

Thursday, February 3, 2011 9:30 a.m.

The regular meeting of the County Commissioners was held today, all members present. Comm. Stohler presiding.

The meeting opened with the Pledge to the Flag.

The Commissioners asked for public comment and no comment was heard.

The Commissioners approved the minutes of the previous meeting.

Sallie Neuin, Lebanon County Treasurer, presented the weekly Treasurer's report.

The Commissioners accepted the Treasurer's report as read. The **expenditures** are in the amount of \$2,454,807.62.

Desiree Nguyen, Director of Human Resources, presented this week's position requests, personnel transactions and conference/seminar requests.

At 9:40 a.m., the Commissioners sat as the County Board of Elections.

At 9:45 a.m., the Commissioners reconvened their regular meeting.

L. Philip Hall, West Nile Virus Coordinator of Penn State Cooperative Extension Lebanon County, met with the Commissioners to present a grant application and update of the 2011 West Nile Virus (WNV) program for Lebanon County.

The Commissioners approved, signed and accepted the **Department of Environmental Protection grant agreement for the West Nile Virus (WNV) Control Program Funding. The grant award is for January 1, 2011 through December 31, 2011 in the amount of \$58,880.98.** The funds will be used by the Penn State Cooperative Extension to provide mosquito control activities to reduce the risk of transmission for the WNV and safeguard human health in Lebanon County.

Jamie Wolgemuth, County Administrator, presented the following items for consideration.

The Commissioners approved the **Part 2 application for funding from the Comprehensive Plan Implementation Fund for the Cornwall-Lebanon School District Regional Comprehensive Plan in the reduced funding amount of \$37,500.00.** It is understood that Cornwall Borough, North Lebanon Township, North Cornwall Township, South Lebanon Township and West Cornwall Township have all agreed to collaborate on this regional planning document.

The Commissioners approved the **Part 1 application for funding from the Comprehensive Plan Implementation Fund for the proposed Rockwood Sewer Project.** Swatara Township and the Northern Lebanon Township Municipal Authority are working collaboratively to extend public sanitary sewer service to 76 homes in the Rockwood area. **The application seeks Category 2 funding assistance in the amount of \$50,000.00.**

The Commissioners approved the **Part 1 application for funding from the Comprehensive Plan Implementation Fund for the proposed Regional Recreation Needs Assessment project.** All municipalities within the Northern Lebanon School District (Bethel Township, East Hanover Township, Jonestown Borough, Swatara Township and Union Township) participate in the Northern Lebanon Recreation and Parks Commission. **The application seeks Category 2 funding assistance**

in the amount of \$29,000.00. The funds will be used to determine the recreation and conservation needs of the area.

The Commissioners approved and signed the contracts between the County of Lebanon and **Domestic Violence Intervention for the Emergency Shelter Grant (ESG).** **The grant is through the Department of Community & Economic Development in the contract amount of \$25,625.00 and is effect from August 5, 2010 to August 4, 2012.**

Daryl Smith was reappointed member of the Community Action Partnership Administering Board to fill an unexpired term to end December 31, 2011.

The Commissioners approved to **allocate \$23,000.00 from special liquid fuels funds to North Lebanon Township.** **The funds will be used by the Township to install "Crossroad Ahead" flashing warning devices to provide much needed safety improvements for the intersection of North 7th Street and Kimmerlings/Kochenderfer Roads.**

The Commissioners approved to **allocate \$10,000 from special liquid fuels funds to North Cornwall Township.** **The funds will be used by the Township to purchase salt and anti-skid for this winter snow season.**

The Commissioners adopted a **proclamation for the Boy Scouts of America.** The Boy Scouts have served our nation's youth since 1910. NOW, THEREFORE, WE, the Commissioners of Lebanon County do hereby proclaim the week of **February 7-12, 2011 as "BOY SCOUT WEEK" in Lebanon County, Pennsylvania.** We call upon all the citizens of Lebanon County to join us in extending congratulations to the Boy Scouts of America on **"ONE HUNDRED ONE YEARS" of service to the United States of America.**

Jamie Wolgemuth announced that **the telephone operator station will close on Monday, February 7, 2011 and the automated telephone system will be activated.**

It was moved by Comm. Carpenter, seconded by Comm. Litz to adjourn the meeting.

At 10:15 a.m., the Commissioners met in an executive session to discuss personnel matters.

Thursday, February 10, 2011 9:30 a.m.

The regular meeting of the County Commissioners was held today, all members present. Comm. Stohler presiding.

The meeting opened with the Pledge to the Flag.

The Commissioners asked for public comment. Eric Wolfe, resident in the City of Lebanon expressed his thoughts about video conferencing and the new automated telephone system.

The Commissioners approved the minutes of the previous meeting.

Sallie Neuin, Lebanon County Treasurer, presented the weekly Treasurer's report.

The Commissioners accepted the Treasurer's report as read. Expenditures are in the amount of \$2,822,932.89. The net payroll is in the amount of \$1,104,739.97.

Desiree Nguyen, Director and Melissa Light, Personnel Officer of Human Resources, presented this week's position requests, personnel transactions and conference/seminar requests.

Jamie Wolgemuth, County Administrator, presented the following item for consideration.

The Commissioners approved to advertise **Ordinance No. 42**. The proposed ordinance is a replacement for Ordinance No. 41 enacted by the County in 2010 for the **Lebanon County Municipal Waste Management Plan**. The new version to this Ordinance is Section 6. Facilities. This ordinance, when adopted, will supersede Ordinance 41 and will memorialize the approval of the county for the 2010 Municipal Waste Management Plan as well as the Municipal Waste Management Agreement signed between the County and the Greater Lebanon Refuse Authority. Vote unanimous.

At 9:45 a.m., the Commissioners called a recess.

At 9:50 a.m., the Commissioners reconvened their regular meeting.

At 9:51 a.m., the Commissioners along with the County Controller and County Treasurer, sat as the County Retirement Board.

Archie Battistelli, Vice President/Investments, Michael Battistelli and Brett Holland, Financial Advisors of Stifel Nicolaus, met with the Retirement Board to present the results of the **4th Quarter Performance Review of the Lebanon County Municipal Employees' Retirement Fund**.

It was moved by Comm. Litz, seconded by Comm. Carpenter to adjourn the meeting.

At 10:45 a.m., the Commissioners met in an executive session to discuss personnel matters.

Wednesday, February 16, 2011 10:30 a.m.

The regular meeting of the County Commissioners was held today at Cedar Haven, all members present. Comm. Stohler presiding.

The Commissioners asked for public comment and no comment was heard.

Edward Schlegel, Administrator of Cedar Haven, met with the Commissioners to discuss the business and personnel transactions of the facility.

The **occupancy rate** at the facility is at 98% capacity.

The Pennsylvania **Department of Health visited the facility to investigate two (2) complaints**. Both were determined to be unsubstantiated.

Roman Shahay, Administrator of Renova Center, met with the Commissioners to discuss the business transactions of the facility.

It was moved by Comm. Litz, seconded by Comm. Carpenter to adjourn the meeting.

At 12:00 noon the Commissioners met with the other members of the Prison Board to conduct their monthly meeting held at the Correctional Facility.

Thursday, February 17, 2011 9:30 a.m.

The regular meeting of the County Commissioners was held today, all members present. Comm. Stohler presiding.

The meeting opened with the Pledge to the Flag.

The Commissioners asked for public comment and no comment(s) were heard.

It was moved by Comm. Litz, seconded by Comm. Carpenter to approve the minutes of the previous meeting.

Sallie Neuin, Lebanon County Treasurer, presented the weekly Treasurer's report.

The Commissioners accepted the Treasurer's report with expenditures in the amount of \$1,357,955.61.

Desiree Nguyen, Director and Melissa Light, Personnel Officer in Human Resources, presented this week's position requests, personnel transactions and conference/seminar requests.

John Ditzler, 1st Assistant D.A. in the Office of the District Attorney, presented the 2011-2013 Victims of Crime Act (VOCA) grant application proposal for consideration. Tammy Hartman-Hankins, Victim/Witness Coordinator was also in attendance.

The Commissioners approved, signed the **Pennsylvania Commission on Crime and Delinquency, the 2011-2013 Victims of Crime Act Grant application proposal** in the amount of \$136,062.00. This funding will be used by the Office of the District Attorney towards the cost of salaries, benefits and supplies to support the Victim Witness program in Lebanon County.

Jamie Wolgemuth, County Administrator, presented the following item for approval.

The Commissioners approved, signed the **Pennsylvania Historical and Museum Commission, Accessions Form and Gift Agreement. The Certificate of Gift authorized the County to give, denote and set over unto the Commonwealth of Pennsylvania, Pennsylvania Historical and Museum Commission (PHMC), artifacts found on county-owned property located at 3030 Chestnut Street, Lebanon, PA.** The property described in the inventory, to be used or disposed of by the PHMC in their unrestricted discretion.

It was moved by Comm. Litz, seconded by Comm. Carpenter to adjourn the meeting.

At 1:30 p.m., the Commissioners sat as the County **Board of Assessment** to hear an assessment appeal.

Thursday, February 24, 2011 9:30 a.m.

The regular meeting of the County Commissioners was held today, all members present. Comm. Stohler presiding.

The meeting opened with the Pledge to the Flag.

The Commissioners asked for public comment and no comment was heard.

The Commissioners approved the minutes of the previous meeting.

Sallie Neuin, Lebanon County Treasurer, presented the weekly Treasurer's report.

The Commissioners accepted the Treasurer's report as read. Expenditures are in the amount of \$2,232,698.87.

The net payroll is in the amount of \$1,101,780.93.

Desiree Nguyen, Director and Melissa Light, Personnel Officer of Human Resources, presented this week's position requests, personnel transactions and conference/seminar requests.

Dr. Jeffrey Yocum, Lebanon County Coroner, presented an **annual Coroner's report** to the Commissioners summarizing the activity of his office in 2010.

Jamie Wolgemuth, County Administrator, presented the following items for consideration.

The Commissioners approved and signed the following **special municipal liquid fuels applications for county aid** and to submit the application to the Pennsylvania Department of Transportation (PennDOT) for their approval:

North Lebanon Township \$23,000.00

The Commissioners adopted the following proclamation in support of the Lebanon Race Car Show:

PROCLAMATION

WHEREAS, a Ribbon Cutting Ceremony will be held at the Lebanon Valley Mall, Lebanon, PA February 28th to launch the week long Twenty-Third Annual Lebanon Race Car Show; and

WHEREAS, at this event Bobby Gerhart, Lebanon's Outstanding National Speedway Racing Champion will be honored; entertainment will include the Lil' Miss and Miss Racette Queen Contests and a Kids Day; and on display will be the Nascar Sprint Cup, Speedway Cars, Modified and Sportsman Cars and various types of racing vehicles that will surely entertain the public.

NOW, THEREFORE, WE, The Commissioners of Lebanon County, on behalf of all our residents, take this opportunity to recognize the **Supporters of Racing** and extend best wishes on their "**23rd ANNUAL RACE CAR SHOW**".

BOARD OF COUNTY COMISSIONERS

The Commissioners adopted the following proclamation to proclaim Bobby Gerhart Day in the County of Lebanon:

**PROCLAMATION
"BOBBY GERHART DAY"**

***WHEREAS**, Bobby Gerhart won his 7th ARCA Menards-Lucas Oil Slick Mist 200, ARCA Racing Series season opening race on February 12, 2011 at the Daytona International Speedway, Daytona Beach, Florida; and*

***WHEREAS**, driving his 2011 Chevrolet Impala, Bobby became the first race car driver to set a record of seven wins at Daytona in the forty-eight year history of the ARCA Racing Series; and*

***WHEREAS**, the second generation race car driver, Bobby, much like his father, entered into racing establishing himself as a very solid competitor and skillful driver; and*

***WHEREAS**, accreditation is also given to Bobby's brother Billy Gerhart and his Race Car Team, whose exemplary expertise, bold maneuvers and pit strategy played a part in Bobby's history making achievements.*

***NOW, THEREFORE, WE**, The Commissioners of Lebanon County, on behalf of all our residents, take this opportunity to congratulate Lebanon's own Outstanding National Speedway Racing Champion Bobby Gerhart, and for his record breaking Seventh ARCA Racing Victory.*

***FURTHER**, we do hereby proclaim March 1, 2011 as "**BOBBY GERHART DAY**" in Lebanon County and wish him a future of continued success.*

BOARD OF COUNTY COMISSIONERS

The Commissioners adopted **Ordinance #42** on behalf of the Greater Lebanon Refuse Authority (GLRA) as follows:

**ORDINANCE NO. 42
LEBANON COUNTY MUNICIPAL WASTE MANAGEMENT ORDINANCE**

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, P.L. 528, No. 101 was approved on July 26 1988; and

WHEREAS, Act 101 gave the County of Lebanon, Commonwealth of Pennsylvania (the "County") primary responsibility for planning for municipal waste processing and disposal within its boundaries and the primary authority to control the flow of municipal waste generated within its boundaries; and

WHEREAS, Act 101 authorizes a County with an approved municipal waste management plan that was submitted under the Act to require that all municipal wastes generated within its boundaries shall be processed or disposed at a designated processing or disposal facility;

WHEREAS, Act 101 authorizes a County, in carrying out its duties under Section 303, to adopt ordinances, resolutions, regulations and standards for the processing and disposal of municipal waste; and

WHEREAS, Section 303 (d) of Act 101 authorizes Counties to enter into a written agreement with another person, including a municipal authority, pursuant to which that person undertakes to fulfill some or all of the County's responsibility under Act

101 for municipal waste planning and implementation of the approved County plan; and

WHEREAS, In the case United Haulers Assn. v. Oneida-Herkimer Solid Waste Management Authority, 127 S.Ct. 1786 (2007) the United States Supreme Court affirmed the right of public solid waste disposal facilities to institute and manage flow control of municipal solid waste; and

WHEREAS, the purpose and requirements of Act 101 will be best carried forth by (a) adopting this Ordinance and (b) entering into an Agreement with Authority ("Municipal Waste Management Agreement") which will empower and require Authority (i) to implement and carry forth the 2010 Plan and (ii) to fulfill certain duties of the County under Act 101.

NOW, THEREFORE, it is hereby enacted and ordained by the County of Lebanon, Commonwealth of Pennsylvania, as follows:

Section 1. Definitions

The following capitalized terms, when used in this Ordinance, shall have the meaning set forth below.

"Act 97". The Solid Waste Management Act, Act of July 7, 1980, P.S. 380, No. 97 as now or hereafter amended.

"Act 101". The Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 528, No. 101, as now or hereafter amended.

"Authority". Greater Lebanon Refuse Authority, a municipality authority organized and existing under the Municipality Authorities Act, as amended.

"Authority Rules and Regulations". The rules and regulations adopted and revised from time to time by the Authority.

"Capacity Assurance". The promise by the Authority for the capacity agreed to between the County and the Authority for the period between the date of the promise and the end of the Planning Period.

"County". The County of Lebanon, Commonwealth of Pennsylvania.

"Municipal Waste Management Agreement". The agreement between the County and the Authority defining and delegating certain of the County's municipal waste management powers and responsibilities to the Authority, as authorized by Act 101.

"Designated Facility". Any Municipal Waste storage, collection, transfer, processing or disposal facility or site constructed, owned or operated by or on behalf of the Authority.

"Municipal Waste". Municipal Waste as defined in Section 103 of Act 101.

"Person". Any individual, firm, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, governmental entity or agency, or any other legal entity whatsoever which is recognized by law as the subject or rights and duties. In connection with any provisions of the Ordinance prescribing a fine, penalty, imprisonment, denial or grant of any license, or any combination of the forgoing, the term "Person" shall include the officers and directors of any corporation or other legal entity having officers and directors.

"Plan". The Lebanon County Municipal Waste Management Plan of 2010, as now or hereafter amended.

"Planning Period". The ten year period for which the plan is written.

"Recycling". The collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other materials which would otherwise be disposed or processed as municipal waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials other than a fuel for the creation of energy.

"Regulated Municipal Waste". Any solid waste generated or collected within the County which is garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material, resulting from operation or residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste under Act 97 from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include Source Separated Recyclable Materials.

"Source Separated Recyclable Materials". Materials generated or collected within the County that are separated from Municipal Waste at the point of origin for the purpose of recycling. The term is limited to clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, plastics and other marketable grades of paper.

"System". The overall municipal waste management system, and every aspect thereof, owned or operated or utilized by or on behalf of the County or the Authority in implementation of the Plan, including without limitation, equipment, vehicles, offices, staff, transfer stations, landfills and the like.

Section 2. Operation by Licensed Collectors; Compliance; Fees.

(a) Licensing. Any Person engaged in the business of collecting, hauling or disposing of Municipal Waste generated in this County shall, prior to engaging in such business or activity, obtain a license for the specific purpose of conducting such business or activities, which license shall be issued and administered by the Authority. No person who is required to be licensed by the Authority to collect Municipal Waste within the System for processing or disposal may collect, transport or dispose of Municipal Waste generated within the County, without a license. Any vehicle licensed by the State of Pennsylvania under "Act 90" shall receive an Authority license upon proper documentation of that license, at no charge.

(b) Compliance with Rules, Regulation and Ordinances. In carrying out activities relating to Municipal Waste collection, transportation or disposal within this County, all Municipal Waste collectors and transporters shall comply with all regulations, rules, and standards pertaining to the collection; transportation, and disposal of Municipal Waste as promulgated by the State, all ordinances, resolutions, rules, regulations and standards pertaining to the collection, transportation and disposal of Municipal Waste as may hereinafter be enacted by this County and all resolutions, rules, regulation and standards adopted by the Authority pursuant to this Ordinance and the Municipal Waste Management Agreement

(c) Fees. The Authority shall have the power to establish and collect a license fee to be paid by any Person applying for such license in accordance with the requirement of this Section 2.

Section 3. Waste Flow Control

(a) Delivery to Designated Facility. Except as provided in (b) and (c) below, all Regulated Municipal Waste shall be delivered to a Designated Facility.

(b) Delivery to Other Sites. Delivery of Regulated Municipal Waste to other sites pursuant to the Plan may occur only as permitted by rule, regulation, ordinance, or order duly issued by the Authority.

(c) Recycling. Nothing herein shall be deemed to prohibit Source Separation or Recycling or to affect any sites at which Source Separation or Recycling may take place.

Section 4. Disposal Capacity

Provision shall be made in the Municipal Waste Management Agreement between the County and the Authority for the Authority to provide Capacity Assurance for the Planning Period.

Section 5. System Administration

(a) Pursuant to the Municipal Waste Management Agreement between the County and the Authority, the Authority shall have the power and its duty shall be to implement the Plan, or as hereafter amended, and this Ordinance and, in order to carry forth such power and duty, to adopt and enforce Authority Rules and Regulations.

(b) Authority Rules and Regulations shall, at a minimum:

(i) identify those categories of materials from Regulated Municipal Waste which shall be subject to site designation;

(ii) identify the Designated Facility for each selected category of Regulated Municipal Waste;

(iii) specify such pre-disposal processing or separation or other requirements as are deemed necessary or convenient for the efficient, effective, reliable and safe operation of a Designated Facility and the System;

(iv) govern the issuance, administration and revocation of licenses, including without limitation, application procedures, fees, standards and conditions for licenses, record and reporting requirements, equipment and vehicle requirements, and any other matters deemed necessary or convenient by the Authority for the efficient, effective, reliable and safe operation of a Designated Facility and the System, including without limitation:

(A) withholding, suspending or revoking licenses; and

(B) establishing fees for use of the System; and

(C) establishing fees and penalties for violations of Authority Rules and Regulations (which fees and penalties may be established as determined by the Authority in an amount designed to protect the System and to compensate the Authority for the costs, damages and lost revenues related to any such violation).

(c) Authority Rules and Regulations shall ensure the efficient, effective, reliable and safe operation of the System. Authority Rules and Regulations shall be consistent with, and shall carry forth, the Plan. All fees shall be reasonable and uniform, provided, however, that different fees may be charged for:

- (i) different categories of Regulated Municipal Waste as established by the Authority;
- (ii) different points of entry into the System.

Section 6. Facilities.

No Person shall use or permit to be used any property owned or occupied by that Person within the County as a Municipal Waste processing or disposal facility for Municipal Waste generated within the County unless such use is authorized pursuant to the provisions of Act 101, and is consistent with, and is reflected in, the Plan.

Section 7. Unlawful Activities; Public Nuisance.

It shall be unlawful for any Person to violate, cause or assist in the violation of any provision of this Ordinance, or violate, cause or assist in the violation of any rule, regulation, resolution or standard promulgated by the Authority pursuant to this Ordinance and the Municipal Waste Management Agreement, or any rules, regulation, resolution or standard promulgated by the County consistent with this Ordinance and the provisions of Act 101 and the Plan. All unlawful conduct shall also constitute a public nuisance.

Section 8. Enforcement and Penalties.

(a) The Authority shall have the power, and its duty shall be, to bring any and all enforcement proceedings authorized by Act 101 or this Ordinance.

(b) Any Person who engages in unlawful conduct as defined in this Ordinance shall, upon conviction thereof, in a summary proceeding before a district justice, be sentenced to pay a fine of Two Thousand Dollars (\$2,000) per occurrence, to be paid to the use of the Authority, with costs of prosecution.

(c) Any Person who engages in unlawful conduct as defined in this Ordinance, shall, in accordance with applicable provisions of the laws of the Commonwealth, be subject to the provisions of Act 101, Chapter 17, as such provisions with respect to enforcement and remedies may apply to any such unlawful conduct.

Section 9. Revocation of License.

Upon finding that any Person has engaged in unlawful conduct as defined in Section 6 of this Ordinance, the Authority may, (a) revoke any license issued by the Authority to the Person and (b) deny any subsequent application by that Person or any Person who or which was, or who or which is, affiliated with, related to, or controlled by, any Person who was, at the time of commitment of such unlawful conduct, or any time thereafter, an officer, director, shareholder, partner, or joint venture of, under contract with, employed by, or related or affiliated in any manner with such Person, for issuance of this license required by Section 2 hereof.

Section 10. Injunctions; Concurrent Remedies.

(a) Restraining Violation. In addition to any other remedy provided in this Ordinance, the County or the Authority may institute a suit in equity where unlawful conduct or a public nuisance exists as defined in this Ordinance for an injunction to restrain a violation of this ordinance or of any rules, regulations, resolutions, or standards promulgated or issued by the County pursuant to this Ordinance and the Municipal Waste Management Agreement.

(b) Concurrent Remedies. The penalties and remedies prescribed by this Ordinance shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the County or the Authority from exercising any other remedy provided by this Ordinance or otherwise provided at law or equity.

Section 11. Construction.

The terms and provisions of this Ordinance are to be liberally construed, so as best to achieve and to effectuate the goals and purpose hereof. This Ordinance shall be construed in pari materia with Act 97 and Act 101.

Section 12. Municipal Ordinances.

Pursuant to Section 304(d) of Act 101, the provisions of this Ordinance shall supersede the provisions of any municipal ordinance to the extent that the provisions of any such municipal ordinance are inconsistent with, or conflict with, the provisions of this Ordinance, except as otherwise provided by Section 502(0) of Act 101.

Section 13. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses or parts of this Ordinance. It is hereby declared as the intent of the Lebanon County Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included herein.

Enacted this 24th day of February 2011 and included in the minutes of a regular meeting of the BOARD OF COUNTY COMMISSIONERS.

ATTEST:

SIGNATURE:

/s/ Jamie A. Wolgemuth
County Administrator

/s/ Larry E. Stohler
Commissioner

/s/ William G. Carpenter
Commissioner

/s/ Jo Ellen Litz
Commissioner

It was moved by Comm. Litz to hire Clemsafe Consulting to calibrate and certify meters and testing equipment in Emergency Management Agency (EMA) in preparation for a scheduled Three Mile Island (TMI) drill. Motion died for lack of second.

James Holtry, Administrator of Lebanon County Children & Youth, met with the Commissioners to present 2nd quarter invoices for consideration.

The Commissioners approved the **seconded quarter invoices on behalf of Children & Youth** as follows:

<u>2nd Quarter Invoices</u>	<u>Amount</u>
Title IV-E Placement Maintenance	\$142,966.64
Title IV-E Adoption Assistance	\$ 66,873.44

Medicaid	\$ 700.35
TANF	\$ 10,034.82
ACT 148	<u>\$423,378.00</u>
Total	\$643,953.25

Susan Eberly, Vice President of the Lebanon Valley Economic Development Corporation along with Joseph Silbaugh, Jr. and Brian Elicker of First Capital Equities, Inc., York, PA met with the Commissioners to present a Redevelopment Agreement for consideration. First Capital plans to create Penn Dutch Market for the sale of crafts, goods and entertainment for tourists at the former site of Conrad's Mill in East Hanover Township near Route 81 and 934 on a 12 acre lot.

It was moved by Comm. Litz, seconded by Comm. Carpenter, **subject the County Solicitor's review, to approve and sign a Cooperation Agreement between Lebanon County, Lebanon Valley Economic Development Corporation for Redevelopment Assistance Capital Program Grant Funding for Conrad's Olde Mill, LP by First Capital Equities Inc.** Vote unanimous.

COOPERATION AGREEMENT

between
Lebanon County
and
Lebanon Valley Economic Development Corporation
for
Redevelopment Assistance Capital Program Grant Funding
for
Conrad's Olde Mill, LP by First Capital Equities Inc.

This Cooperative Agreement is entered into this 24th day of February, 2011 by and among Lebanon County (County) Lebanon Valley Economic Development Corporation (LVEDC)

Whereas LVEDC has applied for and been granted an award of \$900,000 under the Redevelopment Assistance Capital Program for construction of infrastructure related to development of Conrad's Olde Mill, LP by First Capital Equities Inc., and

Whereas a requirement of receiving the awarded grant funds is the execution of a Cooperation Agreement providing for reimbursement by the County to the Commonwealth of Pennsylvania for the State's share of any expenditure found to be ineligible for the project, and

Whereas the County desires to assist this economically important project.

Now therefore, in consideration of the benefit to accrue to the County as a result of the grant to LVEDC for the project, the parties agree as follows:

1. LVEDC will administer the grant in the amount of \$900,000 under the Redevelopment Assistance Capital Program.
2. The County agrees to reimburse the Commonwealth of Pennsylvania for the State's share of any expenditure found to be ineligible for the Project.

Signed and executed on the above date

By: Lebanon Valley Economic Development Corporation

Attest: _____

By: Lebanon County

Attest: _____

By: Conrad's Olde Mill, LP by First Capital Equities Inc

Attest: _____

At 10:30 a.m., the Commissioners met in an executive session to discuss union negotiations.

It was moved by Comm. Litz, seconded by Comm. Carpenter to adjourn the meeting.