

COUNTY COMMISSIONERS' WORK SESSION MINUTES
TUESDAY, MARCH 1, 2016

The Board of County Commissioners met today in their weekly Work Session.

Present at today's meeting were:

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

Lisa Johnson
ASSISTANT CHIEF CLERK

Crystal Clark, Esquire
SOLICITOR

Also present were:

Dale Brubaker, Grant Specialist

James Cowhey, Executive Director
PLANNING COMMISSION

James Fasnacht, Senior Buyer
PURCHASING

Lawrence George, Executive Director
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Harry Klinger, Director
PURCHASING

Crystal Natan, Executive Director
CHILDREN AND YOUTH AGENCY

James Noel, Esquire, Solicitor
LANCASTER COUNTY HOSPITAL AUTHORITY

Jean Rehrig, Portfolio Manager
EDC FINANCE CORPORATION

Marilyn Sachs, Fiscal Technician
PLANNING COMMISSION

Commissioner Stuckey called the meeting to order at 10:07 a.m.

Commissioner Stuckey announced that the Board of Commissioners met in Executive Session on Wednesday, February 17, 2016 at 3:35 p.m. to discuss personnel matters related to the discipline, suspension and termination of employees; and potential litigation and litigation including the Hepner matter, Fisher matter, Abronte matter, Benjamin matter, Noviho matter, Christner matter, Baker matter, and Kenney matter.

Commissioner Stuckey announced that the Board of Commissioners met in Executive Session on Tuesday, February 23, 2016 at 9:05 a.m. to discuss potential litigation and litigation matters including the Pugliese case, Christner case and pending Office of Open Records appeals, and also discussed personnel matters related to the hiring, discipline, suspension and termination of employees.

Commissioner Stuckey announced that an evening Commissioners' Meeting will be held on Wednesday, March 9, 2016 at 7:00 p.m. at Denver Borough Municipal Building, 501 Main Street, Denver, Pennsylvania. There will be no Commissioners' Meeting scheduled for Wednesday morning, March 9, 2016 at 9:15 a.m.

Commissioner Stuckey announced that there will be no Work Session held on Tuesday, March 15, 2016.

Commissioner Stuckey announced that in compliance with the Prison Rape Elimination Act (PREA), the Lancaster County Youth Intervention Center has published its annual report and provided it to the Board of Commissioners. The Report is now available for public inspection on the County's website. Questions about the Report or the implementation of the PREA at the Youth Intervention Center should be directed to Director Drew Fredericks.

Commissioner Stuckey announced that the Board of Commissioners met in Executive Session on Monday, February 22, 2016 at 9:00 a.m. to discuss a potential buyer for 2270 Erin Court, Pugliese case, East Lampeter Tax Collector issue, and selection of a Chief Clerk.

Commissioner Stuckey announced that the Board of Commissioners met in Executive Session on Tuesday, March 1, 2016 at 9:04 a.m. to discuss Litigation matters including the Christner, Chobert matters, and a criminal judgment matter, personnel matters involving the discipline, suspension and termination of employees and labor matters and potential litigation.

Commissioner Stuckey announced the approval of the January 26, 2016 Work Session Minutes, and February 2, 2016 Work Session Minutes and postponed the approval of the February 9, 2016 Work Session Minutes.

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1. **RESOLUTION NO. 23 OF 2016**

On motion of Commissioner Parsons, seconded by Commissioner Lehman;

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA. That Crystal Clark, 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 March 1, 2016 through May 31, 2016.

Motion passed unanimously

The Board of Commissioners thanked Crystal for her willingness to continue to serve the County.

2. Jean Rehrig, EDC Finance Corporation, presented two Next Generation Farmer Loan Applications.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 2, 2016.

3. James Noel, Lancaster County Hospital Authority, presented Amendment to the Articles of Incorporation of the Lancaster County Hospital Authority.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 2, 2016.

4. Lawrence George, Behavioral Health/Developmental Services, presented an Amended Agreement.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 2, 2016.

5. Crystal Natan, Children and Youth Agency, presented Agreements.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 2, 2016.

6. Dale Brubaker, Grant Specialist, presented a Grant Application.

On motion of Commissioner Lehman, seconded by Commissioner Parsons, it was agreed for the County of Lancaster, acting on behalf of the District Attorney's Office, to approve the following:

Grant Application With: Office on Violence Against Women (OVW), U.S. DOJ
Washington, D.C.

Purpose: To submit an application for "Improving Criminal Justice Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking Grant Program." Grant funding would be used for salaries, a contractual agreement with Domestic Violence Services of Lancaster County to perform the work of the proposed grant activity, computer equipment and required travel for OVW training. The goal is to create a centralized minor judiciary court to process misdemeanor and non-complex felony domestic violence, dating violence and stalking cases through the collaboration of the County of Lancaster, Lancaster County District Attorney's Office, and Office on Domestic Violence Services of Lancaster County.

Amount/Term: Not to exceed \$415,000.00 for a three-year grant period commencing October 1, 2016 through September 30, 2019 (100% Federal funding).

Commissioner Parsons stated he talked with the District Attorney about this to get some background information and then described the program. Commissioner Parsons feel that with this program these cases will be dealt with more effectively and quickly. Commissioner Parsons said that he is supportive of moving forward with the new and innovative way to deal with very difficult cases and he feels that it holds promise.

Motion passed unanimously.

7. James Cowhey, Planning Commission, and Marilyn Sachs, Planning Commission, presented a License Order and a Municipal Transportation Grant Forgiveness Request.

Commissioner Lehman asked Mr. Cowhey if the Board of Commissioners have been asked to take action similar to this forgiveness request on any other grants, such as the Municipal Transportation Grants, and the Urban Enhancement Grants. Mr. Cowhey stated that they could not find any action where there was a request and a grant forgiveness. Commissioner Lehman than asked Mr. Cowhey if there was ever a situation where the County required a grantee to repay a grant that was received as a result of an incomplection of that project. Mr. Cowhey stated that he could not recall this ever happening and stated that this a unique situation.

In response to Commissioner Parsons inquiry, Mr. Cowhey described the difference between a cancelation of the project and what would have happened if the project would have just expired,

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Mrs. Clark stated that she believes that there is a distinction in the contract between the effects of a cancelation versus an expiration. Mrs. Clark stated that an expiration would not have necessitated the payback of expended grant funds whereas with a cancelation there would be an expectation of a payback of funds. Mrs. Clark also stated that there will be a difference of opinion about whether or not there was an obligation to repay. Mrs. Clark stated that the Board of Commissioners' options are forgive, not forgive, or in essence do nothing.

Commissioner Lehman stated that he did not support the additional month extension because the prior year he stated that was the last extension. Commissioner Lehman feels that in this case that they will end up in the same place. Commissioner Lehman feels that the only question in this circumstance is whether or not they feel like being punitive to East Earl Township or not. Commissioner Lehman stated that he inclined to give them the benefit of the doubt and approve the motion as presented.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 2, 2016.

8. James Fasnacht, Purchasing, presented a Bid Award for Chemicals.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 2, 2016.

9. Harry Klinger, Purchasing, presented an Agreement and a Disposal of Used Vehicles Resolution.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 2, 2016.

10. Commissioner Stuckey announced that the Appointments/Reappointments to County Boards are being postponed until the Work Session held on March 8, 2016.

11. Lisa Johnson, Assistant Chief Clerk, presented the March 2, 2016 Commissioners' Meeting Agenda noting under old business there will be follow-up discussion of the Audit Report of the East Lampeter Tax Collector performed by the Controller's Office and the appointment of Chief Clerk Robert Still and noting no other changes.

12. On motion of Commissioner Lehman, seconded by Commissioner Parsons, the meeting was adjourned at 11:08 a.m.

Motion passed unanimously.

Respectfully submitted,

Sara E. Glatfelter, Executive Assistant
Commissioners' Office