Commission Members Present:
Chester County Representatives: Herbert Lutz, Jr., Sylvia Jennings, and Kelvin Moyd
City of Chester Representative: Dr. Jacques Days
City of Chester Representative Appointees: Larry Loflin and Brenda McDow

Also present:
Joanie Winters, County Attorney
Michael E. Kozlarek, Bond Counsel

Other members of the public were present, some of whom were invited to speak (as noted below).

Action on Agenda Items:

1. Welcome/Declaration of Quorum: Chairman Days welcomed everyone on the call and declared the presence of a quorum of the Commission.

2. Invocation: Chairman Days offered thanks through prayer.

Chairman Days reminded the Commission of the process for ensuring each matter is considered and each Commission member is heard on any matter. There should be a motion and second prior to Chairman Days asking if the Commission is ready for a vote. If any Commission member would like discussion of the item under consideration, then that member should speak up before the vote is taken.

3. Approval of Minutes:
   April 23, 2020 – Ms. Jennings moved the approval of the minutes. Mr. Moyd seconded. The motion passed unanimously.

4. Discussion of Referendum Question/Division of Funds:

Chairman Days read the co-signed addendum from Fort Lawn and the Fort Law Community Center stating that all the AEDs should be ordered together. Chairman Days reminded the Commission that the Commission had already voted to include all (from all sources) AEDs as one item.

[PROJECTS 68 AND 114 WERE DISCUSSED SIMULTANEOUSLY]

**Project 68:** Chairman Days introduced this matter to the Commission by reading an email from Everett Stubbs, Esq., which was provided to Attorney Kozlarek. Attorney Stubbs stated the Soccer Association’s President Ashley Morrison (after approval from the Association’s Board), was authorized to reduce the Association’s request from $1,000,000 to $250,000. Attorney Kozlarek described a second email from Attorney Stubbs in which there was a more specific description of for what improvements the Association hoped to use the funds.

**Project 114:** Attorney Kozlarek explained the County Supervisor had also sent an email
describing the difference between Project 68 and 114.

Mr. Lutz asked whether Mr. Robert Hall could explain whether Project 114 would be sufficient to complete everything necessary at Rodman. Chairman Days inquired whether Mr. Lutz was discussing the $250,000 project.

Mr. Lutz stated the “County Chester project” is Project 114 is approximately $1,100,000 and the Association’s was $1,000,000 but has been reduced to $250,000. Mr. Lutz asked whether Mr. Hall could discuss the plan for $1,000,000 versus $250,000. Mr. Loflin indicated he thought project 114 covered baseball and soccer to complete lights and fields as well as baseball reconfiguration and other projects.

Chairman Days asked whether project 114 covered all of project 68. Mr. Hall indicated it was unclear.

Chairman Days inquired whether $250,000 was enough for project 114. Mr. Hall explained project 114 was a request from the County for $1,153,803. Mr. Hall could not answer whether $250,000 was enough to complete project 68 but that money from the prior CPST referendum was being used to complete the fields but would not provide money for lighting, bleachers, or any other items.

Mr. Loflin read a portion of the second email from Attorney Stubbs:

Mr. Hall with Chester County is utilizing funds from the last time around to accomplish some or all of the construction of the two soccer fields that had funds allocated. We have been told that the amount allocated was insufficient to complete the fields, but the lion’s share of the project can be completed with what is already available money wise. The new money requested was to finish out the fields and put in a concession stand similar to the one the baseball organization is now requesting. Our main priority is to make sure there is enough funding through this bond to finish out the two fields with lighting, bleachers, goals, etc. There is currently a dated concession stand and bathrooms on the soccer side of the complex. A new concession stand with bathrooms would be great, but we feel our odds are better to get $250,000 than $1,000,000 knowing what we know. If completing the two soccer fields does not require the full amount of $250,000 we would like for the remaining funds to be utilized to upgrade the current concession stand and bathrooms that are on the soccer field side of the sports complex. Hopefully I have been able to lay out our wishes and requests in a way that is easy to understand.

Mr. Hall explained further that project 114 included lighting for the soccer fields but did not cover goals or bleachers.

Mr. Loflin wanted to ensure the Soccer fields would have goals and bleachers with any remainder of funds available from projects 68 and 114 being used toward the concession stand.
Chairman Days asked whether Mr. Hall thought the Commission should approved project 68 at $250,000 or project 114 at $1,153,803. Mr. Hall responded that he agreed with Mr. Loflin that bleachers and goals are not included in project 68 but $250,000 would finish sidewalks, fencing, and perhaps some money for concession stands.

Chairman Days confirmed the discussion then was not project 68 or project 114 but project 68 and project 114.

Ms. Jennings asked how much of the prior CPST referendum funds were available to complete grading on the soccer fields. Mr. Hall indicated $212,000 would be used to complete two soccer with none expected to be remaining.

Mr. Loflin asked whether project 68 had been underfunded during the prior CPST referendum process. Mr. Hall indicated that it had been underfunded.

Mr. Loflin moved to approve project 68 at $250,000. Ms. McDow seconded. The vote in favor was unanimous.

Mr. Loflin moved to approve project 114. Mr. Lutz seconded. The vote in favor was unanimous.

Chairman Days asked whether Mr. Hall thought the Commission should approved project 68 at $250,000 or project 114 at $1,153,803. Mr. Hall responded that he agreed with Mr. Loflin that bleachers and goals are not included in project 68 but $250,000 would finish sidewalks, fencing, and perhaps some money for concession stands.

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Mr. Loflin moved to approve project 68 at $250,000. Ms. McDow seconded. The vote in favor was unanimous.

Mr. Loflin moved to approve project 114. Mr. Lutz seconded. The vote in favor was unanimous.

Projects 24-25, 32-33, 87: Attorney Winters raised the Chester County Sheriff’s priority list. Chairman Days read the Sheriff’s priority memorandum (copy attached).

Mr. Loflin reminded the Commission that projects 32 and 33 were already approved. Chairman Days indicated that projects 24 and 25 were the Sheriff’s top priorities.

Mr. Moyd asked to remove projects 24 and 25 from the table. Ms. McDow seconded. The vote in favor of removing projects 24 and 25 from the table was unanimous.

Mr. Loflin moved to approve 24. Mr. Moyd second. The vote in favor was unanimous.

Mr. Moyd moved to approve 25. Mr. Loflin second. The vote in favor was unanimous.

Mr. Moyd inquired whether project 32 included the City of Chester’s radios (project 87). Mr. Loflin replied that was his understanding as to the equipment. The City would need to provide for service and maintenance. Attorney Winters indicated the Sheriff had previously confirmed the same.

Chester County Supervisor Shane Stuart indicated there were “hidden costs” associated with the radios but that this was not a “County” project so he could not speak to the specifics.

Chairman Days indicated his notes reflected the cost for service, maintenance, and realignment was $350,000 for 756 radios, which would need to come from operational funding not CPST funds.
Mr. Loflin interjected that the discussion was not fair because the Sheriff was not present to answer questions and the Sheriff had already made his presentation. Further, the Commission had already approved project 32.

Chairman Days confirmed that he was ensuring everyone had information.

**Project 26:** Mr. Moyd asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Moyd’s request, Mr. Moyd moved to approve. Mr. Loflin questioned whether the Commission could wait on a discussion about the courthouse and come back to this one. Chairman Days indicated there was a motion pending. Ms. Jennings seconded. The vote in favor was unanimous.

**Project 31:** Mr. Moyd asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Moyd’s request, Mr. Moyd moved to approve. Ms. McDow second. The vote in favor was unanimous.

**Project 44:** Mr. Loflin asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Loflin’s request, Mr. Loflin to approve. Ms. McDow seconded. The vote in favor was unanimous.

**Project 32:** Chairman Days acknowledged the Chester County Sheriff to speak to the County-wide radios and asked what the maintenance and service costs were. The Sheriff responded that he did not have numbers at hand, but the request had been for hardware that everyone in the County could use. Each agency would have to identify funding for the operational costs. The Sheriff also indicated the Sheriff’s office already had towers up that everyone could use.

Chairman Days asked how and when the next phase would come and what would be the cost. The Sheriff indicated each agency using the devices would need to determine how to pay for the service and maintenance driven by available operational funds, which would impact the timeline. In addition, the next phases would be driven by other infrastructure needs, for example, more towers.

**Project 69:** This project was previously on the table until the April 28 meeting. Chairman Days asked if there was any discussion on this item. No action was taken on this item.

**Project 83:** Mr. Moyd asked this project to be taken off the table. Attorneys Winters and Kozlarek raised concerns about whether this project would be consistent with the “capital project” purpose of the CPST Act and whether it would qualify because the property would not be owned by the City or any other not-for-profit/community organization. The Commission took no further action on this project.

**Project 84:** This project was previously on the table until the April 28 meeting. Chairman Days asked if there was any discussion on this item. Mr. Moyd moved to approve. Ms. McDow seconded. The vote in favor was unanimous.
Project 89: Mr. Moyd asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Moyd’s request, Mr. Moyd moved to approve. Ms. McDow seconded. The vote in favor was unanimous.

Project 93: Mr. Moyd asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Moyd’s request, Mr. Moyd moved to approve. Ms. McDow seconded. The vote in favor was 4 for and 1 opposed (Chairman Days not voting except in cases of a tie).

Project 94: Mr. Moyd asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Moyd’s request, Mr. Moyd moved to approve. Ms. McDow seconded.

Mr. Lutz questioned whether City Hall needed a generator. Mr. Lutz expressed his understanding of a generator for the fire station but not for City Hall. Mr. Loflin expressed a similar concern.

Ms. Jennings asked which buildings currently had generators. Chairman Days indicated he thought the Chester City fire station had one (but it was aged and potentially failing) and the public works building would have one as of the vote on project 93. Chairman Days also read the project descriptions for projects 93 and 94.

Mr. Lutz inquired why the City Hall required a generator if the police were moving out and public works had its own generator. Chairman Days explained that with a generator, if the power were out, then the City could continue with its business.

There being no further discussion, Chairman Days called for the question. The vote in favor was 3 for and 2 opposed (Chairman Days not voting except in cases of a tie).

Project 99: Discussion on this project previously failed for lack of a second. Ms. McDow raised this item again and made comments in favor of this project. Ms. McDow moved to approve. Mr. Moyd seconded.

There being no further discussion, Chairman Days called for the question. The vote in favor was 4 for and 1 opposed (Chairman Days not voting except in cases of a tie).

Project 116: Mr. Loflin asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Loflin’s request, Mr. Loflin moved to approve this project at $679,081. Mr. Lutz seconded. The vote in favor was unanimous.

Project 118: Mr. Lutz asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Lutz’s request. Attorney Winters reminded the Commission project 118 and project 17 were the same project with different figures.

Chairman Days indicated the project request was $210,000. Mr. Lutz indicated Mr. Hall had previously stated to Mr. Lutz the project could be completed for $125,000. Mr. Hall confirmed he had received a
quotation from Garland Corporation for $110,000 but Mr. Hall suggested the project request should be $125,000 to ensure for any cost overruns.

Mr. Lutz moved to approve project 118 at $125,000. Mr. Loflin seconded. The vote in favor was unanimous.

**Project 100**: Mr. Loflin asked this project to be taken off the table. Chairman Days having taken this item from the table at Mr. Loflin’s request, Mr. Loflin spoke in favor of this project and asked Mr. Hall how much money would be necessary to provide for the roof and ADA-compliant ramp and related improvements. Mr. Hall stated $60,000 should be enough.

Mr. Lutz moved to approve project 100 at $60,000. Mr. Loflin seconded. The vote in favor was unanimous.

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At Chairman Days’ request, Attorney Kozlarek reviewed the spreadsheet of projects and the allocation of revenue, which reflected allocations of approximately $16,928,000.

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**Project 106**: Ms. Jennings asked Chairman Days to return to Project 106. Hearing no objection, Chairman Days returned to this item.

Mr. Lutz asked Mr. Hall whether $1,375,000 would provide the County with the necessary improvements. Ms. Jennings asked whether Mr. Hall could describe the project. Mr. Hall described that the costs were approximately $1,000,000 would be for window improvements with another approximately $1,000,000 would be for HVAC improvements.

Mr. Lutz asked whether the HVAC could be completed for $600,000. Chairman Days asked what was the likelihood that additional funds would be used to finish the remaining projects on the prior CPST referendum list. Attorney Winters indicated it was unclear the impact COVID-19 would have on sales tax collections, so the County was being conservative in its near-term and future collections. Attorney Winters also suggested there were funds remaining from the 2018 Gateway borrowing that could be allocated to this project.

Chairman Days questioned whether funds should be removed from other projects or whether projects should be removed to provide courthouse funding.

Attorney Kozlarek also explained that by placing some projects near the end of the list, they would be fundable if funds became available.

Ms. Jennings asked Mr. Hall to provide a priority list with amounts necessary for each portion of the
Mr. Hall explained the priorities as follows:

Elevator: $91,000 (item c5)

HVAC: originally $1,120,000 but could be accomplished for $600,000 (item c4)

Porch Waterproofing (into vaults): $59,000 (item c8)

Mr. Hall then suggested a second courthouse phase be put on as the last project.

Chairman Days indicated that even with these items, additional funding would still be needed so why not include the additional security measures as well.

Mr. Loflin asked whether the Commission could require the County to use remaining funds from either the prior CPST referendum or funds remaining from the 2020 CPST referendum to supplement the Commission’s courthouse allocation.

Chairman Days indicated there were far too many contingencies to ensure that would happen.

Mr. Loflin asked whether the County should be required to return to the Commission to inform the Commission how the County would use the funds. Ms. Jennings asked whether the County Council could even change the designated use for the funds. Attorney Winters explained the referendum was a contract with the voters and County Council could not change the project listing or allocation absent specific statutory authority.

Ms. Jennings raised concerns about not maintaining the courthouse.

Chairman Days invited the Commission to consider grouping the following items for the courthouse project:

HVAC: at $600,000 (item c4)

Elevator: $91,000 (item c5)

Porch Waterproofing (into vaults): $59,000 (item c8)

Security Hardening: $578,000, $118,000, and $35,000 (item c11)

For a total project of $1,481,000.

Ms. Jennings asked Mr. Hall if the Commission approved these items, would it keep the courthouse in general good repair for another few years. Mr. Hall indicated it would and suggested the courthouse needed
to be on the list to encourage voters to approve the CPST referendum. Similarly, Attorney Winters reminded the Commission that the referendum’s intent was to touch all corners of the County and the referendum needed to be something the voters would approve. According to Attorney Winters, the courthouse is embarrassing in its current state of disrepair.

Ms. Jennings concurred explaining being in the courthouse makes you feel uncomfortable, even for people having jury duty.

Ms. Jennings moved to approve project 106 at the following levels:

   HVAC: at $600,000 (item c4)
   Elevator: $91,000 (item c5)
   Porch Waterproofing (into vaults): $59,000 (item c8)
   Security Hardening: $578,000, $118,000, and $35,000 (item c11)

For a total project of $1,481,000. Mr. Loflin seconded. The vote in favor was unanimous.

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Chairman Days reminded the Commission members that now the Commission had a list, the next step would be to order that list. Chairman encouraged the Commission to review and process the list before Thursday’s meeting with the hope that the Commission would be able to complete its work at Thursday’s meeting.

5. Consideration of Meeting Schedule:

   By unanimous consent, the Commission agreed to maintain its previously approved:
   Thursday, April 30, 2020  Consideration of project list/referendum question

6. Adjournment: All business having been concluded, Mr. Lutz moved the meeting adjourn. Ms. McDow seconded. The motion passed unanimously.

Respectfully submitted,

Herbert Lutz, Jr.
Secretary
MEETING MINUTES
CHESTER COUNTY CAPITAL PROJECT SALES AND USE TAX COMMISSION
VIDEO CONFERENCE MEETING
HTTPS://US02WEB.ZOOM.US/J/8597396715
Meeting ID: 859 739 6715
Password: not required
OR
One tap mobile
+19292056099,,8597396715# US (New York)
+13126266799,,8597396715# US (Chicago)
April 28, 2020 – 6:00 p.m.
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D. Max Dorsey, II
Sheriff

TO: Chester County Sales Tax Commission
FROM: Sheriff D. Max Dorsey, II
RE: Project Priorities for the Sheriff’s Office
DATE: April 28, 2020

Please allow me this opportunity to provide to you the Sheriff’s Office’s priority list for the projects I originally conveyed to you during our meeting on March 10, 2020.

As you may recall, I have submitted eleven (11) projects for your consideration. In the meeting on March 10th, I detailed the importance of all of them. However, I further explained the extreme significance of a few of them and their level of importance in the daily operations of the Sheriff’s Office.

Specifically, I would like for the Commission to prioritize the following Projects when considering our requests:

- **Priority 1:** Application #24: CCIK Access Control & Security System
- **Priority 2:** Application #35: Computer Network Upgrades with Switch Systems & Server
- **Priority 3:** Application #33: Deputy Protection Equipment Upgrade

Additionally, I explained the importance of upgrading the County’s communications system, which is further detailed in Application #32: Countywide Radio Project. Although this is a request made by our Office, this is a project that will benefit the entire County, including all public safety agencies at the county and municipal levels.

Please know that we as a Sheriff’s Office have a big needs, and all of the eleven projects originally submitted to you are important.

Nevertheless, I also realize you have some tough decisions to make, as you do not have the ability to fund all project requests. Therefore, HELL it was my responsibility to prioritize the most important proposals for you to consider.

Please know that I am extremely appreciative for your commitment to this very difficult task of identifying the necessary projects for the bond referendum. I know this continues to be an arduous process, but your efforts will impact Chester County in a positive manner for generations.

Thank you for considering these project priorities, and do not hesitate to contact me if you have any questions.