

## **Commissioners' Board Meeting July 24, 2008**

The Berks County Board of Commissioners met in regular session on Thursday, July 24, 2008, at 10:30 A.M. in the Board meeting room on the thirteenth floor of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Mark C. Scott called the meeting to order with Commissioner Kevin Barnhardt and Commissioner Christian Leinbach in attendance. Also present were the Chief Clerk Terry L. Styer, County Solicitor Alan Miller, Esq., and County Administrator William E. Dennis.

Commissioner Scott opened the meeting with a moment of silence and Pledge of Allegiance to the Flag. He then welcomed the contingent of Russian Judges who were attending the Commissioners meeting with Judge Richard E. Fehling from the U.S. Bankruptcy Court who was participating in the Open World program. The visitors along with the interpreters were:

Yevgeniy Aleksandrovich Balayev -- Judge, Yaroslavl Regional Court, Russia

Galina Konstantinova Bredinina -- Judge, Yaroslavl Regional Court, Russia

Aleksey Aleksandrovich Kraynov -- Chairperson of Court, Tutaevsky City Court, Yaroslavl Region, Russia

Mikhail Leonidovich Krigovuzov -- Chair of the Court, Leninsky District Court, Yaroslavl Region, Russia

Andrey Lvovich Kuzminov -- Chairperson of Court, Pereslavl District Federal Court, Russia

Dmitriy Borisovich Nachinkin – Facilitator

### **Approval of Minutes**

Commissioner Leinbach made a motion that was seconded by Commissioner Scott to approve the July 17, 2008 Commissioner workshop minutes with both voting yes to approve and Commissioner Barnhardt abstaining as he did not attend the meeting. The motion carried and the minutes were approved as published.

Consent Agenda Items

- I. A motion was made by Commissioner Barnhardt, seconded by Commissioner Leinbach and all voted unanimously to approve the items listed below:
- 192.08 A. Resolution approving the execution of a Contract Agreement, by and between the County of Berks (Adult Probation) and the Commonwealth of Pennsylvania Board of Probation and Parole, Grant In Aid Continuing Program for the Improvement of County Adult Probation Services, FY 2008-2009, in the amount of \$2,917,641.
  - 193.08 B. Resolution authorizing 2008 Budget Transfers in the amount of \$177,279 and 2008 Appropriations in the amount \$10,000 per listing dated July 18, 2008.
  - 194.08 C. Resolution approving the enactment of a fee schedule covering the administrative cost of federal and state grant applications on behalf of entities other than the County of Berks.
  - 195.08 D. Resolution accepting a report from the Community Development Office of Berks County establishing a blighted area which will enable Leesport Borough and Ontelaunee Township to receive Community Development Block Grant (CDBG) funds for the South Canal Street improvement project. Commissioner Barnhardt indicated that he received a letter from the Reading-Berks Association of Realtors regarding the use of condemnation for the Hay Creek Trail project and stated that it is their policy "that government's use of the eminent domain power should be limited and closely monitored" suggesting further that governments should only consider this option for the true public uses, such as hospitals and schools. The Commissioner said he was concerned after he phoned the Leesport Borough Office and discovered that they were unaware of any discussion regarding condemnation of two residential properties for this street widening project. In closing he said that he would support this resolution to the extent that the properties can be acquired without using eminent domain proceedings.
  - 196.08 E. Resolution authorizing the County to administer a grant from the PA Department of Community and Economic Development (DCED) in the amount of \$1,000,000, and a grant from the PA Department of Environmental Protection (DEP) in the amount of \$850,000, to be used for the Wyomissing Square Project in the Borough of Wyomissing.
  - 197.08 F. Human Resource Recommendations per list dated July 22, 2008

- 198.08 G. Resolution authorizing the execution of a contract which will change the County of Berks life insurance carrier from ING ReliaStar to MetLife Insurance Company for basic group term and voluntary term life insurance. There shall be no change in the terms and conditions of the group life insurance plans and the effective date is proposed for 8/1/08 until 12/31/2011.
- 199.08 H. Resolution approving the Integrated Children's Service Plan for Fiscal Year 2009-2010.
- 200.08 I. Resolution to reappoint the following to the Berks County Workforce Investment Board for a three-year term ending June 30, 2011:

Nelson A. DeLeon	Chester M. Winters
Kelly L. Edwards	Patricia J. Adamczak
Joanne M. Judge	Ruth Mathews
John R. Morahan	Karen Rightmire
Gerald A. Nau	Ronald A. Rohrbach
Edward J. Swoyer, Jr.	

And, appoint Robert C. Patrick, Executive Director, Berks County Assistance Office, to the Workforce Investment Board to complete the unexpired term of Gary Rightmire. Mr. Patrick's term will expire June 30, 2009.

- 201.08 J. Resolution authorizing execution of an Agreement between the County of Berks, the Township of Bern and the Agricultural and Horticultural Association of Berks County concerning the 2008 Reading Fair.

2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated July 16, 2008.

### **Reports**

1. County Treasurer Nelson Long, CPA presented the weekly Treasurer's report.
2. Pam Santos, Sr. Governmental Accountant, presented the weekly Controller's report for County Controller Sandy Graffius.

### **Non-Consent Agenda:**

Commissioner Leinbach made a motion that was seconded by Commissioner Barnhardt. Prior to the discussion, Commissioner Scott indicated that he would abstain from any further discussion and or vote due a possible conflict of interest because of his ownership of farm property which is enrolled or may be enrolled in the Clean and Green preferred assessment program. He explained that since the approval of this Resolution may produce a small pecuniary benefit in the form of slightly lower taxes, he would abstain from the discussion and vote and presented his disclosure conflict letter to the Chief Clerk to be maintained a part of this record. Commissioner Barnhardt indicated that after consideration of the impact the annual change in assessments has on the farmer and since

the calculations have been corrected and estimate a much lower loss of revenue, he felt comfortable supporting this freeze on the land values to the 2001 date. When calling for the vote, Commissioners Leinbach and Barnhardt voted yes with Commissioner Scott abstaining for the above stated reason. The resolution was approved.

202.08 K. Resolution establishing Clean and Green land values.

There being no further business, the meeting adjourned at 10:55 A.M.

Respectfully Submitted,

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Terry L. Styer, Chief Clerk