



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

TUESDAY, APRIL 15, 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; Marie Rebeck, Controller; Bob Dick, Treasurer; Phil Spaseff, Recorder of Deeds; Joseph Kleinfelter, President Judge; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; 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; Steve Chiavetta, Director of Registration & Elections; Bob Knupp, Esq.; Greg Schneider, Commissioners' Office; Jane Gordon, Commissioners' Office; Dan Mosel, Human Services; Gary Serhan, Controller's Office; Faye Fisher, Personnel; Sharon Ludwig, Personnel; Garry Esworthy, Risk Manager; Diane McNaughton, Communications; Melanie McCaffrey, Solicitor's Office; John Bottonari, Personnel; Lorrie Bushman, Personnel; Sandy Parrish, Payroll; Willie Evans, Personnel; Kay Sinner, Dauphin Manor; Terry Davis, Adult Probation; Steve Howe, Tax Claims; Carolyn Thompson, Court Administrator; Donna Price, Controller's Office; Shari Eagle, Information Technology; Cindy Boratko, Information Technology; Jim Albert, Commissioners' Office.

GUESTS PRESENT

Jack Sherzer, Patriot-News; Sondra Mosten, Peter Carlucci, Bruce Walter, Esq., Norm Pickering, Hank Stiehl, Dick Krick, Mr. Muchinsky.

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 on the agenda for next week's consideration March 26, 2003 Legislative Meeting Minutes and the March 26, 2003 Salary Board Meeting Minutes.

ELECTION BOARD

The Election Board Minutes are on file in the Commissioners' Office.

Mr. Haste: The next item on the Agenda is TEFRA Hearings. (The Minutes are on file in the Commissioners' Office.

TEFRA HEARINGS

- A. Bruce Walter, Esq., Rhoads & Sinon LLP
 - 1. Upper Dauphin Industrial Development Authority - Project for The Homeland Center.

- B. Carol P. Cocheres, Esq., Eckert Seamans Cherin & Mellott, LLC
 - 1. Resolution No. 7-2003 approving the Susquehanna Area Regional Airport Authority's issuance of the 2003 Bonds solely for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

PUBLIC PARTICIPATION

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

PERSONNEL

Mr. Haste: We'll move into Personnel Matters, Faye.

Ms. Fisher: Good morning, Commissioners.

Commissioners: Good morning.

Ms. Fisher: There are three salary board items in the personnel packet. The first is the elimination of an Aging Case Aide II position and creation of an Aging Care Manager II position. It is my understanding that Commissioner Henry has okayed this and 100% state funded.

Mr. Henry: Actually lottery fund funded.

Ms. Fisher: Yes, that is correct.

The second salary board item is the elimination of a County Casework Manager I position and the creation of a County Casework Supervisor position. This is actually a down grade in this position.

The third salary board transaction is to create a temporary West Nile Control Program Technician position for the Conservation District. This position will be for approximately six month and will be 100% reimbursed by the West Nile Virus Fund. Approved by Commissioner Petrucci.

Mr. Petrucci: I would like to point out that today the Department of Health has issued a report about the extent of studies they want to do in regard to the West Nile Virus. They want a more complete kind of coverage for investigation on the insects that cover this year. So this is in part to assist in that County-wide survey that we do to control spray and take care of positive findings of the West Nile Virus.

Mr. Henry: Didn't we approve one of these positions a year or two ago or did that expire or? I seemed to recall at some point that we authorized a position or even two for the West Nile Virus. Did that have a sunset limit on it that it expired at some point? You might just want to check the record and see if this is a new authorization or a reauthorization or.....

Ms. Fisher: Okay.

Mr. Henry: We did something at some point but I'm not quiet sure, it's been a couple of years.

Mr. Haste: This position is from May to October? Maybe last year it may have been the same.

Mr. Henry: Might have been the same thing.

Mr. Petrucci: We do have a full time person and this I think is an annual hiring of temporary work if he finds it necessary. But we will check on it.

Mr. Henry: This is in addition to the full time person?

Mr. Petrucci: Yes.

Mr. Henry: That's maybe what I'm thinking of. If you could just clarify that, I would appreciate it.

Ms. Fisher: I will provide that information for the next meeting.

Mr. Haste: Marie, do you have any questions?

Mrs. Rebuck: No.

Ms. Fisher: Moving into the regular personnel packet we have the Workshop Agenda Vacancy Listing. Mike Yohe has confirmed all of the positions listed on here for budget purposes. Next we have the Workshop Agenda New Hires Listing. Next we have the Workshop Agenda Changes Listing. Next we have the Overtime Report for Pay Period #7. Finally we have an overtime request for the Prison.

Mr. Haste: Are there any questions for Faye?

Mr. Petrucci: I have a comment, if I might, in regard to the Dauphin Manor situation. I see again quite a few resignations and things. Have you tried to play around with the possibility of a four day work week where you have them come in an hour earlier and leave an hour later each day and stagger the work force so that they get a three day weekend kind of situation that might rejuvenate then a little from the difficulties of this job?

Mr. Henry: We did that two years ago.

Mr. Petrucci: Did look at it?

Mr. Henry: We actually did it. We created what is in effect a three day, a set of three day positions, for some folks.

Mr. Petrucci: No kidding.

Mr. Henry: Yes.

Mr. Petrucci: We're still having trouble with people out there.

Mr. Henry: It's the nature of the health care industry at the moment.

Mr. Petrucci: I do want to share with you that as Vice-Chairman of SEC, the Susquehanna Employment Corporation, they have focused on the overwhelming need for positions here throughout the eight county region and are carrying on a special program to assist in training of nursing aides for nursing homes.

Mr. Henry: Very much needed. You will note also that we're on the positions being posted that we are adding a number of folks back in. Unfortunately, it seems as rapidly as we recruit and add to the staff we lose them out the other end. The other issue is that many of the private facilities are engaged in compensation packages that are frankly a lot better than what we're able to offer as a governmental entity. That puts us at somewhat a competitive disadvantage. Even though we have burnished their pay, benefits and scheduling over the last few years to try to make it more attractive, we are still due to the shortage, the private pay facilities are adding incentives more rapidly than what we are able to.

Mr. Haste: Anything else?

Mr. Petrucci: No.

TRAINING PACKET

Mr. Burns: Mr. Chairman, on today's training packet I counted twenty-six items. The top one which is coded in yellow, the Prison has asked that the Board vote on that today. It was pre-approved by Commissioner Petrucci.

Mr. Haste: Is there a motion to approve Item #1 of the Training Packet? (Tyesha Maxwell to attend a Basic Training session to be held April 14 – May 16, 2003 at Elizabethtown, PA).

Mr. Petrucci: So moved.

Mr. Henry: Second.

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

All: Aye.

Mr. Haste: Motion carries. Are there any questions for Bob?

PURCHASE ORDERS

Mr. Baratucci: You should have all received a purchase order packet yesterday. Then in addition, late yesterday I received a fax from Dauphin Manor. They have some chairs for the new addition that they wanted to be added to the packet so that they can be approved next week. So that is the item that I just handed to you. That's an item purchase off the state contract. Because of the quantity we are actually getting an additional discount off the normal state contract discount. The packet is there for your review. We are going to have this item added into the packet for next week. The budget issues as usual will be worked out between now and next week between Mike and I. Does anybody have any questions on the items in the packet or this add on?

Mr. Haste: Any questions for Randy? Okay, thank you.

Mr. Baratucci: Thanks.

DIRECTORS

Mr. Haste: The next item we have a presentation of a proclamation, Commissioner Henry.

Mr. Henry: Thank you, Commissioner. I have the pleasure today of presenting a proclamation to an individual who has done a tremendous service to the County of Dauphin in connection with our project at Dauphin Manor. Dick Krick is with us today. Dick was recently honored as the 2003 Superintendent of the year from the American Subcontractors' Association of Central Pennsylvania. As the Board of Commissioners, we would like commend you on that. We have a proclamation for you and I will read a portion of it today.

- A. Commissioners
 - 1. Presentation of Proclamation to Dick Krick as "2003 Superintendent of the Year" from the American Subcontractors Association of Central Pennsylvania.

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, are pleased and proud to congratulate Dick Krick on his prestigious award as "2003 Superintendent of the Year" from the American Subcontractors Association of Central Pennsylvania;

Whereas, Mr. Krick and his countless achievements were justly honored at the 5th Annual Constructors Awards Gala on March 8, 2003;

Whereas, we appreciate this opportunity to acknowledge Mr. Krick's many successful projects over the past 45 years and to join his many friends, family members and peers in offering our heartfelt congratulations, commendations and thanks to an outstanding project superintendent and public servant;

Whereas, this year's award is the second time Mr. Krick has been so honored;

Whereas, as a direct result of his professionalism, hard work and unparalleled expertise spanning almost half a century in the construction industry, projects such as Hersheypark, the Milton S. Hershey Medical Center, Milton Hershey School and Dauphin Manor/Spring Creek Health Care and Rehabilitation Center, benefiting hundreds of thousands of people, have been guided seamlessly through each stage of construction to be completed on time, on budget and with exceptional Krick quality;

Whereas, this employee of Alexander Constructors since 1977 also finds time to spend with his wife Aleta, their two children and their beloved granddaughter;

Therefore, we join the 251,300 residents of Dauphin County in congratulating this outstanding professional, Dick Krick, as this area's "Superintendent of the Year;" we wish him many more years of health, happiness and success; and, in recognition thereof, we do proudly declare April 15, 2003 to be "Dick Krick Day" in Dauphin County. (this is the complete proclamation presented)

Mr. Krick: I apology for my appearance. I was coming here for a work session. Thank you very kindly. (photo was taken with the Commissioners)

Mr. Haste: It's not of the agenda but we have one other proclamation that we would like to present today. I'll read it and then ask the gentleman to come forward.

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, extend our heartfelt thanks and best wishes to John K. Bottonari as he leaves behind his current position as Dauphin County's Assistant Director of Labor Relations after a long and distinguished career with Dauphin County spanning 23 years;

Whereas, Mr. Bottonari's compassion, intelligence and countless achievements are well known and deeply appreciated, and will remain so;

Whereas, this devoted animal lover and master of language succeeded in bringing the county into compliance with the Americans with Disabilities Act and spearheaded the most successful United Way campaign to date, two of his many enduring contributions;

Whereas, Mr. Bottonari applied his unparalleled knowledge of county history and procedures to the compilation of the 1993 Servicebook and promoted a spirit of teamwork through his example of public service at Dauphin Manor, the Prison, the Transportation Department, the Personnel Department, and the other offices enhanced by his presence;

Whereas, reflecting his innate sense of fairness and integrity, he helped to negotiate several union contracts that brought substantial benefits to both this county and those who serve this county, allowing his professionalism and concern for our employees to endure long after his departure;

Whereas, Mr. Bottonari was always willing to do whatever it took to help others and to get the job done, and done well;

Therefore, we join the 251,300 residents of Dauphin County in congratulating John K. Bottonari for his outstanding legacy of service; we bid him a very fond farewell; and we wish this beloved employee a bright future and every happiness in his retirement as we proudly declare April 18, 2003 as “John Bottonari Day” in Dauphin County. (standing ovation held for Mr. Bottonari & photo taken with the Commissioners)

Mr. Haste: Next we have President Joseph Kleinfelter and Terry Davis with a presentation.

- B. President Judge Joseph Kleinfelter and Terry Davis, Director of Adult Probation

1. State Intermediate Punishment Grant.

President Judge Kleinfelter: Good morning, Commissioners.

Commissioners: Good morning, Your Honor.

President Judge Kleinfelter: You have already heard several tales of whoa from other departments that are suffering the affect of the Governor's budget cuts and its impact on County government. This morning we are here to discuss yet another.

You have received several communications from us, I think one by email and then one as recently as yesterday concerning pending cuts in our PCCD Grant for the Intermediate Punishment which funds a very large extent our personnel at the Work Release Center. Basically, I would like to turn the microphone over Director, Terry Davis of Adult Probation. If you like him to, he can summarize what is in the memos or you can simply ask him any questions you may have.

Mr. Haste: I think it would be good for everyone if you would summarize it Terry.

Mr. Davis: The Governor's budget took a 40% cut in the Intermediate Punishment Grants. Dauphin County receives the third highest Intermediate Punishment Grant in the Commonwealth of Pennsylvania behind Philadelphia and Pittsburgh. We have been receiving about \$335,000+ a year for the last twelve years or so. With this 40% cut we are going to loose approximately \$130,000-\$135,000. This is not final yet. It has been placed on the table. I watched the Governor last night speak at the Rotary Club as I was flipping through the channels and it doesn't sound like any of the cuts are going to be money put back into them. I'm assuming we are going to lose this \$130,000 or so. To implement a process to cover this and I mentioned it at the Prison Board Meeting when it was brought up that I would have the plan in place and I had to meet with the President Judge. We have met and I discussed it that I would like to make so beds available in the Work Release Center to bring state prisoners who are being released from the state prison system. They are desperate for bed spaces for these people and it will behoove us to make some of the empty beds that we have presently available. I will be writing a proposal at the end of this month when the bids come out to go from any where from zero to.....I would like to put a maximum of 50 beds available at a cost of \$40.00 per day to house state prisoners. These state prisoners will also be required when they come here, to get a job, work, and pay us rent the same as every other prisoner pays us rent. It would actually be a windfall ofthe \$40.00 a day would be totally over and above what we would charge anybody else. We should be able to make somewhere between \$200,000 & \$400,000 a year of added income that we have not had in the past to cover any lose from the PCCD Grant.

Mr. Haste: This is something that we could do irregardless of the cuts?

Mr. Davis: This we could do irregardless of the cut. We normally average right now approximately 300-320.....today we are up to 330 beds full. We have eight more prisoners that will be moved over this week that are already on the list to be moved. By the time we move those eight we will probably lose eight. It normally stays like that. Right now we would have approximately 30 beds available as of today. That's typically been our cushion, 30-50 beds. By having that cushion that I could fill at \$40 a day would make a substantial amount of revenue coming in. They would be State parole cases and state prisoners. They technically are still state prisoners being housed there until they are paroled by the parole board. They would be responsible for a lot of the supervision of them. They would be their clients not my clients. It would basically allow us to assist the state government as well as the taxpayers of the Commonwealth. Our price of \$40 a day is substantially lower than everybody else in the state. Which means we would get first shot at all the prisoners. Most of the bids are \$60 -\$65 a day. I didn't want to go that high. I wanted to make sure I got the pick of the litter, as they say, from the people getting out of the state coming. That way I would be able to have some say in which ones come.

Mr. Petrucci: Is this post-release program a new undertaking for the state or is this part of an existing program that they have and how extensive is it?

Mr. Davis: They have an existing program. There are I believe 27 community correction centers in the Commonwealth. Don't hold me to that number but there are quite a few community correction centers all over the state of Pennsylvania. Down on Cameron Street we have about a 130 bed facility presently. Capital Pavilion is a provider up on Fourth Street. There are a few other facilities around Harrisburg area. We would be just an add on to that. They literally have contracts out all over the state for providers to give them beds. This is something that has been going on for a long, long time. We just never got into it.

Mr. Petrucci: These would mainly be inmates transitioning back into the Dauphin County capital region area?

Mr. Davis: Sure, they are people that would most likely live in this area that are going to be paroled within the next six months. Usually, they put them in the CCC's for six months prior to their actual parole date. However, the Bureau of Corrections doesn't control the parole date the Board of Probation and Parole of course does. As long as they are paying me \$40 a day they are welcome.

Mr. Petrucci: Do you see any staff needs to cover out any kind of programming these extra inmates would require?

Mr. Davis: No, all we are doing is filling the empty beds that we have. We will ensure that to the Court, because obviously I work for the Judges to make sure that when a Judge says he wants someone moved to Work Release, I won't be coordinate for a \$40 a day state prisoner to make sure County prisoners can still be moved as rapidly as we

have been out of the County prison which is obviously our main goal of getting people out.

Mr. Haste: Our needs will be met first!

Mr. Davis: Yes, Sir.

Mr. Haste: You have right of refusal?

Mr. Davis: Oh, yes Sir.

Mr. Haste: Okay.

Mr. Davis: They will send us a list of people, we can look at the offenses, we can look at the guy's history, we can look at any history that we want on him and decide if we want him or not, we can take him. I do know that we will probably be way low bid because of all the people's bids in the past. If you just follow the York scenario with the Federal government with what they are charging, we'll be able to take some people.

Mr. Petrucci: Are you worried at all about the elevated level of inmate affecting your institution?

Mr. Davis: I presently have people that are serving state prison sentences that are there. I have just talked to a guy yesterday who is doing a one to three year sentence in the Work Release Center and he is a state prisoner. We've had other state prisoners in the past and basically we treat everybody like a human being, we demand they treat us in the same way. I've had very little issues with people who stay there. In fact, I've had ex-state prisoners who have County sentences who come in who do nothing but every time I walk into the building tell just me this is the most wonderful chance they have ever had in all their criminal history. I really don't see that is going to be a real concern. Obviously we're dealing with human beings who make bad decisions in their lifetime. That's what we do for a living anyhow so I don't see that there is a problem.

Mr. Petrucci: We certainly have utilized your facility as a transition back to the private life and I'm sure you would do an excellent job for the state too.

Mr. Davis: Guarantee it.

Mr. Henry: What happens if you have already filled the bed space with state paying prisoners and then we need the space, do you kick them out?

Mr. Davis: We can't just kick them out. We would keep our numbers that we would have space but we also have flexibility of paroling county people and moving some county people out too. I'll make sure there is always a flexible space in there. We've been able to do that over the past... and really the average has been close to 300. I don't expect that I'll go 50 in there unless our numbers drop down into the 250 area

which that happens once in a while. During the last year, we were down into 250's and of course I go back to September 11th two years ago when the numbers were really dropping because people weren't hiring people. They have come back and our numbers are back up. We're able to find people jobs or they are able to maintain their jobs and get jobs. It's been back up to about 300. Today is probably right there at our highest then it has been in a while at 330.

Mr. Henry: Why are we not moving more people from the prison over to the Work Release Center? We have an overcrowding situation at the prison. You're sitting there with empty beds. Sounds to me like something isn't meshing quite properly.

Mr. Davis: As I said at every Prison Board Meeting all Dominick has to do is show me that there is a guy there that needs to be moved and we move them. Michele is excellent at working with us. If there is a guy in the Dauphin County Prison that can get a job or has a job, he is moved as fast as I can bring him. Sometimes the delay is really waiting for him to get his three days in the prison. The TB test which obviously was a little issue yesterday. We move people. Every Prison Board Meeting that I have been to when the issue comes up with prison overcrowding and the issue to move people to Work Release, I've never heard Dominick DeRose say yet in a Meeting when I've been sitting there, that there's people sitting in Dauphin County Prison that can't be moved to Work Release that Terry Davis hasn't moved to Work Release. We move them. President Judge Kleinfelter has made the policy that I have to make sure that they have a job before they move. We're doing that as soon as we get a hint that they have a job, we're calling the employers making sure they do, if they do my team is over there picking them up.

Mr. Henry: And you're going to do this without hiring any additional personnel?

Mr. Davis: Of course.

Mr. Henry: Of course, what that tells me is that you have too many people there now. If you're going to take 40 more people and deal with them with the same number of personnel that you have now, I take great offense to this spot here in the memo where we have staffing at the Work Release Center is already at bare bones levels we can't lay off staff or even abide by the rolling vacancies that every other department in County government has to abide by. Yet you can add 40 people and not add staff. I think you're overstaffed Terry and I always have.

Mr. Davis: I have four people per shift working.

President Judge Kleinfelter: Let me make a comment. When you're driving a bus, you need one bus driver whether you have one passenger or forty.

Mr. Henry: It's not a bus, Judge! It's a Work Release Center and we know that it's a very staff intensive situation if you add people.

President Judge Kleinfelter: You have a minimum number of people to operate and you can add incrementally additionally without additional staff.

Mr. Henry: I find it very difficult to believe that you're going to add 40 more people into that facility and not add any staff. My experience with this department is the next thing that will happen is several months from now a request for additional staff will come down the road, if you're adding 40 people and you don't need new staff, either you can't do without new staff or you have to many staff now. One or the other.

Mr. Davis: This program.....

Mr. Henry: I know you pooh-pooh it. You never take these things seriously which is why we've had considerable budget problems with your department over the years.

Mr. Davis: I take it very serious and I run this program without any overtime for Work Release. I'm short staffed on many a night because someone is on vacation, sick leave or a training. I don't fill it any more because of the overtime issue that you accused me of.

Mr. Henry: Which I noticed hasn't dropped in the manner you promised it would.

Mr. Davis: It brings a substantial amount of revenue.

Mr. Henry: You didn't fulfill your last promises in this regard I don't expect these will be fulfilled either.

Mr. Haste: There's not a vote before us. You are informing us at this time, correct?

Mr. Davis: I will have to bring the proposal to you.

President Judge Kleinfelter: We're asking you for a resolution.

Mr. Haste: For the.....

President Judge Kleinfelter: To allow us to negotiate a contract which we would then bring again before you for final approval. The next to the last paragraph in the memo I sent you yesterday mentions a resolution. I think we should have it to get Mr. Davis the basic authority to go forward.

Mr. Haste: Okay, we'll give that to Mr. Burns and add...

Mr. Petrucci: The action items.

Mr. Haste: Right.

Mr. Petrucci: Mr. Davis what is the average stay of your inmates at the facility? Do you have an average day kind of a thing?

Mr. Davis: Most county prisoners are sentenced to about an average of four and one half months. So they are in and out within that time period.

Mr. Petrucci: About four and one half months. You expect the state inmates would be the same situation?

Mr. Davis: The state inmates would probably be about six months. That's normally when they release them to the CCC six months before their parole date.

Mr. Petrucci: Okay, thank you.

President Judge Kleinfelter: Before surrendering the microphone, may I have thirty seconds?

Mr. Haste: Sure.

President Judge Kleinfelter: I want to publicly commend our director of Adult Probation. Most....virtually every Adult Probation Director around the state has just the responsibility of running an Adult Probation Department. Mr. Davis however, runs not only one of the largest and finest best managed Adult Probation Offices in the state. He also has this added responsibility of running a Work Release Center which has become a model for Work Release Centers across the state. Many other counties now have visited our Work Release Center and are making plans to follow the Dauphin County model. We already have John Bottonari Day so we can't have Terry Davis Day but I think Mr. Davis deserves a lot of credit. In the years since I've been President Judge and I know even before that he's been very innovative in providing services to people under probation and parole. He's been very innovative in the revenue side, too. This is just another example of that. Had it not been for this initiative you know this money may have gone by the way side and it would have had a severe affect on our budget. I for one at least am very proud of my director of Adult Probation.

Mr. Haste: Thank you.

C. Robert Burns, Chief Clerk/Chief of Staff

1. Courthouse Renovation update.

Mr. Burns: Mr. Chairman, I have a very brief update today. Just to update you as to what work is going on right now in the Courthouse, there are four primary areas that are being worked on. That would be the Court Reporter's new offices in the basement. The proposed new Law Library on the fourth floor. The elevator work throughout the Courthouse and the rails and shafts, the heating and air conditioning issues. There is a

problem now with air conditioning but we're hoping that it will be rectified at some point today. The renovations committee continues to meet weekly. That's my update today.

Mr. Haste: Are there any questions for Mr. Burns? Okay, thank you.

Mr. Burns: You're welcome.

Mr. Haste: The next item on the agenda is the items for discussion. We have Items A through K that will be brought before the Board next week for action. Is there anything that the Board would like to discuss on Items A through K?

ITEMS FOR DISCUSSION

- A. Authorization to offer Virginia 529 (college savings plan) to employees as additional benefit.
- B. Request from Zelenkofske Axelrod LLC to amend their contract for the 2002 county audit to reflect a change in the scope of services and related fees.
- C. Request of Treasurer to refund the amount of \$456.87 to Best Western Inn-Hershey. This represents hotel tax money which the hotel paid to the County but was not reimbursed by the State.
- D. Request from Kerwin & Kerwin to grant a partial exoneration from 2002 taxes of their client Reiff & Nestor Company and proposal to pay the 2002 taxes based on the property value established by the Board of Assessment Appeals.
- E. Appointments to the Dauphin County Council on Aging (replacing Mary Ellen Rutter and Beth Kammer) terms will expire December 31, 2005:
 - 1. Walter I. Bohner
 - 2. Herbert Rochman
- F. Addendum to Referral Agreement between Spring Creek Rehabilitation & Health Care Center (Dauphin Manor and Philhaven Behavioral Healthcare Service).
- G. Termination of Fleet Maintenance Management Agreement between Dauphin County and AMI Leasing.
- H. Proposal to cut costs in the Information Technology Dept.
- I. Reappoint Christopher A. Petersen to the Children & Youth

Advisory Board.

- J. Appoint Albert C. Mauldin to the SEC Youth Council.
- K. Grant Agreement between Dauphin County Conservation District and Dept. of Environment Protection for Phase I of the Act 167 Stormwater Management Plan revision for Beaver, Manada and Bow Creeks and Kellock Run (Multi-Creek)

Mr. Henry: Item G, the Fleet Maintenance Management Agreement, I think that is something that we have to take a careful look at. Number one, that we don't terminate prematurely and get penalized for it. But as I recall, going back three years ago, the purpose of using AMI Leasing for fleet management was that we had a situation where vehicles were being repaired that really shouldn't have been repaired. I believed we had one vehicle where something like \$12,000 in repairs had been put into it in one year where clearly it would have been better to get rid of the vehicle. My concern would be that if we were to terminate this management agreement what would replace it? I think that Item G, any action should be coupled with a proposal for how we're going to handle that going forward so we don't get back into a situation where we have people running off to their favorite mechanic and we're paying premium price for repairs and things of that nature that were going on before.

Mr. Haste: Okay, we will do that. Anthony?

Mr. Petrucci: I was going to inquire in regard to Item F, what services are we or it says addendum, I guess, what services do we get from Philhaven?

Mr. Henry: I'm not really sure, I'll check on that between now and next week. Philhaven, what does Philhaven provide?

Mr. Wynn: Psychiatric.

Mr. Henry: That what I....

Mr. Petrucci: We're getting psychiatric assistance there.

Mrs. Nace: What it was, there was an agreement approved last week but there was an addendum attached and was not noted so it is now being brought forward for approval as an addendum to the original contract.

Mr. Petrucci: Okay, thanks.

Mr. Henry: Now I don't need to provide you with anything for next week.

Mr. Haste: Thanks, Jul.

Mrs. Nace: You're welcome.

Mr. Haste: On Item D, I would just ask that the Solicitor's Office get together with Steve Howe and discuss that to make sure that has gone before the proper channels there and that we're ready to act on that. Is that okay, Bill?

Mr. Tully: I would be more than happy to do that.

Mr. Haste: Steve get together with Bill, okay. Is there anything else? They'll be on the agenda for next week.

COMMISSIONERS' COMMENTS

Mr. Haste: We're at the point for Commissioners' Comments. Just to remind everybody, we have a Retirement Board Meeting immediately following this one. Are there any comments from the Board of Commissioners?

Mr. Petrucci: Mr. Chairman, in regard to the Solicitor's Report. I know we are not normally asked to debate these things. I just got it prior to the Commissioners' Meeting today as usually is the case. I think there are three items there that I don't really understand why they are on the Solicitor's Report and not on the action items to have an open agenda in front of the public. That would be Items #3, #8, and #9, dealing with the Community Development Block Grant Programs. We have an action item on the agenda for the termination of an agreement. It's contractual, legal and all that. This yet is public dispensing of funds that I feel deserve complete disclosure and need not to be put on the Solicitor's List reserved for a little less communal coverage. As a matter of fact, I would like to suggest that Item #9, I wanted to discuss that one and I know I'm not suppose to discuss the Solicitor's List Items but I would like to. I have.....

Mr. Henry: Before any action can be taken they have to come to this Board for approval.

Mr. Petrucci: Right.

Mr. Henry: This is just what they are working on at the moment that is in the pipeline to ultimately come before us.

Mr. Petrucci: Right.

Mr. Henry: But no contract can be entered into unless this Board takes an official vote and that would be the time to discuss these issues.

Mr. Haste: Actually, most of these items will be on the agenda at some point in time.

Mr. Petrucci: Next week. But there were action items on today that we got the chance to discuss. The action items on the Solicitor's List we're reserving for discussion till the day that we vote. I think that is a little late. I would like to discuss them now.

Mr. Henry: That's why you get a Solicitor's Report a week in advance so you know what is being worked on which is what we always.....

Mr. Petrucci: I just reaffirming.....

Mr. Henry: There is no way.....

Mr. Petrucci: Concern.

Mr. Henry: Contracts cannot be signed unless they are approved by this full Board. It's not like this is a surreptitious effort to enter into legal agreements, unless this Board votes we can't enter into a contract. In terms of the Community Development Block Grant, we always have all of those projects come before us. We had two public hearings and then the final proposal comes before us for Board approval. I don't know how much more public you can get than that.

Mr. Petrucci: There were some funds that were reserved for emergency kinds of considerations. One of these items is one of those situations in which emergency funds are now being decided to be allocated. I have no clue as to who started this project to see that they get the extra allocation. I have also a project that I would like to see deserve attention for the extra allocation. Here comes a motion that is going on the Solicitor's Report up for a vote and I will not have had an opportunity to put in a suggested alternative to this particular usage of these emergency funds that was set aside in the CDBG Program.

Mr. Henry: You have before you a Solicitor's Report today that tells you that an item has been proposed. We obviously can't vote on it until at least next week. That would be to me to give you a week to suggest a program.

Mr. Petrucci: Okay.

Mr. Henry: And then the Board can decide a week from now whether we wish to fund your program.

Mr. Petrucci: So next week when you have my proposal for the expenditure of this money you won't say, "Why didn't you propose that earlier so that we could have full discussion on it? And you'll be comfortable enough to vote yes or no".

Mr. Henry: That is a good question, is to why you wanted until now if you had something. This particular matter has been pending before the I.D.A. for about three years. It was pending before the I.D.A. before I even got here. It has gone through both of the hearings on the CDBG process. It has been through two public hearings.

It's been something that has been rolled around for three years. Certainly, I would think that three years worth of debate and discussion would be enough for any government to enter into. If you have a project, Commissioner, there was a time earlier this year when these hearings were held that we were all allowed to nominate projects for this money. That would have been the time to do it. So...

Mr. Petrucci: I'm doing it now for the extra allocation and it will have to be expedited because it is a group that has been put to work by this Board of Commissioners and funds need to be starting to set aside for it. We were in the process of preparing to do that and all of a sudden a new proposal coming to take those funds away has appeared on the agenda. We are trying to expedite a grant application now to compete with this group for this additional funds that I feel should be reserved in an emergency fashion for a brand new project that the County is undertaking of enormous importance and this money should be considered for that relative to this expenditure. I am trying now to expedite the discussions so that we can get proper consideration of this new emergency project that the County should begin to undertake and initiate.

Mr. Haste: Mr. Robinson can you get together with Mr. Petrucci right after the meeting?

Mr. Robinson: Yes.

Mr. Petrucci: Fine.

Mr. Haste: Is there anything else? Mr. Tully.

Mr. Tully: Mr. Chairman and Mr. Petrucci, as far as the Solicitor's Report, it simply is a running compendium of what is actively under consideration. We distribute those with the Solicitor's name that actually has the contract and is reviewing it. Those individuals will be available to any Commissioner's inquiry to either present the contracts, any supporting memorandum or to answer any questions that might be out there. We certainly would not have any opposition to any item being discussed at a Workshop Meeting. This is just simply.....each of you know kind of what is out there and going on. I'm not aware of any restriction on discussing any of those items.

Mr. Petrucci: These are not even contracts. These are resolutions and I'm not sure why they are appearing on a Solicitor's Report. They should be on the agenda so that when the public gets the agenda on the web page they know what the heck is here and can come and participate in it.

Mr. Henry: Don't you think it is prudent to have the Solicitors look at what we may do and review it for legality before we take it to the public? Otherwise we could be proposing to do things that we were not legally able to do. I think our Solicitor's Department should be commended for the fact that they don't just put items on a Workshop Agenda or put items on a Legislative Agenda but sometimes weeks in advance they provide us with a listing of the assignments that each Solicitor has been given so that we know at all times what's pending, what's in the pipeline and even more

importantly it tells us who is handling it. I find it very helpful to know what it is that will be coming at us down the road and which Solicitor is working on it so if I need information, I can at least walk into a meeting knowing what I'm talking about, about a particular item if it is an issue of concern. I think what this represents is going a step beyond our normal agenda and can give us additional information even earlier. I don't know why we are complaining about that.

Mr. Haste: Any other items to come before the Board?

PUBLIC PARTICIPATION

Mr. Haste: Public comment, Ms. Mosten.

Ms. Mosten: Good morning, Commissioners.

Commissioners: Good morning.

Ms. Mosten: My name is Sondra Mosten. I'm speaking today as a Board member of the Pennsylvania Prison Society. I am really concerned about the proposal regarding taking state prisoners. I'll share with you a couple of things I think we need to look at before we make that decision.

Having attended numerous Prison Board Meetings, and we understand there are overcrowding concerns at Dauphin County. The Department of Corrections, the same entity that we went to apply this grant for, has sanctioned Dauphin County four times for overcrowding conditions within the last four years. We have a serious situation out there now with women with the whole situation of overcrowding in the prison. Now, I'm not quite sure of some of the statements that were made and we really need to check into. #1 the right of refusal once we sign the contract if we will really be able to refuse state prisoners. #2 I've sit in many meetings when the Warden has been quite concerned about having state prisoners in his facility and has had problems being able to move them back to the state. What happens when they violate the parole? Who is responsible for taking those prisoners and how long will it be before the state is going to come and remove them from Dauphin County. I think we really need to consider that. The other thing, the six month stay. I think if you look at some of those community correction centers sometimes their stay is longer than six months. I have to agree with you, Commissioner Henry, if we have 40 beds out there and we have over a 1,000 prisoners, we need to be considering what we can do to get some of those prisoners out of Dauphin County. I think it is nice that you want to help the state but I think we should take care of the Dauphin County taxpayers first because they are absorbing all of these costs for the number of inmates. At the last Board meeting, I heard it was \$55 a day. So we're going to charge the state \$40 but we're charging our own taxpayers \$55, there is something wrong with those numbers also. I really think we should consider this before we approve it and look at the impact that it is going to have on the prison and on Dauphin County taxpayers. It may sound good but we may get ourselves into something that we can't get out of. Thank you.

Mr. Haste: Thank you. Are there any other comments?

ADJOURNMENT

Mr. Haste: Now we'll have a motion to adjourn.

Mr. Henry: So moved.

Mr. Petrucci: Second.

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

All: Aye.

Mr. Haste: We're adjourned.

Transcribed by: Shari Eagle
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Respectfully submitted,

Robert Burns, Chief Clerk/Chief of Staff

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