

Lewistown, PA

August 31, 2017

The Board of Mifflin County Commissioners met for a Special Meeting on Thursday, August 31, 2017 at 9:00 a.m. In attendance were Commissioners Kevin Kodish, Stephen Dunkle and Robert Postal, Jr.; Solicitor Stephen Snook; and Chief Clerk Cathy Romig.

Joe Cannon of The Sentinel/County Observer was the only representative present from the news media.

Guests present: Treasurer Deb Civitts; Planning Director William Gomes; Assistant Planning Director/CDBG Administrator James Lettiere; Public Safety Director Phil Lucas; Housing Rehabilitation Specialist Douglas Marks; Tax Services Director Harry Clever; Director of Elections Zane Swanger; Human Services Coordinator Allison Fisher; Andrew Rowe; Matthew Boyer; Nancy May; Stephen May; George Marks; Glenn Shawver; Walter Ciecierski; Deron French; David Wagner; Jeff Curry; B. Monte Kemmler; Travis Horner; Zack Poff and Leah Shelley from MCTV.

The meeting was called to order at 9:00 a.m. by Chairman Kodish.

**I. Invocation:** The Invocation 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 August 17, 2017. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

**IV. Approval of Bills:**

1. General Fund, Accounts Payable:

Cks. #115726 to 115877 and EFTs # 23264-23280 in the amount of \$603,700.72

2. Payroll Account:

Cks. #77863 to 77887 and Direct Deposit Advices #14903 to 15133 in the amount of \$403,336.14

3. CDBG Account:

Ck. #1354 to 1355 in the amount of \$27,710.94

4. 911 Account:

Cks. # 51387 to 51390 and EFTs # 20368 to 20373 in the amount of \$149,619.19

5. LEPC Account:

Cks. #1386 in the amount of \$225.50

6. Liquid Fuels Account:

Ck. #1643 in the amount of \$3,439.83

7. Liquid Fuels Act 89 Account:

EFT # 8058 in the amount of \$48.55

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

**V. Treasurer's Report:**

08/16/2017-08/29/2017

**General Account** Starting Balance **\$1,598,086.88**

**DEBITS**

Deposits Receipts #88000-88162	394,857.29
Transfer from Capital Reserve	0.00
Transfer from 911	0.00
Adjustment	0.00
Interest	0.00
Voided Check	0.00

**TOTAL DEBITS** **\$394,857.29**

**CREDITS**

Bills Paid CK #'S 115726-115877, EFT'S # 23264-23280	603,700.72
Transfer to Payroll (Cks #)77863-77887, DD #14903-15133	403,336.14
NSF CKS	90.12

**TOTAL CREDITS** **\$1,007,126.98**

Ending Balance (Interest @ 01.27000% as of 08/29/2017) **\$985,817.19**

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**Liquid Fuels**

Invested at JV Bank @ 01.27000% as of 08/29/2017 **\$509,613.59**

**Liquid Fuels - Act 89**

Invested at JV Bank @ 01.27000% as of 08/29/2017 **\$245,647.35**

**911 Telephone Account**

Invested at JV Bank @ 01.27000% as of 08/29/2017 **\$2,075,219.13**

**LEPC**

Invested at JV Bank @ 01.27000% as of 08/29/2017 **\$11,182.77**

**Capital Reserve Account**

Invested at JV Bank @ 01.27000% as of 08/29/2017 **9,648,836.88**

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

**VI. Meetings and Events:**

<i>Chairman Kodish:</i>	<i>Salary Board</i>
	<i>Department Head Meeting</i>
	<i>Economic Development – Delta</i>
	<i>Youth Fair Activities</i>
	<i>Juniata River Valley Tourism Board</i>
	<i>PSU Extension Agent – Jeff Hackenberg</i>
	<i>Operation Fairness</i>
	<i>Senator Casey – Lewistown Senior Center</i>
	<i>JVBDS Board</i>
	<i>Regional Services Corporation Negotiations</i>
	<i>Career Link – Services for MCCC Inmates</i>
	<i>Library Board</i>
	<i>Geisinger Lewistown Yearly Report</i>
	<i>Budget Meetings</i>

*Commissioner Dunkle:*        *Salary Board*  
*Department Head Meeting*  
*Park and Recreation*  
*Prison Medical Department*  
*Enterprise*  
*Budget Meetings*  
*Geisinger Lewistown Yearly Report*  
*Economic Development – Delta*  
*PSU Extension Agent – Jeff Hackenberg*  
*Operation Fairness*  
*Senator Casey – Lewistown Senior Center*  
*JVBDS Board*

*Commissioner Postal:*        *Salary Board*  
*Department Head Meeting*  
*Economic Development – Delta*  
*Budget Meetings*  
*Geisinger Lewistown Yearly Report*  
*Housing Authority*  
*Natural Gas Cooperative Executive*  
*PSU Extension Agent – Jeff Hackenberg*  
*Operation Fairness*  
*Senator Casey – Lewistown Senior Center*  
*JVBDS Board*

**VII. Public Comment:**

*Matt Boyer, Lewistown Borough:*        *Has a couple questions on the ordinance on today's agenda. Where is the money going? Commissioner Kodish stated for the roads and bridges in Mifflin County. Commissioner Kodish explained the county can use this as leverage for other grants. The County is eligible for two million dollars from PennDot. Mr. Boyer asked if the \$5.00 will increase. Commissioner Kodish told him no it is set by the legislation. Mr. Boyer asked if Amish Buggy's will have to pay. Commissioner Kodish stated if they do not currently pay a registration fee, they will not pay. Mr. Boyer's final question; why can't the public meetings be held in the evening. Commissioner Kodish stated in the past, there were meeting held in the evening and no one showed up. Mr. Boyer stated his final thought is the Commissioners will be up for re-election and the general public does not want this to do through.*

*Andrew Rowe, Lewistown Borough:*        *Mr. Rowe is addressing the ordinance and resolution that is on the agenda. Mr. Rowe stated that we live in one of the lowest per capita income in Pennsylvania. Most people in Mifflin County live pay check to pay check. Every time there is another fee it makes it harder for these folk. Mr. Rowe does not want to see either the ordinance or resolution pass.*

*Jeff Curry, Granville Township:*        *Mr. Curry is here regarding the \$5.00. He feels there has to be a better way to increase revenue. He has a business and owns nine cars. Commissioner Postal stated there are exemptions but if you pay a registration fee, you will pay the \$5.00. Mr. Curry would like this ordinance to be postponed.*

*Allison Fisher, County employee:*        *Ms. Fisher is the Director of Human Services. She works with low income people every day. She understands what the concerns are. This is a matter of prioritization. In Mifflin County, if we don't start making different choices we will continue to be one of the lowest per capita income in Pennsylvania.*

*Commissioner Kodish read the following statement:*

Act 89 of 2014 established a mechanism to allow individual counties to implement a \$5 fee for each vehicle registered within the county. For Mifflin County, this fee will produce over \$200,000 annually.

Here are some important facts for our community to remember as we proceed in taking this step to ensure we have a safe transportation network for future generations.

1. The local use funds will be retained and used in Mifflin County; they are not collected in Harrisburg and spent statewide. The funds are collected by PennDOT and transferred here for local use.
2. The local use funds can only be used for transportation. They give the County the opportunity to work with our municipalities to improve our roads and bridges.
3. The local use funds can be used to leverage additional state and federal dollars. Most state and federal programs require a match. The County will now have funds to match programs targeted towards improving our transportation network.
4. The local use funds can be used to fix our deteriorating bridges. PennDOT has developed a plan as part of its Road Maintenance and Preservation (Road MaP) program that will provide a \$2 million grant to counties who have enacted the \$5 for Local Use Ordinance. These funds are critical in assisting our County in rehabilitating our deficient bridges in each of our municipalities. Our step in adopting this fee allows us to access the \$2 million available in PennDOT grant funds.
5. This fee is a \$5 investment that will leverage millions of dollars to enhance the quality of life for all residents of Mifflin County.

### ***VIII. New Business:***

- A. Ordinance No. 3 of 2017 to impose a \$5.00 county fee for each non-exempt vehicle registered within the county:*

#### ORDINANCE NO. 3 of 2017

AN ORDINANCE for the implementation of a fee for local use as provided by 75 Pa.C.S. §1935, allowing a county, in its discretion, to impose a county fee of \$5.00 for each nonexempt vehicle registered to an address located within its borders.

WHEREAS, Act 89 of 2013, amending 75 Pa.C.S. §1935, allows all counties within the Commonwealth of Pennsylvania, at their discretion, to impose a \$5.00 county fee for each and every non-exempt vehicle registered to an address located within said county; and

WHEREAS, 75 Pa.C.S. §1935 requires each County that elects to implement this fee to pass an Ordinance authorizing the same; and

WHEREAS, beginning January 1, 2015, 75 Pa.C.S. §1935 authorizes a county to enact an ordinance to levy the county fee; and

WHEREAS, 75 Pa.C.S. §1935 requires the County to notify the Pennsylvania Department of Transportation (Department) on or following the enactment date and at minimum 90 days prior to the effective date of the Ordinance; and

WHEREAS, upon levy by ordinance of the county and due notice to the Department, 75 Pa.C.S. §1935 directs the Department to collect the county fee at the time of vehicle registration, and to deposit receipts into a Fee for Local Use Fund; and

WHEREAS, 75 Pa.C.S. §1935 directs that the money paid into the Fee for Local Use Fund shall be distributed by the Department to each participating County, in accordance with the amount collected from said County; and

WHEREAS, funds payable to a County from the Fee for Local Use Fund shall be used by the County for transportation purposes or be allocated by the County to municipalities in the County in accordance with 75 Pa.C.S. §9010(c) (related to the County Liquid Fuels Tax Fund); and

WHEREAS, Mifflin County has determined that it wishes to impose the \$5.00 county fee authorized pursuant to 75 Pa.C.S. §1935 and hereby presents the following Ordinance No. 3 of 2017 for approval.

NOW THEREFORE, the Mifflin County Board of Commissioners enacts Ordinance No. 3 of 2017 as follows:

Section 1. The Board of Commissioners of Mifflin County, finding that it is in the best interests of Mifflin County, hereby enacts this Ordinance levying a \$5.00 county fee pursuant to 75 Pa.C.S. §1935 for each non-exempt vehicle registered to an address located in Mifflin County.

Section 2. The fees collected pursuant to this Ordinance shall be used by Mifflin County for transportation purposes or shall be allocated by Mifflin County in accordance with 75 Pa.C.S. §9010(c) (related to the County Liquid Fuels Tax Fund) and consistent with guidance issued by the Department.

Section 3. The Board of Commissioners of Mifflin County directs the Chief Clerk to notify the Department of the enactment of this ordinance by Mifflin County of the \$5.00 county fee, as required by 75 Pa.C.S. §1935.

Section 4. Pursuant to 75 Pa.C.S. §1935, this Ordinance and the \$5.00 fee levied under this Ordinance by Mifflin County shall take effect *December 1, 2017*.

Adopted August 31, 2017 by the Mifflin County Board of Commissioners.

*Motion was made by Commissioner Postal to approve Ordinance No. 3 of 2017. Seconded by Commissioner Dunkle. The motion was unanimously approved.*

B. *Request for exoneration of 2017 county real estate tax bills and relieve the tax collectors from collecting these bills:*

- *Parcel No. 20,01-0139C-,000 located in Union Township—billing error- \$612.80*
- *Parcel No. 20,01-0153--,000 located in Union Township—billing error- \$427.24*
- *Parcel No. 20,05-0104D-,000 located in Union Township—billing error- \$143.20*
- *Parcel No. 20,01-0099I-,000 located in Union Township—billing error- \$593.60*
- *Parcel No. 15,09-0107--,003 located in Decatur Township—mobile home was removed- \$201.60*

*Motion was made by Commissioner Dunkle to approve the request for exoneration of 2017 county real estate tax bills and relieve the tax collectors from collecting these bills as listed above. Seconded by Commissioner Postal. The motion was unanimously approved.*

C. *Request for exoneration of 2017 county portion per capita taxes:*

- *Newton Hamilton Borough Tax Collector Melody Kane – 1*

*Motion was made by Commissioner Postal to approve the request for exoneration of 2017 county portion per capita taxes as listed above. Seconded by Commissioner Dunkle. The motion was unanimously approved.*

D. *Recommendation to award low bid for Ridge Road and Marble Street paving project in Lewistown Borough:*

*Housing Rehabilitation Specialist/Construction Manager Doug Marks stated this is a paving project in Lewistown Borough. They received two bids; Glen O. Hawbaker, Inc. \$65,492.00 and J. Fulkroad and Son's - \$44,054.16. Hoping to have the project completed this fall.*

*Motion was made by Commissioner Dunkle to accept the low bid of \$44,054.16 from J. Fulkroad and Son's for the Ridge Road and Marble Street paving projects. Seconded by Commissioner Postal. The motion was unanimously approved.*

- E. *Recommendation to award low bid for Pinewood and Sawmill Roads and Rosemont Avenue paving and storm water projects in Derry Township:*

*Housing Rehabilitation Specialist/Construction Manager Doug Marks stated this is a paving and storm water improvement project in Derry Township. They received two bids; Glen O. Hawbaker, Inc. \$152,270.00 and J. Fulkroad and Son's - \$112,723.19. Hoping to have the project completed this fall.*

*Motion was made by Commissioner Postal to accept the low bid of \$112,723.19 from J. Fulkroad and Son's of \$44,054.16 for the Pinewood and Sawmill Roads and Rosemont Avenue paving and storm water projects. Seconded by Commissioner Dunkle. The motion was unanimously approved.*

- F. *Mifflin County State Food Purchase Program Agreements for the Fiscal Year 2017-2018:*

- *Central Pennsylvania Food Bank - \$2,235.00*
  - *Salvation Army - \$6,564.43*
  - *Hand of Grace/Grace Covenant Church - \$22,641.00*
  - *Abuse Network - \$6,000.00*
  - *Bible Baptist/New Life Church Food Pantry - \$7,446.00*
  - *Bible Baptist/New Life Church Soup Kitchen - \$600.00*
  - *Calvary Bible Church - \$21,000.00*
  - *Mifflin Juniata Human Services - \$3,352.08*
- Totaling - \$69,838.51*

*Human Services Director Allison Fisher commented that these are the annual contracts from the Department of Agriculture that provides the funding for the local food pantries.*

*Motion was made by Commissioner Dunkle to approve the State Food Purchase Program Agreements as listed above. Seconded by Commissioner Postal. The motion was unanimously approved.*

- G. *Offer for Parcel No. 11,01-0013--,000 located in Newton-Hamilton Borough that is currently in repository for unsold properties - \$100.00:*

*Motion was made by Commissioner Postal to accept the offer of \$100.00 for parcel no. 11,01-0013--,00 located in Newton-Hamilton Borough. Seconded by Commissioner Dunkle. The motion was unanimously approved.*

- H. *Co-Location Agreement between Mifflin County and Zito Media permitting Zito Media to place equipment in the 911 Center to provide fiber optic connectivity:*

*Public Safety Director Phil Lucas stated this agreement allows Zito Media to place facilities in the 911 Center to establish connectivity between the nine participating counties in the 911 update project.*

*Motion was made by Commissioner Dunkle to approve the agreement between Mifflin County and Zito Media as noted above. Seconded by Commissioner Postal. The motion was unanimously approved.*

- I. *Amendment No. 2 to Participation Agreement for the SEDA-COG Natural Gas Cooperative making Juniata County a party to the agreement:*

*Commissioner Postal: Mifflin, Clinton and Centre were the founding counties of the Natural Gas Cooperative. Since that was founded Perry County has joined. On Tuesday Juniata County passed the motion to join.*

*Motion was made by Commissioner Postal to accept Amendment No. 2 to Participation Agreement for the SEDA-COG Natural Gas Cooperative making Juniata County a party to the agreement. Seconded by Commissioner Dunkle. The motion was unanimously approved.*

- J. *Resolution No. 27 of 2017 authorizing the Recorder of Deeds to collect an additional \$15.00 fee for each deed or mortgage that is recorded:*

RESOLUTION NO. 27 of 2017

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MIFFLIN COUNTY, PENNSYLVANIA, REGARDING THE IMPOSITION OF A FIFTEEN DOLLAR (\$15.00) INCREASE IN THE FEES CHARGED BY THE RECORDER OF DEEDS OFFICE FOR RECORDING DEEDS AND MORTGAGES TO FUND THE MIFFLIN COUNTY DEMOLITION FUNDS PROGRAM.**

**WHEREAS**, it is in the public interest to raise money for the demolition of blighted property situate in Mifflin County. Many citizens of this County are adversely affected by abandoned and blighted residential, commercial, and industrial properties and structures. Substandard, deteriorating, and abandoned structures are public nuisances which harbor potential health and safety hazards, and their dilapidated appearance or conditions negatively affect the economic wellbeing of residents and businesses in their proximity, and their blighting effect diminishes property values within the community; and

**WHEREAS**, the authority of the Board of Commissioners of Mifflin County to adopt this Resolution is granted by the Demolition Funds Act, Pennsylvania Act 152 of 2016.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Mifflin County, that:

1. the Recorder of Deeds is hereby authorized to collect an additional fee of fifteen dollars (\$15.00) for each deed and mortgage;
2. a "Demolition Fund" is hereby established for the collection of the fee which is to be used for the removal of blighted properties;
3. the collection of the fee shall become effective January 1, 2018;

Approved this 31st day of August, 2017, at a public meeting.

Planning Director Bill Gomes: *In November of 2016 the legislature passed Act 152 which allowed counties to charge the \$15.00 fee on deeds and mortgages. The reason for this fee is to help with demolition purposes. This fee would generate approximately \$42,000.00 a year. In June Mr. Gomes sent a letter to every municipality regarding this fee and he had numerous responses in favor of this.*

*Motion was made by Commissioner Postal to approve Resolution No. 27 of 2017 authorizing the Recorder of Deeds to collect an additional \$15.00 fee for each deed or mortgage that is recorded. Seconded by Commissioner Dunkle. The motion was unanimously approved.*

K. *Personnel:*

- *Hiring of Sam Whiteman for part-time Maintenance Consultant effective September 1, 2017*
- *Hiring of Children and Youth Caseworker Cortney Terry effective August 31, 2017*
- *Hiring of Children and Youth Caseworker Adam Houtz effective September 5, 2017*
- *Hiring of Emily Price for a clerk in the Elections and Veterans Office effective September 4, 2017*
- *Hiring of Bradley Smith and Nathaniel Dillion for part-time Corrections Officer effective September 11, 2017*
- *Hiring of Angela Shuey for Fiscal Affairs Assistant in the Commissioners' Office effective September 18, 2017*
- *Resignation from Warden Michael Book effective August 30, 2017*

*Motion was made by Commissioner Dunkle to accept the above personnel items.  
Seconded by Commissioner Postal. The motion was unanimously approved.*

***IX. Adjournment:***

*With no other business on the agenda, Chairman Kodish adjourned the meeting at 9:40  
a.m.*

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*Secretary*

*ATTEST:*

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*Chief Clerk*