



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

April 26, 2006
10:00 A.M.

MEMBERS PRESENT

Jeff Haste, Chairman
Dominic D. DiFrancesco, II, Vice Chairman
George P. Hartwick, III, Secretary

STAFF PRESENT

Chad Saylor, Chief Clerk; Marie Rebuck, Controller; Robert F. Dick, Treasurer; Gary Serhan, Deputy Controller; Judge Richard Lewis; Judge Todd Hoover; William Tully, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Edgar Cohen, Director of Facilities Maintenance; Carolyn Thompson, Court Administrator; Ed Chubb, Director of Parks & Recreation; Garry Esworthy, Risk Manager; Sandy Moore, Director of Children & Youth/Human Services; Tom Guenther, Director of IT; Guy Beneventano, Esq., Solicitor's Office; Dave Schreiber, Personnel; Kay Sinner, Personnel; Sharon Way, Personnel; Diane McNaughton, Commissioners' Office; Jennifer Storm, Director of Victim/Witness; D'Juna Gaither, EMA; Leila McAdoo, Solicitor's Office; Julia Nace, Assistant Chief Clerk; Lena Martinez, Commissioners' Office; Jena Wolgemuth, Commissioners' Office; Elke Moyer, Human Services and Richie Martz, Commissioners' Office

GUESTS PRESENT

Steve Shaver, John Breon, Mike Zellhart, Dale Baer, Helen Elliott, Janice Shickley, Currin Haines, Kate Hiner, Nichelle Chris, Karla Hodge, David Gash, Elaine Barber and Jean Johnson

MINUTES

CALL TO ORDER

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

MOMENT OF SILENCE

Everyone observed a moment of silence.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Haste: We have three sets of Meeting minutes that will be considered for approval at next week's meeting.

PUBLIC PARTICIPATION

Mr. Haste: We are at the point in time in the meeting for public participation. Is there anyone in the audience that would like to address the Board at this time? (There were none.)

DEPARTMENT DIRECTORS/GUESTS

Commissioners

Presentation of Victims Rights Week Proclamation

Mr. DiFrancesco: It is an honor to be here this morning to present a Proclamation to a group of individuals who do a very important service to this community. I guess it is an unfortunate fact that there will always be crime and challenges within our community. I think the mark of the community and the quality of the community lies in the fact that we don't stand back and become victims that we take a proactive role to shed light on the types of things that are happening so that more people can get involved in the goal, with the hope that one day we can make that crime a very small part of our community and that we can stand for people who have been violated and that they will know that they don't have to stand alone in our community. That is the quality of life here in Central PA. We care about our neighbor and we try to provide the services that are necessary to come to the aid of people in need. Back in 1981, we started celebrating a very special week, Crime Victims' Rights Week. This week is designed, again, to shed light on the many stories that happened in our community so those victims are not forgotten, so those crimes are not forgotten, so that we can learn and move forward and do things to change the future so that we don't have to relive those experiences. In this area, we have a very aggressive group of people who make sure that we get the absolute most out of Crime Victims' Rights Week. Today I would like to read a Proclamation and then I probably will have a few more comments.

Office of County Commissioner

Dauphin County, Pennsylvania

Proclamation

***We**, the Dauphin County Board of Commissioners, join with the law enforcement community, countless volunteers, and the community at large in commemorating Victims' Rights Week in Dauphin County, and in thanking the many good-hearted people who devote their lives to seeking swift, sound justice for innocent victims of society's evils;*

***Whereas**, this year marks the 26th anniversary of National Crime Victims' Rights Week, giving Americans the opportunity to reflect upon the devastating global impact of homicide, abuse and other crimes, and to work toward permanent, positive change;*

***Whereas**, policymakers, criminal and juvenile justice professionals, victim advocates, clergy and members of the public must unite to ensure that those who bear the weighty physical and emotional scars of crime are treated with dignity, sensitivity and respect;*

***Whereas**, we gratefully acknowledge grassroots organizations such as the Dauphin County Victim/Witness Assistance Program, which is staffed by bright, compassionate advocates who work day and night to give voice to, and seek justice for, crime victims;*

***Whereas**, in the past, as cases wove their way through the court system, many victims and their families were kept in the dark, isolated and alone, but thanks to local advocates like Jennifer Storm and her staff, they are no longer silent, forgotten or in danger of being victimized yet again by the "system;"*

***Therefore**, in solemn and sincere tribute to the courageous victims of crime and their life-saving support network, we join the 253,300 residents of Dauphin County in proclaiming the week of April 23-29, 2006 to be "Victims' Rights Week;" we hail our victim advocates for the critical role they play in the justice system and in society; and we pledge to work together to aid and support crime victims by showing "Strength in Unity".*

Mr. DiFrancesco: Obviously all of you have been identified in this, but I also want to take a moment to note two gentlemen that are sitting in the back, Judge Hoover and Judge Lewis and thank them too. In Dauphin County, like in so many other examples, we'll work together and we make sure that if there is a flaw in the system that is creating greater problems for those in crisis that we fix it. The Courts work with the Victims' Rights people, the District Attorney and the Public Defenders to make sure that justice is served in Dauphin County. With that, I want to thank you all. I know you have an active agenda for this week in terms of some public relations activities. I will save that because I would like to invite Jennifer to the microphone to say a few words and also give you an opportunity to introduce the staff that is here. With that, any other comments from the Board?

Mr. Hartwick: I am sometimes criticized for being extremely aggressive and forward and not taking no for an answer. I will tell you that there is only one person who is more aggressive in the pursuit of making sure victims are taken care of and she is at every door for any resources that can be brought to this County. She transitions her office into accepting additional responsibilities because of the passion that she has and that person is Jennifer Storm. I know that you believe that the people that do the job every day are the ones that make or break you and you recognize your staff and they share that same passion and vision and it comes clearly across to the community and to the individual victims that you serve everyday. Thank you for the good job you do and thank you for allowing me to relinquish the title of "The Most Aggressive Individual" in County government.

Mr. Haste: George sort of stole my thunder there. This is Victims' Rights Week and I think a lot of attention will be put on that. That is easy for most of us in public life to say that you support, but it is a hats off this week also to you that make it happen. I know at times your positions and the jobs that you do get very difficult and emotional. Any time someone has to reach down way deep to bring up another individual and share with them at one of their worst times in their lives is a difficult job. It takes a special person that has the ability to do that and do that time and time again. I want to thank you for that.

(Pictures were taken and applause given.)

Ms. Storm: First I do want to acknowledge and thank you very much for this and acknowledge the staff who are present and do the hard work that we have to do each and every day. We have Diane Faust, who is in our northern Dauphin County satellite office who assists all victims of crime in northern Dauphin County. Lori Radle, who recently received a promotion to Manager of Direct Services and Eryka Wentz, who is in our juvenile division; Amanda Hugendubler, who is also in our juvenile division; Carmen Chaparro, who is our new Administrative Assistant; Amber Santos, who is in the PFA Office; Tanya Bartlbaush, who we stole from the District Attorney's Office and Jessica Badillo, who also just transferred to our juvenile unit. Some of our other staff couldn't make it today, because they are obviously in Court and doing the vital work that we do every day.

We do have a couple of events that are coming up and we would obviously love for individuals to come. This evening, we have a child abuse forum that we are doing in conjunction with the District Attorney's Office to discuss what the community basically needs to know about child abuse in Dauphin County and how we provide services for victims of child abuse. That is in the Dauphin County Courthouse at 6:30 p.m. Tomorrow, if you are hungry at any point in the day, please go to the Firehouse. They are generously donating 10% of their proceeds from open to close tomorrow for our agency. They were the only restaurant downtown that was willing to do that so we really want to go and support them, plus it will be fun to have all of us together. Friday is really a new event that we chose to start this year. It is our way of saying thank you to the County. We realize that as a nonprofit agency we don't have to be afforded all the rights and services that you enable us to have within the County and we are very indebted in gratitude to the fact that we are treated in many ways as a County agency and in many ways as a County family even though you don't have to do that for us. We really appreciate that. It gives us the ability to provide the services that we need to for victims of crime. It helps with that collaboration that you said. I am very proud to be a resident of Dauphin County and to work in this County, because I believe we do have the best collaboration in the State. We have an amazing judicial system here that works together in collaboration. As our way of saying thank you, to you, we are doing an appreciation luncheon in the Courthouse Lobby at 12:00 on Friday. We would like everyone within the County to attend. Zia's is catering it. We will be handing out some awards to different County agencies and individuals who have gone above and beyond this year to assist victims of crime. We do encourage all of you and your staff to attend and join us in a big family meal to say thank you.

Commissioners

Presentation of Award to Jason Kutulakis, Esq.

Mr. Hartwick: Speaking of passionate, the next presentation that I am privileged to give is to Jason Kutulakis, who was recently named the “Child Advocate of the Year”. I know in my role that I serve in the Health and Human Service Policy Committee in the Statewide County Commissioners Association, how challenging and how difficult a children and youth system can be with backlogs of cases, difficult and challenging cases, and individuals who don’t want to move forward, and with their passion see through the legal system to preserve the rights of our children here in Dauphin County. Those efforts were duly recognized this year in Jason Kutulakis being named “Child Advocate of the Year”. Ironically enough, it was his father who was the President of Dickinson Law School that started this award over ten years ago and on its 10th anniversary Jason has been named “Child Advocate of the Year”. It is sort of self-fulfilling. I also know that Jason is a farm boy and we won’t go into all the details about your animals and all that. Just to make you feel a little uncomfortable I thought I would mention that. I know that is why you probably have a good relationship with Jeff Haste in spending time on the farm. You guys have a lot to talk about. I also know that Jason, even though his law firm is located in Cumberland County and I will still continue to try to get him to move here to Dauphin County, but I know he has a growing law firm. I know he has been serving the community extremely well in many areas and one of the things that I found out about him is that regardless of how many staff members he has, how big his law firm is, he doesn’t let anybody else in his law firm touch his children and youth cases that are represented here in Dauphin County. We have a passionate advocate for the rights of kids. It just goes along with the entire way that we are feeling about our health and human services, children and youth system, the people that do the job every day and what a dynamic team from the judges to the people who coordinate and collaborate to make sure that our kids are taken care of. Even last week, we had over 100 people that were involved directly with making sure children are not abused in this community. What a great sense to be a part of a leadership opportunity with so many great people involved. This award goes to speak to an individual that I have a great deal of confidence in. With that I would like to read a Proclamation from the Board.

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

Proclamation

We, the Dauphin County Board of Commissioners, are delighted to join children and youth advocacy groups throughout Pennsylvania and the community at large in honoring Jason P. Kutulakis upon his recent selection as the Child Advocate of the Year by the Pennsylvania Bar Association;

Whereas, as solicitor for Dauphin County’s Office of Children and Youth, Jason has worked tirelessly to uphold the rights of children who may not otherwise be heard;

Whereas, Jason has spent countless hours defending the rights of children, advocating for their safety and working toward giving each one the best home possible;

Whereas, Jason’s superlative intelligence, compassion and passionate commitment to his job have enabled numerous innocent children to attain a brighter future, earning him the enduring respect of his peers, social workers, judges, families and the community;

Whereas, he has also trained a myriad of professionals, including caseworkers, juvenile probation officers, mental health case managers and private provider staff, causing a powerful and positive ripple effect and resulting in a measurable improvement in their work on behalf of children;

Whereas, over the last few years, Jason has also applied his impressive expertise and rich experience to serve as a member of the Pennsylvania Supreme Court Juvenile Procedural Rules Committee and the PBA Children's Rights Committee;

Therefore, we join the 253,300 residents of Dauphin County in celebrating the outstanding lifetime achievements of Jason P. Kutulakis; we commend his devotion to personal excellence, community service, and the welfare of every child; we warmly congratulate him on his prestigious award; in grateful recognition thereof, we are pleased and proud to declare April 26, 2006 as "Jason Kutulakis Day" in Dauphin County.

(Applause)

Mr. Kutulakis: Commissioners, this is a great honor. The sentiments that I heard through the room here as we begin with collaboration is because of your leadership and the leadership of our judiciary here and the working that the executive and judicial branches have come to a common ground have really benefited the citizens of Dauphin County. It is by your leadership that we are able to lead this date in what best practices are for parents, families and kids in Dauphin County. Although my family homestead is in Cumberland County, I do have and have had a significant office presence here in Dauphin County and will continue to maintain that, that is where my heart is, where I practice. Winning this award is pretty apropos in that this is Child Abuse Prevention Month and the Committee chose April for that reason. This award is really one that is symbolic of all those that I work with who are family advocates and child advocates. It is only because of the wonderful administration that we have through Sandy Moore, your leadership and the judiciary, but also all the line workers that we work with that make my job extraordinarily easy. With all of that being said this is a great honor and thank you very much.

(Applause)

Judge Lewis: Thanks for inviting us. We are proud to be part of the presentation to Jason for the receipt of this award. We have our own award to present to him on behalf of the Dauphin County Judges. Let me say that I felt it was very appropriate that Jason was being honored on the same day you were recognizing the contributions of the victim advocates that we have here in Dauphin County. Their award and their recognition is very well deserved, because Judge Hoover and I and the other judges are extremely familiar with the work that they do on behalf of victims here in Dauphin County and the work that they have been doing for many years. As some of you pointed out in your remarks Jason's work is done on behalf of victims in another setting. We have children, who are the most vulnerable citizens, who are sometimes the victims of abuse, sometimes the victims of just the intricacies of the bureaucratic system. They need a very strong and very passionate advocate, as Commissioner Hartwick eloquently pointed out and Jason has performed that task willingly, unselfishly for many years. Secondly, not only do we want to honor him for the work he has done, but we are grateful because he makes us all look very good.

Judge Hoover: As I listened to what you presented to Jennifer and what we are doing now for Jason it does strike me that it is more than coincidence that it just happens to be on the same day, because victims are innocent, children are innocent and subject to

some horrors and abuses and neglect, just the very similar kind of advocacy role that Jason plays, the Victim Witness plays as well. I thought that was very appropriate for today.

I want to tell you a little bit about this award. This award is a Statewide award. Judges and lawyers' names are submitted to be advocate of the year. It has a history of great tradition and this isn't something that comes easy, because every lawyer and judge in the State is eligible to be nominated by someone on the Children's Rights Committee of the Pennsylvania Bar Association. It is very unique in that regard. Jason, who serves on the Pennsylvania Supreme Juvenile Court Rules Committee, not only is our eyes and ears for the Court, but he has also been an advocate for the Court as there are changing rules that impact us. No one more than you is familiar with someone who changes rules and enforces things on the Commissioners and Jason, on behalf of the Court, in delinquency and dependency, has not only been our eyes and ears, but our advocate there for positions that will directly affect us. The Court has been blessed by his presence on that Committee. Jason also started here in the Spring of 2000 as the Children and Youth Solicitor. He now is a founding member of the Statewide Children and Youth Solicitors' Association. It is his office that they use. He brought those solicitors together for the first time where they can collaborate into being better advocates for children. But what speaks volumes to me about this award, your name is presented, but you need people to advocate for you for the award. A Supreme Court Justice, Michael Eakin, wrote on behalf of Jason. What speaks volumes is foster parents wrote on behalf of Jason as well. They know who truly are advocates. That makes it special. Also, the fact that Jason, we are blessed to have him in Dauphin County for what he is doing for children and youth. Jason also raises everyone else's game. You know how the better player gets everybody to play up. He has elevated the professionalism, the preparation in children and youth cases and that has been wonderful to see, but also other counties recognize what he has done as well. York hired him as an independent consultant to examine what their children and youth agency does. We are just blessed to have him. It was wonderful that you honored him for this special award. This struck me, when he was presented this award on Thursday in front of the Pennsylvania Bar Association and at that award he brought up the County Commissioners and he praised you, even though you weren't there, but what he said was that he was grateful for all the line officers, all the folks at Children and Youth, but he also thanked the Commissioners for being committed and giving them the resources to keep children safe. So, even though you weren't there I just wanted you to know that you were acknowledged. He couldn't do what he does without your support and blessing. It is indeed an honor to present a Judicial Plaque to Jason for today. Thank you.

Judge Hoover read the Plaque:

"The Commonwealth of Pennsylvania, 12th Judicial District Dauphin County, presented to Jason Peter Kutulakis, Esq., Pennsylvania Bar Association 2006 Child Advocate of the Year. The Court recognizes your personal and professional commitment to children's rights as you serve as Solicitor for the Dauphin County Children and Youth Agency and as a member of the Pennsylvania Supreme Court Juvenile Court Rules Committee. The Court further congratulates you upon the receipt of this prestigious

award from the Pennsylvania Bar Association Childrens' Rights Committee as the 2006 Child Advocate of the Year. The Court likewise expresses its gratitude for your establishing a legacy of excellence in advancing the rights of children in the Commonwealth of Pennsylvania by all the Judges of the Court of Common Pleas.

(Applause)

(Pictures were taken.)

Steve Shaver, SSI

Update on the EMA Radio Project

Mr. Shaver: This morning I am pleased to have with me Mike Zellhart, who is actually the project manager from SSI, who provides day-to-day oversight for the Dauphin County Emergency Communications Project, which the Board is aware of is transpiring out at the Dauphin County Emergency Management Agency. Mike is going to go into a brief overview as far as how the program is progressing, but I would be remiss if I didn't say, it is truly a team effort on behalf of the County. We are fortunate enough to be the consulting arm of this project, but EMA staff, particularly D'Juna Gaither, who is the financial officer, is basically riding herd over the dollars and cents and Greg Kline and Dave Murdock, who basically provide the technical expertise from staff are putting in quite a bit of time into this project also. They should be recognized as far as the project is concerned. I will turn it over to Mike and he will give you a brief update as far as where we are with the project. I am pleased to also say that we are on target as far as timeline and we haven't spent too much money yet so we are good there too.

Mr. Zellhart: I would like to thank the Board of Commissioners for giving us the time to give you this update on the project. We are pleased to inform you that the project is proceeding on time and well within the \$35 million budget that was set for this project. To date, \$21,347,000 in purchase orders and contracts have been issued. This includes the contract to Motorola for \$20,141,000; the contract to SSI, Inc. for consulting services, purchase orders for communications site work and construction – the Middletown site and path analysis for the microwave connectivity between all the sites that we are building. Particularly, we have additional milestones in 2006. The construction of Dauphin emergency communications center, this is to update what we call the back equipment room, the ECC itself, and add some security items to that facility. The construction of the Middletown site, this site has been approved for the Lower Swatara concept and site construction will proceed in June 2006. This site will include a new tower, a new shelter, new emergency generator and site preparation work. New construction at the Chamber's Hill Fire Station, which will proceed in May 2006, is an excellent example of partnership in this project. The Chambers Hill Fire Company had bought the generator that is going to power both our communications equipment and their Fire Hall. The County is covering the cost to install it, but that is well less than the cost of buying it and installing it. The construction of Reservoir Park for the City of Harrisburg, includes a new tower, a new shelter, new generator and site preparation work. Again, this is a true example of partnership in this project, between the City and the County. Construction at the Fairview Township site in York County, this site will upgrade the site that is already there. There is an existing site there. We

are building a new site that will enhance the coverage in that area, plus the connectivity to all the other sites that will be in the system. This will include a new tower, a new shelter, generator work and site preparation. Construction at Derry Township Municipal Complex, it makes me happy to say on almost every one of these sites, these are good examples of partnership with the project. Derry Township is offering us a room to put our equipment in so that we won't have to buy the shelter there at that site. We are putting in a new tower and this partnership benefits the County greatly. As you can see there is a lot of construction going on in the year 2006. This allows for the staging of equipment and the acceptance of equipment that will start in 2007. This equipment will be the actual radio equipment that is going into the sites that we are constructing right now. Additionally, we have information sessions with the County, the County's first responders and political subdivisions. We had them on March 29th and 30th. The County provided the first responders and the political subdivisions information on the system, what the system is going to do and how it is going to be implemented. These updates will continue throughout the life of the project along with activating required first responders committees. These committees will be organized so the first responders, the people that this tool is going to are going to have a say in how this tool is being used and how it will be designed.

Again, I thank you for giving me the time and opportunity to update you on this project.

Mr. Shaver: Two other things that I believe I should bring before the Board. We have actually hit two of the milestones as far as the payments are concerned, as far as Motorola is concerned. The first one being the actual initial phase whereby they did a kick-off meeting and so much money was, as far as our down payment, was actually given to Motorola, after the signing of the contract. Also, within the last couple weeks, we have actually done what they call a detailed design review. This detailed design review more or less looks at the system in a holistic standpoint as far as what is going in what buildings, what is going to what shelters, what components are they going to provide to the County as far as the radio system is concerned. That has also taken place and Motorola is in the process of generating a letter, which I believe the Chief Clerk has, more or less showing that they have actually reached that milestone also. The progress of the project itself is moving along very well. Mr. Zellhart is very passionate about this project. When he says we, he doesn't just mean SSI, he means the County. He takes possession of the project as far as SSI and the County is concerned. Sometimes he is a little over zealous, as being a Zellhart, in his saying we. That is just the way Michael is. He more or less signed up for the project and he will see it to its conclusion. If there are any questions, we will answer them.

Mr. Haste: You are aware of the financing package that we have put together and you know the guidelines or timelines?

Mr. Shaver: Yes. Those timelines were actually prepared by staff and SSI. I think we should be able to hit those targets and milestones and not have the County dangling out as far as interest is concerned.

Mr. Haste: That just adds to the importance of your milestones. Not only are they there for the project, but the financing as well. We sort of went out on a limb on the funding to

benefit the County so we could recoup some of those interest earnings, but that requires that we stay on track.

Mr. Shaver: We will keep it on track. We get an email at least once a week from your finance director.

Mr. Hartwick: Could I add to that and right along those lines of questioning? I talked to Mike Yohe about this in trying to track the project and have conversations with you and actually sit down and get an outlay of exactly what those timelines are. Is there any way that we can put a mechanism in a contract, either with SSI or Motorola to take the risk off of the County with the timing of the finance issue and place it on the contractors and the consulting companies if they don't meet those timelines? It is extremely important to me. Because of the nature of the actual financing there are two concerns that I raised at the prior meeting. The first one was that when we get to these timelines that are supposed to be met and Motorola goes and spends down the money that they are required to do to meet the timeline and then they understand that there is a second financing out there. Jeff Haste has already said that we won't borrow any additional money but I see that as an opportunity for any company to say there are some things, because we spent down quickly that we need to add to the next issue. I don't want that to occur in this case. The amount that we finance is the amount that we finance, there are not going to be any changes to that. We want to keep it on time and on schedule. To reduce the risk is there any kind of legal mechanism that we can place on either one, SSI or Motorola, to reduce the risk from the County?

Mr. Tully: Anything that the parties agree to can go into the contract. The problem will be trying to unilaterally impose that would be a problem. I think we can certainly engage in some discussions with them to see if we can arrive at a mechanism that both sides can agree upon. I can't represent to you, at this point, that we are going to be able to say oh by the way now you have to live up to this particular set-up. That is something that would have had to have been in the original contract where we had the most leverage. Without getting into the details on a public record that could be reviewed by them I can say that we certainly can explore trying to find a mechanism that would minimize the risk for us or share some of the risk with them. I wouldn't want to go much further without...

Mr. Hartwick: Having an executive session and then discuss the legal issue. I would like to explore how much exposure we have as a result of this financing. You may be suggesting that since it is a legal matter it is something that we can discuss in executive session.

Mr. Tully: We can certainly share on an individual basis that information and we'll see where we go from there.

Mr. Shaver: The Solicitor's Office actually negotiated with Motorola. There are guidelines in there as far as what is more or less could occur as far as the fact that if Motorola doesn't meet their deadlines, but then you also have the reverse of that too is the fact that there are also guidelines as far as the County not meeting their guidelines. There is language that the County Solicitor's Office has put into Motorola language,

Motorola's language that they provided as far as the contract. I believe the County is pretty much preserved as far as dates. With regard to other vendors, in those cases, they are adhering to guidelines that are established through a purchasing process, through Mr. Baratucci's Office. In those cases there are requirements as far as that they meet guidelines for site development, site work, placement of towers, installation of shelter and those types of things. Those guidelines are actually put into the purchasing mechanism that these particular contractors do their work within a certain time period. So, there is actually some protection. The problem that we run into and I will be very honest with you is the fact that in some cases, and we have moved along pretty well as far as site acquisition. In some cases, site acquisition can take longer than what we want it to. It is an uncontrolled fact, because in most cases you have to go through zoning and all that kind of stuff. Right now we are on target. The Solicitor's Office has been working with John Breon, who is here with us today, who basically takes care of most of those site acquisitions on behalf of the County through SSI. We are moving along as far as that is concerned. I can understand your concern.

Mr. Hartwick: First of all I have never met a construction project that has arrived on time and under budget so far as being a County Commissioner. Due to the nature of this financing, it is more critical than ever that we have accountability to the consultants and to the individuals who are doing the job to require them to come in on time and under budget within this project. What I am hearing is that contract language was negotiated prior to us agreeing to this format of financing and that brings a whole other piece into the negotiations.

Mr. Tully: Although the financing wasn't factored in specifically, the financing was based upon the target dates. The target dates were written in. I think we have our accountability. If you wanted to fine tune it to the financing that would take an amendment which like I said might be difficult to do and I'm not sure that it is necessary considering everything else as it is going. That is a sort of thing that I would sooner review our contractual rights and obligations and weaknesses and strengths is something that we should discuss in something other than a public meeting.

Mr. Hartwick: Second question and I know you have mentioned how these projects are being bid and you talked about the construction of the project. Every time there is construction that is being done in the County through County resources, I am just wondering what we are doing to reach out to minority and women owned businesses to make them a part of the process?

Mr. Shaver: In most cases, most of the contracts or purchase orders that have been issued more or less went through the RFP processes. In most cases, as far as the site work, those kinds of things are actually going through a state contract, they call it the STARS Program. It is more or less all related to state contract, so the County is actually piggy-backing off the state procurement system.

Mr. Hartwick: Have all of these contracts for construction been done and what notification has been given to different firms? I might be completely off base knowing that there might be one or two firms in this entire region that can do this type of work, from masonry, which I'm sure is necessary, laying of concrete, I don't know what

aspects of this job would be applicable to a local work force, but I would like to take additional steps in order to try to get local folks employed here in this County.

Mr. Shaver: I'm sure that is something that we can discuss with the contractors. When we piggy-back off the State, the contractors are already in place from contracts that the State has already issued. In most cases it is like purchasing a police vehicle or anything that is under State contract. There are so many providers on the State contract, we are just more or less using those folks under the auspices of the State contract.

Mr. Zellhart: In the contracts, what we did was piggy-back off the State contract. I'm happy to say that Power Service Unlimited, who is doing a major portion of the work for us is a Dauphin based company. Capital Area Communications, who is doing a lot of the work for us is a Dauphin based company. The sub-contractors that are being used by Power Services Unlimited are all Dauphin based companies. It didn't work out that way by planning that, it worked out that way because that's where we found the best offer for our buck. A lot of these companies have the heart of the public safety portion of this system. This is a public safety system. They live here in Dauphin County, have children here in Dauphin County, so they are giving us very good deals on things that are being done.

Mr. Hartwick: I don't want to spend more money to do business with minority or women owned businesses, but we have taken extra steps in our purchasing process to notify the African American Chamber and the NAACP and a number of other folks, the Harrisburg Regional Chamber, to ensure that the actual bid documents are getting to folks who may be able to compete and have those types of businesses right here in Dauphin County.

Mr. Shaver: In most cases and I wouldn't say that because of it being a State contract issue and a lot of cases there is not actual RFP documents issued. It is more or less a statement of work issues that are issued for particular work on behalf of the County.

Mr. Hartwick: Why don't we discuss this at that meeting as well? It is important to me that we try and get a plan together and reach out to those folks.

Mr. DiFrancesco: Steve, I need a reassurance. I know that you guys are watching the project and I know, for a fact, that you are watching it for Motorola's timelines. But, do you break down and watch from the site development timelines as well? Do you know when a particular site should be in motion so you know if a company for some reason or if Dauphin County, for some reason, doesn't get paperwork filed with a municipality for whatever reason that it is not going to slow the process down? That is where the critical factor is the sites have to be developed. If the sites are not developed then Motorola can't move forward. Are you watching that?

Mr. Shaver: Basically we have a 12-page document that more or less talks about payment milestones and more or less everything is keyed into a project timeline which Mr. Zellhart keeps.

Mr. DiFrancesco: So each one of those site development teams would be under the same type of specific timeline that Motorola is for the bigger broader project.

Mr. Shaver: It is 12 pages. The actual project timeline is probably multiple pages. The actual sheet that we use is more or less shared with the staff and as far as the financial folks are concerned is actually a 12 page document that says when we are going to need money for each particular step in the project. It knocks it down the whole way to installation, delivery of items so it is pretty in-depth.

Mr. DiFrancesco: I just want to make absolutely certain that if we start to fall behind in the slightest on those site development guidelines that we are notified, because that is where the first step in a possible problem might occur down the road and I want to know that upfront so we can get on that and make sure that it gets corrected right away.

Mr. Shaver: At one time we were kind of doing baby steps, but we are moving along pretty good now. We have gotten quite a bit of support as far as Mr. Tully's staff is concerned. The Solicitor's Office has a lot on their plate and I understand that and so does Mr. Breon and Mr. Zellhart. We have been trying to work through those things and in some cases if we can help them, there for a while there was an issue as far as some clerical support. We were actually helping any way that we could to make sure the items get kicked the way they are supposed to get kicked out.

Mr. DiFrancesco: That is where the time and those costs will come in.

Another point and you mentioned how the staff is working together and I think it is important to get a briefing. We have had some very good meetings over the past two weeks with both US Senators and as the Board knows, and as the public has been apprised as well, that this Board is aggressively working with our legislative leaders in Washington to try to come up with some dollars to offset some of the costs that otherwise would be assessed on the property owners. While I have the utmost respect for everybody on the EMA staff there is no brighter ray of sunshine than Ms. Gaither, who is sitting with us this morning. I want to thank you for all the effort that you put forward. The two grants that you were able to put together on very short order and both of them came in like sort of, hey, DJ could you do this by tomorrow and of course you always say yes and you get it done. I want to thank you for your efforts. We had a very positive meeting yesterday. No promises obviously being made, but what I'm hearing is that there may, in fact, be some funding coming from Washington and that would be the first in quite sometime where Dauphin County could achieve some substantial grant money. The entire team is much better off today than they were a year ago. A year ago we went to Washington on a dollar finding mission and really didn't have a great idea on how to do that and it showed. We went down and said we have this \$35 million project can you help us and they looked at us and said tell us how. We weren't real certain what the answer should be. We came back and the team came together. Motorola has been a critical partner with us in terms of their government relations. I do believe that the efforts will be successful. We will have some good news in the not too distant future.

Mr. Saylor: As Steve alluded to the next payment, it is a \$2 million payment that is due on or about May 15th. The idea here was, before we authorize the payment, to update you on where things stand. I note from the schedule that you provided, it appears that the next payment of \$5,400,000 will be due in January 2007.

Mr. Shaver: That is correct. After we do the staging of the equipment.

Mr. Saylor: Commissioners, I intend to do this periodically before any of these payments are due so that you can get an update as to where things stand and we make sure we are maintaining the timeline. This will be a continued process. The payment for \$2 million will appear on next week's agenda for approval. The only other thing, in case there are any questions, which is also on the agenda for a vote today, is the contract extension with SSI for the Harrisburg site. I didn't know whether there were any questions on that or not?

Mr. DiFrancesco: Harrisburg site?

Mr. Shaver: The location.

Anita Harlacker of Liberty Mutual's Auto and Home Insurance
Insurance Benefits for County Employees

Mr. Esworthy: Today I have with me Anita Harlacker from Liberty Mutual. A couple of weeks ago the Voluntary Benefits Committee met and Anita brought forth a proposal for providing auto, home and liability insurance to the County employees at a discounted rate through payroll deduction. Anita will explain to you the program.

Ms. Harlacker: I'm very grateful for your time this morning. I was told I need to keep this short and sweet. I'm a salesperson and that is hard for me to do. We are a strong company. Our customers love us. I'm a good sales rep and our product is great, but having said that...

Mr. Hartwick: That's the end of the presentation.

Ms. Harlacker: If you are at all familiar or have heard of Liberty Mutual, we are a very strong company in the industry. We are ranked 102 in the Fortune 500 companies. We are the leading provider of this particular voluntary benefit program in the nation. We are also doing it the longest, since 1970. If you want to go with the best that's what you are looking at from Liberty Mutual. If you look at the sheet that is giving you brief overview, countrywide I want to show you some of the companies that are on board with us already with the program, through payroll or direct bill. I wanted to bring it home to you here to Central Pennsylvania. In that I am very proud to say to you that on Front Street alone I have the Pennsylvania Dental Association, the State FOP, the State System of Higher Education and the Harrisburg City Police Department has been on board well over 18 years. You can see some folks locally here that might ring a bell with you. That is who we have in Central Pennsylvania. In addition to that I wanted to mention to you that I have been doing this for 18 years. I'm a Dauphin County resident. My office is located in Lancaster. I will be the sales rep on the account for the group. I

can stand before you today in a proud way say that of all the groups that I have closed in the course of my career, they are all still with me today. You know I will do a good job for your employees.

What exactly we are offering is the ability for your employees to receive a discounted rate through Liberty Mutual that the general public does not get. Because they are an employee of Dauphin County they will receive discounted insurance rates. Auto, home, renters, personal lines of insurance to the employees will all be discounted. We extend the program, not only to the employees, but resident children that may have their own separate policy, partners and also to retirees. In addition, how we manage the program for your staff is that we basically do an annual plan. We set up a marketing plan that is geared specifically to the way your staff would like us to do it. So, we try to work with you. We realize that you folks know better than we do what the best approach is on reaching your employees and you view all the marketing materials that go out. We pay for all the marketing materials. There is no cost to the County for the program. If you look in the packet, there is a green flyer there, just to give you a recent promotional item that I ran in Lancaster County, where we offered a discounted rate to the employees of one of my group accounts if they got a quote with us they got a free \$5 gas card for each line of business. Six months ago \$5 would have seemed a lot better than it does now. It does raise an eyebrow and a number of folks took advantage of that program. We do giveaways on site for the employees such as satellite radios and those sort of things. We like to try and do onsite capabilities for the group and we are not only just a person pushing insurance products in terms of what we offer, but we also like to be a consumer advocate in that we do community events. That flyer on the one page shows child fingerprinting, bike safety, educational sessions for the employees where we can do identity theft, insurance education and VIN etching program where we can actually go out and etch the vehicles for the employees with the VIN number on the windshield to prevent theft of the vehicle. It is more of a deterrent in stealing the vehicle when the VIN number is etched on the windshield, because it is not a useable part for theft and to resell. That having been said, I can tell you that I have been doing this for a very long time and we are number one on the block. As I said to you earlier, I have never lost an account by the way I conduct business so it will generally end up that it is a terrific program to the employees and they will love you for it and it is a win-win situation. I'll be happy to answer any questions.

Mr. Hartwick: Who is your competition?

Ms. Harlacker: For this particular product, many years ago we had so many folks up to the plate, but the problem is that most of the carriers that even offer the product now won't offer both lines of business. I know for a while GEICO had something in and it was just auto related. They didn't offer homeowners insurance. Then you have the issue of coming in and out of the State of Pennsylvania. To date, I can honestly say to you that there's not really anybody that I know that is pushing the product right now. They just don't have it. They go in and then they pull back out. Nationwide for a number of years and I don't believe they offer it any more, in Lancaster County, they had Lancaster General Hospital and they pulled out.

Mr. DiFrancesco: One of the most important issues as far as I'm concerned when you deal with an insurance company is the service that you get. Who would provide the services? What could the expectations be in terms of quality of service when someone has an accident or has a problem? Who would they call? How quickly would they be responded to? How do you treat the one accident, two accident person? What kind of safeguards are in place that in fact it's not just a teaser rate to get them to the company, but you will keep them in the company?

Ms. Harlacker: We have such a broad spectrum of how I can convey to you our level of service to our customer base. In the insurance industry, the biggest number that we look at is retention of our book of business. Right now, for Liberty Mutual, we are at a 94% retention rate, which is unheard of. It is usually in the low 80's in the industry. The reason for that is our hot button is customer service. One of the things that we do that is unique to the industry is as I'm sitting here talking with you obviously my consumer base is calling in needing assistance. We have on staff, in our local offices, customer representatives that are licensed just like I am in insurance that can make the change to the customer right over the phone or if they stop in they have that local presence. In addition to that we have 24 hours/7 days a week customer service and claim service. There is never a moment in time where our customer base is without a question being answered. They pick up the phone and there is somebody accessible to them. Full spectrum online, whatever mode they want to try to reach us there is going to be somebody there for them. If you are all familiar with Kiplinger's Finance Magazine, we were ranked in the top 3 for both home and automobile insurance for claims and service to our customers. In the report here it shows you nine out of ten of our customers would recommend us to a friend. The biggest voice that speaks for retention in terms of the satisfaction of our base, not only for service, claims, rates, is that retention rate. Obviously we wouldn't be keeping 94% of book of business if they weren't happy with us.

Mr. DiFrancesco: It is a little hard probably to get the answer to the second part of the question.

Ms. Harlacker: The one or two accidents.

Mr. DiFrancesco: I don't know if you have some information that maybe you could provide to me that goes into detail more on that.

Ms. Harlacker: In the State of Pennsylvania any insurance company for two at fault accidents can non-renew you. We even bring people in with two at fault accidents. We will be able to place 99% of your employees with us.

Mr. DiFrancesco: That is the type of information that I would be very interested in. How you compare, there are so many marketing campaigns in the insurance industry right now and quite honestly it is just meaningless, because there is no perspective. Everybody sort of comes at it from a different angle and it is really hard to compare. As I said, I don't know you see it a lot with the credit cards with the teaser rates and then all of a sudden you realize that your teaser rate jumps to something else. I don't know how, quite honestly, the insurance is regulated. It seems like some of that may still be

in play where we get you in the door at a certain rate. If we are going to be providing the product to our employees, even if it is a voluntary benefit, I want to make absolutely certain that it is the best voluntary benefit that they could access and that they do in fact receive some real benefits for us making the commitment to market it through our employee base. That is the type of thing I'm interested in. What is actually the quality of the product.

Ms. Harlacker: To get into that in a 10 minute brief, we have the full gamut...

Mr. DiFrancesco: You actually gave me a homework assignment.

Mr. Hartwick: I just want to thank Commissioner DiFrancesco with my driving history for looking out for me.

Mr. DiFrancesco: I didn't have you in mind.

Ms. Harlacker: In answer to some of your concerns, well are you just going to rope us in with this good rate and then reap havoc. Certainly a lot of these large corporations and associations that have been on board with me for the last 18 to 20 years, would not have stayed put if their employees weren't happy. They would have heard grumbling and they certainly wouldn't have been with me that long.

Mr. DiFrancesco: Actually that is a good thing as well, because some of these companies obviously we know we can pick up the phone and call.

Ms. Harlacker: I would be more than glad to provide references for you.

Mr. Haste: The home office is your Lancaster office?

Ms. Harlacker: My office is based in Lancaster. In Mechanicsburg we have an office location and we are throughout the whole State of Pennsylvania. You may even have employees who have dual homes, here and in Florida.

Mr. Haste: Does each person then have an agent? For instance I know my agent so if I have a problem I call and talk to my agent or when they call in do they just talk to a customer service rep?

Ms. Harlacker: I would be their agent. I would be the agent on the account. I have a sales assistant and I have a whole team of folks that service my book of business. I would be their direct agent and even the Mechanicsburg location has five agents located there. It would be an agent relationship or some may choose that they don't want an agent relationship. They want to go online. They have that capability as well.

Mr. DiFrancesco: When you talk about your agent relationship, the other groups that are doing this, generally is it set up that those insured individuals would be calling you directly or would they generally go through their employer and then we would get in touch with you with some sort of problem?

Ms. Harlacker: Me, I'm the pivot person for everything. They don't touch base with your staff.

Mr. Haste: A discount up to 10%. What do you have to do to get the 10% discount?

Ms. Harlacker: The 10% discount is an additional discount on top of all the other things that we offer discounts for multi car, there is good driving record, you get a preferred rate, which is an additional discount. The State of Pennsylvania...

Mr. Haste: Combined auto and home, etc.

Ms. Harlacker: We have that whole gamut, but I just didn't want to bring too much here that it might get confusing.

Mr. Haste: I guess what I'm saying is that it says up to 10%. It implies that the discount may be less than 10%.

Ms. Harlacker: It is 10% for the entire Dauphin County employee group. We file that through the State of Pennsylvania for this discount. We call this particular program "Group Savings Plus". We can market to a particular entity. We don't take everyone. We market to a particular entity and we say okay we are filing that this particular group is going to be eligible for an additional 10% on top of all our other discounted programs.

Mr. Haste: Did the Committee approve this?

Mr. Esworthy: Yes.

Mr. DiFrancesco: Did the Committee look at others or was this...

Mr. Esworthy: No, normally we don't go out and solicit any body. This group came to us.

Update on the prescription card plan for the citizens, we are going to start that process in mid-May. We are going to the senior citizens centers in the lower end, Derry, Rutherford House, Heinz Center and then to the Millersburg Center and do a test program for 60 days and then we will come back with the results of that test program.

PERSONNEL

Ms. Sinner: The first item I have is a Salary Board request. Spring Creek is eliminating two part-time Custodian positions to create a full-time Custodian position. They are eliminating vacant nursing positions, six full-time LPN Charges and two per-diem LPN's. They are no longer filling the per-diem positions, three full-time RN positions, two part-time RN positions and five per-diem RN positions. Children and Youth is requesting permission to fill a Children and Youth Family Program Specialist I, which will be funded through the System of Care Grant. The Prison is requesting permission to create two Interim Fill Correctional Officer positions, which will be eliminated after the sergeants are promoted.

Mr. Haste: Before next week can you check with the Prison, I had the understanding yesterday that the pool of potential candidates basically is drying up. We have to go out and retest.

Ms. Sinner: That is correct. I just spoke with Donna yesterday about that.

Mr. Haste: How are they going to fill it if we don't have any candidates?

Ms. Sinner: They still need positions to put people in. It will just take longer until they can actually hire some body.

Mr. Haste: Check with them to see if we still need this?

Ms. Sinner: Okay, because by the time they would be ready, they might have some vacancies.

The Courts are ready to create the positions in Postelle's Office with eliminating positions in Stewart's and Zozos' Offices. The transactions you will see in Personnel Changes I have people that are moving into those positions dated June 19th. That is just a tentative date.

Mr. Haste: Any questions of the Salary Board items? (There were none.)

Ms. Sinner: Spring Creek is requesting to fill two full-time LPN Charge positions and a full-time Certified Nurse Aid position. EMA is requesting to fill four part-time Telecommunicator Trainee positions. The Prison is requesting to fill one full-time Correctional Officer Probation position and one full-time Secretary I position. Domestic Relations is requesting to fill the full-time Title IV-D Attorney.

We have the New Hires. Aging has hired a Food Service Worker I. Clerk of Courts is hiring a Teamsters Clerk 3, effective May 22, 2006.

Mr. Hartwick: You said that Aging has hired, how could they hire someone without getting approval first?

Mr. Haste: The start date is May 4th. I believe she just worded it incorrectly.

Ms. Sinner: I meant that they were hiring.

Mr. Hartwick: Chad, these are all meeting the hiring window?

Mr. Saylor: May is the hiring window. I believe it is the next Workshop and Legislative Session.

Ms. Sinner: That position has been vacant since October. It was approved a long time ago, but they just didn't have a candidate for it until now.

Mr. Hartwick: So another two weeks wouldn't hurt.

Ms. Sinner: The Clerk of Courts is having the same start date as if they would put it through the window, but they wanted it approved. I have some others that are going to be in the Addendum for next week. I have word that they are coming to me. They want to be able to start May 22, but they have to give notice. We do advise people not to give notice until it is approved at a Legislative Meeting. Are there any questions on any of the other items? (There were none.)

PURCHASE ORDERS

Mr. Baratucci: You should have all received your Purchase Order Packet yesterday. As usual there are a couple of budget items that we will need to fix and the items that were pulled last week from Children and Youth are back on here. I understand Commissioner Hartwick has all his questions answered by Sandy. They will be approved next week with the Packet. Do you have any questions on the Packet? (There were none.)

In addition, there was a BlackBerry request on there. It is a personal usage, personal pay. I didn't know if you wanted to take action on that today or hold until next week. It is for someone in Jennifer Storm's Office, Victim/Witness.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve the personal request for a BlackBerry for Lori Radle of Victim/Witness; motion carried.

TRAINING PACKET

Mr. Haste: Do we need to take action on any today?

Mr. Saylor: Yes, it would appear that we need to take action on...

Mr. Haste: It looks like Items #1 through #5.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve Items #1 through #5 with the review of Item #4 with the requirement that they answer questions prior to actually going to the Conference.

Discussion:

Mr. DiFrancesco: There needs to be some justification as to why it is necessary to travel the night before.

Mr. Hartwick: I will make sure the Director of the Department provides justification.

Mr. Haste: You will talk to Bob?

Mr. Hartwick: I will.

Motion carried.

ITEMS FOR DISCUSSION

- A. SSI Contract Amendment between Dauphin County EMA and SSI. (A vote is requested 4/26/06)

Mr. Haste: A vote is requested on the SSI Contract Amendment.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve and execute a SSI Contract Amendment between Dauphin County EMA and SSI; motion carried.

SOLICITOR'S REPORT – WILLIAM TULLY, ESQ.

Mr. Tully: I would be happy to answer any questions.

Mr. Haste: I would like to see the Lease for the Audubon Society.

Mr. DiFrancesco: I would like to see Item #2 on the Report. Did you receive my comments?

Mr. Tully: That is one in the same.

Mr. DiFrancesco: I want to make sure that we talk about that.

Mr. Saylor: I asked Dan for additional information regarding #6.

REPORT FROM CHIEF CLERK – CHAD SAYLOR

Mr. Saylor: I have nothing except to note that today is Administrative Professionals Day.

COMMISSIONERS' COMMENTS

(There were none.)

PUBLIC PARTICIPATION

Mr. Haste: We are again at the time for public participation. Is there anyone in the audience that would like to address the Board? (There were none.)

We have a Retirement Board Meeting shortly.

ADJOURNMENT

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

Transcribed by: Richie-Ann Martz

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff