



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

NOVEMBER 25, 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 E. Rebuck, Controller; Janis Creason, Treasurer; William Tully, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Diane McNaughton, Press Secretary; Leila Brown, Solicitor's Office; Kay Lenge, Personnel; Dave Schreiber, Personnel; Amy Richards, Commissioners' Office; Gary Serhan, Deputy Controller; Steve Chiavetta, Director of Registration & Elections; Fred Lighty, Esq., Human Services Director's Office; David Feidt, Solicitor's Office; Melissa Wion, Personnel; August Memmi, Director of Community & Economic Development; George Connor, Community & Economic Development; Sheila Britt, Domestic Relations; Brenda Hoffer, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Emily Opilo, Dave Bimler, Jay Wenger, Jim Sinkovitz, Joe Sanks, Fox 43, and Amy Kehm

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:14 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 November 4, 2009 Workshop/Legislative Meeting Minutes; motion carried.

It was moved by Ms. Rebeck and seconded by Mr. Hartwick that the Board approve the November 4, 2009 Salary Board Meeting Minutes; motion carried.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve the November 4, 2009 TEFRA Hearing Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: Commissioners, we met three times in Executive Sessions. Once was on November 17, 2009 to discuss legal matters. The second one was held on November 18, 2009 to discuss real estate matters. We met again this morning to discuss litigation.

ELECTION BOARD

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

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 were none.)

DEPARTMENT DIRECTORS/GUESTS

(There were none.)

SALARY BOARD

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

PERSONNEL

Ms. Lengle: There is an Addendum. In the Addendum, an adjustment needs to be made to Change #4, the proposed hourly rate. The rate that is listed is incorrect. The proposed rate should be \$28.07 p/h, Step 22, Grade 04. Do you have any questions? (There were none.)

It was moved by Mr. DiFrancesco, but will be abstaining on Item #59, and seconded by Mr. Hartwick, that the Board approve the Personnel Packet as amended.

Question: Mr. Haste – Aye; Mr. DiFrancesco – Aye on all but abstaining on #59 and Mr. Hartwick – Aye; motion carried.

PURCHASE ORDERS

Mr. Baratucci: I have a couple of things. The first one is the Purchase Order Packet. There are no changes from last week other than the fact that we made all the budget adjustments that were necessary. It is there for your approval unless you have any questions. (There were none.)

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

RFP – Cell Phone Contract

Mr. Baratucci: I sent you all an email about the recently completed RFP for our cell phone contract. Our current one expires on December 31, 2009. We did a new three-year RFP. Nextel, which is our current supplier, again came in with the best deal. Their estimated three-year cost was a little over \$147,000. We got one from AT&T at \$160,000 and one from Verizon at \$199,000. My recommendation is that we stay with our current supplier. We have been happy with them. They have done a good job. They have eliminated some of the radios that we used to have to use, because they have the walkie-talkie feature that our Maintenance Department is making exclusive use of and so is Recycling. They have done a very good job over the last three years. It was the first time that we went with them. I was a little skeptical back then because they were always higher than everybody else, but they came in with such a good proposal last time. They've done a good job and they basically kept the same prices that we are currently using for another three years. My recommendation would be to allow us to negotiate a contract with them. We will bring it in for approval sometime in December so we are ready to go for January 1, unless you have any questions.

(The Commissioners were in agreement for Mr. Baratucci and the Solicitor's Office to negotiate a contract.)

Air Cards

Mr. Baratucci: We have the Air Cards from last week. Are you ready to vote on them?

Mr. Haste: These are the Adult Probation Air Cards. We heard more about this during the Budget Hearings.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the Air Card Purchase for Adult Probation Office; motion carried.

Bid Award – Bridge #122

Mr. Baratucci: We completed a recent bid with HRG for the replacement of Bridge #122. They have sent you a recommendation. It is the low bid. It is on the Agenda. Do you have any questions on that? We received seven bids and they are recommending the low one.

