

Commissioners' Board Meeting Minutes August 2, 2012

The Berks County Board of Commissioners met in regular session on Thursday, August 2, 2012 at 10:30 A.M. in the Boardroom on the 13th floor 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 Kevin S. Barnhardt and Commissioner Mark C. Scott in attendance. Also present were Solicitor Alan Miller, Chief Operating Officer Carl E. Geffken and Chief Clerk Maryjo Gibson.

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

Presentation

District Attorney John T. Adams attended the Commissioners' Board Meeting to comment on the indictment of Ellie Antoine. Mr. Adams reported it was an indictment by a Federal Grand Jury for activities while Ms. Antoine was Berks County Recorder of Deeds through 2007, and she was charged with 5 counts of mail fraud and 2 counts of filing false federal income tax returns. Mr. Adams expressed thanks to the Commissioners, County Controller Sandy Graffius and her staff, Recorder of Deeds Fred Sheeler and his staff and the other elected officials and County staff for their assistance in the investigation. Mr. Adams stressed that County officials did not turn the other way on this, and is proud to be part of the team that did not look the other way. The District Attorney then took the audience through a time line of events leading to the indictment. Mr. Adams also thanked the Commissioners for agreeing to hire Zelenkofske Axelrod LLC (Z&A) to conduct a forensic audit, without which, the investigation would not have been able to move forward. Mr. Adams reiterated that County residents need to know that their elected officials did the right thing.

Commissioner Leinbach commended Fred Sheeler and his staff and the Controller and her staff for their valuable assistance in this investigation. Commissioner Leinbach further commented that this investigation was not about getting someone, but about getting to the truth.

Commissioner Barnhardt commented it was a thorough investigation, and stated for clarification Ms. Antoine was in office for 12 years and this investigation covers the last 4 years of her term.

County Solicitor Alan Miller commented that at the time we suspected wrong doing we notified our insurance carrier right away on the potential loss.

Commissioner Scott made a few observations stating he has participated and cooperated in 4 investigations since becoming a Commissioner. Commissioner Scott thanked the anonymous letter writer for providing specific details which ultimately proved the charges of fraud.

Approval of Minutes

The minutes of July 24, 2012 Commissioners' Workshop and July 26, 2012 Commissioners' Board Meetings were approved as presented.

Consent Agenda Items

1. Commissioner Barnhardt commented that as there are no modifications or changes to the Consent Agenda Items which have been reviewed and discussed Tuesday, he moved to approve the Consent Agenda as published. Commissioner Scott seconded the motion and all voted unanimously to approve the items listed below:

247.12	A.	Adopt a resolution authorizing 2012 Budget Transfers in the amount of \$54,032.00 and 2012 Appropriations in the amount \$111,983.00 per listing dated July 27, 2012.
248.12	B.	<p>Adopt a resolution authorizing Human Resource Recommendations dated July 31, 2012 as follows:</p> <ol style="list-style-type: none"> 1. Authorize salary increase for Kimberly Bergan, PC010905 Deputy Warden Treatment – Jail, effective 8/8/2012. Rate of \$65,100/annually. Current Rate \$63,298/annually. Increase of \$1,802/annually. Salary budgeted \$62,990. Salary range Minimum \$54,689; Midpoint \$72,918; Maximum \$91,148. This request meets the criteria of the Hiring Policy. Budget 10000 – 12090.
249.12	C.	<p>Adopt a resolution authorizing a recommendation to award and Director of Contracts and Procurement to execute as a result of Invitation to Bid #12-8-KSJR, Food Provisions, three (3) contracts for a period of six (6) months for the Jail System as follows:</p> <p>Benjamin Foods 1001 S. York Road Hatboro, PA 19040 Line Items – 1, 7, 10, 13, 14, 16, 17, 19 Estimated Six Month Expenditure \$ 35,465.64</p> <p>Karetas Foods, Inc. John Friedmann, President 1012 Tuckerton Court Reading, PA 19605 Line Items – 2, 3, 4, 6, 8, 9, 11, 12, 15, 18 Estimated Six Month Expenditure \$ 30,340.80</p>

		<p>National Food Group, Inc DBA CSV Sales, Inc. 46820 Magellan Dr., Suite A Novi, MI 48377 Line item – 5 Estimated Six Month Expenditure \$ 4,865.00</p>
250.12	D.	<p>Adopt a resolution authorizing a recommendation to award and Director of Contracts and Procurement to execute, as a result of Invitation to Bid #12-6-JR, Inmate Clothing contracts for a period of one year for the participating members of the Southeastern Pennsylvania Counties Cooperative Purchasing Board (SPCCPB) members including Berks County as follows:</p> <p>Bob Barker 134 N Main St Fuquay Varina, NC 27526 Line Items – 1, 2, 5, 7, 8, 9, 12, 14, 15, 16, 17, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 33, 35 Estimated Annual Expenditure – Grand Total \$253,110.71 Estimated Annual Expenditure – Berks Portion - \$44,482.86</p> <p>The Liberty Store 5 East Genesee Street Auburn, NY 13021 Line Item – 3 Estimated Annual Expenditure – Grand Total \$ 7,148.40 Estimated Annual Expenditure – Berks Portion - \$0</p>

2. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated July 27, 2012.
3. Motion to authorize payments set forth on Controller’s Office vouchers listing dated July 31, 2012 for the week ending August 1, 2012. Commissioner Scott motioned to approve the Controller’s Office vouchers, seconded by Commissioner Barnhardt and all voted unanimously to approve.

Reports

1. County Treasurer Nelson Long, CPA submitted a prepared weekly Treasurer’s report.
2. The Controller’s weekly report was presented by Richard Miller, Manager of Auditing.

Commissioner Comments

Commissioner Barnhardt commented on a letter he received from New Morgan Borough regarding a waiver request for Abraxas Academy. Commissioner Barnhardt reported that he and Bob Williams, Chief Juvenile Probation Officer, attended a meeting with New Morgan officials to discuss amending the zoning ordinance to include 19 to 20 year old youth at the Abraxas Academy who have aged through the system. Commissioner Barnhardt stated that New Morgan denied our request and expressed disappointment at the lack of spirit of cooperation by the Borough. Commissioner Barnhardt further pointed out that the County had recently supported a request to the state for a KOZ (Keystone Opportunity Zone) designation requested by Steve Najarian of Carlino Development Group to support economic development in New Morgan Borough. Commissioner Barnhardt also expressed concern about an agreement GEO Abraxas signed which set millage rates at twice the assessed value. As a result of this information being brought to the Board's attention, the Board of Commissioners directed Solicitor Miller to investigate the issue and report to them his findings.

Commissioner Scott commented that at the duly advertised budget meeting last week he raised the issue with his colleagues of holding only one public meeting per week. Commissioner Scott noted that Thursday meetings seem to be rather perfunctory and questioned are they really necessary. After a brief discussion on logistics of this change, the Commissioners directed the Chief Operating Officer, Solicitor and Chief Clerk to come up with a recommendation for the possibility of holding only one meeting per week.

Citizen Comment from the Floor

Carlos Zayas attended the meeting and commented after the discussion by the Board to possibly eliminate a meeting that the Commissioners keep in mind that Election Board is held on a Thursday after the Commissioners' Board Meeting. The Commissioners thanked Mr. Zayas for his suggestion.

There being no further business, the meeting adjourned at 11:20 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk