

## Commissioners' Board Meeting Minutes March 28, 2013

The Berks County Board of Commissioners met in regular session on Thursday, March 28, 2013, at 10:00 A.M. in the Boardroom on the 13th floor of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Christian Y. Leinbach called the meeting to order with Commissioner Kevin S. Barnhardt and Commissioner Mark C. Scott in attendance. Also present were Solicitor Alan Miller, Chief Operating Officer Carl E. Geffken and Chief Clerk Maryjo Gibson.

Commissioner Leinbach opened the meeting with a moment of silence and Pledge of Allegiance to the Flag.

**Presentation** *(Due to technical difficulties experienced by BCTV, the Presentation was held at the end of the meeting.)*

George Kovarie, Executive Director of Berks County Children and Youth Services (BCCYS), Dr. Edward Michalik, Berks County Mental Health/Developmental Disabilities (MH/DD) Administrator, Kathy Monroe, Executive Director of Area Agency on Aging, and George Vogel, Executive Director of Council on Chemical Abuse, attended the meeting and presented a snapshot and highlights of their Department's missions, functions and services in anticipation of Human Services Work Week, April 1-5, 2013. Mr. Kovarie commented that the BCCYS mission is to protect children from physical and emotional harm as provided by law, and to strengthen and preserve and empower their families. Dr. Michalik reported that this year MH/DD will service approximately 31,000 people, and he operates with a budget of \$96.5 million. Dr. Michalik commented he has a staff of nine employees, and is one of the smaller administrative staffs in Pennsylvania. Dr. Michalik reported that his Office provides jobs to hundreds and thousands of County residents through the Providers the County contracts with. Dr. Michalik mentioned that this is the first time he can remember that CCAP (County Commissioners Association of Pennsylvania) has had Human Services as part of its platform and considers it very critical to continue to put Human Services at the forefront. Dr. Michalik further commented that there is currently a bill in Harrisburg to change the name from Department of Public Welfare to Department of Human Services. George Vogel commented that on a yearly basis his office sees about 4,500 people knocking on his door to get into treatment, which excludes commercial insurance clients and Medicaid recipients. Mr. Vogel reported that their mission this year is to increase visibility by working within high schools in the name of prevention, and estimates they have already had contact with almost 10,000 Berks County students. Mr. Vogel commented that what they do in the name of prevention must be curriculum based, and every grade level there are opportunities for schools to develop young kids into drug free adults. Kathy Monroe commented that her office could potentially serve about 80,000 senior residents of Berks County. This past year Ms. Monroe stated her Agency serviced about 5,600 seniors and conducted 2,400 assessments. Ms. Monroe reported the Area Agency on Aging has contracts with about 80 to 100 service providers, and that her

Office is responsible for the planning, development and implementation of the services and programs that serve the seniors throughout Berks County. Ms. Monroe stated the Area Agency on Aging Offices' primary responsibility is keeping seniors safe and their goal is keeping individuals in their home as long as they can without placing them in a facility. Ms. Monroe announced that in order to be available to the general public her Office has four satellite offices located in Oley, Robeson, Fleetwood and Strausstown.

### Approval of Minutes

The minutes of March 21, 2013 Commissioners' Board Meeting were approved as presented.

### Agenda Items

1. A motion was made by Commissioner Barnhardt, seconded by Commissioner Scott, and all voted unanimously to approve the items listed below including the addition of Resolution No. 92-13, which was brought up from the floor:
  - 86.13 Adopt a resolution authorizing 2013 Budget Transfers in the amount of \$363,434.00 per listing dated March 25, 2013.
  - 87.13 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute, as a result of Invitation to Bid #13-06-MB, a contract for Paulus Bridge Maintenance Bridge 73B Upper Tulpehocken Township as follows:  
Arthur "Pat" Aungst, Inc.  
45 Tremont Road  
Pine Grove, PA 17963  
Total Base Bid: \$43,420.00
  - 88.13 Adopt a resolution authorizing execution of Change Order No. 01-15 to the Pyramid Network Services, LLC Contract in the amount of 43,571.83 for the Alsace Tower extension for the Berks County Public Safety Radio Project.
  - 89.13 Adopt a resolution authorizing execution by Christian Y. Leinbach, Commissioner Chair, of the Certification of Estimated Costs for Pennsylvania Public Library Local Effort Credit, Office of Commonwealth Libraries – State Aid Unit for calendar year 2012.
  - 90.13 Adopt a resolution authorizing execution of the Commercial Signature Card for National Penn Bank which grants signatory authority to the Board of Commissioners, the County Controller and County Treasurer for the Department of Emergency Services checking account.
  - 91.13 Adopt a resolution authorizing execution of a letter of support to the Berks County Legislative Delegation supporting budget restoration of both PADEP and PAD line item funding for

Conservations Districts for FY 2013-2014. Commissioner Leinbach commented this addresses is last year's Marcellus Shale impact fee money was distribute last year. The administration decided to take that money and pull out of the line item budget and conservation districts are asking that line item be restored.

As a result of a meeting last evening attended by Commissioner Leinbach, a request was made by the Agricultural Land Preservation Board, and in conjunction with legislation introduced by Rep Miller, to send a letter of support for House Bill 84 which would no longer require that preserved farms be inspected every year, but would be inspected every other year and halve the cost that Ag Land Preservation currently spends on the annual inspections. Commissioner Barnhardt and Commissioner Scott agreed to sign the letter, and all agreed to adopt a resolution of support.

- 92.13 Adopt a resolution authorizing execution of a letter of support for HB 84, sponsored by Representative Ron Miller, to amend Act 43 Agricultural Security Area Law that administers the Agricultural Conservation Easement (ACE) Program, to allow counties with ACE Programs to inspect preserved farms once every other year except in the case of transfer of ownership, change in farming operation or a violation of the easement or conservation plan has occurred.
2. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated March 25, 2013.
3. Motion to authorize payments set forth on Controller's Office vouchers listing dated March 26, 2013 for the week ending March 27, 2013.

### **Reports**

1. County Treasurer Nelson Long, CPA submitted a prepared weekly Treasurer's report.
2. The Controller's weekly report was presented by County Controller Sandy Graffius. Ms. Graffius reported that the Treasurer's Office and Controller's Office are continuously attempting do more wire transfers and to cut back on the amount of check distributions in order to reduce the amount of paper use. Ms. Graffius pointed out that today's report it is almost 50/50.

### **REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER**

1. Carl E. Geffken recognized that the Berks County Area Agency on Aging collaborates in a joint program with the Berks County Department of Veterans' Affairs in the intake process. Mr. Geffken again reminded the public of the Auction to be held April 5, 2013 beginning at 8:30 a.m. to be held at the Reading Fairgrounds, and is open to the public.

2. Robert J. Patrizio reported there will be an update from RACC of its' long term vision; a discussion with Aging related to service providers; and an update from Facilities on the redesign of the entrance to the Services Center.

### **COMMISSIONERS' COMMENTS**

Commissioner Barnhardt provided an update on the proposed TIF project in Leesport discussed last week, and that this afternoon he will be meeting with Ontelaunee Township officials to have a conversation regarding Orchard Lane, which is located in Ontelaunee Township. Commissioner Barnhardt reported Leesport is committed to the Peach Tree extension. Commissioner Barnhardt commented he also had a conversation with the Reading Northern Railroad representatives as there will be two crossings to take into consideration. Commissioner Barnhardt commented he received the update to the hotel room tax study, as the original document that was delivered in December had some information missing. Commissioner Barnhardt commented the analysis is complete and includes daily occupation rates and monthly occupation rates over a two year period correlating to activities and events at the Sovereign Center. Commissioner Barnhardt reported he has distributed the reports to Commissioner Leinbach and Commissioner Scott and the report is also available for public inspection. Commissioner Barnhardt suggested a healthy discussion take place shortly at a Commissioners' Meeting on the hotel room tax proposal on which way to proceed.

Commissioner Scott provided an update from last week regarding the discussion at the budget meeting of the potential impact of Obamacare on County employees and finances, and is happy to report the impact is not as onerous as he originally expected. Commissioner Scott commented that on the subject of the Ag Land Preservation, he agrees with the proposal to conduct inspections every other year. Commissioner Scott commented that one concern of his is that some of the regulations promulgated at the state level are concerning to him in regard to economic liberty and residential liberty. Commissioner Scott offered his reasons for his concerns.

Commissioner Leinbach commented on the potential impact of Obamacare and focused his discussions on the "Cadillac" tax, which he believes kicks in 2018 and was discussed at the Budget meeting, and it is not clear whether it is a tax on the individual or the business. Commissioner Leinbach reported that the unions talk about fighting the imposition of this tax, and commented the County will fight the imposition of the tax as well. Commissioner Leinbach discussed a situation he became aware of regarding Barry Schlouch, owner of Schlouch Excavating, regarding a group International Union of Operating Engineers Local 542 members who are targeting his home and community with flyers, and continued to a point where a letter had to be sent from Mr. Schlouch's attorney to the Union demanding a cease and desist order. While Commissioner Leinbach commented freedom of speech is important, it doesn't include intimidation and harassment.

There being no further business, the meeting adjourned at 11:22 A.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk