

Easton, Pennsylvania

July 2, 2020

The regular meeting of the Northampton County Council was held on the above date with the following present: Ronald R. Heckman, President; Lori Vargo Heffner, Vice President; John Cusick; Margaret L. Ferraro; Thomas A. Giovanni; Kevin Lott; William B. McGee; Kerry L. Myers; Tara M. Zrinski; Linda M. Zembo, Clerk to Council; Alene M. Shafnisky, Deputy Clerk to Council and Christopher T. Spadoni, Solicitor to Council.

Pledge of Allegiance

Ms. Vargo Heffner led County Council in the pledge of allegiance.

Approval of the Minutes - June 18, 2020

Mr. McGee made the following motion:

Be It Moved By the Northampton County Council that the minutes of the June 18, 2020 meeting shall be approved.

Mr. Myers seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Alex Michaels, 840 Hamilton Street, Allenton, PA - stated he was with Discover Lehigh Valley (DiscoverLV) and up until March of this year they were experiencing record highs, but due to COVID-19 they were looking at a potential revenue loss of \$2 million so they were going to be limited to what they could do for the region with regard to marketing and branding. He further stated they would appreciate County Council providing them with funding so they could get the community into a recovery mode.

Ms. Debra Rice, 527 East Laurel Street, Bethlehem, PA - advised she was the owner of Phenomenal Events and Marketing and on March 11th she did her last event. She further advised they usually did 300 a year, but so far they have only done 13 and the next one may not be until October so relief funding was critical for her.

Ms. Rice stated she was not a Greater Lehigh Valley Chamber of Commerce (GLVCC) member, but she was fine with them being on the review board and felt she would have an impartial opportunity to apply. She further stated it was critical for everyone that the funding be made available in a timely manner.

Ms. Jaime Whalen, 25 Applewood Drive, Easton, PA - advised she was representing the Lehigh Valley Economic Development Corporation (LVEDC), which was created 25 years ago to market the region in terms of attracting and retaining businesses. She further advised half of their budget relied on hotel taxes and they were not available at the levels they had been in the past.

Ms. Whalen stated they wanted to thank County Council for considering to provide their organization and others funding that would allow them to continue their work. She further stated there was a lot of demand on their services to provide support to businesses that were struggling and people were still looking to come to this region and Northampton County.

Ms. Whalen advised they have also taken on the role of providing State funding for some of the programs being made available during the pandemic.

Mr. Tom Stoudt, 3311 Airport Road, Allentown, PA - stated he was representing the Lehigh Northampton Airport Authority (LNAA). He further stated he strongly believed that his colleagues from DiscoverLV and LVEDC would certainly support the premise that the Lehigh Valley International Airport (LVIA) was an economic engine and driver within the region.

Mr. Stoudt advised the COVID-19 pandemic has certainly decimated aviation and commercial travel throughout the country. He further advised aviation was one of the first industries to be severely impacted by the pandemic and it would probably be one of the last industries to regain a solid foundation.

Mr. Stoudt stated as of June 30th, airport passenger traffic nationally declined 82% and at LVIA their June passenger traffic was reduced by approximately 72%. He further stated the loss of passengers deeply affected their number one revenue driver, which was parking, with no opportunity to recoup it for 2020.

Mr. Stoudt advised their budgeted \$35 million in revenue was forecast to be reduced to \$20 million and possibly less. He further advised the financial status of LNAA was fragile and based on the current forecast for travel for the remainder of 2020,

passenger traffic at LVIA was projected to be less than one third of last's year.

Mr. Stoudt stated as an essential business that never closed its doors their mission was to ensure all their employees were safe, healthy and working. He further stated they quickly implemented numerous cost containment and cash preservation measures to help offset the significant revenue loss.

Mr. Stoudt advised by design the majority of these measures have not been felt by most of the employees and that remained their path for as long as possible. He further advised they cut approximately \$4 million from their capital budget, \$5 million of operating expenses and \$2 million from their debt service, but even with their Coronavirus Aid, Relief and Economic Stability (CARES) Act funding of \$3 million it still left a shortfall of more than \$1 million this year alone.

Mr. Stoudt stated they were still advancing numerous facility enhancements for COVID-19, as well as forwarding essential capital investments. He further stated the CARES Act funding being considered tonight would help bridge the gap for the LNAA in the short term and allow them to continue being an economic driver while they were awaiting the travel and tourism industry to restart.

In answer to Mr. Cusick's question as to whether they had considered furloughing some of their employees while the extra \$600 a month payment was available, Mr. Stoudt advised they did implement a voluntary program and more than 100 employees took part in it, but the airport was an essential business and many of the services they provided still had to be provided at the same levels regardless of passenger traffic activity.

Ms. Kassie Hilgert, 1160 Yorkshire Road, Bethlehem, PA - stated she was representing ArtsQuest. She further stated the last time she appeared before County Council they received a very generous contribution to a very ambitious capital campaign they presented.

Ms. Hilgert advised on March 13, 2020, they cancelled their first concert. She further advised typically during the year they did 4,000 camps, classes and concerts of which half were offered to the public for free, but they did not know when they would be able to do that again.

Ms. Hilgert stated during the last few years they tried to diversify themselves between small music venues, cinema, large festivals and art classes, but unfortunately with this pandemic everything shut down. She further stated like LNAA, they were one of the first to shut down and would be one of the last to open.

Ms. Hilgert advised their biggest impact would come from not holding Musikfest in person, which would also have a big impact on the 125 small businesses that depended on the festival. She further advised ArtsQuest provided a \$177 million impact on the local economy and that was mostly going to be wiped out.

Ms. Hilgert stated they had a \$22 million annual budget, which they threw out on March 17th because to date they have lost \$5 million in revenue. She further stated now they were only trying to reduce their fixed expenses as low as they could and prevent as much loss as possible and in that effort they started offering ArtsQuest at home.

Ms. Hilgert advised during this pandemic they were trying to connect communities through the arts by continuing ArtSmart, which was their after school art education program; having virtual summer camps and providing curbside dining. She further advised they were going to hold a virtual Musikfest that would present 80 artists, 40 of which would be streamed on their social media pages and 40 would be broadcasted live on Service Electric cable television.

Ms. Hilgert stated the silver lining in having a virtual Musikfest was that they would be able to broadcast it internationally during which they would be presenting Lehigh Valley sites and have other non-profits and elected officials talk about the Lehigh Valley with the hope people would see it and when time allowed, come to the Lehigh Valley.

Ms. Hilgert advised they had 67 full time employees, which they have kept working due to stimulus funding, but that would be ending with the next paycheck. She further advised they were continually talking to their lenders and may increase their line of credit to continue to be fiduciary responsible while they wait for this to end.

Ms. Brook Minnick, Bank Street Creamery - Ms. Zrinski read a letter provided by Ms. Minnick regarding the grant funding (see Attachment #1).

County Executive Report

Mr. Lamont McClure, County Executive, stated \$1,425,246.29 have been paid in hazard pay, which ended on June 27, 2020.

Mr. McClure advised the partnership with Easton Hospital for a test site ended June 26, 2020 when St. Luke's University Health Network (St. Luke's) took ownership of the hospital. He further advised 1,666 people were tested with 98 positives.

Mr. McClure stated he felt it was important for the County to continue to provide a test site where a prescription was not necessary so he had some preliminary discussions with St. Luke's, but they have not really received a response. He further stated to keep the County in the green, people should keep social distancing, practice good hand hygiene and wear masks.

Mr. McClure advised they have been talking with another provider to have another more centrally located test site. He further advised the County's final numbers were 5.88% in terms of positives, which meant 5-6% of the people not in long-term care facilities who exhibited symptoms had the virus.

Mr. McClure stated the following bridges were completed: Bridge 199 in East Allen Township, Bridge 138 in Moore Township and Bridge 215 in Lower Mount Bethel Township.

Mr. McClure advised during the pandemic they have been pushing to keep the County's properly provisioned projects going. He further advised the parking lot on Wolf Avenue should be completed by the middle of July and the forensic center was moving forward.

Mr. McClure stated Mr. Frank Brooks, Community and Economic Development Administrator, Department of Community and Economic Development (DCED), informed him the County received \$1,300,471 from the Department of Housing and Urban Development for the County's Tenant Navigation Program that would help people stay in their apartments. He further stated Mr. Brooks believed if the County received the Pennsylvania Housing Finance Agency funds, there would be approximately \$3 million for this program.

Mr. McClure advised the County was moving to a new product that Teladoc offered called Healthy Choice. He further advised the reason for the move was because it offered new and exciting services that Teladoc did not offer such as physical therapy, dermatologic and behavioral health services.

Mr. McClure stated since everyone had returned to the County's facilities not one non-Gracedale employee had a positive COVID-19 diagnosis. He further stated they planned to use \$78,000 of the COVID-19 grant money to improve the temperature screening process.

Mr. McClure advised Ms. Amy Cozze, Registrar of Elections, was appointed by Governor Tom Wolf to a State-wide task force to look into election law changes.

Mr. McGee stated people who checked the box to receive a mail-in ballot still had to apply every year.

Mr. McClure advised the Jail still did not have any positive COVID-19 cases from either inmates or Corrections Officers. He further advised he applied for a \$58,000 grant to do universal testing at the Jail.

In response to Ms. Zrinski's question as to whether there was a precipitating event that brought about the social media policy from the Department of Human Resources, Mr. McClure replied there was and they could discuss it during an Executive Session.

In answer to Mr. Heckman's question as to whether they were anticipating having hazard pay again, Mr. McClure stated they had to prepare to pay it again. He further stated there were more than 340 employees that did not call out at all in April.

In response to Mr. Heckman's question as to whether the CARES Act money could be used for testing, Mr. McClure indicated it could.

In answer to Mr. Heckman's question as to whether there had been any resistance from the public with regard to temperature screening and mask wearing, Mr. McClure advised there was an issue with one individual, but after speaking to the County Solicitor he complied.

In response to Mr. McGee's question as to whether there was follow-up correspondence if someone did not check the box on the mail-in ballot, Mr. McClure stated that Ms. Cozze would be at the next meeting to answer any questions.

In answer to Mr. Cusick's question as to whether the County had been served with President Donald Trump's lawsuit, Mr. McClure advised they have been served and Pennsylvania Counties Risk Pool had been notified. He further advised the County had one drop box

in the rotunda several feet away from six to nine armed Sheriff's Deputies and under 24-hour camera surveillance.

Public Hearing on the Ordinance Entitled, "An Ordinance Amending Ordinance No. 685-2020"

Mr. Heckman stated Ms. Vargo Heffner and Ms. Zrinski introduced the following ordinance at the June 18, 2020 meeting:

AN ORDINANCE AMENDING ORDINANCE NO. 685-2020

IT IS NOW HEREBY RESOLVED by the Northampton County Council that the section below of Ordinance Number 685-2020, the 2020 Budget Amendment Ordinance, shall be amended as indicated hereafter (sections marked with ~~strikeout~~ have been deleted and sections that are **bold and underlined** have been added):

Human Services - Children Youth and Families				
51000	41210 Title IV E	4,676,000	(63,200)	4,612,800
	41220 Title IV E SIL Grant	83,500	(15,400)	68,100
	41310 Act 148	15,275,000	1,506,800	16,781,800
	41318 Alternative to Truancy	337,500	56,300	393,800
	41428 Evidence Based Practices Grant	1,951,100	(105,600)	1,845,500
	41480 Homeless Assistance	153,000	8,500	161,500
	41497 Information Technology Grant	308,700	152,000	460,700
	41540 Medicaid	12,000	(5,100)	6,900
	41550 Medical Assistance	65,100	(35,200)	29,900
	41575 Misc. Intergovernmental	0	12,700	12,700
	41652 State SIL Grant	357,500	43,200	400,700
	42580 Parental Payment	45,030	(40,000)	5,030
	<u>42580 Parental Payment</u>	<u>450,300</u>	<u>(40,000)</u>	<u>410,300</u>
	42591 Social Security	165,300	(16,600)	148,700
	42650 Supplemental Security SSI	17,500	(8,100)	9,400
51700	69999 Pooled Subcontracted Services	4,882,300	1,490,300	6,372,600

Public Hearing

Mr. Heckman asked if there were any questions or comments from the public.

As there were no questions or comments, Mr. Heckman called for the vote.

The vote: Vargo Heffner, "yes"; Zrinski, "yes"; Giovanni, "yes"; Heckman, "yes"; Lott, "yes"; McGee, "yes"; Myers, "yes"; Cusick, "yes" and Ferraro, "yes".

The ordinance was adopted by a vote of 9-0.

Introduction of an Ordinance Entitled, "AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE NORTHAMPTON COUNTY HOME RULE CHARTER, SECTION 807. JOB DISCRIMINATION"

Messrs. Cusick and Myers introduced the following ordinance:

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE NORTHAMPTON COUNTY HOME RULE CHARTER: SECTION 807. JOB DISCRIMINATION

WHEREAS, the Northampton County Home Rule Charter, Section 807 states "No individual shall be favored or disfavored with respect to any position or office because of age, sex, race, color, religion, national origin, political opinions or affiliations, or lawful activity in any employee organization."

BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council as follows:

SECTION I - PROPOSED AMENDEMENT TO THE NORTHAMPTON COUNTY HOME RULE CHARTER SECTION 807

A. A proposed amendment to the Northampton County Home Rule Charter Section 807 shall be prepared for presentation as a referendum question at the November 3, 2020 General Election, said referendum question shall be prepared and acted upon in accordance with the Northampton County Home Rule Charter, Article XI, and all applicable laws of the Commonwealth of Pennsylvania.

B. The proposed question is:

Shall the electorate of Northampton County approve a change in the Northampton County Home Rule Charter, Section 807, entitled Job Discrimination to read as follows: No individual shall be favored or disfavored with respect to any position or office because of age, sex, race, color, religion, national origin, political opinions or affiliations, sexual orientation, gender identity or lawful activity in any employee organization?

SECTION II - Effective Date

A. This Ordinance shall become effective thirty days after the date of enactment.

Mr. Cusick advised there was a Supreme Court decision where it was determined that sexual orientation and gender identity was no longer permissible for job discrimination. He further advised Home Rule Charter Section 807 did not include either of those two.

Mr. Cusick stated he reached out to Mr. Spadoni and Ms. Elizabeth Kelly, Director of Human Resources, who informed him it was included in the County's policies and he believed that the Home Rule Charter and the County's policies should align so that was why County Council should make this amendment to the Home Rule Charter. He further stated a decision would have to be made to put it on the November ballot or wait until the Primary Election next year.

Mr. Heckman advised the public hearing, debate and possible vote will be held at the July 16, 2020 meeting.

Consideration of a Resolution Affirming Equality and Equal Rights Policy

Mr. Myers and Ms. Vargo Heffner introduced the following resolution:

WHEREAS, Northampton County Council has a demonstrated track record of promoting racial equity, inclusion and diversity in County government; and

WHEREAS, racism is identified as a root cause of poverty and constricted economic mobility; and

WHEREAS, race is a social construct with no biological basis; and

WHEREAS, racism is a social system with multiple dimensions: individual racism that is internalized or interpersonal; systemic racism that is institutional or structural and is a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, racism unfairly disadvantages specific individuals and communities, while unfairly giving advantages to other individuals and communities, and saps the strength of the whole society through the waste of human resources and Northampton County's collective prosperity depends upon the equitable access to opportunity for every resident; and

WHEREAS, racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment and criminal justice; and research demonstrates that racism itself is a social determinant of health; and

WHEREAS, Northampton County Council is committed to the elimination of racial disparities in the criminal justice system, to prioritize racial equity in our decision making processes, to acknowledge that communities of color have borne the burdens of inequitable social, environmental, economic and criminal justice policies, practices and investments, to understand that the legacy of these inequitable policies has caused deep disparities, harm, and mistrust and to recognize that racial equity is realized when and only when race can no longer be used to predict life outcomes; and

WHEREAS, communities of color, working class residents and those that suffer from disabilities are more likely to experience poor health outcomes stemming from economic stability, education, physical environment, food and access to health care systems; and

WHEREAS, the health impact of racism rises to the definition of a public health crisis; and

WHEREAS, Northampton County Council stands with the residents of Northampton County in the declaration of racism as a public health crisis.

NOW, THEREFORE, BE IT RESOLVED by Northampton County Council as follows:

1. Racism is a public health crisis affecting our entire County.
2. Northampton County Council shall work to progress as an equity and justice-oriented organization.

3. Northampton County Council shall promote policies that advance understanding, addressing and dismantling racism and how it affects the delivery of human and social services, economic development and public safety.
4. Northampton County Council supports local, State, regional and Federal initiatives that advance efforts to dismantle systemic racism.
5. Northampton County Council shall further work to solidify alliances and partnerships with other organizations that are confronting racism and encourage local, state, regional and national entities to recognize racism as a public health crisis.
6. To support community efforts to address issues of racism.
7. To promote and support policies that prioritize the health of all people.
8. To strive for racial equality in all respects.

IT IS FURTHER RESOLVED that Northampton County Council requests all Federal, State and local professionals to join this Resolution to declare racism a public health crisis and to enact equity in all policies within the State of Pennsylvania.

Ms. Vargo Heffner made a motion to amend the words "economic stability" in paragraph eight to read "economic instability".

Mr. Cusick seconded the motion.

As there were no questions or comments, Mr. Heckman called for the vote on the motion.

The vote: Vargo Heffner, "yes"; Cusick, "yes"; Zrinski, "yes"; Ferraro, "yes"; Giovanni, "yes"; Heckman, "yes"; Lott, "yes"; McGee, "yes"; and Myers, "yes".

The motion was passed by a vote of 9-0.

In response to Mrs. Ferraro's request for a clarification as to why public health was being associated with racism, Mr. Myers stated black people or people of color could never change who they were. He further stated he remembered Mr. Martin Luther King

making changes in the 1950's and 1960's when he did his boycotts and he also remembered being told he would be killed for using a bathroom in Virginia.

Mr. Myers advised systematic racism was something that had come up to the front within the past three or four years, but it now progressed to the point where the country was now divided.

Mr. Myers stated when he went to boot camp with men of many colors it did not matter who they were as long as they covered your back, but when he came back home he was no longer a brother in arms, but just another black man.

Mr. Myers advised systematic racism was affecting the country, our County and our children so the narrative needs to be changed and if it was not put out there, it would never be changed. He further advised he could not be any clearer stating it may not be a physical disease, but it was a disease of the mind.

Mr. Myers stated to see the Confederate flag come out of the State of Mississippi's flag brought tears to his eyes. He further stated it was tough to sit there and be one of two people of color in this room and explain what it was like to be black, but he had no problem with it because he was proud of who he was - a black African American veteran and member of County Council, but most of all he was proud to be an American and Eastonian.

Ms. Vargo Heffner advised Mr. Myers and members of his church, hosted an event where they invited local police officers to come and dialogue. She further advised the title of the event was called Courageous Conversation and she wanted to publicly commend them because it was a phenomenal program because it was the first time people did not pontificate, but actually spoke and listened.

Ms. Vargo Heffner stated the reason she felt it was a public health crisis was because it was not one sided because the police officers that spoke had a lot of hurt too. She further stated while there was traumatization absolutely in people of color there was traumatization on the other side, as well as guilt and shame.

Ms. Vargo Heffner advised there was fear, misunderstanding and stress on both sides that needed to be addressed so there were some behavioral health issues.

Mrs. Ferraro advised she experienced things differently when she grew up so she thanked them for their clarification and helping her to better understand.

Mr. Myers stated one of the things that came out of the recent event was the amount of hate that was directed at the men and women in blue. He further stated they had to be respected for the job they had to do and he would also respect the job they did.

Mr. Myers advised for them to be slammed and painted with a broad paintbrush they now felt some of what African Americans felt. He further advised one thing everyone could do as a County would be to provide them with some funding to train the officers to approach people of color.

Mr. Myers stated the Northampton Chief of Police made the comment that, "We have to learn to respect one another because if we cannot respect one another, we are spinning our tires".

As there were no further questions or comments, Mr. Heckman called for a vote on the following amended resolution:

R. 57-2020 **WHEREAS**, Northampton County Council has a demonstrated track record of promoting racial equity, inclusion and diversity in County government; and

WHEREAS, racism is identified as a root cause of poverty and constricted economic mobility; and

WHEREAS, race is a social construct with no biological basis; and

WHEREAS, racism is a social system with multiple dimensions: individual racism that is internalized or interpersonal; systemic racism that is institutional or structural and is a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, racism unfairly disadvantages specific individuals and communities, while unfairly giving advantages to other individuals and communities, and saps the strength of the whole society through the waste of human resources and Northampton County's collective prosperity depends upon the equitable access to opportunity for every resident; and

WHEREAS, racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment and criminal justice; and research demonstrates that racism itself is a social determinant of health; and

WHEREAS, Northampton County Council is committed to the elimination of racial disparities in the criminal justice system, to prioritize racial equity in our decision making processes, to acknowledge that communities of color have borne the burdens of inequitable social, environmental, economic and criminal justice policies, practices and investments, to understand that the legacy of these inequitable policies has caused deep disparities, harm, and mistrust and to recognize that racial equity is realized when and only when race can no longer be used to predict life outcomes; and

WHEREAS, communities of color, working class residents and those that suffer from disabilities are more likely to experience poor health outcomes stemming from economic instability, education, physical environment, food and access to health care systems; and

WHEREAS, the health impact of racism rises to the definition of a public health crisis; and

WHEREAS, Northampton County Council stands with the residents of Northampton County in the declaration of racism as a public health crisis.

NOW, THEREFORE, BE IT RESOLVED by Northampton County Council as follows:

1. Racism is a public health crisis affecting our entire County.
2. Northampton County Council shall work to progress as an equity and justice-oriented organization.
3. Northampton County Council shall promote policies that advance understanding, addressing and dismantling racism and how it affects the delivery of human and social services, economic development and public safety.
4. Northampton County Council supports local, State, regional and Federal initiatives that advance efforts to dismantle systemic racism.
5. Northampton County Council shall further work to solidify alliances and partnerships with other organizations that are confronting racism and encourage local, state, regional and national entities to recognize racism as a public health crisis.

6. To support community efforts to address issues of racism.
7. To promote and support policies that prioritize the health of all people.
8. To strive for racial equality in all respects

IT IS FURTHER RESOLVED that Northampton County Council requests all Federal, State and local professionals to join this Resolution to declare racism a public health crisis and to enact equity in all policies within the State of Pennsylvania.

The vote: Myers, "yes"; Vargo Heffner, "yes"; Heckman, "yes"; Lott, "yes"; McGee, "yes"; Zrinski, "yes"; Cusick, "yes"; Ferraro, "yes" and Giovanni, "yes".

The resolution was adopted by a vote of 9-0.

Consideration of a Resolution Approving the Transfer of Contingency Account Funds for the Purchase of Plastic Sheet Dividers for the County Council Meeting Room Dais

Ms. Vargo Heffner introduced the following resolution:

R. 58-2020 **RESOLVED**, By the Northampton County Council that the sum of \$525.00 shall be transferred from the 2020 Contingency Account No. 05000-76050 and allocated for the purchase of plastic sheet dividers for the County Council Meeting Room dais.

Mr. McGee suggested putting a plastic screen on the podium as well.

As there were no further questions or comments, Mr. Heckman called for the vote.

The vote: Vargo Heffner, "yes"; Lott, "yes"; McGee, "yes"; Myers, "yes"; Zrinski, "yes"; Cusick, "yes"; Ferraro, "yes"; Giovanni, "yes" and Heckman, "yes".

The resolution was adopted by a vote of 9-0.

Consideration of a Resolution Approving a Distribution from the COVID-19 County Relief Block Grant to the Rising Tide Community Loan Fund

When Ms. Zrinski asked why this resolution was not being considered, Mr. Lott advised after a discussion at the Economic Development Committee meeting, it was removed from the agenda.

Consideration of a Resolution Approving the Financial Contributions to Bi-County Organizations from the COVID-19 County Relief Block Grant

Mr. Lott introduced the following resolution:

A RESOLUTION APPROVING THE FINANCIAL CONTRIBUTIONS TO BI-COUNTY ORGANIZATIONS FROM THE COVID-19 COUNTY RELIEF BLOCK GRANT

WHEREAS, Act 24 of 2020 was signed by Governor Tom Wolf on May 29, 2020, and provides \$625 million in Coronavirus Aid, Relief and Economic Security (CARES) Act funding by means of block grants for Counties in the Commonwealth through the Pennsylvania Department of Community and Economic Development; and

WHEREAS, this funding is authorized to be used for the following purposes:

1. Offsetting the costs of direct County response, planning and outreach efforts related to COVID-19.
2. Small Business Grant Programs to support businesses with fewer than 100 employees and to support businesses and other entities primarily engaged in the tourism industry.
3. Grant programs to support the following for costs related to assisting businesses during COVID-19 Disaster Emergency: Certified Economic Development Organizations, Local Development Districts Industrial Resource Center, Small Business Development Centers and Economic Development Corporations.
4. Assistance to cities, boroughs, incorporated towns or townships within eligible Counties for response and planning efforts related to COVID-19.

5. Behavioral health and substance use disorder treatment services.
6. Nonprofit assistance programs for entities that are an exempt organization under section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986.
7. Broadband internet deployment with priority given to unserved or underserved areas; and

WHEREAS, Northampton County was awarded \$27,569,940 of COVID-19 County Relief Block Grant Funding by the Commonwealth of Pennsylvania Department of Community and Economic Development; and

WHEREAS, the Council of Northampton County is desirous to make a grant to Discover Lehigh Valley in the amount of \$500,000 as an entity primarily engaged in the tourism industry; and

WHEREAS, the Council of Northampton County is desirous to make a grant to the Lehigh and Northampton County Airport Authority in the amount of \$250,000 as an entity primarily engaged in the tourism industry; and

WHEREAS, the Council of Northampton County is desirous to make a grant to ArtsQuest in the amount of \$500,000 for nonprofit assistance programs for entities that are an exempt organization under 501(c)(3) of the Internal Revenue Code of 1986; and

WHEREAS, the Council of Northampton County is desirous to make a grant to Lehigh Valley Economic Development Corporation in the amount of \$175,000 for costs related to assisting businesses during the COVID-19 Disaster Emergency.

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Northampton:

1. That the sub grants of COVID-19 County Relief Block Grant totaling \$1,425,000.00 is approved.
2. That the County Executive of the County of Northampton is authorized to execute any and all necessary grant agreements with the sub grantees not to exceed the approved amounts.

Mr. Cusick made a motion to amend the resolution to add \$100,000 for the State Theatre and increase the total of the sub grants to \$1,525,000 using the money that was earmarked for the Rising Tide Loan Fund.

Mrs. Ferraro seconded the motion.

In answer to Ms. Zrinski's question as to why the Rising Tide Loan Fund was removed, Ms. Vargo Heffner stated these funds had to go for grants and could not be used for loans.

In response to Ms. Zrinski's question as to whether other entities could come forward to get money from the remaining unused Rising Tide Loan Fund grant, Mr. McClure advised there was a meeting with entities that had footprints in both Counties and that was where the original funding plan was established. He further advised it was his hope that Lehigh County would be asked to contribute equal amounts of funding.

In answer to Ms. Zrinski's question as to whether there needed to be a separate resolution for the State Theatre as this resolution was for bi-County entities, Mr. McClure stated he saw no reason why the State Theatre could not be included as it would not break faith with the overall spirit of what they were trying to accomplish.

As there were no further questions or comments, Mr. Heckman called for a vote on the motion.

The vote: Cusick, "yes"; Ferraro, "yes"; Giovanni, "yes"; Heckman, "yes"; Lott, "yes"; McGee, "yes"; Myers, "yes"; Vargo Heffner, "yes" and Zrinski, "yes".

The motion was adopted by a vote of 9-0.

As there were no questions or comments, Mr. Heckman called for the vote on the following amended resolution:

R. 59-2020

A RESOLUTION APPROVING THE FINANCIAL CONTRIBUTIONS TO
BI-COUNTY ORGANIZATIONS FROM THE COVID-19 COUNTY RELIEF
BLOCK GRANT

WHEREAS, Act 24 of 2020 was signed by Governor Tom Wolf on May 29, 2020, and provides \$625 million in Coronavirus Aid, Relief and Economic Security (CARES) Act funding by means of block grants

for Counties in the Commonwealth through the Pennsylvania Department of Community and Economic Development; and

WHEREAS, this funding is authorized to be used for the following purposes:

1. Offsetting the costs of direct County response, planning and outreach efforts related to COVID-19.
2. Small Business Grant Programs to support businesses with fewer than 100 employees and to support businesses and other entities primarily engaged in the tourism industry.
3. Grant programs to support the following for costs related to assisting businesses during COVID-19 Disaster Emergency: Certified Economic Development Organizations, Local Development Districts Industrial Resource Center, Small Business Development Centers and Economic Development Corporations.
4. Assistance to cities, boroughs, incorporated towns or townships within eligible Counties for response and planning efforts related to COVID-19.
5. Behavioral health and substance use disorder treatment services.
6. Nonprofit assistance programs for entities that are an exempt organization under section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986.
7. Broadband internet deployment with priority given to unserved or underserved areas; and

WHEREAS, Northampton County was awarded \$27,569,940 of COVID-19 County Relief Block Grant Funding by the Commonwealth of Pennsylvania Department of Community and Economic Development; and

WHEREAS, the Council of Northampton County is desirous to make a grant to Discover Lehigh Valley in the amount of \$500,000 as an entity primarily engaged in the tourism industry; and

WHEREAS, the Council of Northampton County is desirous to make a grant to the Lehigh and Northampton County Airport Authority in the amount of \$250,000 as an entity primarily engaged in the tourism industry; and

WHEREAS, the Council of Northampton County is desirous to make a grant to ArtsQuest in the amount of \$500,000 for nonprofit assistance programs for entities that are an exempt organization under 501(c)(3) of the Internal Revenue Code of 1986; and

WHEREAS, the Council of Northampton County is desirous to make a grant to Lehigh Valley Economic Development Corporation in the amount of \$175,000 for costs related to assisting businesses during the COVID-19 Disaster Emergency; and

WHEREAS, the Council of Northampton County is desirous to make a grant to the State Theatre in the amount of \$100,000 as an entity primarily engaged in the tourism industry.

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Northampton:

1. That the sub grants of COVID-19 County Relief Block Grant totaling \$1,525,000.00 is approved.
2. That the County Executive of the County of Northampton is authorized to execute any and all necessary grant agreements with the sub grantees not to exceed the approved amounts.

The vote: Lott, "yes"; Myers, "yes"; Vargo Heffner, "yes"; Zrinski, "yes"; Cusick, "yes"; Ferraro, "yes"; Giovanni, "yes"; Heckman, "yes" and McGee, "yes".

The resolution was adopted by a vote of 9-0.

Consideration of a Resolution Regarding the CARES Act Block Grant
- Greater Lehigh Valley Chamber of Commerce

Mr. Lott introduced the following resolution:

WHEREAS, Act 24 of 2020 was signed by Governor Tom Wolf on May 29, 2020, and provides \$625 million in Coronavirus Aid, Relief and Economic Security (CARES) Act funding by means of block grants for Counties in the Commonwealth through the Pennsylvania Department of Community and Economic Development; and

WHEREAS, the Greater Lehigh Valley Chamber of Commerce was founded in 1917 and represents 5,000 businesses in the Greater Lehigh Valley area, approximately 2,000 businesses in Northampton

County, and over 250,000 Greater Lehigh Valley workers have a mechanism to accomplish distribution of these funds fairly, responsibly and diligently to members and non-members meeting the criteria of the program; and

WHEREAS, this funding is authorized to be used for the following purposes:

1. Offsetting the costs of direct County response, planning and outreach efforts related to COVID-19.
2. Small Business Grant Programs to support businesses with fewer than 100 employees and to support businesses and other entities primarily engaged in the tourism industry.
3. Grant programs to support the following for costs related to assisting businesses during COVID-19 Disaster Emergency: Certified Economic Development Organizations, Local Development Districts, Industrial Resource Centers, Small Business Development Centers and Economic Development Corporations.
4. Assistance to cities, boroughs, incorporated towns or townships within eligible Counties for response and planning efforts related to COVID-19.
5. Behavioral health and substance use disorder treatment services.
6. Nonprofit assistance programs for entities that are an exempt organization under section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986.
7. Broadband internet deployment with priority given to unserved or underserved areas; and

WHEREAS, Northampton County was awarded \$27,569,940 of COVID-19 County Relief Block Grant Funding by the Commonwealth of Pennsylvania Department of Community and Economic Development; and

WHEREAS, Northampton County is desirous to establish a \$4,000,000 small business grant program to support businesses with fewer than 100 employees that will be administered in partnership with the Greater Lehigh Valley Chamber of Commerce for a program delivery fee of 3.5% of the funds available for the program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Northampton:

1. That County Executive is authorized to partner with the Greater Lehigh Valley Chamber of Commerce to establish a \$4,000,000 Small Business Grant Program to support businesses with fewer than 100 employees.
2. That the County Executive is authorized to execute any and all necessary agreements with the Greater Lehigh Valley Chamber not to exceed the approved amount.

Applications will be reviewed by a committee consisting of one Greater Lehigh Valley Chamber staff member, the Northampton County Director of Community and Economic Development, the Northampton County Director of Fiscal Affairs and two members of Northampton County Council. The actions to be taken are as follows:

1. This committee will make recommendations to the County Executive for his final approval, and checks will be issued by the Northampton County Department of Fiscal Affairs.
2. County Council will consider each application for approval or denial of said application.

Mr. Heckman stated at the June 18, 2020 County Council meeting, County Council requested more information on the grant process and particularly the role of the Greater Lehigh Valley Chamber of Commerce. He further stated after discussions with individual County Council members and reviewing the minutes, he sent the following memorandum to the County Executive on June 25, 2020:

"After review of the County Council meeting of June 18, 2020 and feedback from individual members, I am requesting that you suspend all COVID-19 related funding outreach and work by the Greater Lehigh Valley Chamber of Commerce on behalf of Northampton County.

There are questions and concerns related to the terms and conditions of the contract between the County and Greater Lehigh Valley Chamber of Commerce."

Mr. Heckman advised a few minutes later he received an e-mail reply from the County Executive that said "rejected". He further advised Mr. Lott suggested having a meeting with the County Executive, but they could only meet on Tuesday, June 30, 2020, which was only 48 hours from this meeting and was the same day as Mr. Myers' racial justice roundtable.

Mr. Heckman stated he and Mr. Lott decided they would wait until his Economic Development Committee meeting and the County Council meeting on July 2, 2020 to discuss the matter. He further stated he then sent County Council an amended resolution on Tuesday, June 30, 2020, as well as numerous letters from businesses asking County Council to support the plan of the Administration and GLVCC.

Mr. Heckman advised at the same time Mr. Spadoni and himself were working on a resolution addressing the concerns expressed in his memorandum on June 25, 2020 and this resolution was sent to County Council on July 1, 2020 with the following memorandum:

"This is the resolution that I have worked on with Solicitor Spadoni to address the concerns County Council has expressed regarding the CARES Act funds.

This resolution addresses the lack of information and documentation of how decisions have been made regarding funding amounts to various entities.

It specifically relates to the County's relationship with the Greater Lehigh Valley Chamber of Commerce.

This resolution was being prepared prior to the most recent resolution received from the County Executive regarding the CARES Act funds.

Solicitor Spadoni and I are reviewing the County Executive's resolution and working on a possible compromise resolution to address County Council's concerns as well as the desires of the County Executive. That resolution will be available tomorrow."

Mr. Heckman stated this resolution was drafted before they knew about the compromise or the new resolution the County Executive later provided. He further stated his latest resolution was based on the County Executive's reply to his first memorandum and was in an effort to get the Administration's attention and for County Council to discuss the matter.

Mr. Heckman advised he felt this resolution was a fair and equitable compromise and addressed County Council's concerns over the process used to determine the specific amounts of money granted to the various areas previously mentioned. He further advised it also agreed with the County Executive's concept of a committee and a defined role for GLVCC.

Mr. Heckman stated he believed it would shine a light on the process and assure the public that the entire procedure would be open and fairly handled. He further stated it also ensured that County Council would have access to all contracts and documents related to the CARES Act funding in writing.

Mr. Heckman advised once this money was received it was County money and should be subject to the same scrutiny as any other County taxpayer money. He further advised County Council needed information to make informed and responsible decisions before approving any payments to any entity.

Mr. Heckman stated the public expected County Council to put the needs of the community ahead of other collective egos and demanded the County Executive and the legislative branch while independently elected and constructed work together for the common good.

Mr. Heckman advised his resolution was a compromise based on the County Executive's resolution and was a clear step in ensuring legislative responsibility and fiduciary oversight of the CARES Act funding. He further advised a lot of comments were made to County Council about the suffering out there, businesses were closing their doors and how much people wanted to get money out there so he did not need another lecture on how important it was to get the process started.

Mr. Heckman stated he spoke to Mr. Lott and decided he was not going to be introducing any of the resolutions he worked on with Mr. Spadoni because he did not think they had support; however, he did have an amendment to the County Executive's resolution that was introduced.

Mr. Heckman made a motion to add "3. The Northampton County Executive and the Northampton County Department of Community and Economic Development shall provide to Northampton County Council all contracts, documents and information related to the application, acceptance, rejection and disbursement of CARES Act funding." under the **NOW**, resolution **THEREFORE, BE IT RESOLVED** section of the.

Mr. Heckman advised this would guarantee in writing County Council would receive information they might request. He further advised tonight he learned GLVCC had not done anything yet so he did not know why it would have been an issue to stop working with them because no one knew who the money was going to.

Mr. Heckman stated County Council was informed that amounts would go to certain areas, but he would have liked to know how that happened. He further stated he did not want to have to ask a lot of questions to get information.

Mr. Heckman advised \$27 million was a lot of money and he did not think it was out of bounds to add that one paragraph. He further advised it may mean County Council would get flooded with papers, but County Council had its job to do.

Ms. Vargo Heffner seconded the motion.

Mr. Lott stated the idea of having members of County Council on the committee was so they could bring information back to County Council and this amendment would allow all County Council members to review everything and that would make the process a little burdensome.

Mr. Heckman advised the committee could decide what to bring or not bring before County Council, but County Council had the right to get the information and decide what they were going to ignore or read.

Mr. Lott stated he agreed County Council had the responsibility to oversee where the money was going, but he felt this amendment provided for too much oversight.

Ms. Vargo Heffner asked if it would be more palatable if it read "...provided to Northampton County Council, as requested, all contracts...". She advised this way if someone asked to see something they would have the right to see it because she felt that was the source of the contention.

Mr. Lott stated he felt that would certainly clarify things.

Mr. Heckman advised the problem with that was he may not know what he wanted if he did not know what was submitted and it was not written anywhere. He further advised he did not have a problem with the GLVCC being involved, but he did not know what their role would entail.

Ms. Zrinski stated this grant was similar to the Community Development Block Grant and that committee reviewed the information and provided a list for approval without County Council getting all the background information. She further stated they had to trust the people on committee to bring forward the appropriate grants.

Mr. Heckman advised she may not want to ask for any information, but this amendment allowed him to get the information he wanted. He further advised this was a lot of money that was going to businesses and municipalities and when they came and asked why they did not receive anything, he wanted to be able to say that he had looked at everything and it was handled correctly.

Mr. Myers stated he was in situations before where he put his faith in other people and gotten burned so he would like to know if he wanted information he could receive it. He further stated \$27 million was a lot of money and he wanted to know how it was distributed in case he was asked and he wanted to make sure that not only members of the GLVCC received this money, but any business that was in need.

Mr. Heckman advised he had respect for every member of County Council and recognized they were independently elected officials so he would modify his amendment to read "...CARES Act funding as determined by the oversight committee". He further advised he was appointing Mr. Lott and Mrs. Ferraro to be on the committee.

In response to Mr. Heckman's question as to whether what was being proposed was illegal in his opinion, Mr. Spadoni replied it was not.

Mr. Heckman stated his amendment was as follows:

"3. The Northampton County Executive and the Northampton County Department of Community and Economic Development shall provide to the Northampton County Council members on the committee all contracts, documents and information related to the application, acceptance, rejection and disbursement of CARES Act funding. The members on the committee shall forward any information they deem necessary or requested by County Council members."

Ms. Vargo Heffner advised all she wanted was to be able to get information if she asked for it in case someone questioned her about why they did not get a grant. She further advised the County Executive had agreed to have three County Council members on the

committee so she would like to see three members.

Mr. Lott stated he and Mrs. Ferraro would provide any information a member of County Council asked for and if it was something the committee did not receive, he would then go to the Administration.

Mr. Myers commented as a member of the committee they should have access to everything.

As there were no further questions or comments, Mr. Heckman called for the vote on the motion.

The vote: Heckman, "yes"; Vargo Heffner, "yes"; Ferraro, "yes"; Giovanni, "yes"; Lott, "yes"; McGee, "yes"; Myers, "yes"; Zrinski, "yes"; Cusick, "no".

The motion passed by a vote of 8-1.

Ms. Zrinski made a motion to amend the resolution to have three members of County Council instead of two members.

When Ms. Zrinski advised she did not think the three members should be chosen at this meeting by Mr. Heckman, but be designated by the County Executive, Mr. Heckman replied as County Council President he was the correct person to make that decision.

Ms. Vargo Heffner seconded the motion for three members.

Mr. Lott stated due to the schedules of County Council members, he felt it should be two members with the third member being an alternate.

Mr. Heckman advised he chose Mr. Lott because he was the Chair of the Economic Committee meeting, Mrs. Ferraro because she had a lot of experience and he would be the third member.

As there were no further questions or comments, Mr. Heckman called for the vote on the motion.

The vote: Zrinski, "yes"; Vargo Heffner, "yes"; Giovanni, "yes"; Heckman, "yes"; Lott, "yes"; McGee, "yes"; Myers; Cusick, "yes" and Ferraro, "yes".

The motion was passed by a vote of 9-0.

Mr. Heckman called for the vote on the following amended resolution:

R. 60-2020

WHEREAS, Act 24 of 2020 was signed by Governor Tom Wolf on May 29, 2020, and provides \$625 million in Coronavirus Aid, Relief and Economic Security (CARES) Act funding by means of block grants for Counties in the Commonwealth through the Pennsylvania Department of Community and Economic Development; and

WHEREAS, the Greater Lehigh Valley Chamber of Commerce was founded in 1917 and represents 5,000 businesses in the Greater Lehigh Valley area, approximately 2,000 businesses in Northampton County, and over 250,000 Greater Lehigh Valley workers have a mechanism to accomplish distribution of these funds fairly, responsibly and diligently to members and non-members meeting the criteria of the program; and

WHEREAS, this funding is authorized to be used for the following purposes:

1. Offsetting the costs of direct County response, planning and outreach efforts related to COVID-19.
2. Small Business Grant Programs to support businesses with fewer than 100 employees and to support businesses and other entities primarily engaged in the tourism industry.
3. Grant programs to support the following for costs related to assisting businesses during COVID-19 Disaster Emergency: Certified Economic Development Organizations, Local Development Districts, Industrial Resource Centers, Small Business Development Centers and Economic Development Corporations.
4. Assistance to cities, boroughs, incorporated towns or townships within eligible Counties for response and planning efforts related to COVID-19.
5. Behavioral health and substance use disorder treatment services.
6. Nonprofit assistance programs for entities that are an exempt organization under section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986.

7. Broadband internet deployment with priority given to unserved or underserved areas; and

WHEREAS, Northampton County was awarded \$27,569,940 of COVID-19 County Relief Block Grant Funding by the Commonwealth of Pennsylvania Department of Community and Economic Development; and

WHEREAS, Northampton County is desirous to establish a \$4,000,000 small business grant program to support businesses with fewer than 100 employees that will be administered in partnership with the Greater Lehigh Valley Chamber of Commerce for a program delivery fee of 3.5% of the funds available for the program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Northampton:

1. That County Executive is authorized to partner with the Greater Lehigh Valley Chamber of Commerce to establish a \$4,000,000 Small Business Grant Program to support businesses with fewer than 100 employees.
2. That the County Executive is authorized to execute any and all necessary agreements with the Greater Lehigh Valley Chamber not to exceed the approved amount.
3. The Northampton County Executive and the Northampton County Department of Community and Economic Development shall provide to the Northampton County Council members on the committee all contracts, documents and information related to the application, acceptance, rejection and disbursement of CARES Act funding. The members on the committee shall forward any information they deem necessary or requested by County Council members.

Applications will be reviewed by a committee consisting of one Greater Lehigh Valley Chamber staff member, the Northampton County Director of Community and Economic Development, the Northampton County Director of Fiscal Affairs and three members of Northampton County Council. The actions to be taken are as follows:

1. This committee will make recommendations to the County Executive for his final approval, and checks will be issued by the Northampton County Department of Fiscal Affairs.

2. County Council will consider each application for approval or denial of said application.

Mr. Lott stated the County Executive's resolution did take into consideration some of the concerns of County Council and Mr. Heckman's motion clarified some things. He further stated labor guys did not always get along with GLVCC, but he believed they were going to do a good job and he looked forward to working with the members of the committee.

Mr. McGee advised Ms. Jessica O'Donnell, GLVCC, informed him they were looking at streamlining the application so it could be filled out securely online and it would also be placed on the County's website.

In answer to Mr. Heckman's question as to whether County Council would be approving the contract for GLVCC, Mr. McClure replied it would.

Mr. Heckman stated he wanted it known that County Council did not have an issue with GLVCC, but there was some confusion and a concern that County funds would be given out under GLVCC headings.

The vote: Lott, "yes"; Vargo Heffner, "yes"; Zrinski, "yes"; Cusick, "yes"; Ferraro, "yes"; Giovanni, "yes"; Heckman, "yes"; McGee, "yes" and Myers, "yes".

The resolution was adopted by a vote of 9-0.

Human Services Committee Report

Ms. Vargo Heffner advised the Human Services Committee met earlier in the evening and received a report on Gracedale and the efforts they have taken to keep the residents and staff safe.

Ms. Vargo Heffner stated Ms. Julie Bator, Director of Children, Youth and Families, reported on her new role, her staff and the work they were doing, as well as new initiatives they have been involved in.

Ms. Vargo Heffner advised they were moving closer to withdrawing from the Civil Service process.

Ms. Vargo Heffner stated they would be looking to receive a presentation on the predictive risk model in August or September.

Lehigh and Northampton Transportation Authority Liaison Report

In response to Mr. Myers' question as to whether Mr. Heckman received his e-mail indicating he would like to take over as the liaison for this organization, Mr. Heckman replied he did and his name was provided to Mrs. Zembo for inclusion on the 2020 County Council Committee Structure sheet.

Adjournment

Mr. Myers made a motion to adjourn the meeting.

Ms. Vargo Heffner seconded the motion.

The motion to adjourn passed unanimously by acclamation.

Linda M. Zembo
Clerk to Council