



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

FEBRUARY 4, 2009

10:00 A.M.

MEMBERS PRESENT

Jeff Haste, Chairman
Dominic D. DiFrancesco, II, Vice Chairman
George P. Hartwick, III, Secretary

STAFF PRESENT

Chad Saylor, Chief Clerk; Marie E. Rebeck, Controller; Janis Creason, Treasurer; William Tully, Esq., Solicitor; J. Scott Burford, Deputy Chief Clerk; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Faye Fisher, Director of Personnel; Kay Lenge, Personnel; William Struemke, Solicitor's Office; Leila Brown, Solicitor's Office; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; Melissa Wion, Personnel; Jason Miller (Intern), Commissioners' Office; August Memmi, Community & Economic Development; George Connor, Community & Economic Development; Greg Schneider, Budget & Finance; Jena Wolgemuth, Commissioners' Office; Brenda Hoffer, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Mark Stewart, Esq., Dan Miller, C. Peter Carlucci, Esq., WHP, Helen Koser, Tom VanWagner, Coleen Terry, Brent Shelhamer, Ellen Adelstein and LuAnne DeFrank

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:00 a.m.

MOMENT OF SILENCE

Everyone observed a moment of silence.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve the January 14, 2009 Workshop Meeting Minutes and the January 21, 2009; motion carried.

It was moved by Ms. Rebuck and seconded by Mr. DiFrancesco that the Board approve the January 21, 2009 Salary Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: There were no Executive Sessions held between meetings.

PUBLIC PARTICIPATION

Mr. Haste: We are at the point in time in the meeting for public participation. Is there anyone in the audience that would like to address the Board on an agenda item now?

Ms. Adelstein: My name is Ellen Adelstein. I'm a resident of Lower Paxton Township. I would like to speak to the Harrisburg Incinerator issue.

I do not feel that Dauphin County residents should be responsible for paying for this fiasco concerning the Harrisburg Incinerator. I'm sure that I speak for many of the 249,000 Dauphin County residents outside the City. This whole fiasco is due to the bickering between Mayor Reed and City Council, poor judgment and lack of oversight of the Harrisburg Authority. To have the debt increase from \$50 million to over \$300 million is I don't know what to say. I think my biggest problem with this is the residents of the City of Harrisburg have the ability to vote these people out of office. I don't feel that the rest of us should have to pay for the problems created by the City people that are running the show. I'm here to ask you a few things. I would like to know when the contract is up with the City of Harrisburg and if you are able to break that contract and make arrangements to have our trash hauled to another facility? I don't think Mayor Reed appreciates, he's got his \$700 million wish list to the Federal government and nowhere in that does he mention the incinerator issue. I was pleased to see that a couple of the Council members at least they are beginning to address that as to be the primary thing that they should be addressing, the debt. They need to accept responsibility. I'm sorry for the City of Harrisburg residents, but they have the ability to

vote for these people in or out. I don't feel the rest of us should be held responsible for this tremendous debt. I am aware of the lawsuit and everything. I don't know what the status of that is, but in the little bit that I've read also I think you are looking perhaps to get a more reasonable rate increase. Again, I don't feel that we should be responsible for any rate increase due to the mismanagement that occurred in the City. I guess that is all that I have to say.

Mr. Haste: I think you hit the nail right on the head. One of our frustrations in dealing with the Authority is we wasted over a year sitting here and that while we were wasting that year waiting for them to try to work out some terms they were losing revenue every single month; while City Council, the Authority and the Mayor's Office decided to bicker back and forth, as you said, the debt kept going up with no solution in sight. Unfortunately, I think we would still be in that boat if this Board of Commissioners didn't push and try to hold their feet to the fire even though they criticized us for that.

Ms. Adelstein: I agree.

Mr. Haste: It would have been worse. The bad thing is we are probably tied to this for at least 20 years and it is by way of the financing that's involved with the facility. Can we break the contract – not easily, I guess is the answer. Although as we move forward there may come a point in time where it is less costly for us to break the contract and pay the penalties than it is to continue. The only thing that I would say is it is probably more likely they would break the contract before we will. Only because if they are as bad off as it appears they are at some point in time they may not be able to fulfill their obligation in that contract. So, they may give us an opportunity at some point, because they may break it before we will. At no point in time does this pill get easier to swallow, even if that happens. It's not a good situation.

Ms. Adelstein: I understand. They created the problem. They need to look for revenues within the City. Mayor Reed always wants to spend money on this and that and everything else. I understand the parking rates have been increased. He needs to start looking at paying down that \$300 million debt and not putting it on the rest of the Dauphin County residents.

Mr. Haste: There are ways, if they wanted to, they could do that. The problem is I'm not sure if that is their desire to do that.

Ms. Adelstein: That's obvious. If my Lower Paxton Township supervisors messed up royally do you think people outside the township are going to help?

Mr. Haste: Absolutely not.

Ms. Adelstein: They need to accept responsibility. I'm hoping... Do you have any idea when the decision will be made?

Mr. Haste: I believe it is March 15th.

Mr. Tully: It is an arbitration decision.

Ms. Adelstein: I feel for the City residents, but that doesn't mean that we should be held responsible for the mismanagement of their leaders.

Mr. Hartwick: I think you share our frustrations and views almost exactly.

Ms. Adelstein: I wish there were more that you as Commissioners could do to protect the rest of us.

Mr. Haste: You can rest assured that we are doing everything we can. The problem is a big portion of this is out of our hands. We are doing what we can.

Mr. DiFrancesco: You are right on the mark in terms of the largest voice that can see this issue resolved is the residents of the City of Harrisburg. There are options on the table right now, as we speak, that could put this thing in a proper footing. I don't want to see it eliminated, but I also do not want to force that burden out onto any taxpayer, including the ones living in the City. So far, City Council has been unwilling to consider those options and the Authority themselves have been unwilling to consider those options. At the end of the day if the residents in the City stand up and voice strong support that their Council show leadership there is an end to their problem sitting out there right now.

Ms. Adelstein: I'm not sure what the answer is that you are making reference too. I quite frankly feel that I believe it was Patty Kim's idea well let's spread it around to the other 249,000 people. I think that is to score points with the residents of the City and say oh well I'm working for you.

Mr. DiFrancesco: That's not the solution.

Ms. Adelstein: No it is not.

Mr. Haste: There are assets that the City owns without getting too specific that they could sell that would pay off this debt. They choose not to do that. Just like any other business would be in this boat. Even the County, when this Board of Commissioners came into office, we were sitting here, the Veterans Building right across the street, we sold it. It was an asset. We sold it to the Industrial Development Authority, they rented it. We needed to generate revenue as well. One of the things that you need to do other than going to the taxpayers is to look at what assets you can sell, lease or do whatever to get a revenue stream off of it. They have several of those. They choose not to do that.

Ms. Adelstein: Who can force them to take some kind of remedial action?

Mr. Haste: Harrisburg residents.

Ms. Adelstein: I'm not a Harrisburg resident. I think the Harrisburg residents are going to be happy if they spread the misery around. I thought it was the Dauphin County Commissioners that signed the contract for Dauphin County waste to be taken to the Harrisburg Incinerator.

Mr. Haste: Correct.

Ms. Adelstein: Don't you have any authority with the remedy for this mess?

Mr. DiFrancesco: The only remedy that we have is the process that we are going through right now.

Mr. Haste: Again, it is still owned, operated and run by the Authority, which we have no appointment to. Ours is the power of negotiation and granted it is a little greater than the average citizen, but in some points you raised the citizens could help a lot in this cause.

Mr. DiFrancesco: We have been working very hard with the Authority to basically present alternative ideas and as we have mentioned in the past I don't think a single one of those ideas has been forwarded.

Mr. Hartwick: I'm going to cut to the chase. There is a political game that is being played that is putting in jeopardy the entire financial future of the City. It is putting the best interest and the appropriate remedies last in the quest to gain power and authority. It is quite frankly what's wrong with politics and we need those public servants that take and make the tough decisions to be able to put a community that they represent on the right financial track despite what it means for them and be able to address those issues. I don't see that happening based upon the current situation in the City of Harrisburg. We are going to take whatever remedy we can based upon the contract to control costs on the rest of the residents outside of the City. I'm just very disappointed in the process and the politics that are being played at the expense of the rest of the taxpayers in this County, and particularly in the City.

Ms. Adelstein: I hope the Court, hearing officer or wherever this went does something fair, because to me even a 4% increase isn't fair. We are not responsible for their mess. I thank you for your time.

Commissioners: Thank you!

Mr. Haste: Is there anyone else who would like to comment at this time?

Ms. DeFrank: My name is LuAnne Gustin DeFrank. I'm the newly elected Treasurer/Tax Collector for Swatara Township. I understand today on the Agenda that you are going to be discussing compensation. I don't know how many of my fellow tax collectors are back here, but I would like to speak on behalf of all of us to let you know

in public the duties that we do in our office. I know I don't think any of the general public really understands and I don't think we do until you get in that position. If I may, I did this sheet a few years back and I just wanted to read it to you if I may do that. These are the official duties of the tax collector and staff. We collect and pay over all real estate taxes for the County, Township and School District, seven taxes, as well as four interim billings for the same entities and any bill additions, revisions, assessment change refunds, including all paperwork and bookkeeping, which are approximately almost 59 in collections in Swatara. Beginning last year partial payments also started with the School Districts and bills are collected three times and reconciled. I had almost 1200 extra bills. We handle all exemptions, exonerations of properties. Process unpaid tax bills after December 31 of the given calendar year and all paperwork, reconciliation, bookkeeping for the Dauphin County Tax Claim Bureau, along with the Township and School District. Also, reports are done in triplicate for the tax office, township, school and county for unpaid bills. All the customer service and number one is tax certs for the real estate agents, settlements, title companies, lawyers and businesses for the purpose of a home or business sale or refinance. Certification such as W9's for businesses, fire losses for the insurance companies. Refunds, if there are incorrect or duplicate payments of homeowners and mortgage companies and refunds due to Court Appeal hearings for revised bills for x amount of years. Tax receipts, homeowners and business people who may request receipts for x amount of years, senior citizens to process their senior rebate forms at income tax time, handle all the incoming mail, tax payments and all return mail from the post office to reprocess, remail and provide address corrections for the county and the school district, handle all the people that come to the tax office to process tax payments with paid receipts, as well as questions or concerns that they may have regarding tax bills, settlement interim bills, as well as the many phone calls regarding the same. In our municipality we have approximately 27,000 residents and approximately 1,500 businesses. Depending upon the changes that are occurring with the tax system, such as Act 50, Act 72, the county-wide reassessment, homestead applications, this requires much time and education per phone call, as well as, the number of calls are increased. We are the liaison for the general public on any new tax law or change due to the fact that most people have much need for education in this area. We review settlement sheets, escrow statements, even help with their tax paperwork and W2 as many think we handle any and all tax issues. We work on behalf of all the mortgage companies and lenders, such as with tax payments, duplicate payments, refunds, tax bill information, and tax figures requested in writing by mail, phone or fax and bulk mail packages. Provide federal, state and local income tax forms, homestead and senior rebate forms to our residents, advertising assists the public about sheriff sales, process tax payments from the sheriff's office along with requests from that office for tax information for upcoming sales. Handle any and all problems with regard to the tax assessment office. If there are errors on tax bills, incorrect address information and phone calls to the Tax Assessment and Recorder of Deeds Office to assist property owners with these matters. We handle numerous phone calls from the residents or businesses in regards to if their taxes are paid, when and by whom, which requires time on the phone and on the computer to research the requested information. Tax Claim, delinquent tax bill mailings are handled with the property owner, review escrow analysis sheet, settlement papers, reviewing for

settlement errors. Pay the county, township and school district weekly and bi-weekly, then monthly depending on the tax period being collected. This is handled by the Treasurer personally; hence this requires driving to the appropriate office. Handle all the bookkeeping for the seven individual taxes plus the same for all the interim bills as these are kept track of separately per individual tax, as well as the bank statements, monthly reports to county, township and school, quarterly reports to the government. We handle all the payments in lieu of taxes for the Dauphin County Housing Authority which includes splitting up the millage rates and the pay overs. As Treasurer I personally handle all my bank accounts, deposits, pay overs, refunds, process all reports and count the tax bills per closing of a report, all of the financial reconciliation, all problems or concerns by letter, phone or fax, drive to the bank daily and drive to all the entities I collect for, attend monthly commissioner meetings, sign township checks for the finance office, work on special projects per requests, such as the Harrisburg Multi-Project and all return checks and reprocessing and recollecting, handle calls at home and people who come to my private residence for assistance, prepare all records for audit by the county, township and school. I received tax collector qualification status in attempt to get a continuing education credits, ten credits right now per year are recommended, but not required by DCED, handle all personnel matters and hiring in the tax office, as well as ordering all my supplies and inventory as needed. I automated the tax office in 1998/1999 and entered approximately 40,000 tax bills in addition to the above duties and segregated the job requirements to do this automated change. Also, instituted an answering machine system, cash ledger system, drop box for the days that we are closed for the convenience of the taxpayers and we also received a stamp paid receipt upon processing, responsible for quarterly newsletter article to provide the public with detailed tax information, salaries of staff bi-weekly time sheets, oversee the clerical budget, treasurer's expense account and office supplies and postage for any and all township mail. I'm the full-time elected Treasurer/Township and have no other employment or position elsewhere. Much of my work, phone calls and duties are done from home when the tax office is closed, during the evenings and weekends. This is due to limited office space and privacy, mostly because we are the second largest municipality in the county and we do require more than three days a week to complete the work that is required to fulfill all the demands of this position. I'm sorry if it was a little lengthy today. Gentlemen I may have overwhelmed you, but these are a lot of the duties that we do. Right now I just put 8,916 bills in my drawer. With the two interims coming I'm probably going to have between 9,000 and 10,000 bills. Remember that we collect 75% to 80% of these bills in the discount period. Again, all the mortgages and everything come the last day. It takes us two to three months to complete just the discount. If you are off or sick forget it. I have my ladies bring my work home to me. The important part is the depositing and the paying over of the money so you can invest and make interest. The ladies do the mail and handle the desk, phone calls and the tax certs. I do the rest. 90% of my work is done at home. I represent all the tax collectors today. With this information I would ask that you consider maybe even giving us a little bit of a raise. I wish you would consider paying us for every bill. We do handle every bill. I turned in almost 600 delinquents, which I had to run reports on. I had to reconcile with my county sheets. It would be greatly appreciated and even the revised bills, the exonerations, assessment changes. We still have to handle all that and we are not

getting paid. It takes so much time. Also a consideration that I thought of that would really be nice if maybe you could figure up say you did do every bill times whatever equals so much and that is your salary for the year, divide it by 52 and 26 and maybe pay us biweekly. I can tell you from August to December there is basically not much coming in my office from the county. Like I said 80% of the bills are paid in the discount and then from August to December you really don't have that much. I certainly don't make enough to support myself if I had to. With all of that in mind gentlemen I thank you for you time today and I would appreciate your utmost consideration in this matter.

Commissioners: Thank you!

DEPARTMENT DIRECTORS/GUESTS

A. Janis Creason, Treasurer and J. Scott Burford, Deputy Chief Clerk

1. Tax Collector Compensation Schedule and Draft Resolution

Ms. Creason: It is difficult to really put your arms around this entire operation and I think LuAnne did an apt job of relaying some of the duties of tax collectors and I concur with most of those, if not all, the items on her list.

The local tax collection law of 1945 is what mandates tax collectors. It sets their compensation and gives most of the guidelines for what their responsibilities are to the tax districts that they serve, in addition to the county, township and borough codes that govern them. The difficulty with this situation and what we are faced with today and we are mandated by that law to set this compensation by February 15 is that this law, other than six amendments that really had nothing to do with the way they operate, is definitely not part of the 21st century. We are trying to make something fit here that really needs to be updated in every sense of the word. I would just like to be on the record to say it certainly would be my goal and mission for the rest of my term to be able to champion that cause that there be some update to this legislation. It is very much needed and very much overdue. This is for the effective term beginning 2010. We have 39 tax collectors. We have Helen Koser from Paxtang and LuAnne DeFrank here today. I would like to say that they are two that meet all of the requirements. Their reports are timely. They do work hard to get their money into us. The difficulty in this is that we have many that do not. We have many that do not take this seriously. They serve perhaps out of obligation or for some other reason and it became very difficult to find a compensation package that truly met the needs of both the tax collector and the county. We were charged with coming up with a tax collection or tax compensation package that was incentive based and we worked together, Scott Burford, under the direction of Commissioner Hartwick and Steve Howe and myself have met on numerous occasions to come up with this plan today. We worked on several reimbursement models. We looked at all of the compensation for every county, municipality and school district in the State. We found that some are paying a percentage of the compensation, some are paying a stipend, some are paying a salary and some are paying per bill, some are paying per bill collected and some are paying per bill issued. What we did

find and confirmed that we did not find two school districts, two municipalities or two counties that have the same combination of compensation. I think that just underscores for you the dilemma that we faced in setting this and the lack of direction in the legislation. After much deliberation we put some models together and we would be happy to share those with you. We set up some excel spreadsheets that allowed us to put variables in and we played with just about every combination that we could think of to come up with something that was fair for all 39. We have tax collectors in some municipalities that are collecting as little as 173 bills. We have tax collectors, Lower Paxton being the largest, that is collecting 17,000 bills. We are attempting to make a compensation package that fairly addresses all of their needs. That is very, very difficult to do. We came up with this base package of paying \$1.85 per bill collected. We wanted to have an incentive for them to begin to use a computer system that we are in the process of developing for all the tax collectors. It would be a web based system that they would use and would interface with a system that we operate now. I've operated that system in my office for a year. It is working very well and it is an extreme time saver in processing payments. They would receive this software, a computer system and a certain amount of reimbursement for internet services, because that would be a component of that, which would be required for them to be online with us. In addition to that compensation we added to it a performance incentive. They are already receiving, at this time and in this term, \$1,000 per year stipend. That is paid on a quarterly basis, but it is not tied to performance. We really need to ratchet up the performance, because we do not have all the tax collectors meeting all of the legal requirements, let alone some of the additional things that they could do voluntarily to make this a more efficient and safe process. Part A we asked for timely remittance of funds. Something that is required by law, but it often is not happening with all the tax collectors. One is the timely remittance of their DCED monthly tax collectors report, which is required by law. Two is to maintain a collateralized municipal fund account. I think Luanne could speak to this, if she had the opportunity that most of our tax collectors were operating in just a regular checking account, some of them under their own social security number. They were not using a municipal funds account. That meant that up until recently they only had FDIC protection up to \$100,000, now they have \$250,000. We have tax collectors with up to \$10 to \$15 million in their checking account at any given time. One of the things that I did coming into office was to get in contact with all the tax collectors and they have begun and if not already taken steps, the larger ones, to make sure that they have a municipal fund account. We are also asking that we utilize the web base software system. That would allow them to receive an \$800 bonus to be decided quarterly based on their performance. In Part B we ask them to meet two of six requirements. These would be best practices for tax collectors, things that are not mandated by the law, but definitely add to the efficiency and security of the system. The first would be quarterly remittance of reconciled bank statements. We are able to audit them and this is something that we are entitled to ask for. We have not been doing that in the past. I believe that we need to start doing that now. We did find that in a systems audit that we had done by McKonly & Asbury we had tax collectors who had not reconciled their bank statement for over a year. They had no idea whether their balance was correct or not, or whether it matched with what they were turning over to us. Issues like that cause us to have to take some remedy and to give a best practices

approach to that. Other ones are to have a deputy tax collector and to have an alternate method of payment offered, such as credit card or ACH transfer. Again that would be an option for them, not a requirement. They would demonstrate security measures implemented. I had one tax collector say to me I'm not keeping my money in the refrigerator. We said that is really good. He said I'm keeping it under the bed, because no one would really look under the bed, they would probably look in the refrigerator. That I did not think was a really good answer for how they are keeping our tax dollars. We really need to hold them accountable, even though they may be autonomous and elected and run their own shop, I think we have a responsibility to understand and to help them understand how important it is for them to be safeguarding these funds while they are in their possession. They could maintain an interest bearing checking account and they could direct deposit funds into the county account, which Helen Koser, happy to report, has just initiated with us where her funds are going directly from her checking account into ours, which is saving the time that the check would be in the mail. Then we in turn post it and deposit it. Those are very positive steps to take. This would be evaluated quarterly and monitored by my office for performance standards. That is pretty much the extent of it. I will mention that we are just one of the taxing districts paying compensation. We are required to pay compensation to the tax collector, along with the township or borough and the school district. In addition, the tax collectors, by virtue of ordinance passed by their municipality are able to charge fees for tax certifications, for other work that they may do, copies and so on, working with the mortgage company they have the ability to charge fees for having to perform some services on behalf of them. There are a variety of ways in which they would derive their income. One thing that I wanted to mention in regard to Swatara as Luanne said she has 8,900 bills, but she also has a staff that is paid for by the township. In Lower Paxton where they have 17,000 bills that help is not provided or subsidized and all staff is paid out of income received as compensation by the tax collector. They are not self-employed. They do have taxes taken out of their paycheck, however, office expenses and so on for facilities, telephone and things like that are not reimbursed by the taxing district and do have to come out of this compensation.

Mr. Hartwick: I have to leave and I apologize. We have a grand-opening of some handicapped accessible new housing units down in Steelton. I want to first of all commend our Treasurer and Mr. Burford for their diligent work that they have done. As you had mentioned this was no easy task in trying to find some common threads that we were going through that allowed us to achieve the goals that we had set out as a board. They were extremely challenging and you did a great job Janis. We really appreciate your effort that you put into this. With the current system that has been neglected to be addressed by our Legislature, we need to operate within that system. It would take an action of the Legislature to change that system. In order for us to be responsive to taxpayers and fair to the individuals who are overwhelmed with duties as tax collectors and are asked to do more with less as their compensation is being cut oftentimes, which we felt would be a disincentive to individuals to do a job. If you are going to cut rates and not change the overall system and you expect better performance I don't think those things all coincide. Absent a change in the law, we have a goal of

trying to improve the efficiency of the system. We also want to make sure that we have a fair compensation, as well, for people to move in a direction that would ultimately save some additional dollars to the county and getting some investment earnings for taxpayers in the county as well. There are two things and I'm not sure if you mentioned them. We are also responsible for office supplies under the law.

Ms. Creason: Yes, under the law we would reimburse for office supplies, any printing that they would do, postage, anything that would have to do with mailing the tax bill.

Mr. Hartwick: That's still a part of this package.

Ms. Creason: Yes.

Mr. Hartwick: I wanted to clarify that. The other one is and I know you mentioned this, but the web based system, we are providing all of the hardware that is appropriate and the reasonable stipend to take care of the internet access. There would be no investment required by the individual tax collectors to actually come on to the new system. The efficiencies that would be created by this web base system will certainly allow us to do a number of things that will assist and speed up the collection process, as well as the remittance of funds and the ability to have a good handle on what is going on within those offices.

Ms. Creason: I think an example of that is we have a tax collector right now who is finding it very difficult to settle for this year and is off by about \$30,000 in their receipts. We are trying to pinpoint where that is. It is more of a manual system that they are using. With this computerized system that type of situation would be averted. I would be able to see the transactions and be able to advise them and guide them and identify immediately that receipts that were posted were not received in our office. They would be able to run reports that would also identify those discrepancies.

Mr. Hartwick: It has taken quite some time to get here. Janis you are proactive in reaching out to tax collectors inviting them to quarterly meetings, being able to exchange information, which hasn't happened in a number of years between the county and tax collectors. Also, the ability to put together, I think, a very fair package that provides incentives to move onto a modern system and to try to develop some uniformity with our tax collectors is something that you should be commended on. I certainly support the package as it is presented. With that I'm going to have to head on out. I suppose we are going to do this by Resolution and then do final passage next week. Is that correct?

Mr. Tully: It is a Resolution now to give notice to everybody as to the change in the package. Then ultimately we would have to pass an Ordinance down the road to rescind the previous ordinance and make final implementation.

Mr. Haste: Today would be a vote to move forward with the process.

Mr. Tully: Actually you probably should vote on the Resolution today.

Mr. Hartwick: Even though I will not be here, I would like to cast my vote in the affirmative for this particular plan.

Mr. Haste: Items 5 through 10, how hard are those items to accomplish? How reasonable would it be for someone to actually do all six?

Ms. Creason: It would not be possible to do all six in some cases. For instance, if you are working with a bank that doesn't offer direct deposit of funds, if they don't do that from one account to the other.

Mr. DiFrancesco: Are there any banks in Dauphin County right now that wouldn't do that?

Ms. Creason: I'm hoping not, but I'm not going to certify today that there are.

Mr. Haste: They could switch to a different bank if that were the case.

Ms. Creason: Nothing would be impossible to do. All of these things, the deputy tax collector and we put that in because especially in the larger municipalities, if you have a deputy and a lot of folks may not understand this, it is the only elected office that follows you into death. If you have a death in the office, the State takes over the collection and they need to appoint a deputy and that has caused some difficulty for some areas. We had two or three deaths last year where we had a change in tax collector and if they have a deputy that allows continuity of service in a way that doesn't happen if you do not have it. There is also, when we say demonstrated security measures implemented, this is something we are trying to educate the tax collectors on. Many of them are not aware of it. They know they are covered by a surety bond issued by the county. The cost is being shared by the different taxing districts. What they are not totally aware of is that only covers their performance. It does not cover if they would steal the money or embezzlement of some sort. It does not cover theft or disappearance by mysterious means. It doesn't cover fire. If a tax collector's office would catch on fire and that money would go up in flames, that bond that we have does not cover that. So, they would be responsible for those funds. What we are trying to do is to in no way penalize them, but to bring them to a point where their liability or their exposure is minimized for their own good and of course ultimately for our good.

Mr. Haste: The reason I asked that instead of doing \$200 for two of the six, what if we offered \$40 or \$50 per item. That way if someone did all six they got \$300 and our goal would be to get them to do more of the six than less of the six.

Ms. Creason: We could do that. The other issue is there could be a cost with the deputy tax collector. They have to be bonded. We have an issue there too that we would need to discuss further.

Mr. DiFrancesco: Here is the problem that I'm having with this. I think the idea or the concept here is very good. I would have a problem supporting I guess the Part B where quarterly remittance of reconciled bank statements is a very good business rule and is something that should be done anyway. The security measures, after the story you just relayed, I don't see why we wouldn't institute something that says that is just unacceptable. If there is cash that was paid and it burns up, it is gone. In today's day and age there is no excuse whatsoever to not have a fire box or some sort of a safe or something along those lines for that cash. That is almost a fundamental part of doing the job. I can't see why making that mandatory would be a problem. The interest bearing checking account is again good business practice. Why would you even waste 30 days of interest, even with the interest rates now, why would you waste that interest bearing capacity. Direct deposit of funds into the county account, there is no question in my mind that, I would be shocked if there is a single bank in Dauphin County that is not offering direct deposit capacity, but certainly every community in Dauphin County has a bank that would offer that. Those four issues, #5, #8, #9 and #10, I would be hard pressed to support this if they weren't mandatory.

Ms. Creason: This will be as hard a pill for you to swallow as it is for me. However, the local tax collection law of 1945 does not allow us to mandate any of those items. That is the reason why.

Mr. DiFrancesco: Incentive wise. We don't have to make it mandatory, but I would say if you are going to get the incentive of the \$1,000 these are the criteria that would have to be met. This is really an option above and beyond payment that we would be looking to make to incentivize certain good practices.

Ms. Creason: They get the \$200 if they do that Part B, but they don't... We did move it up into Part A simply because Part A handles what we can impose by law and is also justifiable in the tremendous cost savings to us. My office has a person who is basically replicating the entire process that the tax collectors go on as far as posting payments. Not doing everything that Luanne said. I really have to say on their behalf in many cases they are the unsung heroes of our operation, because they are out there interfacing with the public, doing a lot of detailed work. There is no question about that. The difficulty is the wide spectrum of those who are doing a wonderful job and those who are doing an absolutely horrible job. I can go down that list all day, but I'm not here to malign our tax collectors. You need to make the example that we need to bring them into compliance with certain good business practices. The time has come for that to happen. It has been overlooked for far too long. I don't want to impose something or present something to you that I feel is not defensible later. If the tax collectors have an opportunity or candidates have an opportunity to file a paper with the Clerk of Courts indicating that they feel the compensation is unjust or unfair, we could be scrutinized on that basis. It is not an arbitrary decision that we can make. There is accountability. It can't be malicious or capricious or arbitrary, so we worked hard to try to make a plan that was defensible so that if we had to explain ourselves we could. Of course, we tried to explain it to each other during the whole process to find out how defensible it was. That was the basis. Under your direction I would be happy to move that up into a

mandatory field. I would love those issues to be mandatory, but I think I would be remiss to present that to you today knowing that it may not be defensible.

Mr. Haste: That is why I tried to incentivize to encourage people to do all six, not just two of them, because taking Nick's concern that means someone could do six and seven and get the incentive and not meet any of the security needs.

Mr. DiFrancesco: Agreed.

Ms. Creason: Yes, you are right.

Mr. Haste: That is why I would almost try to incentivize them to do all six, not just two of the six.

Mr. DiFrancesco: I thought the other two were actually the ones that would be more challenging, but you are right they could do that and still get the incentive.

Mr. Haste: If it is \$40 that comes to \$240. It is not a whole lot more. At \$50, which seems to be an easier way, someone who really does a good job would get \$300. That is why I asked how difficult it would be for someone to do all six. I suspect that some are doing close to all six now. If they are conscientious in doing that I don't have a problem doing that.

Ms. Creason: I think that is true. I spoke to one or two of our tax collectors prior and they said they were already doing that.

Mr. DiFrancesco: I would assume most offices are doing these things.

Ms. Creason: Many are and that is why we are hoping that this is not met with great resistance because they are already doing it. Our goal is to continue to work with those that are not, those that are not in touch with us, those who kind of rebuff some of our efforts to assist them that this would bring them into compliance.

Mr. Haste: Why don't you then take a look at that part for the Resolution for next week and we will vote on the Resolution next week.

Ms. Creason: Sure. The other thing is I may come back to discuss payment whether at the end of the year or quarterly and also to take into consideration the comments that were made by Luanne today, as well.

Mr. Haste: If they still have questions could you between now and next week talk to them?

Ms. Creason: I will do that.

SALARY BOARD

A complete set of Salary Board Meeting Minutes are on file in the Commissioners' Office.

PERSONNEL

Ms. Lengle: I have an Addendum. Are there any questions on the Addendum? (There was none.) I have no changes from what I presented last week.

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve the Personnel Packet as amended; motion carried.

PURCHASE ORDERS

Mr. Baratucci: The Purchase Order Packet is no different than last week. There are no changes to it. We resolved the one budget issue that we had.

The other item is we received bids for our yearly bid for flags for the Veterans Affairs Office to hand out for Memorial Day. You have the results in front of you. I'm recommending the low bid from Flag Zone at \$69.84 a gross, \$11,872.82.

Mr. Haste: Do they have points on them?

Mr. Baratucci: Yes, they do. Mr. Wasco has reviewed them and he is satisfied with them.

Mr. DiFrancesco: Every year we ask that question.

Mr. Baratucci: You know if Mr. Wasco is satisfied with them they have to be a very good flag.

Mr. DiFrancesco: We remain eternally grateful to the Middletown High School students who sharpened our points a couple years ago. We would like if they would come with points on them.

Mr. Baratucci: They do.

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve the Purchase Order Packet and to award the bid for flags to the low bidder, Flag Zone, at a bid price of \$11,872.82; motion carried.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe presented the following report:

**Report from the Office of Budget & Finance
February 4, 2009**

- **January 23, 2009** transferred **\$559,099.33** to the **Payables** account from the County's Concentration account for checks issued that week.
- **January 30, 2009** transferred **\$8,827,391.66** to the **Payables** account and **\$2,004,040.46** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
 - None
- **Balance today in INVEST account \$195,708.35 rate 0.907%**
- **Balance today in Susquehanna Bank investment account \$108,508.96 rate 0.750%** (This rate is fixed for the month)
- **Balance today in Sovereign Bank investment account \$57,499,752.23 rate 1.500%** (This rate is fixed for the month)
- **Balance today in Citizens Bank investment account \$10,112,648.16 rate 2.750%** (This rate is fixed for the month)
- **Balance today in Citizens Bank Flex CD Program \$32,529,193.45 rate 2.320%** (This rate is fixed for the month)
- **Balance today in PNC Bank investment account \$1,000.00 rate 0.200%** (This equals today's Fed Funds rate of 0.250% minus 5 basis points)
- **Balance today in Graystone Bank investment account \$1,000.00 rate 0.050%** (This equals today's Fed Funds rate of 0.250% minus 20 basis points)
- **Balance today in Commerce Bank investment account \$100.00 rate 0.070%** (This equals today's 90-day T-Bill rate of 0.320% minus 25 basis points)

No T.R.A.N. Line of Credit required for 2009.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Saylor: I have nothing unless there are any questions of me. (There was none.)

SOLICITOR'S REPORT – BILL TULLY, ESQ., SOLICITOR

Mr. Tully: All items requiring Board Action have been reviewed and are ready for action. I would be happy to answer any questions.

Mr. DiFrancesco: Just a comment, I know we are moving forward on one of our last three tower site issues under EMA, but there are two that remain a challenge. I just want to make sure that we remain diligent in trying to move those forward.

Mr. Tully: It is a priority.

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Recommendations submitted by the Dauphin County Gaming Advisory Committee for the Local Share Grant Funding.
- C. Satisfaction Piece for Hai Houg Le on the property located at 2366 Berryhill Street, Harrisburg, PA 17104 (\$2,785.00).
- D. Subordination Agreement for Brett and Joleen Anderson on the property located at 275 Worcester Avenue, Harrisburg, PA 17111.
- E. Approval to contribute the County's pro rate share (\$2,380.00) for appraisal services and trial costs needed to ascertain the true value of properties of the Hershey Foods Corporation: Parcels #24-009-017 and #24-029-005.
- F. Amendment #1 to Contract No. C000036229 approving the increase of \$125,680 for Dauphin County Weatherization Assistance Program (LIHEAP).
- G. Aptitude Software Agreement between Dauphin County (Recorder of Deeds) and Aptitude Solutions for document redaction services.
- H. Resolution #1-2009 setting the weight restriction of 20 tons for Bridge No. 122.
- I. Purchase Agreement between Dauphin County and Stenograph Corporation for two (2) CaseViewNet for the Court Reporter's Office.
- J. Purchase of Service Per Diem Rates between Children & Youth and:
 - 1. The Summit School, Inc.
 - 2. Alternative Rehabilitation Communities, Inc.
 - 3. Keystone Community Resources, Inc.
 - 4. Kidspeace National Center, Inc.
 - 5. Lancaster County Youth Intervention Center
 - 6. Laurel Youth Services
 - 7. National Mentor Health Care, Inc.
 - 8. Northwestern Human Services of Pennsylvania, Inc.
 - 9. NHS Youth Services
 - 10. Perseus House, Inc.
 - 11. Pinkey's Vineyard of Faith
 - 12. Presbyterian Children's Village
 - 13. Pyramid Healthcare, Inc.
 - 14. Silver Springs-Martin Luther School
 - 15. United Methodist Home for Children Emergency Shelter for Youth
 - 16. United Methodist Home for Children Residential Care, Inc.
 - 17. Valley Youth House

18. ViaQuest Behavioral Health of Pennsylvania d/b/a Seven Mountains Academy
 19. Vision Quest National, Ltd.
 20. White Deer Run, Inc. d/b/a Cove PREP
 21. Windsor Pointe
 22. Wordsworth Academy Residential Treatment Center
 23. Norris ChildCare Consultants, Inc. (Best Friends Day Care Center)
- K. Purchase of Service Agreement between Area Agency on Aging and Dr. Christopher D. Royer.
- L. Purchase of Service Agreements between Children & Youth and:
1. CONTACT Helpline, Inc.
 2. Catholic Charities of the Diocese of Harrisburg, Pennsylvania, Inc.
 3. Ebenezer United Methodist Church
 4. Gaudenzia Chambers Hill Adolescent Program, Inc.
 5. Jewish Family Service of Greater Harrisburg, Inc.
 6. The Bair Foundation of Pennsylvania, Inc.
 7. The Boy's and Girls Club of Central Pennsylvania, Inc.
 8. Alternative Rehabilitation Communities, Inc. (Contract #1)
 9. Alternative Rehabilitation Communities, Inc. (Contract #2)
- M. Adoption Assistance Agreements #2008-98, #2008-99, #2008-100, #2009-01 and #2009-02.
- N. Amendment #2 to Purchase of Service Agreement between the Department of Drug and Alcohol Services and White Deer Run, Inc.
- O. Delta Dental Service Contracts for Teamster Unions IBT Local #776: Group No. 0384 Prison Guards, Group No. 3034 Probation Officers, Group No. 3042 Schaffner Youth Center and Group No. 3051 Court Related Non-Professional – effective 1/1/2009 – 12/31/2009.
- P. Special Event Promotion at Commerce Park/Harrisburg Senators for Earth Day/Green. This is through the County's Recycling Program.
- Q. Letter of Consent to Gaudenzia Foundation, Inc. for the encumbrance of a mortgage in the amount of \$650,000 from Sovereign Bank.
- R. Appointment of Jeffrey Rudder to the Tourism Board. Mr. Rudder's term will expire December 31, 2011.
- S. Appointment of Keith Oellig to the Dauphin County Planning Commission. Mr. Oellig's term will expire December 31, 2012.
- T. Budget Amendments for the quarter ending 12/31/08 and second quarter for the 2008/2009 Fiscal Budget.
- U. Cooperation Agreement between Dauphin County and Steelton Walnut Limited Partnership for the Steelton-Highspire Elementary School Project.
- V. Resolution #2-2009 authorizing the filing of a proposal for funds in the amount of \$2,250,000 with the PA Department of Community and Economic Development.

- W. Lease Contract between Dauphin County and Hewlett Packard Financial Services, Master Agreement No. 103108, Schedule No. 10310800030 for Server/SAN equipment that replaces and upgrades current equipment.
- X. Service Agreement between Dauphin County and F & E Business Systems for Formax FD 1500 folder/sealer.
- Y. Purchase of Service Agreement between MH/MR and Diana T. Myers & Associates, Inc.

Mr. Haste: We have Matters Requiring Board Action, many of which were at last week's Workshop. We have Items A through Y. Are there any that need to be pulled out separately? (There was none.)

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve the Matters Requiring Board Action, Items A through Y, listed above; motion carried.

FORMER BUSINESS

(There was none.)

NEW BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. Haste: I'll just report that some know that the Prison had a testing for correctional officers. It was requested by the Citizens Group that we involve a job fair. Our Personnel Office was very helpful with the job fair. There were somewhere around 200 people that were eligible to take the test. I think 112 finally sat for the test. We are in the process of going through those test results. We will be scheduling interviews with the doctor and then with the staff. That is moving forward.

CORRESPONDENCE

Mr. Haste: We have correspondence listed on the Agenda, Items A through R, which has been received by the Board and will be handled by the staff accordingly.

- A. Notification from Reinaman Engineering Group advising that Rachel Sansom is applying to DEP for a General Permit to improve the site drainage by installing a storm drainage system, concrete channels and high performance turf reinforcement mat lined channels at 2800 Commerce Drive, Middletown
- B. Notification from CEDG Engineers advising that they are applying to DEP for a General NPDES Permit for stormwater discharges associated with construction activities for a site located to the north of Linglestown Road at the intersection with Mountain Road in Lower Paxton Township.

- C. Notification from Act One Consultants, Inc. advising that they are applying to DEP for an NPDES Permit for stormwater discharges associated with construction activities at 750 Hill Church Road in Derry Township.
- D. Notification from LTL Consultants, Ltd. advising that East Hanover Township is submitting a renewal application to DEP for their National Pollutant Discharge Elimination System Permit for their existing Dairy Lane Wastewater Treatment Plant and all its presently installed facilities and equipment.
- E. Notification from American Water advising that RVG Management is submitting a Permit Renewal Application to DEP for the Manada Creek Mobile Home Park Sewage Treatment Plant located in East Hanover Township.
- F. Notification from CET Engineering Services advising that Lower Paxton Township is applying to DEP for a General Permit 3 for the 2007 Community Environmental Project, Asylum Run Stream Improvements.
- G. Notification from C. S. Davidson, Inc. advising that the Derry Township School District is applying to DEP for a Permit for the new athletic facilities adjacent to Homestead Road and Governor Road.
- H. Notification from Innovative Consulting Group, Inc. advising that Templar Elmerton, LLC is applying to DEP for General Permits 4 and 11 for a retail building and CVS Pharmacy with associated parking lots project at the southwest corner of the intersection of N. Progress Avenue and Elmerton Avenue.
- I. Notification from K&W advising that the Diocese of Harrisburg is applying to DEP for a General NPDES Permit for stormwater discharges for the proposed 900 student High School Project in Lower Paxton Township.
- J. Notification from Pennoni advising that Kevin Halbleib is applying to DEP for a NPDES Permit and General Permit 7 for the construction of a two story single family dwelling, attached garage, and two, one story metal agricultural buildings and driveway project in East Hanover Township.
- K. Notification from HRG advising that they are in the process of preparing a H2O PA and Pennvest funding application on behalf of The Harrisburg Authority for repairs, modifications and upgrades to the water transmission and distribution system.
- L. Notification from HRG advising that they are in the process of preparing a H2O PA and Pennvest funding application on behalf of The Harrisburg Authority for upgrades to the treatment facility in order to achieve higher nutrient removal levels in accordance with the Chesapeake Bay Tributary Strategy and DEP discharge permits.
- M. Notification from the Middletown Borough Authority advising that they are in the process of preparing a H2O PA application for upgrades to their existing wastewater treatment plant to meet the Chesapeake Bay Tributary's effluent requirements.
- N. Notification from Harman Stove Company advising that they have applied to DEP for the renewal of the State Only Operating Permit for the Harman Home Heating Halifax facility.
- O. Notification from Pennsy Supply advising that they are applying to DEP for the renewal of a State-Only Operating Permit for the Fiddler Elbow Quarry, Permit #22-3030 in Lower Swatara Township.

- P. Notification from Steelton Borough Authority advising that they are in the process of preparing a H2O PA application for upgrades to its current water filtration and distribution system.
- Q. Notification from HRG advising that West Hanover Township is in the process of preparing a H2O PA application for the replacement of aged and deteriorated stream crossings under Manor Drive, Kiwanis Road, Fairville Avenue and Sterling Road.
- R. Notification from HRG advising that Derry Township is in the process of preparing a H2O PA application whereby they will be partnering with the Derry Township Municipal Authority for replacement of cracked and damaged sanitary sewer lines within Derry Township.

PUBLIC PARTICIPATION

Mr. Haste: We are again at the point in time for public participation. Is there anyone in the audience that would like to address the Board at this time? (There was none.)

ADJOURNMENT

There being no further business, it was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board adjourn.

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz