



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

JULY 8, 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 Rebuck, Controller; William Tully, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Michael Yohe, Director of Budget & Finance; Leila Brown, Solicitor's Office; Kay Lenge, Personnel; Dave Schreiber, Personnel; Fred Lighty, Esq., Human Services Director's Office; Carolyn Thompson, Court Administrator; Michelle Haack, Commissioners' Office; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; Stephen Libhart, District Attorney's Office; Brenda Hoffer, Commissioners' Office; Jena Wolgemuth, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Dan Miller

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:08 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. DiFrancesco and seconded by Mr. Hartwick that the Board approve the June 24, 2009 Workshop/Legislative Meeting Minutes; motion carried.

It was moved by Ms. Rebuck and seconded by Mr. DiFrancesco that the Board approve the June 24, 2009 Salary Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: Commissioners, as you know we met once in Executive Session on July 1, 2009 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. Stephen Libhart, District Attorney's Office

1. 2009 Byrne JAG Grant

Mr. Libhart: Just briefly, unlike a majority of the grants that we apply for and acquire approval, the Justice Assistance Grant, which we renew annually, does not require formal approval by the governing body. It merely requires me to present it to you publicly. Again, as we have every year that I have been part of the process, we, as the County are not entitled directly to any portion of the Justice Assistance Grant. However, the City, Lower Paxton and Swatara, those three municipalities are entitled to it as a result of their uniform crime reporting statistics. Primarily they are part 1 crimes. As a result all three of those municipalities have agreed to split 50/50 with the County their entitlement. As a result the total entitlement is roughly \$177,000. Half of that will come to the County and is used to fund the Victim/Witness Advocates that are placed at each of those departments. The remaining 50% is not necessarily proportionately split between the municipalities, but again is based on their crime reporting data. They are using it to update most of the equipment that they use in support of law enforcement. In the City's case it is primarily for computers. Swatara will be implementing some new servers and some equipment that will allow them to access their desktops remotely from

the cruisers. Lower Paxton will be using it to acquire some more traffic enforcement devices. Other than that it is business as usual grant. We pretty much count on this to help offset the cost of the Victim/Witness Assistance Program. I'll be submitting it formally tomorrow and a copy will be sent to you for filing. Unless you have any questions, that is all I have.

Mr. Haste: So, it automatically renews unless there is a no vote.

Mr. Libhart: It doesn't require a vote. Basically it is a guaranteed grant, because of our entitlement under the crime reporting. The only thing that is required is when it is officially awarded either one of you or the chief clerk is authorized to sign for it. Then we would be able to draw down the funds. We are acting as the sole fiscal agent, so we will receive the entire amount and will distribute the proportionate monies to the municipalities that are participating with us.

SALARY BOARD

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

PERSONNEL

Ms. Lengle: Are there any questions on the Personnel Listing Addendum? (There was none.) I do have a change on one from last week. Personnel Change #3, the proposed hourly rate should be \$19.74 p/h and the Step should be 8.

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: There are no changes on the Purchase Order Packet from last week, except for the last minute addition that I just handed out. The Courts, each year, are refurbishing chairs in the various courtrooms and they did not get this over in time to be in the Packet last week. However, because there is no court going on I guess for the next couple weeks they want to get this work done during that timeframe. They asked that it be added to the Packet. They sent an email to Commissioner DiFrancesco asking if that would be alright and he said yes. It is an addition to the Packet unless you have any questions or issues. I'm told it is budgeted.

Mr. Haste: These are witness chairs?

