



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**LEGISLATIVE MEETING**

**FEBRUARY 20, 2008**

**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; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Jack Wright, Human Services Director's Office; Amy Richards, Commissioners' Office; Carl Dickson, Director of Parks & Recreation; Mitch Baylarian, Solicitor's Office; Josiah Frederick, Commissioners' Office; Jena Wolgemuth, Commissioners' Office; Dan Robinson, Director of Community & Economic Development; Kay Lengle, Personnel; Leila McAdoo, Solicitor's Office; Dave Schreiber, Personnel; Tom Guenther, Director of IT; Diane McNaughton, Commissioners' Office; J. Scott Burford, Deputy Chief Clerk; Carolyn Thompson, Court Administrator; Troy Petery, Courts; Bruce Foreman, Esq., Solicitor's Office; George Connor, Community & Economic Development; Mike Pries, Director of Security; Kim Robison, Domestic Relations; Brenda Hoffer, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

**GUESTS PRESENT**

Dan Malpezzi, Paul Lundeen, Jay Wenger, Matthew Kirk, Eve Wachhaus and Evelyn Hunt

**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 30, 2008 Workshop Meeting Minutes and the February 6, 2008 Legislative Meeting Minutes; motion carried.**

**It was moved by Ms. Rebeck and seconded by Mr. Hartwick that the Board approve the February 6, 2008 Salary Board Meeting Minutes; motion carried.**

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Mr. Saylor: There was one Executive Session held on February 6, 2008 to discuss matters of litigation.

## **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 at this time? (There was none.)

## **DEPARTMENT DIRECTORS/GUESTS**

- A. August "Skip" Memmi, Department of Community & Economic Development  
Eve Wachhaus, Executive Director of Habitat for Humanity of the Greater Harrisburg Area**

- 1. Presentation of Check**

Mr. Robinson: We have a check presentation today for Habitat for Humanity. I have with me to receive that check Eve Wachhaus from the Harrisburg Area.

Ms. Wachhaus: It is such an honor to be the recipient of this money, because it will flow immediately through the Habitat for Humanity of the Greater Harrisburg's Office and into Dauphin County homes where families are being threatened by condemnation, safety and security. It is for them and their children that many of them may need to leave their homes. Through this money we will be able to go in and work with them, their sweat equity, your finances and our volunteers so that they will be able to live again safe and sound in their homes, remaining in them as opposed to having to leave them because of code violations. This is a project that for the last six years our Habitat for Humanity affiliate has been doing an average of 30 house units per year since we have started. This is the first home that we will be able to go out of the City and into all of Dauphin County, which is the area that we currently service. We welcome this opportunity to really stretch the kind of program that we have to many more people in Dauphin County who need it.

Mr. Haste: So, this is going to go for municipalities outside of the City?

Ms. Wachhaus: Correct, it would be outside only. That is a welcome change for us.

Mr. DiFrancesco: One thing that I would ask is that I would like to have a follow-up done if Dan you could stay in contact with them, because I would really like to hear the stories of the types of projects the money goes towards; and just for future reference if we ever get into a situation where we would like to fund the project again I would like to hear how the past money was spent.

Ms. Wachhaus: We put out a report every month to our Directors on the projects that we serve. We tend to focus on projects that are safety and security for children, the elderly and people with physical disabilities and all of the people that we service are in low income HUD guidelines and would not be able to do any of the repair work themselves.

Mr. Haste: Do you have any pictures?

Ms. Wachhaus: Yes, we have them.

Mr. Haste: That may help if we want to do something on the web.

Mr. Hartwick: Having been involved with a couple of the Habitat for Humanity projects, I would also like to give thanks to the individuals who donate their time, resources and efforts to try to build and refurbish homes for individuals who otherwise face serious challenges in order to remain in their home. In some cases you think that these are free homes. There are many requirements that individuals must do in order to keep these homes dealing with finances and parenting skills. The services that you provide are far beyond that of just providing a home. I want to commend you and thank you and I'm glad you are able to expand.

Mr. Haste: The program is an actual win-win. I know those individuals win, but I have been involved in the past. I had both of my young adult boys, but when they were teenagers when I felt they needed a life lesson we went out and volunteered and did some work. They haven't forgotten that. It is a win-win. Thank you.

Mr. Robinson: This money, as you already know, is coming out of our Affordable Housing Trust Fund, which our Affordable Housing Trust Board approved and met with Eve a couple of weeks ago. Thank you again.

(Pictures were taken.)

**B. Jens Damgaard, Esq., Daniel Malpezzi, Esq. and Matthew Kirk**

**1. Dauphin County 2008 Refunding Bonds – Ordinance #2-2008**

Mr. Haste: I know the Agenda says that Jens will be here, but he is not. Paul Lundeen is here on his behalf.

Mr. Lundeen: I am here to present Ordinance #2-2008 by which the County authorizes the issuance of General Obligation Bonds in the maximum amount of \$7,200,000 for purposes of refunding the County's outstanding tax exempt variable rate General Obligation Bonds, Series of 2007. I have placed copies of the Ordinance in front of the Commissioners. It is a fairly lengthy document. I know you had prior discussions surrounding this. These Bonds would be variable rate bonds. There would be an interest rate Swap attached to them. The form of amended Interest Rate Management Plan is attached that has been prepared by your financial advisors. There are various exhibits to the Ordinance. The purpose of this refunding is to achieve debt service savings for the County. If there are any questions on the Ordinance, I would be glad to answer them. It has been advertised, as required by law, so it is proper for the Commissioners to take action this morning.

Mr. Haste: Matt and Jay, you can just do this with a nod of the head is this in order with what we discussed last week?

(Mr. Wenger & Mr. Kirk gave a nod of the head for a yes.)

Mr. Hartwick: Not having had time to review this entire document I trust that our professionals have moved forward as was discussed last week.

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board adopt Ordinance #2-2008, captioned as follows; motion carried.**

**ORDINANCE #2-2008 OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DAUPHIN, PENNSYLVANIA (THE "COUNTY") AUTHORIZING AND DIRECTING ISSUANCE OF GENERAL OBLIGATION BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$17,200,000 AS PERMITTED BY AND PURSUANT TO THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 PA.C.S. Chs. 80-83, FOR THE PURPOSE OF REFUNDING ALL OF THE COUNTY'S**

OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2007 (TAX-EXEMPT VARIABLE RATE), AND TO PAY THE COSTS AND EXPENSES RELATED TO SAID REFUNDING AND THE ISSUANCE OF SUCH BONDS; ACCEPTING A CERTAIN PROPOSAL FOR PURCHASE OF SUCH BONDS, AT PRIVATE SALE BY NEGOTIATION; SETTING FORTH THE TERMS AND SUBSTANTIAL FORM OF SUCH BONDS AND AUTHORIZING EXECUTION AND AUTHENTICATION THEREOF; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THIS COUNTY IN SUPPORT OF SUCH BONDS; APPOINTING A PAYING AGENT AND A SINKING FUND DEPOSITARY; SETTING FORTH CERTAIN COVENANTS AND REPRESENTATIONS RELATING TO THE FEDERAL INCOME TAX STATUS OF THE INTEREST TO BE PAID ON SUCH BONDS; AUTHORIZING APPROPRIATE OFFICERS OF THE COUNTY TO TAKE CERTAIN ACTIONS AND TO EXECUTE CERTAIN DOCUMENTS IN CONNECTION WITH ISSUANCE OF SUCH BONDS; PROVIDING FOR THE RETIREMENT OF THE 2007 BONDS, UPON OPTIONAL REDEMPTION PRIOR TO STATED MATURITY, IN ACCORDANCE WITH THE RIGHT AND PRIVILEGE RESERVED TO THIS COUNTY; AUTHORIZING NEGOTIATIONS FOR A LIQUIDITY FACILITY TO BE PROVIDED FOR SUCH BONDS BY A QUALIFIED FINANCIAL INSTITUTION, AND AUTHORIZING, APPROVING AND DIRECTING EXECUTION OF A RELATED AGREEMENT ON BEHALF OF THIS COUNTY; AUTHORIZING, AND APPROVING A QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT (INTEREST RATE SWAP AGREEMENT) WITH RESPECT TO THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT; SETTING FORTH AND ADOPTING AN INTEREST RATE MANAGEMENT PLAN; DECLARING THE MANNER IN WHICH THE QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT IS TO BE AWARDED; MAKING CERTAIN COVENANTS OF THIS COUNTY WHICH ARE INTENDED TO SECURE THE QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INsofar AS THE SAME SHALL BE INCONSISTENT HERewith.

(The entire Ordinance #2-2008 is on file in the Commissioners' Office.)

### **SALARY BOARD**

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

### **PERSONNEL**

Ms. Lengle: In the Personnel Listing that was presented last week, I would like to pull two new hires. It is New Hires #21 and #29. On New Hire #20, I'm requesting that the benefits waiting period be waived and the start date is March 24. I have an Addendum. Are there any questions on any of the items in the Addendum? (There was none.)

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

### **PURCHASE ORDERS**

Mr. Baratucci: The Purchase Order Packet is the same as last week with the budgetary items resolved. I have that for your approval. I also have the items that we discussed last week with regards to Remote Access Requisitions and a Blackberry Requisition, if you are ready to vote on those. The last item is a bid award for flags for Veterans Affairs.

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve the Purchase Order Packet; motion carried.**

Mr. Haste: Are you ready to deal with the Remote Access requests and the Blackberry?

Mr. DiFrancesco: I'm not ready to vote on the Blackberry request, because I forgot to talk to the IT Director. I would ask that the Blackberry request be put off for one week.

Mr. Hartwick: I have a caveat for the Remote Access requests that those requests be reviewed with the potential of eliminating those starting January 1, 2009 upon completion of the Upper Dauphin Human Services Center.

Mr. Haste: So we would approve these through December 31, 2008. If they want to renew they would have to come back in January.

Mr. Hartwick: That is correct.

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve the three Remote Access Requests for the period ending December 31, 2008; motion carried.**

Mr. Baratucci: We have the flags for Veterans Affairs. These flags go on the veterans' graves.

Mr. Haste: Was this reviewed by the Solicitors?

Mr. Baratucci: Actually no. It is standard, but I will make sure that Bill takes a look at it.

Mr. Haste: Will they be sharpened?

Mr. Baratucci: They are going to be sharpened. We obtained samples and they were approved by our esteemed Veterans Affairs Director, Mr. Tom Wasco.

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board award the bid for Flags to the low qualified bidder, Metro Flag Incorporated, contingent upon the Solicitor's review; motion carried.**

#### **REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR**

Mr. Yohe: I have two items on the Agenda this morning. The first will be our bi-weekly investment report.

(Mr. Yohe provided the following report.)

#### **Report from the Office of Budget & Finance February 20, 2008**

- **February 8, 2008** transferred **\$739,190.16** to the **Payables** account from the County's Concentration account for checks issued that week.
- **February 15, 2008** transferred **\$3,631,269.83** to the **Payables** account and **\$1,724,332.03** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments – N/A**
- **Balance today in INVEST account \$140,239.64 rate 3.280%**
- **Balance today in Susquehanna Bank investment account \$77,800,701.43 rate 3.630%**  
(This rate is fixed for the month)
- **Balance today in Sovereign Bank investment account \$100,245.20 rate 3.040%** (This equals today's 1-month LIBOR rate of 3.160% minus 12 basis points)
- **Balance today in PNC Bank investment account \$1,000.00 rate 2.850%** (This equals today's Fed Funds rate of 3.000% minus 15 basis points)
- **Balance today in Graystone Bank investment account \$1,000.00 rate 2.900%** (This equals today's Fed Funds rate of 3.000% minus 10 basis points)
- **Balance today in Commerce Bank investment account \$1,000.00 rate 1.480%** (This equals today's 90-day T-Bill rate of 2.230% minus 75 basis points)

**No T.R.A.N. Line of Credit required for 2008.**

Mr. Yohe: Are there any questions on the report? (There was none.)

As you are aware, I sent out a RFP about a month ago. They were due a couple weeks back. Since we seem to have a new player this time I thought it was important to get this on today so I have time to set up a new account if we go that route. (Mr. Yohe provided the Board with a sheet outlining the responses to the RFP.)

I sent out a request for proposals from the six banks that are listed here that responded. At the bottom you will see the four that did not respond – M&T, Mid Penn, Centric and PA. They chose not to respond. They are ranked in order. What I do is plug their quotes into a spreadsheet that goes the whole way back to January 1, 2004. I compare historic rates. I go the whole way back and see how the rate they are quoting now would have played out the whole way through the last 50 months. Amazingly it doesn't matter what they quote, either the 90-day Treasury Bills or the 1 month LIBOR or the Fed Funds, they all rise and fall together. Every time we have done the 50 month ranking versus the one year ranking it has been identical. So, these rates rise and fall together. As you can see Susquehanna Bank, even going back the last year, going back the last 50 months, came in #1. Their quote is the 90-day Treasury Bill plus 50

basis points. As you read this that would equate to 3% today. Sovereign Bank today is a little higher. Today it would be 3.04%, the one month LIBOR minus 12. I would expect that could flip-flop throughout the course of this and until we play this six months out it would probably play out that Susquehanna would be a little bit higher. The wildcard here is Citizens. They actually snuck in after three years of trying. They quoted Fed Funds minus 7, which clearly is better than PNC and Graystone. They indexed to the same rate minus 15 for PNC and minus 20 for Graystone. Commerce is way out of the picture. As we had spoke, I will take steps to close that account out. We are not even going to have money, even \$1,000, at 1.48%. The one caveat that I would say here is that we could have a situation come March 1 where Invest is the highest. As you see on my Investment Report, Invest is still paying 3.28%. I spoke to Howard at Susquehanna and alerted him to this fact and he is checking right now to see, I said you have been partners with us and you have been willing to keep that rate up and he is checking and is hoping that they will be able to keep pace with Invest. If none of these banks are able to I have no reason not to move all the money into Invest. We have done that in the past. It works fine. It is fully collateralized and it would be 28 basis points higher today than what we are getting here. You are seeing the results of this drastic rate reduction that the Feds have done in the last six months.

Mr. Hartwick: There is nothing in the RFP that prohibits us from doing that?

Mr. Yohe: No, there is nothing. I'm hoping that Susquehanna will remain in that he will come back to me and say that they will raise it up over the 50 basis points. He is aware of that. They are all going to be aware of that possibility.

Mr. Hartwick: Consistent with what we have done for the last 4 ½ years is to get the best value for our investment. If they are the highest rate of return we should put our money in that pot.

Mr. Yohe: I will take steps to notify them that could be coming. You can see they would be looking at almost \$80 million today that we would move over there. I don't know that Susquehanna wants to lose that \$80 million either.

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve the Request for Proposals for investment purposes to #1 Susquehanna Bank, #2 Sovereign Bank and #3 Citizens Bank; motion carried.**

Mr. Yohe: We will have some paperwork to set up the account at Citizens Bank. We don't have that yet. I want to get that completed as soon as possible.

### **REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR**

Mr. Saylor: I only have one item this morning and that is to introduce you to a young man who is interning with us this semester. His name is Josiah Frederick from Messiah College. He actually has been working on a project to update our website to contain



information for the public in terms of ways to be involved with the County such as advisory boards and volunteer opportunities to make it easy for folks to see if they want to get involved and how to do that. Unless there are any questions of me that is all I have.

Mr. Haste: Any questions for Chad? (There was none.)

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

Mr. Tully: Everything on the Solicitor's Report has been reviewed and ready for action. I would be happy to answer any questions you have. (There was none.)

### **MATTERS REQUIRING BOARD ACTION**

Mr. Haste: I have been asked to pull Item V. So you have in front of you Items A through U. Are there any questions on any of the items? (There was none.)

- A. Training Packet.
- B. Purchase of Service Per Diem Rates between Children and Youth and:
  - 1. Bair Foundation of Pennsylvania
  - 2. Catholic Charities of the Diocese of Harrisburg, PA
  - 3. Diakon Lutheran Social Ministries
  - 4. Jewish Family Service of Greater Harrisburg, Inc.
  - 5. Northwestern Human Services of Pennsylvania, Inc.
  - 6. Contact Helpline
  - 7. Little Rays of Sunshine
  - 8. Bethany Christian Services of Central PA
  - 9. Mazzitti & Sullivan
- C. Subordination Agreements:
  - 1. Yerou A. Johnson on the property located at 2914 Rumson Drive, Harrisburg, PA.
  - 2. Edward G. Kolibab on the property located at 200 Bradford Blvd., Harrisburg, PA 17112.
- D. Approval of Tax Assessment Appeal Settlement of Tyco International Ltd.:
  - 1. 2801 Fulling Mill Road, Parcel 36-007-015
  - 2. 2900 Fulling Mill Road, Parcel 36-007-086
- E. Hold Harmless Agreement between Dauphin County Parks & Recreation and Harrisburg Area Road Runners for the annual Harrisburg Marathon event on November 9, 2008.
- F. Security Systems Maintenance Agreement Proposal between Dauphin County Information Technology and Nexus Technologies for maintenance of CCTV security equipment: Courthouse, Administration Building, Human Services Building and Veterans Building.

- G. Memorandum of Agreement between Dauphin County and PEMA for PA Urban Search and Rescue Task Force participation by Dennis Harris of EMA staff.
- H. Bypass Waste Processing Agreements between Dauphin County and Waste Management for:
  - 1. Mountainview Reclamation Landfill
  - 2. Pine Grove Landfill, Inc.
- I. Construction and Demolition Waste Processing/Disposal Agreement between Dauphin County and Waste Management for Pine Grove Landfill, Inc.
- J. Resolution #4-2008 – A Resolution terminating the contract between Dauphin County and HealthAssurance Pennsylvania, Inc.
- K. Resolution #5-2008 – A Resolution for consolidation of the Revolving Credit Program into the Dauphin County Revolving Business Loan Program.
- L. Pennsylvania Council of the Arts 2007-2008 Grant Award Agreement (Jump Street).
- M. Purchase of Service Agreements between the Department of Drug and Alcohol Services and:
  - 1. Derry Township
  - 2. Steelton Borough
- N. Purchase of Service Agreement between Children and Youth and Bethany Christian Services of Central Pennsylvania, Inc.
- O. Amendment #2 to the Purchase of Service Agreement between Children and Youth and Northwestern Human Services of PA.
- P. Adoption Assistance Agreements #2008-03, #2008-05 and #2008-06.
- Q. MH Purchase of Service Agreements between MH/MR and:
  - 1. The Meadows Psychiatric Center
  - 2. Community Interactions, Inc.
- R. MR Waiver Purchase of Service Agreement between MH/MR and Community Interactions, Inc.
- S. 2008 Contract for Services between Dauphin County Juvenile Probation and Mid-Atlantic Monitoring Services for the alcohol-monitoring sensors.
- T. Approval to appoint Luanna M. Zimmerman as Tax Collector for Upper Paxton Township to collect County taxes. (Ms. Zimmerman is filling the unexpired term of Judy E. Snyder.)
- U. Purchase of Service Agreement between Dauphin County and Pictometry International, Inc.
- V. Purchase of Service Agreement between Dauphin County and Mobile Video, Inc.  
**PULLED**

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

### **FORMER BUSINESS**

(There was none.)

### **NEW BUSINESS**

(There was none.)

### **COMMISSIONERS' DISCUSSION & ACTIONS**

(There was none.)

### **CORRESPONDENCE**

We have correspondence that has been received by the Board, Items A through C, which will be handled by the staff appropriately.

- A. Receipt of a copy of a letter from DEP to Rausch Creek Land L.P. regarding the Annual Bond Review for 2008 of Coal Mining Activity Permit #22851601, Underkoffler Breaker Operation in Wiconisco Township.
- B. Notification from Pennoni Associates, Inc. advising that the Milton Hershey School is applying to DEP and the US Army Corps of Engineers for the installation of an 18 inch stormwater pipe outfall into an existing box culvert conveying an unnamed tributary to Spring Creek.
- C. Notification from the Millersburg Area Authority advising that they are applying to DEP for the renewal of a National Pollutant Discharge Elimination System (NPDES) Permit.

### **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. Hartwick and seconded by Mr. DiFrancesco that the Board adjourn.**

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz

