

## **2/10/21 Board of Supervisors Meeting**

**Time: 1:30 PM**

Due to public health and safety concerns related to the COVID-19 Pandemic the Livingston County Board of Supervisors has chosen to meet in a hybrid manner in that some Supervisors will be in person and some will be remote via Zoom. Attendance is allowed with masks and social distancing.

Per State and Federal bans on large gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, including all subsequent extensions, "suspending law allowing the attendance of meetings telephonically or other similar service," the Livingston

This meeting will follow Roberts Rules of Order, will be recorded and later transcribed.

Agendas are available per normal procedures on the County website

<https://www.livingstoncounty.us/AgendaCenter>

Zoom meeting link:

<https://zoom.us/j/99157460284?pwd=ZGN4bGprYXB1Q2NqdDFXSmJvNlppUT09>

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 991 5746 0284

Passcode: 536979

One tap mobile

+19292056099,,99157460284# US (New York)

+13017158592,,99157460284# US (Washington D.C)

Meeting ID: 991 5746 0284



**LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE**

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

COMMITTEE: WAYS AND MEANS

DATE: FEBRUARY 8, 2021

TIME: 1:30 P.M.

Committee Members

- D. Pangrazio, Chairman
- W. Wadsworth, Vice Chairman
- D. Fanaro
- M. Schuster
- D. Babbitt Henry
- D. LeFeber
- D. Mahus

**PLEDGE OF ALLEGIANCE:**

**1:30 PERSONNEL ISSUES**

**1. CENTER FOR NURSING & REHABILITATION – STEVE WOODRUFF  
AMENDING THE 2021 LIVINGSTON COUNTY SALARY SCHEDULE: LIVINGSTON COUNTY  
CENTER FOR NURSING AND REHABILITATION**

RESOLVED, that the 2021 Livingston County Salary Schedule is amended as follows:

**Livingston County Center for Nursing and Rehabilitation:**

- Create two full-time Charge Nurse (Licensed Practical Nurse) positions at Wage Grade 10 CSEA Contract effective 02/15/2021.

For: Provide a broader opportunity to fill vacancy needs on the Evening and Night Shifts.

Director's Comments: These positions will further both clinical staffing needs and provide promotional opportunities for Licensed Practical Nurses within the Center.

**2. DEPARTMENT OF HEALTH – JENNIFER RODRIGUEZ  
AMENDING THE 2021 LIVINGSTON COUNTY SALARY SCHEDULE: DEPARTMENT OF  
HEALTH**

RESOLVED, that the 2021 Livingston County Salary Schedule is amended as follows:

**Department of Health:**

- Create one full-time Home Health Aide position at Wage Grade 4 CSEA Contract effective 2/12/2021.

For: Hospice census increase

- Create one full-time Licensed Practical Nurse position at Wage Grade 9 CSEA Contract effective 2/12/2021.

For: LPN position can vaccinate

**1:40 COUNTY TREASURER – AMY DAVIES**

**Action Item(s) To Be Reported**

**1. INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021– EMERGENCY  
OPERATIONS CENTER**

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H3640.2900** in the amount of \$400,000.00 to be funded from Interfund Transfers **H3640.5031** in the amount of \$400,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the EOC Capital Project from Transfer to Capital Account **A9950.9000** in the amount of \$400,000.00.

**1:45 REAL PROPERTY TAX SERVICES – BILL FULLER**

**Action Item(s) To Be Reported**



# LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

## 1. CORRECTING TAX ROLL-TOWNS OF SPARTA, SPRINGWATER AND WEST SPARTA

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to three applications (3 parcels) for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the Towns of Sparta, Springwater and West Sparta on the tax rolls for the years hereinafter set forth; and

WHEREAS, said parcels were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto; now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer(s) having jurisdiction of the tax rolls so that the roll(s) can be corrected; and a notice of approval to the applicant(s); and be it further

RESOLVED, that the County Treasurer and/or Town Tax Collectors are hereby authorized to make the tax roll corrections and forward the corrected tax bills. The County Treasurer is authorized to issue refunds and/or make the appropriate chargebacks as hereinafter set forth for the application(s).

Year, Municipality Owner(s) Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
<b>1. 2021 Sparta</b>	Livingston County	\$312.48	\$183.81	\$128.67	\$128.67
Learn, Regina	Sparta Town Tax	\$244.81	\$144.01	\$100.80	\$100.80
Tax Map Number	Sparta Fire/Ambulance	\$36.39	\$36.39	\$0.00	\$0.00
149.-1-52	<b>Total</b>	<b>\$593.68</b>	<b>\$364.21</b>	<b>\$229.47</b>	<b>\$229.47</b>
<b>2. 2021 Springwater</b>	Livingston County	\$197.82	\$197.82	\$0.00	\$0.00
Swan, Eugene & Coleen	Springwater Town Tax	\$220.19	\$220.19	\$0.00	\$0.00
Tax Map Number	Springwater Fire 1	\$26.24	\$26.24	\$0.00	\$0.00
151.-1-50.115	Springwater Sewer	\$426.54	\$0.00	\$426.54	\$426.54
	<b>Total</b>	<b>\$870.79</b>	<b>\$444.25</b>	<b>\$426.54</b>	<b>\$426.54</b>
<b>3. 2021 West Sparta</b>	Livingston County	\$81.64	\$81.64	\$0.00	\$0.00
Farrell, Aaron & Tammy	West Sparta Town Tax	\$76.79	\$76.79	\$0.00	\$0.00
Tax Map Number	West Sparta Fire 1	\$8.35	\$8.35	\$0.00	\$0.00
188.-1-25	Woodsville Wtr Imp	\$263.07	\$30.00	\$233.07	\$233.07
	<b>Total</b>	<b>\$429.85</b>	<b>\$196.78</b>	<b>\$233.07</b>	<b>\$233.07</b>

### Informational Item(s) Written Only

- Completed and submitted Department Annual Report
- Form *Notice Concerning the Examination of Assessment Inventory and Valuation Data* was emailed to the Town Assessors for publishing in their official paper by March 1<sup>st</sup> or shortly thereafter.
- Reappointment notifications for Town BAR Members are coming in to the Office.

## 1:50 ECONOMIC DEVELOPMENT – BILL BACON

### Action Item(s) To Be Reported

## 1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PILOT AGREEMENT FOR LIVINGSTON COUNTY: DISTRIBUTED SUN LLC AKA MT. MORRIS-NUNDA SOLAR, LLC, 6787 MT. MORRIS-NUNDA ROAD, TOWN OF MT. MORRIS

WHEREAS, Distributed Sun, LLC aka Mt. Morris-Nunda Solar, LLC (the “Owner”), as Lessee of property owner, Susan W. and Don M. Arney, has submitted a Notice of Intent to the County that it plans to build and operate a “Solar Energy System” as defined in New York Real Property Tax Law (“RPTL”) Section 487 (1)(b) (herein the “Project”) with an expected nameplate capacity (“Capacity”) of approximately five (5.0



**LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE**

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Megawatts AC on a parcel of land located within the Town of Mt. Morris and identified as Tax Map Number 123.-1-19.11; and

WHEREAS, the County has not opted out of RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the County has indicated its intent to require a Payment in Lieu of Taxes (“PILOT”) Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the County for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted or will submit to the assessor of the Town of Mt. Morris a RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the parties intend that, during the term of this Agreement, the Project will be subject to standard land taxes and applicable special district taxes. The improved property will placed on the exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York State law with respect to the Project; and

WHEREAS, Owner agrees to make annual payments to the County in lieu of real property taxes for the Project for a period of fifteen (15) consecutive fiscal tax years; annual payments may not exceed the amounts that would otherwise be payable but for the RPTL 487 exemption. Such 15-year term shall commence on the first taxable status date selected by Owner following commencement of the construction of the Project (the “Commencement Date”), and shall end the fifteenth fiscal year following the Commercial Operations Date. The first annual payment shall be in the amount of \$2,050.00 per Megawatt AC of Capacity (the “Annual Payment”). Based on the Capacity of five (5.0) Megawatts AC, as identified by Exhibit A below:

EXHIBIT A

Year	Payment Amount
1	\$10,250.00
2	\$10,250.00
3	\$10,250.00
4	\$10,250.00
5	\$10,250.00
6	\$10,250.00
7	\$10,250.00
8	\$10,250.00
9	\$10,250.00
10	\$10,250.00
11	\$10,250.00
12	\$10,250.00
13	\$10,250.00
14	\$10,250.00
15	\$10,250.00

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the above mentioned PILOT Agreement for Livingston County, and any future amendments to said agreement, according to the term(s) designated, subject to review by the County Attorney and County Administrator.

**2. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PILOT AGREEMENT FOR LIVINGSTON COUNTY: DISTRIBUTED SUN LLC AKA MT. MORRIS-CREEK & HENDERSHOT SOLAR I, LLC, 6562 CREEK ROAD, TOWN OF MT. MORRIS**



# LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE

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WHEREAS, Distributed Sun, LLC aka Mt. Morris-Creek & Hendershot Solar I, LLC (the "Owner"), as Lessee of property owner, Jeffrey S. and Kathleen A. Winters, has submitted a Notice of Intent to the County that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487 (1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately five (5.0) Megawatts AC on a parcel of land located within the Town of Mt. Morris and identified as Tax Map Number 115.-1-22; and

