

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, AUGUST 21, 2019

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

Present at today's meeting were:

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

Lawrence M. George
CHIEF CLERK

Lisa Johnson
ASSISTANT CHIEF CLERK

Christina Hausner, Esquire
COUNTY SOLICITOR

Also present were:

Philip Colvin, Director
EMERGENCY MANAGEMENT AGENCY

Judith Erb, Executive Director
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Russell Glass, Deputy Court Administrator
COURT ADMINISTRATION

Matthew Sternberg, Executive Director
LANCASTER COUNTY REDEVELOPMENT AUTHORITY

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

Commissioner Parsons announced the approval of the July 24, 2019 Commissioners' Meeting Minutes, and the postponement of approval of the August 14, 2019 Commissioners' Meeting Minutes.

Commissioner Parsons made the following re-announcement:

- An evening Commissioners' Meeting is scheduled for Tuesday, September 10, 2019 at 7:00 p.m. at Earl Township Municipal Building, 517 North Railroad Avenue, New Holland, Pennsylvania. There is no Commissioners' Meeting scheduled for Wednesday morning, September 11, 2019.

Commissioner Parsons made the following announcement:

- The Commissioners' Work Session scheduled for Tuesday, August 27, 2019 at 10:00 a.m. has been canceled.

ORDINANCE NO. 141

**AMENDING THE DEFINITION OF BLIGHTED PROPERTY AS SET FORTH IN
SECTION 3B OF ORDINANCE NO. 56 OF 2001 [WHICH CREATED THE LANCASTER COUNTY VACANT
PROPERTY REINVESTMENT BOARD ALLOWING FOR THE ACQUISITION AND DISPOSITION OF REAL
PROPERTY UNDER CERTAIN CONDITIONS]**

On motion of Commissioner Stuckey, seconded by Commissioner Lehman;

WHEREAS, the Board of Commissioners of Lancaster County on October 17, 2001, enacted Ordinance No. 56, which created the Lancaster County Vacant Property Reinvestment Board, and provided for the acquisition and disposition of properties pursuant to the Urban Redevelopment Law (35 P.S. Section 1701 et seq.); and

WHEREAS, the Board of Commissioners of Lancaster County on June 15, 2011, enacted Ordinance No. 100 amending Ordinance No. 56 to include properties for commercial and industrial reuse in addition to those for residential and related reuse within the scope of Ordinance No. 56 and the Lancaster County Vacant Property Reinvestment Board; and

WHEREAS, the definition of "Blighted Property" as set forth in Ordinance No. 56 was based on statutory provisions existing at the time it was enacted in 2001, which have been amended to include additional classes of property within the definition of "blighted property"; and

WHEREAS, it is desirable to eliminate any inconsistency between the state law's definition of blighted property and that set forth in Lancaster County Ordinance No. 56.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA as follows:

**Lancaster County Commissioners' Meeting
Wednesday, August 21, 2019**

Section 1. Section 3 B. of County Ordinance No. 56 titled "Blighted Property" shall be deleted in its entirety.

Section 2. The following language shall be inserted into Section 3B of County Ordinance No. 56 titled "Blighted Property."

B. "Blighted Property." Blighted property shall include:

1. Any premises which because of physical condition or use is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with the local housing, building, plumbing, fire and related codes.
2. Any premises which because of physical condition, use or occupancy is considered an attractive nuisance to children, including but not limited to abandoned wells, shafts, basements, excavations, and unsafe fences or structures.
3. Any dwelling which because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by any applicable housing or building code, has been designated by the department responsible for enforcement of the code as unfit for human habitation or condemned by the municipality.
4. Any structure which is a fire hazard, or is otherwise dangerous to the safety of persons or property.
5. Any structure from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.
6. Any vacant or unimproved lot or parcel of ground in a predominantly built-up-neighborhood, which by reason of neglect or lack of maintenance has become a place for accumulation of trash and debris, or a haven for rodents or other vermin.
7. Any unoccupied property which has been tax delinquent for a period of two years.
8. Any property which is vacant but not tax delinquent, and which has not been rehabilitated within one year of the receipt of notice to rehabilitate from the appropriate code enforcement agency.
9. Any abandoned property. A property shall be considered abandoned if:
 - (a) it is a vacant or unimproved lot or parcel of ground on which a municipal lien for the cost of demolition of any structure located on the property remains unpaid for a period of six months;
 - (b) it is a vacant property or vacant or unimproved lot or parcel of ground on which the total of municipal liens on the property for tax or any other type of claim of the municipality are in excess of 150% of the fair market value of the property as established by the Board of Revisions of Taxes or other body with legal authority to determine the taxable value of the property; or
 - (c) the property has been declared abandoned by the owner, including an estate that is in possession of the property.
10. A property which has defective or unusual conditions of title or no known owners, rendering title unmarketable.
11. A property which has environmentally hazardous conditions, solid waste pollution or contamination in a building or on the land which poses a direct and immediate threat to the health, safety and welfare of the community.
12. A property having three or more of the following characteristics:
 - (a) has unsafe or hazardous conditions that do not meet current use, occupancy or fire codes;
 - (b) has unsafe external and internal accessways;
 - (c) is being served by an unsafe public street or right-of-way;
 - (d) violates the applicable property maintenance code adopted by a municipality and is an immediate threat to public health and safety;
 - (e) is vacant;
 - (f) is located in a redevelopment area with a density of at least 1,000 people per square mile or a redevelopment area with more than 90% of the units of property being nonresidential or a municipality with a density of at least 2,500 people per square mile.

Section 3. REPEALER

All ordinances, resolution, or parts thereof, insofar as inconsistent herewith are repealed.

Section 4. INVALIDITY

If any part, section, or subsection of this Ordinance is declared to be illegal, unconstitutional, invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

Section 5. EFFECTIVE DATE

This Ordinance shall take effect immediately upon enactment by the Board of Commissioners of Lancaster County.

Motion passed unanimously.

**Lancaster County Commissioners' Meeting
Wednesday, August 21, 2019**

On motion of Commissioner Lehman, 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 Between: Pennsylvania Emergency Management Agency
Harrisburg, Pennsylvania
and
South Central Counter Terrorism Task Force

Purpose: To receive U.S. Department of Homeland Security Grant Program funding, on behalf of the South Central Counter Terrorism Task Force comprised of Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York counties, for the purpose of supporting the planning, training, preparedness and response needs to address acts of terrorism and other catastrophic events.

Amount/Term: Not to exceed \$1,569,753.00 for the period September 1, 2019 through August 31, 2022 (100% State funding pass-through grant from Department of Homeland Security).

Note: Dauphin County will serve as the fiduciary agent for this grant.

Motion passed unanimously.

RESOLUTION NO. 58 OF 2019

On motion of Commissioner Stuckey, seconded by Commissioner Lehman;

WHEREAS, Philip A. Colvin, Director of the Lancaster County Emergency Management Agency, proposes that the Lancaster County Emergency Management Agency apply for State Homeland Security Grant Program funding; and

WHEREAS, the County of Lancaster, having reviewed said grant, desires to apply for State Homeland Security Grant Program funding.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA that Philip A. Colvin, Director of the Lancaster County Emergency Management Agency, is authorized to exercise his authority under Resolution No. 81 of 2018 to sign for State Homeland Security Grant Program funding on behalf of the Board of Commissioners of Lancaster County.

ADOPTED this 21st day of August, 2019 by the Board of Commissioners of the County of Lancaster, Pennsylvania in lawful session duly assembled.

Motion passed unanimously.

On motion of Commissioner Lehman, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster, acting on behalf of Court Administration, to approve the following:

Addendum No. 2 to Lease Agreement
With: Jeffrey Kreider
Lancaster, Pennsylvania

Purpose: To amend the existing lease for 2,100 square feet of office space utilized by Magisterial District Court 02-1-01 located at 641 Union Street, Lancaster, Pennsylvania as follows:

- Increase in annual rental fee.
- Extension of Term.

Amount: The annual rental fee shall be increased from \$24,750.00 per year to \$28,710.00 per year (\$15.85 per square foot).

Term: Extend the current lease for an additional five-year term commencing September 1, 2019 through August 31, 2024.

Note: All other terms and conditions of the original lease and any subsequent addendums shall remain in full force and effect.

Motion passed unanimously.

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

Lancaster County Commissioners' Meeting
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1. **Amended Agreement No. 1 With:** A New Direction – What's Next
Macungie, Pennsylvania

Purpose: To change community support and respite services from "24-hour in-home respite" to "respite out- of- home."

Amount/Term: The contract cap remains the same at \$25,540.46 for the period May 31, 2019 through June 30, 2019.
2. **Amended Agreement No. 1 With:** Theraplay, Inc.
West Chester, Pennsylvania

Purpose: Increase in State's rates for special instruction and various therapy services.

Amount/Term: Increase the amount of the existing contract by \$1,069.70, for a total contract amount not to exceed \$36,931.46 for Fiscal Year 2019-2020.
3. **Amended Agreement No. 1 With:** A New Direction – What's Next
Macungie, Pennsylvania

Purpose: To change community support and respite services from "24-hour in-home respite" to "respite out- of- home."

Amount/Term: The contract cap remains the same at \$25,540.46 for the period July 1, 2019 through July 31, 2019.
4. **Amended Agreement No. 2 With:** Faithful Homes, LLC
Manheim, Pennsylvania

Purpose: Reduction in contract cap due to an individual receiving consolidated waiver for residential community homes services effective August 1, 2019.

Amount/Term: Decrease the amount of the existing contract by \$224,253.82, for a total contract amount not to exceed \$20,698.08 for Fiscal Year 2019-2020.
5. **Agreement With:** Bilingual Conexion
York, Pennsylvania

Purpose: To provide interpreter and translations services to individuals being served by Lancaster County Early Intervention.

Amount/Term: Not to exceed \$89,025.00 for Fiscal Year 2019-2020.
6. **Agreement With:** Community Action Partnership of Lancaster County
Lancaster, Pennsylvania

Purpose: To provide support and training to families being served by Lancaster County Early Intervention.

Amount/Term: Not to exceed \$23,800.00 for Fiscal Year 2019-2020.
7. **Agreement With:** The PAI Corporation d.b.a. Excentia
Lancaster, Pennsylvania

Purpose: To provide in-home and community habilitation and residential services to individuals being served by Lancaster County Intellectual and Developmental Disabilities.

Amount/Term: Not to exceed \$697,085.03 for Fiscal Year 2019-2020.

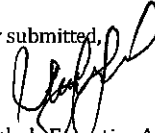
Motion passed unanimously.

Since Commissioner Parsons was absent from the Work Session yesterday, Commissioner Stuckey mentioned the presentation that was delivered on the Enterprise Fleet Management Program; how the program works, and how it benefits Lancaster County.

On motion of Commissioner Stuckey, seconded by Commissioner Lehman, the meeting adjourned at 9:41 a.m.

Motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lydia Kovalchuk', written over the text 'Respectfully submitted,'.

Lydia Kovalchuk, Executive Assistant
Commissioners' Office