



DAUPHIN COUNTY BOARD OF COMMISSIONERS

Legislative Meeting

Wednesday, December 28, 2005 (10:00am)

MEMBERS PRESENT

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

STAFF PRESENT

Bill Tully, Esq., Solicitor; Chad Saylor, Chief Clerk; Marie Rebeck, Controller; Bob Dick, Treasurer; Kay Sinner, Personnel; Gary Serhan, Controller's Office; Diane McNaughton, Press Secretary; Mike Yohe, Director of Budget and Finance; Garry Esworthy, Risk Manager; Robb Wentzel, Director of EMA; Sharon Way, Personnel; Elke Moyer, Human Services; Randy Baratucci, Director of Purchasing; Julia Nace, Assistant Chief Clerk; Deb Lisi, Controller's Office and Jena Wolgemuth, Commissioners' Office.

GUESTS PRESENT

Diana Fishlock, Patriot-News; Steve Shaver, SSI Services, Inc; John O'Connell, Emerald Strategies; Frank Smith, Motorola; Kevin McGear, Motorola.

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 November 30, 2005 and the December 7, 2005 meeting minutes to approve. Is there a motion?

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the November 30, 2005 Legislative Meeting minutes and the December 7, 2005 Workshop Meeting minutes. All were in favor. Motion carries.

Mr. Haste: We have the November 30, 2005 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 November 30, 2005 Salary Board Meeting minutes. All were in favor. Motion carries.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: Commissioners' there were no Executive Sessions held between meetings.

PUBLIC PARTICIPATION

There was none.

DEPARTMENT DIRECTORS/GUESTS

There were none.

SALARY BOARD

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

PERSONNEL

Ms. Sinner: I don't have any changes from last week.

Mr. Haste: Are there any questions of Kay?

Mr. Hartwick: Just a quick question. The Prison position, can you just give me an explanation? I wasn't here last week.

Mr. Haste: We have vacant Sergeant positions. So what we are going to do so that we can hire people to bring down overtime is hire them as Correctional Officers and then as we promote from Correctional Officer into Sergeant it will be a one-for-one elimination. So when you see Sergeant promotion you will see the elimination of one of these.

Mr. Hartwick: Kay, you and I will work on tracking that. I just need to know what I need to follow-up on. Thank you.

Mr. Haste: Any other questions? (There were none.) Is there a motion to approve the Personnel Packet?

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to approve the Personnel Packet as presented. All were in favor. Motion carries.

Mr. Haste: Kay, did we approve the Salary Board action from last week? I don't believe we did.

Ms. Sinner: Yes, we did.

Mr. Haste: Okay, I didn't have a note on that. Thank you.

PURCHASE ORDERS

Mr. Baratucci: Late yesterday I did get a request from Spring Creek for some laundry chemicals. They did send something to Commissioner DiFrancesco explaining the need so we have one item for purchase order that I am asking for your approval. I did want to mention also that next week for the Workshop we won't have a packet because we will only be able to start entering the day before because of the start up of the New Year. For one meeting you will not get a packet at Workshop, but you will get one to approve at the January 11, 2005 Legislative Meeting. I will try to get that to you as soon as possible. For now this is the last one that I have for 2005.

Mr. Haste: Any questions of Randy on this Purchase Order? (There were none.) Is there a motion to approve?

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

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

A. Investment Report

Mr. Yohe: Commissioners' I have two items on the agenda for today, first is the investment report:

Report from the Office of Budget & Finance

- **December 16, 2005** transferred **\$1,646,088.57** to the **Payables** account from the County's Concentration account for checks issued that week.
- **December 23, 2005** transferred **\$4,520,097.64** to the **Payables** account and **\$1,830,647.12** 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 \$126,164.57 rate 4.230%**
- **Balance today in Community Banks investment account \$11,004,938.57 rate 4.470%**
(This rate equals today's Fed Funds Rate of 4.250% plus 22 basis points)
- **Balance today in Commerce Bank investment account \$22,000,669.93 rate 4.355%** (This rate equals today's 91-day T-Bill rate of 3.905% plus 45 basis points)
- **Balance today in Sovereign Bank investment account \$11,009,404.75 rate 4.380%** (This rate equals today's 1-month LIBOR rate of 4.380% plus 0 basis points)

\$10M TRAN Line-of-Credit Status at PNC: No activity to date.

Mr. Yohe: Again, like I said, we had that earlier swing with the funds rate that pushed the investment account off a little bit this month. They are all pretty close though, I don't think it will be that much that we lost because of it. Actually, Commerce is the lowest for the month right now. Any questions on the Investment Report? (There were none.)

B. Investment Account Bank RFP Results

Mr. Yohe: I thought I would take today to put out an RFP on the January to June of 2006 to try and identify which three banks would be involved in this process for that time frame. I had given each of you a little summary that I put together last Wednesday. I went through, actually back through two years worth, of monthly interest rates for each of the proposals. Granted I looked at their forecast for the next six months, where they think the rates are going. There is a definite amount of subjectivity in picking this because they are all different indexes that they are tied to. A lot of them are tied to different indexes. Bottom line, I came up with the order: Graystone Bank, Sovereign Bank and Commerce Bank as 1, 2 and 3.

Mr. Haste: You ranked those on their average, not on the quoted amount, right?

Mr. Yohe: Both. I think all three did average out to be the highest also.

Mr. DiFrancesco: The quoted rank and I don't have it in front of me. I think PNC...

Mr. Haste: PNC would have finished third under the quoted rank. On the average it doesn't.

Mr. Yohe: Alright, let me take a quick look at that. It is based on the two year trend. LIBOR was the highest. Consistently that rate they quoted over the whole time frame was the highest of the different indexes they picked. We had the 91 day Treasury Bill and the Fed Funds and then Mid Penn had another rate based on a mutual fund that they put the money in, a government mutual fund. I am here to answer questions.

Mr. DiFrancesco: When we put the RFP out how do we tell them we would make the selection? How is the criteria lined up? When I see a quote I take that to mean that is what they are giving us.

Mr. Yohe: I take everything into account. When I talk to them I ask them to give me their input, their estimates of where they think their rates are going. I am going to compare historically how the rates have done that you have picked. I didn't say if you come in with the highest rate in January you are going to particularly win it.

Mr. Hartwick: Mike are you going to be asking us to make a selection today?

Mr. Yohe: We don't have to. It's just that the longer we go until we get this set-up. I told all of them too that we probably won't have this set-up right away in January because of everything else that we have to get done at the end of the year. We probably ought to have something in place by mid-January, I would think.

Mr. Haste: I don't think there is a question on one and two and I see the note on Graystone. They really would only take a portion. They wouldn't take their whole share anyhow.

Mr. Yohe: Which one are we looking at? PNC?

Mr. Haste: Yes. It's just that if you look at PNC's quoted number, if we went on that it would rank them third, but when you do your average it puts them at fifth. We're just trying to figure that out.

Mr. Yohe: That is because the 91 that's another one were I looked at the actual rates quoted for 2 years.

Mr. Haste: The historical rates?

Mr. Yohe: Yes. Over the last two year based on the quotes that were offered here PNC's average rate over the last two years has been 2.273%. Whereas Commerce's was 2.564% based on the 91 day T-bill plus 30 points through that last time frame. Now I expect over the next 6 months the rates are going to keep a gradual incline at least through June. The quotes that I had were based on the Fed Funds. They each

predicted that they were going to raise the Fed Fund another quarter point. One in January and I think the next meeting is in March for whatever reason they feel that is about it then. The quotes that I had only had two raises of the Fed Funds rate in the next 6 months. Factoring all that in the 91 day T-bill follows those Fed Funds rates. It is a little bit behind but I felt over the last two years it would average out over 6 months higher than PNC's. Particularly since PNC has taken points off. If PNC would have added 20 points they would have been in it, but by virtue of them taking 5 points off of the Fed Funds rate that threw their average down lower.

If you remember Community Banks was in next. They added 22 points to the Fed Funds rate. That is how they stayed in the mix the last 6 months. Of the top three that I did pick, that was the one that was off. The rates that you are looking at are the ones that were quoted as of that day. But when I went back and looked at the average it was clear that Commerce Bank was considerably higher than the Fed Funds minus 5 over the last 2 year period. It was 2.5% versus 2.27%. It is a significant amount.

Mr. Hartwick: Are we going to make a motion on this?

Mr. Haste: Yes. Is there a motion?

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to accept the recommendation of the Director of Budget and Finance, which is to accept the RFP from the following banks to use as investment accounts; Graystone Bank, Sovereign Bank and Commerce Bank, contingent upon the Dauphin County Solicitor's satisfactory review of Graystone Bank's Act 72 Collateral. All were in favor. Motion carries.

Mr. DiFrancesco: I think every decision we make regarding a bank has to be contingent. So we can make sure that statutorily required collateral is in place.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Saylor: I am here to answer any questions that you might have.

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

Mr. Tully: I have nothing to add to my report.

MATTERS REQUIRING BOARD ACTION

Mr. Haste: We have items A through FF. Is there anything that needs to be pulled out and discussed?

Mr. DiFrancesco: I just have a couple questions and a comment. The cleaning contract for Parks and Rec, do they do that on competitive bid? I raised this question before

regarding District Justices offices and how those decisions are made for the outlying buildings. They get quotes and go through an RFP process?

Mr. Haste: Right.

Mr. DiFrancesco: Okay.

Mr. Saylor: They apparently do.

Mr. DiFrancesco: Okay, thanks.

Mr. Hartwick: Item DD is a one month extension?

Mr. DiFrancesco: Correct. I was going to ask for any questions. Item DD is a one month extension. Just a couple of questions came up. I don't believe anything too serious but we decided it would be better to do an extension of the contract and work out those issues so we have those answers and then go ahead and move forward on it next month.

As far as Item EE I am going to look to somebody else to tell us exactly where we are. By way of introduction, there has been intense negotiations going on for the past two weeks regarding Dauphin County Radio Communications Project and those negotiations have been going very well. I need somebody who was in the room to basically stand up and provide us a summary of where we are.

Mr. Saylor: Well, I can talk and someone can correct me. I think we have reached an agreement in terms of price and product. I think some of the Latin and the phrasing in the actual contract itself still needs to be hammered out but the framework of the agreement is ready to roll. We anticipate, with approval of the letter of intent today, that we should have everything else worked out and the actual document prepared and ready for signature by the end of this week within the next couple of days. The Commissioners' will sign and then we will list it on the agenda for approval retroactively on the 4th of January, 2006.

Mr. DiFrancesco: Is the Solicitor's office happy? (Mr. Tully nodded.) Literally they were hammering out the details of this until late last night. We wanted to get this done. I don't know if there are any questions. The team has sat down and ironed things out to the point were certainly Dauphin County's first responding community will be taken care of very well, as well as, Dauphin County's taxpayers were given adequate consideration. I just want to thank the entire team both from Motorola's side and from the County's side for hammering this out so we can get this project rolling. Thank you all very much for your hard work. Any other questions?

Mr. Hartwick: No.

Mr. Haste: Just to clarify, we will be approving a letter of intent that spells out the contractual amount with the details to be hammered out by the Solicitor's Office.

Mr. Hartwick: I do only have one other question. On item AA we are going forward with the straight renewal as negotiated by our two-year contract agreement where we had come in and brought in a counter proposal. There was a proposal made by Highmark but clearly didn't meet our counter proposal so we are just going with the two-year deal with plans to open up and renegotiate. Is that a correct assumption here?

Mr. Saylor: That is correct. As we discussed there was not enough to put on the table that made it worth our while to sign a three-year deal.

Mr. Hartwick: Not even close.

Mr. DiFrancesco: For the record the contract price that was worked out through the negotiation process was \$20,141,546. This number is actually a little bit less than the amount that we had to go on when we made the decision to move forward on negotiations with Motorola. Again, for the public we did our best to cover the taxpayers and we know we are going to do our best to protect the first responder community. We also know that Motorola certainly has a great track record of doing what is right for the first responder community. I am sure that system is going to work well. The negotiation team on both sides did a great job meeting the goals that this Board had set down. We look forward to seeing this contract progress and maintaining the working relationship that we will have over the next four years as the project actually gets implemented.

