

APPROVED

A meeting of the Lehigh County Board of Commissioners was held on this date in the Public Hearing Room of the Lehigh County Government Center, with Lisa Scheller presiding as Chairwoman.

Present: Commissioners Geoff Brace, Thomas Creighton, III, Percy Dougherty, David Jones, Sr., Vic Mazziotti, Brad Osborne, Scott Ott, Lisa Scheller, and Michael Schware.

Others: Tom Muller, Lehigh County Executive; Jamie Aurand, Cedarbrook Nursing Homes Director, LW Consulting; Mary Hazzard, Cedarbrook Nursing Homes; Valerie Hildebeitel, Deputy Clerk to the Board; Eman Jarrah, Deputy Solicitor; Frank Kane, Community and Economic Development Director; Matt Sorrentino, Lehigh County Solicitor; and David Barilla, Clerk to the Board.

The Minutes of the Board of Commissioners' meetings held 12/11/13 and 12/18/13 were approved upon the motion of Commissioners Dougherty and Ott and a unanimous voice vote. Under Executive Sessions, the clerk said none were held since the last meeting of the Board. There was no Citizens Input at this time.

Under the Chair's Review, Commissioner Scheller said after tonight's agenda is complete she believes there will be a motion to enter into an executive session. She said we will not close the meeting. She said she estimates the executive session will be 45 minutes to one hour. She said we will recess the meeting and come back into session.

Under Appointments, Commissioner Osborne said Mr. Dennis Reichard has rescinded his interest in the position of Lehigh County Fiscal Officer and the Administration has requested we not act on his nomination.

Position of Lehigh County Fiscal Officer

Dennis W. Reichard 1857 Baynard Street Bethlehem, PA 18017

Commissioner Scheller announced the withdrawal of the appointment.

The clerk announced the following reappointment to the Lehigh County Personnel Review Board to a term that expires 04/30/15

Catherine A. Tighe 1920 Nottingham Rd. Allentown, PA 18103

Commissioner Osborne reviewed Catherine Tighe's resume which is on file in the Commissioners' Office. He said the Intergovernmental & Appointments Committee recommended approval of this reappointment at its meeting on 12/18/13. The reappointment of Catherine Tighe to the Lehigh & Northampton Counties Personnel Review Board was approved by a unanimous voice vote.

The clerk announced the following reappointment to the Lehigh & Northampton Counties Revolving Loan Fund to a term that expires 12/31/16

James Mahoney 917 N. Marshall St. Allentown, PA 18104

Commissioner Osborne reviewed James Mahoney's resume which is on file in the Commissioners' Office. He said the Intergovernmental & Appointments Committee recommended approval of this reappointment at its meeting on 12/18/13. The reappointment of James Mahoney to the Lehigh & Northampton Counties Revolving Loan Fund was approved by a unanimous voice vote.

The clerk announced the following appointment to the Lehigh County Aging / Adult Services Advisory Board to a term that expires 12/31/17

Helene Cohen PO Box 1036 Quakertown, PA 18591

Commissioner Osborne reviewed Helene Cohen's resume which is on file in the Commissioners' Office. He said the Intergovernmental & Appointments Committee recommended approval of this appointment at its meeting on 12/18/13. The appointment of Helene Cohen to the Lehigh County Aging / Adult Services Advisory Board was approved by a unanimous voice vote.

Cohen said she has spent 30 years working with the elderly. She said she loves what she does. She said she helps seniors remain in their homes as long as possible.

The clerk announced the following appointments to the Lehigh County Office of Children & Youth Services Advisory Board to terms that expire 12/31/16

Jamie Giaquinto 5312 Steeple Chase Dr. Schnecksville, PA 18078
Stefan P. Goslawski 2019 W. Livingston St. Allentown, PA 18104

Commissioner Osborne reviewed the resumes of Jamie Giaquinto and Stefan Goslawski which are on file in the Commissioners' Office. He said the Intergovernmental & Appointments Committee recommended approval of these appointments at its meeting on 12/18/13. The appointments of Jamie Giaquinto and Stefan P. Goslawski to the Lehigh County Office of Children & Youth Services Advisory Board were approved by a unanimous voice vote.

Jamie Giaquinto thanked the Board for the appointment. He said he looks forward to giving back to the community that has given him many opportunities.

Stefan Goslawski thanked the Board for the appointment. He said he hopes to use his experiences as an educator and the founder of Community Bike Works.

The clerk announced the following appointment to the Mental Health / Intellectual Disabilities Advisory Board to a term that expires 12/31/16

Dr. John S. Stevens, Jr. 3864 Sunrise Ave. Allentown, PA 18103

Commissioner Osborne reviewed Dr. Steven's resume which is on file in the Commissioners' Office. He said the Intergovernmental & Appointments Committee recommended approval of this appointment at its meeting on 12/18/13.

Dr. Stevens thanked the Board for the opportunity serve and give back to the community and the County of Lehigh.

Commissioner Osborne said he was struck by the quality credentials of the individuals who are volunteering for these advisory boards. He said Lehigh County is very fortunate to have these volunteers.

Commissioner Schwere said Dr. Stevens will be an asset to this board. The appointment of Dr. John S. Stevens, Jr. to the Mental Health / Intellectual Disabilities Board was approved by a unanimous voice vote.

Under Old Business, the clerk announced Bill 2013-54: Approving a Lease with Dennis P. Trexler Farms and Leroy C. Stahler, Inc., for Agricultural Land Located at the Seem Seed Farm (sponsored by Commissioner Dougherty); the deputy solicitor provided a summary. This bill was reviewed by the Planning Committee on 12/18/13.

Commissioner Dougherty said Seem Seed Farm land is being put to agricultural use. He reviewed the five tracts involved in the lease. He said the total lease will bring in \$35,164 for the County. He recommended Board approval.

Commissioner Osborne said although the lease agreement included a clause which indemnified and held the County harmless from any liability, he did not see the evidence of how the that would be accomplished. He said Glenn Solt addressed these concerns by requiring the lessee to name Lehigh County as an additional insured on their \$1 million liability insurance. He said he has also said that he will apply this to all leased farmland in the future. He said he feels much better about the protection that the County has as a result of this. Commissioner Ott commended the work of Commissioner Osborne on this legislation. Commissioner Bill 2013-54 was approved by a unanimous voice vote. The Chair announced the bill's approval.

Refer to the Ordinance Book for County of Lehigh Ordinance No. 2014-101.

Re: Approving a Lease with Dennis P. Trexler Farms and Leroy C. Stahler, Inc., for Agricultural Land Located at the Seem Seed Farm.

Under New Business, Commissioner Mazziotti made the following motion: to accept the Lehigh County Board of Commissioners' committee assignments, as presented by Commissioner Lisa Scheller, Chairwoman of the Board of Commissioners. The motion was seconded by Commissioner Dougherty.

Commissioner Scheller said a request was made for Commissioner input on committee preferences. She said based on the input that she received she tried to satisfy those requests. The motion was approved by a unanimous voice vote.

The clerk announced Resolution 2014-01: Accepting a Donation from the Trust of Joseph R. J. Lesch (sponsored by Commissioner Creighton); the deputy solicitor provided a summary. This resolution was reviewed by the Cedarbrook Committee on 01/08/14. Commissioner Creighton said this is a sizeable donation to Cedarbrook and the residents will benefit. Commissioner Scheller said we are very grateful to the Trust of Joseph Lesch. Resolution 2014-01 was approved by a unanimous voice vote.

Refer to the Resolution Book for County of Lehigh Resolution No. 2014-01.

The clerk announced Resolution 2014-02: Approving a Professional Services Agreement with Complete HealthCare Resources-Eastern, Inc. (sponsored by Commissioners Creighton); the deputy solicitor provided a summary. This resolution was reviewed by the Cedarbrook Committee on 01/08/14.

Commissioner Creighton said this agreement will give us insight on what can be done to steer Cedarbrook in the right direction.

Commissioner Dougherty said he was involved with the discussions and negotiations on this from the beginning and thought he was listed as a sponsor. He added his name as a sponsor of the resolution. He said this is something that is necessary. He said we have a major problem with the Cedarbrook facility. He said we need expert advice to give us a number of options so we can see which way to go. He said this is a joint venture with the Administration. Resolution 2014-02 was approved by a unanimous voice vote.

Refer to the Resolution Book for County of Lehigh Resolution No. 2014-02.

There were no Committee Reports. There was no Citizens Input on Committee Reports. There were no Commissioner Announcements. There was no Citizens Input at this time.

Commissioner Scheller asked for a motion to enter into executive session. Commissioner Mazziotti made the following motion: to enter into an executive session to discuss potential litigation. The motion was seconded by Commissioner Dougherty.

Samantha Marcus, reporter for *The Morning Call*, said the Board has to specify what litigation they will be discussing. Matt Sorrentino said he thinks the motion is satisfactory. Marcus said she will be filing a complaint.

The motion of Commissioners Mazziotti and Dougherty was approved by a unanimous voice vote. Commissioner Scheller called the meeting into recess for an executive session at 8:07 p.m.

Commissioner Scheller called the meeting back into session at 8:09 p.m. She said the action she would like to take now is to rescind the motion to enter into an executive session.

Commissioners Dougherty and Mazziotti moved to rescind the motion to enter into an executive session to discuss potential litigation. The motion was approved by a unanimous voice vote.

Commissioner Scheller said the Board of Commissioners, the Administration and the County Solicitor want to be in observance of all Sunshine Laws and be transparent with the public. She said we have a situation where we thought an executive session would be in order.

Commissioner Scheller said the Chair and Vice Chair could enter into a dialogue with the Administration this evening. She said if that were to happen, we could not take action as a Board tonight.

Commissioner Dougherty said he believes we have a personnel issue tonight. He said we have specific personnel issues that can be discussed in executive session.

Commissioner Osborne suggested a recess and the Chair could make a decision on the need for an executive session. Commissioner Brace said he would agree with Commissioner Osborne. He said he is uncomfortable going into executive session until he knows more about the issues involved. He said he would make a motion to recess the meeting to allow the Chair to confer with the County Executive.

County Executive Muller said the Administration would support the suggestion to take a recess and have a leadership session. He said we would not be in violation of any Sunshine Laws.

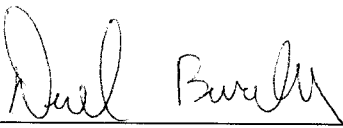
Commissioner Ott thanked Samantha Marcus for raising this issue.

Commissioner Brace made a motion to recess the meeting. The motion was seconded by Commissioner Osborne and approved by a unanimous voice vote. The Chair called the meeting into recess at 8:14 p.m.

Commissioner Scheller called the meeting back into session at 8:35 p.m. She asked if Commissioner Jones would like to make any comments.

Commissioner Jones said after counsel with the Solicitor and the County Executive it has been determined that there is no need for an executive session to resolve this issue. He said further communication will be coming.

The meeting adjourned at 8:36 p.m.



David Barilla, Clerk to the Board