



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

OCTOBER 29, 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; J. Scott Burford, Deputy Chief Clerk; William Tully, Esq., Solicitor; Gary Serhan, Deputy Controller; Fred Lighty, Esq., Human Services Director's Office; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Tom Guenther, Director of IT; Leila Brown, Solicitor's Office; Steve Libhart, District Attorney's Office; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; Kay Lengle, Personnel; Dave Schreiber, Personnel; Melissa Wion, Personnel; Jeannette Long, Personnel; August Memmi, Community & Economic Development; Jena Wolgemuth, Commissioners' Office; Brenda Hoffer, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Garry Lenton and Leigh Hurst

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. DiFrancesco and seconded by Mr. Hartwick that the Board approve the October 1, 2008 Workshop Meeting Minutes and the October 8, 2008 Legislative Meeting Minutes; motion carried.

It was moved by Ms. Rebeck and seconded by Mr. Hartwick that the Board approve the October 1, 2008 Salary Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: Commissioners, as you know we met twice in Executive Session. Once was on October 15, 2008 in the morning to discuss some personnel matters. We met again this morning to discuss matters involving 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

COMMISSIONERS

- 1. *Proclamation Presentation to Feel Your Boobies Founder – Leigh Hurst***

Mr. DiFrancesco: At this time we have the honor of highlighting the efforts of a young woman who I am particularly happy to talk about since she is also a native of my home town. We have a chance to honor a lot of people that come through here, but it is always nice to find somebody who turns personal adversity into such a great cause. We have a Proclamation for you today, but I just want to sincerely thank you because your efforts are growing, growing and growing in your efforts specifically to bring attention to a disease that is killing people. I know personally all of a sudden I know a lot of people who are suffering with breast cancer and through you taking your personal adversity and turning it into a cause, more and more women are learning ways that they can identify how early detection can save lives. We are going to ask you to come up

and say a few words, but right now I would like to read this Proclamation and give my colleagues a chance to add anything that they would wish to add. This morning we have I believe the first ever pink proclamation from the Dauphin County Board of Commissioners.

Mr. DiFrancesco read the Proclamation.

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

***We**, the Dauphin County Board of Commissioners, are honored to applaud Middletown's own Leigh A. Hurst, an inspirational breast cancer survivor who has gained national acclaim and a devoted following as the founder and president of the innovative "Feel Your Boobies" Foundation;*

***Whereas**, Leigh, one of this year's richly deserving winners of Central Penn Business Journal's prestigious "Forty Under 40" competition, was diagnosed with Stage 1 breast cancer at the tender age of 33, shattering stereotypes about who breast cancer can strike;*

***Whereas**, refusing to fall victim to this increasingly prevalent, potential killer, and vowing to alert other young women to its destructive power, Leigh developed a clever, cutting-edge public awareness campaign that appeals to young women all over the globe;*

***Whereas**, this one-woman dynamo endured a lumpectomy, chemotherapy and radiation, allowing her to not only triumph over her disease, but to transcend its dark force by helping others who may be at risk of the disease or who are already battling it;*

***Whereas**, from its humble beginnings, when Leigh made 100 "Feel Your Boobies" T-shirts, the "Feel Your Boobies" Foundation has blossomed into an international effort, issuing a call to action for women to get in touch with their bodies, and literally painting the world "pink" with its life-saving message;*

***Therefore**, we join the 253,300 residents of Dauphin County in honoring the remarkable Leigh A. Hurst for her personal crusade to eradicate the world of breast cancer through education and early detection; we congratulate her on her "Feel Your Boobies" Foundation and the international success it has garnered; we wish her all the best as she continues to spread her message of courage and hope, saving countless lives; and in grateful recognition thereof, we do hereby proudly proclaim October 29, 2008 as "Leigh Hurst and 'Feel Your Boobies' Foundation' Day" in Dauphin County.*

(Applause was given.)

Mr. Hartwick: Obviously all of us have been affected in some way, shape or form by a friend or family member. I have four daughters. The understanding and the education that exists for early detection, as a result of your efforts in making sure individuals know how to check. It is no longer a secret. Now individuals are fully educated and it is becoming actually a hit trend to have a "Feel Your Boobies" shirt on. There is a whole line out and it is certainly becoming something that has raised awareness to a level that I think is going to serve women in this region and around the country in a way they should have been served. Thank you for helping with this awareness and taking your own personal challenge to be able to change the lives of other people. It certainly has made a difference.

Ms. Hurst: Thank you.

Mr. Haste: I too would like to say thank you. Both my sister and my mother, my sister beat cancer. My mother did not. I want to thank you for that. I have to say early on when the campaign came about I was taken back by it. I thought it was a little risqué, but until I found out what the meaning of it was and it is interesting now to drive around and you pull into a shopping center and you see the pink ribbon with the saying on it. It is really great to see a local person be able to start a national trend. Thank you very much for that.

Ms. Hurst: Thank you.

Mr. DiFrancesco: Before you comment I just want to say one other thing and that is as far as I'm concerned and I think George touched on it a little bit, the campaign not only has helped young women to identify with the message, it has also helped a lot of men because it is eye catching for men as well. Then all of a sudden you start to realize what is going on. I became more obsessed with my wife and my daughter making sure that they were up on breast cancer and so forth. The impact goes beyond women. It goes into the men and their understanding of the disease as well. Thank you.

Ms. Hurst: You're welcome. We certainly get a lot of men volunteers to help out with the campaign (just kidding)! I want to thank you guys for the recognition. I appreciate your comments, Jeff, about being taken back by the campaign initially and then learning more what it is about. One of the best things that have happened this year is that people are starting to understand really the purpose behind the campaign. Yes, it is funny and provocative and sexy in nature in some cases, but the underlying message is that it is getting young girls to talk about something that is really important. I know from my own experience that when you are young and you are under the age where formal screening happens, I was a health conscious person, but my friends were not talking about breast cancer. It wasn't in our families. We have no reason to pay attention to it. So, I think if through a fun slogan like "Feel Your Boobies" we can get young people to pay attention and to start the habit at a younger age there can only be positive things that happen from that. For us as an organization this year we did get three testimonials from women who did find early diagnosis through our campaign so they felt prior to the "Feel Your Boobies" message they hadn't really paid attention much. Because they saw a car magnet or an article or whatever it caused them to start paying attention and it resulted in an early breast cancer diagnosis. So, while we don't want people to be diagnosed with breast cancer certainly we want it to be caught at an early stage like mine was if it has to happen at all. Those are success stories for us and I hope that as we grow we start to hear more and more of that type of thing. Thank you for recognizing efforts of the foundation.

Mr. DiFrancesco: We look forward to working with you in the future.

(Applause was given and pictures were taken.)

PERSONNEL

Ms. Lengle: I have a change to the Personnel Packet from last week. I would like to pull Change #21. I also have an Addendum. There is just one item in that.

Mr. Haste: Any questions of Kay? (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: At last week's meeting I had informed you about one requisition that was going to be added. That is on Page 9 for the Court Administrator's Office. It is for some improvements in the Courtroom sound system. In addition to that there are two more that came up throughout the week. One is on Page 5 for the northern Dauphin County Government Center. That one was asked to be added by Commissioner Hartwick. There is another one on Page 17 and 18 for the Prison for some ammunition. That was asked by Commissioner Haste to be added as well. On Page 5 you might see that shows a zero budget. That is still being worked on. It is a brand new cost center for that northern Dauphin County Government Center. Mike is working on that to get everything squared away. It is showing over budget, because it was just added to put this requisition in. That will be fixed. With those three additions, the rest of the items are the same as the Workshop so it is there for your approval. Do you have any questions? (There was none.)

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

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe presented the following Report:

Report from the Office of Budget & Finance October 29, 2008

- **October 17, 2008** transferred **\$169,350.78** to the **Payables** account from the County's Concentration account for checks issued that week.
- **October 24, 2008** transferred **\$7,384,422.06** to the **Payables** account and **\$1,885,764.70** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
 - **\$10,000,000.00** 90-day CD (matures 12/30/08) at PA INVEST - rate **3.790%**
- **Balance today in INVEST account \$170,898.58 rate 1.896%**

- **Balance today in Susquehanna Bank investment account \$1,114,987.09 rate 2.500%**
(This rate equals the Susquehanna Bank 90-day T-Bill rate plus 108 basis points. It is fixed for the month)
- **Balance today in Sovereign Bank investment account \$102,504,329.55 rate 3.430%** (This equals today's 1-month LIBOR rate of 3.530% minus 10 basis points)
- **Balance today in Citizens Bank investment account \$1,093,355.06 rate 2.750%** (This rate is fixed for the month)
- **Balance today in PNC Bank investment account \$1,000.00 rate 1.450%** (This equals today's Fed Funds rate of 1.500% minus 5 basis points)
- **Balance today in Graystone Bank investment account \$1,000.00 rate 1.300%** (This equals today's Fed Funds rate of 1.500% minus 20 basis points)
- **Balance today in Commerce Bank investment account \$100.00 rate 0.590%** (This equals today's 90-day T-Bill rate of 0.840% minus 25 basis points)

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

Mr. Yohe: I did read today that the Feds will be most likely reducing the rate by another half of a point. The two at PNC and Graystone are going to drop by our next report another 50 basis points. We will see what happens with the rest of the banks.

Mr. Haste: The Federal can't go much lower.

Mr. Yohe: Down to 1 that is where it was when I first started doing this year's ago.

Mr. DiFrancesco: I just wanted to say that you are a brilliant man today, because it is looking great today and next week we will reevaluate. Today you look like a brilliant man.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

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

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

Mr. Tully: The Matters Requiring Board Action has been reviewed and ready for vote. If you have any questions I would be happy to answer. (There was none.)

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Budget Amendments for the quarter ending September 30, 2008.
- C. Appointment of Chief Robert Martin to the Herbert A. Schaffner Youth Center Advisory Board. Chief Martin's term will expire December 31, 2009.
- D. Satisfaction Agreement for Latonya McGee on the property located at 20 Jury Street, Highspire, PA 17034 (\$3,500.00).
- E. HRG Proposal for creating additional Applications for the Agricultural Preservation Scoring Application for the Dauphin County Conservation District.
- F. Termination of Agreement for Services between Dauphin County, World Gym and the West Shore Health Club.
- G. Purchase of Service Agreement between Children and Youth and Jason P. Kutulakis, Esq.
- H. Adoption Assistance Agreements #2008-69, #2008-72, #2008-73, #2008-78, #2008-79, #2008-80, #2008-81 and #2008-82.
- I. Memorandum of Understanding between Dauphin County Department of Drug and Alcohol Services and Halifax Area School District.
- J. MH Purchase of Service Agreements between MH/MR and:
 - 1. Brooke Glen Behavioral Hospital
 - 2. Cumberland-Dauphin-Harrisburg Transit Authority t/d/b/a Capital Area Transit
 - 3. Open Minds
- K. MR Waiver Purchase of Service Agreement between MH/MR and Cumberland-Dauphin-Harrisburg Transit Authority t/d/b/a Capital Area Transit.
- L. Amendments to Purchase of Service Agreements between MH/MR and:
 - 1. Nami Pennsylvania (Amendment #1)
 - 2. Paxton Ministries (Amendment #1)
 - 3. Patch-N-Match (Amendment #1)
 - 4. Melmark, Inc. (Amendment #1)
 - 5. AHEDD (Amendment #1)
 - 6. Impact Systems, Inc. (Amendment #1)
 - 7. Keystone Community Resources, Inc. (Amendment #1)
 - 8. Allegheny Valley School (Amendment #1)
 - 9. Aurora Social Rehabilitation Services (Amendment #1)
 - 10. Riverside Professional Development, LLC (Amendment #1)
 - 11. Volunteers of America of Central Pennsylvania, Inc. (Amendment #1)
- M. Emergency Shelter Grant Agreements between MH/MR and:
 - 1. Catholic Charities of the Diocese of Harrisburg, PA, Inc.
 - 2. Shalom House
 - 3. YWCA of Greater Harrisburg

- N. Termination of Medical Expense Reimbursement (MERP) Contract with Alpha Benefit Administrators, LLC.
- O. Authorization to reimburse Michael Potteiger, Director of Adult Probation, \$283.42 for items purchased in connection with Probation and Parole Officer's Week.
- P. State and Local Government Master Operating Lease Agreement Schedule between Dauphin County and Hewlett-Packard Financial Services Company, Master Agreement #103108, Schedule #10310800029 for 31 PCs and 68 laptops for Adult Probation and Work Release.
- Q. State and Local Government Single Schedule Lease Purchase Agreement between Dauphin County and Hewlett-Packard Financial Services Company, Lease #103120, Schedule #103120000009 for Dauphin County Prison Server/San Equipment.
- R. Partial Refund of 2008 Real Estate Taxes – Szeles Capital Development, Parcel #63-018-180 -\$1,287.42.
- S. Greater Delaware Valley Society of Transplant Surgeons d/b/a Gift of Life Donor Program Request to occupy space, 1271 S. 28th St, at current rate for an additional month through December 31, 2008.
- T. Proposed Tax Assessment Appeal Stipulation of Settlement of Ames True Temper, Parcel #01-049-037.
- U. Bypass Waste Processing/Disposal Agreement between Dauphin County and IESI PA Blue Ridge Landfill Corporation.
- V. Approve the retention of Dr. Bruce Goodman Silver as an expert witness to establish and verify standards of practices at Spring Creek in Jenkins vs. CHR case.
- W. Reimbursement to Dr. Marianna Clougherty for office repairs during the relocation of MDJ Wenner.
- X. Change Order #2 – Schaffner Fire Alarm System Project (addition of new printer to the material list that will be compatible with the Simplex 4100U panel) - \$1,000.00.
- Y. Change Order #3 – Schaffner Fire Alarm System Project (add (5) 4090-9002 Relay IAM's, add (2) 2975-9206 Annuc. Surface Mount backbox) - \$1,531.00.

Mr. Haste: We have Items A through Y on the Agenda for Board action. Are there any that need to be taken out individually?

Mr. Hartwick: Item M-1.

Mr. Haste: Do you want to pull M-1?

Mr. Hartwick: Yes.

Mr. Haste: Anything else?

Mr. Hartwick: It is good to take a note of N, which would be expiring at the end of the year. That did save us some money.

Mr. DiFrancesco: I just have one question on an Item and we will get to that later. We are pulling which one?

Mr. Haste: M-1.

Mr. DiFrancesco: To vote separately?

Mr. Haste: No, we are pulling it.

Mr. Hartwick: I can't vote on this. I need to abstain from that particular vote.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve Matters Requiring Board Action Items A through Y, minus M(1).

Discussion:

Mr. DiFrancesco: I'm hoping somebody is here that can answer this. Item F the benefits that come as a result of Item F will continue?

Mr. Hartwick: Yes.

Mr. Haste: It is now going to be...

Mr. DiFrancesco: Expanded.

Ms. Wion: They can continue.

Mr. DiFrancesco: I just want to clarify that whoever is using it now won't be...

Ms. Wion: They can continue to use it, but there will be other options available.

Mr. DiFrancesco: That is what I needed to know. Thank you.

Mr. Hartwick: We have a much better mechanism by which to track to make sure people are actually using it.

Mr. DiFrancesco: Excellent.

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

It was moved by Mr. DiFrancesco and seconded by Mr. Haste, with Mr. Hartwick abstaining, that the Board approve Matters Requiring Board Action Item M(1); motion carried.

FORMER BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

(There was none.)

CORRESPONDENCE

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

- A. Notification from United Water advising that they are applying to DEP for a Minor Water Supply Permit Application to replace an existing finished water reservoir at the UWPA Chambers Hill Site in Swatara Township.
- B. Notification from Fischbach Morgan & Associates, Inc. advising that the James R. Hills Trust and Rebecca G. Hills Trust are applying to DEP for a General NPDES Permit for a residential subdivision at 1281 Waltonville Road, Hummelstown, PA.
- C. Notification from Storb Environmental, Inc. advising that the Eldorado Properties Corporation is applying to DEP for an individual NPDES Permit Renewal Application for their property at Highspire Bulk Petroleum Storage Terminal in Lower Swatara Township.
- D. Notification from Buchart Horn, Inc. advising that Upper Paxton Township is applying to DEP for a General Permit #11 for the maintenance, testing, repair, rehabilitation or replacement of water obstructions and encroachments at Bridge Road in Upper Paxton Township.
- E. Receipt of a copy of a letter from DEP to Kimmel's Mining, Inc. advising that they have been granted a waiver (Intent to Explore Notice No. 22081103) from the requirement to obtain a permit to conduct coal exploration at the site in Williams and Wiconisco Townships.
- F. Notification from Evans Engineering, Inc. advising that they are applying, on behalf of The Hershey Company, to DEP for a General Permit #4 to construct an employee satellite parking lot to be located south of the existing Hershey's Chocolate World complex.
- G. Notification from Cory Fronk advising that Plaza Management, Inc. is applying to DEP for a NPDES Permit Renewal Application for the treatment and discharge of wastewater into the Susquehanna River in Reed Township by the Riverside Apartment Treatment Facility.
- H. Notification from NRG Energy Center Harrisburg, LLC advising that they are applying to DEP for a NPDES Permit Application to discharge industrial wastewater into the Paxton Creek.

- I. Notification from ARRO advising that the Swatara Township Authority is applying to DEP for a Water Quality Management Permit Application for the Mushroom Hill Sewer Extension Project in Swatara Township.
- J. Notification from HRG, Inc. advising that Lower Paxton Township will apply to DEP for a Water Obstruction and Encroachment Permit for the M Street Intersection Project.

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 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