

COUNTY COMMISSIONERS' WORK SESSION MINUTES
TUESDAY, MARCH 12, 2018

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

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
ASSISITANT CHIEF CLERK

Isaac Gaylord, Esquire
ASSISTANT COUNTY SOLICITOR

Also present were:

Leigh Bardell, Project Manager
EDC FINANCE CORPORATION

Deepa Balepur, Co-Founding Principal
COMPASS REAL ESTATE, LLC

Jeff Bell, County Detective
DISTRICT ATTORNEY'S OFFICE

Dale Brubaker, Grant Specialist
DISTRICT ATTORNEY'S OFFICE

Bruce Clark, Resident
New Holland

James Cowhey, Executive Director
PLANNING COMMISSION

Joseph Deerin, Developer/Owner
DEERIN COMPANIES, LLC

Charles Douts, Director
FACILITIES MANAGEMENT

Keith Ebersole, Owner/President
SPEEDWELL CONSTRUCTION

Judith Erb, Executive Director
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Keith Heigel, Owner
LIGHT-HEIGEL AND ASSOCIATES

Dave Hogle, County Bridge Engineer
RETTEW

Julie Holtry, Deputy Director of Mental Health Services
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Nicholas Karamanos, Counsel to Developer/Owner
DEERIN COMPANIES

Clarence Kegel, Vice President
MURRAY SECURUS

Harry Klinger, Director
PURCHASING

Linda Schreiner, Senior Buyer
PURCHASING

Gail Scott, Lancaster Resident/Opioid Use Disorder Researcher
UNIVERSITY OF THE SCIENCES, PHILADELPHIA

**John Sensenig, Vice President of Design Build
SPEEDWELL CONSTRUCTION**

**Cheryl Steberger, Warden
PRISON**

**Charlette Stout, Director
HUMAN RESOURCES**

**Carter Walker, County Government Reporter
LANCASTER NEWSPAPERS**

**Misty Witmer, Deputy Director IT Support Services
INFORMATION TECHNOLOGY**

**Robert Wolfe, Deputy Warden
PRISON**

Commissioner Parsons called the meeting to order at 10:00 a.m.

Commissioner Parsons announced the Board of Commissioners met in Executive Session on the following dates to discuss the following issues:

- Tuesday, March 4, 2019 at 11:30 a.m. - Personnel Matters, Labor Negotiations, Litigation – including the petition to intervene in the LNP and District Attorney open records case, and Prospective Litigation;
- and at 3:00 p.m. to discuss a Personnel Matter;
- Wednesday, March 6, 2019 at 11:30 a.m. - a Personnel Matter and Potential Litigation;
- Thursday, March 7, 2019 at 3:00 p.m. – a Personnel and Prospective Litigation Matter;
- Friday, March 8, 2019 at 2:45 p.m. - a Personnel and Prospective Litigation Matter; and
- Monday, March 11, 2019 at 9:30 a.m. - Personnel including an EEOC Matter, Litigation including the Turner case in Eastern District of Pennsylvania Docket No. 00177 of 2019, Potential Litigation and Labor Negotiations.

Commissioner Parsons announced the approval of the February 19, 2019 Work Session Minutes and the postponement of approval of the February 26, 2019 Work Session Minutes.

Commissioner Parsons made the following re-announcements:

An evening Commissioners' Meeting is scheduled on Wednesday, March 20, 2019 at 7:00 p.m. 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 a.m. There is no Work Session scheduled for Tuesday, March 26, 2019.

1. Ms. Bardell, Project Manager, presented a Next Generation Farm Loan Application on behalf of EDC Finance Corporation.
NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.
2. Mr. Brubaker, Grant Specialist, and Mr. Bell, County Detective, presented Budget Adjustments on behalf of the District Attorney's Office.
NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.
3. Mr. Klinger, Director, Mr. Wolfe, Deputy Warden, and Ms. Steberger, Warden, presented a Lease Agreement for Full Body Scanning Unit on behalf of the Purchasing Department.

Ms. Scott expressed her concerns about the radiation dose and safety regarding this scanner; and pointed out that the Chester County RFP bid was written so only this model could be chosen, therefore it was not a competitive bid process. She urged the prison to be transparent regarding their protocols about visitors and staff, along with exemptions for people with medical conditions. Commissioner Parsons appreciated her comments and would be happy to have a public conversation at prison board about implementing safe policies and procedures. The Warden clarified this will only be in the commitment areas for detainees and current prisoners, no staff or visitors will go through.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

4. Ms. Stout, Director, and Ms. Steberger, Warden, presented a Side Letter to the Prison's Labor Agreement on behalf of the Human Resources Department.
NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.
5. Ms. Schreiner, Senior Buyer, and Ms. Witmer, Deputy Director IT Support Services, presented a Lease Agreement for Replacement of Computers on behalf of the Purchasing Department.
NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

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6. Mr. Cowhey, Executive Director, presented a License Order on behalf of the Planning Commission.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

7. Mr. Douts, Director, and Mr. Hoglund, County Bridge Engineer, presented a Sub-Consultant Replacement for NBIS Bridge Inspection Contract on behalf of the Facilities Management Department and the County Engineer.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

8. Mr. Douts, Director, presented a Change Order for Big Conestoga No. 7 Bridge Replacement Project and a Request for Authorization for Dauphin County Engineer to proceed with the Superstructure Replacement of the Lancaster County Conewago No. 1 Bridge on behalf of the Facilities Management Department.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

9. Mr. Gaylord, Assistant County Solicitor, presented a Ratification and Affirmation to file a Petition to Intervene in a Pending Appeal of an Order from the Pennsylvania Office of Open Records brought by the District Attorney's Office.

Commissioner Stuckey gave credit to the chairman for this strategy, noting the reason for the intervention is this allows the County a certain position in the dispute, not taking either side but somewhere in the middle between the parties involved and the Board felt it important to have a say to the extent we can.

Commissioner Lehman said he is supportive of the effort because he thinks the disclosure of financial information, with appropriate redaction, is the right thing to do.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

10. Mr. George, Chief Clerk, and Mr. Kegel, Vice President, presented a Comprehensive Insurance Package Renewal Agreement.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

11. Mr. George, Chief Clerk, presented an Agreement for A/V Control and Video Distribution System in Courtroom 12.

NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated March 13, 2019.

12. Behavioral Health/Developmental Services Relocation Discussion and Recommendation.

Ms. Schreiner read the following statement:

As you are aware, the current lease for 1120 Frances Avenue is due to expire on June 30, 2019. The Lease Agreement recommendation we are presenting today, is a result of a Request for Proposals for the relocation of the Behavioral Health and Development Services (BHDS) offices currently located at 1120 Frances Avenue, Lancaster, PA. There are approximately 90 team members that work at the Frances Avenue location providing BHDS mental health case management services that encompasses crisis intervention, mental health intake, financial liability, adult and child mental health case management, and psychiatric support provided by Wellspan Philhaven (Lancaster Area Psychiatric Services, also known as "LAPS"). In 2017, BHDS served 7,081 individuals ranging in age from 3 years of age to 75+ years of age. Of these individuals, 3,300 adults and children are served by MH case management services offered from the Frances Avenue location. Many of these individuals utilize public transportation to access the building.

I would like to share a few specifics regarding the services offered at Frances Avenue.

- This site accommodates those individuals who appear at the office without an appointment (walk-ins) seeking mental health services.
- In addition to the walk-ins, meetings with families and other professionals, crisis walk ins, liability appointments and the clinics, Wellspan Philhaven doctors/CRNP see approximately 142 people a week.
- LAPS offers injection clinics once a week, approximate 30-40 people are seen in a 4-hour period, during which times the lobby area is overflowing with consumers waiting to see the psychiatrist or their case manager.
- Frances Avenue also offers a Clozaril clinic, that involves a smaller group of approximately 20 individuals during the same time period.
- Crisis Intervention is on-site 24/7 to respond to any emergency mental health needs and is within quick response time to the local hospital emergency departments.
- Interagency and treatment team meetings, that include family members and providers occur regularly at this location. Approximately 30 individuals, per week, come to Frances Avenue for intakes.

In preparation for the issuance of the RFP, BHDS had a preliminary space analysis completed by a local architectural firm. The preliminary space analysis looked at the need and functionality of individual offices, unit offices, conference rooms, LAPS, reception area, bathrooms, and miscellaneous spaces (janitorial, storage, break room, mechanical room, etc.). The preliminary space plan indicated a range of 31,774 to 20,243 square feet was required to accommodate the provided services for the BHDS clients in an efficient and effective manner. The study indicated a mid-range of 26,627 sq. ft. and a requested square footage of 23,021, based on the current use of Frances Avenue.

BHDS contracted a local real estate firm to assist in the location, review and evaluation of available opportunities within Lancaster County. Consideration was given to availability of the location, proximity to current location and service providers, accessibility, ample parking for client's use, access to bus routes and overall general location, as well as cost. Existing, as well as build to suit to lease properties were considered. Existing properties that were considered, required various degrees of renovations. The

renovations meant that they were not readily available and impacted the rent per square foot costs. The received proposal responses demonstrated that build to suit to lease costs were competitive with renovation of existing structure costs, without the risk of additional costs associated with an aged infrastructure. In addition, build and renovation time lines were comparable.

The recommendation we bring to you tomorrow, is a build to suit to lease property located at 750 Eden Road in Manheim Township within Lancaster County, PA. The location is being offered by Eden Road Partners LLC. The building will be a single tenant building with 24,511 square feet of usable space, this is 2,116 square feet less than the mid-range as determined by the space analysis and 1,490 sq. feet more than what was determined to be requested space based on the functionality of Frances Avenue. The location is a few minutes from Routes 30, 222 and 283. The location is in close proximity to an established bus route (Route 11 - Ephrata). Signage for the building will be visible from Route 222 and Route 30. The location is zoned for medical office space use.

The lease being recommended is a twenty (20) year lease with two options to extend, one five-year option followed by one four-year eleven-month option for a total lease period of 29-years and 11-months, if both options are exercised. The rent will remain fixed for the first five (5) years at \$20.40 per square foot, triple net, with an annual 2% increase thereafter. The lease language allows for a one-time termination at the ten-year mark with notification at the end of the eighth year, inclusive of specific conditions for termination. Funding for the costs associated with this lease are available through the Block Grant, no general fund monies are required, and funding is sustainable through the Block Grant.

The build to suit to lease completion timeline is not to exceed 12-months from the date that the building permit is issued. The space being recommended is slightly larger than initially contemplated in the RFP, the opportunity is closer to the true need 23,021 square feet as determined by the space analysis. While the 12-month timeline does not meet that June 30, 2019 deadline, the developer has offered an interim space located at 275 Hess Boulevard at no cost, except utilities, for a limited number of BHDS staff. Approximately 30 essential staff, crisis, intake and LAPS, will be relocated to this location on or before May 30, 2019. The balance of BHDS staff will be telecommuting or using alternative work space during the interim period.

After extensive review of available options, that included site visits, space planning, review of agency needs and cost review of comparable properties, we feel that the Eden Road property is the best fit for BHDS, the clients they serve and the County. BHDS has been an integral part of the evaluation process and is in agreement with this recommendation.

Lease language has been reviewed and agreed upon by Eden Road Partners LLC and the County Solicitor.

The recommendation of this lease agreement is contingent on the award of Lease agreement for 750 Eden Road Lancaster, PA resulting from a Request for Proposals for the relocation of the Behavior Health and Development Services Offices currently located at 1120 Frances Avenue in Lancaster.

The lease associated with the current location of BHDS at 1120 Frances Avenue is due to expire on June 30, 2019. The timeline associated with occupancy of the new location at 750 Eden Road in Lancaster requires that we provide for interim office space for essential BHDS staff currently located at Frances Avenue - crisis, intake and LAPS. For this reason, the RFP requested the proposers to recommend available interim space for our use.

The interim space associated with the Eden Road lease is located at 275 Hess Boulevard in Manheim Township. The space is being offered in "as is" condition, with HVAC and heating in working condition. This space is being provided at no rent to BHDS. BHDS will be responsible for utilities, custodial, trash and general maintenance, if necessary, of the provided space. The interim space will remain available to BHDS until the location at 750 Eden Road is ready for occupancy.

While not ideally located, the building is situated off the Fruitville Pike near the intersection of Fruitville Pike and Roseville Road and is serviced by the Route 19 - Manheim Red Rose Transit Bus route. Temporary signage will be installed for visibility from Fruitville Pike. The building is two stories, BHDS will occupy the first floor and part of the second floor. Approximately 30 Frances Avenue team members will be working from the interim space, including the doctors of the LAPS program, crisis which is a 24/7 operation and intake services.

Lease language has been reviewed and agreed upon by Eden Road Partners LLC and the County Solicitor.

They would like to bring the lease agreements for both properties to the Board tomorrow, so they can move forward with vacating the current Francis Avenue location.

Ms. Schreiner said after an exhaustive search they had narrowed it down to six different properties when they entered the limited RFP process based on available properties at that time, but at the end this is the lowest cost option, is ideally located and allows us the needed spaced. Ms. Schreiner explained the tentative completion date is July 15, 2020 and they anticipate being in earlier than that, but that may not happen due to weather delays, noting contractually there are penalties associated such as rent abatement clauses. She also confirmed there is language in both leases that they are contingent on each other.

Commissioner Stuckey appreciated the cooperation of the Eden Road Partners in working with the County until the move into the Eden Road property.

Commissioner Lehman said after talking to Mr. Klinger he understands the herculean effort that staff and the professionals involved have put into this project to get us here, but to no one's surprise he is going to vote no tomorrow. He has maintained from the beginning that we should have stayed at 2270 Erin Court and renovated that building for BHDS purposes.

Commissioner Parsons said the facility at Janet Avenue had some issues and was showing its age but served us well over the years and this was precipitated by the change in landlords. Ms. Schreiner agreed, noting they had asked for a short-term lease option when the new landlord assumed the property; however, now he is requiring all tenants to enter into a five-year lease agreement, rent is going up and the parameters of the lease language is changing such that we would now incur costs we had not normally in the past, like utilities. She explained we were very fortunate to be at that location in excess of 20 years through a non-profit foundation which meant the rents afforded to all tenants in the building were below market value. Ms. Schreiner confirmed for Commissioner Parsons there are very specific reasons that the County can terminate. She explained we basically have to go out of business in offering BHDS services (which are mandated by law), we tried to lease the space to someone else, and we would owe our real estate company approximately a little over \$180,000.00 in commissions to be paid back to the landlord within 30-45 days. Commissioner Parsons noted there is some certainty in the lease, for our County budgeting purposes, as it is all coming out of State funds from the HSDP BLOCK grant, not County general funds.

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Ms. Schreiner recognized those involved with this project:

Deepa Balepur from Compass Real Estate LLC.

Joe Deerin introduced his team which included Nick Karamanos, legal counsel with Deerin Companies; Keith Heigel, with Heigel and Associates, civil engineering; Keith Ebersole, Owner of Speedwell Construction; and Jon Sensenig, in charge of design for Speedwell Construction.

Ms. Schreiner said internally the County has already begun project team meetings, identifying departments who will be impacted – Facilities, IT and BHDS. Also, they have started walk-throughs of the property with the furniture supplier to understand the operational needs and are laying the groundwork to ensure the 60-day transition to the interim space can be as seamless as possible. She publicly thanked the County team, including Mr. George, as well as the Purchasing team and her director, Mr. Klinger. Ms. Erb noted Ms. Hausner went above and beyond reading the leases.

13. On motion of Commissioner Stuckey, seconded by Commissioner Lehman, the following appointment was made to the Lancaster County Drug and Alcohol Commission Advisory Board for a three-year term through December 31, 2022.

Brian Frey
623 Buchanan Drive
Ephrata, PA 17522

Lancaster County resident.

Motion passed unanimously.

14. On motion of Commissioner Lehman, seconded by Commissioner Stuckey, the following re-appointments were made to the Lancaster County Housing Authority Board for five-year terms through December 31, 2024.

Ms. Laura Lyon Slaymaker
1921 Kendale Place
Lancaster, PA 17601

Mr. Edward C. Fisher
2674 Hemlock Drive
Columbia, PA 17512

Both Lancaster County residents.

Motion passed unanimously.

15. Ms. Johnson presented the March 13, 2019 Commissioners' Meeting Agenda noting she would add the two items based on today's discussion and recommendations for the RFP Award for Behavioral Health/Developmental Services lease agreement and the lease agreement with Hess Boulevard Partners.

16. On motion of Commissioner Stuckey, seconded by Commissioner Lehman, the meeting was adjourned at 11:18 a.m.

Motion passed unanimously.

Respectfully submitted,


Christine M. Carrigan, Executive Assistant
Commissioners' Office