

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, MARCH 30, 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
BOARD OF COUNTY COMMISSIONERS

Robert T. Still
CHIEF CLERK

Lisa Johnson
ASSISTANT CHIEF CLERK

Crystal Clark, Esquire
COUNTY SOLICITOR

Also present were:

Randy Gockley, Coordinator
EMERGENCY MANAGEMENT AGENCY

Christina L. Hausner, Esquire

Arthur Morris, Resident
LANCASTER CITY

Randy Patterson, Director
ECONOMIC DEVELOPMENT AND NEIGHBORHOOD REVITALIZATION, CITY OF LANCASTER

E. William Peters, Director
HUMAN RESOURCES

Commissioner Stuckey called the meeting to order at 9:19 a.m. followed by the Pledge of Allegiance.

Commissioner Stuckey announced to postpone approval of March 2, 2016 Commissioners' Meeting Minutes and March 9, 2016 Evening Commissioners' Meeting Minutes, March 16, 2016 Commissioners' Meeting Minutes and March 23, 2016 Commissioners' Meeting Minutes.

Commissioner Stuckey announced that Commissioner Lehman will not be attending today's Commissioners' Meeting because he is traveling.

Commissioner Stuckey announced that there will be an Election Board Meeting directly following today's Commissioners' Meeting.

RESOLUTION NO. 33 OF 2016

On motion of Commissioner Parsons, seconded by Commissioner Stuckey;

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA, That Christina L. Hausner, 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 May 2, 2016, pending Salary Board approval.

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	Absent for the vote

On motion of Commissioner Parsons, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster, acting on behalf of the Emergency Management Agency, to approve the following:

Grant Agreement With:

Pennsylvania Emergency Management Agency
Harrisburg, Pennsylvania

For:

Hazardous Material Emergency Preparedness funding for hazardous materials planning, preparedness and training through the Public Safety Training Center to approximately 3,500 County personnel and emergency responders.

Amount/Term:

\$55,200.00 State funding and \$13,800.00 County funding in the form of cash expenditures or in-kind services for the period September 30, 2015 through September 30, 2016.

**Lancaster County Commissioners’ Meeting Minutes
Wednesday, March 30, 2016**

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	Absent for the vote

On motion of Commissioner Parsons, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster, acting on behalf of the Prison, to authorize the use of funds in the amount of \$7,500.00 from the Prison’s “Store Account” (C1200 22021 AA 6535) to purchase a trained dog from Connecticut K-9 Services, Bethany, Connecticut, for the Prison’s K-9 Unit to replace a current K-9 Unit dog that needs to retire.

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	Absent for the vote

On motion of Commissioner Parsons, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster, acting on behalf of the Human Resources Department, to approve revisions to the Employment of Relatives Policy, effective March 30, 2016, to allow the hiring, promotion, transfer and demotion of County employees with close relatives in County supervisory positions while insuring there is no direct reporting responsibility to each other, and outlines the direct involvement of Human Resources in any potential conflict of interest prior to any personnel action.

The full text of “A-4 Employment of Relatives” Policy is listed below:

A-4 EMPLOYMENT OF RELATIVES

Purpose: To establish guidelines for the appointment of relatives for vacant positions within the County of Lancaster and address current employee relationships.

Scope: This policy applies to all County of Lancaster employees and departments.

Policy: The County of Lancaster wants to ensure that its hiring practices do not create situations such as a conflict of interest or favoritism. This extends to practices that involve hiring, promotion, separation, and transfers. Close relatives, those dating, or members of the same household are not permitted to be in positions that have a direct reporting responsibility to each other.

A supervisor-subordinate relationship shall not occur at the time of employment or thereafter, nor shall a relative assume for the other the role of advocate with respect to conditions of employment, promotion, demotion, reassignment, or transfer. In the event a family relationship between two employees is created during employment, the Department Head, in conjunction with the Human Resources Department, shall ensure that a supervisor-subordinate relationship does not exist.

For the purposes of this policy, close relatives include:

- | | |
|-----------------|-------------------|
| • Husband | • Daughter-in-Law |
| • Wife | • Uncle |
| • Father | • Aunt |
| • Mother | • Nephew |
| • Father-in-Law | • Niece |
| • Mother-in-Law | • Brother |
| • Grandfather | • Sister |
| • Grandmother | • Brother-in-Law |
| • Son | • Sister-in-Law |
| • Son-in-Law | • Step relatives |
| • Daughter | • Cousin |

Individuals will not be hired, transferred, or promoted into a position that would create an actual or potential conflict of interest. If employees begin a dating relationship, become relatives, or establish a shared residence, and one employee has direct supervision or authority over the other, it is the higher level employees’ responsibility to notify the department head and the Office of Human Resources within five business days of the circumstances so that appropriate remedial measures may be taken. The failure of the supervisory employee to report the relationship may result in disciplinary action up to and including termination of employment.

Resolution

The County will allow sixty (60) days for the employees to resolve the situation on their own by means of a transfer (if the employee qualifies, interviews, and is offered a position within the County), or resignation. After sixty days, if the employees have not resolved the situation, the department head, in consultation with the Office of Human Resources, shall determine the most appropriate action for the specific situation.

**Lancaster County Commissioners' Meeting Minutes
Wednesday, March 30, 2016**

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	Absent for the vote

On motion of Commissioner Parsons, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster to support granting tax-exempt status to the Masonic Center on the following property:

Property ID No. 3317710200000
213 West Chestnut Street (use of property is for charitable purposes)
Lancaster, PA

Note: The Masonic Lodge will submit an appeal to the County Board of Assessment Appeals requesting the tax-exempt status. The basis for this request is the City of Lancaster's intent to sell property it currently owns at 5-21 West King Street, Lancaster, to a private developer, including a former Masonic Lodge Hall with certain deed restrictions impacting the City's ability to sell the property. With the City of Lancaster's intent to sell this property to a private developer the properties from 5-21 West King Street will be returned to the tax rolls.

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	Absent for the vote

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

**Second Amendment to Legal
Consultant Agreement With:**

Crystal H. Clark, Esquire
McNees Wallace & Nurick LLC
Lancaster, Pennsylvania

Purpose:

To amend the term and compensation of the Agreement, and as amended by the First Amendment, to provide regular legal consulting work and transition and training services as follows:

Term:

The term set forth in the Agreement, and as amended by the First Amendment to the Agreement, is further amended to expire May 14, 2016.

Compensation:

The compensation set forth in the Agreement, and as amended by the First Amendment to the Agreement, is further amended as follows:

The County agrees to pay Consultant for the service at the outside special counsel rate of \$211.50 per hour for regular legal consulting work as assigned by the Board of Commissioners and/or Chief Clerk for a maximum of twenty five hours per week from April 1, 2016 to April 15, 2016, and a maximum of fifteen hours per week from April 16, 2016 to April 30, 2016. For purposes of transition and training, the County agrees to pay Consultant at the rate of \$61.61 per hour up to a maximum of five hours per week during the month of April. A maximum of five hours per week may be utilized from May 1, 2016 to May 15, 2016 at the discretion of the new County Solicitor.

Commissioner Parsons stated that he has had concern about the continuing contractual arrangement of this agreement. He knows that it has gone on a long time and there are reasons for that, noting they now have a definitive end. He stated that the County needs some legal coverage until the new Solicitor starts and the County needs some ability for Attorney Hausner to transition and get a briefing from Solicitor Clark. Also Commissioner Parsons stated that there is an end date now and that is the important thing.

Commissioner Stuckey reported that he talked to McNees, Wallace and Nurick and they agreed to discount the hourly rate for regular legal services from \$235.00 to \$211.50 for the month of April.

Attorney Hausner stated that she in complete agreement with the proposed agreement with Solicitor Clark and she feels that it would have been be problematic with the absence of the assistant solicitor in the first part of April not to have at least someone as the solicitor on retainer and feels that it's necessary to have a solicitor.

Mr. Morris asked for clarification on some of the points of the legal agreement with Solicitor Clark. Commissioner Stuckey answered Mr. Morris' questions.

**Lancaster County Commissioners' Meeting Minutes
Wednesday, March 30, 2016**

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	Absent for the vote.

Mr. Morris once again discussed the selection of the county engineer and stated that he has put in some request for more reports and information regarding the selection process.

On motion of Commissioner Parsons, seconded by Commissioner Stuckey, the meeting adjourned at 9:47 a.m.

Motion passed.

Commissioner Stuckey	Yes
Commissioner Parsons	Yes
Commissioner Lehman	Absent for the vote

Respectfully submitted,

Sara E. Glatfelter, Executive Assistant
Commissioners' Office