

**COUNTY COMMISSIONERS' WORK SESSION AGENDA**  
**TUESDAY, MAY 3, 2016**

**9:00 A.M.:**

**EXECUTIVE SESSION:**

Christina Hausner, County Solicitor

**10:00 A.M.:**

**PUBLIC SESSION:**

Approval of March 22, 2016 Work Session Minutes and April 19, 2016 Work Session Minutes. Postpone approval of March 29, 2016 Work Session Minutes and April 12, 2016 Work Session Minutes.

**10:00 a.m.**

Kelly Decker, Business Administrator, Youth Intervention Center – Agreements (please refer to motion on tomorrow's agenda)

**10:05 a.m.**

Jean Rehrig, Portfolio Manager, EDC Finance Corporation – Next Generation Farmer Loan Applications (please refer to Resolution Nos. 38, 39, 40, 41 and 42 of 2016 on tomorrow's agenda)

**10:15 a.m.**

Charles Douts, Director, and Robert Devonshire, Jr., Maintenance Superintendent, Facilities Management – Designation of Agent for Financial Assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (please refer to Resolution No. 43 of 2016 on tomorrow's agenda)

**10:15 a.m.**

Lawrence George, Executive Director, Behavioral Health/Developmental Services – Amendment No. 8 to HealthChoices Behavioral Health Agreement (please refer to motion on tomorrow's agenda)

Other Discussion Items:

1. Appointments/Reappointments to County Boards
2. May 4, 2016 Commissioners' Meeting Agenda

**Adjourn**



**COVER SHEET**  
**FOR**

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

**Submitted by:** Name and Title: Kelly Decker, Business Administrator  
 Department: Lancaster County Youth Intervention Center  
 Date: April 19, 2016

**Board Action Requested:**

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

Service Agreements

Adams County  
 117 Baltimore Street Room 208  
 Gettysburg, PA 17325

**Proposed Program Budget Information:**

Service	2015-16 Amount to be Approved	2014-15 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co.,State, Fed)
Detention Space	\$ 285.11	\$ 280.32	2.75 increase	0	
Shelter Space	\$ 173.93	\$ 170.94	2.75 increase	0	

**Term of Contract:** July 1, 2015 – June 30, 2016

**Budget Comments:** This agreement will allow Lancaster County to lower its share of the operational cost of the Center, as well as help neighboring counties.

**Program Information:**

**Description of Service:**

This action will allow other Pennsylvania Counties to purchase secure detention bed space at the Youth Intervention Center. The agreement with contracting counties is with the stipulation that Lancaster County has top priority in terms of bed space usage and certain rights of refusal. The agreement will allow Lancaster County to lower its share of the operational cost of the center, as well as help our neighboring counties.

**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?**

May 3<sup>rd</sup>, 2016

**Who will be in attendance at the County Commissioners'**

**Work Session? Please include name and title:**

Kelly Decker, Business Administrator

**Who will be in attendance at the County Commissioners**

**Meeting to comment on this item? Please include name and title:**

Kelly Decker, Business Administrator

**This completed document must be submitted to the Chief Clerk by 9:00 am the Thursday 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 Wednesday prior to the Meetings. Exceptions to this deadline must be authorized by the Chief Administrative Officer.**

**COVER SHEET**  
**FOR**

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

**Submitted by:** Name and Title: Kelly Decker, Business Administrator  
 Department: Lancaster County Youth Intervention Center  
 Date: April 19, 2016

**Board Action Requested:**

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

Service Agreements

Cambria County  
 Central Park Complex, 110 Franklin St, Suite 400  
 Johnstown, PA-15901 *Ebensburg, PA 15931*

**Proposed Program Budget Information:**

Service	2015-16 Amount to be Approved	2014-15 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)
Detention Space	\$ 285.11	\$ 280.32	2.75 increase	0	
Shelter Space	\$ 173.93	\$ 170.94	2.75 increase	0	

**Term of Contract:** July 1, 2015 – June 30, 2016

**Budget Comments:** This agreement will allow Lancaster County to lower its share of the operational cost of the Center, as well as help neighboring counties.

**Program Information:**

**Description of Service:**

This action will allow other Pennsylvania Counties to purchase secure detention bed space at the Youth Intervention Center. The agreement with contracting counties is with the stipulation that Lancaster County has top priority in terms of bed space usage and certain rights of refusal. The agreement will allow Lancaster County to lower its share of the operational cost of the center, as well as help our neighboring counties.

**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?**

May 3<sup>rd</sup>, 2016

**Who will be in attendance at the County Commissioners'**

**Work Session? Please include name and title:**

Kelly Decker, Business Administrator

**Who will be in attendance at the County Commissioners**

**Meeting to comment on this item? Please include name and title:**

Kelly Decker, Business Administrator

**This completed document must be submitted to the Chief Clerk by 9:00 am the Thursday 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 Wednesday prior to the Meetings. Exceptions to this deadline must be authorized by the Chief Administrative Officer.**

**RESOLUTION NO. 38 OF 2016**

**FUNDING THROUGH THE  
NEXT GENERATION FARMER LOAN PROGRAM**

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_;

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has held a public hearing on an application/project in the total amount of \$250,000.00 for the Next Generation Farmer Loan for Brad J. and Shanna M. Byers, Drumore Township, Lancaster County, which is in accordance with the Tax Equity and Fiscal Responsibility Act of 1982; and

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has determined that the application/project conforms to the public purpose, eligibility, and financial responsibility requirements of the Pennsylvania Economic Development Financing Law and approved the above application/project at a publicly advertised meeting; and

**WHEREAS**, The project's details are set forth in the public notice announcement on file in the Penn Township Lancaster County Industrial Development Authority Office.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA**, That the Board hereby approves the revenue obligation or tax exempt issues as stated above; and

**BE IT FURTHER RESOLVED**, That the approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

ADOPTED this 4<sup>th</sup> day of May, 2016 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

ATTEST:

\_\_\_\_\_  
Robert T. Still, Chief Clerk  
County of Lancaster, PA  
Date: May 4, 2016

\_\_\_\_\_  
Dennis P. Stuckey, Chairman

\_\_\_\_\_  
Joshua G. Parsons, Vice Chairman

\_\_\_\_\_  
Craig E. Lehman

**Board of Commissioners of  
Lancaster County, Pennsylvania**

5/04/16

**Penn Township Lancaster County  
Industrial Development Authority**

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**Board Members**

Thomas Kifolo,  
Chair

Seth Obetz, Vice  
Chair

Wayne B. Martenas  
Secretary

Richard Toews  
Treasurer

Elizabeth S. Logan,  
Assistant Secretary-  
Treasurer

Mark Hiester,  
Township Manager

Sean B. Frederick, Esq.,  
Solicitor

**PROJECT**

**Brad J. and Shanna M. Byers**

**Next Generation Farm Loan**

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**Project Description:** Brad J. and Shanna M. Byers will construct two broiler houses on a portion of 60 acres of agricultural land owned by David G. Byers. The farm is located at 1116 Deaver Road, Quarryville, Drumore Township, Lancaster County, Pennsylvania. The farm is a crop farm which consists of corn and beans. The total project costs for the construction of the broiler houses will be \$1,150,000. NGFLP will fund \$250,000 of the project and the remaining \$900,000 will be financed through Fulton Bank in amount of \$500,000 and PIDA in the amount of \$400,000.

**Project Cost:** \$1,150,000

**Amount of IDA Financing:** \$250,000 (NGFL)

**Location of Project:** 1116 Deaver Road, Quarryville, Eden Township, Pennsylvania

**Is Farm Preserved:** Yes    No X

**Bank:** Fulton Bank, C. Lamar King

**Timeline:** The Byers' plan to close this loan in May 2016.

**RESOLUTION NO. 39 OF 2016**

**FUNDING THROUGH THE  
NEXT GENERATION FARMER LOAN PROGRAM**

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_;

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has held a public hearing on an application/project in the total amount of \$520,000.00 for the Next Generation Farmer Loan for Linford A. and Jennifer L. Hershey, Colerain Township, Lancaster County, which is in accordance with the Tax Equity and Fiscal Responsibility Act of 1982; and

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has determined that the application/project conforms to the public purpose, eligibility, and financial responsibility requirements of the Pennsylvania Economic Development Financing Law and approved the above application/project at a publicly advertised meeting; and

**WHEREAS**, The project's details are set forth in the public notice announcement on file in the Penn Township Lancaster County Industrial Development Authority Office.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA**, That the Board hereby approves the revenue obligation or tax exempt issues as stated above; and

**BE IT FURTHER RESOLVED**, That the approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

ADOPTED this 4<sup>th</sup> day of May, 2016 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

ATTEST:

\_\_\_\_\_  
Robert T. Still, Chief Clerk  
County of Lancaster, PA  
Date: May 4, 2016

\_\_\_\_\_  
Dennis P. Stuckey, Chairman

\_\_\_\_\_  
Joshua G. Parsons, Vice Chairman

\_\_\_\_\_  
Craig E. Lehman

**Board of Commissioners of  
Lancaster County, Pennsylvania**

5/04/16

**Penn Township Lancaster County  
Industrial Development Authority**

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**Board Members**

Thomas Kifolo,  
Chair

Seth Obetz, Vice  
Chair

Wayne B. Martenas  
Secretary

Richard Toews  
Treasurer

Elizabeth S. Logan,  
Assistant Secretary -  
Treasurer

Mark Hiester,  
Township Manager

Sean B. Frederick, Esq.,  
Solicitor

**PROJECT**

**Linford A. and Jennifer L. Hershey**

**Next Generation Farm Loan**

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**Project Description:** Linford A. and Jennifer L. Hershey will purchase the 51-acre family farm from the parents of Linford A. Hershey. The farm is located at 327 Maple Shade Road, Christiana, Colerain Township, Lancaster County, PA. In addition, they will construct two layer houses each 46 X 532 on a portion of 51 acres of agricultural land. The farm operates primarily through cash crops of corn, soy beans, small grains, and also raises a small herd of angus cattle. The total project costs of \$2,035,000 are calculated by adding the construction of the layer house in the amount of \$1,300,000 and purchase price of the of the farm in amount of \$735,000. NGFLP will fund \$520,000 of the project and the remaining \$1,515,000 will financed through a private finance provided by the seller, a conventional bank loan, PIDA, and the Farm Service Agency.

**Project Cost:** \$2,035,000

**Amount of IDA Financing:** \$520,000 (NGFL)

**Location of Project:** 327 Maple Shade Road, Christiana, PA 17509

**Is Farm Preserved:** Yes      No X

**Bank:** Fulton Bank, C. Lamar King

**Timeline:** The Hershey's plan to close this loan in May of 2016.

**RESOLUTION NO. 40 OF 2016**

**FUNDING THROUGH THE  
NEXT GENERATION FARMER LOAN PROGRAM**

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_;

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has held a public hearing on an application/project in the total amount of \$250,000.00 for the Next Generation Farmer Loan for Garrett E. Weaver of Willow Farm LLC, West Lampeter Township, Lancaster County, which is in accordance with the Tax Equity and Fiscal Responsibility Act of 1982; and

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has determined that the application/project conforms to the public purpose, eligibility, and financial responsibility requirements of the Pennsylvania Economic Development Financing Law and approved the above application/project at a publicly advertised meeting; and

**WHEREAS**, The project's details are set forth in the public notice announcement on file in the Penn Township Lancaster County Industrial Development Authority Office.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA**, That the Board hereby approves the revenue obligation or tax exempt issues as stated above; and

**BE IT FURTHER RESOLVED**, That the approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

ADOPTED this 4<sup>th</sup> day of May, 2016 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

ATTEST:

\_\_\_\_\_  
Dennis P. Stuckey, Chairman

\_\_\_\_\_  
Robert T. Still, Chief Clerk  
County of Lancaster, PA  
Date: May 4, 2016

\_\_\_\_\_  
Joshua G. Parsons, Vice Chairman

\_\_\_\_\_  
Craig E. Lehman

**Board of Commissioners of  
Lancaster County, Pennsylvania**

5/04/16

**Penn Township Lancaster County  
Industrial Development Authority**

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**Board Members**

Thomas Kifolo,  
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Wayne B. Martenas  
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Richard Toews  
Treasurer

Elizabeth S. Logan,  
Assistant Secretary-  
Treasurer

Mark Hiester  
Township Manager

Sean B. Frederick, Esq.,  
Solicitor

**PROJECT**

**Garrett E. Weaver/Willow Farm LLC**

**Next Generation Farm Loan**

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**Project Description:** Garrett E. Weaver member of Willow Farm LLC will construct a duck house on the farm owned by his parents, Darryl E. & Janice K. Weaver. This is a 55 acre crop farm located at 1501 Eshleman Mill Road, Willow Street, West Lampeter Township, Lancaster County, PA. The farm crops corn, wheat, beans and rye. The construction costs of the duck house will be approximately \$1.2 million dollars. Fulton Bank will provide a \$250,000 Next Generation Farmer loan, a \$550,000 conventional mortgage, EDC Finance Corporation will provide a \$400,000 PIDA-ag loan.

**Project Cost:** \$1,200,000

**Amount of IDA Financing:** \$250,000 (NGFL)

**Location of Project:** 1501 Eshleman Mill Road, Willow Street PA

**Is Farm Preserved:** Yes      No X

**Bank:** Fulton Bank, Lamar King

**Timeline:** Garrett E. Weaver plans to close the Next Generational Farmer loan in October 2016

**RESOLUTION NO. 41 OF 2016**

**FUNDING THROUGH THE  
NEXT GENERATION FARMER LOAN PROGRAM**

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_;

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has held a public hearing on an application/project in the total amount of \$520,000.00 for the Next Generation Farmer Loan for David S. and Lizzie E. Stoltzfus, West Donegal Township, Lancaster County, which is in accordance with the Tax Equity and Fiscal Responsibility Act of 1982; and

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has determined that the application/project conforms to the public purpose, eligibility, and financial responsibility requirements of the Pennsylvania Economic Development Financing Law and approved the above application/project at a publicly advertised meeting; and

**WHEREAS**, The project's details are set forth in the public notice announcement on file in the Penn Township Lancaster County Industrial Development Authority Office.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA**, That the Board hereby approves the revenue obligation or tax exempt issues as stated above; and

**BE IT FURTHER RESOLVED**, That the approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

ADOPTED this 4<sup>th</sup> day of May, 2016 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

ATTEST:

\_\_\_\_\_  
Robert T. Still, Chief Clerk  
County of Lancaster, PA  
Date: May 4, 2016

\_\_\_\_\_  
Dennis P. Stuckey, Chairman

\_\_\_\_\_  
Joshua G. Parsons, Vice Chairman

\_\_\_\_\_  
Craig E. Lehman

**Board of Commissioners of  
Lancaster County, Pennsylvania**

5/04/16

**Penn Township Lancaster County  
Industrial Development Authority**

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**Board Members**

Thomas Kifolo,  
Chair

Seth Obetz, Vice  
Chair

Wayne B. Martenas  
Secretary

Richard Toews  
Treasurer

Elizabeth S. Logan,  
Assistant Secretary-  
Treasurer

Mark Hiester,  
Township Manager

Sean B. Frederick, Esq.,  
Solicitor

**PROJECT**

**David S. & Lizzie E. Stoltzfus**

**Next Generation Farm Loan**

---

**Project Description:** David S. & Lizzie E. Stoltzfus will purchase the family farm from the parents of David Stoltzfus. The farm is located at 1054 Maytown Road, Elizabethtown, West Donegal Township, Lancaster County, PA. The farm is a 75 acre crop farm that produces, watermelon, pumpkins, tomatoes, corn, beans and tobacco. The farm is being sold to David & Lizzie for \$714,000 with NGFLP funding \$520,000, the bank will provide additional financing of \$190,000, a cash injection of \$14,000 will be provided by the borrowers. The seller will provide a \$100,000 in-kind gift for the non-ag residence.

**Project Cost:** \$824,000

**Amount of IDA Financing:** \$520,000 (NGFL)

**Location of Project:** 1054 Maytown Road, Elizabethtown PA

**Is Farm Preserved:** Yes  No

**Bank:** National Penn Bank, Jeffrey Wolgemuth

**Timeline:** The Stoltzfus plan to close this loan in the May/June 2016

**RESOLUTION NO. 42 OF 2016**

**FUNDING THROUGH THE  
NEXT GENERATION FARMER LOAN PROGRAM**

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_;

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has held a public hearing on an application/project in the total amount of \$250,000.00 for the Next Generation Farmer Loan for Clinton L. and Roseann F. Sensenig, Little Britain Township, Lancaster County, which is in accordance with the Tax Equity and Fiscal Responsibility Act of 1982; and

**WHEREAS**, The Penn Township Lancaster County Industrial Development Authority has determined that the application/project conforms to the public purpose, eligibility, and financial responsibility requirements of the Pennsylvania Economic Development Financing Law and approved the above application/project at a publicly advertised meeting; and

**WHEREAS**, The project's details are set forth in the public notice announcement on file in the Penn Township Lancaster County Industrial Development Authority Office.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA**, That the Board hereby approves the revenue obligation or tax exempt issues as stated above; and

**BE IT FURTHER RESOLVED**, That the approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

ADOPTED this 4<sup>th</sup> day of May, 2016 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

ATTEST:

\_\_\_\_\_  
Robert T. Still, Chief Clerk  
County of Lancaster, PA  
Date: May 4, 2016

\_\_\_\_\_  
Dennis P. Stuckey, Chairman

\_\_\_\_\_  
Joshua G. Parsons, Vice Chairman

\_\_\_\_\_  
Craig E. Lehman

**Board of Commissioners of  
Lancaster County, Pennsylvania**

5/04/16

**Penn Township Lancaster County  
Industrial Development Authority**

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**Board Members**

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Chair

Seth Obetz, Vice  
Chair

Wayne B. Martenas  
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Richard Toews  
Treasurer

Elizabeth S. Logan,  
Assistant Secretary-  
Treasurer

Mark Hiester,  
Township Manager

Sean B. Frederick, Esq.,  
Solicitor

**PROJECT**

**Clinton L. and Roseann F. Sensenig**

**Next Generation Farm Loan**

---

**Project Description:** Clinton L. and Roseann F. Sensenig will construct a milking parlor and free stall barn on a portion of 111 acres of agricultural land owned by Leon N. & Lucy H. Sensenig. The farm is located at 179 Black Road, Peach Bottom, Little Britain, Lancaster County, Pennsylvania. The farm is a dairy cow facility. The farm also consists of corn, and alfalfa. The total project costs for the construction of the milking parlor and free stall barn will be \$1,000,000. NGFLP will fund \$250,000 of the project and the remaining \$750,000 will be financed through a conventional bank loan.

**Project Cost:** \$1,000,000

**Amount of IDA Financing:** \$250,000 (NGFL)

**Location of Project:** 79 Black Road, Peach Bottom, PA

**Is Farm Preserved:** Yes  No

**Bank:** Fulton Bank, C. Lamar King

**Timeline:** The Sensenig's plan to close this loan in the early summer of 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: Charles E. Douts, Jr. – Facilities Director  
 Department: Facilities Management  
 Date: 04/22/2016

**Board Action Requested:**

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

Designation of Agent Resolution

**Provider Information: (Name, Address):**

**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)

**Term of Contract:**

**Budget Comments:**

**Program Information/Description of Service:**

This action is required as part of the FEMA/PEMA Public Disaster Assistance Application and Agreement For Financial Assistance to recoup costs for the January 2016 Winter Storm Jonas. We are seeking reimbursement for funds expended during the winter storm in which we spent \$18,611.11 on equipment, labor and contracted services as part of our cleanup efforts while removing snow at several County owned facilities. FEMA is slated to reimburse 75% of the Requested funds and Pennsylvania has typically reimbursed the remaining 25% of requested funds.

**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'**

May 4, 2016

**To take official action on this item?:**

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

Charles E. Douts, Jr. – Facilities Director  
Robert R. Devonshire, Jr. –Maintenance Superintendent

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

Charles E. Douts, Jr. – Facilities Director  
Robert R. Devonshire, Jr. –Maintenance Superintendent

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On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, it was agreed for the County of Lancaster, acting on behalf of Behavioral Health/Developmental Services (BH/DS), to approve the following:

**Amendment No. 8 to  
HealthChoices Behavioral  
Health Agreement With:**

Commonwealth of Pennsylvania  
Department of Human Services  
Harrisburg, Pennsylvania

**Purpose:**

To incorporate Appendix 8 to the Agreement regarding the Managed Care Organization Assessment which is specific to a change in the rate setting methodology the Department of Human Services utilizes for setting Health Choices' capitation rates.

**Term:**

Effective July 1, 2016.

ATTEST:

\_\_\_\_\_  
Robert T. Still, Chief Clerk  
County of Lancaster, PA  
Date: May 4, 2016

\_\_\_\_\_  
Dennis P. Stuckey, Chairman

\_\_\_\_\_  
Joshua G. Parsons, Vice Chairman

\_\_\_\_\_  
Craig E. Lehman

**Board of Commissioners of  
Lancaster County, Pennsylvania**

5/04/16

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: Lawrence M George  
 Department: Lancaster County Behavioral Health & Developmental Services  
 Date: April 25, 2016

**Board Action Requested:**  
 (Specify Agreement, Amended Agreement, Grant App., Change Order, Bid Award etc.)  
Commissioner's approval of Amendment 8, which pertains to  
the Health Choices Behavioral Health Agreement by and  
between Lancaster County (and the CABHC partners)  
and the Commonwealth of Pennsylvania, acting through  
The Department of Human Services (DHS).

**Proposed Program Budget Information:**

Service	2015-16 Amount to be Approved	2014-2015 Amount	Amount Increase/ Decrease	Percent Increase/ Decrease	Percent Funding Source (Co., State, Fed)

**Term of Contract:** \_\_\_\_\_

**Budget Comments:** \_\_\_\_\_

**Program Information/Description of Service:**  
 This Amendment is specific to a change in the rate setting methodology the Department of Human Services utilizes for setting Health Choices' capitation rates. Historically, counties have been required to remit a "Managed Care Organization Assessment Fee" to the Department of Human Services for administrative costs associated with State oversight of managed care. As of July, 1, 2016, this fee will be considered in the establishment of the 2016-2017 capitation rates. Thus, the new rates will reflect the additional cost, while concurrently removing a separate and distinct transaction process. There is no financial impact to the counties.

**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?:**

May 4, 2016

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

Lawrence M. George BHDS

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

Lawrence M. George BHDS

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**OBERMAYER**  
REBMAN MAXWELL & HIPPEL LLP  
ATTORNEYS AT LAW

Lawrence J. Tabas, Esquire  
Direct Dial: (215) 665-3158  
E-mail: [ljt@obermayer.com](mailto:ljt@obermayer.com)

One Penn Center – 19th Floor  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1895  
P 215-665-3000  
F 215-665-3165  
[www.obermayer.com](http://www.obermayer.com)

March 31, 2016

Scott Suhring, CEO  
Capital Area Behavioral Health Collaborative  
2300 Vartan Way, Suite 206  
Harrisburg, PA 17110

**RE: AMENDMENT #8 – HEALTHCHOICES BEHAVIORAL HEALTH AGREEMENT BY AND BETWEEN THE COUNTIES OF CUMBERLAND, DAUPHIN, LANCASTER, LEBANON, AND PERRY AND THE COMMONWEALTH OF PENNSYLVANIA – EFFECTIVE DATE: JULY 1, 2016**

Dear Mr. Suhring:

We serve as special counsel to the Capital Area Behavioral Health Collaborative as part of its participation in the Commonwealth of Pennsylvania's Behavioral Health Program (the "Program"). In that capacity, we have reviewed Amendment #8 to the HealthChoices Behavioral Health Agreement by and between the Commonwealth of Pennsylvania, acting through the Department of Human Services ("DHS") and the Counties of Cumberland, Dauphin, Lancaster, Lebanon, and Perry (the "Counties") (the "Counties - DHS Agreements"), to be effective July 1, 2016 ("Amendment #8"). These documents are part of the Counties' participation in the Program.

**I. Background.**

DHS sent to the Counties Amendment #8 on March 29, 2016, and it is requiring that it be executed by the Counties no later than April 28, 2016. The expedited time frame for the Counties to review and execute Amendment #8 is a result of the DHS need to comply with Act 92 of 2015, which becomes effective July 1, 2016. Act 92 implements a Managed Care Assessment ("MCO Assessment") as part of the Program.

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Amendment #8 also contains a new Appendix 8 to the DHS Agreement relating to the MCO Assessment.

While the Counties, which serve as the Primary Contractor in the Counties-DHS Agreements, are required to remit to DHS the MCO Assessment, Appendix 8 indicates that as part of the Rate Setting Methodology, DHS will take into consideration the costs of the MCO Assessment in establishing the Counties' rates for the Program. DHS further agrees in Appendix 8 to comply with the Rate Setting Methodology outlined in Appendix 4 to the DHS Agreement. Additionally, in an email to the Counties on March 29, 2016, DHS stated that it: "will take into account the assessment fee in establishing capitation rates for the HealthChoices Behavioral Health plans." Further, DHS also stated in that email that: "We will be providing each HC BH Contractor with a set of charts that clearly delineate the rates (CY2016 and SFY 16/17) with and without the GRT and/or assessment for your convenience. We expect to provide these charts by mid-April."

## **II. Review.**

As part of my review process, I attended the DHS Technical Assistance Session on the MCO Assessment held on March 22, 2016.

I have reviewed Amendment #8 and Appendix 8 that relate to the MCO Assessment and its impact on the Program. As DHS will include in the capitation rates consideration for the MCO Assessment fee, there should be no adverse financial impact on the Counties. There is still some uncertainty with respect to the existing application of a Gross Receipts Tax ("GRT"), which is currently being paid by the Counties as part of the Program. It is our understanding that the GRT will be terminated and replaced by the MCO Assessment. We do not know if there will be any period of time during which both the GRT and MCO Assessment will be collected simultaneously. This needs to be clarified by DHS. However, as with the MSO Assessment, DHS takes into account the GRT in its Rate Setting Methodology so there should be no adverse financial impact to the Program. Additionally, as referenced above, DHS has told the Counties it will provide it with a set of charts "that clearly delineate the rates (CY2016 and SFY 16/17) with and without the GRT and or assessment..." Such a set of charts should clarify this issue. My recommendation is conditioned on DHS taking into consideration both the GRT and MCO Assessment as part of the Rate Setting Methodology of Appendix 4 for all rates that are set for the Counties, especially if they are both being collected for some period. My recommendation would change if for some reason there is an adverse financial impact to the Program.

## **IV. Recommendation.**

As referenced above, the process to review and execute Amendment #8 is on a very fast track. Nevertheless, DHS has made it clear to all of the HealthChoices Counties

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that execution of Amendment #8 is mandatory for a the Counties continuing participation in the Program.

Based upon my review of Amendment #8 and its corresponding Appendix 8 and in consideration of the commitment of DHS in Appendix 8 to take into consideration the MCO Assessment in rate setting and a continuing agreement by DHS to include consideration of the GRT in any rate setting to the extent of any overlap in collection of the MCO Assessment and GRT my recommendation is that the Counties should execute Amendment #8. This recommendation is also based upon my belief that the Counties' best interests and that of its MA population are better served if the Counties continue to be the Primary Contractors for the Program.

Very truly yours,

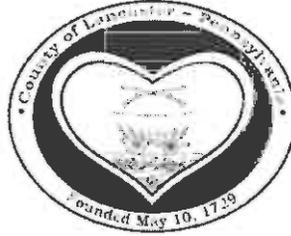
A handwritten signature in dark ink, appearing to read "Lawrence J. Tabas", with a horizontal line extending to the right.

LAWRENCE J. TABAS

# LANCASTER COUNTY COMMISSIONERS' MEETING

## AGENDA

MAY 4, 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: Approval of March 16, 2016 Commissioners' Meeting Minutes and March 23, 2016 Commissioners' Meeting Agenda. Postpone approval of March 30, 2016 Commissioners' Meeting Minutes, April 6, 2016 Commissioners' Meeting Minutes, April 13, 2016 Commissioners' Meeting Minutes, and April 20, 2016 Commissioners' Meeting Minutes.
4. Old Business:
5. New Business:
  - a. **Resolution No. 38 of 2016**  
Jean Rehrig, Portfolio Manager, EDC Finance Corporation
  - b. **Resolution No. 39 of 2016**  
Jean Rehrig, Portfolio Manager, EDC Finance Corporation
  - c. **Resolution No. 40 of 2016**  
Jean Rehrig, Portfolio Manager, EDC Finance Corporation
  - d. **Resolution No. 41 of 2016**  
Jean Rehrig, Portfolio Manager, EDC Finance Corporation
  - e. **Resolution No. 42 of 2016**  
Jean Rehrig, Portfolio Manager, EDC Finance Corporation

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f. **Resolution No. 43 of 2016**

Charles Douts, Director, Facilities Management

Robert Devonshire, Jr. Maintenance Superintendent, Facilities Management

g. **Youth Intervention Center – Agreements**

Kelly Decker, Business Administrator, Youth Intervention Center

h. **Behavioral Health/Developmental Services – Amendment No. 8 to HealthChoices Behavioral Health Agreement**

Lawrence George, Executive Director, Behavioral Health/Developmental Services

6. Business from Guests

7. Adjourn