

Commissioners' Board Meeting Minutes September 22, 2016

The Berks County Board of Commissioners met in regular session on Thursday, September 22, 2016, 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 in attendance. Commissioner Scott was absent. Also present were County Solicitor Christine M. Sadler, Chief Administrative Officer Ronald R. Seaman and Chief Clerk Maryjo Gibson.

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

PRESENTATIONS

1. Ryan Hunter, Director of Facilities and Operations, presented the PowerPoint program of the proposal by Berks County to enact an Ordinance imposing a \$5 Fee for Local Use under Act 89, that would allow the County of Berks to assess a \$5 fee for each nonexempt vehicle registered in Berks County that can only be used toward the construction, reconstruction, maintenance, safety improvements and repairs to public highways and bridges. Mr. Hunter reported Berks County owns 59 bridges, and currently 25 are structurally deficient, 9 bridges are functionally obsolete, and 19 bridges are over 100 years old. Mr. Hunter reported that in 2014 the Planning Commission estimated there were 383,500 non-exempt vehicles in Berks County, and if enacted, the County could realize potential funding in the amount of \$1.9 million (100%). Mr. Hunter reported Berks County does receive other funding for bridge maintenance, including funds from Liquid Fuels, which is the tax we pay at the pump; Act 13, the Marcellus Shale tax which is specifically earmarked for transportation and can only be used on structurally deficient bridges; Act 44 funds and Federal and State funded projects with a typical match of 80% federal, 15% State and 5% local. Mr. Hunter commented if implemented, the \$5 fee could provide funding for at least one major bridge replacement a year, and the fee is equitably generated by those who use the roads and bridges.

Commissioner Leinbach commented a critical slide for the public to be aware of shows the Recent Capital Activity that shows a lack of focus and use of Liquid Fuel funds, which up until 2008 almost all Liquid Fuel funds received by the County were distributed to the local municipalities, which meant the County was not maintaining its own bridges. Commissioner Leinbach commented when this Board took office in 2008, we were so far behind, and stopped giving funds away and started the process of repairing and rehabilitating or eliminating County bridges. Commissioner Leinbach commented if this fee is not implemented, the money to repair and rehabilitate the County bridges will have to come out of the General Fund and will most likely move up the date of any proposed tax increase and it will become necessary to impose weight restrictions and close bridges for

long periods of time. Commissioner Leinbach commented we can look at this as what makes the most sense, a one-time yearly fee of \$5.00 or use of property taxes.

Commissioner Barnhardt followed up on Commissioner Leinbach's comments by reporting over the last few years the County has removed one bridge, is in the process of removing another bridge this year, and is working on turning over two bridges to local municipalities. Commissioner Barnhardt commented that one County bridge, Wiley's Bridge, an historical "wipple" steel bridge, the County is looking at other funding mechanisms with PennDOT to rehabilitate the Bridge for pedestrian and biking use.

Alan Piper, County Planner, commented Berks County's percentage of federal funds is much higher than most other areas, and if we implement this fee we will be doubling the amount we have and it would make it easier to do two bridges a year and maintain the existing bridges the County owns.

Berks County Controller Sandy Graffius questioned how much does the County receive from the Marcellus Shale tax. Commissioner Barnhardt replied it is 16% down from last year, and depends on the price and varies on distribution within the State.

Berks County Recorder of Deeds Fred Sheeler asked how much Liquid Fuel tax money we get from the State. Ryan Hunter replied the County's allocation is based on a very antiquated formula routed in the number of vehicle registrations for calendar year 1928, 1929 and 1930.

Berks County Clerk of Courts James Troutman asked if this is a Commissioner decision or a referendum. Commissioner Leinbach replied it is a Commissioner decision, and this is one of the reasons we are going out of our way to get this information out there.

2. Jason Brudereck, Director of Communication for Berks County Community Foundation, announced the next *Consider It* programs and dinner will take place on Monday, October 10, 2016 at the Crowne Plaza, Wyomissing. The forum will deal with the implications of the potential decriminalization of possession of marijuana as a result of Pennsylvania legalizing medical marijuana. The forum is sponsored by the Berks County Bar Association and is Co-Chaired by Senator Judy Schwank and Commissioner Leinbach. Mr. Brudereck commented this forum will bring together national leaders to promote thoughtful discussions of a divisive local and national issue, and is not a fundraiser, but an educational forum. Mr. Brudereck commented more information and registration forms are available at the Foundation's website; www.bccf.org.

Approval of Minutes

The minutes of September 15, 2016 Commissioners' Board Meeting were approved as presented.

Agenda Items

1. A motion was made by Commissioner Barnhardt, seconded by Commissioner Leinbach and all voted unanimously to approve the items listed below:

265.16 Adopt a resolution authorizing 2016 Budget Transfers in the amount of \$220,047.00 and 2016 Appropriations in the amount of \$769,663.00 per listing dated September 19, 2016.

266.16 Adopt a resolution authorizing Human Resources Recommendations per listing dated September 22, 2016 as follows:

1. Authorize the appointment of Alexandria Diem to PC012945 Human Resources Administrator – Human Resources Department, effective 10/5/2016. Rate of \$38,000/annually. Salary range Minimum \$37,751; Midpoint \$50,334; Maximum \$62,918. Replacement for Kristen Gumble who transferred. This request meets the criteria of the Hiring Policy. Budget 10000 – 11410.

267.16 Adopt a resolution authorizing execution of Engineering Services Agreement No. EA-181417-16 between the County of Berks and ARRO Consulting, Inc., Wyomissing, Pennsylvania to provide construction administration and construction engineering services for design and bidding services for improvements to the Berks County Jail Main Entrance and the Service/Staff Entrance, at the not to exceed amount of \$61,800.00, excluding reimbursable expenses and permit fees.

268.16 Adopt a resolution ratifying, confirming and approving Janine Quigley, Warden at the Berks County Jail System, to execute the Memorandum of Understanding between the Berks County Jail System and Chester County Prison for the housing of youthful inmates at Chester County Prison, as defined in 28 C.F.R. §115.14 and to comply with PREA (Prison Rape Elimination Act) regulations regarding the incarceration of youth.

269.16 Adopt a resolution approving in accordance with the Memorandum of Understanding between the County of Berks and Adopt An Acre, Inc. dated June 23, 2009, the County of Berks to be Co-Grantee along with Adopt An Acre, Inc. of a preservation of agricultural easement for property owned by Robert A. and Kristin D. Stoltzfus, 448 Kricks Mill Road (PIN 4349-00-72-3365), North Heidelberg Township, Berks County, Pennsylvania. A preservation of agricultural conservation easement on this parcel is consistent with the Berks County Comprehensive Plan.

- 270.17 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Self-Insurance Application Certification and Attestation for the County's Self-Insurance Renewal Application with the Pennsylvania Department of Labor and Industry.
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 September 21, 2016. Commissioner Leinbach reported there are 6 contracts and referenced the departments.
 3. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated September 20, 2016 for week ending September 22, 2016 and the payment of electronic transfers and employee payroll.

Reports

1. County Treasurer A. Dennis Adams, CPA submitted a prepared weekly Treasurer's report.
2. The Controller's weekly report was presented by County Controller Sandy Graffius.

REPORT OF CHIEF FINANCIAL OFFICER

Robert J. Patrizio reported there will be an update of the Capital Plan for the Jail, and a select discussion of the 2017 Budget.

REPORT OF CHIEF ADMINISTRATIVE OFFICER

Ronald R. Seaman had no comments.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt thanked Governor Wolf for coming to the Reading Regional Airport last Friday to kick start the development of the new industrial park for non-aviation use, but as stated in the paper this morning, it will threaten where the Reading Buccaneers have practiced for years. Commissioner Barnhardt commented he is searching for alternative locations and asked if anyone has suggestions as to practice locations to contact him.

Commissioner Barnhardt reported at the SCTA ("South Central Transit Authority") meeting last night the Board announced the difficulty the Authority is having in finding replacements due to retirements in repairing and maintaining diesel engines of its buses. Commissioner Barnhardt commented Red Rose is planning on donating old buses to the local technical career schools in hopes of teaching students how to work on these buses; it's a great use of old buses and is a great learning tool. Commissioner Barnhardt reported both BARTA and Red Rose announced potential bus route changes. A discussion on the route changes will be take place at a public meeting scheduled October 18, 2016, and they are currently in a comment period.

Commissioner Barnhardt reported yesterday he and his Executive Assistant Katie Daley accompanied Kim Fies, Penn State Extension Service, on a tour of local farms in Perry, Windsor and Ontelaunee Townships, and it was a pleasure to meet and talk with the people that are dedicated to farming and that make this a great County.

Commissioner Barnhardt announced there would be an Election Board Meeting immediately following the Commissioners' Meeting to approve absentee and voter machine ballot layouts.

Commissioner Scott was absent.

Commissioner Leinbach announced the deadline to register to vote for the November 8 Election is October 11, 2016, and there is a need for additional poll workers to work inside the polls.

Commissioner Leinbach commented yesterday he was made aware by the Director of Election Services of an issue that a number of counties are facing. Commissioner Leinbach commented a group called Voter Participation Center is mass mailing to registered voters a misleading official looking mailer and gives already registered voters the impression they must register again. Commissioner Leinbach commented this puts more work on an already very busy Election Department.

COMMENTS FROM THE FLOOR

Berks County Clerk of Courts James Troutman asked if any law enforcement representatives will be at the *Considerate It* forum to hear their point of view. Commissioner Leinbach replied he is not sure.

There being no further business, the meeting adjourned at 11:00 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk