

**Commissioners' Workshop Meeting  
Tuesday, January 27, 2009**

**I. CALL TO ORDER:**

The Berks County Board of Commissioners met in regular session on Tuesday, January 27, 2009, 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 County Administrator, William E. Dennis, Solicitor Alan Miller Esq., and Chief Clerk Terry Styer.

Commissioner Scott opened the meeting with a moment of silence and the Pledge of Allegiance to the Flag. He also announced that the Commissioners met in executive session in the afternoon of January 26<sup>th</sup> for Personnel discussions and this morning prior to this meeting for Labor Negotiations.

**II. PRESENTATION:**

Michael Vind of Financial S&Lutions presented Ordinance No. 3 of 2009 regarding the amendment of the 1992 and 1993 Basis Swaps explaining that this change will allow the county to receive financial benefit without being exposed to additional financial risk. He asked the Commissioners to consider adoption of this Ordinance at their Thursday January 29<sup>th</sup> Commissioners' meeting.

**III. DEPARTMENTAL REPORTS / REQUESTS:**

**Ag Land Preservation:**

Commissioner Leinbach made a motion that was seconded by Commissioner Barnhardt seconded to approve Resolution 18.09

- 18.09      A.      Resolution authorizing Mark C. Scott, Esq., Commissioner, Chair, and Sandy Graffius, County Controller, to execute certification of appropriation funding for 2009 in the amount of \$2,270,996.00 for the purchase of Agricultural Easements under Act 43 –the Agricultural Area Security Law, as amended. The total funding amount requested is comprised of \$2 million from the line of credit approved on December 20, 2005 by the Commissioners, as well as the interest collected from the Clean and Green Rollback Tax Penalties and donations to the ACE Program in 2008 and \$200,000 Grant Award from the PA Department of Community and Economic Development.

DCED 2008 Contract Award:	\$ 200,000.00
Line of Credit Funding:	\$2,000,000.00
Interest Collected from 2008 Clean and Green Rollback Tax Penalties:	\$ 70,996.00
<b>Total:</b>	<b>\$ 2,270,996.00</b>

**Ag Land Preservation continued:**

Dr. Robert Zeigenfus, Chair of the Agricultural Land Preservation Board thanked the generosity of the Commissioners for the past funding commitment and encouraged support of this certification as well as the status for future State Funding. He reminded the board that Berks County led the nation in number of acres preserved and still has a waiting list of applicants.

Commissioner Scott reminded everyone that it's not the Commissioners generosity that should be recognized but that of the citizens who donate their land to this program and the county taxpayers who continue to support it.

Commissioner Leinbach said that reports from other Counties who participated in Agricultural preservation in the past are finding it difficult to continue to finance during these tough economic times. It was suggested that the local funding amount could be increased from \$2 million to the remaining \$4 million balance remaining from the Letter of Credit, thereby taking advantage of what may be extra funding at the state level if other counties are unable to provide the match.

Dr. Zeigenfus reported that the Ag Land Preserve Board considered that and other funding options and have arrived at this recommended funding plan and hoped the Commissioners could vote favorably as it has been proposed. He did however; state that the time has come to begin discussions on the future consistent funding stream with this program as there are more than one hundred farms on the current waiting list.

Commissioner Scott suggested that with the downturn in the economy and what appears to be a halt to new building projects; it appears at least that the loss of farmland has been dramatically reduced for the time being.

Commissioner Barnhardt said that he supports the Agricultural Preservation program but is looking towards other funding streams including the County's operational budget in order to avoid adding to the County's debt. He also suggested that with 65,000 acres currently preserved, we need to begin discussions on how much preserved land is enough.

Commissioner Scott said that he has long been a proponent for bond issues to support Agricultural Preservation because borrowing funds at 4% for land that is appreciating in value at a rate of 12% seemed like a fiscally sensible way to preserve farm land. With the current downturn for land values, the idea of committing a reasonable amount of operational funds seems a sensible alternative

to debt funding. He added though that when the economy turns around, he would support additional debt funding for Ag. Land Preservation.

Jim Coker, Ag. Land Board member and Supervisor from Oley Township, suggested that the answer for how much land to preserve should come from the landowners who are willing to donate their property and permanently preserve the farmland.

Dennis Essig, Ag. Land Board member and Upper Bern Township Supervisor, asked for continued support of a successful program that helps families keep their farms and in active farming.

### **Budget Department**

- A. Adopt a resolution authorizing 2008 Budget Transfers in the amount of \$50,000 and 2009 Appropriations in the amount \$546 per listing dated January 23, 2009. Bob Patrizio, Budget Director, presented the report.
- B. 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 23, 2009.

### **Human Resources**

- A. Human Resource recommendations per list dated January 27, 2009.

### **Human Services**

- A. Adopt Resolution authorizing Mark C. Scott, Esq., Chair of the Board, to execute TEFAP Inventory – Reimbursement Request Form for the period (October, November, and December) FFY 2008-2009, in the amount of \$6,057.71 for distributing 50,480.95 pounds of food at \$.12 per pound and to authorize Margaret Bianca, Executive Director, Greater Berks Food Bank for apply for the funds on behalf of Berks County.

## **IV. REPORT OF THE COUNTY ADMINISTRATOR**

County Administrator Bill Dennis presented his weekly report (attached.)

## **V. REPORTS OF COMMISSIONERS**

### **Commissioner Leinbach**

- A. Resolution authorizing execution of an indemnification and hold harmless agreement in favor of the Commonwealth of Pennsylvania concerning the Armed Forces Day Parade from the Borough of Wyomissing to the City of Reading being held on May 16, 2009. Following a discussion regarding the County's involvement in a Penn Dot parade permit for a parade on

roads and bridges not owned by the county, Commissioner Leinbach agreed to withdraw this requested Resolution until such time as he was able to get clarification from Penn Dot regarding the need for the County to be involved in a parade permit when no county bridges or roads were involved.

**Commissioner Barnhardt**

- A. Commissioner Barnhardt reported that the PERF (Police Executive Research Forum) will be sending surveys out to municipal elected officials on February 2, 2009 regarding the County wide policing study. He said that what remains on their list is site visits with three boroughs and three townships, the Sheriff's Office and the FOP. He said the PERF representatives have proposed several meetings to gather input from the community is planned and a draft report expected by March 23<sup>rd</sup>.
- B. Commissioner Barnhardt also announced that the Friends of Antietam Lake have raised \$12,000 of the estimated \$90,000 needed for the expected renovations of the valve house and he encouraged additional contributions from the community.

**Commissioner Scott**

- A. Commissioner Scott said he had a concern that one of the things that looms in the future as an additional threat to the County tax burden is the transfer of ownership and the additional financial burden from distressed municipalities which could happen to other counties all over the state. He said that these takeovers could entail not only the buildings but the employees of those facilities and perhaps some long standing labor contracts which would subject the county to labor contracts that were negotiated by another entity.
- B. Current proposals being offered to State and Local Government financial assistance being offered by the Federal Government – dark side to the Federal Govt. doing this type of bailout is that it absolves those communities of the consequences from bad decision making and excess spending

Sandy Graffius, County Controller reported on the committee reviewing the County Constables manual and process used for payment. She said that using some of the Sheriff Deputies already on duty may replace some of the need of Constables in the hopes to cut County cost.

Sheila Miller, Berks County Agricultural Coordinator spoke in support of the County Agricultural Preservation program saying that we should think of these funds as a taxpayer investment. She explained that for every real estate tax dollar paid into municipalities for residential land has an expense of \$1.28 yet for real estate tax dollar paid to municipalities from farmland results in only \$.06 of expenses. Commissioner Scott agreed with that information by adding that as a general rule, municipalities with the more rural population tend to have the lowest tax millage.

There being no further business the meeting adjourned at 11:46 A.M.

Respectfully Submitted,

---

Terry L Styer, Chief Clerk