

**COUNTY COMMISSIONERS' MINUTES**  
**WEDNESDAY, MARCH 16, 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 E. Lehman**  
**BOARD OF COUNTY COMMISSIONERS**

**Robert T. Still**  
**CHIEF CLERK**

**Crystal Clark, Esquire**

Also present were:

**Trudy Brandt, Board President**  
**YWCA**

**Jacqueline Burch, Executive Director**  
**OFFICE OF AGING**

**James Cowhey, Executive Director**  
**PLANNING COMMISSION**

**Kelly Decker, Business Administrator**  
**YOUTH INTERVENTION CENTER**

**Charles Douts, Director**  
**FACILITIES MANAGEMENT**

**Cheryl Gahring, Chief Operating Officer**  
**YWCA**

**Matt Knepper, Director**  
**AGRICULTURAL PRESERVE BOARD**

**Arthur Morris, Resident**  
**LANCASTER CITY**

**David Mueller, Director**  
**OFFICE OF JUVENILE PROBATION**

**Kelly Murphy, President**  
**COLUMBIA BOROUGH COUNCIL**

**Crystal Natan, Executive Director**  
**CHILDREN AND YOUTH AGENCY**

**Mark Platts, President**  
**SUSQUEHANNA HERITAGE**

**Scott Russell, County Engineer**  
**RETTEW**

**Greg Sahn, Manger**  
**COLUMBIA BOROUGH**

**Linda Schreiner, Senior Buyer**  
**PURCHASING**

**Paul Weiss, Administrator**  
**DEPARTMENT OF PARKS AND RECREATION**

Commissioner Stuckey called the meeting to order at 9:18 a.m. followed by the Pledge of Allegiance.

Commissioner Stuckey announced the approval of February 17, 2016 Commissioners' Meeting Minutes and postponed approval of March 2, 2016 Commissioners' Meeting Minutes and March 9, 2016 Evening Commissioners' Meeting Minutes.

**Presentation of Proclamation – "National Women's History Month"**

Trudy Brandt, YWCA Board President  
Cheryl Gahring, Chief Operating Officer, YWCA



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- For:** Shared Ride Transportation services.
  - Amount:** Not to exceed \$300,000.00 per year (100% State funding).
  - Term:** July 1, 2015 through June 30, 2020.
  - 8. **Agreement With:** Berks County Center for Independence  
dba Abilities in Motion (AIM)  
Reading, Pennsylvania
  - For:** PA LINK to Aging and Disability Resource Center (ADRC). AIM serves as the State-designated fiscal agent for LINK, a three county regionally based ADRC program encompassing Lancaster, Lebanon and Berks counties.
  - Amount:** Not to exceed \$107,888.00 (50% State funding and 50% Federal funding). Lancaster County Office of Aging is the recipient of these pass-through funds.
  - Term:** July 1, 2015 through June 30, 2016.
- Motion passed unanimously.

**RESOLUTION NO. 31 OF 2016**

On motion of Commissioner Parsons, seconded by Commissioner Lehman;

**WHEREAS,** Requests for Proposals were issued by the County of Lancaster, on behalf of the Office of Aging, for in-home services and senior exercise services; and

**WHEREAS,** Sealed proposals for the above-mentioned services for the Lancaster County Office of Aging were opened on Tuesday, August 25, 2015; and

**WHEREAS,** This new process for Requests for Proposals for these services is a result of a Pennsylvania Department of Aging Program Directive requiring all agreements be limited to a total of five years—one three-year base period plus two one-year options; and

**WHEREAS,** The Aging Program Directive also mandates consumer choice requiring a minimum of two responsive and responsible providers for the public to choose from for these service areas. If a minimum of two providers cannot be identified, the County is required to advertise these agreements on an annual basis until such is achieved.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA** to authorize the approval and execution of contracts with the following providers for the services and amounts specified for a three-year period commencing October 1, 2015 through June 30, 2018, with two option years:

<b><u>Agreements With:</u></b>	<b><u>Services:</u></b>	<b><u>Amounts:</u></b>
Alma Health dba MedStaffers Carlisle, PA	In-Home Services: Personal Care LPN RN	\$19.15/hour \$36.42/hour \$42.60/hour
Companion Care of Lancaster dba Comfort Keepers Lancaster, PA	In-Home Services: Personal Care	\$19.15/hour
Right at Home Gap, PA	In-Home Services: Personal Care	\$19.15/hour
YWCA Lancaster Lancaster, PA	Senior Exercise Services	\$48.00/hour

Motion passed unanimously.

**Presentation – Design for Replacement of Pequea Bridge No. 2 in Paradise Township and Pequea Bridge No. 6 in East Lampeter Township Placed on PennDOT’s Transportation Improvement Program**

Mr. Douts, Mr. Russell and Mr. Cowhey presented an overview of Pequea Bridge No. 2 in Paradise Township and Pequea Bridge No. 6 in East Lampeter Township which have been expedited on PennDOT’s Transportation Improvement Program (TIP).

Mr. Russell stated that Federal funds will be used for bridge reconstruction for both design and construction and that the County’s match will only be five percent.

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Mr. Douts stated that the next step will be for the County Engineer, Rettew, to work with PennDOT and have a formal agreement prepared for engineering and design. Once that agreement is made it will be brought back before the Board of Commissioners for approval.

Mr. Russell stated that it will take about six months before an agreement will be reached with PennDOT.

Commissioner Lehman asked Mr. Russell what the timeline was for construction and completion. Mr. Russell stated that for a local process it usually takes about a year for design and a six months to a year window for construction, so typically a bridge that's liquid fuel funded or Act 13 funded will be two years until ribbon cutting. For a PennDOT project it is about a year for preliminary design; then about a year to a year and a half before final design is completed; then about a year for construction, so typically it takes three to four years to complete the bridge. He also stated that the County is looking at a minimum of three years until completion for the two bridges. Commissioner Lehman asked Mr. Russell what the timeline would have been had PennDOT not expedited these projects. Mr. Russell stated that Pequea Bridge No. 2 would have been 2018 and that Pequea Bridge No. 6 was a later date, so PennDOT has basically moved both bridges up about a year and a half.

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

1. **PennDOT Agreement No. 08A024,  
Work Order No. 5-A With:** Pennsylvania Department of Transportation (PennDOT)  
Engineering District 8-0  
Harrisburg, Pennsylvania  
  
**Purpose:** To increase PennDOT funding for preliminary engineering and environmental services by the Lancaster County Transportation Authority through its vendor, McCormick Taylor, for the Columbia Avenue, Rohrerstown Road and Good Drive intersection areas of PA 23, PA 462 and PA 741, located in East Hempfield Township and Manor Township.  
  
**Amount/Term:** Increase the amount of the existing contract by \$7,470.64, for a total contract amount not to exceed \$265,839.97 effective from date of execution of contract through December 1, 2016 (100% Federal funding).
2. **Amended Agreement With:** Lancaster County Transportation Authority  
Lancaster, Pennsylvania  
  
**Purpose:** To amend the scope of work for the completion of PennDOT District 8-0 Work Order No. 4-A for preliminary environmental and engineering services for the Columbia Avenue, Marietta Avenue and Rohrerstown Road Area Intersection Improvements including PA 23, PA 462, PA 741 and Good Drive.  
  
**Amount/Term:** Increase the amount of the existing contract by \$110,757.14, for a total contract amount not to exceed \$337,279.91 effective from date of execution of contract through completion of Work Order 4-A or December 1, 2016, whichever is earlier.
3. **Request Amendment to  
Grant No. BRC-TAG-20-71 With:** Bureau of Recreation and Conservation  
PA Department of Conservation and Natural Resources (DCNR)  
Harrisburg, Pennsylvania  
  
**Purpose:** To submit a letter requesting amendment to DCNR's grant agreement No. BRC-TAG-20-71 for the Lancaster County Bike and Pedestrian Plan Update to modify scope of work, extend grant time, and add funds to develop and implement programs and services at the Columbia Crossing River Trails Center. Columbia Borough has contracted with Susquehanna Heritage to manage and operate Columbia Crossing River Trails Center as a visitor education and recreation facility.  
  
**Amount:** Increase the amount of the existing grant by \$150,000.00 for the Columbia Crossing River Trails Center project, for a total amount not to exceed \$187,500.00 as follows:  
  
Existing Grant: \$37,500.00 (Lancaster County)  
(100% State funding)  
  
Additional Request: \$150,000.00 (Columbia Crossing  
River Trails Center Project (100%  
State funding). Columbia Borough  
will provide funding match of \$150,000.00.  
  
**Note:** Lancaster County is the recipient of the pass-through funds for the Columbia Crossing River Trails Center Project and will subcontract with Susquehanna Heritage for the grant amount of \$150,000.00 upon approval of amended grant agreement.

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**Term:** Extend the term for one-year with an ending date of December 31, 2018.

Mr. Platts explained how Susquehanna Heritage will use the County's current grant as pass-through to get funding that they need to implement programs and services at the Columbia Crossing River Trails Center.

Mr. Murphy thanked the Board of Commissioners on behalf of the Columbia Borough Counsel and the citizens of Columbia for their continued support so that Columbia can see this agreement through with Susquehanna Heritage.

Mr. Sahd thanked the Board of Commissioners for allowing Columbia Borough to piggyback on the open Department of Conservation and Natural Resources grant. He stated without being able to piggyback off this grant and Columbia Borough being able to match the grants, they would not have been able to complete the two million dollar Columbia Crossing River Trails Center. Also he thanked Mr. Cowhey for all of his efforts and help.

Motion passed unanimously.

**RESOLUTION NO. 32 OF 2016**

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

<b><u>REVENUE ACCOUNT:</u></b>	
Planning Commission -	
Pennsylvania Department of Transportation	<b><u>\$110,757.14 (+)</u></b>
Work Order No. 4-A – Master Reimbursement Agreement 08A024	
A2600 14500 6311	

<b><u>EXPENDITURE ACCOUNT:</u></b>	
Planning Commission -	
Lancaster County Transportation Authority –	<b><u>\$110,757.14 (+)</u></b>
Columbia Avenue, Rohrerstown Road, Marietta Avenue and	
Good Drive Intersection Improvements	
Preliminary Engineering	
Work Order No. 4-A	
A2600 14500 7318	

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 Office of Juvenile Probation, to approve the following:

<b><u>Grant-In-Aid Application/ Agreement With:</u></b>	Juvenile Court Judges' Commission Harrisburg, Pennsylvania
<b><u>Purpose:</u></b>	To apply for grant funding to support costs of maintaining and improvement of Juvenile Probation services with the funding being applied to probation officers' salaries and some operational expenses for the implementation of evidenced based practices and models.
<b><u>Amount/Term:</u></b>	Not to exceed \$659,433.00 for the period July 1, 2015 through June 30, 2016 (100% State funding).

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 Children and Youth Agency and/or the Office of Juvenile Probation, to approve the following:

<b><u>Agreements With:</u></b>	<b><u>For:</u></b>	<b><u>Amounts Fiscal Year 2015-2016</u></b>
Adelphoi Village	Residential – Sexual Offenders	\$215.37/day
Latrobe, PA	La-Sa-Quik Residential	\$272.51/day
	Residential – Male Intensive	\$219.00/day
	Residential – Female Intensive	\$225.03/day
	Specialized Independent Living	\$197.16/day
	Secure Residential	\$306.04/day
	Secure – Sexual Offenders	\$353.80/day
Alternative Rehabilitation	Residential – Special Needs	\$217.20/day
Communities	Residential – Male	\$201.59/day

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Harrisburg, PA	Residential – Female Secure Residential	\$201.59/day \$209.48/day
Diakon Child, Family & Community Ministries Mechanicsburg, PA	Traditional Foster Care Specialized Foster Care Treatment Foster Care Wilderness Weekend Alternative Program Bridge Program Bridge GPS Monitoring Independent Living Group Transportation Rate – All Locations	\$58.12/day \$76.41/day \$94.71/day \$168.38/day \$33.62/day \$21.25/day \$30.00/hour \$30.00/hour plus mileage at current DHS reimbursement rate
George Junior Republic in PA Grove City, PA	Community Based Group Home Regular Residential Special Needs I-XIII Drug and Alcohol Diagnostic Shelter Care Crisis Intervention Unit Intensive Supervision Regular – Room and Board Special Needs – Room and Board Drug and Alcohol – Room and Board	\$136.65/day \$156.05/day \$240.87/day \$159.67/day \$212.70/day \$153.00/day \$186.64/day \$292.90/day \$67.80/day \$109.95/day \$70.87/day
NHS Youth Services, Inc. Harrisburg, PA	Northwestern Academy: ADVANCE (Adolescent, Vocational, Academic, Normative Community, Evidence Based) Program Building Bridges – Girls Residential Intensive Secure SET (Safety, Empathy, Treatment) Program Community Based Residential Shelter Care Renew Residential SMART (Self-Management and Responsible Treatment) Program for Males	\$199.00/day  \$267.70/day \$258.53/day \$281.00/day \$235.00/day \$235.00/day \$242.00/day \$273.00/day
Concern Professional Services for Children, Youth and Families Fleetwood, PA	Intensive Foster Care (ages 0-11) Intensive Foster Care (ages 12-18) Traditional Foster Care (ages 0-18) Intermediate Treatment Foster Care (ages 0-11) Intermediate Treatment Foster Care (ages 12-18) Treatment Unit for Boys CRR Host Home (Room and Board) CRR Host Home Treatment Medical Foster Care – Level I (Room and Board) Medical Foster Care – Level II (Room and Board) Medical Foster Care – Level III (Room and Board) Medical Foster Care – Level IV (Room and Board)	\$83.05/day \$91.45/day \$39.68/day \$65.89/day \$74.34/day \$197.33/day \$23.96/day \$125.00/day \$83.04/day \$72.42/day \$52.19/day \$34.79/day

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 Youth Intervention Center, to approve the following:

1. **Agreement With:** Cumberland County  
Carlisle, Pennsylvania
- Purpose:** To allow Cumberland County to purchase secure detention bed space and shelter bed space at the Youth Intervention Center, with the stipulation that Lancaster County has top priority in terms of bed space usage and certain rights of refusal.
- Amount/Term:** \$285.11/day per child for secure detention area and \$173.93/day per child for secure shelter area for the period July 1, 2015 through June 30, 2016. The rate for both secure detention and secure shelter areas shall be increased by \$50.00 per day for one Unit if the Unit requires individualized staffing, including constant watches, court ordered seclusions, medical watches and extreme mental health issues.

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2. **Agreement With:** Wyoming County  
Tunkhannock, Pennsylvania
- Purpose:** To allow Wyoming County to purchase secure detention bed space and shelter bed space at the Youth Intervention Center, with the stipulation that Lancaster County has top priority in terms of bed space usage and certain rights of refusal.
- Amount/Term:** \$285.11/day per child for secure detention area and \$173.93/day per child for secure shelter area for the period July 1, 2015 through June 30, 2016. The rate for both secure detention and secure shelter areas shall be increased by \$50.00 per day for one Unit if the Unit requires individualized staffing, including constant watches, court ordered seclusions, medical watches and extreme mental health issues.

3. **Agreement With:** Raquet Justice Consultants, L.L.C.  
St. Peters, Pennsylvania
- Purpose:** To conduct the Prison Rape Elimination Act (PREA) Re-Audit of the Lancaster County Youth Intervention Center.
- Amount/Term:** Not to exceed \$4,302.00. On-site visit for the audit will occur October 24 – 26, 2016.

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 Department of Parks and Recreation, to approve the following:

- Lease Addendum With:** Marietta Restoration Associates, Inc.  
Marietta, Pennsylvania
- Purpose:** To transfer the Lease Agreement with Marietta Restoration Associates, Inc. for lease of the Vesta Office Building in Chickies Rock Park as follows:
- Rivertownes PA USA, a non-profit 501 (c)(3) organization with the mission of promoting, preserving and enhancing the culture, heritage and related commerce and recreational activities in the Pennsylvania Susquehanna river towns of Columbia, Marietta, Wrightsville and surrounding area, shall replace Marietta Restoration Associates, Inc. (MRA) as the Lessee and shall assume all rights and responsibilities previously assigned in the agreement to MRA.
- Term:** The expiration date of the agreement shall be amended to November 18, 2102 to accurately reflect the original 99-year lease agreement that was executed on November 18, 2003.

Motion passed unanimously.

On motion of Commissioner Lehman, seconded by Commissioner Parsons, it was agreed for the County of Lancaster to enter into a Contract of Sale of an Agricultural Conservation Easement with the following property owners:

<u>Name/Township</u>	<u>Type of Easement</u>	<u>County Share</u>	<u>State Share</u>
J. Steven Smith	Perpetual	\$0.00	\$127,456.00
Candice Morse-Smith			
Colerain Township			

The Commissioners certify that the J. Steven Smith and Candice Morse-Smith property, consisting of 39.83 acres, is located in the Agricultural Security Area of Colerain Township.

Motion passed unanimously.

On motion of Commissioner Parsons, seconded by Commissioner Lehman, it was agreed for the County of Lancaster to re-approve a Contract of Sale of an Agricultural Conservation Easement with the following property owners:

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<u>Name/Township</u>	<u>Type of Easement</u>	<u>County Share</u>	<u>State Share</u>
Danny M. Groff R. Dale Groff Gary L. Groff East Drumore Township	Perpetual	\$0.00	\$342,245.00

The Commissioners also certify that the Danny M. Groff, R. Dale Groff, and Gary L. Groff property, consisting of 123.11 acres, is located in an Agricultural Security Area in East Drumore Township.

*Note: This re-approval request of the Groff farm was originally approved by the Lancaster County Board of Commissioners on September 8, 2015, for same acreage and purchase price. The purpose of this motion is due to a change of ownership, resulting from the passing of prior owner.*

Motion passed unanimously.

Commissioner Stuckey made comments about the County Commissioners Association of Pennsylvania (CCAP) Conference that the Board of Commissioners attended over the weekend.

Commissioner Lehman stated that one of the things that was emphasized while interviewing legislative leaders was to work with them in partnership to try and avoid the impact that has occurred to counties as a result of the budget impasse. He believes that the legislative leaders heard their message and that there is no concrete solution at this point.

Commissioner Parsons stated that when they talked to the Governor he expressed concerns and frustrations about the budget process, specifically some of the current line items issues, agricultural funding, and articulated to the Governor that he doesn’t want to see the Penn State Ag Extension be shut down because it is important to Lancaster County.

Mr. Morris addressed his question about the solicitor’s pay regarding modification to billable rate that he posed during the Commissioners’ Meeting on Wednesday, March 2, 2016. He stated that he went back and reviewed the video from the meeting on Wednesday, December 2, 2015 and stated that there is no discussion on the change in the fee.

Commissioner Lehman stated that he also went back and reviewed the audio from the meeting on Wednesday, December 2, 2015 and he stated that the reason for the change was because the plan was to have the new solicitor on board by November 23<sup>rd</sup> and that the only thing that was going to be required of Solicitor Clark from November 23<sup>rd</sup> until the end of December was to be on call if needed. He also stated that there wasn’t going to be any significant demands on Solicitor Clark between November 23<sup>rd</sup> and December 31<sup>st</sup>. Commissioner Lehman also stated that Andrea McCue’s arguments for paying Solicitor Clark the outside counsel rate were that there were fundamental changes in how Solicitor Clark would be serving the County and that there was going to be additional demands on her time that were unanticipated that would impact her work with the firm, but it was only going to be for a short period of time and until a new solicitor got on board. Also Commissioner Lehman stated that when the new solicitor informed her current employer that they were coming to Lancaster County, the employer countered and then she decided not to come to Lancaster County as County Solicitor, so the Board was kind of stuck. Commissioner Lehman stated that the current posting for County Solicitor closed on Sunday and that they had seven interviews planned for the current week and the following week. The Board’s goal is to get through this process as quickly as possible because Solicitor Clark is doing us a favor by continuing to work, and the County does not want to be paying the rate that they are currently paying for solicitor services any longer than the County has to.

Mr. Morris asked that if the Commissioners do extend the contract through April, as discussed at Work Session, if there is some way to carve back some of the five weeks of differential rate from \$235 to \$61.61 so that the tax payers get due the five weeks at the lower rate.

Commissioner Lehman stated that he recalled that Andrea made the recommendation because Solicitor Clark was not going to be serving in the role as Solicitor and just on call once the new solicitor was on board, which did happen, but it did make sense to revisit the contract.

Mr. Morris reiterated his comments and questions and stated that it was going to take some time to get a new solicitor hired and up and running. He wanted to make the point that if the Commissioners do renegotiate and decide to go forward that they have some discussion on the intent of the original agreement.

Mr. Morris reiterated his past comments, comments made by Solicitor Clark and comments made by Commissioner Stuckey regarding the selection process for the County Engineer. He cited the County Code requirements for the County Engineer. Mr. Morris stated that he feels that the County does not have somebody on staff that could negotiate on behalf of the County a contract that he thinks represents what is in the best interests of the County. Once again Mr. Morris asked the Commissioner to apologize and if they can’t bring themselves to at least do that, to offer regrets for the process they used and take formal action to set in place a much more transparent and public process for future selection of County Engineer.

Mr. Russell described the process that was followed by the previous Board of Commissioners to choose a County Engineer. He stated that the McCullough Group was hired to look at how things could properly improve both in the selection of consultants and how the engineering and facilities department would operate. Also he stated that in October of 2009 the McCullough Group issued a report in which they made a series of recommendations. One of the recommendations was how the County Engineer gets selected in the future, the Federal Aid selection process for County Engineer which was followed by the County and is a process used by all other counties in Central and Southcentral Pennsylvania. He stated that this was named the McCullough Study.

Mr. Morris reiterated his previous comments about the selection process of the County Engineer and the qualifications of the County Engineer under the County Code.

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Commissioners Lehman stated that he is supportive of voting on a public process for how to select the next County Engineer, and Commissioner Parsons agreed. Commissioner Parsons added that he feels that the process should be completely open and completely transparent and that they should have a formal process.

On motion of Commissioner Lehman, seconded by Commissioner Parsons, the meeting adjourned at 10:55 a.m.

Motion passed unanimously.

Respectfully submitted,

Sara E. Glatfelter, Executive Assistant  
Commissioners' Office