



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

NOVEMBER 28, 2007

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; William Tully, Esq., Solicitor; Marie E. Rebeck, Controller; Robert F. Dick, Treasurer; Ed Marsico, District Attorney; Randy Baratucci, Director of Purchasing; Judge John Cherry; Edgar Cohen, Director of Facilities Maintenance, Dan Robinson, Director of Community & Economic Development; Steve Chiavetta, Director of Registration and Elections; Diane McNaughton, Commissioners' Office; Steve Shaver, Director of EMA; William Struemke, Solicitor's Office; Leila McAdoo, Solicitor's Office; C. Doran Vance, Esq., Solicitor's Office; Fred Lighty, Esq., Human Services Director's Office; Dave Schreiber, Personnel; Kelly Wolf, Solid Waste Manager; Jena Wolgemuth, Commissioners' Office; Mike Rozman, Esq., District Attorney's Office; Gary Serhan, Deputy Controller; Amy Richards, Commissioners' Office; Brenda Hoffer, Commissioners' Office; Greg Schneider, Budget & Finance; Scott Burford, Deputy Chief Clerk; Kay Lingle, Personnel; Gertrude Farling, Controller's Office; Rosemarie Thomas, Children & Youth; Michael Beckstein, Children & Youth; Lauren Harris, Children & Youth; Yaivette Roberts, Children & Youth; Diane Scheidler, Children & Youth; Hope Rohde, Children & Youth; Jenn Horn, Children & Youth; Richard Vukmanic, Children & Youth; Liz Tobin, Children & Youth; Jenna Shickley, Children & Youth; Currin Haines, Children & Youth; Marilyn Suttan, Children & Youth; Lindsey Miller, Children & Youth; Christine Thierwechter, Children & Youth; Zach Wagner, Children & Youth; Kim Monk, Children & Youth; Hector Ortiz, Human Services Director's Office; Carlton Smith, Children & Youth; Megan Syage, Children & Youth; Melissa Wion, Personnel and Richie-Ann Martz, Commissioners' Office

GUESTS PRESENT

Charles B. Zwally, Esq., Thomas F. Smida, Esq., Jan Wenger, Tom Acri, Glenda Keller, Chief Rob Martin, Alexa Shank, James Ellison, RoxburyNews.com, David Tristan, ABC; Fred Zankiewicz, Lola Zankiewicz, Patrick Leonard, Eric Veronikis, Clorinda Leone, Mr. & Mrs. Leone, Reginald Guy, Brad DeLancey, Anna Horst, Jessica Cox, Gladys & Henry Wills, John DiSanto, Rev. Alvin Taylor, Rev. Earl Harris, Bill Cluck and Garry Lenton

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 will take up at next week's meeting the November 14, 2007 Workshop Meeting Minutes.

ELECTION BOARD

A complete set of Election Board Minutes are on file in the Chief Clerk's Office.

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?

Rev. Taylor: I just want to read a letter here about the Election. "This correspondence is sent to you to congratulate you on your recent victory. I am praying to God for your success; as you hear, lead and respond to the people, as their elected representatives. My campaign has been historic and quite an experience, that I will address in detail at another time. Yet, I want to personally thank the 13,095 voters who came out to the polls; and cast their votes for me. To the 79% of the voters who did not vote, you have given up the right to determine the priorities and direction of your community. However, I did take away from the experience the following: 1) With the current problems and

future challenges facing the Dauphin County community, we must come together and address as a community of people, these concerns; 2) We are living in a changing and new era; and to succeed, we must utilize the abilities of the entire community, together. In closing, I again wish you God's speed and blessings in your position, as elected Public Servants."

Commissioners: Thank you!

Mr. Haste: Is there anyone else who would like to speak at this time?

Rev. Harris: I'm Rev. Earl Harris, Pastor of St. Paul's Baptist Church. I want to address the issue on behalf of our constituency who are affected by the decisions that have been made regarding the incinerator. I want to congratulate the Harrisburg Authority and the County for being responsible. We are hopeful that this is a step in the right direction for further partnerships. I know one portion of the government is to solve problems which affect the entire County. Additionally, there is a tremendous private/public sector partnership even though it has been forced in circumstances, have dictated it, the County being involved in what happens in the City in a very direct manner who brought this guaranty, as well as some oversight without robbing the Authority of its independence is a good thing. I'm asking you to grant or at least consider expanding the quality of life that is affected by what the public officials did, taxes, health everything is affected. The type of employees that the corporate sector can bring to the communities is affected by decisions that are made at the County and City level. The private sector has a significant interest in this matter. It doesn't rob anyone of their independence. You said to the Authority if we are going to provide a guaranty then we need some oversight. The public/private sector also needs to be engaged. We need a David Rockefeller type to help the City when the City of New York City was in difficulty. We need an escape type that helped to rebuild the point. The first urban renewal project was private. It was a private sector engaging David Lawrence in the 40's to help clean up Pittsburgh. There is plenty of history for what is being done. We are asking if you could expand it, use the leverage of your offices to bring the private sector to engage the educational institutions and the urban affairs and economic departments that is free brain power that is there. They get the benefit of having being engaged in a significant laboratory. They get grants coming in, they get students coming in. The public sector gets the benefit of having all of that ideas and thoughts, things that you don't have to research for yourself. In building a community what looks like a bad situation can turn into a significantly good situation. We are very supportive of Mr. Ellison. He is doing quite well. We applaud where you are at this point. As I was looking at this transaction I noticed some significant challenges. An owner's rep is desperately needed to make sure that the construction costs, which have been stated by the contractor in fact stay in line. The past transaction did not have an oversight entity, which was independent of the contractor. As a result monies were drawn down beyond what was completed. Bankers understand this. Somebody has to watch the situation as much as you can trust Covanta it is not good business to have \$25 million out there which has to be paid back without an owner's rep, who is independent of Covanta, who is going to be reporting to both the Authority and the County. Both of you

are affected. If you do your jobs the way that you are doing it we all will benefit from it because it is moving in the right direction. The oversight is critically needed to monitor it and to make sure that because when you are dealing with the rehab everything beyond the specs you are into 2 ½ times the initial cost and no spec is 100% done. There are no complete drawings ever. You are dealing with a rehab so the risk is even greater than new construction. Again there is concern. Secondly you have a working contingency of \$86,000 reserve so if it goes beyond the \$25 million you have less than 1% available to meet any contingency. I know Covanta is saying that they can do it in phases. I think you heard that before. The next item I would like to bring to your attention is that the oversight of a citizens group as well as public monitoring of this will help us to determine whether or not there is any breeches in the health issues. Dioxin is a possible emission if there are any problems with the construction or in terms of how the plant operates. It is necessary again for the public officials to protect the citizens. It is not just Harrisburg, because everyone breathes the air from Hershey to Mechanicsburg.

Mr. Hartwick: Why does everyone forget Steelton which is so close? I'm sorry for interrupting.

Rev. Harris: The last piece is we have a significant construction opportunity and regret to say that I have failed to see the MBs on the professional team, construction management team not there, architectural team not there, legal teams. If we're going to do this we need to engage everyone and we would encourage you to use the leverage of your office to do that. We are not looking for percentages so much as we are looking to build business capacity so that everyone in this community can develop and grow. Congratulations to the Housing Authority and to the County for being responsive and responsible. I think you are moving in the right direction. I'm just encouraging you to take another step and locate a David Rockefeller who sees what you are doing is so valuable and affects them financially that they are willing to use their clout to bring in the business community to help develop this community. As you move forward the people of color would like to partner with you to be a part of the process. We are asking you also don't leave us out. Thank you.

Commissioners: Thank you!

Mr. Cluck: I'm Bill Cluck and I live in Shipoke. The only reason I stand or sit before you today is to request transparency. I have yet to get a copy of the Ordinance and the Resolution that was acted on last week for one solid week. I have not been able to obtain a copy from the Harrisburg Authority, the Dauphin County Commissioners or the Controller's Office. I would also be very interested in whatever I'm assuming you are voting on something today, without the opportunity to read the document. Particularly as a citizen representative on your Solid Waste Advisory Committee I can't participate. Therefore this attorney believes that is a violation of the Sunshine Law for failure to provide an adequate and meaningful opportunity for the public to comment.

DEPARTMENT DIRECTORS/GUESTS

A. Commissioners

- 1. 2007 Craig Webb Memorial Plaque Award Presentation honoring – Fred Zankiewicz (EMS), Patrick Leonard (Fire) and Pietro Leone (Police)**
- 2. National Adoption Month Proclamation**

Mr. DiFrancesco: We have a crowded room today and with good purpose. I have two things that I would like to accomplish. First I would like to go off the Agenda for just a second and introduce a student from Middletown High School who will be my shadow through a very active and very controversial day. Alexa Shank is a junior at Middletown High School and she is part of Middletown's Shadow a Professional Day program. Middletown, like so many other high schools, gives students the opportunity to go out and pick a professional in the field, depending on what they plan to do with their future, and spend a day shadowing them to see what the career choice would actually be like on a day-to-day basis. Alexa is with us today and I thank you for coming out.

The next part of the Agenda is the presentation of the Craig Webb Memorials for this past year. This is a very special presentation for me each and every year. For those of you who don't know Craig Webb was a graduate of Middletown High School, a friend of mine, who passed I believe at the age of 42, died of a heart attack. He was taken away too early from us. He was a great community servant. He was a great friend, somebody who truly dedicated his life to providing community service. He was a firefighter, paramedic and also served as a police officer. He served the public in all three capacities that this Craig Webb Memorial Award seeks to bring attention to those in the field who continue to serve. It is with great honor that the Board of Commissioners has the opportunity to recognize three individuals of character who have given tremendously to their community. I'm going to go right down the list and begin with the Emergency Medical Service Award winner for the year and just so everybody is aware the way the Board handles this presentation the various organizations from the County, the Police Chiefs Association, EMS Council and the Fire Chiefs' Association are the ones that actually identify these individuals who win the award. They make the decision and determination for each given year. We just have the pleasure of adding them to the plaque. The plaque is then presented and is on display at the Emergency Operations Center where so many other police, firefighter and EMS providers come on a regular basis to do their job.

With that I will begin by acknowledging Fred Zankiewicz of the Millersburg EMS and I believe he and his wife Lola are here today. I'm not sure if other family members may be here, but I would like to begin by reading the Proclamation.

Office of County Commissioner

Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, are delighted to honor Fred Zankiewicz for his remarkable years of dedicated service to the field of emergency medical services and to the residents of Dauphin County and beyond, and we join his many family members, friends, and colleagues in most heartily congratulating him as the recipient of the prestigious 2007 Craig Webb Memorial Award, as the EMS Technician of the Year;

Whereas, we gratefully acknowledge and applaud Fred's unwavering devotion and immeasurable contributions as an Emergency Medical Services Technician, providing essential health care and ambulance service to residents of the greater Millersburg area;

Whereas, through the Millersburg Area Ambulance Association, he has served in many capacities, including Crew Chief, Driver, Medical Equipment Officer, and EMT Instructor for the Association's continuing education program, personifying Craig Webb's selfless, caring spirit;

Whereas, as a resident of Pennsylvania since 1975, Fred continues to deepen his roots in the Dauphin County community by volunteering his time with the Boy Scouts and his church, and serving as a basic and first aid instructor;

Whereas, in addition to his legacy in emergency management, Fred also served as a post office employee and is a retired member of the U.S. Navy;

Therefore, we join the 253,300 residents of Dauphin County in honoring Fred Zankiewicz for the many lives he has not only prolonged, but saved, through the years; we applaud him upon this occasion for his richly-deserved recognition and his lifetime achievements; and in grateful recognition thereof, we do hereby proudly proclaim November 29, 2007 as "Fred Zankiewicz Day" in Dauphin County.

Fred, if you could stand.

(Applause was given.)

Thank you for your services and I will go down the list and read the other two and then we will call you forward along with your family members and actually do the presentation.

The next individual we have the honor of recognizing is the police nominee for this year. Unfortunately this gentleman could not be with us because like Craig Webb he was taken from us far too early and yet has a great reputation of community service and this community will truly miss him – that is Pietro Leone.

(Mr. DiFrancesco read the following Proclamation.)

Office of County Commissioner Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, are honored to commend Pietro Leone for his years of exemplary service to Dauphin County, the City of Harrisburg and this great nation, and in loving memory thereof, we join his countless family members, friends, and colleagues in celebrating his selection as the 2007 Craig Webb Memorial Award winner as Law Enforcement Leader of the Year;

***Whereas,** we gratefully acknowledge and honor Pietro's innumerable contributions, for his life and work truly exemplify the word "service" and Craig Webb's pure spirit;*

***Whereas,** as a pillar of the community and lifelong resident of Dauphin County, Pietro graduated from the Valley Forge Military Academy and served in the U.S. Army as a Captain, earning numerous medals and commendations for exemplary performance;*

***Whereas,** after graduating from the University of Pittsburgh and Dickinson School of Law, Pietro served in the City of Harrisburg's Solicitor's Office and was a Dauphin County Deputy District Attorney, demonstrating heartfelt compassion for victims and their families and an enduring passion for justice throughout his tenure;*

***Whereas,** he later served as legal counsel for area builder Triple Crown Corporation;*

***Whereas,** a resident of Lower Paxton Township, Pietro also served as a member of the St. Thomas Moore Society and 1492 Christopher Columbus Society, working to enrich his church and community, while never losing sight of his chief priority, his family;*

***Therefore,** we join the 253,300 residents of Dauphin County in honoring Pietro Leone for his love of the law, his pursuit of justice for all, and his support for those in need; and in loving tribute, we proudly bestow the 2007 Craig Webb Memorial Award upon him and those he has left behind to keep his memory alive; and in grateful recognition thereof, we do hereby proclaim November 30, 2007 as "Pietro Leone Day" in Dauphin County.*

I would ask his wife, Clorinda, to rise on his behalf.

(Applause was given.)

The last recognition and this is for the firefighter and it is Patrick Leonard.

(Mr. DiFrancesco read the following Proclamation.)

**Office of County Commissioner
Dauphin County, Pennsylvania**

Proclamation

***We,** the Dauphin County Board of Commissioners, are delighted to honor Patrick S. Leonard for his remarkable 29 years of service in fire and rescue, protecting the residents and residences of Dauphin County and the Hershey area, and in his honor, we join his family members, friends, and colleagues in most heartily congratulating this hometown hero as the recipient of the 2007 Craig Webb Memorial Award for Fire and Rescue;*

***Whereas,** a sterling example of grace under pressure, Patrick has served his community with true distinction as Chief of the Hershey Volunteer Fire Company, and with its 85 members, answers approximately 900 emergency calls annually, demonstrating uncommon courage and commitment, even in the face of danger;*

***Whereas,** Patrick witnessed a fire in his neighbor's home in March of 2000 and ran into their burning house to rescue a father and son, reflecting the true spirit of self-sacrifice embodied in the late Craig Webb;*

***Whereas,** as a long-time resident of Hershey, Patrick continues to be an enthusiastic participant in the community, coaching youth softball, football, basketball, baseball, and soccer, providing a valuable service to our youth and further exemplifying his selfless commitment and outstanding leadership abilities;*

***Therefore,** we join the 253,300 residents of Dauphin County in honoring Patrick Leonard for his immeasurable contributions as a volunteer firefighter; we offer sincere gratitude and congratulations for this richly deserved award; and in grateful recognition thereof, we do hereby proudly proclaim November 28, 2007 as "Patrick S. Leonard Day" in Dauphin County.*

Patrick, would you please stand.

(Applause was given.)

Mr. DiFrancesco: I think it is very important to recognize that a number of other public servants have shown up today as a true testament to the honor bestowed on all three of you, as sort of a significance that the community does in fact appreciate the work that often goes unnoticed in the public eye, but the fact of the matter is that today you are here representing all of those individuals who get up in the middle of the night, leave their family on holidays to do all of the things necessary to keep our community safe and all too often do not receive the thank you that they deserve. Today it is an opportunity for us to honor you, but to also honor all the people that you have served with over time.

Mr. Hartwick: In my opinion there are real heroes in this room and to the family of Pietro Leone, my heart goes out to you and your family. I know he was special, fair and a man of honor. With that we've got some special recognition for the work that you do and the name of the plaque appointment doesn't indicate the amount of effort, work and sacrifice that you all place in your jobs on a daily basis to make sure that the citizens of this County are protected. Ultimately without the volunteer firefighters, without individuals who have character, without individuals who have commitment to serve the citizens of this County we certainly wouldn't have the quality of life that we currently enjoy and largely from the volunteer basis. It is my opportunity, from one Commissioner, to say thank you very much for a job well done.

Mr. Haste: George hit it right on the head. If you think about these three individuals and the associations that they represent and the number of lives that they touched, whether it be through the EMA, Fire and through the Police, the number of lives of people in Dauphin County that they touch every single day is outstanding. To have these three individuals recognized I think is a great honor to them and their families.

Mr. DiFrancesco: I would like to call the recipients and family members forward. We will get a couple pictures. Some of the pictures will be with the recipients and then with the family members as well.

(Pictures were taken and applause was given.)

Mr. DiFrancesco: I would also like to give the opportunity for any family members that came along today if they would like to get some pictures.

Mr. Hartwick: It gives me great pleasure today to provide a Proclamation and a couple of comments surrounding National Adoption Month. There is a big function of what County government provides is help for those individuals who oftentimes, especially in childrens' cases, are placed in a position through no fault of their own. They might have been in a position of abuse or neglect, may have been removed from their home as a result of their birth, or may not have parents who are capable or able to care for them.

Oftentimes and most times those situations involve serious long term implications for a child -- their ability to understand where they belong and if in fact they belong. Their self-confidence, their ability to cope with situations and their ability to be protective in life is affected by their understanding of where is my home, who are my parents and who is there to guide me. Sometimes it is moved from a situation at home to a foster parent, which we have foster parents with us today. We play an unbelievably critical role in the process of hopefully stepping into a permanency. I know I have enough trouble taking care of my own kids let alone taking care of kids who come from abused and neglected backgrounds with serious challenges that they face. There are parents in Dauphin County who are willing to open up their homes and hearts to be able to give kids an opportunity and a chance to have some temporary guidance and then hopefully move them into a more permanent situation. I was hoping that the entire audience would be here to make the pitch, but yes we still do need adoptive parents in Dauphin County. We have 20 kids ready right now in Dauphin County looking for an opportunity for a permanent home. So, those individuals who are special individuals who are either looking for an opportunity to engage with a child or are maybe have kids leaving their home and want to make sure that they continue to provide that support and guidance, we certainly would welcome you as an adoptive home in Dauphin County. We hear so many things about heroes. We hear about firefighters who sacrifice their life. I venture to say that we got heroes not only in the adoptive parents, but the individuals who work for Dauphin County in the area of Children and Youth Protective Services on a daily basis. These individuals also care deeply about what they do. They are not motivated by money. They are motivated by the passion to make sure that the kids are protected in this County. That motivation allows me to feel a whole lot better about the job that I do knowing that we have caring and committed people looking out for the best interest of our children in Dauphin County.

(Mr. Hartwick read the Proclamation.)

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, are delighted to join communities across the nation in commemorating the month of November as National Adoption Month and, in so doing, raising awareness about adoption, honoring adoptive families and spotlighting the children who are still in need of a loving, permanent home;

Whereas, every child deserves a warm, nurturing, and permanent family, but sadly, many abused and abandoned children in the county's care have never known one;

Whereas, in Dauphin County, more than 20 children are longing for a safe, stable home and awaiting a permanent family to love them faithfully and care for them forever;

Whereas, these children come from diverse backgrounds; many have special needs because of physical, mental, or emotional disabilities, or because they are older or must be placed with siblings;

Whereas, these children need extra patience and support to help them overcome previous hardships and profound sorrow, but Dauphin County is working hard to find them stable homes and prove that every child is worthy of love and able to be adopted;

Whereas, adoption has changed significantly over the years, with adoptive parents no longer required to be a homeowner, or of a certain age, marital status or socioeconomic status; more important than wealth or residence is a commitment to love unconditionally a child who has never known such unselfish, self-sacrificing love;

Therefore, we are truly grateful for the remarkable families who have opened their hearts and their homes to less fortunate children, and in recognition of their around-the-clock efforts and the many children still desperately in need of a home, we salute their heart-warming level of commitment and do hereby join organizations across America in proudly proclaiming November 2007 to be "Adoption Month" in Dauphin County.

Mr. DiFrancesco: George mentioned already the fact that there are many, many heroes in our community and those heroes do in fact take different form. I guess one of the benefits of being able to sit in this chair has been the opportunity over the past four years to travel around to spend time working with our human service providers to see families in need. Sometimes it is real easy to sit back and get caught up in the headlines and get caught up in sometimes the negative stories that happen on a day-to-day basis, but to not truly understand what is going on within families and with the children of those families it is amazing to me the amount of love shown by people who open up their homes and accept children who come from broken homes for whatever reason. The reasons don't matter. What matters is that there are people in this community that stand up that have the patience, heart and take the time, as George mentioned, love unconditionally these kids who just need a start. They need some place stable to grow up in. Today, I would like to say thank you to those who have been involved in adopting children, but I also really want to make a plea to this community because I know that Dauphin County has amazing people living within it. People who do have the capacity to show that patience, to show that love, to share their home and as George mentioned there are kids waiting and there are kids in need. If you have the heart or if you think this is something that you would like to do please take the time to pick up the phone and contact us and see if we can make that link. There are a lot of kids out there that need homes. There are a lot of kids out there that need saving for whatever reason and we would like to do all we can to make sure that those kids have that opportunity. For those that are here today who have already participated in the process and for the employees that are here today to help facilitate the process I just want to say thank you.

Mr. Haste: I'll just finalize, as both George and Nick were talking, that an Alabama song came to my head and I think the foster and the adoptive parents out there are truly blessings to this community and to Central Pennsylvania. But as that Alabama song would say they are the angels among us. Thank you very much!

Mr. Hartwick: With that, we have foster parents who are attending: Anna Horst, Gladys and Henry Wills, Caseworkers: Rosemarie Thomas, Michael Beckstein, Lauren Harris, Yaivette Roberts, Diane Scheidler, Kim Monk, Zach Wagner, Carlton Smith, Chrissy Theirwalther, and Megan Syage, Hope Rohde and Jenn Horn, Jessica Currin, Lindsey Miller, Marilyn Suttin, Liz Tobin, Rick Vukmanic and Joseph Dougher.

Could everyone come up and join us for a picture.

(Applause was given and pictures were taken.)

Ms. Rohde: I thank you for the comments you have made. There is a great need in Dauphin County. Recently you all heard the story about the child who was left on the doorstep. The outpouring of the community was phenomenal. We got a lot of calls from folks who were interested in being a foster parent for that child. I managed to talk some of them into just coming on with us as foster parents for other children. I just implore to the community and to you as well to continue to help me recruit foster parents because there is such a great need in Dauphin County.

(Applause was given.)

B. Charles B. Zwally, Esq.

1. Harrisburg Incinerator – Ratification of the Reimbursement Agreement

Mr. Zwally: You have before you a Reimbursement Agreement which had been executed by the City of Harrisburg and on behalf of the Harrisburg Authority. We are recommending this document for your execution as well. You will recall that last week you approved an Ordinance for the working capital financing for the Authority which will have the secondary guaranty of the County. You also approved a Resolution, which would amend your Waste Disposal Agreement with the Harrisburg Authority, to provide for an increase in the tipping fee of \$10 per ton. These actions you took on condition that the Authority accepts certain covenants, which we had proposed within the Reimbursement Agreement. The covenants appear in 6.2 of that document. At that time the Authority had indicated that they were not in agreement completely with those items. Since that time we were engaged in discussions with representatives of the Authority. As you know we have kept each of you advised with respect to those discussions. We have also provided upon Mr. Wenger's advice, as financial advisor, with respect to the financing portion of those covenants. I can report to you today that the document which you have before you, which has now been accepted by both the City and the Authority, is substantially the same as the document which you approved in your Ordinance last week. However, saying that there have been changes to Section 6.2 with respect to certain covenants between the Authority and the County. These changes have been made in order to accommodate certain concerns of the Authority. We continue to recommend the document as revised and as before you today. Upon consultation with your Solicitor, Mr. Tully, it is our joint recommendation that this Board take action this morning, if you are in agreement, to ratify the Reimbursement Agreement and authorize its execution and delivery by the County. I would be happy to respond to any questions that you may have.

Mr. Haste: Any questions or comments?

Mr. Hartwick: I would just make one comment. I think the citizens of the County deserve a Board that is going to be responsible despite obstacles and what is popular. I think we remain strong in our position to come to a resolution. This is a project that none of us caused. We are not in the position to actually be correcting mistakes that we

had nothing to do with, but ultimately it is not about pointing fingers. We have far too much of that in government service today. People who want to tell you what is wrong with what you are doing, but have very few solutions to solve the problem. While I don't believe it is a perfect position, it is certainly something that moves this process forward allowing citizens of Harrisburg to not face the brunt of the actual consequences that would have occurred had the City and the Authority defaulted on this money. The tax implications would have been enormous. Based upon the history Dauphin County is moving and positioning ourselves to have more oversight, the ability to work with an Authority who we have much more confidence in and, in my opinion, actually making sure that we protect the taxpayers in Dauphin County was an important piece to this Agreement. Moving forward you are going to expect that same level of involvement from the professionals in Dauphin County in assuring that this project moves forward in a way that was promised and is a way that is going to be consistent with getting the facility up and running and hopefully being able to meet future debt service payments and avoiding any implication for the City or County residents in the future. While it is not perfect we have arrived at a position where I think it was our obligation to be at.

Mr. DiFrancesco: I'd like to add that I think it has been commonly known throughout all our comments over the last couple of months that this project has reached a point where there was no good win/win solution. This was a distasteful decision regardless of which way we chose to go, but the benefit of coming through this process, as George has already mentioned, I want to give credit to Mr. Ellison for his efforts. The last 24 hours have not been particularly pleasant for either one of us, but I think it is important that the community understand that there is a lot of negative comment out there. There are a lot of people who would wish that the County would walk away from this completely, but at the end of the day if the County had walked away and this would have blown up, the consequences to the entire region, people can choose to believe it or not, would have gone far outside of the City boundaries. It would have impacted every community in this County in a very negative way. So, while we all sit here today with the unfortunate responsibility of cleaning up a mess that none of us that are at the table today created, I do believe that this proposal and this plan in its current form gives us the best chance to resolve the issue and actually put a successful plan in place where we can finally put the Incinerator mess to rest. I just want to commend the Authority. I understand the position you were in was not an easy one also. That in fact you are walking in as new leaders to a situation that was created for you and I commend you for taking on that responsibility. Again, it was very uncomfortable over the last 24 hours, but at the same time there is mutual respect in place now, I believe, that did not exist prior to this. I truly sit here today believing that we can get this issue resolved. It is not over with this action certainly, but this action takes us through and allows us to set a strategy in place where once and for all we can get this Incinerator debacle resolved and put to rest.

Mr. Haste: We started this process actually 11 ½ months ago. It is funny how this request and this project has changed dramatically from that meeting 11 ½ months ago. I do think, as Nick said, I would like to commend the Authority in particular James and Erica for staying on top of this and working this through. The interesting thing as you go

