

Commissioners' Board Meeting January 15, 2009

The Berks County Board of Commissioners met in regular session on Thursday, January 15, 2009, 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 Mark C. Scott called the meeting to order with Commissioner Christian Leinbach (participating by conference phone) and Commissioner Kevin Barnhardt in attendance. Also present were the Chief Clerk Terry L. Styer, County Solicitor Alan Miller, Esq., and County Administrator William E. Dennis.

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

Approval of Minutes

A motion was made by Commissioner Barnhardt, seconded by Commissioner Leinbach and all voted yes to approve the minutes of the January 6, 2009 Commissioners' Workshop and January 8, 2009 Commissioners' meeting.

Consent Agenda Items

1. A motion was made by Commissioner Barnhardt seconded by Commissioner Leinbach and all voted unanimously to approve the items listed below:
 - 06.09 A. Resolution authorizing 2008 Transfers in the amount \$109,175 and 2008 Appropriations in the amount of \$172,370 and 2009 Appropriations in the amount of \$94,250 per listings dated January 9th and January 12, 2009. This Resolution was amended by a motion made by Commissioner Barnhardt, seconded by Commissioner Leinbach and all voted yes prior to the vote on the consent agenda.
 - 07.09 B. Resolution authorizing the appointment of Wanda Keener as 9-1-1 coordinator for Berks County in accordance with Act 78 of 1990 as amended by Act 17 of 1998 and Act 56 of 003 and 4 Pa. Code Chapter 120b Berks County Department of Emergency Services and further authorize the board Chairman, Mark C. Scott to submit a letter to the PEMA acknowledging this change.
 - 08.09 C. Resolution authorizing the Treasurer to make 12 monthly Retirement Fund (ARC) contributions to the Berks County Retirement Fund totaling the budgeted amount of \$12,850,000 to the end of December 2009.

- 09.09 D. Resolution re-appointing Les J. Jones of Wyomissing for a four year term on the Parks and Recreation Board ending 3/10/2010.
- 10.09 E. Resolution authorizing adoption of the reorganization plan of the Tax Claim Office.
- 11.09 F. Resolution authorizing execution of a Stop Loss Renewal to policy number 16-011118-00 between the County of Berks and Symetra Financial Corporation concerning stop loss insurance coverage.

2. **ADOPT ORDINANCE NO. 2 OF 2009**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERKS, PENNSYLVANIA, APPROVING AN INTEREST RATE MANAGEMENT PLAN; APPROVING THE FORM OF AN AMENDMENT TO THE EXISTING INTEREST RATE MANAGEMENT AGREEMENT RELATING TO ITS GENERAL OBLIGATION BONDS, SERIES OF 1999; AUTHORIZING THE PROPER OFFICERS OF THE COUNTY TO EXECUTE AND DELIVER THE AMENDMENT TO THE INTEREST RATE MANAGEMENT AGREEMENT; APPROVING THE MAXIMUM RATE OF INTEREST PAYABLE BY THE COUNTY UNDER THE INTEREST RATE MANAGEMENT AGREEMENT, AS AMENDED AND THE MINIMUM FIXED RATE OF INTEREST PAYABLE BY THE COUNTERPARTY UNDER THE INTEREST RATE MANAGEMENT AGREEMENT, AS AMENDED; APPROVING THE TERM OF THE AMENDMENT TO THE INTEREST RATE MANAGEMENT AGREEMENT; COVENANTING TO MAKE PAYMENTS UNDER THE INTEREST RATE MANAGEMENT AGREEMENT, AS AMENDED; AUTHORIZING THE PREPARATION OF AN AMENDED DEBT SERVICE SCHEDULE FOR THE SERIES OF 1999 BONDS; AUTHORIZING THE PREPARATION OF A TRANSCRIPT OF PROCEEDINGS TO BE FILED WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; AND AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER NECESSARY DOCUMENTS AND THE TAKING OF OTHER NECESSARY ACTION IN CONNECTION WITH THE FOREGOING.

- 3. Motion authorizing Mark C. Scott, Esq. as Chairman of the Board, to execute Contract Agreements/ Amendments as furnished by the Contract Coordinator Candace Noll, per attached listing dated January 9, 2009.
- 4. Motion to ratify and confirm payments set forth on Controller's Office vouchers listing dated January 14, 2009, as previously authorized by instructions issued January 14, 2009.

Non-Consent Agenda Items

First Assistant Solicitor Christine Sadler requested approval from the board for authorization of a letter of Agreement with Thomas & Means Law Firm. Commissioner Barnhardt made a motion that was seconded by Commissioner Leinbach and all voted yes to approve.

- 12.09 G. Resolution authorizing execution of a Letter of Agreement with Thomas and Means Law Firm beginning January 13, 2009 to serve as an expert witness in an interest arbitration hearing for the County of Berks.

Reports

1. County Treasurer – Nelson Long, CPA, submitted his report after the meeting.
2. County Controller – Sandy Graffius presented her weekly report

Commissioner Barnhardt provided an update on the PERF (Police Executive Research Forum) County Policing study.

Commissioner Scott reported on information discussed at a recent County Planning Commission meeting regarding the RiverView development project for the City of Reading. He stated that the proposed project includes features such as a flood wall that will require extensive permitting requirements involving complex and time consuming reviews. His point was that he believed that the project developers are putting the “cart before the horse” by applying to the city for zoning approval before any of these studies have been completed and approved by appropriate review agencies such as the Army Corps of Engineers.

There being no further business, the meeting adjourned at 11:03 A.M.

Respectfully Submitted,

Terry L. Styer, Chief Clerk