competition available
  - b. No other commodity and/or service provides substantially equivalent or similar benefits; and
  - c. Considering the benefits received, the cost of the commodity and/or service is reasonable as compared to other commodities and/or service in the marketplace; and
  - d. Unique benefits to the County of commodity and/or service as compared to other commodity and/or service available in the marketplace; and
- vi. Second Hand Equipment From Other Governments - Surplus and second-hand supplies, material, or equipment may be purchased without competitive bidding from the Federal Government, the State of New York, or from any other political subdivision, district, or public benefit corporation (G.M.L. §103(6)).
- vii. Leases and Rentals - Prices for Leases and Rentals will be obtained through the use of price quoting as set forth below, with the evaluation of both services and price to determine the successful vendor. All awards from quotes shall be made to the lowest responsible vendor, if possible. Circumstances, which will be documented electronically in Munis in the general notes, may dictate acquisition from other than the low "quoter" (e.g., delivery requirements, quality or quantity requirements, known past experience of vendor, etc.).

**Leases/Rentals:**

Up to \$1,000	Discretion of Department Head with confirming pricing
\$1,000 up to \$3000	Oral and/or Written Quote
\$3000 up to \$20,000	Written Quote
\$20,000 and over	Formal Bid and Board Approval of Lease In Advance

- vii. Emergency Purchases –
  - a. Any Emergency purchase should be approved by the Department Head, County Administrator and/or Purchasing Agent.
  - b. Once an Emergency purchase has been approved, the following steps should be taken:

- An authorized purchase order number will be given to the vendor.
  - Within five days all invoices, paperwork, etc. shall be electronically submitted to Munis the Purchasing Agent.
- c. When it appears that the Purchasing Agent cannot reasonably be notified the purchase may be made, but notification within the five day period shall still be adhered to.
- viii. IT Purchases through Federal Schedule 70 – Pursuant to GML §103 (1-b) local governments can bypass the usual bidding process for IT equipment. They are authorized to purchase information technology and telecommunications hardware, software and professional services through cooperative purchasing permissible pursuant to federal general services administration information technology schedule seventy.
- ix. Piggybacking on Other Government Contracts – Pursuant to GML § 103 (16), local governments are allowed to “make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, may make such purchases, or may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may be required by such county, political subdivision or district thereon through the use of a contract let by the United States of America or any agency thereof, any state or any other county or political Subdivision or district therein if such contract was let in a manner that constitutes Competitive bidding consistent with state law and made available for use by other Governmental entities.”
- x. Purchases Through Other Federal Government Schedules – Pursuant to GML § 104 (2) local governments can bypass the usual bidding process making purchases Through other federal schedules as provided by US General Services Administration.

**F. Professional Services**

- h. Contracts which require professional methods, character, or standards, fall into the Professional Service contract category. Many of these professional services require a State license to practice or may be creative and specialized in nature. Examples of professional services:

- Accounting
- Advertising Agency Promotion
- Architectural
- Artwork
- Computer Software Maintenance Agreements
- Consultants
- Design Services
- Engineering

Instructors/Teachers/Training  
Insurance  
Legal  
Medical/Dental Services

- ii. G.M.L. §104 (b) governs the hiring of professionals, such as those outlined above.
- iii. In most instances, the requesting Department Head, County Administrator and/or Purchasing Agent will negotiate between the supplier of services and Madison County and/or a Request for Proposal may not be processed, if it is in the best interests of the County. The Full Board will then vote after committee approval, whether to authorize the Chairman of the Board to enter into any resulting agreement.
- iv. Legal service engagements shall be authorized by the County Attorney in accordance with County Law §501.
- v. The provision of insurance coverage will be investigated, evaluated and negotiated by the County Administrator and Government Operations Committee or their designee.

**G. Receiving Of Goods**

- i. After merchandise or service is received by the ordering department the following shall take place:
  - a. Each department acknowledges that the goods were received in good condition by writing such on the packing slip. Person receiving the goods must sign and date packing slip. All Packing slips should be scanned and attached to the purchase order in Munis. Packing slips must be maintained by the department, if available.
  - b. Ordering department electronically submits invoice and vouchers to the Treasurer's Office for payment processing and audit by the Board of Supervisors.
  - c. Failure of vendors to make promised deliveries should be reported to the Purchasing Agent for follow up by telephone to local vendors or by telephone and/or mail to out of town vendors.

**STANDARDIZATION**

- A. G.M.L. §103 (5) states that "Upon the adoption of a resolution by a vote of at least three-fifths of all members of the governing body of a political subdivision or district therein stating that, for reasons of efficiency or economy, there is need for standardization, purchase contracts for a particular type or kind of commodities of more than Twenty Thousand dollars (\$20,000) may be awarded by the appropriate officer, Board or agency of such political subdivision or any such district therein, to

the lowest responsible bidder furnishing the required security after advertisement for sealed bids therefore in the manner provided in this section. Such resolution shall contain a full explanation of the reasons for its adoption."

