

## **Commissioners' Board Meeting Minutes June 4, 2020**

The Berks County Board of Commissioners met in regular session on Thursday, June 4, 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 Session held May 31, 2020 dealing with emergency preparedness.

### **Approval of Minutes**

The minutes of May 28, 2020 Commissioners' Board Meeting and the May 28, 2020 Phase 3 Recovery and Beyond Meeting were approved as presented.

### **Public Comment on Agenda Items**

Commissioner Leinbach provided the rules for participation by the public in the Microsoft Teams Live Commissioners' Meeting.

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:

185.2020 Adopt a resolution authorizing 2020 Budget Transfers in the amount of \$346,763 and 2020 Appropriations in the amount of \$1,280,233 per listing dated June 1, 2020.

186.2020 Adopt a resolution authorizing Human Resources Recommendations per listing dated June 4, 2020 as follows:

1. Authorize the appointment of Deborah Brown to PC010184 Assistant Public Defender II – Public Defender's Office, effective 06/17/2020. Rate of \$55,000/annually. Salary range Minimum \$48,222; Midpoint \$64,297; Maximum \$80,371. Replacement for Lauren Otero who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.

2. Authorize the appointment of Adam Bompadre to PC010186 Assistant Public Defender III – Public Defender's Office, effective 6/17/2020. Rate of \$59,500/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. Replacement for Michael Daly who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
3. Authorize the promotion of Cara Angelo from PC010567 County Caseworker II to PC010662 County Caseworker Supervisor I – Children and Youth Services, effective 06/24/2020. Rate of \$54,740/annually. Salary range Minimum \$43,747; Midpoint \$58,329; Maximum \$72,912. Replacement for Elizabeth Monick who was promoted. This request meets the criteria of the Hiring Policy. Budget 22000 – 23200.

187.2020 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Release and Settlement Agreement between Benjamin Foods, LLC (f/k/a Karetas Acquisition Company, LLC, t/a Karetas Foods; the County of Berks; Traveler's Casualty and Surety Company of America, along with St. Paul Fire and Marine Insurance Company, and Howard Klayman, Gina Klayman and Jacobs Holding, LLC, in settlement of all claims arising under or relating to the transactions under Agreement #PC-594985-19 (ITB #19-16-JR) by and between Benjamin Foods, the Indemnitors and the County of Berks.

2. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated June 2, 2020. Commissioner Leinbach reported there are 4 contracts and referenced the departments.
3. Motion authorizing payments set forth on Controller's Office vouchers payable listing for week ending June 3, 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 commended the Election Services staff for their excellent work they have done, as well as all the poll workers and workers who have helped the County through the Primary Election. They did a tremendous job.

Mr. Seaman commented that as the County moves from Red to Yellow, please think long and hard, and use good common sense; and dwell on we instead of me.

**COMMISSIONERS' COMMENTS****Commissioner Barnhardt**

Commissioner Barnhardt reported he has a Berks SOS virtual meeting tomorrow, and is sad to report there has been a spike in overdose deaths from 9 in March to 18 in May. Commissioner Barnhardt stated his disappointment with Harrisburg in not receiving good information regarding CARES Act funds the County has been expecting, and has learned that the State received the funds on April 17, which conflicted with information he previously received. Commissioner Barnhardt said the County was intending on using those funds for the Co-County Wellness program, but now must find a different funding stream.

Commissioner Barnhardt reported as of last night there were 39,036 paper ballots and in-person voting numbers are at 38,130. We are still up loading results into the system and is does not include provisional and mail in ballots.

Commissioner Barnhardt said because of the anticipated increase of paper ballots, the County is purchasing another scanner for the November election, and we will also need additional manpower, and will again reach out to County departments.

Commissioner Barnhardt commended Election Services employees, poll workers and everyone who helped out on Election Day.

**Commissioner Rivera**

Commissioner Rivera thanked all the poll workers and interpreters and the County Election Staff.

Commissioner Rivera reported in preparation to go Yellow, GRCA is working on marketing and communication material.

Commissioner Rivera noted the PLCB has issued temporary guidelines for restaurants who have liquor licenses.

Commissioner Rivera noted as we move to Yellow tomorrow, we must continue to follow the Yellow guidelines and we must all do our part in order to move from Yellow to Green.

Commissioner Rivera reported GRCA will be offering educational programs for businesses that will open or will be opening in Yellow. The programs will be held June 15, 16 and 17 and applications will be available June 15.

Speaking about the death of George Floyd, Commissioner Rivera said racism is real and unacceptable, but we must act peacefully. Commissioner Rivera said there will be a candlelight vigil tomorrow evening at 7:00 p.m. in City Park, and said the Commissioners are looking at what can be done so something like this doesn't happen in Berks County. Discussions will be held, and everyone's voices must be heard.

Commissioner Leinbach

Commissioner Leinbach thanked the Election Department for their leadership over a very challenging Election, and for the over 400 individuals that worked for the County to fill poll worker positions.

Commissioner Leinbach said tomorrow the County is moving to Yellow and provided the following metrics the County must reach to move to Green: 1) stable or reduced case count for a 14 day period, 2) must have contact tracing in place; 3) hospital bed availability and 4) testing of 2% of the population. Commissioner Leinbach said we need clarification of the last metric.

Commissioner Leinbach commented as a result of the tragic death of George Floyd, he read an email he sent to CCAP and NACo on Monday, requesting NACo to research whether there are model HR policies that address law enforcement personnel issues before Berks County finds itself in this situation. Commissioner Leinbach said this should not happen to anyone in America, but unfortunately, it happens too often to African-Americans, and we need to do more and create an environment in all levels of law enforcement where moral and ethical aspects are celebrated. Both CCAP and NACo responded immediately to Commissioner Leinbach's email and felt it was a good idea, and agreed we must look at better vetting of candidates in law enforcement before they become part of the system.

**ELECTED OFFICIALS' COMMENTS**

None.

**COMMENTS FROM THE FLOOR**

There were comments and were read by Mary Buerer.

The Commissioners responded as follows:

- Suspension of fines, fees and child support - Commissioner Barnhardt responded those are Court related functions which the Commissioners have no purview over.
- Elections and drop boxes. Commissioner Barnhardt responded the County had discussed this but were not prepared for the Primary Election, mainly because most of the polling locations were not available. The County will look at securing drop boxes for November election. Commissioner Barnhardt commented we did ask the State about sending everyone a ballot and they will not permit counties to send everyone a ballot.
- BCRC – Commissioner Barnhardt commented contrary to everyone's belief, the residents at the BCRC are well cared for, and repeated back in July announced he wanted to work with the State to repurpose the building and find employment for our employees. It fell apart in September when all the promises by the Governor were not kept. Commissioner Barnhardt believes the building should be repurposed, and as of today has not received a response from the Governor's Office. Commissioner Barnhardt spoke with Senator Schwank Monday she is attempting to have meeting with Governor to analyze. Commissioner Barnhardt will not lay off 60 people and leave a county building sit vacant.

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- How quickly can Berks move to Green - Commissioner Rivera stated in 14 days after we go yellow because one of the four items we show maintain the number level or decrease with any spike, and if we can reach all four metrics.
- Emergency Fund – Commissioner Rivera reported there is emergency funds for evictions, Coalition to end Homeless , other organization do have money for evictions anticipated in July, and the City also has funds available. The goal is to keep people in their homes. Regarding work connectivity, Commissioner Rivera reported CareerLink and Workforce Development have been actively working on work connectivity and reach out to Career Link.
- Public Police Records – Commissioner Rivera stated the County does not have a police force. Each muni has their own police force or use the Pennsylvania State Police if they don't.

Nursing Homes in Berks County – Commissioner Leinbach responded that the Commissioners made a decision very early to be completely transparent about the Berks Heim and have on a regular basis, and have provided data on number of cases residents and staff and deaths, confirmed COVID19 deaths, and more recently have released results of testing that occurred last week for staff and residents. Commissioner Leinbach said testing will continue for the foreseeable future.

Commissioner Leinbach clarified that Berks Heim is the only nursing home over which the Commissioners have authority and responsibility. The other nursing homes come under the direct responsibilities of the owners and the Pennsylvania Department of Health, and if there are questions or concerns please reach out to owners of facility or Department of Health

There being no further business, the meeting adjourned at 10:54 A.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk