

Commissioners' Board Meeting
Thursday, March 3, 2005

The Berks County Board of Commissioners met in regular session on Thursday, March 3, 2005, at 10:30 A.M. 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 February 22, 2005 Workshop Meeting and the February 24, 2005 Commissioners' meeting were approved as published with a motion made by Commissioner Scott, seconded by Commissioner Gajewski with Commissioner Schwank abstaining as she was not in attendance. The motion carried.

Consent Agenda Items

1. Commissioner Scott made a motion to approve the following consent agenda with the exception of resolution 70-05 D. where he intends a no vote. (see comments*) The motion was seconded by Commissioner Gajewski and all voted yes to all items except 70-05 where Commissioners Schwank and Gajewski were yes votes and Commissioner Scott was a no vote – the consent agenda was approved.

- 67.05 A. Resolution authorizing execution of a grant agreement between the County of Berks (Berks County Intermediate Unit) and the Pennsylvania Department of Welfare, regarding childcare services in the amount of \$8,537,086.00 for fiscal year July 1, 2005 through June 30, 2006.
- 68.05 B. Resolution authorizing the application for a Adult Drug Court Implementation Grant from the BJA (Federal Bureau of Justice Assistance) Competitive Funding of up to \$450,000 over a 3 year period is being made available with a 25% match requirement which is proposed to be "in kind" services.
- 69.05 C. Resolution authorizing an RFP for consulting services to perform an operational and fiscal review of the Berks Heim.
- 70.05 D. Resolution authorizing the Solicitor's Office to file an Amicus Curiae brief with the Berks County Court of Common Pleas in the matter of Burkholder vs. the Zoning Hearing Board of Richmond Township (Civil Action 03-15551).
- 71.05 E. Resolution authorizing payment of invoices under the following Community Development Disbursement Vouchers:
 1. No. 2124 -Community Development Block Grant funds - \$63,907.46
 2. No. 486 – HOME grant program \$8,932.00
 3. No. 2123-PS – State Emergency Shelter Program - \$318.60
 4. No. 1237 – Property Rehabilitation Program 8,799.

- 72.05 F. Resolution authorizing On-The-Job Training contracts and subsidized employment agreements as per list dated 2/11/05.
- 73.05 G. Resolution authorizing a Contract Administration, G701 Change Order Number 07-GC, by and between the County of Berks, the Engineer (Elliot Leboeuf & Associates), and the General Contractor (R. S. Mowery and Sons, Inc.), for the removal and replacement of unsuitable soils for site work construction at the loading dock area of the new Live Fire Training Prop, in the amount of \$13,956.49.
- 74.05 H. Resolution appointing Anthony Carabello to the Berks County Board of Assessment Appeals filling the unexpired term of 12/31/07 previously held by John C. Cleek.
- 75.05 I. Resolution authorizing 2004 Budget Transfers in the total amount of \$553,895.00 and 2004 Budget Appropriations in the total amount of \$22,621.00 per list dated February 25, 2005.
- 76.05 J. Resolution authorizing the Human Resource recommendations as per list dated March 1, 2005.

**Comments from Resolution 70.05 –*

Commissioner Scott stated that having read the Richmond Township Zoning Hearing Board decisions, he is not inclined to support the Amicus Brief filing. He felt that the set back issues regarding this intensive farming operation could be conceived as self imposed due to the farm owners subdividing the farm in 1993 creating this narrow lot. Commissioner Gajewski stated that he supported this application reluctantly but felt that it would be a cost effective way to test the courts to determine if the County's Ag. Easement establishes standing for the County in this and perhaps any future zoning issues. Commissioner Schwank stated that filing this brief does not intent to show support to the enterprise but shows a commitment to the support of farmers by helping them remain profitable. She stated that the County has to be pro-active to keep farming a #1 industry.

2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated February 25, 2005.
3. Motion to amend Resolution 18-05 adopted January 27, 2005 to include a statement authorizing the Chair to sign on behalf of the County.

Reports

1. Nelson Long, CPA. Presented the Treasurer's report and a discussion followed recognizing that with the existing fund balance a need to activate the approved Tran (Tax Revenue Anticipation Note)
2. Sandy Graffius, Controller presented the weekly Controller's report.

Public Comment

Joan Jefferies, Citizen from Earl Township spoke in opposition to the County's involvement in the support of the Burkholders' hog operation due to the cost to the County and the odors that this farming operation creates for the community.

The Commissioners meeting adjourned at 10:45 A.M.

Respectfully Submitted,

Terry L. Styer, Chief Clerk