



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**Commissioners' Legislative Meeting**

**Wednesday, September 27, 2006 (10:00 am)**

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Bruce Foreman, Assistant Solicitor; Chad Saylor, Chief Clerk; Marie Rebeck, Controller; Bob Dick, Treasurer; Bob Hawley, District Court Administrator; Diane McNaughton, Press Secretary; Leila McAdoo, Solicitor's Office; Randy Baratucci, Purchasing Director; Tom Guenther, IT Director; Mike Yohe, Budget Director; Carolyn Thompson, Court Administrator; Steve Libhart, District Attorney's Office; Dave Schreiber, Personnel; Elke Moyer, Human Services; Sharon Chatman, Human Services; Julia Nace, Assistant Chief Clerk; Lena Martinez, Commissioners' Office; Steve Chiavetta, Registration and Elections Director; Kay Sinner, Personnel; Richie Martz, Commissioners' Office and Jena Wolgemuth, Commissioners' Office.

**GUESTS PRESENT**

Garry Lenton, Patriot-News; Channel 43 News; Yvonne Lanzino; Gladys Vaughn; Dolores Kuntz; Nancy Hoffman; Judith Vallier; Clyde Ebersole; Mary and Frank Herzel; Lee Hartwick; Bryon Timmons and Anna Miller.

**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 August 30, 2006 Legislative Meeting minutes and the September 6, 2006 Workshop Meeting minutes. Is there a motion to approve?

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the August 30, 2006 Legislative Meeting minutes and the September 6, 2006 Workshop Meeting minutes. Motion carried.**

Mr. Haste: We also have the August 30, 2006 Salary Board Meeting minutes. The Salary Board consists of the three Commissioners and the Controller. Is there a motion to approve?

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to approve the August 30, 2006 Salary Board Meeting minutes. Motion carried.**

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Mr. Saylor: Commissioners as you know we met once in Executive Session on the 20<sup>th</sup> of September in the morning to discuss a real estate matter. That was it.

## **PUBLIC PARTICIPATION**

(There was none.)

## **DEPARTMENT DIRECTORS/GUESTS**

- A. **Stephen Libhart, District Attorney's Office**
  - 1. **Project Safe Neighborhood Mini-Grant – Anti-Gang/Firearms.**
  - 2. **Project Modification for the Drug & Alcohol Restrictive Intermediate Punishment Program.**

Mr. Libhart: Morning Commissioners. I have two items for your consideration this morning. I had provided a summary for each of you yesterday. The first is Project Safe Neighborhood, the Anti-Gang/Firearm Crime grant. It is worth \$6,000. Basically it is given to every District Attorney's Office in the Middle District by the United States Attorney for the Middle District. There is no match. It is completely discretionary in how it is to be utilized, as long as it falls under combating anti-gang violence or firearm

crime. The DA's office has identified a need to support through the provision of overtime some focus patrols to combat those two concerns in certain odd spots throughout Harrisburg City. Most of this is tied to the Project Safe Neighborhood initiative so that is why the Harrisburg Police Department was identified to do that with.

Mr. Hartwick: After yesterday's video on PennLive and after the recent tragic shootings that have occurred in Harrisburg this couldn't be any more timely in order to try and put some additional resources on the street. This is a good way to try and proactively address these issues. Clearly, we need to send a message that these gun crimes are not going to be tolerated and the only way I think we can do that is to invest in law enforcement, as well as, to the extent that we can, in intervention and prevention in early ages. Quite frankly it has gotten out of hand in the City. We need to get control of it. Watching those videos yesterday was just disgusting. To see kids who are acting out in that way makes you wonder what's gone wrong. Obviously we need to take steps in order to keep the community safe. I don't think there could be a better time to try and address it than with this type of grant.

Mr. Haste: That just reminded me of something out at the jail. We have been sending people to sessions to learn about gang signs. We have seen an increase in the prison population. In fact, there have been more and more fights and most of it is gang related. As we gather that information the Major is going to be setting up a meeting with the different police departments. I have asked him that any time we identify new gang activity, signs or codes that the arresting police department be notified right away because if that came from that area chances are there is more of that going on. We are going to try to, as we gather more information, work with the departments to get that information back because we are seeing an increase as well.

Mr. Libhart: Right you certainly don't want to let it fester and develop into more of a problem than it already has the potential to be. One of the provisions of this grant is also that 30% of it has to be focused towards juvenile offenders. Recent statistics have shown that gang and firearm crime is rising much quicker amongst the juvenile population than it is amongst the adults. That was another reason why they are electing to do focused patrols in areas that they have seen this type of activity in before.

Mr. Haste: Okay.

Mr. DiFrancesco: The Board is obviously very concerned about the recent crime spree and the fact that there are so many guns on the street. While to a degree the focus really has to be in the City where we are seeing a lot of them, the bottom line is a lot of guns are coming from the suburbs into the City.

Mr. Libhart: They are.

Mr. DiFrancesco: This Board is very committed to working with the District Attorney, the bench and the law enforcement community to combat this any way that we can. Under

this grant who actually designs the strategy? Would that be the DA's office or would that fall to the City to design the strategy?

Mr. Libhart: Actually it is going to be a joint strategic plan between them. The City will submit some proposals. Inevitably the District Attorney has the final say on which one is implemented.

Mr. DiFrancesco: I know Ed is very focused on this.

Mr. Libhart: Probably the point of contact with HPD will be Captain Baldwin.

Mr. DiFrancesco: Okay.

Mr. Libhart: She tends to do a majority of that type of work.

Mr. DiFrancesco: I think it is probably a good idea for us to put together an initiative also where once again we are reaching out to the faith community and to community leaders to say that government can enforce but government can't get to the root cause of why so many kids are carrying guns and why possession of a gun today is a right of passage for some. We need to do more to turn this community around. That is the hard part. Identifying where the guns are and arresting people tend to be a little easier. The hard part is changing the root causes. I think we really need to take a strong look at a positive initiative where we can go out and partner with some people and try to turn this thing around. This is just going to get worse and worse.

Mr. Libhart: We are actually in the development stages right now of doing an outreach type of program in coordination with some other agencies including faith-based organizations and some public service announcements that also, from a prior grant that we had applied for, will fund some outreach initiatives to those ends. As soon as we have more on that I will gladly share it all with you.

Mr. DiFrancesco: Please keep us in the loop too so we can help any way possible.

Mr. Libhart: Absolutely.

Secondly, we are going to modify the project for this year's Drug and Alcohol Restrictive Intermediate Punishment Program. It is basically a housekeeping matter. The treatment costs from last year were much less than we had estimated them to be, which is what we based our entitlement to the monies that we applied for on. Because of that we still have money left over from the year prior. So that we don't effect our future entitlements and also so that money isn't held by us and unable to be used elsewhere where it could be beneficial to other people as well, we are going to voluntarily return \$400,000 of the \$523,870.00 that we applied for this year, but we still have \$200,000 on hand.

That money will be held in escrow by PCCD so if we do need it we have first claim to it. Otherwise, PCCD will look to distribute it elsewhere as the quarter's progress throughout the year.

Mr. Haste: This is the one where we had the caseworker?

Mr. Libhart: It is.

Mr. Hartwick: Obviously this doesn't make me happy. We had concerns from the initial stages related to implementation and trying to get the money in the direct treatment arena. This has been in the planning stage for about a year and a half now and now we have applied for the grant and we did an earlier amendment that returned a significant amount of dollars back.

Mr. Libhart: That was from last year.

Mr. Hartwick: Now we had another year to implement. What are the barriers that are prohibiting us from trying to do exactly what this Board has intended to try to do from the beginning? We want to provide treatment and alternatives to people being out at the Prison and having those State drug and alcohol dollars follow folks to get treatment so they are not back in the jails and they will be getting the treatment that they need.

Mr. Libhart: The barriers are not so much that the people aren't getting the treatment. The barrier is that there hasn't been nearly the number of people who required in-patient treatment as we had expected would. The cost differential between in-patient and out-patient treatment is substantial to say the least. That's the primary reason why the monies that we had applied for were based largely on short-term and long-term in-patient because other counties had seen much more than we are seeing. We have 18 people in the program right now that are all Level 3 or Level 4 offenders, and would all be doing jail time were they not in this program.

Mr. Hartwick: I understand that but the problem is who is making the recommendations for out-patient because people need significant in-patient time to be able to...

Mr. Libhart: There is a very strict way they have to assess it. The assessment is provided through PCPC, I forget what the acronym stands for, that is the only one acknowledged by PCCD as a valid assessment. Once you go through that assessment if the results indicate that out-patient is the appropriate treatment that's what the assessment is bound to recommend.

Mr. Hartwick: That doesn't make any sense to me.

Mr. Libhart: I wish I could explain more of it but I am getting the explanation from both PCCD and the people that do the assessments.

Mr. Haste: These are males and females?

Mr. Libhart: They are.

Mr. Haste: How are they identifying the people? I know of some cases in the jail that I have already looked at that based on that I don't understand why they aren't in this. They are sitting in jail.

Mr. Libhart: They or their attorney have to apply for the program.

Mr. Haste: Well how do they know about it?

Mr. Libhart: They can be referred by Pre-Trial Services.

Mr. Haste: What if they don't know about it? Why don't we have someone...this is one of my concerns about this caseworker. Why isn't someone going out to the jail and looking at the population that comes in? Tell me who or whose attorney is going to know about this.

Mr. Libhart: We have dispatched letters not only to all the District Judges, the entire Public Defender's Office knows, which represents a majority of the defense working the county, and not to mention most of the private attorneys have all received literature or at least an explanation that this program is available.

As a matter of fact we've referred probably half the people from the DA's office.

Mr. Haste: This is not working. If I were that caseworker I would be going out to that jail and sitting down and working that population because I know there are people now and maybe there are some technicalities, but for the life of me I don't understand why they are not in this program.

I'm thinking of a female who is out there on her fourth DUI. What she is doing now is sitting there waiting for a spot to go to Work Release. That doesn't sound like the type of person we want sitting there.

Mr. Libhart: This may or may not be relevant, has she already been sentenced?

Mr. Haste: Yes.

Mr. Libhart: If she has we are not eligible to take somebody who was sentenced already and bring them back.

Mr. Haste: I don't know if she is or not, but I do know that she has been picked up for her fourth DUI.

Mr. Libhart: I will look her case up and if she is eligible I will bring it to the attention of whomever she is represented by.

Mr. Haste: This again goes back to my concern about where that caseworker sat. If that caseworker is sitting where I think they are and not going out to the jail they are not doing their job.

Mr. Libhart: We are actually looking right now to reposition the caseworker out at Adult Probation.

Mr. DiFrancesco: Can I clarify? We do have a caseworker assigned to this?

Mr. Libhart: We do.

Mr. Hartwick: What is the caseworker's name?

Mr. Libhart: John Sponeyberger

Mr. DiFrancesco: I was under the impression that we didn't have a caseworker assigned to this yet.

Mr. Libhart: John Sponeyberger is the acting case manager/worker right now. They are looking to hire somebody and as soon as that person is hired they are not going to be housed there, more than likely we are going to take them out to Adult Probation for multiple reasons. They have more access to people that are qualified.

Mr. DiFrancesco: From my position in evaluating this, I think this Board has established that this is a major priority for us, it's a great opportunity and we want to see it move forward. I am not so certain from my position that other people take the same point of view that it is as high a priority because of 2 things. I am not blaming you because I know this is not necessarily you, but virtue of the way this program is crafted it falls in the Drug and Alcohol spectrum to coordinate this. Basically it is not moving forward and we are not hearing why it's not or anything. This is a Board priority. We have issues at the Prison. We have a population problem at the Prison. We are trying to think creatively and find ways to solve that problem and people need to understand that if they are going to continue to work for Dauphin County and continue to take these roles with high priority issues they better be productive and make it a high priority.

Mr. Libhart: I understand.

Mr. DiFrancesco: This project has been sitting out there for how many months?

Mr. Libhart: Seven.

Mr. DiFrancesco: And we are still looking to hire the right person for the job?

Mr. Libhart: Correct.

Mr. DiFrancesco: There is no excuse for that.

Mr. Hartwick: John has been there forever. He has his own caseload and other things that are going on. I just don't understand why we can't have a dedicated caseworker positioned in the right way to make the referrals. Jeff correct me if I am wrong, but I suspect 60-70%, if not more, of the crimes that are committed are related to drugs in some way, shape or form.

Mr. Haste: Drugs and alcohol. It may even be higher than that. About 60% are pre-sentenced.

Mr. Libhart: One of the problems with that though is to rely on that alone is somewhat misleading. They do have to fall into Level 3 or 4. A majority of the crime that occurs is not at those levels.

Mr. Haste: What makes them a Level 3 or 4?

Mr. Libhart: It is based on the sentencing guidelines.

Mr. Haste: But when they come back the 11<sup>th</sup> time isn't there something that says...

Mr. Libhart: That would probably be a Level 3 or 4. Again, I don't know how many Level 3 and 4 offenders you see out of that total pool.

Mr. Hartwick: Could I make a suggestion? Instead of just having these conversations back and forth can we call for a meeting with Drug and Alcohol, the District Attorney's Office, somebody representing the District Justices and Pre-Trial to be able to talk about what the system is that is in place? I'd like to talk about what the timeline is for hiring a caseworker and stop having this be a part of the conversation where we are directing it at you (Mr. Libhart). First of all, it's not your fault. You are talking about the amendment of a grant. We need to straighten the process out, define timelines by which somebody is going to be hired, define where they are going to be stationed and iron the program out about referrals or else we are going to end up...I hate giving money back that's not county taxpayer dollars. That money is supposed to be going to alleviate the heavy problems at the jail. Why don't we get together and convene that meeting after today, but as soon as possible.

Mr. Libhart: I can schedule it.

Mr. Haste: How many people did you say are in the program now?

Mr. Libhart: 18.

Mr. Haste: Okay. Now I am not real good with math.

Mr. Libhart: 18 have been sentenced in. There are probably 10 that are awaiting sentencing.

Mr. Haste: We have anywhere from 1,000 to 1,100 people in the jail on any given day.

Mr. Libhart: Correct.

Mr. Haste: Let's say 80% of those are drug or alcohol related. There are 800. If only half of those are pre-sentenced, that is 400. If we have got 18 in there that's only 4%. You are telling me that only 4% of the population is at Level 3 or 4?

Mr. Libhart: The only thing that I can tell you is that the 18 that have applied were eligible.

Mr. Haste: That is the problem. We are sitting here waiting for some attorney or some client, and the client probably doesn't know about it unless they have been through the system numerous times and even then they may not, and we have some attorney who is entering some plea. It's not working. The numbers tell me there should be more folks in the program. If we have the money to do it, that's usually the excuse we hear, that we don't have any money.

Mr. DiFrancesco: Here we have a defined problem, we have the money to do it and we don't have anybody doing it.

Mr. Libhart: I agree.

Mr. Hartwick: It is the caseworker's job to follow these folks into the program.

