

Lewistown, PA

January 21, 2010

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, January 21, 2010 at 9:00 a.m. In attendance were Commissioners Mark A. Sunderland and Robert A. Reck; Chief Clerk Cathy Romig; and Confidential Clerk Shirley Haller. Commissioner Otis Riden, Jr. and Solicitor Patricia Gardner were absent.

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

Guests present were Treas. Janice Peachey; Auditor Helen Kirk; Reg. & Rec. Barbara Stringer; Sheriff Chris Shade; 911 Dir. Phil Lucas; Fin. Mgr. Kathy Bobeck; Dana Parson from Assessment; Jan McDonald from Planning; and, Larry Clark.

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

I. A moment of silent prayer was observed as the Invocation.

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

III. Approval of Minutes:

Motion was made by Commissioner Reck to approve the minutes of the Regular Meeting of January 7, 2010 as received. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

IV. County Treasurer's Report:

General Account Starting Balance		\$ 357,769.14
DEBITS		
Deposits Receipt #47002 – 47219		232,680.93
Dir. Deposits – Child Support		4,123.86
Dir. Deposit – Adult Probation Grant		13,310.00
Dir. Deposit – State Food Purchase Program Grant		19,690.87
Dir. Deposit – C&Y Drug Free Grant		11,756.33
Transfer from Capital Reserve		1,200,409.00
Transfer from LEPC		24.53
Voided Cks – 26 Accts Payable Cks		462.85
TOTAL DEBITS		1,840,227.12
Ending Balance (Interest @ 0.50%)		0.39
Liquid Fuels 0.50% @ JVB		160,930.06
911 Telephone Acct. 0.50% @ JVB		48,561.05
Capital Reserve Acct 1.010% @ JVB		2,228,865.71
	Gen. Acct. Funds	0.00
	TRAN Acct.	1,182,948.94
	911 Funds	1,045,916.77
Total Capital Reserve Account		\$2,228,865.71

V. Approval of Bills:

1. General Fund, Accounts Payable: Ck. #75454 to 75903 in the amount of \$1,261,004.04

2. Payroll Account: Ck. #46281 to 46748 in the amount of \$579,143.08

3. MCCDBG Accounts:

Ck. #149 – Mifflin Co Home Program 07 – SHI International Corp – Inv. #8116C
\$366.22

Ck. #637 – Act 137 – Affordable Services Inc – Inv. #2009-1215-166 - \$280.00
Ck. #638 – Act 137 – MC Prothonotary – PO #2409 & 2411 - \$45.50
Ck. #869 – MCCDBG 07 – Cecil Swartz, Jr – Inv. #129 - \$150.00
Ck. #870 – MCCDBG – Snedeker Energy Inc – Inv. #936501 - \$32.18
Ck. #871 – MCCDBG 07 – Petty Cash – PO #2410 - \$12.50

4. 9-1-1 Telephone Account:

Ck. #2750 – APCO – Inv. #1308 - \$79.00
Ck. #2751 – Centurylink – Inv. #100105 - \$2,389.40
Ck. #2752 – IKON Office Solution – Inv. #5013189680 - \$668.53
Ck. #2753 – NENA Keystone Chapter – Inv. #255039 - \$120.00
Ck. #2754 – Transcore – Inv. #10-00056 - \$2,069.00
Ck. #2755 – Verizon – 2 Accounts - \$545.28

Wire Transfers:

316 – AT&T - \$542.08
317 – Centurylink - 1 Account - \$181.52
318 – Centurylink – 1 Account - \$342.00
319 – Centurylink – 1 Account - \$179.14
320 – Centurylink – 1 Account - \$131.50
321 – Penelec – 1 Account - \$95.33
322 – Penelec – 1 Account - \$203.71
323 – Penelec – 1 Account - \$137.12
324 – Verizon – 1 Account - \$4,331.41
325 – Verizon – 1 Account - \$142.29
334 – Centurylink – 1 Account - \$181.52
335 – Centurylink – 1 Account - \$160.00

Motion was made by Commissioner Reck to approve payment of the bills from the accounts listed above. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

VI. Committee Reports:

<i>Commissioner Riden:</i>	<i>No report</i>
<i>Commissioner Reck:</i>	<i>Downtown Lewistown Inc Board Meeting Department Head Meeting LEPC Meeting Solid Waste Authority Meeting</i>
<i>Chairman Sunderland:</i>	<i>Downtown Lewistown Inc Board Meeting Department Head Meeting</i>

VII. Public Comment: *None*

VIII. Old Business: *None*

IX. New Business:

A. Rescind action on the resignation of Kevin Swisher from Caseworker I position in the Children & Youth Office effective January 8, 2010:

Motion was made by Commissioner Reck to rescind the action taken on the resignation of Kevin Swisher from Caseworker I position in the Children & Youth Office that would have been effective January 8, 2010. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

B. Transfer of Terri Rupert from corrections Officer to Deputy in the Sheriff's Office effective January 18, 2010:

Motion was made by Commissioner Reck to approve the transfer of Terri Rupert from Corrections Officer to Deputy in the Sheriff's Office effective January 18,

2010. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

C. Hiring of Ellen Amspacker for the position of Second Deputy in the Register & Recorder's Office effective January 25, 2010:

Motion was made by Commissioner Reck to approve the hiring of Ellen Amspacker for the position of Second Deputy in the Register & Recorder's Office effective January 25, 2010. Chairman Sunderland stepped from the Chair and seconded the motion.

Questions: Fin. Mgr. Bobeck asked Reg. & Rec. Stringer if anyone from within the Courthouse bid on that job. Ms. Stringer answered "yes". Ms. Bobeck then asked if none were qualified for that position? Ms. Stringer answered that she chose Ellen Amspacker for the job.

Motion carried.

D. Hiring of Ronald E. Fisher for the position of Deputy Sheriff effective February 1, 2010:

Motion was made by Commissioner Reck to approve the hiring of Ronald E. Fisher for the position of Deputy Sheriff effective February 1, 2010. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

E. Certification for authorized use of 9-1-1 funds under the Public Safety Emergency Telephone Act and authorize Philip Lucas to submit for funding for fiscal year 2011:

911 Dir. Lucas explained this is the authorization to the State that we are following guidelines for grant funds for wireless 911 and it's our opportunity to submit by March for request for funding fiscal year 2010-11:

Motion was made by Commissioner Reck to approve the certification for authorized use of 9-1-1 funds under the Public Safety Emergency Telephone Act and authorize Philip Lucas to submit for funding for fiscal year 2010-11. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

F. Application for Mifflin County Standardization and Modernization Grant:

Chairman Sunderland explained that this is for the Sheriff's Department.

Motion was made by Commissioner Reck to approve the application for Mifflin County Standardization and Modernization Grant. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

G. Appointments/Reappointments to the Local Emergency Planning Committee – 1-yr terms (expiring 12/31/2010):

- Robert Barlett – Lewistown, PA
- Scott Mauery – Yeagertown, PA
- Brian Williams – Lewistown, PA
- Christopher Gerwick – Reedsville, PA
- Judi Smith – Lewistown, PA
- Deb Bargo – Lewistown, PA
- Craig Wheeler – Lewistown, PA

Motion was made by Commissioner Reck to approve the appointments/ Reappointments to the Local Emergency Planning Committee – 1-yr terms as listed above. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

H. Appointments/Reappointments to the Local Emergency Planning Committee – 2-yr terms (expiring 12/31/2011):

- *Robert Keller, Jr – Belleville, PA*
- *James Carter – Lewistown, PA*
- *Don Hartzler – Belleville, PA*
- *Ryan Barlett – Lewistown, PA*
- *Robert Schell – Lewistown, PA*
- *Rhoda Yoder – Lewistown, PA*
- *Dale Stehley – Burnham, PA*
- *Lisa Swisher – Lewistown, PA*
- *Howard Jackson – Lewistown, PA*

Motion was made by Commissioner Reck to approve the appointments/ Reappointments to the Local Emergency Planning Committee – 2-yr. terms as listed above. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

I. Resolutions for updating signatures for the various County accounts:

- *Resolution #10-1 Mifflin County Offenders Supervision Fund*
- *Resolution #10-2 Mifflin County CDBG*
- *Resolution #10-3 Mifflin County Employee fund*
- *Resolution #10-4 Mifflin County Treasurer State Account*
- *Resolution #10-5 Mifflin County Hazardous Material Emerg. Response*
- *Resolution #10-6 Mifflin County Safe Driving Prog. Payroll Acct.*
- *Resolution #10-7 Mifflin County Correctional Facility Inmate Commissary*
- *Resolution #10-8 Mifflin County Payroll Account*
- *Resolution #10-9 Mifflin County General Account*
- *Resolution #10-10 Mifflin County 911 Telephone Account*
- *Resolution #10-11 Mifflin County Capital Reserve*
- *Resolution #10-12 Mifflin County Act 137 Fund*
- *Resolution #10-13 Mifflin County Home Program*
- *Resolution #10-14 Mifflin County Liquid Fuels Tax Fund*
- *Resolution #10-15 Mifflin County Safe Driving Program*
- *Resolution #10-16 Mifflin County Counseling Fee*

The resolution is as follows (it applies to all Resolutions #10-1 through 10-16)

RESOLUTIONS

The Association names on this resolution resolves that,

- (1) The Financial Institution is designated as a depository for the funds of The Association and to provide other financial accommodations indicated in this resolution.*
- (2) This resolution shall continue to have effect until express written Notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Association and certified to the financial Institution as governing the operation of this association's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the financial Institution, establishing the authority for the changes.*
- (3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Association. Any Agent, so long as they act in a representative capacity as an agent of the association, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to*

time with the financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

- (4) All transactions, if any, with respect to any deposits, withdrawals, Rediscounts and borrowings by or on behalf of the association with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.*
- (5) The Association agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Association. The Association authorizes the Financial Institution, at any time, to charge the Association for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.*
- (6) The Association acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the association to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.*
- (7) The Association acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent names on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Association with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of, by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Association authorizes each Agent to have custody of the Association's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agree in writing.*

Motion was made by Commissioner Reck to adopt Resolutions No10-1 through 10-16 (a copy of the resolution listed above). Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

J. Sub-Recipient Agreement between Mifflin County and Newton Wayne Joint Municipal Authority for the preparation, submission and administration of a \$100,000 Community Development Block Grant (CDBG):

Jan McDonald from Planning Dept. explained that this is the agreement that covers responsibilities between the County and Newton Wayne Joint Municipal Authority for a waste water pumping station grant that we were granted in 2008. It simply outlines the responsibilities of each party.

Motion was made by Commissioner Reck to enter into the sub-recipient agreement as listed above. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

K. Request for exoneration of the County portion of 2009 per capita taxes:

- Bratton Township Tax Collector Wendy Bubb - 2*

Motion was made by Commissioner Reck to grant the request for exoneration of the County portion of 2009 per capita taxes as listed above. Chairman Sunderland stepped from the Chair and seconded the motion.

Question: Larry Clark asked why some townships or boroughs have so many requests for exonerations and others have few or none. He was told it depends on population and these are done all year long. Some people don't know that they can be exonerated.

Motion carried.

L. Resolution No. 10-17 Restating the Fair Housing Policy for 2010:

The resolution is as follows:

RESOLUTION NO. 10 - 17

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MIFFLIN, PA RESTATING A FAIR HOUSING POLICY

LET IT BE KNOWN TO ALL PERSONS of the County of Mifflin 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, religion, ancestry, sex, national origin, handicap or disability is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the Pennsylvania Human Relations Act. It is the policy of the County of Mifflin to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex, national origin, handicap or disability, or familial status (families with children).

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

1. That within available resources, the County of Mifflin will assist all persons who feel they have been discriminated against because of race, color, religion, ancestry, sex, national origin, handicap or disability or familial status to seek equity under federal and state laws by filing a complaint with the Pennsylvania Human Relations Commission and the US Department of Housing & Urban Development.
2. That the County of Mifflin shall publicize the contents of 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 Law, the Pennsylvania Human Relations Act, and any local laws or ordinances.
3. That further publicity by the County of Mifflin will, at a minimum include, but not be limited to: (1) the printing and publicizing of the contents of this resolution and other applicable fair housing information through local media and community contacts; (2) distribution of posters, flyers, or any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.
4. The effective date of this resolution shall be **January 21, 2010**.

Motion was made by Commissioner Reck to adopt Resolution No. 10-17 restating the Fair Housing Policy for 2010 as listed above. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

M. Purchase of Service Agreement for use, if needed, by C&Y/Probation:

- *Pyramid Healthcare, Inc – Duncansville, PA*

Motion was made by Commissioner Reck to enter into the purchase of service agreement for use, if needed, by C&Y/Probation as listed above. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

N. Hazardous Materials Emergency Preparedness Grant (HMEP):

EMS Dir. Phil Lucas explained that this is in addition to previously when we received notice that Mifflin County is eligible to receive a grant of \$37,000. Those funds are for use for planning and training activities.

Motion was made by Commissioner Reck to apply for the Hazardous Materials Emergency Preparedness Grant. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

O. Transfer of Christine DeArment from Part-time Clerk in the Veterans Office to full-time Data Entry Clerk in the Tax Claim/Voter Office effective February 3, 2010:

Motion was made by Commissioner Reck to approve the transfer of Christine DeArment from part-time clerk in the Veteran's Office to full-time Data Entry Clerk in the Tax Claim/Voter Office effective February 3, 2010. Chairman Sunderland stepped from the Chair and seconded the motion. Motion carried.

Motion was made by Commissioner Reck to adjourn. Seconded by Chairman Sunderland.

The meeting adjourned at 9:20 a.m.

Secretary

ATTEST:

Chief Clerk