

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, JULY 13, 2022

The Board of County Commissioners met today for a Commissioners' Meeting.

Present at today's meeting were:

Ray D'Agostino, 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:

Tammy Agesen, Program Manager
PARKS AND RECREATION

Natalie Carlin, Resident
LANCASTER COUNTY

Steven Clements, Chief Information Officer
INFORMATION TECHNOLOGY

Robert Devonshire, Director
FACILITIES MANAGEMENT

Peter Edelman, Bond Counsel to Masonic Villages
STEVENS & LEE

Scott Martin, Administrator
UPWARD BROADBAND

James Noel, Solicitor
LANCASTER COUNTY HOSPITAL AUTHORITY

John Petro, Software Design Engineer
C.S. DAVIDSON INC./UPWARD BROADBAND

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

Commissioner D'Agostino announced that the Board of Commissioners met in Executive Session yesterday, Tuesday, July 12, 2022, at 10:30 a.m. to discuss Litigation, Commonwealth Court, docket number 355-MD-2022.

Commissioner Parsons was not in attendance due to vacation.

Commissioner D'Agostino announced postponing approval of the July 6, 2022, Commissioners' Meeting Minutes.

Commissioner D'Agostino made the following re-announcement:

- There is no Work Session scheduled for Tuesday, July 19, 2022, and no Commissioners' Meeting scheduled for Wednesday, July 20, 2022.

RESOLUTION NO. 67 OF 2022

On motion of Commissioner Trescot, seconded by Commissioner D'Agostino:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, APPROVING THE FINANCING BY THE LANCASTER COUNTY HOSPITAL AUTHORITY OF CERTAIN PROJECTS FOR THE BENEFIT OF MASONIC VILLAGES OF THE GRAND LODGE OF PENNSYLVANIA; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY THE CORPORATION, TO HAVE THE PROJECTS PROVIDED BY AND FINANCED THROUGH THE AUTHORITY; DESIGNATING THE CHAIRMAN OF THE BOARD OF COMMISSIONERS OR, IN HIS ABSENCE, ANY OTHER MEMBER OF THE BOARD OF COMMISSIONERS AS THE PERSON TO ACT ON BEHALF OF THE BOARD OF COMMISSIONERS AS THE "APPLICABLE ELECTED REPRESENTATIVE" WITHIN THE MEANING OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AUTHORIZING SUCH CHAIRMAN OR ANY SUCH MEMBER OF THE BOARD OF COMMISSIONERS TO TAKE CERTAIN ACTIONS ON BEHALF OF THE BOARD OF COMMISSIONERS AS SUCH "APPLICABLE REPRESENTATIVE"; AND AUTHORIZING OTHER NECESSARY AND APPROPRIATE ACTION.

WHEREAS, the Lancaster County Hospital Authority (the "Authority") is a municipal authority incorporated pursuant to a resolution of the Board of Commissioners of the County of Lancaster, Pennsylvania, and is existing under and governed by the provisions of the Pennsylvania Municipality Authorities Act (Act 22 of 2001), as amended and supplemented (the "Authorities Act"); and

WHEREAS, the Authorities Act permits the Authority to assist in the financing of buildings and facilities for health centers; and

WHEREAS, Masonic Villages of the Grand Lodge of Pennsylvania, a Pennsylvania non-profit corporation (the "Corporation"), has represented to the Authority that it (i) owns the facilities comprising the Project (as hereinafter defined), (ii) the Project is a "health center" in that it constitutes an integrated facility which provides substantial health care services on a nonsectarian basis and reasonably related services and which is operated by a nonprofit corporation existing under the laws of the Commonwealth of Pennsylvania (the "Commonwealth"); and

WHEREAS, the Corporation has requested that the Authority finance a project (the "Project") which consists of, among other things: (a) the current refunding of the Authority's (i) Amended and Restated Variable Rate Demand/Fixed Rate Health Center Revenue Bonds (Masonic Homes Project) Series 1996 (the "1996 Bonds"), (ii) Amended and Restated Variable Rate Demand/Fixed Rate Health Center Revenue Bonds (Masonic Homes Project) Series A of 2008 (the "2008A Bonds"), and (iii) Amended and Restated Variable Rate Demand/Fixed Rate Health Center Revenue Bonds (Masonic Homes Project) Series B of 2008 (the "2008B Bonds" and together with the 1996 Bonds and the 2008A Bonds, the "Refunded Bonds"); (b) the payment of the costs of terminating certain outstanding interest rate management agreements related to the Refunded Bonds and (c) the payment of certain of the costs and expenses in connection with the issuance of the Bonds (as hereinafter defined); and

WHEREAS, in order to finance the Project, the Corporation has requested that the Authority issue its Health Center Revenue Bonds (Masonic Villages Project) Series of 2022 (the "Bonds") in a principal amount of not to exceed \$53,000,000; and

WHEREAS, the County of Lancaster, Pennsylvania (the "County") approves the financing of the Project for the benefit of the Corporation, and has determined that it is in the best interests of the people in the County of Lancaster, and is desirable for the health, safety and welfare of the people in the area served by the Corporation and the Project to have the Project provided, and undertaken, by the Authority; and

WHEREAS, pursuant to the Internal Revenue Code of 1986, as amended (the "Code"), all bonds to be issued by the Authority, such as the Bonds to be issued to finance the Project for the benefit of the Corporation, must be approved by the "applicable elected representative" of the governmental unit in which the Project is located after a public hearing following reasonable public notice; and

WHEREAS, pursuant to the Code, the term "applicable elected representative" means, among other things, the elected legislative body of the governmental unit in which the Project is located; and

WHEREAS, the Project is located in the County; and

WHEREAS, the Board of Commissioners of the County (the "Board") is the "applicable elected representative" of the County within the meaning of the Code; and

WHEREAS, the Board desires to authorize and direct any member of its Board to act on its behalf as such "applicable elected representative."

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA, AS FOLLOWS:

1. In connection with the financing of the Project by the Authority, this Board hereby declares it to be desirable for the health, safety, and welfare of the people in the area served by the Corporation and the Project, to have the Project provided by, and financed through, the Authority.
2. The Board hereby empowers, authorizes, and directs any of its members, to execute and deliver an "approval of applicable representative" in the form attached hereto; provided that, such approval shall be delivered only following a public hearing, held on behalf of the County by the Authority, which has followed reasonable public notice, with respect to the Project (described on such approval). The Board intends that this resolution and the subsequent execution and delivery of the approval of "applicable elected representative" by any Commissioner of this County shall constitute the "approval by a government unit" required by Section 147(f) of the Code.
3. The approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

The County acknowledges that the Authority is entitled to rely upon, and will rely upon, the findings and determinations of this County as set forth in Paragraph 1 above.

Motion passed.

Commissioner D'Agostino - Yes
Commissioner Parsons - Absent for the vote
Commissioner Trescot - Yes

On motion of Commissioner Trescot, seconded by Commissioner D'Agostino, it was agreed for the County of Lancaster to approve the following:

Agreement With: Martic Township
Pequea, PA

Purpose: To provide American Rescue Plan Act (ARPA) Funding regarding their request to install trail approaches and personnel crosswalks across Route 324 for the Enola Low Grade Rail Trail.

Amount: \$119,500.00.

Term: This in one time grant funding. The term of the agreement extends through the record retention period under ARPA guidelines.

Motion passed.

Commissioner D'Agostino - Yes
Commissioner Parsons - Absent for the vote
Commissioner Trescot - Yes

On motion of Commissioner Trescot, seconded by Commissioner D'Agostino, it was agreed for the County of Lancaster to approve the following:

Agreement With: Lancaster Township Fire Department
Bausman, PA

Purpose: To provide American Rescue Plan Act (ARPA) Funding regarding their request to build a new modern fire station on Millersville Pike which will replace two aging stations.

Amount: \$500,000.00.

Term: This in one time grant funding. The term of the agreement extends through the record retention period under ARPA guidelines.

Motion passed.

Commissioner D'Agostino - Yes
Commissioner Parsons - Absent for the vote
Commissioner Trescot - Yes

On motion of Commissioner Trescot, seconded by Commissioner D'Agostino, it was agreed for the County of Lancaster, acting on behalf of Information Technology, to approve the following:

Agreement with: CDW
Vernon Hill, IL

Purpose: To purchase three security Rubric devices for the backup of County data to prevent Ransom ware on the backups and other virus and malware.

Amount: \$286,564.54

Funding: ARPA funding. This falls under eligibility criteria as written in the Overview of the Final Rule, page 40.

As required, separate quotes were received through collaborative pricing and state contracts, with CDW being the lowest quote.

Motion passed.

Commissioner D'Agostino - Yes
Commissioner Parsons - Absent for the vote
Commissioner Trescot - Yes

RESOLUTION NO. 68 OF 2022

On motion of Commissioner Trescot, seconded by Commissioner D'Agostino, it was agreed for the County of Lancaster to allocate \$286,564.54 in revenue from County American Rescue Plan Act (ARPA) funds to the General Fund for the purchase of Rubric devices to update and upgrade protection of the County's servers from viruses and malware, and appropriates the same for spending for said projects in FY 2022.

The allocation presented below were reviewed by the ARPA Work Group and found to be in accordance with the U.S. Department of the Treasury Overview of the Final Rule on page 40. Approval of the projects and said allocation is contingent upon adherence with the County's purchasing policies and guidelines as required by the Pennsylvania County Code.

<u>Revenue:</u>	Lancaster County General Fund Revenues 6311-A-A1111-45050	\$286,564.54
<u>Expenditures:</u>	County Operating Costs A1111-A-45051-7300	\$286,564.54

Motion passed.

Commissioner D'Agostino – Yes
Commissioner Parsons – Absent for the vote
Commissioner Trescot – Yes

On motion of Commissioner Trescot, seconded by Commissioner D'Agostino, it was agreed for the County of Lancaster, acting on behalf of Behavioral Health/Developmental Services (BH/DS), to approve the following:

- Amended Agreement With:** Person Directed Supports, Inc.
Whitehall, PA

Purpose: Increase of \$5,270.72 (9.04%) as the result of the Office of Developmental Program's mass rate change.

Person Directed Supports, Inc. provides Family Aide & Community Support Services to individuals being served by Lancaster County Intellectual & Developmental Disabilities.

Amount/Term: \$63,558.05 for the period July 1, 2021, to June 30, 2022.

Funding: Budgeted in the Human Services Block Grant.
- Agreement Renewal With:** Behavioral Healthcare Corporation
Lancaster, PA

Purpose: To provide outpatient evaluation, treatment planning and implementation of goal-oriented treatment services in the mental health consumer's place of residence unless otherwise clinically indicated. These services help prevent both local and state hospitalizations for individuals being served by Lancaster County Mental Health.

Amount/Term: \$341,285.00 for the period July 1, 2022, to June 30, 2023.

Funding: Budgeted in the Human Services Block Grant.
Increase of 1.85%.
- Agreement Renewal With:** Goodwill Keystone Area
Harrisburg, PA

Purpose: To provide supported employment to adults with serious mental illness being served by Lancaster County Mental Health.

Amount/Term: \$180,763.00 for the period July 1, 2022, to June 30, 2023.

Funding: Budgeted in the Social Services Block Grant (Federal) and the Human Services Block Grant.
Decrease of 7.43%.

4. **Agreement Renewal With:** Salisbury Behavioral Health
dba PAHrtners Deaf Services
Ashtville, NC
- Purpose:** To provide specialized residential services to individuals who are deaf and being served by Lancaster County Mental Health.
- Amount/Term:** \$92,934.00 for Fiscal Year July 1, 2022 – June 30, 2023.
- Funding:** Budgeted in the Human Services Block Grant.
Increase of 0.13%.
5. **Agreement Renewal With:** Bilingual Conexion
York, PA
- Purpose:** To provide interpreter and translations services for individuals being served by Lancaster County Early Intervention.
- Amount/Term:** \$123,600.00 for the period July 1, 2022, to June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Decrease of 3.13%.
6. **Agreement Renewal With:** Early Bird Therapy, LLC
Camp Hill, PA
- Purpose:** To provide special instruction and therapies to children being served by Lancaster County Early Intervention.
- Amount/Term:** \$182,179.52 for the period July 1, 2022, to June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Increase of 1,728.33% because fiscal year 21-22 was a partial year.
7. **Agreement Renewal With:** J. Cornack Therapy Group, LLC
Lititz, PA
- Purpose:** To provide special instruction and therapy services to children being served by Lancaster County Early Intervention.
- Amount/Term:** \$728,607.08 for the period July 1, 2022, to June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Decrease of 3.74%.
8. **Agreement Renewal With:** JG Early Intervention Specialists, Inc.
Pittsburgh, PA
- Purpose:** To provide special instruction services and various therapies to children being served by Lancaster County Early Intervention.
- Amount/Term:** \$110,670.64 for the period July 1, 2022, to June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Decrease of 0.68%.
9. **Agreement Renewal With:** Lehman Speech & Language Services
Manheim, PA
- Purpose:** To provide special instruction and speech therapy for children being served by Lancaster County Early Intervention.
- Amount/Term:** \$162,864.45 for Fiscal Year July 1, 2022 - June 30, 2023.

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- Funding:** Budgeted 90% State Base Funding and 10% County.
Decrease of 9.36%.
10. **Agreement Renewal With:** Step By Step Pediatric Therapy
Wyomissing, PA
- Purpose:** To provide occupational therapy and special instruction services to individuals being served by Lancaster County Early Intervention.
- Amount/Term:** \$45,074.33 for the period July 1, 2022, to June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Increase of 218.31%.
11. **Agreement Renewal With:** TMB Developmental Therapy & Infant Massage
Lemoyne, PA
- Purpose:** To provide various evaluation services to individuals being served by Lancaster County Early Intervention.
- Amount/Term:** \$133,112.78 for Fiscal Year July 1, 2022 - June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Decrease of 1.84%.
12. **Agreement Renewal With:** WeeTalk Speech & Language Services
Reading, PA
- Purpose:** To provide occupational, physical and speech therapies to individuals being served by Lancaster County Early Intervention.
- Amount/Term:** \$91,546.45 for the period July 1, 2022, to June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Decrease of 7.04%.
13. **Agreement Renewal With:** Your Language Connection
Lancaster, PA
- Purpose:** To provide interpretation and translation services for individuals being served by Lancaster County Early Intervention.
- Amount/Term:** \$98,437.50 for the period July 1, 2022, to June 30, 2023.
- Funding:** Budgeted 90% State Base Funding and 10% County.
Increase of 68.88%.

Motion passed.

Commissioner D'Agostino - Yes
Commissioner Parsons - Absent for the vote
Commissioner Trescot - Yes

Commissioner D'Agostino asked Mr. Devonshire, Director, and Ms. Agesen, Program Manager, to give an update on the County pool.

Mr. Devonshire reported that earlier this week they were able to open the pool seven days a week through the end of the season. They have acquired enough lifeguards and staff to accomplish that. Mr. Devonshire said it took a lot of help from people in the county and organizations outside of the county.

Ms. Agesen stated that everyone from their department secretaries to their crew at Facilities Management to even their part time naturalists and to the Human Resources Department worked extremely hard to meet this goal.

The Commissioners thanked Mr. Devonshire and Ms. Agesen and the entire team for their hard work. They also thanked the community for offering their support and for going above and beyond to help accomplish this.

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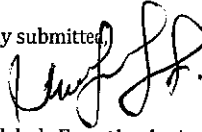
The Commissioners addressed questions raised by Natalie Carlin, Lancaster County Resident, regarding access to "potentially life-saving healthcare such as abortion." Commissioners D'Agostino and Trescot both noted that the County does not provide any services that include abortion. Commissioner D'Agostino stated he has been public that he is profoundly pro-life, and further stated that if anything dealing with abortion services would come before the board, he would vote against. Commissioner Trescot noted that he was pro-choice.

Scott Martin, Upward Broadband Administrator, notified the Board that Upward Broadband is one of the companies that applied for ARPA funds for the Broadband project here in Lancaster County. He introduced John Petro, Software Design Engineer, who shared his experience with Upward Broadband. Mr. Petro expressed his support toward Upward expanding and the ARPA funding for that.

On motion of Commissioner Trescot, seconded by Commissioner D'Agostino, the meeting adjourned at 9:45 a.m.

Motion passed.

Respectfully submitted,



Lydia Kovalchuk, Executive Assistant
Commissioners' Office