through this, when you are on opposite sides of the table, negotiations sometimes get quite hairy, but when it is all said and done I have to say that I have a tremendous amount of respect for the Authority and the new leadership that is there. They are willing to try to do the right thing. I think it was Nick said that there are folks out there that still would like us to walk away from this and see the project fail. I think just recently as two hours ago I was getting those inputs from other folks from around the County encouraging the County not to support the City. This project is so complicated that most folks don't understand that if in fact the City fails so do the rest of us. As I said in particular settings before, Dauphin County is all one. We are one political subdivision. We have different subdivisions within, but if one area goes so do the rest of us. If one part of our County goes in the tank, the rest of us have to go in the tank with it. We need to rejoice in the successes of the project and try to overcome those failures and I think this is one of them. Even though it is not an ideal project for any of us, I think the County taxpayers are in a better situation today than what we were before even though it causes the Authority some concern that we have oversight and input. I think once this project is up and done we will have turned the corner from the history of this facility. When you look at the history it is fairly well documented in the article out of the Patriot-News, there has been a long history of not enough oversight and not enough paying attention to this project that got us to the point where we are today. I think this project is probably one of the most scrutinized and examined projects in the City's history. If there is a chance that it will turn around I think it is because of that and enough people now are partners at the table. I would also like to thank Carol Cocheres who worked quite a bit in this, Jay Wenger, Chuck Zwally and Tom Smida. I would get five or six phone calls a day from Chuck at all hours of the day. I appreciate your willingness to work with us to get this done. Hopefully we turned the corner in not only the City's history, but the County's history with this project.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board ratify the Reimbursement Agreement that was approved by the Board at the Meeting on November 21, 2007; motion carried.

PERSONNEL

Ms. Lengle: There is one Salary Board item. Are there any questions on this item? (There was none.)

Are there any questions on the Personnel Packet? (There was none.)

Mr. Haste: Are you and Mike Yohe working on the year-end so we have the correct Salary Board action at the beginning of the year?

Ms. Lengle: You do want the Salary Board requests?

Mr. Hartwick: Yes.

Ms. Lengle: I have asked for those positions.

Mr. Haste: We will do those at the first meeting in January.

PURCHASE ORDERS

Mr. Baratucci: You should have all received the Purchase Order Packet yesterday. Are there any questions on the Packet? (There was none.)

In addition to that you should have received another Remote Access request. This is for the Coroner's Office. They are looking for two cards to share among the people that work there. That can be taken under advisement until next week.

Mr. Haste: Can you just get for me and I will talk to Graham too, what information do they need to access?

Mr. Guenther: They go into their forensic software out in the field to get information.

Mr. DiFrancesco: I would also like to know how they were doing this in the past and why is it critical to make this change now. Jeff, when you talk to Graham can you find out?

Mr. Haste: Yes.

TRAINING PACKET

Mr. Saylor: There are two items that we need to have action on. They are #5 and #6. #5 the registration deadline is the 1st of December.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve Items #5 and #6 of the Training Packet; motion carried.

ITEMS FOR DISCUSSION

Mr. Haste: I see we have no items listed right now, but I'm sure by next week we will.

SOLICITOR'S REPORT – WILLIAM TULLY, ESQ.

Mr. Tully: I basically have no changes to the report, but would be happy to answer any questions you have. I would also like to make a comment and kind of address the issue of transparency on the process that involved the Incinerator.

I want to commend the Board for being extremely open. I think we had a public meeting every week where there was the report of the progress and sometimes lack of progress. Essentially every request for documents that Chad has received has been honored and put forward. I don't know how you could have been more open or transparent without completely destroying the process of negotiations among four entities. I think we had

the Authority, the County, City Council and the Mayor. At times they were in different areas. I want to commend you on how open you have been through this entire process, inviting public comment, both publicly as well as individuals I guess lobbying you in your offices either for or against this project. I think it has been very transparent and it served the citizens of the County well.

CHIEF CLERK'S REPORT – CHAD SAYLOR

Mr. Saylor: I just have one point that I would like to make. As you know I am the Right-to-Know officer of the County and in all my duties as your Chief Clerk I pride myself on my efficiency and expediency in handling information. I like to avoid commenting on comments that members of the public make, but I simply must respond to Mr. Cluck's comment. I have not, at any time, received any request from him for documents. It certainly would be easy to have produced the documents that he seeks and I believe he does now have copies. I think it is important to note for the record that while I have many powers, filling requests that I have not received is not among them. I received no letters, phone calls or emails from Mr. Cluck on that. Certainly if I had we would have filled that right away.

Other than that unless there are any questions or comments of me I have nothing else to report.

COMMISSIONERS' COMMENTS

Mr. Hartwick: We recently had our Human Services Policy Committee Meeting of the Statewide County Commissioners Association. I will update the Board on two potential items that may affect Dauphin County. The Office of Mental Retardation and the Department of Public Welfare has begun the process of notifying counties. They did it first with structuring the way that we do business with mental retardation with having to deal with the Federal regulations first. So, they stripped a lot of authority away from counties, once we moved into that realm of doing business with service providers. I believe it is good for the counties to have local control in being able to deliver direct services. The Secretary of the Department of Public Welfare and the Deputy Secretary for Mental Retardation Services, Kevin Casey, have made it very clear that they want to attempt to exclude counties from the service delivery in contracting directly with service providers in our area of mental retardation. That happens to be about \$4 to \$5 million in contracted services that we have with mental retardation providers here in Dauphin County. We also provide monitoring and oversight of those providers which is an essential piece to the ability to make sure that service delivery is above par. We have responsiveness from the public through the County Commissioners in making sure that any concerns or complaints are addressed. Clearly, the County Commissioners Association is taking a position that we do not support this move by the Secretary or the Department and I think the mental retardation administrators have also adopted the same that was sent directly to the Secretary. I will try to continue to copy the Board on any correspondence related to that matter, because it would have an affect on the

County's General Fund budget, as it relates to direct costs, as well as some of the administrative fees coming out of that.

The second one--the State, in its great and infamous wisdom, issued an RFI, a request for information, about the medical assistance transportation plan, which we currently administer here for our medical assistance patients in Dauphin County. We came up with a creative way for a third party administrator to match people up and this is a Federal entitlement, with medical assistance where individuals who qualify for medical assistance are eligible to receive rides to and from the doctor's office. We currently have again entered with a third party administrator and really have increased the ridership and also done a lot with cost in trying to match up people with the most efficient and the most cost effective form of transportation. The State is again trying to strip local control from us to administer the MATP program and they are looking at trying to contract with regional transportation providers, multi-county. What it looks like is not yet known exactly. The County Commissioners Association is also taking a position against this move. MATP has dramatically improved in Dauphin County under the Board of Commissioners. A complaint has not been processed for an extended period of time. Both of these matters will have an impact on the County and I wanted to bring the Board up to speed on both of them.

Mr. Haste: On November 19th a group of us testified before the Senate Judiciary Committee on mental health courts. As you know I serve on a PA Bar Association Committee that is trying to look at ways to improve our criminal justice system. On that date we testified on trying to standardize mental health courts, specialty courts I'll call them, along with drug and alcohol and the other different courts so that they will be somewhat uniform across the State, but still being flexible enough that each county and each president judge can have its own procedures. The other was to try to make sure that there is funding available for these mental health courts and the providers that would carry out the court actions without taking that away from the existing already strained funds that are available for mental health. We will see as that goes. It seemed that we received some pretty good support from the Senators that were in that meeting.

PUBLIC PARTICIPATION

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

Mr. Cluck: I must clarify that I did not make a formal Right-to-Know request to the County, no offense taken Chad. I did send an email to a commissioner Wednesday afternoon when I realized that there was something about conditions that I didn't know about. Given that it was the day before Thanksgiving, there was no reason to go through a formal process. Nobody was around and nothing could be done. By the time it got to Monday and Tuesday when I couldn't get a copy from the Patriot-News reporter I started to get concerned. I said I think I smell something here. Then I started to read about conditions changing. Thankfully I now have the document. Unfortunately, I didn't have an opportunity to comment last Wednesday. I think public participation is the

ability for the public to obtain the document, read it and comment on it. Not, here is the issue, talk about it. I support your actions. The guaranty is important, oversight is important, but you need to understand that as George said you weren't here in 2003. I was and what they said in 2003 was this is the most scrutinized project in the history of the City and the County. City Council held hearings all over the City on that project and it failed. Now, it is not going to fail because we have engineers, lawyers, bankers, trustees for the City, County and the Authority. This is amazing. How much are we spending in professional fees that the different people viewing the same thing are we going to be able to pay back the loan? All the professionals are going to get paid. That facility will never generate the revenue necessary to pay back this loan. As I read this document, which I had to scan quickly, it looks like you get to approve any future operator if they sell this facility. If you want to be involved buy it, because I don't know that the County needs to be involved. You are forcing the Authority to stay with Covanta. That is fine. Covanta has the right of first refusal. That is an issue I don't really care about. But, when it is time to sell the Incinerator in a couple of years why do you care? What is the interest to the County?

Mr. Haste: I think they are called taxpayers.

Mr. Cluck: Well yeah, but not in terms of approving... Let's assume that it is a company that the County Commissioners have had an issue with over the years like a certain landfill in the County and certain people that the County don't want particularly to purchase it, is that going to become an issue? My hope is that the Harrisburg Incinerator, the ash landfill closes and that the ash from the Incinerator goes to Dauphin Meadows where it belongs. I don't know if that is going to happen. I don't know if this Agreement affects any of that. I would have liked the opportunity as a member of SWAC upfront to have had that open discussion about all these issues rather than just whining about it afterwards.

Mr. Haste: Just a reminder that we have Retirement Board and we will convene at 11:30 a.m. For those members, we are going to have a lengthy Retirement Board today.

ADJOURNMENT

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

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz