

**Commissioners' Workshop Meeting
Tuesday, August 26, 2008**

I. CALL TO ORDER:

The Berks County Board of Commissioners met in regular session on Tuesday, August 26, 2008 at 10:30 A.M. in the thirteenth floor Board Room of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Mark C. Scott called the meeting to order with Commissioner Christian Leinbach, and Commissioner Kevin Barnhardt in attendance. Also present were County Administrator, William E. Dennis, Solicitor Alan Miller Esq., and Chief Clerk Terry Styer.

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

II. ADOPT ORDINANCE 02-08

A motion was made by Commissioner Leinbach, seconded by Commissioner Barnhardt, and all voted unanimously to approve the ordinance listed below:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERKS, PENNSYLVANIA, AUTHORIZING AND DIRECTING INCURRING OF NONELECTORAL DEBT THROUGH THE ISSUANCE OF A SERIES OF GENERAL OBLIGATION BONDS OF THE COUNTY IN THE AGGREGATE PRINCIPAL AMOUNT OF THIRTY NINE MILLION DOLLARS (\$39,000,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 PA.C.S., CHAPTERS 80-82, AS AMENDED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTERESTS OF THE COUNTY; DETERMINING THAT SUCH BONDS SHALL EVIDENCE NONELECTORAL DEBT OF THE COUNTY; SPECIFYING THAT SUCH INDEBTEDNESS IS TO BE INCURRED TO PROVIDE FUNDS FOR CERTAIN PROJECTS OF THE COUNTY WHICH INCLUDE, AMONG OTHER THINGS: (A) THE REFINANCING OF THE COUNTY'S GENERAL OBLIGATION BONDS, SERIES OF 1998 AND THE COUNTY'S GENERAL OBLIGATION VARIABLE RATE DEMAND BONDS, SERIES OF 2002, AND (B) THE PAYMENT OF THE COSTS AND EXPENSES OF ISSUING THE BONDS

Mike Vind, Financial Advisor to the County from Financial S&Lutions summarized the purpose of this transaction by explaining that the County Commissioners have agreed to refund the \$65 million debt service by repaying unspent bond proceeds from the 1998 and 2002 bond issues thereby reducing this bond debt to what is expected to be in the final principal amount of \$34 million thereby reducing the debt burden on a per capita basis by \$100 and projecting an overall \$53 million in savings for debt service payments over the next 20 years. He also noted that the County's bond rating has gone from A+ and A1 to AA and AA2 rating which will reduce the interest expense and negate any need for bond insurance, thereby further reducing the cost to the county taxpayers. Mr. Vind said that the bond rating agencies actually cited this bond refunding strategy of the Commissioners as well as the financial management expertise shown by Bill Dennis, County Administrator and Bob Patrizio, Budget Director as reasons for the improved ratings. Commissioner Leinbach noted that due to all of these factors the overall debt burden will now be reduced from \$ 430 million to \$379 million. Commissioner Scott commended both Mike Vind and Peter Edelman, Esq., Bond Counsel of Financial S&Lutions, for their efforts and stated that this \$53 million in savings equates to 1/3 of the tax revenue received by the county annually.

III. PRESENTATION

- A. Dick Ehst, Executive Vice President of Sovereign Bank presented a check in the amount of \$1,012.60 from Sovereign Bank as a donation to reimburse the County of Berks for the cost of POW/MIA Flags to be flown at the County Facilities. Mr. Ehst also asked that the Commissioners consider adopting a policy to fly the flags every day the American Flag is flown. Commissioner Leinbach requested the other Commissioners to approve flying the POW/MIA Flag every day and cited five reasons for doing so: 1- It helps remind us of our freedom and it is a recognition that we can't leave anyone behind 2-It shows tremendous respect for all our veterans 3- It makes a statement about the values of this county. 4- By Statute, the days that the POW/MIA flag is to be flown at most federal buildings are Flag Day, Memorial Day, Veterans Day, Armed Forces Day, Independence Day and National POW//MIA Recognition Day. He pointed out that Berks County is usually closed on most of those holidays and therefore no staff would be present to hang the flag. 5- Many Post offices already fly the POW/MIA flag on a daily basis. He then credited Bernie Bingham and Larry Cohen for initiating this request. At this time several spokespersons of veterans groups thanked the Commissioners for their support and encouraged that they develop a policy to fly the flags every day the American Flag is flown. Those commenting included: Air Force Master Sergeant Larry Cohen representing The Retired Enlisted Assoc (TREA); Bernie Bingham, Executive Director of The Forget Me Nots; Diane Simmons of the Forget Me Nots; and Janet Clauser – sister of Ralph Angstadt (one of the POW/MIAs listed from Berks County); Diane Price, Commander, Women Veterans of Berks County; Robert Howell; Commander of the Berks County Combined Veterans Council; Commander of DAV (Disabled American Veterans) Chap 10;

POW / MIA Flag continued:

Frank Presock - VFW Post 38 and member of the Combined Veterans Council and Janice Kingkinger, Director of the Berks County Department of Veteran's Affairs.

Commissioner Barnhardt read a prepared statement reflecting his position on the flying of this flag: *"My belief is in no way a sign of disrespect for those brave men and women who have given so much in the defense of our nation. I will restate my initial beliefs from the April 15th board meeting: I believe that the POW/MIA flags should be flown at county facilities in a show of support on the same days designated by Section 1082 of the 1998 Defense Authorization Act during the first term of the 105th Congress. The League's POW/MIA flag will fly each year on:*

Armed Forces Day

Memorial Day

Flag Day

Independence Day

National POW/MIA Recognition Day (3rd Friday, 2008-September 19th)

Veteran's Day

These are the specific days the flag is flown over:

The Capitol

The White House

The Korean and Vietnam Veteran's War Memorials

Every National Cemetery (Arlington where my uncle is buried)

Secretary of State

Secretary of Veteran's Affairs

Director of the Selective Service System

Every major military installation

Every VA Medical Center

Every Post Office

As mayor of West Reading, I participated in the dedication of the veteran's memorial in front of the borough hall.....I took part in the celebration of returning servicemen of Northern Berks County which took place in Centerport one month ago.....I am presently working with and supporting the efforts of the Veteran's Task Force, working with our director of Veteran's affairs.

Commissioner Barnhardt's statement continued:

The goal of the task force is to roll-out a website of all persons of Berks County who have served, are serving, are missing or have made the supreme sacrifice in the armed forces of the United States. The goal is to have this web site up and running on Veteran's Day, November 11th. This is but one effort of many in which I will take an active role in supporting our armed forces...I believe there are so many constructive ways in which to honor service to our country. I have and will continue to play an active role in aiding our veterans and those presently in the armed forces.

With this policy, we also need to be mindful of the many requests we receive from organizations to display banners and flags and to stage demonstrations, vigils, etc.

What do we say to: MADD, American Cancer Society "breast cancer awareness month", Right-to-Life groups, The Years of Tears Organization, Victims rights groups, the United Way and hundreds of other well-intended organizations who will make similar requests?

I spent an hour driving this morning to establish whether POW/MIA flags are flown in the community. I was able to find none over the West Lawn post office, Wyomissing Post office, Wyomissing Borough hall, West Reading Borough hall, State Police barracks, Marine Reserve Center, Reading City Hall and yes, even the Sovereign Plaza. Only the Sinking Spring VFW had one in place."

A long discussion followed with strong sentiments expressed that the POW/MIA flag issue is different from those other worthy causes and many pointed to the fact that it's the only federally sanctioned flag to fly with the American Flag. Commissioner Scott summarized the comments by saying that it isn't a flag that will bring people back; it is Americans who will bring people back. He said it is the conviction and the passion with which people embrace their patriotism that is far more important than any symbol that flies on any flag pole. He also said that it's important to have this type of dialogue and the courage to protect this freedom of expression and thanked everyone for their participation in this discussion.

IV. DEPARTMENTAL REPORTS / REQUESTS

Budget Department:

- A. Motion authorizing Mark C. Scott, Esq. as Chairman of the Board, to execute Contract Agreements/ Amendments as furnished by the Contract Coordinator Candace Noll, per attached listing dated August 25, 2008.

District Attorney:

- A. Resolution approving the execution of a Grant Agreement commencing 1/1/09 to 12/31/10 for Victim/Witness Assistance funds in the amount of \$400,522 between the County of Berks and the PCCD (Pennsylvania Commission on Crime and Delinquency.) Amy Sundstrom, Victim/Witness Supervisor, attended the meeting to present the request.

Human Resource Director:

- A. Human Resource recommendations per list dated August 26, 2008.

Office of Aging:

- A. Adopt a resolution authorizing Mark C. Scott, Chair of the Berks County Board of Commissioners to sign the Amended Title V Grant Program for the fiscal year 2008-2009.

V. REPORT OF THE COUNTY ADMINISTRATOR

County Administrator Bill Dennis presented his weekly report, attached.

VI. REPORTS OF COMMISSIONERS:**Commissioner Leinbach**

Commissioner Leinbach noted that Berks County residents have saved an average of 26% by using the NACo Prescription Drug Card. He said that the total savings since the inception of the program is over \$133,000.

VII. CITIZEN COMMENT/BUSINESS FROM THE FLOOR

Lisa Kneel of Berks Unity Solutions announced the upcoming Guitar Masters World Tour, to be held Labor Day weekend at Pat Garrett's Amphitheatre in Strausstown. She said that over 60 bands are scheduled to attend. Hours are Saturday 10 AM to Monday 8 PM. For more information, visit www.song3.com.

There being no further business the meeting adjourned at 11:45 AM.

Respectfully Submitted,

Terry L Styer, Chief Clerk