

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, JANUARY 20, 2016

The Board of County Commissioners met today in their weekly Commissioners' Meeting.

Present at today's meeting were:

Dennis P. Stuckey, Chairman
Joshua G. Parsons, Vice Chairman
Craig Lehman
BOARD OF COUNTY COMMISSIONERS

Andrea M. McCue
CHIEF CLERK

Also present were: **Charles Douts, Director**
FACILITIES

Daniel Foltz, Assistant Buyer
PURCHASING

Monica Miller
HOWARD HANNA REAL ESTATE

Christine Sable, President and Broker
SABLE COMMERCIAL REALTY

Commissioner Stuckey called the meeting to order at 9:17 a.m. followed by the Pledge of Allegiance.

Commissioner Stuckey announced to postpone approval of December 16, 2015 Commissioners' Meeting Minutes, December 30, 2015 Commissioners' Meeting Minutes, January 4, 2016 Commissioners' Organizational Meeting Minutes, January 6, 2016 Commissioners' Meeting Minutes and January 13, 2016 Commissioners' Meeting Minutes.

RESOLUTION NO. 12 OF 2016

On motion of Commissioner Parsons, seconded by Commissioner Lehman;

WHEREAS, Sealed proposals were received by the County of Lancaster and publicly opened and read on Wednesday, January 6, 2016 at 11:00 a.m. for road/traffic line painting services for the County of Lancaster and participating members of the Lancaster County Cooperative Purchasing Board for a period of one year commencing March 1, 2016 through February 28, 2017, with a one-year extension option.

NOW, THEREFORE, BE IT RESOLVED BY THE LANCASTER COUNTY BOARD OF COMMISSIONERS, That a contract be awarded to the following company, for the item and amount specified, which is the lowest and/or best bid received, and is in accordance with the advertisements, specifications and bids received therefore, and a contract therefore directed to be drawn.

<u>Contract Awarded To:</u>	<u>For:</u>	<u>Amount:</u>
Alpha Space Control Chambersburg, Pennsylvania	Road/Traffic Line Painting Services for the County of Lancaster and Participating Members of the Lancaster County Cooperative Purchasing Board for a period of one year commencing March 1, 2016 through February 28, 2017, with a one-year extension option.	\$707,350.93
	Lancaster County's Portion	\$0.00

Mr. Foltz noted there is a slight increase.

Motion passed unanimously.

RESOLUTION NO. 13 OF 2016

On motion of Commissioner Lehman, seconded by Commissioner Stuckey;

WHEREAS, Pursuant to 16 P.S. §1001, The County has the authority to appoint a professional engineer trained in civil engineering to be styled the "County Engineer"; and

WHEREAS, On January 25, 2012, the County of Lancaster entered into a consultant agreement with RETTEW Associates, Inc. to provide professional engineering services to the County and the appointed County Engineer; and

WHEREAS, The agreement outlines that no modification to this agreement shall be effective unless reduced to writing and executed by both parties.

NOW, THEREFORE, BE IT RESOLVED That the parties mutually agree to amend the consultant agreement to reflect the changes in the rate schedule retroactive to the date of prior approval by the Board of Commissioners on January 15, 2014.

**County Commissioners' Meeting Minutes
Wednesday, January 20, 2016**

Ms. McCue explained this ensures that the agreement has been fully amended to reflect those increases to the rate schedule. Commissioner Lehman noted that the rate schedules were approved at a public meeting and Mayor Morris brought the correction that was needed to our attention.

Motion passed.

Commissioner Stuckey – Yes
Commissioner Parsons – Abstain
Commissioner Lehman – Yes

RESOLUTION NO. 14 OF 2016

On motion of Commissioner Lehman, seconded by Commissioner Stuckey;

WHEREAS, Pursuant to 16 P.S. §1001, The County has the authority to appoint a professional engineer trained in civil engineering to be styled the “County Engineer”; and

WHEREAS, On January 25, 2012, the County of Lancaster entered into a consultant agreement with RETTEW Associates, Inc. to provide professional engineering services to the County and the appointed County Engineer; and

WHEREAS, The agreement outlines that no modification to this agreement shall be effective unless reduced to writing and executed by both parties.

NOW, THEREFORE, BE IT RESOLVED That the parties mutually agree to amend the consultant agreement to reflect the changes in the rate schedule retroactive to the date of prior approval by the Board of Commissioners on February 11, 2015.

Ms. McCue noted that in 2016 the County is going to do another RFP for professional engineering services and she will meet with Mr. Klinger in Purchasing to outline a type of schedule which will begin either near the end of the first quarter or the beginning of the second quarter.

Motion passed.

Commissioner Stuckey – Yes
Commissioner Parsons – Abstain
Commissioner Lehman – Yes

On motion of Commissioner Parsons, seconded by Commissioner Lehman, it was agreed for the County of Lancaster, acting on behalf of the Facilities Management Department, to approve the following:

1. **Temporary Construction Easement Agreement With:** Charles A. and Lois J. Hess
Pequea, Pennsylvania

Purpose: To convey to the County of Lancaster a temporary construction easement over certain property abutting North Loop Road (Tax Account No. 430-79296-0-0000) in preparation for the removal of County-owned Pequea No. 11 Bridge located on Loop Road between Conestoga and Martic Townships in accordance with the terms and conditions set forth in the Agreement. The County shall restore and replace all property damaged or removed in connection with construction related to this project, including restoration and replacement of shrubs, fencing, curbing and driveway.

Amount: \$4,475.50.
Term: Effective January 20, 2016 through completion of project.
2. **Temporary Construction Easement Agreement With:** Christian and M. Elaine Hess
Pequea, Pennsylvania

Purpose: To convey to the County of Lancaster a temporary construction easement over certain property abutting North Loop Road (Tax Account No. 120-53212-0--0000) in preparation for the removal of County-owned Pequea No. 11 Bridge located on Loop Road between Conestoga and Martic Townships in accordance with the terms and conditions set forth in the Agreement. The County shall restore and replace all property damaged or removed in connection with construction related to this project, including restoration and replacement of shrubs, fencing, curbing and driveway.

Amount: \$355.50.
Term: Effective January 20, 2016 through completion of project.
3. **Temporary Construction Easement With:** Stephen J. Ruof a/k/a Steven J. Ruof
Pequea, Pennsylvania

**County Commissioners' Meeting Minutes
Wednesday, January 20, 2016**

Purpose: To convey to the County of Lancaster a temporary construction easement over certain property abutting North Loop Road (Tax Account No. 430-16403-0-0000) in preparation for the removal of County-owned Pequea No. 11 Bridge located on Loop Road between Conestoga and Martic Townships in accordance with the terms and conditions set forth in the Agreement. The County shall restore and replace all property damaged or removed in connection with construction related to this project, including restoration and replacement of shrubs, fencing, curbing and driveway.

Amount: \$420.50

Term: Effective January 20, 2016 through completion of project.

Mr. Douts explained that in accordance with the County Capital Bridge Plan there were several bridges which were listed as an elimination candidates and this bridge, which has been closed for approximately four years, was one of them. Mr. Douts said there were several meetings with residents, township officials, and the public and these easements will allow the contractor ample space to remove the structure, also noting it will be paid out of liquid fuels funds.

The Board thanked the property owners for their cooperation and willingness to work with the County as it makes the project go much more smoothly.

Motion passed unanimously.

On motion of Commissioner Lehman, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster to approve the offer submitted by Lancaster Holdings and Asset Management for the purchase of 2260 Erin Court, an office condominium owned by the County and located in East Hempfield Township, at the following terms and conditions:

- Purchase Price: \$1,000,000.00
- Settlement Date: On or before June 1, 2016
- Due Diligence/Inspections Period: 30 days from date of full execution of the agreement, such execution to be on or before end of business day January 21, 2016.
- Finance Contingency: Contingent upon obtaining a loan commitment of at least \$750,000.00 for a 20 year term; interest rate not to exceed 5%, on or before March 31, 2016.
- Appraisal Contingency: Contingent upon property appraising at or above sale price.
- Transfer taxes to be split equally between Buyer and Seller.
- Buyer shall agree to reimburse the County on a pro-rata basis for the remaining lease commissions on the Howard Hanna lease from date of settlement to end of lease, approximately 19 months. Estimated amount will be \$5,148.02 depending on exact day of settlement.
- Buyer shall agree to sign, after the conclusion of its due diligence period, and at least two weeks prior to settlement, the Erin Court Condominium Addendum, provided to Buyer in advance of this agreement.
- Buyer understands that it must contribute three months capital contribution to the Erin Court Condominium Association upon settlement.
- Buyer understands that it is buying the property as is, and although Buyer may make inspections and evaluations, the County will not make repairs or concessions.

Ms. Sable gave some background on the property, noting that the sale price works out to about \$100.50 per square foot and that Howard Hanna leases the first floor of the building. Ms. Miller stated that the buyer is well qualified so there should not be any mortgage problems and does not believe they are going thru with inspections so that should not be a problem either.

Commissioner Parsons thanked Ms. Sable for her work, acknowledging this is a big project and long process, also noting the County is in not an ideal position but a fair price was negotiated so it is the right thing to not continue to have the vacant space on hand.

Commissioner Lehman commented when it was decided to convert this property into condominiums so each building could be sold separately, one of the other things decided upon was to try to lease part of the buildings and the County was successful with 2260 so this has added value both for the County in the interim and also made it more attractive for sale.

Commissioner Stuckey thanked Ms. Miller for coming in on behalf of the buyer and Ms. Sable for her hard work.

Motion passed unanimously.

On motion of Commissioner Lehman, seconded by Commissioner Parsons, the meeting adjourned at 9:35 a.m.

Motion passed unanimously.

Respectfully submitted,

Christine M. Carrigan, Executive Assistant
Commissioners' Office