

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, July 7, 2011 at 9:00 a.m. In attendance were Commissioners Mark A. Sunderland, Otis E. Riden, Jr. and Robert A. Reck; Chief Clerk Cathy Romig; and, Confidential Clerk Shirley Haller. Solicitor Patricia Gardner was absent (Court).

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

Guests present were Dep. Treas. Deb Civitts; Warden Bernie Zook; Planning Dir. Bill Gomes; HS Dir. Allison Fisher; R&R Barbara Stringer; Fin. Mgr. George Welsh; Jim Lettiere from Planning Dept.; Larry Clark; and, Ray Wise.

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

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 Riden to accept the minutes of the Regular Meeting of June 16, 2011 as received. Seconded by Commissioner Reck. Motion carried.

**IV. County Treasurer's Report: 6/15/11 to 7/5/11**

General Account Starting Balance		\$	.95
Deposits, Receipts #55394 – 55615			642,631.05
Transfer from Capital Reserve Acct.			989,612.00
Voided Checks #82893 & 84524			627.40
	<i>Total Debits</i>		1,632,870.45
Bills Paid, Ck. #84550 – 84832			901,956.44
Transfer to Payroll, Ck. #55118 – 55354			339,631.70
	<i>Total Credits</i>		1,241,588.14
<i>Ending Balance</i>			391,283.26
<i>Liquid Fuels</i>	<i>JVB @ 0.5%</i>		365,019.49
<i>911 Telephone Acct.</i>	<i>JVB @ 0.5%</i>		233,249.27
<i>Capital Reserve Acct.</i>	<i>JVB @ 1.01%</i>		
	<i>General Acct. Funds</i>		4,371,411.49
	<i>911 Funds</i>		562,752.64
	<i>TRAN Acct.</i>		1,293,760.94
<i>Total Capital Reserve Account</i>			6,227,925.07

Motion was made by Commissioner Riden to accept the Treasurer's report as received, subject to audit. Seconded by Commissioner Reck. Motion carried.

**V. Approval of Bills:**

1. General Fund, Accounts Payable: Ck. #84550 to 84832 in the amount of \$901,956.44

2. Payroll Account: Ck. #55118 to 55354 in the amount of \$339,631.70

3. MCCDBG Accounts:

Ck. #221 – MC Home Program 07 – M&E Construction – Inv. #1313 - \$4,106.90  
Ck. #222 – MC Home Program 07 – A to Z Builders – Housing Rehab - \$4,492.50  
Ck. #975 – MCCDBG MC 08 – Co. of Mifflin – Reimb. M&S/PH/Postage –  
\$405.42  
Ck. #977 – MCCDBG MC 08 – SHI – Inv. #B00327163 & Boo328172 - \$656.93

4. 9-1-1 Telephone Account:

Wire Transfers:        975 – AT&T - \$380.24  
                              976 – Penelec – 150.32  
                              977 – Penelec – 143.03  
                              978 – Verizon – 128.82  
                              979 – Verizon – 3,946.49  
                              981 – Penelec -    14.89

5. LEPC:

Ck. #3431 – Lerch RV – Inv. #25808 - \$16.94

6. Liquid Fuels Account:

Wire Transfer:        980 – Penelec - \$56.18

*Motion was made by Commissioner Reck to approve payment of the bills as listed above. Seconded by Commissioner Riden. Motion carried.*

**VI. Committee Reports:**

Commissioner Riden:        RSC Personnel Committee Meeting  
    Prison Board Meeting  
Commissioner Reck:        Mifflin Co. Library Board Meeting  
    Prison Board Meeting  
Commissioner Sunderland:    SEDA-COG Board Meeting  
    Volunteer Recognition Banquet – Juniata Co.  
    Prison Board Meeting

**VII. Public Comment:**

*Larry Clark: Two meetings ago he questioned the newspaper article about people coming into the Prison to hold Knights of the Round Table meetings. Could he please have clarification as to what this program is about and who is paying for this program.*

*Warden Zook: The gentleman is coming from Lebanon at no cost to the County. The only cost associated with it is for the books for the program and a local church has donated the money for the books. Participation is on a voluntary basis for male inmates.*

*Mr. Clark: If an inmate attends, is he punished in any way?*

*Warden Zook: It is on a voluntary basis and no inmate is forced to attend. It is a Bible-based program, but has no particular denomination. The program purpose is to instill values to do the right thing after release from Prison.*

*Mr. Clark still pursued the question of punishment.*

*Chairman Sunderland asked Mr. Clark to clarify his question – if they choose not to participate in a religious activity, are they punished? Mr. Clark answered in the positive – yes, that was his question.*

*Discussion continued with Mr. Clark insinuating that Christian concepts are not the only religions to be considered in something like this. He stated he is against a program of this nature.*

VIII. **Old Business:**                   None

IX. **New Business:**

A. *State Food Purchase Program Contract for the period July 1, 2011 to June 30, 2012:*

*Motion was made by Commissioner Riden to enter into the contract for State Food Purchase Program for the period July 1, 2011 to June 30, 2012. Seconded by Commissioner Reck. Motion carried.*

B. *Sub-Recipient Contract between the Union-Snyder Community Action Agency and the Mifflin County Commissioners:*

*Motion was made by Commissioner Riden to approve the Sub-Recipient Contract between the Union-Snyder Community Action Agency and the Mifflin County Commissioner. Seconded by Commissioner Reck. Motion carried.*

C. *Mifflin County Homeless Assistance Program (HAP) Pre-Expenditure Plan for 2011/2012:*

*Motion was made by Commissioner Riden to approve the Mifflin County Homeless Assistance Program (HAP) Pre-Expenditure Plan for 20-11/2012. Seconded by Commissioner Reck. Motion carried.*

D. *CDBG (Community Development Block Grant) Administration agreement between Mifflin County Planning and Development and the Township of Derry:*

*Motion was made by Commissioner Riden to enter into the CDBG Administration agreement between Mifflin County Planning and Development and the Township of Derry. Seconded by Commissioner Reck. Motion carried.*

E. *Offer for Parcel No. 21, 03-0117--,001, located in Wayne Twp that is currently in repository for unsold properties - \$10.00:*

*Motion was made by Commissioner Reck to reject the offer of \$10.00 for the parcel listed above located in Wayne Twp. currently in repository for unsold properties. Chairman Sunderland stepped from the Chair and seconded the motion.*

*Commissioner Reck said he rejected the offer because the land would be worth more than \$10.00*

<i>Vote on the motion:</i>	<i>Commissioner Reck</i>	<i>-</i>	<i>Yes</i>
	<i>Chairman Sunderland</i>	<i>-</i>	<i>Yes</i>
	<i>Commissioner Riden</i>	<i>-</i>	<i>No</i>

*The motion carried 2-1.*

F. *Offer for Parcel No. 21, 10-0122A--,004, located in Wayne Twp. that is currently in repository for unsold properties - \$10.00:*

*Motion was made by Commissioner Reck to reject the offer for Parcel No. 21, 10-0122A--,004 located in Wayne Twp. that is currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.*

G. *Offer for Parcel No. 21, 21-0515--,006, located in Wayne Twp. that is currently in repository for unsold properties - \$10.00:*

*Motion was made by Commissioner Reck to reject the offer for Parcel No. 21, 21-0515--,006 located in Wayne Twp. currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.*

H. Offer for Parcel No. 21, 22-0206D-001, located in Wayne Twp. that is currently in repository for unsold properties - \$10.00:

Motion was made by Commissioner Reck to reject the offer for the parcel located in Wayne Twp. listed above currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.

I. Offer for Parcel No. 08, 19-0200--,236, located in Burnham Borough that is currently in repository for unsold properties - \$10.00:

Motion was made by Commissioner Reck to reject the offer for the parcel located in Burnham Borough, listed above currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.

J. Offer for Parcel No. 13, 07-0224--,001, located in Bratton Twp. that is currently in repository for unsold properties - \$10.00:

Motion was made by Commissioner Reck to reject the offer for the parcel located in Bratton Twp., listed above currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.

K. Offer for Parcel No. 15, 09-0122--,000 located in Decatur Twp. that is currently in repository for unsold properties - \$10.00:

Motion was made by Commissioner Reck to reject the offer for the parcel located in Decatur Twp., as listed above currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.

L. Offer for Parcel No. 16, 24-0608A-,000 located in Derry Twp. that is currently in repository for unsold properties - \$10.00:

Motion was made by Commissioner Reck to reject the offer for the parcel located in Derry Twp. as listed above currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.

M. Offer for Parcel No. 18, 02-0105C-,000 located in Menno Twp. that is currently in repository for unsold properties - \$10.00:

Motion was made by Commissioner Reck to reject the offer for the parcel located in Menno Twp. as listed above currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.

N. Offer for Parcel No. 17, 06-0113C-,000, located in Granville Twp. that is currently in repository for unsold properties - \$10.00:

Motion was made by Commissioner Reck to reject the offer for the parcel located in Menno Twp. as listed above currently in repository for unsold properties - \$10.00. Seconded by Commissioner Riden. Motion carried.

O. Request for exoneration of the County portion of 2011 per capita taxes:

- Wayne Twp. Tax Collector Mary Ellen Reed – 32
- Oliver Twp. Tax Collector Sherry Miller - 33

Motion was made by Commissioner Riden to grant the requests for exoneration of the County portion of 2011 per capita taxes as listed above. Seconded by Commissioner Reck. Motion carried.

P. Annual Support and License Agreement for MUNIS with Tyler Technologies, Inc. for the period 8/2/11 – 8/1/12 - \$10,993.50:

*Motion was made by Commissioner Riden to approve the Annual Support and License Agreement for MUNIS with Tyler Technologies, Inc. for the period 8/2/11 – 8/1/12 in the amount of \$10,993.50. Seconded by Commissioner Reck. Motion carried.*

*Q. Proposal of Infocon Corporation, Ebensburg, PA to scan and microfilm the Mifflin County's Registry of Wills Old Estates dated from 1789 through the early 1900's - \$10,000.00:*

*Motion was made by Commissioner Riden to accept the proposal of Infocon Corporation to scan and microfilm the Mifflin County's Registry of Wills Old Estates dated from 1789 through the early 1900's in the amount of \$10,000.00. Seconded by Commissioner Reck. Motion carried.*

*Chairman Sunderland commented that this money is coming from the fees charged by the R&R's Office. It is not General Fund money.*

*R. Hiring of Ryan Barlett as part-time Public Safety Telecommunicator effective July 7, 2011:*

*Motion was made by Commissioner Riden to approve the hiring of Ryan Barlett as part-time Public Safety Telecommunicator effective July 7, 2011. Seconded by Commissioner Reck. Motion carried.*

*S. Accept "Mifflin County Elderly Victim Advocate Initiative" for Federal Byrne Justice Assistance Grant Program Funds - \$13,448.00 – 10/1/2011 through 9/30/2012:*

*Motion was made by Commissioner Riden to accept Mifflin County Elderly Victim Advocate Initiative for Federal Byrne Justice Assistant Grant Program Funds - \$13,448.00 – 10/1/2011 through 9/30/2012. Seconded by Commissioner Reck. Motion carried.*

*T. Purchase of Service Agreements for use, if needed, by C&Y:*

- *Jewish Family Service of Greater Harrisburg, Inc. – Harrisburg, PA*
- *Riegler, Shienvold & Associates – Harrisburg, PA*
- *Torquato Law Offices – Lewistown, PA*
- *David G. Ray, M. Ed. – Lewistown, PA*
- *Hope for Kids – State College, PA*
- *Clear Concepts Counseling – Lewistown, PA*
- *Attorney Brian Baker – Mifflintown, PA*
- *Barbara Watkins – Port Royal, PA*
- *Attorney Michael Kipphan – Huntingdon, PA*

*Motion was made by Commissioner Riden to approve the Purchase of Service Agreements for use, if needed, by C&Y as listed above. Seconded by Commissioner Reck. Motion carried.*

*U. Applications for County Aid – 2011 Liquid Fuels:*

- *Brown Twp - \$7,370.50*
- *Decatur Twp - \$7,662.61*
- *McVeytown Borough - \$618.68*
- *Menno Twp - \$4,261.21*

*Motion was made by Commissioner Reck to approve the applications for County Aid – 2011 Liquid Fuels, as listed above. Seconded by Commissioner Riden. Motion carried.*

*V. Resolution No. 2011-5 Authorizing an application through the Pennsylvania Department of Transportation Automated Red Light Enforcement Program:*

*Planning Dir. Bill Gomes explained that this program will be funded by red light violations in some of the larger cities that have automatic cameras to catch people who go through traffic lights. The fund was set up primarily for traffic signals and other safety issues, but also have a provision for sidewalks. A tentative cost estimate is \$194,300 of which we would ask from this program \$84,300. This is still in the works. He needs an authorization from the Commissioners to make application for this program.*

*The resolution is as follows:*

**RESOLUTION NO. 2011-5  
OF THE MIFFLIN COUNTY BOARD OF COMMISSIONERS  
AUTHORIZING AN APPLICATION THROUGH THE  
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
AUTOMATED RED LIGHT ENFORCEMENT PROGRAM**

WHEREAS, Mifflin County wants to encourage reinvestment and redevelopment in downtown Lewistown;

WHEREAS, the *Monument Square Development Plan* stressed the importance of the “Monument Square” area in the strategy to redevelop downtown Lewistown;

WHEREAS, sustaining an active downtown Lewistown is a goal of the Mifflin County Economic Development Strategy and is consistent with the Mifflin County Comprehensive Plan;

WHEREAS, the Mifflin County Board of Commissioners had obtained funds to complete Phases I and II of the Monument Square Streetscape Project located in the Borough of Lewistown through the Pennsylvania Department of Transportation (PennDOT) Home Town Streets program and Department of Community and Economic Development (PA DCED) Community Revitalization and Growing Greener II programs, as well as local funds and contributions;

WHEREAS, the Mifflin County Board of Commissioners had obtained funds through the PA DCED Growing Greener II program and PennDOT Transportation Enhancements program for Phases 3A and 3B of the Monument Square Streetscape Project; and

WHEREAS, the Mifflin County Board of Commissioners had applied for funds through the United States Department of Agriculture (USDA) Rural Development Community Facilities program (pending USDA approval) for Phase 3C of the Monument Square Streetscape Project located in the Borough of Lewistown.

NOW, THEREFORE, BE IT RESOLVED, the Mifflin County Board of Commissioners hereby authorizes an application through the PennDOT Automated Red Light Enforcement (ARLE) program for additional funding to assist with Phase 3C of the Monument Square Streetscape Project and authorizes the following:

1. The Chairman of the Board of County Commissioners be and is authorized and directed to submit an application, including all understandings and assurances contained therein, to the fullest extent of funds allowed on behalf of the County of Mifflin to PennDOT and to act as the authorized representative of the County of Mifflin, and to provide such additional information as may be requested; and
2. The Chairman of this Board of Commissioners is hereby authorized and directed to execute on behalf of the County of Mifflin such certifications and/or agreements as may be required to accept and implement the proposed program and activities.

I hereby certify that the above is a true and correct copy of a resolution adopted by the Board of Commissioners of Mifflin County, Pennsylvania at a legally convened meeting held on the seventh day of July 2011.

*Motion was made by Commissioner Riden to adopt Resolution No. 2011-5 as listed above. Seconded by Commissioner Reck. Motion carried.*

*W. Resolution No. 2011-6 approving the financing by the Huntingdon County Industrial Development Authority for a project for the benefit of Skills of Central Pennsylvania, Inc.:*

*The resolution is as follows:*

**COUNTY OF MIFFLIN  
COMMONWEALTH OF PENNSYLVANIA**

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RESOLUTION NO. 2011-6

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A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MIFFLIN COUNTY, PENNSYLVANIA (THE "COUNTY") APPROVING, PURSUANT TO THE PROVISIONS OF THE ECONOMIC DEVELOPMENT FINANCING LAW OF 1967, AS AMENDED, OF THE COMMONWEALTH OF PENNSYLVANIA THE FINANCING BY THE HUNTINGDON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (THE "AUTHORITY") OF A PROJECT FOR THE BENEFIT OF SKILLS OF CENTRAL PENNSYLVANIA, INC. (THE "CORPORATION"), A PENNSYLVANIA NONPROFIT CORPORATION, WHICH PROJECT CONSISTS OF REFINANCING OUTSTANDING DEBT AND FINANCING THE COSTS, INCLUDING THE REIMBURSEMENT OF CERTAIN COSTS INCURRED AND PAID BY THE CORPORATION, RELATING TO ACQUIRING AND IMPROVING CERTAIN OF THE CORPORATION'S RESIDENTIAL LIVING FACILITIES IN CENTRAL PENNSYLVANIA FOR PERSONS WHO ARE DEVELOPMENTALLY DISABLED AND DELAYED, REFINANCING AND FINANCING THE ACQUISITION OF MOTOR VEHICLES AND EQUIPMENT FOR PROVIDING TRANSPORTATION OF SUCH PERSONS, AND PAYING THE COSTS OF ISSUING THE AUTHORITY'S TAX-EXEMPT OBLIGATIONS, AND SPECIFICALLY: (1) RATIFYING THE HOLDING BY THE AUTHORITY OF A PUBLIC HEARING ON BEHALF OF THE COUNTY AS REQUIRED UNDER SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; (2) RATIFYING THE PUBLICATION BY THE AUTHORITY OF A LEGAL ADVERTISEMENT PROVIDING PUBLIC NOTICE OF THE PUBLIC HEARING IN COMPLIANCE WITH SAID SECTION 147(F); (3) AUTHORIZING THE EXECUTION OF AN APPROVAL CERTIFICATE WITH RESPECT TO THE PROJECT; AND (4) PROVIDING FOR AN EFFECTIVE DATE AND A GENERAL REPEALER.

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WHEREAS, Huntingdon County Industrial Development Authority (the "Authority") was duly created by action of the County of Huntingdon, Pennsylvania (the "County") and is an industrial development authority incorporated, organized and duly existing under the Act of August 23, 1967, P.L. 251, of the Commonwealth of

Pennsylvania, as amended and supplemented, known as the Economic Development Financing Law (the "Act"); and

WHEREAS, the Act specifies, *inter alia*, that the purpose of the Authority shall be for "acquiring, holding, constructing, improving, maintaining, owning, financing and leasing, either in the capacity of lessor or lessee, projects," which include facilities for persons requiring special care; and

WHEREAS, the Authority desires to undertake the issuance of its tax-exempt mortgage revenue note in an amount not to exceed \$3,600,000, and its tax-exempt revenue note in an amount not to exceed \$900,000 and to make a loan of the proceeds therefrom to Skills of Central Pennsylvania, Inc. (the "Corporation"), a Pennsylvania nonprofit corporation, pursuant to a Master Loan Agreement, dated as of May 19, 2006, as supplemented (the "Loan Agreement") between the Authority, as lender, and the Corporation, as borrower; and

WHEREAS, the Corporation will utilize the amounts loaned pursuant to the Loan Agreement to undertake a project (the "Project") consisting of: (1) refinancing certain outstanding indebtedness, and financing the costs, including the reimbursement of certain costs incurred and paid by the Corporation, relating to acquiring, renovating, improving, equipping and furnishing certain of the Corporation's residential living facilities for the developmentally disabled and delayed (the "Project Facilities") located in the County of Mifflin, Pennsylvania (the "County"), identified in the hereinafter described Certificate of Approval; (2) financing and refinancing the costs of acquisition of vehicles and equipment by the Corporation for providing transportation of the developmentally disabled and delayed; and (3) paying the costs of issuing the Authority's tax-exempt mortgage revenue and revenue notes; and

WHEREAS, such notes shall not be secured by any pledge or assets, moneys, revenues or taxing power of the County, the Commonwealth of Pennsylvania or any political subdivision thereof; and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), a public hearing (the "Public Hearing") following notice duly given must be conducted by the governmental unit or its designee (the "Governmental Unit") having jurisdiction over the area in which the Project Facilities are located; and

WHEREAS, in compliance with Section 147(f) of the Code, the Authority, on behalf of the County as such Governmental Unit, has heretofore caused the publication of a legal notice advertising said Public Hearing; and

WHEREAS, on June 14, 2011, the Authority, as such Governmental Unit and as the designee of the County, conducted a duly-advertised Public Hearing in compliance with Section 147(f) of the Code.

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

1. The conducting of the Public Hearing required under Section 147(f) of the Code by the Authority on behalf of the County is hereby ratified.
2. The publication by the Authority of a legal notice advertising the Public Hearing is hereby ratified.
3. The proper officer or officers of this Board of Commissioners are hereby authorized to execute a Certificate of Approval indicating this Board of Commissioners' approval of the Project for the purposes of Section 147(f) of the Code.
4. This Resolution shall become effective immediately upon its adoption. Any ordinances or resolutions to the extent inconsistent herewith are hereby repealed.

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*Motion was made by Commissioner Riden to adopt Resolution No. 2011-6 approving the financing by the Huntingdon County Industrial Development Authority for a project for the benefit of Skill of Central Pennsylvania, Inc. Seconded by Commissioner Reck. Motion carried.*

*X. Award bid for Phase 3A Monument Square Streetscape Project:*

*Planning Dir. Gomes explained they had money to do a small section of the Monument Square Project around the Old Courthouse and around the Bank property – brick pavers and trees. We are able to do this on a local bid basis. We received three bids. The low bid was from G. & R. Charles Excavating. The bids are as follows:*

<i>G. &amp; R. Charles Excavating</i>	<i>\$49,650</i>
<i>Fulkroad</i>	<i>62,765</i>
<i>BTS Construction</i>	<i>69,504</i>

*The low bid from G. & R. Charles Excavating for \$49,650 was accepted.*

*Motion was made by Commissioner Riden to award the low bid to G. & R. Charles Excavating of \$49,650 for the Phase 3A Monument Square Streetscape Project. Seconded by Commissioner Reck. Motion carried.*

*Motion was made by Commissioner Reck to adjourn. Seconded by Commissioner Riden.*

*The meeting adjourned at 9:35 a.m.*

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*Secretary*