

Lewistown, PA

January 21, 2016

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, January 21, 2016 at 9:00 a.m. In attendance were Commissioners Lisa Nancollas, Stephen Dunkle and Kevin P. Kodish; Chief Clerk Cathy Romig, Solicitor Stephen Snook and Assistant Director of Fiscal Affairs George Welsh.

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

Guests present were Treasurer Debra Civitts; Co. Auditor Helen Kirk; Public Safety Director Phil Lucas; Community Development Administrator James Lettiere; Shari Mundy; Teresa Hobbs; Tracy Reesman; Jim Smith; Neil Knable; Michelle Knable; Jayson Skylar Sheaffer; Leslie Sheaffer and Lucas Parkes, EADS Group.

The meeting was called to order at 9:04 a.m. by Chairman Nancollas.

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

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

III. Approval of Minutes:

Motion was made by Commissioner Kodish to accept the minutes of the Regular Meeting of January 4, 2016 and January 7, 2016 as received. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

IV. Approval of Bills:

1. General Fund, Accounts Payable:

Ck. #108059 to 108240 and EFTs #21328 to 21350 in the amount of \$494,710.23

2. Payroll Account: Ck.#76910 to 76930 and Direct Deposit Advices #5602 to 5818 in the amount of \$299,068.10

3. 911 Telephone Account:

Ck. #51167 to 51176 and EFTs #20179 to 20182 - \$43,257.96

4. LEPC Account:

Cks. #1305 to 1307 - \$6,457.34

5. Liquid Fuels:

Cks. #1614 to 1615 - \$1,780.95

6. CDBG HOME 2010 Grant:

Ck. #371 - \$10,114.00

Motion was made by Commissioner Kodish to approve payment of bills as listed above. Seconded by Commissioner Dunkle. The motion was unanimously approved.

V. Treasurer's Report: 01/07/2016 to 01/19/2016

<i>General Account Starting Balance</i>	<i>\$ 3,717,580.20</i>
<i>Deposits – Receipts #79189-79417</i>	<i>1,408,103.99</i>
<i>Transfer from Capital Reserve</i>	<i>125,977.93</i>
<i>Voided Check</i>	<i>18,585.18</i>
<i>Total Debits</i>	<i>\$ 1,552,667.10</i>
<i>Bills Paid – Cks. #108059-108240</i>	
<i>EFTs #21328-21350</i>	<i>\$ 494,710.23</i>

<i>Transfer to Payroll – Cks. #76910-76930</i>		
	<i>DD #5602-5818</i>	299,068.10
<i>Total Credits</i>		\$ 793,778.33
<i>Ending Balance – Interest @ 0.50%</i>		\$ 4,476,468.97
<i>Liquid Fuels</i>	<i>0.5% @ JVB</i>	454,427.56
<i>Liquid Fuels – Act 89</i>	<i>0.1% @ JVB</i>	152,021.86
<i>911 Telephone Account</i>	<i>0.5% @ JVB</i>	187,771.35
<i>911 Wireless Telephone Account</i>	<i>0.1% @ JVB</i>	510,870.50
<i>Capital Reserve Account</i>	<i>0.34% @ JVB</i>	
	<i>General Account Funds</i>	
	<i>Total Capital Reserve</i>	\$ 25.00

Ms. Hobbs: The \$18,000.00 that you said was voided is that one check?

Ms. Civitts: Yes that was one check.

Ms. Hobbs: Can you tell us why it was voided?

Ms. Civitts: I don't know why it was voided. It was a PCORP check. George, can you tell why it was voided?

Mr. Welsh: No, not without looking.

Ms. Civitts: It was an insurance check and apparently it was wrong so they reissued it.

Chairman Nancollas: Is that good enough? See George if you have any more questions.

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

Chairman Nancollas: Helen Kirk is now the Chairman for the Auditors. She was appointed in a public meeting the other day.

VI. Meetings and Events:

*Commissioner Nancollas: Youth Park Meeting
Local Emergency Planning Committee with Phil Lucas
Human Services Quarterly Meeting
Record Improvement Fund Meeting
Met with Senator Corman
Met with Snyder County Commissioners regarding a
Regional Communication Initiative*

*Commissioner Dunkle: Human Services Quarterly Meeting
Record Improvement Fund Meeting
Met with Senator Corman
Met with Snyder County Commissioners regarding a
Regional Communication Initiative
Central Counties Youth Center in Bellefonte
Mifflin County Airport Authority in Reedsville
Mifflin County Conservation District
Penn State Extension*

The last four meetings notes. Each of these meetings were basically reorganizational meetings where they elected new officers and did all the routine things that come with a

reorganizational meeting. I will however give you a few basics about each of the meetings:

The Central Counties Youth Center which is located outside of Bellefonte in Centre County is a shared facility with five partner counties. Those counties are Clearfield, Centre, Clinton, Huntingdon and Mifflin Counties and each member county is given a commissioner representative on the board. I am representing Mifflin County. Of the five Commissioners, four of us are new and one served in the last term. That Commissioner is from Centre County and he was elected Chairman of the Board. The facility holds fourteen students. The day I was there, there were sixteen although the overflow of two students that were leaving that day. The average length of stay is sixteen days. The facility is adequate. When the five participating counties do not fill the beds, we rent space to other counties that have needs. That provides a substantial amount of income which helps offset costs. And those counties are really from as far away as Williamsport, Columbia County, Tioga County and reaching further west into Blair County and places like that. We did a tour of the facility. The facility is beginning to show its age, even though the building is only twenty some years old. Carpets are getting ragged, the facility needs a new paint job and so there was discussion about making some investment in those superficial things will do a great deal to change the appearance of the facility to make it look more inviting. It was a good meeting, full cooperation of the manager of the facility, he know what's happening, he is on top of budgetary items.

Ms. Mundy: Is there certificate up to date?

Commissioner Dunkle: I don't know the answer to that. I will get back to you with that. You want to know if the certificate of operation is up to date. Well, I was incredibly impressed with their operation, I will be very surprised if it isn't, but I will get back to you.

Mifflin County Airport Authority, once again, it was a reorganizational meeting with everything that goes with that reelecting the officers and so forth. Projects discussed during was the obstruction light, the runway cracking and sealing portions of the runway, snow removal equipment and property leases. I was very surprised to learn that the Mifflin County Airport Authority owns a substantial amount of ground around the airport and that they lease that ground to several different area farmers. In most cases the ground that is on the north side of the authority, it is leased to a farmer that has ground adjacent to that, so forth and so on. Some of the leasing is to the Amish, some of the leasing is to non-Amish, but they have lease with quite a number of farmers. There was an Amish man who had a lease on a substantial amount of that ground that had just died. His widow indicated that she did not want to lease it and so as a result they are perusing adjacent farmers to lease that ground and generate revenue.

On January 19th, I went to the Mifflin County Conservation District. A very informative meeting, there are so many acronyms to learn, it is incredible, but the bottom line about that meeting and it too was a reorganizational meeting concerned the Chesapeake Bay Watershed and we are very much in that watershed and according to the heads is that Pennsylvania is the only state that is not in compliance with a number of the goals and objectives that have been set by the Federal government. You should know that I believe that it is either eleven or thirteen states that have actually filed suit questioning whether the Federal government has this kind of authority to force states to comply with the regulations that they have established. Pennsylvania is not involved in that lawsuit but there are a number of states and on occasion, the suit that has been brought by these states was not by the courts. It is my understanding that it is actually going to go the Supreme Court at this point in time. The issue at hand is that because Pennsylvania is the one state that is most out of compliance, we are becoming the whipping boy. The issue at hand is if you look at the land area in Pennsylvania that is in the Chesapeake Bay Watershed and you look at the land area in Delaware, the land area in Maryland, the land area in Virginia or the land area in New York, we by far have the most land, so it would stand to reason that because the area of land, the number of farmers and entities everything involved that it is a much bigger task for us to get in compliance. Here is the danger and here is the situation, the Conservation District has worked with the farming community for decades and they have been seen as a true friend of the farmers, helping

the farmers in so many different ways, everything from erosion control to better yields from crops, the whole nine yards. They are regarded in the community and agricultural community as a friend they are regarded as the soldier with the white hat. What we are on the verge of seeing is the fact that the Federal Government is going to be leaning on State Government to make the Soil Conservation District to wear the black hat and become an enforcement agency and force farmers, force people with open land and so forth and so on to bring themselves into compliance with the rules and regulations that the Federal Government is setting and our staff are very concerned about that newfound role that they are slowly being pushed into may in fact be much more rapidly pushed into over the next several months. So we talked briefly about a plan to deal with that as there isn't a single member there that wants to go from wearing the white hat to a black hat. One of the things that I discussed with them was the possibility of having a meeting with the entire congressional delegation of Pennsylvania with the Federal Agency that is responsible and see if we can't come to some agreement relative to either extending the deadline or loosening some of the restrictions as least indefinitely. So that is something that is being contemplated but there was some concern initially because the court has rejected the action of the lawsuit that these eleven or thirteen counties have brought that we probably would have little chance of success in either having the deadlines extended or the rules and restrictions relaxed. I took a counterpoint with the board I said I think that if the lawsuit has been based on does the Federal Government have the authority. I said yes, two courts have already said it has the authority. I think the way we need to go here locally with the Conservation District hand in hand with the Conservation Districts throughout the State is to object to the criteria that the Federal Government is using to establish all these rules and regulations. I think there is where you have a court case because if they are using data or statistics that are not accurate, cannot be proven, cannot be substantiated I think our chances of victory in a court are much, much greater. I think the emphasis needs to go from whether or not what they are using as the criteria to bring up to compliance is valid and is accurate. So in any event, there is going to be a great deal more to come and we are going to hear a lot more about that and our staffing there are very concerned about the direction we are heading and they fear if we do become an enforcement agency that we will in essence lose the trust and confidence and the faith of the community they serve. When they see one of our employees, when they get a phone call from one of our employees they are going to have fear in their heart and soul because they are going to be told that they are going to have to do this, which is going to cost this, this and this. That is just an update.

Ms. Mundy: When you say accountable do you mean the County?

Commissioner Dunkle: They will hold Pennsylvania accountable but the Bureau of Enforcement in Harrisburg will then force the counties into the compliance role, which means we are the enforcer, we are the bad guy.

Ms. Mundy: Is the lawsuit with the State?

Commissioner Dunkle: I think the lawsuit has to go at the Federal level. It could be filed with the State as well, but I think our focus needs to be based on, what are they basing this criteria on and if we find cracks in their data that are not confirmed. You are forcing us to do this, but you know what buddy your data is not correct.

Ms. Mundy: Wouldn't all the Counties have to go toward the State?

Commissioner Dunkle: That is why I suggested that we have a meeting of our entire congressional delegation of those congress men who have representation of all the counties in the Chesapeake Bay Watershed.

Ms. Mundy: How do they do that? Is it tax money or is it grant money?

Commissioner Dunkle: They get money from the state, the Federal government and the County. They get money from multiple sources and we have a staff out there that has different levels of expertise in different areas. Much of the cost will have to be borne by the land owners. There is just not enough money in the pipeline through Federal grants or State grants that the County has pumped in to enable all this to happen.

Ms. Reesman: Shari, farmers have to have manure management plans.

Ms. Mundy: I talked to several people and they suggested that prisoners could come and work the waterways to help with erosion plans. Is that something that could be done?

Commissioner Dunkle: Sure it is possible to do, but what we need to do if we are going to utilize labor from our jails is work with everybody that is involved in the prison, work with the work release people and work with our detention people so we could accurately put together a good workforce that could do that kind of thing because many of the prisoners are assigned or given court orders for so many hours of community service so they can be utilized in a number of different ways.

Penn State Extension, last night, I left fuming with what Penn State is proposing to do to us. As you may know, we have a center here in Lewistown that has been in continuing education through Penn State. It goes back to sometime soon after 2000, it has been around now for the biggest part of fifteen years and they have offered a number of different courses to student from Mifflin County, Juniata County, Snyder County, Huntingdon County, Fulton County and Northumberland County and Penn State in their infinite wisdom, has decided that this center should probably be closed. The resources that they are offering through this center for our local people, that those students should probably join their worldwide credit on line and everybody should take app these courses on-line. I got a little bit of statistics here. Currently, the facility, which is located in the old Danks building, is offering about 22 or 23 classes this semester. That is cut almost in half of what they were offering a couple years ago. What Penn State has done is basically put a noose around our necks and very slowly and gently tightened it and to the point that they have stopped advertising for this facility, they have cut the number of classes offered and they can then say the number of students enrolled has fallen. How can you justify that when you don't have the student population. Well, like dah, the real reason is you have created the environment that we do have fewer students, so in any event, they have scheduled a meeting with our Extension people and that meeting was to be last November and they then cancelled it on Friday when the meeting was to be the following Wednesday and Bill Gomes has invited a representative from Penn State to come to the Mifflin County Planning Commission meeting on the 28th which is when the Planning Commission meets and by the way, those of us do not have conflict with this date at the front table will be at that meeting. We want somebody from the University itself. It will be here in the courthouse, I am not exactly which room yet. He received a reply indicating that they will not be coming to this meeting. So in the process of reaching out to Senator Corman, Representative Benninghoff, Representative Harris to make certain that they do send somebody to this meeting and that that person has the authority to speak on behalf of Penn State and has the authority to respond to questions and answers so, we are in the process of making that happen now. In the meantime, because the other meeting was scheduled, the Extension office worked with Penn State to get a new meeting setup, but the meeting that was setup in our backyard so our people could attend easily, no it will be held at the Pennstater. It makes it much more difficult for our people here, our students that are involved in those programs to go over there and to say why this program is so meaningful. It is shrewd politics on their part. They have made up their mind that they want to close this center and they are stacking the cards against us in an effort to do it. So I indicated to the board last night, it was my first meeting and I did a heck of a lot of talking, but I said that I think we need to structure our own campaign against what they are doing and so I will be working with them pulling my two colleagues to develop that program, but we have got to have a massive turnout of people at this meeting. We have to make certain that our elected officials are there. Jake Corman is the second highest person in the State Senate of Pennsylvania, he is the former Appropriations Chairman of the Senate and when Jake Corman is there I am inclined to think they are going to listen. We need to get if at all possible Congressman Tom Marino there, Kerry Benninghoff, Adam Harris there. We need to get Commissioners of Mifflin, Juniata, Snyder, Huntingdon counties. We need to involve the Chamber. We need to make sure the Superintendent and top officials of the School District are there. I mean what we need to do right now is develop an inventory of our assets and then mobilize these assets so that Penn State knows that we are serious about this and this is important to us. I ran, one of the principal reasons I ran for County Commissioner was to grow our

economy and to lose this facility here in Mifflin County is one huge step backward. We cannot do that. We were unique in that we were the only area in the state that has this type of facility and it was designed as a role model and now they want to pull the rug out from under us. We have a fight ahead of us. I believe we can win this fight if we roll up our sleeves and do what we need to do. We will have some of the details of that plan which will be forthcoming. I would like to see a couple hundred people at that meeting. It is February 12th 8:00 a.m. at the Pennstater. Our meeting that we have to discuss will be the night of the Planning Commission, January 28th.

Ms. Mundy: I think you need to rethink what you are saying here. I have been involved with this for a long time now. The only thing they are shutting down are the classrooms. The problem is your adult learners have been through the program and received their degrees. The new student coming in like the worldwide classroom, they like the computers, but you also have HACC which is a whole lot cheaper, it's right down the street. They are going to pull out because it is not beneficial to them.

Commissioner Dunkle: I think that is part of what our strategy needs to be. We want your presence in our County. Life is an evolution. I suggested last night that Mr. P from Lewistown Academy be present at this meeting. When I was young, I read a book called "Passages" and it talks about the different stages of the different ages of your life the stages you go through, but the reality is that everything evolves, so if this was set up originally as a nursing facility, we need to make sure it evolves into other things, so that is part of the overall strategy. That's my report.

Commissioner Kodish: If you recall a few years ago we were on the verge of getting a Community College here and one of the things that put a stop to it was Penn State's programs and they seemed to indicate that they wanted to expand things and we also had South Hills School of Business. Because of the financial commitment to get a Community College that pretty much put the brakes on it and ended it. I think it is important to us to encourage Penn State, we could have had a community college here so that more opportunities are available for more people.

Chairman Nancollas: Being a Nurse, under the new Healthcare Law, Penn State is getting rid of outsourcing the RN/BSN so that may be one of the problems. A lot of nursing courses under the new Healthcare Law, they are only going to be paying for Bachelor of Science Nursing, the courses going to RN/BSN are not going to be paid for.

*Commissioner Kodish: Regional Services Corporation Personnel Committee
 Human Services Quarterly Meeting
 Area Agency on Aging Board
 Record Improvement Fund Meeting
 Met with Senator Corman
 Library Board
 Met with Snyder County Commissioner regarding a
 Regional Communications Initiative
 Solid Waste Authority Meeting*

VII. Old Business: None

VIII. New Business:

Ms. Mundy: I have a question. I thought Steve was the County Solicitor but then I found out it was BMZ.

Mr. Snook: Not me personally. My law firm is. We made that very clear when we were doing that.

Ms. Mundy: Is that a purchase of a Service Agreement?

Mr. Snook: Yes. I am not an employee, which will save the County a considerable amount of money over the last arrangement. You are not going to be paying any healthcare and you are not going to be paying pension.

A. *Proclamation honoring Eagle Scout Jayson Skylar Sheaffer*

B. PROCLAMATION

C. IN HONOR OF JAYSON SKYLAR SHEAFFER

D. EAGLE SCOUT

E.

F. **WHEREAS**, on November 3, 2015 Jayson Skylar Sheaffer received the Boy Scouts of America's highest honor, the **Eagle Scout Award**; and

G.

H. **WHEREAS**, Jayson Skylar Sheaffer has demonstrated commitment to his fellow citizens through countless hours and tireless efforts; and

I.

J. **WHEREAS**, Jayson's Eagle Scout project was the renovation of Bender Park in Reedsville. Jayson replaced sixty concrete blocks for the barbeque chicken pit, replaced boards on benches throughout the park, installed two concrete end benches, installed a horseshoe pit, and painted benches and two pavilions throughout the park. He also repainted the Bender Park sign that was his father's Eagle Scout project years ago. Jayson's leadership positions in Scouting include Den Chief for Pack 5 Cub Scouts and Assistant Senior Patrol Leader.

K.

L. **WHEREAS**, the **Eagle Scout Award** is recognized by the Commissioners of Mifflin County as a positive indicator that the youth of today ARE the leaders of tomorrow and we extend our congratulations to Jayson Skylar Sheaffer

M.

N. **THEREFORE**, we, the Mifflin County Commissioners, hereby do issue this proclamation in honor of Jayson Skylar Sheaffer

O.

Proclaimed this 21st day of January, 2016.

B. *Request for exoneration of 2015 county portion per capita taxes:*

- *Decatur Township Tax Collector Cindy McKnight - 3*
- *Brown Township Tax Collector Cheryl Hartzler - 19*
- *Menno Township Tax Collector Jeanette Bordell – 11*
- *McVeytown Borough Tax Collector George Welsh – 3*
- *Kistler Borough Tax Collector Cynthia Hobbs – 20*

Motion was made by Commissioner Kodish to approve the request for exoneration of the 2015 per capita taxes as listed. Seconded by Commissioner Dunkle. The motion was unanimously approved.

C. *Rescind action taken on November 5, 2015 to exonerate Granville Township Tax Collector Billi Weaver from collecting 2 of the 101 exonerated 2015 per capita taxes*

Motion was made by Commissioner Kodish to rescind action to exonerate Granville Township Tax Collector Billi Weaver from collecting 2 of the 101 exonerated 2015 per capita taxes. Seconded by Commissioner Dunkle. The motion was unanimously approved.

D. *State Fiscal Year 2015-2016 Hazardous Material Response Fund (HMRF) grant agreement between Mifflin County and the Pennsylvania Emergency Management Agency in the amount of \$15, 068.00*

Mr. Lucas: This is a grant going to operational costs for our office to do Hazardous Emergency Response planning. We generally pay a \$1,000.00 stipend to a Fire Chief's Association for the training hours through the Harrisburg Community College to provide a truck, training, class books, etc. We actually have other classes we support. The training is actually held here locally in Mifflin County. The Association takes requests to the various fire companies. Generally, we get \$100.00 per Fire Company. That collection goes toward a package of training hours to have HACC provide training. Typically, we are going to get around 300 seats a year.

Mr. Knable: Does each Fire Company have their own hazardous team?

Mr. Lucas: No, the Hazardous Materials Response is the responsibility of the County under Act 165. The County is required to have its own Hazmat Team or contract with a Hazmat Team that can respond in two hours.

Motion was made by Commissioner Kodish to approve the State Fiscal Year 2015-2016 HMRF grant. Seconded by Commissioner Dunkle. The motion was unanimously approved.

E. Offer for Parcel No. 16,13-0100--,035 located in Derry Township that is currently in repository for unsold properties - \$250.00

F. Offer for Parcel No. 16,13-0100--,004 located in Derry township that is currently in repository for unsold properties - \$250.00

Items E and F motions was made by Commissioner Kodish to accept the offer for Parcel No. 16,13-0100--,035 and Parcel No. 16,13-0100--,004 located in Derry Township. These are both mobile homes. Seconded by Commissioner Dunkle. The motion was unanimously approved.

G. Hiring of Harry Clever as Director of Tax Claim/Voter Registration/Elections effective January 19, 2016

Motion was made by Commissioner Kodish to approve the hiring of Harry Clever as Director of TaxClaim/Voter Registration/Elections. Seconded by Commissioner Dunkle. The motion was unanimously approved.

Recess Public Meeting at 9:50 a.m.

- *Public Hearing for budget modification for the 2013 CDBG funds*

Reconvene Regular Meeting at 9:55 a.m.

H. Resolution No. 19 of 2016 approving a program modification to the 2013 CDBG Program

RESOLUTION NUMBER 19 of 2016

RESOLUTION OF THE MIFFLIN COUNTY BOARD OF COMMISSIONERS APPROVING A PROGRAM MODIFICATION TO THE 2013 CDBG PROGRAM

WHEREAS, the County of Mifflin funded the Construction of Housing – SedaCog Housing Development Corporation, Mann Edge Terrace Phase II project, in the 2013, 2014 and 2015 fiscal years for property acquisition;

WHEREAS, the County has decided to delete the Water/Sewer Improvements project Mount Union Municipal Authority – Country Club Drive and Front Road, Wayne

Township, in the amount of \$30,259.00 because it is not an income eligible project as a result of an income survey;

WHEREAS, it is the requirement of the Pennsylvania Department of Community and Economic Development (DCED) to modify the County's 2013 fiscal funding year budget so as to complete the following action:

1. Decrease and delete the 2013 Water/Sewer Improvements project Mount Union Municipal Authority – Country Club Drive and Front Road, Wayne Township in the amount of \$30,259.00.
2. Increase the funding in the 2013 approved project Construction of Housing – SedaCog Housing Development Corporation, Mann Edge Terrace Phase II project, in the amount of \$30,259.00 totaling \$37,259.00 for FFY 2013 Mifflin County CDBG.

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

1. That the program modification affecting the 2013 CDBG program budget is approved.
2. That the Mifflin County Planning and Development Department is authorized to complete and submit said modification to DCED for review and approval.

I hereby certify that the above is a true and correct copy of a resolution adopted at a public meeting of the Mifflin County Board of Commissioners held on Thursday, January 21, 2016

Motion was made by Commissioner Kodish to approve Resolution No. 19 of 2016 approving a program modification to the 2013 CDBG Program. Seconded by Commissioner Dunkle. The motion was unanimously approved.

IX. Public Comment:

Ms. Mundy, the Commissioners and Mr. Snook had discussions about the Canal House located in Juniata County. No questions were received by any of the Commissioners. Nobody has contacted the Commissioners.

X. Adjournment

With no other business on the agenda, Chairman Nancollas adjourned the meeting at 10:01 a.m.

Secretary

ATTEST:

Chief Clerk

