

Commissioners' Board Meeting Minutes December 13, 2018

The Berks County Board of Commissioners on Thursday, December 13, 2018 at 10:00 A.M. in the Commissioners' Boardroom, 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 Mark C. Scott in attendance. Commissioner Barnhardt was attending a meeting at the State Agriculture Preservation Office in Harrisburg. 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.

Commissioner Leinbach announced there was an Executive Session held yesterday, December 12, 2018 to discuss contract negotiations, litigation and personnel.

Approval of Minutes

The minutes of December 6, 2018 Commissioners' Board Meeting were approved as presented.

Public Comment on Agenda Items

None.

Agenda Items

1. Enactment of County Ordinance:

08.2018 AN ORDINANCE OF THE COUNTY OF BERKS, PENNSYLVANIA, AUTHORIZING BERKS COUNTY TO ENTER INTO AN INTERGOVERNMENTAL TRANSFER AGREEMENT ("IGT") BETWEEN THE PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES, OFFICE OF LONG-TERM LIVING ("DHS-OLTL") AND BERKS COUNTY ("COUNTY") TO PROVIDE FOR INTERGOVERNMENTAL TRANSFERS OF FUNDS TO DHS-OLTL IN ORDER TO PROVIDE THE NON-FEDERAL SHARE OF MEDICAL ASSISTANCE PAYMENTS TO COUNTY NURSING FACILITIES.

Commissioner Leinbach reported he recently met with the Office DHS-OLTL in an attempt to see if we could renegotiate a better IGT Agreement, arguing the State would not get any money if it

weren't for county nursing homes. No agreement was reached, and Commissioner Leinbach assured the County will continue to fight on how much money is allocated.

2. A motion was made by Commissioner Scott to approve the agenda as presented. Said motion was seconded by Commissioner Leinbach and all voted unanimously to approve the items listed below:

370.18 Adopt a resolution of the Board of Commissioners of the County of Berks, approving the financing by the Cumberland County Municipal Authority ("Authority") of a project for the benefit of Diakon Lutheran Social Ministries, which project consists of, among other things, the refunding of certain outstanding debt of the Authority issued for the benefit of Diakon Lutheran Social Ministries; declaring that it is desirable for the health, safety and welfare of the people in the areas served by Diakon Lutheran Social Ministries, to have the project provided by and financed through the Authority; designating the Chairman of the Board of Commissioners or, in his absence, any other member of the Board of Commissioners as the person to act on behalf of the Board of Commissioners as the "applicable elected representative" within the meaning of the Internal Revenue Code of 1986, as amended; authorizing such Chairman or any such member of the Board of Commissioners to take certain actions on behalf of the Board of Commissioners as such "applicable representative;" and authorizing other necessary and appropriate action. Peter Edelman, Esq., Bond Counsel for the Authority attended the meeting and reported the Authority is moving forward with this refinancing project for the purpose of refunding certain outstanding debt, and stated this financing does not obligate the County in any way.

371.18 Adopt a resolution authorizing 2018 Budget Transfers in the amount of \$261,964 and 2018 Appropriations in the amount of \$532,863 per listing dated December 10, 2018.

372.18 Adopt a resolution authorizing Human Resources Recommendations per listing dated December 13, 2018 as follows:

1. Authorize the appointment of Ery Morillo to PC013355 Enterprise Support Technician – Information Systems, effective 1/2/2019. Rate of \$47,150/annually. Salary range Minimum \$44,292; Midpoint \$59,057; Maximum \$73,821. Position created by Salary Board on 11/1/2018. This request meets the criteria of the Hiring Policy. Budget 10000 – 11700.

2. Authorize the appointment of Betsy Rivera to PC011156 Judicial Administrative Assistant – Court Administration, effective 1/9/2019. Rate of \$50,368/annually. Salary range Minimum \$33,721; Midpoint \$44,961; Maximum \$56,202. Replacement for Nancy Peters who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11600.
 3. Authorize the promotion of Linda Bloom from PC011721 Office Support II to Nursing Administrative Secretary – Berks Heim, effective 12/26/2018. Rate of \$34,788/annually. Salary range Minimum \$27,358; Midpoint \$36,477; Maximum \$45,596. Replacement for Sandra Santiago who separated. This request meets the criteria of the Hiring Policy. Budget 53000 – 33390.
 4. Authorize salary adjustment for Debra Hamm PC011642 Office Manager – Public Defender, effective 12/12/2018. Rate of \$50,000/annually. Salary range Minimum \$34,703; Midpoint \$46,271; Maximum \$57,839. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
 5. Authorize the utilization of a temporary agency for a Developer Analyst – Information Systems, effective 12/14/2018. Rate not to exceed \$95.00/hour. Utilization of the temporary agency will cease when a candidate is hired to fill the Developer Analyst position. This request meets the criteria of the Hiring Policy. Budget 10000 – 11170.
 6. Authorize the utilization of a temporary agency for a Senior Buyer – Purchasing, effective 12/14/2018. Rate not to exceed \$35.90/hour. Utilization of the temporary agency will cease when a candidate is hired to fill the Senior Buyer position. This request meets the criteria of the Hiring Policy. Budget 10000 – 11180.
- 373.18 Adopt a resolution authorizing Brian Gottschall, Director of Emergency Services, to electronically execute the Pennsylvania Emergency Management Agency State Fiscal Year 2018-2019 Hazardous Materials Fund Grant Agreement in the amount of \$58,058.34. This is an annual recurring grant agreement used to manage, update and perform hazardous response reports, requirements and training.

3. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated December 11, 2018. Commissioner Leinbach reported there are seven contracts and referenced the departments.
4. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated December 11, 2018 for week ending December 12, 2018 and the payment of electronic transfers and employee payroll.

Reports

1. County Treasurer A. Dennis Adams, CPA, was absent. Commissioner Leinbach presented the prepared weekly Treasurer's report.
2. The Controller's weekly report was presented by County Controller Sandy Graffius.

REPORT OF CHIEF FINANCIAL OFFICER

Robert Patrizio reported the Budget/Operations Meeting begins at 2:00 p.m. and because of the unavailability of the Commissioners Boardroom, the meeting will be held in Planning Commission's Library.

Mr. Patrizio reported the Board will receive an technology report update from Krista McIlhaney; a report from Michael Vind, Stevens & Lee, regarding the possible sale of the Berks Heim; and an update on the proposed Budget for next week.

REPORT OF CHIEF ADMINISTRATIVE OFFICER

Ronald R. Seaman reported on the activities occurring this weekend at Holiday Lights at Gring's Mill.

COMMISSIONERS' COMMENTS

Commissioner Scott

No comments at this time.

Commissioner Leinbach

Commissioner Leinbach reported at 11:00 this morning he plans to attend a special ceremony at the Reading Regional Airport for the posting of three Hometown Heroes Banners honoring Lt. Colonel Angstadt, Lt. Colonel Pannebecker and Lt. Colonel Duggan, POW-MIAs from the Vietnam War.

ELECTED OFFICIALS' COMMENTS

None.

COMMENTS FROM THE FLOOR

The following individuals attended the meeting to voice their opposition to the sale of Berks Heim; Crystal Kowalski, Wyomissing; Claudia Strause, Berkshire Heights; Jane Palmer, Wyomissing, Indivisible Berks; Evelyn Morrison (Reverend), Reading; Valerie Myer, Fleetwood, Len Myer, Fleetwood, Linda, President of Berks Democratic Women; Donna Reed, Reading City Council Member, and Mike Morrill, West Reading.

Ms. Kowalski asked if the people who attend this afternoon's Budget Meeting will be asked to leave for the financial advisor discussion. The Board answered no.

Ms. Kowalski also questioned whether the original seven bidders will be able to alter their original bids. Ms. Kowalski was advised Mr. Vind will address this issue this afternoon.

Ms. Strause was concerned and wonders if the current non-binding bids for the Berks Heim take into consideration the value of the facility and land, and the value of the 1999 Bond Issue the County used to build the Heim, and asked if the current management company is being made a part of any agreement.

Ms. Palmer, commended the Board for going after the State for additional money, noting taxpayers will pay no matter if the Heim is sold or not. Ms. Palmer thought the County was only seeking bids from non-profits, but noticed most if not all bids are from for profits.

Evelyn Morrison, Reading, voiced concern with a contract on the Agenda for Children and Youth Services, and was also concerned about some of the bidders interested in purchasing the Berks Heim.

Ms. Myer and Mr. Myer had family at the Heim, and commented on and are opposed to the concessions the County is asking the Unions make.

Commissioner Scott responded, stating a survey was conducted of wage rates and overtime of other nursing homes, both governmentally and privately managed, and was unable to find a single instance where employees are being paid double time for a 40 hour week. Commissioner Scott stated the County will not violate federal wage requirements regarding overtime, but all the County has done is to give the opportunity to the Unions to compromise on this issue to bring those rates more in line with what other facilities in the industry are paying.

Ms. Reed commended the County on its fiscal stability, but also had family members reside at the Heim, and asked the Board not to sell the Berks Heim, and have everyone work together to keep it a County facility.

Mike Morrill, West Reading, commented on the concept of union contracts and how that relates to the current situation.

Commissioner Leinbach stated his position still has not changed from the beginning and he is committed to doing everything possible to keep the Berks Heim in County ownership while still protecting county taxpayers. Regarding the union contracts, Commissioner Leinbach was emphatic, the County never asked the open the current contract, we simply asked if they were willing to sit down and negotiate early for the 2020 contract. Commissioner Leinbach reported on Monday both unions are sitting down with County representatives, but we must go forward with the sale options and see what

offers are out there, what enforceable guarantees are in place and continue the pressure on the Commonwealth.

There being no further business, the meeting adjourned at 10:55 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk