



DAUPHIN COUNTY BOARD OF COMMISSIONERS

Commissioner's Legislative Meeting

Wednesday, June 14, 2006 (10:00AM)

MEMBERS PRESENT

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

STAFF PRESENT

Chad Saylor, Chief Clerk/Chief of Staff; Marie Rebeck, Controller; Bob Dick, Treasurer; Randy Baratucci, Purchasing Director; Kay Sinner, Personnel and Payroll Office; Tom Guenther, Director of Information Technology; Kacey Truax, Commissioners' Office; David Schreiber, Personnel; Carolyn Thompson, Court Administrator; Mike Pries, Director of Security; Elke Moyer, Human Services Directors Office; William Tully, Esq., Solicitor; Gary Serhan, Deputy Controller; Julia Nace, Assistant Chief Clerk; Jena Wolgemuth, Commissioners' Office; Leila McAdoo, Solicitor's Office; Marielena Martinez, Commissioners' Office; Richie Martz, Commissioners' Office; Scott Burford, Spring Creek Administrator; Dan Eisenhower, MH/MR Administrator; Ellie Myers, MH/MR.

GUESTS PRESENT

Rose Guyer; Mary Schwanger, Central Labor Council; Karla Hodge; M. Nichelle Chivis; Elaine Barber; Chrsitie Mascioli; David Gash; Rob Kirkpatrick; Jack Sherzer; Katleyn Smith; Mark Stewart, Tom Kerty, Ari Palsky.

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 the May 17, 2006 Legislative Meeting Minutes, and the May 24, 2006 Workshop Meeting Minutes for approval.

Mr. Hartwick made the motion to approve the May 17, 2006 Legislative Meeting Minutes, and the May 24, 2006 Workshop Meeting Minutes. Mr. Haste seconded the motion. All were in favor. Motion carried.

Mr. Haste: We have the May 17, 2006 Salary Board Meeting Minutes for approval.

Ms. Rebuck made the motion to approve the May 17, 2006 Salary Board Meeting Minutes. Mr. Hartwick seconded the motion. All were in favor. Motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: There were none.

PUBLIC PARTICIPATION

Rose Guyer: The first time I attended a meeting here was to voice my opinion that the three Commissioners should not make a decision to close or sell Spring Creek. You told me that you indeed had that right and we were not a referendum state and the voters did not need to be consulted. You did tell me that the way you know how to respond to different issues is by your voters letting you know by calls, write letters, etc. I understand that there has been a lot of response by the public in regards to Spring Creek. My concern is that it looks like this thing is pushing ahead before a vote has even been made. I happened to go to the Swatara Township Planning meeting on a personal matter and at the end of the night they were on the agenda, Commissioner DiFrancesco was there with your counsel, Mr. Stewart and I was very perturbed by the way that Mr. Stewart addressed the Commission. He addressed them by one government entity to another government entity, we request immediate approval for our subdivision of Spring Creek. I think that is out of line. It makes implications that are improper as you rub my back, and I will rub yours. I determined that I had to speak out during their public participation, and of course at 10:45 p.m., I was the only public left in the place but I did tell them that the only reason to subdivide Spring Creek was to effect the sale. I think you are putting the cart before the horse. Shouldn't the sale be consummated first and then subject to. However, it looks like whether or not it gets

sold, you are going to still have it subdivided. I saw in yesterday's paper that you had a meeting on the 27th and the Commissioners are requesting exclusion to the variance for fifty feet set back, all around. Again, that makes me believe this thing is on fast forward for sale and maybe the public isn't being concerned. I think the Commissioners need to listen to what their voters are asking. I was going back from old notes and Mr. Haste, when the South Tower was completed you said that "Spring Creek is a facility that provides the best rehabilitative and health care for its residents. Finally we have a building that reflects that quality of care. It is a place where residents receive the care that they need to live a full and productive life style." I am surprised that three short years later that you are not there defending that stand. Furthermore, Mr. Lowman Henry quoted former Senator Daniel MaHanon "The quality of civilization is measured by how it cares for its elderly." Spring Creek provides wonderful care for its people. We are giving that away. All of the news about this Ensign group that supposedly is the buyer certainly is not favorable. You say that the people there now will be protected, what about the people in the future? We need a safety net for our indigent people. These people deserve to be treated better in their years of their frailty. I understand that the people have spoken and continue to speak. The Commissioners need to listen to us. You said you would do as we want. We are speaking and please listen.

Commissioner Haste: Thank you.

Commissioner Hartwick: Thanks for staying active Rose.

Mr. Kerty: My name is Tom Kerty. I moved to Harrisburg for the first time in 1943. I would like to remind you about some of the things that had happened in the past. I have been associated with government officials and so on in Harrisburg from Dauphin County and the state, important people like George Gekas and John Shumaker. I went to school with John Shumaker. I have been around a while and have some ideas about Harrisburg and Dauphin County. I agree whole heartedly with the statements Ms. Guyer made. I would like to remind the Commissioners of their sworn obligation as I understand it to look out for the interest of the residents of Dauphin County. These companies like Ensign come in with a big dollar sign in front of your eyes and make it look very pleasant. Let me remind you that after it is all over, you will not have to worry about a place like Spring Creek. This obligation to senior citizens, 99% of the residents at Spring Creek are senior citizens. They need a place to go and as mentioned for several thousand a year at private places is next to impossible for a large percentage of these senior citizens. That is my basic message and I have talked to a lot of people about it and they are all in agreement with what I am saying.

DIRECTORS/GUESTS

1. Dan Eisenhower, Administrator of MH/MR, Dauphin County FY07/08 Mental Retardation Annual Plan

Mr. Eisenhower: Good Morning. Thank you for accommodating us. Ellie Myers and I are here to present the Mental Retardation Annual Plan for 2007-2008. We have a brief presentation. The annual plan is a requirement of ACT 199. The plan requirements are

spelled out by OMR and consist largely of a formalized process of defining actual individuals who are in need of services. The plan is due in two days. We conducted a public hearing on the plan at our MH/MR Advisory Board meeting on May 25, 2006. Some of the comments were incorporated into the draft document that we presented to you. The official tools for planning for individuals in need are a process called PUNS (Prioritization of Urgency of Need). This is where support staff enters data into the state data base of that individual which will actually list the degree of need for that individual and types of services that they need and dollar amounts are assigned per the needs of each individual. PUNS is completed anytime someone needs services on an annual basis or when needs change. In our plan, there is a definition of people who are on our waiting list and on emergency status and graduation out of the education system.

Mr. Haste: What is that number now Dan?

Mr. Eisenhower: On the next page is our waiting list data as of March 26, 2006. The state takes a snapshot out of the PUNS database, and they based it on this information, calculate how much service needs for each individual they have. We have 71 on emergency status, 319 on critical status, and 300 on planning status for a total of 690. It is a decrease of 27 people. This is a combination of serving some people with existing capacity and some with expansion in 2005-2006. We will talk about this a little later. It looks like our waiting list has plateaued. 690 is an incredibly large number and once we get to the dollar amount, you will see what that means. Our waiting list has been growing over the past five years.

Mr. Haste: Does this reflect any of the folks out at DCP?

Mr. Eisenhower: No sir. We did receive funding from OMR in fiscal year 2005-2006 for 11 people and we also served four people who came out of Harrisburg State Hospital, they obtained a combination package of services for mental health/mental retardation. Three people received residential services through our Mental Retardation Department. That helped reduce our waiting list. If we look at the actual service request, the 71 people on the emergency list and then all of the recent graduates, which are people reaching out of the education system; the total new service request would be \$6.5 million dollars of new money that would be required to eliminate people out of emergency status and on the graduation list. Our plan also includes the component to increase support coordination. We can not expand our services to that degree without expanding our support coordination. Support coordination is responsible for monitoring the services, plans for each individual and in some cases the quality of services that people receive in residential and community services. If we are going to expand the population of people we are serving, we are also going to need to expand supports coordination. That request is \$541,000. Lastly, it has been in our plan for years that we need to improve direct care staff salaries. It has been an agenda item for our MH/MR coalition, our legislators, for many years. We tried to quantify a dollar amount annually that we think is required to increase the level of salaries for our direct care network so that we can retain and recruit qualified staff for individuals who work in the community and when we quantified that, that comes out to \$1.284 million. Finally, when we take a

look at this, what does this mean? Our current amount of funding is about \$37.7 million for our MR budget and we are to get funding to eliminate those in emergency needs and address the needs of graduates, and the corresponding support coordination that would be a total increase of \$8.2 million. That is what we are requesting for fiscal year 2007-2008. Any questions or comments?

Mr. Hartwick: How large is the list statewide and what are your chances of receiving additional funding?

Ms. Myers: The total waiting list statewide is 24,927, of those 3,274 are in emergency status, 9,999 are in critical need, and 11,654 are in planning. This plan is for fiscal year 2007-2008, fiscal year 2006-2007 there is some expansion in the governor's budget. We do not know if it will survive the budgetary process. On top of that, we do not know how much of that we would receive. There was expansion funding in the governor's budget last year and as Dan mentioned we received funding for 11 people. The year before that we received it for ten people. Even when there are expansion funds and we only receive it for ten or eleven people, that still leaves a lot of people in need.

Mr. Hartwick: Please define emergency needs, the criteria etc.

Ms. Myers: The definition of emergency need is they have to have that service within that year, but generally those who are an emergency are those in a situation where their support network is failing. A residential example would be when a family can no longer care for their family member who has mental retardation. Another example, we had a mother come to our planning hearing with her son who has Down Syndrome and graduated and who is permanently planted on her hip now. She can not work because somebody needs to take care of him and he needs something to do with his life since he graduated school. Up to five years ago we were routinely serving those kids once they got out of the education system. With the funding shortfall, those kids now after graduation have nothing. Families have to completely rearrange their lives to now accommodate for an adult person with metal retardation who is home all of the time. Their whole standard of living changes.

Mr. Hartwick: In those emergency situations, and the primary caregiver is unable to take care of the individual, do we have placement for the individual outside of the home?

Ms. Myers: We try to support the individuals to stay at home, which is more economical but when all else fails, they go into residential treatment which is expensive. We have people waiting for community living arrangements but for a typical case, when all else fails, we are the safety net. If the person shows up at our door with no place to go, they can perhaps go to a temporary arrangement until we can get them into a group home. It is all very expensive. We have a respite house that for twenty years was there to provide families with relief. That is part of what we call our family support services. For the past couple years, the respite house has become an emergency house. The families who schedule their routine respites are quite often "bumped" due to

emergencies. When someone comes in for an emergency you tend to have to place them whenever a vacancy comes up, which may not be the best place for them, or the proper grouping. It creates a whole bunch of problems.

Mr. Hartwick: It comes down to where does the funding come from to take care of these individuals.

Mr. Eisenhower: Most of the services are waiver funded. The state funds are matched with federal funds. What we are left to do is to juggle. The waiver funds are stuck with lots of restrictions and this includes residential services. What our staff or provider network has to do is juggle among many funding sources, meet all emergency needs without additional state funds. It is a combination of goodwill by our providers and creativity in using county based funds in addition to waiver funds to serve people in emergency needs. We essentially receive a fixed allocation from the state and we do our best whenever we can with that allocation. When new needs arise, especially in a new fiscal year, regardless if we get this funding that we are asking for, there will be people in 2006-2007 and 2007-2008 who become emergency needs. We have to tend to them and our challenge is to do that with the existing funds without expanding services.

Mr. Haste: We have 690 on the waiting list. How many in placement?

Ms. Myers: In our residential system, we serve close to 400.

Mr. Eisenhower: Not all of the people on our waiting list need residential placement. It is service needs et al.

Ms. Myers: In the waiver, where most of the people get services, 400 people in the consolidated waiver and 200 in the person and family directed waiver. That is 600 people fully served. From our based funds, combination of state and county funding, we are serving about another 400-500 who receive a small amount of family support services. That is about 1000 people who are receiving service. Some of that can be somewhere on that waiting list, waiting for other services.

Mr. Haste: Something of a higher need.

Mr. Eisenhower: Exactly

Mr. Haste: I know you said our 690 is growing and I am trying to figure out how large that is compared to our total population. Is that half?

Mr. Eisenhower: Yes. I would say half of our people.

Mr. Haste: We are only meeting 2/3 of our need.

Mr. Eisenhower and Ms. Myers: Yes.

Ms. Myers: The big place where the bulge happens is the kids coming out of school.

Mr. Eisenhower: I can see the backlog again in five years. Again we have a history of being able to serve people with some type of services, whether it is program or family support as people age out of the education system and graduate. We do not have the funding to keep up with services as people graduate. I believe the school systems just keep on back log now of about 125.

Ms. Myers: I think people expect the right of education is an entitlement so for 21 years they lived with their children receiving whatever services they need and our system is not an entitlement. I think some of these families that are in the program believe something is going to be there and if they contact us we at least try to get their family member on the planning list. They might have to put their family member on the planning list four years ago and still are waiting.

Mr. Hartwick: You are asking us to authorize the request that you are making?

Ms. Myers: Yes. The cover letter to the plan requires the County Commissioners signatures.

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

Mr. Hartwick made the motion and Mr. Haste seconded the motion to approve the Dauphin County FY07/08 Mental Retardation Annual Plan. All were in favor. Motion carried.

SALARY BOARD

(A full report of Salary Board minutes is on file in the Chief Clerk's office.)

PERSONNEL

Ms. Sinner: No changes to the Personnel Packet from last week.

Mr. Hartwick made the motion to approve the Personnel Packet as amended. Mr. Haste seconded the motion. All were in favor. Motion carries.

PURCHASE ORDERS

Mr. Baratucci: There was one item added since last week for Information Techonology. Tom has sent something down to Commissioner Haste for a piece of equipment to improve the internet speed on page four. All other items were fixed budgetary wise. The rest of the packet stands as presented.

Mr. Hartwick made the motion to approve the Purchase Order Packet. Mr. Haste seconded the motion. All were in favor. Motion carries.

REPORT FROM BUDGET & FINANCE – Greg Schneider

- **June 2, 2006** transferred **\$234,737.91** to the **Payables** account from the County's Concentration account for checks issued that week.
- **June 9, 2006** transferred **\$6,698,533.90** to the **Payables** account and **\$2,025,321.00** 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** **\$128,992.45** rate **4.95%**
- **Balance today in Community Banks investment account** **\$120,473.54** rate **4.860%** (This rate equals today's Community Banks 91-day TBill rate of 4.71% plus 15 basis points)
- **Balance today in Graystone Bank investment account** **\$20,094,688.71** rate **5.434%** (This rate equals last month's average 1-month LIBOR rate of 5.184% plus 25 basis points)
- **Balance today in Commerce Bank investment account** **\$22,500,158.46** rate **5.160%** (This rate equals today's 91-day T-Bill rate of 4.710% plus 45 basis points)
- **Balance today in Sovereign Bank investment account** **\$46,900,803.30** rate **5.284%** (This rate equals today's 1-month LIBOR rate of 5.184% plus 10 basis points)

No T.R.A.N. Line of Credit required for 2006.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Saylor: Nothing to report.

SOLICITOR'S REPORT—BILL TULLY, ESQ., SOLICITOR

Mr. Tully: Nothing to add but would be happy to answer any questions you may have.

MATTERS REQUIRING BOARD ACTION

Mr. Hartwick made the motion to approve Items A through U. Mr. Haste seconded the motion. All were in favor. Motion carries.

- A. Training Packet
- B. Approval of FY05/06 & FY06/07 Per Diem Rates between Children & Youth Agency and:
(per distributed list)

1. Cornell Abraxas Group, Inc. (FY05/06)
 2. Shawnee Academy, LTD (FY06/07)
 3. Clear Brook, Inc. (FY06/07)
 4. CHOR Youth & Family Services, Inc. (FY06/07)
 5. The Impact, Inc. (FY06/07)
 6. Catholic Charities of The Diocese of Greensburg, PA (FY06/07)
 7. Parents Anonymous (FY06/07)
- C. Appoint the following individuals to the Dauphin County Council on Aging:
(Terms expire December 31, 2009)
1. Edward Shultz
 2. Roberta Berdofe
- D. Satisfaction Pieces with the following individuals:
1. David and Jacquelyn Fessenden for property located at 17 N. 31st St., Harrisburg.
 2. Patrick and Marie Ulmen for property located at 4902 Colorado Avenue, Harrisburg.
 3. Jerry L. Marks for property located at Lot #27 Lenker Drive, Elizabethville.
- E. Subordination Agreement with Donald D. Killinger on property located at 4117 Linglestown Road, Harrisburg.
- F. Approval of Modifications to Municipal Recycling Program Grant SAP #4100022519 between Dauphin County and PA Dept. of Environmental Protection. (Solid Waste Management & Recycling)
- G. Adoption Assistance Agreements:
1. #2006-17
 2. #2006-21
 3. #2006-22
- H. Purchase of Service Agreements for FY06/07 between Children & Youth Agency and:
1. T.W. Ponessa and Associates Counseling Services, Inc.
 2. Bradley Center, Inc.
 3. New Passages, Inc.
 4. YWCA of Greater Harrisburg, Inc.
 5. Bowling Brook Preparatory School, Inc.
- I. Purchase of Service Agreements for FY06/07 between Mental Health/Mental Retardation and:
1. International Service Center
 2. Merle J. Crawford, OTR/L
 3. Lawrence Vuxta
 4. Darryl K. Guistwite, DO
 5. Gayle Z. Goepfert t/d/b/a Goepfert Speech Associates
 6. Fetterhoff & Zilli
 7. Open Minds

- 8. Express Scripts (2 contracts)
- J. Approval of the Dauphin County FY07/08 Mental Retardation Annual Plan.
- K. Administrative Entity Agreement for waiver funded services between Mental Health/Mental Retardation and the PA Dept. of Public Welfare Office.
- L. Human Services Development Fund (HSDF) Agreements for FY06/07 between Dauphin County Human Services Director's Office and:
 - 1. Greater Harrisburg Youth for Christ
 - 2. International Service Center
 - 3. Visiting Nurse Association of Central PA, Inc.
 - 4. Community Action Commission
 - 5. Family Support of Central PA
- M. GIS License Agreements between Dauphin County Information Technology and:
 - 1. The Conservation Fund
 - 2. The Central Pennsylvania Conservancy
- N. Grant Agreements between Area Agency on Aging and:
 - 1. Heinz-Menaker Senior Center
 - 2. Central PA Food Bank
 - 3. Friendship Senior Center
 - 4. Jewish Federation of Greater Harrisburg
 - 5. Millersburg Senior Center
 - 6. Mohler Senior Center
 - 7. Steelton Senior Center
 - 8. Capital Area Late Start a/k/aThe Rutherford House
 - 9. Retired and Senior Volunteer Program (RSVP) of the Capital Regions, Inc.
- O. Real Estate Tax Refunds/exonerations:
 - 1. Refund of 2006 real estate taxes to James & Janet Kostelic, P. O. Box 129, Middletown, PA 17057 for parcel #34-022-034, 2350 River Road, Londonderry Township.
- P. Lease Agreement between Dauphin County and Block Business Systems for additional copiers.
- Q. Commissioners Approval for renovations to the Dauphin County Prison-CRA Project No. 1947.
- R. Approval of Carrier Parker Units Tie-In – Honeywell Building Units to retrofit three (3) rooftop units at the Dauphin County Prison.
- S. Approval of a Renewal of a YWCA Access and Visitation Grant between Dauphin County Domestic Relations and the PA Dept. of Public Welfare in the amt. of \$52,663.00.
- T. Renewal of a Hardware Service Agreement between the Dauphin County Juvenile Probation Agency and IMR Limited.

- U. Memorandum of Lease between Dauphin County and the Cooke family re March 22, 2006 Lease Agreement for Lower Swatara Township cell tower. (This Memorandum will be recorded at the Recorder's Office to protect County's interest.)

FORMER BUSINESS

(There was none.)

NEW BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. Hartwick: My position has been made very clear in regards to Spring Creek and the people I represent, my community, and my parents. I want to ensure there is a facility for them when needed. I think we need to retain the facility under county ownership. However there are several things within my plan that needed to happen in order to try to make a convincing argument to my colleagues. I remain committed in my position but one of those things that I would of liked to see occur was to have a contract from the union in place. I am aware they are at the table but it is something I think is critical in order to make a sale to my colleagues. I need to have a contract with the concessions I had outlined in my plan to be able to have some energy and to be able to close the tie and make a convincing argument that we want to be part of the solution. I just want to implore my colleagues and friends in labor to please get to the table and try to give me something to work with as soon as you possibly can because time is moving quickly.

CORRESPONDENCE

Mr. Haste: You see the items of correspondence received by the Board lettered A through K that will be handled by the staff appropriately.

- A. Notification from the PA Dept. of Transportation indicating they intend to apply to DEP for a General NPDES Permit for stormwater discharges associated with construction activities for the Elizabethville Borough and Washington Township, roadway milling, resurfacing, reconstruction and construction of a storm water system.
- B. Notification from Buchart Horn, Inc., on behalf of the Conewago Municipal Authority, indicating they intend to apply to DEP for a General NPDES permit for the installation of approximately 24000LF sanitary sewer and three small pump stations.
- C. Notification from Light-Heigel & Associates, Inc. indicating that the Pennsylvania Water Company intends to apply to DEP for a General Permit GP-5 (utility line crossings) for wetland disturbances associated with the installing of 24" water main along Hotel and Boathouse Roads, Derry Township.
- D. Notification from Skelly & Loy indicating that the Dauphin County Conservation District intends to submit an application to DEP for a NPDES stormwater permit

in reference to the Bear Creek Watershed Phase I Project, a mine drainage site just north of Lykens Borough, off of S.R. 1002, Wiconisco Township.

- E. Notification from DEP indicating they granted a revision to Meadowbrook Coal Co., Inc., Game Commission Bank Operation, located in Wiconisco Township.
- F. Notification from Light-Heigel & Associates, Inc., indicating that Dauphin Borough will be applying for a water quality management permit from DEP for a new sewage pumping station and force main located at Market and Canal Street, Dauphin Borough.
- G. Notification from Dawood Engineering, Inc., indicating that the Royalton Borough is submitting an application for coverage under the General NPDES permit for stormwater discharges associated with construction activities from DEP for the Burd Street Bridge replacement.
- H. Notification from Dauphin Engineering Co, on behalf of DJH Victoria Abbey Associates, LP, indicating they intend to submit an application to DEP for a Notice of Intent for coverage under the PA General Permit for discharges of stormwater from construction activities at Colonial Road, Lower Paxton Township.
- I. Notification from K&W Engineers indicating Paul and Joanne Navarro are applying to DEP for a general NPDES permit for stormwater discharges for a proposed retirement community located at 5710 Union Deposit Road, Lower Paxton Township.
- J. Notification from Waterbody Builders, on behalf of James Novinger, indicating Mr. Novinger intends to apply for a General Permit to install a fish habitat structure in Stony Creek, Middle Paxton Township along his property.
- K. Notification from Dura-Bond Pipe indicating they have made application to DEP for renewal of an existing NPDES permit for similar operations of their plant located in Steelton Borough.

PUBLIC PARTICIPATION

Ms. Nichille Chivis: I am a staff representative for AFSCME District Council 90. I appear before you today seeking specific information and consideration. Some of what, George, you addressed a moment ago. Allow me to preface my question by stating that our negotiating team continues to meet and we are seriously considering the county's demand for concessions. To that end, although the next available date the county is available to negotiate is July 6 we intend to respond to the county's proposal within one week from today. My question is two-fold. Is there time for you to accept our proposal and if so, if we are able to agree to the county's concession will you agree to not sell Spring Creek?

Mr. Haste: I think we said this before; they are both on separate tracks. Both will come up as they come up for votes and one could conclude the either or they may not. They are both two separate issues.

Mr. Hartwick: I need something to start to use in a way to try to persuade one of my colleagues to move in my direction. The union contract I needed yesterday. I needed that in place to be able to try to make a compelling argument that we are moving this thing in the right direction. In the plan I presented, there was around six variables. All of which have a matter of risk and may or may not come to fruition. One of those things I think we can control is the union contract. And with that in place, I know that knocked down one of the six that I want to see moving in the right direction to remain under county ownership. I am going to continue to fight until the day of the vote and beyond. I can not do that without the union contract in place. From my perspective, the sooner you can make that proposal or agreement the more aggressive I can be to continue to lobby my colleagues.

Ms. Chivis: Because we are not meeting again until July 6 as a negotiating team, can the vote be put off until that time?

Mr. Saylor: No date has been set. We are still negotiating with both parties. When either deal is ready, it will then come before the Board.

Ms. Chivis: Will there be an opportunity for public forum to discuss it?

Mr. Haste: It will be at a workshop and then legislative meeting, as we do everything.

Ms. Chivis: Thank you.

Mr. Ari Palsky: I am a coordinator of the nursing home coalition and representative of the Service Employee's International Union. The Nursing Home Coalition is a multi-state coalition, consisting of senior advocates, nursing home staff, residents and family members. The SEIU and others came united to improve the nursing home care in various states in this country. I came here today to Dauphin County from California to voice very strong concerns that the nursing home watch has about the potential sale of Spring Creek to Continuum Care, a presumed subsidiary of the Ensign Group. We are concerned about the impact that the sale may have on the lives and safety of the most vulnerable citizens in Dauphin County. I would like to speak this morning for a moment about a couple of things, including the Ensign Group's track record and the consequences of selling the county nursing home to Ensign. I am also willing to speak about the connection between Ensign and Continuum which I understand may be unclear to some if there are any questions or concerns about that connection. Our coalition nursing home watch has been tracking every step that Ensign has taken over the last three years. In that time we documented a very troubling track record which has led to the suffering of many elderly. If you read through state inspection reports, many of which we posted on our website, what it emerges is short staffed nursing homes, which have been sited hundreds of times by state inspectors and individuals, patient care violations, including preventable bed sores, repeated falls, unexpected weight loss, multiple medication errors, and even patient deaths in their facilities. The record is not only documented in detailed state inspection reports, but also in dozens of lawsuits filed by dozens of individuals who were injured in these facilities. As we speak,

the company is the defendant in a class action law suit in California, alleging widespread understaffing in its facilities, in this state and violations that states minimum staffing requirements which is similar to the ones in this state but slightly higher. I have heard the employees in this county say the past several days that nursing home watch's story about the Ensign Group is false and baseless. County officials have dismissed this side of the story as "near propaganda." To me, it boggles my mind that public servants would ever put themselves in a situation like that and sounding like the public relations staff of a private corporation rather than the protectors of the public interests, which they are supposed to be. Nursing home watch has come to Dauphin County in order to share information that we have collected about the Ensign Group, their troubled track record, and tell the other side of the story as it were. We all heard the sales pitch from the guys in the slick suits from Ensign and now it is time to hear the other side of the story. For the sake of the elderly and the disabled in this county, I would like to make sure that the county is not sold a bill of goods. Our goal is to make sure that the county commissioners make their decision about Spring Creek armed with all of the facts, not just half of them led by the company that stands to make millions of dollars by your acquiescence. I assume that your body understands that at this point Ensign will be under greater scrutiny if they take over Spring Creek; not just by our organization, but by citizens and press of this county who all have watched this debate rage on and now have heard multiple sides of this story. It is only the citizens of this county who as taxpayers and voters have the true power to hold politicians accountable to the decisions they made on their behalf and on behalf of the elderly and infirm. We urge you to slow this process down and to take a deeper look at Ensign before you sell this important public resource to them. Public documents describe the vast array of problems and injuries that have occurred at Ensign Facilities over and over again. Corporate types of Ensign Group have worked hard to make sure the public does not know about these problems and blames others for them if they do come into light. We urge you not to be the latest in a long series of well intentioned people to be fooled by the Ensign Group. Please take these words into consideration and do not sell Spring Creek to Ensign.

ADJOURNMENT

Mr. Haste: Is there a motion to adjourn?

Mr. Hartwick made the motion to adjourn. Mr. Haste seconded the motion. All were in favor. Meeting adjourned.

Transcribed by: Kacey Truax

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff

printed 7/24/06

