

Commissioners' Board Meeting Minutes May 28, 2020

The Berks County Board of Commissioners met in regular session on Thursday, May 28, 2020, at 10:00 A.M. via Microsoft Teams Live, 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 Michael S. Rivera in attendance. Also present were County Solicitor Christine M. Sadler, Chief Administrative Officer Ronald R. Seaman and Maryjo Gibson, Chief Clerk.

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

Commissioner Leinbach announced there was an Executive Sessions on May 26, 2020 dealing with personnel.

Solicitor Sadler announced there was also an Executive Session on May 22, 2020 dealing with personnel, litigation and union negotiations, and clarified there were two Executive Sessions on May 26 2020, one dealing with personnel and the other with union negotiations.

Approval of Minutes

The minutes of May 21, 2020 Commissioners' Board Meeting, May 21, 2020 Phase 3 Recovery and Beyond Meeting and the May 26, 2020 Operations Meeting were approved as presented.

Public Comment on Agenda Items

Commissioner Leinbach acknowledged there was a technical issue last week with the Question & Answer tab, as it was closed ten minutes into the meeting. Everyone has been made aware the tab should remain open for the entire meeting, and reiterated the comment period is open for thirty minutes.

There were no Public Comments on Agenda Items.

Agenda Items

1. A motion was made by Commissioner Barnhardt, seconded by Commissioner Rivera, and all voted unanimously to approve the items listed below:

175.2020 Adopt a resolution authorizing 2020 Budget Transfers in the amount of \$28,002 and 2020 Appropriations in the amount of \$127,066 per listing dated May 26, 2020.

- 176.2020 Adopt a resolution ratifying, confirming and approving execution by Christian Y. Leinbach, Chair, of the Hold Harmless and Indemnification Agreement for Albright College for use of Roessner Hall as a polling place for the June 2, 2020 Primary Election.
- 177.2020 Adopt a resolution ratifying, confirming and approving execution by Christian Y. Leinbach, Chair, of a Hold Harmless and Indemnification Agreement for the following School Districts for use of building locations as a polling place for the June 2, 2020 Primary Election:
1. Reading School District – 12 locations
 2. Daniel Boone Area School District – 1 location
 3. Twin Valley High School – 2 locations
 4. Governor Mifflin School District – 1 location
 5. Exeter School District – 2 locations/4 polling places
 6. Muhlenberg School District – 1 location
 7. Hamburg Area School District – 1 location
 8. Hillside Christian Church – 1 location
 9. Wilson School District – 4 locations
 10. Tulpehocken Area School District – 1 location
 11. Wyomissing Area School District – 1 location
- 178.2020 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the CWEL (“Child Welfare Education for Leadership Program”) Agreement between the County of Berks, Morgan Leigh Thomas, an employee of Berks County Children and Youth Services, and the University of Pittsburgh-Of the Commonwealth System of Higher Education, to participate in a graduate level social work program as outlined in Title IV-B, Part 1 of the Commonwealth’s Child and Family Services Plan.
- 179.2020 Adopt a resolution authorizing reappointment of the following members to the Berks County Workforce Development Board for three (3) year terms from July 1, 2020 to June 30, 2023:
1. Lewis McCoy, Jr., Director of Human Resources, SSM Group, Inc.
 2. Russell Showers, SPHR, Senior Vice President and Chief Human Resources Officer, Tower Health
 3. Karyn L. Troxell, PHR, Director of Corporate HR and Organizational Effectiveness, Penske
 4. Peggy Kershner, Co-Executive Director, Berks Connections/Pretrial Services
 5. Mark Pinkasavage, Training Director - IBEW Local 743

6. James Nichols, Regional Director -PA Bureau of Workforce Partnership & Operations, Commonwealth of Pennsylvania

- 180.2020 Adopt a resolution ratifying, confirming and approving the signature of Christian Y. Leinbach, Chair, executing the County's 2020 Action Plan, and indicating approval by the Board of Commissioners; and further providing such assurances, certifications, contracts, agreements, and supplemental or revised data that the U.S. Department of Housing and Urban Development may request in conjunction with the Plan.
 - 181.2020 Adopt a resolution ratifying, confirming and approving execution by Christian Y. Leinbach, Chair, of the Memorandum of Agreement between the Pennsylvania National Guard and the County of Berks, on behalf of the Berks Heim Nursing and Rehabilitation to provide support to the Berks Heim for public health response to the Coronavirus disease.
 - 182.2020 Adopt a resolution authorizing Christian Y. Leinbach. Chair, to execute and submit a proposal to lease space in the Berks County Agricultural Center to the United States Department of Agriculture for an initial term of three (3) years, with up to seven (7) one (1) year options to renew at the rates set forth in the form of Proposal to Lease Space, subject to such modifications to the terms and conditions of the USDA's Request for Lease Proposal as may be approved by the County Solicitor.
 - 183.2020 Adopt a resolution authorizing Christine M. Sadler, County Solicitor, to execute any and all necessary documents related to the H-1B Non-Immigration Visa Status applications and subsequent filings for Gowrishankar Shanmugam, a Berks County employee.
 - 184.2020 Adopt a resolution authorizing Commissioner Kevin S. Barnhardt, acting on behalf of the Berks County Board of Commissioners, to submit an estimated financial request for reimbursement of CARES Act funding to the Governor's Office.
2. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated May 26, 2020. Commissioner Leinbach reported there are three contracts and referenced the departments.
 3. Motion authorizing payments set forth on Controller's Office vouchers payable listing dated May 26, 2020 for week ending May 27, 2020 and the payment of electronic transfers and employee payroll.

Reports

1. County Treasurer A. Dennis Adams, CPA submitted a prepared weekly Treasurer's report.
2. The Controller's weekly report was presented by County Controller Sandy Graffius.

REPORT OF CHIEF ADMINISTRATIVE OFFICER

Ronald R. Seaman offered a sincere thank you to the Election Services Department staff for all their work during this highly unusual election, and to all the individuals who have stepped forward to serve in their local precincts to fill open positions.

COMMISSIONERS' COMMENTS**Commissioner Barnhardt**

Commissioner Barnhardt reported he was on a county information exchange call this morning with representatives from Lancaster, Bucks, Delaware, Berks, Montgomery and Chester counties concerning reopening facilities and other associated issues.

Commissioner Barnhardt commended the mighty 11 people in Election Services lead by Debbie Olivieri, and reported Elections Services has sent out 47,000 Absentee and Mail In Ballot applications, and has received 26,000 as of yesterday. Commissioner Barnhardt reported all polling places will be sanitized before and after the Election, and all poll workers will be provided with face shields and gloves, and all polling locations will be receiving a supply of masks, and will receive a glove and Q-tip to vote.

Commissioner Barnhardt has received several questions about drop boxes, and reported because of safety concerns there is only one drop box currently located on the first floor lobby of the Services Center. Commissioner Barnhardt reminded everyone that all ballots must be in the hands of Election Services by 8:00 p.m. on June 2, 2020.

Regarding item 184-2020 on the Agenda, Commissioner Barnhardt is hopeful to have numbers to present to the Governor's Office this afternoon for reimbursement of PPEs, contact tracing, testing, and a portion for emergency responders, as well as a large portion for small businesses. Commissioner Barnhardt said the County will also include in its request a portion for Helping Harvest and the Homeless Coalition.

Commissioner Rivera

Commissioner Rivera reminded Berks County residents of the small business loan program that will open soon, and more information can be found on the County's website and at Do Your Part website. Commissioner Rivera mentioned the City has its own loan program that opened yesterday through June 2, 2020, and more information can be found on the City's website, the Mayor's homepage or the City's Community Development homepage.

Commissioner Rivera announced there is another loan program available called PA 30 Day Fund, and information can be found at www.PA30dayfund.com, and there is a link for donations to the fund.

Commissioner Rivera reported the County continues to work with GRCA on the Rebuilding Berks program, the economic development part of the CARES Act, and funds will be available County wide.

Commissioner Rivera noted that as the County moves to Yellow, all business should continue to follow the restrictions and guidelines set by the State, that can be found on the State's website.

Commissioner Rivera reminded everyone if you haven't already, please complete and return your 2020 Census form.

Commissioner Leinbach

Commissioner Leinbach commented on the high number of people who have applied for mail in or absentee ballots, and it is the first time in Pennsylvania history that no-excuse mail in ballots are allowed. Commissioner Leinbach reported all polling places are safe and are being electrostatically sanitized, and encouraged everyone to wear a mask.

Commissioner Leinbach reported yesterday's weekly COVID-19 update focused on the County going Yellow, and talked about some of the things the County is doing at the County level. Commissioner Barnhardt reported in detail all the steps Election Services is taking to prepare for Election Day, and directed businesses and individuals to the Do Your Part website for resources and guidance in going Yellow. Commissioner Rivera reported on the small business program, and on his efforts with GRCA and Rebuilding Berks initiative.

The Commissioners also heard from four small business owners who shared how they are dealing with the shut down and what they plan to do to be ready to reopen.

ELECTED OFFICIALS' COMMENTS

None.

COMMENTS FROM THE FLOOR

There were 21 comments read by Mary Buerer, Executive Assistant to Commissioner Leinbach, and two anonymous that were not read. The comments are attached.

Commissioner Barnhardt responded to the following:

- Regarding the jail population – The numbers are low because many individuals were sent out early on bail or good behavior, but there are 27 murder cases and criminal cases that have to be adjudicated and still pending trial.
- Comments regarding workers fearful going back to work – The County has eight unions representing employees and the Commissioners are very concerned about all county employees in our workforce. We are doing everything we can to make sure it is safe before repopulating the buildings. Commissioner Barnhardt agrees there should be a place for employees to call to report if proper guidelines are not being followed, and talked about implementing a hotline.
- BCRC – Commissioner Barnhardt had reached out to the Governor's Office last year about meeting but that meeting never occurred. Commissioner Barnhardt is

still willing to meeting, but because of the pandemic not sure when that might occur.

- Drop Box for the November Election – Not sure at this time. Will revisit that after this Election and see where we are with COVID.
- Testing is part of our CARES Act funding request and will be performed by Co-County Wellness beginning June 8. There is a potential the County could be reimbursed through CARES Act.
- BARTA - Commissioner Barnhardt reported there is one positive case with a special services driver, and BARTA did do contact tracing with people on the bus. He will follow up with BARTA, but can report that BARTA and SCTA must and have been following the guidelines issued by the CDC and Pennsylvania Department of Health.
- What polls will be open – All polls will be open, but some have been moved.

Commissioner Rivera commented to the following:

- Businesses that don't comply – reach out to District Attorney John Adams who will pass the information to the local police department or State Police.
- When we go Yellow, we must still comply with the guidelines issued by the CDC and Department of Health, and we will continue with teleworking where feasible and continue with team meetings until further notice. We will ask businesses to do their part to protect their employees and their customers; many business owners understand that is their obligation.

Commissioner Leinbach addressed the following comments:

- As he talked about yesterday, the County is in the process of putting together plans for the next stage of County government offices, and will work with department heads and employees on who can come into the facility. Human Resources is putting together a plan and will get it out to department heads early next week.
- Regarding contact tracing- It is a \$1 million project being performed by Co-County Wellness, who is in a very good position to handle contact tracing. Commissioner Leinbach emphasized it is 100% voluntary and there is no electronic tracking of people.
- Enforcement of rules – The rules are being established at the Commonwealth level and are being enforced by the Pennsylvania State Police and licensing agencies, and go through the Attorney General's Office. County Government does not have any law enforcement powers, but the Berks County District Attorney has agreed to look into certain violations that are brought to his attention. The public should contact the District Attorney's Office.
- Cases at county facilities – There are no cases at the BCRC among residents or staff. At the Jail, no cases among inmates and 2 staff at the Jail. At the Berks Heim, as of yesterday, 63 residents have tested positive, 30 are still at the Heim, 16 have recovered, and 33 have died from confirmed COVID-19.
- Commissioner Leinbach reported the National Guard will begin testing today at the Berks Heim and it will take place over 4 days. Residents will be tested after permission has been received from either the family or guardian.

Commissioners' Meeting Minutes**May 28, 2020**

Solicitor Sadler clarified there has been one inmate who has tested positive, but he was only in the facility for 24 hours, and the results came back after he was released.

- Commissioner Leinbach believes the meetings scheduled in June will continue to be virtual meetings, but must discuss with the Board.
- Commissioner Leinbach commented as we move into Yellow we will continue to press the Governor to allow people to open and act in a way to protect their employees and customers.
- Skyline Apartments – Commissioner Barnhardt responded they should contact the Reading Housing Authority if they have concerns.

There being no further business, the meeting adjourned at 11:09 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk