

July 2, 2008

On the above date at 1:00 P.M, the Luzerne County Board of Commissioners convened a special meeting with the following present: Maryanne Petrilla, Chairman; Gregory Skrepenak, Commissioner; Stephen Urban, Commissioner, Douglas Pape, Chief Clerk/County Manager; William G. Brace, Deputy Chief Clerk; Brain Bufalino, County Solicitor; Tom Pribula, Chief of Budget and Finance; Joseph DeVizia, Director of Human Services

Maryanne Petrilla called the meeting to order and asked everyone to join in saying the Pledge of Allegiance.

It is noted that all meetings are electronically recorded.

ANNOUNCEMENTS:.....**Douglas A. Pape
County Manager/ Chief Clerk**

No Announcements

RECOGNITIONS:.....**Commissioner Maryanne C. Petrilla
Chairman**

No Recognitions

PUBLIC COMMENT:

None

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COMMUNICATIONS – DOUGLAS A. PAPE, COUNTY MANAGER/CHIEF CLERK

MOTION

Agreement Between PA Child Care, LLC and Luzerne County As To Secure Detention Beds

Request a motion to authorize the Chairman of the Board of Commissioners of Luzerne County to execute on behalf of Luzerne County an Agreement Between PA Child Care, LLC and Luzerne County As To Secure Detention Beds whereby Luzerne County shall, effective July 1, 2008, have the right but not the obligation to utilize up to twelve (12) Secure Detention Beds at the juvenile detention and treatment facility located at 701 Sathers Drive, Vogelbacher Industrial Park, Pittston Township at the rate of Two Hundred Eighty-Five Dollars (\$285.00) per day for each detention bed actually utilized by Luzerne County. The Agreement shall continue on a month to month basis until terminated by either party pursuant to the Agreement.

Commissioner Petrilla asked Mr. Bufalino to provide an explanation on the motion. Commissioner Petrilla also requested that Larry Saba and JJ Johnson from Probation Services provide a cost analysis that was done to transport juveniles out of the county.

Mr. Bufalino stated that the county's lease with PACC had expired and this motion would give the county the ability to place juveniles at the facility for detention purposes. Mr. Bufalino stated unlike the previous agreement there is no obligation for the county to use any set number of beds, however, there was a cap of twelve beds. Mr. Bufalino stated that the agreement was on a month to month basis and could be terminated by either party upon notice.

Larry Saba provided a cost analysis for Lehigh, Burks, and Tioga Counties. Mr. Saba provided the following information in regard to Lehigh County, which was the least expensive to house juveniles.

The per diem rate was \$290 per day.

The distance is 60.9 miles, 121.8 miles roundtrip.

Time of travel is 1 hour, 2 hours roundtrip.

The Juvenile Probation Department always transports with 2 probation officers, man hours 2 for every hour of driving.

Man hours at the rate of 45.92 per hour.

Cost per mile at the rate of 58.5 cents per IRS.

After breaking it down for eighteen days the cost to house juveniles at Lehigh County would total \$4,904.37 and the cost to house at PACC would be \$3,006.00. Mr. Saba stated the savings with a psychological evaluation would be \$1,898.37 and without an evaluation \$1,388.51

JJ Johnson stated if at any point a decision was made not to use the juvenile detention facility locally, the Juvenile Probation Department over the years has been transporting pre adjudicated youth for police departments. Mr. Johnson stated by law the Juvenile Probation Department was not responsible to transfer pre adjudicated youths to detention. He stated the responsibility would now fall onto the local police departments. He stated if a town only has one officer on duty they may not be able to utilize the detention because they cannot leave their assigned area. Mr. Johnson stated that this can become a public safety issue. Mr. Johnson stated for May the average use was ten beds at the detention facility.

Commissioner Skrepenak questioned if the Juvenile Probation Department ever considered billing a municipality for a pre adjudicated youth. Mr. Johnson responded that they have not. Mr. Saba responded that it was done as a favor in the past.

Commissioner Skrepenak questioned if it was the recommendation of the police department/officer to place a youth in detention. Mr. Johnson responded that they would also need the approval of the District Attorney's Office as well as the Juvenile Probation Officer. Mr. Johnson explained that the Juvenile Act stated that prior approval was needed by the juvenile chief as well as the District Attorney's Office, who is the official law capacity of the county. He stated that a police officer cannot make that decision on his own.

Commissioner Skrepenak questioned when they calculated PACC costs did they calculate mileage and man hours. Mr. Saba stated they had not due to the fact that the center was close and normally transports were done in daylight hours when officers were already being paid.

Commissioner Skrepenak questioned how many daylight hours were being used for the six trips listed and how many overtime hours. Commissioner Skrepenak stated calculating two hours for two probation officers on duty during normal business hours to him is a wash. Mr. Saba agreed however he stated that they had two officers that were paid specifically to transport. Mr. Saba stated the problem was if they were not transporting to a nearby facility and another juvenile was detained, there was a possibility that four probation officers would be on the road transporting juveniles.

Commissioner Skrepenak questioned how many beds were being used as of yesterday. Mr. Johnson responded that ten beds were being used however juvenile court was scheduled for tomorrow and that figure could change.

Commissioner Skrepenak stated that he agreed on the mileage and that he calculated everything based on twelve beds in a thirty day period. Commissioner Skrepenak stated that if the county had twelve kids at a facility and made trips to the facility the gas difference would be extraordinary. Commissioner Skrepenak gave the following example: according to the information provided by Mr. Saba a juvenile would be making at least five trips in eighteen days. If you calculate ten roundtrips, PACC is 23 miles, Burks County is 163 miles roundtrip, and Lehigh County is 121 miles roundtrip, the mileage difference for PACC is \$134.05 compared to \$953.50 for the other two counties. Commissioner Skrepenak stated if you look at fifty trips which would not be unconceivable and you bring them back at least five times then if you have ten youths you would be looking at a difference of \$672 compared to \$4,700 - \$3,500 respectively averaged out. Commissioner Skrepenak stated that there was a considerable savings in regard to this issue. Commissioner Skrepenak stated that he would like to delve more into the overtime figures, however he understood their points. Commissioner Skrepenak thanked Mr. Saba and Mr. Johnson for providing the information.

Commissioner Urban stated that this agreement was month to month and could be terminated by either party. Commissioner Urban stated that the county was in a different position today then it was 5-6 years ago. He stated five years ago a judge closed the facility by turning in its license. Commissioner Urban stated that this was the only facility the county had to place youths in detention. He stated that he didn't like paying more than the state says we should be paying, however this was a short term solution. Commissioner Urban stated that Commissioner Petrilla would be meeting with Lackawanna County Commissioner, Mike Washo, to discuss a joint facility or maybe refurbishing Luzern County's facility. Commissioner Urban stated given that this was temporary he would support the motion.

Commissioner Skrepenak stated that they wouldn't be having this debate if the reimbursement rate for PACC wasn't so off according to their cost. He stated Burks and Lehigh Counties were costing \$307 and \$290 respectively and the reimbursement rate was the same. Commissioner Skrepenak stated the difference between the reimbursement rate and the cost for PACC is \$48.42 from \$236.58, which would cost the county \$285.00. Commissioner Skrepenak stated if the state agreed to the \$285 rate this discussion would not be happening and the county would get more money back. Commissioner Skrepenak requested that Joe DeVizia and Frank Castano gather information to put together an appeal. Commissioner Skrepenak stated the county needed to get an understanding why the rate was at \$236.58 when the lease no longer exists, and the actual cost was always the argument.

It was moved by Commissioner Urban, seconded by Commissioner Petrilla
“AYES’ PETRILLA, SKREPENAK, URBAN

MOTION

Transfer Agreement between CityVest and Kinship Square.

Request a Motion of the Luzerne County Board of Commissioners recognizing the transfer Agreement between CityVest and Kinship Square. CityVest has provided a portion of their Luzerne County Capital Grant Funding to Kinship Square for the Redevelopment of North Main Street.

Michele Sparich provided a copy of the agreement between City Vest and Kinship Square.

Judd Shoval from CityVest provided a history of the project. Mr. Shoval stated that City Vest would be transferring the property and monies to Kinship Square at no cost. Mr. Shoval stated that the project would be supported by a group of Kings College Alumni. Mr. Shoval stated once the land was developed it would be a taxable property.

It was moved by Commissioner Skrepenak, seconded by Commissioner Urban
“AYES’ PETRILLA, SKREPENAK, URBAN

END OF COMMUNICATIONS

Commissioner Petrilla stated that the Commissioners would be having an executive session immediately following the meeting to discuss potential litigation.

MOTION TO ADJOURN

It was moved by Commissioner Skrepenak, seconded by Commissioner Urban
“AYES” PETRILLA, SKREPENAK, URBAN

Respectively submitted,



Jennifer Thomas, Recording Secretary