

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: TOURISM

DATE: MAY 19, 2022

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MERLINO
DICKINSON
BRAYMER
WILD
RUNYON
STROUGH
LEGGETT

OTHERS PRESENT:

REPRESENTING THE TOURISM DEPARTMENT:

JOANNE CONLEY, DIRECTOR
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
LARRY ELMEN, COUNTY ATTORNEY
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER

SUPERVISORS BEATY (VIA ZOOM)
DIAMOND
DRISCOLL (VIA ZOOM)
FRASIER (VIA ZOOM)
HOGAN (VIA ZOOM)
MCDEVITT (VIA ZOOM)
SEEBER

MICHAEL COLVIN, DIRECTOR, INFORMATION TECHNOLOGY
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS

REPRESENTING THE TOURISM ADVISORY GROUP:

MARK BEHAN, PRESIDENT/FOUNDER, BEHAN COMMUNICATIONS, INC.
SAM LUCIANO, GENERAL MANAGER, FORT WILLIAM HENRY
GINA MINTZER, EXECUTIVE DIRECTOR, LAKE GEORGE REGIONAL CHAMBER OF
COMMERCE & CVB
LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD

Please note, the following contains a summarization of the May 19, 2022 meeting of the Tourism Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov/mma>

Note: Pursuant to New York State Legislation (S.50001/A.40001): “Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.” All of the Committee members in attendance were physically present.

Mr. Merlino called the meeting of the Tourism Committee to order at 11:08 a.m.

Copies of the meeting agenda were distributed to those in attendance; those participating virtually accessed the agenda via the Warren County website. *A copy of the agenda is on file with the minutes.*

Mr. Merlino requested a motion to allow outside guests to attend the executive session to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, subject to section 105(1)(f) of the Public Officer’s Law.

Motion made by Mr. Wild and discussion ensued in regard to who the Committee allowed to participate in an executive session.

Larry Elmen, *County Attorney*, requested the Committee consider an executive session solely for the Supervisors whether present or attending remotely for the purpose of attorney/client information pertaining to several requests he received from Supervisors in regards to the legal notification for the position of Tourism Director. He advised the Committee to make a determination for the current motion on the floor prior to commencing the interview process. Discussion ensued in regard to the interview process and as a result Mr. Wild withdrew his motion and made a new motion to enter into an executive session to allow Mr. Elmen to provide legal advice.

Mr. Elmen clarified an executive session was not legally necessary for attorney/client communication, however there was an exemption from the open meetings law under Section 108(3) of the Public Officers Law and was why he believed an executive session was appropriate.

Mr. Strough seconded the motion to enter into executive session. Mr. Merlino called the question and the motion carried by a unanimous vote of those present (*Mr. Dickinson absent*) to enter into an executive session. Mr. Merlino asked whether the Committee members were agreeable to let Michael Colvin, *Director, Information Technology*, remain in the executive session and they all replied affirmatively.

Executive session was held from 11:15 a.m. until 12:00 p.m.; Mr. Dickinson entered the meeting during executive session at 11:38 a.m.

Upon reconvening Mr. Merlino stated no action had been taken but there was discussion regarding employment history and matters of legal employment along with the practice of a particular person. Mr. Elmen stated there were discussions during executive session in regard to the employment history of particular persons and leading to the appointment or employment of particular persons.

Motion was made by Mr. Dickinson to extend an offer to Albert Snow.

Following further discussion Mr. Dickinson withdrew his motion.

Motion was made by Mr. Wild, seconded by Mr. Dickinson to proceed with the interview process for the position of Tourism Director. Discussion ensued in regard to conducting the interviews publicly or during executive session, as well as including the Tourism Advisory Group and Gina Mintzer, *Executive Director, Lake George Regional Chamber of Commerce & CVB* in the process.

Mr. Strough exited the meeting at 12:09 p.m.

Motion was made by Mr. Wild, seconded by Mr. Dickinson and carried by a unanimous vote of those present (*Mr. Strough absent*), to move forward with the interview process.

Motion was made by Mr. Wild seconded by Mr. Dickinson and carried by a unanimous vote of those present (*Mr. Strough absent*), that Mark Behan, *President/Founder, Behan Communications, Inc.*, Sam Luciano, *General Manager, Fort William Henry*, Gina Mintzer, Michael Colvin, *Information Technology Director*, Joanne Conley, *Tourism Director* and Jackie Figueroa, *Human Resources Director*, to participate in the executive session.

Mr. Wild restated his motion, and Mr. Dickinson reaffirmed his second to allow Mark Behan, Sam Luciano, Gina Mintzer, and carried by a majority vote of those present (*Mr. Strough absent*), with Ms. Braymer voting in opposition, to enter into an executive session pursuant to Section 105(1)(f) of the Public Officer's Law.

Executive session was held from 12:19 p.m. until 3:06 p.m.; Ms. Braymer exited the meeting during executive session at 12:19 p.m. and re-entered the meeting remotely at 12:21 p.m.; Mr. Behan exited the meeting at 1:55 p.m.; Mr. Luciano and Ms. Mintzer exited the meeting at 2:45 p.m.

Upon reconvening motion was made by Mr. Dickinson, seconded by Mr. Wild to extend an offer to Mr. Snow and carried by a majority vote of those present (*Mr. Strough absent*), with Ms. Braymer and Mr. Leggett voting in opposition.

Mr. Merlino extended privilege of the floor to public comments. Ms. Seeber expressed her dismay concerning extending an offer in a public forum rather than in executive session which had always been the process.

As there was no further business to come before the Tourism Committee, on motion made by Mr. Wild and seconded by Mr. Leggett and carried by a unanimous vote of those present (*Mr. Strough absent*), Mr. Merlino adjourned the meeting at 3:09 p.m.

Respectfully submitted,
Leslie Lovelace, Secretary to the Clerk of the Board