

**COUNTY COMMISSIONERS' WORK SESSION MINUTES**  
**TUESDAY, JULY 2, 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:

**Melissa Anderson, Supervisor**  
**COURT REPORTERS**

**Leigh Bardell, Project Manager**  
**EDC FINANCE CORPORATION**

**Jeff Bell, County Detective**  
**DISTRICT ATTORNEY'S OFFICE**

**Elmer Breneman, resident**  
**RAPHO TOWNSHIP**

**Dale Brubaker, Grant Specialist**  
**DISTRICT ATTORNEY'S OFFICE**

**Charlie Douts, Director**  
**FACILITIES MANAGEMENT**

**Judith Erb, Executive Director**  
**BEHAVIORAL HEALTH/DEVELOPMENTAL SERVICES**

**Stanley Gainer, Resident**

**Sara Gibson, Manager**  
**RAPHO TOWNSHIP**

**Mark Lauriello, County Engineer**  
**RETTEW**

**Lisa Miller, Director**  
**COURT REPORTERS**

**Juan Valencia, Partnership Specialist**  
**US CENSUS BUREAU, PHILADELPHIA REGIONAL CENSUS CENTER**

**Randall Wenger, Chief Clerk**  
**BOARD OF ELECTIONS**

**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, July 1, 2019 at 9:30 a.m. to discuss possible Litigation, along with Personnel including an EEOC Matter, Labor Matters and a Real Estate Matter.

Commissioner Parsons announced to postpone approval of the May 28, 2019 Work Session Minutes, June 18, 2019 Work Session Minutes and June 25, 2019 Work Session Minutes.

Commissioner Parsons made the following re-announcement: There is no Work Session scheduled for Tuesday, July 16, 2019, and there is no Commissioners' Meeting scheduled for Wednesday, July 17, 2019.

Lancaster County Commissioners' Work Session  
Tuesday, July 2, 2019

1. Ms. Miller, Director, and Ms. Anderson, Supervisor, presented Per Diem Court Report Agreements on behalf of the Court Reporters.

After a discussion regarding the inability to fill open Court Reporter positions, the Board recommended the terms of the motion be changed to end of the year and that their concerns be taken to Human Resources and Salary Board.

**NOTE:** For more information please refer to the County Commissioners' Meeting Minutes dated July 3, 2019.

2. Mr. Brubaker, Grant Specialist, and Mr. Bell, County Detective, presented a Grant Application, Grant Award and Budget Adjustments on behalf of the District Attorney's Office.

**NOTE:** For more information please refer to the County Commissioners' Meeting Minutes dated July 3, 2019.

3. Ms. Bardell, Project Manager, presented Next Generation Farm Loan Projects on behalf of EDC Finance Corporation.

**NOTE:** For more information please refer to the County Commissioners' Meeting Minutes dated July 3, 2019.

4. Ms. Erb, Executive Director, presented Amended Agreements and Agreements on behalf of Behavioral Health/Developmental Services.

**NOTE:** For more information please refer to the County Commissioners' Meeting Minutes dated July 3, 2019.

5. Discussion to reconsider Resolution No. 40 of 2019 specific to payment options for the Hart Verity 2.3.4 Voting System.

Commissioner Lehman read the following statement:

I am pleased for the opportunity to reconsider how the County purchases a new voting system. As I stated last week, it makes sense to purchase the new system this year with existing resources. By doing so, the County will avoid the additional cost of \$265k over five years; the County will still likely add to its reserves in 2019 because of its strong financial position; and the County will not add this recurring expense to the operating budget for the next five years, which is always helpful when trying to craft and adopt a budget that is structurally balanced. As my colleagues and staff know, I have supported leases in the past. So, what makes this borrowing different? The timing of the state mandate, the source of County funds - which is the General Fund, the County's strong financial position since he has been on the Board and maybe ever been in, and the impact of this recurring expense on future budgets makes this issue stand out for me. Not to mention, that I do not believe this sets a precedent for opening the County budget unnecessarily for unbudgeted expenses. All these items lead me to the conclusion that a straight purchase this year with existing resources makes the most sense. If I thought that this approach would negatively impact the County's financial position or credit rating, I would not be pressing for it. Additionally, the General Assembly has compounded the problem by recommending the taking on of new debt for this purchase. Under Senate Bill 48, \$90 million worth of new debt would be issued to cover 60% of the cost for new voting machines. In my mind, this is troubling for a couple of reasons. First, the state surplus for FY 2018-2019 is projected to exceed \$900m. That means this one-time expense for a one-time purchase could have been paid for with one-time revenue without new debt and without impacting future year obligations. Second, if Harrisburg and the County end up borrowing for the same expense, it will further unnecessarily increase the cost to taxpayers. For my part, I cannot control what Harrisburg does or does not do. However, I do have a voice on what the County does or does not do. I personally think that there are enough County reasons to support making this a straight purchase this year with existing County resources regardless of what Harrisburg does. The worst thing that could happen if the County makes a straight purchase this year and Harrisburg fails to provide any funding for its state mandate is that County taxpayers will avoid spending \$265k over the next five years and there will be one less recurring expense over the same period, which would reduce future tax pressure. Things will be even worse if the County unnecessarily borrows and then Harrisburg goes forward with the current recommendation to unnecessarily borrow for the same purchase. If that were to occur, the result would be that taxpayers would get hit twice with overlapping debt for the same purchase. With these things in mind, I still believe that it makes sense for the County to purchase the new system this year with existing resources regardless of what Harrisburg finally does. By doing so, it avoids unnecessary County spending, protects taxpayers from an unnecessary borrowing and does not further compound Harrisburg's questionable funding approach.

Commissioner Lehman thinks a straight purchase makes sense. Part of him wonders why we are fighting so hard to pay more money when we do not have to, but he really hopes they can have a conversation and maybe switch courses and make this a straight purchase, then wait and see what Harrisburg does or does not do. He shared with folks that at CCAP last week there was some mention that regardless of what the Governor does with Senate Bill 48 it may be that the Administration has the authority to provide funding in another form to help cover the cost of voting machines, but he thinks that is pretty much speculation. The other thing we could do is simply wait for the ten days to see whether the Governor signs or vetoes and lets Senate Bill 48 become law and defer this discussion until next week, but he will leave that up to his colleagues and their thoughts.

Commissioner Parsons said we are in this position because the Governor, without consulting Counties who actually run the elections, decided to decertify every voting machine in the Commonwealth of Pennsylvania without giving a reason. He noted there is no security threat because 94% of our voters use a paper ballot and it is not connected to the internet so it cannot be hacked. The Governor also said it has to be in place by 2020 which means we really have to get it in place by 2019 to try it out before the Presidential Election. Commissioner Parsons agreed it is frustrating and respects Commissioner Lehman's position, but said the Governor has put us into an unnecessary crisis by talking about vetoing the funding which the legislature is providing. The only reason he thinks spreading it out is more appropriate is because then we can build it into our budgets every year, which is easier for the county to swallow than spending 2.7/8 million dollars out of our bank account.

Commissioner Lehman is willing to blame the Governor on all of that but said it does not have any impact on how we pay for it. He noted we do not know what the useful life of this system is going to be or when we are going to be required to upgrade these

systems or not and because we do not have any of those answers yet, he is trying to make sure we do not spend any more than we have to or put any more pressure on the next five budgets. He agrees with everything Commissioner Parsons has said about the way the State handled this situation, noting it has been done absolutely backwards and the legislature has now compounded the problem, but he cannot fix the legislature or the Governor, all he can do is focus on what the County does or does not do..

Commissioner Parsons thinks Mr. Wenger and his staff need to move forward and the only thing that would change his position is if it is in any way beneficial for us to buy it all at once with regard to the reimbursement.

Mr. Wenger has not found out anything regarding the Federal reimbursement and said based upon a lack of a decisive, authoritative answer from the Department of State's Fiscal Department, we should operate under the assumption that it is a reimbursement and the County will be eligible to receive the \$539,000 after we spend that amount of money.

Commissioner Lehman stated this is also an argument for a straight purchase, because if we get the State money all at once then we have five years of that money being in our fund balance where we are able to earn interest on it, but if we lease we would be spending more money over that five year period. The good news for Lancaster County is we are in a strong financial position and the benefit means we can absorb some things like this and avoid some costs we would not otherwise be able to absorb.

Commissioner Stuckey thinks the lease option gives us the best opportunity for some flexibility in how we approach the system as opposed to investing the whole amount of money in one lump sum right now.

6. Mr. Wenger, Chief Clerk, presented a Municipal Lease-Purchase Agreement for the Hart Verity 2.3.4 Voting equipment System on behalf of the Board of Elections.

**NOTE:** For more information please refer to the County Commissioners' Meeting Minutes dated July 3, 2019.

7. Census 2020 Presentation.

Mr. Valencia read the following statement: Good morning Commissioners and good morning everyone. I work with the Census Bureau as Partnership Specialist for Lancaster County. I am also a resident of the Lancaster community. Preparations for the 2020 Census are underway. Our goal is to count everyone once, only once and in the right place. To assist local communities in their efforts to obtain an accurate and a complete count of residents, we are reaching out to local governments, businesses and community organizations to partner with us. I am here today seeking your partnership, your public endorsement and your support. The Census Bureau is a federally funded, nonpartisan, scientific organization focused on data. Communities rely on the Census statistics for everything from planning for new businesses, schools, roads, hospitals, health care facilities. Right here the Economic Development Company of Lancaster County uses Census data for market studies, workforce development, even housing initiatives. The 2020 Census is mandated by the Constitution; it is the basis for fair legislative representation, and it will guide the distribution of some \$675 Billion dollars in federal funds and grants that come back to the communities. In 2015 the State of Pennsylvania received \$27 Billion through 55 federal programs tied directly to population statistics. Here in Lancaster County, some examples of federal funds linked to population data are:

- The Municipal Liquid Fuels - \$19 million a year. These funds are used for road construction, maintenance and repairs.
- The Surface Transportation Block Grant. Lancaster County receives about \$32.2 million. These funds pay for road and bridge improvements, trails, and transit.
- The Community Development Block Grant. These funds are used to improve community facilities such as sanitary sewer, public water systems, parks and recreational facilities.

For each person that we don't count in Lancaster County, governments and residents are losing funds. To ensure we receive the funding that we deserve and are entitled to, we need to work together. We need to tell the community that the Census is important, safe and its confidential. One of the core strategic elements of the Census Bureau 's Partnership program is the Complete Count Committees (CCC's). The CCC's exist to plan and implement locally based outreach campaigns that raise awareness of the Census and ultimately increase self-response and participation rates. Complete Count Committees are usually formed by the highest elected official of States, Counties and Municipalities. They may appoint a chair or co-chair and bring to the table other leaders' representatives of local government, businesses, and community organizations. We have many national, state and local partners that support the Census, including the County Commissioners Association of Pennsylvania (CCAP) and the Pennsylvania Association of Boroughs. In Lancaster County, there is a stakeholder's initiative of civic, education and faith-based leaders invested in the success of the 2020 Census. A recent meeting drew more than 30 representatives from entities such as: Millersville University, the School District of Lancaster, Brightside, Church World Services, the City of Lancaster, Columbia Borough, the Lancaster Chamber of Commerce and United Way, among others. The Planning Commission is on board to reach out to the municipalities, some representatives have already been engaged through the informal stakeholder meeting. While we have done some leg work, and grass-roots efforts are underway, we need our local government and municipalities leadership. We need you to be part of and help create new CCC's. What can Lancaster County do to prepare:

- The short answer is to educate and motivate your residents.
- Publicly endorse the 2020 Census with a proclamation.
- Help us to form the Lancaster County Complete Count Committee and create new CCC's in your municipalities. Invite local leaders to be part of the CCC's and bring diversity to the CCC's so we can come up with better ways to communicate with the communities. I must stress that 2020 Census is a completely non-partisan initiative. We are not asking for money, but we are asking for support. In summary, the residents of Lancaster County have an opportunity to shape their future by participating on the 2020 Census. The results will have lasting effects for the next 10 years and there will be winners and losers depending on how communities prepare from now for this important event. Thank you for your time and for your consideration.

Commissioner Stuckey commended Mr. Valencia for coming and asked if he could describe the process, especially if someone has a

PO Box or does not have internet access.

Mr. Valencia said for the first time ever you can answer the census on-line, by phone or by filling out the questionnaire. Part of their outreach efforts, and what they would like in the CCC's, are businesses or organizations who can provide computer facilities for residents. He also stated the Census Bureau guarantees answers will be confidential, noting they work with the support of Title 13.

Commissioner Lehman expressed his support for a resolution but felt the committee should pick their own chair as that will rule out any real or perceived political implications. He also recognized Mr. Valencia's dedication by attending three previous Commissioner Meetings to understand how the meeting works, which speaks about how committed he is to the census and making sure we get the count right.

Commissioner Parsons thinks Planning staff involvement is a good way to provide the Board with their thoughts on a proclamation and committee parameters. He also said they would be happy to help facilitate contacts with the 60 municipalities.

Mr. Valencia said the CCC would meet every other month from now until the census and they would like to replicate it in other municipalities which the Board's leadership can help facilitate. He can provide proclamation samples and said support of the community is critical; bringing resources to the table will ensure a better outreach campaign.

8. Discussion regarding Little Chiques #1 Bridge and the Commissioners' decision on its elimination or replacement.

Mr. Douts stated there was positive, candid discussion with the residents at the public hearing on June 4<sup>th</sup>.

Commissioner Lehman explained his concern regarding this bridge being on a crossroad that leads into the center of Milton Grove and whether any other elimination candidates impacted a crossroads going into a community. He has supported all the other replacement candidates and could not make a decision to retain this bridge if there was not a logical reason to replace it, particularly if it would contradict a prior decision made on an elimination candidate. The answers are no, therefore, he thinks it makes sense to replace this bridge.

Commissioner Parsons said he thinks the Capital Bridge Replacement Program has been a huge success for the County and thanked Mr. Douts and Mr. Lauriello for their work over the years. He explained the point of looking at a bridge that could potentially be removed rather than replaced is to deploy those resources elsewhere and make the plan go quicker so we can get all the bridges in the County up to standard. He noted the reason bridges were built was to serve the community and he thinks there are some unique challenges to the agriculture and local community, so replacement is appropriate in this case.

Mr. Lauriello said the public hearing is a key part of the Bridge Capital Improvement Plan; to not just inform the public, but sincerely solicit their input. He respects the Board's decision, noting this bridge is different in that it does lead to a crossroads community and warrants different consideration. He thinks it should be replaced with a two-lane bridge with no weight restrictions.

Commissioner Stuckey agreed with Commissioner Lehman, noting the crossroads is a mitigating factor plus the testimony provided regarding the alternative road conditions. He asked if the funding would come from Liquid Fuels or Act 13. Mr. Douts said he would like to look at the fund balances and how we are funding other bridges in the queue. Commissioner Stuckey pointed out the Marcellis Shale funds (Act 13) that we receive have accelerated our ability to replace or repair bridges in our plan. Mr. Douts will come back with the recommended funding as well as a timetable, noting the engineering design and permitting process will take us into next year so the earliest construction could start is 2021.

Mr. Breneman read his letter asking the Board to reconsider a new bridge.

Mr. Gainer expressed his concerns regarding safety on the detour road and asked if the townships could get together to widen or maintain the detour road better because it is getting twice as much traffic and going to be used for a while.


Ms. Gibson requested continued coordination with the two townships during the construction period and expressed concern about the markings that will be used for detour routes. She said Mr. Evans, Mount Joy Township Manager, asked that their design for the project include an area on the Mount Joy Township side to allow safe turnaround. Ms. Gibson acknowledged the two townships can continue to look at alternate routes and see if they can improve those during the project.

**NOTE:** For more information please refer to the County Commissioners' Meeting Minutes dated July 3, 2019.

9. Ms. Johnson presented the July 3, 2019 Commissioners' Meeting Agenda noting she would make changes to the term on the Court Reporters motion, correct the account code on the District Attorney's budget adjustment resolution and delete the elimination option on the No 1. Chiques Bridge motion based on today's discussion.
10. On motion of Commissioner Stuckey, seconded by Commissioner Lehman, the meeting was adjourned at 11:22 a.m.

Motion passed unanimously.

Respectfully submitted,

  
Christine M. Carrigan, Executive Assistant  
Commissioners' Office