

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, August 3, 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, CDBG Administrator Chastity Fultz, Call A Ride Service Director of Transportation Cindy Sunderland, and Avery Aurand and Gracen Haines 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 July 20, 2023. Commissioner Kodish seconded the motion. The motion was unanimously approved.

IV. Approval of Bills:

1. *General Fund, Accounts Payable*

Ck. #'s 142681-142848 and EFT #'s 600504-600520 in the amount of \$1,565,193.45

2. *Payroll*

Ck. #'s 79660-76670 and EFT #'s 51151-51377 in the amount of \$425,698.76

3. *911 Account*

Ck. #'s 52629-52636 and EFT #'s 21043-21047 in the amount of \$24,174.61

4. *Liquid Fuels Act 89 Account*

Ck. # 8131 in the amount of \$51.52

5. *Liquid Fuels Account*

Ck. # 1724 in the amount of \$1,762.50

6. *CDBG Account*

Ck. # 1685 in the amount of \$1,002.00

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
7/19/2023-8/1/2023

General Account Starting Balance	\$4,979,487.22
DEBITS	
Deposits Receipts #117060-117198	671,504.20
Transfer from	
Transfer from American Rescue	4,486,495.93
Voided Checks	0.00
Transfer from LEPC	0.00
Adjustment	0.00
Interest	9,883.94
TOTAL DEBITS	\$5,167,884.07
CREDITS	
Bills Paid CK #'S 142681-142848 EFT #'S 600504-600520	1,565,193.45
Transfer to Payroll	425,698.76
Transfer to Capital Reserve	4,500,000.00
NSF Check	1,422.27
Transfer to HAP	6,873.00
TOTAL CREDITS	\$6,499,187.48
Ending Balance (Interest @ 2.550% as of 8/1/2023)	\$3,648,183.81

Capital Reserve Account
Invested at JV Bank @ 2.550% as of 8/1/2023 **\$19,754,589.18**

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:

*Planning Department
Human Services Quarterly Meeting
Electronic Poll Book Presentation
Employee Interview
Salary Board*

Commissioner Postal:

*CCAP Solar Task Force
Salary Board
Enterprise Fleet Program
MJ Quarterly Meeting
Electronic Poll Book Presentation
DLI Executive Meeting
MC Housing Authority
Senior Expo
SEDA-COG Natural Gas Co-op Board
National Night Out
JVBDS Joinder Executive Committee*

*Internal meetings (Projects; IT; MCP;
Fiscal/leases)*

Commissioner Kodish:

*CARS Board
Salary Board
Human Services Quarterly Meeting
Electronic Poll Book Presentation
Juniata River Valley Visitors Bureau*

VII. Public Comment:

None

VIII. New Business:

- A. Resolution No. 23 of 2023 Authorizing the Chairman to sign the Highway Safety Patrol Grant for sobriety checkpoints and expanded DUI/underage drinking enforcement

RESOLUTION No. 23 of 2023

BE IT RESOLVED, by authority of the Commissioners of Mifflin County and it is hereby resolved by authority of same, that the Chairman of the Mifflin County Commissioners be authorized and directed to sign the attached grant on its behalf.

ATTEST

Cathy A. Romig
(Signature and designation of official title)

Cathy A. Romig, Chief Clerk
Print or type above name and title.

(SEAL)

County Of Mifflin
(Name of Municipality)

By: Mark A. Sunderland
(Signature and designation of official title)

Mark A. Sunderland, Chairman
Print or type above name title

I, Mark A. Sunderland, Chairman, Mifflin County Commissioners
(Name) (Official title)
of the County of Mifflin, do hereby certify that
(Name of governing body or municipality)

the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Mifflin County Commissioners,
(Name of governing body)

held the 3rd day of August, 2023.

DATE: August 3, 2023

Mark A. Sunderland
(Signature and designation of official title)

Mark A. Sunderland, Commissioner
Print or type above name/title

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

- B. Resolution No. 24 of 2023 Fair Housing Policy for the County of Mifflin and on behalf of the Armagh, Brown, Derry and Granville Township Supervisors and the Lewistown Borough Council

RESOLUTION NUMBER 2023-24

**RESOLUTION OF THE MIFFLIN COUNTY COMMISSIONERS AND
ON BEHALF OF THE LEWISTOWN BOROUGH COUNCIL, AND
THE ARMAGH, BROWN, DERRY AND GRANVILLE TOWNSHIP SUPERVISORS
FAIR HOUSING RESOLUTION**



LET IT BE KNOWN TO ALL PERSONS of the County of Mifflin, and on behalf of The Borough of Lewistown and the Townships of Armagh, Brown, Derry and Granville that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, sex (including gender identity and sexual orientation), national origin, religion, familial status (families with children), or handicap (disability) is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Act) and the Pennsylvania Human Relations Act adds the additional protected classes of age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals. It is the policy of the County of Mifflin, and on behalf of The Borough of Lewistown and the Townships of Armagh, Brown, Derry and Granville to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, sex (including gender identity and sexual orientation), national origin, religion, familial status, handicap, age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals. Additionally, it is illegal to retaliate against a person who has filed a fair housing complaint or assisted in a fair housing investigation. Therefore, the County of Mifflin, and on behalf of The Borough of Lewistown and the Townships of Armagh, Brown, Derry and Granville does hereby pass the following resolution.

BE IT RESOLVED, that within available resources the County of Mifflin, and on behalf of The Borough of Lewistown and the Townships of Armagh, Brown, Derry and Granville will assist all persons who feel they have been discriminated against because of race, color, sex (including gender identity and sexual orientation), national origin, religion, familial status, handicap, age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals to seek equity under federal and state laws by filing a complaint with the local Fair Housing Officer, Pennsylvania Human Relations Commission and the U.S. Department of Housing and Urban Development, whichever is chosen by the person filing the complaint.

BE IT FURTHER RESOLVED that the County of Mifflin, and on behalf of The Borough of Lewistown and the Townships of Armagh, Brown, Derry and Granville shall make publicly known this Resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Act, the Pennsylvania Human Relations Act, and any local laws or ordinances.

FURTHER ACTION will at a minimum include, but not to be limited to:

- (1) Publicizing the name and contact information of the local Fair Housing Officer, which will include the process to file a complaint if a person feels they have been discriminated against in housing in any manner and other applicable fair housing information through local media and community contracts; and
- (2) Conduct at least one fair housing activity annually to better inform the public of their rights under the Fair Housing Law and Pennsylvania Human Relations Act; and
- (3) Use the fair housing logo on all materials dealing with housing programs such as but not limited to:

- a. Public advertisements for vacancy or discussing the program
- b. Applications for assistance
- c. Contracts
- d. Municipal letters dealing with the federal programs

If you are a person with a disability or have Limited English Proficiency and require reasonable accommodation or document translation, please contact the business offices of the Mifflin County Planning and Development Department, located at 20 North Wayne Street, Lewistown, PA 17044, (717) 242-0887, or by e-mail mcplanning@mifflincountypa.gov and the website is www.co.mifflin.pa.us

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, August 3, 2023.

Attest:



Cathy L. Romig, Chief Clerk

8/3/23
Date



Mark A. Sunderland, Chairman
Mifflin County Commissioners

8/3/23
Date

CDBG Administrator Chastity Fultz stated this is required annually. This is the process to file a complaint for anyone living in Mifflin County who feels they have been discriminated against for any type of housing for any reason as established by Title 8 of the Civil Rights Act of 1968. An ad was placed in the Lewistown Sentinel with information on who to contact to file for discrimination.

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

- C. Resolution No. 25 of 2023 appointing a Section 504 Compliance Officer and establishing a grievance procedure for the County of Mifflin and on behalf of the Armagh, Brown, Derry and Granville Township Supervisors and the Lewistown Borough Council

RESOLUTION NUMBER 2023-25

RESOLUTION OF THE MIFFLIN COUNTY COMMISSIONERS AND ON BEHALF OF THE LEWISTOWN BOROUGH COUNCIL, AND THE ARMAGH, BROWN, DERRY AND GRANVILLE TOWNSHIP SUPERVISORS APPOINTING A SECTION 504 COMPLIANCE OFFICER AND ESTABLISHING A GRIEVANCE PROCEDURE

WHEREAS, Mifflin County, Pennsylvania and the Armagh, Brown, Derry, and Granville Township Supervisors and the Lewistown Borough Council (hereinafter referred to as OBO's), are recipients of federal funds from the Pennsylvania Department of Community and Economic Development (PA- DCED), through the Community Development Block Grant (CDBG and CDBG Discretionary) and HOME Investment Partnerships Program, authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended;

WHEREAS, Mifflin County and its OBO's are statutorily required to develop administrative procedures and regulations in accordance with 24 CFR Part 8 of the Code of Federal Regulations as effectuated on July 11, 1988, to implement Section 504 of the Rehabilitation Act of 1973;

WHEREAS, Mifflin County and the OBO's must designate a Section 504 Compliance Officer who will serve of the County's designated representative for any and all complaints regarding 24 CFR Part 8 of the Code of Federal Regulations and adopt grievance procedures;

WHEREAS, Mifflin County outreached with interested parties to solicit input and feed back regarding the County's compliance with administrative rules and regulations related to Section 504 of the Rehabilitation Act of 1973 during 2014;

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

- 1. The Community Development Administrator, Chastity Fultz, of the Mifflin County Planning and Development Department is hereby designated as the County's Section 504 Compliance Officer for 2023 – 2024.
2. The County has adopted a grievance procedure for any and all complaints regarding accessibility to all county owned facilities.
3. The County Commissioners procured the EADS Group Inc. in January 1998 to conduct a comprehensive analysis of all county owned facilities as related to Title II of the American with Disabilities Act. These reports are on file in the Planning and Development Department of the Mifflin County Courthouse.
4. Since 1998 the County Commissioners made modifications to all county owned facilities which comply with Title II of the American with Disabilities Act.
5. The Armagh, Brown, Derry and Granville Township Supervisors and the Lewistown Borough Council are responsible for complying with Title II of the American with Disabilities Act for all municipal facilities and all facilities are ADA compliant.

I HEREBY CERTIFY that the above is a true and correct copy of a resolution adopted at a regular meeting of the Mifflin County Commissioners held on Thursday, August 3, 2023.

Attest: Cathy L. Romig, Chief Clerk Date: 8/3/23

Mark A. Sunderland, Chairman Mifflin County Commissioners Date: 8/3/23

CDBG Administrator Chastity Fultz explained this is also annually required. This is to assure all Mifflin County, Township, and Borough buildings are handicap compliant. Ms. Fultz herself is designated as the Compliance Officer for 2023.

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

- D. Subrecipient Agreement between Mifflin County, Granville Township Supervisors and Mifflin County Municipal Authority for the FFY 2020 CDBG-CV Discretionary for the Hawstone Road project

CDBG Administrator Chastity Fultz said this was originally for the grant to extend water down Hawstone Rd. Originally the permitting was to go into Granville Township's name however because they do not have a water system of their own it actually needed to be put in the water authority's name. The same terms and conditions of the grant will apply to the water authority.

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

- E. Request for exoneration of delinquent real estate taxes and relieve Kathy Whitsel, Assistant Director of Tax Services from collecting these taxes:

- Parcel No. 12,24-0833,008 located in Armagh Township – mobile home was removed

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

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

- Parcel No. 12-24-0833,008 located in Armagh Township – mobile home has been removed - \$109.60

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

- G. Application for County Aid – 2023 Liquid Fuels Allocation:

- Decatur Township - \$5,077.00

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

- H. Medical Assistance Transportation Program Participation Grant Agreement and Assurance of Compliance for the period July 1, 2023 through June 30, 2024

Cindy Sunderland, Call A Ride Service, Director of Transportation stated the projected amount they will be asking for for the 22-24 year is \$581,393.00. For comparison the current year total is \$464,268.00. They are up in projected budget but down in per trip cost. Last year the per trip cost was \$44 and this year it is \$36 per trip.

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

- I. Acceptance of sealed bid for the Green Avenue property – MAB Holdings, LLC - \$101,000.00

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

- J. Resolution No. 26 of 2023 establishing the fair market value of County property at 399 Green Avenue and authorizing the execution of an agreement of sale with the high bidder for the sale and disposition of the property

RESOLUTION NUMBER 2023-26

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 AOFRESAID 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 sealed bid opening on July 20, 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 offered a high bid price of Two Hundred Thousand and No/100 Dollars (\$200,000.00); and

WHEREAS, the aforesaid high bidder at the public auction thereafter refused to continue with settlement on the Property and thereafter rescinded his offer to purchase the Property; and

WHEREAS, the Property was offered to the next-highest-bidder at a proposed purchase price of One Hundred Ninety-Five Thousand and No/100 Dollars (\$195,000.00); and

WHEREAS, the next-highest-bidder refused to purchase the Property at the aforesaid proposed purchase price; and

WHEREAS, the remaining tenant in the Property as of the date of the aforesaid public auction provided notice that it was terminating its lease and vacating the property effective August 1, 2023, leaving the property one hundred percent (100%) vacant; and

WHEREAS, the Board of Commissioners of Mifflin County determined that it was in the best interest of the County to offer the Property through a sealed bid process, which was authorized at a duly held public meeting on June 15, 2023; and

WHEREAS, the Board of Commissioners of Mifflin County duly advertised the accepting of sealed bids, and the terms thereof, for the Property in a local newspaper of general circulation, the Lewistown Sentinel, on June 21, 2023; and

WHEREAS, one (1) sealed bid was received and opened at the duly held public meeting on July 20, 2023, from MAB Holding, LLC, in the amount of One Hundred One Thousand and No/100 Dollars (\$101,000.00); 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, the ample time for any prospective buyer to attend and bid on the Property, the prior activity with regard to the Property, and the change in vacancy status following the property public auction, the high bid of One Hundred One Thousand and No/100 Dollars (\$101,000.00) established through the duly advertised and announced sealed bid process is indicative of the fair market value of the Property; 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 sealed bid amount of One Hundred One Thousand and No/100 Dollars (\$101,000.00); and

WHEREAS, the Board of Commissioners is desirous of accepting the high sealed bid amount from MAB Holdings, LLC, and authorize the Chairman of the Board of Commissioners to execute the Sales Agreement executed by Michael Buffington, President of MAB Holdings, LLC, 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 One Hundred One Thousand and No/100 Dollars (\$101,000.00).

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 sealed bid opening for the Property, the high bidder was MAB Holdings, LLC, at a purchase price bid of One Hundred One Thousand and No/100 Dollars (\$101,000.00).
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 One Hundred One Thousand and No/100 Dollars (\$101,000.00).
4. The Board of Commissioners of Mifflin County hereby accept the sealed bid from MAB Holdings, LLC, at the aforesaid purchase price and under the terms and conditions contained in the hereinafter Sales Agreement. A copy of the Sales Agreement is attached hereto as Schedule "A".
5. The Chairman of the Board of Commissioners is authorized to execute the Sales Agreement with MAB Holdings, LLC, for the sale and purchase of the Property at an amount equal to the high sealed bid and established fair market value of One Hundred One Thousand and No/100 Dollars (\$101,000.00).
6. 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.

I HEREBY CERTIFY that the above is a true and correct copy of a resolution adopted at a duly held, regular meeting of the Board of Commissioners of Mifflin County, Pennsylvania, held on August 3, 2023.

Attest:

Cathy L. Romig
 Cathy L. Romig, Chief Clerk
 Date: 8/3/23

Mark A. Sunderland
 Mark A. Sunderland, Chairman
 Board of County Commissioners
 Mifflin County, Pennsylvania
 Date: 8/3/23

Motion was made by Commissioner Postal to be approved. Commissioner Kodish seconded the motion. Commissioners Postal and Kodish approved of the motion. Commissioner Sunderland was opposed. The motion carried.

K. Personnel:

- Hiring of Sue Ellen Zimmerman for Children and Youth Fiscal Assistant effective August 7, 2023
- Resignation of Carrienne Love from Planning Director effective August 11, 2023
- Hiring of James Lettiere for Planning Director effective August 28, 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 9:15 am.

 Secretary

ATTEST:

 Chief Clerk