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THE COUNTY OF DAUPHIN, PENNSYLVANIA

RESOLUTION 38-2010

**A RESOLUTION AUTHORIZING THE CLOSING OF THE
HERBERT A. SCHAFFNER YOUTH CENTER AND
TAKING OF RELATED ACTIONS TO IMPLEMENT THE
CLOSING**

WHEREAS, the County of Dauphin, Pennsylvania, owns and operates the Herbert A. Schaffner Youth Center (hereinafter "Schaffner"), a youth detention center and shelter for delinquent and dependent children; and

WHEREAS, the juvenile justice system has experienced significant change over the last several decades, driven by evolving views on the treatment of delinquent youth and major shifts in the methods and sources of funding youth detention centers; and

WHEREAS, as a result of these changes, counties are being forced to explore alternate approaches to youth detention centers, such as reducing beds, utilizing in-community and regional service providers, and closing facilities; and

WHEREAS, only 18 of Pennsylvania's 67 counties presently own or operate a youth detention center; and

WHEREAS, the Board of Commissioners of the County of Dauphin (hereinafter the "Commissioners"), have determined that the costs to operate Schaffner have increased dramatically and the sources of past funding have changed to the detriment of the County; and

WHEREAS, the Commissioners have determined that Federal and State policy has shifted away from secure detention and toward less restrictive options for delinquent and dependent children; and

WHEREAS, the Commissioners desire to implement policies in the juvenile justice system that ensure public safety, make efficient use of taxpayer dollars, and maximize positive outcomes for delinquent and dependent youth in Dauphin County; and

WHEREAS, the Commissioners have determined that the County's continued operation of Schaffner is no longer in the best interests of the youth of the County or the County as a whole; and

WHEREAS, the Commissioners have undertaken a thorough study of the options and alternatives available to address the challenges facing Schaffner; and

WHEREAS, the Commissioners have determined that the best available option for delinquent and dependent youth in Dauphin County and for the County as a whole is to abandon the provision of secure detention service and ultimately close Schaffner; and

WHEREAS, regional service providers and private operators have adequate capacity and are available to the Court of Common Pleas of Dauphin County in those instances where secure detention services are deemed necessary by the Court.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Commissioners approve the County's immediate cessation and abandonment of secure detention service for delinquent youth.
2. The Commissioners approve the closing of the *Herbert A. Schaffner Youth Center*.

3. Any actions taken by the County or its representatives or agents regarding the abandonment of secure detention service and the closing of Schaffner prior to the passage of this resolution are confirmed, ratified and approved.

4. By adoption of this Resolution, the Commissioners, as well as the representatives and agents of the County, are hereby authorized and directed to undertake the following actions, including executing and delivering agreements and documents related to those actions, and to undertake any and all actions deemed necessary and appropriate in connection with the same:

- a. Develop and execute a plan of implementation for the abandonment of secure detention service and the eventual complete closure of Schaffner;
- b. Submit any required notices to and take any appropriate actions with regard to the *Department of Public Welfare*;
- c. Engage in effects bargaining with the Teamsters Local 776 regarding the closure of Schaffner;
- d. In the County's ministerial capacity, for the benefit of the Court of Common Pleas, negotiate, enter into and/or amend agreements for the provision of secure detention services for delinquent youth in Dauphin County;
- e. Terminate and/or amend, as appropriate, vendor agreements relating to Schaffner, including but not limited to agreements for facility management, comprehensive health services, and food services; and
- f. Execute agreements with qualified providers for transportation services related to the transport of delinquent youth requiring secure detention services.

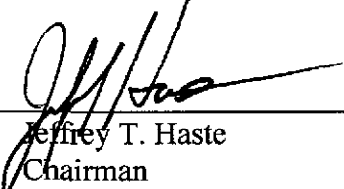
5. The Commissioners, and the representatives and agents of the County, in connection with the abandonment of secure detention service and closing of Schaffner, or any of the transactions described or contemplated by the foregoing resolutions or otherwise by the actions or agreements listed above, are hereby authorized to take any and all actions and execute and deliver any and all further documents as any of the Commissioners, or such representatives

or agents, deem necessary or appropriate in order to effectuate the purposes or carry out the intent of the foregoing resolutions. Further, the execution and delivery or filing of any such documents or the taking of any such action by the Commissioners, or the representatives or agents of the County, conclusively shall evidence the due authorization and approval thereof by the County.

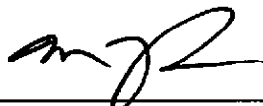
6. In the event any provision, section, sentence, clause or part of this resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this resolution, it being the intent of the County that such remainder shall be and shall remain in full force and effect.

DULY ADOPTED, by the Commissioners of the County of Dauphin, Pennsylvania, in lawful session duly assembled, this 13th day of October, 2010.


**COUNTY OF DAUPHIN
COMMONWEALTH OF PENNSYLVANIA**

By: 

Jeffrey T. Haste
Chairman
Dauphin County Commissioner

By: 

Mike Pries
Vice Chairman
Dauphin County Commissioner

By: 


George P. Hartwick, III
Secretary
Dauphin County Commissioner

CERTIFICATE

I, the undersigned, Chief Clerk of the County of Dauphin, Pennsylvania (the "County"), certify: that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Commissioners of the County of Dauphin at a meeting duly held on the 13th day of October, 2010, at which meeting a quorum was present; and said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Commissioners of the County met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7 of the Commonwealth of Pennsylvania, by advertising the time and place of said meeting, by posting prominently a notice of said meeting at the principal offices of the County or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the County, this
13th day of October, 2010.



Chad Saylor
Chief Clerk
County of Dauphin

(SEAL)