



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**WORKSHOP MEETING**

**WEDNESDAY, FEBRUARY 19, 2003 (10:00 A.M.)**

**MEMBERS PRESENT**

Jeff Haste, Chairman  
Lowman Henry, Vice Chairman  
Anthony Petrucci, Secretary

**STAFF PRESENT**

Robert Burns, Chief Clerk; Julia Nace, Assistant Chief Clerk; Bill Tully, Esq., Solicitor; Phil Spaseff, Recorder of Deeds; Joseph Kleinfelter, President Judge; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Jim Frandano, Information Technology; Rick Wynn, Director of Human Services; Mike Pries, Director of Safety and Security; Edgar Cohen, Director of Facility Maintenance; Dan Robinson, Director of Economic Development; Anthony White, Director of Fiscal Affairs; Steve Chiavetta, Director of Registration & Elections; Ed Chubb, Director of Parks & Recreation; Cindy Melamed, Dauphin Manor Administrator; Bob Knupp, Esq.; Jane Gordon, Commissioners' Office; Kacey Truax, Commissioners' Office; Greg Schneider, Commissioners' Office; Dan Mosel, Human Services; Faye Fisher, Personnel; Sharon Ludwig, Personnel; Garry Esworthy, Risk Manager; Diane McNaughton, Communications; Steve Howe, Tax Claims; Shari Eagle, Information Technology; Cindy Boratko, Information Technology; Jim Albert, Commissioners' Office; Amanda Chmiola, Commissioners' Office; Elizabeth Woland, Dauphin Manor.

**GUESTS PRESENT**

Sondra Mosten; Chuck McLister, Cornell Abraxas; Steve Hetrick, Hetrick Investment Group.

## **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: Commissioner Petrucci is on his way I understand. He is tied up in traffic. He had a class that he had to teach at HACC this morning. I do know that the City is removing snow off the street. There he is.

Mr. Petrucci: I apologize.

Mr. Haste: We will give the Commissioner a minute to grab his Agenda. You can tell that he is a professor. See all the homework he brought with him.

Mr. Petrucci: We are in for a long meeting here wouldn't you think? I'm ready.

Mr. Haste: The first item is the approval of the minutes from the January 22<sup>nd</sup> Workshop Meeting. Is there a motion to approve?

Mr. Henry: Don't we carry that forward to the Legislative Meeting?

Mr. Haste: Yes.

### **PUBLIC PARTICIPATION**

Mr. Haste: Any Public participation?

### **PERSONNEL**

Mr. Haste: Personnel matters, Faye.

Ms. Fisher: Good morning, Commissioners. You should have your Personnel packet in front of you behind the yellow sheet. There are no Salary Board items for today so we

will move right into the Personnel packet. First we have the Workshop Agenda Vacancies listing. Next we have the Workshop Agenda New Hires listing.

Mr. Haste: Has anybody checked, are these positions funded in the budget?

Ms. Fisher: This information has been forwarded to Mike Yohe.

Mr. Haste: Ok.

Mr. Yohe: (not on microphone) On the Vacancies Listing I know that several.....I will check on them.

Mr. Haste: Please. Thank you.

Ms. Fisher: Next we have the Workshop Agenda New Hires listing. Next we have the Workshop Agenda Changes listing.

Mr. Petrucci: In regard to the Changes list. I am shocked to observe, actually not shocked, but to have six tax collectors resign at on time. Six out of forty in the County, is a relatively large number. I did place on the Agenda today for discussion the audits that we received from the Controllers Office in regard to the tax collectors. I had already prepared to have a discussion with the Commissioners about the tax collectors today and this only highlights an incredible financial failure for the County, the school districts, and for the municipalities. To be operating in such an archaic revenue collection system where six tax collectors elected can back out and the revenue raising from these areas be left in question. So I point these out now for the purpose of leading up to a discussion on one of our items on the Agenda.

Ms. Fisher: Finally we have the Overtime report for pay period 3. And an Overtime request for the Prison. We will get you that information, Commissioner Haste.

Mr. Haste: Thanks. Anything for Faye?

Mr. Burns: Mr. Chairman, can I ask a question?

Mr. Haste: Yes.

Mr. Burns: I noticed on those tax collectors' resignations they are all January of 2002. Is that the correct date, Faye?

Ms. Fisher: I think Payroll used the last day that they actually worked as the effective date.

Mr. Henry: January of 2002?

Mr. Burns: The packet says 2002. That is why I asked. I was wondering if they all just resigned or if these have occurred over the course of the past year and they are just making it into a packet.

Ms. Fisher: I will double check that, Bob. It is my understanding that we used the effective date that they last worked. But I will double check the date.

Mr. Haste: That would mean that they weren't in office last year at all.

Ms. Fisher: According to this date. I will double check that.

Mr. Henry: Would that have coincided with an election where they would have left office at that point or have they resigned since being elected? No that would coincide with the end of a term.

Mr. Burns: Some of those we may have appointed somebody to replace them. I'm not sure without seeing what municipalities they are from. We did several appointments last year throughout the year.

Ms. Fisher: I'll research that for you.

Mr. Henry: Let's get more information on that.

Mr. Petrucci: It would coincide with the audits that we just received from the tax collectors which is where the audit of the year 2001. Maybe we have a whole year's worth of revenue that we haven't collected yet and could use.

Mr. Henry: I hardly doubt that. I don't see the County Treasurer here but I hardly doubt that the County Treasurer would let a whole year's worth of revenue from six municipalities go uncollected. I suppose if you are trying to make a political point that the data doesn't back up you might want to aver that. I sincerely doubt that the Treasurer would be negligent in that manner.

Mr. Haste: I'm sure that those taxes were collected. The Treasurer's office fills in whenever there is no tax collector.

Mr. Petrucci: I was being sarcastic.

Mr. Henry: Well the Minutes do not reflect sarcasm and I do not want them to reflect anything that might reflect ill upon the Treasurer who has done his job.

## **TRAINING PACKET**

Mr. Haste: Training packet, Bob.

Mr. Burns: Mr. Chairman, there are 19 requests and none of them require a vote today.

## **PURCHASE ORDERS**

Mr. Haste: Purchase orders, Mr. Baratucci.

Mr. Baratucci: You should have received your packet yesterday. There are a number of items that are showing over budget. I have given them to Mike. I know a couple of them are for equipment that we did not equipment line items budgeted so the offices have been asked to move money from another line item into the equipment codes and Mike is checking on those. We will have them resolved by the time the packet comes before you next week. Did anyone have any question on any of the items on the packet?

If not you should have also received a bid tabulation. We opened a bid last week for a trash removal for the County buildings. We are coming up on the end of a current three year contract that we did a bid for in 2000. That ends at the end of this month so we did a new bid. On the advice of Andrew Giorgione who has been the solicitor for Solid Waste we did this contract for two years with an option year because he suggested that in the year 2005 there may be some changes coming to the law that might effect some of the specifications we have for trash removal. This one was bid as a two year option for a third and we did receive two bids which are the same two bidders that we received last time. York Waste, who is our current supplier was the low bidder. The numbers are on there for each building. It was bid as bulk so we went with the total. York Waste's two year total there is \$179,193.60. I would ask that if you could approve this today because again the contract runs out February 28<sup>th</sup> and we do have a sample contract in the bid package and I want to get that to the Solicitor's office and get York to sign it so that we will have no interruptions. It was a pretty straight forward bid here. Two bidders that we are familiar with and the same supplier that is our current one is the low bid. Are there any questions?

Mr. Haste: I take it from this that we are going to go with the two year total.

Mr. Baratucci: The two year total with the option year at the end. I think we have 60 days prior to the end of the second year where we will have a choice to exercise the option or not. It would be our intent to exercise the option if nothing has changed but again based on Mr. Giorgione's suggestion he wanted to leave that open in case there were some changes to the law that would necessitate us changing the specifications. We may want to not take the option year if it would be to our benefit. I would just be asking for the two year approval right now.

Mr. Haste: Is there a desire to move with this?

Mr. Henry: I'll motion that we approve the York Waste Disposal bid.

Mr. Haste: Is there a second?

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Opposed? Motion carries.

## **DIRECTORS**

Mr. Haste: Steve Hetrick.

A. Stephen Hetrick, The Hetrick Investment Group

1. Employer Sponsored 529 College Savings Plan

Mr. Hetrick: I would like to thank you for the opportunity of meeting with you today to review the merits of adding a 529 Plan to your benefits package. I would like to start off by describing what a 529 Plan is. It is named after the Internal Revenue code much like a 401K or 457 which is a deferred compensation. It was designed by Congress to create a significant tax advantage account for saving for college. Earnings grow tax free. Withdraws for higher education are free from Federal Tax until 2010, which is extended by Congress. That was with the last tax bill that was retroactive, certain things were retroactive. Until 2010 if you have money in this account, you withdraw it for college expenses you pay no taxes on the earnings. If you withdraw money for something other than qualified higher education expenses you would owe Federal income tax on the earnings only and have to pay a 10% penalty on the earnings only. You can use this account to pay for college, graduate school or even technical school. So it would be available for if we open up the Polytechnic Institute in Harrisburg. It would be available for that as well as the Community colleges or any higher education that is qualified for Federal grants. So even some foreign schools are available for that.

You can open up an account for anyone including your children, grandchildren, spouse or even yourself. You can change the beneficiary whenever you want which is something if you were saving before in like an UGMA or UBMA account that money was the child's when they reach the age of majority. With this type of account if you were putting the money in, you are the account owner and the child would be the beneficiary. So you have control over those assets. If you have two children, maybe one gets a scholarship, you could change the beneficiary over to the child who did not get a scholarship. So it is a very flexible plan when compared to other ones in the past.

The State has revamped their TAP program which occurred this summer. They went with Delaware Investments. They have packaged together their guaranteed tuition program along with an investment program. Now the TAP program offers some tax advantages to residents of Pennsylvania. They are a 2.8%, they waive the 2.8% tax on withdraws that typically an out of state resident would have to pay. If you had your account in an out of state plan you would have to pay that 2.8% tax on the withdraws. And that is only on the earnings. That's not a really big benefit but it is some what. They also offer that any monies in the TAP account would not be qualified for State financial aid. Again this is nice but most college scholarship money is Federal money.

It is something that is a bonus but it is not as great as if it were excluded from Federal grants.

Transfer of ownership of a TAP 529 account due to the death of an account owner is not subject to Pennsylvania inheritance tax. The TAP 529 accounts are protected by Pennsylvania against attachment, levy, or execution by a creditor of the account owner or the beneficiary. Also through the SAGE Scholarship Tuition Rewards Program you can qualify for scholarships at many participating private colleges or universities. Certain families may qualify for matching funds under the Pennsylvania TAP program also. Now the specifics for that are for families whose incomes do not exceed 200% of the Federal poverty standard. That would be for example, a family of four with earned income less than \$36,000. So it is not a benefit for many people but for those people who would fall in that category it would be a benefit for them.

There is another program I would like to discuss and that is the Virginia Program. It is run by American Funds. I think that this program offers a great employer sponsored 529 program. Although the State program offers some incentives with the taxes and some of the scholarship and the inheritance tax. The nice thing about the 529 program with Virginia, it is called College American, number one their investment performance. Barron's recently came out and rated them the number one fund family over the last 10 years. They were number 4 over one year and four over a five year period so they are consistently among the top. The main reason, from an employer's stand point, where I think this bears merit is that there is no administrative cost for you. With the Pennsylvania program for an employer's sponsored plan it is a payroll deducted item. Under the Virginia plan it is not a payroll deducted item. So if somebody wants to enroll or if they want to change how much money they are contributing they would do that directly with American Funds. It would not be a function of your payroll or benefits department. So that is going to save your personnel some time there.

In addition whenever you sponsor a plan with the American Funds with an employer sponsored plan you can participate with the E shares. E shares are no load up front and they have a 50 basis point trail so it is a very inexpensive way of investing that would not be afforded to people who were not able to purchase this through an employer sponsored plan. To give you an example if someone were to come to me and say that they would like to invest as an individual in this plan they would have to pay an A share would be a 5.75% up front sales load commission on that. So there is a significant savings to participants enrolling in employer sponsored plan.

I think the important factors you need to consider when you are weighing this decision is number one, do you want the County to bear the administrative expense. When I was doing this analysis I talked to Delaware Investments who handles the TAP program and I asked them if they could make an exception for a large plan and have it be other than a payroll deducted item and they said they don't have the capabilities at this time. They explained that they just really started getting this program rolling in the summer and they may add this feature in the future. But as of now they can't do that. They will however for plans that are over 100 employees allow people to invest without any sales load going in. So typically if an individual would come to me and want to invest in the Pennsylvania plan they would have in an A share of 5.75% sales charge. If it is an employer sponsored payroll deducted item for the Pennsylvania TAP program there would be no sales load at all but you would have to run the administration on that.

The decision, if you say that a 529 plan would be a good benefit and I really think it would because working with people on the deferred compensation plan quite a number of them have asked me about investing for college so I know that there is a desire with the people that I have met with the deferred compensation with some of them to invest in a 529 plan. By sponsoring as an employer you are allowing them to invest at a less of a cost then you would be as if they were coming to a broker on an individual basis. Now with the Pennsylvania TAP program also if they contact the TAP program directly there is no sales charge. But then they are responsible for making all the investment decisions themselves. So they wouldn't have someone to direct them and help them with those decisions. So they do have the capability of investing in the Pennsylvania TAP program at no sales cost if they go directly to the TAP program.

If you fee that the administration burden would be minimal and you decide to implement this type of plan, I would suggest going with both of the plans because with the Virginia College America plan you aren't losing anything. It is not costing you anything to have the program. So you would allow them the opportunity to invest in a plan that has a great track record. Personally I have invested in the Virginia plan for my own son because of American Funds track record. For those people who want to use those benefits that I discussed regarding the Pennsylvania plan they would have that ability to invest in that plan also. You would be allowing them both to invest at no sales charge, no up front sales charge.

Finally if you think you would like to forgo the administrative burden, you would like the 529 sponsor to handle all of that then I think the College America plan by American Funds would be a perfect fit because there is no cost to you. All you would do is sign a form that you would sponsor it. Basically I would take it from there and American Funds would administer it. In either case there would be enrollment meetings and I would be available for individual and group meetings regarding those. Like I said, I think it would provide a real benefit to the employees because they would be able to number one, have something that they couldn't have regarding the cost, have a service by a broker at no up front sales load. Really the decision would be is what type of time commitment that it would take to administer the program if you go with the TAP program in addition to the American Funds.

Mr. Petrucci: Would they be able to automatically deduct from their wages on a plans that they would independently sign on for?

Mr. Hetrick: I'm not sure what you are asking.

Mr. Petrucci: In other words, if we took no action at all, could an employee have deducted from his wage a contribution to a 529 plan even though we haven't as a Board voted on one?

Mr. Hetrick: I don't believe so. I believe it would have to be set up as an employer sponsored plan. I think maybe the payroll department would be able to answer that question more specifically. By sponsoring a plan as the employer, you are allowing them to invest at no sales cost. Again, if somebody would come to me and want to

invest in one of these plans as an individual they would have a significant cost in sales load.

Mr. Petrucci: How do these compare to what the State Treasurer runs from her office?

Mr. Hetrick: This would be the State Treasurer's program. The Pennsylvania one that I had mentioned. The Virginia plan is similar. It's just run by the Virginia's Treasurer's office. It has had A marks by Barons. It was one the distinguished list by USA Today and their polls so it is a great plan. Again for those people who would like the benefits that are afforded to Pennsylvania residents they would have to go with the Pennsylvania TAP program. Again, with the TAP program you have, what they have done, is they have continued to guarantee the count and added the investment account with Delaware Investments. So they have enhanced it from it's...what it had been in the past as a guaranteed college savings plan.

Mr. Haste: If I wanted to sign up with the TAP program now how would I do that? Would I do that directly through the Treasurer?

Mr. Hetrick: You have two options. You could go through any broker that you are associated with or you could go directly through the TAP program by calling an 800 number. If you go through the TAP program they will send you a packet of information and then they will discuss the investment options with you. They will not be able to give you investment advice. That would ultimately be your responsibility.

Mr. Haste: And that is not done by a payroll deduction is what you are saying?

Mr. Hetrick: That is correct. To give you an example I wanted to see what the turn around time was for myself so I called as an individual and asked for the information. It was delivered very promptly within about three days. It had all the information there, a nice information packet. But again if you are unsure of which investment option you would want to take you would have to go through a broker to give you actual advice on the plan. What you would be offering the employees is the ability to come to me as a broker and ask the investment questions and have no cost as if they were buying it from the TAP program. And that is only because of the size of the business here. That is only for employers with over 100 employees.

Mr. Haste: Could you make sure that our Personnel office gets a packet and I'll see that the Solicitor's office has a packet. Thank you. Jim Frandano.

B. James Frandano, Information Technology Director

1. Discussion of ideas for putting campaign finance reports on the county website.

Mr. Frandano: Good morning. We are here today to talk about a directive that was passed late last year by this Board about putting campaign finances on the website. In

an absence of requirements and specifications, Mr. Chiavetta from the County Board of Elections, and myself discussed three alternative ways of doing this. The first system that we looked at was the system from the Department of State. We spent some time on their website and we had some discussion with them. They have a three tier system which was put together by an outside consulting company. They would give us the code to install it in the County but we would have to use the outside consulting company plus we would have to buy some proprietary data base software and some middleware, such as security and presentation manager. So there would be some expenditure there with the consulting company and the software. Their applications use actually three systems. One is the back office system, which is the official election data base. One is the on-line keying by a candidate on the website of their financial statements and the other one is actually the presentation on the web. So it is a very intricate complicated system. They don't have a lot of candidates keying in their own data. Very few. So that means they use an outside data entry service bureau to do the keying. To put this system in Dauphin County I estimate the cost to be \$50,000 and three to six months to put it up.

The second option that we looked at is in-house development. Do it with the Information Technology staff to display campaign finances on the web. This would take some technical training for the Information Technology staff. We started training the Information Technology staff last year with some introductory level courses and some intermediate courses in client server technology. This year we are looking for funds to continue that training. This new application would need to include data entry by the Bureau of Elections. Because they are doing the data entry of the financial forms then we have to build some system controls and balancing options in the system. Because my staff would be newly trained in this client server technology we would probably want to bring a consultant in to help mentor them through the project. We don't see much of a payback in doing this type of system for the Bureau of Elections because they would have a lot of data entry to do. This system is estimated at \$30,000-\$35,000. That includes the training of our staff, consultant, and possible outside service bureau to do the data entry.