Mr. Baratucci: There are 14 juror chairs and 1 witness chair. They refurbish the wood and replace all the fabric. There is an attachment that tells all that they are doing. The other thing that I have is the Remote Access requisition from last week for Domestic

Relations. They are requesting one air card to be shared by numerous employees for use on their laptop in the courts. There are 14 employees.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve the Purchase Order Packet plus the request from the Courts and the Remote Access Card; motion carried.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe presented the following Investment Report:

Report from the Office of Budget & Finance July 8, 2009

- **June 26, 2009** transferred **\$1,881,602.47** to the **Payables** account from the County's Concentration account for checks issued that week.
- **July 2, 2009** transferred **\$6,239,410.54** to the **Payables** account and **\$1,861,193.59** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
 - 3/27/09 - **\$20,000,000** 6-Month CD at Citizens Bank – **1.510%** - matures 9/23/09
 - 4/13/09 - **\$20,000,000** 7-Month CD at Citizens Bank – **1.555%** - matures 11/10/09
 - 4/27/09 - **\$20,000,000** 8-Month CD at Citizens Bank – **1.500%** - matures 12/23/09
- **Balance today in INVEST account \$1,373.12 rate 0.418%**
- **Balance today in Susquehanna Bank investment account \$13,100,337.65 rate 0.500%**
(This rate is fixed for the month)
- **Balance today in Sovereign Bank investment account \$2,596.79 rate 0.400%** (This rate equals today's 3-month LIBOR rate of 0.600% minus 20 basis points)
- **Balance today in Citizens Bank investment account \$3,310.59 rate 0.500%** (This rate is fixed for the month)
- **Balance today in Citizens Bank Flex CD Program \$32,853,453.00 rate 2.400%** (This is a 9-month CD maturing on 9/8/09 and the rate is fixed for the term)
- **Balance today in Citizens Bank Flex CD Program \$30,075,754.29 rate 1.510%** (This is a 6-month CD maturing on 9/6/09 and the rate is fixed for the term)
- **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 0.000%** (This equals today's 90-day T-Bill rate of 0.190% minus 25 basis points)

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

Mr. DiFrancesco: Is there anything in our request for proposals that would limit the institution from offering us their best program? I'm not talking about collateral, because we realize that all the money has to be collateralized. I had someone contact me that I think already contacted you, M&T, where they were talking about the possibility of what I could gather was almost like a sweep kind of account. I'm assuming that all of those accounts could come into play as long as they were collateralized. All of those accounts could come into play right now under what we are requesting from them. Is that true? Is there a possibility if we change some wording that we might be getting proposals for some options that are safe, but offer a better interest rate?

Mr. Yohe: I don't think there is anything in there that would preclude that in our proposal. I talked to M&T. They still have not come up with a satisfactory explanation for me as to how it is collateralized under Act 72. The presentation that they gave me six months ago was not.

Mr. DiFrancesco: And it would have to be?

Mr. Yohe: Yes.

Mr. DiFrancesco: I just wanted to make sure that there was nothing in the request for proposal that would prevent a bank from saying we have this new creative product that is still collateralized but it will get you a couple more points?

Mr. Yohe: Nothing. I expect in talking to M&T that they will present that in the next proposal at least something along those lines. The problem that we had there, back when we had the discussion, we had more cash that was not tied up in these CDs. We had about \$10 million that we could put out there. In the meantime we tied most of it up. As you can see the only flexible cash that we have right now is what is in Susquehanna. I'm hoping that gets us through until these flex CDs mature. I don't want to take anything out of there. The conditions have changed a little bit since that discussion. I don't have that \$10 million that I can give to M&T and let them manage it for us for six to eight months.

Mr. DiFrancesco: That was my response to them. You could manage it, but it is so small, because it's got to be collateralized. It's not like you can go out and risk money. That is not how this money is intended to be invested.

Mr. Yohe: My plan would be if they come back I would have \$10 million to lock up in there to see how it does. I want to compare that to what I'm getting at these other banks. I'm not convinced until we go through the whole Act 72 and lay out what we need, what you can invest in that they can beat what I'm getting here now.

Mr. DiFrancesco: That wouldn't make any sense.

Mr. Yohe: These conditions.

Mr. DiFrancesco: Obviously an institution is going to give you the best rate if they want the money. I figured the only thing would be an artificial barrier that we might put up in our RFP or something.

Mr. Yohe: There's nothing. I'm open to looking at it.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Saylor: I've given each of you your VIP Passport to savings. It's the latest effort by our Tourism Bureau to promote the various events around the county and region to folks who come into the area. I think what's interesting to note here is the number of participants that are getting involved and seeing a value to our Tourism Bureau. This season they had a sunshine guarantee. We don't have the results in from that yet, but that was the offer that if you booked I believe two nights at a hotel in the area that if it did rain for a certain period of time you would get the hotel stay free. It is promotional gimmicks to help draw people here. Hopefully in the next couple of months I should have the results. That is all I have unless there are questions of me. (There was none.)

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

Mr. Tully: All of the Matters on the Agenda requiring Board action have been reviewed and are ready for a vote. If you have any questions, I would be happy to answer them for you. (There was none.)

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Request for exoneration of outstanding taxes on Parcel #62-033-103-050-026 (Larry Varner – Progress Ridge Mobile Home Park) in the amount of \$220.58.
- C. Refund of 2009 Real Estate Taxes to Eric & Christine Brann, Parcel #24-095-199 for \$357.82.
- D. Settlement Agreement and General Release between Dauphin County, Teamsters' Local 776 and Joseph T. Senior.
- E. Refund of 2009 Real Estate Taxes – M & J Properties – Parcels #63-027-169, #63-027-159, #63-027-150, #63-027-134, #63-027-133, #63-027-130 and #63-027-050 - \$2,668.32.

- F. Adjust pay scales to comply with Increase in Minimum Wage.
- G. Purchase of Service Per Diem Rates between Children & Youth and:
 - 1. Children’s Institute of Pittsburgh (2008/2009)
 - 2. Commonwealth Clinical Group, Inc. (2009/2010)
 - 3. Pinnacle Health Hospital – Women’s & Children’s Services (2009/2010)
 - 4. UHS of Doylestown d/b/a Foundations Behavioral Health (2008/2009)
 - 5. Family Support of Central PA (2009/2010)
 - 6. Hempfield Behavioral Health, Inc. (2009/2010) **(Pulled)**
 - 7. Colleen Kwiatkowski – Daycare (2009/2010) **(Pulled)**
 - 8. Visiting Nurse Association of Central Pennsylvania (2009/2010)
 - 9. Colleen Kwiatkowski (2008/2009) **(Pulled)**
- H. Radio System Maintenance Contract between Dauphin County and Capital Area Communications from 2/2009 – 1/2010.
- I. South Central Task Force Contract for professional services.
- J. Purchase of Service Agreement between Dauphin County (Recorder of Deeds) and ACS State and Local Solutions, Inc. for scanning services to preserve all Dauphin County deed indexes dating back to 1785.
- K. Purchase of Service Agreements between Area Agency on Aging and:
 - 1. United Cerebral Palsy of Central PA, Inc.
 - 2. Integrated Wellness Consultants, Inc.
 - 3. Pinnacle Health Medical Services, Inc.
 - 4. The Retired and Senior Volunteer Program of the Capital Region, Inc.
 - 5. Phillips Lifeline Systems Company, Inc.
- L. Purchase of Service Agreements between Children and Youth and:
 - 1. Jason P. Kutulakis, Esq.
 - 2. Diversified Treatment Alternatives, Inc.
 - 3. The Impact Project, Inc.
 - 4. Program for Female Offenders of South Central Pennsylvania, Inc.
- M. Purchase of Service Agreements between the Department of Drug and Alcohol and:
 - 1. Choices for Quality Living
 - 2. Program for Female Offenders of South Central Pennsylvania, Inc.
 - 3. Lower Paxton Youth Center, Inc.
- N. Mental Retardation Waiver Operating Agreement between Dauphin County and the Commonwealth of PA Department of Public Welfare Office of Developmental Programs.
- O. Proposed Professional Services Contract from Susquehanna Group Advisors, Inc. to provide services to Dauphin County Prison. **(Pulled)**
- P. Proposed Memorandum of Understanding between EMA, Dauphin County Solid Waste Management and certain municipalities.
- Q. License Agreement with Commonwealth of PA, Office of Administration for the use of tower sites.

- R. Amendment to Sublease Agreement between Dauphin County, Harristown Development and Verizon for installation of all radio equipment associated with the cell tower project.
- S. Revised Externship Affiliation Agreement between Dauphin County (Sheriff's Office) and Kaplan Career Institute to provide 179 hours (formerly 156) of practical experience to Kaplan students enrolled in Criminal Justice education.
- T. Easement Agreement between Dauphin County and United Water Pennsylvania, Inc. for the relocation of the water line at the new proposed location of the Heckton Church.
- U. MH Purchase of Service Agreements between MH/MR and:
 - 1. The ARC of Dauphin and Lebanon Counties
 - 2. Contact Helpline
 - 3. Elwyn, Inc.
 - 4. Gaudenzia, Inc.
 - 5. International Service Center
 - 6. Melmark, Inc.
 - 7. NAMI Pennsylvania
 - 8. Pediatric Physical Therapy, Inc.
 - 9. Pennsylvania Behavioral Health and Aging Coalition
 - 10. Alexcia Wheeler, M.A., CCC-SLP
 - 11. Commonwealth Clinical Group, Inc.
 - 12. Stacy A. Foreman
 - 13. Living Unlimited, Inc.
 - 14. Debra A. Ziegler, OTR/L
- V. ITF Medicaid Waiver Service Agreements between MH/MR and:
 - 1. Stacy A. Foreman
 - 2. Living Unlimited, Inc.
 - 3. Debra A. Ziegler, OTR/L
 - 4. Pediatric Physical Therapy, Inc.
 - 5. Alexcia Wheeler, M.A., CCC-SLP
- W. Amended and Restated Agreement between Dauphin County and the Capital Area Behavioral Health Collaborative (CABHC).
- X. Comprehensive Management Services Agreement between the Counties of Cumberland, Dauphin, Lancaster, Lebanon and Perry and the Community Behavioral Healthcare Network of Pennsylvania, Inc. (CBHNP).
- Y. Lease Agreement between Dauphin County and Tom Coble for MDJ Judy's Office.
- Z. Grant-in-Aid Continuing Program for the improvement of Adult Probation Services FY 2009-2010 Application and Agreement.

Mr. Hartwick: If we could just for today pull Item G 6, 7 and 9.

Mr. Haste: We are going to pull Item O as well.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve Matters Requiring Board Action, Items A through Z, minus G 6, 7 and 9 and Item O; motion carried.

FORMER BUSINESS

(There was none.)

NEW BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. Haste: A reminder that today is another one of our Parks & Recreation Series at the Lykens Glen Park. It is the New Cumberland Community Band. It is a pretty popular draw.

I would like to note the passing of Pickle Henery, our former Budget & Finance Director. As Diane had put out in the email, it has been sort of a rough week or ten days here in the County. We lost Reba Chiavetta, former Commissioner Norm Hetrick and Pickle. Actually the three of them were here, going back in history, the three of them worked at the same time and were pretty good colleagues. It is ironic that we lose the three of them in such a short period of time. All will be missed.

CORRESPONDENCE

Mr. Haste: We have correspondence on the Agenda, Items A and B, which will be handled by the staff appropriately.

- A. Notification from K & W advising that the Diocese of Harrisburg is applying to DEP for a Joint Permit for a PA Water Obstruction and Encroachment Permit Application and a U.S. Army Corps of Engineers Section 404 Permit Application for a proposed 900-student high school in Lower Paxton Township.
- B. Notification from H. Edward Black and Associates, P.C. advising that the Swatara Township Authority is applying to DEP for a Water Quality Management Permit for the upgrading of the existing Grayson Road interceptor.

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. Hartwick that the Board adjourn.

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz