

Chester County Commissioners
Sunshine Agenda – October 26, 2021



DISCLAIMER

The Sunshine Meeting is a working session of the Board of Commissioners. No deliberation, decisions, or voting takes place at this meeting. The information presented in this Sunshine agenda serves as the basis for the Commissioners' meeting which is held at a different time and is posted on our website. The agenda presented at the Sunshine meeting is subject to change for the Commissioners' meeting. This agenda may change prior to the start of the Sunshine meeting, or may be revised for the Commissioners' meeting.



THE COUNTY OF CHESTER



COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

OFFICE OF THE COMMISSIONERS
313 W. Market Street, Suite 6202
P.O. Box 2748
West Chester, PA 19380-0991
(610) 344-6100

AGENDA **SUNSHINE MEETING**

October 26, 2021

1. CALL MEETING TO ORDER

2. ANNOUNCEMENTS

- Proclamation – Community Planning Month
- Presentation – 25th Anniversary of the Vision Partnership Program
- Executive Session – The Board of Commissioners met in Executive Session on Thursday, October 7, 2021 to discuss personnel and legal matters.

3. MINUTES OF THE PREVIOUS MEETING

- October 7, 2021

4. PUBLIC COMMENT ON AGENDA

5. ORDINANCES – There are no ordinances.

6. RESOLUTIONS

a. Resolution No. 43-21

Resolution of the Chester County Commissioners supporting efforts to lessen the impact on the Southern Chester County community caused by the closure of Jennersville Hospital

b. Intergovernmental Transfer Agreement

Intergovernmental Transfer Agreement between the Pennsylvania Department of Human Services, Office of Long-Term Living, and Chester County providing for intergovernmental transfers of funds to DHS in order to provide the non-federal share of Medical Assistance payments to county nursing facilities

7. MEMORANDUMS OF UNDERSTANDING – There are no memorandums of understanding.

8. BOARD APPOINTMENTS – There are no board appointments.

9. BIDS – There are no bids.

10. CONTRACTS

a. **Children, Youth, and Families**

Contract Amendment

With: Valley Youth House Committee Inc.

Amount: \$550,250.00

Purpose: Extends contract term and revises fee schedule

Term: 7/01/2021-6/30/2022

Contract Amendment

With: Drug & Alcohol Rehabilitation Services

Amount: \$60,000.00

Purpose: Extends contract term

Term: 7/01/2021-6/30/2022

Contract

With: Language Services Association, Inc.

Amount: \$50,000.00

Purpose: Provides funding for International Translation Services

Term: 7/01/2021-6/30/2023

Contract

With: Starr Commonwealth

Amount: \$30,000.00

Purpose: Provides Training and Certification Services

Term: 7/01/2021-6/30/2022

b. **Community Development**

Contract

With: Housing Partnership of Chester County

Amount: \$285,000.00

Purpose: Provides funding for the 2021 Home Modification Program

Term: 7/22/2021-6/30/2023

Contract

With: Voice and Vision, Inc.

Amount: \$8,500.00

Purpose: Provides funding for the End Homelessness Consumer Advisory Board

Term: 10/01/2021-3/31/2022

Contract

With: Educational Data Systems, Inc.

Amount: \$237,373.28

Purpose: Provides support staff funding

Term: 7/01/2021-12/31/2021

c. **Emergency Services**

Contract Amendment

With: Arraya Solutions

Amount: \$204,299.76

Purpose: Microsoft Windows Licensing on Computer Aided Dispatch System

Term: 10/28/2021-11/11/2023

d. **Facilities**

Contract

With: Long Fence Co., Inc.

Amount: \$20,500.00

Purpose: Provides emergency guide rail repairs for County Bridge #222

Already executed under Disaster Declaration for Hurricane Ida

Term: 9/29/2021-12/31/2021

Contract

With: Ronald Smith, Inc.

Amount: \$89,583.50

Purpose: Provides emergency trail repairs, debris removal, and stream channel restoration excavation for Struble Trail at Mile Marker 1.0

Already executed under Disaster Declaration for Hurricane Ida

Term: 10/06/2021-11/30/2021

Contract

With: Loftus Construction, Inc.

Amount: \$242,000.00

Purpose: Provides emergency repairs to stone masonry abutment walls for County Bridge #120, #166, and #175

Already executed under Disaster Declaration for Hurricane Ida

Term: 9/28/2021-12/31/2021

e. **MH/IDD**

Contract

With: Woods Services Inc.

Amount: \$96,000.00

Purpose: Renews Residential and Community Support Services

Term: 7/01/2021-6/30/2022

f. **Managed Behavioral Healthcare**

Contract

With: Barsz Gowie Amon & Fultz LLC

Amount: \$53,700.00

Purpose: Renews Audit Services for the HealthChoices Program

Term: 10/01/2021-9/30/2022

Contract

With: Human Services, Inc.

Amount: \$10,000.00

Purpose: Provides funding for the recruitment of a Child/Adolescent Psychiatrist

Term: 9/01/2021-12/31/2021

g. Open Space Preservation

Contract

With: Natural Lands Trust

Amount: \$1,000,000.00

Purpose: Round 33 Preservation Partnership Program Grant: Castle Rock

Farm Easement

Term: 10/28/2021-10/27/2024

h. Prison

Contract

With: RELX, Inc.

Amount: \$30,012.00

Purpose: Provides for online Law Library materials and services to inmates

Term: 12/01/2021-11/30/2024

Contract

With: Zirpoli, Patrick J.

Amount: \$3,250.00

Purpose: Provides Consultant Services

Term: 10/28/2021-3/31/2022

i. Public Health Admin

Contract

With: Kennett Fire Company No. 1

Amount: \$576.00

Purpose: Lease space for COVID-19 Vaccination Clinics

Term: 11/20/2021-2/28/2022

Contract

With: Constant and Associates, Inc.

Amount: \$144,390.00

Purpose: Provides for a Coronavirus After Action Plan

Term: 10/28/2021-1/31/2022

j. Treasurer's Office

Contract

With: East Goshen Township

Amount: Revenue producing contract

Purpose: Provides for the collection of Municipal Property Taxes for East Goshen Township by the Chester County Treasurer's Office per County

Resolution No. 42-41

Term: 10/28/2021-12/31/2023

11. GRANTS

a. Adult Probation, Parole, and Pretrial Services

Grant Application

With: Pennsylvania Commission on Crime and Delinquency

Award: \$533,144.00

Description: County Adult Probation and Parole Grant-in-Aid

Term: 7/01/2021-6/30/2022

b. Community Development

Grant Award

With: U.S. Department of Housing and Urban Development

Amount: \$2,631,316.00

Description: 2021 Community Development Block Grant (CDBG)

Term: 1/01/2021-12/31/2021

Grant Award

With: U.S. Department of Housing and Urban Development

Amount: \$220,571.00

Description: 2021 Emergency Solutions Grant (ESG)

Term: 1/01/2021-12/31/2021

Grant Award

With: U.S. Department of Housing and Urban Development

Amount: \$1,099,485.00

Description: 2021 HOME Investment Partnerships Program,

Term: 1/01/2021-12/31/2021

Grant Award

With: Pennsylvania Department of Community and Economic Development

Amount: \$300,000.00

Description: Keystone Communities Accessible Housing Grant

Term: 7/22/2021-6/30/2023

Grant Application

With: Pennsylvania Housing Finance Agency

Amount: \$500,000.00

Description: 2021 Pennsylvania Housing Affordability and Rehabilitation Enhancement (PHARE) Grant

Term: 10/01/2022-9/30/2024

c. District Attorney

Grant Application

With: Pennsylvania Commission on Crime and Delinquency

Amount: \$40,330.00

Description: Innovative Policing

Term: 1/01/2022-12/31/2023

Grant Amendment

With: Liberty Mid-Atlantic High Intensity Drug Trafficking Area

Amount: Increase of \$2,013.06

Description: Liberty Mid-Atlantic High Intensity Drug Trafficking Area

Term: 10/01/2021-10/01/2022

d. Managed Behavioral Healthcare

Grant Amendment

With: Pennsylvania Department of Human Services

Amount: Increase of \$12,843,065.00

Description: HealthChoices Program

Term: 1/01/2020-12/31/2024

e. Pocopson Home

Grant Application

With: Pennsylvania Department of Human Services – Office of Long-Term Living

Amount: \$15,000.00

Description: Indoor Air Management Strategies for Long-Term Care

Term: 8/02/2021-Until all funds allocated by PA

12. FINANCIAL MATTERS

a. 2022 Preliminary Budget

b. Budget Change 16-21

Department: Managed Behavioral Healthcare

Amount: \$12,843,065

To adjust budget for additional revenue for the HealthChoices Programs

Capital Improvement Fund

Amount: No Net Change

To budget a Preservation Partnership Program grant awarded to West Chester Borough for Everhart Park improvements

Capital Improvement Fund

Amount: No Net Change

To budget a Preservation Partnership Program grant awarded to Willistown Conservation Trust for the expansion of Kirkwood Preserve

Capital Improvement Fund

Amount: No Net Change

To budget a Preservation Partnership Program grant awarded to Natural Lands Trust for the Isabella Furnace easement in West Nantmeal Township

c. Vouchers as submitted by Controller

13. PUBLIC COMMENT

14. ADJOURNMENT



THE COUNTY OF CHESTER



COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

OFFICE OF THE COMMISSIONERS
313 W. Market Street, Suite 6202
P.O. Box 2748
West Chester, PA 19380-0991
(610) 344-6100

COMMISSIONERS' MEETING MINUTES

October 7, 2021

1. CALL MEETING TO ORDER

The public meeting of the Chester County Board of Commissioners was called to order at 10:04 AM on October 7, 2021 in the Commissioners' Boardroom by the Chair of the Board of Commissioners, Marian D. Moskowitz. Commissioner Josh Maxwell and Commissioner Michelle Kichline were also present.

CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

Chair Moskowitz asked Amy Cuthbertson, Administrative Assistant to Commissioner Josh Maxwell, to lead the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS

Chair Moskowitz announced that the Board of Commissioners met in Executive Session on Tuesday, October 5, 2021 to discuss personnel and legal matters.

ANNOUNCEMENTS

4. MINUTES OF PREVIOUS MEETING

Commissioner Maxwell made a motion to approve the minutes from the September 9, 2021 Commissioners' Meeting and the September 16, 2021 Special Commissioners' Meeting. Commissioner Kichline seconded the motion. Motion carried to approve the minutes from the September 9, 2021 Commissioners' Meeting and September 16, 2021 Special Commissioners' Meeting.

MINUTES APPROVED

5. PUBLIC COMMENT ON AGENDA

Mark Connolly, of the Chester County Environmental and Energy Advisory Board, thanked the Board of Commissioners for their support of the advisory board and their work on the Climate Action Plan.

PUBLIC COMMENT

There was no further public comment on agenda items.

6. ADOPTION OF AGENDA

Commissioner Kichline made a motion to adopt the agenda. Commissioner Maxwell seconded the motion. Motion carried to adopt the October 7, 2021 Commissioners' Meeting agenda.

ADOPTION OF AGENDA

7. ORDINANCES

There were no ordinances.

ORDINANCES

8. RESOLUTIONS

a. Resolution 35-21

Commissioner Maxwell made a motion to approve Resolution 35-21 declaring that it is desirable for the health, safety, and welfare of the residents of Chester County for the Chester County Health and Education Facilities Authority to undertake a project involving the issuance of revenue bonds in an amount not to exceed \$50,000,000.00. Commissioner Kichline seconded the motion. Motion carried to approve Resolution 35-21.

b. Resolution 36-21

Commissioner Kichline made a motion to approve Resolution 36-21 approving the Chester County Industrial Development Authority Next Generation Farmer Loan application/ project on behalf of Samuel K. and Annie A. Fisher. Commissioner Maxwell seconded the motion. Motion carried to approve Resolution 36-21.

c. Resolution 37-21

Commissioner Maxwell made a motion to approve Resolution 37-21 authorizing the exoneration of certain county taxes. Commissioner Kichline seconded the motion. Motion carried to approve Resolution 37-21.

d. Resolution 38-21

Commissioner Kichline made a motion to approve Resolution 38-21 authorizing the adoption of the Chester County Climate Action Plan. Commissioner Maxwell seconded the motion. Motion carried to approve Resolution 38-21.

9. MEMORANDUMS OF UNDERSTANDING

There were no memorandums of understanding.

10. BOARD APPOINTMENTS

Following a motion made by Commissioner Maxwell, which was seconded by Commissioner Kichline, the Board of Commissioners approved the following appointments.

Chester County Children, Youth, and Families Citizens' Advisory Committee

Appoint James Smith for a term ending 9/30/2024

Chester County Drug and Alcohol Advisory Board

Reappoint Kevin Kelly for a term ending 9/30/2024

Reappoint Catherine O'Donnell for a term ending 9/30/2024

Chester County Environmental and Energy Advisory Board

Appoint Kathleen McCaig filling an unexpired term ending 12/31/2022

Chester County MH/IDD Advisory Board

Appoint Rachel Daltry for a term ending 9/30/2024

Appoint Nicole Keegan for a term ending 9/30/2024

Appoint Holly O'Connell for a term ending 9/30/2024

RESOLUTIONS

Resolution 35-21

Resolution 36-21

Resolution 37-21

Resolution 38-21

MOUs

BOARD APPOINTMENTS

Authorities, Boards, and Commissions

Chester County Veterans' Affairs Advisory Council

Appoint Constance Dutton for a term ending 12/31/2022

Appoint Kyle Hanlan for a term ending 12/31/2022

Appoint Tisha Jennings for a term ending 12/31/2022

Appoint Kirk Fernitz for a term ending 12/31/2023

Appoint John Griffiths for a term ending 12/31/2023

Appoint Justin Radbill for a term ending 12/31/2023

Appoint Allison Stanco-Aguilar for a term ending 12/31/2023

11. BIDS

BIDS

a. Bid Rejection

Bid Rejection

Following a motion made by Commissioner Kichline, which was seconded by Commissioner Maxwell, the Board of Commissioners unanimously rejected the following bid, and authorized it to be re-bid.

I. Exton Library Front Parking Lot Modifications, Bid #357109-1392A

b. Bid Awards

Bid Awards

Following a motion made by Commissioner Maxwell, which was seconded by Commissioner Kichline, the Board of Commissioners unanimously approved the followings bids.

Hankin Library Parking Lot and Sidewalk Repaving, Bid #124107-1386E (Re-Bid)

Delaware Valley Paving	\$113,955.60
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Bread Products, Bid #501109-1390A

Bimbo Bakeries USA, Inc.	\$47,382.00
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c. Authorization to Bid

Authorization to Bid

Following a motion made by Commissioner Kichline, which was seconded by Commissioner Maxwell, the Board of Commissioners unanimously authorized the following bid to be issued.

I. Youth Center Facility Painting

12. CONTRACTS

CONTRACTS

Commissioner Maxwell made a motion to approve the Contracts Agenda. Commissioner Kichline seconded the motion. A roll call vote was conducted. Chair Moskowitz abstained from voting on contracts with the Chester County Economic Development Foundation. Otherwise, all Commissioners voted yes and approved the Contracts Agenda.

13. GRANTS

GRANTS

Commissioner Kichline made a motion to approve the Grants Agenda. Commissioner Maxwell seconded the motion. Motion carried to approve the Grants Agenda.

14. PERSONNEL MATTERS

PERSONNEL

a. **HR Agenda**

HR Agenda

Commissioner Maxwell made a motion to approve the Human Resources Agenda. Commissioner Kichline seconded the motion. Motion carried to approve the Human Resources Agenda.

15. FINANCIAL MATTERS

FINANCE

a. **Budget Change 15-21**

Budget Changes

Commissioner Kichline made a motion to approve Budget Change 15-21. Commissioner Maxwell seconded the motion. Motion carried to approve Budget Change 15-21.

b. **Approval of the 2022 Official County Government Holiday Schedule**

2022 Holiday Schedule

Commissioner Kichline made a motion to approve the proposed holiday schedule for 2022. Commissioner Maxwell seconded the motion. Motion carried to approve the 2022 Official County Government Holiday Schedule.

16. PUBLIC COMMENT

PUBLIC COMMENT

Gwen Griffith, Alberta Trafficante, Jane Joyce, and Vanessa Fury spoke about election integrity and asked the Board of Commissioners to consider a forensic audit of the 2020 General Election.

There was no further public comment.

17. ADJOURNMENT

ADJOURNMENT

The meeting was adjourned following a motion made by Commissioner Maxwell, which was seconded by Commissioner Kichline. Motion carried to adjourn the meeting. Meeting adjourned at 10:22 AM.



Taken by Taylor Pettit

On behalf of Chief Clerk Robert J. Kagel

**THE COUNTY OF CHESTER
COMMONWEALTH OF PENNSYLVANIA
RESOLUTION No. 43-21**

**RESOLUTION OF THE CHESTER COUNTY COMMISSIONERS SUPPORTING
EFFORTS TO LESSEN THE IMPACT ON THE SOUTHERN CHESTER COUNTY
COMMUNITY CAUSED BY THE CLOSURE OF JENNERSVILLE HOSPITAL**

WHEREAS, On September 28, 2021 Tower Health announced without warning or consultation the closure of Jennersville Hospital, the only hospital and helipad in Southern Chester County; and

WHEREAS, Jennersville Hospital has been the only acute care hospital and emergency department in Southern Chester County for more than 100 years; and,

WHEREAS, the closure of Jennersville Hospital by Tower Health creates a significant void in the ability and ease of accessing an emergency department in Southern Chester County causing extended transport times for an already overburdened Emergency Medical Services (EMS) system; and,

WHEREAS, these extended transport times to reach an emergency department will create an immense and imminent impact to the health, safety, and welfare of the Southern Chester County community including all individuals, municipalities, businesses, nonprofits, schools, police, fire, and EMS; and,

WHEREAS, EMS units traveling longer distances will adversely impact the citizens of Southern Chester County, only increase the cost to provide EMS services in Southern Chester County and will create the need for additional air ambulance transports; and;

WHEREAS, the increase cost to provide EMS services and the need for additional air ambulance transports will create a significant and unnecessary financial burden on individuals, families, and municipalities; and,

NOW, THEREFORE, BE IT RESOLVED, that the Chester County Commissioners support community members, organizations, local municipalities, and other interested stakeholders, along with the Pennsylvania Department of Health, finding creative solutions to mitigate the impacts and effects of the closure of Jennersville Hospital on the Southern Chester County community.

THIS RESOLUTION, adopted this _____ day of _____, 2021, by the Board of Chester County Commissioners.

COMMISSIONERS:

Marian D. Moskowitz, Chair

Josh Maxwell, Commissioner

Michelle Kichline, Commissioner

ATTEST:

Robert J. Kagel, Chief Clerk

(As Chief Clerk, I hereby attest that any copy of this document not bearing original signatures is a true and correct copy of the original.)

Agreement of
Pennsylvania Department of Human Services,
Office of Long-Term Living
and
Chester County

This Intergovernmental Transfer Agreement ("Agreement"), by and between the Pennsylvania Department of Human Services, Office of Long-Term Living ("DHS, OLTL") and Chester County ("the County") provides for intergovernmental transfers of funds to DHS in order to provide the non-federal share of Medical Assistance ("MA") payments to county nursing facilities.

The County and DHS, OLTL (collectively referred to as "the parties") agree as follows:

1. **Program Description.** Pocopson Home (hereinafter "the County Nursing Facility") is a Pennsylvania licensed nursing facility located in and controlled by the County. The County Nursing Facility is an enrolled provider in the MA Program. The County will transfer funds to DHS. The transfer of funds from the County to DHS is known as an intergovernmental transfer ("IGT"). DHS will use the IGTs as the non-federal share (or "state share") of the County Nursing Facility access to care capitation component of DHS's capitation payments ("Capitation Component") to the Community HealthChoices Managed Care Organizations ("CHC-MCOs"). The use of IGTs to fund Medicaid expenditures is authorized under the Social Security Act and the regulations of the Centers for Medicare and Medicaid Services ("CMS") (See 42 CFR 433.51 - Public Funds as the state share of financial participation).
2. **CMS Approval Required.** The MA payments described in subsection 5.c. of this Agreement are contingent upon CMS approval of the CHC-MCO agreements authorizing the Capitation Component. The County shall transfer the IGT funds on the date agreed to by the Pennsylvania Coalition of Affiliated Healthcare and Living Communities ("PACAH") and DHS ("IGT Due Date").
3. **Voluntariness.** The County attests that it entered voluntarily into this Agreement to make the IGTs described hereunder. The County further attests that it and its representatives have independently analyzed the validity of the IGTs and MA payments described in subsection 5.c. of this Agreement, and in making the final determination to enter into this Agreement, relied upon the advice of their advisors and legal counsel.
4. **Permissible Sources.** The County shall provide IGT funds to DHS that satisfy the requirements of 42 CFR 433.51 and that are not derived from an impermissible source, including, but not limited to, recycled Medicaid payments, Federal money precluded from use as the state share, impermissible taxes, and non-bona fide provider-related donations. At the time the County makes an IGT to DHS, the County shall certify to DHS that the IGT funds are derived from state or local bonds, tax revenue or other permissible sources using the form attached as Exhibit A.

5. Transfer and Use of Funds. The parties will transfer and use the IGT funds as specified below.

- a. The County shall make a one-time IGT in the total annual amount of \$5,571,578 on the IGT Due Date by transferring those IGT funds to DHS via the Automated Clearing House or via wire transfer to an account designated by DHS.
- b. DHS, OLTL will use \$1,726,572 of the total annual IGT of \$5,571,578 for state-funded, county-administered human services programs for Fiscal Year 2021-2022.
- c. DHS, OLTL will use \$3,845,006 of the total annual IGT of \$5,571,578 as the state share of the Capitation Component to the CHC-MCOs in the Community HealthChoices ("CHC") Southeast Zone for July 1, 2021 through June 30, 2022. The CHC Southeast Zone is comprised of the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia. The aggregate amount of IGT funds from Southeast Zone counties, which will be used as the state share of the Capitation Component, is anticipated to be \$25,866,388. DHS, OLTL will include provisions in its agreements with the CHC-MCOs requiring the CHC-MCOs to use the Capitation Component to increase payments to county nursing facilities for nursing facility services ("County Nursing Facility Access to Care Payments"). The total amount of County Nursing Facility Access to Care Payments in the Southeast Zone is anticipated to be \$66,643,609 for the period July 1, 2021 through June 30, 2022. The amount of the increase paid to each individual county nursing facility, including the County Nursing Facility, shall be determined through negotiations between each CHC-MCO and PACAH.
- d. The County agrees that the dollar amounts set forth in subsections a. through c., above were calculated on the following assumptions, which, if altered, would change those amounts:
 - i. The amounts were calculated using the Federal Medical Assistance Percentage ("FMAP") rates for October 1, 2020 and October 1, 2021. Consequently, the amounts may be adjusted to reflect any changes in the FMAP.
 - ii. The amounts were calculated based on the anticipated amount of aggregate IGTs. Consequently, those amounts may be adjusted to reflect any changes in the final aggregate IGT amounts that participating counties have agreed to transfer to DHS.
 - iii. The amounts were calculated based on projected CHC enrollment numbers. Consequently, those amounts may be adjusted to reflect any changes in CHC enrollment.

If DHS determines the dollar amounts set forth in subsections a. through c., above should be adjusted based on a change in one or more of the factors described in subparagraphs i, ii or iii, DHS shall provide notice to the County and PACAH. DHS and PACAH will negotiate any adjustments to be made as soon as possible.

6. County Nursing Facility Use of Funds. The County Nursing Facility shall not be required to render the payments funded with IGTs made pursuant to this Agreement, in whole or in part, to the County; however, nothing in this Agreement is intended to, nor does it limit the County Nursing Facility's discretion to use the payments it receives as it deems appropriate.

7. Deferrals and Disallowances.

a. DHS will use its best efforts to notify the County and PACAH within ten (10) business days if CMS defers or disallows Federal Financial Participation ("FFP") in the Capitation Component or in the County Nursing Facility Access to Care Payments made by CHC-MCOs to the County Nursing Facility which are funded through the Capitation Component. DHS will consult with and provide the County and PACAH a copy of DHS's response to the CMS deferral or disallowance.

b. If CMS disallows FFP in the Capitation Component or the County Nursing Facility Access to Care Payments made by the CHC-MCOs to the County Nursing Facility, DHS shall recoup or require the CHC-MCOs to recoup the disallowed FFP, and any related interest and penalties, if any, by offsetting the amount of the disallowance from payments otherwise due to the County Nursing Facility under the following terms:

- i. If the reason for the disallowance is ultimately found to be attributed to the County (for example, among other things, if CMS, or, if an appeal is taken, the court of final recourse, determines that the County did not provide proper documentation; that the County did not provide the IGT funds from a permissible source; or that the County was not a public entity for purposes of the IGT), then DHS shall recoup or require the CHC-MCOs to recoup the full amount of the disallowance associated with the County Nursing Facility Access to Care Payment to the County Nursing Facility;
- ii. If the reason for the disallowance is ultimately found to be attributed to the design/structure of the IGT (for example, among other things, if CMS, or if an appeal is taken, the court of final recourse, determines that this Agreement was impermissible), then DHS shall recoup or require the CHC-MCOs to recoup the full amount of the disallowance associated with the County Nursing Facility Access to Care Payment to the County Nursing Facility less fifty percent (50%) of the amount used for state-funded county-administered human services programs under subsection 5.b.

The amount recouped from the County Nursing Facility as the result of any disallowance shall not exceed the amount the County Nursing Facility receives in County Nursing Facility Access to Care Payments less the amount of \$3,845,006. In the event the amounts due under this subparagraph cannot be offset against payments otherwise due to the County Nursing Facility, the County Nursing Facility shall take such other measures as may be necessary to return the amount due under this subparagraph, at the discretion of DHS. The County Nursing Facility shall be permitted to retain the state share identified in subsection 5.c. above.

- c. If DHS determines that meritorious grounds exist to appeal CMS's disallowance of FFP in the Capitation Component or in the County Nursing Facility Access to Care Payments made by CHC-MCOs to the County Nursing Facility, DHS shall file an appeal with the United States Department of Health & Human Services Departmental Appeals Board contesting the CMS's disallowance. In the event DHS files such an appeal, DHS will not object if the County and/or County Nursing Facility seeks to intervene in and to appear with DHS as a party to the appeal.
8. Record Maintenance. The parties shall maintain necessary records and supporting documentation applicable to the IGTs and the payments to County Nursing Facilities and other Medicaid payments to assure that claims for total funds and federal funds are in accordance with applicable federal requirements.
9. Records Access and Cooperation. The County shall provide DHS or its designee access to the County's records and the supporting documentation relating to the IGTs and shall cooperate and assist DHS, as requested, in any federal or state review or audit of the IGTs or payments funded with those IGTs.
10. Notices. Any written notice required by the Agreement shall be sent to:

For the Department

Name:
John Eyer

E-mail address:
joeyer@pa.gov

Mailing address:
Department of Human Services
OLTL/Forum Place, 6th Floor
Bureau of Finance
P.O. Box 8025
Harrisburg, PA 17105-8025

For Chester County

Name: JACQUELINE McKENNA,
POCOPSON ADMINISTRATOR

E-mail address:
JMCKENNA@CHESCO.ORG

Mailing address:
POCOPSON HOME
ATTN: JACQUELINE McKENNA
1695 LENAPE ROAD
WEST CHESTER, PA
19382

11. Rights and Responsibilities. This Agreement is only intended to establish the IGT set forth above, and nothing in this Agreement shall be construed to limit, restrict or modify the respective rights and responsibilities of either party under federal or state law and policies, including the right of DHS to recover overpayments made to the County Nursing Facility other than the state share set forth in subsection 5.c., above.

The parties, by their authorized representatives, have duly executed this Agreement and each party acknowledges the receipt of a duly executed copy of this Agreement with original signatures.

PENNSYLVANIA DEPARTMENT OF
HUMAN SERVICES

CHESTER COUNTY

Printed Name: _____

Printed Name: _____

Title: _____

Title: COMMISSINER, CHAIR

By: _____

By: _____

Date: _____

Date: _____

Printed Name: _____

Title: _____

By: _____

Date: _____

Exhibit A

Certification for Intergovernmental Transfers Agreement

I certify that I am authorized to sign this certification on behalf of the County entity listed below and that the source of funds submitted to the Commonwealth of Pennsylvania for the intergovernmental transfer (IGT) identified below is derived from state or local bonds, tax revenue or other permissible sources.

Signed: _____

Print Name: _____

Title: COMMISSINER, CHAIR

Name of County entity: COUNTY OF CHESTER

Name of Nursing Facility(s) Receiving Payment: POCOPSON HOME

Total Amount of IGT: \$ 5,571,578

Date: _____

<u>Location</u>	<u>Type</u>	<u>Amount \$</u>	<u>Term</u>	<u>Description/Funding Percentage</u>
<u>Children Youth and Families</u>				
Vendor: Valley Youth House Committee Inc. Contract ID: 0018069	Amendment	550,250.00	07-01-2021 06-30-2022	Amendment #2: This amendment extends the contract term for an additional one (1) year period and revises the Payment Schedule and Work Statement for Residential Foster Care Services. This contract is funded by Act 148 for children in the Child Welfare Program and for children under the Juvenile Act. CO: 20% ST: 75% FED: 5%
Vendor: Drug & Alcohol Rehabilitation Services Contract ID: 0018127	Amendment	60,000.00	07-01-2021 06-30-2022	Amendment #2: This amendment extends the contract term for an additional one (1) year period for Residential Services. This amendment is funded by Act 148 for children in the Child Welfare Program and for children under the Juvenile Act. CO: 20% ST: 75% FED: 5%
Vendor: Language Services Association, Inc. Contract ID: 0021045	Contract	50,000.00	07-01-2021 06-30-2023	This contract provides funding for International Translation Services. CO: 20% ST: 75% FED: 5%
Vendor: Starr Commonwealth Contract ID: 0021069	Contract	30,000.00	07-01-2021 06-30-2022	This contract provides Training and Certification Services. This contract is funded by Act 148 for children in the Child Welfare Program and for children under the Juvenile Act. CO: 20% ST: 75% FED: 5%
<u>Community Development</u>				
Vendor: Housing Partnership of Chester County Contract ID: 0021074	Contract	285,000.00	07-22-2021 06-30-2023	This contract provides funding for the 2021 Home Modification Program for eligible Chester County residents. The cost associated with this contract is funded by the Pennsylvania Department of Community and Economic Development Keystone Communities Program. This supports Strategic Business Plan Housing and Community Support Services activity. CO: 0% ST: 100% FED: 0%
Vendor: Voice and Vision, Inc. Contract ID: 0021075	Contract	8,500.00	10-01-2021 03-31-2022	This contract provides funding for the End Homelessness Consumer Advisory Board. The cost associated with this contract is funded by the Housing Trust Partnership and the Pennsylvania HealthChoices Reinvestment fund. This supports Strategic Business Plan Housing and Community Support Services activity. CO: 41% ST: 59% FED: 0%

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<u>Community Development</u>				
Vendor: Educational Data Systems, Inc. Contract ID: 0021078	Contract	237,373.28	07-01-2021 12-31-2021	This contract provides support staff funding to manage and support project/program activities. The cost associated with this contract is provided by the Pennsylvania Department of Labor and Industry Workforce Innovation and Opportunity Act (WIOA). This supports Strategic Business Plan Career and Workforce Development Activity. CO: 0% ST: 0% FED: 100%
<u>Emergency Services</u>				
Vendor: Arraya Solutions Contract ID: 0019943	Amendment	204,299.76	10-28-2021 11-11-2023	Amendment #2: This amendment provides additional funding to modify Microsoft Windows licensing for the Computer Aided Dispatch System by purchasing licenses upfront to eliminate monthly subscriptions, resulting in long-term cost savings. CO: 100% ST: 0% FED: 0%
<u>Facilities</u>				
Vendor: Long Fence Co., Inc. Contract ID: 0021080	Contract	20,500.00	09-29-2021 12-31-2021	This contract provides emergency guide rail repairs for County Bridge #222 on Pikeland Road in West Pikeland Township. This contract was executed under the Declaration of Local Disaster Emergency in response to Hurricane Ida. CO: 100% ST: 0% FED: 0%
Vendor: Ronald Smith, Inc. Contract ID: 0021081	Contract	89,583.50	10-06-2021 11-30-2021	This contract provides emergency trail repairs, debris removal and stream channel restoration excavation for Struble Trail at Mile Marker 1.0. This contract was executed under the Declaration of Local Disaster Emergency in response to Hurricane Ida. CO: 100% ST: 0% FED: 0%
Vendor: Loftus Construction, Inc. Contract ID: 0021083	Contract	242,000.00	09-28-2021 12-31-2021	This contract provides emergency repairs to stone masonry abutment walls for County Bridge #120 on Harmony Hill Road in East and West Bradford Townships, County Bridge #166 on Wilson Road in Tredyffrin Township and County Bridge #175 on Creek Road in Schuylkill Township. This contract was executed under the Declaration of Local Disaster Emergency in response to Hurricane Ida. CO: 100% ST: 0% FED: 0%
<u>MH/IDD</u>				
Vendor: Woods Services Inc. Contract ID: 0021030	Contract	96,000.00	07-01-2021 06-30-2022	This contract renews Residential and Community Support Services to one individual with intellectual disabilities. CO: 0% ST: 100% FED: 0%

<u>Location</u>	<u>Type</u>	<u>Amount \$</u>	<u>Term</u>	<u>Description/Funding Percentage</u>
<u>Managed Behavioral Healthcare</u>				
Vendor: Barsz Gowie Amon & Fultz LLC Contract ID: 0021042	Contract	53,700.00	10-01-2021 09-30-2022	This contract renews Audit Services for the HealthChoices Program. This contract was a result of Request for Proposal #2008-01. CO: 0% ST: 100% FED: 0%
Vendor: Human Services, Inc. Contract ID: 0021057	Contract	10,000.00	09-01-2021 12-31-2021	This contract provides funding for the recruitment of a Child/Adolescent Psychiatrist in an effort to increase access to psychiatry time for Medical Assistance eligible members of the HealthChoices Program. Provider proposals were received as a result of provider network meeting presentations and outreach notification through core provider agencies. Proposals were reviewed by Program staff for suitability to the State approved Reinvestment Plan. CO: 0% ST: 100% FED: 0%
<u>Open Space Preservation</u>				
Vendor: Natural Lands Trust Contract ID: 0021091	Contract	1,000,000.00	10-28-2021 10-27-2024	Round 33 Preservation Partnership Program Grant: Castle Rock Farm Easement. This contract is for the purchase of a conservation easement on 114 acres, including a public trail corridor, in Newlin and West Bradford Townships. The total project cost is \$2,710,875.00. County funding is \$1,000,000.00 (37%). Other funding: Township (63%). This contract is a result of the 2021 Preservation Partnership Program Grant Round and is being funded through the annual allocation of Open Space funds. CO: 37% ST: 0% FED: 0%
<u>Prison</u>				
Vendor: RELX, Inc. Contract ID: 0021079	Contract	30,012.00	12-01-2021 11-30-2024	This contract provides for on-line Law Library materials and services to inmates. This contract is fully funded by the Prison's Canteen Fund. CO: 0% ST: 0% FED: 0%
Vendor: Zirpoli, Patrick J. Contract ID: 0021089	Contract	3,250.00	10-28-2021 03-31-2022	This contract provides Consultant Services to perform the required compliance audit for the Prison Rape Elimination Act (PREA). CO: 100% ST: 0% FED: 0%
<u>Public Health Admin</u>				
Vendor: Kennett Fire Company No. 1 Contract ID: 0021090	Contract	576.00	11-20-2021 02-28-2022	This Lease Agreement provides for the Health Department to lease space to conduct COVID-19 Vaccination Clinics. This contract is funded by the Immunization Action Plan Grant. CO: 0% ST: 0% FED: 100%

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<u>Public Health Admin</u>				
Vendor: Constant and Associates, Inc. Contract ID: 0021092	Contract	144,390.00	10-28-2021 01-31-2022	This contract provides for a Coronavirus After Action Plan per the Request for Proposal #2108-02. This contract is funded by the Epidemiology and Laboratory Capacity Enhancing Detection Grant. CO: 0% ST: 0% FED: 100%
<u>Treasurer's Office</u>				
Vendor: East Goshen Township Contract ID: 0021077	Contract	0.00	10-28-2021 12-31-2023	This contract provides for the collection of Municipal Property Taxes for East Goshen Township by the Chester County Treasurer's Office per County Resolution No. 42-21. This is a revenue contract. CO: 0% ST: 0% FED: 0%
Number of Contracts:			20	

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DEPARTMENT / FUND	AWARD	TERM	DESCRIPTION
<u>Adult Probation, Parole, and Pretrial Services</u>			
Pennsylvania Commission on Crime and Delinquency Application - Renewal 001-221000-332225-12900000-2210002	\$ 533,144.00	07/01/2021 06/30/2022	County Adult Probation and Parole Grant-in-Aid No New Positions - No County Match State Funding = \$533,144.00
<u>Community Development</u>			
U.S. Department of Housing and Urban Development Contract / Award - Renewal 116-490000-331200-40100000-4900001-FY2021	\$ 2,631,316.00	01/01/2021 12/31/2021	2021 Community Development Block Grant (CDBG) No New Positions - No County Match Federal Funding = \$2,631,316.00
U.S. Department of Housing and Urban Development Contract / Award - Renewal 116-490000-331200-40700000-4900001-FY2021	\$ 220,571.00	01/01/2021 12/31/2021	2021 Emergency Solutions Grant (ESG) No New Positions - No County Match Federal Funding = \$220,571.00
U.S. Department of Housing and Urban Development Contract / Award - Renewal 116-490000-331200-40200000-4900001-FY2021	\$ 1,099,485.00	01/01/2021 12/31/2021	2021 HOME Investment Partnerships Program No New Positions - No County Match Federal Funding = \$1,099,485.00
Pennsylvania Department of Community and Economic Development Contract / Award - New 116-490000-332224-42600000-4900001-FY2021	\$ 300,000.00	07/22/2021 06/30/2023	Keystone Communities Accessible Housing Grant No New Positions - No County Match State Funding = \$300,000.00
Pennsylvania Housing Finance Agency Application - New TBD	\$ 500,000.00	10/01/2022 09/30/2024	2021 Pennsylvania Housing Affordability and Rehabilitation Enhancement (PHARE) Grant No New Positions - No County Match State Funding = \$500,000.00
<u>District Attorney</u>			
Pennsylvania Commission on Crime and Delinquency Application - New TBD	\$ 40,330.00	01/01/2022 12/31/2023	Innovative Policing No New Positions - No County Match Federal Funding = \$40,330.00

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DEPARTMENT / FUND	AWARD	TERM	DESCRIPTION
<u>District Attorney (Continued)</u>			
Liberty Mid-Atlantic High Intensity Drug Trafficking Area	\$ 2,013.06	10/01/2021	Liberty Mid-Atlantic High Intensity Drug Trafficking Area
Contract / Award - Amendment	<i>Increase</i>	10/01/2022	No New Positions - No County Match
001-129000-331208-12600650-1290002	<i>Change in Term</i>		Revised Total Federal Funding = \$75,115.06
			<i>Prior term: 10/2/2020 - 10/1/2021</i>
<u>Managed Behavioral Healthcare</u>			
Pennsylvania Department of Human Services	\$ 12,843,065.00	01/01/2020	HealthChoices Program
Contract / Award - Amendment	<i>Increase</i>	12/31/2024	No New Positions - No County Match
142-454301-332221-44598000-4512001			Revised Total State Funding = \$506,146,935.00
<u>Pocopson Home</u>			
Pennsylvania Department of Human Services - Office of Long-Term Living	\$ 15,000.00	08/02/2021	Indoor Air Management Strategies for Long-Term Care
Contract / Application - New		Until all funds allocated by PA	No New Positions - No County Match
501-460000-332207-92000011-4600007			State Funding = \$15,000.00

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