Mr. Haste: They were under by about \$300,000. This is the bridge that connects South Hanover to Derry Township.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe presented the following report:

Report from the Office of Budget & Finance November 25, 2009

- **November 6, 2009** transferred **\$8,718,794.25** to the **Payables** account and **\$2,128,179.29** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **November 13, 2009** transferred **\$726,540.37** to the **Payables** account from the County's Concentration account for checks issued that week.
- **November 20, 2009** transferred **\$4,930,122.14** to the **Payables** account and **\$1,930,904.27** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
 - 4/27/09 - **\$20,000,000** 8-Month CD at Citizens Bank – **1.500%** - matures 12/23/09
- **Balance today in INVEST account \$1,375.07 rate 0.175%**

- **Balance today in Susquehanna Bank investment account \$17,199,818.32 rate 0.500%**
(This rate is fixed for the month)
- **Balance today in Sovereign Bank investment account \$0.00 rate 0.000%**
- **Balance today in Citizens Bank Municipal Money Market account \$57,051,177.36 rate 0.950%** (This rate is fixed through 12/31/09)
- **Balance today in Citizens Bank Municipal Money Market Checking account \$2,006,048.07 rate 0.800%** (This rate is fixed through 12/31/09)
- **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 Metro Bank investment account \$100.00 rate 0.000%** (This equals today's 90-day T-Bill rate of 0.050% minus 25 basis points)

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

PLACING OF THE 2010 BUDGET ON THE TABLE

Mr. Yohe: The second item on the Agenda is the laying of the 2010 Budget on the table and making it available for the 20-day public inspection period.

This process started way back in July when we sent the budget packages out to all the departments. This budget is specifically those departments that run on a January to December fiscal year. It includes the General Fund, which is our main operating fund of the County. Back in September and October, I met with all the departments and then just last week we had a Public Hearing with every department in this budget and all the issues were addressed at that point in time and the determination was made as to what we wanted to go forward with. The results are listed on the handout that I presented. There are actually eleven funds that we're budgeting for in 2010.

The first one is the General Fund - \$199,463,317. Domestic Relations obviously covers the operations of our Domestic Relations Department. Liquid Fuels, again you will see a high budget in Liquid Fuels, because Bridge #122 is finally going to get underway. The construction and everything will be coming out of 2010. Low Income Housing Fund, the Hotel Tax, and Gaming are also included. Capital Projects Fund is up again this year due to the energy savings project and the other projects that are going to be undertaken next year. We have a pretty large capital projects fund for next year. The 9-1-1 Fund is EMA's communication fund. Solid Waste and then we have the Act 156 Wireless Fund, which is the EMA Fund and then the Parking Garage/Office Fund, which

covers the operations of our Human Services Building over here across the street. They total \$260,082,067 for 2010.

Page 2 lists some of the highlights. Obviously the number one highlight is there is no tax increase necessary. We've got a lot of challenges as you are all aware. We were able to meet them. Our strong financial position enabled us to meet them in a very difficult budget year. The second item is that we have been carrying, and it's worked very well, a \$600,000 vacancy adjustment. That is included again next year. The wages that are included in 2010, whatever the Union contracts that are settled, those numbers are in there. Anything that is not settled or non-union, we have a 2% increase built in. Medical and prescription costs include a 15% increase. I would note that the estimates that we had were a little higher than that. I'm banking on that we are going to get some revenue generated by the premium sharing that we are going to start next year. There is going to be some money left over from this year that will bring that increase down to the 15%, which I still think might be a little bit high. That is what is in the budget right now.

Unfortunately, the Pension budget I can't say the same about. Again, the performance in the stock market last year or so is necessitating a \$2.7 million increase in this area of the budget. Medical, prescription and pension are driving this budget throughout. The departments are very good in submitting almost status-quo budgets with the exception of these two areas, which are out of their control.

There were 21 new positions that were requested last year. We only included nine in the budget. Of those nine, eight were for the two new judges coming in. We did very well in that regard. There is only one position that I would say is not actually mandated upon us by the two judges that are coming in. We have a \$750,000 transfer that is going to continue to cover the capital improvements at the Prison. That is included in here.

The gaming fund, the only thing that it is covering in our general operations is the EMA debt service on our radio project that started last year. It is very close to getting underway now at full force. Again, no tax anticipation note will be necessary for next year, which is a good reflection of our strong cash position.

Page 3, the General Fund supports all the other County funds. You can see what level of support we have. This is probably the lowest. In fact, it is actually in total going down. I don't know if I have ever seen that before. Not only are our calendar year departments pretty strong, our fiscal departments are doing very well with the resources that they have. You can see Children and Youth has a slight increase that is manageable. Domestic Relations is actually coming down a little bit for next year.

Page 4 is the itemization of those new positions. The only new one that is not associated with the new judges is that floater position for the Court Reporter.

Mr. Haste: But all nine positions are in the Courts.

Mr. Yohe: The grand total estimated next year of those nine positions is about \$540,000. There are some charts there. Taxes still make up a large portion of our revenue. Page 6, salary and benefits are obviously the biggest piece on the expense side. These are just the General Fund, which is a reflection of the whole County. These graphs only pertain to the General Fund.

Mr. Saylor: You mentioned the 15% budgeted increase for medical and prescription. I remember we talked about this before, but for the purposes of the record, do you remember the dollar figure that was the ballpark?

Mr. Yohe: I'm thinking \$18 million. I can get back to you.

Mr. Saylor: Then \$10 million for the pension. Those are the two big items.

Mr. Haste: The increase in the ARC is \$2.7, not the full \$10 million.

Mr. Yohe: Bear in mind those are County-wide, not just the General Fund.

Page 9 is a breakdown. We are not asking for a tax increase. The millage rate will remain at 6.876 for the general operations and the library tax would remain at .35 mills. Underneath that you can see what that impact is on various assessments of residents. The last four pages are just a summary by department. That is just a quick glance without having to look into detail that is in the document that will be out for public inspection. I have nothing else. I'm here to answer any questions.

Mr. Haste: Again, this is a document in motion. The final adoption will occur in December. You'll continue to work on finalizing these numbers between now and then. The key parts of that are the medical costs. Again, right after this meeting we go into Retirement Board and will continue to work on the pension. It is pretty close to being the final numbers.

Mr. Hartwick: In these difficult economic times there are going to be more and more difficult choices to be made. Dauphin County has successfully weathered the storm this year, but that does not mean that as we move forward in future years that cuts and other belt-tightening measures don't need to occur. As you can see this year the salary increases, traditionally it has been 4%, but it is going to be 2% for all non-union folks and we are trying to negotiate the contracts that same amount for all union employees. We have been fortunate to be in a good position this year and we are reducing increases, but we are not cutting employees. Quite frankly, with the increasing healthcare costs, increasing amounts in the pension fund, those are all going to be things that we are going to be grappling with over the next year. One of the most important things that we need to pay attention to is the rise in medical expenses and those costs that are transferred to County taxpayers. We need to do whatever we have to do in order to change behaviors in order to address those high rising medical costs. I know we have taken some steps to do that with cost-sharing this year. We offer

opportunities through Wellness. Ultimately we are going to continue to monitor that. That message is maintain your health, figure out ways to do prevention stuff and figure out ways to manage your healthcare in a way that doesn't impact County taxpayers. Ultimately we are going to have to make some very tough decisions as it relates to medical benefits as we move forward, if we see the utilization trends continue to move in the direction that they are moving. I think this is going to be one of the first precursors to years coming about continuing to try to do more with less as we have done, but continue to tighten our belt and not grow government, but figure out a way to make it more efficient. No one needs larger government, people need more efficient government and we are going to continue to push to try to make government more efficient in Dauphin County, particularly in light of these rising costs that we cannot control. Even in our retirement contribution, which we are one of the top three performing pension funds in the State, we still saw a huge increase in our retirement contribution this year. We still need to continue to do well and make those kinds of difficult choices to keep us in the forefront. Again, those issues really are not within the Board's control. As it relates to new positions, they were all as a result of two new judges coming on board. We held the line on new positions this year. There were multiple requests, but this Board again decided to say that it is not the time to grow government. We need to figure out a way to continue to run it more efficiently.

Mr. DiFrancesco: Once again, I think this budget highlights our difficult economic times. It shows how much a good team approach works to protect the taxpayers. I want to thank all the department heads, all the row officers, again everyone came in throughout the budget process to only ask for things that they needed. For the past six years, I have to say that I have been impressed with the budget process here. Everybody is on the same page and everybody is out to protect the taxpayers. I think the fact that we are sitting here again with a no-tax-increase budget, especially in light of things that have already been outlined, the increase in the pension fees and so forth, I think that is a real testament to what is going on here in Dauphin County. I'm really proud of everybody's efforts in getting us to this point today.

Obviously there are some other issues that impact our budget. Some of them have been making headlines for a few months now. It is unfortunate that one of the things that I feel a great bit of frustration with today is again just as the delay in the State budget impacted our fiscal year budget tremendously with us not knowing what was going to happen, there are still some factors and line-items in this budget that are outstanding. We were expecting to get a briefing today on what is going on with the City budget, because the fact of the matter is that some of the issues that impact the City budget will also impact our budget. They are tightly aligned together. It is my understanding that the City did not put their budget on the table last night as they were intending to do. That leaves some question marks remaining in ours. I guess I was also under the understanding that given the City's liability and potential threat of liability to the taxpayers that very few people showed up and that very little attention is being placed, once again, on that process. If you see some frustration coming through, I have to say it is real, because the fact of the matter is that we don't live in a protected bubble. The City's budget obviously will have an impact on the County's budget and the fact that

it was not presented as it should have been last evening, it leaves us with some question marks today. However, the story of the day is, once again, no tax increase in Dauphin County. Again, I just want to make sure that everybody who has come before us and has had a hand in this budget process knows that I stand here with great pride knowing that we really did a good job to protect the taxpayers. Even given the fact that Dauphin County has put itself into a good financial position, there is nobody here trying to take advantage of that. Everyone is still committed to providing a very efficiently run government and it shows. Thanks, Mike, for all your help.

Mr. Haste: I too would like to commend Mike and the department heads and this Board of Commissioners. When Nick was talking, the frustration that he referred to was growing in my gut. I thought I would come in here and not get too irritated, but it is hard not to. I'd like to commend our process. If you look at it, it was fair and open. Mike had done things. We had three days of public hearings. We had people come in and we fully debated each department. We talked about the pros and cons of things. That appears to be a stark difference to what appears to be going on in the City of Harrisburg with somewhat of a budget laid out there for them with no discussion of it last night; with the absolute crisis that we all know about. I'm going to speak to the media with this right here. I'm begging you, as we have tried to do for the last eight months, to raise that red flag. The City of Harrisburg is facing, if they live up to their obligations, a \$70 million deficit next year. The fact that Nick referred to, last night was their advertised hearing on their budget and none of the City taxpayers showed up at that meeting. When we sit here in this chamber and we talk about an increase, minuscule compared to that \$70 million, these seats are usually filled. When we came in here in 2004 and had to wrestle with things, we had people calling us and screaming at us, we had this room filled. I don't understand whether the people in the City, the taxpayers, have given up on this. Again, I'm going to my colleagues in the media, if in fact, we have not preached this loud enough to them, but there is a doomsday ready to occur and no one seems to be paying attention. When I say no one, my frustration goes to my colleagues in City government. It is easy to sit there and put out a phony budget and try to drag this out over the next eight or nine years and maybe that will get people reelected and maybe that will make for great sound bites, but that's irresponsible leadership. When we came onboard we were sitting here with a \$45 million deficit. That's a County that represents 40 municipalities. We have one municipality sitting there with a \$70 million deficit and I have not seen one bit of serious discussion occur on that yet. What they are willing to do is they are willing to sit there and make it someone else's problem. They are going to make it our problem, the State's problem and the Court's problem and that is irresponsible. They ought to be dealing with it and the taxpayers ought to be fed up with this, because the day will come. We talked about this all year long. There are ways to deal with this. There are assets that they could sell. They could deal with this and they could solve it, but I think they are choosing not to. They are going to choose, and mark my word, colleagues and media, they are going to piecemeal this. They will sell limited assets. They will cover their debt and they will try to not cover the debt that the County guaranteed. That is irresponsible. What that will only do is that will only cause this Board to take legal action against someone who should be one of our partners in government. We will take legal action to protect the 39 municipalities,

because of the irresponsibility of one every single year. As long as I sit in this chair, I will do that. There is a way to avoid additional costs and that is to deal with the problem. Until they do it, this problem will not go away. Why the taxpayers of the City of Harrisburg, those who live there and those who own property, are not screaming and knocking on doors, I don't understand.