Mr. Haste: Is there a motion to approve Items A through FF?

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the Matters Requiring Board Action Items A through FF. All were in favor. Motion carries.

- A. Training Packet
- B. Appointment of the following to the Dauphin County Ag Land Preservation Board:
 - 1. Paul E. Clugston
- C. Appointment of the following to the Capital Area Transit Board:
 - 1. Eric C. Bugaile
- D. Reappointment of the following to the Dauphin County Social Services for Children and Youth's Citizens Advisory Committee:
 - 1. Lori Leitzel
- E. Reappointment of the following to the Dauphin County Area Agency on Aging Council:
 - 1. Virginia Bruner
 - 2. Michael E. Donaldson

- F. Reappointment of the following to the Board of Trustees for Fort Hunter:
1. Thomas Drummond
 2. Tom Potter
 3. Claire Powers
- G. Reappointment of the following to the General Authority
1. Douglas Gelder
- H. Reappointment of the following to the Industrial Development Authority:
1. Bill Woolf
- I. Appointment/Reappointment of the following to the Dauphin County Library Advisory Board:
1. Dr. Thomas Carey
 2. Sara Jane Cate
 3. Carole DeSoto
 4. Marilyn Kanenson
 5. Linda Ruff
- J. Appointment/Reappointment of the following to the MH/MR Advisory Board:
1. Margaret M. Chapman
 2. Jerome F. Davis
 3. Loren D. Prescott, Jr.
- K. Appointment of the following to the Parks and Recreation Board:
1. Kirk Fox
 2. Warren E. Guenther
 3. William C. Seeds, Sr.
 4. Lori Kieffer-Yeich
 5. Joseph D. Kerwin, Esq.
- L. Appointment of the following to the Tourism Advisory Board:
1. Timothy Bugas
 2. Gary Luderitz
 3. Chad Saylor
- M. Appointment/Reappointment of the following to the Workforce Investment Board:
1. Toni Arnold
 2. Joseph A. Crown, II
 3. Linda Figueroa
 4. August "Skip" Memmi
- N. Appoint Chad Saylor to the Susquehanna Area Regional Airport Authority. (SARAA)
- O. Change in IRS issued mileage rates for expense reimbursement - effective January 1, 2006 rate will adjust from 48.5 cents per mile to 44.5 cents per mile.

- P. Dauphin County Liquid Fuels Funds 2005 End-of-Year Encumbrances for the following projects:
1. County Bridge No. 122 (South Hanover/Derry Township) - \$300,000
 2. County-Wide Bridge Guide Rail Updates - \$250,000
- Q. The Dauphin County Plan of Election Reform.
- R. Commissioners Approval to contribute the County's *pro rata* share (\$1,440.00) for appraisal services and trial costs needed to ascertain the true value of property owned by the Harrisburg Comfort Inn (Crown America Hotels) located at 4201 Union Deposit Road, Harrisburg – Tax Parcel No. 35-075-043.
- S. Purchase of Service Agreements for FY05/06 between Mental Health/Mental Retardation and:
1. Consumer Satisfaction Services
 2. Elwyn, Inc.
- T. Purchase of Service Agreement for FY05/06 between Area Agency on Aging and AgBayada Nurses.
- U. Purchase of Service Agreements for FY05/06 between Children & Youth Agency and:
1. Youth Solutions Residential Services, Inc.
 2. Adelphoi Village, Inc.
 3. Family Care for the Children and Youth, Inc.
 4. James L. Nice
- V. Amendment #1 to FY05/06 Purchase of Service Agreement between Children & Youth Agency and Pyramid Healthcare, Inc.
- W. Satisfaction Piece with Doreen J. Bell for property located at 1252 Second Street, Steelton.
- X. GIS License Agreement between Information Technology and New Pennsylvania Realty, Inc.
- Y. Lease Agreement between Mental Health/Mental Retardation and the Commonwealth of Pennsylvania
- Z. Refund of 2005 Real Estate Taxes to Colonial Park Properties, LLC, 800 King Russ Road, Parcel #35-067-008, in the amt. of \$11,292.85.
- AA. Renewal of Highmark Blue Shield rates for the dates of January 1, 2006 through December 31, 2006.
- BB. Extension Agreement between Dauphin County and Cornell Abraxas Group, Inc., for the provision of management services at the Herbert A. Schaffner Youth Center.
- CC. Agreement for Janitorial Services between Dauphin County Parks & Recreation and Barbara Tenalio of Joe's Cleaning.
- DD. Adopt Resolution No. 38-2005 authorizing the obligation of the HELP America Vote Act (HAVA) Grant funds received by the County of Dauphin as administered by the PA Dept. of State.

- EE. Non-Binding Letter of Intent to Enter into Contract between Dauphin County and Motorola, Inc., for the Dauphin County Emergency Communications System.
- FF. Work Change Directive No. 1 between Dauphin County and Herbert, Rowland & Grubic, Inc., Rolleston Street, City of Harrisburg District Justice Office.

FORMER BUSINESS

Mr. Haste: Is there anything that needs to be brought up under Former Business? (There was none.)

NEW BUSINESS

Mr. Haste: Any new business? (There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. Haste: Any further discussion? (There was none.)

CORRESPONDENCE

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

- A. Receipt of a letter from Pepper Hamilton LLP indicating that they filed a Petition for Assessment Appeal from Adjudication of the Board of Assessment Appeals on behalf of Highspire School Apartments Associates.
- B. Receipt of a letter from the PA Department of Environmental Protection indicating that Permit No. 22041301, the Seven-Foot Slope Operations in Williams Township, has been corrected per application #22041301C, dated October 30, 2005.
- C. Receipt of a letter from R.J. Fisher & Associates, Inc. providing notification for use of General Permit GP-5 for 'Apple Creek Farms phase 2' residential development in Susquehanna Township.
- D. Receipt of a letter from Pennsy Supply indicating their application for an Air Quality Plan Application for use at the Hummelstown Fire Grind Plant.
- E. Receipt of a letter from Cunningham & Chernicoff, P.C. providing an advisory notice pursuant to the Dauphin County General Authority and Forum Place, C&C File No. 911303.
- F. Received the June 30, 2005 financial report from The Program for Female Offenders of South Central Pennsylvania, Inc. and The Program for Female Offenders, Inc. of the Greater Harrisburg Area.
- G. Received a letter from Exelon Generation Company, LLC and AmerGen Energy Company, LLC providing notification of application to use weighting factors for external exposure.

- H. Received a letter from DRL Consulting & Development, LLC, on behalf of the City of Harrisburg, providing notification indicating they applied to DEP for a permit to rehabilitate the boat launching ramp on the southern end of City Island in Harrisburg, Dauphin County.
- I. Notification from Stewart-Amos Steel, Inc., indicating they have applied to DEP for renewal of their permit for surface coating operation.
- J. Notification from Penn National Gaming, Inc., indicating they intend to submit an application for a slot machine license for Penn National Race Course in Grantville, East Hanover Township, Dauphin County.
- K. Notification from Haines & Kibblehouse, Inc., indicating that Handwerk Materials, is making application to DEP for renewal of their existing State Only Minor Operating Permit for the installation or modification of any new or additional equipment for the asphalt plant located at Lower Swatara Township.
- L. Notification from Haines & Kibblehouse, Inc., indicating that Handwerk Materials, is making application to DEP for renewal of their existing State Only Minor Operating Permit for the installation or modification of any new or additional equipment for the crushing plant located at Lower Swatara Township.
- M. Notification from Dauphin Engineering Co., on behalf of Integrity Bank, indicating they intend to submit an application to DEP for coverage under the general permit for discharges of storm water from construction activities at 6085 Allentown Boulevard, Lower Paxton Township.

PUBLIC PARTICIPATION

There was none.

ADJOURNMENT

Mr. Haste: I would like to provide a reminder that we have Retirement Board. Would you like to start at 10:45 am, Marie?

Ms. Rebeck: That is fine.

Mr. Haste: We will have Retirement Board that will convene at 10:45am.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to adjourn the meeting. All were in favor. Motion carried.

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff

Transcribed by: J. Wolgemuth

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