DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

SEPTEMBER 4, 2013
10:00 A.M.

MEMBERS PRESENT

Jeff Haste, Chairman
Mike Pries, Vice Chairman
George P. Hartwick, III, Secretary

STAFF PRESENT

Laura E. Evans, Esq., Chief Clerk; Marie E. Rebuck, Controller; Janis Creason, Treasurer; Joseph A. Curcillo, Ill, Esq., Solicitor; Dave Schreiber, Human Resources; Bobby Sisock, Court Administration; J. Scott Burford, Deputy Chief Clerk; Steve Libhart, Director of EMA; Fred Lighty, Esq., Human Services Director’s Office; Leila Brown, Solicitor’s Office; August Memmi, Director of Community & Economic Development; Gerald Feaser, Director of Registration & Elections; Amy Richards Harinath, Press Secretary; Kay Lengle, Human Resources; Bruce Foreman, Esq., Solicitor’s Office; Julie Mackey, Commissioners’ Office; Melody Osborn, Commissioners’ Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Dave Black, Shaun Donovan, Mike Musser, Julie Mattera and Neil Grover

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:07 a.m.
MOMENT OF SILENCE

Everyone observed a moment of silence.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

There are two sets of Meeting Minutes that will be considered at next week’s Legislative Meeting.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Ms. Evans reported that there were no Executive Sessions held between meetings.

PUBLIC PARTICIPATION

There was none.

DEPARTMENT DIRECTORS/GUESTS

A. Steve Libhart, Director of EMA

1. 911 Funding

Mr. Libhart stated that the 9-1-1 services in the Commonwealth of Pennsylvania are provided by 69 recognized Public Safety Answering Points (PSAP) – more commonly known to as either “Dispatch” or “Communications Centers”. As you know, Dauphin County EMA operates the recognized PSAP for our county and answers all 9-1-1 calls from within the County’s borders. More than 200,000 calls to 9-1-1 were answered last year, and we average a 3% increase in call volume annually.

Chapter 53 of Title 35 of the Pennsylvania Code is where the legislation is found that provides for funding of 9-1-1 operations within the Commonwealth. When initially adopted, the legislation was only for landline telephones. As a third class county, Dauphin receives $1.25 per line per month contribution for each line directly from the serve provider in quarterly payments.

Traditional landlines are decreasing and as a result the revenues from landlines are decreasing. The Legislative amended the 9-1-1 legislation in 2003 and 2008 to collect $1.00 per line per month contributions from providers of wireless and voice over internet (VoIP). The collections are remitted to the Commonwealth’s Department of the Treasury and then administered and distributed by PEMA’s Office of 9-1-1. Distribution of these funds is achieved through an annual grant process which is complicated and
requires significant manpower to compile, monitor and report. The wireless funds received are not tied to any formula, but are distributed to eligible and approved non-recurring and recurring costs. The list of which is not the same as the landline revenues.

Since inception of the wireless fund and its administration by PEMA, there were two possible outcomes for projects/costs submitted in a PSAP’s grant application: 1) approved and funded or 2) approved and unfunded. Item 2, those funds would then be funded in the next application. This created a de facto system of “IOUs” which in turn would have obligated more funds for FY 2013/14 wireless applicants than the fund would realize in revenues. Earlier this year the Legislature again amended the 9-1-1 legislation to preclude the continuance of the “approved, unfunded” designation and canceled any such designated projects/costs from FY 2012-13 being distributed in this year’s grants to PSAPs. The enabling legislation is scheduled to sunset on June 30, 2014 unless extended, rewritten or amended.

Collectively, the rapidly changing technologies of communications and the current funding systems of 9-1-1 are declining at a pace more rapidly than ever. In 2007, Dauphin County EMA required a general fund contribution of $600; by 2012 a contribution of almost $700,000 was necessary and our current year budget will require nearly $3 million of general funds. This is true despite reducing the agency budget each year since 2011. Unless there is a legislative remedy enacted, the consequences could be dire.

Multiple offices and entities have undertaken the process of suggesting possible remedies to the enabling legislation. Currently, although the process has begun, there is no clear indication what to expect if and when such legislation is to be considered. From my perspective, there are some core components that need addressed in order to adequately address the 9-1-1 revenues to PSAPs:

1) Funding needs to be at an appropriate level for any device capable of accessing 9-1-1, regardless of the technology; otherwise PSAPs will grow increasingly dependent on general fund revenue.
2) All 9-1-1 funds should be administered in a manner based on a known formula; the current grant practice is subjective and far from open or transparent. In addition, it is time consuming, often arduous and makes realistic budgeting by a PSAP improbable.
3) Additional funds should be made available to PSAPs that partner in shared services; (i.e. radio networks, phone systems, and technical platforms). We are undertaking a shared-services study with six neighboring counties to identify opportunities in our region as current systems/platforms approach end-of-life points.

The issue of funding 9-1-1 is complex and evolving daily as new technologies emerge. He has concerns with the current state of 9-1-1 funding and the unknowns of needed legislative action. He would be happy to answer any questions.
Mr. Pries commended Mr. Libhart on the wonderful job that he is doing on a daily basis. Each year Mr. Libhart has been able to reduce his budget. Now, if it going from $600, $700,000 to $3 million is hard to imagine where the County would get that money to cover the 9-1-1 funding. Staff is working with the State on different avenues. As the County prepares for next year’s budget, we need to take that into consideration. Over 200,000 of the 500,000 calls received each year at the Center are for 9-1-1. He asked if all counties have to use the same guidelines.

Mr. Libhart indicated that the definition is the same. The level of automation differs greatly from each County.

Mr. Pries stated that since taking on the City and Middletown, there is currently only one, which is Derry Township for police. Cumberland County is having some issues placing Carlisle on their system. We need to stay on top of this. People are using modern technology and the landlines are being terminated. The legislature needs to come up with legislation that would evolve as technology evolves. Thank you for the update.

Mr. Hartwick stated that this is the single largest issue that impacts the taxpayers. This is a battle between a strong cellphone industry and the State to come up with a fair remedy. He asked what the budget amount was for the General Fund contribution.

Ms. Evans indicated that it was $1.8 million, and Mr. Libhart indicated that the change by the legislature had a $1.2 million impact on Dauphin County.

Mr. Hartwick stated that we budgeted $1.8 million, but it could be closer to $3 million. Those numbers could grow. The State needs to take care of their promises. This would place a burden on the taxpayers. We cannot continue to fund 9-1-1. The State says that they never agreed to fund it totally. They want the taxpayers to foot the bill. He asked what the most appropriate legislation remedy out there and what can we do as a Board to advocate the addressing this issue.

Mr. Libhart stated that right now there is no clear indication of what the legislation is going to be.

Mr. Haste indicated that there are a couple of proposals out there.

Mr. Libhart stated that Section 35 has been going through a rewrite. Chapter 53 is the 9-1-1 part. Some of the things that need to occur are funding at an appropriate level and the method used to distribute the funds.

Mr. Haste asked if Mr. Libhart could find out what the impact is going to be for next year. This is the largest threat to counties. It will have an impact on everyone’s budget across the State. We need to get that information and let the Legislature know how that will impact counties across the State.
Mr. Libhart indicated that he will begin working on that and should have something to you within 10 days.

Mr. Hartwick stated that CCAP needs to be at the table and not consultants that have business with PEMA as these decisions are made. The legislation needs to be fair and not benefiting special interest groups. We need to make some noise and protect our taxpayers as it relates to a remedy of this funding issue.

Mr. Haste indicated that there are some counties that will not be able to upgrade.

Mr. Libhart stated that after Storm Sandy, phone companies issued basically cellphones that people could put on the wall, because they know down the road that landlines will be obsolete.

Mr. Hartwick stated that we need to address this at a statewide level.

Mr. Pries asked what the impact is in Philadelphia and Pittsburg.

Mr. Libhart stated that under the Commonwealth setup there is no preapproved list or preferred list of equipment that goes into a 9-1-1 center. He is not familiar with the platform of those counties. Their larger expense would be personnel. The system is relatively easy to maintain. Lehigh is more unique. It operates across multiple counties. The most impact from this issue will be felt by third and fourth class counties.

Mr. Pries stated that we need to get the message out on how this would impact the taxpayers. We need to get CCAP involved with the legislation and discuss it with the media to get the message out to the taxpayers.

Mr. Hartwick asked if there was a piece of legislation that was preferred.

Mr. Libhart stated that you would have 67 different answers.

Mr. Pries stated that there needs to be legislation that would assist all counties.

B. Dave Black & Shaun Donovan, Harrisburg Regional Chamber & CREDC
August Memmi, Director of Community & Economic Development

1. Expansion of the Keystone Opportunity Zone Program

Mr. Black stated that he is here to today to ask the Board to consider approving a Resolution that would expand the Keystone Opportunity Zone. The new zone would be from 2014 to 2023. There are eligible taxes that can be waived. Any business that moves from a PA location into the KOZ is not eligible to receive the exemptions, deductions, abatements or credits set forth in the Act unless the business is approved by the State Department of Community & Economic Development. CREDC is also the
SouthCentral Zone Coordinator so there are some properties in other counties. The list of properties that are in Dauphin County have been reviewed by CREDC and the County’s Community & Economic Development. There were four school districts and five municipalities that Shaun and Skip worked with on this project. One of the more notable sites is owned by SARAA, the old terminal.

Mr. Donovan stated that it is important in getting these properties into a tax producing way. A lot of time was spent on processing and negotiating. Dauphin County has approximately 175 acres. Dauphin County has prepared a good list of properties and they know what the priorities are. He is asking for the Board to consider the approval of these zones.

Mr. Haste asked if all local resolutions have been passed.

Mr. Black stated that the City of Harrisburg is meeting Thursday night and should pass that onto City Council for consideration next week. Middletown School District approved the draft, but must take formal action. We would not be here if we didn’t feel it would be approved by everyone.

Mr. Haste stated that some of the zones expire on different dates, would this consolidate.

Mr. Donovan stated that the US Post Office expires and they will be back on the tax rolls. The other zones retain the date of 2020. Nothing changes with those.

Mr. Hartwick stated that he would like the municipalities and school districts to approve this prior to the County approving it. Most of these properties are tax-exempt. The ability to put these on the tax rolls is better than having them sit there.

Mr. Black stated that there may be a timing issue. Everything needs to be into the State by October 1.

Mr. Hartwick stated that we could approve pending municipal approval.

Mr. Black stated that two of those properties have agreed to make PILOT payments. Those two properties are the former Hajoca and Coca-Cola properties.

Mr. Donovan stated that the third one is in Millersburg and they currently are on the tax rolls. Conversations were held with the local officials.

Mr. Pries asked if the City did not approve the properties located in their municipality, could the County still go forward without those properties.

Mr. Donovan stated yes.
HUMAN RESOURCES

Ms. Lengle asked if there were any questions.

Mr. Haste stated that he thought with the new Probation Services Department that the officers were going to be called Probation Officers.

Ms. Lengle indicated that she will check with Mr. Libby. She wasn’t aware of that.

Mr. Haste stated that #1 will go away when the full-time comes back and he wanted to know who will be keeping track of that.

Ms. Lengle indicated that she will.

Mr. Pries asked for the total number of employees and if we cleaned up the ones that we had.

Ms. Lengle stated that it is around 1,600 and yes for the most part.

PURCHASE ORDERS

Mr. Haste stated that Mr. Baratucci is not here today, but if you have any questions you should let him know. Mr. Haste approved to add an item for the Treasurer’s Office. The Purchase Order Packet will be considered at next week’s Legislative Meeting.

TRAINING PACKET

The Training Packet will be considered at next week’s Legislative Meeting.

Mr. Hartwick indicated that there will be a change to the one submission for Children & Youth. He will also be attending the PCYA Meeting.

ITEMS FOR DISCUSSION

There was none.

SOLICITOR’S REPORT – JOSEPH A. CURCILLO, III, ESQ.

Mr. Curcillo reported that the items on the Solicitor’s Report are being reviewed and should be ready for consideration at next week’s Legislative Meeting.

CHIEF CLERK’S REPORT – LAURA E. EVANS, ESQ.

Ms. Evans reported that Dauphin County will host its 7th Annual Jazz and Wine Festival at historic Fort Hunter Park this weekend from 4:00 p.m. to 9:00 p.m. Gates will open at 3:00 p.m. A weekend pass is $25 in advance and $30 at the door.
COMMISSIONERS’ COMMENTS

Mr. Hartwick stated that this weekend there were six overdosed deaths. Prescription drug abuse is the number one problem. He has had conversations with the Coroner and the District Attorney on tracking the cause of these deaths. There are places where these prescription drugs can be dropped so they are not left in medicine cabinets or in the house somewhere. More people die from overdoses than guns. We need to educate parents. It is an epidemic. We need to educate and prevent this from happening.

PUBLIC PARTICIPATION

Mr. Grover thanked the Commissioners for moving things along with a recovery plan for the City of Harrisburg. It will be a brighter day for the City.

He discussed the election process in that three individuals were struck from the ballot. The law can be complicated and he doesn’t think it was anyone’s fault that potential independent candidates are off the ballot. Jerry and his predecessor try to get it right. The Department is developing a checklist for candidates. He suggests that instructions for candidates be posted online.

Mr. Hartwick indicated that he is open to hearing Mr. Grover’s concerns.

Mr. Grover indicated that the language needs to be simplified.

ADJOURNMENT

There being no further business, it was moved by Mr. Hartwick and seconded by Mr. Pries that the Board adjourn.

Transcribed by: Richie-Ann Martz