



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**  
**WORKSHOP MEETING**  
**WEDNESDAY, April 7, 2004**  
**10:00 A.M.**

**MEMBERS PRESENT**

Jeff Haste, Chairman  
Dominic D. DiFrancesco, II, Vice Chairman  
George P. Hartwick, III, Secretary

**STAFF PRESENT**

Jennifer Kocher, Communications, Marie Rebeck, Controller, Bob Dick, Treasurer, Gary Serhan, Controller's Office, Garry Esworthy, Risk Management, Shari Eagle, Information Technology, Dave Schreiber, Personnel, Sharon Ludwig, Personnel, Randy Baratucci, Purchasing, Diane McNaughton, Communications, Edgar Cohen, Facilities Maintenance, Kacey Truax, Commissioners, Jena Wolgemuth, Commissioners, Richie Martz, Commissioners, Bob Burns, Chief Clerk, Julia Nace, Assistant Chief Clerk, Bill Tully, Solicitor, Melanie McCaffrey, Solicitors, Mike Yohe, Budget, Faye Fisher, Personnel, Kay Sinner, Personnel, Noel Folk, Carolyn Thompson, Court Administrator, Bob Knupp, Solicitor, Dan Robinson, Economic Development, Graham Hetrick, Coroner, Ed Chubb, Parks and Recreation, Judge Kleinfelter, Sandy Moore, Human Services Director, Elke Moyer, Human Services, Steve Howe, Tax Assessment, Mike Pries, Security, Donna Price, Controller's Office, Chad Saylor, Chief Clerk

**GUESTS PRESENT**

Jack Sherzer, Ramona Thompson, Paul Clark, Bruce Yerger, Brian Groce, Christia Fatzinger, Anna Kanpol, Phyllis Lay, Musinah Abdullah, Liz Tobin, Jamie Rhinehart, Tina Fackler

**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**

Mr. Haste: We have minutes from the March 17, 2004 Workshop Meeting and the March 17, 2004 TEFRA hearing for approval. Is there a motion to approve?

Mr. Hartwick: So moved.

Mr. DiFrancesco: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion Carries.

Mr. DiFrancesco: We have minutes to approve for the March 17, 2004 Election Board Meeting. Do I have a motion?

Mr. Hartwick: So moved.

Mr. Haste: Second.

Mr. DiFrancesco: All those in favor say aye.

All: Aye.

Mr. DiFrancesco: Motion carries.

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Mr. Saylor: There was one on March 31, 2004. We discussed real estate and personnel issues.

## **PUBLIC PARTICIPATION**

Mr. Haste: Public Participation. We are at the part in time of the meeting should anyone from the audience wish to address the Board of Commissioners. (There were none.)

## **DEPARTMENT DIRECTORS/GUESTS**

**Commissioner Hartwick-Proclamation Presentation:** Some of you may be aware that we have many people in the audience that play a critical role to prevent and work pro-actively in the issue of child abuse. We have a proclamation prepared today in honor of Dauphin County's child abuse prevention month. As a father of twin daughters, I know the importance of taking care of children but most importantly as public officials we have an obligation to do all that we can to proactively prevent child abuse from occurring. We have a lot of excellent prevention programs that are represented here today. I am proud of the Children and Youth Department and the record that they have established in working to prevent child abuse. We are excited today to recognize those individuals in the crowd. Would you please come up prior to reading the proclamations? Before I do that, do the other Commissioners wish to make any comments?

Mr. DiFrancesco: Clearly, one of the finest things we do at the county level of government is help families and children in need in this community. This is an area that I am obviously getting more exposed to. We have a great contingent of people that are out there working with families always striving to do things better than we have done them before. It is with great pride that we are able to do this today.

Mr. Haste: Most folks that know me know that a lot of my time outside of here is spent with children of our community whether it be soccer, baseball or boy scouts. I think the work that our Children and Youth Department does for our children is critical to our community. The children are the backbone of our future. I get disheartened when I hear some of the stories that occur out there and I can't understand the type of human being that can do some of those things. One of things that the CRC (Children's Resource Center) that District Attorney Ed Marsico and others have worked on, I toured there two months ago and there is not a day that goes by that I can't stop thinking about the stories or activities I heard up at Children's Resource Center. I am thankful that organizations like that are out there and I too want to commend you for your commitment to the youth of our community, as well as, to the families of our community.

Mr. Hartwick: The youth are our future. We challenge our Human Service office that because it has always been done that way is the worst phrase in the English language. This group has risen to the challenge and we are excited today to honor them with a proclamation. We have in the audience today: Laurie Leitzel of Parents Anonymous, Theresa Smith of Children's Resource Center, Christine Fasinger and Patty Noss of Cornell Abraxas who administers our family group conferencing, Dana Boyd of Across

Ages, Charell Simmons of the Family Center, Howard Rosen The Nurse Family Partnership Teens and Past, and lots of Children and Youth staff.

**We**, the Dauphin County Board of Commissioners recognize that each of us have the power to prevent child abuse and neglect, after all, no child should experience the horrors of abuse;

**Whereas**, more than 1 million children each year throughout the United States are the victims of abuse or neglect – and the incidents only continue to rise;

**Whereas**, we, as members of a community, can and must do our part to prevent the abuse or neglect of our children by reaching out to children or calling law enforcement or Dauphin County Social Services for Children and Youth if abuse or neglect is suspected ;

**Whereas**, we must recognize the stressors that may lead to a child being abused or neglected, then be a friend to that parent, providing reassurance and support by letting know they are not alone;

**Whereas**, being a friend to children, remembering their name and asking about their day provides them with an adult to trust and confide in, giving them someone to turn to if they are being abused or neglected;

**Whereas**, the children are our future, but if we allow child abuse and neglect continues, their future is in jeopardy – the health and safety of our children in everyone's responsibility;

**Therefore**, we join the 251,300 residents of Dauphin County in formally declaring April as Child Abuse Prevention Month in Dauphin County, because preventing child abuse and neglect is an important investment in the future of our community.

**Marge Foster, Area Agency on Aging, 4-year Plan:** Good Morning Commissioners, I believe you have in front of you our four year plan for July 2004 through July 2008 for your signature. It is a federal requirement that local Area Agencies on Aging submit a plan by April 15<sup>th</sup> to the Pennsylvania Department of Aging which must in turn submit a plan to the Federal Administration on Aging so that we may receive federal Older American Act funds through the block grant. The information in the four year plan is collected by doing a needs assessment. This included distributing 521 surveys, surveying our direct service staff, to speak to the needs of our clients and caregivers who may have not answered the survey, examining and consolidating the census data and inviting over 190 community leaders, senior organizations, volunteers, and providers to two public forums. I consolidated all the responses and would like to share with you a few of the results. 22.6% of the surveys came from residents who live in the city of Harrisburg, we did get 299 back, and thanks to the County public information office and publications that actually carried the survey in its entirety. 299 surveys we got back compared to 107 in 2000. The 22.6% came from residents of Harrisburg, which according to the 2000 census, the greatest number of persons 65 and over and below poverty level, of course we are to serve those with a greater social and economic need. We reached a lot of people in our survey receiving less than \$12, 120.00 as their household income. 26.7% of the respondents had that income. The census placed Dauphin County's population of 60 and over at 45,988 in 2000. This is just a 1% increase over 1999's census. The greatest increase was in the cohort of ages 75-84 with a 17.1% increase and those 85 and older a 33.9% increase. That speaks to the frailty of our Dauphin County older population. In the year 2010, the 60 and over population is projected to be at 53, 151an increase of 7,163 over the year 2000 census. This is a 15.6% increase as the baby boomers reach seniority. 52.5% of all surveyed respondents live alone. 47.1% of our agency client respondents live alone. This coincides with the 2000 census data that 43% of Dauphin County households were

persons 65 and over living alone. To summarize what came out on top as our priority I am going to tell you the goals, which correspond with those six priorities.

Goal number 1: To have all needed and authorized in-home care services provided promptly with the specified tasks and assistance completed in a quality manner. For those of you who are not familiar, we do provide a lot of hands on personal care in person's homes to keep them independent.

Goal number 2: To have a transportation system available which is easy to contact, physically accessible, dependable, on-time with a reasonable trip time for medical appointments for persons 60-64 and medical appointments and other essential shopping and necessary services for persons 65 and older and waiver consumers. 65 and older do primarily get paid for by lottery funds so we can afford better to serve those. The waiver consumers for those of you who are not familiar are nursing home eligible persons getting their services funded by medical assistance.

Goal number 3: To increase information provided on benefit program eligibility and individual assistance on making applications to such programs.

Goal number 4: To have all senior centers supported by the Dauphin County Area Agency on Aging with funds and or food and programming, conduct outreach to potential participants. Be welcoming and offer a variety of activities in consideration of the interest of the newly retired, as well as, existing participants and have an average daily attendance of no less than 20.

Goal number 5: To have adequate domiciliary care, personal care and assisted living facilities in Dauphin County for low to moderate income individuals who need varying degrees of assistance and supervision, but would not be found eligible for a skilled nursing care facility. We are very short on facilities that will accept the SSI level of income. Those folks receive a supplement to be able to pay for their care but personal care homes are private businesses and are not necessarily required to accept that level of income persons. So, we are in a quandary some times to find adequate living situations when nursing homes will not except them being not qualified clinically.

Goal number 6: Assistance with grief, depression, loneliness, feelings of isolation and other psychological problems.

The plan itself details the objective that we are aiming to carry out to address these goals and of course other administrative objectives that need to be done due to mandates by the Department of Aging. I would like to point out that people who are being abused, neglected or financially exploited did not answer our survey, but our agency also works on fighting abuse and neglect with our protective services unit. I thank you for your attention.

Mr. Hartwick: I would like to commend you on the hard work that you have done to put together this survey and the four-year plan. It is an exciting time for the Area Agency on

Aging in Dauphin County. We are making a transition in leadership and going through the interview process for a new Director of that Department. I believe through your work and not re-creating the wheel we are going to add to the vision that you have placed here before us with hopefully a new visionary leader in that Department. I am working with the Board of Commissioners and we have several priorities and one of those is to cross reference our entire senior population with delinquent tax lists to make sure that a Helen Shue does not occur anymore. We need to make sure we keep up on seeing how our seniors are paying for their escalating taxes here in the County and making sure they don't find themselves in a situation after working hard their entire lives they may be losing their property. We need to be proactive in identifying those individuals with those concerns and getting out there in a proactive way. We also need to work across our County Departments to deliver these services to our seniors where they live. We have a growing elder population. The amount of money that is here to provide for those services is increasing, but the demand for the services are going to go up. It is going to call for some real creative, out-of-the-box thinking to deliver those services. Also, we need to work with the faith-based community in order to try to deliver those services where the senior citizens live. As you suggested in your plan with Medicaid/Medicare and Title D with the prescription drugs right now, we need to make sure that we are the primary point of information getting out to seniors, letting them know the different advantages of the Medicaid that they are entitled to and to be extremely proactive in getting that message out. A lot of times seniors don't have the ability to access the information. We need to figure out the best way to deliver that information to our seniors and we are going to be considering that based on your suggestions. I am also looking at affordable and assisted living communities and trying to make those communities much more accessible to our senior population. We have already been in the discussion about abused and neglected senior citizens with others and realize it is serious concern. I know that as the Mayor of my town, we encountered several individual seniors who had some issues with senility and Alzheimer's disease and constantly being robbed by people they identified as victims. It is something that is personally hard for me to take and knowing the value of these people to our community we need to make sure that we identify them as special needs and not in a position to be abused or neglected. Thank you for all the work you have done on the plan. We are excited and ready to move this vision into a reality. We look forward to working with you.

Mr. DiFrancesco: I am curious about the need for assisted living in this community and specifically the need for assisted living facilities that would accept the lower level of reimbursement. You mentioned that you do come upon these cases from time to time and how big of a problem is that?

Ms. Foster: We examine any referrals that are made at the domiciliary program through the past couple of years. There were at least 10 referrals that we were not successful with. Domiciliary care is specifically designed for the SSI income level of persons. They are the only people referred there. That is similar to a small foster home for adults for up to three residents. But you run into a matching problem due to our housing stock primarily being two stories, if there is frailty that limits the ability to do steps. So those

providers will accept that level of income but right now we have dwindled down to only eight homes in Dauphin County. The management of that program is now going out for proposals. I think tomorrow afternoon we are having our pre-proposal conference with MH/MR. So we are hopeful that we could build that program but for example in the City of Harrisburg, they are applying the building code that applies to boarding homes to these small family homes, to require sprinkler systems. So we had one that moved to Lykens and there may be more that will need to phase out if that is applied. To my knowledge, foster homes for children don't require sprinkler systems for their homes, but the City of Harrisburg is applying that standard to the domiciliary care homes. That is a problem that our provider has run into to recruit homes in the city.

Mr. DiFrancesco: It is a good policy on the City's part but obviously creates problems on the other side.

Ms. Foster: They do not get reimbursed enough to re-fit their home.

Mr. DiFrancesco: Just adding another twist to that, do we have homes available who want to continually live with their spouse. I know that is another problem that pops up. There are facilities that take them, but separate them. Do we have facilities in Dauphin County where they can continue to live together in an assisted living environment?

Ms. Foster: Yes, personal care homes and domiciliary homes would consider the couples if there is space available and if the housing matches up to both of their needs. With domiciliary care homes and assisted living homes, they are licensed by the Department of Public Welfare They are free to set their own rates. So some of them will reserve one or two beds for that income but there is not enough reimbursement for them to accept a higher number and meet their expenses. Some personal care homes have as many as forty or more capacity and a lot of staff requirements. Of course you have assisted living homes such as, Country Meadows, who are getting licenses as personal care homes because there are no regulations yet for "assisted living." So to say they are licensed as a personal care home but they are really for a higher income level.

Mr. DiFrancesco: How are we doing on the transportation item? Is there a lot more that needs to be done? I know there have been problems in the past.

Ms. Foster: The complaints that I have been receiving seem to have lessened. I am going to the shared ride advisory council meeting next week or the week after. The contract with two additional cab companies, initially there was not a great improvement. I believe things are stabilizing now with two other sub contractors assisting them. I will know better later in the month.

Mr. DiFrancesco: Thank you and I look forward to working with you from this plan to assist our seniors.

Mr. Haste: I see this is a draft, have you submitted this yet?

Ms. Foster: Yes, Chris Feidt sent it upstairs.

Mr. Haste: I mean did we file this with the state yet?

Ms. Foster: No, April 15<sup>th</sup> is the due date.

Mr. Haste: I would like to add something and George touched on it. I thought he was reading my notes. We talked about the issue with Tax Assessment. This was an excellent survey working with external clients, etc. and I believe we should not forget to work internally with other County Departments. We should add in this plan as a priority for ourselves to coordinate with other County Departments such as Veterans Affairs, Tax Assessment and Prison. For the most part when we think Prison, we think young persons and for most of the time that is true, but there is a growing population that is older. We need to try to help these people so they don't come back to the Prison and to make sure they have the services that they need. We need to make it a priority for ourselves to work internally.

Ms. Foster: I will add that into the plan.

Mr. Haste: I do not need to see it again, just add it.

Ms. Foster: We have worked with Mr. Wasco on the Apprise health insurance plan and with the Tax Assessment issue, we have been going around with that. I once was assigned to work at the Prison, but there is that revolving door at the Prison that when you work with the state prison system they are released to their home county, so they are not easy to identify.

**Mr. Yerger and Mr. Groce- Buchart Horn-Change Orders-Dauphin County Courthouse Renovations:** Good Morning. The purpose of us being here today is to address two change orders that were associated with the delayed damages settlement that took place in January of this year. We are nearing the completion of this project. The majority of the work is concentrated on the fifth floor area and the eighth courtroom. Work is progressing favorably towards the substantial completion and punch list in May. By way of some background, Whiting Turner, the previous construction manager, had estimated in June of 2001 about a \$10.5 million construction budget for the courthouse project. They had updated that estimate in April 2002 four days prior to receipt of the bids and that was a \$10.69 million construction estimate. Construction bids did come in at \$10,153,000. To date, we have \$303,000.00 worth of approved change orders on this project exclusive, of the delayed damage claims. The delayed damage claims, at this point in time are approved \$490,000.00 and pending \$43,000 for a total of \$533,000.00. We have before you two change orders, numbers 29 and 30 which are for Herre Brothers and L.R. Constanzo which represent again items that were to be addressed with the delayed damages settlement. So we have a total of \$405,000 of pending and approved change orders for the project. All of which have been submitted as part of the cost to complete projections for the project. This doesn't include any of

the potential allowance reductions that are still out there which are estimated to be about \$200,00 of return money back to the County from allowance reductions. With the \$405,000 of potential unapproved change orders, also in your possession is a proposal for the elevators to get you a credit of \$17,000.00 for elevator work. That is a credit return back to the County. The unused allowance reductions of approximately \$200,000 will be returned to you by change order mechanism on the project. The original contract bid plus those change orders will come in around \$10,350,000.00, which the net of that change order allowance reduction is slightly under 2% of the original contract. With that background, we request your consideration for the change orders that are before you and would entertain any questions or comments you have for us.

Mr. Haste: I do not have the change orders.

Mr. Hartwick: Neither do I.

Mr. Yerger: I apologize.

Mr. Haste: If I hear you correctly, these change orders total \$102,000.00.

Mr. Yerger: Yes, change orders 29 and 30 total \$102,000.00.

Mr. DiFrancesco: Again, this was for work completed earlier in the project. This mostly was for asbestos on one account and another major item.

Mr. Yerger: There are 47 line items on the L.R. Costanza change order, which is for \$76,000.00.

Mr. DiFrancesco: Which one is for asbestos abatement?

Mr. Yerger: To date, the asbestos abatement on this project has been about \$184,500.00 which is behind the wall duct work, an unforeseen condition.

Mr. Hartwick: We paid money out for delayed damages and you are saying that \$405,402 have been used to this point.

Mr. Yerger: There are two different items here. These are the change orders and allowance reductions. The two delayed damage claims that you have approved to date are in addition to that and that is \$490,000. There is a pending change order for Heim in \$43,270.00, which this Board has not addressed yet.

Mr. Hartwick: Is this in that \$800,000?

Mr. Yerger: Everything here has been included in the cost to complete numbers that we provided back in February. The only thing that I took note of in the agenda is that I think the Whiting Turner by about \$22,000. We had proposed in our cost to complete a

contingency amount so that if anything popped up like that it could be addressed and there was \$90,000.00 in our number of contingency. The hope of that contingency was not to spend that money. From our purposes, we didn't know what number to assign to Whiting Turner. Again even in that \$809,000.00 you were referring to there is contingency money in there to address those items if you chose to go that route. Yes, the \$102,000 is part of that cost to complete number, as well as, the delayed damages are part of that.

Mr. Hartwick: We are saying publicly today that the \$809,000 number is the real cost to complete and hasn't crept or moved in any way.

Mr. Yerger: It has not crept or moved.

Mr. Haste: If we added in what the courts removed last week the whole issue of \$80,000 or \$60,000 we are now at \$828,000.00.

Mr. Yerger: With the contingency that we built there, that could help to address that.

Mr. Haste: Right, the total number has changed again, it is not \$809,000 anymore it is \$828,000.

Mr. Yerger: Again, I believe with the \$90,000 contingency

Mr. Haste: That is how we are going to help pay the \$828,000. Again, we had a number of \$809,000. Then last week when we went through the purchase orders, we found out that it was a little higher than that.

Mr. Yerger: We budgeted \$60,000 for furniture and \$10,000 of signage. There was a \$70,000 budget for those items and then there was again in addition to that we had a \$90,000 number in there to kind of round it up. My point being from our perspective the \$90,000.00 hopefully helps to offset some of those numbers.

Mr. Haste: That helps on figuring out how we are going to pay now for the \$828,000.00. What ever happened to the concept of getting approval for change orders before the work is done?

Mr. Yerger: I think you will find in there the bulk of those change orders that we addressed are still coming through prior to our taking over as construction manager. There are a lot of dates that are in there prior to April 1.

Mr. Haste: You just found these?

Mr. Yerger: At that time frame, we were still dealing with getting straggling change orders from the contractors. We did not have records to rely on from the previous construction manager. Also in Constanza's case, they had an engineer that changed engineers and he was going through his files and started pulling these change orders

items. Our challenge was to make sure that the work was even done and that was the first thing we did. If the work was done we looked at the values they were charging to see if they were reasonable.

Mr. Haste: In having worked in that side of the business for a little while, it was rare that we worked without a change order or some approval that the changes order could be done. It appears that concept really did not pertain to this project. I was just wondering if that was unique to this project or if that was an industry change that you do not need approval to do a change order?

Mr. Yerger: A bulk of those items in there were prior to our taking over as construction manager.

Mr. Haste: I understand that. But from a contractor's stand point, I am asking, has the industry changed or has this project never required approval for change orders? It seems to be a mind-set among... and I am not saying anybody involved in this project. The concept of getting approved for change orders before work is being done was a foreign concept in this project? I am asking, is that unique to this project or is that an industry standard?

Mr. Yerger: I don't think it is necessarily unique to this project nor do I think it is an industry standard. It depends on the circumstances of the schedule and everything that was going on with the project.

Mr. Haste: Isn't the concept of a change order that if something is different from the scope of the original contract that you must get approval of a change order to change the scope?

Mr. Yerger: A lot of these change orders are not necessarily design changes or scope changes, most are unforeseen conditions.

Mr. Haste: Some are.

Mr. Yerger: You open up the ceilings, it is a hard ceiling, the duct work is there, the duct work is wrapped in asbestos, you take the asbestos out, it is an abated item. It becomes abated, now we have mastic on the ductwork.

Mr. Haste: The Sheriff's Department changes were foreseen. Those were not unforeseen. That was a decision someone made to change the project to move into the Sheriff's Department. I see some of those items in this change order.

Mr. Yerger: Is there a specific item you are looking at there?

Mr. Haste: Number 17 and 19.

Mr. Tully: Commissioners, I think in the Sheriff's Office that wasn't even in the original Phase One, it was a total add on.

Mr. Haste: That is what I mean; you cannot say that was unforeseen because someone at some point in time consciously decided to change the project.

Mr. Tully: Right, that may have been before my time, I do not know when that decision was made, but I think that had do with the previous Board and sometimes decision were made without the full Board voting on it, which is a whole other problem in itself.

Mr. Haste: From change order 34 to change order 29, I do not see a deduct on that. Am I misreading that?

Mr. Groce: That was a payment to the contractor who performed the work then that cost will be deducted from the plumbing contractor.

Mr. Haste: Okay, that was something you were specifically told not to do.

Mr. Yerger: They are offsets.

Mr. Haste: Okay.

Mr. Yerger: That is Reynolds.

Mr. Groce: That was the responsibility of the plumbing contractor who requested to route the piping differently which required the piping be terminated in an accessible location.

Mr. Haste: Mr. Yohe, we are now at \$828,000.00. I feel bad for the contractors here this is for work that has already been done. I still get amazed at how it happened, but it did. Have we found a way to pay for this \$828,000.00 yet?

Mr. Yohe: I think we are still at the \$809,000.00 figure because the contingency fund that was \$90,000 is now down to \$70,000 or \$60,000 so until we get the contingency down below \$90,000 we are going to stay at the \$809,000.00.

Mr. Haste: Even with those two items that we found out about last week?

Mr. Yohe: The \$809,000 included the \$90,000 contingency.

Mr. Haste: That was on the expenditure side.

Mr. Yohe: Yes.

Mr. Haste: Okay.

Mr. Yohe: We are actually at \$719,000, so if we now look at it that way we are now at \$740,000.

Mr. Haste: Okay, have we found a way to pay for these?

Mr. Yohe: Not Officially to my knowledge.

Mr. Haste: How are we paying for something that we do not have the money for?

Mr. Yohe: The plan was to come up with money in the general fund. The idea was kicked around.

Mr. Haste: Shouldn't we have done this before we paid any other bills.

Mr. Yohe: I would think.

Mr. Haste: Okay.

Mr. Saylor: Could I make a point, it may not be a very good one. I am trying to put together a plan. One leg of the table we were trying to construct was that \$90,000 would come off of the \$809,000.00. So while Mike is correct that these new projects would not add to the overall \$809,000, what does take away is our ability to make the \$809,000 go away without finding new revenue sources. We were able to nibble away at it with cost reductions such as the elevator, using Tom from I.T. for the video conferencing equipment and things like that. We have been able to slowly nibble away at it. So the \$90,000 was a part of that. It just makes the job harder on how we are going to cover \$809,000.00.

Mr. DiFrancesco: Mike, please clarify, we are dealing with two different concepts here. One, the money is not available and two, the money is there and encumbered. Is there cash there to pay the bills or is the money gone? I am assuming once it is encumbered it removes from a line item where it is available. Is the money there and encumbered or where are we right now?

Mr. Yohe: We still have bond funds available. We still have not touched the original million dollars of the general fund money. So when I say encumbrance, it is in the plan, but how much do we need to finish the whole project. Does that answer your question?

Mr. DiFrancesco: So, there is money to pay some of these bills, but not all of the bills.

Mr. Yohe: At some point we will run out.

Mr. Haste: Okay, how hard it is to have a number on how much it is going to cost to finish this project on one side of a sheet of paper and on the other side, the amount we have available. Therefore, we would know exactly what the difference is. I don't care who I ask in this project I am getting sick and tired of getting the run around and I can't

seem from any side of this project to get a clear answer. How much it is going to cost us and how much do we have available, that is all I need to know.

Mr. Yohe: We have to find \$809,000. That did not change yet.

Mr. Haste: You always add these asterisk's, that we had \$809,000.00 put aside and we had this, just finally give me the bottom line of what we have in all these funds that are tucked away and how much we owe.

Mr. Yohe: It is \$809,000,00. That has not changed. No one has showed me anything since January to change that figure.

Mr. Haste: You said in one of your earlier comments that if you factor in that \$90,000, we are down to \$780,000.00.

Mr. Yohe: That is the contingency fund.

Mr. Haste: You said earlier that part of that contingency fund goes against that \$809,000. What is the real figure?

Mr. Yohe: The \$809,000 figure contains the \$90,000 contingency. I do not understand your question.

Mr. Haste: Okay, there is \$809,000 and \$90,000 unaccounted for. I can assume that the difference of the amount of money that we have to find is \$809,000 minus 90,000. We would still have to come up with that difference.

Mr. Yohe: That was correct, until you add the additional \$20,000 for Whiting Turner that was brought up earlier today, again, these are things just coming out.

Mr. Haste: That is my point. Every time I ask a question, something new comes up.

Mr. Yohe: That is the best I can do, as these things come out, it keeps on changing.

Mr. Haste: All I need is how much it is going to cost, how much we have identified and what the difference is. We are going to live by that number. Every week this changes.

Mr. DiFrancesco: I know that a lot of leg work has been put into this, and different parties have gotten together in terms of trying to find out what that figure is. Why don't we document it, put it in a written form, everyone agree to it, and that is what we stand by. That way we can see, as a Board, very clearly what we are dealing with and what money we actually have available to us to continue to pay bills. We will be able to track as figures go down, and we have something everyone can agree to and that is what it is. If something does come up at least then we will be able to see how that number is impacted. Let's get a simple document.

Mr. Yohe: What you are asking for is to provide another update. A document was provided two months ago. The same thing you are asking for us to do was provided to your earlier. The only difference now is that the contingency is lower. I can update it but there really is not a change. It is still \$809,000.00, but the contingency now instead of being \$90,000.00 it is \$50,000.00.

Mr. Haste: It has changed, again I am just saying that I am not going to vote for anything until we know where the money is coming from, and where it is identified. The days of us spending money and not knowing where we are getting the money is over. Before I vote to pay a bill I want to know where the money is coming from. Quite frankly, I am sitting here getting quite frustrated, because I feel that I have been misled a few times through this project. I have been given different figures with different amounts that are going to get this project completed and they change. I am tired of sitting here with it changing all of the time.

Mr. DiFrancesco: This may sound like such a simplistic statement, and yet I am running into this in a number of different areas with a number of different issues and that people don't seem to grasp, and Mike I know you do, what we are up against in Dauphin County is in fact the money is not here. It is not like we can tap a reserve account to pay these bills. The money is not budgeted, it is not there. We have no cash. If we pay all of our bills in June, by the end of the year we have no money and we do not operate as a County. We lay off or we do whatever we do. We are broke. We have a big credit card bill that we have to pay and it is going to get real ugly and uncomfortable, because we are going to go into budgets and try to tap into money that has already been designated for other purposes to pay for this project, because there is no other alternative. So we do have to come up with that number and begin again, and I hope we started to and I think we have to find ways to cover portions of this, whatever it is. A great deal of frustration in this project has been the fact that the longer you talk about it and depending who you are talking with, it does change. The picture does change. It is very confusing and complicated and by this time we have a clear cut statement. This is all we have to accomplish right here and there is the number, this is what we need to finish the project and this is what we as a Board of Commissioners need to find in the confines of our budget structure to pay the bill. It is very simple, but we need accurate numbers to make that happen.

Mr. Hartwick: I did not have an opportunity to review these change orders before sitting here, but this particular large change order we have not identified a plan, the number is still moving, that is my concern as well. One area we did identify resources, I think we did come to a compromise on the issue of the furniture for the Courts?

Mr. Haste: That is with the purchase orders.

Mr. Hartwick: Okay, that is later. I would like to make a motion for the change orders.

Mr. DiFrancesco: Are these parts of the action items or are these done separately?

Mr. Haste: Do we need to vote on these? Is there a motion to approve change order 2000-02-01-29 and 2000-02-01-30?

Mr. DiFrancesco: So moved.

Mr. Haste: I will once we know where the monies are coming from

Mr. DiFrancesco: I suppose I can take discretion even though there is no motion on the table, I can still discuss it. Again, realizing that the cash is going to run out, is there cash to pay for these bills today?

Mr. Yohe: Yes.

Mr. DiFrancesco: This is work that was already performed?

Mr. Groce: Yes.

Mr. Haste: How much money is left?

Mr. Yohe: I do not know off the top off my head, I would be happy to go back and check the bank statements.

Mr. Haste: Let's do this, we have other items to address, how long will it take to get these numbers?

Mr. Yohe: Just a couple of minutes.

Mr. Haste: Let's do that. We'll do this when he gets back.

Mr. DiFrancesco: I withdrawal the motion.

## **PERSONNEL**

Ms. Sinner: I have an addendum that has the vacancies listing for permission to fill an enforcement officer position and a team supervisor. There are some transfers within Domestic Relations that are listed on the Changes Listing Addendum. The position being filled by Brenda Berry is Greg Klinger's vacancy. We need approval to fill that vacancy. The enforcement officer position permission is needed to fill Brenda's team supervisor position so Satin Garry can move into that position. There is another promotion for enforcement officer moving to a team supervisor. This position was already available for filling. There are a few other items on the changes listing.

Mr. Hartwick: Mr. Yohe, we have asked a question a while ago about managing our vacancies could you also include promotions?

Mr. Yohe: Yes, I can add promotions to my report that is no problem.

Mr. Hartwick: That is certainly incurring an additional expense because they are going to receive more money so it will have an impact on the bottom line.

Ms. Sinner: I have two overtime requests for EMA that I have included in the addendum. One is an extension for overtime hours that have already been approved. The approval period was through January 21, 2004, but because of delays from weather it is running longer so they are requesting approval through June 30, 2004 for 32 hours out of the forty that was approved.

Mr. DiFrancesco: One of the issues that happens to us at EMA is because so many of the employees work such odd hours. Providing comp time does not work because when the person is off, someone else must come in to fill that position. They are requesting the overtime because the only way to get the jobs completed is to pay it as the work is being done. Otherwise you just get this build up of comp time that in reality people can't take. So I have been asked to bring this to the Board and use this overtime for training purposes and for specific technical work purposes.

Mr. Hartwick: Is it because they work around the clock that they can't use their comp time? Explain this to me because I obviously have not dealt with this oversight. Explain to me the rotation and how that may allow the folks to do their job efficiently if they are working around the clock.

Mr. DiFrancesco: For instance, and I want the Director to speak up if I misspeak, the one request to help with the digital microwave installation, this person is a trouble shooter more or less and there will be issues that will come down the pike that will force them to always be on call outside of their normal hours. There are really no normal business hours. Am I summarizing this right?

Mr. Wentzel: Right, our radio specialist for our communications system, if that breaks down at night, Dave is the only one on call so the number of times that he gets called out at night, is more frequent than people may realize. Let's say he gets called out tonight for an hour, then tomorrow if he would take that hour off, then that is an hour of regularly scheduled work that doesn't get completed. The weather delays did not permit us to complete the digital wiper blades of the microwave installation. He used 8 of the forty hours, which were already approved, now this 32 hours is projected to cover the installation of the microwave.

Mr. Hartwick: So, we already approved 40 hours.

Mr. DiFrancesco: That is right. In regards to training, there are multiple shifts around the clock and therefore there is a need to call people in to be trained on all shifts because you still need to man the communications center.

Mr. Wentzel: In regards to the Communications Center there are certain certification requirements that our telecommunicators must go through every two years with our

National Center of Excellence status, we must keep up with re-certification and with PEMA and their training and re-certification every two years. Obviously, that training environment is dynamic and we need to run the Communications Center. We put people on a shift to cover for those people that are pulled from their shift for training.

Ms. Sinner: In the changes listing that I presented last week, item #6, Tracey Jennings, her position is a Human Resources Coordinator and we didn't have that listed correctly in the Salary Board items.

Mr. Haste: Is there a motion to approve the personnel packet?

Mr. Hartwick: So moved.

Mr. DiFrancesco: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion carried.

## **PURCHASE ORDERS**

Mr. Haste: Purchase Orders, Mr. Baratucci.

Mr. Baratucci: I have a couple things. The purchase order packet from last week has not changed except for one item. We want to pull page 10 for the courts. They requested that be pulled until a future date.

Mr. Haste: Is there a motion to approve the purchase order packet pulling page 10 so it would be approving pages 1 through 44, excluding page 10?

Mr. DiFrancesco: So moved.

Mr. Hartwick: Second.

Mr. Haste: All those in favor say, aye.

All: Aye.

Mr. Haste: Motion carries.

Mr. Baratucci: Last week there was some discussion on a request from the Courts with furniture and I provided you with a memo which I said that I would spend a week searching for alternates. I think I provided you with a memo which details the alternates. I was asked yesterday by the Courts to meet with Judge Clark and Judge

Cherry. I met with both of them. Judge Clark offered a compromise to the alternate I had given and I think this is all detailed in a memo from Carolyn Thompson and Judge Cherry agreed with all of the alternates in fact he had no problems with any of the issues and fully supported going through with them. The numbers that are on the memo, are originally as Judge Kleinfelter mentioned last week, requested \$57,000 worth of furniture, \$12,000 for some new pews that are going to go in the courtroom, and we haven't touched that one at all. Those should probably be approved today because they need ordered and need to be received by the completion date. So if you take that \$12,000 off of the \$57,000 that left \$45,000 for desk, chairs, tables that type of stuff. This is detailed in my memo. I was able to take that \$45,000 total down tot about \$25,000.00. If we allow Judge Clark's compromise that \$25,000.00 figure would go up about \$500.00. So if you move forward with the courts request with my alternates and Judge Clark's compromise, we would still save \$19,500.00 from last week's request.

Mr. Haste: What was the compromise again?

Mr. Baratucci: Judge Clark originally had suggested a certain type of desk set up, and through a different manufacturer we were able to find a little different desk set up and that was \$1,700.00 less. There were some leather chairs that Judge Clark requested and my alternate did not include those but as a compromise he was willing to go along with the new desk set up to save the \$1,700.00. He requested that we allow him to stay with the original leather chairs which would add about \$500.00 back in. This does not address the add-on items that you were talking about and we still would have to discuss the window treatments at a later date. We do not have a quote on that. We have an estimate of \$11,000.00. It also does not address the under \$17,000.00 to refurbish the jury assembly room chairs. I also asked the Courts to talk to the Facilities Maintenance Department to see if there was anything they could do in that area to reduce that cost or possibly even delay that for a while. So those two items need to be addressed at some point along with the famous garment racks that were denied a while back. There were two of them for \$600.00. They are using something right now and I do not know if that is acceptable for the long term or not. I am sure we can find some garment racks. Basically we are looking roughly at a \$25,000.00 expenditure for furniture along with the \$12,000.00 for pews.

Mr. Hartwick: I make the motion to approve the amended furniture request that includes Judge Clark's compromise with the inclusion of his leather chairs.

Mr. DiFrancesco: Second.

Mr. Haste: Since it was phrased that way, I will not be supporting this. All those in favor say, aye.

Mr. Hartwick and Mr. DiFrancesco: Aye.

Mr. Haste: No. Motion carries.

Mr. Baratucci: Before I go, can I attempt to help you with that number, since I have been involved in the meetings, I think I can get you close to the number you have been asking for. We started out with \$809,000, there's a \$90,000.00 contingency fund. You subtract that out because that is really not money we spend, it is contingency. That takes you down to \$719,000.00. You add \$22,000.00 back in because that is the difference that was on today with Whiting Turner, from the amount that was in the original \$809,000.00 so you are up to \$741,000.00 and then from there add \$26,000.00 that the courts went over (remember that estimate was \$60,000.00 but is now \$86,000.00) so we are at \$767,000.00. You subtract that \$20,000.00 that I mentioned today so you are at \$747,000.00. As far as I can tell with everything I sat and listened to, and with the involvement I have had in this, and as you know, I put forth some suggestions, as I am apt to do \$747,000.00 seems to be the latest figure. Mr. Yohe seems to agree with that. When Mr. DiFrancesco asked, is the money there to pay the bills, sure there is now, but when we are at \$747,000 to the bad, at some point there won't be money to pay the bills.

Mr. DiFrancesco: Let me clarify what I meant was, is money available for this purpose?

Mr. Baratucci: I will let Mike discuss that.

Mr. DiFrancesco: I appreciate the effort you put into a solution to help this along the way. Throughout the whole course of this project you have been offering a number of suggestions and worked very diligently over the past week to basically find a compromise that works for everybody and I appreciate your efforts and energy. Thank you very much.

Mr. Hartwick: Thanks Randy.

Mr. Haste: I expect that from him and that is why he is in the position that he is in. Please tell Judge Cherry I thank him for being reasonable.

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

Mr. Haste: Mr. Yohe

Mr. Yohe:

- March 26, 2004 transferred \$777,462.57 to the Payables account from the County's Concentration account for checks issued that week.
- April 2, 2004 transferred \$4,332,601.76 to the Payables account and \$1,840,774.75 to the Payroll account from the County's Concentration account for checks issued that week.
- Total Term Investments – N/A

- Balance today in INVEST account \$121,535.30 rate 0.96%
- Balance today in Community Banks Money Market account \$35,421,582.23 rate 2.00% (This rate is good through April 2004)

Line of Credit was paid off on April 1, 2004. We had a total of \$4,650,000,000.00 that we drew off of credit and paid off on April 1, 2004. We had \$11,222,21 interest expense on it. The Budget was \$100,000.00 for interest expense so there is \$89,000.00 we could apply to this project if we need to.

Mr. DiFrancesco: One thing we face is to get Dauphin County's financial house in order and this Board is committed to doing that. One thing I would like to point out is that we get to the point where we have adequate reserves and we still built it back up so that \$11,000.00 does not need to be spent on interest year after year. We basically don't take the County down to a certain point and we need to borrow money to get through our annual expenses. I just think that it is important to note that we are not only trying to get the budget back up to cover but we need to have reserve accounts, because the bottom line is that it costs the taxpayers more money. I just want to make note of that because when we go into budget hearings, and when we make our decisions, it is not about bare bones. Because if you go bare bones, the problem there is you end up spending \$11,000.00 on interest that probably shouldn't have been spent.

Mr. Yohe: That would have been considerably higher if we did not do the debt restructuring. There were several millions of dollars that we put off at the beginning of the year that would have been drawn out of the TRAN.

Mr. DiFrancesco: That is a result of an unhealthy budget?

Mr. Yohe: Yes, you had asked that Chad, myself and Faye Fisher look into a hiring freeze and pretty much came to a consensus that probably the best course of action would be similarly to what we did years ago that we allowed general hiring on a quarterly basis. What we are proposing, since the first quarter is over, essentially every 3 months for hiring. If you follow the calendar from today, you would have July and October for this year to allow all purpose hiring. Two years ago that hiring freeze was basically general fund Departments. We are proposing that this be expanded to all county funds. The courts were exempt on the last one and we are proposing all positions encompassing here. We would also need to justify all positions. There would be exceptions to that. The process would be that Director's submit their hiring request to Chad and then he, Faye and myself would look at that before we went to the oversight for approval. We would make recommendations prior to that. After April 21, 2004 we would not hire until July 14<sup>th</sup>. There would be no hirings unless it is an emergency case or so recommended by the Board to hire those positions. I tried to put a dollar amount to that, it is difficult. As everyone knows we have a million dollars for vacancy adjustment in the general fund. Right now with the personnel adjustments you made today, we are about \$550,000.00 over that amount. So if we would try to estimate that \$550,000.00-would stay open until July, there is a quarter of the

\$550,000.00 which is \$125,000.00. In theory we could save an additional \$125,000.00. If you do it again for three more months, so there is a potential there for another \$250,000.00 savings on top of the million dollars by doing something like this. I can not predict what positions will be filled, but I can predict what positions would become vacant between now and these quarters that you are going to hire, but there would be some real dollar savings to such a plan. So, there would be two more hiring dates this year and I would certainly give you an update prior to the 14<sup>th</sup> and 20<sup>th</sup> as to what our vacancy amounts are so you can make your decision on how much of that you want to use up. The Department Directors are familiar with this process from a few years ago, but this would include some Departments that were not included in the prior freeze. It would be a new experience for those Departments. Chad will get some information out upon your direction and we will go over it at an upcoming Director's Meeting.

Mr. DiFrancesco: Since I have never gone through this before and the procedure is in place, I am going to use two specific offices. I am going to use Emergency Management again, because right now we have the Director of Operations vacant, as well as, the Director of the 911 Center, two very critical pieces for the overall county operation. Under a hiring freeze situation, how are positions like that dealt with, do we take it case by case or?

Mr. Haste: It is not a true hiring freeze, there are two hiring dates for the rest of the year, July 14<sup>th</sup> and October 20<sup>th</sup>. It is actually a hiring slow down and review of all positions to make sure in fact they are critical to our operations. With a little bit of planning people can orchestrate their hiring procedures. That way they hire on those two dates. If in fact there is an emergency and they need someone hired prior to those dates, what is being suggested, if I understand this correctly, is to make a request to Chad, Mike, and Faye. They review it then they will run it by the oversight, then the oversight will bring it before the Board for hire. It still can happen, it slows the hiring purposely and makes everyone review a little more closely. That is my understanding.

Mr. Yohe: That is correct. One thing I will point out is that probably our greatest activity is at Spring Creek and Spring Creek was not involved in the last one and they will be in this one. This will be brand new. I cannot anticipate how that is going to work at Spring Creek. I don't know who has the expertise here to say yes. The position is critical or it is not critical at Spring Creek.

Mr. DiFrancesco: Possibly what we may be able to do with Spring Creek is to show the Board what the impact would be for instance, particularly out there, if there is a nurse position open, we use a nursing agency, we do not have an option to not have that slot filled. We can see a financial impact where it is smarter to hire someone then use the agency.

Mr. Haste: There may be other positions that are not essential. This just requires more review of all positions.

Mr. DiFrancesco: Which is good. When it comes budget time, I think we should be asking all departments to justify all positions in their Department again. Radical maybe but that is where we are. At least that is where I am.

Mr. Hartwick: I am fully in support and you can show real savings in the overall budget. These are things that we can start to substantiate going towards our \$12.5 million deficit. We do not need to be theorizing about potential savings, we need to put real numbers together before the end of this years budget in order to meet those concerns. This is one specific area where I can see we can add up real numbers to get rid of the \$12.5 million deficit and I fully support it.

Mr. Saylor: I believe we are not just going to be looking at hiring's, but all personnel transactions, including promotions and transfers. Faye showed me the justification form that everyone is supposed to fill out and the form does ask very detailed questions of the Directors to justify the positions and I think that is something we need to look more closely as these things come down the pike. Quite frankly, even the ones that come before you in July and October.

Mr. Haste: I think questions 3 and 4 on the form are rarely filled out and should be. Is there a motion to approve the proposal brought forward by Mr. Yohe and Mr. Saylor where we would look at personnel transactions on July 14<sup>th</sup> and October 20<sup>th</sup> except for emergency situations?

Mr. DiFrancesco: So moved.

Mr. Hartwick: Before I second, I want to bring up that the Area Agency of Aging position will probably need to be filled. That is just one point of concern that I wanted to note. That being said, I second the motion.

Mr. Haste: Again, follow procedure and justify why that position is critical and it is somewhat obvious. All those in favor say aye.

All: Aye.

Mr. Haste: Motion carries.

Mr. Yohe: Let me try to clear some of this construction issue up as you asked me to do. If you look on that report, nothing that I have seen will change my report as I have it filled out there even with the \$22,000 for Whiting Turner, which is significant. Nothing came across my desk that would change the bottom line on that report as I have it filled out. You can see that there is each contractor, how much is remaining, the three that have the delayed damages, those figures are in Costanza, Herre and Heim, either in the approved contractor, contract to date or the pending change orders. I think what they were trying to point out today was the change orders that are on the table for today are in the category that says known and/or pending change orders for what's that worth. I can not offer any other information other then it was included in that figure. Today, in

the accounts and the remaining amount of the bonds, there is more than I thought, it is \$877,723.72 in PLIGIT account 288-10 and in PLIGIT account 288-12, and there is \$327,355.88. That's what is left of the 30 million dollars that was borrowed. Then obviously when that is exhausted, we move into the 1 million then we start going to where we come up with the other \$807,000.00. Obviously, I can update that report as of today, it is not going to change a whole lot. If I need to make it clearer than that, let me know what you are looking for and I certainly can. As you can see, if you look in there you will see a contingency figure of \$90,000.00 as yet to be paid on the far right column that is where any of these changes that we were not aware of will obviously reduce that amount. That was the same report that was sent out in the past.

Mr. Haste: If you add those figures in, you need to take the \$2500.00 out then. You are estimating \$2500.00 for interest earnings, but you cannot count on that.

Mr. Yohe: How much did the 288-10 and 288-12 change? Obviously there was a lot of interest in there. I drop that interest down each month when I do the updates.

Mr. Haste: I would ask that every time we have something come up with this project that we have an updated sheet of this. I want to see a running total on how much money we have and how much has been spent. When we hit the \$2.2 million total, I said this all along, that is the last vote I will cast for this project, until it is clear where the money is coming from. If everyone wants to roll the dice, and bring projects, the last person at this table may have a problem. That is how we are going to do this. I would much rather see a total package to deal with this but I understand that some of this needs to be paid to try to free up some of the other things. I think again it is a poor way of doing this. I would rather see, because I know when we hit that \$202,000 and that last \$809,000, someone is going to cry the blues and someone is going to give us a reason why we need this or the world is going to cave in on us. I think that is a poor way of doing business.

Mr. Yohe: Your choices are that we cut it off or we transfer more than the \$1 million from the general fund. Really, those are the only alternatives at this point.

Mr. Haste: I will not be doing that.

Mr. Yohe: We kind of figured that.

Mr. Haste: I have been told numerous stories that were untrue and I am reluctant to go to that well again.

Mr. Yohe: I will see you get timely updates on that.

Mr. Saylor: Part of the challenge to get a handle on this project, as you requested, is to figure out what is out there and what still needs to be paid. One thing I did with Brian early on was I requested a report of what work remains to be done at the courthouse. I did send a copy of that to you guys that identified that some of the elevator work could

be foregone to save some money there. One thing I wanted to accomplish there was to make sure there were not any other programs out there that could result in a ceiling being ripped open and discovering asbestos. Brian assured me, at that point, that it did not look like, at this point, that was any other projects like that out there. One question you may want to ask of Buchar Horn and I asked this question but just to reiterate, what was presented to us today for your consideration are old change orders from a good year ago or more and I wonder if we absolutely know for sure once we approve these change orders, that Herre Bros. or Costanza is not going to go in a file somewhere and find yet another change order that they forgot to submit or some other thing lying out there that can come back and hit us. I think we did talk about that, is there anything else that you know of, has anything else come up? We are trying to put a lid on the surprises here. I think that the problem is that this is a moving target for us, both from costs and how we are going to pay for this. There are items in the budget that we have identified that could possibly give us the opportunity to pay for some of these costs, because of outlays we may not need to make this year, whether it be personnel hiring freeze or whatever. Those are some variables out that we are trying to identify. On the cost side, these are bills that are long overdue and so Bill and I were talking, this may be a situation where we want to go ahead and pay these bills even though we don't have the absolute final figures yet. These are legitimate costs that for whatever reason were incurred, the work was done and if we can pay, they should be paid.

Mr. Hartwick: Today, we have close to the final figures for now.

Mr. Haste: For now. Mike, do you disagree with Randy's numbers at all because if you don't Randy found you \$52,000.00.

Mr. Yohe: The only thing I would add, I believe the plan was the Courts were going to fund that furniture which is not in there. That is a positive. Which means that the \$1 million right now is now \$1,040,000. That money will be transferred from the Courts to cover that. Which is a plus to that. You see on there that Whiting Turner is only \$316,000.00 what was proposed \$334,000.00.

Mr. Haste: That is the reason why we need a running total because when we hit the final dollar, that is it. So the last person at the table beware.

Mr. Hartwick: Is there any way we could put ourselves in a position with Costanza, Herre, Heim and all those people that have come and that phrase alone makes me cringe "that it popped out of the file." Is there anyway to ensure that nothing else is going to pop out of a file.

Mr. Tully: If something else popped out of the file maybe that should be the last one at the table. I believe there has been a good faith effort by all parties involved to get those figures. Particularly, I believe these contractors have worked very hard to maintain the time tables. There is no more delayed damages and, no other complications. I am very comfortable with the fact there is not going to be anymore surprises there. If they were to come up with some mysterious piece of paper they misfiled, we have the prerogative

of saying where it is in the priority and that may mean they are the last people at the table when the money is not there. That is the appropriate way to handle that. The expenses that have come forward have been documented and completed it is time for them to be paid. As we move to the end, I think we are going to have those things covered. My concern is that if we don't act now while these figures are tied down they won't stay tied down and we run the risk that they will escalate with breach of contract matters as well. I understand where the Board is coming from. But I think it is time to tie it down so they are no long variable figures for Mike to work with and we run out of those variables and we get concrete figures. I think it will be much more comfortable down the final stretch.

Mr. Hartwick: I agree with everything you are saying except even if they are the last people at the table we are going to hear from legal staff that we still need to pay these guys.

Mr. Tully: Read between the lines on what I just said and I don't think you are going to hear from the Solicitor's staff say that there is a compelling argument to be made on those when they have not brought them forward at this point when those requests were made. I really do not anticipate any surprise change orders for work already done that were misplaced. I do not see that happening.

Mr. Hartwick: I just wanted to make sure and have it on record.

Mr. Haste: Highlight it. I want that highlighted so I can find that quick. One other question, I know there have been two change orders before us but there were three talked about dealing with the elevators?

Mr. Saylor: They are preparing that now. He has to get signatures from everybody. We have just identified that one.

Mr. Haste: So that is not before us now.

Mr. Saylor: No not at this time.

Mr. DiFrancesco: I will make the motion that we move forward the two change orders that were noted earlier #2002-01-29 and 2002-01-30.

Mr. Hartwick: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion carries.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Haste: Report from the Chief Clerk.

Mr. Saylor: I have two things, I want to draw your attention to item EE under Items Requiring Board Action. We have a letter from the City regarding parking in front of the courthouse. In order to install the parking meters that you guys have directed, it is \$75.00 a meter and it will take about two weeks to get them reinstalled. I did ask them in the spirit of world peace that they might consider waiving that \$75.00 and they declined. If you guys approve that today I will send them a letter canceling this contract and then they would begin the process of reinstalling the parking meters. I just wanted to make sure you were aware of that because that was a late add-on to the agenda.

Mr. Haste: How much was the original contract, are we obligated to pay for the meters because otherwise, I don't care if people park there for free.

Mr. Tully: The problem is if they are parking there for free we have to pay that annual payment.

Mr. Haste: Where were they moved before, in someone's storage, could we just put them back up?

Mr. Tully: I don't believe in the manner in which they were removed were necessarily with an eye to putting them back. I think they are in the process of putting the new ones in. That is why there is a net savings. Originally, the estimate was substantially higher but since they had allocated the new equipment, it looks like we are only paying for labor.

Mr. Haste: The overall savings is what?

Mr. Saylor: We were paying \$24,000.00 a year so we save about \$15,000 a year by doing this.

One other item from Mr. Chiavetta, about past practice in addressing the need for poll workers at the polling places where they cannot find them. I guess county employees in the past have agreed to do that and have been allowed to take the day off in order to spend the day being a Judge of Elections, or Inspector of Elections in helping us with Election Day. I guess traditionally the Chief Clerk sent a memo asking for anyone interested and I wanted to make you aware of the situation that the plan is to move forward with that. A question was raised that came up is that the folks who serve at the polls, in the past, members that serve as county election board members who automatically do this anyway, they do take a day off and so there was a question if we extend that to them as well. I believe that I have been told that past practice was that has not been extended to them.

Mr. Hartwick: If you want to serve in the capacity, that is a choice that you make. If there is a need to fill it then obviously you are being called to perform that function so I wouldn't be in favor to give a day off to individuals who choose to seek that office.

Mr. Haste: I agree. I think we need to encourage county employees if they want to do that. Way back when I worked for the State, on filing day, you had no choice. When you were in the bureau and in another Department when it became election filing time you had no choice, you went and worked for the Election Bureau during that time. One of our responsibilities in county government is to assure an orderly Election and I think that we are all one team here. I think if an employee wants to do that and they are willing to take a day off, I am all for it.

Mr. Hartwick: I might have sounded a little harsh. I want to thank those people who do choose those positions and also thank the volunteers. They do allow us to ensure a safe and fair election. Do we need a vote on that?

Mr. Tully: If there is no change for pre-existing policy there is no need for a vote.

Mr. DiFrancesco: Realistically, if we have someone that ran for office and is doing the same job as others, and those that are asked to fill in are getting the day without taking their personal time off, wouldn't it just behoove the person to resign their position at the election polls.

Mr. Haste: Maybe I misunderstood they are taking their time off right?

Mr. DiFrancesco: We were asking employees to step up and volunteer they were not going to be charged personal leave time.

Mr. Saylor: That is my understanding. Currently employees who ran for election and serve, do that already, but there are places that have vacancies and we are looking to fill those vacancies, so, the deal was to add an incentive for folks who aren't currently doing that to work at a polling place.

Mr. DiFrancesco: We basically would be granting an administrative leave to keep the political process working, because there are certain spots where they can't get people to work.

Mr. Haste: We are granting administrative leave and collecting their salary for that day.

Mr. DiFrancesco: We would not be charging them a day off (personal, vacation leave).

Mr. Haste: So in some case that is a pretty high priced election worker, right?

Mr. Saylor: Yes.

Mr. Hartwick: The ones who chose to serve would be collecting their salary and getting paid by the elections bureau.

Mr. Saylor: Isn't our democracy worth it?

Mr. DiFrancesco: The ones who step up and work that day would also be collecting that same salary.

Mr. Hartwick: I don't think that would be appropriate if they are getting a day off of work.

Mr. Haste: Why don't you get that in writing and bring that before us.

Mr. Saylor: Okay.

Ms. Rebeck: For the jurors who get called to duty that are employees we give them an option one or the other, your jury pay or your county pay. In those cases if it is a 24-hour facility, if it is during the time frame of their time off they do get the jury pay.

Mr. Haste: That makes more sense. I really don't want to encourage people to double dip.

Mr. DiFrancesco: They shouldn't.

Mr. Saylor: Another item for election coming up is under the new law is the provisional ballot and Steve suggested that we put together a Board to review, provisional ballots when they come in at the end of election day. It is not required but he thought it was good policy. A couple other counties are following that and it is something for you to consider, given the fact that election is closing in.

Mr. Haste: When would that board need to meet, that night?

Mr. Saylor: Friday after election. Election Board would typically do that but he suggested, I guess that law states the Board or their appointees. He is suggesting that you have your appointees do it.

### SOLICITOR'S REPORT

Mr. Tully: Nothing to add other than what is on the report at this time.

### MATTERS REQUIRING BOARD ACTION

Mr. Haste: Matters requiring Board action. Items A-II. Does anything needed to be pulled or acted on separately? (There was none).

Mr. Hartwick: We had Paul Clark with us earlier because of the long conversation he is no longer with us but I just wanted to make sure that he was noted in the crowd today.

Mr. Haste: Is there a motion to approve items A-II.

