

COUNTY COMMISSIONERS' WORK SESSION MINUTES
TUESDAY, JUNE 14, 2022

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

Present at today's meeting were:

Ray D'Agostino, Chairman
Joshua G. Parsons, Vice-Chairman
John B. Trescot
BOARD OF COUNTY COMMISSIONERS

Lawrence M. George
COUNTY ADMINISTRATOR/CHIEF CLERK

Tammy Moyer
DEPUTY CHIEF CLERK

Jacquelyn Pfursich, Esquire
COUNTY SOLICITOR

Also, present were:

Mark Binkley, Director of Construction Operations
FIDEVIA CONSTRUCTION MANAGEMENT AND CONSULTING

Eliza Booth, Resident
LANCASTER CITY

Dan Cicala, Principal
FIDEVIA CONSTRUCTION MANAGEMENT AND CONSULTING

Rick Davidson, Project Director
CGL COMPANIES

John Eck, Vice President
FIDEVIA CONSTRUCTION MANAGEMENT AND CONSULTING

Allyson Gibson, Director
LANCASTER CLEAN WATER PARTNERS

Melanie Heckel, Director of Preconstruction
FIDEVIA CONSTRUCTION MANAGEMENT AND CONSULTING

Duncan Hopkins, Resident
LANCASTER CITY

Chloe Jaco, Lead Planner
CGL COMPANIES

Tom Lisi, Staff Writer
LNP

Frank Mincarelli, Solicitor
Suburban Lancaster Sewer Authority

Patrick Mulligan, Director
BUDGET SERVICES

Bob Navitski, Construction Manager
FIDEVIA CONSTRUCTION MANAGEMENT AND CONSULTING

Rod Redcay, Executive Director, Chairman and Denver Borough Mayor
REAL LIFE COMMUNITY SERVICES AND
THE MAYORS' ASSOCIATION OF LANCASTER COUNTY

Laura Sabatini, Resident
LANCASTER CITY

Brenda Santiago, Director of Construction Administration
FIDEVIA CONSTRUCTION MANAGEMENT AND CONSULTING

Linda Schreiner, Director
PURCHASING

**Lancaster County Commissioners' Work Session
Tuesday, June 14, 2022**

**Tim Stuhldreher, Writer and Editor
ONE UNITED LANCASTER**

**Ed Whatley, Lead Construction
CGL COMPANIES**

Commissioner D'Agostino called the meeting to order at 10:00 a.m.

Commissioner D'Agostino announced that the Board of Commissioners met in Executive Session on Wednesday, June 8, 2022, at 10:00 a.m. to discuss potential litigation. Also on Monday, June 13, 2022 at 10:47 a.m. to discuss personnel matters, litigation, and the following cases: ACLU case, docket number 5:22-cv-1588; Rowe case, docket number 5:22-cv-01621, and a Workers Compensation case, docket number WCAIS 8644031.

Commissioner D'Agostino announced the approval of the June 7, 2022, Work Session Minutes.

Commissioner D'Agostino made the following re-announcement:

- An evening Commissioners' Meeting is scheduled for Wednesday, June 15, 2022, at 7:00 p.m. at the Clay Township Municipal Building, 870 Durlach Road, Stevens, Pennsylvania.
There is no Commissioners' Meeting scheduled for Wednesday, June 15, 2022, at 9:15 a.m.

1. Ms. Pfursich, Solicitor, presented a Letter of Engagement for Outside Counsel for the Prison Construction Project.
2. Ms. Pfursich, Solicitor, presented a Letter of Consent in Support of Traffic Safety Grant.
3. Ms. Schreiner, Director, presented a Ratification of Electricity Agreement.
4. Ms. Schreiner, Director – Vendor Presentations for Owner's Representatives for the Construction of a new Correctional Facility.

Ms. Schreiner stated that per Resolution No. 34 of 2022, the Purchasing Department, on behalf of the Board of Commissioners, the Prison Board, the Prison and the Facilities Management Department, received approval to proceed with the issuance of a Request for Proposal (RFP) for Owner's Representative Service for the construction of a new Correctional Facility. On Thursday, April 7, 2022 the County advertised on the County website, in the LNP newspaper and on the Public Purchase website the release of RFP 22-005. The Public Purchase website was the vehicle that was used to distribute the RFP documents. The communication from the Public Purchase website reached 738 potential vendors. Of these vendors, 14 vendors obtained the RFP documents. On Wednesday, May 4, 2022, the Purchasing Department opened into record two proposals for the RFP process. The County's Chief Clerk, the County's Solicitor, the County's Prison Warden, and the County's Director of Facilities Management have evaluated the proposals for technical merit. The technical merit score, as well as the financial scores have been reviewed. As a result of the process to date, the Evaluation Committee has asked two firms to present to the Board of Commissioners and the Prison Board members their proposals in response to the Owner's Representative Services RFP. Both firms have been asked to prepare presentations that specifically address their process timeline from day one of contract award to groundbreaking in the third quarter of 2024.

Ms. Schreiner presented the two firms for the Commissioners' consideration:

- Fidevia Construction Management and Consulting, 750 Lititz Pike, Lititz, Pennsylvania 17543.
- CGL Companies, 1903 Phoenix Blvd Suite 250, Atlanta, Georgia 30349.

Each firm provided a 15-minute presentation of their proposals in response to the Owner's Representative Services RFP for the Board of Commissioners and the public.

5. Preliminary Discussion on Community ARPA Requests.

Commissioner D'Agostino stated that earlier this spring, after a few meetings of discussions and public input on a process to seek projects within the community in which the County could potentially invest some of its allocated ARPA funds, initial County guidelines were approved by the Board on April 13, 2022. As noted at that time, the intent of the process is to get a sense of the types of projects that are in the County which may meet these guidelines. And if those projects meet the U.S. Treasury and County's guidance to have discussions at Board meetings regarding the projects and the potential of allocating ARPA funds. Since that time, several project applications have come into the County. They have been in the process of review by the ARPA workgroup. The function of the workgroup is to review the information provided and make an initial determination whether the project falls within both the County's and the U.S. Treasury's guidance.

Ms. Moyer, Deputy Chief Clerk, gave an overview on the projects that have been submitted. She said that the committee has met on six different occasions since the guidelines were approved in April. They have reviewed requests from the County, and they also have, so far, reviewed 21 requests from the community. Out of those, 20 of them meet eligibility requirements. Those 20 total \$52.5 million. Looking through them, most of the requests have been water and sewer. 40% of the requests were infrastructure, 20% were for public safety issues, and 15% were between clean water, national preservation, and affordable housing. There was also one request for mitigation and one request for Workforce Development. Ms. Moyer stated the applications are currently in various stages of the process. And they, currently, have four of those 21 requests that are complete and ready to come forward to the Board for their review.

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Mr. Mulligan, Director, gave an update on already approved County government projects and the potential use of ARPA funds as permitted in the U.S. Treasury Final Rule, moving forward. Commissioner D'Agostino added that he will stress the word "potential" because the Board will need to discuss these potential uses, and at some point, make a final decision. With respect to making such decisions, it would be helpful to discuss and decide, at least in rough estimates, the initial amounts to be set aside for County government and community purposes. This will help Mr. Mulligan complete U.S. Treasury required documentation by July 31.

Commissioner Parsons thanked Ms. Moyer and Mr. Mulligan for their presentations. He is pleased to see the requests come in, which gives the Board a better feel for what different groups are thinking about. Commissioner Parsons' priorities are driven by what he sees as citizen priorities, and as they are out in the community almost every day talking to citizens, there is a great deal of concern, right now, about the economic environment, which is likely to get worse. Commissioner Parsons thinks it is appropriate to use what is allowable for County government, whether that be for capital needs, or technology improvements that can help County government in the long run. Commissioner Parsons' second priority is doing Countywide projects that help us maintain the quality of life here in Lancaster County. Those projects would include Lancaster Clean Water Partners, Land Preservation Efforts/Farm Preservation and Forest Land Preservation. If there are small projects that can have a big boost for local communities, or do something that has a big impact, Commissioner Parsons would not object to that, but it is going to depend on the funding level. The Board will continue to have discussions and collaboration on these projects.

Commissioner Trescot thanked Ms. Moyer and Mr. Mulligan. He agrees with Commissioner Parsons that the things they can do to improve Lancaster County long-term are the kind of things that ARPA funds should be used for, because it is a one time injection of a large amount of money. He also is in favor of using ARPA funds to match up what money the Clean Water Partners have already developed, as well as different levels of things with regard to Clean Water and Sewer, which need to be looked at on a case-by-case basis. Commissioner Trescot thinks Lancaster County has done an excellent job at preserving farmland. He leans toward looking at ways to preserve forest and farmland, and having more of the ARPA funds spent for forest land, park use, etc.; however, he is opposed to any ARPA funding going toward the new prison, because that is something that should be funded for over 30 years on bond funds. Commissioner Trescot anticipates to sit down and evaluate those potential projects, as well as have more discussion on their priorities.

Commissioner D'Agostino thanked the workgroup for the work they are doing. He stated that County government has a specific role to perform and distinctive services that are to be provided on behalf of the taxpayers. Lancaster County's conservative governance has served them well over the generations, that is to say that they provide efficient and effective services, limited to those under statute, and they do not deviate from that role and the services. Their first responsibility must be to use their resources to strengthen the underpinning, the County's infrastructure, that supports their role and the services they provide. In general, the entirety of the County guidelines, including the preamble, should be taken into consideration when looking at how to review and ultimately decide on allocating County ARPA funds. As noted and approved in the County's guidelines, the County is looking to utilize a sizeable portion of these funds to assist Lancaster County government in hiring and retaining staff, updating, and modernizing its infrastructure. Therefore, the County is looking at using this one-time source of funding, which will disappear in a few years, for one-time projects that will be transformational and benefit the taxpayers of Lancaster County. The following are the priorities for use of County ARPA funds – first, County government (cover extra costs due to COVID, modernizing our technology and facilities/infrastructure/capital needs); second, county-wide community projects; and third, regional projects. Commissioner D'Agostino agrees that they should be looking at county-wide projects that provide long-term benefits to keep Lancaster County the special place that it is. For County government uses, there are Treasury guidelines that directly apply to some of the uses, and then there are uses that can be covered with ARPA funds through lost revenue, or covering a portion of new hire salaries.

The Commissioners appreciated the comments made by community members regarding ARPA funds.

- 6. On motion of Commissioner Parsons, seconded by Commissioner Trescot, the following re-appointments were made to the Lancaster County Agricultural Preserve Board for three-year terms through May 31, 2025.

Mr. Roger Rohrer
Mr. Jeff Frey
Mr. Gary Landis

Lancaster County residents.

Motion passed unanimously.

- 7. June 15, 2022, Evening Commissioners' Meeting Agenda – Ms. Moyer, Deputy Chief Clerk, noted that there will be presented a Proclamation for Juneteenth.

- 8. The Commissioners addressed questions raised by members of the public.

- 9. On motion of Commissioner Parsons, seconded by Commissioner Trescot, the meeting was adjourned at 12:17 p.m.

Motion passed unanimously.

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Respectfully submitted

A handwritten signature in black ink, appearing to read 'Lydia Kovalchuk', written over the typed name below.

Lydia Kovalchuk, Executive Assistant
Commissioners' Office