

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, JANUARY 25, 2017

The Board of County Commissioners met today in their weekly Commissioners' Meeting.

Present at today's meeting were:

Joshua G. Parsons, Vice Chairman
Craig E. Lehman
BOARD OF COUNTY COMMISSIONERS

E. William Peters
INTERIM CHIEF CLERK

Lisa Johnson
ASSISTANT CHIEF CLERK

Christina Hausner, Esquire
COUNTY SOLICITOR

Also present were:

Jacqueline Burch, Executive Director
OFFICE OF AGING

Susan Dorrin, Youth Care Worker
YOUTH INTERVENTION CENTER

Judy Erb, Deputy Director
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Drew Fredericks, Director
YOUTH INTERVENTION CENTER

Thais Grant, Youth Care Worker
YOUTH INTERVENTION CENTER

Sue Lao, Deputy Director
HUMAN RESOURCES

Rodney Martzall, CPA, Vice President of Finance / CFO
BRETHREN VILLAGE

James Noel, Esquire
LANCASTER COUNTY HOSPITAL AUTHORITY

Benjamin Reid, Esquire
RHOADS AND SINON AND BOND COUNSEL TO BRETHREN VILLAGE

Joseph Scannapieco, Shelter Program Director
YOUTH INTERVENTION CENTER

John Snader, President and CEO
BRETHREN VILLAGE

Jay Wenger, Managing Director
SUSQUEHANNA GROUP ADVISORS, INC

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

Commissioner Parsons announced approval of the December 14, 2016 Commissioners' Meeting Minutes, December 28, 2016 Commissioners' Meeting Minutes and January 4, 2017 Commissioners' Meeting Minutes. Postpone the approval of the, December 21, 2016 Commissioners' Meeting Minutes, January 11, 2017 Commissioners' Meeting Minutes, and January 18, 2017 Commissioners' Meeting Minutes.

Presentation of Star Performer Awards to Thais Grant and Susan Dorrin

Thais Grant, Shelter Youth Care Worker and Recipient of Star Performer Award
Susan Dorrin, Shelter Youth Care Worker and Recipient of Star Performer Award
Drew Fredericks, Director, Youth Intervention Center
Joseph Scannapieco, Shelter Program Director, Youth Intervention Center
Bryan Hubbard, Program Coordinator, Youth Intervention Center
David Root, Youth Care Worker Supervisor, Youth Intervention Center
E. William Peters, Interim Chief Clerk
Sue Lao, Deputy Director, Human Resources
Trisha Banker, Program Coordinator, Human Resources

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Commissioner Lehman thanked both Thais and Susan. He stated the best of government services is when those working in challenging environments don't forget the human aspects of those they are serving. Commissioner Parsons mentioned they are another great example of things happening at YIC. Because you go above and beyond you are contributing to turning their lives around.

RESOLUTION NO. 5 OF 2017

On motion of Commissioner Lehman, seconded by Commissioner Parsons;

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LANCASTER, APPROVING THE FINANCING BY LANCASTER COUNTY HOSPITAL AUTHORITY OF A CERTAIN PROJECT TO BE UNDERTAKEN WITH RESPECT TO THE FACILITIES OF BRETHERN VILLAGE RETIREMENT COMMUNITY IN MANHEIM TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY SUCH FACILITIES TO HAVE SUCH FACILITIES PROVIDED BY OR FINANCED THROUGH SUCH AUTHORITY; GIVING APPROVAL FOR THE USE OF TAX-EXEMPT FINANCING FOR THE PROJECT; AND AUTHORIZING OTHER NECESSARY AND APPROPRIATE ACTION.

WHEREAS, Brethren Village (the "Borrower"), a corporation not-for-profit organized and existing under laws of the Commonwealth of Pennsylvania, owns and operates a continuing care retirement community and related health center facilities in the Township of Manheim, Lancaster County, Pennsylvania, known as Brethren Village Retirement Community (the "Facilities"); and

WHEREAS, Lancaster County Hospital Authority (the "Authority"), a municipality authority organized by this County under the Pennsylvania Municipality Authorities Act of 1945, as amended, now the Municipality Authorities Act, 53 Pa.C.S. Chapter 56, as amended (the "Authorities Act"), proposes to act as conduit issuer and issue tax-exempt bonds and/or notes in one or more series, concurrently or serially, in an aggregate principal amount not to exceed \$142,500,000 (the "Bonds") to refinance bonds previously issued by the Authority in connection with the Facilities and to finance costs of a new capital project or projects to be undertaken with respect to the Facilities, as more particularly described on **Exhibit A** attached to this Resolution (the "Project"); and

WHEREAS, The financing of the Project will constitute the financing of a "health center" operated by a "nonprofit corporation," all within the meaning of the Authorities Act; and

WHEREAS, Under the Authorities Act, the Authority may undertake to finance a health center to be leased, or financed with a loan or loans, to a nonprofit corporation serving the public only if this County, as the governmental unit that organized the Authority, declares by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such health center facilities to have such facilities provided or financed by the Authority; and

WHEREAS, The Authority has requested that this County, by resolution or ordinance, declare that it is desirable for the health, safety and welfare of the people in the area served by the Facilities and the Project to have the Facilities and the Project provided or financed by the Authority; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that tax-exempt obligations may not be issued for the benefit of persons other than state and local governments unless the issue is approved by a political subdivision within which the properties being financed or refinanced extend and the "applicable elected representative" of the governmental unit which will issue the tax-exempt obligations or, if such governmental unit has no elected officials, then by an "applicable elected representative" of the next higher governmental unit (with an "applicable elected representative"), following a public hearing of which reasonable public notice is given; and

WHEREAS, The Authority has no elected representative, and this County, as the incorporator of the Authority, is the next higher governmental unit with an elected representative, within the meaning of the Code; and

WHEREAS, Notice of a public hearing with respect to the Project and the proposed issuance of the Bonds by the Authority as tax-exempt obligations was published in the *LNP*, Lancaster, Pennsylvania, a newspaper of general circulation in the area to be served by the Facilities and the Project; and

WHEREAS, A public hearing with respect to the Project and the issuance of the Bonds was held on January 17, 2017, at the time and place set forth in such Notice; and

WHEREAS, A summary of the public hearing, including the public questions and comments presented at the hearing, has been presented to and reviewed by the Board of County Commissioners of this County; and

WHEREAS, Due consideration has been given to the public comments (if any) made during the public hearing with regard to the use of tax-exempt financing for the Project;

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

1. The Board of County Commissioners of this County does hereby find and declare that it is desirable for the health, safety and welfare of the people in the area served by the Facilities and the Project to have the Facilities and the Project provided or financed by the Authority.

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2. The advertisement and holding of a public hearing as required by the Code with respect to the Bonds and the Project in the name of and on behalf of this County by the Authority, its Solicitor or his or her delegate is hereby ratified, confirmed and approved.

3. The Board of County Commissioners of this County designates and authorizes its Chairman or Vice Chairman to execute and deliver on behalf of this County a Certificate of Approval with respect to the Bonds, such Certificate of Approval to be substantially in the form attached hereto as **Exhibit B**.

4. The approval(s) granted or to be granted by this Resolution shall not, in any way, pledge or obligate the credit or taxing power of this County, nor shall this County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority as contemplated herein.

5. Nothing in this Resolution is intended to be, nor shall it be construed as, an approval of the Bonds or of the Project by this County for any purposes other than (1) the exception for health center projects set forth in Section 5607(b)(2)(iv) of the Authorities Act, 53 Pa.C.S. §5607(b)(2)(iv), and (2) the public approval requirement of Section 147(f) of the Code.

6. All prior actions of this County and of the Authority taken in conformity with the intent and purposes of this Resolution are ratified, confirmed and approved.

7. All prior resolutions or parts of resolutions, insofar as such shall be inconsistent herewith, shall be and the same expressly are repealed.

8. This Resolution shall take effect immediately.

Commissioner Lehmad added there is no financial obligation on the County, these are tax exempt bonds.

Motion passed.

Commissioner Stuckey absent for the vote
Commissioner Parsons yes
Commissioner Lehman yes

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

1. **Agreement With:** Aspirations, LLC
Sommerdale, Pennsylvania

Purpose: To provide social work services to children served by Lancaster County Early Intervention.

Amount/Term: Not to exceed \$32,867.00 for the period January 1, 2017 through June 30, 2017.
2. **Continuum of Care Program Grant Agreement With:** United States Department of Housing and Urban Development
Philadelphia, Pennsylvania

Purpose: To provide grant funding for 15 apartments for single individuals who are homeless and have a mental illness.

Amount/Term: Not to exceed \$152,799.00 for the period December 1, 2016 through November 30, 2017.

Motion passed.

Commissioner Stuckey absent for the vote
Commissioner Parsons yes
Commissioner Lehman yes

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

- Contract Extension With:** Berks County Center for Independent Living (CIL)
dba Abilities in Motion (AIM)
Reading, Pennsylvania
- For:** In-home Services:

Personal Assistance Service \$17.10/hour
Consumer Model
- Term:** Extend the term from July 1, 2016 through June 30, 2017.

- Continued -

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Motion passed.

Commissioner Stuckey absent for the vote
Commissioner Parsons yes
Commissioner Lehman yes

On motion of Commissioner Lehman, seconded by Commissioner Parsons, the meeting adjourned at 9:37 a.m.

Motion passed unanimously.

Respectfully submitted,

Latoya Westbrook-Thomas, Executive Assistant
Commissioners' Office