- A. Training Packet
- B. Approval of Per Diem rates between Children & Youth and:
  - 1. Keystone Education & Youth Services (FY03/04)  
PA Clinical Schools \$250.00/day
  - 2. Bair Foundation of Pennsylvania (FY04/05)
    - Medically Needy Foster Care I & II \$51.20/day
    - Medically Needy Foster Care III & IV \$55.66/day
    - Therapeutic Foster Care/Pre-placement visit \$60.39/day
- C. Real Estate Tax Refunds/Exonerations:
  - 1. Partial refund of 2003 real estate taxes to Barmill Partnership, 301 State Drive, Washington Township, parcel #66-008-038, in the amt. of \$1,086.70.
  - 2. Partial refund of 2004 real estate taxes to Zachary Straw, 285 Rettinger Road, Jackson Township, parcel #32-015-064, in the amt. of \$90.68.
- D. Approval of two Community Development Block Grant Projects:
  - 1. Resolution #8-2004 Berrysburg Municipal Authority Emergency Generator Bldg. Project
  - 2. Resolution #9-2004 Williamstown Borough Authority Sanitary Sewer Improvements Project
- E. Appoint Paul Clark to the Dauphin County Industrial Development Authority.  
(Term expires October 1, 2004)
- F. Approval of the West Nile Spraying Program (Identification of Mosquito Breeding Habitat on Private Property and Notice of Mosquito Control Activity).
- G. Approval of the Application for an Intergovernmental Cooperation Grant Program submitted to the Dauphin County Community and Economic Development Agency by Millersburg Borough and Upper Paxton Township for a Joint Comprehensive Plan.
- H. Appoint Cora G. Memmi as Tax Collector to collect the County taxes for Derry Township (replacing Phil Fratti).

- I. Amendment to Contract between Dauphin County and Zelenkofske Axelrod LLC for providing audit services for the year ended December 31, 2003.
- J. Overview of the CCAP Health Insurance Trust Interest.
- K. Official recognition of the Emergency Fire Dispatch Steering Committee for EMA Accreditation.
- L. Approval of Appraisal of County Property by American Appraisal Associates for insurance purposes.
- M. Approval of an Application for Continuation of a 2004/2005 ABE/GED Grant for the Dauphin County Prison.
- N. Satisfaction Pieces for the following individuals:
  - 1. Larry T. and Judy A. Cofield for property located at 607 South 2<sup>nd</sup> St., Steelton.
  - 2. Nancy L. Suttvireeson for property located at 4432 Londonderry Rd., Harrisburg.
- O. Subordination Agreement with Edmonia M. Benton for property located at 3917 Durham Road, Harrisburg.
- P. Available Funds Notification from the PA Juvenile Court Judges' Commission for the County's Agreement for Temporary Assistance to Needy Families Block Grant (TANFBG) funding for FY2003/2004 in the amt. of \$65,321.00.
- Q. Lease Agreement between Dauphin County and Robert R. Jones and Associates for District Justice Bridges Office space.
- R. Lease Agreement between Dauphin County and Block Business Systems for a copier located in the MH/MR Dept. at 100 Chestnut Street.
- S. Agreement between Dauphin County and DEP to provide funding for the Multi-Creek Act 167 Stormwater Management Plan/Beaver Creek, Bow Creek, Manada Creek, and Kellock Run.
- T. Purchase of Service Agreement between Dauphin County and Double Trouble DJ Company for the Annual Children & Youth Foster Parent Appreciation Dinner on May 7, 2004 at the Holiday Inn in Grantville.

- U. Adoption Assistance Agreement 2004-10.
- V. Purchase of Service Agreements for FY03/04 between Children & Youth Agency and:
  - 1. Family Care for Children & Youth, Inc.
  - 2. Southwood Psychiatric Hospital
- W. Amendments to FY03/04 Purchase of Service Agreements between Children & Youth Agency and:
  - 1. YMCA, Northern Dauphin County Branch – Amendment #2
  - 2. Cornell Abraxas Group, Inc. – Amendment #3
- X. Human Services Development Fund Grants (HSDF) for FY03/04 between the Dauphin County Human Services Office and:
  - 1. Family Service Partners
  - 2. Christian Churches United of the Tri-County Area
  - 3. Children’s Resource Center of Pinnacle Health
  - 4. YWCA of Greater Harrisburg
- Y. Amendments to FY03/04 Human Services Development Fund Grants (HSDF) between the Dauphin County Human Services Office and:
  - 1. Lee’s Industries, Inc. – Amendment #1
  - 2. Visiting Nurse Association of Central PA – Amendment #1
  - 3. Addus Health Care, Inc. – Amendment #1
- Z. Electronic Equipment Recycling Collection Program Agreement between Dauphin County’s Dept. of Solid Waste Management & Recycling and Envirocycle, Inc.
- AA. Feasibility of Expansion Study Proposal/Agreement between Dauphin County and Crabtree, Rohrbaugh & Associates to be performed at the Nature Center at Wildwood Lake Sanctuary for the purposes of development of suitable office space for the Pennsylvania Audubon Society.
- BB. Proclamation – Child Abuse Prevention Month in Dauphin County.
- CC. Approval of Whiting Turner Settlement in the amount of \$338,670.79. \$316,932.45 has already been encumbered by the Director of Budget & Finance for this matter.

- DD. Appointment of Gary Lenker to the Dauphin County Planning Commission. Term expires December 31, 2007.
- EE. Approval to terminate the Agreement dated March 1, 2002 with the City of Harrisburg for the removal of 13 parking meters located on the north and west sides of the Courthouse.
- FF. Contract Amendment for the Weatherization Department to get an additional \$20,000 in LIHEAP Funds.
- GG. Modification Agreement to Therapy Services Agreement with Genesis Eldercare Rehabilitation Services, Inc.
- HH. Notice of Cancellation of Contract regarding lab services provided by dBi Laboratories, Inc.  
Laboratory Services Agreement with Omega Medical Laboratories.

Mr. Hartwick: So moved.

Mr. DiFrancesco: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion Carries.

Mr. DiFrancesco: In regards to Item GG, this is a contract renegotiation item I wanted to let everyone know that this is one of the specific items noted in the action plan for Spring Creek. That should begin to allow us to shift dollars from other line items to offset costs that we have incurred. I think it is important to note that.

## COMMISSIONERS' DISCUSSION & ACTIONS

### FORMER BUSINESS

### NEW BUSINESS

Mr. Haste: Last week we heard from East Hanover Township on their request for assistance for a bridge. I understand they were asking for \$130,000.00, total bridge repairs \$143,00.00. I said I would look into liquid fuels and talk to our engineer. I looked into liquid fuels and we do have \$3.9 million dollars into that fund, however, those funds are being set aside for two major bridge project Bridge 122 and I forget the other bridge number. Our engineers did not have a favorable response for us to do this for a couple reasons. That puts back the ability for necessary repairs for county owned bridges that they have been working on. Second, was the concern that we would be setting a new precedent that we have not done in the past and that would be starting to fund local projects. With forty municipalities that are out there once we open this door

there is a good possibility that each one of the municipalities would be coming here when they have a short fall. Which we would like to help when we can but that would greatly minimize our ability to do two things, I think we have 62 county bridges that we have to maintain plus the inspections of all bridges including the orphan bridges in the county. Their concern was that we have been recognized as having one of the best bridge programs in the state and we would start to jeopardize the funding for that program. I said I would look into it and report back. That is what I found.

Mr. DiFrancesco: One of the unfortunate things that come with the job is that we cannot do everything to help all people. We have to worry about those responsibilities that are directly under our jurisdiction first. I do believe that the Board will act on their behalf in ways that we can in support of, if they try to access other money on a local level. Again, we are facing very difficult fiscal times and we need to be very careful on how we spend our money. We have to spend it first on those items that are in fact our responsibility. I want to reach out to all the communities and when they extend and go for financing in other areas to meet their needs, if there is a way we can help out then I think we should do that.

Ms. Fackler: I do appreciate you looking into this. It was a large undertaking for them to come before you to even ask that of you. I appreciate you thinking about that and maybe as a solution to their deficit toward trying to do the sewage project, as well as, the bridge project that maybe we look in trying a little bit harder with your support to get that bridge on the bridge bill. So that would probably be their next steps on trying to do that and I know those bridge bills are overloaded at this point but that is one way of funding this project outside of looking at your direct support.

Mr. Haste: Even once we get it on the bridge bill, I think you know that the funding can take quite a long time, but yes I would be happy to try to move that forward.

## **CORRESPONDENCE**

Mr. Haste: You have seen on the agenda the correspondence received by the Board of Commissioners this week Items A-J, which will be handled appropriately by the staff.

## **PUBLIC PARTICIPATION**

There was none.

## **ADJOURNMENT**

Mr. Haste: Is there a motion to adjourn?

Mr. Hartwick: So moved.

Mr. DiFrancesco: Second.

Mr. Haste: All those in favor say, aye

All: Aye.

Mr. Haste: Meeting adjourned. Thank you.

Transcribed by: Kacey Truax

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff  
printed 7/28/04