



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**LEGISLATIVE MEETING**

**AUGUST 31, 2011**  
**10:00 A.M.**

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Laura E. Evans, Esq., Chief Clerk; Marie E. Rebeck, Controller; William Tully, Esq., Solicitor; Gary Serhan, Deputy Controller; Mike Yohe, Director of Budget & Finance; Amy Richards, Press Secretary; Fred Lighty, Esq., Human Services Director's Office; Dee Thomas, Human Resources; Brooke Miller, Economic Development; Dave Schreiber, Human Resources; August Memmi, Director of Community & Economic Development; J. Scott Burford, Deputy Chief Clerk; Randy Baratucci, Director of Purchasing; Greg Schneider, Budget & Finance; Leila Brown, Solicitor's Office; Julie Mackey, Commissioners' Office; Abby Gabner, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

**GUESTS PRESENT**

Donna Kreiser, Jay Wenger and Chris Dellinger

**MINUTES**

**CALL TO ORDER**

Mr. Haste, Chairman of the Board, called the meeting to order at 10:07 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 3, 2011 Legislative Meeting Minutes and the August 10, 2011 Workshop/Legislative Meeting Minutes; motion carried.**

**It was moved by Ms. Rebeck and seconded by Mr. Pries that the Board approve the August 3, 2011 Salary Board Meeting Minutes and the August 10, 2011 Salary Board Meeting Minutes; motion carried.**

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Ms. Evans: There were no Executive Sessions held.

## **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. Donna Kreiser and Jay Wenger**

#### **1. Dauphin County General Authority – Refinancing of Dauphin Highlands Golf Course (Listed as Item Z under Matters Requiring Board Action)**

Mr. Wenger: We have, for your consideration today, as prepared by Donna Kreiser from McNeas Wallace, as Bond Counsel to the Dauphin County General Authority and also Bank Counsel to PNC Bank, an Ordinance to refinance the Dauphin County General Authority's 2005 A & B Bonds, in connection with the Golf Course Debt. We are refinancing with a PNC direct bank loan, which has a much lower cost of issuance than we would otherwise encounter. It will be on a variable rate basis. The objective of this is to take advantage of low interest rates and cut the cost of carry for the Golf Course as we try to work through that project.

Mr. Haste: What is the fixed rate now?

Mr. Wenger: Just under 5%.

Mr. Haste: What will be the starting variable rate be?

Mr. Wenger: 2%.

Mr. Haste: So we have 3%.

Ms. Kreiser: The Ordinance that you have before you is just as Jay described it. It authorizes the County to guarantee the Bonds that will be issued and purchased by the bank. It authorizes the County to execute the Guaranty Agreement to incur lease rental debt through the Debt Act for the maximum amount of the anticipated guaranty and to otherwise execute all documents required in connection with this financing.

Mr. Haste: What is the number of the Ordinance?

Ms. Evans: It is #3.

Mr. Wenger: Mr. Yohe asked a question earlier before the meeting started. We are not extending the debt. We are matching the term of the debt. We are just changing the interest rate structure.

Mr. Haste: We met all the advertising requirements?

Ms. Kreiser: Yes, the first legal advertisement was published for LGUDA purposes and I will be publishing the second legal ad immediately following this meeting.

Mr. Haste: Are there any other questions?

Mr. Hartwick: What number is it on the action items?

Mr. Haste: It is Item Z.

## **B. Chris Dellinger, P.E. of HRG**

### **1. Presentation of Time Extension Agreement (Listed as Item GG under Matters Requiring Board Action)**

Mr. Dellinger: I'm here today to get authorization of a Time Extension for the Dauphin County Judicial Center. We currently have plans with Swatara Township that are under review. The Municipality's Planning Code gives them 90 days to act on that plan. Those 90 days expire on September 7<sup>th</sup>. Our next meeting is September 14<sup>th</sup>. So, we need to give them a time extension to allow us to continue to process this plan without threat of them being forced to deny us.

Mr. Haste: I don't see a problem.

**It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the Time Extension Agreement between Dauphin County and Swatara Township.**

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

### **SALARY BOARD**

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

### **PERSONNEL**

Ms. Miller: I want to note on Item #20, the effective date is changing to September 6<sup>th</sup>. Personnel Change #31, the effective date should be September 19<sup>th</sup>.

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

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

### **PURCHASE ORDERS**

Mr. Baratucci: From last week, the items that we did approve for the CERT Team are not on here, because they were already created. The Purchase Orders were done. Those POs are not included in here, because they were already done.

The second change is on Page 16. This was an added item. I believe Mr. Guenther had emailed Commissioner Haste. There are some more wiring drops that were necessary over at the Juvenile Court project. So, this was asked to be added to the Packet. It was charged to the project cost. With those changes and additions, the Packet now is ready for your approval unless you have any other questions.

Mr. Haste: Are there any questions? (There was none.)

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

**Question:** Mr. Haste – Aye and Mr. Pries – 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 31, 2011**

- **August 12, 2011** transferred **\$4,288,857.39** to the **Payables** account and **\$1,897,386.81** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **August 19, 2011** transferred **\$2,279,117.73** to the **Payables** account from the County's Concentration account for checks issued that week.
- **August 26, 2011** transferred **\$6,207,533.97** to the **Payables** account and **\$1,846,818.46** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Wire Payments since last report: \$5,753,773.82**
- **Debt Service Payments since last report: \$274,974.07**
- **Total Term Investments**
  - 3/31/11 - **\$10,018,501.23** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 9/29/11
  - 4/21/11 - **\$20,030,680.76** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 10/20/11
  - 4/21/11 - **\$10,020,903.13** 12-mo. CD - Susquehanna Bank – **0.750%** - matures 4/19/12
- **Balance today in PA INVEST account #2100017144860: \$1,378.13 rate 0.050%**
- **Balance today in Susquehanna Bank investment account #119002023: \$1,677,261.51 rate 0.250%**
- **Balance today in First National Bank investment account #97014743: \$7,564,310.76 rate 0.530%**  
(This rate equals today's PLGIT-Class interest rate of **0.030%** plus 50 basis points)
- **Balance today in Citizens Bank Municipal Money Market Checking account #6221269710 - \$100.00 rate 0.00%**
- **Balance today in Integrity Bank Money Market Checking account - #2206001209 - \$15,115,414.31 rate 0.650%**
- **Balance today in PNC Bank investment account #5004319839: \$24,760,495.22 rate 0.250%**
- **Balance today in Graystone Bank investment account #1610000596: \$250,491.69 rate 0.650%**

- **Balance today in Metro Bank investment account #0536557523: \$101.39 rate 0.120%**

**No T.R.A.N. Line of Credit required for 2011.**

Mr. Haste: Are there any questions of Mike?

Mr. Pries: On August 12<sup>th</sup>, it was \$4.2 million and on August 19<sup>th</sup>, it was \$2.2 million transferred and then one week later it was \$6.2 million. What is the reason for the down \$2 million, up \$4 million?

Mr. Yohe: Those are the invoices that get processed through the Controller's Office. I don't know that there is...Ms. Rebeck may want to address that. These are invoices that are processed through the Controller's Office.

Mr. Pries: I just saw a big jump.

Ms. Rebeck: Traditionally we used to, when the interest rates were higher, try to process; we had what we considered an on-week and an off-week. The on week included payroll and we tried to push as much as possible through that week. Mike had a better handle on how much money he needed to have available for us to pay the bills. Since the interest rates have dropped considerably, we have been trying to push them through on a steady basis, but still we give more emphasis on the pay week versus the non-pay week.

Mr. Pries: It makes sense to me. Thank you!

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

Ms. Evans: I just wanted to note the Labor Day event that is, in part, sponsored by Dauphin County as part of a series of programs and events commemorating the 150<sup>th</sup> Anniversary of the Civil War. It will be held on Sunday, September 4<sup>th</sup>, beginning at 1:30 p.m. It is free of charge and is open to the public. It is going to feature music, period re-enactors and stories about Harrisburg's anti-slavery stance.

Mr. Haste: It will be held where?

Ms. Evans: At the John Harris Mansion.

Mr. Haste: Are there any questions of Laura? (There was none.)

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

Mr. Tully: All of the items requiring Board Action have been reviewed and are ready for your vote. If you have any questions or concerns, I would be happy to address them.

Mr. Haste: Are there any questions of Bill? (There was none.)

## **MATTERS REQUIRING BOARD ACTION**

- A. Training Packet.
- B. Purchase of Service Per Diem Rates between Children & Youth and:
  - 1. Christian Psychotherapy Services
  - 2. Commonwealth Clinical Group, Inc.
  - 3. Hempfield Behavioral Health, Inc.
  - 4. Justice Works Youthcare, Inc.
  - 5. Pinnacle Health Hospital – Women’s & Children’s Services
  - 6. Pressley Ridge
  - 7. Uplift, Inc.
  - 8. YWCA of Greater Harrisburg
  - 9. Eleanor Bush, Esq.
  - 10. Samara: The Center for Individual and Family Growth
  - 11. YMCA-Northern Dauphin County Branch
  - 12. Baptist Children’s Shelter
  - 13. Common Sense Adoption Services
  - 14. Family Support of Central PA
  - 15. Glen Mills School
  - 16. Laurel Youth Services
- C. Reappointment of Matthew Tunnell to the Dauphin County Housing Authority. Mr. Tunnell’s term will expire August 26, 2016.
- D. Satisfaction Pieces:
  - 1. Patricia A. Scott on the property located at 145 Linden Street, Harrisburg, PA 17103. (This is a forgivable mortgage from 1996.)
  - 2. Moises Hernandez on the property located at 943 Norwood Street, Harrisburg, PA 17104 (\$3,500).
- E. Subordination Agreement for John and Christine Quintilian on the property located at 111 Oakleigh Avenue, Harrisburg, PA 17111.
- F. Proposed Tax Assessment Appeal Settlement of PPL Electric Utilities Corp., No. 2011-CV-5144-TX.
- G. Termination of Contract with Thomas Comitta Associates.
- H. HRG Proposed Contract for pending Fort Hunter Park Capital Project.
- I. Maintenance Agreement between Dauphin County and Cummins Power System, LLC for an emergency power generator system at Adult Probation and Work Release facilities.
- J. Application to the Commonwealth of Pennsylvania Department of Environmental Protection (DEP) for a License Agreement (General Permit Registration No. GP112211113) between Dauphin County and DEP for repairs and maintenance of Bridges No. 40 and 44 across Wiconisco Creek in Washington Township.
- K. Partial Refund of Real Estate Taxes from 2009, 2010 and 2011 to Townhouse Partners LP – Parcel #07-102-003 (600 Boas St.) - \$35,284.91.

- L. Repository Bid received from Catherine D. McMullen – Parcel #09-016-029-000-0000 (1547 Walnut St.) - \$300.
- M. Purchase of Service Agreement between Children & Youth and Bethany Children's Homes, Inc.
- N. Amendments to Purchase of Service Agreements between Children & Youth and:
  - 1. Glen Mill Schools, Inc. – Amendment #1
  - 2. North Penn Comprehensive Health Services, Inc. – Amendment #1
- O. Addendum #1 to Purchase of Service Agreement between Children & Youth and Hempfield Behavioral Health, Inc.
- P. Amendment #3 to Custodianship Subsidy Agreement #2002-02.
- Q. Adoption Assistance Agreements #2011-34 and #2011-35.
- R. Student Assistance Program Memorandums of Understanding between Drugs & Alcohol and:
  - 1. Central Dauphin School District
  - 2. Dauphin County Technical School
  - 3. Derry Township School District
  - 4. Halifax Area School District
  - 5. Harrisburg School District
  - 6. Lower Dauphin School District
  - 7. Middletown Area School District
  - 8. Millersburg Area School District
  - 9. Steelton-Highspire School District
  - 10. Susquehanna School District
  - 11. Upper Dauphin Area School District
  - 12. Williams Valley School District
- S. Amendments to Purchase of Service Agreements between MH/ID and:
  - 1. Julie E. Granito, M.A., CCC-SLP – Amendment #1
  - 2. International Service Center – Amendment #1
  - 3. Living Unlimited, Inc. – Amendment #1
  - 4. Kelly L. Rice, OTR/L – Amendment #1
  - 5. Speechcare, Inc. – Amendment #1
  - 6. Debra A. Ziegler, OTR/L – Amendment #1
  - 7. Joanna Karns, MT-BC – Amendment #1
- T. Medical Assistance Transportation Program Certification Statement.
- U. Act 71 Grant Agreement between Dauphin County and NHS Pennsylvania, Inc.
- V. HSDF Certification Statement.
- W. Co-Permittee Agreement for Lobar, Inc. for assumption of responsibility under NPDES Permit for stormwater discharges associated with construction activities at Dauphin County Work Release Center, performed by Weavers and Sons Excavation.
- X. Application to PCCD for financial support for the Substance Abuse Education & Demand Reduction Program - \$95,596.



- Y. Extension to Agreement with Rapid Remedy.
- Z. Ordinance #3-2011 authorizing Dauphin County's guaranty of bonds to be issued by the Dauphin County General Authority.
- AA. Hotel Tax disbursement to the Dauphin County Historical Society - \$2,330.
- BB. Hotel Tax disbursement to the Township of Susquehanna for the Edgemont Community Day Celebration - \$200.
- CC. Hotel Tax disbursement to Blackman MMA - \$2,000.
- DD. Hotel Tax disbursement to Harrisburg Cougar Basketball Club - \$827.34.
- EE. Approval of County sponsorship, for eligibility purposes only, of Local Share Municipal Gaming Grant Applications from the entities identified in the Solicitor's Report.
- FF. Subcontractor Agreement between Dauphin County and Tri-County OIC.
- GG. Agreement to extend the time for rendering and communicating a decision on certain preliminary and/or final subdivision/land development plans between Dauphin County and Swatara Township.
- HH. Partial Refund of 2011 Real Estate Taxes – Gloria Barlow – Parcel #40-002-041 (329 S. Catherine St.) - \$122.98.

Mr. Haste: We have, on the Agenda, Items requiring Board action, Items A through HH. Are there any that need to be pulled out and voted on separately or need further discussion?

Mr. Hartwick: The only thing that I need to note. I would like to record an abstention for me on Item FF.

Mr. Pries: What does OIC stand for?

Mr. Hartwick: There is an Agreement with the Prison and some other subordinate folks to offer educational services at the Prison. One of those folks happens to be Catholic Charities, even though they are not listed on this. They are sub-recipients of that particular Agreement. So, I'm going to recuse myself from the vote.

**It was moved by Mr. Pries and seconded by Mr. Hartwick that the Board approve Items A through HH, listed above under Matters Requiring Board Action, noting that Mr. Hartwick has abstained on Item FF.**

**Question:** Mr. Haste – Aye; Mr. Pries – Aye and Mr. Hartwick – Aye (abstaining on Item FF); motion carried.

## **FORMER BUSINESS**

(There was none.)

## **NEW BUSINESS**

(There was none.)

## **COMMISSIONERS' DISCUSSION & ACTIONS**

Mr. Haste: I would just like to thank all the staff that worked diligently over the weekend as we got through the storm. I know Commissioner Pries was out at EMA. We got numerous updates going through there and those that were called upon did an outstanding job and I want to thank them for that.

## **CORRESPONDENCE**

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

- A. Notification from ARRO Consulting, Inc. advising that they are applying to DEP for a NPDES Permit for the Clark's Ferry Auto/Truck Plaza WWTP in Reed Township.
- B. Notification from Zartman Construction, Inc. advising that Advanced Scientifics is applying to DEP for a NPDES Permit for site grading to improve drainage, demolition/removal of unwanted structures, parking and truck maneuvering area expansion, 2-story office addition and construction of a new on-lot septic system.
- C. Notification from Hershey Conewago Recreaground advising that they are applying to DEP for a NPDES Permit for the treatment plant at 1688 Hershey Road, Elizabethtown, PA.
- D. Notification from Sunesys advising that they are applying to the Pennsylvania Public Utility Commission for certificates for the installation of aerial fiber optics line on public roads where they intersect with railroad rights of way owned by Middletown Hummelstown Railroad and Norfolk Southern Railroad in Royalton and Middletown Boroughs: Canal Street (Rt. 441) in Royalton Borough, Dauphin County (AARDOT #518065D); Union Street and Brown Street in Middletown Borough, Dauphin County and East Main Street (Rt. 230) in Middletown Borough, Dauphin County (AARDOT #591496P).
- E. Receipt of a letter from the PA Game Commission regarding an upcoming habitat project on State Game Land #210 in Jefferson Township, Dauphin County. The Commission will be using prescribed fire to manage oak trees. An 88-acre site will be treated with a prescribed fire to improve the regeneration of oak trees.
- F. Receipt of a notice from the Federal Energy Regulatory Commission regarding the determination on requested Modifications to Study Plan for the York Haven Hydroelectric Project.
- G. Notification from DEP enclosing a revised Preparedness, Prevention and Contingency (PPC) Plan for the ArcelorMittal Steelton LLC HWM-1 hazardous waste landfill located in Swatara and Lower Swatara Townships. This PPC Plan will replace the one included as Attachment 3 of the July 29, 2011 draft ArcelorMittal Post Closure Permit.

- H. Receipt of a letter from the Pennsylvania Public Utility Commission advising that a final inspection of the completed work involved in the application of the Department of Transportation for the approval to suspend the grade-separated crossing and remove the bridge where SR 0230 (Cameron Street) and SR 3009 (Paxton Street) across beneath a single track of Norfolk Southern Railway Company in the City of Harrisburg will be held on August 19, 2011 to determine the completed work acceptability and final allocation of the remaining costs.
- I. Notification from Light-Heigel & Associates, Inc. advising that UGI Utilities, Inc. is applying to DEP for a permit associated with the maintenance of existing 8" and 12" gas mains along the Swatara Creek near the intersection of the Middletown Borough, Lower Swatara Township and Londonderry Township lines.
- J. Notification from RGS Associates advising that DSG Development Corp., Southpoint Meadows 2, is applying to DEP for a NPDES Permit for discharges of stormwater from construction activities for the Southpoint Meadows 2 project in Derry Township.
- K. Notification from Southside Community Partners advising that they are applying to DEP for a permit for the subdivision and development of a 12 acre parcel including a permanent stream crossing and extension of a double barrel culvert under Middletown Road.
- L. Notification from Buse Funeral Home advising that they have submitted a State Only Permit application to DEP's Air Quality program for the human crematorium.
- M. Notification from Raudenbush Engineering, Inc. advising that Dennis Schmidt is applying to DEP for a NPDES Permit for the construction of a single family residence and associated driveway in Londonderry Township.
- N. Notification from Robert Hawkins advising that they are applying to DEP for a General Permit 4 for the installation of an outfall pipe on property in Londonderry Township.

## **PUBLIC PARTICIPATION**

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

## **ADJOURNMENT**

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

Transcribed by: Richie-Ann Martz