

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, JUNE 26, 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:

Major William Aberts
PRISON

Robert Bini, Director of Transportation
PLANNING COMMISSION

James Cowhey, Executive Director
PLANNING COMMISSION

Beth Eberly, Program Coordinator of Parents as Teachers Program
COMMUNITY ACTION PARTNERSHIP

Jim Fasnacht, Senior Buyer
PURCHASING

Rick Kastner, Executive Director
DRUG AND ALCOHOL COMMISSION

Matt Knepper, Director
AGRICULTURAL PRESERVE BOARD

David Mueller, Director
OFFICE OF JUVENILE PROBATION

Crystal Natan, Executive Director
CHILDREN AND YOUTH AGENCY

Cathy Rychalsky, Executive Director
LANCASTER COUNTY WORKFORCE DEVELOPMENT BOARD (WDB)

Linda Schreiner, Senior Buyer
PURCHASING

Warden Cheryl Steberger
PRISON

Mike Weaver, Director
COUNTY-WIDE COMMUNICATIONS

Randall Wenger, Chief Clerk
BOARD OF ELECTIONS

Lon Wible, Executive Director
OFFICE OF AGING

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 June 4, 2019 Commissioners' Public Hearing Minutes. Postpone approval of the May 29, 2019 Commissioners' Meeting Minutes, June 12, 2019 Evening Commissioners' Meeting Minutes and June 19, 2019 Commissioners' Meeting Minutes.

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Commissioner Parsons made the following announcement:

- There is no Work Session scheduled for Tuesday, July 16, 2019 and there is no Commissioners' Meeting scheduled for Wednesday, July 17, 2019.

RESOLUTION NO. 40 Of 2019

On motion of Commissioner Stuckey, seconded by Commissioner Parsons;

WHEREAS the County of Lancaster must replace its current voting system prior to the 2020 Primary Election to be in compliance with the Pennsylvania Department of State's (PA DOS) mandate issued April 12, 2018 and the administration's settlement of *Stein v. Cortes*, No. 2:16-CV-6287-PD signed on November 28, 2018; and

WHEREAS on October 10, 2018, the Lancaster County Board of Elections adopted Resolution No. 8 of 2018 establishing five criteria and features for the voting system to be acquired by the County pursuant to the directive of the PA DOS; and

WHEREAS The Hart Verity 2.3.4 system is the first system to be certified by the PA DOS that meets those five criteria and would allow the County to remain on schedule with PA DOS's suggested timeline published for counties in August of 2018; and

WHEREAS on June 19, 2019, the Lancaster County Board of Elections adopted Resolution No. 8 of 2019 selecting the Hart InterCivic Verity 2.3.4 voting equipment system and authorizing the acquisition of voting equipment sufficient to accommodate the needs of all election districts within Lancaster County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA, to authorize the approval of a Master Agreement with Hart InterCivic, Inc., Austin, Texas, to lease the Hart Verity 2.3.4 voting equipment system, including hardware, software licenses and support services, warranty services and professional services, for a period of five years as follows:

<u>Estimated Lease Payment Dates:</u>	<u>Amounts:</u>
1 st Payment – June 30, 2020	\$ 595,257.73
2 nd Payment – June 30, 2021	\$ 595,257.73
3 rd Payment – June 30, 2022	\$ 595,257.73
4 th Payment – June 30, 2023	\$ 595,257.73
5 th Payment – June 30, 2024	\$ 595,257.73
	\$2,976,288.65

Motion passed.

Commissioner Parsons:	Yes
Commissioner Stuckey:	Yes
Commissioner Lehman:	No

The Commissioners thanked Mr. Wenger, his staff and the Board of Elections for an excellent job done in this process.

Commissioner Stuckey said they are happy with the performance they had from Hart InterCivic voting machines. The machines are now certified as they meet the criteria that both the Board of Elections and the Board of Commissioners passed, and it is now up to the Board of Commissioners to figure out how to finance the equipment. He is concerned with the uncertainty coming out of Harrisburg, at this point, and the money not being available for the voting equipment. Commissioner Stuckey thinks that the best option would be to lease, recognizing that it does add to the cost of the equipment, but it provides the most flexibility for the County in the future.

Commissioner Lehman expressed frustration with the state's handling of this mandate issued to counties. He felt that the County's adopted criteria for the new voting system provides for the most transparency and security with minimal impact to the voters. Commissioner Lehman stated he is not in favor of leasing the voting equipment because of the additional cost that goes along with it. He thinks that because the County is in the best financial shape since he has been a Commissioner, they can absorb this purchase and still add money to the fund balance at the end of 2019, if they conservatively manage the rest of 2019 and do not have any further unexpected state mandates to deal with. He does believe, going forward, it may be in the County's best interest to try and build a lease into the operating budget, but he does not believe that the time is today, so because of the additional cost associated with the leasing option that is on the table and also because the State may issue new debt to help fund this purchase, meaning that taxpayers in Lancaster County could be forced to pay off two loans for the same purchase, he will be voting "No" on the Resolution.

Commissioner Parsons repeated the following statement regarding the voting machine issue, because there is community interest in this:

- Counties were told in early 2018 that the Governor, through the PA Department of State (DOS), would decertify all current voting machines in 2020 and that Counties must replace them by the 2020 Presidential primary election.
- Because we did not want to use a new system for the first time in a Presidential election year, when voter turnout is extremely high, this meant we had to replace our voting systems by November 2019. This was a very short timeline.
- We met with Kathy Boockvar, who was then Senior Advisor to the Governor on Election Modernization and Jessica Myers, Deputy Policy Director PA Dept of State on 6/28/18. We expressed our concerns and wish that Counties would had been consulted before the sudden decision and pronouncement since we are the ones actually responsible for running elections.
- There was no reason for the process to happen like this. 94% of our voters already use a verifiable paper ballot. There was no security threat with our current system. We have never been told about any legitimate hacking threat or other election security

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- threat to our systems.
- So, this was essentially a political decision – possibly because some people in State Government did not like the results of the 2016 Presidential election in PA. Why else are we scrambling to replace perfectly good and secure voting machines right now, rather than have an orderly planned and budgeted process?
- If you really wanted new systems - the good government way to do it would be to either 1.) tell counties they will need to replace them at the end of life of current system, or in the alternative several years out at least, so they can budget for it. OR 2.) Do what the State did and put a short timeline on it, BUT provide full funding. The Governor will say that he has to work with legislature on funding and it is not his decision alone – BUT he could make it known since it is a crisis of his creation that this is very high priority to cover the full cost this year. I believe even his proposal, which is not necessarily going to pass, spreads out the funding over years. So, it has to be passed each budget year with no guarantee of future funding.
- But Governor and DOS did not do either of those. So, we at the Counties are left to figure out how to pay for it, with the hope that maybe we get some funds from the state.
- I do want to thank Randall, Board of Elections staff, and the current Board of Elections who have handled this challenging process extremely professionally and diligently given the constraints on Lancaster County. I will also note that I think it was good that we set criteria for the system we wanted early, and provided lots of time and events for public input on the machines so that it was a very open and transparent process.

Commissioner Parsons thinks the lease option is the best because they can build into the budget. One of the reasons that the County is in a good financial condition is that they try to budget very carefully and then stick to that budget. He said there is a potential bill that is being talked about that would prevent the Governor from decertifying the voting machines. Commissioner Parsons anticipates that the Governor would veto the bill and that the County would continue to be on the same path that it is on.

On motion of Commissioner Lehman, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster to submit a letter signed by the Board of Commissioners to Kathy Bookvar, Acting Secretary of the Commonwealth of Pennsylvania, requesting permission for disposition of the County's Hart InterCivic HVS voting equipment and election management equipment purchased in 2006, in part, with HAVA funds. The current value of this voting equipment, based upon a buyback offer from Hart InterCivic, is \$144,701.00 which will be used to offset the acquisition of a new Hart InterCivic Verity Voting 2.3.4 System.

The Board of Commissioners authorizes Lawrence M. George, Chief Clerk, to sign the "Report of Disposition of Equipment Purchased With HAVA Funds" on behalf of the County of Lancaster.

Motion passed unanimously.

RESOLUTION NO. 41 OF 2019

On motion of Commissioner Stuckey, seconded by Commissioner Lehman;

WHEREAS, Sealed proposals were received by the County of Lancaster and publicly opened and read on Wednesday, May 29, 2019 at 11:00 a.m. for road signs, sign posts and traffic control items for the County of Lancaster and members of the Lancaster County Cooperative Purchasing Board for the period July 1, 2019 through June 30, 2021, with 30, 60 and 90 day extension options.

NOW, THEREFORE, BE IT RESOLVED BY THE LANCASTER COUNTY BOARD OF COMMISSIONERS, That contracts be awarded to the following companies, for the items and amounts specified, which are the lowest and/or best bids received, and are in accordance with the advertisements, specifications and bids received therefore, and contracts therefore directed to be drawn.

<u>Contracts Awarded To:</u>	<u>For:</u>	<u>Amounts:</u>
	<u>Road Signs, Sign Posts and Traffic Control Items for the County of Lancaster and Members of the Lancaster County Cooperative Purchasing Board for the period July 1, 2019 through June 30, 2021, with 30, 60 and 90 day extension options:</u>	
Chemung Supply Corp. Elmira, New York	Group II – Line Items 213, 215 and 216	\$16,390.00
Garden State Highway Products, Inc. Millville, New Jersey	Groups I-D, I-E, I-F, I-G, I-H, I-K and Line Items 193 and 194 Group II – Line Items 210, 219, 220, 221, 223, 226, 227, 228, 229, 230 and 232 Group III – All Line Items	

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	TOTAL	\$22,473.96
Osburn Associates, Inc. Logan, Ohio	Groups I-A, I-B, I-C and Line Item 192	\$22,323.64
U. S. Municipal Supply, Inc. Huntingdon, Pennsylvania	Group II – Line Items 217, 222, 224 and 225	\$ 4,742.80
Lancaster County's Portion (There were no estimated County requirements submitted.)		- 0 -

Motion passed unanimously.

RESOLUTION NO. 42 OF 2019

On motion of Commissioner Lehman, seconded by Commissioner Stuckey;

WHEREAS, on January 11, 2017, the County of Lancaster (County) and the Lancaster County Workforce Development Board (LCWDB) entered into a "Chief Elected Official and Local Workforce Development Board Partnership and Fiscal Agreement" (Agreement) which defines the roles and responsibilities of each party with regard to the local governance structure and fiscal responsibilities as defined in the Workforce Innovation and Opportunity Act of 2014 and any amendments thereto; and

WHEREAS, in accordance with the terms set forth in the Agreement, the LCWDB is responsible for developing an annual operating budget based on fiscal year allocations of funds available for concurrence and approval by the County following adoption by the LCWDB; and

WHEREAS, on June 20, 2019, the LCWDB approved the LCWDB annual operating budget for Fiscal Year 2019-2020.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA to authorize the approval of the LCWDB annual budget for Fiscal Year 2019-2020 as follows:

Workforce Development Board (WDB) Operations:

<u>Personnel Expenditures:</u>	
Salaries	\$435,422.00
Employee Benefits	<u>\$143,600.00</u>
Sub-Total Personnel Expenditures	\$579,022.00
<u>Operating Expenditures:</u>	
Travel/Training	\$ 43,036.00
Communications	\$ 8,889.00
Materials and Supplies	\$ 18,531.00
Contracted Services	\$ 85,000.00
Building/Rent	<u>\$ 45,160.00</u>
Sub-Total Operating Expenditures	\$200,616.00
TOTAL WDB Operations Expenditures	\$779,638.00

Motion passed unanimously.

On motion of Commissioner Stuckey, seconded by Commissioner Lehman, it was agreed for the County of Lancaster to approve the Separation of Duties of the Lancaster County Workforce Development Board for Program Year 2018-2019, as submitted, which is required by State and Federal mandates.

Motion passed unanimously.

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

**Subcontract of PennDOT
Agreement 521160 -
Work Order No. 2 With:**

Envision Sustainability Tools, Inc.
Vancouver, BC Canada

Purpose:

To provide unlimited MetroQuest Subscription for digital engagement software to enhance community engagement for the 2040 Metropolitan Transportation Plan.

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Amount/Term: Not to exceed \$27,000.00 for the period June 28, 2019 through June 27, 2020
(100% Federal funding through the 2018-2020 Unified Planning Work Program).

Motion passed unanimously.

RESOLUTION NO. 43 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:

Planning Commission - **\$27,000.00 (+)**
Pennsylvania Department of Transportation
Work Order #2-A - Master Reimbursement Agreement 521160
Unified Planning Work Program SPR Federal Funds
A2600 14500 6311

EXPENDITURE ACCOUNT:

Planning Commission - **\$27,000.00 (+)**
Envision Sustainability Tools, Inc.
Work Order #2-A - Master Reimbursement Agreement 521160
A2600 14500 7318

Motion passed unanimously.

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

Agreement With: ARINC, Inc., a part of Collins Aerospace
Annapolis, Maryland
Purpose: To provide a Vesta Kontron server upgrade to Lancaster County-Wide
Communications P25 Radio System.
Amount: \$347,988.37
Term: June 26, 2019 through December 31, 2019.

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 Children and Youth Agency and/or the Office of Juvenile Probation, to approve the following:

<u>Agreements With:</u>	<u>For:</u>	<u>Amounts Fiscal Year 2019/2020</u>
Avanco International, Inc. Clifton, VA	Child Accounting and Profile System (CAPS) Consulting Services	Not to exceed \$30,000.00 – billed per hour worked
Avanco International, Inc. Clifton, VA	Child Accounting and Profile System (CAPS) Provider Services	\$73,452.38/year
Avanco International, Inc. Clifton, VA	Child Accounting and Profile System (CAPS) Version 15 Mandatory Upgrades	\$31,612.12/year
<u>Agreements With:</u>	<u>For:</u>	<u>Amounts Fiscal Year 2018/2019</u>

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Bethanna	Foster Care – Level I	\$44.68/day
Southampton, PA	Foster Care – Level II	\$54.26/day
	Foster Care – Level III	\$56.16/day
	Kinship Care – Level I	\$45.61/day
	Kinship Care – Level II	\$54.26/day
	Medical Foster Care – Level I	\$40.51/day

<u>Amended Agreement With:</u>	<u>For:</u>	<u>Amount Fiscal Year 2018/2019</u>
Cornell Abraxas Group, Inc. Pittsburgh, PA	To add one additional service to the contract: Transitional Living	 \$208.32/day

Motion passed unanimously.

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

**Extension to Grant Agreement
No. 4100067012 - Amendment
No. 2 With:**

Pennsylvania Department of Human Services
Office of Child Development and Early Learning (OCDEL)
Harrisburg, Pennsylvania

Purpose:

To extend the term of the grant for Family Center services to at-risk families, including "Parents As Teachers" Program, which offers personal home visits, child screenings, group connections, parent workshops and referrals to community resources, and "Promoting Responsible Fatherhood" Program.

Amount:

\$414,039.00 for Parents as Teachers services (100% State-OCDEL funding).

\$30,600.00 for Promoting Responsible Fatherhood services (100% State-OCDEL funding)

Term:

Extend the term of the existing grant agreement for an additional two years for the period July 1, 2019 through June 30, 2021.

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 Prison, to approve the following:

**Intergovernmental Agreement
With:**

Commonwealth of Pennsylvania
Department of Corrections
DIU/K-9 Academy
Bellefonte, Pennsylvania

Purpose:

The State Department of Corrections shall make available qualified persons to conduct K-9 searches for the presence of illegal drugs, drug paraphernalia and cell phones in the Prison.

Payment:

No monies or any other form of financial benefit shall be exchanged between the parties for services rendered or received.

Term:

This Agreement shall commence upon the day and date last signed and executed by authorized representatives of the parties and shall remain in full force and effect until terminated by either party.

Motion passed unanimously.

On motion of Commissioner Lehman, seconded by Commissioner Stuckey, it was agreed for the County of Lancaster to approve an Amendment to an Agreement of Sale for an Agricultural Conservation Easement with the following property owner:

<u>Name/Township</u>	<u>Type of Easement</u>	<u>County Share</u>	<u>State Share</u>	<u>Township Share</u>
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Paul Hartz Caernarvon Township	Perpetual	\$555,600.00	\$0.00	\$50,000.00
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The Commissioners certify that the Paul Hartz property, consisting of 151.4 acres, is located in the Agricultural Security Area of Caernarvon Township and was preserved on April 19, 2017.

The Landowner has requested to receive a second installment payment of \$50,000 in 2019, shortening the term of the installment payments by one year. The installment schedule included in the Agreement of Sale has been modified to reflect the change, and an Amendment to the Agreement of Sale is required to document the change.

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 Office of Aging, to approve the following contract extensions for the second option year, July 1, 2019 through June 30, 2020, in compliance with the Pennsylvania Department of Aging Program Directive implemented in 2015 requiring all agreements be limited to a total of five years - one three-year base period plus two one-year options:

<u>Contract Extensions With:</u>	<u>Services:</u>	<u>Amounts:</u>
Ephrata Area Social Services Ephrata, PA	Home Delivered Meals in the Ephrata Area:	
	Regular Diet - Maximum Per Day	\$6.89
	Actual Rate Charged Per Day - Regular Diet	\$6.89
	Rate Charged Per Day General Public - Regular Diet	\$6.89
	Special Diet - Maximum Per Day	\$7.78
	Actual Rate Charged Per Day - Special Diet	\$7.78
	Rate Charged Per Day General Public - Special Diet	\$8.00
Lititz Meals on Wheels, Inc. Lititz, PA	Home Delivered Meals in the Lititz Area:	
	Regular Diet - Maximum Per Day	\$5.35
	Actual Rate Charged Per Day - Regular Diet	\$5.35
	Rate Charged Per Day General Public - Regular Diet	\$5.35
	Special Diet - Maximum Per Day	\$5.35
	Actual Rate Charged Per Day - Special Diet	\$5.35
	Rate Charged Per Day General Public - Special Diet	\$5.35

Motion passed unanimously.

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

- Agreement With:** Community Care and Addiction Recovery Services
Leola, Pennsylvania

For:

Outpatient:
\$64.00 per hour for individual, family and couples counseling
\$60.00 per hour for assessments and evaluations
\$26.00 per hour for group counseling
\$40.00 per hour for clinical consultation

Intensive Outpatient:
\$64.00 per hour for individual counseling
\$26.00 per hour for group counseling
\$74.00 per hour for adolescent - individual
\$30.00 per hour for adolescent - group
Maximum of \$100.00 per Narcan Kit

Term: April 1, 2019 through June 30, 2019
- Agreement With:** Community Care and Addiction Services

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Leola, Pennsylvania

Partial (Lancaster location only):
\$60.00 per hour for individual counseling

\$20.00 per hour for group counseling

Term: April 1, 2019 through June 30, 2019.

Note: The total contract amount for all outpatient clinics and partial program for this agency is \$5,000.00.

3. **Amended Agreement With:**

Gaudenzia, Inc.
Harrisburg, Pennsylvania

For: One case management position at \$36.00 hour for 480 hours for the period April 1, 2019 through June 30, 2019.

Amount/Term: Increase the amount of the existing contract by \$17,280.00 for a total contract amount not to exceed \$83,800.00 for Fiscal Year 2018-2019.

4. **Amended Agreement With:**

H.E.A.R., Inc.
Lititz, Pennsylvania

For: One case management position at \$36.00 hour for 480 hours for the period April 1, 2019 through June 30, 2019.

Amount/Term: Increase the amount of the existing contract by \$17,280.00 for a total contract amount not to exceed \$128,800.00 for Fiscal Year 2018-2019.

5. **Amended Agreement With:**

Lancaster Clinical Counseling Associates
Lancaster, Pennsylvania

For: Increase in cap for outpatient services and intensive outpatient services.

Amount/Term: Increase the amount of the existing contract by \$5,000.00 for a total contract amount not to exceed \$19,000.00 for Fiscal Year 2018-2019.

6. **Amended Agreement With:**

Naaman Center
Elizabethtown, Pennsylvania

For: One case management position at \$36.00 hour for 480 hours for the period April 1, 2019 through June 30, 2019.

Amount/Term: Increase the amount of the existing contract by \$17,280.00 for a total contract amount not to exceed \$198,800.00 for Fiscal Year 2018-2019.

7. **Amended Agreement With:**

PA Counseling Services
Lancaster, Pennsylvania

For: One case management position at \$36.00 hour for 480 hours for the period April 1, 2019 through June 30, 2019.

Amount/Term: Increase the amount of the existing contract by \$17,280.00 for a total contract amount not to exceed \$292,280.00 for Fiscal Year 2018-2019.

8. **Amended Agreement With:**

Spanish American Civic Association (SACA)
Lancaster, Pennsylvania

For: One case management position at \$36.00 hour for 480 hours for the period April 1, 2019 through June 30, 2019.

Amount/Term: Increase the amount of the existing contract by \$17,280.00 for a total contract amount not to exceed \$83,800.00 for Fiscal Year 2018-2019.

9. **Authorization to Increase Rates for Outpatient Services with Contracted Agencies for Fiscal Year 2019-2020:**

Outpatient:
Increase individual, family and couples counseling from \$64.00 per hour to \$68.00 per hour.

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Increase group counseling from \$26.00 per hour to \$28.00 per hour.

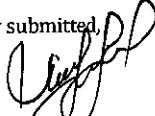
Increase clinical evaluations from \$60.00 per hour to \$76.00 per hour.

Motion passed unanimously.

On motion of Commissioner Stuckey, seconded by Commissioner Lehman, the meeting adjourned at 10:11 a.m.

Motion passed unanimously.

Respectfully submitted,



Lydia Kovalchuk, Executive Assistant
Commissioners' Office