## **DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY**

Pursuant to §215 of the County Law, the Board of Supervisors herein and hereby establishes the following policy and procedures for the authorized disposal of the County's personal property which is declared to be obsolete and/or surplus and is deemed no longer of any use or value to the County by resolution of the Board of Supervisors for items with a replacement value in excess of five thousand dollars (\$5000.00) or more. For items with a replacement value less than five thousand dollars (\$5000.00) the Purchasing Agent will provide a report of the disposition of property. This disposition will conform to the procedures set forth below. Such personal property includes, but is not limited to, office furniture, computer equipment, motor vehicles, machinery and other equipment. The disposal of this property will be handled pursuant to the procedures set forth below.

1. Disposal of items to be declared obsolete and/or surplus personal property items will be referred to the Purchasing Agent by the Department Head to authorize appropriate disposal of the property.
2. If the Purchasing Agent declares the presented item or items NOT to be obsolete and/or surplus personal property, then the requesting department will retain the property for continued use.
3. If the Purchasing Agent declares the presented item or items to be obsolete and/or surplus personal property, then he/she will direct the property to be disposed of by one of the following methods:
  - a. Transfer to another department; or
  - b. For sale to other municipalities, Cities, Towns, Villages, and School Districts; or
  - c. For sale by placing said item or items in a public auction; or
  - d. For sale by reverse bid, in accordance with the bid procedure; or
  - e. For trade-in on the purchase of similar, newer property; or
  - f. For scrap and/or salvage.
4. In the event that the item or items fail(s) to sell, the Purchasing Agent may:
  - a. Designate one of the alternate methods of offering the item or items for sale; or
  - b. Direct the surplus personal property to be destroyed and/or disposed of in an appropriate manner; or with the preferred disposal method being recycling via the Department of Solid Waste; or
  - c. Direct that the property be retained by the department or turned over to another department, as appropriate, where it shall be held and made available for any County purpose.
5. Items to be declared obsolete and/or surplus personal property with an original cost of \$1,000 or more and a useful life of one year or more will be recorded on the County's fixed asset inventory. The fixed asset inventory shall be adjusted to record their disposal.

6. The disposal of computer equipment will be coordinated through the Information Technology Department who will take the necessary steps to insure the removal of any and all County data from the data drives of the equipment before it is sold or otherwise disposed of.
7. Proceeds from sales will be credited to the fund from which the original expense was incurred as directed by the County Treasurer.

Since this is a general policy that may not be applicable to every situation, when appropriate, the County Administrator/Board of Supervisors may override the requirements set forth.

### **PURCHASING BASED ON BEST VALUE**

Declaration of Intent: General Municipal Law §103 requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project. Section 103 was amended to provide that by enacting a Local Law so providing, municipalities may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value, as defined in State Finance Law §163, to a responsive and responsible bidder or offeror. The Madison County Board of Supervisors hereby determines that it is in the best interest of the County of Madison and its residents for the Madison County Purchasing Agent (hereafter referred to as "Purchasing Agent") to have the authority to award purchase contracts on the basis of best value. Factors that may be used to enact the "best value" option, where cost efficiency over time to award the good(s) or service(s) to other than the lowest bidder, are:

- (a) lowest cost of maintenance for good(s) or service(s);
- (b) durability of good(s) or service(s);
- (c) higher quality of good(s) or service(s); or
- (d) longer product life of good(s) or service(s)

Authority: The Purchasing Agent may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value, as defined in State Finance Law §163, to a responsive and responsible bidder or offeror.

- a. Where the basis for award is the best value offer, Purchasing Agent shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- b. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Purchasing Agent in their determination of best value.

- c. The election to award any such contract on the basis of best value shall be made by the Purchasing Agent in consultation with the Department Head and appropriate Legislative committee. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing any required security in accordance with the Madison County Purchasing Policy.

Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Revised: Resolution No. 33 dated February 9, 1993  
Resolution No. 59 dated March 9, 1994  
Resolution No.103 dated May 10, 1994  
Resolution No. 74, dated April 10, 2001  
Resolution No.140-09, dated April 14, 2009  
Resolution No. 197-09, dated May 12, 2009  
Resolution No. 314-10, dated October 12, 2010  
Resolution No. 159-11, dated May 10, 2011  
Resolution No. 58-13, dated March 12, 2013  
Resolution No. 195-13 dated July 9, 2013

#### **RESOLUTION NO. 6-15**

#### **RENEWING THE STIPENDS FOR THE AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR AND CORPORATE COMPLIANCE OFFICER**

**WHEREAS**, resolution No. 448 of 2011 appointed the Public Health Director as the Americans with Disabilities Act (ADA) Coordinator; and

**WHEREAS**, the Government Operations Committee has reviewed the compensation rate for this position and recommends annual rate be \$1,300; and

**WHEREAS**, resolution No. 449 of 2011 appointed the Public Health Director as Corporate Compliance Officer; and

**WHEREAS**, the Government Operations Committee has reviewed the compensation rate for this position and recommends the annual rate be \$7,453; and

**WHEREAS**, Local Law No. 4 for the year 2014 will set the 2015 salaries of certain County officials; and

**WHEREAS**, the salary of the Public Health Director is included in said Local Law which is subject to a forty-five (45) day public referendum; and

**WHEREAS**, in order ensure there be no reduction in pay due to the forty-five (45) day public referendum, the Government Operations committee recommends the payment of these stipends effective January 1, 2015 which shall cease upon payment of the 2015 salary,

**NOW, THEREFORE BE IT RESOLVED** that a stipend of \$1,300 be and hereby is established for the ADA Coordinator and a stipend of \$7,453 be and hereby is established for the Corporate Compliance Officer, both payable on a biweekly basis effective January 1, 2015,

**BE IT FURTHER RESOLVED** that said stipends shall cease on the first payroll for which 2015 salary is paid.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 7-15**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER  
INTO AN AGREEMENT WITH THE  
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000  
(WHITE COLLAR UNIT)**

**WHEREAS**, the Legislature of the State of New York enacted Article 14 of the Civil Service Law, which is known as the Taylor Law; and

**WHEREAS**, pursuant to Section 202 of the Civil Service Law, employees in the White Collar Unit are represented by the Civil Service Employees Association, Inc. (CSEA); and

**WHEREAS**, the Board of Supervisors has recognized said employees' organization for the purpose of negotiating collectively in accordance with Section 204 of the Civil Service Law; and

**WHEREAS**, the County and CSEA have reached an agreement that authorizes employees to utilize another health insurance option at their discretion; and

**WHEREAS**, the Government Operations Committee has reviewed and approved said agreement,

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors approves and authorizes the Chairman to execute a Memorandum of Agreement in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 8-15**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER  
INTO AN AGREEMENT WITH THE  
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000  
(BLUE COLLAR UNIT)**

**WHEREAS**, the Legislature of the State of New York enacted Article 14 of the Civil Service Law, which is known as the Taylor Law; and

**WHEREAS**, pursuant to Section 202 of the Civil Service Law, employees in the Blue Collar Unit are represented by the Civil Service Employees Association, Inc. (CSEA); and

**WHEREAS**, the Board of Supervisors has recognized said employees' organization for the purpose of negotiating collectively in accordance with Section 204 of the Civil Service Law; and

**WHEREAS**, the County and CSEA have reached an agreement that authorizes employees to utilize another health insurance option at their discretion; and

**WHEREAS**, the Government Operations Committee has reviewed and approved said agreement,

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors approves and authorizes the Chairman to execute a Memorandum of Agreement in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Stepanski:**

**RESOLUTION NO. 9-15**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LIBERTY RESOURCES, INC.**

**WHEREAS**, the Commissioner of Social Services of the County of Madison is charged with the responsibility for the administration of all child welfare services in the County of Madison at public expense pursuant to Section 395 et seq. of the Social Services Law; and

**WHEREAS**, the Madison County Department of Social Services had experienced an increase in costly Juvenile Delinquent/Persons in Need of Supervision (JD/PINS) placements for several years; and

**WHEREAS**, the Department of Social Services is mandated to provide preventive services to at-risk children and families designed to prevent foster care placements and to reduce the lengths of costly foster care and residential placements; and

**WHEREAS**, this intensive preventive and after-care service program has served to prevent many of these costly placements and has allowed for the early discharge of several children from residential placement in recent years resulting in significant financial savings; and

**WHEREAS**, these services were provided to approximately 50 children and their families per month during the last year through this program; and

**WHEREAS**, Liberty Resources, Inc., has the recognized capacity to provide these services and has offered to do so for an amount of funds not to exceed \$445,103 for the period January 1, 2015, to December 31, 2015, an increase of \$1,711 over the 2014 contract rate; and

**WHEREAS**, these funds are reimbursed at an approximate rate of 62 percent through federal and/or state funding; and

**WHEREAS**, this agreement has been reviewed and approved by the Health and Human Services Committee;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Liberty Resources, Inc., in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 10-15**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR NURSING SERVICES**

**WHEREAS**, the County Mental Health Department is required to provide nursing services for certain of its clients; and

**WHEREAS**, these services have regularly been provided on a part-time contractual basis; and

**WHEREAS**, there is a current need for a licensed practical nurse to provide health monitoring to clients who attend the Outpatient Mental Health Clinic; and

**WHEREAS**, the 2015 Mental Health budget provides funds for the purchase of nursing services; and

**WHEREAS**, this agreement has been reviewed and approved by the Health and Human Services Committee;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be hereby authorized to enter into an agreement with Kimberly Wallace for the provision of services to the Mental Health Department at a rate of \$22.00/hour, said rate to be effective January 13, 2015 to December 31, 2015, and a copy of the agreement is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 11-15**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MADISON-CORTLAND ARC, INC.**

**WHEREAS**, Madison County desires to contract with Madison-Cortland ARC, Inc. to provide Integrated Supported Employment services and other specific services to the developmentally disabled and ; and

**WHEREAS**, the Office of Mental Health has agreed to fund Madison-Cortland ARC, Inc., not to exceed the 2015 appropriation for the period January 1 through December 31, 2015 (the same amount as the 2014 contract period); and

**WHEREAS**, the appropriation and full revenue items for Madison-Cortland ARC, Inc. are included in the 2015 Madison County budget:

Madison County appropriation not more than	\$152,030
Full State Revenue for OMH Supported Employment	42,008
Total	\$194,038; and

**WHEREAS**, it is understood that any reduction in State funding will result in a commensurate reduction in funding for the Agency; and

**WHEREAS**, this agreement has been reviewed and approved by the Health and Human Services Committee;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Madison-Cortland ARC, Inc., in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 12-15**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH HERITAGE FARM, INC.**

**WHEREAS**, Madison County desires to contract with the Heritage Farm, Inc. to provide specified services to the developmentally disabled; and

**WHEREAS**, the Office for People with Developmental Disabilities has agreed to fund the Heritage Farm program, not to exceed the 2015 appropriation for the period January 1 through December 31, 2015 (the same amount as the 2014 contract period); and

**WHEREAS**, the appropriation and full revenue items for Heritage Farm, Inc. are included in the 2015 Madison County budget (Madison County appropriation not more than \$15,433; and, Full State Revenue not more than \$17,154); and

**WHEREAS**, it is understood that any reduction in State funding will result in a commensurate reduction in funding for the Agency; and

**WHEREAS**, this agreement has been reviewed and approved by the Health and Human Services Committee;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Heritage Farm, Inc., in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 13-15**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACTS WITH NOT-FOR-PROFIT ORGANIZATIONS FOR 2015**

**WHEREAS**, Section 224 of the County Law authorizes the Board of Supervisors to contract with not-for-profit organizations, associations and agencies for the purposes enumerated in said section; and

**WHEREAS**, the Board of Supervisors in adopting the budget for the year 2015, pursuant to the provisions of Article 7 of the County Law has allocated to the following organizations the amount set forth opposite the name of said organization:

<b>A6772</b>	<b>Program for the Aging</b>	<b>208,193.00</b>
<b>A6988</b>	<b>Community Action Program</b>	<b>45,063.00</b>
<b>A6989</b>	<b>Food Bank of CNY</b>	<b>10,000.00</b>
<b>A7410</b>	<b>Mid-York &amp; Local Libraries</b>	<b>117,991.00</b>
<b>A7450</b>	<b>Museum</b>	<b>30,000.00</b>
<b>A7510</b>	<b>Madison County Historical Society</b>	<b>25,750.00</b>
<b>A7550</b>	<b>Madison County Fair</b>	<b>25,000.00</b>
<b>A8025</b>	<b>CNY Regional Planning &amp; Develop. Board</b>	<b>22,310.00</b>
<b>A8710</b>	<b>Affiliated Conservation Clubs</b>	<b>3,500.00</b>
<b>A8745</b>	<b>Soil &amp; Water Conservation</b>	<b>154,500.00</b>
<b>A8749</b>	<b>Cooperative Extension</b>	<b>313,390.00</b>

**NOW, THEREFORE BE IT RESOLVED**, that 50% of the monies hereinfore referred to be paid to each organization in February 2015 and the other 50% of the monies be paid in July 2015, after the previous years' report is filed; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and he hereby is empowered to enter into separate contracts with the organizations listed above.

**ADOPTED: AYES – 1500 NAYS – 0**

**Supervisor Salka:**

**RESOLUTION NO. 14-15**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO A POWER PURCHASE AGREEMENT WITH RER ENERGY GROUP**

**WHEREAS**, in June 2013 the Madison County Department of Solid Waste ("Department") issued and advertised a written request for proposals under Article 9 of the New York Energy Law soliciting competitive proposals for an energy performance contract ("Power Purchase Agreement" or "PPA") whereby the vendor will build, finance, own and operate a solar powered photovoltaic array at the ARE Park whereby all the power generated would be transmitted into the grid through a dedicated meter for the purpose of generating a monetary credit established by the New York Public Service Commission ("PSC") as the so called "Remote Net Metering Credit" ("RNMC") equal to National Grid's retail rate for supply and delivery prevailing at the time power is transmitted into the grid; and

**WHEREAS**, the Department received three proposals for PPA's and after evaluating each proposal determined that a proposal by RER Energy Group ("RER") for a 2,442.96 kW solar array provided the lowest PPA rate of \$0.066 per kilowatt hour ("kWh") with zero percent (0%/year) escalation factor for a 25 year period is the best price that the County would pay for purchasing power produced by the solar array, all with a capital investment of zero dollars (\$0.00 investment) by the County;

**WHEREAS**, the difference between the RNMC (currently \$0.128/kWh) and the PPA rate (\$0.066/kWh) will produce a net benefit to Madison County of \$0.06/kWh in the form of a monetary credit that can be applied across virtually all of the electric meters owned by Madison County will generate an approximate savings of \$200,000 in the first year compared to its current arrangement with National Grid and assuming that costs for purchasing electricity from the grid continue to escalate over the 25 year lifespan of the PPA, may save the County in the range of \$10 Million; and

**WHEREAS**, the PPA is expressly contingent upon the project qualifying for a grant by the New York State Energy Research and Development Authority (“NYSERDA”) under its Program Opportunity Notice 2956 which grant has been awarded to RER in the amount of \$292,500 contingent upon execution of a PPA by Madison County and RER before January 15, 2015.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman is hereby authorized and directed to execute a PPA with RER Energy Group in substantially the same form as is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized and directed to execute an Acknowledgement Form and such other forms as NYSERDA may require to secure the grant funds available under all PONS applicable to the project; and

**BE IT FURTHER RESOLVED**, that the County Attorney or his designee is hereby authorized and directed to negotiate the final terms and conditions associated with the PPA; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

**ADOPTED: AYES – 1500 NAYS – 0**

**PUBLIC COMMENT PERIOD**

**Speakers:**

1. **Mr. Gary Padula of Canastota, New York spoke on issues with the Oneida Indian Nation and presented a document to the Supervisors and Clerk, which has been filed in the Board of Supervisors office.**

**At 2:15 p.m. Chairman Becker announced the scheduled public hearing on Local Law No. 4 – 2014 Fixing Salaries for Certain County Officials for 2015. Supervisor Degear made the motion to open the hearing, seconded by Supervisor Stepanski and carried.**

**Chairman Becker asked for speakers to this local law and no one wished to speak.**

**Chairman Becker then called for a motion to close the hearing. Supervisor Rafte made the motion to close the hearing, seconded by Supervisor Stepanski and carried.**

**By Supervisor Degear:**

**RESOLUTION NO. 15-15**

**ADOPTING LOCAL LAW NO. 4 FOR THE YEAR 2014**

**WHEREAS**, there has been duly introduced Local Law No. 4 for the year 2014 entitled "FIXING THE SALARIES OF CERTAIN COUNTY OFFICIALS FOR 2015"; and

**WHEREAS**, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on January 6, 2015;

**NOW, THEREFORE BE IT RESOLVED**, that Local Law No.4 for the year 2014 be and the same is hereby adopted.

**ADOPTED: AYES – 1500 NAYS – 0**

# **STATE OF THE COUNTY**

## **2014-15**



**JOHN M. BECKER**  
**MADISON COUNTY BOARD OF**  
**SUPERVISORS CHAIRMAN**

## INTRO AND HISTORY

Good afternoon, everyone. This is the eighth time I have addressed you from this position for a State of the County Address. The job has not been easy or taken lightly.

Let me speak for a moment about public service...

Anyone who thinks these jobs are easy or 'gravy' positions is sadly mistaken. These are positions where when decisions are made, they are second-guessed constantly. Personal attacks are frequent and vicious, and people view elected officials not in the highest regard.

There is nothing further from the truth.

Electeds who take these jobs here truly care.

Electeds are asked to be referees in neighborhood disputes between unreasonable or unruly residents – most of whom only have half the facts.

Electeds must weigh the impacts on our constituents at budget time when deciding the necessity of preserving County services, protecting taxpayer investment in equipment and buildings and retaining professional and caring employees with adequate compensation vs. raising taxes.

I can guarantee that any supervisor here who cares stays awake at night worrying about decisions that he or she has made – or must make – and how they impact people. We are in the people business: public safety, road maintenance, building maintenance, child welfare, social services and care and benefits for the elderly and less fortunate.

The people business is not easy, and isn't any easier when under personal attack.

Eight years ago, we had a good, healthy fund balance – about \$16 million. I had become chairman and staunchly held the position that we would not raise taxes. And we didn't.

***People were hurting. [emphasis added]***

In the years 2007, 2008, 2009 and 2010, that \$16 million went back to the taxpayers in the form of no – or very minimal – tax increases. We cut jobs and equipment, consolidated departments, moved people from full- to part-time and streamlined as many county services and

functions as we could, all while keeping in mind that people were in bad shape and they couldn't take any more.

While these efforts were underway, the price of fuel was skyrocketing, which meant Highway Department expenses escalated, Department of Social Services HEAP applications tripled and the cost of fueling Sheriff's Office patrol cars rose 2-and-one-half percent.

With the hike in energy costs came other impacts. The price of blacktop went from \$27 to \$75 a ton and salt rose from \$25 to \$50 a ton. The price of a basic truck spiked from \$150,000 to \$210,000. Patrol cars increased from the mid-\$20,000s to the mid-\$30,000s.

Taxes have gone up significantly the past two years, but I believe the worst is over and anticipate a less-than-2-percent increase in 2016. To be efficient yet still have the services that are demanded, the county has to be more proactive in its allocation and use of resources.

One example is the flooding in Oneida, DeRuyter, Brookfield, Eaton and other places in Madison County two years ago. We increased the stream maintenance and Soil and Water Conservation budgets this year so that we can mitigate potential future flooding. Keeping debris and trees from plugging streams, culverts, ditches and other water paths, we can prevent problems later on.

This past year brought us another type of disaster: a tornado that touched down in Smithfield. This is the worst type of disaster; not only was property decimated, lives were lost. Structures can be rebuilt; lives cannot. Our county workforce came together, along with volunteers from all over, to help those affected by this tragedy.

One thing is clear: Undersheriff John Ball is right. He always tells me, 'It's not a matter of IF this is going to happen, but WHEN.'

This is why we on the Board of Supervisors have decided to put together the Office of Emergency Management. This move provides us an inventory of the resources at our disposal and prepares us for future disasters by allowing us to harness those resources at a moment's notice to plan for and address life-threatening problems as they arise. Whether it is flooding, tornadoes, blizzards – like the one recently experienced in the Buffalo area, to which we

dispatched aid in the form of two trucks and four crew members – or another railroad disaster, we will be ready.

In addition to the railroad, we have four major state routes and the Thruway running through Madison County, all of which provide pathways for commercial vehicles carrying hazardous materials. Despite these operators taking every safety precaution in the safe handling of these materials, factors outside their control can quickly turn a routine, every-day transport into a disaster.

The major rail line for the northeast running through Madison County has seen a 30-percent increase in energy source shipments with the development of oil shale in the midwest.

***We need to be ready. [emphasis added]***

We are actively looking for an emergency manager to coordinate all aspects of a disaster when the need arises.

This also ties in with Public Health in handling a pandemic or other problem outbreaks with local hospitals overwhelmed, mass evacuations, mass casualties and the like.

***We need to be ready. [emphasis added]***

We have increased Highway Department funding to maintain the level of road quality people are used to; however, we need a huge influx of grant money to fix our bridges. The federal government realizes that we have a problem, and Congressman Hannah, along with Senators Schumer and Gillibrand, will be helping us out in bringing home money to take care of the \$9 million bill to fix the 21 deficient bridges in our county.

The big bridge project for 2015 will be the North Court Street bridge in Wampsville.

## **YEAR IN REVIEW**

I want to personally give a big thank you to County Treasurer Cindy Edick and her employees; two years ago, we invested more than a half-million dollars to bring the county's payroll, financial and purchasing systems into the 21st century. We were operating in a DOS-based system that, at any time, if it went down, could have been a disaster in itself. This new

system, called MUNIS, will allow the Treasurer's Office to do away with the tedious payroll sheets and streamlines the functionality of the Treasurer's Office, allowing it to be more efficient.

We believe this upgrade will pay big dividends in the future.

There has been a lot of sacrifice, worry and extra time spent by all of the employees of the Treasurer's Office trying to get this online, and it has not gone unnoticed.

Hats off to you, Cindy, and your team for again exemplifying the county workforce by working together to get the job done; we know it hasn't been easy.

In 2014, County Buildings coordinated the overhaul of our elevator, although it is not much faster, it will allow for a more readily available parts stream to cut down on critical downtime. More dedicated employees whose efforts do not go unnoticed in Buildings and Grounds. We also finalized the purchase of the Wampsville Fire Park building in 2014 – a move that will relocate our Sheriff's road patrol to free-up critical space at the jail.

***Some other highlights for 2014 include:***

**PUBLIC HEALTH** – The county, through the effort of the Health Department, was instrumental in establishing the Rural Health Council of Madison County, a non-profit rural health network that will play an integral role in assisting local providers and residents to navigate the significant health care system challenges occurring in New York State. Contributing to this public-private partnership, the county Health Department secured a federal HRSA grant on behalf of the Rural Health Council that will assist local providers in transitioning to an electronic health records system.

Public Health also did a health study for the towns of Georgetown and DeRuyter, as promised to the citizens of those areas, for the proposed compressor station in Georgetown. When Georgetown Supervisor Pete Walrod asked me what I thought about the county doing that study, I didn't see any downside. After all, a study like that could potentially help the whole county. Many benefit from efforts like this.

That is the good thing about having a Board of Supervisors – direct input and team efforts at both the town and county levels.

**MENTAL HEALTH AND PROBATION** – the Mental Health and Probation departments are under new leadership and running well.

**ELECTIONS** – saw the retirement of longtime employee Lynne Jones and Roxanne Jackson, leaving us two spots to fill. Kelley Hood replaces Lynne and we also welcome Mary Egger, who takes Roxanne’s position.

**PERSONNEL** – has five open contracts going into 2015, a task that won’t be easy, but the dedication of the department’s staff will make them ready for the challenge.

**911 CENTER** – updated its radio consoles and collaborated with the NYS Police to move the county’s backup center to Troop D Headquarters.

**DSS** – implemented a task-based system to improve the effectiveness and efficiency of the financial aid programs. The task-based system allows work to be assigned to staff based on availability and expertise. It also allows more control of supervisory and management oversight.

DSS continued to engage work-eligible participants in completing projects that benefit the community.

It was also the first full year of the state Department of Health “taking over” Medicaid administration. The state designated website experienced early problems, but, overall, the program roll-out has been widely hailed as a success; however, workload relief for the local counties is an elusive desire with some work remaining at DSS and some of it returning. Full implementation is several years away.

DSS experienced staff turnover at unprecedented rates, none more troubling than in our child welfare unit. In spite of this, foster care placements remained stable throughout the year; however, for those children in foster care, many needed higher levels of care than could be provided in foster boarding homes. This drove costs skyward with the costs of placements exceeding \$4 million for the first time in many years and required an additional \$1.7 million for the 2015 county budget.

**THE HIGHWAY DEPARTMENT** – cleaned up severe storm damage in the southern portion of the county July 5 and assisted with the cleanup from the tornado damage in Smithfield, all while

still completing 22 miles of recycled and paved roadways, 44.6 miles of preservation treatments, replacing two large-sized culverts, painting seven bridges and washing all bridges.

The department is successfully working on six bridge projects all in one year, including North Court Street, South Court Street, Creek Road, Hunt Road, Middle Road and Eaton Road, and still completing the 19.34 miles of roadway recycling and paving projects, two large culvert replacements, and 49.72 miles of preservation treatments.

**COUNTY CLERK'S OFFICE** – in Albany in October 2014, New York State Archives honored the Madison County Clerk, the Madison County Historian, and Madison-Oneida BOCES by awarding them The Annual Archives Award for Excellence in the Educational Use of Local Government Records by a Local Government. This partnership culminated in Madison County's historical documents inclusion in lesson plans posted on the Internet for use by teachers, researchers, and librarians.

Again, we strive to serve our DMV customers most effectively and inform constituents that local DMV transactions help keep our taxes down.

**YOUTH BUREAU** – in addition to providing Office of Children & Family Services funding to seven community-based organizations that provided programs and services to more than 700 Madison County children and youth in 2014, the Youth Bureau also expanded its own direct service programming. As a result, 37 high school students participated in job shadowing opportunities in Madison County departments; 27 students participated in the Youth Bureau's Civic Engagement/Leadership Development program and 16 students participated in the Local Government Internship program on the County campus that the Youth Bureau facilitates in cooperation with Cornell Cooperative Extension.

**THE SHERIFF'S OFFICE** – had a full plate in 2014 with the tornado in Smithfield – handled flawlessly with the coordination of several agencies – another example of our employees making a difference.

The Sheriff also ramped up staff in the jail to state standards.

The Board has understood in the past that the staff of the Sheriff's Office needs the tools to do their jobs; that is why we continued to fund the next phase of the road patrol's overhaul of its fleet of cars. This should result in every car being replaced when it is three years old.

For 2015, we look forward to the shifting of personnel to the new road patrol building and seeing positive, productive results from the department's drug efforts and cooperative work with the new director of emergency management.

**IT** – the IT Department has continued to make great strides in providing customer service to the county departments and security to the network. In 2015, the department will implement an out-of-county disaster recovery data center to provide redundancy in the event of a critical failure on campus. The department is also working to implement the new state-of-the-art voice over Internet phone system next month. Any municipality in the county can utilize this new system, which, in turn, will provide cost savings and efficiencies for those who participate.

**PURCHASING** – the county transitioned to a centralized purchasing model in 2014, streamlining county processes and saving taxpayer dollars under the leadership of Nicole Farino. In 2015, Nicole will look to greatly expand cooperative bidding with municipalities throughout the county to save money for all jurisdictions.

**PLANNING** – in 2014, Madison County undertook negotiations to minimize its carbon footprint and save costs by participating in a 2 MW solar Power Purchase Agreement. The system will consist of more than 6,800 high efficiency solar panels and will take up about 8 to 10 acres of vacant land at the County's Solid Waste Facility in Lincoln. There is no cost to the county for the solar system. The county only pays for the power produced by the system at a rate significantly less than the current utility rate.

Through Remote Net Metering, Madison County is able to produce up to 63 percent of its electrical energy needs offsite, to be used to power its facilities in Wampsville. It is anticipated that this project will save the county nearly \$200,000 per year while significantly lowering its carbon footprint; the county looks forward to the system coming online in late 2015.

Also for 2014, the Planning Department saw continued work on the rail trail, as well as other projects throughout the county. Again, a dedicated staff and leader makes Madison County a frontrunner in many innovative areas.

Our landfill – whose leadership by Jim Zecca has been recognized time and time again for being innovative – was officially recognized as Recycler of the Year for 2014. The landfill continues to be a bright spot in the county, with the gas-to-energy projects and solar blanket initiative. We saw the groundbreaking for Johnson Brothers Lumber drying kilns in the Agriculture and Renewable Energy Park, which will utilize excess heat from the landfill gas project. These public-private partnerships exemplify the team effort with public government, private business and a forward-thinking county IDA.

We look forward to the construction of the sewer line that will reduce our costs in trucking waste to other wastewater treatment plants. We will be moving ahead on supplying water for the landfill, with Madison County and OCWA partnering for long-term future projects not only for the landfill, but also for many homeowners in the area.

The one elusive business that is a priority to get into the ARE Park is the plastics-to-oil business; we will be doubling down to get that effort to fruition.

Also at the Landfill is the ReUse Store which has everything from toys, radios, tools, and furniture. Check out their website to see when it is open. There is something for everyone there.

The Oneida Indian Nation settlement is fully in place for 2014. Although we have some things for our county and the state to work out, the Nation has been a big help on things such as the floods in Oneida with equipment and manpower, manpower at the tornado and we have included them in our selection process for the director of emergency management search.

We recognize that the Nation is here to stay and has a stake in the communities in which their employees live.

For New York State, we need to hammer out some of the details that were left off when we directly negotiated with the Governor. I have asked for a meeting again with him personally a month ago, and I hope his staff sees the critical nature of our meeting.

Our New York State legislators need to understand that unfunded state mandates kill the locals and do nothing to help our local economies. With fewer state mandates and regulations, we would not need programs like STARTUP NY or pilot programs. The Assembly and Senate need to ask themselves why people are leaving and why businesses are not coming here: it's not the local taxes; it's the state mandates.

We give too much away.

### **ON BOARD FOR 2015**

There will be some changes in 2015. Elections will be moving downstairs for easier access to the public and to provide more room for training and machines. This will allow Real Property to move upstairs out of the basement to be next to the Treasurer's Office, which will oversee that department.

Again, dedicated employees in Maintenance and the leadership of a dedicated department head allows for a seamless transition for these departments and offices.

Also in 2015, the county Employment and Training offices will be moving over to the downstairs of the DSS building. This move will save the county about \$100,000 a year.

The one major project that will take place over the next four to five years will be an evaluation and possible complete overhaul/ rebuild of our county court house. This project will be massive not only in time, money and manpower, but also should result in a completely ADA-compliant court house with state-of-the-art security and state-of-the-art functionality. We no longer can afford to put Band-Aids on the 100-year-old building.

In closing, I hope I have emphasized that, eight years ago, we set out to restructure the county, through good times and bad, the fruits of this restructuring are finally taking shape. Our county should be poised for the next 30 to 40 years to be efficient and grow without any

problems and to once again see a slow, even growth in the tax levy, to what we could reasonably expect, and that our most important and valuable assets are our employees.

People. Whether you are on this side of the aisle or that, or on this side of the counter or the other, it's all about people.

So, as I started out before someone goes after a public official, think about whether you'd want to walk a mile in their shoes.

To our employees, whether you are salaried, hourly, full-time or part-time, thank you. Your work is important, and we are proud of our workforce, who every day bring it on and take it all with a smile, just to make our home – Madison County – a better place.

Thank you.

**There being no further business, Supervisor Stepanski made a motion to adjourn the meeting, seconded by Supervisor Jones and carried. The next meeting is scheduled for February 10, 2015.**