Mr. DiFrancesco: Since the floodgates have now officially been opened and I was going to try to maintain and give credit. The headline tomorrow should be "0% tax increase in Dauphin County". I doubt very much it's going to be that any longer. Let me just step out there and say the potential liability that has not been resolved yet by the City of Harrisburg, pushing \$70 million, could ultimately, depending on how they do it, lead to a 30 mill tax increase. Can you imagine what that is going to do to the people who own property in the City and not just the residential properties, take time to think about the many commercial buildings and businesses downtown that own multi-million dollar buildings and what they are going to face in terms of property taxes? This could obliterate the business climate. It could force the citizens who care so deeply about the City of Harrisburg to literally move out, because they can no longer afford to live in the City. The potential devastation that mismanagement of this budget could yield is amazing. The fact that once again, and this is the huge frustration, we cannot ignore the problems when they are sitting at your doorstep. There is an obligation to lay a budget on the table to meet the legal requirements last night without special meetings and so forth. We were depending on that to take place so we could close a lot of the questions that we still have in our budget. The fact of the matter is that tough decisions are pushed off. Statutory deadlines are not met. What happened earlier this summer in Harrisburg is happening in the City of Harrisburg, City Council level in Harrisburg. It just amazes me that people don't understand that just because it is a difficult situation does not mean that you still don't have the responsibility to address the situation. Your inability to face up to very difficult issues puts your property taxpayers in a tremendously bad position. It is mindboggling that people didn't show up to that meeting last night. It is mindboggling that people will scream and complain, but nobody will come out to a City Council meeting to show their concern about what is going on. It is mindboggling that that community does not know whether this thing should be balanced by property taxes or sale of assets. The community sitting back and waiting for something to happen to them and let me tell you to our constituents that live within the municipal boundaries of the City of Harrisburg, to our constituents who own property or business properties in the City, you are about to get blown out of the water. I strongly suggest that you wake up and watch what is going on and get involved in what is going on. Ultimately, as Jeff mentioned, this is a problem that they are going to try desperately to point to everybody else and blame on everybody else, and at the end of the day it is the City's to resolve. The people who are invested in the City, those that own property in the City, need to get their voices heard now, because I guarantee you they are not going to like what they get if they sit back on the sidelines. This has been a point of contention. It is a huge frustration. We've said it before; we tried to step up and tried to help our municipality. We tried to help our constituents and in the end that municipality is blowing this thing up. Good news to the Dauphin County taxpayers outside the City and in the City there is no tax increase here in Dauphin County. To our constituents in

the City that we are fighting for here is the wake-up call--you better get involved, because we can't control what City Council does. You better wake up and see what is coming.

Mr. Hartwick: What can I say that you guys didn't?

Mr. Haste: We have a budget before us.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board lay the Dauphin County 2010 Budget on the table for 20-days; motion carried.

Mr. Yohe: It will be out at the Receptionist's desk and online for review.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

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

SOLICITOR'S REPORT – WILLIAM TULLY, ESQ.

Mr. Tully: All items requiring Board action have been reviewed and are ready for a vote. I would be happy to answer any questions you might have. (There were none.)

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Lease Agreement between Dauphin County and Robert R. Jones for MDJ Witmer's Office.
- C. Dauphin County STOP Grant from PCCD.
- D. Satisfaction Pieces for:
 - 1. Megan Albert on the property located at 147 S. 4th Street, Steelton, PA 17113 (\$5,000.00).
 - 2. Kyle Atwell on the property located at 604 Fillmore Street, Harrisburg, PA 17104 (\$5,000.00).
 - 3. Dana Nelson on the property located at 6784 Somerset Street, Harrisburg, PA 17111 (\$2,235.00).
 - 4. Hanson Dinh on the property located at 2438 Berryhill Street, Harrisburg, PA 17104 (\$3,500.00).
 - 5. Meska Lewis on the property located at 6746 Huntingdon Street, Harrisburg, PA 17111 (\$5,000.00).
 - 6. Thanh Dan Nguyen on the property located at 1011 Collingswood Drive, Harrisburg, PA 17111 (\$3,500.00).
 - 7. Jennifer Chapin on the property located at 262 Verbeke Street, Harrisburg, PA 17102 (\$5,000.00).
- E. 2010 Contract with Highmark for Administrative Services Only.

- F. Purchase of Service Per Diem Rates between Children & Youth and Hempfield Behavioral Health, Inc.
- G. Consultant Agreement for 9-1-1 Staffing Study between Dauphin County and Blue Wing Services, Inc.
- H. Release of Claims Agreement re: Theodore S. Weaver, Jr. – Estate \$15,000 and Funeral Home \$5,900.47.
- I. Family Settlement Agreement re: Theodore S. Weaver, Jr.
- J. Resolution No. 29-2009 adopting a Debris Management Plan for clean-up procedures to be followed in the event of a major emergency or disaster.
- K. Dauphin County Juror Parking Agreement for 2010.
- L. Amendment #1 to Purchase of Service Agreement between Drug and Alcohol and Substance Abuse Services, Inc.
- M. Purchase of Service Agreements between Children and Youth and:
 - 1. Monica Archie t/d/b/a Mikalya's Place
 - 2. COBYS Family Services
 - 3. Hoffman Homes, Inc.
 - 4. Pride of the Neighborhood Academies, Inc.
 - 5. United Methodist Home for Children, Residential Care, Inc.
 - 6. Wordsworth Academy
- N. Adoption Assistance Agreements #2009-68, #2009-69, #2009-71, #2009-72, #2009-73, #2009-76, #2009-79, #2009-80 and #2009-84.
- O. Subsidized Legal Custodianship Agreement #2009-04.
- P. MH Purchase of Service Agreement between MH/MR and Joanna Kirby, MT-BC.
- Q. ITF Medicaid Waiver Service Agreement Amended and Restated between MH/MR and Joanna Kirby, MT-BC.
- R. Davis Vision 2010 Renewal Contract for both Union and Non-union employees for the period 1/1/2010 – 12/31/2012.
- S. Cooperation Agreement for the Redevelopment Assistance Capital Program Grant for the Northern Dauphin County YMCA.
- T. Subrecipient Agreements for FY 2009 Dauphin County CDBG-R Funds:
 - 1. Gratz Borough - \$150,000 (Replace raw water main to raw water reservoir)
 - 2. Highspire Borough - \$55,425 (roadway rehabilitation program-phase II)
 - 3. Volunteers of America - \$150,000 (14 affordable housing apartments for adults with mental health issues)
 - 4. Pillow Borough - \$10,000 (replacement of water main on Market Street)
- U. Appointment as Agent and Depository Agreements between Dauphin County, Dauphin County Treasurer and Borough and Township Tax Collectors. County and Treasurer agree to act as depository for purposes of receiving and collecting all real estate taxes for

the period 1/1/2010 – 1/6/2014 for Jean Horst, Penbrook Borough and Patricia L. Smeltz, Pillow Borough.

- V. Request to contribute the County's pro rata share (\$15,791.40) for appraisal services and trial costs needed to ascertain the true value of the following properties:
1. Krupal Desai, t/d/b/a Triple Diamond, Inc.
105 Kelley Court
Parcel No. 25-011-100 (Pro rata share \$1,910.80)
Dauphin County Docket No. 2009-CV-2509-TX
 2. Prologis – MIT-JPM Limited
64455 Allentown Blvd.
Parcel #35-034-055 (Pro rata share \$1,870.40)
 3. Prologis – Keystone CBC, LP
Capital Business Center
300 Hunter Lane
Parcel #36-01-141 (Pro rata share \$2,938.80)
 4. Prologis – NA3 PAll, LP
300 Blue Mountain Logist Center
Parcel #68-022-105 (Pro rata share \$1,842.40)
 5. Prologis/Keystone Central Storage LP
3500 & 3500A Industrial Rd.
Parcels #14-041-019 & 020 (Pro rata share \$1,505.00)
 6. Harrisburg Mall
3601 Paxton Street
Parcel #63-024-055 (Pro rata share \$5,724.00)
- W. Proposed Tax Assessment Appeal Settlement of Market Square Plaza Associates, 17 North 2nd Street, Harrisburg – Parcels #03-003-154, 200, 246, 384, 338 and 292.
- X. Engagement Letter between Dauphin County and Zelenkofske Axelrod LLC to perform the annual required audits of the 18 Dauphin County District Justices for the year ended December 31, 2008.
- Y. 2010/2011 Juvenile Accountability Block Grant Application for \$40,863 to fund the salary of one juvenile probation officer community service position for 11 months.
- Z. Approval of the following offers on two Repository Properties:
1. Freida Shaw – Property ID #02-031-058-000-0000 – 5123 Hunter St., City of Harrisburg - \$300.00.
 2. Freida Shaw – Property ID #03-031-055-000-0000 – 1517 Hunter St., City of Harrisburg - \$300.00
- AA. Memorandum of Understanding between Dauphin County and the Housing Authority of the County of Dauphin.
- BB. Mental Retardation Plan for fiscal year 2010/2011.
- CC. Homelessness Prevention and Rapid Re-housing Program Application.

- DD. Proposal for Herbert, Rowland & Grubic, Inc. to provide construction phase services for the replacement of Dauphin County Bridge #122.
- EE. Approval to award the bid for the replacement of Dauphin County Bridge #122 to the low bidder, Abel Construction Co., Inc., subject to receipt of acceptable Performance and Payment Bonds.

Mr. Haste: We have Items A through EE on the Agenda. Are there any items that need to be pulled out separately? (There were none.)

The only thing I would note for everybody is Item DD and EE, as was mentioned, refer to Bridge 122 which connects South Hanover Township to Derry Township. Of note, for those out there and again this is good news, as transportation has been discussed across the Commonwealth and the deficiency of bridges over the last few years, the County of Dauphin owns 50 bridges. This is our next-to-last deficient bridge. Once this is completed we will have 49 of our 50 bridges up to speed. The Duke Street Bridge, which is not a dire need, is our next bridge to be replaced. We are already working with the Federal Transportation Administration to have that one done. When that is completed all of the 50 bridges within the County of Dauphin will be structurally sound and none of them will be posted. It is a credit to our engineers in working with our liquid fuels funds and staying on top of it and keeping our bridges maintained. We are way ahead of our colleagues in other counties and the Department of Transportation.

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

FORMER BUSINESS

Mr. Hartwick: I attended a Judicial Conference this week with the Pennsylvania Supreme Court, along with children and youth directors and county commissioners who represented the dependency system. I would just like to report that we have made significant strides with the courts, the change in the Department of Public Welfare, language which changes reimbursement rates and structures for counties. Dauphin County is certainly leading the way from both court procedures, as well as best practices (1) achieving permanency for kids a whole lot quicker, (2) stopping the multiple placements outside of the home which can result in significant behavioral issues, as well as trying to find alternative ways in engaging families as well as keeping kids out of institutional care. We are moving in the right direction. Our budget reflects it by the way we were able to save county funds last year and with the change in court procedures the outcomes for children in Dauphin County are going to significantly improve. I saw an editorial in the paper over the weekend about a foster kid who had been bounced around through the system. It was exactly the points that I believe this State is leading and certainly the County is leading in order to try to avoid for kids who are oftentimes through no fault of their own bumped around in the system. I'm proud of the work we are doing and the money that we have been able to save and the

outcomes we have been able to achieve. It is good news in the child dependency and delinquency system.

NEW BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

(There was none.)

CORRESPONDENCE

Mr. Haste: We have Items A through N that are listed on the Agenda as correspondence received by the Board that will be handled by the staff accordingly.

- A. Receipt of a copy of a letter from the Millersburg Area Authority to the PA Public Utility Commission forwarding an application for a water pipe crossing at Moore Street, Millersburg and the Norfolk Southern Railway Corp.
- B. Notification from McCarthy Engineering Associates, P.C. advising that the Penn National-Casino Expansion Land Development Project, Pennsylvania National Turf Club, Inc. has filed a Notice of Intent for Coverage under the NPDES Permit for discharges of stormwater from construction activities.
- C. Receipt of a copy of a letter from DEP to Swatara Township advising that they have approved the Official Plan regarding the Planning Module for New Land Development, GCW Highspire Road, DEP Code No. A3-22932-334-3.
- D. Receipt of a copy of a letter from DEP to Meadowbrook Coal Company, Inc. advising that the annual Bond review for 2009 of Surface Mining Permit #22850201 has been determined to adequately represent current/planned site operating conditions and is acceptable to DEP.
- E. Notification from Skelly and Loy advising that the Milton Hershey School is applying to DEP for a Water Obstruction and Encroachment Permit for work associated with the replacement of the existing piping system at the Bloomingdale House located at 600 Crest Lane in Derry Township.
- F. Notification from R. J. Fisher & Associates, Inc. advising that Triple Crown Corporation is applying to DEP for the renewal of a General NPDES Permit for stormwater discharges associated with construction activities at the Ivy Ridge Subdivision project in Swatara Township.
- G. Receipt of the York Haven Hydroelectric Project Proposed Study Plan Document from HDR Engineering, Inc.
- H. Notification from SCS Engineering advising that Dauphin Meadows Landfill is submitting a State Only Permit application to DEP's Air Quality Program.
- I. Notification from Gannett Fleming advising that Donald Davis is applying to DEP for General Permit #11 to replace an existing culvert across an unnamed tributary to Fishing Creek East in Middle Paxton Township.

- J. Receipt of a copy of a letter from Wealth Management to the City of Harrisburg and The Harrisburg Authority advising that TD Bank, N.A., as successor Trustee for the Bonds, sent the City and Authority a letter on October 2, 2009 notifying them of the occurrence of certain events which, if not cured within 30 days after the date of the October letter, may become Events of Default under the Trust Indenture dated as of December 1, 2003 between The Harrisburg Authority and the Trustee. Those events were not cured within 30 days of the October letter. This is in regards to the Harrisburg Authority Guaranteed Resource Recovery Facility Revenue Bonds.
- K. Notification from Harbor Engineering, Inc. advising that Faulkner Mazda-Subaru is applying to DEP for a Water Obstruction and Encroachment Permit and all other applicable permits for the reconstruction of the existing stormwater conveyance system around the existing building and the construction and stabilization of an outfall structure to the Spring Creek.
- L. Notification from Skelly and Loy advising that Todd Librandi is applying to DEP to renew the existing NPDES Permit for his small flow wastewater treatment facilities serving two lots in Londonderry Township.
- M. Receipt of a copy of a letter from Exelon to the U.S. Nuclear Regulatory Commission regarding response to request for additional information regarding generic letter 2008-01 for the Peach Bottom Atomic Power Station, Units 2 and 3, Renewed Facility Operating License Nos. DPR-44 and DPR-56 NRC Docket Nos. 50-277 and 50-278.
- N. Receipt of a copy of a letter from Exelon to the U.S. Nuclear Regulatory Commission regarding Three Mile Island, Unit 1 – Response to request for additional information concerning technical specification change request No. 342: Control Rod Drive Control System Upgrade and Elimination of the Axial Power Shaping Rods at the Three Mile Island Nuclear Station, Unit 1, Renewed Facility Operating License No. DPR-50, NRC Docket No. 50-289.

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? (There were none.)

I just want to remind you that we have a Retirement Board meeting today. I believe it will be semi-lengthy. We will go into Retirement Board at 11:15.

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