

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, JANUARY 27, 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:

Matthew Acker, Deputy Treasurer/Director of Tax Claims Bureau
TREASURES OFFICE

Wallace Baylor, Regional Sales Manager
TRINITY SERVICES GROUP, INC.

Crystal Clark
ACTING COUNTY SOLICITOR

Charles Douts, Director
FACILITIES MANAGEMENT

Barry Garman, Project Manager
FACILITIES MANAGEMENT

Harry Klinger, Director
PURCHASING

Matt Knepper, Director
AGRICULTURAL PRESERVE BOARD

Scott Martin
FORMER COUNTY COMMISSIONER

Arthur Morris, Resident
LANCASTER CITY

Frank Pulli, Senior Buyer
PURCHASING

David Schmidt, West Nile Virus Coordinator
COOPERATIVE EXTENSION OF LANCASTER COUNTY

Joe Shiffer, Deputy Warden, Inmate Services
PRISON

Dennis Ward
TUSA CONSULTING

Mike Weaver, Director
LANCASTER COUNTY-WIDE COMMUNICATIONS

Commissioner Stuckey called the meeting to order at 9:15 a.m. followed by the Pledge of Allegiance.

Commissioner Stuckey announced the approval of December 30, 2015 Commissioners' Meeting Minutes. Postpone approval of December 16, 2015 Commissioners' Meeting Minutes, January 4, 2016 Commissioners' Organizational Meeting Minutes, January 6, 2016 Commissioners' Meeting Minutes, January 13, 2016 Commissioners' Meeting Minutes and January 20, 2016 Commissioners' Meeting Minutes.

Radio Interference Update

Mr. Ward gave a PowerPoint presentation, explaining that in 2014 WFEC out of Arlington, Virginia increased their station power halfway thru the deployment of our new system. Their solution is to replace the receipt frequencies and reprogram the radios, which they anticipate having done by the end of March and after final optimization of the system, this will complete the radio project. Mr. Ward explained for Commissioner Parsons they have engaged another company to do some frequency monitoring to make sure the new frequency does not have any similar interference issues. Mr. Weaver stated they have tried to make any changes before they start the second phase and confirmed for Commissioner Lehman that there are 5800 radios on the system, noting the system is working very well.

RESOLUTION NO. 15 OF 2016

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On motion of Commissioner Parsons, seconded by Commissioner Lehman;

WHEREAS, Through the *Lancaster County Comprehensive Plan* and the recommendations of the *Blue Ribbon Commission for Agriculture*, Lancaster County has identified the importance of preserving agriculture and agricultural land in Lancaster County; and

WHEREAS, Through policy and programs, the Board of County Commissioners has made a commitment to a balanced and cooperative approach to farmland preservation in Lancaster County; and

WHEREAS, The Board of Commissioners has established a program entitled the *Farmland Preservation Fund* to implement the recommendations of the *Lancaster County Comprehensive Plan* and the *Blue Ribbon Commission for Agriculture* to permanently preserve farmland in areas planned for agriculture.

NOW, THEREFORE, BE IT RESOLVED BY THE LANCASTER COUNTY BOARD OF COMMISSIONERS, That the County of Lancaster, Pennsylvania, appropriate agricultural conservation easement purchase funds for Fiscal Year 2016 in the amount of \$1,590,311.00, which is inclusive of \$1,350,000.00 of new County funds through the *Farmland Preservation Fund*, \$64,247.00 of Clean & Green rollback tax interest as required by Act 156 of 1998, \$46,914.00 of other County Funds reserved exclusively for easement purchase and \$129,150.00 of local government funds used for the acquisition of agricultural conservation easements.

BE IT FURTHER RESOLVED, That the above funding is available as of January 1, 2016, and that such funds have been collected or received by Lancaster County and placed in a restricted account, or are reserved exclusively for the purchase of easements, and that any of these funds not expended by December 31, 2017 will be available for use in the subsequent fiscal period for the same purpose; as required by the Act of June 30, 1981 (P.L. 128, No. 43), known as the Agricultural Area Security Law, as amended.

BE IT FURTHER RESOLVED, That said funds will be used for the purpose of providing matching funds for the purchase of agricultural conservation easements pursuant to the authority contained in the Act of June 30, 1981 (P.L. 128, No. 43), known as the Agricultural Area Security Law, as amended.

BE IT FURTHER RESOLVED, That \$64,247.00 of Clean & Green rollback tax interest will be used to develop conservation plans and to monitor and enforce agricultural conservation easements, including the payment of legal costs associated with defending agricultural conservation easements, as permitted by Act 46 of 2006.

BE IT FURTHER RESOLVED, That a \$250,000.00 50% matching challenge grant is hereby awarded to the Lancaster Farmland Trust through the *Farmland Preservation Fund* to permanently preserve farmland in areas planned for agriculture in accordance with guidelines prepared for the program.

ADOPTED this 27th day of January, 2016 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

Mr. Knepper explained this is Lancaster County's annual appropriation of county funds that are certified and become their state match, which is based on the outcome of the state funding formula.

Commissioner Lehman pointed out that state money is really the only consistently ongoing revenue source for farmland preservation that exists and the County's commitment to a local program combined with its ability to leverage state funding has been hugely important in keeping Lancaster number one in farmland preservation in the nation. Mr. Knepper confirmed for Commissioner Lehman that no new borrowing is needed to fund this 2016 program.

Commissioner Stuckey added appreciation to the local municipalities' participation for making contributions in their own areas for farmland preservation. Mr. Knepper noted working with the Farmland Trust helps to leverage funds and preserve more farmland, as well as landowners offering bargain sales. Commissioner Stuckey noted this money will be spent next year, 2017.

Mr. Morris expressed concern about money coming from Erin Court and the Board's thoughts on urban enhancement.

Commissioner Stuckey stated the plan is to use the money from Erin Court, an asset, but he does not want to restrict anything at this point in time so is reluctant to say it is specifically going to urban enhancement although he acknowledged the boroughs and city appreciate the urban enhancement program and the Board is certainly open to discuss this in the future.

Commissioner Lehman noted that agriculture issues and urban enhancement are usually done in separate resolutions or motions, but agreed that urban enhancement is a farmland preservation program. Commissioner Lehman said that he would support an urban enhancement program if one were presented before the Board as we need to reinvest in older communities.

Commissioner Parsons agreed that Lancaster County has great boroughs, noting we need to do what we can to make sure they are vital and all these pieces fit together.

Motion passed unanimously.

On motion of Commissioner Lehman, seconded by Commissioner Parsons, it was agreed for the County of Lancaster, acting on behalf of the Agricultural Preserve Board, to approve the following:

<u>Consultant Agreement With:</u>	Lancaster Farmland Trust Strasburg, Pennsylvania
<u>Purpose:</u>	To provide easement inspection services to ensure that farms are in compliance with Agricultural Conservation Easement requirements under PA Act 43.
<u>Amount:</u>	\$150.00 per inspection of an Agricultural Conservation Easement held by Lancaster County or the Commonwealth of Pennsylvania, and \$75.00 per inspection of an Agricultural Conservation Easement held jointly by Lancaster County and Lancaster Farmland Trust, for a total contract amount not to exceed \$40,000.00 per year.
<u>Term:</u>	February 1, 2016 through December 31, 2017.

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Mr. Knepper explained this will allow monitoring of the terms of the agricultural conservation easements, at least every other year, noting there are 917 preserved farms and the Agricultural Preserve Board office does not have the staff capacity in-house, but they will handle follow up issues. Mr. Knepper confirmed for Commissioner Lehman that they have had this contract for ten years and the rate has only increased one time, last year, noting there is no increase this year and they have agreed to a two year contract.

Mr. Knepper confirmed for Commissioner Parsons that an additional full-time staff person with salary, benefits and travel costs would cost more than this contract, noting his office and the farmers have a great relationship with the Trust.

Motion passed unanimously.

RESOLUTION NO. 16 OF 2016

**AUTHORIZING PALMETTO POSTING, INC. OF SOUTH CAROLINA TO MAKE PERSONAL SERVICE
AND PERFORM OTHER RELATED SERVICES IN ACCORDANCE WITH THE
PENNSYLVANIA REAL ESTATE TAX SALE LAW (72 P.S. §§5860.101 et. seq.)**

On motion of Commissioner Parsons, seconded by Commissioner Lehman;

WHEREAS, The County of Lancaster, acting by and through the Lancaster County Tax Claim Bureau, is required to take certain service measures pursuant to the Pennsylvania Real Estate Tax Sale Law prior to the sale of property for delinquent real estate taxes; and

WHEREAS, Pursuant to Section 5860.601(a)(3) of the Pennsylvania Real Estate Tax Sale Law, the County Commissioners may appoint persons other than the Sheriff or Sheriff's Deputies to make personal service; and

WHEREAS, Palmetto Posting, Incorporated, a South Carolina corporation, has a patent for its system and method for notice posting and verification; and

WHEREAS, Palmetto Posting, Inc. possesses the requisite expertise, experience and qualifications to make personal service and post notices pursuant to the Pennsylvania Real Estate Tax Sale Law; and

WHEREAS, Palmetto Posting, Inc. is the only known entity providing these services in Pennsylvania; and

WHEREAS, The County had previously approved a contract with Palmetto Posting, Inc. to provide these services for the period April 4, 2012 through April 1, 2016, and the Lancaster County Tax Claim Bureau would like to continue to utilize the services performed by Palmetto Posting, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA, That the Board of Commissioners hereby authorizes the renewal of the contract with Palmetto Posting, Incorporated, to make personal service in accordance with the applicable provisions of the Pennsylvania Real Estate Tax Sale Law and to engage in related services in connection therewith. This authorization shall be a standing authorization until December 31, 2019, at which time the matter shall be reviewed.

BE IT FURTHER RESOLVED, That the Lancaster County staff and officials are authorized to take all steps necessary or appropriate to implement the provisions of this Resolution, including negotiating a contract with Palmetto Posting, Incorporated to perform the services in accordance with this Resolution for an amount not to exceed \$100,000.00 for any one-year period.

ADOPTED this 27th day of January, 2016 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

Mr. Acker explained that over the past five years Palmetto Posting has covered over 1200 properties in Lancaster County by using GPS technology which relieves the Sheriff's office of this task, while streamlining the ability to bring in delinquent tax revenue back to the County much more efficiently, noting the costs are passed directly on to the tax payer. Palmetto operates in four states and 51 counties, 21 of which are in Pennsylvania, and to date they are the only known non-government agency who performs this work in Pennsylvania. Mr. Acker confirmed for Commissioner Lehman that his predecessor, Deb Docket, worked with Purchasing in 2013, but there was no other agency or service provider.

Motion passed unanimously.

RESOLUTION NO. 17 OF 2016

On motion of Commissioner Parsons, seconded by Commissioner Stuckey;

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 food service for the Lancaster County Prison for the period February 1, 2016 through January 31, 2018 with two one-year extension options.

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 therefor, and a contract therefore directed to be drawn.

<u>Contract Awarded To:</u>	<u>For:</u>	<u>Amount:</u>
Trinity Services Group, Inc.	Food service for the Prison for the period February 1, 2016	\$2,854,651.80

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Mr. Pulli explained four bids were received and this resolution reflects an increase of \$174,284.98 or 6.11% for this contract, noting since the contract was in the process of being bid we entered into a partial one year option renewal and at that time the price did go up to 1.007 dollars per meal which only shows a 4.73% increase.

Mr. Baylor stated they have serviced the County for quite some time and are familiar with our environment, needs and facility, and although there have been issues from time to time, he understands they have been resolved over the last six months. Mr. Baylor also noted quarterly meetings have been scheduled with the facility staff and Purchasing to address the issues further.

Commissioner Lehman thanked Mr. Baylor for his comments, appreciating their willingness to work with them and trying to correct issues at the jail, particularly in the supervisory area. Commissioner Lehman stated that given the choice between supporting a new contract, which could potentially last four years or continuing to exercise the options that currently exist, his preference would be to continue to hold Trinity's feet to the fire and continue to operate under the existing contract.

Commissioner Stuckey said it behooves us to take a look at what is out there but Trinity stepped up to the plate, appreciating that they are addressing the issues and he wants to work together with them to provide the best service at the most economical price, noting we need to keep quality in mind.

Mr. Shiffer knows the past year has been difficult, but new supervisor staff has been hired and they work daily to address any shortcomings along with developing a collaborative process between the prison, Trinity and maintenance to address issues in the kitchen as they occur, noting significant improvement over the past six months in quality of service. Commissioner Lehman said he will be out to try the meals - breakfast, lunch and dinner, and invited LNP to join him.

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	No

On motion of Commissioner Lehman, seconded by Commissioner Parsons, it was agreed for the County of Lancaster to approve the following:

1. **Grant Application/
Grant Agreement With:** Commonwealth of Pennsylvania
Department of Environmental Protection –Vector Management
Harrisburg, Pennsylvania

Purpose: To receive funding under the “West Nile Virus Mosquito Control Program” for Penn State Cooperative Extension to monitor West Nile Virus and mosquito activities in Lancaster County through an integrated pest management approach in the areas of education, surveillance and control.

Amount/Term: \$60,827.80 for the period January 1, 2016 through December 31, 2016 (100% State funding).
2. **Memorandum of
Understanding With:** Cooperative Extension of Lancaster County
Lancaster, Pennsylvania

Purpose: The County will direct funds from the Pennsylvania Department of Environmental Protection’s West Nile Virus Mosquito Control Program to the Cooperative Extension of Lancaster County to execute the activities required for this project in Lancaster County.

Amount/Term: Not to exceed \$60,827.80 for the period January 1, 2016 through December 31, 2016 (100% State funding).

Mr. Schmidt said he managed to cut some money out of the budget this year by looking at excess monies which were not actually used without reducing the services provided and that he plans to have an educational push regarding the Zika Virus, which has been spreading thru South America, addressing it proactively even though this is not part of this grant but as an employee of Penn State. Mr. Schmidt confirmed for Commissioner Lehman that no virus that has made it to the United States but the potential is there, noting people have returned with the virus, but not spread it. Commissioner Lehman thought it was good that he raised this issue so folks are aware and Mr. Schmidt said travelers should take precautions if they are going to be in an area where it is prevalent.

Motion passed unanimously.

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:

- Change Order No. 12 With:** Cyprium Solutions
East Petersburg, Pennsylvania
- For:** To provide additional electrical construction services for the Prison fire alarm system replacement project as follows:

Add cost to troubleshoot and repair the existing “Escape Warning System” on the exterior of the facility.
- Total Change Order:** **Add \$760.00**

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Mr. Garman explained this is the final change order on the prison fire alarm system which will warn the neighbors in the event of an escape, noting it was not part of the fire alarm system, but accounted for because the contractor was on-site and it was an easy fix. Mr. Garman said that with this change order they will have expended about \$77,000 of the \$137,000 contingency, so they have a reserve balance of \$51,831 in the total project cost.

Motion passed unanimously.

Former Commissioner Scott Martin thanked Ms. McCue, saying what a true pleasure it has been to work with her over the years and watch her earn the respect of so many people inside this organization, seeing her grow professionally and working with her in so many different capacities, noting that no matter what the tasks were that the many Boards gave her she tackled those challenges and seeing her be the glue who keeps things together is a testament to her character and the kind of person she is, concluding that it has been an honor to know her.

Ms. Clark wished Ms. McCue the best of luck and said that for most of us, aside from our families, there are a handful of people throughout our lives who we can say have truly touched and changed our lives for the better and she absolutely would not be where she has been over the last five years if not for Ms. McCue and her friendship both inside and out of work.

Mr. Klinger said he has the utmost respect for Ms. McCue both personally and professionally, noting she was one of the most supportive people during a difficult time which meant very much to him as well as her support for him as Director of Purchasing, which has been tremendous and the County is going to miss her significantly.

Commissioner Parsons said he only got to work with Ms. McCue for a couple of weeks as a Commissioner but did as a department head, noting the County will miss her very much and appreciated all her service.

Commissioner Lehman said there are absolutely, positively no words that he can come up with which will truly reflect how much respect he has for Ms. McCue and her abilities. Commissioner Lehman thanked her for all she has done for him and the County, noting she always has a home here and saying Lancaster County is better off because of her and people throughout County government respect her because of who she is.

Commissioner Stuckey thanked Ms. McCue for the service she has given Lancaster County, saying the Board threw so many things at her and he was always amazed at how much she could handle and keep going, never missing a beat, noting she is one of the most dynamic people he has ever seen in his life. Commissioner Stuckey agreed with Former Commissioner Pete Shaub that she is moving for the right reasons, for family, and he believes in her, but noted it is a loss to lose a member of our work family, someone who has been very close and very supportive.

Ms. McCue said she answered an ad in the newspaper and it has turned out to be an amazing experience. She is grateful for all of the things she has learned and the opportunities that have been given her, along with all the confidence the Board placed in her, concluding that she could not have done this job without Lisa Johnson.

Commissioner Lehman read a resolution which was approved by the CCAP Board of Directors, noting it was created to recognize those who stepped up during the State budget impasse. Commissioner Lehman added his personal thanks to all the human service providers in Lancaster County as it was truly remarkable what they did to keep their doors open and their clients served during this difficult time, stating they are the unsung heroes of the whole debacle who went to extreme lengths to make sure they had resources when leaders in Harrisburg could not figure out how to get things done.

Commissioner Stuckey said it was heartwarming that we recognize the providers who we stopped paying as their efforts are very much appreciated.

On motion of Commissioner Lehman, seconded by Commissioner Parsons, the meeting adjourned at 10:22 a.m.

Motion passed unanimously.

Respectfully submitted,

Christine M. Carrigan, Executive Assistant
Commissioners' Office