



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**LEGISLATIVE MEETING**

**AUGUST 29, 2012**

**10:00 A.M.**

**MEMBERS PRESENT**

Mike Pries, Vice Chairman  
George P. Hartwick, III, Secretary

Jeff Haste, Chairman (ABSENT)

**STAFF PRESENT**

Laura E. Evans, Esq., Chief Clerk; Marie E. Rebuck, Controller; Janis Creason, Treasurer; Joseph A. Curcillo, III, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Amy Richards Harinath, Press Secretary; Matt Miller, Director of Work Release; Darlene Roadcap, Work Release; Brad Winnick, Chief Public Defender; Michael Starling, Public Defender's Office; Tom Guenther, Director of IT; Dave Schreiber, Human Resources; August Memmi, Director of Community & Economic Development; Robert Christoff, Conservation District; Ed Marsico, District Attorney; Steve Libhart, Director of EMA; Ruby Doub, Commissioners' Office; Kay Lengle, Human Resources; J. Scott Burford, Deputy Chief Clerk; Edgar Cohen, Director of Facilities Maintenance; Brenda Hoffer, Commissioners' Office; Julie Mackey, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

**GUESTS PRESENT**

Tammie Baade, Lauren Bowers, James Roxbury, Eric Epstein, Derek Hughes, Frank Komykoski, Paul Navarro, Mark Stewart and Mike Musser

**MINUTES**

**CALL TO ORDER**

Mr. Pries, Vice Chairman of the Board, called the meeting to order at 10:11 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. Pries that the Board approve the August 8, 2012 Workshop Meeting Minutes and the August 15, 2012 Legislative Meeting Minutes; motion carried.**

**It was moved by Mr. Hartwick and seconded by Ms. Rebeck that the Board approve the August 15, 2012 Salary Board Meeting Minutes; motion carried.**

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Ms. Evans reported that there were no Executive Sessions held between meetings.

## **PUBLIC PARTICIPATION**

Eric Epstein provided an update to the Commissioners. There are two issues that affect County residents. One is how customers are notified after their initial contract expires. The other is whether the cost of paying for enhancing retail competition will fall on the shoulders of rate payers or suppliers. The reply brief is due October 19, 2012.

Also, there is a distribution system improvement charge (DSIC) that enables companies to recover certain infrastructure improvement costs between base rate cases through a quarterly surcharge on customers' bills. The DSIC resets to zero when a company files a base rate case or if the utility is over earning. The company also must notify customers of any change in the DSIC. An annual reconciliation audit is conducted by the PUC to ensure that no over-collections or under-collections have occurred. The DSIC allows companies to use a surcharge to fund more upgrades of aging infrastructure that would not otherwise be feasible at a reasonable rate for customers. PPL's request for a DSIC was not approved in 2004.

Mr. Hartwick indicated that we could use the Senior NOW Newsletter to allow seniors to understand what is going to occur. He questioned the checks and balances.

Mr. Epstein indicated that water companies use DSIC. He is considering a mock up of the bill as an educational tool. He can work with the Communications Office.

Mr. Roxbury questioned Item G, the McNees, Wallace & Nurick engagement letter as to which municipal authority it refers.

Mr. Curcillo indicated that it is with regards to the incinerator and McNees, Wallace & Nurick will provide counsel as to available options.

Mr. Roxbury also questioned the Gaming Local Share Municipal Grant applications that are being considered and whether or not they will be discussed. Ms. Evans offered that a copy of the Solicitor's Report will be provided to Mr. Roxbury. The Commissioners will be considering additional applications for eligibility purposes through the next meeting cycle.

## **DEPARTMENT DIRECTORS/GUESTS**

### **A. Dauphin County Commissioners**

#### **1. Presentation of Certificates to Darlene Roadcap and Tammie Baade**

Mr. Miller advised the Commissioners that a Work Release inmate went into cardiac arrest. Darlene Roadcap and Tammie Baade were summoned by staff to assist. Both women started resuscitation efforts, including CPR, rescue breathing and utilization of the department's AED machine. They continued until paramedics arrived. The inmate has made a remarkable recovery.

The Commissioners presented Darlene and Tammie with certificates acknowledging them for their heroic efforts.

The Commissioners stated that to Tammie and Darlene it is more than a paycheck. They saved a life of a person that is trying to get their life together. They sprung into action and saved a life.

(Applause was given and pictures were taken.)

Darlene and Tammie indicated their appreciation for the recognition. It is all about giving 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> chances.

### **B. Brad Winnick and Michael Starling, Public Defender's Office**

#### **1. Juvenile Advocate Position**

Mr. Winnick advised the Commissioners on the process of hiring a Juvenile Advocate for the Public Defender's Office. Mr. Starling is an exceptional person. He works with Probation and Schaffner. The clients need to have a level of trust. The Court Room Etiquette Program, which Mr. Starling developed, has been nominated as the Program of the Year by the Juvenile Detention Centers Association of PA.

Mr. Starling indicated that as soon as a juvenile is detained he is working with them. He prepares the juveniles for their hearings. He keeps in contact with the juveniles even if they go to another placement. He has weekly presentations at Schaffner, keeps the juveniles from getting rowdy at the hearings, provides helpful disposition plans, reviews the terms used by the Court, the etiquette for the Court Room and attends Court when juveniles don't have any family members present. These are just a few of the many services that Mr. Starling provides.

Mr. Hartwick indicated that the County could not have found a better person than Mr. Starling. His help with the juveniles is exceptional and they know how sincere he is. Mr. Starling is a consistent presence in the lives of some of the juveniles.

Mr. Pries commended Mr. Starling for his work. The Juvenile Advocate position is a valued position.

The Commissioners indicated their support of this position.

### **SALARY BOARD**

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

### **HUMAN RESOURCES**

Ms. Fisher indicated that a new Personnel Listing was distributed yesterday. Item #16 was added to the Listing.

**It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the Personnel Packet as presented.**

**Question:** Mr. Pries – Aye and Mr. Hartwick – Aye; motion carried.

### **PURCHASE ORDERS**

Mr. Baratucci indicated that there are no changes to the Purchase Order Packet from last week. All over budgets have been corrected.

**It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the Purchase Order Packet as presented.**

**Question:** Mr. Pries – Aye and Mr. Hartwick – Aye; motion carried.

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

Mr. Yohe presented the following Report:

**Report from the Office of Budget & Finance**  
**August 29, 2012**

- **August 17, 2012** transferred **\$3,610,243.26** to the **Payables** account from the County's Concentration account for checks issued that week.
- **August 24, 2012** transferred **\$2,866,976.70** to the **Payables** account and **\$1,932,684.25** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Wire Payments since last report: \$5,199,220.81**
- **Debt Service Payments since last report: \$0.00**
- **Total Term Investments**
  - 3/29/12 - **\$10,013,681.66** 6-mo. CD - Susquehanna Bank – **0.400%** - matures 9/27/12
  - 4/19/12 - **\$10,090,553.80** 12-mo. CD - Susquehanna Bank – **0.550%** - matures 4/18/13
  - 4/19/12 - **\$10,009,960.68** 6-mo. CD - Susquehanna Bank – **0.350%** - matures 10/18/12
- **Balance today in PA INVEST account #2100017144860: \$1,378.86 rate 0.053%**
- **Balance today in Susquehanna Bank investment account #119002023: \$23,969,252.57 rate 0.250%**
- **Balance today in First National Bank investment account #97014743: \$7,521,442.42 rate 0.450%**
- **Balance today in Integrity Bank Money Market Checking account - #2206001209 - \$26,722,483.95 rate 0.310%**
- **Balance today in PNC Bank investment account #5004319839: \$1,236.62 rate 0.100%**
- **Balance today in Metro Bank investment account #0536557523: \$101.52 rate 0.090%**

**No T.R.A.N. Line of Credit required for 2012.**

**REPORT FROM CHIEF CLERK/CHIEF OF STAFF – LAURA E. EVANS, ESQ.**

Ms. Evans reported on the following items:

- The Dauphin County Commissioners will be hosting "Dauphin County Government Night" at the Harrisburg Senators' Game at 7:00 p.m. on Friday, August 31<sup>st</sup> at Metro Bank Park. The first 500 people to visit Dauphin County's resource table

will receive a free Frisbee and a host of information on upcoming festivals, programs and County services. Commissioner Hartwick will have the honor of throwing out the first pitch before the game starts and conducting a pre-game interview.

- In honor of Labor Day, County government will be closed on Monday, September 3<sup>rd</sup> and will reopen on Tuesday, September 4<sup>th</sup>.

### **SOLICITOR'S REPORT – JOSEPH A. CURCILLO, III, SOLICITOR**

Mr. Curcillo reported that all items on the Solicitor's Report and corresponding items on the Agenda have been reviewed and are submitted for your approval.

### **MATTERS REQUIRING BOARD ACTION**

- A. Training Packet.
- B. Partial Refund of 2008-2011 Real Estate Taxes – Parcel #07-022-018 (1614 N. 7<sup>th</sup> Street), Parcel #07-022-016 (1624 N. 7<sup>th</sup> Street), Parcel #07-022-015 (1626 N. 7<sup>th</sup> Street) and Parcel #07-022-002 (643 Hamilton Street) – Martha Jackson - \$209.84.
- C. Partial Refund of 2011 Real Estate Taxes – Parcel #36-011-068 (201 Fulling Mill Road) – Keystone Operating Partners - \$13,791.19.
- D. Partial Refund of 2012 Real Estate Taxes – Parcel #24-086-185 (826 Berne Court), Parcel #24-086-186 (822 Berne Court), Parcel #24-086-187 (818 Berne Court) and Parcel #24-086-188 (814 Berne Court) – M & M at Oak Springs, LLC - \$346.56.
- E. Repository Bid received from Francis DeVizia for Parcel #02-012-036 (1246 Kittatinny Street, Harrisburg) - \$500.00.
- F. Proposed Stipulation of Settlement for DST Health Solutions, LLC v. Dauphin Co. Tax Assessment Appeals Board, 2011 CV 9868-TX, Parcel #62-021-280, 2400 Thea Drive, Harrisburg, PA 17110.
- G. McNees, Wallace and Nurick Engagement Letter to serve as special legal counsel in structuring a transaction for the direct or indirect sale of electricity generated by a municipal authority to Commonwealth of Pennsylvania facilities.
- H. Specialized Services Grant Agreement for JPO - \$499,890 in specialized services and \$87,995 in Grant-in-Aid.
- I. Purchase of Service Agreement between Dauphin County and Automated Logic for HVAC System monitoring and maintenance for the period 8/1/2012 – 7/31/2013.
- J. MS4 TMDL Strategy – Paxton Creek Watershed.
- K. Savin Maintenance and Service Agreement between Dauphin County, the Pennsylvania Commission on Crime and Delinquency and the Pennsylvania District Attorney's Institute.
- L. Pennsylvania Emergency Management Agency FY 2012/2013 Hazardous Materials Response Fund Grant Agreement for the period 7/1/2012 – 6/30/2013 – \$54,476.
- M. Purchase of Service Agreements between Dauphin County (Children & Youth) and:

1. Adelphoi Village, Inc.
  2. Silver Springs-Martin Luther School, Inc.
  3. Commonwealth Clinical Group, Inc.
  4. Halifax United Methodist Church, Inc.
  5. Archie Group, LLC
- N. Amendment #1 to Purchase of Service Agreement between Dauphin County (Children & Youth) and Sleber Associates, Inc.
- O. Adoption Assistance Agreements #2012-34, #2012-35, #2012-40 and #2012-41.
- P. Amendments to Purchase of Service Agreements between Dauphin County (MH/ID) and:
1. Center for Independent Living of Central Pennsylvania, Inc. – Amendment #1
  2. Central Pennsylvania Supportive Services, Inc. – Amendment #1
  3. Contact Helpline, Inc. – Amendment #1
  4. Merle J. Crawford, M.S., OTR/L – Amendment #1
  5. Gaudenzia, Inc. – Amendment #1
  6. International Service Center, Inc. – Amendment #1
  7. Living Unlimited, Inc. – Amendment #1
  8. Lynch Homes-Montgomery County, Inc. – Amendment #1
  9. NAMI Pennsylvania, Inc. – Amendment #1
  10. National Mentor HealthCare, LLC t/d/b/a Pennsylvania Mentor – Amendment #1
  11. Cherie M. Rodgers, M.A., CCC-SLP – Amendment #1
  12. TMB Developmental Therapy & Infant Massage, Inc. – Amendment #1
- Q. Co-Application with Child Care Network, Inc. to the Commonwealth of Pennsylvania Department of Public Welfare Office of Child Development and Early Learning for subsidized childcare program funding in the amount of \$20,883,268.
- R. Approval of County sponsorship, for eligibility purposes only, of Local Share Municipal Gaming Grant Applications from the entities identified in the Solicitor's Report.
- S. Consultant Agreement between Dauphin County and Lindsay M. Hayes for review of the Dauphin County Prison's policies, procedures and training regarding suicide prevention.

**It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve Items A through S, listed above under Matters Requiring Board Action.**

**Question:** Mr. Pries – Aye and Mr. Hartwick – Aye; motion carried.

### **FORMER BUSINESS**

There was none.

### **NEW BUSINESS**

There was none.

## **COMMISSIONERS' DISCUSSION & ACTIONS**

There was none.

## **CORRESPONDENCE**

The following correspondence was received and will be handled by the staff accordingly.

- A. Notification from RGS Associates advising that Verdelli Farms is applying to DEP for a NPDES Permit for stormwater discharges associated with construction activities at the Verdelli Farms Redevelopment Project in Hummelstown Borough.
- B. Notification from CET Engineering Services advising that the Lower Paxton Township Authority is applying to DEP for a NPDES Permit for stormwater discharges associated with construction activities at the Springford Village WWTP in Lower Paxton Township.
- C. Notification from HRG advising that the Harrisburg Authority is applying to DEP for a BWM-GP-11 General Permit, a Water Obstruction and Encroachment Permit for the AWTF Access Road Repairs and Stream Bank Restoration.
- D. Notification from HRG advising that Susquehanna Township is applying to DEP for a BWM-GP-11 Permit for the Greenwood Boulevard Project.
- E. Receipt of a copy of a letter from PEMA to Mr. Scully of EMA advising of Debra Fleagle's appointment to the Local Emergency Planning Committee (LEPC).
- F. Notification from R. J. Fisher & Associates, Inc. advising that they are applying to DEP for a NPDES Permit for the Hearthside Subdivision Project in Lower Paxton Township.
- G. Notification from Hempt Bros., Inc. advising of Interchange Improvements on Eisenhower Blvd. and Various Interchange Ramps Resurfacing in Swatara Township from August 19, 2012 to July 31, 2013.
- H. Notification from Skelly and Loy advising that Josh Matincheck is applying to DEP for a General Permit Application Package for a bank stabilization project on a portion of the Susquehanna River along Water Street in Londonderry Township.
- I. Notification from CET Engineering Services advising that the Lower Paxton Township Authority is applying to DEP for a NPDES Permit for stormwater discharges associated with construction activities near Wimbledon Drive in Forest Hills area.
- J. Receipt of Transaction Confirmation #4 for the period November 1, 2011 through October 31, 2012, #5 for the period December 1, 2011 through October 31, 2013 and #6 for the period January 1, 2012 through October 31, 2012 from CenterPoint Energy Services, Inc.
- K. Notification from CET Engineering Services advising that the Lower Paxton Township Authority is applying to DEP for a General Permit #11 with regard to two utility line crossings under an existing 30"x48" diameter culvert that discharges to an unnamed tributary to Paxton Creek approximately 140 feet downstream of the utility line crossings.
- L. Notification from David Feidt advising that he is applying to DEP for a General Permit 4 for the installation of an outfall pipe located at 677 Botts Road, Washington Township.



- M. Receipt of a copy of a letter from the PA DEP to S & M Coal Company enclosing a renewed permit that includes the Annual Bond Review for 2012 and NPDES General Permit No. 22851304GP104. The approved renewal application, dated January 7, 2012, has been incorporated into the permit. This pertains to Underground Coal Mining Permit No. 22851304R5.

### **PUBLIC PARTICIPATION**

There was none.

### **ADJOURNMENT**

**There being no further business, it was moved by Mr. Hartwick and seconded by Mr. Pries that the Board adjourn.**

Transcribed by: Richie-Ann Martz