

Commissioners' Workshop Meeting Tuesday, March 18, 2008

I. CALL TO ORDER:

The Berks County Board of Commissioners met in regular session on Tuesday, March 18, 2008, at 10:30 A.M. in the thirteenth floor Board Room of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Mark C. Scott called the meeting to order with Commissioner Christian Leinbach, and Commissioner Kevin Barnhardt in attendance. Also present were Solicitor Alan Miller Esq., and Chief Clerk Terry Styer. County Administrator, William E. Dennis did not attend the meeting.

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

II. PRESENTATION

Commissioner Barnhardt presented a Proclamation to The ARC of Montgomery, Berks, and Bucks Counties to declare March Mental Retardation Awareness Month. Paul Stengle, Tom Dareneau, Dale Derr and George Violand were in attendance to accept the proclamation.

Agricultural Coordinator

Sheila Miller, Berks County Agricultural Coordinator accepted a Proclamation from Commissioner Scott for National Agriculture Day on March 20, 2008 (the first day of Spring.) Mrs. Miller discussed many activities including an open house at the Ag. Center on Thursday March 20, 2008.

Adult Probation

- A. Adopt a resolution to authorize Mark C. Scott, as Chairman of the Board to execute continuation of Subgrant No. 07-DA-ST-17887 by and between the County of Berks (Adult Probation) and the Pennsylvania Commission on Crime and Delinquency, with respect to funding in the amount of \$311,814, for "Phase II-RIP-Level 3 & 4 Offenders," covering the period of 7/1/08-06/30/09. Assistant Chief Deputy James Sweitzer attended the meeting to answer questions regarding this annual grant agreement.

Berks County Libraries:

- A. Adopt a resolution authorizing Mark C. Scott as Chairman of the Board, to execute the Berks County Public Libraries Master Agreement with the PA Department of Education with a term of July 1, 2008 through June 20, 2013.

Budget Department:

- A. Adopt a resolution authorizing 2008 Budget Transfers in the amount of \$8,775 per listing dated March 14, 2008. Budget Director Bob Patrizio presented the report.

Communications:

- A. Adopt a resolution approving the Berks County E9-1-1 Wireless Certification and further authorizing Daphne Miller, 9-1-1 Coordinator to submit an application to the PA Emergency Management Agency for funding.

Human Resource Director:

- A. Beth Schiepan, Human Resource Director, presented the March 18, 2008 list of Human Resource recommendations.

Human Services

- A. Adopt the Day Care Plan agreement 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 \$17,462,566 for fiscal year July 1, 2008 through June 30, 2009.

III. REPORT OF THE COUNTY ADMINISTRATOR

Ken Borkey, Executive Director of the Berks County Youth Center discussed the new standards developed by the Federal Immigration Customs Enforcement Office (ICE) particularly in the areas of education, food, medical, and recreational requirements for federal detainees. Ken indicated that the operational changes that will result in increased costs will be funded by ICE in the way of increased per diem rates paid to the County.

IV. REPORTS OF COMMISSIONERS:

- A. Adopt a resolution authorizing execution of a professional service contract with VALCO Capital, Limited to provide financial advisory services to the County of Berks. The Commissioners reported that they together with the County Administrator, Budget Director and County Treasurer reviewed four (4) proposals submitted by four financial advisory firms including the County's current advisor S&Lutions. They reported that following a through vetting process they reached the unanimous decision to proceed with VALCO Capital LTD.

- B. Solicitor Miller was asked to discuss a proposed Cooperation Agreement submitted by the Goggle Works Apartments LLC whereby the County, the City, the Reading School District and the Reading Housing Authority would enter an agreement that would allow the Goggle Works Apartments, LLC to avoid the payment of real estate taxes on a property that would still be partially taxable. He explained that while the land, which is currently owned by the Reading Housing Authority could be considered tax exempt, the improvements (proposed to be an apartment with 59 rental units, 12 of which will be designated low income) would not be exempt from taxes and the attempts for this project to be considered tax exempt have failed before the County Board of Assessment Appeals. Commissioner Leinbach expressed the concern for the potential precedent that could result if this agreement were approved as proposed and pointed to the proposed Riverview Development project in which housing units are being proposed as fully taxable properties. He also suggested that the Riverview project may just be the impetus for the Goggle Works Apartments to succeed with out any special tax agreements. Commissioner Scott stated that he has repeatedly requested opinion of council from the Goggleworks LLC for a provision in the law that allows this project to circumvent the statutory regulations that requiring the County's Assessment Appeals Board to make this decision. Commissioner Barnhardt stated his discomfort for all the legal implications and the domino effect this project could start across the community.

Commissioner Leinbach

- A. Adopt a resolution appointing Ann G. Moll, Reading PA, to the Children & Youth Services Advisory Board for a three year term to 12/31/09.
- B. Commissioner Leinbach called for a discussion on the BCEAC's (Berks County Environmental Advisory Council) recommendation to seek legal counsel and intervene on the Conestoga Landfill's appeal of the DEP permit approval. Commissioner Scott then provided a lengthy history of the numerous permit applications and appeals and a final settlement that had occurred with previous boards of Commissioners, the result of which provides the County with \$100,000 per year, in return for the agreement that as long as the permitted area of the landfill remains within the agreed upon 420 acre footprint and the operation complies with the DEP Solid Waste regulations, the county would not intervene.
- C. Commissioner Leinbach called for a discussion for the appointment process for Reading Area Transportation Study Coordinating Committee (RATS) and the Reading Regional Airport Authority. Alan Piper, Transportation Planning with the RATS committee, indicated that the Committee would take a look at the bylaws consider possible term limits to the appointed members.

Public Comment:

Ed Wiswesser, citizen of Berks County, provided comments on what he described as Berks County's best kept secret known as Bear Creek Mountain Resort. He also added some suggestions for a sluice gate on the dam at the Antietam Lake.

There being no further business the meeting adjourned at 12:05 PM.

Respectfully Submitted,

Terry L Styer, Chief Clerk