



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**WORKSHOP MEETING**

**TUESDAY, APRIL 1, 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; Marie Rebeck, Controller; Bob Dick, Treasurer; Phil Spaseff, Recorder of Deeds; Joseph Kleinfelter, President Judge; Randy Baratucci, Director of Purchasing; Jim Frandano, Information Technology; Rick Wynn, Director of Human Services; Mike Pries, Director of Safety and Security; Edgar Cohen, Director of Facility Maintenance; Jennifer Kocher, Director of Communications; Dan Robinson, Director of Economic Development; Anthony White, Director of Fiscal Affairs; Mike Wertz, EMA; Bob Knupp, Esq.; Greg Schneider, Commissioners' Office; Jane Gordon, Commissioners' Office; Kacey Truax, Commissioners' Office; Dan Mosel, Human Services; Gary Serhan, Controller's Office; Faye Fisher, Personnel; Sharon Ludwig, Personnel; Garry Esworthy, Risk Manager; Melanie McCaffrey, Solicitor's Office; Dominick DeRose, Warden; Kelly Wolf, Recycling Coordinator; Dan Lispi, Solid Waste Management; Steve Howe, Tax Claims; Bob Christoff, Conservation District; John Orr, Conservation District; Shari Eagle, Information Technology; Cindy Boratko, Information Technology; Jim Albert, Commissioners' Office.

**GUESTS PRESENT**

Jack Sherzer, Patriot-News; Sondra Mosten, Tom Wilson; Loretta Barbee-Dare; Bill Cluck; Mike Musser, Steelton Borough; George Hartwick, Mayor of Steelton; Mr. Munn.

## **MINUTES**

### **CALL TO ORDER**

Mr. Haste, Chairman of the Board, called the meeting to order at 10:00 a.m.

### **MOMENT OF SILENCE**

Everyone observed a moment of silence

### **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance

### **APPROVAL OF MINUTES**

Mr. Haste: We have the March 18, 2003 Workshop Meeting Minutes that we will have on next week's Agenda.

### **PUBLIC PARTICIPATION**

Mr. Haste: We are at the time and place in the meeting for Public participation. Is there anybody in the audience that would like to address the Board of Commissioners? Your Honor.

President Judge Kleinfelter: Good morning, Commissioners. Some time shortly after September 11<sup>th</sup> the Board determined, or at least our former Chairman did, that it would be appropriate to take away the public parking around the Courthouse on the Front Street and Market Street side. I believe that the decision was driven in part for security reasons and in part because the Sheriff was looking for a place to park some vehicles. I understand that we pay the City of Harrisburg \$1,800 a month, if I'm not mistaken, in lieu of the revenues that they might otherwise have received. I urge the Commissioners to reconsider that decision and at least restore the parking along the Market Street side of the Courthouse so that citizens that have business with the Courthouse, filing papers, paying taxes, and so forth are able to pull in temporarily there and park. And perhaps save the County some money in the stipend that we are sending to the City. Actually, I would like to see parking restored to both areas. I really don't see that there is a security threat to the Dauphin County Courthouse that at least is of the magnitude that would be worthwhile losing those parking spaces. After all, right down the street along this building we do allow the public to park. So it is just something for you to consider and I urge that decision be reversed.

Mr. Haste: Thank you.

Mr. Henry: Commissioner, might I point out that the Director of Homeland Security has us on one of the highest state's of security alert possible. There is only one stage higher which would be an eminent attack. Given the fact that this nation is at present, very obviously involved in a war in Iraq and the terror level is so high, I would rather lose a few parking spaces than lose a few lives. I would think now certainly would not be the time to consider rolling back any security measures which have been undertaken. As we go through that decision making process, I think the \$1,800 a month is a very small price to pay for the safety and security of our employees and the public to use our Courthouse. Until such time as this war on terror has wound down to the point where we can feel comfortable in doing that I think we should continue all of our security measures, and in fact we may even and probably should be tightening up security so long as this war is going on. There is a very real chance of terrorism in this country. It is something that hasn't happen but which now is certainly not the time to let our guard down. So I would hope that we would consider the international and national situation that we are in, before doing anything precipitous here.

Mr. Haste: Anything else? Anything else under Public participation?

## **PERSONNEL**

Mr. Haste: Personnel packet, Faye.

Ms. Fisher: Commissioners, there are several Salary Board items in today's packet. The first is the elimination of a Jr. Helpdesk Analyst and the creation of three part time Helpdesk Analyst positions in Information Technology. I know that Jim Frandano wanted an opportunity to speak on these three positions.

Mr. Haste: It's later in the Agenda.

Ms. Fisher: The second is for the Communications department and it is an elimination of a part time Communications Specialist position and a creation of a full time Communications Specialist position. The next three position eliminations, would the Board like to speak on them at all?

Mr. Haste: I think what Faye is referring to is, I had given everybody on the Salary Board a memo yesterday proposing the elimination of the County Information Officer, the Human Service Administrative Office position and the County Fiscal Officer, and creating a Fiscal Tech position in office of Budget & Finance. It would be effective May 30<sup>th</sup>.

Mr. Henry: What do you mean by County Information Officer?

Mr. Haste: I guess you refer to it as County CIO.

Mr. Henry: Yes. You are talking about for the Information Technology Department?

Mr. Haste: Correct.

Mr. Henry: That would be the department that has, under the leadership of the current CIO, dramatically improved our technology in Dauphin County. I can recall going back three years ago when Commissioner Payne and I took office, this County was lucky to be considered to be in the late 19<sup>th</sup> or early 20<sup>th</sup> century when it came to technology. We have had dramatic improvement in our technology since that time and I think that is owed largely to the fact that we joined other third class counties in Pennsylvania in moving into the 21<sup>st</sup> century by having a Chief Technology Officer. I can't imagine that that continued excellence in that department can continue without that sort of leadership. So I understand that we will have further discussion of this next week. In view of where we were and where we have come to, to consider eliminating these positions I think would be penny wise and pound foolish. I think the same can be said of the other departments as well. I guess we will have more to discuss next week.

Mr. Haste: Anything else? Faye.

Ms. Fisher: Moving on into the regular Personnel packet. We have the Workshop Agenda Vacancies listing. All of the positions that are listed on this listing have been approved by Mike Yohe.

Mr. Haste: Actually I have a memo from Mike raising concerns with these positions.

Ms. Fisher: His memo raised concerns with some of the positions under the Courts which are not listed on the listing that I'm referring to. I'll get to that in just a minute.

Mr. Haste: Ok.

Mr. Henry: This says vacancies approved by the President Judge, is that a supplemental? It says April 1.

Ms. Fisher: That's an addendum, Commissioner Henry.

Mr. Henry: That's an addendum? I apparently don't have one or it is somewhere. If you could see to it that I get a copy of the addendum before next week's meeting.

Ms. Fisher: The one that I'm referring to begins with Dauphin Manor Certified Nursing Assistants.

Mr. Henry: That I have. It's the one that is Vacancies approved by the President Judge that I appear to be missing. Bob has given me a copy. Thank you.

Ms. Fisher: The next is the Workshop Agenda New Hires listing. Mostly for Dauphin Manor and for Solid Waste. The next listing is the Workshop Agenda Changes listing. Then we have the addendum for the Courts. There is a Workshop Agenda Vacancies listing, a Workshop Agenda New Hires listing and a Changes listing and all have been

approved by the President Judge. He is here to answer any questions that you may have.

Mr. Haste: Your Honor, as we had stated at the beginning of the year I asked Mike Yohe to take a look at these to make sure that there are appropriate funds in the Budget. Mr. Yohe has raised concerns that in Adult Probation there are 970,325 adjustments that were made to the Budget at Budget time and they have not been addressed. Mike is indicating that to float these we would then be going over budget. So I would ask that Carolyn or Terry or whoever does these, get together with Mike Yohe to make sure that we get this straightened out.

President Judge Kleinfelter: May I respond to that?

Mr. Haste: Sure.

President Judge Kleinfelter: I have not seen this memo. Okay, he sent you an email at 9:05 this morning. So I haven't seen it. Just as sort of a reminder, since I have been President Judge the arrangement that we have had with the Board is that the President Judge and the Court Administrator would manage its budget and take care of personnel hires. These people who are being hired today are, none of them are new positions. We are filling existing positions in every case, both in the District Justice offices and Adult Probation. All of these positions are approved by the Salary Board. As far as budget management is concerned the arrangement we have is that we are able within the total Court budget to fund positions as Carolyn and I find that they are necessary without actually looking at each particular department at any particular time. Now I have never been advised that that situation has changed.

Mr. Haste: I think the only change is, I think that can continue, what you need to do is identify those funds and transfer them. What Mike is saying is that out of your personnel line items you are going to run out of money if we fill these positions. So you need to identify those funds in the budget and transfer them so that there are funds in the personnel line item.

President Judge Kleinfelter: We have never been requested to do that in the middle of the year.

Mr. Haste: You have to do it somehow. It had to have been done to pay it out of the personnel line items, it had to be moved. It may not be a big deal.

President Judge Kleinfelter: We have been able to do it for example by entertaining rolling vacancies which is basically what I think the Board has been doing with it's other departments. The only difference is, I've been allowed to manage those. I'd be happy to talk to Mike Yohe.

Mr. Haste: If you read Mike's memo he talks about that and he is saying that these, the one vacancy will only free up a little bit of money but once this is done all vacancies are filled so there will be no more rolling vacancies. Unless someone else leaves.

President Judge Kleinfelter: I'm not exactly sure what it is.

Mr. Haste: Carolyn or Terry or whoever it is needs to talk to Mike.

President Judge Kleinfelter: Okay.

Mr. Petrucci: Also the District Justices.

President Judge Kleinfelter: I would ask that you keep these hires on because three of these positions are at the Work Release Center. We are at a bare bones situation out there. We need to staff that and we need to fill those vacancies and if we are not able to fill those vacancies then we get into overtime. Nobody wants that.

Mr. Haste: These will be on next week's Agenda. Those are just issues that are raised that need to be addressed by next week.

President Judge Kleinfelter: Alright. Thank you.

Mr. Haste: Anything else for Faye?

Mr. Petrucci: I wanted just clarification. There is penciling on this thing and it looks like the Adult Probation number of positions is six, is that right?

Ms. Fisher: There are actually three positions that they are trying to fill but it is six total because if you look at the Workshop Agenda Changes listing addendum for the Courts numbers 4, 5, and 6, those persons are actually moving out of their current position into other positions which creates three more vacancies just because of cost center changes.

Mr. Henry: I would like to call attention to item 7 on the Workshop Agenda Changes listing and say that I am particularly pleased to see that and wish Faye a lot of success. You have some big shoes to fill but I have worked with you in many capacities for a long period of time and I know you can do a great job at it. I'm pleased to see that.

Ms. Fisher: Thank you. I appreciate your support.

## **TRAINING PACKET**

Mr. Haste: Training packet, Bob.

Mr. Burns: Commissioners, all of the items in the packet can wait until next week's Legislative Meeting for a vote. They have all been pre-approved by the oversight Commissioner.

Mr. Haste: Thank you.

## **PURCHASE ORDERS**

Mr. Haste: Purchase orders, Mr. Baratucci.

Mr. Baratucci: You should have all received a packet yesterday. There are a few budget items that Mike and I are working on. But otherwise, does anybody have any questions on any of the items in the packet?

Mr. Petrucci: I do have a question. I have a question in regard to page 12 and page 48. I see one on one page and five on another for the leasing of night vision goggles for Criminal Investigation Division. I understand that we have been leasing goggles for a couple of years. I would like to inquire about the usage of the goggles. Is this for the drug team?

Mr. Baratucci: That is why they are separated there. You can see the one on page 12 is the Tactical Support Unit and the five back on page 48 are the Drug Task Force. That is where they are charged so that is the way they are being used. Bill and I had a discussion about this because I noticed too that they were coming up every year and although \$300 for a year is not that much the fact that they were coming up every year, I asked Bill about it. He tells me that to purchase a pair of these, they are \$7,000 and they are not that readily available now days. So Bill said that he has this worked out with this Naval Surface Warfare Center which is a government agency and he would like to continue leasing them while they are available because of the exorbitant cost to purchase them. But yes, they would be for both, Commissioner, one for the Tactical Support Team and five used primarily by the Drug Task Force.

Mr. Petrucci: I could support the one for the Tactical Support Unit but I could not support the purchase or the lease for the Drug Team. We have enough of a war going on already. This other war against market activity although illegal only fills our Courts and fills our Prisons with any extra burden onto the taxpayers. Fighting a market that we never really seem to be able to reduce that will be with us just like prostitution forever, and so coming up with the latest inventions for working on this just don't seem like a very valid expenditure to me. So I will not be voting in favor of the expenditures on page 48.

Mr. Henry: I think it should be noted that the night vision goggles also greatly enhance the ability of our undercover agents to operate in a more safe environment under a time when there is certainly anything but. The failure of this unit to be properly equipped with goggles or any technology that would help to buttress their personal safety is something

that we should do. I would suggest that the failure to provide this equipment could be putting the lives of our officers at risk. I just do not believe that that is a prudent move.

Mr. Haste: We will take up this packet at next week's meeting. Thank you.

## **DEPARTMENT DIRECTORS/GUESTS**

Mr. Haste: Directors. Steve Kusic.

### **A. Steve Kusic, Keystone Tax Claim Bureau**

1. Proposal to outsource collection of delinquent real estate taxes.

Mr. Kusic: Good morning, Commissioners. My name is Steve Kusic. I represent Keystone Tax Claim Bureau. I am here to discuss with the Commissioners today, the proposal to out source the Tax Claim Bureau's delinquent tax collection process to my firm. We believe that we can receive substantial savings for the County as well as free up additional space for the County as far as office space goes. We can also have additional savings with people working back in the Tax Assessment Office. In order to catch up on the reassessment that has taken place I believe the County is about six months behind on new assessments. Are there any questions that I can give the County? I know I gave some previous information.

Mr. Petrucci: I haven't read your proposal, Steve. I just got it. But I have looked over earlier proposals for the privatization of the Tax Claims Bureau. One of the things that I would require as a decision maker is the assurance that any privatization does bring about some financial saving over what the existing cost of the department is. I for one would have to take a look at that. The other thing is, not just financial savings but also the general requirement that everything else being equal, were the costs the same? So you would also have to show me that your company would be doing many of the things that the Tax Claim Bureau does that are unrelated to costs. Such as being available for citizens 8 hours a day here at the Courthouse. There is also the requirement of considerable research that is done to help out in regard to Tax Claim that the Tax Claim department does. I am also concerned about the handling of the repository list which is 99% in the City of Harrisburg and how that would be maintained so that the Commissioners could be responsible managers of the repository list. There are a variety of things that I think that come under Tax Claims that aren't just a financial thing. So I would need to have a pretty clear understanding of that before I would be ready to go on this.

Mr. Kusic: I agree with you, sir. In my proposal I do propose to follow the real estate tax sale law completely from the upset tax sales to judicial sales and repository sales. Currently the County is no longer doing repository sales and I believe they are out sourcing the repository accounts to another collection agency. My thought is, if the person hasn't redeemed their property by now they are not going to redeem it through a collection agency.

Actually we really need to work with Dauphin County Economic Development as well as the City of Harrisburg's Economic Development team to get these properties back on the tax roles which aren't being done. So there is additional work that we are proposing that is not currently being done at the present time. Additionally, I believe I saw one of your comments was in reference to bankruptcies and how we are going to handle the bankruptcy process. Bankruptcy court is actually a profit center for the Tax Claim Bureau. There is paperwork required but once you go through the paperwork you do bring in and collect the money on the taxes. You know if you are going to receive a foreclosure on the property. So as far as the bankruptcy goes that is one of the things that we can definitely address as well as manage on a fairly good basis. The one response as far as being located in the City of Harrisburg, I do plan on opening an office down in the City because you are correct, most people are from the City of Harrisburg that does have the delinquent tax claims out. That is unfortunate.

