



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

October 13, 2004

10:00 a.m.

MEMBERS PRESENT

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

STAFF PRESENT

Marie Rebeck, Controller; Robert F. Dick, Treasurer; Chad Saylor, Chief Clerk; Julia E. Nace, Assistant Chief Clerk; William Tully, Esq., Solicitor; Gary Serhan, Deputy Controller; Steve Chiavetta, Director of Registration and Elections; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Faye Fisher, Director of Personnel; Tom Guenther, Director of IT; Edgar Cohen, Director of Facilities Maintenance; Garry Esworthy, Risk Manager; Carolyn Thompson, Court Administrator; Steve Howe, Director of Tax Assessment; August Memmi, Community and Economic Development; Diane McNaughton, Communications; Lena Martinez, Communications; Elke Moyer, Human Services; Kay Sinner, Personnel; Sharon Way, Personnel; George Connor, Community and Economic Development; Phil Intrieri, District Justices; C. Doran Vance, Esq., Solicitor's Office; Mark Templeton, Prison; Linda Miller, Schaffner Youth Center; Yvonne Pittman, Schaffner Youth Center; Jennifer Storm, Director of Victim Witness and Richie Martz, Commissioners' Office

GUESTS PRESENT

Jack Sherzer, Patriot-News; Chuck Mazzitti; Geoff Moomaw; Ric Martsof, Esq.; Rob Radebach, Esq.; Meaghan Dreikorn and Darnell Williams

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 five sets of meeting minutes that will be reviewed and placed on the agenda next week for approval.

PUBLIC PARTICIPATION

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

PERSONNEL

Ms. Fisher: There are several Salary Board request forms in the packet today. The first five are for Children and Youth.

Mr. Hartwick: If you want and the Board deems appropriate, I talked to Sandy and we would be glad to provide some explanation on the position that she is requesting. There is one Salary Board request for Children and Youth that I will not be supporting. Would you like explanations on the other positions that are listed?

Mr. Haste: The memo says eight.

Mr. Hartwick: There are eight positions. I just will not support number one.

Ms. Fisher: There are a total of eight positions.

Mr. DiFrancesco: Number one, which list are you looking at?

Mr. Hartwick: The Information Specialist is a back-up position that I don't think is appropriate at this time.

Ms. Fisher: There is a memo following the very last Salary Board item for Children and Youth addressed to Mr. Hartwick from Sandy Moore explaining the reasons for these positions.

Mr. DiFrancesco: These are all new positions, correct?

Ms. Fisher: Yes.

Mr. Hartwick: All new positions and they were discussed in the budget process and approved by the Board. Just a brief explanation - the County Caseworker Supervisor, we are now out of compliance with DPW regulations. You have to have a supervisor for every five caseworkers. We are in a position to lose funding unless we bring this person on board. The other social workers are all for the initiative that we are taking on with the Harrisburg School District. We have school based social workers in Steelton and in Middletown and we are beginning the process of doing school based social workers within the Harrisburg School District as well. The family program specialist, right now we are monitoring over 200 contracts and we got several folks because of our new outcome based standard performance measurements that are not meeting where they need to be and not fulfilling the expectations that are set forth by the contract. We said that they are on notice and several of them may be considered cut off from funding. We have one woman, Michelle Horst, doing the work for those 200 contracts and in order to do the monitoring and begin to put these folks on notice and the process of then may be eliminating them and their contracts, there needs to be some support. She is going crazy and that was something that was budgeted. The family program specialist 1, currently we contract with Cornell to provide the actual family group conferences and the coordinator for the family group conferences. Their contract would increase and we totally rely on Cornell for their ability to coordinate the conferences. As evidenced this year, Cornell tried to increase their rates significantly for this position which sent the wrong message to me and we don't want to be in a position to beholden to an individual company when we are talking about an initiative that we all felt has worked and is something that we believe in fronting and it has made a difference in the area of family group conferencing. This is for someone internally to coordinate those conferences rather than relying on Cornell to perform that service.

Ms. Fisher: The next five Salary Board request forms are for the district justice offices. The first three are transferring Legal Clerk positions from DJ Pianka's Office to DJ Jennings' Office. The last two are transferring Legal Clerk positions from DJ Stewart's Office to DJ Jennings' Office. There is a brief explanation from Phil Intriери following the very last Salary Board item. This is all part of the process of getting DJ Jennings' Office up and running by November. The very last Salary Board request form is for Spring Creek and that is to eliminate an Administrative Assistant II position.

Mr. Haste: Where is that position located?

Ms. Fisher: In the Nursing Department.

Mr. DiFrancesco: This person was responsible for scheduling agency nursing. Through the reorganization, they are doing that more efficiently in other ways now and it was an opportunity to get rid of another position.

Ms. Fisher: Moving into the regular personnel packet, we have the Workshop Agenda Vacancies Listing. Next we have the Workshop Agenda New Hires Listing.

Mr. DiFrancesco: Just for clarification, two of these positions have been vacant since November 8th. Is that correct or is that date wrong? They are for Domestic Relations and Juvenile Probation. They both have November 8th written on the forms.

Ms. Fisher: I'm assuming that the dates are correct. For Domestic Relations, I would assume that someone is leaving on November 8th.

Next we have the Workshop Agenda Changes Listing. I would ask that you pull transaction #26 on the third page. Next, we have the overtime report for Pay Period #20. Then there are two overtime requests for the Prison.

Mr. Hartwick: Any hope for getting that overtime down at Spring Creek?

Mr. DiFrancesco: I'm still watching to see them come under, because their budget numbers are still running ahead of the year. I'm watching both Schaffner and Spring Creek, because at this point it looks like they are going to go over. They are still working on ways of recruiting and retaining good people so they don't have to pay the overtime in the agency. As bad as it is to see the overtime number, the agency number is much worse, in terms of what it costs us to have those agency people in there. So, we are working on both fronts still and will continue.

Mr. Hartwick: Because I have seen improvements in Schaffner. Every time I look at Spring Creek, I think...

Mr. DiFrancesco: It is just a different animal. Again, we are bringing it under control slowly and surely. There has been a number of changes in personnel, but the challenge before us is still being able to recruit and retain. It is not just the recruitment, but it is the retention. They are actively working in both fronts. As a matter of fact, one of the programs that was instituted out there, we had a problem where certified nurses aides were coming in, we were recruiting good people and actually getting people in and training them and then when they got to the floors for a number of internal reasons, they would work a week and then leave. It was the retention of these good people that we had just trained. I am happy to say that some of the good CNAs stepped up and said we have a program that we would like to institute, a mentoring program so that when these people come in we want to hold their hand for a while and get them used to the facility. We want to have these good people stay. That has been very productive. The more we can do that the more we can retain these employees the less we have to worry about the overtime and filling shifts. Yes, it continues to be a challenge.

Ms. Fisher: Finally there is an Addendum that includes a Salary Board item for the District Attorney's Office, as well as the Vacancy Listing, New Hires Listing and Changes Listing.

Mr. Haste: Faye, could you see that I get an explanation on Changes #31 through #36 in the original packet?

Ms. Fisher: Yes. Are there any questions?

Mr. Hartwick: Is there anyone from the District Attorney's Office here? (There was none.) It is obviously going to be a new position through the State grant, but I always like to know what is the source of revenue and is this going to be something that the County will be liable for down the road. Is it a PCCD Grant? Before I make the consideration to say yes or no, I don't want to bring on new positions that the County is going to have to be responsible for three years down the road.

Ms. Fisher: I will contact Ed Marsico.

Mr. Saylor: The Hiring Freeze Committee is going to be very busy.

Mr. Haste: I think you need to look at everyone of these positions.

Ms. Thompson: To clarify your questions about the Domestic Relations and JPO hirings, without looking at the packet, I can't give you specifics, but generally what both offices are doing they have had some higher level vacancies they are going to promote from within effective November and it is those lower level vacancies.

Mr. DiFrancesco: Okay. I didn't know if the date was correct. Thank you.

Mr. Haste: That may effect some other departments.

PURCHASE ORDERS

Mr. Baratucci: You should have all received your packets yesterday. There is nothing unusual about it, other than a couple minor budget adjustments that need to be made. Mike and I will take care of that. On Page #3, there is an item there for our office. We do a yearly bid for our office and computer supplies and then we do purchase orders as we need to cover that amount. We are probably going to have to up that amount between now and next week. We are trying to do an estimate from now to the end of the year. It seems like we are going through a whole lot of computer supplies so that amount of \$10,000 will probably double. It probably will be about \$20,000 that will be corrected on next week's packet. When I put this in, I didn't realize that we were that low and we are going to need to order some between now and the end of the year. We are still within the budget amount under Central Supplies. Other than that I have one other thing to inform you about. Do you have any questions about the packet itself? (There were none.)

Yesterday, we had a meeting of all the people that are involved in our finance system, our software for our finance system, and we are going to be undergoing a major change to that towards the end of this month. IT informed us that on October 29th, which is two weeks from Friday, we will be shutting down the system for about a week to do a major conversion over on our GEMS financial system. So, what I would like to do is, we will have the regular Commissioners' Meeting next week to approve these purchase orders, but then the following week would be a Workshop. What I would like to do and I would like to send something out to the Departments, that is why I am bringing it up now, is at that Workshop Meeting on the 27th, I would like to have you approve purchase orders, if that is alright. Once the system shuts down on that Friday, we are not sure how long it is going to take to bring it back up and I don't want a situation where we have requisitions out there. We are switching over and there is always a possibility of having a problem. I would like to let everybody know that they should get their requests in and I am going to ask the Commissioners to approve them at the Workshop Meeting on the 27th just for that one time. That will give us a little bit of room for the next week. That is also election week. I was told that our finance system switch over won't have any impact on the election, but it could have some impact on IT. I just think it would be best if we didn't have to mess with purchase orders the day after the election, which would be November 3rd. If that is okay with you guys, I would send something out encouraging everybody to get their requests in and letting them know that they won't have a week to normally consider that we will just approve them at the Workshop Meeting on the 27th.

All three Commissioners were in agreement.

Mr. DiFrancesco: So, we have a major software change leading up to the Election. We have criminal court the week of Election and we have, by the way, the biggest Election probably that we have ever seen in US history all at the same time. No problems will happen that week, I'm sure.

Mr. Guenther: I'm fine with all of that.

Mr. DiFrancesco: And the results will be compiled and accurate and there will be no glitches in reporting.

Mr. Guenther: Yes.

Mr. DiFrancesco: That is what I like to hear.

Mr. Baratucci: I don't have anything else, unless you have any questions.

TRAINING PACKET

Mr. Haste: The Training Packet, is there anything that needs to be approved this week?

Mr. Saylor: No.

DEPARTMENT DIRECTORS/GUESTS

Presentation of Schaffner Youth Center Certificates to the following: Ms. Pittman, Ms. Syrkes and Ms. Miller

Mr. DiFrancesco: I had the pleasure of attending an Awards Presentation in State College. This was the Juvenile Detention Center Association of Pennsylvania. To the best of my knowledge, I was told and Mr. Kern mentioned to me that Commissioners generally do not come to these events and support their people. I am glad he talked to me about it and I am glad that I went because once again what you see is a group of people that attend this conference who are not just collecting a paycheck. These are people in a lot of different areas of interest within the Juvenile Detention Facility and field that care deeply about their jobs and give a lot of heart and soul in making sure that when they touch a child's life they are having a meaningful impact. They are not there just to corral people for a little bit of time, but they are there to impact their lives to have some sort of meaning, possibly give some direction. There was one individual there that was honored who went through the juvenile justice system and this young man had some challenges in his life and came out with shining colors and probably has a bright future ahead. It was very impressive to hear him speak. It was nice that in every category Dauphin County had someone nominated. Schaffner had somebody nominated and we are honored to have a couple of those employees here today. I am going to ask as I read the name if you would stand up and then I will say what you are being honored for.

Linda Miller – Linda was nominated for nurse of the year. Again, we appreciate and applaud your service to Dauphin County and to the Schaffner Center and to the children of this County.

Yvonne Pittman – There was all kinds of kudos being handed down for this fine woman. She was nominated for individual within the field of detention and has given great service to this County. Dan cannot say enough about your character and temperament and what you do for the facility. We appreciate, again, your service to the County. It was a delight to be up there with you and to enjoy a nice dinner and socialize and talk. The Board has a Certificate that I would like to read. "In grateful recognition of your outstanding commitment to the juveniles of Dauphin County and their families. Know that your work ethic and dedication to the citizens of Dauphin County have not gone unnoticed. Thank you for your commitment to making Dauphin County a better place, one child at a time. Your professionalism, skills and compassion have made a big difference in our corner of the world and in the hearts and lives of the nation's greatest treasure."

(There was applause and pictures were taken.)

I will read some others that received nominations that are not here today. In addition, there were seven categories and we had nominations in each. The Rookie Staff Person of the year – Denise Syrkes, Staff Person of the Year – Jerome Curtis, Educator of the Year – Vanessa Shonfield and Special Program or Event of the Year – It was called a trip to the Capitol, where they actually took some of the children down to the Capitol and did a tour and Individual – Outside the Field of Detention – Sandy Krevsky.

***Chuck Mazzitti with Mazzitti & Sullivan
Report on Employee Assistance Program***

Mr. Mazzitti: We have had some discussions on ways that we might be able to provide an employee assistance program that enhances the benefit that is currently provided to the employees and family members of Dauphin County and yet keeps a close eye on the price; given the economic conditions of the County at this time. What we are proposing to offer is our entire Employee Assistance Program Benefit to all employees and their family members with unlimited utilization of services, 24 hours a day, seven days a week. Training for all supervisors, managers, and union stewards. All promotional and publicity materials and dedicated case management staff to work with human resources and department heads at the same price that you are currently paying.

Mr. Hartwick: I for one would like to make the comment that I am thankful that we had a relationship before County government, Chuck, and I know that you guys at Mazzitti & Sullivan are the best in the business. We have actually made some changes in our healthcare and this is one way that we can invest in our workforce and our people. We know your reputation and I know the plan that you presented to me, I was overwhelmed by the amount of outreach participation and education that you do for our workforce and I know of the dismal amount of participation that we currently have in the EAP Program. Less than 2% of our employees and I would like to think that it is because no one has problems, but to be honest I know that is not true. All of us have emotional issues within our family, be it drug and alcohol issues and the list goes on. Investing in our workforce making sure that we have a mentally healthy and physically healthy workforce and you providing those services to our workforce, increasing the amount of people that participate and providing help is going to mean more people at work and better active participation at work. Coming in and doing this for Dauphin County at a lower rate and in all fairness as you increase the program then maybe coming back to us and talking about that in the future is a great service to our County employees and a great service to us. We appreciate the offer and I, for one, urge my colleagues to support this next week.

Mr. Haste: Do we have a written proposal?

Mr. Hartwick: Yes.

Mr. Haste: I think it is a good offer from what I have heard verbally.

Mr. Mazzitti: As a way of comparison, we just compiled utilization statistics for the other 41 counties that we work with. The utilization for the past year was 9.4% across the Board for 18,000 employees and their families. We want to bring that here to the home County and be able to work with a lot of the people that already know and we think we can give it our best.

Mr. Hartwick: Thanks for making it cost effective in our tough times.

Mr. Tully: Can I inquire as to who the contact person is on the contract language? Would that be you?

Mr. Mazzitti: Yes.

Mr. Tully: I would like to talk to you afterwards.

Mr. Saylor: For the record, we did discuss this issue in some depth at a previous meeting some months ago and the one issue was the cost.

***Ric Martsof, Esq. and Rob Radebach, Esq.
Discussion of unmapped property in Upper Paxton Township***

Mr. Martsof: The Dauphin County Tax Claim Bureau, some years ago, the County embarked on a process to try to go out and locate all unmapped and unassessed properties in Dauphin County and eventually get them mapped and on the tax rolls. That particular program fell kind of flat and never really came to fruition. I think too much money was spent trying to make this all happen. Over the years, as entrepreneurs, such as Mr. Fogarty, come upon these properties they have assisted them in giving them some color of title in order that they can proceed to get these properties mapped and get them on the assessment rolls. Most of these unmapped properties arise from very old County Treasurer sales, back before there was a Tax Claim Bureau. Mr. Radebach would tell you in this particular instance, the property in which his client is seeking to put back on the assessment rolls was generated from a Treasurer's Sale in 1892. For that period of time this property has been unmapped and unassessed and generating no tax revenues at all. When these proposals come to us we ordinarily look back to historically what we anticipate to be the value of these properties taking into account the funds that we know are going to be expended by Mr. Fogarty and people like Mr. Fogarty in order to map these properties. Taking that into account, we then give them a Quit Claim Deed, basically saying as far as the County Commissioners are concerned we'll relinquish what interest we have on this property arising from that late 1800 Treasurer's Sale to allow you to move forward with some color of title to spend your money, to get your surveys, to file your quiet title actions in effort to get these properties on the assessment rolls. It is probably a couple years process.

Mr. Radebach: And sometimes it is a much longer process.

Mr. Martsof: That is why we are here before the Commissioners. The Commissioners obviously have title to these properties resulting from those old sales. The Tax Claim Bureau is now the trustee for the Commissioners and will be executing the Quit Claim Deeds to allow this mapping to move forward. That is why we are here.

Mr. Haste: Do you need us to take action on a Quit Claim Deed?

Mr. Martsof: No, I don't think so.

Mr. Radebach: We thought you should understand from time-to-time these come up. They happen and it is going to involve getting quite a bit of work done to put it on the record. Getting it surveyed, clearing the title because there are issues concerning ownership. Once they are on the tax maps and surveyed, it will be an improvement for the tax base. We would like to try another one. I have done 15 in probably 30 years. It is a great generator of taxes, but it is starting to clear those issues.

Mr. Haste: I am very familiar with these.

Mr. Martsof: We do have a Quit Claim Deed which Steve Howe would sign on behalf of the County to transfer the interest.

***Jennifer Storm, Director of Victim Witness
Pennsylvania Commission on Crime & Delinquency Grant Application***

Ms. Storm: I wanted to bring before you today a concept paper which I had written on behalf of our agency to start a remarketing and visibility campaign. It is a grant through PCCD offered from the Office of Victim Services out of the drug control and improvement funds. We have been in existence for almost 20 years. We are about to celebrate our 20th year this year of providing services here in Dauphin County. We have never done a marketing campaign. We never had a uniform logo or slogan and being an independent nonprofit agency it is really important that we have that. In taking this position a year ago, it was one of the goals that I put forth. One of the things that I want to do is create more of an image for our agency so that individuals know about our services, not because they are a victim of a crime, but just because they know about our services. Right now if you ask the average individual they do not know about our services. I would like to change that. This grant gives us the opportunity to do that. It is called an Organizational Capacity Building Grant. There is a 25% hard cash match. I have already taken care of that. That is not something that I am asking the County to provide. I have done some pretty good fundraising over the past year and have been able to raise about \$15,000 which will provide the hard cash match for this grant. What this will provide us with is a full interactive website for our clients to log onto and get access to referrals to get access to information, link them to other County resources. It will also be a space where community members can learn more about the history of victim rights and to learn more about our agency. It will provide us with a logo. We will be able to take all of our brochures and make them more uniform. Right now we kind of have a kaleidoscope of interesting logos and designs and pictures. We are looking to

take a more professional approach with our agency and this is what this grant will allow us to do. It is a \$36,000 grant with a \$12,000 match from our Agency bringing it to a \$48,000 total. It will help us promote the Agency. We are trying to develop an 800 number which will also assist with the Elder Abuse Task Force that we are looking to do. It will help us promote that number. We are looking to do a number of public service announcements. We have contracted locally with Bravo Group. I asked Chad if he had any good ideas about marketing firms in the area that the County had good experience with and worked with. I believe that is whom we are going to go with. Hopefully it will get the awareness out there and increase our visibility a little bit within the County.

Mr. Haste: You just need the County to be a conduit?

Ms. Storm: Yes, because we need local jurisdiction approval. PCCD requires that support, because we are the agency doing the mandated services on your behalf. They want to know that we are working together.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board support the PCCD Drug Control and System Improvement Grant Application for Dauphin County Victim Witness in the total amount of \$48,000; motion carried.

***Geoff Moomaw with Interstate Tax Service
Unemployment Compensation***

Mr. Moomaw: I have been asked to come over on behalf of your Personnel Department, not to discuss unemployment, that huge topic, but a minor topic within it called Relief from Charges. This Relief from Charge issue is a new provision available to the County as a reimbursable employer. The County as a reimbursable employer is treated differently than for profit companies. You don't pay the unemployment tax that I do or IBM does. You reimburse the County dollar for dollar for any money that the individuals receive through the unemployment system. What you have to remember is once somebody leaves your employment, it doesn't matter why they leave, but they leave your employment and go elsewhere and they earn six times their weekly benefit rate, their unemployment benefit rate, the County is removed from the decision process. Is John Doe entitled or not entitled to unemployment? You have no input whatsoever. Example - You fire someone at Spring Creek for resident abuse, we go to the Unemployment Hearing, we win. They get hired at another nursing home at the other end of the City and get laid off in six weeks because that employer shut their door, you are going to pay 100% of the unemployment benefits and you have no recourse whatsoever. That law was modified, effective January 1, 2003, to entitle reimbursement employers such as yourself to Relief from Charges. What is Relief from Charges, I call it the best of both worlds. The County doesn't pay for the unemployment benefits, but John or Jane Doe may receive those unemployment benefits. This is not a free gift from the State. In turn to the system you must make an election. You elect to pay a solvency fee, very nice word for an unemployment tax. That solvency fee is .0003 of

your gross payroll during the last fiscal year. The payroll department indicates your gross payroll was roughly \$71,500,000 ending June 30, 2004. You do the math and take that times .0003, you are asking to pay a solvency fee of unemployment tax of \$21,458. The State should notify you of that anytime. Last year when the notice came out to the County it was dated October 21st. From my information in talking to the Department of Labor and Industry it will come out approximately the same time. You make the election. You are giving yourself the ability to fight your unemployment charges better and to lower your unemployment charges more. I'll give you an example of the firing. Relief from Charges is something that your Personnel would not have to do, it is what our office would be doing for you. They keep providing me the information they are currently doing we would file all the Relief from Charges. The only additional cost is writing the \$21,000 check. The one time I used Relief from Charges is when somebody voluntarily quits. Remember a quit and a leave of absence are the same thing under the unemployment law. If someone goes on a FMLA, if someone goes on maternity leave, any type of leave or separation, voluntarily, that is not work related, I can get you relief from charges. Basically, you would pay no unemployment to anyone and I'm not saying they wouldn't get it, you would not pay the State back. You would not reimburse them. Anytime they voluntarily leave, unless it is work related. What is work related? Harassment on the job, you changed the shift, the terms of hire. Those cases are very few and far between. Believe me, I go to the hearings myself.

On the second page of the handout, is a spreadsheet. For the last eight years, we have been keeping track of what your charges are, which is your actual unemployment compensation bills on a fiscal year basis. One column over is what I call your imaginary tax account. Our firm has been tracking what your unemployment bill would be if you had relief from charges. You just do the math there and that gives you the savings out there all the way to the right. Our records indicate that if the fiscal year that ended June 30, 2004, you could have lowered your unemployment bills by \$96,000 if we had made this election last year. \$96,000 minus the \$21,000 that you would pay to be entitled to this, you are looking at a net savings of roughly \$74,000 to the County budget. I strongly encourage you, as your UC consultant, to please make this election. You can see the cost savings has gone up. Basically it is progressing up and it will continue to go up if you make the election for this year. You made a one year election. You are not tied into any long term commitment. You will have to make the same election next year for then year 2006. The tax rate, the .0003 may be revised by the Department of Labor and Industry, but you of course would be given notice and that would be part of your decision factor. That is Relief from Charges and the Solvency Fee. Any questions?

Mr. DiFrancesco: Does that .0003 apply across the Board? Does every County pay that same fee?

Mr. Moomaw: Every employer that is affected by this provision has that same rate.

Mr. DiFrancesco: So, it is not affected by your experience?

Mr. Moomaw: Why it may change is because the Department is doing a three-year study because this is a brand new thing. It was never available to you before. So, they want to see did they generate enough revenue from all employers to cover the cost that we did not recoup because you were relieved of those charges?

Mr. Hartwick: Do we currently participate?

Mr. Moomaw: No.

Mr. Hartwick: Were we presented this option last year?

Mr. Moomaw: The County was advised of it through a mailer that came out from the State. There were some brief conversations between my office and Personnel. I do recall I thought it was a good idea at that time. I don't know where it stopped from there. I know no one from our firm came over to do a formal presentation such as this. When the law was first enacted, there was information sent out in January 2003 advising all of our clients this is it please call us and we would love to do an individual story for each employer.

Mr. Haste: Could you present a package to the Solicitor's Office to review. To me, if it is as you say, it makes sense to do.

Mr. Moomaw: I can certainly send over what I have here and can give you whatever I have in writing. The reason we had to do it is if that letter is mailed to you by October 21st, you have 30 days to make payment to the State. If you make it on day 31 you know what the State will say – tough.

Mr. Hartwick: Sounds like you need to get that to the Solicitor quickly.

Mr. Moomaw: I will and Faye will hear from me via email once I know the letter has been sent from the State so I know what timeline we are dealing with.

ITEMS FOR DISCUSSION

Mr. Haste: I have to step out for a little bit. We will move into Items for Discussion. I do support Ordinance #7-2004.

Mr. DiFrancesco: The first topic is Ordinance #7-2004.

Mr. Mehok: I am here for Pete Carlucci. Working with the Dauphin County Industrial Development Authority, the County has decided that there was a need to get a new district justice office. The district justice department had identified a property at 1805 N. Cameron Street as an acceptable place to construct this office and has been for sometime working with the developer in assembling this building. So, we sent out proposals to pay for the building to 15 banks and we received proposals back from 8 banks. We had requested them to give us terms ranging from 10 years, 15 years and

20 years and a variety of interest rate options came back. Some wanted to fix it for the full term, variable rate for the full term and a variety mix of fixed rate and variable rate. The one proposal that we did get back that we found particularly interesting was a proposal from Community Banks. They were the only bank that was willing to fix rates for all three 10, 15 and 20 year terms. In speaking with both Phil Intrieri and Mike Yohe, it seems like the 10 year term seemed to be particularly attractive. What that provides for, as far as annual payments, is somewhere around \$59,000 a year. Monthly payments are about \$4900.

Mr. Intrieri: I would just add to summarize of course the Board is well aware of our efforts to build this office and this office will in fact we hope open to serve the public on November 8th. We have a time period between November 1 and November 8 during which we will be staffing and equipping that office. Essentially this financing plan is a new thing for Dauphin County. It is a way for us to think outside the box. We have a low budget impact because we are able to spread the payments out for this building over the course of 10 years. At the end of that 10 year period we would in fact own the building then for \$1.00. Those are the terms of the lease that the County will be asked to enter into with the IDA. This financing method, because it is done through an Authority, can be done by a bank on a tax free status and that effectively gives us a substantial break on the interest. I would mention that the interest rate, quoted in the RFP and was enabled to be obtained by Eckert Seamans, the law firm to arrange the financing, is 3.63%, which is an excellent rate. Again, we think this is a very favorable rate. Next week, you will also be presented with a Lease and I believe a Loan Guaranty, unless that Loan Guaranty is part of this Debt Ordinance, I am not certain. The project is moving forward. We recommend an affirmative vote.

Mr. Mehok: The Ordinance in front of you authorizes the execution and delivery of the Lease, as well as the Guaranty Agreement. As security, the Authority will be assigning its right to the Lease over to the Bank and also as further security the County will be pledging its full faith credit and taxing power. So, in essence, it would be like a General Obligation.

Mr. DiFrancesco: I don't have any financial information in front of me, was that provided? The banks and the terms, etc.

Mr. Mehok: I have some that I can provide you with right now.

Mr. Saylor: Pete Carlucci had to go out of town and prior to today he did call me repeatedly to sit and discuss the actual financials. I did not have the opportunity to do that.

Mr. Mehok: (Provided the Board with some information.) This is a memo that essentially outlines the various types of proposals that we received back. As you can see we only got responses from eight banks. All the options were provided. It was an enormous amount of information to collect. If you start with Appendix C you really get

the sense of all the different options that were provided. It starts with the 10 year, the 15 year and then it moves onto the 20 year term.

Mr. Intrieri: Of course, the bottom line for the Courts, as well as the County Commission, is that Community Banks was able to offer the best and lowest interest rate under this RFP at 3.63%. That is the first page of Appendix C.

Mr. Hartwick: The reason a vote is requested today?

Mr. Mehok: Under the Debt Act, it takes about 20 days for debt to be approved. In order to stay on the time line, we sort of pushed for a decision today.

Mr. Saylor: Commissioners, you may recall that I did present this very generally last week and that because of the timing we would have to Workshop it last week at the Legislative and approve it this week.

Mr. Hartwick: This clearly is the best way to finance the project. We are in support of that just as long as we are comfortable with the financials. I support it.

Mr. DiFrancesco: I just wanted to see it before we go committing.

Mr. Mehok: I think it is also important to point out that Community Banks proposal there is no prepayment penalty. So, in the event that interest rates would drop further it would not cost the County anything to refinance to take advantage of better rates in the future, where a lot of the proposals came back requesting a 1% penalty, etc.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board adopt Ordinance #7-2004, which is outlined as follows. (Mr. Haste has indicated that he is in support of this Ordinance.)

AN ORDINANCE

OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DAUPHIN, PENNSYLVANIA DETERMINING TO INCUR DEBT IN THE AMOUNT NOT TO EXCEED \$500,000; DETERMINING THAT SUCH DEBT SHALL BE INCURRED AS LEASE RENTAL DEBT TO BE EVIDENCED BY A GUARANTEED LEASE REVENUE NOTE, SERIES OF 2004, TO BE AUTHORIZED AND TO BE ISSUED BY DAUPHIN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY; BRIEFLY DESCRIBING THE PROJECT FOR WHICH SAID DEBT IS TO BE INCURRED AND SPECIFYING THE REALISTIC USEFUL LIFE OF SAID PROJECT; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THE COUNTY TO EXECUTE, ATTEST, SEAL AND DELIVER, AS APPROPRIATE, (I) AN AGREEMENT OF LEASE, BETWEEN SAID AUTHORITY, AS LESSOR, AND THE COUNTY, AS LESSEE, AND (II) A GUARANTY AGREEMENT WITH RESPECT TO AFORESAID GUARANTEED LEASE REVENUE NOTE; APPROVING THE FORMS OF SAID AGREEMENT OF LEASE AND SAID GUARANTY AGREEMENT; AUTHORIZING AND DIRECTING THE CHAIRMAN OR VICE CHAIRMAN OF THE BOARD OF COMMISSIONERS AND THE CHIEF CLERK OF THE COUNTY TO PREPARE, VERIFY AND FILE, AS APPLICABLE, THE DEBT STATEMENT, THE BORROWING BASE CERTIFICATE TO BE APPENDED TO THE DEBT STATEMENT, AND OTHER APPROPRIATE DOCUMENTS REQUIRED BY THE LOCAL GOVERNMENT UNIT DEBT ACT [53 PA. C.S. § 8001 ET SEQ.]; SPECIFYING THE MAXIMUM LEASE RENTALS TO BE PAID BY THE COUNTY PURSUANT TO SAID AGREEMENT OF LEASE; GUARANTEEING PAYMENT OF THE PRINCIPAL OF AND INTEREST ON AFORESAID

GUARANTEED LEASE REVENUE NOTE AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO; SPECIFYING THE MAXIMUM AMOUNT OF THE GUARANTY OBLIGATIONS OF THE COUNTY PURSUANT TO SUCH GUARANTY AGREEMENT; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE COUNTY WITH RESPECT TO THE GUARANTY AGREEMENT; AUTHORIZING PROPER OFFICERS OF THE COUNTY TO EXECUTE ALL REQUIRED, NECESSARY OR DESIRABLE CERTIFICATES AND DOCUMENTS IN CONNECTION WITH SAID LEASE RENTAL DEBT AND THE PROJECT; AUTHORIZING PROPER OFFICERS OF THE COUNTY TO TAKE ALL OTHER REQUIRED, NECESSARY OR DESIRABLE ACTION IN CONNECTION WITH SUCH PROJECT AND THE EXECUTION, DELIVERY OR ACCEPTANCE OF SAID AGREEMENT OF LEASE AND SAID GUARANTY AGREEMENT; PROVIDING FOR THE EFFECTIVENESS OF THIS ORDINANCE; PROVIDING FOR THE SEVERABILITY OF PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR THE REPEAL OF ALL INCONSISTENT ORDINANCES OR RESOLUTIONS OR PARTS OF ORDINANCES OR RESOLUTIONS.

(The entire Ordinance is on file in the Commissioners' Office.)

Mr. DiFrancesco: Other Items for Discussion – Item B. Adopt Resolution #29-2004 authorizing the allocation of un-programmed funds to the Borough of Berrysburg from the Community Development Block Grant Program (CDBG).

Mr. Connor: We discussed this back in July. I have a guarantee from Bob Kissinger of Glace Associates. The Commissioners indicated that they wanted a guarantee that with the housing unit over the top of the pump that it wasn't going to freeze again. I have a written guarantee from him that once the structure is built it will not freeze. Basically, we need a motion to move forward and we can allocate these funds. The environmental review process has been done and is completed. Commissioner Haste has signed off on that.

Mr. Hartwick: One message to the Engineer to make sure that they answer and ask these questions and your responsibility in the future to make sure that they are considering all the factors including, can you believe it, weather, when they put together a project that is outside so we don't have to spend additional resources in order to take care of a problem that we have already resolved.

Mr. Haste: Right.

Mr. Connor: In 1999, I was not here.

Mr. DiFrancesco: It is great for them to guarantee it, but how much substance does that guarantee have? What teeth does it have if in fact it doesn't work will he step in to take care of this problem and resolve it on his dime rather than our dime.

Mr. Hartwick: Bill, did you review this?

Mr. Tully: It will be before next week.

Mr. DiFrancesco: Next item is C – Approval of a Small Business Loan from a Revolving Grant Program with Dauphin County Community & Economic Development Small Business Loan Program. Any questions?

Mr. Hartwick: I have given this some serious thought and I am going to have a difficult time supporting this. Not because I don't think we should be investing money into our business community in allowing them to develop and be in a position to succeed. I think we open up a big can of worms if we start subsidizing any individual folks and other jewelry stores in Dauphin County. If other stores hear about this they are going to wonder why they didn't receive any loans from the Dauphin County Community and Economic Development Small Business Loan Program. From my understanding there is only \$116,000 available in these funds.

Mr. Connor: No, it is \$164,409. It is in the Controller's Office under the Revolving Loan Agency Fund. Apparently this loan program was created in 1984. The money has been sitting there for over ten years. Mr. Serhan has indicated that they are going to leave the funds under the Controller's Office and basically per your permission we would request the money from the Controller's Office and they would cut the check directly to the applicant for the loan program. This is something that we talked about before and this is something that you wanted to do as far as to create a business loan program. The money was already available and also through CDBG next year our goal is to take a percentage of the allocation and create another loan program off of that.

Mr. Hartwick: You are absolutely correct that I wanted to create a loan program. I want to invest in the appropriate ways. The only issue that I have here is one, we should advertise and try to take a look at the actual program and then take a look at what our investment strategy is into these small businesses in order to offer a fair and equitable way to make the investment and show the largest impact for the loan that we actually issue. In this case, I just view ten different jewelry stores coming to us and saying can we get a piece of the pie, we also need to supplement our supply for this holiday season. Again, Mr. Bello is a great guy and it is nothing in relation to him. I just have a concern about how this opens up a can of worms for other folks. In the future, once we think about how we can advise folks that the money is available, lets make this a competitive process to give the Commissioners an opportunity to take a look at several folks who are in the position to need this loan money and make a decision based upon the best applications.

Mr. DiFrancesco: I agree with Commissioner Hartwick when I saw the loan application come in. Is this the highest and best purpose for this money? I guess in my mind I looked at a couple factors that I guess lead me to consider or support this loan. First of all the gentleman applying for the loan invested money in what I believe was either a vacant building or a vacant store front. He is reinvesting in downtown Harrisburg, which gives him some points right there. The fact that the loan is fully collateralized with the product and the fact that the loan is really only a gap loan until March 1, 2005, I would look at this and evaluate this loan and say this is absolutely not the highest and best purpose. I would look at it and say that I do not want to start a trend of loaning money out for this particular reason. I think we can use it for much better purposes. I guess the reason I am making it different is because it was local investment downtown and because there are not any other requests for the dollars right now and even if we got

the requests the chances are through the process we wouldn't turn around and loan that money out before March 1, 2005 any way or at least not all of it that was remaining. For those reasons I am seriously considering it because I would rather have the money out for some purpose of economic development rather than sitting in the fund in the Controller's Office doing no good in the community. This was a wrestling match. When they first handed this to me I didn't know how to take it . Given the facts, I am looking at it in two ways. It is to help vitalize downtown Harrisburg and it is sort of the kick-off in getting the loan fund started. It gives us the opportunity to turn it on and again I agree with Commissioner Hartwick that from here on out we should be out there actively and aggressively looking for opportunities.

Mr. Connor: We will be.

Mr. DiFrancesco: We have a lot of people trying to do a lot of things in some of our small boroughs. They are trying to revitalize their downtowns. If there is some way that we can find them, maybe an entrepreneur who is willing to invest in some of these communities, bring businesses in, if this fund can be the deciding line between them getting funding and carrying a business plan forward, and then basically not being able to start up a new business then those are the types of things that we really need to see because they are the ones that will spin off once this loan is long paid off and back they are still generating jobs in the community and they are still generating tax dollars that are going to come back to us. Those are the types of programs that we really need to be looking for.

Mr. Hartwick: One thing that is true if he defaults on the loan that means new watches for the whole workforce.

Mr. DiFrancesco: We all hope that doesn't happen.

Mr. Connor: With the CDBG loan that we are going to create, that would be for businesses outside the City of Harrisburg. Since this money is old State CDBG money, we are not required to report on it to HUD, which we would have to for the CDBG. We can use this money wherever we want, within Dauphin County.

Mr. Hartwick: We will be developing a strategy on how to get the message out that the money is available.

Mr. DiFrancesco: And how fairly this Board will judge future applications when it does become competitive.

There is no presentation for Item D. Is there a presentation on Item E, which is a proposal for professional services between Dauphin County and Navarro & Wright Consulting Engineers to prepare a County site for subdivision in Swatara Township?

Mr. Saylor: You basically took away my discussion points. We accepted proposals to do the work on a plot of land that sits behind the nursing home, off of 441.

Mr. Memmi: It is on the backside of Spring Creek, off of 441. It is a residual piece of property and at the direction of the Board of Commissioners and Chad, we went out and solicited proposals from two engineering firms to subdivide this plot. So, at your direction at whatever time you feel appropriate, we might be able to market it to a leasing purpose. It would provide a revenue stream to the County that would be perpetual.

Mr. DiFrancesco: This project provides us with a great opportunity. One of the first steps that we can take towards marketing this piece of property is to determine the road that goes up over the hill behind Spring Creek, which I can't remember what the name of the street is on that side. The alley right by DJ Yanich's Office. One of the first nice steps that we could do is possibly look at using some of our liquid fuels money to take away the grand canyon that happens to be blocking that entire road. We may want to look into that and see if it is a municipal road or a private drive that is ours.

Mr. Cohen: The road is half the County and half Swatara Township. The stop sign down to 441 is the Township's and the stop sign to Paxton Street is ours.

Mr. DiFrancesco: We may want to take a serious look at using some of the County's liquid fuels money to repair that because that road is in absolute disrepair, without even getting into the whole Gibson Street issue, which the Township right now is repairing. We need to take a hard look at some of our facilities and make sure we are doing the maintenance on the roadways, where it is our responsibility.

Mr. Saylor: Would this be a good job for the County engineer to take a look at?

Mr. DiFrancesco: Have you done any leg work on that already?

Mr. Cohen: The road that leads from Paxton Street to the stop sign actually was paved in sections. The road that leads from the stop sign out to 441 was not repaired.

Mr. DiFrancesco: Someone needs to look at that to get that repaired. In terms of this project, are there any other questions? (There was none.)

Item F is an appointment, which will require no further discussion.

Mr. Hartwick: It is just Edna Baehre stepped down as the representative from HACC and we are asking that Nancy Rockey replace her on the Board.

SOLICITOR'S REPORT

Mr. Tully: We have submitted the Solicitor's Report for the week. There are no additions and we would be happy to answer any questions.

Mr. DiFrancesco: Again, the Solicitor's Office will be prepared for Election Day?

Mr. Tully: As a matter of fact, we will have more coverage than ever in the past. We are ready for the historical moment.

Mr. DiFrancesco: We don't want the nation's attention turned on Dauphin County that evening.

Mr. Tully: As long as I don't have to be in Court that day.

Mr. DiFrancesco: Can we note for the record that we don't want to have criminal court any more or any court sessions during election days. Can we note that for the record. Any other comments or questions? (There were none.)

CHIEF CLERK'S REPORT – CHAD SAYLOR

Mr. Saylor: I have nothing.

COMMISSIONERS' COMMENTS

Mr. Hartwick: David Daniels of the Area Agency on Aging and the volunteers who have been working through this flu shot vaccination process deserve our gratitude. They have done an outstanding job and the volunteers that make up his staff are just remarkable. I witnessed them at the Heinz Menaker Senior Center having to talk to a 90 year old woman to turn her away from getting a flu shot and making sure that these people are given the appropriate information and taken care of. We do the follow-up and try to put them on track to receive those flu shots in the future. It is a very difficult and challenging job and they do it with grace and a real concern for the people they serve. I want to thank them publicly for their efforts.

Mr. DiFrancesco: This morning I met with some folks from the Bush campaign, who contacted me to discuss our strategy for Election day to make sure everything runs smoothly. The meeting went extremely well. I already turned around and reached out to the Democrat State party and will be reaching out to the Kerry Campaign and the Republican State party as well. What we are trying to do is as effectively and efficiently as possible go over any concerns that people may have ahead of the Election so we can be prepared for everything during the Election. It was time well spent this morning.

PUBLIC PARTICIPATION

Mr. Williams: I want to commend the County Commissioners on the fine job you did as far as reporting on the flood disaster. You got on television and gave some suggestions on what to do. I want to encourage you to do that.

The second thing that I would like to bring up, I just need a correct spelling when I do my report. The SURE system for the State Election.

Mr. DiFrancesco: S.U.R.E.

Mr. Saylor: I'm not quite sure what it stands for, but we can get that for you.

Mr. Williams: When I go to different meetings I make up reports on what the meeting was about and I send it out by email to people that are interested.

Mr. DiFrancesco: As you leave the building today, stop by Voter Registration and they will provide that to you.

Mr. Williams: I am trying to understand the Sheriff Sale System, where a person for some reason doesn't pay their taxes their property is put on the lien list and somehow it progresses to a Sheriff's Sale. I was hoping that I could talk to someone to get that kind of information.

Mr. Hartwick: I would be glad to provide that information directly to you after the meeting.

Mr. Williams: Is there a report that the County puts out to the city, townships and boroughs where you could take the property lien list and match it with another data base to put together an age report on the owners who own that property. My concern is this. As budgets become tighter because of the economy there is going to be more people put on the lien list and I have a feeling that a lot of these people will be people who have paid on their houses for 30 or 40 years and are now suddenly 80 or 90 years old and now can't pay the taxes. I am starting to wonder if those people will be put out in the street.

Mr. Hartwick: Thanks for bringing that up and that is something that we just completed for the first time in the County with our over 51,000 senior citizens in Dauphin County. We now have a system where we cross reference every senior with the actual tax sale. Any time we identify someone who is in the position to lose their home we have contacted them directly. We offer support and we talk about the tax deferral system for seniors and we also provide references to other organizations that may be able to assist them to get them off the tax rolls. We take one additional step in the County now because of the Helene Shue incident where she was notified, but no one ever contacted her directly. We are going to make sure that doesn't happen again in Dauphin County. As you indicated taxes continue to go up and unfortunately seniors income does not go up. They are on fixed incomes and they paid on the house and it is reassessed at a higher value and they simply can't afford to be in their own home. We are now contacting those individuals to try to provide the support necessary to notify family members and other folks to make sure they have every resource possible. That doesn't mean that we are going to find all the answers and there may be unfortunately some people that lose their homes, however, we are providing all the support necessary and referral necessary to those seniors at this point.

Mr. Williams: So you do have some type of report that cross references.

Mr. Hartwick: We now have a data base with every one of our senior citizens and we take that and actually Tom Guenther has developed a software solution that we will be implementing to be able to automatically cross reference the actual data base that lists all of our seniors with the actual upset tax sale list.

Mr. Williams: Would this information be available to the Harrisburg City Council, if they requested it?

Mr. Hartwick: I don't see anything that we do in government that is not available publicly.

Mr. Williams: I want to apologize for the way I am dressed, my wife told me I had to get the yard work done before she comes home.

Mr. DiFrancesco: You are always welcomed to be dressed comfortably when you come before us.

Mr. Tully: One point of clarification. You mentioned Sheriff's Sale, just so there is no confusion. The tax sale is what the County participates in as other municipalities if taxes are not paid where we are accessing that information. The Sheriff's Sale is the mortgage company goes after the owner. We have no control over that. The tax sale is what the County participates in. They are two entirely different things. If taxes are delinquent the taxing agency issues a tax sale. On a Sheriff's Sale, the mortgage company holds a judgment and forces the sale of that. The County plays a role in that the Sheriff makes sure everything is done.

Ms. Dreikorn: I have a form for an internship. This is where I give my Central Penn College the information of my internship site and it asks if this site would like to be placed on the Central Penn Business Administration Division's Internship Faculty List. What that is, Dauphin County Administration Building and all of the departments would be placed on the list for Central Penn and it would refer graduating students as a possibility for an internship. I would need your signature on that. The other form I have is an agreement to where it states...

Mr. Hartwick: You can actually give it to the Solicitor's Office for their review and that can be taken care of by the oversight Commissioner.

Mr. DiFrancesco: That will be fine. I am sure there will not be any problems. One of the things that we have been committed to is trying to open up internship opportunities throughout County government.

Mr. Hartwick: We serve as the location of internship for other places.

Mr. DiFrancesco: How is your experience so far?

Ms. Dreikorn: I love it.

ADJOURNMENT

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

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