

COUNTY COMMISSIONERS' WORK SESSION AGENDA

TUESDAY, MARCH 29, 2016

9:00 A.M.:

EXECUTIVE SESSION:

9:00 a.m.

Crystal Clark, County Solicitor

10:00 A.M.:

PUBLIC SESSION:

Approval of February 9, 2016 Work Session Minutes and March 1, 2016 Work Session Minutes. Postpone approval of March 8, 2016 Work Session Minutes and March 22, 2016 Work Session Minutes.

10:00 a.m.

Randy Gockley, Coordinator, Emergency Management Agency – Adoption of Annual Report on Hazardous Materials Emergency Response Preparedness for 2015 (action requested at today's Work Session; please refer to attached motion) and Grant Agreement (please refer to motion on tomorrow's agenda)

10:05 a.m.

Mark Wilson, Director, and Teri Miller-Landon, Deputy Director, Adult Probation and Parole Services – Approval to Submit Grant Modification (action requested at today's Work Session; please refer to attached motion)

10:10 a.m.

Cheryl Steberger, Warden and/or Benjamin Lefever, Lieutenant, Prison – Request for Use of Funds from the Prison's Store Account (please refer to motion on tomorrow's agenda)

10:15 a.m.

E. William Peters, Director, Human Resources – Revision to Employment of Relatives Policy (please refer to motion on tomorrow's agenda)

10:20 a.m.

Paul Weiss, Administrator, Department of Parks and Recreation – Discussion re. Proposed Insurance Coverage Changes with Central Park Trail Rides Agreement (approved February 17, 2016) for Guided Horseback Rides in Lancaster County Central Park

10:30 a.m.

Randy Patterson, Director, Economic Development and Neighborhood Revitalization, City of Lancaster – Request to Support Granting Tax-exempt Status to the Masonic Center Property (requesting action at tomorrow's meeting; please refer to attached proposed motion)

10:40 a.m.

Discussion re. Legal Consultant Agreement – Second Amendment

10:50 a.m.

Announcement: The appointment of a County Solicitor will be considered at tomorrow's Commissioners' Meeting.

Other Discussion Items:

1. Appointments/Reappointments to County Boards
2. March 30, 2016 Commissioners' Meeting Agenda
3. March 30, 2016 Election Board Meeting Agenda

Adjourn

REQUEST SUMMARY

ITEMS FOR COMMISSIONERS' AGENDA ON 3/30/16

_____ Randall Gockley, Emergency Management _____ (include department)

Item #	Name of Contract Provider	Term	Amount being Requested	Percent of Increase/Decrease	Goals (Define goals by percentages when applicable)	Trends
1	PA Emergency Management Agency (PEMA)	9/30/15 to 9/30/16	\$55,200.00	+11%	Provide haz mat training to up to 3500 responders through Public Safety Training Center	Continue previous year efforts
2	PEMA	1/1/15 to 1/31/15	\$102,659.00	+1.5%	Annual report required on Hazardous Materials Activities During the past year	Trends consistent with previous years
3						

On motion of Commissioner _____, seconded by Commissioner _____, it was agreed for the County of Lancaster, acting on behalf of the Emergency Management Agency, to adopt the Annual Report on Hazardous Materials Emergency Response Preparedness for Lancaster County for calendar year 2015.

3/29/16

**This completed document must be submitted to the Chief Clerk by 9:00 am the
Wednesday prior to the County Commissioners' Work Session and Commissioners'
Meeting. Please don't wait until the deadline to submit the request.**

COVER SHEET FOR

CONTRACTS/AGREEMENTS/GRANT APPLICATIONS/ CHANGE ORDERS, ETC.

Submitted by: Name and Title: Randall S. Gockley, Coordinator
 Department: Emergency Management Agency
 Date: March 29, 2016

Board Action Requested: Annual Hazardous Materials Report
 (Specify: Agreement, Amended Agreement, Grant App.,
 Change Order, Bid Award etc.)

Provider Information: (Name, Address): Pennsylvania Emergency Management Agency
2605 Interstate Dr.
Harrisburg, PA 17110-9364

Proposed Program Budget Information:

Service	2016 Amount to be Approved	2015 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)
Hazardous Materials Grant	\$102,659.00 .00	\$101,200.00	+ 1,459.00	+1.5%	100% County

Term of Contract: January 1, 2015 to December 31, 2015

Budget Comments: Slight increase due to additional available funds

Program Information:

Description of Service:
 State and federal law mandates certain facilities to report annual chemical storage and/or usage to our agency on behalf
 Of the Local Emergency Planning Committee (LEPC). County Ordinance allowed by State Act 165 authorizes the
 County to access \$75.00/chemical and \$100.00/Emergency Plan to businesses reporting. The annual report follows
 A PA Emergency Management Agency Guidance Directive for activities during the past year in planning, training
 And response to haz mat incidents. When the report is approved by the State, the monies received through the
 Ordinance can be spent on haz mat related programs..

Complete sections pertaining to bid awards and Request for Proposals:

# of Bids Received	Is Proposed Contract to the Lowest Bidder (Y/N)	If No, Please Explain	Performance Bond Required?	Define Funding Source

Complete Sections Pertaining to Construction Projects:

Amount of Change Order	Amount of Original Budget	Revised Total Budget Reflecting Change	Define Funding Source

Date you would like the County Commissioners'

To take official action on this item?:

Tuesday, March 29, 2016 (Done as Work Session item in past)

Who will be in attendance at the County Commissioners' Work Session? Please include name and title:

Randall Gockley, EMA Director

Who will be in attendance at the County Commissioners Meeting to comment on this item? Please include name and title:

Randy Gockley, EMA Coordinator

This completed document must be submitted to the Chief Clerk by 9:00 am the Wednesday prior to the County Commissioners' Work Session and Commissioners' Meeting. Please don't wait until the deadline to submit the request. When there is a holiday, the request must be submitted no later than 12:00 noon on the Tuesday prior to the Meetings. Exceptions to this deadline must be approved by the County Administrator.

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

Grant Agreement With:

Pennsylvania Emergency Management Agency
Harrisburg, Pennsylvania

For:

Hazardous Material Emergency Preparedness funding for hazardous materials planning, preparedness and training through the Public Safety Training Center to approximately 3,500 County personnel and emergency responders.

Amount/Term:

\$55,200.00 State funding and \$13,800.00 County funding in the form of cash expenditures or in-kind services for the period September 30, 2015 through September 30, 2016.

This completed document must be submitted to the Chief Clerk by 9:00 am the Wednesday prior to the County Commissioners' Work Session and Commissioners' Meeting. Please don't wait until the deadline to submit the request.

COVER SHEET FOR

CONTRACTS/AGREEMENTS/GRANT APPLICATIONS/ CHANGE ORDERS, ETC.

Submitted by: Name and Title: Randall S. Gockley, Coordinator
 Department: Emergency Management Agency
 Date: March 30, 2016

Board Action Requested: Annual Hazardous Materials Response Fund Grant
 (Specify Agreement, Amended Agreement, Grant App., Change Order, Bid Award etc.)

Provider Information: (Name, Address): Pennsylvania Emergency Management Agency
2605 Interstate Dr.
Harrisburg, PA 17110-9364

Proposed Program Budget Information:

Service	2016 Amount to be Approved	2015 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)
Hazardous Materials Grant	\$55,200.00	\$49,511.00	+ 5,689.00	+11%	80% State

Term of Contract: September 30, 2015 to September 30, 2016

Budget Comments: Increase due to additional available funds

Program Information:

Description of Service:
Annual Grant to fund costs associated with planning, preparedness and training for incidents involving hazardous Materials incidents. All monies are being used for "free" hazardous materials training to all County personnel and responders through the Public Safety Training Center. As many as 3500 may benefit from this funding as they Refresh or receive their annually required federal training at various levels.

Complete sections pertaining to bid awards and Request for Proposals:

# of Bids Received	Is Proposed Contract to the Lowest Bidder (Y/N)	If No, Please Explain	Performance Bond Required?	Define Funding Source

Complete Sections Pertaining to Construction Projects:

Amount of Change Order	Amount of Original Budget	Revised Total Budget Reflecting Change	Define Funding Source

Date you would like the County Commissioners'

To take official action on this item?:

Wednesday, March 30, 2016

Who will be in attendance at the County Commissioners' Work Session? Please include name and title:

Randall Gockley, EMA Director

Who will be in attendance at the County Commissioners Meeting to comment on this item? Please include name and title:

Randy Gockley, EMA Coordinator

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On motion of Commissioner _____, seconded by Commissioner _____, it was agreed for the County of Lancaster, acting on behalf of Adult Probation and Parole Services, to approve the following:

**Approval to Submit Grant
Modification With:**

Pennsylvania Commission on Crime and Delinquency
Harrisburg, Pennsylvania

Purpose:

To submit a modification for the Specialized Behavioral Health Training for Law Enforcement and Justice Practitioners grant as follows:

- (1) To extend the term of the grant from March 31, 2016 through March 31, 2017 to allow for additional expenditures.
- (2) To allow for a Crisis Intervention Team (CIT) curriculum for Lancaster County Prison by shifting the funds earmarked for CIT-Veteran curriculum to CIT-Jail curriculum.

Amount:

There is no change in original grant amount which remains at \$24,938.00

3/29/16

This completed document must be submitted to the Chief Clerk by 9:00 am the Wednesday prior to the County Commissioners' Work Session and Commissioners' Meeting. Please don't wait until the deadline to submit the request.

COVER SHEET FOR

CONTRACTS/AGREEMENTS/GRANT APPLICATIONS/ CHANGE ORDERS, ETC.

Submitted by: Name and Title: Mark Wilson
 Department: Adult Probation and Parole Services
 Date: March 22, 2016

Board Action Requested:

(Specify Agreement, Amended Agreement, Grant App., Change Order, Bid Award etc.)

Approval to submit a grantmodification

Provider Information: (Name, Address):

Pennsylvania Commission on Crime and Delinquency

P.O. Box 1167

Harrisburg, PA 1708-1167

Proposed Program Budget Information:

Service	2015-2016 Amount to be Approved	2014-2015 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)
Approval to submit grantmodification	\$24,938				100% State

Term of Contract: Project Period April 1, 2016 to March 31, 2017

Budget Comments: No change in original budget request

Program Information:

Description of Service:

This request is for approval to submit a grant modification with PCCD for the Specialized Behavioral Health Training for Law Enforcement and Justice Practitioners; specifically, CIT (Crisis Intervention Team) training. The initial grant period was from April 1, 2014 through March 31st, 2016. This request is two-fold. First, to extend the grant period until March 31st, 2017 to allow for additional expenditures; second, to modify the grant to pay for a CIT curriculum for Lancaster County Prison. The initial project proposal aimed to create two CIT curricula; one that focused on veterans, and another whose focus is with juvenile issues. The development of the CIT Juvenile curriculum is currently being spearheaded by COBYS Family Services. The CIT-Veteran curriculum was developed through Drexel University, however required no funding; Drexel funded the curriculum development through their own, separate grant, and therefore Lancaster County incurred no cost. We are proposing a modification that would allow Lancaster County to use the funds originally earmarked for CIT-Veteran curriculum to be shifted to curriculum for CIT-Jail.

