

Meeting of the Board
PENNSYLVANIA HIGHER EDUCATIONAL FACILITIES AUTHORITY
June 23, 2022
Room 515 North Office Building
10:41 a.m. Prevailing Time

MINUTES

1. Call to Order, Filing of Proof of Sunshine Notice and of Sending Notice of the Meeting, and Announcement of Quorum
2. Approval of the Minutes of the Meeting of March 15, 2022
3. Audit Committee Entrance Conference
4. Old Business
 - A. Executive Director's Update
5. New Business
6. Adjournment

1. CALL TO ORDER, FILING OF PROOF OF SUNSHINE NOTICE AND OF SENDING NOTICE OF THE MEETING AND ANNOUNCEMENT OF QUORUM

With a quorum of board members present, the meeting of the Pennsylvania Higher Educational Facilities Authority was called to order on Thursday, June 23, 2022, at 10:41 A.M. prevailing time, in room 515 North Office Building, Harrisburg, Pennsylvania. The proof of the Sunshine advertisement and certification regarding sending the notice of the meeting is attached to these minutes and identified as Appendix "A". It was noted that the meeting was being recorded.

Board Members Present

Steven Heuer, (Proxy for Governor Thomas W. Wolf)
Jennifer Langan, (Proxy for Treasurer Stacy Garrity)
Christal Pike-Nase, (Proxy for Auditor General Timothy L. DeFoor)

Board Members Participating by Conference Call

Terry Trego, (Proxy for Senator Scott Martin)
Senator Lindsey M. Williams
Christine Seitz, (Proxy for Representative Curtis G. Sonney)
Representative Napoleon J. Nelson
Secretary of General Services Curtis M. Topper
Patrick Lord, (Proxy for Acting Secretary of Education Eric Hagarty)

Authority Personnel Present

Eric Gutshall, Executive Director
Beverly Nawa, Director of Operations
David Player, Comptroller
Jennifer Sheffield, Accountant
Kay Knepp, Accountant

Also Present

William McCarty, Esquire, Authority Counsel, Barley Snyder LLP

2. APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 15, 2022

A copy of the minutes of the meeting of March 15, 2022, was distributed to the Board Members prior to this meeting. It is therefore recommended that consideration be given to the adoption of the following Resolution:

RESOLVED That the minutes of the PHEFA meeting of March 15, 2022, be and hereby are approved as presented.

Upon **MOTION** by **Ms. Pike-Nase**, and after full discussion, the above Resolution was unanimously approved at the PHEFA Board Meeting of June 23, 2022.

3. AUDIT COMMITTEE ENTRANCE CONFERENCE

Chairperson Heuer asked Ms. Pike-Nase, as chair of the Audit Committee, if she would like to comment on the Audit Committee Entrance Conference.

Ms. Pike-Nase said that the Audit Committee conducted an in-person meeting on Wednesday, May 18, 2022, for the entrance conference with our independent auditors to review the audited financial statements and audit charter. The Auditor General is the Chair of the 5-member Committee. Maher Duessel is the Authority's independent auditor and one of its partners, Jennifer CruverKibi, participated in the conference.

Jennifer reviewed the approach and timing of the audit and provided updates on some of the GASB standards. The financial statements should be available by the end of August. The Committee did not have any changes to the investment policy as part of the annual review. The Audit Committee recommends approval of the investment policy.

4. OLD BUSINESS

Chairperson Heuer thanked Secretary Topper for his leadership and assistance on the Board over the last seven and a half years. He said that Secretary Topper is moving on next week and that he wanted to wish him the best in his new position. He said thank you, Secretary Topper.

Secretary Topper thanked Chairperson Heuer.

A. Executive Director's Update

Mr. Gutshall updated the Board that the Authorities had completed their move to the Keystone Building yesterday. He thanked the Authorities' staff, the Department of General Services, and the Pennsylvania Department of Transportation for making the move happen. He also thanked the Department of Community and Economic Development for giving our employees free parking. They are saving us a lot of

money. We thought that we would have to pay for parking, but we are not, so that is great.

Mr. Gutshall told the Board that the National Association of Health and Educational Facilities Finance Authorities (NAHEFFA) has asked him to be the Chair of their Advocacy Committee. He will work with them and our counterparts in different states to promote our bond business. He would like to figure out how similar authorities are working in other states and get information on other state regulations. Mr. Gutshall wants to look at how we can replicate other authorities and how other authorities can replicate us. He anticipates that this will result in many good things for us and hopefully more bond deals. In addition, Mr. Gutshall has asked NAHEFFA to hold one of their annual conferences in Philadelphia so that the Board and others can participate if they wish.

Mr. Gutshall is also getting involved with the Government Finance Officers Association (GFOA) which represents associations like ours but also, more broadly, municipalities that issue bonds across the United States.

Mr. Gutshall wanted the Board to know that the Authorities are watching the Ursinus College v. the Pennsylvania Prevailing Wage Appeals Board Case. That case has implications for our authorities. Since the 2000s, our authorities have required any institution that issues bonds through us to use prevailing wage in their construction work. However local authorities, such as the Montgomery County Educational Facilities Authority, do not. Ursinus College used the Montgomery County Educational Facilities Authority for financing and the Pennsylvania Prevailing Wage Appeals Board has gone after them, stating that Ursinus must use prevailing wage in their construction work. There are implications for us depending on how the court case comes out. It is possible that all authorities across the state may have to require prevailing wage like we already do. That may help us obtain more business and gain clients back. The oral arguments were in Commonwealth Court yesterday. We don't know how it is going to come down, but we will be watching because it will affect us one way or the other.

Next, Mr. Gutshall wanted to speak on Ms. Nawa's retirement and thank her. He said that Ms. Nawa has been an asset to the Authorities. He said that he couldn't find the words to adequately express how wonderful it has been to work with her. Mr. Gutshall said that she is very knowledgeable with the Authorities and how much of a joy she has been. He said that the Authorities are definitely going to miss her. Mr. Gutshall thanked her for everything she has done. He said that he was honored to get to work with Ms. Nawa.

Ms. Nawa's replacement, Ms. Sheffield, has worked for the Authorities for many years. Mr. Gutshall said he asked her to take on the role of Director of Operations. He said that she is a competent and prepared person who has seen how the Authorities work and definitely has plenty of experience with us. He is excited for her to step into the role. Mr. Gutshall said that he would like to meet with all of the

Board Members individually to introduce Ms. Sheffield. He would like the Board Members and Ms. Sheffield to get to know each other better and find out her plans and hopes for the Authorities. Mr. Gutshall thanked Ms. Sheffield for taking on the role. He said that he is really excited for everything that she is going to do.

Ms. Sheffield thanked Mr. Gutshall.

Finally, Mr. Gutshall said that he wanted to echo Chairperson Heuer's comments to Secretary Topper. He said that he has been able to work with Secretary Topper in many ways over the past eight years. Mr. Gutshall wanted to thank him for his service and his help to the Authorities. He said that Secretary Topper helped us change our RFP process which was huge for the Authorities. He also helped us with moving our office space and a whole host of other topics and issues. Mr. Gutshall said that the Authorities truly thank Secretary Topper for all of his help.

Secretary Topper said that it has been his pleasure. He shared that he is moving on to a position at a potential client. He said that our paths may cross again. He will be taking on a role as Vice President of Finance and Administration at Delaware Valley University in Doylestown, PA starting in a few weeks.

Chairperson Heuer asked if there was any other old business to come before the Board, and hearing none, he moved to new business.

5. NEW BUSINESS

Chairperson Heuer asked if there was any new business to come before the Board, and hearing none, he asked for a motion to adjourn.

6. ADJOURNMENT

There being no further business to come before the Board at this time, and upon **MOTION** by **Ms. Langan**, the PHEFA Board Meeting was adjourned at 10:47 a.m.

SUNSHINE ACT PUBLIC MEETING NOTICES, THURSDAY, JUNE 9

Please utilize the Contacts name/phone # listed in each notice for reasonable accommodation due to a disability; to check on the meeting status; to inquire about phone/online participation options; etc. Note: some mtgs. may be recorded.

DCED-State Planning Board Meeting, 6/13/2022, 1 PM, 400 North St., 4th Flr., Hbg., PA, Conf. Call: 1-267-332 8737, Access Code: 332 605 768#, In-person mtg., Contact: Robin Jones 717-783-1131.

DEP Solid Waste Advisory Committee Meeting, 6/14/2022, 10 AM, Rachel Carson State Ofc. Bldg., 16th Flr., Delaware Rm., 400 Mrkt. St., Hbg., PA, Agenda: lahenry@pa.gov or 717-772-5713, Contact: Laura Henry 717-772-5713.

Cancelled, P3 Board Meeting, 6/14/2022, 9 AM, Keystone Bldg., Forest Rm., 400 North St., Hbg., PA, Contact: Madelyn Vergos 717-787-3154.

Special, PA Fish & Boat Commission (PFBC)-Law Enforcement Committee Meeting, 6/14/2022, 11 AM, PFBC Hbg. Ofc., 1601 Elmerton Ave., Hbg., PA, In-person mtg. or Viewed at: <https://www.facebook.com/PAFishandBoat>, Contact: Yvonne Grier 717-705-7801.

Special, OSIG - Critical Incident Review Committee of the PA State Law Enforcement Citizen Advisory Commission, 6/15/2022, 10 AM, 555 Walnut St., Forum Place, 7th Flr., Conf. Rm. 2, Hbg., PA, Conf. Call: 267-332-8737, Access Code: 485 172 955#, Agenda & Link: <http://www.osig.pa.gov/pslecac>, Contact: Melissa Yerges 717-783-7794.

State Civil Service Commission-Commission Meeting, 6/15/2022, 10:30 AM, Strawberry Sq., Bowman Tower, 4th Flr., 320 Mrkt. St., Hbg., PA, Contact: Michele Whiting 717-783-8806.

State Tax Equalization Board Meeting, 6/15/2022, 11 AM, Cmwth. Keystone Bldg., Conf. Rm. 4 W., 400 North St., Hbg., PA, Conf. Call: 1-267-332-8737, Access Code: 393 157 020#, Contact: Brenda Longacre 717-395-9195.

PEDFA Board Meeting, 6/15/2022, 11 AM, Conf. Call: 1-267-332-8767, Access Code: 635 203 058#, Agenda: dced.pa.gov, Contact: Melanie Taylor: 717-720-1395.

Cancelled, PMBDA Board Meeting, 6/16/2022, 10 AM, Conf. Call: 1-267-332-8737, Access Code: 489 884 80#, Contact: Jill Wawrzonek 717-720-1349.

Special, OSIG - Use of Force Review Committee of the PA State Law Enforcement Citizen Advisory Commission, 6/17/2022, 10 AM, 555 Walnut St., Forum Place, 7th Flr., Conf. Rm. 2, Hbg., PA, Conf. Call: 267-332-8737, Access Code: 946 346 007#; Agenda & Link: <http://www.osig.pa.gov/pslecac>, Contact: Melissa Yerges 717-783-7794.

Special, PA Insurance Exchange Board of Directors Meeting, 6/17/2022, 12:00 PM, Conf. Call: 1-267-332-8737, Access Code: 482 964 766#; Video Conf. Link: Pennie.com, Mtg. includes retroactive coverage for those losing medical assistance after end of the Public Health Emery. and NCQA health equity standards for insurers selling insurance through Pennie.

PFBC Boating Advisory Board Meeting, 6/21/2022, 9:30 AM, PFBC Hbg. Ofc., Delaware Rm., 1601 Elmerton Ave., Hbg., PA, Contact: Chad Whitaker 717-705-7851.

Special, State Public School Building Authority & the PA Higher Educational Facilities Authority Board Meetings, 6/23/2022, 10:30 AM, 515 North Ofc. Bldg., Hbg., PA, Contact: Bev Nawa 717-975-2204.

Special, PA Fish & Boat Commission (PFBC)-Habitat & Environmental Committee Meeting, 6/23/2022, 1 PM, PFBC Hbg. Ofc., 1601 Elmerton Ave., Hbg., PA, In-Person Mtg. or Viewed at: <https://www.facebook.com/PAFishandBoat>, Contact: Yvonne Grier 717-705-7801.

Appeared in: **Patriot-News** on Thursday, 06/09/2022

Appendix A

STATE PUBLIC SCHOOL BUILDING AUTHORITY
PENNSYLVANIA HIGHER EDUCATIONAL FACILITIES AUTHORITY
Notice of the Meetings of the Boards to be Held
June 23, 2022

The State Public School Building Authority and the Pennsylvania Higher Educational Facilities Authority Boards will meet on **Thursday, June 23, 2022**, at **10:30 a.m. in Room 515 North Office Building, Harrisburg**. The meetings are to: (a) approve projects for financing; and (b) consider other matters as may properly come before the Board.

Please complete the attached response and return to Bev Nawa via e-mail.

Sincerely,

Eric Gutshall
Executive Director

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Harrisburg, PA

I CERTIFY that the notice on the previous page for the June 23, 2022, meetings was dispatched to the following on June 16, 2022, at the addresses indicated, constituting all of the members of the Board of the Pennsylvania Higher Educational Facilities Authority.

Steven S. Heuer, Proxy for Governor Wolf
stheuer@pa.gov

Scott Martin, Designated by the President Pro Tempore of the Senate
smartin@pasen.gov

Lindsey M. Williams, Designated by the Minority Leader of the Senate
lindsey.williams@pasenate.com

Curtis G. Sonney, Designated by the Speaker of the House of Representatives
csonney@pahousegop.com

Napoleon J. Nelson, Designated by the Minority Leader of the House of Representatives
repnelson@pahouse.net

Stacy Garrity, State Treasurer
hshaffer@ptreasury.gov

Timothy L. DeFoor, Auditor General
plafoe@paauditor.gov

Curtis M. Topper, Secretary of General Services
cutopper@pa.gov

Eric Hagarty, Acting Secretary of Education
karworley@pa.gov

GIVEN under my hand and seal this 16th day of June 2022.

Eric Gutshall

Executive Director
State Public School Building Authority
Pennsylvania Higher Educational Facilities Authority