

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, FEBRUARY 27, 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:

Valeria Cappucci, Executive Director
J. P. MORGAN CHASE BANK

Christina Diehl, Board Member
LIBRARY SYSTEM OF LANCASTER COUNTY

Judith Erb, Executive Director
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Rick Harley, Vice President of Treasury Management
WELLSPAN HEALTH

Rick Kastner, Executive Director
DRUG AND ALCOHOL COMMISSION

John Mavrides, Director
PROPERTY ASSESSMENT

Tammy Moyer, Director of Administration
PRISON

Christopher Riggs, Chief Deputy
SHERIFF'S OFFICE

Linda Schreiner, Senior Buyer
PURCHASING

Cheryl Steberger, Warden
PRISON

J. Ryan Strohecker, Manager
MANOR TOWNSHIP

John Stygler, Deputy Director of Administration
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Christopher Thompson, District Manager
LANCASTER COUNTY CONSERVATION DISTRICT

Karla Trout, Executive Director
LIBRARY SYSTEM OF LANCASTER COUNTY

Melissa Wein, Project Manager II
INFORMATION TECHNOLOGY

Alice Yoder, Executive Director
PENN MEDICINE LANCASTER GENERAL HEALTH

Commissioner Parsons called the meeting to order at 9:16 a.m. followed by the Pledge of Allegiance.

Commissioner Parsons announced the approval of the January 2, 2019 Commissioners' Meeting Minutes, February 6, 2019 Commissioners' Meeting Minutes and February 20, 2019 Commissioners' Meeting Minutes. Postpone approval of the February 13, 2019 Commissioners' Meeting Minutes.

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Commissioner Parsons made the following re-announcement:
There is no Work Session scheduled for Tuesday, March 5, 2019 and no Commissioners' Meeting is scheduled for Wednesday, March 6, 2019.

Commissioner Parsons made the following announcements:
An evening Commissioners' Meeting is scheduled on Wednesday, March 20, 2019 at 7:00 pm at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster.
There will be no Commissioners' Meeting held on Wednesday morning, March 20, 2019 at 9:15 am.
There is no Work Session scheduled for Tuesday, March 26, 2019.

Check Presentation to the Library System of Lancaster County and Member Libraries for 2019 Commissioners' Grant Funding in the Amount of \$1,993,740.00.

Karla Trout, Executive Director, Library System of Lancaster County
Christina Diehl, Boar Member, Library System of Lancaster County

Commissioner Parsons stated the Board is very pleased to have the Library System of Lancaster County represented. The Board made allocations through their budget process to a number of organizations, and the Library System is the biggest one.

Commissioner Stuckey introduced the new Executive Director for the Library System, Ms. Trout, and the new President of the Board this year, Ms. Diehl, and noted that he has been the Liaison for the Board and that he is very happy to support the Library System.

Commissioner Lehman thanked Ms. Trout and Ms. Diehl for their presence and for their service, and stated the Board is pleased to provide support to the Library System and the member libraries.

Commissioner Parsons agreed with the comments and explained that there is a Library System throughout Lancaster County which supports the member libraries and communities all around the county. The Commissioners' support is primarily for the Library System to make sure they have all the resources they need to serve member libraries.

Ms. Trout thanked the Board for their support for the libraries in Lancaster County. She reported their 17 libraries, the Bookmobile and the "Be READY Rover"- school readiness vehicle, are vital parts of the education system in Lancaster County, and they are pleased with the support they receive from the County.

PROCLAMATION

National Women's History Month

February 27, 2019

WHEREAS, The National Women's History Project began with a proclamation by President Jimmy Carter that declared the week of March 8, 1980, as the first National Women's History Week; and

WHEREAS, In 1981, Congress passed Pub. L. 97-28 which authorized and requested the President to proclaim the week beginning March 7, 1982 as "Women's History Week"; and

WHEREAS, Throughout the next five years, Congress continued to pass joint resolutions designating a week in March as "Women's History Week"; and

WHEREAS, In 1987 after being petitioned by the National Women's History Project, Congress passed Pub. L. 100-9 which designated the month of March 1987 as "Women's History Month"; and

WHEREAS, Between 1988 and 1994, Congress passed additional resolutions requesting and authorizing the President to proclaim March of each year as Women's History Month; and

WHEREAS, Since 1995, Presidents Clinton, Bush, Obama and Trump have issued a series of annual proclamations designating the month of March as "Women's History Month"; and

WHEREAS, Women of every race, class and ethnic background have made historic contributions to the growth and strength of the nation and the world in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economic, cultural and social role in every sphere of the life of the nation by constituting a significant portion of the labor force working inside and outside the home; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic and cultural institutions in the nation; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, all of which created a more fair and just society for all; and

WHEREAS, The year 2019 marks the 39th anniversary of the National Women's History Project; and

WHEREAS, National Women's History Month is an ideal venue for all Lancastrians to reflect and recognize women's struggle to obtain equal educational rights and to highlight the numerous contributions of women across this County, Commonwealth and Nation including the ever-increasing role women play in our armed forces.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA, that the County of Lancaster does hereby celebrate the month of March, 2019 as ----- **National Women's History Month** ----- in Lancaster County and invite the women, men and children of Lancaster County to continue to explore the critical economic, cultural and social roles women have played and continue to play in every sphere of life in this County, Commonwealth and Nation.

BOARD OF COUNTY COMMISSIONERS
LANCASTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 9 OF 2019

A RESOLUTION DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE COUNTY OF LANCASTER FOR THE GENERAL AUTHORITY OF SOUTHCENTRAL PENNSYLVANIA TO UNDERTAKE A PROJECT FOR WELLSPAN HEALTH AND CERTAIN OF ITS WHOLLY-CONTROLLED AFFILIATES; APPROVING THE ISSUANCE OF THE AUTHORITY'S BONDS; AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS.

On motion of Commissioner Stuckey, seconded by Commissioner Lehman;

WHEREAS, WellSpan Health ("WellSpan"), including York Hospital, The Gettysburg Hospital, Ephrata Community Hospital, WellSpan Specialty Services, WellSpan Health Care Services, WellSpan Properties, Inc., The Good Samaritan Hospital of Lebanon, Pennsylvania ("GSH"), The Good Samaritan Health Services Foundation and other affiliates of GSH, Philhaven, WellSpan Summit Health ("Summit Health"), Waynesboro Hospital, The Chambersburg Hospital, Summit Physician Services, Chambersburg Health Services and other affiliates of Summit Health (collectively, the "Applicants"), have requested the General Authority of Southcentral Pennsylvania (the "Authority") to approve, and the Authority has approved, a plan of financing which will include the issuance by the Authority, pursuant to the provisions of the Municipality Authorities Act (the Act of June 19, 2001, P.L. 22, as amended) (the "Authorities Act"), of one or more series of its revenue bonds in an aggregate principal amount of up to \$600,000,000 (the "Bonds") to provide funds for a project (the "Project") involving generally (i) the refunding of certain outstanding indebtedness issued by or on behalf of WellSpan and certain of the Applicants by the Authority, including all or a portion of its Revenue Bonds (WellSpan Health Obligated Group) Series 2008B-1, Series 2008B-2, Series 2008C and Series 2008D, and its Revenue Bonds, Series 2014A (WellSpan Health Obligated Group), the proceeds of which were used to finance capital costs of hospital and healthcare facilities at locations described in Exhibit A; (ii) the payment or defeasance of all or a portion of the Franklin County Industrial Development Authority's Fixed Rate Revenue Bonds (The Chambersburg Hospital Project), Series 2010, the proceeds of which were used to finance capital costs of hospital and healthcare facilities at locations described in Exhibit A, assumed in connection with WellSpan becoming the sole member of Summit Health; (iii) the financing of the acquisition, construction, renovation, improvement and equipping of health care facilities at locations described in Exhibit A; (iv) the funding of any required reserves for the Bonds, including capitalized interest, if appropriate; and (v) the payment of costs of issuance of the Bonds and related costs, including premiums for credit enhancement, if any; and

WHEREAS, pursuant to the Authorities Act, the Authority has requested the Board of County Commissioners of the County of Lancaster (the "Board of County Commissioners") to declare, by this resolution, that the Project is desirable for the health, safety and welfare of the people in the area served by the Applicants; and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), a public hearing was held by the Authority (the "TEFRA Hearing") in connection with the issuance of the Bonds, a notice of which was published two weeks prior to such hearing, which notice is hereto attached as Exhibit A; and

WHEREAS, the facilities to be financed or refinanced with the proceeds of the Bonds will include all or a portion of the facilities described in Exhibit A attached hereto which facilities are located in Lancaster County; and

WHEREAS, Section 147(f) of the Code requires that the applicable elected representatives of the governmental unit on behalf of which bonds are issued and of each governmental unit having jurisdiction over the area in which any facility, with respect to which financing is to be provided, is located approve bonds after a public hearing in order for a private activity bond to be a qualified bond under the Code; and

WHEREAS, the Board of County Commissioners, as the applicable elected representative of the County of Lancaster, has been further requested to approve the issuance of the Bonds for purposes of Section 147(f) of the Code;

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

SECTION 1. It is hereby determined and declared pursuant to the Authorities Act that it is desirable for the health, safety and welfare of the residents of Lancaster County and the areas served by the Applicants for the Authority to undertake the financing of the Project through the issuance of the Bonds in an aggregate principal amount not to exceed \$600,000,000.

SECTION 2. The issuance of the Bonds and the financing of the Project are hereby approved for purposes of Section 147(f) of the Code.

SECTION 3. The Board of County Commissioners hereby ratify and approve the undertaking by the Authority of the TEFRA Hearing on behalf of itself as the issuer of the Bonds, and on behalf of Lancaster County. The Board of County Commissioners hereby acknowledge and confirm that a transcript of the TEFRA Hearing has been provided to the Board of County Commissioners for the record.

SECTION 4. The foregoing determination, declaration and approval are for the purposes of the applicable provisions of the Code as aforesaid, and do not constitute approval for any permit, license or zoning required for the construction or occupancy of any facilities to be financed or refinanced as part of the Project.

SECTION 5. The approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County of Lancaster, nor shall the County of Lancaster be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

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SECTION 6. All actions of this Board of County Commissioners taken in conformity with the intents and purposes of this Resolution are ratified, confirmed and approved in all respects.

SECTION 7. This Resolution shall take effect immediately. All prior ordinances or resolutions or portions thereof inconsistent herewith are hereby repealed.

Motion passed unanimously.

RESOLUTION NO. 10 OF 2019

On motion of Commissioner Lehman, seconded by Commissioner Stuckey;

WHEREAS on December 13, 2017, Manor Township had acquired title to the Manor Boulevard property, Tax Account No. 410-43204-0-0000 by means of eminent domain with permission of the property owner; and

WHEREAS, the County real estate taxes were assessed on the property for 2018 and are currently in arrears; and

WHEREAS Manor Township has purchased this property to use as a public passive park which will include public parking, walking trails, benches and a variety of informational kiosks; and

WHEREAS Manor Township has begun and is continuing to construct the various walking paths in 2018 and 2019; and

WHEREAS Manor Township has requested exoneration approval from the County of Lancaster on this parcel for 2018 County taxes, plus any accrued interest and/or costs.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA to approve the exoneration request of Manor Township for the forgiveness of the 2018 County real estate taxes in the penalty amount of \$721.12 for the Manor Boulevard property, Manor Township, Tax Account No. 410-43204-0-0000.

Motion passed unanimously.

RESOLUTION NO. 11 OF 2019

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

REVENUE ACCOUNT:

Sheriff's Office -	<u>\$16,447.50 (+)</u>
Administrative Office of Pennsylvania	
Courts (AOPC) Grant	
6321-A B1711 00000	

EXPENDITURE ACCOUNT:

Sheriff's Office -	<u>\$16,447.50 (+)</u>
Building Improvements	
7522-A B1711 00000	

Motion passed unanimously.

RESOLUTION NO. 12 OF 2019

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

FROM:

Prison -	<u>\$650,158.51 (-)</u>
Prisoner Welfare Escrow	
6538-AA C1200 22021	

TO:

Prison -	<u>\$650,158.51 (+)</u>
Other Professional Services	
7318-A C1200 22025	

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Commissioner Lehman summarized the discussion they had the previous day saying that because of what they are being charged for inpatient and outpatient inmate medical care, they have outstripped their catastrophic fund, which is part of the contract with PrimeCare. And because they are going to spend more than that catastrophic fund provides for (\$580,000), the County is then responsible for any cost that exceeds that amount. For 2018 they have exceeded that amount. The recommendation is to take money that would normally have been swept into the general fund from the inmate general welfare fund to transfer and pay for these additional medical costs on behalf of the inmates. The plan is to look for other ways to deal with this additional cost that is going to be incurred by the County, going forward, and eliminate the need for any future transfers of this nature. Commissioner Stuckey stated they need to be careful about revenue transfers within budget year. Commissioner Lehman stated in this particular case this transfer will benefit the inmates, so he is okay with the transfer, to which the Board agreed.

Motion passed unanimously.

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

**Software License Agreement and
Software Maintenance Agreement
With:**

TeleoSoft, Inc.
York, Pennsylvania

Purpose:

To provide enhancements and an upgrade for the County Suite - Sheriff's Office application which includes an interface between the current Sheriff CountySuite and the Court Calendar allowing for warrant checks related to Court Calendar appointments. This interface will replace an outdated application previously written and maintained by the County. In addition, there will be enhancements to User Registration, Attorney Registration, Public Access to Real Estate Sale Listing, Personal Property and Warrant listings.

Amount:

Software License Agreement: One-time fee of \$59,272.00.

Software Maintenance Agreement: \$7,156.00 annually.

Term:

February 27, 2019 through February 26, 2020 with annual renewal option.

Motion passed unanimously.

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

Grant Agreement With:

United States Department of Housing and Urban
Development
Philadelphia, Pennsylvania

Purpose:

To provide grant funding for 47 apartments for singles who are homeless and have a mental illness.

Amount/Term:

Enterprise Housing (Project # PA0522L3T101806) -
\$213,993.00 for the period December 1, 2019 through November 30, 2020.

Polaris Housing (Project # PA0452L3T101807) -
\$167,379.00 for the period December 1, 2019 through November 30, 2020.

North Star Housing (Project # PA0556L3T101808) -
\$127,020.00 for the period May 1, 2019 through April 30, 2020.

The total amount of grant award not to exceed \$508,392.00 for the period May 1, 2019 through November 30, 2020.

Motion passed unanimously.

On motion of Commissioner Stuckey, seconded by Commissioner Lehman, it was agreed for the County of Lancaster, acting on behalf of the Drug and Alcohol Commission, to approve the following:

1. **Agreement With:**

Lancaster General Hospital
Lancaster, Pennsylvania

Purpose:

To dispense Narcan; coordinate services; and facilitate "Train the Trainer" programs.

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- Amount/Term:** Not to exceed \$245,225.00 for the period July 1, 2018 through June 30, 2019 (SAMHSA Federal grant as pass-through dollars).
- 2. **Amended Agreement With:** Blueprints for Addiction Recovery, Inc.
Elizabethtown, Pennsylvania

Purpose: To add a new outpatient location at 1901 Olde Homestead Lane and increase the cap for outpatient services.

Amount/Term: Increase the amount of the existing contract by \$20,000.00, for a total contract amount not to exceed \$50,000.00 for Fiscal Year 2018-2019.
- 3. **Amended Agreement With:** T. W. Ponessa & Associates Counseling
Lancaster, Pennsylvania

Purpose: To increase the cap for outpatient services.

Amount/Term: Increase the amount of the existing contract by \$30,000.00, for a total contract amount not to exceed \$120,000.00 for Fiscal Year 2018-2019.

Motion passed unanimously.

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

- Agreement With:** Murray Securus
Lancaster, Pennsylvania
- Purpose:** Annual Crime Prevention Policy
- Amount:** \$8,850.00
- Term:** March 1, 2019 through February 29, 2020.

Motion passed unanimously.

Check Presentation to the Lancaster County Conservation District for 2019 Commissioners' Grant Funding in the Amount of \$270,000.00.

Christopher Thompson, District Manager, Lancaster County Conservation District

Commissioner Stuckey stated the Board is happy to support the Conservation District. He thanked Mr. Thompson for working with the Commonwealth and the Department of Environmental Protection (EPA) to improve the water in Lancaster County.

Commissioner Lehman added that the Conservation District continues to have a reputation of having an outstanding staff as they take a common-sense approach to our natural resources in Lancaster County - both at the State and Federal level, and here locally.

Commissioner Parsons agreed and noted that Mr. Thompson came to the meeting directly from fighting the Spotted Lanternfly and he appreciated the work that Mr. Thompson does on that.

Mr. Thompson thanked the Commissioners on behalf of the Conservation District Board for being active in different programs and for the financial support that they invested in the district. For every dollar the Board gives them, they bring back 13 from State, Federal and private organizations.

Ms. Cappucci, Executive Director at J. P. Morgan Chase Bank, introduced herself stating the reason for her presence at the Commissioners' meeting is to find out a little bit more about Lancaster County and establishing contacts in the Treasurer's division to offer banking services that might be fiscally beneficial to the County, if interested.

Commissioner Lehman addressed the audience with the following statement:
"Recently, there has been a lot of talk about the confidentiality of personnel matters. Personnel matters are confidential. For years, it has been County practice to not comment on personnel matters and that practice should continue going forward. However, recent events related to the District Attorney's Office are unique for two reasons: 1. The first incident involved an elected official and candidates for public office (the DA and an ADA) and 2. The other incident involved a County employee whose actions were both public and political in nature.

To recap the first incident, the DA took an employment action that the Board of Commissioners reversed. It has been claimed that this matter should be confidential. If this were a more typical personnel matter, I would agree. However, in this case, an elected official and a candidate for public office took an employment action involving a County employee who was also a candidate for public office.

Reasonable people understand that this situation is unique and concerning. While it may be in the best interests of an elected official for matters like this one to be confidential, it is not in the best interests of the public. Just think for a moment, an elected official, under similar circumstances, simply claims that the matter is confidential to avoid further public scrutiny. In this instance and given the facts that the matter is confidential to

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avoid further public scrutiny. In this instance and given the facts as we know them today, this matter is not and should not be viewed as a confidential personnel matter. Transparency in County government deserves more, and the public deserves more.

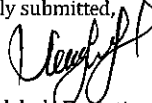
Regarding the second incident as it relates to the confidentiality of personnel matters, as was stated by the County Solicitor, the use of a confidential county file for political purposes is a clear violation of County policy. Given the public nature and circumstances of the conduct in question, any reasonable expectation of confidentiality on the part of the County, in my opinion, is for all practical purposes nullified.

Going forward, I will continue to defend the confidentiality of personnel matters. However, these matters are unique. And, in my opinion, there should not be a guarantee nor an expectation of confidentiality on the part of the County in these instances."

On motion of Commissioner Stuckey, seconded by Commissioner Lehman, the meeting adjourned at 10:13 a.m.

Motion passed unanimously.

Respectfully submitted,



Lydia Kovalchuk, Executive Assistant
Commissioners' Office