The last option was to scan the documents and present them on the website. Scanning would be done in-house in the Bureau of Elections department by an outside firm. This is a company that I used before in the County. It is known as File-X. They deliver very low cost and quality product to us in the past. I believe that they can still continue to do that. My staff would develop the presentation layout on the homepage and create the linkage to put the data onto the page and the background. We recommend this option, again, because it is low cost and it can be ready to use in the shortest possible time frame. Like the other applications that we have developed recently this is the way we tend to put up applications these days. Put something up quick, usable, get the benefit out of it, have the clients use it and then from their feedback enhance the application to get a better quality application at the end

I just want to briefly show you the website. This is a new site that just went up. It is actually running at CCAP with software that I got a grant from the State to use. I want to say one thing about it, although I worked with CCAP to get this with six other counties, Rob Scherrer from my staff, and Cindy Boratko did a great job of pulling it together and getting it up. I also have to mention Diane McNaughton who did a

fabulous job in helping us make sure it was reliable, and it had a good quality product. Anyway on this new homepage you see on the right hand side the departments. One of them is the Election department. If you click on that there is a drop down and in the drop down we have added campaign finances. If you go to the campaign finances and click on that we would bring in the offices that were running for election. We put a few up there now. All offices that have identified that they would spend more than \$250. We wouldn't put every office up there. If you click on County Commissioner you will have a list of who is running for the office. From here on I haven't built anything because now we have to start designing some more code. I needed to know what the direction was from the Board, if this satisfies your directive before we continue. So from here on you would get into this five reporting periods. Pre-primary, post-primary, pre-election, post-election, and yearly. We would have to figure out how to put that code in.

Mr. Petrucci: A couple of questions if I may. What about political parties finance reports? Are they required to file a report with Steve?

Mr. Chiavetta: They could do it the same way.

Mr. Petrucci: I think the two parties, or three parties, their financial reports should be available as well. Jim, how much did it cost us to scan the budget and have that on? Which you did very quickly and apparently without a great deal of cost because I don't remember any cost figures coming through. I would think that scanning the reports that are filed by candidates to put on there would be sort of along the same line.

Mr. Frandano: You are right. It didn't cost us anything. We scanned it in-house. File-X has asked to do this five times a year, in house, take the staples out, make sure the quality is good, \$1200.

Mr. Petrucci: \$1200.

Mr. Frandano: I don't have a scanner that has the capability that they have.

Mr. Chiavetta: They would be with us also, the last day to file a report so they would do it like at 4:30 so it would be up on the web that night.

Mr. Petrucci: That would be excellent.

Mr. Frandano: We're talking for 5 times, \$1200. Steve said that he would write the purchase order.

Mr. Chiavetta: Just so you are aware Commissioner, on some of these reports that we do get, depending on who they are, if they write it in light pencil, like \$40,000, it may be tough to scan. This is preliminary but there are some reports that it's tough to read them. I'm sure that you have been through them before and you look at names and so on and so forth so I just want to be aware of that. If somebody is not key punching it in.

Mr. Frandano: There were some light marks on there. That just happened to be the Mayor of Harrisburg.

Mr. Petrucci: I think that is more than a sufficient beginning. I would be pleased to be able to have the voters of Dauphin County to be able to look up the financial reports by keying in onto our website and pulling those up just as they were filed with no input data being required by Steve's office, but everybody being able to have access to what has been filed. So for my mind that is a great initial beginning. Ultimately I suppose you could be like the State where you actually pull down these reports and that the committees could have access to the reports that they are filing and plug them in more streamlined. This would be a great beginning.

Mr. Chiavetta: Commissioner, excuse me, but at the State level they are normally dealing with all candidates that are going over \$250. State legislators, governors, whatever it may be where we will just have a hand full.

Mr. Petrucci: Right. Also Florida is doing voter registration on that where they can pull off registration form or just plug in and register by email, saving the County a great deal of postage on paying for the mail and stuff. Another thing I noticed for many other counties is a tabulation, a little icon down on the bottom, showing how many people have hit that particular site. I know you probably have the capacity to do that in your office but they were doing it right on their web page where the number of hits was shown to anyone who would pull up the screen they could see. I don't know if that is a costly undertaking to put that on there or not.

Mr. Frandano: We have that data, we just don't present it because the biggest page that is hit is the Most Wanted page. We could put it on this particular page.

Mr. Petrucci: OK. Do we do a page for our Crime Stoppers? Do we put any of theirs on?

Mr. Frandano: No we don't.

Mr. Petrucci: Also in going over, I did a hard copy so I could make some recommendations to your web page. The one thing I did want to mention to you, which I think is a glaring omission somewhere along the line, is the Boards & Commissions to which the Board of Commissioners are able to appoint people to serve on. We are not making available to the public in this very public information dispensing opportunity the very Boards and stuff that they themselves could serve on if they knew they existed. I think we should have a list of all of the Advisory Boards and Commissions to which the Commissioners appoint people, listed there. It should be under volunteers and volunteer activity. A list of all of those Boards and as much information about those Boards as possible so that we could tap into the strength of volunteers service in tight financial years. So that to me is the only oversight that I saw in a very well designed web page.

Mr. Frandano: Thank you. We will work something up and get that back to you. We'll work with Jenn and Diane on that.

Mr. Haste: Jim, how long would these reports be archived on there? How far back?

Mr. Frandano: I don't know if there is any legal statute on that. How long do you keep yours?

Mr. Chiavetta: Five years.

Mr. Haste: So we would keep them on the web for five years.

Mr. Frandano: We could keep them if you wanted to, that's not a lot of storage.

Mr. Haste: Would someone who would be viewing them from their home could download the reports?

Mr. Frandano: They could print them, yes.

Mr. Haste: So that would cut into your revenue. How much revenue do you generate in the year?

Mr. Chiavetta: It depends on the election. With copies, maybe a couple hundred dollars.

Mr. Haste: Ok.

Mr. Chiavetta: There is one other item, Commissioners. If you look at run for office on your sheet there, I sent each of you a copy of what offices were up this coming primary. As it gets closer to March 11<sup>th</sup> I'll be sending that to his office and that will be posted on who has actually filed. So instead of calling in three, four times a day you can go right to the web page and you can see who is updated.

Mr. Frandano: It is ok to proceed then?

Mr. Chiavetta: Do we have the ok to go ahead?

Mr. Haste: You have the money right?

Mr. Chiavetta: We'll find it somewhere.

Mr. Henry: Congratulations Jim and Cindy and everybody involved on the web site redesign. Diane. I know it has been a lengthy effort and not only is it a tremendously attractive web page, it has a wealth of useful information but I think it is also important to note that this was done in coordination with CCAP, our Statewide association and other counties. It is great for us to be cooperating with our fellow Commissioners and

counties from across the state in these type of projects. Also congratulations to CCAP for crafting an excellent program for us to participate in. It looks great.

Mr. Haste: Bob.

C. Robert Burns, Chief Clerk/Chief of Staff

1. Courthouse Renovation update.

Mr. Burns: Mr. Chairman, the Courthouse Renovations continue to move forward. The Clerk of Courts office is moving to the second floor, I believe, this week. Victim/Witness is also moving to the second floor later this month and those moves are being done by Edgar Cohen's department in order to save some costs.

I just wanted to mention to you relative to change orders, since that has been a big topic of discussion at the past few meetings. We have been able to compile that on the Administration Building with all change orders now approved and paid, we spent a total of \$414,910 on change orders for this building. That represents 4.65% of the total construction costs. I'm told by the construction manager that 5%-7% is the normal range for a building like this. So we were within that and there was a contingency fund set up for this building for \$475,000. We stayed within that. To date, at the Courthouse, we have had change orders approved and paid that total \$62,505. Total construction cost on the Courthouse is estimated to be \$10.1 million and on a historic building, I'm told that the final change order cost should be about 7.5% of that \$10 million.

Whiting/Turner is trying to set up a date for the Commissioners, next week if you are interested in doing a walk thru of the Courthouse and view the construction as it is ongoing. That is all I have today, Commissioners.

### **ITEMS FOR DISCUSSION**

Mr. Haste: We have a list of items for discussion. These are items that we will be voting on next week. Is there anyone who wants to point out anything on anyone of them? Any questions on any of them?

- A. Resolution authorizing and approving a settlement of the tax assessment appeal filed by Susquehanna Chestnut Partners, LP. on property known as Pennsylvania Place.
- B. Amendment to contract with Illusion Maker.
- C. Appointments of Thomas Drummon, M. Claire Powers and Thomas W. Potter to serve as representatives on the Friends of Fort Hunter Board of Trustees.
- D. Bid procedures.
- E. County depository.

- F. Handicap accessibility of County properties.
- G. Tax Collector Audits.
- H. Contract between Dauphin County Weatherization and PPL Electric Utilities Corp. for WRAP Program in the amt. of \$50,000.
- I. Agreement between Dauphin County and Herbert, Rowland & Grubic, Inc., for engineering services for the Wiconisco Creek Watershed Act 167 Stormwater Management Plan.
- J. Agreement between Dauphin County and the PA Dept. of Environmental Protection for Phase II Watershed Storm Water Management Plan Grant for the Wiconisco Creek designated watershed.
- K. Change Orders for the Dauphin Manor renovations project:  
(will be paid from Alexander's fee)
  - 1. Change Order No. 07 with Alexander Constructors, Inc., construction manager, project #401-309 for cost events #51, 57, 58, 73, 74, 82, 97, 102, 103, 104, 105, 106, 107, 108 & 111, in an add amt. of \$90,406.00.
  - 2. Change Order No. 16-002 with Harrisburg Glass, B.P. 16, aluminum & glass, in a *deduct* amt. of \$2,000.00.
  - 3. Change Order No. 17-002 with Quandel, Inc., B.P. 17, general trades, in an add amt. of \$500.00.
  - 4. Change Order No. 19-007 with Novinger's, Inc., B.P. 19, drywall, EIFS, & acoustical, in an add amt. of \$5,900.00.
- L. Proposal to release \$150,000 from the liquid fuels funds for use as Swatara Township local match for the Paxton Street road improvements relative to Tec-Port facility.
- M. Appoint Commissioner Jeff Haste to the LEPC Advisory Board replacing John Payne.

Mr. Henry: Commissioner, I would like to point out item K, change orders for Dauphin Manor's renovations project. All those change orders are being paid for by the construction manager's contingency fee and that still leaves us with contingency money available as we are starting to move within about 60 to 70 days of completion of the project. Even with these, they have been planned for, we remain under budget.

Mr. Haste: Good.

Mr. Petrucci: Item D. I had made a proposal and it was to be looked at by the Solicitor and tabled for them to look at. Are they still looking at that?

Mr. Tully: We are, Commissioner. Essentially we had a Solicitors Meeting yesterday and started gleaning information from the various areas that we oversee dealing with the number of contracts and bids that are requested. Human Services in particular has a great deal of requests for bids that go out by statutory mandate. In other words they are required to do it. We are trying to define the difference between discretionary and non-discretionary areas so that perhaps we can identify those that are discretionary which really should have the heads up to all of the Commissioners before they go out and develop a process by which that could be shared that would not get in the way of being able to do it when it needs to be done on short notice. That is what we are working on. I think we will have something a little bit more comprehensive for you by the Legislative Meeting.

Mr. Petrucci: Thank you. In regard to, sort of following along that line, I have on there also item E, the County Depository situation. We did have a bid that was put out without Board approval. It was done at the end of the previous administration before our new colleague had joined us here. It was put out rather rapidly and the time span about which this bid went out for people to respond was also constrained and so there was opportunity here for poor preparation of the bid package in regard to it being hurriedly introduced. A poor response from all of the responders because of the lack of adequate time to find out information about what indeed was being requested from the bid. In my mind it points out the problems of not having a standard policy for bid placement. So I would ask where are we in regard to the bids that were put out for depository consideration? We did have a discussion at a previous Board Meeting in regard to them but I don't think any decision was made. I am wondering if indeed whether we should perhaps send out a new bid request in regard to that.

Mr. Henry: First of all, Commissioner, I would like to take exception to pretty much everything you just said. Number one, I understand that Commissioner Payne was the oversight Commissioner and he did urge that we look at our County depository. The reason is that we were concerned over the direction of the current depository relative to some rather high profile problems that had been reported in the news media relative to mergers and acquisitions. And relative to the fact that we felt that banking institutions that were based in Dauphin County ought to at least periodically have an opportunity to bid on County work. Not to mention the fact that I personally believe that every year or two or every so many years we ought to re-bid things just for the purpose of seeing whether or not we are in fact getting the best deal. As a matter of fact I think through this bidding process the incumbent institution dramatically submitted a bid that dramatically lowered the fees. Hence proving the value of having gone through the exercise. I strongly disagree that it was poorly prepared. Our director of Fiscal Affairs spent considerable time preparing it. It was a thorough bid document. It was obviously known to the Board of Commissioners that this was taking place. There was adequate time for response. As a matter of fact, Anthony, how many banking institutions responded to the RFP?

Mr. White: Five.

Mr. Henry: So five institutions responded to the RFP. As a matter of fact I understand that a number of them came in and acquired additional information and had bid conferences with Anthony. After the RFP's went out I was personally visited by four or five of these institutions and frankly learned an awful lot from them about the various community development efforts these banking institutions are involved in. I think all five of them deserve kudos for what they are doing to invest in our non-profit groups and other organizations in Dauphin County. I think that speaks well about the banking community as a whole here. So I think the manner was very thoroughly prepared, was conducted in a professional process and the fact that you may feel that you weren't fully apprised of it I think it would have been incumbent upon you to consult with Commissioner Payne or to speak to the director of the department whom I believe is available to any Commissioner at any time to acquire that information.

Having said that, we have responses from five different firms. I believe that analysis to be ongoing and my hope would be that we would be able to arrive at a decision as to what we are going to do at sometime in the next few weeks. Personally I believe that we ought to be using as depositories for the County those institutions that are based here in Dauphin County and we have at least two of them.

Having said that I believe our last instructions to Mr. White was to go and to discuss with the proposed depositories as well as the relative County offices what the cost of conversion were because we had some unanswered questions relative to our cost of conversion and it is my understanding that research is currently going on. Once we know the cost of conversion we will have the cost, we will have the bids and then I believe we will have the relevant information for this Board to make a decision.

I personally do not believe that every little RFP or any RFP although this is a major one needs to always come before this Board. If this Board is going to start micromanaging every part of County government then we are going to be sitting here for days on end rather than hours on end trying to do that. While there should be a free flow of information I think what is occurring is not in the best interest of a smoothly functioning County government. We have had that with our past policies. The information is shared. It is available. If you choose to not ask questions until the Board meeting that is not the fault of the other Commissioners or of the relative department heads. So to the best of my knowledge is where we stand with this process and I'm hopeful that Mr. White and his department will have all of the information to us within the next couple of weeks and we can then engage in debate as to what it is that we should do.

Mr. Petrucci: Mr. Chairman, I would like you to note that my colleague stipulated that he had went to Mr. Payne and asked for the extending of a bid process and the two agreed. To me that is a violation of a statute known as the Sunshine Act.

Mr. Henry: Sunshine Act. No. That is an administrative matter which is specifically exempted from the Sunshine Act, Commissioner. If you are going to make allegations that laws are violated then Professor, you ought to do your homework and know what you are talking about. Checking accounts are an administrative matter. And the

requesting of a Commissioner to another Commissioner who has oversight over a department to commence with going out seeking bids is clearly exempted from that. A decision as to who we should go with would be a violation but that policy decision has not even been discussed let alone made. So once again you are not in command of your facts.

Mr. Petrucci: How am I going to find out information to even ask a question if the two of you are deciding to send out bids and what that bid package will look like and everything else and the only way I find out about it is when bank presidents call me up and say they hope I appreciate the bid they are sending me.

Mr. Henry: I believe when the bids come in you like all the other Commissioners will get the responses to them. That is the appropriate time. I will note that I have never in the three years I've been Commissioner been accorded the privilege of seeing any bidding that has gone on in any of your oversight departments even once in advance of them showing up on this desk.

Mr. Petrucci: That's because every time I ask for a bid package to go out you two reject it. I have brought all of those before you.

Mr. Henry: No you have not.

Mr. Petrucci: You don't even let us get them to send them out.

Mr. Henry: You are telling me that there has never been a bid go out relative to anything at the County Prison in the last three years?

Mr. Petrucci: That's right.

Mr. Henry: In the last three years the County Prison has not bid a single thing?

Mr. Petrucci: Yep.

Mr. Henry: Well then I think that is a failure of your oversight, Commissioner, if in three years on an institution with a budget that size you have failed to bid a single thing. Don't tell me you brought them before us and asked and were rejected because I have never seen a request for bidding at the County Prison. I have always supported the putting of various items out on bid. As a matter of fact the only one that I can recall is one recently relative to food service and only because I believe a request was made to the Solicitor's office as to whether or not we had to bid that and their response was yes we were required legally to do it. Whether we are legally required or not I think we should do it. It is an appropriate means of proceeding. Don't give me this, I can not believe there has been nothing bid at the County Prison in the last three years.

Mr. Petrucci: If there would, you would have known about it because it would have been done here. Unlike the bids that have been prepared by you and the former

Commissioner and it is that procedure for the formulation of those bids that I will tell you really grit on the border line between what is ethical and unethical. It is like doing Board business elsewhere other than here.

Mr. Henry: There is a difference between policy matters to be decided by a Board and routine administrative matters to be done by staff. You seem to not be able to differentiate between the two.

Mr. Haste: To shorten the debate here, one thing I would like to say is I agree with both of my colleagues. Commissioner Henry makes a good point. I think it is a very good idea that we go out for RFP's every so often. I think it does keep everybody honest and above board. I think that is the best way to get competition. It reflects itself in the prices. Commissioner Petrucci, I would just want to reiterate to you, one of my goals is to make sure that all three of us are fully informed and I will do my best to make sure that everyone is informed. I believe that is everyone's intent.

Mr. Petrucci: Thank you, Mr. Chairman. If I might discuss item G.

Mr. Haste: Yes.

Mr. Petrucci: Item G deals with the tax collector audits. We were all presented with a draft and then the final audit of ten of the tax collectors. We have forty. We are doing ten a year I presume under the new arrangement, for a year or two we didn't do because we were on hold. We went and used the same company. No bid was put out for the audit to be done. They just picked the same one. Here is a copy of one of the audits for one of the tax collectors. It is two half pages. The ten audits cost us \$36,000 and they did not follow the State law. If you take a look at Act 169 the State very clearly says that all tax collectors will be audited annually. So to order an audit for ten of them which is only one quarter of the tax collectors is in violation of the State statute. Not only that there is one tax collector that to my knowledge has never been audited and that is the County Treasurer who is of course the recipient of all of the money from all of the treasurers and all of our cash collecting offices. It is the one that has not yet been independently audited. I point out that as we have the six county tax collectors that are leaving they make up a total of 6,736 property listings. It is over \$5 million that they would have collected for the County and because they are elected they are not properly trained. The State tried to respond to that but we have no idea whether they were receiving their training. Very poor records are kept. We have very weak controls over the tax collectors. There is a high degree of risk associated with this methodology. We did have the independent audit done by Mr. Vartan on the Susquehanna tax collector in which he found over \$2 million in checks in a shoebox by a trashcan. We do not know that these are bonded. There is insufficient reporting. The State allows interest to be earned on tax collector's accounts but there has never been in any of the audits any indication that any interest income was earned by any of them. There is also a statement in the Act 169 that calls for the opportunity for joint auditing. I can imagine a tax collector, I can understand why they are resigning; they are going to get audited by three different entities that they collect money for. The School District, the municipality,

and the County. Three auditors coming into their office and according to State law, should be done every year by all three. That to me is an extraordinary burden to put on them and someone should be trying to effectuate a response to what the statute allows which is one audit of the tax collectors in joint cooperation by the three governing entities that they are collecting taxes for. This would be a phenomenal tax savings. This \$40,000 that we spent to do this audit is throwing money down the drain in a bid process that was never done for the auditing to begin with. When you have negligent auditing, we know today that there are consequences above and beyond just the waste of the money. So I am bringing up the point that this audit is illegal because it did not do all tax collectors. That there is inadequate coverage of an opportunity for us to save money here. This was a waste of money. Thank you.

Mr. Henry: Commissioner, once again you have peppered your remarks with inaccuracies. First of all, my question is the law that says all forty must be audited every year, does it say they must be audited by the County every year? Or just that they must be audited period, meaning by one of the three taxing entities, the County, the municipality, or the School District?

Mr. Petrucci: It says "audited annually" and then it stipulates "this is not to detract from the cooperation that could be conducted for simultaneous audits for any tax collector serving the taxing districts".

Mr. Henry: So it does not say the County must audit everybody. It says the taxing entities must audit.

Mr. Petrucci: All of them must audit if they do not do a simultaneous audit.

Mr. Henry: I also recall, so it doesn't say the County must do it, so that does not put us in violation of the law. I also recall when we went through a similar controversy about 2-21/2 years ago you were at the time oversight over tax assessment and were tasked with the responsibility of meeting with the School Districts and the municipalities and I believe I did see some follow up correspondence where you at least began that process to bring about this type of cooperation. Are you telling us today that you have failed to do so? Because I believe that was raised by you. You undertook it and you were to bring about the cooperation between the entities for this to happen while that was your direct oversight. I know that you have since abandoned that to John Payne, so now it has fallen to Commissioner Haste to have oversight over that. That was something you brought up and John and I sat here and agreed that it was a good idea and you were to follow up on it. If it hasn't been done maybe you owe some answers to why it hasn't been done not the other way around.

Mr. Petrucci: There was extraordinary systemic pressure against the effort. That is from the Courthouse itself and largely from the direction of our fiscal officers who are separately elected and currently monitor all of this process. There was enormous effort put forward and favorably received by the school districts more so than the municipalities. The school districts could save a ton of money on the auditing. The

municipalities were also there but in less number because many of them have elected auditors who are also elected and really don't do much auditing. It will suffice to say that they have done their auditing as required by the State and so they were a little less inclined to want to share and do audits because they have these separate elected auditors. But there was definitely interest in all ten school districts in joining in a cooperative venture, for doing a joint audit.

Mr. Henry: Did you follow up in that and make that happen?

Mr. Petrucci: Yes. I brought it to the attention. I had you guys stop the audit the way that we were doing it so that this could be looked at and ultimately you guys decided to go ahead and do the auditing the way you did. You will recall that I voted against it for that very reason.

Mr. Henry: I do not recall at any point you bringing back a report to us indicating which school districts and municipalities would be willing to cooperate. In fact if there were those who were willing to cooperate, as oversight you should have made them just cooperate. That would have been an administrative matter. There seems to be a concerted theme through all of your comments today to blame the fiscal officers. I assume by that you mean the Treasurer and the Controller for these problems. I do not to believe that to be the case. I do not believe it to be their fault. You mentioned the fact the Treasurer's office has not been audited along with the tax collectors. The Treasurer is not, the Office of County Treasurer is a County Row Office governed by the third class County code. It is different and distinct from the municipal tax collectors. So I do not think that the County Treasurer's Office should be put in the same category. If this effort at bringing about joint auditing has not occurred it was your project and your responsibility to make it happen. You should not be coming back here and blaming the County Treasurer or the County Controller for that failure. I'm not accustomed to defending the County Controller but I will in this particular case because I think it is accurate.

Mr. Petrucci: On the contrary, my colleague, I feel that you have been the defender of quite a few absurd things and defending tax collection has often been one of them from the very beginning.

Mr. Henry: I happen to believe that while, and I stated this when we had this discussion 21/2 years ago, I believe that technology should be employed into these offices to improve the depository process, to improve the reporting process, it could make life a lot easier for the tax collectors. It could make for a more efficient system. I still believe that there is value to having a live person and live offices known by local people in local municipal offices. We are not just talking about simple financial transactions here. We are talking about people, many of them senior citizens, who simply don't understand the process and need that live person whom they know in their local municipality to go to when they need answers. I think there is a customer service avenue that you can not replace by just simply bringing it into a County or to a financial institution. As I said then and I believe now I think there is much that can be done to improve the system

technologically. At the time what I wanted to do was to get by the reassessment process because there was so much confusion and activity relative to reassessment I thought that if we attempted to deal with reassessment and deal with changes in the County tax collection system at the same time, the whole system would simply melt down in a ball of chaos. We are now past the stage fortunately where we had the tax reassessment and I think we can now look at ways. We have also dramatically improved our technologies here at the administration building and the Courthouse and can now focus more on technology for the tax collectors offices. The simple fact of the matter is, they are there. I suppose we haven't run out of bored housewives yet to totally fill the positions but I'm sure we can scout some up to take the six positions that were abandoned. We need to have a customer service face on County government as do the school districts and the municipalities. The role that the tax collectors can play relative to that is very vital. Having said that, one of my goals in supporting the combined Fiscal Affairs department was that we would go in and do things to improve the tax collection system and I would hope that is exactly where we will get to. But to go out and simple cast dispersions on everybody in the process I think is not a very beneficial way to proceed.

Mr. Petrucci: Mr. Chairman, I know you are getting really anxious to move on but if I might just comment on a couple of things here. The Lincoln Institute did a study on tax collection and they indicted an enormous amount of people mail their tax bills in and therefore do not avail themselves in this personal contact with their elected tax collector.

Mr. Henry: The Lincoln Institute, I can assure you, never did such a study.

Mr. Petrucci: Oh yes they did.

Mr. Henry: Not on mailing in of tax bills.

Mr. Petrucci: Oh yes.

Mr. Henry: Number one the Institute does not do studies, the Institute does polling. So if you say the Lincoln Institute did a study there has never been a study conducted in the history of the Institute. Now there have been polling questions and since I wrote them I know what they were; the polling questions always had to do with the fairness of the property tax system which people overwhelmingly view to be unfair and I strongly agree. I think we should have some tax reform in Pennsylvania but we can't seem to get the Legislature to move in that direction.

Mr. Petrucci: The other point, Mr. Chairman, is that my colleague has supported the technological improvement of the tax collectors and yet in this budget this year in which we were going to give computers to the tax collectors it was cut from the budget. So stating that you are technologically in favor of expediting this and then watching the actions go against it seem in conflict. Maybe I am just a fuzzy professor. But let me say that if these six tax collectors, if we were technologically capable, the tax collector could be replaced with the County Treasurer collecting them by being able to figure out who

these homeowners are, immediately have them send the bill to us, rather than pay the cost of what would be close to \$36,000 for the collecting of these 6,700 bills. So there are things that we should be doing and I am pointing them out that if we want to save revenue one of the best places to start is in the process by which we collect our revenue. Here we are getting our most important product as a County and putting it in the most risky situation as far as getting it to where it should be and the least revenue enhancing process that you could devise.

Mr. Henry: Calling our situation risky, I think is about the most irresponsible things I've heard in four years being here. I don't think that we ought to portray to our tax payers that the system by which their hard earned money is being collected and accounted for is risky because I think that is a slap at every County employee who deals with the process.

Mr. Haste: Commissioners, again to try to end the debate, the item that is on the Agenda is to extend our contract with Z & A for the tax collectors audits. That will be brought up at next week's meeting. Actually this is the first I had heard about the idea of a joint audit and I will try to get some information by next week on that.

Mr. Petrucci: Ok.

Mr. Henry: That would be a good idea.

Mr. Haste: Anything else under Items for Discussion?

### **COMMISSIONERS' COMMENTS**

Mr. Haste: Commissioners' comments. I have none. Commissioner Henry.

Mr. Henry: I have one item under Commissioners' comments. Cindy, could you come forward? Cindy as you know Commissioners, is our Administrator at Dauphin Manor. However much she may doubt the wisdom of her being in that position the last two days. First of all, before I allow Cindy to make an introduction let me commend Cindy and her management staff and our employees at Dauphin Manor. As you know we have received about 26"-27" of snow over the last weekend. We have nearly 400 people who reside at Dauphin Manor who are dependent upon the nursing and other care that we provide them. Getting our employees to Dauphin Manor has been a challenge. Cindy and her staff worked virtually around the clock out picking people up in the worst of weather, arranging for bread deliveries when bread trucks could not get on the road, making sure that they were fed and I am pleased to say that as a result of their efforts our residents were not in anyway discomforted by the snow storm. If Cindy might appear to you to be a little tired today it's because I think she has had about four hours sleep in the last three or four days. Cindy, we all owe you a vote of thanks for everything that you have done on behalf of those residents and once again Dauphin Manor is a premier institution for our folks who need that type of nursing care and under the worse and most trying circumstances you all came through, so thank you for that.

Mr. Haste: Thank you, Cindy.

Mr. Henry: And you would like to make an introduction, on a happier note.

Ms. Melamed: On a happier note I would like to introduce everybody to Elizabeth Woland who is going to be our new Director of Nursing. Elizabeth has been with us since September as Assistant Director of Nursing and in charge of quality assurance. At first, just like me, she thought that she might not want the job of Director of Nursing at the Manor but through her own internal processes and analyzing the situation and the job that she had been doing as acting Director since January 27<sup>th</sup> has come forth with the desire to be the Director of Nursing. We are delighted to have her. Her nursing background is almost entirely in long term care. I think we have a lot of nurses at the Manor who are wonderful but they come from acute care and the rules are different. We are delighted to have her and I wanted to have you all meet her today. I don't know when her official start date is.

Mr. Henry: We will probably approve that next week.

Ms. Melamed: Yes, very soon. I'm happy to have her and I hope that we will all have a good working relationship. We have a hard job to do.

Mr. Henry: Thank you for taking on that role. We very much appreciate it. The strength of Dauphin Manor has been the care and the compassion of the staff. Under the able leadership that you two are providing I'm certain that will continue. I am also pleased that the construction project is continuing at pace. Jane and I were out there last week and toured the building. It is really taking shape. I can tell you it is going to be a first rate facility that we can be proud of here in Dauphin County. We are going to be putting our first rate staff in a first rate building and I think we are going to have just an exciting year at Dauphin Manor, if Cindy survives to enjoy it.

Mr. Haste: Thank you. Anything else, Commissioner?

Mr. Henry: That is probably quite enough, Commissioner.

Mr. Haste: Commissioner Petrucci.

Mr. Petrucci: No, thank you.

### **PUBLIC PARTICIPATION**

Mr. Haste: Anything from the public at this point in time?

### **ADJOURNMENT**

Mr. Haste: Is there a motion to adjourn?

Mr. Henry: So moved.

Mr. Haste: Second.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: We are adjourned.

Transcribed by: Shari Eagle  
February 19, 2003

Respectfully submitted,

Robert Burns, Chief Clerk/Chief of Staff  
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