



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

MAY 2, 2012
10:00 A.M.

MEMBERS PRESENT

Jeff Haste, Chairman
Mike Pries, Vice Chairman

George P. Hartwick, III, Secretary (ABSENT)

STAFF PRESENT

Laura E. Evans, Esq., Chief Clerk; Marie E. Rebuck, Controller; Janis Creason, Treasurer; Joseph A. Curcillo, III, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Kay Lengle, Human Resources; Dave Schreiber, Human Resources; August Memmi, Director of Community & Economic Development; Steve Libhart, Director of EMA; Gary Serhan, Deputy Controller; Keith Kepler, Director of Solid Waste & Recycling; Steve Chiavetta, Director of Registration & Elections; Greg Schneider, Budget & Finance; Fred Lighty, Esq., Human Services Director's Office; Garry Esworthy, Risk Management; Bruce Foreman, Esq., Solicitor's Office; Jean King, Register of Wills; Faye Fisher, Director of Human Resources; Edgar Cohen, Director of Facilities Maintenance; J. Scott Burford, Deputy Chief Clerk; Leila Brown, Solicitor's Office; Amy Richards Harinath, Press Secretary; Mike Sload, EMA; Brenda Hoffer, Commissioners' Office; Abby Gabner, Commissioners' Office; Julie Mackey, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Shannon Williams, James Creason, James Roxbury, Jay Wenger, Charles B. Zwally, Esq., Mark Stewart, Marc Kurowski, Jack Lausch, Chris Feese, Mrs. Sload and family, Jack Crago and Carol Crago

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:10 a.m.

MOMENT OF SILENCE

Everyone observed a moment of silence.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

The Minutes from the April 18, 2012 Workshop Meeting, April 25, 2012 Legislative Meeting and April 25, 2012 Salary Board Meeting will be considered at next week's meeting.

ELECTION BOARD MEETING

A complete set of Election Board Meeting Minutes are on file in the Commissioners' Office.

PUBLIC PARTICIPATION

Carol Crago commented on the development of an additional parking area for the Fish & Boat Commission at Fort Hunter Park. Her comments were provided to the Chief Clerk so they could be made a matter of public record. (Comments Attached)

DEPARTMENT DIRECTORS/GUESTS

A. Shannon Williams, Interim Executive Director, The Harrisburg Authority

1. Presentation – The Harrisburg Authority – Solid Waste

Marc Kurowski introduced the employees that were present from The Harrisburg Authority – Shannon Williams, Engineering Director & Interim Executive Director; Jack Lausch, Solid Waste Facility Director and Chris Feese, Interim Finance Director. The Authority has many things going on with solid waste and would be happy to answer any questions.

Commissioner Haste thanked Mr. Kurowski for his willingness to work with the County and for having the best interest of the region at heart.

Ms. Williams updated the Commissioners on the following:

Finances:

- 2012 Budget and Balance Statements Comments
 - See March 20, 2011 Letter to County Legal Advisor
 - Response to March 23, 2011 follow-up – pending
- Administrative Fees and Expenses
- Debt Service
 - 2012 Due vs. 2012 Budgeted
 - Calculation Methodology for Actual Payment Amount
- Operating Reserve fully funded at \$3.5 million as of February

Projects:

- See Summary on Page 2
- Timing: Why now if selling/leasing facilities?
 - DEP mandates
 - Prevent environmental compliance failures that would lead to decreased capacity
 - Cost saving measures
 - Ensure site is in compliance and facilities fully operational when sale or lease is consummated
 - No guarantee of timing of transfer
 - No guarantee that landfill will be included in transfer
 - Interested party will consider these liabilities in their offer

Receiver's Solicitation for RRF Sale, Lease or Other Strategic Transaction:

- Process
- Schedule
- Status

Future Presentation/Discussion Topics

- Continued Updates on RRF and Solid Waste
- Other THA Functions:
 - Water
 - Wastewater
 - Stormwater (Combined Sewer System)
- Cogeneration and Energy Market Study:
 - Investigation of most financially beneficial use of energy created by the HRRF
 - See previously provided "Final Report" dated February 2012 from Gabel Associates and CDM
 - Recommendation:
 - Repair turbine. Install dump condenser. Consider VFDs on fan motors.
 - Not currently cost effective to replace steam pipeline. (Low demand, large expense)
 - Pursue changes in legislation to allow virtual net metering.

- Air Pre-Heater Project:
 - Unit 1 completed October 2011 - \$453,226 – (utilized spare tubes from inventory).
 - Utilized Operating Reserve – Fully funded February 2012
 - Unit 2 completed February 2012 - \$530,289
 - Budget: 6800A RRF Maintenance \$810,000

- Effluent Water Reuse System:
 - Completed repair of force main from AWTF to D&D Bldg., cost of \$9,400
 - Budget: 6800A RRF Maintenance \$810,000
 - 6505.5.C Water Budget: \$518,600 assuming no EWRS during first quarter of 2012 then last nine months of 2012 reduce potable water usage by 2/3.

- Landfill Interim Grading Project:
 - Re-grading existing ash to 2.5:1 slopes and applying soil cover to inactive areas of the landfill.
 - Bids received 3/20/12. Awarded to: Kinsley Construction Sitework: \$3,798,930
 - Onsite 4/23/12 for 120 day project.
 - Budget: 6501.O.F. Ash Mgmt and 6501.8 Ash Disposal \$3,876,700

- Landfill Leachate System – Pumps & Flow Meters:
 - Replacement of pumps and flow meters which are currently inoperable.
 - Bids received 4/25/12. Awarded to: Chesapeake Containment Systems: \$43,067.
 - Scheduled for completion by mid-June 2012.
 - Budget: 6800 LF Maintenance/Improvements \$85,000.

Questions were raised with regard to selling to the grid. DGS will not sign the contract. They need legislative changes. The capital cost is so significant that it is not practical. Solar and wind are tier 1 and what the Authority is offering is a tier 2.

Until the facility is sold, the Authority needs to continue to run the facility and it needs to be run in a way that is profitable. The Authority will continue to provide updates to the Commissioners.

B. Dauphin County Commissioners

1. Emergency Management Agency – Telecommunicators Awards (Stork Pins)

Commissioner Pries discussed the background of the telecommunicators awards. Stork pins are presented to telecommunicators for offering instructions on how to deliver a

baby over the phone. Lifesaver pins are awarded for offering life-saving instructions over the phone.

Commissioner Pries read the following Proclamation:

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

***We**, the Dauphin County Board of Commissioners, take immense pride and pleasure in commending the extraordinary composure, compassion and expertise of our exceedingly valuable, but often unrecognized, public safety telecommunicators during the week of April 30th to May 4th of 2012;*

***Whereas**, 48 full-time and seven part-time public safety telecommunicators operate the only recognized Public Safety Answering Point in Dauphin County;*

***Whereas**, these skilled telecommunicators effectively serve the citizens of Dauphin County by offering callers life-saving medical instructions 24-hours a day, 7 days a week, and dispatching the fire, police, and medical units urgently needed in an emergency;*

***Whereas**, since 1991, we have recognized dispatchers nationwide, and although they are often invisible at the scene of an emergency, they have directly contributed to saving life and property in Dauphin County;*

***Whereas**, in 2011, Dauphin County's skillful and always reliable telecommunicators answered more than 400,000 calls, ranging from victims of natural disasters to witnesses of horrifying accidents and crimes, each time patiently assisting terrified callers and providing rapid response to get the care needed during a great time of distress;*

***Therefore**, in grateful tribute to the life-saving aid offered by the calm, competent and reassuring voice at the other end of every 911 call, we join the 268,000 residents of Dauphin County in proclaiming the week of April 30th to May 4th, 2012 as "Public Safety Telecommunicators Week;" we proudly honor and thank our county telecommunicators for serving as the vital link between those in need of help and those skilled, poised and eager to offer critical aid, each and every time an emergency occurs.*

There were three telecommunicators that received stork pins. They were: Dana Crum, Michael Sobers and Shane McGraw.

The Commissioners presented the lifesaver pin to Michael Sload. These telecommunicators never know what to expect. This past year they were hit with an earthquake, tornado, floods, etc. They remain calm and offer assistance. In Mr. Sload's case he assisted the wife of another dedicated County employee whose house was on fire.

Mr. Libhart indicated that the telecommunicators have extensive training, but their human element also assists them so they can remain calm while handling a crisis.

(Applause was given and pictures were taken.)

HUMAN RESOURCES

There were no questions on the Salary Board Packet or the Personnel Packet. Both Packets will be considered at next week's Legislative Meeting.

PURCHASE ORDERS

There were no questions on the Purchase Order Packet. There are no budget adjustments. The Packet will be considered at next week's Legislative Meeting.

TRAINING PACKET

The Training Packet will be considered at next week's Legislative Meeting.

ITEMS FOR DISCUSSION

- A. Purchase of Service Per Diem Rates between Children & Youth and:
1. Catholic Charities of the Diocese of Harrisburg, PA
 2. Family Care for Children and Youth, Inc.
 3. Barak, Inc.
 4. CHOR Youth & Family Services, Inc.

Item A plus additional items will be added to next week's Legislative Meeting Agenda for consideration.

SOLICITOR'S REPORT – JOSEPH A. CURCILLO, III

The Solicitor's Office has a number of items that will be added to the Legislative Meeting Agenda.

CHIEF CLERK'S REPORT – LAURA E. EVANS, ESQ.

Ms. Evans reported on the following:

- Yesterday in Dauphin County Court, 46 people became US citizens during a naturalization ceremony presided over by the Honorable Judge Bruce Bratton.
- Dauphin County is hosting a one-day diversity conference on Friday, May 11, 2012 at Harrisburg Area Community College's C. Ted Lick Wildwood Conference Center. The event will include workshops on socioeconomic differences, family composition, multigenerational interactions and related topics to build awareness and social sensitivity.

COMMISSIONERS' COMMENTS

There was none.

PUBLIC PARTICIPATION

There was none.

ADJOURNMENT

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

(Attachment A)

Transcribed by: Richie-Ann Martz

ATTACHMENT

Public Comments to Dauphin County Commissioners Regarding Fort Hunter Station Development May 2, 2012

Honorable Commissioners,

Our names are Jack and Carol Crago. We've lived at 120 Fort Hunter Road for over 26 years. Our property borders Fort Hunter Park to the southeast and now, with Dauphin County's acquisition of the Fort Hunter Station property, to the northwest as well. Some four months ago, we learned that Dauphin County entered into a grant agreement with the Pennsylvania Fish and Boat Commission back in 2007. Without any notice to the neighboring property owners, and with no apparent consideration of floodplain regulations, the County guaranteed the development of additional parking for the Fish & Boat Commissions river access boat launch, on the Fort Hunter Station property, in exchange for a grant to help purchase the parcel. Having obtained all documents relating to the grant, through a Right to Know request, we also learned that public restrooms would be placed on the property in the future.

The property is located in a floodplain with the greater portion in a floodway. It's been repeatedly flooded during every major flood event on record. We've personally experienced many floods over the past 26 years. It's difficult to describe the feeling of helplessness when you witness your home being surrounded by floodwater and not knowing for sure when the rising water will stop. Any development on that parcel, that could increase the potential for additional flooding, is something we take very seriously. In mid-December 2011, we received a meeting notice from the Middle Paxton Township Zoning Board that the County submitted an application for a variance and special exception to allow for a paved parking lot and non-motorized boat launch, on the Fort Hunter Station property, directly across from our home. Despite what others may tell you, this was the first notice to us, and our neighbors, that a parking lot and boat launch were planned for this site. We were told that we would have an opportunity to speak at the meeting to voice our support or opposition of the plan.

At the meeting, Mr. Charles Smith, from the engineering firm of HRG, represented the County's interests. Mr. Smith and the Zoning Board spoke in terms that were not understood by us. They referenced codes and ordinances that were not made available to us after repeated requests to the Township to obtain them. We were never given the opportunity to voice our opposition to the plan because it was made clear to Mr. Smith that he lacked the necessary documentation for approval of the exceptions. The Zoning Board requested that he return in 60 days with the required documents. At the end of the meeting, Carol spoke up expressing her disapproval of the proceedings. The one thing that stood out, from Mr. Smith's testimony, was that he appeared to have little knowledge of floodplain and floodway regulations and, if he did, he was not forthcoming. The plan that he proposed is prohibited by both the state and federal regulations.

The 60-day delay, allowed us time to research all regulations dealing with development in floodplains and floodways. It also gave us time to hire an attorney who practices in the areas of municipal law and land use and to consult with an expert on Municipal Floodplain Management.

In early March 2012, we received another meeting notice from the Middle Paxton Zoning Board that the County's plan had been revised and you were now requesting a special exception to allow for Parks & Recreation use in a residential zone. The stated purpose was the same as the original request "to allow for a parking lot and non-motorized boat launch".

At the meeting, Mr. Smith again represented the County with questioning by Bruce Foreman, the County's Assistant Solicitor. The revised plan called for a pervious parking lot. In previous testimony at the zoning meeting in December, Mr. Smith said that "pervious parking was not an option since it required the use of fill." Fill is prohibited in a floodway, unless it can be proven that a rise in floodwater would not occur as a result. Under cross-examination from our attorney, Mr. Smith said that the fill might cause an increase "not to exceed a foot above the 100 year floodplain? While this is acceptable in a floodplain, it is prohibited in a floodway.

Ninety percent of your proposed parking lot is in a FEMA designated floodway. In a floodway, NO increase in floodwater is permissible as a result of development. For any type of development to occur in a floodway, the engineer is asked to produce a "no rise certificate" accompanied by specific hydrology studies to demonstrate that no increase will occur. If somehow this plan is approved, and an increase in floodwater occurs as a result, both the County and the engineering firm open themselves up to liability for any additional damage to adjacent properties during a flood event. It could also jeopardize Middle Paxton Township's ability to provide National Flood insurance to all of its flood prone residents should they approve this plan.

At the close of the hearing (which was continued) both our attorney and your solicitor were asked to provide a "memorandum of law", stating their positions on the applicability of the Townships flood regulations, no later than March 12, 2012. Our attorney met this deadline, at considerable expense to us. The County did not submit its memorandum. Instead, without the courtesy of notification to us so that we could avoid the cost of legal services ~ the County withdrew its application; while you, the Commissioners, review your options — which is precisely the issue that brings us here today.

Since our testimony was never heard because of time restraints at both zoning meetings and since you are currently reviewing your options, we are directly appealing to you to reconsider your plans for the Fort Hunter Station property. Knowing what we know today, we feel this is an unwise investment of taxpayer dollars and increases the threat of damage to adjacent properties.

It's important to note that one of the permits you will need to move this project forward, requires you to demonstrate that no alternative site exists for location of this parking lot. Directly across from Fort Hunter Station, is the former site of the old Heckton Church, which is owned by the County. It appears to be a far more viable alternative since it borders the Fish & Boat Commission parking lot. Additionally, this site would eliminate pedestrian safety concerns on Front Street since it is located on the same side of the street. It's also a more viable location for the non-motorized boat launch with direct access to the river. However, the same flood regulations will apply.

In our 26 years at Fort Hunter, we have come to respect the power of the Susquehanna River and Fishing Creek having witnessed a good number of floods including flash floods.

On September 9, 2011, the Susquehanna River crested at exactly 25.17 feet. Every inch of rising water matters. Floodwater surrounded our home and was within three inches of flooding our 15* floor. Our garage, which sits lower than our 1st floor, had eleven inches of water in it and many personal items were lost. Our flood claim was substantial. With deductibles and depreciation, we were not left with enough insurance money to complete our repairs. We watched as your own building adjacent to us, underwent substantial cleanup and repair.

Pennsylvania is one of the most flood-prone states in the nation. The September flood alone, caused nearly half a billion dollars in flood losses. It's for this reason that extensive regulations have been put in place. The goal of the regulations is to protect public safety and property. In speaking with a state official, he was concerned that Dauphin County would propose any development in a floodway. The official stated and I quote, "Does the County understand that we just went through a major flood"? If anything, they should be setting an example for their municipalities?

Parks are about open spaces. While we realize that public accommodations are necessary to access parks, the addition of 39 proposed parking spaces at Fort Hunter Station and 50 spaces proposed for the south end of Fort Hunter Park and the 33 additional paved spaces that were added a number of years ago, seems excessive given that the existing parking facilities are only full during a handful of special events throughout the year.

Our neighbors have expressed the same concerns that we have. We are requesting that you either withdraw your plans for the 39-space parking lot, or at the very least, arrange a meeting with all stakeholders to reach an acceptable compromise while you consider your options.

As public officials, the decisions you make can have a tremendous impact on people's lives. This entire process has caused us a great deal of stress and considerable legal expenses. But, our home is our priority and the threat of additional flooding far outweighs the process.

Thank you for the opportunity to express our concerns.

Jack & Carol Crago