

**Commissioners' Board Meeting**  
**Thursday, November 4, 2004**

The Berks County Board of Commissioners met in regular session on Thursday, November 4, 2004 at 10:30 AM in the Board meeting room on the thirteenth floor of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Judith L. Schwank called the meeting to order with Commissioner Thomas Gajewski and Commissioner Mark Scott in attendance. Also present were the Chief Clerk Terry L. Styer, Solicitor Alan Miller, and County Administrator, William E. Dennis.

The Commissioners' Meeting Minutes for the October 26, 2004 Commissioners' Workshop Meeting as well as the October 28, 2004 Commissioners' Meeting were approved as published with a motion made by Commissioner Gajewski seconded by Commissioner Scott and all voted yes to approve.

**PROCLAMATIONS/CERTIFICATES/PRESENTATIONS:**

Commissioner Gajewski presented a Certificate of Recognition to Jim Moorman, Facilities Manager and the Facilities Department Staff for their efforts during the recent power outage in the Government Services Center.

Commissioner Gajewski presented a Certificate of Recognition to Michael Milanowski, Risk Management Director for his efforts during the recent power outage in the Government Services Center.

Commissioner Gajewski will present a Proclamation in recognition of the Hamburg Public Library's 100<sup>th</sup> anniversary.

**Consent Agenda**

1. Commissioner Scott made a motion to approve the consent agenda noting that he will be the only no vote on four items listed below with reasons expressed in these minutes. Commissioner Gajewski seconded the motion to approve the following Consent Agenda noting Commissioner Scott's no votes for Resolutions 430.04, 440.04 and 443.04.

430.04 \* Adopt Resolution authorizing the appointment of Stevens & Lee as Special Counsel to the County of Berks to handle specific legal matters as directed by the County Solicitor and further, authorizing the County Solicitor to petition the Court of Common Pleas to approve such appointment in accordance with the Third Class County Code. \*(held from October 21, 2004 meeting)- (see comments below)

438.04 A. Adopt Resolution authorizing Edward McCann to sign On-The Job Training Contracts and Subsidized Employment Agreements per list dated 10/29/04.

439.04 B. Adopt Resolution authorizing 2004 budget transfers in the amount of \$153,298 and Appropriations in the amount of \$416,000 as per listing dated October 29, 2004.

- 440.04 C. Adopt Resolution establishing Berks County Commissioners Task Force on Community Corrections. (see comments below)
- 441.04 D. Adopt Resolution approving amendments and or budget revisions to the 2004 CDBG program.
- 442.04 E. Adopt Resolution authorizing the Director of Human Resources to sign a one-year contract with Capital Blue Cross and Keystone Health Plan Central for a fully insured health care product effective 01/01/2005. (see comments below)
- 443.04 F. Adopt Resolution authorizing the establishment of an Election Reform Task Force. (see comments below)
2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per attached listing dated, October 29, 2004. – Controller Sandy Graffius introduced Sr. Auditor Scott Sterner who together with Dick Tracey brought the PRG Schultz contract to her attention. She explained that this vendor will look back approximately five years into accounts payable to determine whether the County has any reimbursements due from overpayments to vendors, etc. She said that the contract language addresses the County's funding grants to assure that the State will accept 50% of payment should any be necessary. She indicated that there is no direct cost to the county for this service as the vendor will receive 50% of whatever it uncovers for the County.
3. Motion authorizing an extension of time for the Berne Station Bridge Replacement Agreement. Bill Westcott, PE explained that the municipality needed the extension of time in order to comply with the various regulatory agencies involved with this project.
4. Motion to approve one Human Resources recommendation as follows: Promotion for Kristen Reichard, Treatment Counselor - Berks County Prison, to Clinical Supervisor, Treatment - Berks County Prison at an annual salary of \$43,646, increasing to \$44,646 annually after 6 months (WMS Minimum \$43,646; Mid-Point \$51,347; Maximum \$59,049.) Replacement for Sansan Pellicciotti who resigned. **Cost Containment Committee has approved this request.**

### Reports

1. County Treasurer, Nelson Long, CPA presented his weekly report.
2. County Controller, Sandy Graffius presented her weekly report, which was read by Administrator Dennis.

Comments on consent agenda items:

**Resolution 430.04**

Commissioner Scott said he will not vote on this appointment and stated his objection to appointing special counsel from the firm of Stevens & Lee is due to their involvement with the Conestoga Landfill and New Morgan Borough. He also expressed concern for one law firm dominating County Business. Commissioner Gajewski indicated that the only legal conflict Stevens & Lee disclosed was that one partner had a passive interest in the Conestoga Landfill and suggested that the County limit the work performed by this Special Counsel to that of Bond and Labor issues. He also disagreed with Commissioner Scott in stating that the county works with a number of different legal firms.

Commissioner Schwank agreed with Commissioner Gajewski position on this matter.

**Resolution 440.04**

Commissioner Gajewski introduced this Resolution and asked the following individuals to discuss their involvement in this proposed task force:

George Wagner, Berks County Prison Warden said he has been an advocate of a Community Corrections program for decades. He felt this task force could work with various agencies to develop and define methods of correctional treatment other than confinement and incarceration. When asked by Commissioner Scott "what is it we don't already know about this concept" he responded that the Task Force can take the information already known and further define the program, come up with potential locations, begin working on standard operating procedures while obtaining input from the community. Commissioner Gajewski indicated that Career Link and the Chamber's involvement is important for job placement options for the clients of this program. Scott Rehr of the Berks Prison Society spoke in favor of this program and the potential for tax savings by reducing the rate of recidivism by the program participants. He noted that six (6) out of every ten (10) parole clients in PA are unemployed and lack adequate education. He mentioned that similar programs he studied in California changed the recidivism rate from 75% to 27%. Judge Linda Ludgate then thanked the Commissioners for furthering this program and allowing the Board of Judges to participate. She said that this program needs community buy-in and would like to see a 14 week turn-around for results. Commissioner Scott repeated his reservations for yet another Task Force in that he felt that there is public buy-in already as this program will work to modify the criminal's behavior, get people out of confinement, reduce recidivism, thereby reducing crime and saving tax dollars; he said who wouldn't support that? He said he doesn't understand the point of handing this to a task force. He felt it should be accomplished by working in-house. His concern also is that a committee would have a bias towards a government run facility in the city overlooking the possibility of privatizing this program and or utilizing a vacant county structure such as the Berks Heim (when it becomes vacant). Commissioner Gajewski indicated that the original study committee has suggested that the Berks Heim Building be the number one location. Scott Rehr speaking in support of the community involvement, said that Community Corrections is not a building, its is a strategy which requires community involvement. Commissioner Schwank stated that the key word in this program is community. She said that we need to think about things in a whole new way – "outside of the box."

**Resolution 442.04**

Administrator Bill Dennis explained this contract extension is the result of four months of research on all options for health coverage for the county and it was determined that despite this contracts proposed 17% increase in cost was the best choice at this time.

Resolution 442.04 continued:

Mr. Dennis indicated that he would begin looking at a self insuring plan for 2006 by developing an RFP written specifically for Berks County for TPA (Third Party Administrator) vendors as well as a health insurance consultant to be utilized on an as needed basis.

#### **Resolution 443.04**

Commissioner Schwank then proposed adoption of this resolution to establish a Task Force that might be able to provide a broader picture of possible improvements to the County's election process. She described what she witnessed on Election day including long lines and beleaguered poll workers and felt that this examination should be a bottom up process so it might be viewed from lens of the voter. Commissioner Schwank was also quick to mention that this was in no way intended as a negative reflection on existing staff in Election Service, stating that the majority of time involved in the elections process is mandated by our Legislature. Commissioner Gajewski stated that this task force is absolutely necessary as the long lines discouraged voters during this election. Commissioner Scott said that to be consistent he must object to yet another task force. He said the financial support should be increased to what he described as an under-funded department (Election Services.) He also felt that the Elections Services professionals should perform any study of the election of 2004 in-house. Commissioner Schwank said she was confident that this task force would complement the internal analyses that would also be performed by our professional staff, but getting the viewpoint from the citizens is the responsibility of this board. She reflected on similar studies performed in Cook County and San Diego where dramatic changes were implemented in their election process as the result of a study. Kurt Bellman, Election Services Director stated that the process currently used to sign in voters at the Polls is legislated in state law. He indicated that additional measures recently passed into law will only cause the slow the elections process further. He indicated that the answer is to create more precincts, purchase more machines and find more room at the county warehouse all of which will cost the County taxpayers. He then described events that affected his office of which he had no control such as the resignation of his Deputy Director, Court hearings delaying the realignment of legislative districts thereby holding up any possibilities for splitting larger precincts. Commissioner Schwank again stated her appreciation for Kurt and his staff, but witness what small changes in the way the lines to vote were structured, the number of voter sign in books that were available helped to speed up the process and put every available polling booth into use. She suggested that this is just one small change that improved the flow of the lines at one precinct. She also indicated that the poll workers needed to be provided written training material specific to their responsibilities and noted that we cannot expect these workers and volunteers to be there for 18 hours. Administrator Bill Dennis reported that an internal management team would be evaluating the election as is done with each election and will make their evaluation list and policy recommendations available to the board. For the changes that could be implemented immediately, he saw no reason to wait for the Task Force results and the Commissioners agreed.

**Public Comment:**

Valentine Rodriguez provided several comments on the possible realignment of voting precincts.

Emily Gillis and Jennifer Berman from AIM (Abilities in Motion) questioned the process of funding CDBG projects and how the county was being assured that ADA requirements such as curb cuts are being adhered to in communities where these funds are provided. She was asked by the Commissioners to put their request for information in writing to Ken Pick, Community Development Director.

There being no further business, the meeting was adjourned at 12:15 PM.