

Commissioners' Workshop Meeting Tuesday, August 25, 2009

I. CALL TO ORDER:

The Berks County Board of Commissioners met in regular session on Tuesday, August 25, 2009, 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, Esq. called the meeting to order with Commissioner Christian Leinbach, and Commissioner Kevin Barnhardt in attendance. Also present were 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. The Commissioner announced that an Executive Session was held on August 24th to discuss Employee Performance Evaluations and that another would be held this afternoon for the continued discussion of the same.

II. Ordinance No.6 of 2009

Mike Setley, Esq., of Concord Public Finance presented for adoption Ordinance No 6 of 2009 which (in summary) will:

AUTHORIZE AND DIRECT THE INCURRENCE OF LEASE RENTAL DEBT, IN AN AGGREGATE PRINCIPAL AMOUNT OF SIX MILLION THREE HUNDRED SIXTY THOUSAND DOLLARS (\$6,360,000), 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 THE GUARANTEED REVENUE BONDS - SERIES OF 2009 (THE "BONDS") TO BE ISSUED BY THE BERKS COUNTY SOLID WASTE AUTHORITY (THE "AUTHORITY") TO FINANCE A PROJECT OF THE AUTHORITY CONSISTING OF (1) THE CURRENT REFUNDING OF THE REMAINING OUTSTANDING PORTION OF THE AUTHORITY'S GUARANTEED REVENUE BONDS, SERIES OF 2004 (THE "2004 BONDS")

III. DEPARTMENTAL REPORTS / REQUESTS:

Budget Department

- A. Adopt a resolution authorizing 2009 Budget Transfers in the amount of \$15,000 per listing dated August 21, 2009.
- B. 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, 2009.

Human Resources

- A. Human Resource recommendations per list dated August 25, 2009. Human Resource Director Jennifer Biehn presented the list.
- B. Commissioner Leinbach asked Mrs. Biehn to summarize the updated Management/Confidential performance evaluation process. The Commissioner then referred to a letter from a Berks County Common Pleas Court Judge in which objections to the County Performance Based review and merit system were raised.

Parks and Recreation

- A. Adopt a Resolution authorizing execution of grant agreement BRC-PRD-15-15 between the PA Department on Conservation and Natural Resources (DCNR) and the County of Berks in the amount of \$180,000 for completion of the Union Canal-Blue Marsh Connector Trail.

Solid Waste Authority

- A. Adopt a Resolution authorizing Mark C. Scott as Chairman of the Board, to execute Application for Municipal Recycling Program Performance Grant, The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988 (P.L. 556) Section 904.

IV. REPORTS OF COMMISSIONERS

- A. Adopt a resolution amending Resolution No. 8 of 09 which authorized the Treasurer to make 12 monthly Retirement Fund Annual Required Contribution (ARC) payments to the Berks County Retirement Fund based on an estimated annual contribution of \$12,850,000; to now provide for a lump sum payment of the remaining ARC of \$3,477,734 based on an actual ARC payment of \$11,064,000 to the end of December 2009.
- B. The Commissioners then discussed a resolution concerning funding of the 23rd Judicial District in light of a 1996 affirmation of the Pennsylvania Supreme Court mandating the state legislature to fund a unified court system throughout the Commonwealth of Pennsylvania.
- C. The Commissioners then presented for the benefit of the public, a discussion on the impact the State budget impasse is having on Berks County services and service providers. In addition to individual comments from the Commissioners, those presenting current issues related to this budget impasse were: Budget Director Robert Patrizio along with George Kovarie, Director of Children and Youth Services (CYS); Bob Williams, Director of Juvenile Probation; Ed McCann, COO, Berks County Workforce Investment Board; Mary Henry Moss, Human Services Coordinator; George Vogel, Executive Director, Council on Chemical Abuse; Dr. Ed Michalik, Executive Director, Mental Health/Mental Retardation (MH/MR) and HealthChoices.

Commissioner Leinbach

Commissioner Barnhardt

Commissioner Scott

Commissioner Leinbach made a motion, seconded by Commissioner Barnhardt, and all voted yes to approve the following resolution:

- 239.09 A. Resolution to accept proposal for Liberty Environmental to conduct PA DEP file review and prepare follow up report on Air Permit application comments related to Access Energy; Lehigh Cement Company and Boyertown Foundry Company. Cost not to exceed \$2,800.

There being no further business the meeting adjourned at 12:02 PM.

Respectfully Submitted,

Terry L Styer, Chief Clerk