

COUNTY COMMISSIONERS' WORK SESSION MINUTES
TUESDAY, APRIL 23, 2019

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

Christina Hausner, Esquire
COUNTY SOLICITOR

Also present were:

Kelly Decker, Business Administrator
YOUTH INTERVENTION CENTER

Charles Douts, Director
FACILITIES MANAGEMENT

Peter Edelman, Esquire - Bond Counsel
STEVENS & LEE AND MORAVIAN MANORS, INC.

Judith Erb, Executive Director
BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES

Russell Glass, Deputy Court Administrator
COURT ADMINISTRATION

Harry Klinger, Director
PURCHASING

James Noel, Esquire - Solicitor
HOSPITAL AUTHORITY

J. David Swartley, President and CEO
MORAVIAN MANORS, INC.

John Ulaky, Grounds Superintendent
FACILITIES MANAGEMENT

Michael Weaver, Director
COUNTY-WIDE COMMUNICATIONS

Jay Wenger, Managing Director
SUSQUEHANNA GROUP ADVISORS

Carter Walker, County Government Reporter
LANCASTER NEWSPAPERS

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

Commissioner Parsons announced the Board of Commissioners met in Executive Session on Monday, April 22, 2019 at 9:30 a.m. to discuss Litigation including the Pickel case No. 18101 of 2018 in the Eastern District of Pennsylvania Federal Court, also possible Litigation, Labor Negotiations and Personnel Matters.

Commissioner Parsons announced the approval of the March 12, 2019 Work Session Minutes and the April 9, 2019 Work Session Minutes, along with the postponement of approval of the April 2, 2019 Work Session Minutes and April 16, 2019 Work Session Minutes.

Commissioner Parsons re-announced that the Commissioners' Meeting scheduled for Wednesday, April 24, 2019 at 9:15 a.m. has been cancelled. He noted this was due to the Dedication of the Warwick-Lititz Rail Trail tomorrow and therefore the Board would vote today.

1. Mr. Noel, Solicitor, Mr. Edelman, Bond Counsel, Mr. Swartley, President and CEO, and Mr. Wenger, Managing Director, presented Financing by the Lancaster County Hospital Authority of Projects for Moravian Manors, Inc.

RESOLUTION NO. 28 OF 2019

On motion of Commissioner Stuckey, seconded by Commissioner Lehman;

- Continued -

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 MORAVIAN MANORS, INC.; 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, Moravian Manors, Inc., 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 refunding of certain outstanding indebtedness of the Corporation used to finance the design, acquisition, construction, installation and equipping of a fifty-four (54) unit apartment building; (b) the design, acquisition, construction, installation and equipping of seventy-five (75) carriage homes consisting of Phase II of the Warwick Woodlands development; (c) the design, acquisition, construction, equipping and installation of the infrastructure improvements required to service the residential expansion project, including, but not limited to, new roads, sewer and water lines and other utility infrastructure; (d) the design, acquisition, construction, installation and equipping of various buildings, additions, renovations and other capital improvements to the Corporation's existing continuing care retirement community facilities; (e) the payment of capitalized interest on a portion of the debt; (f) the funding of a debt service reserve fund and (g) 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 Healthcare Facilities Revenue Bonds (Moravian Manors, Inc. Project) Series of 2019 (the "Bonds") in a principal amount of not to exceed \$40,000,000; 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,
3. held on behalf of the County by the Authority, which has followed reasonable public notice, with respect to the Project
4. (described on such approval). The Board intends that this resolution and the subsequent execution and delivery of the

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- 5. 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.
- 6. 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.
- 7. 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 unanimously.

- 2. Ms. Decker, Business Administrator, presented an Agreement on behalf of the Youth Intervention Center.

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

Agreement With: Maureen G. Raquet, Raquet Justice Consultants, LLC
St. Peters, Pennsylvania

Purpose: To conduct the Prison Rape Elimination Act (PREA) Re-Audit of the Lancaster County Youth Intervention Center.

Amount/Term: Not to exceed \$5,212.00. On-site visit for the audit will occur October 21 - October 23, 2019.

Motion passed unanimously.

- 3. Mr. Weaver, Director, presented Purchase Orders and an Interoperability and Site Sharing Agreement on behalf of County-Wide Communications.

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

- 1. **Purchase Order With:** Zetron, Inc.
Redmond, Washington
- For:** Refresh of the County's 911 Zetron Console System, which includes hardware and software, utilizing PA State Contract No. 4400016323.
- Amount:** \$791,932.45 (Act 12 funding).
- 2. **Purchase Order With:** Exacom, Inc.
Concord, New Hampshire
- For:** Refresh of the County's 911 Voice Logging Recorder System, which includes hardware and software, utilizing Co-Stars Contract No. 0000534808.
- Amount:** \$233,486.85 (Act 12 funding).
- 3. **Interoperability and Site Sharing Agreement With:** Commonwealth of Pennsylvania
Pennsylvania State Police
Harrisburg, Pennsylvania
- Purpose:** The Commonwealth will grant to the County a license to use the Commonwealth's tower(s) and the County will grant to the Commonwealth a license to use the County's tower(s) in accordance with the terms and conditions set forth in the Agreement.
- Amount:** There is no cost for this Agreement.
- Term:** The term shall commence on the date of execution by the Commonwealth and shall remain in effect for a period of twenty years and thereafter be automatically renewed on an annual basis.

Motion passed unanimously.

- 4. Mr. Glass, Deputy Court Administrator, presented Budget Adjustments on behalf of Court Administration.

RESOLUTION NO. 29 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:

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REVENUE ACCOUNT:

Magisterial District Court - \$14,025.00 (+)
State Grant -
Security Enhancements
B1600 21009 A6321

EXPENDITURE ACCOUNT:

Magisterial District Court - \$14,025.00 (+)
Equipment Maintenance and Repairs -
Security Enhancements
B1600 21009 A7336

Motion passed unanimously.

5. Ms. Erb, Executive Director, presented a Sublease Agreement on behalf of Behavioral Health/Developmental Services.

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

Sublease Agreement With: Lancaster-Lebanon Intermediate Unit 13
Lancaster, Pennsylvania

Purpose: To provide interim office space for approximately 52 BH/DS staff at the Burle Business Park located at 1020 New Holland Avenue, Lancaster until the completion of BH/DS permanent location at 750 Eden Road, Lancaster.

Amount: Monthly rent of \$4,322.62 inclusive of Common Area Maintenance Costs, real estate taxes, building insurance, heat, air conditioning, electricity and customary office trash removal (Human Services Block Grant funding).

Term: May 1, 2019 through April 30, 2020 followed by a month-to-month term.

Commissioner Lehman noted he will be a no, to be consistent with his prior votes as it relates to 2270 Erin Court.

Commissioner Parsons	Yes
Commissioner Stuckey	Yes
Commissioner Lehman	No

Motion passed.

6. Mr. Douts, Director, and Mr. Ulaky, Grounds Superintendent, presented Lease/Purchase Agreements on behalf of Facilities Management.

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

Lease/Purchase Agreements With: Whitmoyer Ford
Mount Joy, Pennsylvania

Purpose: To lease the following vehicles for a period of five years which will replace two existing trucks:

2019 Ford F250 Supercab Pickup	\$26,835.00
2019 Ford F250 Supercab Pickup	\$24,835.00

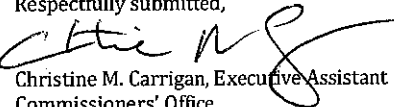
Total: \$51,670.00 under State Purchasing Contracts

Term: The County will own the vehicles following the five-year lease period. Depending on the usability of the vehicles going forward.

Motion passed unanimously.

7. On motion of Commissioner Stuckey, seconded by Commissioner Lehman, the meeting was adjourned at 10:37 a.m.

Motion passed unanimously.

Respectfully submitted,

Christine M. Carrigan, Executive Assistant
Commissioners' Office