

On the above date at 10:00 A.M., the Luzerne County Board of Commissioners convened a meeting with the following present: Gregory A. Skrepenak, Chairman; Rose S. Tucker and Stephen A. Urban, Commissioners; Samuel T. Guesto, County Manager for Legislation/Chief Clerk; James Blaum, County Solicitor; Salvadore Diaz, Chief of Budget and Finance.; Michael Morreale; Treasurer; Maryanne Petrilla, Controller; Doug Richards, Director Human Resources; Joseph DeVizia, Director of Human Services; Andrew Reilly, Director of Community Development; and Gregory Hunsinger, Director of Purchasing, Joe Gibbons, Engineer, Adrian Merolli, Director Planning; Doug Pape, Interim Director Luzerne/Wyoming Transportation..

Commissioner Gregory Skrepenak called the meeting to order and asked everyone to join in saying the Pledge of Allegiance followed by a moment of Silent Prayer. It is noted that all meetings are electronically recorded.

Commissioner Skrepenak reviewed the protocol for Public Comment and directed Mr. Samuel Guesto, Chief Clerk, to ensure the five-minute time limit is adhered to.

Commissioner Skrepenak reminded everyone that if you wish to address the Commissioners to sign in.

**BID OPENINGS**

No bid openings.

**ANNOUNCEMENTS:**.....**Samuel T. Guesto, Jr.**  
**County Manager /Chief Clerk**

No bid openings.

**RECOGNITIONS:**..... **Kathy Bozinski**  
**Public Information Officer**

No announcements.

**PUBLIC COMMENT**

Tom Dobroski, Kingston Township, insisted that, for the good of the order, a resolution should be passed that no cash disbursements be made without a resolution and without invoices being signed. He stated he is glad to see the termination of the lease agreement with PA Child Care. He believes the problems from the past month have been because of the Human Resources Department and that they should have been handled from that department.

Walter Griffiths, Jr., Wilkes-Barre, stated he would like to go off the agenda and make a resolution that says the Tax Anticipation Note (TAN) is going to be paid back with tax dollars, not borrowed money. He also had questions regarding the PA Child Care lease asking if there is a penalty for terminating that lease, and what the plan is for after February 29<sup>th</sup> when the lease will be terminated, and what the cost of the building be if the county decides to buy it.

Commissioner Skrepenak answered Mr. Griffith's questions by stating there is no penalty for the lease termination that PA Child Care presented. His main concern is negotiation of 12 detention beds and the per diem rates and he stated that Mr. Guesto, Controller Petrilla, Joe DiVizia, and Frank Castano have been in negotiations with all three entities and all have been cooperative.

Mr. Guesto added that the facility would go back into the sole proprietorship of PA Child Care.

Commissioner Urban asked for a copy of places that are authorized for placement with the dollar amounts.

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**COMMUNICATIONS – SAMUEL T. GUESTO, JR.**

**MOTION**

**SERIES A OF 2008 TRAN**

REQUEST A MOTION AUTHORIZING THE ADOPTION BY THE BOARD OF COMMISSIONERS OF A RESOLUTION (RESOLUTION NO. 122807A) OF THE COUNTY OF LUZERNE, PENNSYLVANIA, AUTHORIZING THE ISSUANCE OF ITS TAX AND REVENUE ANTICIPATION NOTE, SERIES A OF 2008 (THE “SERIES A TRAN”) IN THE PRINCIPAL AMOUNT OF TEN MILLION DOLLARS (\$10,000,000); AUTHORIZING CERTAIN ACTIONS TO BE TAKEN WITH REGARD TO THE EXECUTION, SALE AND DELIVERY OF THE SERIES A TRAN; AND APPROVING EXECUTION OF DOCUMENTATION IN CONNECTION WITH THE ISSUANCE OF AND THE INCURRENCE OF THE DEBT ASSOCIATED THEREWITH

Sam Diaz gave explanation on both the Series A TRAN and the Series B TRAN stating that we have received three responses to the RFP with the lowest bids from PNC Bank and M&T Bank each at \$10 million and an interest rate of 3.62%. A discussion followed.

It was moved by Commissioner Tucker, seconded by Commissioner Skrepenak.  
**“AYES” SKREPENAK, TUCKER, URBAN**

**MOTION**

**SERIES B OF 2008 TRAN**

REQUEST A MOTION AUTHORIZING THE ADOPTION BY THE BOARD OF COMMISSIONERS OF A RESOLUTION (RESOLUTION NO. 122707B) OF THE COUNTY OF LUZERNE, PENNSYLVANIA, AUTHORIZING THE ISSUANCE OF ITS TAX AND REVENUE ANTICIPATION NOTE, SERIES B OF 2008 (THE “SERIES B TRAN”) IN THE PRINCIPAL AMOUNT OF TEN MILLION DOLLARS (\$10,000,000); AUTHORIZING CERTAIN ACTIONS TO BE TAKEN WITH REGARD TO THE EXECUTION, SALE AND DELIVERY OF THE SERIES B TRAN; AND APPROVING EXECUTION OF DOCUMENTATION IN CONNECTION WITH THE ISSUANCE OF AND THE INCURRENCE OF THE DEBT ASSOCIATED THEREWITH

It was moved by Commissioner Tucker, seconded by Commissioner Skrepenak.  
**“AYES” SKREPENAK, TUCKER, URBAN**

**MOTION**

**PA Child Care Proposal**

Request a motion to authorize the Chairman of the Board of Commissioners of Luzerne County to execute on behalf of Luzerne County a Termination of Lease Agreement between Luzerne County and Pa. Child Care, LLC (“PACC”) whereby the lease dated November 17, 2004 between Luzerne County and PACC shall be terminated effective on or before February 29, 2008 at no additional cost to Luzerne County other than rent and other payments due under the lease for the periods prior to the termination.

Commissioner Tucker commented that all who worked on these negotiations and proposal have done a yeoman’s job and that she applauds them.

It was moved by Commissioner Tucker, seconded by Commissioner Skrepenak.  
**“AYES” SKREPENAK, TUCKER, URBAN**

MOTION

**Valley Crest--Settlement Release Agreement**

Request a motion to enter into the Settlement and Release Agreement with Valley Crest Nursing, Inc. resolving a dispute with respect to responsibility for cost of Health and Welfare Benefits for former county employees hired by Valley Crest L.P. under the terms of the Operations Transfer Agreement between Luzerne County and Valley Crest L.P. The Agreement calls for payment of the sum of \$700,000 to Luzerne County by January 10, 2008 and to authorize the Chairman to execute the Settlement and Release Agreement.

Doug Richards explained that this motion regards section 1.7.C of the transfer agreement which was \$1.3 million that the county was responsible for. This is the amount of excess, the difference between the claims and the premiums that we have worked out with CHR.

It was moved by Commissioner Urban, seconded by Commissioner Tucker.  
**“AYES” SKREPENAK, TUCKER, URBAN**

MOTION

**Personnel Policy-Terms, Commissions and Boards**

Request a motion to adopt the following as a supplement to the Luzerne County Personnel Policy:

Policy

No individual appointed by the Board of Commissioners on, before or after July 1, 2008 to serve on a county Board or Commission shall be re-appointed to the same Board or Commission if, at the time for such re-appointment, that individual has served on said Board or Commission for twelve (12) or more consecutive years as of July 1, 2008, or thereafter.

Commissioner Tucker stated that by adopting this policy, more people can become a part of county government and understand county government. Commissioner Skrepnak and Commissioner Urban both stated their support for this motion.

It was moved by Commissioner Tucker, seconded by Commissioner Urban.  
**“AYES” SKREPENAK, TUCKER, URBAN**

MOTION

**MH/MR Rental Contract**

Request a motion to enter into a rental contract with the Hazleton Area School District for Mental Retardation Recreation Programs.

It was moved by Commissioner Urban, seconded by Commissioner Tucker.  
**“AYES” SKREPENAK, TUCKER, URBAN**

**END OF COMMUNICATIONS**

### FINAL COMMENTS

Commissioner Skrepenak stated that he doesn't believe that we could have come up with a more dedicated person to this county and a finer choice than Rose Tucker. He considers her not only a colleague but a very dear friend and stated he has learned a tremendous amount from her and he is a better person because he has been able to draw from her knowledge and love for this county. He bid her, with a heavy heart, a fond farewell and to never hesitate to call for anything.

Commissioner Tucker thanked Commissioner Skrepenak and stated that everyone has been so very generous with their time and with their energy and with their knowledge in sharing with her. She stated she is grateful for the opportunity to serve, again, this county. She stated she appreciates Commissioner Skrepenak and Commissioner Urban's hard work and hopes this county can work together in a unified manner and proceed to go on in a positive sense. She thanked all the Luzerne County employees and noted how fortunate we are to have them.

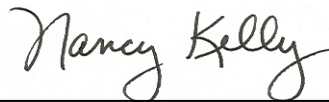
### MOTION TO ADJOURN

Request a motion to adjourn.

It was moved by Commissioner Urban, seconded by Commissioner Tucker.

**"AYES" SKREPENAK, TUCKER, URBAN**

Respectfully,



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Nancy Kelly, Recording Secretary