



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**WORKSHOP MEETING**

**MARCH 24, 2010**

**10:00 A.M.**

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Chad Saylor, Chief Clerk; Marie E. Rebuck, Controller; Bruce Foreman, Esq., Solicitor's Office; Randy Baratucci, Director of Purchasing; J. Scott Burford, Deputy Chief Clerk; Kay Lengle, Personnel; Gary Serhan, Deputy Controller; Stephen Suknaic, Director of Juvenile Probation; Mike Potteiger, Director of Adult Probation; Chad Libby, Juvenile Probation; Tom Guenther, Director of IT; Leila Brown, Solicitor's Office; August Memmi, Director of Community & Economic Development; Garry Esworthy, Risk Manager; George Connor, Community & Economic Development; Troy Petery, Courts; Amy Richards, Commissioners' Office; Stacey Patrick, Controller's Office; Jena Wolgemuth, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

**GUESTS PRESENT**

Emily Opilo, K. Jameson Lawrence, Esq., John Traynor, and Clint Cullison

**MINUTES**

**CALL TO ORDER**

Mr. Haste, Chairman of the Board, called the meeting to order at 10:16 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 a couple meeting minutes that we'll take up at next week's Legislative Meeting.

## **PUBLIC PARTICIPATION**

Mr. Haste: We are at the point in time in the meeting for public participation. Is there anyone in the audience that would like to address the Board?

Mr. Lawrence: My name is Jamison Lawrence and I am a local attorney and investment banker. I own a company called BVFR & Associates, LLC, which is in Lemoyne, Pennsylvania at 1300 Market Street, Suite 3. I'm also a resident of the City of Harrisburg. I own a home at 262 Boas Street in Harrisburg. Today I am before you in my capacity as a partner in the Harrisburg Midtown Arts Center. It is located at Third and Herr Streets. It is an existing facility that houses a company called Stage on Herr. We are before you to ask that the City of Harrisburg, pursuant to the American Reinvestment and Recovery Act, be designated as a recovery zone. We hope that by working through your offices, we can have recovery zone facility bonds designated to expand the facility to include a restaurant, a film office, an expanded performance arts center upstairs and a therapeutic spa for the elderly and disabled. I would be happy to address any questions.

Mr. Hartwick: We had an opportunity to discuss and I know you did the same with the other Board members. We are trying to understand the stream of funding and what kind of exposure may exist from the County's perspective. I believe it is a good project. I think it is going to be something that we take a look at over the next week and address.

Mr. DiFrancesco: Just to add, I had the opportunity to tour the facility yesterday afternoon. I got the tour of the facility and a look at the expectations, the business plans and so forth. I was amazed. I went by that building a million times. We've talked about that building for potential uses for a very long time, but I never had an opportunity to go into the building. It is just an amazing historic building. The potential, as it was being described, you could just see it. It wasn't hard to envision this plan coming together. It was pretty amazing. It was very unique. I'll give you a lot of credit for the plan, the initiative and for the work that has already been done. It is very impressive. Again, as George said there are some questions that we need to get answered over the next week, but I'm pretty excited about the project.

Mr. Lawrence: I appreciate that Commissioner.

Mr. Haste: What we will do is we'll have this on our Legislative Meeting Agenda next week. I think we all took the tour. I took it last Thursday. My wife and I went to see the show on Saturday night and again it is everything you said it would be and then some. I think there is great potential here. In declaring this area, and maybe this is part of what we need to look at by next week, a recovery zone, I'm not familiar, do we just declare this property or a block? What do we need to declare?

Mr. Lawrence: I prepared about a week ago and had shared with Counsel Carlucci a sample resolution. We've done several of these projects throughout the country. Because the ARRA was specific to narrow the inclusion of who could participate, only cities or municipalities with the population that exceeded 100,000 could receive this money. Therefore, in the case of Dauphin County, Dauphin County was allocated \$3.275 million in recovery zone facility bonds, which by law, must be utilized by December 31, 2010 or you lose the monies altogether.

Mr. Haste: There is a June deadline too.

Mr. Lawrence: What the State has done in allocating to the various counties in Pennsylvania was to establish a deadline by which the local authorities apprise the State of its plan to utilize these particular funds or they can revert back to the State. The State would then have the right to designate which projects get funded. As an example, Pennsylvania has a process where it is first come, first serve. To the extent that you have or other developers have projects that they deem to be eligible for Recovery Zone Facility Bonds financing throughout the Commonwealth, they would have to go through the steps that we've affected already, which is to basically make the presentation, ask, in this case, that the City of Harrisburg be designated as a recovery zone. By qualification your counsel will verify the reason why Dauphin County was given the amount of money that it was, based on a particular matrix tied to unemployment rates and population expansion or retention. In the case of the City, Harrisburg has an 11.1% unemployment rate as of December 2009 that exceeded the State unemployment rate. So, by definition it would qualify as a recovery zone. So, in this case the Commissioners can designate the City of Harrisburg as a recovery zone. You have the authority to say in addition to the City of Harrisburg we can do other areas throughout Dauphin County that are eligible for recovery zone as well. We are shovel ready, which again are words that were defined by Statute. We're not building from the ground up. We are simply expanding an existing building that has an adaptive reuse that all of you have seen and that we have been operating thus far. The City of Harrisburg might be deemed a recovery zone, that simply then gives you the ability to allocate the request for funding that we need to expand on the site as set forth in the business plan.

Mr. Haste: This building has been vacant for how many years?

Mr. Lawrence: A long time. John Traynor is here as well. He purchased and paid market value in 2008 for the building from the Harrisburg Redevelopment Authority. We invested over \$1 million of our own capital into this site. We are looking to employ 50

people through the construction process. We had Wagman Construction walk through to give us firm numbers. We are working with a well respected Architect in the county to make certain that the work that we are doing is right and that obviously we are being good stewards of the public funds. This is a conduit financing coming to the county via the Federal government. I take this project very seriously.

Mr. DiFrancesco: I want to give you credit too, because I was one of the I don't want to say more impressive, because the entire thing is impressive. One of the impressive facts was the fact that so much was already happening in the building based on private investment. Unfortunately, today we see way too much of somebody coming with a great idea and they expect the government to pick up the tab. Obviously you have been in this project so much that you have already done a lot of work on that building. A lot of the infrastructure is already in place. That is what made me feel good about this project.

Mr. Lawrence: Thank you Commissioner. If I could add for clarification, there were queries that we got relative to whether or not this impacted in any way the county's volume cap requirements for bonds. Again, by virtue of the Statute, it does not. Prevailing wages, Davis Bacon does not apply so to the extent that you are thinking of whether or not we are coming to the county and asking the county to provide some type of guarantee that is not the case. It is a conduit financing. As a private investor, it would be my responsibility to work in conjunction with the IDA and/or PEDFA to go to the marketplace and work with a remarketing agent. PEDFA uses PNC and the Bank of Mellon is essentially the underwriter. We would secure a letter of credit. That letter of credit would act as the enhancement to help facilitate a better rating on those bonds. It is essentially private activity bonds that are non-recourse to the county. I wanted to make that clear on the record as well.

Mr. Hartwick: Those are all the legal issues that we are going to be examining. Actually I've set up a meeting later on today to talk to our solicitor and to Economic Development to try to get this thing forward from our perspective. The other exciting part and I don't know if a lot of folks know that there is a natural symbiotic relationship between tourism and the Midtown Arts Center, because they act as the Central Pennsylvania's Film Institute. What is the actual terminology?

Mr. Traynor: The Central Pennsylvania Film Office.

Mr. Hartwick: We are going to be working actively to try to attract national and international opportunities for people to bring and set up shop and to actually film movies here at this location. That is another potential great opportunity. No one really is taking the leadership role in that, but from the private side where we have some experienced folks who have done this for a living are putting together a strong plan to lure in potential movie makers.

Mr. Lawrence: We were involved, if you guys remember, last summer in a picture called "Another Harvest Moon". We find experience in our investment banking capacity

in helping to work with local film directors. One lived in Dauphin County and the other lived in Lancaster to help them bring to fruition “Another Harvest Moon.” Tapping into that experience and then piggybacking on John’s experience as a producer and we have another partner who is a Hollywood producer. We think that we have the right kind of connections, the people that bring that activity to Central Pennsylvania and heretofore our activity has been geared mostly to Philadelphia. So, we have been in contact with the Governor’s Office. Commissioner Hartwick was nice enough to advise us of the importance of tourism and the ability to interact with certain agencies within the county as well. We are looking forward to that.

Mr. Haste: I think the timing of this is very fortunate. We sat actually in this room within the last several months and talked about how last year we went through a series of programs through our Parks & Recreation Department and through our Personnel Office. We had cultural events and different events. We had people come from out of the area and talk about the young talent that we have here, the untapped young talent and how it is better than probably most people realize. I think this also will give those young individuals an opportunity and a chance that they may not have had otherwise to be discovered to refine their talents and move forward. This could be a great thing for this region.

Mr. Hartwick: I actually took a young man who performed at our State of the County the following night to an actual event at the Midtown Arts and it turned out phenomenal. It was a great venue.

Mr. Haste: Thank you very much and we will have our folks take a look at it and will take action next week.

Mr. Lawrence: I appreciate the effort.

Commissioners: Thank you.

## **DEPARTMENT DIRECTORS/GUESTS**

(There were none.)

## **PERSONNEL**

Ms. Lengle: Are there any questions on the Salary Board items in the Packet? (There were none.)

Are there any questions on any items in the Personnel Packet?

Mr. Saylor: I would only note for the record there is a Children & Youth position that is coming in outside of the window. Janis has a request for an employee and I believe she spoke to you about this. The rest appear to be part-time.

Mr. Hartwick: I can answer the Children & Youth question, because I have asked it and asked that they adhere to the window as well. This is the final piece in the Intake Unit to restructure how we move forward in addressing that. Based upon timing and Civil Service requirements, we need to take action in order to finish that re-coordination and rearrangement of that office so I support that.

### **PURCHASE ORDERS**

Mr. Baratucci: The Purchase Order Packet, are there any questions on the Packet? (There were none.)

In addition and these can be voted on next week, but there should be a total of four items in your Packet, two Blackberry requests and two Remote Access requests. The first Blackberry that I had given you yesterday was a personal one for a person in Judge Coates' office. I would assume that wouldn't be an issue since they are paying for it personally. The second Blackberry one just came in late yesterday. It is for CID and the County is paying for it. It is out of Drug Task Force funds. I believe that is one of those memorandum of understandings that even though the funds are controlled by the District Attorney's Office that they agreed that they would go through our process to get official approval. There are two Remote Access requisitions for Adult Probation and there is an email memo attached to those. If you recall we did, I believe, 15 of those at three different times over the last couple months. Evidently two of them were missed. These are the last two. There is an email explanation from Carolyn and I believe Mike is here in case there are any questions. They determined that they do have two more of these and they are being paid for out of supervision fees.

Mr. Haste: Commissioner DiFrancesco asked that these be charted and we track whether or not there was a savings in time.

Mr. Potteiger: Yes, these are the last two Air Cards that would then encompass all my field staff to have the wireless access. That was the same direct correlation of what I explained earlier and we are still maintaining and seeing the same results as we did before.

Mr. Baratucci: These can all be moved to next week.

### **TRAINING PACKET**

Mr. Haste: We don't have anything that we need to deal with this week is there Chad?

Mr. Saylor: No, there is not.

### **ITEMS FOR DISCUSSION**

- A. Authorization for Bulk Fuel Bid through Central Pennsylvania Energy Consortium.  
**(\*\*\*VOTE REQUESTED 3/24/10\*\*\*)**

- B. Proposed settlement among Merck & Co., Inc., Schering-Plough Corporation, Merck/Schering-Plough Pharmaceuticals and various consumers and third party payers, including Highmark, Inc., in connection with payments made for prescription medications Vytorin and/or Zetia between 11/1/2002 and 9/17/2009. **(\*\*\*VOTE REQUESTED 3/24/10\*\*\*)**

Mr. Haste: Items A and B are for a vote. I know Scott had filled me in on them. Is everyone up to speed?

Mr. DiFrancesco and Mr. Hartwick: Yes.

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve Items A and B, listed above under Items for Discussion.**

**Question:** Mr. Haste – Aye; Mr. DiFrancesco – Aye and Mr. Hartwick – Aye; motion carried.

### **SOLICITOR’S REPORT – BRUCE FOREMAN, ESQ.**

Mr. Foreman: In place of Mr. Tully I’m appearing today just to advise you that the report has been circulated and we would be happy to try to answer any questions if you have any. (There were none.) The items should be ready for a vote next week.

### **CHIEF CLERK’S REPORT – CHAD SAYLOR**

Mr. Saylor: I have one item. The Airport Authority met this morning. One item we have moved upon is hiring Delta Development to represent the Airport and its interests at the Federal level and the State. The main priorities are to obtain funding to help develop economic development opportunities at the limited space on the airport. I think the top priority that they have identified is the demolition of the old terminal. The old terminal occupies a very key part of the airport grounds. There are opportunities to develop that and have it generate some income for the airport, but we first have to get rid of the old terminal building. That is kind of the big development there. Frankly, it is long overdue. They needed somebody to help them. They are very dependent on Federal funding in particular and they really needed to cultivate that a little bit. Other than that unless there are questions of me that is all I have.

Mr. Hartwick: Has anybody ever reached back out and found out what the final resolution to the investment of the individuals who wanted to, for lack of better terminology, “pimp my plane” those folks who were trying to retrofit airplanes?

Mr. Haste: I had a conversation. I think the economy hurt them. They didn’t have all the equity themselves. They were looking to borrow a fair amount of money. That ability dried up when the economy went in the tank.

Mr. Hartwick: It is something that we should continue to at least keep a dialogue open.

Mr. Saylor: They have had several productive meetings. I know Tim Edwards, the Airport Director, was very excited about the prospect and had asked them for information. I guess the information never came and I think, as Commissioner Haste said, the economy took its toll. That would be an opportunity. They were looking at that particular parcel and they would have to demolish the hangar and the old terminal so they could build a new hangar.

Mr. Hartwick: Periodically check in and keep connected. That would be a good thing.

Mr. DiFrancesco: I think the folks that administer and run the Airport do a very good job. I think we have a great team down there. My concern and I know these types of contracts don't come across our desks, but when they do move on them there has been a lot of strategic planning done by the people down there. I've seen now at least three or four different potential strategic initiatives come past my desk and have not seen really any action taken on any of them. There may be a lot of factors and reasons why that happens. I do believe there needs to be more communication back and forth, because when something comes in to be sold as a potentially great thing for the Airport and then all of a sudden it goes away, we don't hear anything. Then the next great thing comes down the pike and we don't hear anything again. That starts to present a real problem. That Airport is so incredibly important to our local economy and because of the growing challenges in terms of the entire spectrum of transportation funding; I just think we need to really be working in close relationship with the Airport. We put in some bids for some very competitive industrial opportunities and I understand they are competitive and they went to other states, but we need to make sure the Airport does continue to develop, because it is one of our most critical assets in this region. I really would like to have some follow-up on this and find out where it goes.

## **COMMISSIONERS' COMMENTS**

Mr. DiFrancesco: Congratulations! I had the opportunity to go to the Central Penn Parents Healthcare Heroes session yesterday where they basically honor individuals from the healthcare community all across the Board; doctors, nurses, support staff, even veterinarians and so forth. I'm very proud to say that Dauphin County's Wellness Program was honored. We ended up getting the "Workplace Wellness Hero Award" for our Wellness Program, primarily focusing on the Wellness Fair and the success that it has had and the County's and the employees' involvement. To everyone on the Wellness Committee, I want to congratulate them. They are doing a great job and yes I want to congratulate Jena Wolgemuth who, at least in the early phases, took most of the flack. She accepted the Award, but it is good to be honored. There is an evaluation process and it was pretty exciting to see us win. We were up against Holy Spirit Hospital systems.

Mr. Hartwick: Just to add to that there is a spectrum of awards going to Jena. She is going to need a bigger closet. She is also going to be honored tonight, along with Helen Spence, with the Women of Excellence Award here in Central Pennsylvania. Jena's will

be for her outstanding work in Wellness, as well as public service and Helen's is for her Systems of Care. These two women are doing great work here in this County.

### **PUBLIC PARTICIPATION**

Mr. Haste: We are again at the point in time in the meeting for public participation. Is there anyone in the audience that would like to address the Board? (There were none.)

Before we adjourn, we have Retirement Board which will convene at 10:45 a.m.

### **ADJOURNMENT**

**There being no further business, it was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board adjourn.**

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz