

**Minutes
March 6, 2014**

**Joshua D. Shapiro
Chair**

**Leslie S. Richards
Vice Chair**

**Bruce L. Castor, Jr.
Commissioner**

Call to Order

Chair Shapiro called the meeting to order.

Roll Call and Pledge of Allegiance

Chair Shapiro, Vice Chair Richards and Commissioner Castor were present.

Chair Shapiro recognized the presence of Recorder of Deeds Nancy Becker, Controller Stewart Greenleaf and Jury Commissioner Miriam Woods. Recorder of Deeds Nancy Becker led the Pledge of Allegiance.

Commissioners' Comments

Chair Shapiro stated that Executive Sessions were held on February 25, 2014 and March 3, 2014 to discuss potential litigation and personnel matters.

Approval of Minutes

February 20, 2014

Vice Chair Richards made a motion to approve the minutes of the February 20, 2014 meeting of the Montgomery County Board of Commissioners.

Commissioner Castor seconded the motion. There was no Board comment.

There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously.

Announcements, Commendations & Reports

There were no announcements, commendations or reports.

Resolutions

Authorization of Fifth Amendment to Asset Purchase Agreement for the Sale of Parkhouse – Josh Stein

Vice Chair Richards made a motion that the proper Montgomery County officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to take necessary actions in order to execute a fifth amendment to the Asset Purchase Agreement for the sale of the County's geriatric facility. Commissioner Castor seconded the motion. There was no Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 82 can be found in the appendix of this document.

Authorization of a Transition Services Agreement Between the County and Mid Atlantic Health Care, LLC – Josh Stein

Vice Chair Richards made a motion that the proper Montgomery County officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to take necessary actions in order to execute a Transition Services Agreement with Mid Atlantic Health Care, LLC, which shall dictate certain duties and responsibilities of both parties following the completion of the sale of the County Geriatric and Rehabilitation Center. Commissioner Castor seconded the motion. There was no Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 83 can be found in the appendix of this document.

Authorization of an Acquisition of Land for Recreational Park and Open Space Purposes – Josh Stein

Vice Chair Richards made a motion that the County of Montgomery, in accordance with authority conferred by the law of eminent domain, selects and appropriates for the County said recreational trail purposes the following property; to be acquired in fee simple interest in perpetuity:

The 70.083 acres immediately adjacent to the Schuylkill river Upper Providence Township, Montgomery County, as more particularly described by metes and bounds in Exhibit “A” attached hereto and made a part hereof, being land which at the time of filing of the documents associated with this acquisition will be GA HC REIT II Royersford SNF, LLC.

That the Montgomery County Commissioners hereby authorize the proper County officials to file Declarations of Taking and to take any other action as may be necessary or desirable to carry out the purpose of this resolution, including the payment of any estimated just compensation due

AND that the County Commissioners authorize the filing of deed restrictions on the acquired property, in order to permanently preserve the same as protected recreational park land and open space.

Commissioner Castor seconded the motion.

Commissioner Castor asked Mr. Stein to define the term, “in perpetuity.”

Mr. Stein stated that “in perpetuity” means for all time.

Commissioner Castor asked how it is necessary that the Board needs to make such a statement. Commissioner Castor asked if the land in question is already protected Open Space.

Mr. Stein stated that while the land is used as a park, it is not zoned as open space. Mr. Stein stated that the Board is taking measures today to correct that action and protect the land in the sale.

Commissioner Castor asked Mr. Stein to define the term "Open Space."

Mr. Stein stated that an Open Space designation would ban development on the land for all time.

Commissioner Castor stated that secondary reports have said that the land is already Open Space and asked if this characterization is inaccurate?

Mr. Stein answered in the affirmative.

Commissioner Castor asked if this Resolution is making this park protected open space.

Mr. Stein answered in the affirmative.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 84 can be found in the appendix of this document.

Authorization of the Executions of a Declaration of Easements, Land Use Restrictions and Covenants Governing the Sale of Land at Parkhouse – Josh Stein

Vice Chair Richards made a motion that the proper Montgomery County officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to take necessary actions in order to execute a Declaration of Easements, Land Use Restrictions and Covenants prior to the final sale of the Parkhouse Geriatric Facility. Commissioner Castor seconded the motion.

Commissioner Castor asked Mr. Stein what is the purpose of this Resolution.

Mr. Stein stated that this Resolution files certain restrictive covenants that restricts use of the land after the sale for certain activities.

Commissioner Castor asked if these activities include using the land for recreational purposes.

Mr. Stein answered in the affirmative.

Commissioner Castor asked if reports that he heard which state there are existing easements and covenants that allow for use of this land are inaccurate.

Mr. Stein answered in the affirmative.

Commissioner Castor asked if Mr. Stein is recommending that the Board put forth measures to insure that people can use these lands in in perpetuity as public areas.

Mr. Stein answered in the affirmative.

Mr. Stein asked if this Resolution will allow the County to negotiate on behalf of the public for use of this land as a park.

Mr. Stein answered in the affirmative.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 85 can be found in the appendix of this document.

Authorization of Fair Housing Activities from the Affordable Housing Trust Fund- Kathy Phifer

Vice Chair Richards made a motion that the Board of Commissioners, upon recommendation of the Montgomery County Department of Housing & Community Development, hereby authorize the proper County officials to enter into the necessary agreements to provide funding for the project in amount of TWO HUNDRED SEVENTY THOUSAND DOLLARS (\$270,000.00) to make the homes in this project more affordable to low income homebuyers; such funding to come from the County's Affordable Housing Trust Fund. Commissioner Castor seconded the motion.

Vice Chair Richards commented that this Resolution will promote Norristown's goal of creating new homeowners. Vice Chair Richards stated that the Board anticipates this development will add to the fabric of Norristown and will allow for greater development around a central corridor.

Commissioner Castor commented that the development at Arbor Heights has been very successful and expressed his satisfaction that this Resolution will continue on in this tradition.

Ms. Phifer stated that Arbor Heights has established home ownership in the borough and encouraged development in the area.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 86 can be found in the appendix of this document.

Authorization of Municipal Planning Assistance for Upper Dublin School District- Brian O’Leary

Vice Chair Richards made a motion that the Montgomery County Commissioners hereby approve the contract for planning assistance for the Upper Dublin School District as outlined in the attached Resolution and described by Mr. O’Leary and that the proper County officials are hereby authorized and directed to execute the same, subject to approval of the County Solicitor.

Vice Chair Richards commented that the Planning Commission now provides planning services to school districts and commended the Planning Commission for their work in this regard.

Vice Chair Richards then commented on the Planning Commission’s new Data Portal which allows members of the public to enter and obtain information.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 87 can be found in the appendix of this document.

Authorization to Transfer Ownership and Maintenance of Lafayette Street Extension Improvements in Section MGL to Plymouth Township- Matt Edmond

Vice Chair Richards made a motion that the Montgomery County Board of Commissioners hereby authorize the proper County officials to execute the necessary agreements to transfer to Plymouth Township the maintenance and ownership of the Bioretention Rain Garden and roadway lighting to be constructed and installed as part of the Lafayette Street project, in section MGL, subject to approval of the County Solicitor. Commissioner Castor seconded the motion.

Vice Chair Richards commented that this Resolution will allow for rain gardens to be built on the Lafayette St. extension as well as incorporate modernized storm water systems in other portions of the project.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 88 can be found in the appendix of this document.

Authorization of Tax Exoneration for Pottstown Area Senior Center- Lee Soltysiak

Vice Chair Richards made a motion that the appropriate County officials are hereby authorized to waive and abate the collection of County real estate taxes due for the Pottstown Area Senior Center property at 288 Moser Road, Pottstown Borough, parcel number 16-00-21272-00-6, for the period of time between March 1, 2012 and December 31, 2012 including any interest and penalties due thereunder in the amount of \$2,228.85. Commissioner Castor seconded the motion.

Chair Shapiro asked Mr. Soltysiak if he has spoken to Treasurer Salus about this Resolution and if he is supportive of it.

Mr. Soltysiak answered in the affirmative.

Commissioner Castor asked if the Pottstown School Board has taken any action on this.

Mr. Soltysiak stated that the School Board has not taken any action.

Commissioner Castor asked if the County usually acts last, following the townships and school districts because the County has the smallest relative tax share.

Mr. Soltysiak stated that this has been the practice when the taxes are prospective. Mr. Soltysiak stated, these are the taxes that are due from the past in a period in which the senior center would have otherwise qualified for tax forgiveness.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 89 can be found in the appendix of this document.

Advertisement of RFP's

Commissioner Castor made a motion to authorize the preceding requests for advertisement of RFP's as described by Chief Clerk Lauren Lambrugo and authorize the proper County officials to execute the same, subject to the approval of the County Solicitor: RFP on behalf of the Commerce Department for TANF Summer Youth Programs, RFP on behalf of the Commerce Department for WIA Year-Round Out-of-School Youth Programs, RFP on behalf of the Commerce Department for WIA Summer Youth Work Experience Program and an RFP on behalf of the Solicitor's Office for Outside Counsel.

Chair Shapiro commended Ms. Lezcano, Mr. Regli and the Commerce Department for their outreach to students in the County to provide them with more workforce development opportunities in the summer.

Commissioner Castor asked Mr. McGarry to explain the purpose for the RFP for outside counsel.

Mr. McGarry stated that it is time for the County should to update its list of outside counsel. Mr. McGarry stated there are certain matters that come up that do not fit within categories of outside council as advertised in the past. Mr. McGarry stated that advertising this RFP will allow the County to acquire counsel who may fill these niche areas of the law.

Commissioner Castor asked what impact this RFP would have on the budget.

Mr. McGarry stated that this RFP will have no budgetary impact as it merely impacts who the County uses for outside counsel and what the County use them for.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 90 can be found in the appendix of this document.

Awards of Contract

Commissioner Castor made a motion to approve the preceding awards of contract as described by Chief Clerk Lauren Lambrugo and to authorize the proper County Officials to execute the same, subject to the approval of the County Solicitor. Vice Chair Richards seconded the motion.

Vice Chair Richards commented that she has used Potty Queen facilities at events and is satisfied with their product.

Vice Chair Richards commented that townships and municipalities need series of warm days in order to adequately patch the potholes.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously. The complete text of Resolution 14-C. 91 through 14-C. 99 can be found in the appendix of this document.

Chair Shapiro recessed the meeting and it was reconvened later in the afternoon.

General Public Comment

There was no general public comment.

Commissioners' Comments

A copy of Chair Shapiro's comments and Vice Chair Richard's comments can be found in the appendix of this document.

Representative Vereb commented that he looks forward to working with Mid-Atlantic to further provide support to the open space surrounding Parkhouse. Rep. Vereb stated he is excited that the County has matched the state grant for improvements along the park. Rep. Vereb expressed his optimism that the County and Mid-Atlantic will work well in the future to preserve the park.

Commissioner Castor asked Rep. Vereb if he will be supportive of this Resolution to his constituents as the representative who represents that portion of the parks.

Rep. Vereb answered in the affirmative. Rep. Vereb stated that the investment that the state and County have made are helpful, the deed restrictions are beneficial and the Commissioners' commitment to open space is significant. Rep. Vereb stated that the Commissioners made tough decisions that may not be popular, however, the Commissioners' commitment to Open Space will not go unnoticed.

Dr. Rifkin thanked the Commissioners for their commitment to this process and thanked Ms. Lambrugo, Mr. McGarry, Mr. Stein and Mr. Monson for their hard work. Dr. Rifkin expressed his satisfaction that Ms. McGarry would be staying with the organization.

Dr. Rifkin stated that the company is committed to making the County proud. Dr. Rifkin stated that his company has never sold a single property and will not make improvements to the facility only to sell it to a third party.

Dr. Rifkin stated that his company is committed to maintaining a high quality of care, retaining the employee base, and providing support to the greater community. Dr. Rifkin stated that he looks forward to working with the community and the township for a continued relationship.

Commissioner Castor asked Mr. McGarry how much of the Parkhouse property was deed restricted Open Space.

Mr. McGarry answered "zero."

Commissioner Castor asked how that has changed since yesterday.

Mr. McGarry stated the 71 acres of parkland across the street is now Open Space and there are deed restrictions on the 227 acres surrounding Open Space.

Commissioner Castor asked if yesterday, the 297 acres were not designated as Open Space.

Mr. McGarry answered in the affirmative.

Commissioner Castor asked if today, 71 acres are now deed restricted as a park and are 227 deed restricted as Open Space.

Mr. McGarry answered in the affirmative.

Commissioner Castor asked how many acres of the property could have been built on yesterday.

Mr. McGarry stated that 10% of the property or 45 acres.

Commissioner Castor asked if that number has gone up or down.

Mr. McGarry stated that the number has gone down. Mr. McGarry stated that under Upper Providence's land development plan, there remains only 15 acres of developable land.

Commissioner Castor asked if all of the power of the development of the 15 acres rests in the hands of the people of Upper Providence Township through their supervisors.

Mr. McGarry answered in the affirmative.

Commissioner Castor asked if there was any legal reason how people were able to use the Parkhouse property for recreational activity.

Mr. McGarry stated that there was none.

Commissioner Castor asked if there was any liability for accidents or injuries as a consequence under the old system.

Mr. McGarry stated that there was a potential of liability.

Commissioner Castor asked Mr. McGarry if he has addressed that potential for liability.

Mr. McGarry stated that through the deed restrictions on the property over the next five years, public access will be guaranteed without a fee. Under Pennsylvania law, if you permit public access without a fee, there are protections that are given to the land owner that prohibit liability.

Commissioner Castor if there are statements within the agreement that mandate an extension of that right to access to the park.

Mr. McGarry answered in the affirmative.

Commissioner Castor asked Mr. McGarry if Mid-Atlantic must get approval from Upper Providence to change the trees on the Parkhouse facility.

Mr. McGarry stated that Mid-Atlantic must consult with Upper Providence in order to do so. Mr. McGarry stated that this approval must be granted for things other than routine maintenance.

Commissioner Castor asked if the idea is to keep Parkhouse looking aesthetically the way it does now.

Mr. McGarry answered in the affirmative.

Commissioner Castor asked if another member of the general assembly will take over this area once redistricting has been completed.

Mr. McGarry answered in the affirmative.

Commissioner Castor stated that Representative Kampf will soon be the Representative from this area and he has circulated a petition asking for the Commissioners to preserve Open Space on the park house property. Commissioner Castor asked Mr. McGarry if this Board has done that.

Mr. McGarry answered in the affirmative.

Commissioner Castor signed Rep. Kampf's petition.

Commissioner Castor stated he was the last of the three Commissioners to be in favor of selling Parkhouse based on his experience with the last administration. Commissioner Castor stated that he held his own interviews at Parkhouse and he was firmly decided that he would not vote for the sale. Commissioner Castor stated that while he was not inclined to support the sale, he felt that it was his duty to listen to the evidence as it was presented. Commissioner Castor stated that when he received communications from residents, their families and staff asking him to support the sale, he began to change his mind.

Commissioner Castor stated that he changed his mind when Ms. McGarry stated in front of the Board that she supported sale of Parkhouse to Mid-Atlantic. Commissioner Castor determined that it would be best to re-examine his views.

Commissioner Castor stated that neither of the other Commissioners tried to convince him to change his views, rather, they presented the evidence supporting their views. Commissioner Castor stated that he thought about it a great deal and thought that it was peculiar that not a single elected official from either party or party leader has asked him to vote for or against this sale until Representative Vereb.

Commissioner Castor stated that he thought it was astounding that in this day of communication, that nobody sent him an email, sent him a letter or called him regarding their opposition to the sale. Commissioner Castor stated that the Commissioners do not make decisions based on anything other than the best decisions of the people they represent. Commissioner Castor stated that he believes that the Commissioners are making the best decision for the County.

Commissioner Castor commended his fellow commissioners, the senior staff and Dr. Rifkin for their hard work throughout this process.

Upcoming Meeting Dates

The next meeting of the Montgomery County Board of Commissioners will be at 10am on Thursday, March 20, 2014 in the Commissioners' Board Room.

Adjournment

On motion of Commissioner Castor, seconded by Vice Chair Richards, the March 6, 2014 meeting of the Montgomery County Board of Commissioners was adjourned.

Salary Board

Controller Greenleaf made a motion to approve the March 6, 2014 Salary Board presentation as given by the Director of Human Resources, Donna Pardieu, and authorize the proper County Officials to execute the same. Commissioner Castor seconded the motion.

Commissioner Castor commented on the retirement of Mr. Justice and commended him for his service to the County.

Chair Shapiro commented on the work of Albert Ianozi, Edwin Negron and Rebecca Perkins who, due to their response, were able to save the life of an inmate who had attempted suicide. Chair Shapiro stated that this work disserves the 1.5% merit bonus as outlined by the handbook.

There was no further Board comment. There was no public comment. Chair Shapiro brought the motion to a vote and it was adopted unanimously.

Adjournment

On motion of Controller Greenleaf, seconded by Commissioner Castor, the March 6, 2014 meeting of the Montgomery County Salary Board was adjourned.

Appendix

County Commissioners
March 6, 2014

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, on October 17th, 2013, following a public process that involved the issuance of a Request for Information and a subsequent Request for Proposals, the Montgomery County Commissioners adopted Resolution 13-C. 342, awarding to Mid Atlantic Health Care, LLC, the contract for sale of the County's Parkhouse Providence Pointe skilled nursing and rehabilitation facility, Montgomery Meadows Independent Living Suites, and Riverview Meadows Adult Day Health Services, as well as the associated land surrounding these facilities; and

WHEREAS, through the course of normal due diligence and continued negotiations with the purchaser, some of the original terms of the transaction must be modified prior to consummation of the sale; and

WHEREAS, four amendments to the executed Asset Purchase Agreement have previously been executed, dealing with non-substantive issues; and

WHEREAS, a fifth amendment to the Asset Purchase Agreement has been drafted, which will modify the transaction in certain substantive ways, including, but not limited to, increasing the amount of land to be sold to reflect the entire parcel, as originally detailed in the RFI and raising the amount of compensation to be paid by the purchaser accordingly; requiring the recording by the purchaser of certain declarations, covenants and restrictions, so as to provide additional protections regarding the use of the land; and providing for certain rights and licenses to remain with the County; and

NOW THEREFORE BE IT RESOLVED that the proper Montgomery County officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to take necessary actions in order to execute a fifth amendment to the Asset Purchase Agreement for the sale of the County's geriatric facility.

County Commissioners*March 6, 2014*

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, on October 17th, 2013, following a public process that involved the issuance of a Request for Information and a subsequent Request for Proposals, the Montgomery County Commissioners adopted Resolution 13-C. 342, awarding to Mid Atlantic Health Care, LLC, the contract for sale of the County's Parkhouse Providence Pointe skilled nursing and rehabilitation facility, Montgomery Meadows Independent Living Suites, and Riverview Meadows Adult Day Health Services, as well as the associated land surrounding these facilities; and

WHEREAS, certain utilities and systems of the County are intertwined with the utilities and systems of the Parkhouse facility, and will require a certain amount time to unwind, following the completion of the sale to the purchaser; and

WHEREAS, additionally, certain expenses and remittances are collected by the facility on a trailing-month basis, or are otherwise in arrears, and will not be collected or collectable until following the completion of the sale to the purchaser; and

WHEREAS, the County and the purchaser have reached an agreement on these issues, in the form of a Transition Services Agreement which shall set forth certain duties and responsibilities of the parties.

NOW THEREFORE BE IT RESOLVED that the that the proper Montgomery County officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to take necessary actions in order to execute a Transition Services Agreement with Mid Atlantic Health Care, LLC, which shall dictate certain duties and responsibilities of both parties following the completion of the sale of the County Geriatric and Rehabilitation Center.

County Commissioners
March 6, 2014

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, the County of Montgomery is about to proceed with the acquisition of land for County park purposes and a recreational trail located in Upper Providence Township; and

WHEREAS, in order to provide for permanent protection of this land as recreational park land and deed-restricted open space, it is necessary that the County of Montgomery acquire interests in perpetuity to the land; and

WHEREAS, as of the filing of the documents associated with this acquisition, the equitable owner of the property will be GA HC REIT II Royersford SNF, LLC, with the property in question of 71.57 acres, identified as a portion of Parcel No. 61-00-01252, as more fully described on the attached Exhibit "A"; and

WHEREAS, in accordance with the Act of 1953, July 28th, P.L. 723, Art. XXX § 3025; 16 P.S. § 6025 as amended by House Bill 1947 on December 9, 2002, the County of Montgomery is authorized to acquire the said land through condemnation proceedings.

NOW, THEREFORE, BE IT RESOLVED, that the County of Montgomery, in accordance with authority conferred by the law of eminent domain, selects and appropriates for the County said recreational trail purposes the following property; to be acquired in fee simple interest in perpetuity:

The 70.083 acres immediately adjacent to the Schuylkill river Upper Providence Township, Montgomery County, as more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof, being land which at the time of filing of the documents associated with this acquisition will be GA HC REIT II Royersford SNF, LLC.

BE IT FURTHER RESOLVED that the Montgomery County Commissioners hereby authorize the proper County officials to file Declarations of Taking and to take any other action as may be necessary or desirable to carry out the purpose of this resolution, including the payment of any estimated just compensation due.

BE IT FURTHER RESOLVED that the County Commissioners authorize the filing of deed restrictions on the acquired property, in order to permanently preserve the same as protected recreational park land and open space.

County Commissioners*March 6, 2014*

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, on October 17th, 2013, following a public process that involved the issuance of a Request for Information and a subsequent Request for Proposals, the Montgomery County Commissioners adopted Resolution 13-C. 342, awarding to Mid Atlantic Health Care, LLC, the contract for sale of the County's Parkhouse Providence Pointe skilled nursing and rehabilitation facility, Montgomery Meadows Independent Living Suites, and Riverview Meadows Adult Day Health Services, as well as the associated land surrounding these facilities; and

WHEREAS, as stated by the County Commissioners, the decision to sell Parkhouse to Mid Atlantic Health Care is in the best interest of the Parkhouse residents, employees, and County taxpayers; and

WHEREAS, following the October 17th resolution, the local community in the area around Parkhouse expressed concerns regarding potential future development of the surrounding the facility; and

WHEREAS, in response to these concerns, the County entered into discussions with Mid Atlantic Health Care, as well as GA HC REIT II Royersford SNF, LLC, who will own the underlying land, in order to require that protections for land are in place, prior to finalizing the sale;

NOW THEREFORE BE IT RESOLVED that the proper Montgomery County officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to take necessary actions in order to execute a Declaration of Easements, Land Use Restrictions and Covenants prior to the final sale of the Parkhouse Geriatric Facility.

County Commissioners*March 6, 2014*

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, the County of Montgomery has established the Affordable Housing Fund through enactment of Ordinance No. 93-1 dated July 15, 1993, ordained by Act 137 of the 1992 General Assembly of the Commonwealth of Pennsylvania, which provides financial assistance for low to moderate income county residents who are first time home buyers; and

WHEREAS, the Commissioners of Montgomery County have defined the "Affordable Housing Effort" as any program or project duly approved by the Montgomery County Commissioners, which increases the availability of quality housing, either by sale or rental, to any Montgomery County resident whose annual income is at or below the Montgomery County median income; and

WHEREAS, Progressive Housing Ventures, LLC (Progressive) has proposed to develop a project, "1202 DeKalb Street", that will offer affordable homeownership on a blighted, 30+ year vacant site on DeKalb Street;

WHEREAS. Progressive has agreed to make a percentage of these new homes available to Montgomery County residents whose annual income is at or below the Montgomery County median income in accordance with the mission of the Affordable Housing Trust; and

WHEREAS, this new construction townhouse project is aligned with the County's active partnership with the Municipality of Norristown to help revitalize and conserve this neighborhood; and

WHEREAS, the Department of Housing and Community Development of Montgomery County has been specifically charged with the responsibility of making recommendations to the Board of Commissioners of the County of Montgomery with regard to policies, programs and projects related to the creation of affordable housing opportunities.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners, upon recommendation of the Montgomery County Department of Housing & Community Development, hereby authorize the proper County officials to enter into the necessary agreements to provide funding for the project in amount of TWO HUNDRED SEVENTY THOUSAND DOLLARS (\$270,000.00) to make the homes in this project more affordable to low income homebuyers; such funding to come from the County's Affordable Housing Trust Fund.

County Commissioners
March 6, 2014

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, the school district listed below has requested community planning assistance from the Montgomery County Planning Commission; and

WHEREAS, the staff of the Montgomery County Planning Commission has met with the school district to discuss the scope and nature of the requested planning assistance services in accordance with Resolution 11-11.5 as amended; and

WHEREAS, the Board of the Montgomery County Planning Commission has reviewed the proposed contract listed below and found it to be in accordance with the current Board Policy;

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Commissioners hereby approve the contract for planning assistance outlined below and the proper County officials are hereby authorized and directed to execute the same, subject to approval of the County Solicitor. The contract is as follows:

#	Name	Length of Contract	Total Cost	SHARES	
				UDSD Funds	County Services
151	School District of Upper Dublin	03/01/14 - 06/30/14	\$9,468.00	\$7,101.00	\$2,367.00
Type of Service: Demographic Analysis of Upper Dublin School District					

- C: File
- Controller
- Purchasing
- Finance
- Planning

County Commissioners

March 6, 2014

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, Montgomery County is advancing the Lafayette Street Project which will include the construction of a Bioretention Rain Garden for stormwater management, as well as improved roadway lighting; and

WHEREAS, Montgomery County and Plymouth Township have collectively agreed that the improvements which will be constructed as part of the extension of Lafayette Street will be maintained and owned by the municipality upon completion; and

WHEREAS, the County shall be responsible for the construction of the new Bioretention Rain Garden and the installation of the new roadway lighting system in the section of the project commonly referred to as MGL; and

WHEREAS, Plymouth Township has agreed to provide maintenance and accept ownership for the Bioretention Rain Garden and roadway lighting system upon completion, and to execute agreements to reflect as such.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Board of Commissioners hereby authorize the proper County officials to execute the necessary agreements to transfer to Plymouth Township the maintenance and ownership of the Bioretention Rain Garden and roadway lighting to be constructed and installed as part of the Lafayette Street project, in section MGL, subject to approval of the County Solicitor.

CC: File
Controller
Purchasing
Finance
Planning

County Commissioners
March 6, 2014

On motion of Vice Chair Richards, seconded by Commissioner Castor, it was unanimously adopted that:

WHEREAS, The Pottstown Area Senior Center (PASC) acquired title to the property at 288 Moser Road, Pottstown Borough, being parcel number 16-00-21272-00-6; and

WHEREAS, PASC has applied for and received tax exempt status from the Board of Assessment beginning in calendar year 2013 and thereafter; and

WHEREAS, due to oversight PASC did not immediately apply for tax exoneration of taxes that accrued between the time the property was acquired and the time tax exempt status was granted; and

WHEREAS, PASC has requested that the Montgomery County real estate taxes be exonerated and waived for the period of time from March 1, 2012 through December 31, 2012 including any penalties that may have accrued; and

WHEREAS, Pottstown Borough has exonerated the Township real estate taxes for the same timeframe; and

NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are hereby authorized to waive and abate the collection of County real estate taxes due for the Pottstown Area Senior Center property at 288 Moser Road, Pottstown Borough, parcel number 16-00-21272-00-6, for the period of time between March 1, 2012 and December 31, 2012 including any interest and penalties due thereunder in the amount of \$2,228.85.

CC: File
Controller
Purchasing
Finance
Board of Assessment
Treasurer
Solicitor

County Commissioners

March 6, 2014

On motion Commissioner Castor, seconded by Vice Chair Richards, the following requests for advertisement of RFP's were adopted unanimously, subject to the approval of the County Solicitor: RFP on behalf of the Commerce Department for TANF Summer Youth Programs, RFP on behalf of the Commerce Department for WIA Year-Round Out-of-School Youth Programs, RFP on behalf of the Commerce Department for WIA Summer Youth Work Experience Program and an RFP on behalf of the Solicitor's Office for Outside Counsel.

County Commissioners*March 6, 2014*

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the Commissioners have previously adopted Resolution #13-C.78, awarding contracts to Glasgow, Inc. of Glenside, PA, Allan A Myers LP d/b/a Independence Construction Materials of Malvern, PA, Chemung Supply Corporation of Elmira, NY, Collinson, Inc. of Glenmoore, PA and Highway Materials, Inc. of Blue Bell, PA, to cover the furnishing and delivering of highway materials for the Assets and Infrastructure Department/Roads and Bridges Division, for a one (1) year period ending March 14, 2014; and

WHEREAS, the contracts provided the County with the option to extend the contracts for one (1) additional year period; and

WHEREAS, Glasgow, Inc. of Glenside, PA, Allan A Myers LP d/b/a Independence Construction Materials of Malvern, PA, Chemung Supply Corporation of Elmira, NY, Collinson, Inc. of Glenmoore, PA have agreed to extend their contracts for one (1) additional year period with no increase in price and Highway Materials, Inc. of Blue Bell, PA has agreed to extend their contract for a price increase for cold patch from \$85.00/ton to \$92.50/ton; and

WHEREAS, it is the recommendation of the Assets and Infrastructure Department/Roads and Bridges Division to extend these contracts for one (1) additional year period ending March 14, 2015.

NOW THEREFORE BE IT RESOLVED, that the contracts of Glasgow, Inc. of Glenside, PA, Allan A Myers LP d/b/a Independence Construction Materials of Malvern, PA, Chemung Supply Corporation of Elmira, NY, and Collinson, Inc. of Glenmoore, PA be extended with no increase in price and Highway Materials, Inc. of Blue Bell, PA be extended for a price increase for cold patch from \$85.00/ton to \$92.50/ton, for a one (1) year period ending March 14, 2015, for a combined estimated total lump sum price of \$831,462.50.

County Commissioners

March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the Commissioners have previously adopted Resolution #12-C.135, awarding a contract to Atlantic Coast Communications NJ, Inc. of Pennsauken, NJ, to provide for installation, testing and maintenance of functional internal building networks (LANs) at County facilities throughout Montgomery County, PA, for the Information and Technology Solutions Department, for an estimated total lump sum price of \$122,864.00, for a period of two (2) years ending April 1, 2014; and

WHEREAS, the contract provided the County with options to extend the contract for one (1) additional one (1) year period; and

WHEREAS, Atlantic Coast Communications NJ, Inc. of Pennsauken, NJ, has agreed to extend the contract for one (1) additional year period with a price increase of four (4%) percent; and

WHEREAS, it is the recommendation of the Director of Information and Technology Solutions to extend the contract for one (1) additional one (1) year period ending April 1, 2015.

NOW THEREFORE BE IT RESOLVED, that the contract of Atlantic Coast Communications NJ, Inc. of Pennsauken, NJ, for an estimated total lump sum price of \$63,889.28, be extended for one (1) additional one (1) year period, with a price increase of four (4%) percent, ending April 1, 2015.

County Commissioners
March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the Board of Commissioners have previously adopted Resolution 13-C.58 awarding a contract to Capacity for Change, LLC of West Chester, Pennsylvania, for RFP 12-52, Senior Advisor on Housing Stability and Homelessness for the Department of Housing and Community Development for a total contract amount of \$74,880.00, for a period of one (1) year ending February 19, 2014; and

WHEREAS, the contract provided the County with options to extend the contract for three (3) additional one (1) year periods; and

WHEREAS, Capacity for Change, LLC of West Chester, Pennsylvania has agreed to extend the contract for a first additional one (1) year period with no increase in price, for a total contract amount of \$74,880.00; and

WHEREAS, it is the recommendation of the Department of Housing and Community Development to extend the contract for a first additional one (1) year period.

NOW THEREFORE BE IT RESOLVED, that the contract of Capacity for Change, LLC of West Chester, Pennsylvania, for a total contract amount of \$74,880.00, be extended for a first additional one (1) year period.

County Commissioners
March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the Montgomery County Office of Children and Youth and Juvenile Probation (hereinafter "OCY/JPO") desire to purchase services for children, youth and families of Montgomery County; and

WHEREAS, OCY/JPO has determined the scope and extent of services and rates for the vendors listed below which were negotiated or accepted and are approved by the Director of OCY and/or Chief Juvenile Probation Officer to provide these services on an as needed basis from July through June 30 of the stated years:

CONTRACT RENEWALS:

2013/14

Provider Name

Contract Rate/Amount

Adelphoi

Cost Center

Rate

1. Shelter Care	\$200.60/Day per Child
2. CBR 1 "ACE Program Males/Females"	\$200.60/Day per Child
3. CBR 2 "Intensive Supervision Females"	\$225.03/Day per Child
4. CBR 3 "Intensive Supervision Males"	\$195.60/Day per Child
5. Sexual Offenses Males	\$205.80/Day per Child
6. Supervised Independent Living	\$191.96/Day per Child
7. Residential Institutional Secure Females	\$306.04/Day per Child
8. Residential Institutional Secure Males	\$306.04/Day per Child
9. Group Home (Female Intensive with Mental Health Focus)	\$266.76/Day per Child
10. Secure Sex Offender	\$353.91/Day per Child
11. La Sa Quik Residential Treatment (LQ) (Sexual Offender)	\$262.96/Day per Child
12. RTF MA 3 D&A Substance Abuse	(Third Party Funded)

Payable as follows:

12a. County Share	\$0.00/Day per Approved Child
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Due to a reduction of available funds by the PA DPW, the following two grant amendments are requested for the remainder of fiscal year 2013/14:

GRANT AMENDMENTS:

2013/14

Provider Name

**Old Monthly
Grant Amount**

**New Monthly
Grant Amount**

Carson Valley Children's Aid

Time Limited Family Reunification Grant

\$8,958.33
(NTE \$107,500.00)

\$6,403.34 *
* as of January 2014
(NTE \$92,170.00)

Family Services of Montgomery County

Time Limited Family Reunification Grant

\$8,958.33
(NTE \$107,500.00)

\$6,768.34 *
* as of December 2013
(NTE \$92,170.00)

NOW, THEREFORE, BE IT RESOLVED, that the proper County officials, in accordance with the authority conferred by law, and subject to the approval of the County Solicitor, are hereby authorized to enter into contracts with the above named providers for the listed services at the prescribed rates.

County Commissioners

March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the Information Technology Solutions Department requests to enter into a Microsoft Premier Support Agreement which provides assistance and support for problems encountered while using Microsoft products, for a period of one (1) year beginning with the issuance of a Purchase Order; and

WHEREAS, Microsoft Corporation of Austin, Texas, has agreed to enter into a one (1) year Microsoft Premier Support Agreement at a cost not to exceed \$99,450.00; and

WHEREAS, it is the recommendation of the Director of Information Technology Solutions Department to enter into a contract with Microsoft Corporation of Austin, Texas at a cost not to exceed \$99,450.00.

NOW THEREFORE BE IT RESOLVED, that the proper County Officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor are hereby authorized to enter into a contract with Microsoft Corporation of Austin, Texas, for a Microsoft Premier Support Agreement for a period of one (1) year beginning with the issuance of a Purchase Order, at a cost not to exceed \$99,450.00.

County Commissioners

March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the County on behalf of Information Technology Solutions Department, has solicited Request for Proposal (RFP 13-31) Mobile Device Manager Platform, for a period of two (2) years commencing on date of contract execution and may be extended for three (3) additional one (1) year periods; and

WHEREAS, RFP 13-31 was issued to twenty-one (21) providers and six (6) responses were received; and

WHEREAS, the Information Technology Solutions Department recommends entering into a contract with AccessIT Group, Inc. of King of Prussia, Pennsylvania, to provide Mobile Device Manager Platform requested under RFP 13-31.

NOW THEREFORE BE IT RESOLVED, that the proper County Officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to enter into a contract with AccessIT Group, Inc. of King of Prussia, Pennsylvania, for a total contract amount of \$147,840.00, for a period of two (2) years commencing on date of contract execution and may be extended for three (3) additional one (1) year periods.

County Commissioners

March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the Information Technology Solutions Department has requested to use COSTARS Contract #003-084, to purchase seventy-five (75) HP EliteDesk Workstations for various County offices; and

WHEREAS, the Commonwealth of Pennsylvania has entered into COSTARS Contract #003-084 with CDW-G of Vernon Hills, Illinois, to purchase workstations to State Agencies and Political Subdivisions under Act 31, 1971 at State Contract prices; and

WHEREAS, the total cost to purchase seventy-five (75) HP EliteDesk Workstations required by the Information Technology Solutions Department is \$55,875.00.

NOW THEREFORE BE IT RESOLVED, that a contract be authorized with CDW-G of Vernon Hills, Illinois, to purchase seventy-five (75) HP EliteDesk Workstations for a total cost of \$55,875.00, all in strict accordance with Act 31, 1971, which precludes the need for advertised bidding.

County Commissioners
March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, Spec. #6232, bids to cover the furnishing, delivering, installing and setting-in-place all equipment, materials, supplies, labor, supervision and services to provide Portable Toilet Rental for various Montgomery County Parks and Historic Sites, for a period of one (1) year beginning with the issuance of a Purchase Order and may be extended for one (1) additional one (1) year period, were opened January 9, 2014 and were sent to eleven (11) vendors and three (3) vendors responded; and

WHEREAS, it is the recommendation of the Department of Assets and Infrastructure/Parks, Trails and Historic Sites Division to accept the bid of Rinehart's Sanitation Services, Inc. d/b/a Potty Queen of Pottstown, Pennsylvania, for an estimated total lump sum price of \$21,002.50, it being the lowest responsive estimated total lump sum price bid received in strict accordance with the Specifications.

NOW THEREFORE BE IT RESOLVED, that the bid of Rinehart's Sanitation Services, Inc. d/b/a Potty Queen of Pottstown, Pennsylvania, for an estimated total lump sum price of \$21,002.50 is hereby accepted. AND FURTHER, that the proper County Officials are hereby authorized to prepare the necessary documents.

AND FURTHER, should Rinehart's Sanitation Services, Inc. d/b/a Potty Queen of Pottstown, Pennsylvania fail to post any required bond, the acceptance of that bid and contract shall automatically be void.

County Commissioners

March 6, 2014

On motion of Commissioner Castor, seconded by, Vice Chair Richards it was unanimously adopted that:

WHEREAS, the County of behalf of the Assets & Infrastructure Department, has solicited Request for Proposal (RFP 13-23), Schuylkill Valley Park Design Consultant, for a contract period commencing on date of contract execution and end upon completion of the project; and

WHEREAS, RFP 13-23 was issued to sixty-seven (67) providers and eleven (11) responses were received; and

WHEREAS, the Assets & Infrastructure Department recommends entering into a contract with Johnson, Mirmiran & Thompson of Philadelphia, Pennsylvania to provide a Schuylkill Valley Park Design Consultant requested under RFP 13-23.

NOW THEREFORE BE IT RESOLVED, that the proper County Officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, are hereby authorized to enter into a contract with Johnson, Mirmiran & Thompson of Philadelphia, Pennsylvania, for a total contract amount of \$50,955.00, to be partially funded through a DCNR Park Construction Grant, for a contract period commencing on date of contract execution and end upon completion of the project.

STATEMENT ON THE CLOSING OF THE SALE OF PARKHOUSE
Commissioner Josh Shapiro
March 6, 2014

BACKGROUND

In February 2013, the Commissioners announced the commencement of a formal process to consider the best future for Parkhouse Providence Pointe (“Parkhouse”). Parkhouse has been a county-run nursing home for the past 76 years.

While it is a 5-star facility—the highest rating achievable—the center had become a fiscal drain on the County in recent years and tens of millions in capital improvements are necessary to help it keep pace with other similar centers and meet the needs of the nearly 500 residents.

Additionally, the trend in county-owned nursing homes has been for counties in Pennsylvania to get out of this business, as it is not a core function of county government. In fact, at one time, 50 counties in Pennsylvania operated their own nursing homes. In the past 8 years, 12 have sold their facilities and today, just 28 counties own their facilities.

On February 21, 2013 the Commissioners voted unanimously to issue an RFI—Request for Interest—with the purpose of identifying the best structure for the ownership and operation of the facility for the future. There were essentially three options—(1) county ownership and county operation; (2) county ownership with private operation; or (3) private ownership and operation.

On June 6, 2013, based on the findings and the recommendation of our senior staff, the Commissioners voted unanimously to issue an RFP—Request for Proposal—to explore the possibility of a sale of Parkhouse.

The RFP contained 3 basic requirements that any bidder would have to meet to even be considered—(1) maintain a high level of care for the residents and make investments in the facility to improve their quality of life; (2) keep the existing 530 full-time and 145 part-time employees in place and with the current salary and job structure; and, (3) to protect the interests of the county taxpayers by eliminating the annual operating subsidy.

At a public meeting on this topic on October 8, 2013, a 9-member review panel made up of senior staff at Parkhouse and in our Administration, unanimously recommended that the RFP be awarded to Mid-Atlantic. The Commissioners then did our own independent review and analysis and following that, in public session voted unanimously on October 17, 2013 to award the RFP to Mid-Atlantic.

Over the past several months, lawyers, engineers, human resources professionals and others have worked hard to ensure a seamless transition and address the physical plant issues found during the routine due diligence. While this has taken longer than I had originally hoped, the key was getting it done right—not getting it done quickly.

I am pleased to announce that, just moments ago, we got it done right and closed on the deal.

DETAILS OF THE DEAL

Parkhouse was sold for \$41 million. When compared to other similar deals for nursing homes this really stands out in terms of the value we received. In 2013, the average price per bed for a nursing home was \$60,400. In this transaction, the County is receiving over \$75,000 per bed.

As it relates to resident care, Mid-Atlantic is an experienced operator with 15 facilities in Maryland, Pennsylvania and Delaware. Their vision is for Parkhouse to become a state-of-the-art skilled nursing center with a cutting edge short stay “Step-Up” unit that will serve the needs of citizens requiring short stay acute rehabilitation. They will also increase the number of private rooms, upgrade nursing training, and dramatically increase physical therapy capacity and equipment. Mid-Atlantic has focused on working with local hospitals to create a coordinated system of care and disease prevention—a concept which will serve our citizens well.

Under Mid-Atlantic, Parkhouse will continue to accept and serve the needs of both Medicare and Medicaid recipients without hesitation. Currently, 86 percent of Parkhouse residents are on Medicare or Medicaid; the average of Mid-Atlantic’s five Philadelphia facilities is 89 percent and they intend to maintain that commitment to those most in need.

Mid-Atlantic was chosen by the Center for Medicare and Medicaid Services’ Office of Innovation to be a “Bundled Payment Type 3 Provider” based on their ability to provide high-quality care, partner with hospital systems, and reduce costs. Mid-Atlantic runs highly rated facilities which is consistent with highly rated care provided by Parkhouse. We see this as a great fit for the facilities and the community.

As part of this deal, Mid-Atlantic agreed to maintain all current employees who wish to stay, at their current salary levels and with their current seniority. This was a point we insisted on during negotiations.

FISCAL IMPACT

As a result of this transaction, the County will realize over \$600,000 a year of lower debt service and will eliminate an annual operating loss of more than \$2 million.

The Transition Service Agreements entered into today will allow for a smooth ownership transition, with minimal net positive revenues for the County expected to last no more than twelve months.

The net proceeds for the County is \$28.6 million after deducting the costs of due diligence on the physical plant (\$4 million), paying out accrued employee benefits (\$4 million), service agreements to seamlessly transition operations (\$1 million) and transaction costs and fees (\$1 million). Of that \$28.6 million, \$8.5 million will be used to pay-off debt related to the Parkhouse

facility, and the remaining \$20.1 million will be deposited into the County reserve fund. The fund balance will be \$40.2 million as compared to \$17 million just 15 months ago.

PROTECTING & INVESTING IN THE LAND

Throughout the 13-month process, the Commissioners and some local residents in Upper Providence expressed a desire to protect the land surrounding Parkhouse from development.

Unfortunately, some tried to politicize the issue and use it to score points instead of doing the hard work to ensure that it is protected. My colleagues and I never lost sight of the importance of this issue and are pleased to announce the details of our efforts. As I've said many times throughout this process, we should be judged by the final documents and what is in black and white.

Here are the facts—

None of the land around Parkhouse or the county park, known as Upper Schuylkill Valley Park across the street from the facility was deed restricted open space *prior* to the sale.

Prior to us issuing the RFI in February 2013, the County had the right under Upper Providence's own zoning laws to develop up to 50% of the developable land—surrounding Parkhouse and the county park.

In December, Upper Providence changed the zoning to limit development on the property to only 10% building coverage with 35% total impervious area.

Today, I am pleased to announce that the binding terms of this deal provide greater protection and public access than even what Upper Providence's own zoning allows for.

The County used its legal authority to permanently protect 70 acres of land at the county park by deed restricting it as open space. We are honoring our commitment to make needed investments that will benefit all county residents visiting the facility.

At our meeting this morning, we selected a firm to begin design and engineering work for the \$460,000 project. The funding was provided by a DCNR grant secured with the support of state Rep. Mike Vereb and will fund improvements including:

- A stabilized river front/retaining wall to provide handicapped access to the Schuylkill River including fishing access and a car top boat launch area.
- Trail development to the existing wildlife exhibit area and along the Schuylkill River.
- A new rustic picnic area with group picnic facilities.
- Way-finding signage.
- Enhanced parking.
- Native vegetation plantings.

As a legally binding condition on the sale, Mid-Atlantic also agreed to restrictions and conditions on the 227 acres of the Parkhouse property outlined in a land use agreement filed with the Recorder of Deeds. Let me be clear, Mid-Atlantic did not need to enter into this land use agreement but they did so because they understood just how important it was to us and shared our commitment to protecting the land and the community interests.

This agreement places the following restrictions on the land surrounding Parkhouse:

- This agreement ensures legally protected *public access* for five years with the requirement that Mid-Atlantic meet with community leaders to discuss potential expansion of the access on the land surrounding Parkhouse. The public access is included for activities like walking, running, horseback riding and other things currently done on the land.
- The agreement requires consultation with Upper Providence regarding any changes to *trees and other natural habitat* on the land surrounding Parkhouse.
- If Mid Atlantic ever wishes to develop land surrounding Parkhouse, they will *require the approval of Upper Providence*. Upper Providence controls the zoning around Parkhouse – not the County and not Mid-Atlantic.

While some have sought to politicize this issue, real leaders have not and instead rolled up their shirt sleeves and worked hard to bring this deal to fruition. A clear example of that is state Rep. Mike Vereb who, as you know, wears dual hats as a both a civic and political leader.

Instead of joining some of his Republican colleagues and using this process as a political tool, Mike Vereb stayed true to his principles and desire to protect the land and provide public access for county residents. He spoke to me about this months ago and worked diligently and thoughtfully throughout the process to help make our shared vision a reality. This deal is enhanced because of his leadership and I truly thank him for being an honest broker in the process.

CONCLUSION

The closing of this deal today further demonstrates our collective commitment to running Montgomery County in the most effective and efficient manner while focusing on the core functions of county government and keeping faith with our values of looking out for those in need in our community, the best interests of the taxpayers and protecting the natural resources of our county.