** Funding is provided by: The PCCD in partnership with Dept of Public Welfare/Office of Mental Health and Substance Abuse and Staunton Farm Foundation

Complete sections pertaining to bid awards and Request for Proposals:

# of Bids Received	Is Proposed Contract to the Lowest Bidder (Y/N)	If No, Please Explain	Performance Bond Required?	Define Funding Source

Complete Sections Pertaining to Construction Projects:

Amount of Change Order	Amount of Original Budget	Revised Total Budget Reflecting Change	Define Funding Source

Date you would like the County Commissioners'

March 29, 2016

To take official action on this item?:

Who will be in attendance at the County Commissioners' Work Session? Please include name and title:

Mark Wilson, Director

Teri Miller-Landon, Deputy Director

Who will be in attendance at the County Commissioners Meeting to comment on this item? Please include name and title:

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Exceptions to this deadline must be approved by the County Administrator.

On motion of Commissioner _____, seconded by Commissioner _____, it was agreed for the County of Lancaster, acting on behalf of the Prison, to authorize the use of funds in the amount of \$7,500.00 from the Prison's "Store Account" (C1200 22021 AA 6535) to purchase a trained dog from Connecticut K-9 Services, Bethany, Connecticut, for the Prison's K-9 Unit to replace a current K-9 Unit dog that needs to retire.

3/30/16

This completed document must be submitted to the Chief Clerk by **9:00 am** the **Wednesday** prior to the County Commissioners' Work Session and Commissioners' Meeting. Please don't wait until the deadline to submit the request.

COVER SHEET FOR

CONTRACTS/AGREEMENTS/GRANT APPLICATIONS/ CHANGE ORDERS, ETC.

Submitted by: Name and Title: Cheryl Steberger, Warden
 Department: Prison
 Date: March 24, 2016

Board Action Requested:
 (Specify Agreement, Amended Agreement, Grant App., Change Order, Bid Award etc.)
 Use of \$7,500.00 from the "Store Account" (C1200 22021 AA 6535) to purchase a trained dog for the K-9 Unit. This dog would be to replace one of the current K-9 Units that needs to retire.

Provider Information: (Name, Address):
 Connecticut K-9 Services
 Bethany, Connecticut

Proposed Program Budget Information:

Service	2016-17 Amount to be Approved	2015-2014 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)
	\$7,500.00				100% Commissary Commissions

Term of Contract: One time purchase includes initial training of the dog from birth to 6 months.
Budget Comments: This expense was removed from the 2016 budget to meet allocations

Program Information/Description of Service:
 This kennel is familiar with the unique requirements and necessary training for K-9 Units that patrol Lancaster County Prison. The K-9 team is responsible for perimeter security of the jail as well as being a use of force deterrent during fights and or riots. These dogs are also trained to conduct searches for drugs, tobacco and cell phones.

Complete sections pertaining to bid awards and Request for Proposals:

# of Bids Received	Is Proposed Contract to the Lowest Bidder (Y/N)	If No, Please Explain	Performance Bond Required?	Define Funding Source
NA				

Complete Sections Pertaining to Construction Projects:

Amount of Change Order	Amount of Original Budget	Revised Total Budget Reflecting Change	Define Funding Source
NA			

Date you would like the County Commissioners'

To take official action on this item?:

March 30, 2016

Who will be in attendance at the County Commissioners' Work Session? Please include name and title:

Cheryl Steberger, Warden
Benjamin Lefever, Lieutenant

Who will be in attendance at the County Commissioners Meeting to comment on this item? Please include name and title:

Cheryl Steberger, Warden
Benjamin Lefever, Lieutenant

This completed document must be submitted to the Chief Clerk by 9:00 am the Wednesday prior to the County Commissioners' Work Session and Commissioners' Meeting. Please don't wait until the deadline to submit the request. When there is a holiday, the request must be submitted no later than 12:00 noon on the Tuesday prior to the Meetings. Exceptions to this deadline must be approved by the County Administrator.

On motion of Commissioner _____, seconded by Commissioner _____, it was agreed for the County of Lancaster, acting on behalf of the Human Resources Department, to approve revisions to the Employment of Relatives Policy, effective March 30, 2016, to allow the hiring, promotion, transfer and demotion of County employees with close relatives in County supervisory positions while insuring there is no direct reporting responsibility to each other, and outlines the direct involvement of Human Resources in any potential conflict of interest prior to any personnel action.

The full text of "A-4 Employment of Relatives" Policy is listed below:

A-4 EMPLOYMENT OF RELATIVES

Purpose: To establish guidelines for the appointment of relatives for vacant positions within the County of Lancaster and address current employee relationships.

Scope: This policy applies to all County of Lancaster employees and departments.

Policy: The County of Lancaster wants to ensure that its hiring practices do not create situations such as a conflict of interest or favoritism. This extends to practices that involve hiring, promotion, separation, and transfers. Close relatives, those dating, or members of the same household are not permitted to be in positions that have a direct reporting responsibility to each other.

A supervisor-subordinate relationship shall not occur at the time of employment or thereafter, nor shall a relative assume for the other the role of advocate with respect to conditions of employment, promotion, demotion, reassignment, or transfer. In the event a family relationship between two employees is created during employment, the Department Head, in conjunction with the Human Resources Department, shall ensure that a supervisor-subordinate relationship does not exist.

For the purposes of this policy, close relatives include:

- Husband
- Wife
- Father
- Mother
- Father-in-Law
- Mother-in-Law
- Grandfather
- Grandmother
- Son
- Son-in-Law
- Daughter
- Daughter-in-Law
- Uncle
- Aunt
- Nephew
- Niece
- Brother
- Sister
- Brother-in-Law
- Sister-in-Law
- Step relatives
- Cousin

Individuals will not be hired, transferred, or promoted into a position that would create an actual or potential conflict of interest. If employees begin a dating relationship, become relatives, or establish a shared residence, and one employee has direct supervision or authority over the other, it is the higher level employees' responsibility to notify the department head and the Office of Human Resources within five business days of the circumstances so that appropriate remedial measures may be taken. The failure of the supervisory employee to report the relationship may result in disciplinary action up to and including termination of employment.

Resolution

The County will allow sixty (60) days for the employees to resolve the situation on their own by means of a transfer (if the employee qualifies, interviews, and is offered a position within the County), or resignation. After sixty days, if the employees have not resolved the situation, the department head, in consultation with the Office of Human Resources, shall determine the most appropriate action for the specific situation.

This completed document must be submitted to the Chief Clerk by 9:00 am the Wednesday prior to the County Commissioners' Work Session and Commissioners' Meeting. Please don't wait until the deadline to submit the request.

COVER SHEET FOR

CONTRACTS/AGREEMENTS/GRANT APPLICATIONS/ CHANGE ORDERS, ETC.

Submitted by: Name and Title: E. William Peters
 Department: Human Resources A113
 Date: March 22, 2016

Board Action Requested: Motion to approve Revision to County Policy and Procedure
 (Specify Agreement, Amended Agreement, Grant App., Policy A-4 Employment of Relatives
 Change Order, Bid Award etc.)

Provider Information: (Name, Address): N/A

Proposed Program Budget Information:

Service	2016-17 Amount to be Approved	2015-2014 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)
N/A					

Term of Contract: N/A

Budget Comments: N/A

Program Information/Description of Service:

Revision of Employment of Relatives Policy to allow the hiring, promotion, transfer and demotion of County employees with close relatives in more senior County roles while insuring that there is no direct reporting responsibility to each other. The revision also specifically spells out the direct involvement of Human Resources in any potential conflict of interest prior to any personnel action.

Complete sections pertaining to bid awards and Request for Proposals:

# of Bids Received	Is Proposed Contract to the Lowest Bidder (Y/N)	If No, Please Explain	Performance Bond Required?	Define Funding Source
N/A				

Complete Sections Pertaining to Construction Projects:

Amount of Change Order	Amount of Original Budget	Revised Total Budget Reflecting Change	Define Funding Source
N/A			

Date you would like the County Commissioners' To take official action on this item?:

March 29, 2016

Who will be in attendance at the County Commissioners' Work Session? Please include name and title:

E. William Peters/Director of Human Resources

Who will be in attendance at the County Commissioners Meeting to comment on this item? Please include name and title:

E. William Peters/Director of Human Resources

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SECTION A

Revised

13/1429/201416

A-4 EMPLOYMENT OF RELATIVES

Purpose: To establish guidelines for the appointment of relatives for vacant positions within the County of Lancaster and address current employee relationships.

Scope: This policy applies to all County of Lancaster employees and departments.

Policy: The County of Lancaster wants to ensure that its hiring practices do not create situations such as a conflict of interest or favoritism. This extends to practices that involve hiring, promotion, separation, and transfers. Close relatives, those dating, or members of the same household are not permitted to be in positions that have a direct reporting responsibility to each other, ~~or are in a position of influence over each other.~~ For the purposes of this policy, close relatives include:

A supervisor-subordinate relationship shall not occur at the time of employment or thereafter, nor shall a relative assume for the other the role of advocate with respect to conditions of employment, promotion, demotion, reassignment, or transfer. In the event a family relationship between two employees is created during employment, the Department Head, in conjunction with the Human Resources Department, shall ensure that a supervisor-subordinate relationship does not exist.

For the purposes of this policy, close relatives include:

- Husband
- Wife
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- Mother
- Father-in-Law
- Mother-in-Law
- Grandfather
- Grandmother
- Son
- Son-in-Law
- Daughter
- Daughter-in-Law
- Uncle
- Aunt
- Nephew
- Niece
- Brother
- Sister
- Brother-in-Law
- Sister-in-Law
- Step relatives
- Cousin

Individuals will not be hired, transferred, or promoted into a position that would create an actual or potential conflict of interest. If employees begin a dating relationship, become relatives, or establish a shared residence, and one employee has direct supervision or authority over the other, it is the higher level employees' responsibility to notify the department head and the Office of Human Resources within five business days of the circumstances so that appropriate remedial measures may be taken. The failure of the supervisory employee to report the relationship may result in disciplinary action up to and including termination of employment.

Resolution

The County will allow sixty (60) days for the employees to resolve the situation on their own by means of a transfer (if the employee qualifies, interviews, and is offered a position within the County), or resignation. After sixty days, if the employees have not resolved the situation, the department head, in consultation with the Office of Human Resources, shall determine the most appropriate action for the specific situation.

COVER SHEET
FOR

CONTRACTS/AGREEMENTS/GRANT APPLICATIONS/ CHANGE ORDERS, ETC.

Submitted by: Name and Title: Paul Weiss
 Department: Parks and Recreation
 Date: 3/22/16

Board Action Requested:
 (Specify Agreement, Amended Agreement, Grant App.,
 Change Order, Bid Award etc.)

Discussion of previously approved agreement for the provision of guided horseback rides in Lancaster County Central Park.

Central Park Trail Rides, LLC (a partner of the Lanc Co SPCA)
 848 South Prince Street
 Lancaster, PA 17603

Proposed Program Budget Information:

Service	2016 Amount to be Approved	2015 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)
Guided horseback rides in Lancaster County Central Park	25% of net revenue from program paid to County (approx. \$7,300 in 2016)	N/A	N/A	N/A	N/A

Term of Contract: Through December 31, 2016 and renewing annually thereafter.

Budget Comments: As the program was not finalized at the time, the corresponding revenue was not included in the 2016 budget.

Program Information:

Description of Service:
 (See attached). Note: Should the County Commissioners accept the changes to the horse riding agreement, the contract page documenting those changes is attached for the BOC to initial.

Complete sections pertaining to bid awards and Request for Proposals:

# of Bids Received	Is Proposed Contract to the Lowest Bidder (Y/N)	If No, Please Explain	Performance Bond Required?	Define Funding Source

Complete Sections Pertaining to Construction Projects:

Amount of Change Order	Amount of Original Budget	Revised Total Budget Reflecting Change	Define Funding Source

March 29, 2016 (Works Session Only)

Date you would like the County Commissioners'

To take official action on this item?:

Who will be in attendance at the County Commissioners' Work Session? Please include name and title:

Paul Weiss, Parks and Recreation Administrator (Work Session)

Sue Martin, Executive Director, Central Park Trail Rides and Lancaster County SPCA (Work Session)

This completed document must be submitted to the Chief Clerk by 9:00 am the Wednesday prior to the County Commissioners' Work Session and Commissioners' Meeting. Please don't wait until the deadline to submit the request. When there is a holiday, the request must be submitted no later than 12:00 noon on the Tuesday prior to the Meetings. Exceptions to this deadline must be authorized by the Chief Administrator.

March 29, 2016 Work Session Discussion:

Regarding insurance changes in agreement with Central Park Trail Rides for guided horseback rides in Lancaster County Central Park

On February, 17, 2016, the Commissioners approved an agreement with Central Park Trail Rides to provide the horses, equipment and staffing to conduct guided horseback rides in Lancaster County Central Park. Part of that agreement included Central Park Trail Rides obtaining \$1M in general liability, plus a \$2M in additional umbrella coverage, for the horse riding program.

Despite having been being told otherwise previously by their insurance carrier, Sue Martin from Central Park Trail Rides has recently learned that they cannot obtain more than \$1M in general liability coverage from her carrier. Further research by Sue has found that \$1M is the industry standard for this type of coverage, and she can't find an insurer who will provide more.

In considering how to proceed with this matter, the Lancaster County Department of Parks and Recreation looked at three primary factors:

1. What requirements are being made by other agencies with similar agreements with horse riding outfitters? (Two examples could be found.)
 - a. **Gettysburg National Military Park:** Requires their outfitter to provide \$1M in general liability coverage.
 - b. **Evansburg State Park (Collegeville, PA).** Requires standard indemnification language in their agreement (similar to ours) but neither stipulates evidence of liability insurance coverage nor sets a minimum requirement for liability coverage.
2. What liability protection measures are still in place in the agreement with Central Park Trail Rides?
 - a. The County's contract with the Central Park Trail Rides contains our standard indemnification language.
 - b. Central Park Trail Rides will be carrying \$1M in general liability coverage per occurrence and will name the County of Lancaster as "additional insured".
 - c. Central Park Trail Rides will be requiring all participants to sign a liability waiver. In addition all participants under 18 years of age will be required to wear a helmet. Participants 18 and over will be required to sign-off should they elect not to wear a helmet. (See attached waiver.)

- d. In accordance with Pennsylvania's Equine Activities Liability Act (Act 93), Central Park Trail Rides will be required to post a minimum of two (2) signs, at least two (2) feet by three (3) feet in size, containing the specific language "You assume the risk of equine activities pursuant to Pennsylvania Law". (See the following website for a further explanation of this act how it protects equine activity providers: <http://www.pennsylvaniaequestrian.com/news/equine-liability-2006.php>)

3. What is the County Solicitor's position on this matter?

Having discussed this with Crystal Clark, she would have preferred to see the higher limits of insurance. However, "if it's not available at a higher rate, we can't force them into it." She said that while she would not say "no" to the agreement, this becomes a policy question as to whether or not we want to continue. (Such a question should be discussed with the County Commissioners; Crystal recommended doing so at a Public Work Session.)

Taking all of these factors into consideration, the Department of Parks and Recreation's recommendation is to move forward with the previously approved agreement with Central Park Trail Rides with a revised general liability coverage minimum of \$1M.

**RELEASE AND WAIVER OF LIABILITY,
ASSUMPTION OF RISK, AND INDEMNITY AGREEMENT**

READ THIS AGREEMENT CAREFULLY BEFORE SIGNING IT. YOUR SIGNATURE INDICATES YOU UNDERSTAND IT AND AGREE ON ITS TERMS. BY SIGNING THIS AGREEMENT, YOU AND YOUR CHILD ARE GIVING UP CERTAIN LEGAL RIGHTS, INCLUDING THE RIGHT TO SUE OR RECOVER DAMAGES IN CASE OF INJURY, DEATH OR PROPERTY DAMAGES, FOR ANY REASON, INCLUDING BUT NOT LIMITED TO, THE NEGLIGENCE OF CENTRAL PARK TRAIL RIDES, IT'S OWNERS, EMPLOYEES AND AGENTS, AS WELL AS THE COUNTY OF LANCASTER ("THE RELEASEES").

I, _____ on behalf of myself (and/or my minor child) _____,
[Print First and Last Name] [Print Child's Name]

residing at _____ in _____, _____, _____,
[Street Address] [City] [State] [Zip]

with a home telephone number of _____, and an emergency contact of _____ at _____,
[Number] [Print Name] [Number]

in consideration for allowing me (an/or my minor child) to handle and ride a horse and on behalf of myself, my child or our personal representatives, heirs, next-of-kin, spouses and assigns, I HEREBY:

1. **Acknowledge that a horse or mule may, without warning or any apparent cause, buck, stumble, fall, rear, bite, kick, run, make unpredictable movements, spook, jump obstacles, step on a person's feet, push or shove a person, saddles or bridles may loosen or break – all of which may cause the rider to fall or be jolted, resulting in serious injury or death.**
2. **ACKNOWLEDGE THAT HORSEBACK RIDING IS AN INHERENTLY DANGEROUS ACTIVITY AND INVOLVES RISKS THAT MAY CAUSE SERIOUS INJURY AND IN SOME CASES DEATH**, because of the unpredictable nature and irrational behavior of horses, regardless of their training and past performance.
3. **Acknowledge that, upon mounting a horse and taking up the reins, I am in primary control of the horse**, and my safety largely depends on my ability to carry out simple instructions and to remain balanced aboard the moving animal. I agree that I shall be responsible for my own safety.
4. **Agree that the Releasees shall not be responsible for total or partial acts, occurrences, or elements of nature that can scare a horse, cause it to fall, or react in some other unsafe way.** Some examples are: thunder, lightning, rain, wind, wild and domestic animals, insects, and reptiles, which may walk, run, fly near, bite and/or sting a horse or person; and irregular footing on out-of-door groomed or wild land which is subject to constant change in condition according to weather, temperature, and natural and man-made changes in landscape.
3. **Voluntarily assume the risk and danger of injury or death inherent in the use of the horse, equipment and gear provided to me by Central Park Trail Rides, hereinafter referred to as the Stable.**
4. **RELEASE, DISCHARGE AND PROMISE NOT TO SUE** the Stable, doing business under its own name or any other name and/or any of its owners, officers, employees and agents, as well as the County of Lancaster, its officers, employees and agents (hereinafter the "Releasees"), for any loss, liability, damages, or cost whatsoever arising out of or related to any loss, damage, or injury (including death) to my person or property.
5. **Release the Releasees** from any claim that such Releasees are or may be negligent in connection with my riding experience or ability, including but not limited to training or selecting horses, maintenance, care, fit or adjustment of saddles or bridles, instruction or riding skills or leading and supervising riders.
6. **INDEMNIFY, SAVE AND HOLD HARMLESS** the Releasees, instructors, employees and agents from and against any loss, liability, damage or cost they may incur arising out of or in any way connected with either my use of the horse and any equipment of gear provided therewith, or any acts or omissions of wranglers or other employees or agents.
7. **The Undersigned expressly agrees that the foregoing release and waiver of liability, assumption of risk, and indemnity agreement is governed by the Commonwealth of Pennsylvania and is intended to be as broad and inclusive as is permitted by Pennsylvania Law (RIDE AT YOUR OWN RISK), and that in the event any portion of this Agreement is**

determined to be invalid, illegal, or unenforceable, the validity, legality and enforceability of the balance of the Agreement shall not be affected or impaired in any way and shall continue in full legal force and effect.

8. **Acknowledge that this document is a contract** and agree that if a lawsuit is filed against the Releasees or their owners, agents, employees, guides or wranglers for any injury or damage in breach of this contract, the Undersigned will pay all attorney's fees and costs incurred by the Releasees in defending such an action.
9. **State that I am not now pregnant** and that I have no history of epileptic seizures, heart condition or any other medical problem that could be affected by horseback riding.
10. **PROTECTIVE HEADGEAR WARNING** I have been fully warned and advised by the Stable that the RIDER should wear protective headgear (riding helmet), and that the wearing of such headgear while mounting, riding, dismounting, and otherwise being around horses, may prevent or reduce severity of some head injuries and even prevent death from happening as the result of a fall or other occurrence. Minors 17 and under are required to wear protective headgear.

 (initial) **Protective Headgear/Helmet Acceptance: I/we request for this participant to wear protective headgear/helmet.**

 (initial) **Protective Headgear/Helmet Refusal: I/we refuse for this participant protective headgear/helmet, or will provide my/our own. I/we assume full responsibility for my/our safety in this decision.**

11. If the person who is to enter into this Agreement is less than eighteen (18) years of age, his/her parent or guardian must read this Agreement and sign below on the behalf of the minor.

I have read this entire Release and Waiver of Liability, Assumption of Risk, and Indemnity Agreement. I understand it is a promise not to sue and to release the Stable, it's owners, employees and agents, as well as the County of Lancaster, its officers, employees and agents from and for all claims. I have made a free and deliberate choice to sign this Release and Waiver as a condition to Releasees allowing me or my child to ride or handle a horse. I have concluded that the risks involved and the release and waiver of liability is worth the pleasure of horseback riding experience.

[Date]

[Signature]

[Issuing State]

[Driver License No]

[Witness Signature by Stable]

- c. **CENTRAL PARK TRAIL RIDES** shall post a minimum of two (2) signs, at least two (2) feet by three (3) feet in size, containing the specific language "You assume the risk of equine activities pursuant to Pennsylvania Law". This sign must be posted in two separate locations visible to all individuals participating in equine activities through **CENTRAL PARK TRAIL RIDES** pursuant to this Agreement.
7. **LIABILITY AND OTHER INSURANCE:** The **CENTRAL PARK TRAIL RIDES**, at its sole cost and expense, shall maintain: (1) commercial general liability insurance and automobile liability (if such exposure exists) against any claims for bodily injury, death or property damage, (2) worker's compensation insurance to the extent necessary under applicable law, (3) professional liability insurance (if such exposure exists) in such amounts to afford minimum protection per occurrence as described below, and for such risks as the COUNTY may from time to time deem reasonably necessary, and (4) such other insurance, in such amounts and against such risks, as is commonly obtained in the case of providers of services in Pennsylvania similar to the services provided by **CENTRAL PARK TRAIL RIDES**. All policies of insurance, including policies for any amounts carried in excess of the required minimum, shall be written by companies of recognized financial standing legally qualified to issue such insurance and shall be maintained continuously in full force and effect.

Minimum Liability Insurance requirements:

General Liability:	\$1,000,000 General Aggregate
	\$1,000,000 Products Completed Operations Aggregate
	\$1,000,000 Personal & Advertising Injury
	\$1,000,000 Each Occurrence
	\$ 5,000 Medical Expense (any one person)
	\$2,000,000 Umbrella *

*Revised per discussion at March 29, 2016 Commissioners Work Session.

Lancaster County Board of Commissioners (Init.)

Central Park Trail Rides (Init.)

8. **GENERAL REQUIREMENTS FOR INSURANCE:** Except as otherwise approved by COUNTY in writing, the following provisions shall apply to each and every policy of insurance which **CENTRAL PARK TRAIL RIDES** is required hereunder to carry:
- the form, amount and coverage of each policy, and the insurer under each policy (which must be duly licensed in Pennsylvania), shall be subject to COUNTY's approval;
 - CENTRAL PARK TRAIL RIDES** shall cause each insurance carrier to deliver its certificate of insurance to COUNTY and to any other party designated by COUNTY, certifying the applicable insurance provisions herein required (i) upon the execution hereof, and (ii) at any other time upon the COUNTY's request;
 - at least thirty (30) days prior to the expiration of each policy, **CENTRAL PARK TRAIL RIDES** shall provide COUNTY with certificates (or copies of policies) of renewal or replacement policies; in the event of non-renewal or cancellation or material change in coverage a sixty (60) days notice of such action shall be sent via certified mail to the COUNTY;
 - CENTRAL PARK TRAIL RIDES** shall not permit any condition to exist and shall not commit any act or omission, which would wholly or partially invalidate any insurance.
 - The COUNTY shall be endorsed as an additional insured on all policies, except workers' compensation and professional liability;

On motion of Commissioner _____, seconded by Commissioner _____, it was agreed for the County of Lancaster to support granting tax-exempt status to the Masonic Center on the following property:

Property ID No. 3317710200000
213 West Chestnut Street (use of property is for charitable purposes)
Lancaster, PA

Note: The Masonic Lodge will submit an appeal to the County Board of Assessment Appeals requesting the tax-exempt status. The basis for this request is the City of Lancaster's intent to sell property it currently owns at 5-21 West King Street, Lancaster, to a private developer, including a former Masonic Lodge Hall with certain deed restrictions impacting the City's ability to sell the property. With the City of Lancaster's intent to sell this property to a private developer the properties from 5-21 West King Street will be returned to the tax rolls.

3/30/16

First let me welcome you to Lancaster County.

The purpose of this email is to set up a meeting with the Lancaster County Board of Commissioners at a work session and then regular meeting to seek their agreement to a request by the Masonic Lodge at 213 West Chestnut Street in the City of Lancaster to have the property designated as a tax exempt property. The City of Lancaster and the School District of Lancaster have already agreed to the Lodge's request. Upon agreement by the County Commissioners, the Lodge will submit an appeal to the County Board of Assessment Appeals requesting the tax exempt status.

This request is tied to an effort by the City of Lancaster to sell the properties it currently owns from 5 West King to 21 West King Street. This property currently includes a deed restriction held by the Lodge. This deed restriction has created difficulty for the City to sell the properties to a private developer. These properties which are currently tax-exempt since they are owned by the City will be placed back on the tax rolls. The attached document is the estimated loss and gain of tax revenue for the three taxing bodies.

The Lodge has indicated a willingness to remove the deed restriction if they can receive a tax exempt status for their principal property at 213 West King Street. Before they file their appeal with the Board of Appeals we were hoping to get the agreement of all three taxing bodies to the tax exempt status for 213 West Chestnut.

I began this conversation with Andrea McCue and John Mavrides at the end of last year. I understand that the Commissioners are familiar with this issue and are expecting the request for their agreement to the request by the Masonic Lodge.

John and I have also met with Mel Hess, legal counsel for the Board of Appeals. We would like to get this request for a tax exemption on the next available Board of Appeals meeting.

I would be happy to meet with you to review the details of this request at your earliest convenience.

Randy S. Patterson, Director
Economic Development & Neighborhood Revitalization
City of Lancaster
120 North Duke Street
P.O. Box 1599
Lancaster, PA 17608-1599

Tel: 717-291-4760
Mobile: 717-201-7498
Fax: 717-291-4721
Email: RPatterson@cityoflanasterpa.com
Website: www.cityoflanasterpa.com

Masonic Lodge 213 West Chestnut: (85% Taxable; 15% Tax Exempt)

Assessed Value:	\$818,700
School Taxes:	\$18,932
City Taxes:	\$9,753
County Taxes:	\$2,598
DID Assessment:	\$1,704
Total:	\$32,982

West King Street Properties 5-21 West King: (80% Tax Exempt; 20% Taxable)

Assessed Value: \$421,700 (\$82,200 taxable, 1st floor retail)

If 100% Taxable at current Assessed Value:

School Taxes:	\$11,476 (Receiving \$2,237 from 1st floor retail)
City Taxes:	\$5,912 (Receiving \$1,152 from 1st floor retail)
County Taxes:	\$1,575 (Receiving \$307 from 1st floor retail)
DID Assessment:	\$1,033
Total:	\$19,996

School District Net Loss: \$7,456

City Loss Net Loss: \$3,841

County Loss Net Loss: \$1,023

"Proposed Letter"

March 31, 2016

Mr. John Mavrides
Director of Assessment
Lancaster County Property Assessment Office
150 N. Queen St., Suite 310
Lancaster, PA 17603

Re: Masonic Center of Lancaster (Property ID: 3317710200000)

Dear Mr. Mavrides:

This letter is to document the County of Lancaster's support for granting tax-exempt status to the above referenced property for County tax purposes. Granting tax-exempt status to the Masonic Center is in keeping with the County's understanding of the use of the property by the Masonic Lodge for charitable purposes.

It is the County's understanding that the City of Lancaster and the School District of Lancaster have also agreed to granting tax exempt status to the above referenced property.

Finally, it is the County's understanding that the basis for this request is the City of Lancaster's intent to sell property it currently owns at 5-21 West King Street to a private developer. (This property includes a former Masonic Lodge Hall with certain deed restrictions impacting the City's ability to sell the property.) With the City of Lancaster's intent to sell this property to a private developer the properties from 5-21 West King Street will be returned to the tax rolls.

Sincerely,

Work Session 3/29/2016

Lancaster County Library System Board

Appointment: Three year, 1st term appointment - April 1, 2016 through April 30, 2019

G. Kenneth Kohlmaier JD, CFP 682-1583

12 Oakwood Lane

Lititz, PA 17543

Lancaster County resident

G. Kenneth Kohlmaier JD, CFP®

12 Oakwood Lane
Lititz, PA 17543

(717) 682-1583
g.k.kohlmaier@ampf.com

EDUCATION

Lampeter-Strasburg High School, Lancaster, PA 1969

Bachelor's Degree: Franklin & Marshall College: *Joint Major in Government and Psychology* 1973

Juris Doctorate: George Mason University, Washington, D.C. 1977

Member of the Washington D.C. Bar 1977

DESIGNATIONS

Juris Doctorate

CERTIFIED FINANCIAL PLANNER™ practitioner

BUSINESS EXPERIENCE

Franchise Owner of The Kohlmaier Muscalus Group

1983- Present

Private wealth advisory practice of Ameriprise Financial Services, Inc.

Business Address #1: 1681 Crown Avenue, Suite 101
Lancaster, PA 17601

Business Address#2: 15 N. Rosanna Street, Suite A
Hummelstown, PA 17036

Business Phone Number: (717) 392-3600

- I have been a private wealth advisor and franchise owner with Ameriprise Financial Services for over 33 years.
- My areas of interest and specialty focus on the following:
 - retirement planning strategies
 - estate planning strategies
 - investment planning
 - tax planning strategies.
- As a local business person, I have served my clients and community in providing wealth management services to help people achieve their goals and aspirations in a thoughtful and prudent manner. Having received numerous awards and accolades in my industry, I still consider my primary achievement as one in which I have helped navigate my clients' financial matters by managing their emotions and expectations during turbulent economic times.

AWARDS AND RECOGNITION

Ameriprise Diamond Ring Club, 1993

Ameriprise Hall of Fame, 2008

PROFESSIONAL ASSOCIATIONS

Financial Planning Association

The Million Dollar Round Table

LANCASTER COUNTY COMMISSIONERS' MEETING

AGENDA

MARCH 30, 2016



1. Meeting Called to Order: This morning's meeting will be conducted by Commissioner Dennis Stuckey.
2. Pledge of Allegiance
3. Minutes as Distributed: Postpone approval of March 2, 2016 Commissioners' Meeting Minutes, March 9, 2016 Evening Commissioners' Meeting Minutes, March 16, 2016 Commissioners' Meeting Minutes and March 23, 2016 Commissioners' Meeting Minutes.
4. Old Business:
5. New Business:
 - a. Resolution No. 33 of 2016 – Appointment of County Solicitor
 - b. Emergency Management Agency – Grant Agreement
Randy Gockley, Coordinator, Emergency Management Agency
 - c. Prison – Authorization of Use of Funds from the Prison's Store Account
Cheryl Steberger, Warden, Prison, and/or
Benjamin Lefever, Lieutenant, Prison
 - d. Human Resources - Revision to Employment of Relatives Policy
E. William Peters, Director, Human Resources
 - e. Request to Support Granting Tax-Exempt Status to the Masonic Center Property
Randy Patterson, Director, Economic Development and Neighborhood Revitalization, City of Lancaster
 - f. Legal Consultant Agreement – Second Amendment
6. Business from Guests
7. Adjourn

RESOLUTION NO. 33 OF 2016

On motion of Commissioner _____, seconded by Commissioner _____;

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA,

That _____, Esquire, Attorney-At-Law, admitted to practice in the Courts of the Commonwealth of Pennsylvania, be and is hereby appointed Solicitor for the County of Lancaster, Pennsylvania effective May 2, 2016.

I, Robert T. Still, Chief Clerk to the County of Lancaster, Pennsylvania, do hereby affirm that the above motion was adopted by the Lancaster County Board of Commissioners at its Work Session held on the 30th day of March, 2016.

ATTEST:

Chief Clerk
County of Lancaster, Pennsylvania
Date: March 30, 2016

3/30/16