

## **Commissioners' Workshop Meeting Tuesday, September 4, 2012**

### **I. CALL TO ORDER:**

The Berks County Board of Commissioners met in regular session on Tuesday, September 4, 2012 at 10:30 A.M. in the 13th floor Boardroom of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Christian Y. Leinbach called the meeting to order with Commissioner Kevin S. Barnhardt and Commissioner Mark C. Scott in attendance. Also present were County Solicitor Alan S. Miller, Carl E. Geffken, Chief Operating Officer and Maryjo Gibson, Chief Clerk.

Commissioner Leinbach opened the meeting with a moment of silence and the Pledge of Allegiance to the Flag. Commissioner Leinbach announced that because of the possibility there may not be a quorum Thursday due to a death in his family and Commissioner Scott may not be available to family business, they will go through the Agenda and the Board will vote on the items listed on the agenda. Commissioner Leinbach further announced there will be a meeting Thursday to approve the MS4 Ordinance and approve the Controllers' vouchers.

### **II. DEPARTMENTAL REPORTS / REQUESTS:**

#### **Budget Department**

- A. Adopt a resolution authorizing 2012 Budget Transfers in the amount of \$57,800.00 and 2012 Appropriations in the amount of \$111,770.00 per listing dated August 31, 2012.

#### **Purchasing**

- A. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/Amendments as furnished by the Contract Coordinator, per listing dated August 31, 2012. Commissioner Leinbach commented on the 8 contracts listed and the departments of origination.

#### **Assessment**

- A. Adopt a resolution authorizing the County of Berks continued participation in the LERTA Program for County property taxes concerning commercial properties located within the City of Reading effective January 1, 2013. Commissioner Leinbach reminded the audience that in 2011 the County implemented the ordinance on a test basis and agreed it would be revisited sometime after data from a year was received. Commissioner Leinbach commented there were 2 properties that participated in the LERTA program; one was a Save-A-Lot store on N. 9<sup>th</sup> Street and student apartments on Lancaster Avenue. This resolution will make this program permanent.

Emergency Services

- A. Adopt a resolution authorizing execution of the Developer's Escrow Agreement between the County of Berks and the Township of North Heidelberg (Township) in regard to the construction of an emergency response communications tower on a parcel located in the Township which provides for full and complete compliance and satisfaction by the County of all conditions to the granting of special exceptions and variances by the Township.

Court Administration

- A. Adopt a resolution authorizing execution of a letter of intent by the County of Berks to exercise the option to renew contained in the Lease Agreement dated December 18, 2007 between the County of Berks and Kotsakis Family Ltd. Partnership for office space occupied by MDJ Ann Young. The option to renew is for a five-year period beginning May 1, 2013.

Solicitor

- A. Adopt a resolution authorizing tax forgiveness for 2010 County taxes, including penalty and interest, for 601 Centre Avenue (14-5307-66-73-4684), City of Reading, owned by Iglesia De Dio Pentecostal M V Region Atlantixo Church. Alan S. Miller, County Solicitor, commented this is a pretty standard forgiveness of taxes, but there were some administrative problems with the Church, Reading School District and the City of Reading, and is why we went back to 2010. Commissioner Leinbach commented this is a fairly common issue that comes up with non-profits where the non-profits assume they are automatically exempt from paying taxes. Commissioner Leinbach asked Duane Rashlich to briefly explain for the audience the process a party must go through to obtain tax exempt status. Mr. Rashlich explained the party must complete an application after a purchase which must be filed between July 1 and September 1. The Assessment Board will hear each application and in October issue a ruling to either exempt or deny. The exemption will be for the following tax year.
- B. Adopt a resolution authorizing execution of an Estoppel Certificate and Amendment #1 concerning the Tower and Antenna License Agreement between the County of Berks and C.R. Garber Enterprises LLC for use of the Fancy Hill Building, tower and related appurtenances. Alan Miller commented that this site was acquired by another entity, and these documents state the County's agreement to shift ownership of the Lease. Mr. Miller further commented this site will be abandoned once the new radio system is operational.

Commissioner Barnhardt moved to approve the consent agenda items as presented and was seconded by Commissioner Scott, and all voted unanimously to approve the agenda as published.

**III. REPORTS OF COMMISSIONERS****Commissioner Barnhardt**

Commissioner Barnhardt commented it was an honor and privilege to take part in the Labor Day Parade yesterday. Commissioner Barnhardt further commented that tomorrow Commuter Services of Pennsylvania and BARTA are going to unveil Try Transit Month for the Month of September at the Mid-Day Cafe at 6<sup>th</sup> & Penn to encourage choice riders to try transit for the month of September. Commissioner Barnhardt commented that more information can be found on the BARTA web site.

**Commissioner Scott**

Commissioner Scott offered a few observations regarding assessments and the LERTA program. Commissioner Scott commented it seems to be an admission that cutting taxes creates jobs referring to the 2 properties enrolled in the LERTA program. Commissioner Scott asked Duane Rashlich if the Goggleworks Apartments would be made tax exempt, commenting the County studied that issue and came to the conclusion that it was not eligible for tax exemption. Mr. Rashlich commented this is a unique situation, and the Assessment Office is in the process of picking up the apartment building and putting it on the tax rolls as of October 1. Mr. Rashlich further commented there are 2 separate owners, and the land is already tax exempt. The building will be another status and the Assessment Office will deal with that issue once it goes on the tax rolls and the owners file an appeal. Alan Miller commented that the owners had asked for an exemption before the building was ever built and Mr. Miller advised the Board not to grant an exemption and wait until the building was built.

**Commissioner Leinbach**

Commissioner Leinbach commented that he was one of the few Republicans at the Labor Day Parade, and spoke of the history of the Labor Day observance, which was started in 1894 under President Grover Cleveland.

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

Respectfully Submitted,

---

Maryjo Gibson, Chief Clerk