One of the other situations that we have talked about is the possibility of leasing space in the Veterans' Building. Although the amount of space we would need would not be an entire floor. I think that's where we are waiting for the architects to figure out. I think there was another tenant that was looking for shared space. Actually, I'm willing to lease space within the County. Because I do think it makes sense to be in a county building. It makes a lot of sense just from where people are used to paying their taxes. I think the Veterans Building where it was located just two years ago would be an excellent location. If not, there are many fine establishments that we could lease space in the City that is near and in around the Courthouse and County buildings. You have seven or eight of them. I don't have them all memorized of what the numbers that you are looking for that I might be able to address in your questioning.

Mr. Petrucci: Numbers?

Mr. Kusic: Just number of items that you had. You had a good laundry list.

Mr. Haste: Just to clarify one thing, we do not have the third party....

Mr. Petrucci: We cancelled that, didn't we?

Mr. Haste: Right.

Mr. Kusic: I wasn't aware of that. I think on the website it still states that it was out with a collection agency. That's information that I was under....

Mr. Henry: They didn't actually collect anything did they?

Mr. Haste: No.

Mr. Henry: That's what hurt.

Mr. Kusic: Really, the properties are worthless. You really have to take those properties and I don't want to say give them away but redevelop them in order to make them.....put them back on the tax rolls.

Mr. Petrucci: The Tax Claim Bureau is collecting taxes that not only come to the County but also come to the forty municipalities and ten school districts. What consideration do we have to give for them in regard to this change?

Mr. Kusic: Under the law, the way it was passed to allow the outsourcing back in April that was signed by the Governor, I'm actually an outsourcing entity like a subcontractor to the Tax Claim Bureau. I deal directly with the County. I know of no notice that has to go out to the other municipalities as far as this process goes. My contract is directly with you. The real estate tax sale law states that all entities that have delinquent property taxes must turn those taxes over to the County taxing bureau. That's the only relationship that I know exists.

Mr. Petrucci: Then you would spread out the revenues as is....

Mr. Kusic: Yes, I would create an actual category for every taxing entity so I could qualify and watch all their taxes come in as we receive payments. So we could do proper disbursements.

Mr. Petrucci: How do you handle the fact that it really doesn't seem logical to separate out the tax claims from the tax assessment bureau? It seems to me like there is a natural relationship there that needs to be maintained for efficient flow of things.

Mr. Kusic: Actually the only relationship that I see that exists at the current time within the Dauphin County the way it's operated under Tax Assessment is the Tax Assessment Office marks a flag on the computer systems so the Title Insurance Searchers know there are delinquent taxes outstanding. As far as the outside world looking in, I don't see anything. There maybe something there that I just don't realize or can see. That's the only thing that I know in the way we are looking at making our life easier to cut down on incoming phone calls from other tax assessment agencies, title insurance companies and individuals is we are going to have a website where people can just dial into our website and look up the information they need. It will save a lot of time I think and will be much more efficient.

Mr. Petrucci: Another thing that is happening a little should be happening more is interdepartmental cooperation between our Dept. of Community and Economic Development and Tax Assessment in regard to the managing of those properties on the Repository List. Would your company be willing to operate in a partnership with our Economic Development Department in regard to that? That seems to be something that I would like to see happen and I'm not sure that I would have the same ability when I have two departments that I control to focus onto Community Development when I got it privatized out there into any company.

Mr. Kusic: My answer is yes to that subject. One, for the sheer fact that although you say it's not cost effective to collect repositories because it does put money outstanding. It just complicates the computer system because you're seeing that property year after year. You want to actually clear it. We also, planning on being downtown, we would be able to meet with any individuals from primarily the City of Harrisburg because they do a lot of economic development when it comes to rehabbing a lot of the housing. That's up on Allison Hill and uptown Harrisburg where the majority of these properties lie.

Mr. Petrucci: Have you done this in any other counties?

Mr. Kusic: Actually the law just passed in April and we have many other proposals outstanding. We are hoping to get Dauphin County first as being our home county and then going from there as far as our sign up process. That is our strategy.

Mr. Petrucci: Are you a former student of mine?

Mr. Kusic: Never went to HACC.

Mr. Petrucci: That's all I have.

Mr. Kusic: I have a Masters in taxation, by the way. It doesn't do anything for this subject.

Mr. Haste: I have a question. I read your proposal. What guarantee or what could you say to the County, what if your collections don't match what we are doing now?

Mr. Kusic: I believe it is almost, I don't want to say impossible, to have the collections come in lower. The way the upset tax sale process works as well as the judicial tax sale process, over the two year process is that goes from the time the accounts go delinquent as of December 31. The tax sale process, the individual purchaser bidding on these properties guarantee that these properties will be purchased in one form or another. Some may go to the Repository but that's been happening for years upon years and that process will always happen. I believe we will have over 99% liquidation of these accounts just as what is going on at the current time. So the collection process will remain the same. I believe our costs will be cheaper by privatizing this.

Mr. Haste: Steve Howe do you have anything you would like to say at this time? I noticed, I just got the report from Bob Burns late yesterday, with the analysis and I believe the other two commissioners just received it this morning. I gave a copy to Steve so Steve has not had a chance to look at it. One of the things I saw and it's one of the things that I've been hearing is some of the numbers between Steve's report earlier and yours don't quite match. So we need to at least before we take a vote try to figure out what the difference between the two are.

Mr. Kusic: Okay.

Mr. Haste: Steve Howe do you have anything you want to say at this time?

Mr. Howe: No, just that I was provided a copy of Mr. Burn's analysis this morning, I really can't comment on this report. I can answer questions relative to the comments that Mr. Kusic made.

Mr. Haste: We need to hear these so go ahead.

Mr. Howe: As far as the repository is concerned as you may very well know the Commissioners voted about a month and a half ago to cancel the contract with the collection agency that was established probably two and a half years ago now when Chairman Payne was on the Board. By implementing the contract with the collection agency that basically froze the repository which did not allow the County to offer any repository properties for sale. They went to the hands of the collection agency, froze the repository. Now with canceling that contract and that affective date as I recall is April 16<sup>th</sup>, 17<sup>th</sup> thereabouts. That will reopen the repository for public sale which we have not had for the last couple of years. We on occasion have made exceptions through the Commissioners' Board approval and sold repository properties but they have been primarily for and to the City of Harrisburg for just that redevelopment purpose. They have not been advertised and they have not been made available to the public generally. We've had to tell public inquiry that essentially the repository is closed to bid. We will advise and put it on the website when they are again available for purchase which they will be again now April of 2003.

The bankruptcies are a very necessary process or necessary evil of the Tax Claim Bureau. We have approximately 500 bankruptcy accounts right now that the Bureau manages through its solicitor, who is Mr. Brown. Yes, bankruptcies can be profitable but then on the other hand they cannot be profitable. It's all in the hands of the bankruptcy judge. The Tax Claim Bureau makes representation to the bankruptcy court as to our interest in all of those 500 accounts. The bankruptcy court basically makes it's determination as to who gets what if anything relative to any delinquent taxes.

The disbursement issue was brought up. We currently disburse to all the taxing authorities or political subdivisions in Dauphin County through the Controller's Office on a monthly basis. I think the last proposal that I was provided with proposed to distribute collected funds on a quarterly basis. That certainly would impact the budgets of the political subdivisions for whom we collect money if they get money quarterly rather than monthly as they do presently from the Controller's Office based on our collection process.

The space requirements as I noticed in my quick scan of the memo from Mr. Burns are that Keystone would occupy approximately 3,000 square feet. The Tax Claim Bureau currently occupies approximately 1,200 square feet. There is a considerable difference in size.

The comment was made that Keystone only realizes that assessment flags the accounts for bankruptcy. Assessment and Tax Claim interact far more on a daily basis than simply flagging accounts as bankrupt. There is the appeal process, there's demolitions, there's construction, there's all kinds of processes that affect the value of the property whether perspective or retrospectively and that affects the amount of tax. We consistently in assessment adjust assessment values which may or may not affect the value of the taxes levied against properties. We in assessment, on behalf of the Commissioners, then on a regular basis adjust the amount of tax that is actually due and delinquent on a property. It's far more interactive than simply flagging an account which we do on our system for assessment purposes that tells a property owner that there is delinquent taxes. The title search folks then need to look in the delinquent bureau for a record of that delinquency or we flag the account saying the property is in bankruptcy which affects the collection process. So there is far more at play than simply flagging the accounts.

Economic Development talked about earlier as far as development is concerned the City works very well with the Tax Claim Bureau in its economic development process. We as you folks know over the course of the last two and half years have sold many properties to the City who in turn packages these properties and puts them on the market and or sells them to a developer as part of a redevelopment process or package in the city.

Commissioner Haste asked a question relative to collections. I think the answer you got was relative to the sales of properties not the actual collection process. The last thing the Tax Claim Bureau is intent on doing is selling properties that's our statutory obligation if taxes are not paid. We don't look to the sale process to generate revenue. We look to the sale process as alternate statutory obligation of the Bureau if property taxes are not paid. We meet all of the statutory requirements as far as the collection before any property goes to sale is concerned. We're doing all of the notices that are required and that does generate a tremendous amount of revenue or collection. We go to sale with far less properties than are ever turned in as collection. For example, we'll go to an upset sale with approximately 700 properties of which on an annual basis we probably have in the neighborhood of 13,500 properties returned with delinquent tax. So you can tell from that 13,500 that we only go to sale with only 700. That tells us that we have collected better than 12,000 delinquent accounts in a year's period of time. I think that is pretty admirable.

There is far more at play and we haven't talked about the tax administration system at all and how the administration system, the collection system, the Controller's Office and the Treasurer's Office all interplay together with the tax administration system that's being put in place as we speak as a result of the reassessment process.

Yes, our assessment office staff does the posting, they do the personal service on behalf of the Sheriff's Office and that would be a soft expense that the County would have to pay. However, it was a cost saving measure that was put into effect probably fifteen years ago when the County paid a private contractor to do the posting to the tune

of somewhere around \$50,000 a year. So our assessment office assumed that responsibility and field staff does that now for no additional cost. Yes, it takes two weeks or two and a half weeks out of their collecting information on properties but it's far better than spending \$50,000 to a private contractor to do that posting.

I don't know where Mr. Kusic gets his information about the assessment office being six months behind in collecting data but I can assure you that is not correct. Our assessment information is relatively up to date. We're typically going through every municipality within 90 days to check on building permits that were issued. We're not six months behind.

Mr. Haste: I believe there are five employees?

Mr. Howe: There are three clerks plus Jim Hoffman who is the Deputy Director, who run the day to day operations, plus myself as the oversight, if you will Director, of Tax Claim and Assessment.

Mr. Haste: So that would be four employees?

Mr. Howe: There are four in the bureau dedicated to that on a daily basis, yes.

Mr. Haste: Let's assume that everything was a wash that if we did this...let's not even get into the dollars right now. If you had those four additional employees in Tax Assessment...I heard the claim that was made about improving your collections and keeping the assessment side up...what factor would that have on your assessment side if you had those four folks? Would that in fact increase revenue to the County?

Mr. Howe: Four additional positions would allow assessment to possibility increase clerical staff to support the appraisal staff. Where the assessment office generates revenue is getting new construction and bringing in new assessed value which generates tax dollars. None of those folks in Tax Claim are certified as required by the Commonwealth to actually do that assessment process. The direct impact would not be increasing assessment which increases tax dollars directly.

Mr. Haste: Because they would need to be assessors.

Mr. Howe: Because they would need to be assessor who are required to be certified in order to do that particular assessment process. The assessors that are going out collecting data today are far different than the assessors that were elected by municipalities back in the 60's. These are folks that are tantamount to real estate appraisers certified by the Commonwealth the same as appraisers are certified.

Mr. Haste: Are there any other questions?

Mr. Petrucci: No.

Mr. Haste: As I said, the numbers are...we need to try to find and get these numbers at least on the same page.

Mr. Kusic: I'll get with Bob Burns.

Mr. Petrucci: Mr. Chairman, if I could just comment, I want to thank Steve for coming and helping keep County government accountable and his entrepreneurial spirit there is a help to society and I appreciate your efforts. Good Luck.

Mr. Kusic: Thank you.

## **B. Mike Wertz, EMA Director**

1. Discussion of a Planning and Training Grant received from the State.

Mr. Wertz: Good Morning, I have a good news bad news presentation this morning. As you know sometime ago, the County of Dauphin applied for and received a \$58,342.00 Grant of Counter Terrorism Preparedness money.

There were two sides to the grant. Roughly \$43,000 for planning efforts with municipal governments and the other \$15,000 and some odd change was training. I want to talk about the planning side first. That part has been going fairly well. There has been a move to change and try to standardize it at least into two minimum formats all municipal emergency plans. We have forty municipalities and about ten of those have merged into single emergency management agencies. So we had a need for thirty-five plans. We assigned a coordinator from staff to work with a consultant to have gone out pushing the update of the plans. A couple of things have happened. We have seen some of the municipalities talk about merger. They are saying we don't have the resources to meet the requirements of the law in regards to emergency management. One that I'm very happy about and have been to several meetings to provide some assistance we are looking at Halifax Township, Halifax Borough joining with Wayne and Jackson and possibly Reed into a single emergency management agency with a single plan. That's a result of this planning.

The municipalities had two options. They could adopt the County plan as their own plan and then turn around and establish standard operating procedures, implementing procedure check lists for their emergency operation center in regards to their agency. We have had about ten municipalities do that. The rest of them have decided at this point to stand alone and still write their own plan in the format that has been adopted by the State.

As part of our Grant, we have hired SSI Services to go out and physically sit down with the municipal emergency management coordinators, work with their fire chiefs, police chiefs, etc. in order to accomplish these goals. This started in January and is very aggressive. By June 20<sup>th</sup> we are to have this project completed for all the 40

municipalities which would include the legal side which might be intermunicipable agreements for those who have merged or for those who have adopted the County's format, the County plan and the ordinances to make all this come into place. We're probably at the end of March about 75% of the way through the project and feel very comfortable with where we are in meeting our goals and objectives. That doesn't mean that we might not come up short one or two municipalities. The State understands that, understanding that in most cases we are dealing with a totally volunteer service in these municipalities.

The other side of the Grant for \$15,182.00 dealt with community emergency response teams. This has been a really hard sell program. That included emergency management fire medical crisis counseling, search and rescue animal care takers, anybody that we could find that would have a pertinent role. We did identify people that would volunteer and wanted to do that. They went and took some training provided by the State. Some of them did not go back for the second day. That might talk a little bit about the presentation. They said that they felt they had the expertise that they could work and do their own training program.

The next part was to go to the municipalities and ask them to identify teams within their municipalities that our trained trainers would then go out and teach this class so they could go into the municipalities and try to teach some citizen responders some first aide, some fire protection, how to shut off utilities, etc., so in the event that they would be isolated for up to 72 hours at any type of emergency they would be able to respond within their community to assist existing first responder safety personnel.

When we presented this idea to the municipal governments we made it a special agenda item at our quarterly training session in Emergency Management. Commissioner, that would be the meeting that you attended. When we presented it, they asked some questions in regards to workman's compensation because if they went out and did this work does that mean that that person became a volunteer of that municipality. So what were the requirements in regard to workman's compensation? What would be the liabilities to the municipalities? To date the State has not been able to answer those questions.

The next problem was that the municipalities could not identify enough people to volunteer to do the training within their own municipalities. That goes back to again the fact that police, many EMS, etc. are volunteers and are stretched, their ranks are already stretched thin especially with the extra training and planning efforts that we are putting on them not for just all hazards but with the counter terrorism programs that are coming down. We did not have one municipality step forward to participate in the program. County government does not have the resources to go out and become the agency to try to teach this in all forty municipalities or recruit volunteers in the forty municipalities. Again, looking back to the legal questions of workman's compensation and liability coverage's. We will not meet a deadline and would not receive the \$15,182.00 because we have not met the requirements of this Grant. It's not for the lack of trying. However, it can't be done without the municipal involvement because that

is where it happens. That's where the fire service is located, it's where the police, it's where the EMS is. It's where all the citizen's groups that provide community services, Lion's Club, etc. exist. Additionally, we did meet with volunteer organizations. We talked with the Red Cross, Salvation Army, etc. to make sure if there was any other type of training. Last week as a member of the emergency social services committee for the American Red Cross Susquehanna Chapter, we did have this as an agenda item and discussed it. We actually had a Red Cross person go take the to "Train the Trainer Class" in regards to serve. In actuality the Red Cross is already presenting this training to any citizen's group or volunteers who would like to come out and take this training. In fact, the Red Cross training totally mirrors what the State was trying to put forth. We don't think there is a gap. We feel that the training is available to those people who would want to take that training.

Some of the things that we are still providing as an Emergency Management Agency are the Incident Command System/Unified Command duties and responsibilities of an emergency management coordinator and work environment of emergency management coordinator initial damage reporting and basic cares of awareness classes. We have been teaching them as an agency to any municipal emergency management agency personnel to any police, fire, EMS, to hospital personnel, to any body with a role in any type of emergency response. So although that was part of this Grant, that is something that we do on a regular basis year in and year out. That is also something that we feel is not going to fall through the cracks and we would continue to do that.

So the good news is the planning side is going extremely well, the bad news is we will not meet the requirements and will not receive the monies for the training side. However, we do feel that that training is available through other means and is out there.

Mr. Haste: Mike, if my memory is correct, it was unanimous that night from the local governments that we not take those funds and try to comply with the State.

Mr. Wertz: That is correct.

Mr. Haste: So what you are saying is out of the Grant the \$43,000 we will accept and use but will not take \$15,000 +.

Mr. Wertz: The \$15,182.00 I think it is.

If I may relay this, because it came to my desk very late after I was on the agenda. The one of them is, I know they came to the Commissioners' Office and I just got copies of them, one of them was for another grant to conduct training and education programs for SERT Teams which is kind of a supplement \$5,253.00. I had no knowledge of this other than the fact that I did receive a copy of the cover letter. Once again, I'm not sure how that's going to fall but if we couldn't do it with the first grant, I'm not sure where this is going to following in. I can try to track it down to see what more intent was there.

Mr. Haste: Is that from PEMA?

Mr. Wertz: Yes, it needed to be returned by April 16<sup>th</sup>, but I have not seen that grant. I'm not sure what that is about. I do know there was the other one in regards to the Citizens' Core Grant to....and again, I think they are all related. I have to apology because I did just get this through interoffice mail yesterday. This is one where they want to give Dauphin County \$1,970.00 to sit down and accede money to talk about a Citizen's Core Program to coordinate public education and outreach programs. \$1,970 is not a lot of money. I can tell you that I also received this morning of twenty-eight counties that one I think also had a March 28<sup>th</sup> deadline. So that one is already passed. I received an email from the Director of PEMA Central Region this morning saying that only eleven counties and they were the smaller counties even turned in a grant to try to accept that money. They have accepted the ones who did not return as a negative response to that program.

One of the things that are happening is because of the counter terrorism programs and since September 11, all of a sudden money is becoming available. The biggest problem is that we are getting fringe money before we are getting base money. As you know the regional counter terrorism task force has still only received their monies from 1999 through 2000. We just started getting 2001 – 2002 monies just this past month. Everything is kind of behind the power curve. There has just been no way to get into a catch up mode at this point. That's where we stand.

Mr. Haste: Any questions for Mike? Thanks, Mike.

Mr. Wertz: Your welcome.

**C. John Orr, Director and Bob Christoff, Resource Planner for the Dauphin County Conservation District**

1. Briefing on County's responsibility to comply with the Municipal Storm Sewer System regulations.

Mr. Orr: Good morning.

Commissioners: Good Morning.

Mr. Orr: As you are aware from some of the briefings that we sent you the Federal government and State government has outlined an urbanized area what is called the Municipal Separate Storm Sewer Regulations. We have recently learned that Dauphin County is now on the list that the County must prepare and comply with these regulations. I'm fortunate to have on staff, Bob Christoff, and have taken this responsibility on and familiarized himself with these regulations as they stand and as they are evolving. He is becoming an aide to the municipalities interrupting these regulations and helping them to comply. He will be the one from the Conservation District that will do our presentation this morning and answer your questions related to what is called the MS4s. We hoped that through this meeting this morning we can help

you understand these regulations. Bob does, because quite frankly, I could not sit here and answer your questions the way he can. I'll turn it over to Bob.

Mr. Christoff: A couple weeks back I had sent the Commissioners a brief packet on the NPDES Phase II regulations and how they apply to Dauphin County. Without going through the entire packet, I'll just give you a quick summary of it. Essentially, Dauphin County has been designated as an entity that is regulated under National Pollutant Discharge Elimination System Phase II requirements for small municipal separate storm sewer systems. That being the case the County as a regulated entity is required to meet six minimum control measures. Those measures are outlined in the packet: 1. Public Education and Outreach; 2. Public Participation; 3. Construction site; 4. Stormwater management; 5. Post-construction stormwater management; 6. Elicit discharge detection and elimination and good housekeeping at municipal facilities.

The Notice of Intent for Permit Coverage was due March 10<sup>th</sup> of this year. So obviously, we have already passed that date. One of the things that need to be submitted with that notice of intent is the County's plan to meet those six minimum control measures. There are two options to do that. One is to develop an individual plan and outline in the notice of intent how you intend to meet those measures. The second option is to utilize a protocol that has been developed by the Dept. of Environmental Protection that is essentially a cookbook or the recipe for meeting those six minimum control measures step by step. The advantages of using the protocol are that it exists already. It has already been done for us and we do not have to redevelop it. The second advantage is that it is pre-approved as being sufficient to meet the requirements of the NPDES Program. By agreeing to use that in the Notice of Intent you are essentially pre-approved for the program. The monkey wrench in there is that the protocol in there is essentially developed primarily for municipalities (townships, boroughs, & cities) to utilize. So it is geared towards having them meet the six minimum control measures. At this as outlined in the summary that you have, we are not 100% sure exactly how those six minimum control measures will apply to the County. In some of the discussions with DEP, reviewers of the permits, it has been indicated that the intent of the NPDES Program is what they would be looking to see that is met. To give you an example of that, is in the protocol for post-construction stormwater management, the protocol requires that the regulated entity implement ordinance requirements that essentially state that no building permits or subdivision approvals can be given until there is a sufficient post-construction stormwater management plan developed. The County obviously cannot implement subdivisions requirements except for its own subdivision ordinance which generally don't apply in most municipalities. So at this point there is some gray areas on exactly what the County compliance is going to look like.

In the brief summary that you have and in the flow chart that I gave you this morning, what we would recommend is to start out with what are the County facilities. I believe that is being worked on at this point. We did inventory the facilities. What is the activities going on there, are there storm sewer systems there, what are the outfall. Once we have that, we can sit down with the Dept. of Environmental Protection people

and get a better idea of exactly what they want to see as far as compliance. Now we should probably in many of the cases for most of those minimum control measures I believe we will be able to use parts of the protocol at least. The areas where we may not be able to use them, I can't honestly say that we will need to address them. For instance, with the post-construction stormwater management. In order to find out what we need to do as a County to meet those requirements, I think the first thing we need to do is find out what we have as far as facilities and then talk with DEP on what they want to see as meeting the intent of NPDES regulations.

Some of the work in there will require some consulting particularly we are talking about the illicit discharge detection and elimination portion of the requirements. My understanding is that the Commissioners have designated the Conservation District more or less to lead this effort but we don't have the staff and expertise to accomplish everything that needs to be done under there. So one of the things that we would need some direction on is what the County Commissioners would like us to do. There is sort of a range of options from having the District coordinate the effort and having an outside consultant do all the work. To the other end of that would be having the County Conservation District do as much as they can and bring the consultant in where needed. A logical progression in my mind is to after we sit down with DEP find out what we need to do is sit down with the County engineer and kind of iron out a proposal or a course of action that we can submit to the Commissioners as to what we see is the best thing to do as far as dividing that work up and how to meet those requirements. Once that is done, we got to get the NOI put together and get that in probably as soon as we can.

Mr. Haste: Bob, is this County-wide or are certain municipalities not required to be in this?

Mr. Christoff: In your packet, you'll see three maps. The simplest map is the urbanized area and that comes from the EPA website. The municipalities that are required to meet this are the municipalities that have separate storm sewer systems in those urbanized areas. It's not county-wide. Essentially all the municipalities that are designated as being required to meet these regulations right now are in the southern end of the county. If I'm not mistaken every municipality south of Peter's Mountain has at least some separate storm sewer system. So every municipality south of would need to meet these requirements.

Mr. Haste: Have we talked to those municipalities yet or is that yet to be done?

Mr. Christoff: Going back probably to summer, we've entered into discussions with municipalities. We have been able to assist some of these municipalities with the Act 167 Stormwater Management Planning Program that we have been working on since the early 90's. DEP has to the best of their abilities tried to couple the NPDES Program through the Act 167 Planning. What I mean by that is by doing Act 167 stormwater water management plan, we can bring in the NPDES regulations and have them met through Act 167 through the entire process. There are some municipalities, I think about eight or so, where we do not currently have any Act 167 plans in process. Based

on the geography we may not be able to do Act 167 plans. For example, Derry Township is in the Spring Creek Watershed. That's a multi-county water shed with about a third being in Lebanon County. In order to do a 167 Plan there we would need cooperation from Lebanon County. We did approach Lebanon County many years ago on doing the 167 Plan there and they were not interested. The other thing with the 167 planning is typically, we have as far as our work load goes we are typically beginning one as we finish one up to keep from having an overload. Right now we actually have, there is another map in your packet, we have five in the process now. Three just starting and two just ending. We are kind of at the capacity of the staff for doing Act 167 planning. We have also approached some of the municipalities where there may not be 167 plan in the immediate future about the possibility of coordinating an effort amongst them to try to meet these requirements and save some cost and staff time by coordinating an effort. We are continuing to work with that. To elaborate, there is a possibility that in the area depending on where the county facilities are, again this goes back to the need to have that information, there maybe a possibility to couple the county's requirements with some of the activities going on in those municipalities and essentially save everyone some time and money. A lot of that remains to be seen until we meet with DEP and get a firmer handle on exactly what they want to see out of us as an entity other than a municipality to meet those regulations.

Mr. Petrucci: Mr. Chairman, I know that the Conservation District has gone through a strategy session and prioritized some of the work load that they have done over the years and what they have been asked to do by the State and they have tried to focus and coordinate water issue into the position that you now hold. Do you find us not to far off of where we need to be in regard to this Federal minimum control requirement?

Mr. Christoff: The County as a separate entity or....

Mr. Petrucci: The County has a whole. Specifically, the County and then the County as a whole making up what is going on with our municipalities.

Mr. Christoff: I don't think we are far off. Again most of the municipalities are going to be working on this through Act 167 planning process. The other ones, we are attempting to do what we can do. A lot of that will depend on whether or not they want to cooperate jointly. As far as the County itself, I don't think we are significantly behind where we need to be.

Mr. Orr: In relation to that, previously when we did Act 167 stormwater studies there was just an emphasis on water quantity and the discharge of water into the streams for flooding purposes primarily. Now the Dept. of Environmental Protection has initiated new efforts and you will see many more proposals coming out for not only looking at water quantity but also water quality and parts of the 167 studies now will require infiltration to get surface water back in to recharge ground water. So it's becoming a more complex issue. We do have the working relationship with municipalities from doing the number of Act 167 studies that we have but they are now all going to be

required to go through a process of updating. As Bob said, they are trying to marriage these two areas together to comply from both aspects.

Mr. Haste: What is the timeframe on this?

Mr. Christoff: For the County?

Mr. Haste: Yes.

Mr. Christoff: The NOI was due March 10<sup>th</sup>. The lists of regulated municipalities that we had originally seen did not include the county. The final list came out in December. So we were sort of a little behind from the very beginning on that. The best I can tell you on that is some information that I got from the DEP people, get it in as soon as we can. I don't know that we're under the gun so to speak but I don't think this is something that we want to let sit and not address as soon as we can get to the work.

Mr. Petrucci: While this is coming to us in the form of some kind of directive about meeting minimum requirements, I think that I for one have been aware that my constituents have been concerned about water and what all of government is doing in regard to protecting it both in quantity and quality. I would hope for one that we were achieving a lot of the minimum control standards that they are talking about here and protecting something that is as vital to life as our water. I don't see this as one level of government imposing restrictions or constraints on us that we should meet. I'm seeing this as something hopefully we have already begun to work on and achieve. We are through urban sprawl and greater developing a capacity of wiping out a lot of the reservoirs of water that kept our aquifers at a certain level and we now increases flood warnings and increased drought warnings because it is just running off. It's running off in a very poor quality. I as a Commissioner would hope that you are doing everything possible to exceed these minimum standards in regard to protecting our sources of water both in quantity and quality. That would be my direction towards you is to do everything possible to exceed these standards.

Mr. Haste: What are you seeking from us today? Just to go ahead?

Mr. Christoff: I guess that is what we would be looking for is to go ahead and what I had mentioned earlier considering how you would want us to proceed as far as distributing workload between us and a consulting engineer. If you are looking for us to do all of this, everything that needs to be done, I don't think we have the technical ability to do some of the things for instance like the illicit discharge detection and elimination. There are other things that we do have the capabilities of doing. As far as the staff resources that we have available, I'm the stormwater guy, and I'm doing five plans where I typically do one and a half. We are stretched. I don't think this is something that we can't be involved with but that is why I would like to once we have a clear idea from DEP of what we need to do, I would like to sit down with the county engineer and talk with them and come back to you with a recommendation of how we see that workload being distributed for your approval.

Mr. Haste: I think that is appropriate. My recommendation is the more we can do, as long as we have the staff, the more we can do in-house I would prefer.

Mr. Christoff: That is the approach we have taken with the Act 167 plans is we try to do as much of the non-technical work in-house that we can and the technical work we do have to retain a consultant for.

Mr. Haste: Sure, we hire them for their expertise and everything else that we can do we should be doing.

Mr. Orr: Are we under the understanding that we will at some point be given the authority to contact the county engineer and begin discussions with them regarding any cost that they may incur?

Mr. Haste: I think you have to.

Mr. Orr: And come back to you with that?

Mr. Haste: Develop a plan and come back before us.

Mr. Orr: Okay. I should also note that Bob in addition to this work is doing the Ag Land Preservation work so he does have a full plate.

Mr. Haste: He likes that.

Mr. Orr: He does a good job.

Mr. Haste: Is there anything else? Okay, thank you.

Mr. Petrucci: Thanks.

#### **D. Jim Frandano, Information Technology Director**

##### **1. Presentation of job sharing proposal.**

Mr. Frandano: Good morning.

Commissioners: Good morning.

Mr. Frandano: I would like to take this opportunity to give you some information about some positions that were in your salary packet this morning. As we look at ways to reduce cost and maximize service we developed a plan around job sharing at the Information Technology Help Desk. Currently, the situation is that we have approximately two and one half people taking and recording calls. Ten percent of those calls are handled by the people on the desk on the first call and roughly another ten

percent are handled when the personnel on the Help Desk go to the department. All other calls are dispatched to either our desktop area, telecommunications which is voice and data, application development group or operations. We using tracking software to monitor and analysis the calls. Management reviews the outstanding calls every morning to make sure there is no priority issues between the groups or a hot potato that does keep going back and forth.

We have come up with a change in the business plan with the resignation of one of our employees, which was also in the salary board action today to close the position. We want to do a business process in how we staff the Help Desk. We plan on developing entry level people to work in the call center. We would like to start with three part-time people. The advantages to this are we're looking to use college students that have an interest in either I.T. or county government. We think this shows a commitment to society to be able to use entry level people and develop skills for them. Of course, it is going to be lower costs. The rate will be lower than a full time person, there will be no benefits associated with the position and we also now have the opportunity only to staff peak hours. One of the key advantages that I see to the enterprise is that we will then have the ability to see how these people perform and when they go apply for full time positions in the county whether it be other agencies or within I.T., we will have the ability to either recommend them or see how they work and see what their work ethic is before they get into a full time position.

The last advantage is that I.T. management will actually do the job search and won't need to pay for that. We will have contacts at colleges and some business arrangements.

The downside of doing this is that it will be more management time in guiding, coaching, mentoring these three individuals, these new recruits if you will. But I think that is what management is all about anyway. Fewer problems will be handled on the first call on the phone. I think that is manageable. I think will only happen initially as the people join the Help Desk. Some job training requirements will require the use of our technical people. It will take away some of their time from doing their technical job to help people on the Help Desk. There might be a slight drop in service level initially but I think if we stay close to it we can manage it. Some numbers for you. The last six months we took 1,800 calls, that's about 70 a week. The average open calls at the beginning of that period were 40-50 calls every day we were still open. We've gotten that down to about 20 calls open a day. That's our backlog. I talked to some other counties that have Help Desk and they're taking 70 calls a week and they only have 300 users. With our 1,300 users, I think we're doing a good job.

Again my intent here is to just give you some information so you could vote on that action next week. It is for the three part time heads and the elimination of one permanent position. That's is my conclusion, if you have any questions I would be glad to answer them.

Mr. Haste: I have a question for Faye. Do we do any job sharing anywhere else now?

Ms. Fisher: Not that I'm aware of.

Mr. Haste: Actually it's a pretty good idea and I know a lot of folks in the business community do that and it's.....

Mr. Frandano: I've done it before.

Mr. Haste: Thank you.

Mr. Frandano: Thank you.

**E. Edgar Cohen, Facility Maintenance Director**

1. Facility Update.

Mr. Cohen: Good morning Commissioners. You should have received a packet this morning outlining the March maintenance report. If you have any questions, I'm here to answer them.

Mr. Haste: Are there any questions? Thank you.

**F. Robert Burns, Chief Clerk/Chief of Staff**

1. Courthouse Renovation update.

Mr. Burns: Mr. Chairman, I just have a brief report today. Yesterday was the last day on the job for Whiting Turner as construction manager. You will recall the Board gave that direction a couple of weeks ago. Buchart Horn will take over those duties. There is a contract on today's agenda with Buchart and I believe the Solicitor's will have it ready for a vote next week at the Legislative Meeting. Bill Tully is working on a Separation Agreement with Whiting Turner. We hope that will be ready next week also.

The work is continuing in the Courthouse as scheduled. There is a Change Order on the agenda today under Items for Discussion that will be paid for out of the Contingency Fund. Buchart Horn, Whiting Turner and Edgar Cohen have all given their blessing to that Change Order. They all believe that it is something that could not have been anticipated when the original plans were drawn up. That one we are asking for a vote on today if you would consider that favorable so that the work can get done.

That's all I have, Mr. Chairman.

Mr. Haste: Thank you. Items for Discussion, Item A is the one that Mr. Burns just referred to that they need a vote today. It is my understanding that it had something to do with the walls?

Mr. Burns: Correct, Mr. Chairman, I think if I understand it right and Edgar can speak to it, the wall when the Courthouse was built back in the 40's did not go all the way up to the ceiling and that was just discovered when we demolished the temporary wall. It is now unstable and needs to be demolished and a new wall put up. That's in the area where the Court Reporters will be in the basement.

Mr. Haste: Okay, is there a motion to approve the Change Order?

- A. Change Order to Architect's Project #2002-01 with L. R. Costanzo Co., Inc., general contractor, for the Dauphin County Courthouse renovations, in the amt. of \$4,383.20. (**\*\*\*NEEDS VOTED ON 04/01/03**)

Mr. Henry: So moved.

Mr. Petrucci: Second.

Mr. Haste: All those in favor say, aye.

All: Aye.

Mr. Haste: Motion carries.

### **ITEMS FOR DISCUSSION**

- A. Change Order to Architect's Project #2002-01 with L. R. Costanzo Co., Inc., general contractor, for the Dauphin County Courthouse renovations, in the amt. of \$4,383.20. (**\*\*\*NEEDS VOTED ON 04/01/03**)
- B. Contract between Dauphin County and Buchart Horn designating Buchart Horn as Construction Manager for the Dauphin County Courthouse Project.
- C. Proposed reimbursement of \$1,334.35 to Best Western of Middletown for money paid out of hotel funds and not collected from the State.
- D. Proposal by Commissioner Petrucci to make up the salary difference for county employees who have been called to active military duty and are suffering an economic loss as a result of leaving their county employment.
- E. Settlement of grievance numbers #62942 and 62842 in the amt. of \$5,000.
- F. Proposal to abolish the Dauphin County General Authority and transfer all debts, obligations, assets and responsibilities to the Dauphin County Industrial Development Authority.

Mr. Haste: Anything else for discussion in Item B thru F?

Mr. Henry: Commissioner, if I may.

Mr. Haste: Sure.

Mr. Henry: Two items that I would like to discuss. Items D & F, Commissioners proposal to make up salary difference for county employees who have been called to active military duty. It is my recollection that we voted to do that after September 11<sup>th</sup>. I guess my question is, could we have Mr. Burns check and see if we had put any time limitations on that. Because I recall that the Board at that time was very concerned that our active duty military personnel did not suffer financial losses as a result of their service to our nation. I don't recall that we placed and time limit on it. But the Commissioner has brought up a very important point and if we did have a time limit on it perhaps his proposal next week could be adjusted to reflect that and allow it to continue if in fact, if it is not already. I think it is a very valid point to bring up at this point in time.

Mr. Petrucci: Mr. Chairman, my colleague is right we did pass a resolution and also there was no time constraint on it so largely is applicable. But it was brought to my attention by the Warden that he was somewhat confused about whether or not we did pay to make whole those people that are on military leave. We do have four at the Prison, one in Adult Probation, and one in Solid Waste that are in this situation of active duty. But my interest was to try to provide a leadership role in regard to re-announcing that we do make whole our employees who are on military leave. I think the next resolution, if Faye would be so kind as to work on it, should indicate that to our departments but also express in that resolution our thanks to those corporations and institutions in our community that do the same and encourage other institutions and corporations to do likewise. So that was my reason to putting it back onto the agenda.

Mr. Henry: Also, under Item F. I think where Commissioner Petrucci is going with this is holy consistent with what our philosophy has been the last few years. Although I'm not quite sure that we can take the whole flight of steps in one step. It has been the policy of the Board of Commissioners relative to the General Authority to have that Authority attempt to divest itself with the many properties that they have purchased over the years. And in fact, several of those properties being the golf course in Franklin County and the Bedford Springs Golf Course have been divested. Toward that goal the Hyatt Regency Hotel in Pittsburgh has completed its construction and been poised for the ability to sell once the market allows that to occur. Of course, the ongoing major problem remains Forum Place. That has proven to be an attractable problem although I'm pleased to report negotiations towards a restructuring are continuing. They are continuing in a positive vein and frankly have made more progress in the last couple of weeks than we have in the last few months. Although, a final agreement is not necessarily near.

The problem in terms of an authority going out of business. In order for that to happen legally all of its outstanding bond obligations, they cannot be transferred, they have to be satisfied. The General Authority is unfortunately not near that. Hopefully, the

Authority will continue its effort to divest of properties, like the hotel in Pittsburgh, for which I see absolutely no benefit or purpose to the people of Dauphin County.

The Riverfront Office Complex which is the only property that is cash flowing and bringing revenue into the Authority sits there as a potential that could be married with the Forum Place to come up with a deal to divest of that.

The Dauphin Highlands Golf Course will be in the black this year. Although, unfortunately the debt obligation on that is about twice of what the present value is. In order to comply with the applicable laws and regulations to put that Authority out of existence we would need to satisfy all of those outstanding debt obligations. They cannot merely be transferred. They have to be sold. And the chances of that happening right now are probably not good. But I would suggest that in furtherance of where the Commissioner is going and I think his end goal is where we want to be. That we might want to consider a resolution from this Board restating our desire for the General Authority to divest itself of properties, to bring itself back into confines of operating government buildings as it was initially intended to do. Once it reaches that point, some consolidation could be considered. But I think legally we cannot take that step yet until a number of other things happen. But it would be prudent for this Board to encourage the Authority to take those steps that could ultimately lead to this goal.

Mr. Petrucci: Mr. Chairman, the reason for putting forward this item for discussion and the proposal to consolidate or basically abolish the General Authority and move all of its liabilities, obligations, assets, and general responsibilities over to I.D.A is that I currently feel that the General Authority has lost its usefulness. That it is a lot like Enron and Arthur Anderson. Their reputation has been so tarnished that they will not be able to be a valuable service to the County or its citizens. Therefore, it serves no longer any benefit but does continue to provide a public risk. I want to try to effectuate the elimination of that authority and get on with what needs to be done. I have not also been comfortable with the administrative effort to try to resolve the outstanding issues that have bogged the General Authority over these years. I'm thinking that under a new management, under new and fresher and more diverse board in a location that is here in the Courthouse under a more visible and more accessible kind of situation rather than being out in the woods would be more accountable to the public. That this offers us a greater chance of getting those issues resolved in more expeditious manner. I think that fresh focus by new people in this situation will bring about better outcomes than what I am seeing happen with slow death, this water torture that we are putting our whole County in this process.

I would not want to have new counsel come up and try and add to the bills of things. But I do think that our Solicitor, Mr. Guy Beneventano, and working with the solicitors of the General Authority, Mr. Charles Zwally, working the solicitor of the I.D.A., Mr. Pete Carlucci, could well come up with a path that would allow for and effectuate a sound and reasonable process for the transference of all of those properties, liabilities, and assets just as they did with the golf course that we had bought through that authority over to the Hummelstown General Authority. There is already a plan going. The

General Authority has already lost the confidence even of this Board. We now seek out the I.D.A. to do our work rather than the General Authority. We just had the I.D.A. come in and do the purchase of a couple of floors on a new project.

In my opinion, there are not only all these considerable financial savings, that is rather than having two administrative bodies doing pretty much the same thing we should have one administrative body doing it. We could save some salaries and some positions for the Authority. We could save the property out there and bring that administration right into the house of our current directors who are running that. And that would allow for another piece of property to be sold or to be better utilized and that is the buildings out in the middle of the golf course. So financially speaking, accountability speaking and for the sound moving forward for our County, I think this is the move that we should take. I will put forward the motion then or proposal for next week that we ask our Solicitor to work with the solicitors of the I.D.A., and the General Authority to come back to the Board of Commissioners with a sound plan for the elimination of the General Authority and transferring of all of those efforts to the I.D.A.

Mr. Burns: Excuse me Mr. Chairman, I think we need to change the tape.

Mr. Henry: other attorneys to the table as well as the very learned members of the General Authority Board itself. What has occurred so far has been a very methodical sorting out of the problems that the current board that the General Authority inherited. I think they should be credited with the accomplishments that they had brought about so far. The fact, at the very least, we have put an end to the purchasing of these properties and that was a policy directly from this Board is a move in the right direction. You reference the sale of the golf course to Hummelstown Authority, that transfer or the sale of that asset occurred because the Hummelstown Authority completely defeased all the bonds and outstanding obligations of the General Authority which under laws was the only way a transfer of that sort can occur. The same thing occurred with the sale of the Bedford Springs Golf Course to the Bedford County Redevelopment Authority. Regrettably, Hummelstown Borough Authority appears about ready to go into default on their property although that's not necessarily our concern. My point is that in order to put the Authority out of existence and consolidate and I would agree with you the consolidation is a worthy goal. Down the road is something that should be pursued, is that we would have to totally defease all the bonds and all the obligations which would require the Dauphin County I.D.A. to go out and sell an appropriate number of bonds in order to do that. The problem is what it has always been and that is that the outstanding bond obligation on Forum Place is twice what it's worth. I frankly do not think you're going to be able to go out and sell bonds to a new set of investors to the amount that would be necessary to defease all those bonding obligations on Forum Place. Were that possible, we would have sold the building by now. Were that possible, I believe Mayor Reed would have completed the sale that he entertained last year. So what I'm saying is, that I agree with you that we should be moving toward this goal. And I share with you the frustration of the amount of time that it is taking. No pun intended, I think any amount of haste toward that goal would not be prudent. We don't want to compound the errors of the past. We want to sort them out, correct them, put

the Authority on sound business like basis, divest of these properties in a manner that is prudent and just to the bonds holders and the citizens of Dauphin County. I believe the current Authority Board is moving in that direction with as much dispatch as it can. Is that as fast as I would like, no, it most certainly isn't. If I would have had my goal by now, we would have sold every single property that we owned except the government buildings. But the practicalities are we haven't been able to get there yet. I think we can some day. The right hitch in terms of totally eliminating the Authority is going to be Forum Place and the fact that a new entity can not sell enough bonds to pay off that debt obligation. However, if you wish to have our attorneys look at the situation along with other attorneys, I certainly would not object to that process. I think the exploration of any potential avenue is wise but I think that is what the ultimate situation will be there. However, in connection with that, I think this Board ought to reiterate its desire to see the Authority, #1 not enter into any more of these deals without our approval and #2 continue to divest as quickly as possible the assets that they have. I think that furthers your goal as well.

Mr. Haste: Yes and I believe in addition to all of the projects that both of you named, the other issue that we have to look at, is the number of school district issues that they have done out there and the contract that we all know is an odd contract, but the contract that is there as well, we would have to take a hard look at.

Mr. Henry: We have a 22 year contract with a certain financial advisor we have yet to.....Commissioner Haste brings up a very good point. The Authority not only.....its book of business is very diverse which has been part of the difficulty of getting our arms around it. Not only do we have these properties, but the Authority does operate two bond pools. One of those bond pools is one that is pre, I forget the year, pre 82...which in essence allows it to arbitrage which is something that cannot currently be done. As a result of that that bond pool has been able to provide loans to school districts in Dauphin County at much more favorable rates than what the school districts would otherwise be able obtain. Were we to put the Authority out of existence, we would lose that bond pool. That bond pool happens to be the source of revenue that keeps all of these other revenue losing projects afloat. So we want to be careful that we don't take a step that eliminates our income while keeping our liabilities otherwise the practical impact could be to collapse not only the General Authority but the I.D.A. For a lot of reasons, I think that very careful study ought to go into this although every option should be explored.

Mr. Haste: I think it is prudent to have our Solicitor's Office take a look. I don't know that it's something that needs to be done over night.

Mr. Petrucci: No.

Mr. Haste: I think we ought to do it without haste and to make sure that we look at it completely and that we look at all the options. I'm not even sure the goals and the mission of the General Authority and the I.D.A. are completely the same so we would

want to look at that as well to make sure that we didn't harm the I.D.A. by doing so. I think to move is a good idea. We just ought to make sure we do it carefully.

### **COMMISSIONERS' COMMENTS**

Mr. Haste: Anything under Commissioners' comments?

### **PUBLIC PARTICIPATION**

Mr. Haste: We are back to public participation for one final opportunity. Is there anyone from the public that would like to address the Board?

### **ADJOURNMENT**

Mr. Haste: Hearing none, I will ask for a motion to adjourn.

Mr. Henry: So moved.

Mr. Petrucci: Second.

Mr. Haste: All those in favor say, aye.

All: Aye.

Mr. Haste: We are adjourned.

Transcribed by: Shari Eagle  
April 1, 2003

Respectfully submitted,

Robert Burns, Chief Clerk/Chief of Staff

printed 05/28/03