

**Commissioners' Board Meeting**  
**Thursday, February 12, 2004**

The Berks County Board of Commissioners met in regular session on Thursday, February 12, 2004 at 10:30 AM 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 Judy Schwank called the meeting to order with Commissioner Tom Gajewski, Commissioner Mark Scott, Solicitor Alan S. Miller, and Acting Chief Clerk William E. Dennis in attendance.

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

On motion by Commissioner Gajewski, seconded by Commissioner Scott, the minutes of the February 3, 2004 Pre-Commissioners' meeting and February 5, 2004 Commissioners' meeting were approved as presented.

Commissioner Schwank read a proclamation declaring National Marriage Week, February 7, 2004 through February 14, 2004. Commissioner Schwank welcomed the opportunity so as to show the commitment of the Commissioners for improving quality of life and support of families. Commissioner Gajewski expressed his thanks and support citing the efforts of Healthy Families. Commissioner Scott added that families are facing difficult times with influences that undermine the strength of the family and therefore we must be unified in fighting these influences.

Commissioner Gajewski introduced the family of the late Paul S. Limpus, Jr. and read to them a certificate of recognition in honor of Mr. Limpus, noting his achievements and honors as a citizen of Berks County. Mr. Christopher Winters and Mr. Paul Limpus, III thanked the Commissioners, stating that the extended and immediate family sincerely appreciated the recognition and kind words.

Commissioner Schwank introduced for proposed adoption of the 2004 General Operating Budget for the County of Berks. County Administrator Dennis advised that a formal vote was required to adopt the budget, which was re opened by Council action in January 2004. Mr. Dennis advised that the original budget figures and tax rate was not changed from the original budget. He advised, however, that 2004 would be a year in which many budget changes and policy decisions would have to be made, particularly because of limited fund balances and receivables owed the county. Commissioner Scott added that, due to deficit spending, the 2005 budget would be difficult to balance without a tax increase. Also needed is significant reductions in expenditures. Commissioner Gajewski remarked that the reopening of the budget raised more questions than it answered. He also stated that the receivables owed to the county did, in fact, make us a loan company for the state. He added that the breakdown of the fund balance is critical to developing a budget and that the county should use similar techniques as other counties in projecting year end closing balances rather than wait for the audit. Commissioner

Schwank added that the county needed a new budget process in place as well as new fiscal policies. She continued by saying that hard questions need to be asked about the success of programs and whether they are worth the associated costs.

On motion by Commissioner Scott, seconded by Commissioner Gajewski, with Commissioner Schwank concurring the 2004 Budget was approved as submitted.

On motion by Commissioner Scott, seconded by Commissioner Gajewski, with Commissioner Schwank concurring the following items listed under "Consent Agenda" were approved:

Adopt Resolutions:

- 89-04 A. Authorizing the execution of certain documents and the reinvestment of certain funds with respect to project funds established by general obligation bonds, series of 1998.
- 90-04 B. Authorizing the reinvestment of certain funds with respect to project funds established by general obligation bonds, series of 1999.
- 91-04 C. Authorizing the execution of a contract between L. Robert Kimball & Associates and the County of Berks for architectural services related to Jail Addition and Renovations.
- 92-04 D. Authorizing Judith L. Schwank, Commissioner, Chair, to execute the Emergency Management Performance Grant Program Annual Statement of Work application for Federal Fiscal Year 2004.
- 93-04 E. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$142,564.58 or \$1,062.33 per acre for David C. Adam, 258 Mountain View Road, Shoemakersville, Pennsylvania, consisting of 134.2 acres of which 134.2 acres would be subject to the easement.
- 94-02 F. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$102,300.00 or \$1,000.00 per acre for Kenneth A. and Edna M. Bauscher, 138 Obyle Road, Lenhartsville, Pennsylvania, consisting of 102.3 acres of which 102.3 acres would be subject to the easement.

- 95-04 G. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$158,300.00 or \$1,000.00 per acre for Thomas A. and Carolyn R. Bechtel, 843 Balthaser Road, Lenhartsville, Pennsylvania, consisting of 158.3 acres of which 158.3 acres would be subject to the easement.
- 96-04 H. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$102,300.00 or \$1,000.00 per acre for George R. and Barbara A. Hess, 450 Shoemakersville, Pennsylvania, consisting of 102.3 acres of which 102.3 acres would be subject to the easement.
- 97-04 I. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$64,100.00 or \$1,000.00 per acre for Glenn Z. and Karen G. Musser, 931 Meckville Road, Fredericksburg, Pennsylvania, consisting of 64.1 acres of which 64.1 acres would be subject to the easement.
- 98-04 J. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$67,000.00 or \$1,000.00 per acre for David L. and Ruth L. Schrack, 105 Christmas Village Road, Womelsdorf, Pennsylvania, consisting of 67.0 acres of which 67.0 acres would be subject to the easement.
- 99-04 K. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$103,300.00 or \$1,000.00 per acre for Benjamin F. and Fannie G. Stoltzfus, 44 Golf Road, Myerstown, Pennsylvania, consisting of 103.3 acres of which 103.3 acres would be subject to the easement.

- 100-04 L. Authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute Certification of County funds for Agricultural Land Conservation Easement Purchase in the amount of \$110,700.00 or \$1,000.00 per acre for Wessner Family Limited Partnership, owned by Arlan R. & Linda F. Wessner and Todd A. Wessner, 1646 Hex Highway, Hamburg, Pennsylvania, consisting of 110.7 acres of which 110.7 acres would be subject to the easement.
- 101-04 M. Authorizing the reappointment of Christopher M. Winters, 200 Prospect Avenue, Reading, Pennsylvania, 19611, to the Berks County Housing Authority Board, for a five-year term to expire 12/31/08.
- 102-04 N. Authorizing subsidized adoption of a male child born 12/22/99 on request of BCCYS and in accordance with applicable federal regulations, at the rate of \$11.00 per day Maintenance, including physical and mental health care, and \$500.00 legal cost plus filing fees (Case Number 19829).
- 103-04 O. Authorizing Continuation of Maintenance for a female child born 3/5/85, on request of BCCYS and in accordance with applicable federal regulations, effective 3/5/04 through 6/30/04 in the form of Purchased Care from KidsPeace at the per diem rate of \$83.00 to allow for completion of high school.
- 104-04 P. Authorizing Continuation of Maintenance for a female child born 3/17/85, on request of BCCYS and in accordance with applicable federal regulations, effective 3/17/04 through 6/30/04 in the form of Purchased Care from Angel Baby Ministries, Inc. at the per diem rate of \$164.09 to allow for completion of high school.
- 105-04 Q. Authorizing 2003 Budget Transfers in the total aggregate amount of \$52,497.00; 2003 Budget Appropriations in the total aggregate amount of \$3,340,241.00; 2004 Budget Transfers in the total aggregate amount of \$316,533.00; and 2004 Budget Appropriations in the total aggregate amount of \$60,496.00 per listing dated February 6, 2004.
- 106-04 R. Authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per attached listing dated 02/06/04.

- 107-04 S. Ratifying, confirming and approving the execution of the Settlement Agreement between the Teamsters Union Local 429 and Berks County regarding litigation.
- 108-04 T. Authorizing waiving interest and penalty on the 2002 interim tax bill of Mr. and Mrs. David L. Oxenford, Douglassville, in an amount of \$34.70 and further authorizing acceptance of a flat interim tax payment of \$266.98 if made within thirty (30) days of the adoption of this resolution.

Commissioner Scott addressed the Commissioners regarding local preference for bidders. He stated that local firms are not given a preferential opportunity for selection. Many local firms cannot compete in terms of experience with regional and national firms, and as a result are not selected. He questioned how those firms can get experience in such an environment.

Kurt Bellman, Director of Election Services, was present to advise the Commissioners that it was his recommendation to continue with the installation and use of the SURE System for the primary. Commissioner Schwank commended the department for their efforts.

Commissioner Scott advised those present of a resource in anticipation of tomato planting. That resource is Tomato Growers magazine, a copy of which can be obtained by calling 1-888-478-7333.

#### **Citizen Comments/Business from the Floor**

No comments were received.

With no further business to come before the Board, the meeting was adjourned at 11:15 AM.

Respectfully Submitted,

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William E. Dennis, Acting Chief Clerk