Mr. DiFrancesco: I think once again for the record we need to state that this is a very high priority to the Board and we need somebody who is aggressively going to pursue. We have test money, a grant that may or may not be here for a long period of time, and we are turning that money back.

Mr. Hartwick: For the second time.

Mr. Haste: It is not fair to you Steve, but if you could, I think the Executive Director of the Drug and Alcohol Commission needs to give us an explanation on why this isn't working.

Mr. Libhart: I will contact him and have him do that.

Mr. DiFrancesco: Chad I would also like you to contact him on behalf of the Board.

Mr. Haste: This just doesn't make sense.

Mr. Libhart: I understand and I agree with all of your concerns. Your concerns are also shared by not only myself, but the District Attorney as well. I would like to go up and meet with PCCD simply to try to regress this process and that is why I am here today.

Mr. Hartwick: We can't say we didn't tell you so.

Mr. Saylor: We will move forward with the meeting and for purposes of today we are going to vote Item #1 and we are going to postpone the consideration of Item #2.

Mr. Haste: What does that do to you? Can we postpone it until we see if we have...

Mr. Libhart: I think we can postpone it for 2 weeks.

Mr. Haste: What I'd really like is someone in the meantime to get out to the jail and take a look at that population. Then sit here and tell me that there are no more Level 3 or 4's that we can deal with.

Mr. DiFrancesco: For clarity, are you doing this because the grant defines that you have to do it or is there still room...

Mr. Libhart: The grant doesn't define that we have to do this. To be honest it is the best alternative.

Mr. DiFrancesco: So we are basically releasing money that we know we won't use so that other people can use it.

Mr. Libhart: We'll use it but if we return it voluntarily now and PCCD has it there our trend shows that we are not going to have to use a majority of it. They can start as the quarter is going redistributing say a quarter of it each quarter to other places that go over. Conversely if some other county does it and we go over we would benefit from them doing it.

Mr. DiFrancesco: I just wanted to make sure we would not be penalized in the future.

Mr. Haste: I think it's the right thing to do. I'm just hard pressed to sit here and say that our population is that good at the jail that we don't have more people because things indicate to me otherwise.

Mr. Libhart: I can assure you that whenever somebody who is eligible comes through our office the District Attorney has made an impression upon everybody in our office, if they are eligible under Level 3 or 4 guidelines and the crime relates at all to drugs or alcohol dependency or addiction refer them to this program. Other than that I can't explain the number relation between the Prison and here without knowing the number of Level 3 and 4 offenders.

Mr. Haste: There may be a good explanation; just off the top of my head it doesn't make sense.

Mr. Saylor: So we are going to vote on number 1 and we are going to hold off on number 2, right now?

Mr. Hartwick: Yes.

Mr. Saylor: Mr. Libhart and I will talk after this.

Mr. Haste: Is there a motion to approve the Project Safe Neighborhood Mini-Grant?

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to approve the Project Safe Neighborhood Mini-Grant—Anti-Gang/Firearms. Motion approved.**

Mr. Haste: We will table Item #2, Project Modification for the Drug & Alcohol Restrictive Intermediate Punishment Program.

Chad I would ask that we continue to carry that on the agenda. Next week we should have the Executive Director in here with a report.

Mr. Hartwick: Thanks Steve.

Mr. Libhart: Any more questions while I'm here?

Mr. Haste: We're not picking on you Steve.

Mr. Libhart: I understand.

**B. Commissioners**

**1. Recognition of Poll Workers.**

Mr. Haste: It is our pleasure to honor our workers of democracy and I would turn the microphone over at this time to Commissioner DiFrancesco.

Mr. DiFrancesco: Thank you Mr. Chairman. We have a great opportunity and a great honor today to actually honor other people. There is a role in Dauphin County that has been here for a very long time that is an incredibly difficult job that often goes overlooked by the many people who live in our communities. Those people don't understand that if these dedicated people that we are going to honor this morning, weren't there, our democracy in this area would shut down. These people are absolutely incredibly important and essential to keeping the voting process alive and well. Just to give you a small sense of what they have to go through, regardless of the year, there is never a dull moment or a slow moment. You either have a Presidential election where people are lined up for 2 miles and everyone is screaming at you because the lines aren't moving fast enough or you have an off-year election where unfortunately people

decide not to come out and vote and you have an incredibly long day of sitting there hoping that someone will come through the door. Either way the day tends to be a big challenge. It is a stressful day. The people that we are going to honor today have been at it for at least 20 years. I am not sure, maybe you can share with us, exactly how long as we introduce you, but the folks that are here have been serving us for at least 20 years. I want to thank you because your role is critical. This morning we have the opportunity as a Board of Commissioners to honor your service to your community. The one thing you probably don't hear enough on Election Day is thank you very much for serving. I don't think you are doing it for the thanks, I think you are doing it because you appreciate the necessity of the service and you are truly dedicated to making sure that America stands strong. America only stands strong when our democracy stands strong and that means we have to have free and open elections. It takes each one of you to make that happen. We thank you for your dedication and time.

What I would like to do is introduce the names and ask the other Commissioners to add their comments before we bring you up to receive your certificates. This morning with us we have, Yvonne Lanzino, Gladys Vaughn, Dolores Kuntz, Judith Vallier, Mary Herzel, Lee Hartwick, Byron Timmons, Clyde Ebersole and Anna Miller. I would like to take this opportunity to thank each and every one of you for your service.

Mr. Hartwick: It was a great honor getting to meet each and every one of you this morning individually and having a little coffee and hearing a little bit about your experiences. It was really neat to also meet one of my brothers from another mother, Lee Hartwick. I have heard so much about him as I have campaigned and as I was the Mayor of Steelton. He used to be a school teacher in the City of Harrisburg and knew at one time almost all of the city children. I have run into so many people that asked if I was related to Lee Hartwick and from what I hear he has done business in Steelton and he can't get away from being related to me either. I asked him if that was a good or a bad thing and he said with most people it's been okay. That has been a real honor for me to be able to meet all of you this morning and just to be able to recognize your efforts. One of the unique things that Nick, Jeff and I have decided to do since we have been County Commissioners is not just try to serve from the Courthouse, but we have been trying to get out in public meetings held around the county. Also on Election Day we have taken on the daunting task of delivering absentee ballots to the precincts in each one of the 159 precincts in the county. In doing that we get a chance to see you and hear your concerns. Some of the concerns that we heard from you hopefully one of them we will be addressing a little later on in the agenda. We also wanted to say that without you this could not work. We sincerely appreciate your efforts and we know that you are fair and honest people. It is because of you that we have faith in Dauphin County's election process. We appreciate it.

Mr. Haste: Nick was talking about the different cycles and I was thinking it's a good thing that I don't do that because one year I would lose weight and the next year I would gain weight that slow day with all that soup and sandwiches and baked goods that they have around at the polls, when it's slow you'd be sitting around eating. I'd have this roller coaster effect going on. You are an inspiration to a lot of folks and I would hope

that the young people and the people that are taking over the mantel from a lot of us in the future look at the dedication that you folks have given to making sure our election process, which we as Americans do take for granted, that it continues. Sometimes we don't see it in other folks and I'm sure that is part of your frustration trying to find helpers and people to work and getting the recognition that you have. When we look at what is going on around the world and the sacrifices folks will make when they get the opportunity and we take that right for granted. It sometimes is saddening. The fact that you folks have stayed with the process and continued to be that silent worker that makes that great opportunity of democracy continue, my hats off to you. I hope generations to come respect what you are doing and follow in those footsteps. Thank you very much.

Mr. Hartwick: How about we give them a round of applause?

(Applause was given, pictures were taken and the certificates were distributed.)

Mr. DiFrancesco: I would be remiss if I didn't use this opportunity while we are here honoring you to say what a struggle it has been for Dauphin County to find people to step into the roles that you have served in for so long. There are a lot of precincts out there, one that I can think of in particular, where literally the entire precinct is run by high school students. There is not one person who stood for election to fill any of the positions. The high school students were willing to step up and do a terrific job. I can remember the first time walking into that precinct and looking around and seeing all of these very young faces and thinking that this was a huge responsibility on these kids, but they really step up and do a good job. The point is we need more people who are civic-minded to step up. There are a lot of precincts out there where we don't have enough people working and operating the polls. We really have to scramble to try and get people. This was a testament to the work you do. We thank you for your 20 years of service and we certainly invite the public to get involved and make sure that the process continues to run as smoothly as it has always run traditionally in Dauphin County. It's a big concern.

### **ELECTION BOARD**

A complete set of Election Board Meeting minutes is on file in the Chief Clerk's office.

### **SALARY BOARD**

A complete set of Salary Board Meeting minutes is on file in the Chief Clerk's office.

### **PERSONNEL**

Ms. Sinner: I have no changes to the Personnel Packet.

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

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the Personnel Packet as presented.**

**Discussion:**

Mr. Hartwick: The ones that we removed last week Items 9, 10, 11, 12 and 13, those are all still pulled?

Ms. Sinner: Number 9 was approved.

Mr. Hartwick: Could we just recap this so I'm aware with my notes?

Ms. Sinner: Number 10 and 11 were pulled.

Mr. Hartwick: Number 10 and 11 continue to be off.

Ms. Sinner: Right.

Mr. Haste: Number 9 and 13 were approved and 10 and 11 were pulled.

Ms. Sinner: That is correct.

Mr. Hartwick: Okay, my second stands.

Mr. Haste: All those in favor say aye.

**Mr. Haste—Aye. Mr. DiFrancesco—Aye. Mr. Hartwick—Aye. Motion carries.**

**PURCHASE ORDERS**

Mr. Baratucci: Commissioners there are no changes to the Purchase Order Packet except that all the budget issues were resolved. That stands for your approval. In addition to that I think you should have received with the packet request for two BlackBerry approvals for our IT Department. If possible I would like you to take action on that too today. Tom is here in case you have any other questions, but they were approved by the oversight and I'd like to have those acted on today if at possible.

Mr. Haste: Is there a motion to approve the Purchase Order Packet?

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the Purchase Order Packet as presented. Motion carries.**

Mr. Haste: The two BlackBerry requests.

Mr. DiFrancesco: Can we bring Tom forward? I would ask that you give an explanation as to why these are important and how they fit in to the overall structure. Why these two employees should have the BlackBerry's.

Mr. Guenther: The two people that we are requesting for today are Riaz Jeena and Chris Lockhart who are my two support personnel underneath the managers in the Communications and the Server Support side of the IT house. We are putting more and more monitoring systems in that give email alerts out and in the event of a system performance problem we are in a situation for downtime.

For example last weekend or two weekends ago we had some performance issues out at the Prison on the video surveillance system that we are using. It is going across the network and we saw performance lag. We have monitors in place that will alert us to those problems. At this point in time we are doing a lot of that on phone calls and after hours support. They will call in and say they are having an issue. Putting an email alert system in we are getting notices that these two gentlemen have the direct support responsibility and are very agreeable to come in for off-hours support, but we need to know about it. That is just the technology we are moving to.

Mr. DiFrancesco: The issue too that I wanted you to raise, and we talked about this yesterday because of my concern with why these two, that the system monitors are set-up so that you can actually get notification before the system shuts down and you can get in and do something about it before problems start to expose themselves.

Mr. Guenther: That is correct. We have even put monitors in place with the new remote data center that we put in at the jail. We even had the air conditioning and temperature and humidity controls built in that process. If we have a heat problem out there that will send an alert out to us in advance that we have got to get out there.

Mr. Hartwick: I still can't change my position. The only reason I would say that would be we have Crisis Intervention folks who need to be alerted at any given time, which we do through pager or through phone. I am just wondering how the response time would be any different if they would pick up the phone and someone calls them or else they receive the email alert particularly at critical incidents where we have to respond to the community and we do it through a pager system, through the phone or some other effective form of communication.

Mr. Haste: In that case and I understand what you are saying, Crisis is going to get a phone call from a person. These alerts come from systems and monitors that are built-in to the computer system and they'll get the alert before a person will even know there is a problem. The whole point is to avoid a shut-down and one area of concern for me is the jail. As more and more pressure is being put on by the criminal justice system on the records of the jail I think this becomes more and more critical. If a system goes down out there it's soon going to be to the point where somebody can't get released, can't get processed, they can't get in or moved because of that. The difference between this and Crisis is in Crisis an individual has to be there to make a phone call, in this case unless

we somehow get the computer to make the phone call, which I guess could be a way to do it, the computer is set up now to send out an email alert before a human even knows there is a problem. It alerts them before there is even an opportunity to pick up the phone and make the call.

Mr. Hartwick: I understand the rationale. I just wonder and think of Pandora's Box and what is coming next. Is this going to be the only two or are there going to be other email alerts that are going to be coming to other people in IT as we move forward? Is this how the technology we expect to have where there will be requests for everybody in IT?

Mr. Haste: No. Well, there may be more but one of the things we will be discussing as we get into the budget is a position for that whole complex out there. Fortunately or unfortunately as the criminal justice system is moving into the electronic age the county has become the support system for not only us, but other police forces so there will be more pressure. What I have said, and one of my concerns all along has been, it's fine that we do this at the jail, but when it goes bad it is going to be our fault. No one else will be at fault but us so we need to take every precaution that we can to make sure that doesn't happen.

Mr. Hartwick: I don't disagree, but...

Mr. DiFrancesco: Let me assure you too that when I received these requests I basically picked up the phone and called Tom and asked him where he was going to get his second vote. Then he explained to me the rationale behind it and I agree with you that Pandora's Box is sitting out there. This is the concern we had from the beginning.

**It was moved by Mr. DiFrancesco and seconded by Mr. Haste to approve 2 BlackBerry requests from Information Technology for Riaz Jeena and Chris Lockhart. Mr. Haste—aye. Mr. DiFrancesco—aye. Mr. Hartwick—no. Motion carries.**

Mr. Baratucci: I just want to mention too that since I monitor these and pay the bills every month, this will only make 13 for the entire county. I believe over half of those are in our IT department, which you would expect. Another group of them are in EMA. We have been able to control people just going crazy everywhere. It is really confined to only two departments, IT and EMA, which sort of makes sense.

Mr. Hartwick: As long as I continue and you continue to be bears then hopefully that will continue.

Mr. Baratucci: Thanks.

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

### **Report from the Office of Budget & Finance September 27, 2006**

- **September 15, 2006** transferred **\$6,218,260.65** to the **Payables** account and **\$1,948,785.19** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **September 22, 2006** transferred **\$1,275,944.99** to the **Payables** account from the County's Concentration account for checks issued that week. (\$1.1 million for RE Transfer Taxes)
- **Total Term Investments – N/A**
- **Balance today in INVEST account \$130,660.40 rate 5.190%**
- **Balance today in Community Banks investment account \$47,238,406.20 rate 5.500%**  
(This rate equals today's Community Banks 91-day TBill rate of 5.100% plus 40 basis points)
- **Balance today in Graystone Bank investment account \$10,493,838.33 rate 5.650%** (This rate equals last month's average 1-month LIBOR rate of 5.350% plus 30 basis points)
- **Balance today in Commerce Bank investment account \$19,578,870.49 rate 5.265%** (This rate equals today's 91-day T-Bill rate of 4.815% plus 45 basis points)
- **Balance today in Sovereign Bank investment account \$115,187.69 rate 5.324%** (This rate equals today's 1-month LIBOR rate of 5.324% plus 0 basis points)

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

Mr. Yohe: I have nothing else. (There were no questions.)

### **REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR**

Mr. Saylor: I have nothing to report unless there are any questions of me. (There were none.)

### **SOLICITOR'S REPORT—BRUCE FOREMAN, ESQ., ASSISTANT SOLICITOR**

Mr. Foreman: The report has been distributed and I have nothing to add unless the Commissioners have any questions. (There were none.)

### **MATTERS REQUIRING BOARD ACTION**

Mr. DiFrancesco: Matters requiring board action, we have Items A through V to be decided upon. Does anything need to be pulled out separately?

Mr. Hartwick: Not on my behalf.

Mr. DiFrancesco: Do I have a motion to approve Items A through V?

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to approve Items A through V of the Matters Requiring Board Action. Mr. DiFrancesco—aye. Mr. Hartwick—aye. Motion carries.**

- A. Training Packet
- B. Approval of FY06/07 Per Diem Rates between Children & Youth Agency and:  
(per distributed list)
  - 1. Vision Quest National, Ltd.
  - 2. Triad Treatment Specialist Inc.
  - 3. Keystone Education & Youth Services
  - 4. Heritage for Kids
  - 5. Keystone Education & Youth Services
- C. Real Estate Tax Refunds/Exonerations:
  - 1. Exoneration of 2004, 2005 & 2006 real estate taxes on parcel #36-019-092-001-0001, a mobile home owned by Donald Ruby, 109 Heiser Lane, Middletown, Lower Swatara Township in the amt. of \$317.70 (Clean Properties, Inc.)
  - 2. Approval for a request to pay county real estate tax notice in the discount period from Karyl Claroni and David Kiscadden on parcel #63-024-023, 1233 S. 20<sup>th</sup> St., Harrisburg, Swatara Township.
  - 3. Approval of a request to refund recording costs on parcels #15-009-033 & #15-009-034, 1910 & 1912 North Street, Harrisburg in the amt. of \$738.88 to Peter Kimani Gitau.
  - 4. Refund of real estate taxes for 2002, 2003, & 2004 to Niles Freeland, on parcel #34-010-046-001-002, Cortland Road, Londonderry Township, in the amt. of \$744.00.
  - 5. Exoneration of real estate taxes on parcels #29-007-077-050-0083, 47 & 50 Evergreen Lane, a mobile home owned by Marc Golden, and parcel #34-026-005-181-0780, 181 Cedar Manor, a mobile home owned by Ebrima and Jodi Jah, in the amt. of \$134.63.
- D. Satisfaction Pieces for the following individuals:
  - 1. Kristy Ann Walker for property located at 2037 Boas St., Harrisburg.
  - 2. Doris Jenkins for property located at 1829 Rudy Rd., Harrisburg.
  - 3. Max Murphy and Diana Murphy for property located at 1050 Stoney Creek Road, Dauphin, PA 17018.
- E. Subordination Agreement with Carrie Galvin for property located at 21 Willow Circle, Hummelstown, PA.
- F. Agreement between the County of Dauphin and Pennsylvania Real Estate Appraisals for appraisal services for two (2) properties located in Washington Township:
  - 1. Parcel #66-007-009
  - 2. Parcel #66-007-010
- G. Spring Psychological Associates Agreement for testing services for FY2007 at the Prison.
- H. Approval of proposed Tax Assessment Appeal Settlement of 811 Grandview

Drive, Derry Township, tax parcel #24-048-028.

- I. Commissioners' approval to contribute the County's pro rata share (\$377.00) for appraisal services and trial costs to ascertain the true property value on Karen & Robert Klock, located at Two Smokehouse Lane, South Hanover Township, tax parcel #56-003-044.
- J. Purchase of Service Agreements for FY 06/07 between Dauphin County Area Agency on Aging and:
  - 1. PinnacleHealth Home Care
  - 2. Community Action Commission
  - 3. Grayson Harrisburg Limited Partnership, t/d/b/a Grayson View Harrisburg
  - 4. Assisted Living Community
  - 5. ASSISTANCE AT-Home, Inc.
- K. Purchase of Service Agreement for FY06/07 between the Children & Youth Agency and Valley Youth House, Inc.
- L. Child Welfare Education for Leadership (CWEL) Program Agreements between Dauphin County Children & Youth Agency, the University of Pittsburgh and:
  - 1. Kristen A. Spealman
  - 2. Kathryn A. Hiner
  - 3. Richard J. Vukmanic
- M. Mental Health Purchase of Service Agreements for FY06/07 between Mental Health/Mental Retardation and:
  - 1. Pennsylvania State University
  - 2. Partnership of Packer, Oesterling & Smith, Inc.
  - 3. Megan Lesko, M.A., CCC-SLP
  - 4. Capital Area Transit
  - 5. CMU
- N. Mental Retardation Purchase of Service Agreement between Mental Health/ Mental Retardation and Capital Area Transit.
- O. Amendment #1 to FY05/06 Purchase of Service Agreement between Mental Health/Mental Retardation and Country Meadows of Hershey.
- P. Homeless Assistance Program Fund Agreements for FY06/07 between Dauphin County Mental Health/Mental Retardation and:
  - 1. YWCA of Greater Harrisburg
  - 2. Brethren Housing Association
  - 3. Catholic Charities of the Diocese of Harrisburg, PA, Inc.
  - 4. Delta Community, Inc.
- Q. Emergency Shelter Grant Agreement for FY06/07 between Mental Health/ Mental Retardation and Shalom House, Inc.
- R. HOME Investment Partnership Program Subrecipient Agreement between Dauphin County Community & Economic Development and Mohn Street Accessible Housing, Inc., for construction of twelve (12) rental units for persons with disabilities at 400 Mohn Street in the amt. of \$250,000.

- S. Solid Waste Management & Recycling 2007 Comcast Advertising Agreement between Dauphin County Solid Waste & Recycling and Comcast Advertising.
- T. Adopt Resolution No. 23-2006 establishing the rental rates for the Human Services Building. (Human Services)
- U. Approval of a Dauphin County Solid Waste Management Grant Program for Illegal Dumping Clean-up. (Solid Waste Management & Recycling)
- V. Approval of a Proposal from GANCOM for processing of the Homestead Act forms to be sent to property owners.

### **FORMER BUSINESS**

(There was none.)

### **NEW BUSINESS**

(There was none.)

### **COMMISSIONERS' DISCUSSION & ACTIONS**

Mr. Haste: Any comments by the Board?

Mr. DiFrancesco: I would like to thank all the county employees who so graciously gave blood yesterday. We have had two blood drives and I'm not quite certain, but I think the participation may have been up from the first time. At any rate participation has been excellent. We want to keep doing that because it provides a great benefit to our community. This is something that the prison has been doing very successfully for quite some time. Any way that we can support this community we are going to try to continue to do that. I want to thank the Wellness Committee for originally organizing that and getting it started and I want to thank the Blood Bank for coming out and setting up and allowing us to give a very valuable gift back to our community.

Mr. Hartwick: I have one update for the Board. I met with our Personnel team yesterday and representatives from Highmark to discuss upcoming renewals and we are at the point of gathering information, getting initial quotes and attempting to get together a game plan to negotiate in the best interest of the county.

### **CORRESPONDENCE**

Mr. Haste: We have correspondence listed on the agenda Items A through J. They have been received by the Board and handled by the staff appropriately.

- A. Notification from Mellott Engineering, Inc. indicating that Ricker Development intends to submit an application to the Dauphin County Conservation District for an NPDES permit for the Devonshire Heights Tract subdivision located

in West Hanover Township.

- B. Notification from ELA Group, Inc., on behalf of the Faulkner Toyota, indicating they intend to submit an application to DEP for a NPDES permit for discharge of stormwater from construction sites located in Swatara Township.
- C. Notification from Navarro & Wright Consulting Engineers, Inc., indicating that Phoenix Contact is submitting an application to DEP for a NPDES permit for stormwater discharges associated with expansion construction located in Lower Swatara Township.
- D. Notification from Dawood Associates, Inc. indicating they will be submitting an application to the Dauphin County Conservation District for an NPDES permit for a PP&L Parking Lot expansion located at the site in the City of Harrisburg.
- E. Notification from Dewberry-Goodkind, Inc., indicating that the Mohn Street Accessible Housing, Inc. is submitting an application to DEP and the Dauphin County Conservation District for an NPDES permit for the construction of twelve (12) townhouse rental units in reference to the Mohn Street accessible housing, Swatara Township.
- F. Notification from Ray Kennedy indicating he has applied to DEP for a stream bank fencing program project located on Kennedy Lane, Middletown.
- G. Notification from DEP in reference to a Surface Mining Permit for Pennsy Supply, Inc., Hummelstown Quarry Operation, South Hanover Township.
- H. Notification from Raudenbush Engineering, Inc., on behalf of CJ Pony Parts, Inc., indicating they intend to submit an application to DEP for a water quality management permit for an annex addition located in West Hanover Township.
- I. Notification from TeamAg Incorporated indicating that Armstrong Valley Farms intends to submit an application to DEP for an NPDES permit for a concentrated animal feeding operation permit to be located at 299 Shoop Road, Halifax, Jackson Township.
- J. Notification from Dauphin Engineering Co., on behalf of MLG Enterprises, Inc., indicating they intend to submit an application to DEP for a general permit for discharges of storm water associated from construction activities for a new 93 room 3-story hotel (Candlewood Suites) to be located in Lower Paxton Township.

## **PUBLIC PARTICIPATION**

(There was none.)

## **ADJOURNMENT**

Mr. Haste: Reminder we have Retirement Board, will we be able to go at 11:00am?

Ms. Reback: Yes, we will just need a couple minutes to set things up.

Mr. Haste: We will convene Retirement Board at 11:00am. Is there a motion to adjourn?

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to adjourn the meeting. Motion carries, meeting adjourned.**

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff

Transcribed by: J. Wolgemuth

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