

Commissioners' Board Meeting Minutes October 26, 2017

The Berks County Board of Commissioners met in regular session on Thursday, October 26, 2017, at 10:00 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 Commissioner Kevin S. Barnhardt and Commissioner Mark C. Scott in attendance. Also present were County Solicitor Christine M. Sadler, Chief Administrative Officer Ronald R. Seaman and Chief Clerk Maryjo Gibson.

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

Presentations

1. Commissioner Barnhardt presented a Certificate of Recognition to County employee Michael Lane, Election Services, for winning 1st Place in his age category at a MPC Northern USA Champion Competition held September 23, 2017 at the Harrisburg Capital Forum. Commissioner Barnhardt congratulated Michael for his first place finish, and accomplishing 1st Place without any enhancements or chemicals. Commissioner Barnhardt also announced Michael has decided to retire from body building and should be proud of all his hard work, dedication and discipline over the years.
Mr. Lane commented he has been competing since 2005, and although the training is hard and sometimes painful, he has learned through body building to build strong character, and is proud of how he has been able to help other people. Mr. Lane stated it is not about the accolades and trophies, but what you leave behind and how you make people feel.
2. Tammy White, President of the United Way of Berks County, Dr. Yamil Sanchez Rivera, Senior Vice President of Community Impact and Kristin Gehris, Director of Community Impact, presented information on Pennsylvania 2-1-1, a free, confidential, non-emergency information and referral service that connects Berks County residents with health and human services.
Ms. White commented 2-1-1 was launched by the United Way in 1997 in Atlanta, Georgia, and now covers over 90% of the United States and Puerto Rico. Ms. White stated 2-1-1 is a great tool when disaster strikes, and is easy and simple for everyone to remember.
Kristin Gehris reported 2-1-1 is available throughout most of Pennsylvania, and is a comprehensive statewide system made up of 7 regions and 5 call centers.
Mr. Gehris commented Berks County's call center is in Lancaster and can be accessed by either dialing, texting or using the web, and is bi-lingual.
Dr. Sanchez Rivera handed out cards to the audience and thanked Dr. Michalik for his help in coordinating this Presentation.

Approval of Minutes

The minutes of October 19, 2017 Commissioners' Board Meeting were approved as presented.

Public Comment on Agenda Items

None.

Agenda Items

1. A motion was made by Commissioner Barnhardt to approve the Agenda as presented. Commissioner Scott seconded said motion and requested a brief discussion. Request for discussion granted by Commissioner Chair Leinbach. Commissioner Scott announced he wishes to be recorded as a No vote to Item No. 309.17, the opposition to tax reform eliminating state and local taxes. Commissioner Scott stated his reason for his position is he believes the objective of tax reform by the Trump Administration is simplicity and to overhaul rate reduction, convenience for taxpayers and lesser government burden overall. Commissioner Scott explained what he believes the outcome on taxpayers would be should the state and local tax deduction be eliminated. Commissioner Leinbach responded his core issue with SALT is it is double taxation and fundamentally violates the principal that taxes should be based on real income. Commissioner Leinbach has an ethical problem when the government is double taxing. Commissioner Leinbach stated NACo has not taken a position in opposition to tax reform, they oppose the deductibility of state and local taxes.

There being no further comment, all voted to approve the items listed below with the exception of Item No. 309.17, to which Commissioner Scott voted No.

292.17 Adopt a resolution authorizing 2017 Budget Transfers in the amount of \$1,023,984 and 2017 Appropriations in the amount of \$109,667 per listing dated October 24, 2017.

293.17 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Increase Certificate to Travelers Insurance for the Berks Heim Nursing and Rehabilitation. The increase is due to the total dollar value of the residents trust accounts exceeding the face value of the insurance certificate beginning September 1, 2017.

294.17 Adopt a resolution authorizing Human Resources Recommendations per listing dated October 26, 2017 as follows:

1. Authorize the appointment of Kristin Scheffler to PC012938 Assistant Director of Human Resources –

Human Resources, effective 11/8/2017. Rate of \$68,500/annually. Salary range Minimum \$56,564; Midpoint \$75,418; Maximum \$94,273. Replacement for Susan Schucker who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11410.

2. Authorize the transfer of Hannah Seiple from PC010317 Contract Coordinator – Purchasing Department to PC013025 Litigation and Policy Coordinator – Jail System, effective 11/1/2017. Rate of \$42,000/annually. Salary range Minimum \$39,768; Midpoint \$53,024; Maximum \$66,280. Replacement for Rochelle O'Herrick who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 12090.

- 295.17 Adopt a resolution authorizing execution of the Certification Statement for the Human Services Block Grant Report for Fiscal Year 2016-2017 (July 2016-June 2017).

Funding for FY 2016/2017 was essentially the same as FY 2015/2016. Funding for all programs totaled \$15.1 million, of which \$14.9 million was expended. The County is permitted to carry over into the next fiscal year up to 3% of the state funding. The unexpended funds of \$180,474 from the FY 2016/2017 grants have been rolled into a retained earnings plan and are expected to be paid out during 2017/2018.

- 296.17 Adopt a resolution authorizing Ryan Hunter, Director of Facilities & Operations, to execute an amended Written Certification to Bern Township certifying there is sufficient capacity and no logistical, operational or permit-related concerns to handle an increase of 780 gallons per day of flow to the Berks County Waste Water Treatment Plant regarding the proposed WAWA Food Market in Bern Township.

The Certification has been amended to include the word “conveyance” in line 2 and “receive” in line 4. The revisions do not change the recommendation or the substance of the verification the County is providing Bern Township.

- 297.17 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Department of the Army License for Blue Marsh Lake, Reading, Pennsylvania, with the U.S. Army Corps of Engineers and Berks County for the use of a barn structure on a portion of Tract No. 300 by the Berks County Parks Department for a five (5) year term beginning July 1, 2017 and ending June 30, 2022 in the amount of \$510.00 for the five (5) year term.

- 298.17 Adopt a resolution authorizing the reappointment of James Schlegel, Reading, Pennsylvania, to the South Central Transit Authority for a five (5) year term expiring December 31, 2022.
- 299.17 Adopt a resolution authorizing the reappointment of James R. Coker, Oley, Pennsylvania, to the Berks County Agricultural Land Preservation Board for a three (3) year term expiring December 31, 2020.
- 300.17 Adopt a resolution authorizing the reappointment of Rev. John McCann, Douglassville, Pennsylvania, to the Berks County Mental Health/Developmental Disability Advisory Board for a three (3) year term expiring December 31, 2020.
- 301.17 Adopt a resolution authorizing the reappointment of Cathy Pilat, Blandon, Pennsylvania to the Berks County Mental Health/Developmental Disability Advisory Board for a three (3) year term expiring December 31, 2020.
- 302.17 Adopt a resolution authorizing the reappointment of Kevin S. Barnhardt, Reading, Pennsylvania to the Berks County Mental Health/Developmental Disability Advisory Board for a three (3) year term expiring December 31, 2020.
- 303.17 Adopt a resolution authorizing the reappointment of Christopher Neidert, Reading, Pennsylvania to the Berks County Mental Health/Developmental Disability Advisory Board for a three (3) year term expiring December 31, 2020.
- 304.17 Adopt a resolution authorizing the re-appointment of Eileen Kastura, Wyomissing Hills, Pennsylvania, to the Berks County Redevelopment Authority for a five (5) year term expiring December 31, 2022.
- 305.17 Adopt a resolution authorizing the reappointment of Brian Clements, Wyomissing, Pennsylvania, to the Berks County Solid Waste Authority for a four (4) year term expiring December 31, 2021.
- 306.17 Adopt a resolution authorizing the appointment Chris Daubert, Reading, Pennsylvania, to the Berks County Public Library Board for a three (3) year term expiring December 31, 2020.
- 307.17 Adopt a resolution authorizing the Chief Clerk to advertise enactment of Berks County Ordinance No. 03-2017 authorizing execution of the Intergovernmental Agreement between the Commonwealth of Pennsylvania, Department of Labor & Industry, and the County of Berks, d/b/a Berks County Workforce

Development Board, for the provision of a one-stop delivery system to help job seekers access employment, education, training and support services.

- 308.17 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Claim Purchase Agreement with Fair Harbor Capital, LLC, New York, NY transferring Bankruptcy Claim filed by the County of Berks against Limitless Mobile, LLC for non-payment of rent for tower space in return for a payment of \$11,917.43.
- 309.17 Adopt a resolution declaring that a majority of the Board of County Commissioners express their strong opposition to any tax reform that would eliminate the State and Local Tax (SALT) Deduction, and urges U.S. Congressional Representatives Charles Dent, Patrick Meehan, Ryan Costello and Lloyd Smucker and Senators Bob Casey, Jr. and Pat Toomey to join Berks County in publicly opposing any such proposal; and further the Chief Clerk is hereby authorized and directed to forward certified copies of this Resolution to President Donald J. Trump, United States Senate Majority Leader Mitch McConnell, United States Minority Leader Charles Schumer, United States House of Representatives Speaker Paul Ryan, United States House of Representatives Minority Leader Nancy Pelosi and the National Association of Counties.
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 October 24, 2017. Commissioner Leinbach reported there are 14 contracts and referenced the departments.
3. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated October 24, 2017 for week ending October 25, 2017 and the payment of electronic transfers and employee payroll.

Reports

1. County Treasurer A. Dennis Adams was absent. The prepared weekly Treasurer's Report was submitted by Linda Weaver, Deputy Treasurer.
2. County Controller Graffius was absent. The Controller's weekly report was presented by Deputy Controller Ronald Rutkowski.

REPORT OF CHIEF FINANCIAL OFFICER

Robert J. Patrizio reported there will be a discussion with Seth Williams of PFM regarding the Jail, and an update on the preliminary Budget forecast and the 2018 Budget.

REPORT OF CHIEF ADMINISTRATIVE OFFICER

Ronald R. Seaman reminded voters of Berks County that Tuesday, October 31, 2017 is the last day to apply for an application for a regular absentee ballot.

COMMISSIONERS' COMMENTSCommissioner Barnhardt

Commissioner Barnhardt reported that based on the very successful Warm Handoff Program at the Reading Hospital, he and staff from COCA met with representatives of PennState Health St. Joseph this week and asked them to consider implementing the Warm Handoff Program. Commissioner Barnhardt was glad to announce St. Joseph's will begin the program.

Commissioner Barnhardt reported the Berks Art Council had a very successful Blues Fest this past October, and will be moving the Blues Fest to November in 2018.

Commissioner Barnhardt, responding to the recent nursing home discussions, reported he did post on his Facebook page the tax impact chart that was prepared by Bob Patrizio and the Budget department.

Commissioner Barnhardt responded to a question from the Reading Eagle about holding a Town Hall meeting, advised nothing has been scheduled, but the County has collated all the calls and emails received and sent those sheets to the Reading Eagle.

Regarding a meeting with individual employees, Commissioner Barnhardt commented the Commissioners cannot meet individually with employees covered by unions, but would be willing to meet with union leadership at some point to share information.

Commissioner Scott

Commissioner Scott commented on the same question from the Reading Eagle as to whether the County met with Berks Heim employees to receive suggestions on cost savings. Commissioner Scott replied we do not see the need, as the employees always have the ability to approach the excellent management staff at the Berks Heim.

Commissioner Scott added he asked Terry Brennan, Administrator, if any employees or union representatives ever approached him and the answer was no.

Commissioner Leinbach

Commissioner Leinbach announced this Friday BARN ("Berks Agricultural Resource Network"), in conjunction with a number of organizations is restarting the Farm/City Dinner, and is a farm to table dinner with everything locally grown and raised.

Commissioner Leinbach commented the event is sold out.

Commissioner Leinbach advised earlier this week there was a Spotted Lanternfly meeting at the Agriculture Center, with a tremendous turnout of people not only from the quarantine zone, but representatives from counties outside the zone, including New Jersey. Commissioner Leinbach commented he is also doing a show on BCTV Monday evening with Penn State Extension and Brian Walsh of Walsh Landscaping of Oley on the Spotted Lanternfly.

Regarding the Berks Heim, Commissioner Leinbach shared a call he had from a woman telling him the county charter requires the County to take care of the indigent, and asked what the County did with millions of dollars the Heim has generated. After doing some

research, Commissioner Leinbach called the woman back and informed her County doesn't have a charter and the County Code has no requirements to take care of the indigent. Commissioner Leinbach also responded the County will continue to share the cumulative accounting sheets that show how we track the costs.

COMMENTS FROM THE FLOOR

Ron Rutkowski, Deputy Controller, announced the Safe Berks Silent Witness March will take place today beginning at 11:15 a.m. and will start on the 200 block of Chestnut Street and end at RACC.

Berks County Recorder of Deeds Frederick Sheeler commented that if there would be a county charter it would go back before the incorporation of Berks County, and would be filed in either Philadelphia or Lancaster counties, or even England.

Mr. Sheeler commented he agrees with Commissioner Scott's position on the proposed standard elimination of state and local tax deduction.

Crystal Kowalski, Wyomissing, asked if there was any decision made on the Berks County Jail. Commissioner Leinbach replied no decision has been made on either the Prison or the Heim. Ms. Kowalski offered comments on the tax reform issue.

There being no further business, the meeting adjourned at 11:00 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk