

## **Commissioners' Board Meeting June 28, 2007**

The Berks County Board of Commissioners met in regular session on Thursday, June 28, 2007, at 10:30 A.M. in the Board meeting room on the thirteenth floor of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Judith L. Schwank called the meeting to order with Commissioner Thomas Gajewski and Commissioner Mark C. Scott in attendance. Also present were the Chief Clerk Terry L. Styer, County Solicitor Alan Miller, Esq., and County Administrator William E. Dennis.

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

### **Approval of Minutes**

Commissioner Scott made a motion that was seconded by Commissioner Gajewski to approve the June 19, 2007 Commissioner workshop minutes and the June 21, 2007 Commissioners meeting minutes, all voted yes to approve; Commissioner Gajewski abstained from the vote for June 21, as he did not attend the meeting.

Following a brief presentation by Berks Industrial Development Authority Solicitor, Mike Setley\*, Commissioner Gajewski made a motion that was seconded by Commissioner Scott and approved by all to enact Ordinances 3-07 and 4-07 as follows:

### **Ordinance 3-07**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERKS, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INCURRENCE OF LEASE RENTAL DEBT, PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, APPROVED DECEMBER 19, 1996, ACT NO. 177, AS AMENDED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT; DETERMINING THAT SUCH DEBT SHALL BE INCURRED UNDER THE DEBT ACT AS LEASE RENTAL DEBT TO BE EVIDENCED BY A CERTAIN GUARANTY AGREEMENT OF THE COUNTY SECURING CERTAIN COUNTY GUARANTEED REVENUE NOTES TO BE EXECUTED BY THE REDEVELOPMENT AUTHORITY OF THE COUNTY OF BERKS (THE "AUTHORITY") **TO FINANCE A PROJECT FOR THE AUTHORITY CONSISTING OF (1) THE DESIGN, ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN IMPROVEMENTS TO BUSINESS ROUTE 422, PERKIOMEN AVENUE AND THE U.S. 422 BYPASS IN THE TOWNSHIP OF EXETER, BERKS COUNTY, PENNSYLVANIA;** (2) THE DESIGN, ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN INFRASTRUCTURE

IMPROVEMENTS AT THE PROJECT SITE. \* Mike Setley, Esq. was asked to provide an overview of both the TIF agreement and a guarantee agreement with the Berks County Redevelopment Authority according to the terms of Ordinance 3 -07. Mr. Setley explained that by guaranteeing this debt by the Redevelopment Authority, there is no expectation of payment by the county towards that debt service because the Redevelopment Authority was approved for a Grant from the State's IFIP (Infrastructure and Facilities Improvement Program) in the amount of \$800,000 per year for 10 years which is proposed to cover the Authority's debt service liability. He assured the Commissioners that the entire \$7 million would be used for the road improvements as part of the TIF project. He then added that if there were some reason the state would not complete the terms of this 10 year agreement, then the Developer would be responsible to refund the Redevelopment Authority. He explained that while the county will not be expected to provide the payments for this debt service, the County's annual budget report will be required to reflect the revenue from the IFIP program and the expenses as projected on Exhibit A of Ordinance 3-07 which in effect will be no net effect to the County's annual budget. He said that in addition to this \$7 million contribution to the project's road improvements, the Industrial Development Authority will contribute \$6.29 million which will be repaid by the TIF program and the Developer is expected to contribute an additional \$3 to \$5 million towards the road improvements totaling to approximately \$16 million.

#### **Ordinance 4-07**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERKS, PENNSYLVANIA AUTHORIZING THE COUNTY TO PARTICIPATE IN A COOPERATION AGREEMENT WITH EXETER TOWNSHIP AND EXETER SCHOOL DISTRICT REGARDING A TAX INCREMENT DISTRICT PROPOSED TO BE LOCATED IN EXETER TOWNSHIP; AND FUTURE AGREEING TO ALLOCATE 100% OF THE COUNTY'S SHARE OF THE INCREMENT TO THE BERKS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY TO PAY PROJECT COSTS AS DEFINED IN THE TIF ACT AND TO PAY THE PRINCIPAL OF AND INTEREST ON THE TIF DEBT AS MORE FULLY PROVIDED IN THE PLAN.**

\* When asked of the "incremental difference between the existing assessment and the proposed property value when complete. Mr. Setley said that the County's real estate tax revenue received from current assessed value of the properties is approximately \$25,000 annually. The projected revenue from the property as fully developed and assessed would be \$179,000. The difference or the incremental value of \$153,000 for 20 years will be applied against the (IDA) debt for the public improvements. Tom McKeon, Executive Director of the IDA stated that

without this project and the approval of this TIF program, these needed road improvements would have never materialized. He also reminded the board of the comments on the June 26<sup>th</sup> presentation that many properties surrounding the TIF are in the process of upgrading and redeveloping and therefore any increase in real estate value will be realized by the taxing entities as soon as those projects are complete.

The Commissioners agreed that a policy for directing the best and most effective use of TIF districts should be adopted. Mr. McKeon agreed to draft such a policy for the Commissioners.

**Consent Agenda Items/Non Consent Agenda Items**

1. A motion was made by Commissioner Scott, seconded by Commissioner Gajewski and all voted unanimously to approve the items listed below:
  - 188.07 A. Resolution authorizing 2007 Budget Transfers in the amount of \$58,000 and 2007 Appropriations in the amount of \$137,000 per listing dated June 22, 2007.
  - 189.07 B. Resolution approving the County of Berks Hazardous Material Emergency Response Preparedness Assessment Update for 2006.
  - 190.07 C. Resolution to award a contract to Bertolet Construction Corporation, Wernersville, PA for the replacement of the 7<sup>th</sup> Street steps to the Berks County Government Services Center in an amount not to exceed, \$116,100.
  - 191.07 D. Resolution approving Human Resource Recommendations per list dated 6/25/07.
  - 192.07 E. Resolution authorizing the execution of The Mental Retardation Stage 1 Plan for Fiscal Year 2008-2009.
2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated June 25, 2007.
  - 193.07 F. Resolution to reappoint Irwin Rosner, West Reading, PA to a 3 year term ending 6/30/2010 on the Reading Area Community College Board of Trustees.
  - 194.07 G. Resolution to reappoint Edwin L. Stock, Shillington, PA to a 3 year term ending 6/30/2010 on the Reading Area Community College Board of Trustees.

**Reports**

1. County Treasurer – Treasurers Report was not presented.
2. County Controller – Mark Hanson, Chief Deputy Controller, read report.

Commissioner Gajewski complimented the Human Resources department for the Retirement Planning seminars offered to County employees.

There being no further business, the meeting adjourned at 11:10 A.M.

Respectfully Submitted,

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Terry L. Styer, Chief Clerk