

LANCASTER COUNTY COMMISSIONERS' MEETING

AGENDA

JANUARY 25, 2017

9:15 A.M.



1. Meeting Called to Order: This morning's meeting will be conducted by Commissioner Joshua Parsons.
2. Pledge of Allegiance
3. Minutes as Distributed: Approval of the December 14, 2016 Commissioners' Meeting Minutes, December 28, 2016 Commissioners' Meeting Minutes and January 4, 2017 Commissioners' Meeting Minutes. Postpone approval of the December 21, 2016 Commissioners' Meeting Minutes, January 11, 2017 Commissioners' Meeting Minutes and January 18, 2017 Commissioners' Meeting Minutes.
4. Old Business:
5. New Business:
 - a. **Presentation of "Star Performer" Awards to Thais Grant and Susan Dorrin**
Thais Grant, Shelter Youth Care Worker, Youth Intervention Center
Susan Dorrin, Youth Care Worker, Youth Intervention Center
Drew Fredericks, Director, Youth Intervention Center
Joseph Scannapieco, Shelter Program Director, Youth Intervention Center
Bryan Hubbard, Program Coordinator, Youth Intervention Center
David Root, Youth Care Worker Supervisor, Youth Intervention Center
E. William Peters, Interim Chief Clerk
Sue Lao, Deputy Director, Human Resources
Trisha Banker, Program Coordinator, Human Resources

"continued"

County Commissioners' Meeting Agenda

Wednesday, January 25, 2017

Page 2

b. **Resolution No. 5 of 2017 – Lancaster County Hospital Authority Financing of Projects to be Undertaken by Brethren Village Retirement Community**

James Noel, Esquire, Solicitor, Lancaster County Hospital Authority

Benjamin Ried, Esquire, Rhoads and Sinon and Bond Counsel to Brethren Village

Jay Wenger, Managing Director, Susquehanna Group Advisors, Inc. and Financial Advisor to Brethren Village

John Snader, President and CEO, Brethren Village

Rodney Martzall, CPA, Vice President of Finance/CFO, Brethren Village

c. **Behavioral Health/Developmental Services – Agreement and Grant Agreement**

Judy Erb, Deputy Director of Administration, Behavioral Health/Developmental Services

d. **Office of Aging – Contract Extension**

Jacqueline Burch, Executive Director, Office of Aging

6. Business from Guests

7. Adjourn

STAR Performer!

Certificate of Appreciation

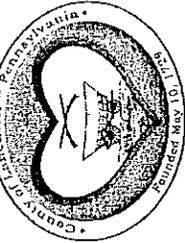
awarded to

Thais Grant,

Youth Intervention Center

As a Christmas gift, Youth Intervention Center Shelter Youth Care worker, Thais Grant, voluntarily planned, facilitated, and paid for movie tickets and popcorn for all of the Shelter residents who were eligible for off-site privileges. The residents were able to go and see a current movie during their holiday break from school. It is sometimes hard for people to remember that the residents we work with are still kids. Regardless of what challenging situation led them to our Shelter, they still miss their home and family during the holidays, like we all do.

Thais gave out of the love in her heart and of her own resources and showed why she is deserving of a STAR Performer Award. Many of our residents were pessimistic about having to spend Christmas at YIC, but her thoughtful gift brought joy to our residents and made this holiday a little brighter for them.



[Signature]

Director of Human Resources

JANUARY 25, 2017

Date

STAR Performer!

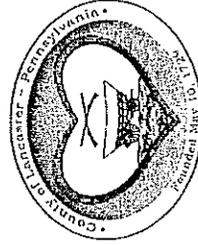
Certificate of Appreciation

awarded to

Susan Dorrin,

Youth Intervention Center

On Christmas Day, Youth Care Worker Susan Dorrin voluntarily facilitated a program for the detention residents at the Lancaster County Youth Intervention Center. Her program included Christmas movies and home cooked food. Susan brought in all of her own cookware and made the residents pork bbq sandwiches, french fries, and more. It is sometimes hard for people to remember that the residents we work with are still kids, most of whom just made a few bad decisions. Regardless of what led them to YIC, they still miss their home and family during the holidays, like we all do. YIC's role is not to judge, punish, or place blame on the juveniles who we come in contact with, but to ensure that they are kept safe and are taken care of physically, mentally, and emotionally while they are in our care. The residents who participated in this program stated they had it better at YIC then they would have had at home. It is my personal belief that this is directly related to Susan's program. Sue exceeds expectations every day she works, but in this one particular moment, she went above and beyond the scope of her normal job responsibilities. The youth we work with do not usually come from great backgrounds. Many of our residents were pessimistic about having to spend Christmas at YIC, but Sue's jubilant demeanor brought joy to our residents and made this holiday for them. If only for one moment, she touched the hearts of these youth and gave them hope.



Director of Human Resources

1-25-2017

Date

COUNTY OF LANCASTER,
PENNSYLVANIA

RESOLUTION NO. 5 OF 2017

On motion of Commissioner _____, seconded by Commissioner _____;

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LANCASTER, APPROVING THE FINANCING BY LANCASTER COUNTY HOSPITAL AUTHORITY OF A CERTAIN PROJECT TO BE UNDERTAKEN WITH RESPECT TO THE FACILITIES OF BROTHERS VILLAGE RETIREMENT COMMUNITY IN MANHEIM TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY SUCH FACILITIES TO HAVE SUCH FACILITIES PROVIDED BY OR FINANCED THROUGH SUCH AUTHORITY; GIVING APPROVAL FOR THE USE OF TAX-EXEMPT FINANCING FOR THE PROJECT; AND AUTHORIZING OTHER NECESSARY AND APPROPRIATE ACTION.

WHEREAS, Brethren Village (the “Borrower”), a corporation not-for-profit organized and existing under laws of the Commonwealth of Pennsylvania, owns and operates a continuing care retirement community and related health center facilities in the Township of Manheim, Lancaster County, Pennsylvania, known as Brethren Village Retirement Community (the “Facilities”); and

WHEREAS, Lancaster County Hospital Authority (the “Authority”), a municipality authority organized by this County under the Pennsylvania Municipality Authorities Act of 1945, as amended, now the Municipality Authorities Act, 53 Pa.C.S. Chapter 56, as amended (the “Authorities Act”), proposes to act as conduit issuer and issue tax-exempt bonds and/or notes in one or more series, concurrently or serially, in an aggregate principal amount not to exceed \$142,500,000 (the “Bonds”) to refinance bonds previously issued by the Authority in connection with the Facilities and to finance costs of a new capital project or projects to be undertaken with respect to the Facilities, as more particularly described on **Exhibit A** attached to this Resolution (the “Project”); and

WHEREAS, The financing of the Project will constitute the financing of a “health center” operated by a “nonprofit corporation,” all within the meaning of the Authorities Act; and

WHEREAS, Under the Authorities Act, the Authority may undertake to finance a health center to be leased, or financed with a loan or loans, to a nonprofit corporation serving the public only if this County, as the governmental unit that organized the Authority, declares by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such health center facilities to have such facilities provided or financed by the Authority; and

WHEREAS, The Authority has requested that this County, by resolution or ordinance, declare that it is desirable for the health, safety and welfare of the people in the area served by the Facilities and the Project to have the Facilities and the Project provided or financed by the Authority; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that tax-exempt obligations may not be issued for the benefit of persons other than state and local governments unless the issue is approved by a political subdivision within which the properties being financed or refinanced extend and the “applicable elected representative” of the governmental unit which will issue the tax-exempt obligations or, if such governmental unit has no elected officials, then by an “applicable elected representative” of the next higher governmental unit (with an “applicable elected representative”), following a public hearing of which reasonable public notice is given; and

WHEREAS, The Authority has no elected representative, and this County, as the incorporator of the Authority, is the next higher governmental unit with an elected representative, within the meaning of the Code; and

WHEREAS, Notice of a public hearing with respect to the Project and the proposed issuance of the Bonds by the Authority as tax-exempt obligations was published in the *LNP*, Lancaster, Pennsylvania, a newspaper of general circulation in the area to be served by the Facilities and the Project; and

WHEREAS, A public hearing with respect to the Project and the issuance of the Bonds was held on January 17, 2017, at the time and place set forth in such Notice; and

WHEREAS, A summary of the public hearing, including the public questions and comments presented at the hearing, has been presented to and reviewed by the Board of County Commissioners of this County; and

WHEREAS, Due consideration has been given to the public comments (if any) made during the public hearing with regard to the use of tax-exempt financing for the Project;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THIS COUNTY, AS FOLLOWS:

1. The Board of County Commissioners of this County does hereby find and declare that it is desirable for the health, safety and welfare of the people in the area served by the Facilities and the Project to have the Facilities and the Project provided or financed by the Authority.

2. The advertisement and holding of a public hearing as required by the Code with respect to the Bonds and the Project in the name of and on behalf of this County by the Authority, its Solicitor or his or her delegate is hereby ratified, confirmed and approved.

3. The Board of County Commissioners of this County designates and authorizes its Chairman or Vice Chairman to execute and deliver on behalf of this County a Certificate of Approval with respect to the Bonds, such Certificate of Approval to be substantially in the form attached hereto as **Exhibit B**.

4. The approval(s) granted or to be granted by this Resolution shall not, in any way, pledge or obligate the credit or taxing power of this County, nor shall this County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority as contemplated herein.

5. Nothing in this Resolution is intended to be, nor shall it be construed as, an approval of the Bonds or of the Project by this County for any purposes other than (1) the exception for health center projects set forth in Section 5607(b)(2)(iv) of the Authorities Act, 53 Pa.C.S. §5607(b)(2)(iv), and (2) the public approval requirement of Section 147(f) of the Code.

6. All prior actions of this County and of the Authority taken in conformity with the intent and purposes of this Resolution are ratified, confirmed and approved.

7. All prior resolutions or parts of resolutions, insofar as such shall be inconsistent herewith, shall be and the same expressly are repealed.

8. This Resolution shall take effect immediately.

DULY ADOPTED this 25th day of January, 2017, by the Board of County Commissioners of the County of Lancaster, Pennsylvania, in lawful session duly assembled.

COUNTY OF LANCASTER, PENNSYLVANIA

By: _____
County Commissioner

By: _____
County Commissioner

By: _____
County Commissioner

ATTEST:

(Assistant) Chief Clerk

(SEAL)

EXHIBIT A

DESCRIPTION OF THE PROJECT

The Project includes the following:

(1) the refunding, redemption and retirement of all or a portion of the outstanding Lancaster County Hospital Authority Revenue Bonds (Brethren Village Project), Series A of 2008, previously issued to finance or refinance the construction of various buildings, improvements and facilities that are part of the existing continuing care retirement community known as Brethren Village Retirement Community located at or near 3001 Lititz Pike in the Township of Manheim, Lancaster County, Pennsylvania (the "Community"), the financing of related costs and expenses, including costs of financing, and, as necessary or appropriate, the financing of a debt service reserve fund, as necessary or appropriate; and

(2) the financing of the costs of constructing, furnishing and equipping various capital improvements on the campus of the Community, including approximately 72 new independent living apartments within nine two-story buildings, the financing of related costs and expenses, including costs of financing, and the financing of capitalized interest and a debt service reserve fund, as necessary or appropriate.

EXHIBIT B

(FORM OF CERTIFICATE OF APPROVAL)

**COUNTY OF LANCASTER,
PENNSYLVANIA**

CERTIFICATE OF APPROVAL

The undersigned, being the applicable elected representative of the County of Lancaster, Pennsylvania (the "County"), a political subdivision of the Commonwealth of Pennsylvania, does hereby approve the use of tax-exempt financing in the maximum amount set forth below for the project described below. Such financing shall be evidenced by a tax-exempt obligation or obligations (the "Bonds") to be issued by LANCASTER COUNTY HOSPITAL AUTHORITY (the "Authority") one or more series, concurrently or serially. This Approval is being given after due consideration of the minutes of a public hearing on the matter held on the date and at the time and place set forth below following reasonable public notice:

Description of the Project to be Financed: The proceeds of the Bonds will be loaned to Brethren Village, a Pennsylvania non-profit corporation and an organization described in Section 501(c)(3) of the Code, to be used for payment or reimbursement of costs, including financing costs and establishment of appropriate interest and debt service reserves, of a project or projects that will include the refunding, redemption and retirement of all or a portion of the outstanding Lancaster County Hospital Authority Revenue Bonds (Brethren Village Project), Series A of 2008, previously issued to finance or refinance the construction of various buildings, improvements and facilities that are part of the existing continuing care retirement community known as Brethren Village Retirement Community (the "Community"), and constructing, furnishing and equipping various capital improvements on the campus of the Community, including approximately 72 new independent living apartments within nine two-story buildings.

Estimated Maximum Aggregate Principal Amount of Bonds: \$142,500,000.

Initial Owner and Operator of the Project: Brethren Village.

Location of Facilities Being Financed: Brethren Village Retirement Community, at or near 3001 Lititz Pike in the Township of Manheim, Lancaster County, Pennsylvania.

Time, Date and Place of Public Hearing: 4:00 p.m., prevailing local time, Tuesday, January 17, 2017, at the offices of McNees, Wallace & Nurick LLC, 570 Lausch Lane, Suite 200, Lancaster, Pennsylvania 17601.

Notice of Public Hearing: Notice of Hearing published December 31, 2016, in the *LNP*, Lancaster, Pennsylvania.

Synopsis of Hearing: A Synopsis of the Hearing was prepared and submitted to the Board of County Commissioners and is on file with the Chief Clerk.

This Approval is given by the County as the next higher governmental unit with elected representatives from which the Authority derives its authority to finance the Project and as a governmental unit within whose jurisdiction the Project is located, and solely for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended. The obligations to be issued shall not constitute a debt or obligation of the County, and the County hereby assumes no obligation whatsoever with respect to payment of the same. This Certificate of Approval is not intended to be, nor shall it be construed as, an approval of the obligations to be issued by the Authority or of the Project for any purpose other than the public approval requirement of Section 147(f) of the Code.

IN WITNESS WHEREOF, the undersigned, being duly authorized to act on behalf of the Board of County Commissioners of the County, has executed this Approval this ____ day of January, 2017.

[form only; not for signature]

(Vice) Chairman of the Board of County
Commissioners of the County of Lancaster,
Pennsylvania

CERTIFICATE

I, the undersigned (Assistant) Chief Clerk of the Board of County Commissioners of the County of Lancaster, Pennsylvania (the "County"), certify: that the foregoing is a true and correct copy of a Resolution that duly was adopted by affirmative vote of a majority of all members of the Board of County Commissioners of the County at a meeting duly convened and held according to law on January 25, 2017, at which meeting a quorum was present; that said Resolution duly has been recorded in the minutes of the said Board; and that said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that said Board met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. §701, *et seq.*, by advertising the time and place of said meeting, by posting prominently a notice of said meeting at the principal office of the County or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at such meeting prior to adopting said Resolution, all as required by such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the County, this 25th day of January, 2017.

(Assistant) Chief Clerk of the Board of County
Commissioners of the County of Lancaster,
Pennsylvania

(SEAL)

**COUNTY OF LANCASTER,
Pennsylvania**

CERTIFICATE OF APPROVAL

The undersigned, being the applicable elected representative of the County of Lancaster, Pennsylvania (the "County"), a political subdivision of the Commonwealth of Pennsylvania, does hereby approve the use of tax-exempt financing in the maximum amount set forth below for the project described below. Such financing shall be evidenced by a tax-exempt obligation or obligations (the "Bonds") to be issued by LANCASTER COUNTY HOSPITAL AUTHORITY (the "Authority") one or more series, concurrently or serially. This Approval is being given after due consideration of the minutes of a public hearing on the matter held on the date and at the time and place set forth below following reasonable public notice:

Description of the Project to be Financed: The proceeds of the Bonds will be loaned to Brethren Village, a Pennsylvania non-profit corporation and an organization described in Section 501(c)(3) of the Code, to be used for payment or reimbursement of costs, including financing costs and establishment of appropriate interest and debt service reserves, of a project or projects that will include the refunding, redemption and retirement of all or a portion of the outstanding Lancaster County Hospital Authority Revenue Bonds (Brethren Village Project), Series A of 2008, previously issued to finance or refinance the construction of various buildings, improvements and facilities that are part of the existing continuing care retirement community known as Brethren Village Retirement Community (the "Community"), and constructing, furnishing and equipping various capital improvements on the campus of the Community, including approximately 72 new independent living apartments within nine two-story buildings.

Estimated Maximum Aggregate Principal Amount of Bonds: \$142,500,000.

Initial Owner and Operator of the Project: Brethren Village.

Location of Facilities Being Financed: Brethren Village Retirement Community, at or near 3001 Lititz Pike in the Township of Manheim, Lancaster County, Pennsylvania.

Time, Date and Place of Public Hearing: 4:00 p.m., prevailing local time, Tuesday, January 17, 2017, at the offices of McNees, Wallace & Nurick LLC, 570 Lausch Lane, Suite 200, Lancaster, Pennsylvania 17601.

Notice of Public Hearing: Notice of Hearing published December 31, 2016, in the LNP, Lancaster, Pennsylvania.

Synopsis of Hearing: A Synopsis of the Hearing was prepared and submitted to the Board of County Commissioners and is on file with the Chief Clerk.

This Approval is given by the County as the next higher governmental unit with elected representatives from which the Authority derives its authority to finance the Project and as a governmental unit within whose jurisdiction the Project is located, and solely for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended. The obligations to be issued shall

not constitute a debt or obligation of the County, and the County hereby assumes no obligation whatsoever with respect to payment of the same. This Certificate of Approval is not intended to be, nor shall it be construed as, an approval of the obligations to be issued by the Authority or of the Project for any purpose other than the public approval requirement of Section 147(f) of the Code.

IN WITNESS WHEREOF, the undersigned, being duly authorized to act on behalf of the Board of County Commissioners of the County, has executed this Approval this ____ day of January, 2017.

(Vice) Chairman of the Board of County
Commissioners of the County of Lancaster,
Pennsylvania

On motion of Commissioner _____, seconded by Commissioner _____, it was agreed for the County of Lancaster, acting on behalf of the Office of Aging, to approve the following:

Contract Extension With:

Berks County Center for Independent Living (CIL)
dba Abilities in Motion (AIM)
Reading, Pennsylvania

For:

In-home Services:

Personal Assistance Service \$17.10/hour
Consumer Model

Term:

Extend the term from July 1, 2016 through June 30, 2017.