WHEREAS, the County has not opted out of RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the County has indicated its intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the County for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted or will submit to the assessor of the Town of Mt. Morris a RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the parties intend that, during the term of this Agreement, the Project will be subject to standard land taxes and applicable special district taxes. The improved property will placed on the exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York State law with respect to the Project; and

WHEREAS, Owner agrees to make annual payments to the County in lieu of real property taxes for the Project for a period of fifteen (15) consecutive fiscal tax years; annual payments may not exceed the amounts that would otherwise be payable but for the RPTL 487 exemption. Such 15-year term shall commence on the first taxable status date selected by Owner following commencement of the construction of the Project (the "Commencement Date"), and shall end the fifteenth fiscal year following the Commercial Operations Date. The first annual payment shall be in the amount of \$2,050.00 per Megawatt AC of Capacity (the "Annual Payment"). Based on the Capacity of five (5.0) Megawatts AC, as identified by Exhibit A below:

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9	\$10,250.00
10	\$10,250.00
11	\$10,250.00
12	\$10,250.00
13	\$10,250.00
14	\$10,250.00
15	\$10,250.00

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the above mentioned PILOT Agreement for Livingston County, and any future amendments to said agreement, according to the term(s) designated, subject to review by the County Attorney and County Administrator.



**LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE**

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**3. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PILOT AGREEMENT FOR LIVINGSTON COUNTY: DISTRIBUTED SUN LLC AKA MT. MORRIS-CREEK & HENDERSHOT SOLAR II, LLC, 6562 CREEK ROAD, TOWN OF MT. MORRIS**

WHEREAS, Distributed Sun, LLC aka Mt. Morris-Creek & Hendershot Solar II, LLC (the "Owner"), as Lessee of property owner, Susan W. and Don M. Arney, has submitted a Notice of Intent to the County that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487 (1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately one and three-eighths (1.375) Megawatts AC on a parcel of land located within the Town of Mt. Morris and identified as Tax Map Number 115.-1-22; and

WHEREAS, the County has not opted out of RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the County has indicated its intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the County for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted or will submit to the assessor of the Town of Mt. Morris a RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the parties intend that, during the term of this Agreement, the Project will be subject to standard land taxes and applicable special district taxes. The improved property will placed on the exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York State law with respect to the Project; and

WHEREAS, Owner agrees to make annual payments to the County in lieu of real property taxes for the Project for a period of fifteen (15) consecutive fiscal tax years; annual payments may not exceed the amounts that would otherwise be payable but for the RPTL 487 exemption. Such 15-year term shall commence on the first taxable status date selected by Owner following commencement of the construction of the Project (the "Commencement Date"), and shall end the fifteenth fiscal year following the Commercial Operations Date. The first annual payment shall be in the amount of \$2,050.00 per Megawatt AC of Capacity (the "Annual Payment"). Based on the Capacity of one and three-eighths (1.375) Megawatts AC, as identified by Exhibit A below:

**EXHIBIT A**

Year	Payment Amount
1	\$2,818.75
2	\$2,818.75
3	\$2,818.75
4	\$2,818.75
5	\$2,818.75
6	\$2,818.75
7	\$2,818.75
8	\$2,818.75
9	\$2,818.75
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11	\$2,818.75
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# LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE

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RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the above mentioned PILOT Agreement for Livingston County, and any future amendments to said agreement, according to the term(s) designated, subject to review by the County Attorney and County Administrator.

## 4. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PILOT AGREEMENTS FOR LIVINGSTON COUNTY: DISTRIBUTED SUN LLC AKA MT. MORRIS-CREEK SOLAR, LLC, 6474 CREEK ROAD, TOWN OF MT. MORRIS

WHEREAS, Distributed Sun, LLC aka Mt. Morris-Creek Solar, LLC (the "Owner"), as Lessee of property owner, Richard J. Forbes, has submitted a Notice of Intent to the County that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487 (1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately five (5.0) Megawatts AC on a parcel of land located within the Town of Mt. Morris and identified as Tax Map Number 115.-1-16.1; and

WHEREAS, the County has not opted out of RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the County has indicated its intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the County for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted or will submit to the assessor of the Town of Mt. Morris a RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the parties intend that, during the term of this Agreement, the Project will be subject to standard land taxes and applicable special district taxes. The improved property will placed on the exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York State law with respect to the Project; and

WHEREAS, Owner agrees to make annual payments to the Taxing Jurisdiction in lieu of real property taxes for the Project for a period of fifteen (15) consecutive fiscal tax years; annual payments may not exceed the amounts that would otherwise be payable but for the RPTL 487 exemption. Such 15-year term shall commence on the first taxable status date selected by Owner following commencement of the construction of the Project (the "Commencement Date"), and shall end the fifteenth fiscal year following the Commercial Operations Date. The first annual payment shall be in the amount of \$2,050.00 per Megawatt AC of Capacity (the "Annual Payment"). Based on the Capacity of five (5.0) Megawatts AC, as identified by Exhibit A below:

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13	\$10,250.00
14	\$10,250.00
15	\$10,250.00

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the above mentioned PILOT Agreement for Livingston County, and any future amendments to said agreement, according to the term(s) designated, subject to review by the County Attorney and County Administrator.

## 1:55 COUNTY ADMINISTRATOR – IAN COYLE (Attachments)

### Action Item(s) To Be Reported

#### 1. APPROVING ABSTRACT OF CLAIMS #2A-FEBRUARY 10, 2021

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2A dated February 10, 2021 in the total amount of \$1,948,212.77.

#### 2. AUTHORIZING TRANSFER OF FUNDS-CENTRAL SERVICES & REAL PROPERTY TAX SERVICES

RESOLVED, that the Livingston County Treasurer is hereby authorized and directed to make the requested transfers per the Budget Transfer entries that have been approved by the Livingston County Administrator.

#### 3. ADOPTING 2021 OFFICIAL LIST OF COUNTY OFFICIALS REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE UNDER SECTION 2F OF LOCAL LAW NO. 4 OF THE YEAR 1990

WHEREAS, the Ethics Board of Livingston County has recommended to the Chairman of the Board of Supervisors the 2021 Official List of County Officials required to file an annual statement of financial disclosure, it is hereby

RESOLVED, that the Livingston County Board of Supervisors adopts the attached list which constitutes the 2021 Official List of County Officials required to file an annual statement of financial disclosure pursuant to the provisions of the Local Law No. 4 of the year 1990.

#### 4. APPROVING THE 2021 NEW YORK STATE LEGISLATIVE AGENDA

RESOLVED, that the Livingston County Board of Supervisors approves the 2021 New York State Legislative Agenda, a copy of which is attached hereto.

#### 5. APPROVING FIVE YEAR CAPITAL IMPROVEMENT PLAN

RESOLVED, that the Livingston County Board of Supervisors hereby approves the Five Year Capital Improvement Plan, a copy of which is attached hereto, as presented by the County Administrator.

#### 6. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY BOARD OF ETHICS –LAURIE SATTORA & DONALD WESTER

RESOLVED, that the following members are hereby reappointed to the Board of Ethics for the terms designated:

Livingston County Board of Ethics			
Name	Address	Rep./Title	Term
Laurie Sattora	760 Sand Hill Road, Caledonia, NY 14423	Member	1/1/21-12/31/23
Donald Wester	5891 Clark Road, Conesus, NY 14435	Member	1/1/21-12/31/23

### Pre-approved Informational Item(s) To Be Reported

cc: BOS, Administration, Amy Davies, Jason Parker, Tish Lynn, Bill Fuller, Julie Barry





# **LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE**

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1. Federal Update
2. Administrative and Financial Updates
3. Strategic Plan
4. Bicentennial planning

**2:15 ADJOURNMENT**



2021 Budget Request - Transfer with Instance ID of 49137 from Central Services - Awaiting Board Approval

lforms

to:

MRees

01/28/2021 12:03 PM

Hide Details

From: lforms@co.livingston.ny.us

To: MRees@co.livingston.ny.us

1 Attachment



ERP Budget Request Form.pdf

**2021 Budget Request - Transfer from Central Services** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 1/28/2021

**Department:** Central Services **Program:**

**Type of Request:** Budget Request - Transfer

**Instance ID:** 49137

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** Interfund Transfer

400000.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** CIP Emergency Mgmt Services

400000.00

**Reason:** DASNY Grants to reimburse when received. New EMS Facility construction. (if applicable)

**Source of Revenue:** (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.

[Click here to open this task in Forms.](#)



2021 Budget Request - Transfer with Instance ID of 49182 from Real Property Tax -  
 Awaiting Board Approval  
 lfforms  
 to:  
 MRees  
 01/29/2021 02:39 PM  
 Hide Details  
 From: lfforms@co.livingston.ny.us  
 To: MRees@co.livingston.ny.us

1 Attachment



ERP Budget Request Form.pdf

**2021 Budget Request - Transfer from Real Property Tax** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 1/29/2021  
**Department:** Real Property Tax **Program:**  
**Type of Request:** Budget Request - Transfer  
**Instance ID:** 49182

**From Appropriation / Revenue**  
**From Dept Code:**  
**From Dept Description:** Real Property Tax Services  
 500.00

**To Appropriation**  
**To Dept Code:**  
**To Dept Description:** Real Property Tax Services  
 500.00

**Reason:** To cover a shortage of funds in the account to purchase a desktop scanner to scan and provide a permanent storage of property record cards. (if applicable)

**Source of Revenue:** (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.

[Click here to open this task in Forms.](#)