



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

JULY 2, 2008

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; Janis Creason, Treasurer; Bruce Foreman, Esq., Solicitor's Office; Gary Serhan, Deputy Controller; J. Scott Burford, Deputy Chief Clerk; Randy Baratucci, Director of Purchasing; Courtney Hair, Commissioners' Office; William Struemke, Solicitor's Office; David Feidt, Solicitor's Office; Shari Eagle, IT; Melissa Wion, Personnel; Dave Schreiber, Personnel; Donna Miller, Risk Management; Mike Potteiger, Director of Adult Probation; Chad Libby, Juvenile Probation; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; Jena Wolgemuth, Commissioners' Office; Brenda Hoffer, Commissioners' Office; Dan Robinson, Director of Community & Economic Development and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Garry Lenton and Elizabeth Murray

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 three sets of meeting minutes that we will take up at next week's 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 at this time? (There was none.)

DEPARTMENT DIRECTORS/GUESTS

A. Dauphin County Wellness Committee Elizabeth Murray of Highmark

1. Smoking Cessation

Ms. Wolgemuth: Here with me today is Beth Murray from Highmark. She is going to give you a presentation on providing a smoke free campus here in Dauphin County. Highmark thinks it is a trend that is catching on so they want to give it a go here in Dauphin County. They would like to present it to you for your review and then we will see what you think.

Ms. Murray: My name is Beth Murray. I am the Worksite Preventionist from Highmark. What I do is I work with Jena and the rest of this very wonderful and I truly mean wonderful Wellness Committee and help them move through projects and challenges and provide our services, which is quite a large menu, that they have enjoyed over the past couple of years that I have been working with them. I work with about 110 groups. Some are more active than others, but out of those 110 your Wellness Committee is probably in the top 3. That is a lot to be said for the hard work that they do and all the things that they bring to your employees. It is great to work with them.

Recently, as you know, there is a lot going on with smoking and smoke free this and smoke free that. The Wellness Committee asked me to put together a little presentation. It will be short and sweet about reasons why Dauphin County should consider going smoke free. There are a lot of reasons why, but there are also a lot of considerations. What I wanted to do, because of being from Highmark, is to give to you

and share with you some statistical information about some bottom line dollars, about some national trends and how you can somewhat apply it to your employee population. There are references and if you did want the references printed larger, just let Jena know and I will send it to you.

They are very general statistics, but I wanted to give you an idea of the impact that you can make. It is truly not all about dollars. This is going to show you a lot about the health implications of smoking. Please keep in mind that it is an awful lot about the well-being of your employees and how being healthier just is a benefit to everybody.

CDC gives us some wonderful information about the cost of smoking in the United States. It is not just about the direct healthcare costs, but it's also about the productivity. It is not all about dollars, but there are a lot of health issues attached to the smoking behaviors that you want to consider as we move through this.

There are an approximate number of employees that you have here at the time I developed the program and using the national average, which is about 21% now that leaves you with an approximate number of smokers, about 356. Please keep in mind that these are truly approximations. We don't know. There hasn't been a survey sent out and even if it was self-reported is a little bit of an issue. Just keep generalities in mind here. You have about 350 smokers, based on that 21% national average. Statistics are showing and this is a rather conservative number, because it's a little bit older, but total cost of about \$1,400 for the average smoker. We will look at what those numbers look like in a little bit. The approximate cost to Dauphin County for this approximate number of smokers is about \$500,000. This is again wrapped up with total cost per smoker, whether it is productivity or healthcare costs, all those things wrapped together.

The last bullet point is one that I threw in based on an average quit rate and what the potential savings could be. So, if you got 30% of the 350 employees that are smoking, and again approximations, you would realize some savings. I will be honest with you. I used to work in Cardiac Rehab; I'm a nurse by profession. I truly believe this is an American Heart Association percentage, that 30%, I think it is a little generous. It might be a little lower, but you can still see an impact of what you would have here with a fairly low cost approach about how you can have some potential savings on your dollars overall. If you look at your number of employees, the average trends, and how many people smoke, you can determine what your potential savings would be.

Again, here is some other research that's been done on the impact of smoking at the worksite. The American Journal of Public Health published this finding about the absenteeism rate for smokers were 33% higher. Again, looking at the impact that this has it is not just the smoking behavior, but it is the whole impact of what goes on with that. Absenteeism and some other things can make an impact. This is an older study. It was done in 1992. If you kind of move that into today's cost it certainly would be much more. A study was done of about 700 employees and these nonsmokers actually cost the company about \$460 less than those who smoked. Also, among the 400

production employees, the absenteeism is also costing the company some significant dollars. I just want to give you some idea of the cost and then we will move into some recommendations about what to do with this. More about productivity and outside of the healthcare costs, nonsmokers tend to be less sick. Another study shows by comparison about what happens in the overall health of smokers versus nonsmokers and how that affects you as a company. Again, it is almost two-fold. Not quite, but it is a significant increase for those who are smokers versus nonsmokers as far as the number of sick days that they used. One that hit home to me the most, I know we all know that smoking is a behavior that when it's easy and accessible folks will leave and participate in the behavior. What I want to suggest to you about looking at smoke free campuses is actually creating a barrier. When you look at this kind of statistic for every ten minute break they took over the course of a month that is a pretty significant amount of time that builds up for the smoker. I'm not sure what individual policies you have for your breaks and all and maybe that will be a little diminished. In order to keep that nicotine level up smokers usually need to get out every couple of hours or they start to get edgy and restless. This has an impact on your overall costs.

Insurance costs per claim, again looking back as my years as a nurse in the clinical setting, I used to work in the ICU and we knew if somebody had a history of smoking that their stay in the ICU if it was two-fold, three-fold than somebody who was a nonsmoker or let's say that they couldn't get off the ventilator, the breathing machine. We, very readily, in our minds as nurses just would attribute it to the smoking. This bar graph illustrates that as a cost per claim you can see the nonsmoker is on the far left and the moderate is in the middle and the heavier smoker is to the right, per claim, their overall health is affected. Again costs are greatly increased in a comparable situation if you are a smoker or nonsmoker or somewhere in-between. Another graph which looks at the hospital costs for that inpatient stay. Smoking affects the body in a systemic way, every organ and cell is affected. So, take two people with the same problem, smoker and nonsmoker statistics are saying that their hospital inpatient costs are going to be higher depending upon how much they smoke.

The challenges of quitting, again based on my experience in cardiac rehab, we know that it is an extremely difficult behavior to change. Some folks, it can take up to seven times to quit for good and that is just an average. That means some people might be able to do it in one or two times. You probably all know of somebody personally who just boom all of a sudden did the cold turkey thing and never looked back. That is probably not the norm. The average attempt is seven. So, somebody may need 14 or 15 tries to actually quit the habit. It is a very addictive behavior. Socially it is getting a little bit more difficult as we move through these nonsmoker areas and all the laws that are coming about. It is creating more barriers, but smokers are still finding ways to incorporate it, because of this intense addictive behavior. It is physical. It's learned through our social and cultural things. It is also psychological. I want to offer some suggestions if this is all good with everybody and they want to move forward how Highmark's programs and the Wellness Committee can help folks overcome this and get people to be nonsmoking. I mentioned before the need to get out and smoke on a regular basis. When that nicotine level drops down for the smokers they get irritable

and restless. For them to feel normal and to feel like themselves again, they actually need to get out and get that nicotine level back up. Some of the Behavioral Health World's that I read and with cardiac rehab it is almost a way of self-medicating when they are feeling restless and agitated, the stress levels at work, whatever they might be, stress levels at home personally, they actually smoke and they feel better. That is what drives them to continue the behavior. I alluded to the fact that smoking actually does relax you even though nicotine is a stimulant and your heart rate goes up and your blood pressure goes up. People actually feel more relaxed for a multitude of reasons, which is why they keep smoking. Again, this behavior, even though we know very much culturally and medically the impact, it still makes somebody feel better. So, they are going to continue it unless they have a lot of reasons, support and avenues to get to that nonsmoking part of their lives.

What can I do to help the Wellness Committee help these folks if you decide to move to the smoke free campus? We have three different programs that we can offer. One is an online program called "Breathe." This is self-driven and self-motivated. The Highmark member just goes to the website and uses this online process, because truly for some folks that is the best fit. Each one of these has a little bit different style to try to meet the needs of our folks, whether they are online friendly or not, whether they like the telephone, which is the second one. We have a couple different ways, again because everybody may go about it differently. We are hoping that with one of these three programs we can actually meet them where they are. The online program they would just go and do it themselves. It takes about 20 or 30 minutes to do the initial program and then they get a follow-up action plan to help them move through that. The telephonic smokeless program is probably equally popular. But as a nurse and past cardiac rehab nurse, I prefer this one just because it is more personal and you are actually talking to a person. Again, that might not be the right match for that smoker who wants to quit. There are two different types of telephonic programs. One is what I call the very informal program. They just call up the number that is listed on the brochure when they need help. The counselor will give them as much support as they need, when they need it and when they want it, but they make the outbound call. The other program is much more structured. It is for somebody that wants a little bit more support. They make the call. The program gets set up and then the smoking cessation counselor calls the member on a regular basis to help them through it. They are targeted to be around the relapse stages that we know historically happen when someone is trying to quit. I forgot to mention that these are all free for the Highmark members to participate in. The last one is an onsite program. It is a one-time 2-hour course just to give folks highlights and avenues to set quit dates and tools and resources for them. It is not a smoking cessation program. It is just kind of a catalyst to get them maybe to one of these other ones or again to get that process in their mind. Again all of these are available to the Highmark members for free. I would certainly work with the committee about what my other groups do to address non Highmark. I just wanted to highlight what we can do to help our members. This is just another benefit to the telephonic program. Most of our members are not aware of this, so I would love to see the committee do a good promotion on it and use our materials and let folks know that this is out there. There is an additional discount with the telephonic

program where if they get into the program and sign up, they can receive a discount for nicotine replacement gum or patches. This is really a significant discount. Usually a two-week supply is about \$50 depending on whether you buy brand or non-brand. To get eight-weeks for \$25, again trying to remove some financial barriers for folks and get them access to these over the counter.

As I mentioned before, this is a very addictive process. Some folks equate it to being addicted to heroin or cocaine, the intensity of what the body goes through when you try to get withdrawn from nicotine. Stress in the workplace plays a part. The Wellness Committee has offered and supported online programs to help folks with stress. So, again there is a multitude of ways for us to help, through the Wellness Committee, folks with the stress of trying to quit, because it is definitely there. Again, if you decide to move forward with it, if the directors or whoever the frontline is to the employee let them know the support that they have. Celebrating a nonsmoking behavior is good support for that individual. So, whatever the managers or directors or supervisors feel would be appropriate, I encourage you to do that.

Again, what I would like to do and help the Committee with is looking at the development in a timeline. Usually what I will suggest to my groups is not to take less than a year to move towards this. Take a year and make an announcement and call that day 1 and over the course of the year kind of phase in these things, promote the programs that you want to use to support the employees, let them become aware of the benefits and support that can be there for them and kind of phase it in. I know of employers who kind of come down with the hatchet and all of a sudden they will say okay guess what two or three months from now we are going to have a smoke free campus. Although it kind of sounds good and the idea behind it might be beneficial, you usually get an awful lot of resentment and a lot of angry people. That is the last thing that you want. You want people to feel supported and you want it to be rolled in smoothly so people feel like you are really there to help them as opposed to punishing them for this behavior. We have educational opportunities that I can talk about with the Committee. We have an awful lot of marketing material that they can use to promote the benefits that I mentioned earlier for the Highmark members. I will be willing to work with them. We can talk about how to address the non-Highmark folks too. I would love, once you take a look at this and if you think it is a good fit and you want to move forward with it, again taking about a year to roll to whatever you think might be the next step. Some of my groups actually took a two year process. So, whatever feels comfortable to you if you decide to move forward then I will work with the Committee on a timeline that you feel is right for the employees to make it go smoothly. It is truly the single most important thing that someone can do for their health. When folks come into cardiac rehab and we knew that they were smokers, we would try to help them quit. That would be the first and foremost thing. To be honest with you if someone is not ready to quit, either you may know somebody personally or yourself is not ready to quit, you are not ready to quit. What you want to try to do is set up barriers. I personally know, from a previous employer, that creating barriers to smoking, such as a smoke free campus, can minimize the amount of smoking someone can do in a day and maybe even help give them that kick, because maybe they were thinking of quitting, but now it becomes

more difficult and challenging they might move through that process. Truly if they are not ready, I'll be honest with you they are not ready and they will find ways to move around any policies that you put in place. We want to help the folks that maybe are on the edge and ready to get some support.

The references are listed. I would like to help the Wellness Committee. If you think it is a good fit for you keep in mind that the statistics are just generalizations, but you can have a great impact on folks or an individual's life. If you just think about even if three or four people quit across the board that might affect their spouse and children. Are there any questions?

Mr. Haste: Everything you have is available now?

Ms. Murray: Yes for the Highmark members.

Mr. Haste: Are you asking us to just promote it more?

Ms. Wolgemuth: Truthfully with the whole push of everybody going smoke free right now, we obviously have that. All of our buildings are smoke free and our vehicles are smoke free. What we don't have is smoking breaks that people take, the people who are out front smoking in front of the Administration Building, people who are out back at the Courthouse. Our goal, rather than promoting a smoke free campus, because we really have that, is just to create larger barriers for people to smoke. If they are going down for four or five smoke breaks during the day is there anyway that we can create a barrier or make it more difficult so maybe they can only take two or three, thus consuming less cigarettes during the day and maybe pushing them in the direction to stop or to start thinking about stopping. How many people do you talk to that do smoke that say oh I'm trying to quit or I've tried to quit or I really don't want to continue smoking, I'm working on it. We are actually just trying to come up with another way. I sent out a separate email providing all the information that Highmark provides to all the employees, just making it available to them. Here it is if you would like to use it go for it. The Committee really just wanted to provide the information to you and to see if it was something that you were interested in. Lebanon County went and said no smoking in front of the Courthouse. I don't know that we need to do that, but it is just an option. Encourage directors to say rather than smoking five times a day let's see if we can cut it back to two or three, any incentive to help people reduce their use. We're really not asking for anything in particular. We are just throwing options out in front of you for maybe some direction if you would want us to move one way or another or if you want to drop it we can drop it. I think it is a good thing. The less people smoke obviously the more healthy they will be.

Mr. Hartwick: Are you trying to get me in trouble with Kacey?

Ms. Wolgemuth: Kacey is actually the one I'm most afraid of.

Mr. Hartwick: So am I.

Mr. Haste: Maybe we could get Steve Farina to head this up.

Mr. DiFrancesco: This is an idea that I like a lot, the smoke free campus idea. A couple of the basic points, everybody knows that smoking is bad for your health. Everybody knows that. There are a lot of people out there who choose to smoke anyway. Some do want to quit and some don't. Some have no desire to quit. Basic philosophy is very simple. Anybody has the right to do anything they wish to themselves. I was going to say that they have the right to kill themselves, if they wish, but that might be a little too dramatic. Knowing all the statistics and how smoking really has an impact on your health moving forward. It has an impact on your skin, organs and lungs. There is no doubt anybody can argue that smoking is not bad for you. This really breaks into two things. One, we have over the past five years, through the Wellness Committee, really pushed to try to promote smoking cessation programs and everything voluntary. We care about you, come out and take advantage of these programs. I don't know how much success we have had, but I would guess probably not a lot in terms of people actually quitting.

Ms. Murray: In these particular programs it is pretty minimal.

Mr. DiFrancesco: The other side of this is the responsibility side. The bottom line is that smokers do drive up costs and while they do have the right to smoke if they wish, they do not have the right to impact the lives of the people around them. Secondhand smoke, they can complain about that all they want to, but the bottom line is when you see people smoking it tends to be around front doors, where other folks are coming through. They don't have the right to inconvenience the other people around with their secondhand smoke. The second thing is there are very real costs to the taxpayers of Dauphin County in terms of the healthcare costs that we would be able to contain if people would quit smoking. Again, it is not that we can force people to quit smoking, but we can put these barriers up. That statistic that you said about the one month less than everyone else is very telling for me. I never really thought about it like that. The ultimate desire is to get people to live healthier lives. It is actually to preserve their lives, their quality of life and so forth. The other side of it is the responsibility side. We have worked very hard to control our costs in a lot of different areas and this is one more that we can do by putting this barrier up and making this campus smoke free and saying if you want to smoke you need to go across the street to Riverfront or to the other side or wherever it is. Our neighbor, Pinnacle, has made their campus completely smoke free. I'm a big proponent of this. I like the idea and I like the idea of rolling it out slowly. Take a year to say okay now there is a greater incentive to take advantage of these cessation programs, because eventually when it is raining outside you are going to have to walk across the street or whatever it might be. I like it. The statistics basically prove what is pretty much commonsense. Smoking is bad for you and it is bad for the people that are around you. It is bad for you, your employer, the farmer and just about everybody that touches it. I realize it is an addiction so I'm certainly not trying to belittle that, because it is. I've said this to my kids all the time and again this is one of those dramatic statements, but I truly believe it, you can pick up a needle and shoot heroin or you can

pick up a cigarette and while the cigarette is going to take a lot longer, the addiction is pretty much the same. They both kill you. I'm a proponent of the smoke free campus, even with Kacey as a threat down the hallway.

Mr. Hartwick: Bruce, I have a question. The question is and Jeff said something are there certain union regulations that actually allow folks to have a smoking area versus individuals who are new hires we can change the policy for folks coming in? Can you give me an idea of the restrictions? Dave, are you aware of what some of those barriers would be for the record?

Mr. Foreman: I'm not aware of what the contract does require. I can take a look at it. With each one of our unions, it could be different.

Mr. Schreiber: I believe the only contract that is specific about smoking is the Prison contract. I don't know it is identified anywhere else in any of the contracts. I think it is a provision that if we ban smoking completely then we can ban it there. I believe. I'm trying to remember what specifically it says.

Mr. Foreman: We can review each one of the contracts to make sure that we are aware of any provisions in any of those contracts that deal with smoking.

Mr. Schreiber: I don't think like at Schaffner or anything. They certainly are not allowed to smoke in the buildings, but I believe they do go outside to smoke, just as they do here. The Prison is the only one that speaks towards smoking or allowing smoking.

Mr. Haste: I know it is an issue out there, depending on when you were hired.

Mr. Schreiber: We tried to get that out of there and make it a smoke free campus and have been unsuccessful.

Mr. Hartwick: Not allow any place on Dauphin County property to smoke.

Mr. Haste: I guess it is tough, the sidewalks are public. We can move them from one place to another. It might be better to have designated areas and suggest they go there. Actually I can't stand smoking. I know when I get around it I move. I won't stay in a room that is smoky. On the other hand if we are going to do this then we ought to be across the board and fair. Chicken wings are just as bad and maybe we ought to give everybody a urine test when they show up because if they come in here hung over with alcohol in their system, I mean you can take everyone of these studies or put everyone on a fitness plan that if you weigh over a certain amount you have to start paying a fee. You can get carried away with this. I'm all for encouraging people to do it and to do it on their own and to make it as easy for them as possible. I just still have a problem when government, and we are a government employer, starts to dictate. I think Ed Marsico said this to me in a different context, it is not illegal to be stupid. I don't know if that's our role to make people smarter. I think the more we can get people to do it on their own, I think that is a great way to go. To dictate it or demand it, I have a

problem unless we are going to across the board and put us all on a diet. No more chicken wings and no more happy hours. If you are going to have them make sure you're cleaned up before you get back to work.

Mr. Saylor: You should get rid of that hotdog vendor out front.

Mr. DiFrancesco: The one issue I would raise is even if we decide that the smoke free campus is not appropriate, I would like to make it absolutely certain that we get people away from public entrances and places where... One of the places that affect the Administration Building is out front. They smoke up the area where the metal detector is. The other place is out back. They are smoking when people are making deliveries through that back door. I've already had it where the elevator shafts were completely full of smoke because it comes into that lobby area and goes up through. If anything, again, I'm 100% in favor of a smoke free campus, but if we choose that would not be the right way to go I would like to make certain that we get people away from the public accesses where people are coming in and out of the building.

Mr. Haste: I think we can find an area, if you move them out to the planters where they can sit so we will just have everybody sitting out there smoking and dropping their ashes in the planters. That is probably...

Mr. DiFrancesco: I'm only concerned about secondhand smoke. The bottom line is, again, while people have the right to kill themselves, they never have the right to share that secondhand smoke with others. They can make that argument all day long, but now you have infringed on the air quality around you. I can understand having designated areas. I can even understand having designated shelters if we choose to go that route. Get the smoke away from the places where the nonsmokers are coming and going from the front door, because again you do not have the right to share your smoke with other people. You have the right to smoke, but you don't have the right to share that smoke with other people.

Mr. Hartwick: I'm only talking out loud here. I'm of the thought process of not trying to restrict people's personal freedoms, but I also took a look at trends for our healthcare. I realize the amount of money and the poor health of our County employees. Again, where do we draw the line in trying to take away people's personal freedoms and their ability to smoke? I got my mom saying "they take away everything in America even your right to smoke", but you also affect individuals who don't choose to smoke. My biggest concern is the cost of healthcare.

Mr. Haste: Then you need to take a look at diabetes and weight, because I suspect that's greater than...

Mr. DiFrancesco: Probably just as high.

Mr. Hartwick: Costs are continuing to move in a upwards direction and we really need to take a look at controlling those internal costs. We are taking a look at going self-

funded. We really have to look at trying to do all we can, whether it is through personal fitness, disease management and to really working with our employees to identify risk factors early on to control those costs. We have to balance that with the policies that we choose to enact. We have to get a whole lot more aggressive.

Mr. Haste: I think we should encourage people and find a way to give them incentives, unless we are getting to the point like some of those companies where we are going to mandate someone's physical status, I think we have a problem.

Mr. DiFrancesco: I'm not in favor of taking away people's rights. They still have the right to smoke. What I'm looking at specifically is for instance we don't preclude under State law anybody's right to go out and drink way too much and fall down, but we do regulate their right to drink too much and get into a car and go affect other people.

Mr. Haste: You still have public drunkenness.

Mr. DiFrancesco: The bottom line is we are looking at a policy. Again, my concern is how that impacts the other people. My personal view and it very much also comes down to a matter of cost and productivity.

Mr. Haste: Again, if we are looking at costs this is one area to look, but it is probably not the most costly area.

Mr. DiFrancesco: I think it is pretty costly. There is definitely an impact on the people around those that smoke.

Mr. Hartwick: Is it safe to say that we can do an analysis on maybe the best place to have the least amount of impact on our folks as it relates to secondhand smoke. We can have a conversation on where those places would be to avoid secondhand smoke for those employees who choose not to smoke. I think that is a compromise position, which I think we can all be in agreement with.

Mr. Haste: Yes. I'm not sure who is going to police this, whether it will be Chad or Jena, but we probably ought to get you a fire extinguisher and a match.

Mr. DiFrancesco: As Chad sits there with a cigar hanging out of his pocket.

Mr. Saylor: I would be happy to police.

Mr. Haste: Really if you are doing that then you ought to ban tobacco, because even though I don't see too many chewers, you are talking about nicotine.

Ms. Wolgemuth: Same thing.

Mr. Hartwick: Let's try to have the least amount of impact on people who choose not to smoke.

Mr. DiFrancesco: Really because chewers don't share that with others unless they are spitters.

Mr. Haste: Most are.

Mr. DiFrancesco: Some people swallow that and God Bless them.

Mr. Saylor: So we are going to look for an area where we can...

Ms. Wolgemuth: So, can we restrict smoking from in front of the Courthouse?

Mr. DiFrancesco: I think we are looking at studying the process and identifying places where it is least intrusive on other people.

Mr. Haste: You will also need to figure out how you are going to police it, because this is what is going to happen. You ban it in front of the Courthouse there will be an elected official who decides that they don't need to follow this that is going to violate it and then we are going to have other employees talking about fairness. We need to find out how we are going to handle that as well.

Ms. Wolgemuth: We will get back to you.

**B. Mike Potteiger, Director, Adult Probation Office
Chad Libby, Juvenile Probation**

1. Monitoring System

Mr. Potteiger: I just want to thank you for the opportunity to come and talk to you briefly in reference to electronic monitoring. Chad is here to represent Juvenile Probation in reference to electronic monitoring and our GPS Systems. Through emails from Mr. Tully and Mr. Saylor in reference to SleepTime, which is a drug and alcohol system that identifies sleep patterns, I know the affidavit wasn't satisfactory to the Solicitor and to the County. We are currently working with their attorneys to make sure that they come into compliance with Dauphin County. I would like to take a brief moment on both of those just in case SleepTime will come into compliance with Dauphin County, which I believe they will.

The first thing that I would like to address is the Court has submitted a contract through G4S, which is Omnilink, which is a separate contract than BI. Currently the adult system utilizes what is called Secure Alert, which is a GPS system that comes in a couple different pieces that we have to hook up the batteries to and have the connections and then we have to hook up a band that goes around a person's ankle. Right now I guess we have been utilizing Secure Alert for the adult system for almost two years. The contract with Secure Alert is coming up in August. What I would respectfully recommend to the Commissioners is that we have tested Omnilink side-by-

side during the months of January, February and March of getting the location and the alarms. When the battery goes or it isn't connected or the strap isn't properly on the band this goes off and then the adult individual might be at work and then all of a sudden the employer is notified and then that person has some issues at work. The difference between BI, which Chad can show you then, Secure Alert and the Omnilink is Omnilink is a one-piece system. The battery is on the instrument along with a strap. It is all one piece. So you put it onto the person's ankle and you strap them up and there is nothing else to it. There will be no additional alarms that we currently get with this device. During the testing procedures that we utilized, we had a better product along with management being able to enter the schedules and we had the least alarms. That is important, because individuals who are on our GPS system are basically DUI offenders, non-violent offenders, who would currently be incarcerated in Dauphin County Prison, but they have a device as an alternative sentence by the Court. We would like to be the least intrusive at their employment, because most of those individuals have jobs. I think 95% currently have jobs. With the BI system it is a two-piece system. As Chad can show you there is a piece that goes around the ankle.

Mr. Libby: The difference with the BI piece is that there is a radio frequency device and that is the ankle bracelet. That is your traditional EM. It has been pretty standard since the early 1990s. What BI did was also it is really a Nextel, it's really a cellular device with an LCD screen. That is your tracker. That is how we have satellite communication, because of the seven different satellites that BI contracts with to track the whereabouts of the juvenile offender. Our concern going into the GPS, is these are a little expensive. Of course, it is the fear of our kids losing them. We have been pretty good. We only lost one. It was left on top of their car. Other than that it is intrusive in terms of employment in the fact that if someone would work in a factory, for example, this has to be around their waist. There is a belt clip. If these are construction workers working in a factory or any other labor intensive type of employment, this could impact in terms of inconveniencing, in terms of movement or hitting something and breaking it. As we know with juvenile offenders, most of our offenders, on average about 20% of them do work, but it is not a labor intensive type of construction work or stuff like that. We really haven't had that problem with the tracker. Mike and I have had some conversations with this and I understand definitely where he is coming from in terms of least intrusive and the image of the offender going into work. With juveniles, it has always been very depressing that this is like a badge of honor for these juveniles to be on a GPS. They show it off and so forth. Adult offenders are a little different. They are more mature and they have a reputation. They made a mistake and they are trying to redeem their mistakes and trying to move on with their life, again in a least intrusive way. That is the gist with BI's GPS and with this tracking device. We like it. It is very good for us, but I understand from the Adult Probation perspective it has other variables that need to be considered.

Mr. Hartwick: You guys know why you are here. The Board had asked and we wanted to make sure, because this Board has invested in these devices, because we understand that the investment saves us a significant amount of dollars. Rather than being in confinement, we are able to track and monitor individuals in a different way.

Hopefully they will continue employment and continue being a taxpaying citizen and will also participate in family, school and the things that they need to do in order to get back on track. This is a good investment to make. The challenge is that we have different vendors. There is no economy of scale with Adult and Juvenile Probation. Adult and Juvenile Probation working together with one company, but obviously probably allow Randy to negotiate better deals for a larger amount of devices. We don't know who has what relationship with the vendor, what is possible for us if we are negotiating one deal with one contract versus multiple deals that run out, depending upon the life cycle. We wanted to hear the differences between the technology and what you guys are going to do, also the pricing differences between the two and find out if there is any way to coordinate those efforts, maybe even adding some additional devices if we have a savings as a result. I know there was some confusion. I don't know how that was communicated to you, but I wanted to make sure you were aware of the purpose.

Mr. Haste: There are six companies on the State contract and now you want to introduce someone who is not on the State contract and sole source it. Sole source always makes me nervous. When I went back and reviewed the history of this with Randy through Purchasing it is funny how sometimes a company is a good company until the salesperson leaves and goes to another company and then all of a sudden that's the new good company. To me it seems like personalities sometimes drive this, not technology. It really is to the point where if we are going to look, and was it last year or the year before, we gave Juvenile money to buy more in their budget, if we are going to start doing that and investing in this, I want to make sure that it is done on a very fair bid approach, based upon technology, and not your favorite vendor of the week. I would rather have our Purchasing Department making more of these decisions or being involved in these decisions more than who is your favorite vendor of the week.

Mr. Potteiger: Point well noted. I appreciate the comments by both Commissioners. The founder of Omnilink came from BI. I had no connections with him. All I know is he has created new technology in GPS. He has added an additional link to the system through their technology. We have tested that technology.

Mr. Haste: Is this the SleepTime that you are talking about.

Mr. Potteiger: The Omnilink, the GPS, that is the reason why we tested Omnilink in the first place was we had BI, we had our Secure Alert, which we were having issues with our location devices along with our battery issues. The batteries were not long lasting and the problems with the strap. With Omnilink this is all one piece. We will not have those issues, because through Omnilink they were able to create the new technology that is currently out there.

Mr. Haste: That is good for you, but why isn't it good for you (Chad)?

Mr. Potteiger: The County has purchased 65 units that they have already spent money to purchase the unit, which we would be leasing the unit. To switch what the County already purchased because the equipment is working there is no sense in leaving that

equipment and then trying to do something new. We are not looking to purchase the equipment. We are not looking to add an additional contract. I'm looking to get rid of Secure Alert. I'm looking to have Omnilink take its place so to say. I'm not looking to purchase any equipment, because that is a cost that I wasn't looking at doing. I'm looking at leasing and the offenders paying it back on a lease negotiation.

Mr. Hartwick: Why didn't you purchase the equipment? Technology changes all the time, why would we purchase as opposed to leasing it?

Mr. Libby: In this direction, the GPS, the nice thing about this device is that they can upgrade the tracker based on new technology by putting a new chip in. Juvenile Probation we don't intend to come before the Board next year to say Omnilink. That is not our intentions. We like this device. The device is very good for us. We have had a lot of success with it. I just want to point out...

Mr. Haste: Is that with your concerns about being a status, in with the workforce, I was thinking that you were going to suggest that this is not a good piece. You seem to be laying out all the negatives.

Mr. Libby: Mike's concern, from an adult perspective, in terms of employment this could get in the way. In terms of juveniles, even with our traditional EM back in the 1990s, kids wore shorts on a 40 degree day just to show off this piece. It is unfortunate with that regards, but in terms of equipment and even with the employer and the vast different types of jobs that Adult Probation offenders get involved with, Mike's concern is the fact that this could be intrusive in terms of it could get damaged. This is not \$125. It is a very expensive piece. This whole unit is on State contract for \$2,090. We pay \$3.25 a day monitoring fee. Again a lot of our kids don't work and they go to school.

Mr. Hartwick: Why buy instead of lease?

Mr. Libby: This is the future technology and the relationship that we have had with BI since 1996 in utilizing them they have always come through with the products and upgrades. This is something that we eventually want to go full capacity with it, kind of replace just your traditional EM because this provides us valuable information.

Mr. Hartwick: I understand that. We would like to be consistent and negotiate one large lease contract that gives us some economies of scale versus buying some and leasing some. It doesn't seem like we have any consistency with the way that we are doing this and that is the problem.

Mr. DiFrancesco: What are the cost benefits of buying rather than leasing?

Mr. Libby: You mentioned about buying. Last year we collected \$72,000 in EM fees that goes to the General Fund. This year we are on pace for almost \$100,000. Based on a couple of years this pays for itself over just paying a monitoring fee of \$3.25.

Mr. Hartwick: Couldn't we just go with the lease?

Mr. Libby: Well yes.

Mr. Hartwick: Then you wouldn't have the hard cost of actually owning the equipment and you would have the ability to upgrade technology as it comes out. It just seems like when you are investing in technology it is very difficult to keep up. With a lease arrangement, we do it with everything else that we do technology wise. We got year-to-year leases that we were able to negotiate versus keeping hard equipment costs.

Mr. Libby: With leases also the price can go up every year.

Mr. Hartwick: That is quite frankly why you are here to discuss the inconsistencies in those policies. We need to figure out the best way we want to do this.

Mr. Potteiger: That is the reason for the one year contracts, because technology is coming out all year long with new technology for GPS now for drug and alcohol addiction aspects of it so that will give us the opportunity to test these equipment pieces and then bring it back to the Commissioners and say this is the new technology and this is the way we should go. First, I had to approve that through Judge Lewis because he is my boss to even bring it before the Commissioners. This is a company that Judge Lewis is aware of and he understands that he knew that we tested the product because we brought it in front of him and he approved the product. We tested it and then he approved it to move it in front of the Commissioners. We have a side thing before we brought it before the Commissioners.

Mr. Hartwick: I'm only one guy, Nick; speak up if I'm wrong. We would like to have consistent equipment between Juvenile and Adult Probation and figure out ways that we can stay up with new technology and have some consistency in the way we are dealing with it.

Mr. DiFrancesco: I think that is part of it, but I think the other part of it is just simply the fact that this is an area of policy where we are starting to shift and say we want to use these modern technologies more often. This is an area where the technology is changing constantly and I've always fell to the companies, because the companies never really reached out to us, the Board, who is making the final policy decisions on how we keep people out of Prison and keep them on the streets and keep the streets safe. They have done a poor job of sharing that technology with us so we can understand where we are coming from. I just want to make absolutely certain we are making smart choices using the best technology at the most reasonable costs. It doesn't upset me that one is a lease and one is a purchase. What I do want to know is that within each department there are many reasons why one chose to go to a purchase and one chose to go to a lease. That's the important part to me is the fact that if you are going to purchase the hardware, with the changing environment, I certainly want to make certain that in fact there is enough cost savings to make that worthwhile that the technology is already paid for itself so if tomorrow the greatest product since sliced

bread has come out and you want to use it we can look back and say you know what this was a smart move, because we saved x number of dollars and through a lease it would have cost this much. When we bought it, it cost us this much and we actually were able to bank some money towards the purchase of the next system, whatever it might be. Those are the types of things I want to hear. Why is that a good buy? Does it save us money in the long run by leasing? Again, echoing what George said I know there is a reason why we lease our computers in Dauphin County. It is the most cost effective way to do it because technology...

Mr. Haste: On top of that the other thing that we should strive to get to and maybe we don't, is I would really like to see us dealing with just one or two companies so we have economy of scale. Also, it would be nice to be in a position that if we had the same system, and again maybe this is not possible, because we see a spike in both sides, when we see a spike, maybe we go through a rash of car jackings again and we need to do something that we are able to instead of going out and hitting the button and say we have to get 20 new units to get through a period, there may be a time when the County is a little more strapped than we are, we are able to use some of your units in there are vice-a-versa. The sharing of the units would be a nice thing to be able to have that option, whether we ever really use it or not. I'm with George when it comes to technology. I tend to think that leasing is better than buying even though at some point in time it may have made sense.

Mr. Potteiger: I agree and that is why I would recommend that we lease. That gives us the opportunity throughout the year to see if there is any new technology out there. Obviously the other technology is the SleepTime bracelet which at the Criminal Management Meeting I gave a little briefing on technology that is out there that measures your sleep patterns and your REM patterns.

Mr. Haste: If that is what we want I would almost like to bid that instead of going the sole source route. If others can't provide it so be it. I would rather make it fair. The sole source makes me nervous. It comes down to the computer side of it is how they are going to claim sole source and how they monitor it. They can do that for this year, but sooner or later somebody else catches up.

Mr. Libby: Going back to why we purchased. BI, again with our longstanding relationship since 1996, they are definitely a proven company. They are very good. We did a lot of our comparison, based on what we bring in EM fees and so forth we thought that buying them was... I did a lot of budget analysis on that and in terms of the long run we saved, based on the technologies being new, the upgrade and also part of the purchase of this was the maintenance service contract that we get out of this as well. Before, if there were damages, we had to pay a certain amount out of our pocket. We don't do that any more. Everything is paid for whether it is client damaged or not. It is part of our contract is they pay for those damages.

Mr. Haste: You couldn't get that in a lease?

Mr. Libby: They can, but at the same time, from my experience with BI, there were some out-of-pocket costs, but they will lease it for certain damaged pieces. A fine example is our scram unit that we have, as Adult Probation has, Mike has introduced me to SleepTime. With Scram it was a new product. We haven't been very pleased.

Mr. Haste: I've heard both of you tested it.

Mr. Potteiger: Before I got here they had good results. In my knowledge when I was Chief in Northumberland County we didn't utilize it because I wasn't sold on that product either. That was done prior to me getting here.

Mr. Haste: Again, if it was properly tested and this is one of the things that concerns me that if it is properly tested, because what I had heard is your department tested it and they were fine with it and you guys tested it and it wasn't fine. That troubled me. How could two different departments test it and one thinks it is great and the other thinks it is not?

Mr. Potteiger: He is no longer here. I agree.

Mr. Haste: That is what causes me some concern in wanting to make sure that as we move forward we have a third party whose clear mission is to make sure that we get the best deal for the County and that is Purchasing.

Mr. Potteiger: That is correct.

Mr. Haste: I would rather see that department, as much as Randy is a pain in the butt to me at times, in this case he is a really good pain in the butt. That is why he is still my favorite hemorrhoid. There are times he serves a purpose.

Mr. Libby: On July 22, we are going to meet with SleepTime to learn about their product as well. That is the nice thing about leasing. We may go in a direction where Adult and Juvenile are contracting with the same provider for that.

Mr. Hartwick: I would love to do it consistently with all equipment so we can have interchange and the ability to lease on a larger scale.

Mr. Haste: Guys, let's be scientific about it, let's test it and have good reason. It appears, in the past, that some decisions were made based upon the sales rep.

Mr. Potteiger: In this case it wasn't, because we took different companies and actually did testing with several companies and we came up with Omnilink as the test product. The adult side and the juvenile side there is different issues. The Commissioner approached me earlier about wearing a two piece system to a one piece system; it is just less intrusive for the adult offenders. Most of the people that are currently on our GPS are non-sex offenders. They are basically second or third time DUI offenders who

have a good job, who make good money and we try to make them less intrusive as possible.

Mr. Haste: Couldn't that same rationale be used for you folks? Why wouldn't you want that same thing?

Mr. Libby: I understand where you are coming from Commissioner, but juveniles forget things. This cannot be outside of 50 feet of one another. So, if a juvenile goes to school and forgets this, we are alerted because the radio frequency picks them up leaving home to the school.

Mr. Haste: If they strap on the one piece that Mike is using why wouldn't that work. How are they going to forget that one piece?

Mr. Libby: It could still work today. When we researched this two years ago the one piece had bad reviews.

Mr. Haste: Instead of buying more as you start to do this and start to add why wouldn't you lease the same type of equipment?

Mr. Libby: If that is what the Commissioners want to go forward with, we can.

Mr. Haste: I'm not going to make you if it doesn't make sense. That is why I'm asking the question. Why wouldn't you, again trying to get us to work together, like with the phones or with anything else we did the more we can do the economies of scale, we often would get a better deal.

Mr. Libby: When we reviewed this two years ago there were so many problems with one pieces. Omnilink having a lot of experience, background being former BI reps and engineers there, they have proven the technology to be a lot more effective. I remember being in front of the budget hearings two years ago when Terry did his presentation and all three of you asked me to research a little bit. With Secure Alert, I contacted several counties and they were very unhappy with the product because it just wasn't able to have their whereabouts. This is a 30-foot error. That is it, in terms of satellite. With laptop computers, our folks are able to go out and track kids that are not home. That is the beauty of this. Mike will be able to test this and lease them and if it works and is very effective I don't see why we wouldn't want to go in that direction.

Mr. Haste: That is the point that we are trying to get.

Mr. Potteiger: That would be fine if we could move forward in doing that and then I can get with Chad and bring him across in the next month or two and then give him a couple devices that he can utilize on his juveniles and then we can test it at that point.

Mr. Haste: I'm all for this, because the more we use these the less people we have in jail. I want to be sure that we do it the right way.

Mr. Libby: Commissioner, you are definitely right. Another thing we can do, if we went with this, remember one of the things I did last year, we sold our old traditional EM units to Chester County. This is something that we can do again to help us with some of that cost. I would rather not have two systems going at one time if possible. That would be an option again to recoup some of the cost. If we go down that route, we can sell these to other counties. Our agency has the largest GPS inventory in all Northeastern United States. We are one of the top in the country.

Mr. Haste: I have heard from others, again in this area, we sort of lead the other counties.

Mr. Libby: No doubt. I get phone calls nationally from all kinds of agencies throughout the United States on feedback on this product and so forth.

Mr. Hartwick: These devices you guys should be working together on this. Chad you are up on this technology. You guys should confer and find a system that is right and do it uniformly.

Mr. Haste: Again, if we get economies of scale it helps.

Mr. Potteiger: If we can go in that direction to move with Omnilink, we can then give some devices to Juvenile to look at then we will be okay with that. I know I won't spend much more of your time, I apologize Mr. Saylor. I know I was to keep it short and brief and I apologize. The savings on the SleepTime, the idea is the cost savings is in half. If we can move forward in the bid process and I will work with whomever to get that done.

Mr. Haste: I'm always more comfortable doing the bid. Sole source makes me nervous.

PERSONNEL

Ms. Lingle: I have a Salary Board item. It is just changing the level of the position that we created last week.

Mr. Haste: Are there any questions? (There was none.)

Ms. Lingle: There is one item, New Hire #6, I would like to request a vote on today. Everything else can wait until next week. Are there any questions on any of the items in the listing? (There was none.)

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve New Hire #6 in the Personnel Listing; motion carried.

PURCHASE ORDERS

Mr. Baratucci: I'm not offended by Commissioner Haste's comments.

The Purchase Order Packet is there for your approval. The items that are showing over budget I think are a product of the fact that yesterday was July 1 and we don't have those budgets entered yet. I will get with Mike. They are all showing zero and we have to wait until July 1 to actually put the numbers in. By next week they should be fixed.

Mr. Haste: We still don't have...

Mr. Hartwick: We don't have any analyses of any of our human services. Details have to be worked out.

Mr. Haste: Nick had raised a question. There are toilets out at the jail being replaced. They are ones that have been worn out and we are attempting to do it in parts. We are going with some of the waterless urinals. When I was looking at some of the costs the water bill at the jail is high. We are going to test in some of the areas some of the waterless ones to see how they work. If they work through attrition go that way.

Mr. Hartwick: With this energy efficient plan and then enabling legislation we could probably use those capital dollars to pay for all of that stuff.

Mr. Haste: We want to make sure they work first. There is a device in them that has to be changed every so often and we want to make sure that none of our self-proclaimed engineers who are residing there find a way to manipulate those.

Mr. Hartwick: Just with those kinds of costs and I know you are aware of that. As soon as this energy efficiency project comes together, almost all of those costs can be paid for by future savings.

TRAINING PACKET

Mr. Haste: I believe we are pulling one item.

Mr. Hartwick: Number 4.

Mr. Saylor: I think we should probably vote #3, the training is on the 9th.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve Training Request #3 as listed on the Training Packet; motion carried.

ITEMS FOR DISCUSSION

- A. Request for Exoneration – Shady Back Acres Mobile Home Community (William Harknett) - \$780.06.

B. Approval of the following Repositories:

1. Parcel #8-18-8 – David McNair - \$350.00
2. Parcel #8-27-14 – David Kiscadden - \$300.00
3. Parcel #11-3-46 – David Kiscadden - \$300.00
4. Parcel #15-7-25 – David Kiscadden - \$300.00
5. Parcel #15-8-22 – David Kiscadden - \$300.00
6. Parcel #2-49-11 – David Kiscadden - \$300.00
7. Parcel #9-68-5 – David Kiscadden - \$300.00

C. Change in IRS issued mileage rates for expense reimbursement. Effective July 1, 2008 rate will adjust from 50.5 cents per mile to 58.5 cents per mile.

Mr. Haste: Items for Discussion, we have Items A through C listed for now.

SOLICITOR'S REPORT – BRUCE FOREMAN, ESQ.

Mr. Foreman: Nothing to add to the report.

CHIEF CLERK'S REPORT – CHAD SAYLOR

Mr. Saylor: I have nothing else unless there are questions of me.

COMMISSIONERS' COMMENTS

Mr. Hartwick: The National Association of Area Agencies on Aging has chosen our Agency and the Dauphin County Elder Abuse Task Force as the recipient of its 2008 Aging Achievement Award for Collaboration and Partnership. The award recognizes partnerships our Task Force formed with Federal, State, County and Local agencies, as well as private sectors. Out of all the area agencies on aging, Dauphin County was selected to receive this award. It is a great accomplishment and kudos to the Task Force.

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 at this time? (There was none.)

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