

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, April 6, 2023 at 9:00 a.m. In attendance were Commissioners Mark Sunderland; Robert Postal; Kevin Kodish; Chief Clerk Cathy Romig; Solicitor Stephen Snook; and Fiscal Affairs Assistant Charity Larson.

Guests present were, Treasurer Diane Griffith, Children & Youth Administrator Nicole Patkalitsky, CDBG Administrator Chastity Fultz, Helen Kirk, and Gabe Yoder and Chase Diemert from MCTV.

The meeting was called to order at 9:00 a.m. by Commissioner Sunderland.

I. Invocation: *The Invocation was given by Commissioner Kodish.*

II. Pledge of Allegiance: *The Pledge of Allegiance was said by all present.*

III. Approval of Minutes:

Motion was made by Commissioner Postal to accept the minutes of the Regular Meeting of March 30, 2023. Commissioner Kodish seconded the motion. The motion was unanimously approved.

IV. Approval of Bills:

1. General Fund, Accounts Payable

Ck. #'s 141299-141390 and EFT #'s 30951-30958 in the amount of \$221,315.03

2. Payroll Account

Ck. #'s 79599-79609 and Direct Deposit Advice #'s 49352-49579 in the amount of \$503,380.06

3. 911 Account

Ck. # 52560 and EFT # 21012 in the amount of \$2,193.47

Motion was made by Commissioner Postal to approve payment of bills as listed above. Commissioner Kodish seconded the motion. The motion was unanimously approved.

V. Treasurer's Report:

OFFICE OF THE
TREASURER OF MIFFLIN COUNTY

DIANE L GRIFFITH
COUNTY TREASURER

DANIEL Z SEARER
SOLICITOR



STEPHANIE J NEFF
1ST DEPUTY TREASURER

SUZANNE KOCHENDERFER
2ND DEPUTY TREASURER

COURTHOUSE
LEWISTOWN, PA. 17044
717-248-8439
717-242-5450 (FAX)

TREASURER'S REPORT
3/29/2023-4/4/2023

General Account Starting Balance	\$4,382,875.64
DEBITS	
Deposits Receipts #115366-115449	757,837.79
Transfer from	
Transfer from 911	0.00
Voided Checks	0.00
Transfer from LEPC	0.00
Adjustment	0.00
Interest	9,838.60
TOTAL DEBITS	\$767,676.39
CREDITS	
Bills Paid CK #S141299-141390 EFT #S 30951-30958	221,315.03
Transfer to Payroll CKS 79599-79609, DD 49352-49579	503,380.06
NSF Check	0.00
Transfer to SFPP	0.00
TOTAL CREDITS	\$724,695.09
Ending Balance (Interest @ 2.300% as of 4/4/2023)	\$4,425,856.94
Liquid Fuels	
Invested at JV Bank @ 2.300% as of 4/4/2023	\$325,298.83
Liquid Fuels - Act 89	
Invested at JV Bank @ 2.300% as of 4/4/2023	\$507,741.91
911 Telephone Account	
Invested at JV Bank @ 2.300% as of 4/4/2023	\$389,435.91
LEPC	
Invested at JV Bank @ 0.750% as of 4/4/2023	\$29,453.76
Local Use Fund	
Invested at JV Bank @ 2.300% as of 4/4/2023	\$613,354.32
Capital Reserve Account	
Invested at JV Bank @ 2.300% as of 4/4/2023	\$7,322,402.96
Report Subject to Audit	

Motion was made by Commissioner Postal to approve the Treasurer's Report as received, subject to audit. Commissioner Kodish seconded the motion. The motion was unanimously approved.

VI. Meetings and Events:

Chairman Sunderland:

*Prison Board
Planning Committee
Solid Waste Authority*

Commissioner Postal:

*Opioid Trust Board
Planning Committee
Green Avenue Building Auction
Mifflin County Historic Courthouse*

*Solid Waste Authority
SEDA-COG Natural Gas Co-op
Joinder Executive Committee*

Commissioner Kodish:

*Prison Board
CARS Board
Conference Call with Governor's Office
Concerning 911 Funding
Conference Call – Appalachian Regional
Commission ARISE Grant
Meeting with Solid Waste Authority
Meeting on Historic Courthouse Grant*

VII. Public Comment:

None

VIII. New Business:

A. Mifflin Moves!

Commissioner Postal explained a study was started a year ago to improve walking and biking in Mifflin County. The study was funded by PennDot. The plan is now being released for public comment. It will be available on the County website and select locations such as the library until mid-May. Public comments will then be incorporated into the final draft of the report.

B. Request for exoneration of 2023 county real estate tax bill and relieve the Tax Collector from collecting this bill:

- a. Parcel No. 20,13-0510A,110 located in Union Township – mobile home was destroyed - \$137.99

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

C. Request for refund of a portion of County real estate taxes for 2018 through 2023

- Parcel No. 16,01-0101A located in Derry Township – acreage error - \$1,117.38

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

D. Resolution No. 11 of 2023 amending the subdivision and land development review fees

**RESOLUTION NO. 2023-11
AMENDMENT TO RESOLUTIONS NO. 03-2, 04-20, 2010-32, 2016-25 AND 2023-8
MIFFLIN COUNTY SUBDIVISION AND LAND DEVELOPMENT REVIEW FEES**

WHEREAS, the Mifflin County Board of Commissioners has enacted a Subdivision and Land Development Ordinance for administration in the municipalities of Mifflin County that have no such municipally adopted regulations; and

WHEREAS, the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as from time to time amended and reenacted, requires the County to review all applications for subdivisions and/or land developments located in municipalities having enacted a local subdivision and land development ordinance; and

WHEREAS, the Mifflin County Board of Commissioners has delegated the responsibility for administration and enforcement of the Mifflin County Subdivision and Land Development Ordinance to the Mifflin County Planning Commission and Planning and Development Department; and

WHEREAS, the Mifflin County Planning and Development Department incurs certain expenses carrying out the administration of the County Subdivision and Land Development Ordinance.

NOW THEREFORE BE IT RESOLVED, that the Mifflin County Planning Commission and Planning and Development Department in the administration of the Mifflin County Subdivision and Land Development Ordinance shall utilize the following schedule of fees for all plans, both County and Municipal:

SUBDIVISION AND LAND DEVELOPMENT REVIEW FEES

Amended March 16, 2023

Effective May 1, 2023

Fees

Minor Subdivision Plans (Includes Lot Line Adjustments and Lot Additions)

- 1-2 Lots \$150.00
- 3-6 Lots \$200.00

Major Subdivision Plans (Includes Planned Residential Developments & Traditional Neighborhood Developments)

- 7-10 Lots \$250.00 plus \$10 per lot/unit
- 11+ Lots \$300.00 plus \$10 per lot/unit
- Final \$175.00 plus \$10 per lot/unit

Land Developments

- Residential, Preliminary and Preliminary Final \$150 plus \$10 per lot/unit
- Non- Residential, Preliminary and Preliminary Final
- Under 2,000 square feet** \$175
- 2,000- 9,999 square feet** \$225
- 10,000-49,999 square feet** \$275
- Over 50,000 square feet** \$350
- Final – Non-Residential \$150
- Final – Residential \$100
- Previously Reviewed Approved Plans (minor alterations not requiring in depth review) \$100

** Square feet equivalent to gross floor area

Mifflin County reserves the right to charge the applicant for any cost incurred during review that would not be covered by this fee schedule, such as engineering inspections on required improvements or outside agency reviews.

Additional Review Fees: The applicant shall reimburse the Mifflin County Planning Commission for all reasonable and necessary charges by the Mifflin County Planning Commission engineer, solicitor or consultant for review of improvements or development designs. All engineering, legal or consulting fees shall be in accordance with the ordinary and customary charges by the Planning Commission engineer, solicitor or consultant for similar service in the County, but in no event shall the fees exceed the rate or cost charged by the engineer, solicitor or consultant to the County when fees are not reimbursed or otherwise imposed on applicants. These additional review fees are applicable for all reviews, report reviews and County approval reviews. Plans will not be signed nor released for recording until all fees are paid in full.

Engineer Inspection Fees: Where improvements are required by the Mifflin County Planning Commission to be installed, as a condition of final approval of a subdivision or land development plan, said improvements must be inspected by the Planning Commission engineer upon completion. The applicant shall reimburse the County for all reasonable and necessary expenses associated with the inspection of required improvements by the Planning Commission engineer.

ENACTED AND ORDAINED the twenty-third day of January 2003, by the Board of Commissioners of Mifflin County, Pennsylvania, to be effective on the date of enactment.

AMENDED the second day of December 2004, by the Board of Commissioners of Mifflin County, Pennsylvania, to be effective on the date of amendment.

AMENDED this second day of December 2010, by the Board of Commissioners of Mifflin County, Pennsylvania, to be effective January 1, 2011.

AMENDED this seventh day of July 2016 by the Board of Commissioners of Mifflin County, Pennsylvania, to be effective September 1, 2016.

AMENDED this sixteenth day of March 2023 by the Board of Commissioners of Mifflin County, Pennsylvania, to be effective May 1, 2023.

AMENDED this sixth day of April, 2023 by the Board of Commissioners of Mifflin County, Pennsylvania, to be effective May 1, 2023.

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

- E. Resolution No. 12 of 2023 on behalf of Granville Township Supervisors approving budget revisions to the FFY 202 CDBG Program

RESOLUTION NUMBER 2023-12

**RESOLUTION OF THE
MIFFLIN COUNTY COMMISSIONERS (MCC)
ON BEHALF OF THE GRANVILLE TOWNSHIP SUPERVISORS (GTS),
APPROVING BUDGET REVISIONS
TO THE FFY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

WHEREAS, the GTS and the Mifflin County Commissioners (MCC) on behalf of the GTS funded Demolition of Single Family Blighted Structures in the amount of \$56,608.97; and

WHEREAS, the GTS and the MCC on behalf of the GTS funded the Village of Hawstone Water Improvements Project in FFY 2020-CV, FFY 2019 and FFY 2020 and a change in the scope of services to be provided is necessary; and

WHEREAS, the GTS and the MCC on behalf of the GTS are desirous of reducing funding for Demolition of Single Family Blighted Structures by \$4,667.28 in order to fully fund the Village of Hawstone Water Improvements Project; and

WHEREAS, the GTS adopted a resolution on April 3, 2023 approving said budget revisions and authorized the Mifflin County Planning and Development Department to complete and submit said revision request and required documentation to the Pennsylvania Department of Community and Economic Development (PA-DCED) for review and approval;

WHEREAS, it is the requirement of the PA-DCED to revise the Granville Township FFY 2020 program funding budget, so as to complete the following actions:

1. Reduce Demolition of Single Family Blighted Structures by the amount of \$4,667.28.
2. Add the Village of Hawstone Water Improvements Project in the amount of \$4,667.28.

NOW, THEREFORE, BE IT RESOLVED, by the MCC as follows:

1. That the budget revisions affecting the Granville Township FFY 2020 program budget are approved by the MCC on behalf of the GTS through the adoption of this Resolution.
2. That the Mifflin County Planning and Development Department is authorized to complete and submit said revision request and required documentation to the PA-DCED for review and approval.

BE IT FURTHER RESOLVED, if CDBG funds are determined by the PA-DCED to be expended on ineligible program costs or do not meet a national objective, the MCC on behalf of the GTS agree to repay the proportion deemed ineligible from non-federal sources.

I HEREBY CERTIFY that the above is a true and correct copy of a resolution adopted at a public meeting of the Mifflin County Commissioners held on Thursday, April 6, 2023

CDBG Administrator Chastity Fultz explained this is for a project in the Village of Hawstone. There was a change in the scope of services that resulted in increased fees. Because of this they need to move money from demolition account into the Village of Hawstone project. They will be moving a total of \$4,667.28

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

- F. Purchase of Service Agreement for use, if needed, by Children & Youth:

Children & Youth Administrator Nicole Patkalitsky stated Corrine Lawhorn is a former caseworker and the contract with her is so she can complete work she was not able to finish before leaving Mifflin County CY. The rate for Corrine will be \$20.45 per hour. The contract with David G. Ray to provide psychological evaluations and assessments at a rate of \$125.00 per hour.

- Corrine Lawhorn

- David G. Ray, M.Ed

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

- G. Resolution No. 13 of 2023 establishing the fair market value of county property at 399 Green Avenue Extended and authorize the execution of an agreement of sale with the high bidder for the sale and disposition of the property

RESOLUTION NUMBER 2023-13

RESOLUTION ESTABLISHING THE FAIR MARKET VALUE OF COUNTY PROPERTY AT 399 GREEN AVENUE EXTENDED PURSUANT TO 16 P.S. § 2306 AND AUTHORIZING THE EXECUTION OF AN AGREEMENT OF SALE WITH THE HIGH BIDDER FOR THE SALE AND DISPOSITION OF THE AFORESAID PROPERTY

A resolution of the Board of Commissioners, County of Mifflin, Commonwealth of Pennsylvania, establishing, pursuant to 16 P.S. § 2306, the fair market value of the property located at 399 Green Avenue Extended, Lewistown, PA 17044, and authorizing the Chairman of said Board of Commissioners of Mifflin County to sign, on behalf of the County of Mifflin, an Agreement of Sale with the high bidder following the public bidding on the aforesaid property held on March 30, 2023.

* * * * *

WHEREAS, the County is the owner of real property, together with improvements thereon, situate at 399 Green Avenue Extended, Lewistown, PA 17044 (the "Property"), and more fully identified at Mifflin County Tax Map Reference No. 16 ,11-0100--,000; and

WHEREAS, the County determined that it was in the best interest of the County to sell the Property; and

WHEREAS, the County procured the services of a duly qualified auctioneer who adequately marketed and advertised the Property prior to a public auction held on March 30, 2023; and

WHEREAS, after competitive bidding, the high bidder at the public auction was Dennis Brubaker at a high bid of Two Hundred Thousand and No/100 Dollars (\$200,000); and

WHEREAS, 16 P.S. 2306 of the Pennsylvania County Code requires that the fair market value of property to be sold by County commissioners "shall be determined by the commissioners in consultation with two of the following: the county assessor, certified broker-appraisers, or certified real estate appraisers doing business within the County"; and

WHEREAS, the Board of Commissioners of Mifflin County consulted with a certified real estate appraiser and the County assessor; and

WHEREAS, the Board of Commissioners determined that, given the adequate marketing and advertising completed for the Property and the ample time for any prospective buyer to attend and bid on the Property, the high bid of Two Hundred Thousand and No/100 Dollars (\$200,000.00) established at the public auction by Mr. Brubaker is indicative of the fair market value of the Property; and

WHEREAS, the high bid amount of Two Hundred Thousand No/100 Dollars (\$200,000.00) is in excess of the value provided by the certified real estate appraiser; and

WHEREAS, the high bid amount of Two Hundred Thousand and No/100 Dollars (\$200,000.00) is in excess of the average of the values provided by both the certified real estate appraiser and the County assessor; and

WHEREAS, the Board of Commissioners are desirous of establishing the fair market value of the Property, as required under the aforesaid statute, at the high bid amount of Two Hundred Thousand and No/100 Dollars (\$200,000.00); and

WHEREAS, the Board of Commissioners desirous of accepting the high bid amount from Mr. Brubaker and authorize the Chairman of the Board of Commissioners to execute the Sales Agreement presented at the public auction for the sale of the Property under the terms and conditions contained therein for a purchase price equal to the established fair market value of Two Hundred Thousand and No/100 Dollars (\$200,000.00).

NOW, THEREFORE, BE IT RESOLVED by the County Board of Commissioners for Mifflin County, Pennsylvania, as follows:

1. All of the recital clauses set forth above are incorporated herein as if more fully set forth.
2. At the aforesaid public auction for the Property, the high bidder was Mr. Dennis Brubaker at a purchase price bid of Two Hundred Thousand and No/100 Dollars (\$200,000.00).
3. Pursuant to 16 P.S. § 2306, after consultation with a certified real estate appraiser and the County assessor, the Commissioners of Mifflin County hereby establish the fair market value of the Property to be Two Hundred Thousand and No/100 Dollars (\$200,000.00).
4. The Chairman of the Board of Commissioners is authorized to executed the Sales Agreement with Mr. Brubaker, or his assigns, for the sale and purchase of the Property at an amount equal to the high bid and established fair market value of Two Hundred Thousand and No/100 Dollars (\$200,000.00); a copy of the Sales Agreement is attached hereto as Schedule "A".
5. The Chairman of the Board of Commissioners is hereby further authorized to execute any and all documents necessary to effectuate the aforesaid sale and purchase of the Property.

Commissioner Postal said this is for the former County Home building which is no longer in use by the County. The County is currently serving as a landlord for the property for private and non-profit agencies not part of the County. The cost of needed upgrades to the property does not make fiscal sense for the County so action has been take to dispose of the property. An auction was held on March 31, 2023 where a bid was placed. Fair market value must now be established for the property. When the property is sold and comes off the County's list of assets, which is now a liability to the County, it will go back onto the private property tax rolls.

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

H. Opioid Settlements Participation Forms:

Commissioner Postal stated the reason for this is because the opioid manufacturers, distributors, and pharmacies have settled with the Attorney General's office for payments to subdivisions and Counties. This is wave two of the process. Mifflin County's portion of the settlement is 1.2 million dollars to be paid over eight years. This wave two portion is \$990,000.00 for opioid remediation and treatment.

- Teva
- Allergan
- CVS

- Walgreens
- Walmart

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

I. Personnel:

- Rescind the promotion of Mazy Briggs from Corrections Officer to Corrections Counselor effective April 17, 2023
- Hiring of Nicholas Loudenslager for Part-time Deputy Sheriff effective April 10, 2023

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. The motion was unanimously approved.

IX. Adjournment:

With no other business on the agenda, Commissioner Sunderland adjourned the meeting at 9:39 am.

Secretary

ATTEST:

Chief Clerk