

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, September 01, 2016 at 9:00 a.m. In attendance were Commissioners Lisa Nancollas, Stephen Dunkle and Kevin P. Kodish; Chief Clerk Cathy Romig, Solicitor Steve Snook and Confidential Clerk George Welsh.

Joe Cannon of The Sentinel/County Observer, Matt Strickler of the Lewistown Sentinel, Mark Rope of, FOX 43 News and Becca Knler of FOX 43 News were the only representatives present from the news media.

Guests present were Treasurer Debra Civitts; Children and Youth Services Director Mackenzie Seiler; Correctional Facility Sheriff Chris Shade; Tax Claim/Voter Registration Director Harry Clever; Co. Auditor Helen Kirk; Public Safety Director Phil Lucas; Auditor Teresa Hobbs; Human Services Department Head Allison Fisher; Ed Fike; JoAnn Tate; Matt Boyer; Tracy Reesman; Joan Loewen; Kelly Horner; Shari Mundy; Jen Mitchell; Kathy Spagnolotti; Michael Baker; Susan Miriello; C. Arnold McClure; Des Ray, Barry Wright; Gail Mayes; T. I. Ritchey; Rebecca Scott; Tamra Mills; Glenda Geedey; Shelly Krohn; Mary Shingler; Ruth Wray; Glen Jones; P. J. Montgomery; Lucas Parkes; Lee Walters; Melissa Koch; Matthew Krohn; Neil Knable; Michelle Knable and Kylie Wakefield and Tori Hassinger of MCTV, Mifflin County High School.

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

I. The Invocation was given by Commissioner Dunkle

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 August 22, 2016. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

IV. Approval of Bills:

1. General Fund, Accounts Payable:

Cks. #110886 to 111021 and EFTs #22068 to 22081 in the amount of \$409,518.47

2. Payroll Account: Cks. #77250 to 77274 and Direct Deposit Advices #9040 to 9254 in the amount of \$357,290.97

3. 911 Account:

Cks. # 51244-51245 and EFTs #20263-20266 - \$2,363.03

4. LEPC Account:

Cks. #1340-1341 - \$139.18

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: 08/17/2016 to 08/30/2016

General Account Starting Balance	\$10,053,591.69
Deposits – Receipts #83057-83222	667,642.12
Voided Check	402.50
Total Debits	\$ 668,044.62
Bills Paid – Cks. #110886-111021	
EFTs #22068-22081	\$ 409,518.47

<i>Transfer to Payroll – Cks. #77250-77274</i>		
<i>DD #9040-9254</i>		357,290.97
<i>NSF Checks</i>		1,316.30
<i>Total Credits</i>		\$ 768,125.74
<i>Ending Balance –</i>	<i>Interest @ 0.580%</i>	\$ 9,953,510.57
<i>Liquid Fuels</i>	<i>0.580% @ JVB</i>	503,370.17
<i>Liquid Fuels – Act 89</i>	<i>0.100% @ JVB</i>	169,296.75
<i>911 Telephone Account</i>	<i>0.580% @ JVB</i>	829,585.32
<i>911 Wireless Telephone Account</i>	<i>0.100% @ JVB</i>	409,980.93
<i>Capital Reserve Account</i>	<i>0.590% @ JVB</i>	
	<i>General Account Funds</i>	
	<i>Total Capital Reserve</i>	\$ 218,370.66

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.

VI. Meetings and Events:

Commissioner Nancollas:

Allison Fisher: Starting a pet pantry for Mifflin County.

GIS and Assessment Project

Budget Meetings

Changes in Voting Poll locations

Security Update

Planning Commission Meeting

Trail

Boat Launch

Sunshine Connection Visit: All three Commissioners attended

Job Opportunities: Please see the County website for that

Housing Authority Meeting

Commissioner Dunkle:

No Report

Commissioner Kodish:

Board of Elections

Arby’s Grand Opening Ceremony

Sunshine Connection

CSBG Board

Nancy Records – Communities That Care

CARS Board

Solid Waste Authority Board

Rob Postal – MCIDC

Planning Commission

Department Budget Meetings

VII. Old Business: None

VIII. New Business:

A. Proclamation – Rural Impact County Challenge

Ms. Fisher: National Association of Counties has sent out proclamations and wants all counties to participate. Programs for youth in our community particularly the poverty rate for children in Mifflin County is high.



WHEREAS, small towns and rural communities are home to millions of Americans and are a vibrant part of our nation’s economy; and

WHEREAS, in 2014, approximately 1.4 million children in rural areas were poor and over 700,000 children lived in rural families with cash incomes that fell below half of the poverty line; and

WHEREAS, high rates of poverty have persisted for generations, including over 300 rural counties with poverty rates of over 20 percent in every Census since 1980; and

WHEREAS, investing in poor children and their families not only reduces poverty in the near term, but also improves children’s education, health, and earnings outcomes later in life; and

WHEREAS, rural and tribal communities face distinct challenges, including limited access to critical services, fewer job prospects, and in some places, relative lack of institutional capacity; and

WHEREAS, no matter where they live, all families aspire for the cornerstones of economic security: a well-paying job, child care, a college education, health care, a home, and retirement; and

WHEREAS, MIFFLIN COUNTY and all counties recognize that a child’s zip code should not determine her destiny, and that every child should have the opportunity to succeed; and

WHEREAS, MIFFLIN COUNTY has developed innovative strategies to increase access to essential health and human services through a variety of collaborative projects; and

WHEREAS, through *The Rural Impact County Challenge*, the National Association of Counties and the White House Rural Council are encouraging public, private and nonprofit leaders to reduce the number of children living in poverty in rural areas;

NOW, THEREFORE, LET IT BE RESOLVED, THAT the Mifflin County Commissioners, do hereby sign on to the Call to Action to reduce the number of children living in poverty, commit to sharing lessons learned with other counties in our state and across the country to support a national initiative and encourage all county officials, employees and residents to participate

in *The Rural Impact County Challenge*. We resolve to utilize the resources available through *The Rural Impact County Challenge* to:

- Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to reducing the number of children and families in rural areas living in poverty.
- Develop a plan with measurable outcomes that improves access, participation, and/or impact of evidence-based and other promising practices in one or more of the following areas: early childhood education, nutrition, workforce development, and health and human services.
- Implement research-based approaches that advance the plan.
Create a process to track progress using data and information systems, and to report on successes

Motion was made by Commission Dunkle to approve the Proclamation – Rural Impact County Challenge. Seconded by Commissioner Kodish. The motion was unanimously approved.

B. Ordinance No. 2 of 2016 increasing the Hotel Tax to 5%

**BOARD OF COMMISSIONERS
COUNTY OF MIFFLIN
COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE 2016-02
(AMENDMENT TO ORDINANCE 2001-01)**

HOTEL ROOM RENTAL TAX

**IMPOSING AN EXCISE TAX ON HOTEL ROOM
RENTALS TO FUND COUNTY-WIDE TOURIST PROMOTION**

IT IS HEREBY ORDAINED AND ENACTED, by the Board of Commissioners of the County of Mifflin (hereinafter Board of Commissioners), as provided by Title 16 P.S. § 1770.10 et. seq. of the General Assembly of the Commonwealth of Pennsylvania, the following Ordinance.

WHEREAS, the Board of Commissioners formerly approved Ordinance 2001-01 at their December 6, 2001, Public Meeting; and

WHEREAS, the Board of Commissioners wishes to amend Ordinance 2001-01, to read as follows:

Section 1 - Short Title

This Ordinance shall be known and may be cited as the "County Hotel Room Rental Tax Ordinance."

Section 2 - Purpose

The Board of Commissioners continues to raise revenues that directly fund County-wide tourist promotion.

Section 3 - Definitions

The following words and phrases when used in this Ordinance shall have the meaning given to them in this Section unless the context clearly indicates otherwise:

Bed and Breakfast or Homestead - A public accommodation consisting of a private residence, which contains ten (10) or fewer bedrooms, used for providing overnight accommodations to the public, and in which breakfast is the only meal served and is included in the charge of the room.

Booking Agent - A person or entity who facilitates reservations or collects payment for Hotel accommodations on behalf of or for a Hotel Operator. Merely publishing an advertisement for accommodations does not make the publisher a Booking Agent.

Cabin - A permanent structure with beds and running water that is located on a campground on State land or private property and is available to provide overnight lodging for Consideration to persons seeking temporary accommodations. The term does not include a yurt or walled tent.

Consideration - Receipts, fees, charges, rentals, leases, cash, credits, property of any kind or nature, or other payment received by Hotel Operators or Booking Agents in exchange for or in Consideration of the use or occupancy by a transient of a room or rooms in a Hotel for any temporary period.

County - Any County of the third through eighth class that was authorized to levy a Hotel occupancy or room rental tax under the former section 1770.2 or 1770.6.

Hotel - A Hotel, motel, inn, guest house, rooming house, bed and breakfast, homestead or other structure which holds itself out by any means, including advertising, license, registration with an innkeepers' group, convention listing association, travel publication or similar association or with a government agency, as being available to provide overnight lodging for Consideration to persons seeking temporary accommodation; any place which advertises to the public at large or any segment thereof that it will provide beds, sanitary facilities or other space for a temporary period to members of the public at large; any place recognized as a hostelry or any cabin. The term does not include any of the following:

- (a) A charitable institution.
- (b) A portion of a facility that is devoted to persons who have an established permanent residence.
- (c) A college or university student residence hall currently occupied by students enrolled in a degree program.
- (d) An educational or religious institution camp for children, including a camp registered under the act of November 10, 1959 (P.L. 1400, No. 497)⁸, entitled, "An act providing for the annual registration of organized camps for children, youth and adults; defining the duties of the Department of Health of the Commonwealth of Pennsylvania; and prescribing penalties."
- (e) A hospital.
- (f) A nursing home.
- (g) Part of a campground that is not a cabin.

Hotel Operator or Booking Agent - An individual, partnership, nonprofit or profit-making association or corporation, or other person or group of persons who maintain, operate, manage, own, have custody of or otherwise possess the right to rent or lease overnight accommodations in a building to the public for Consideration.

Immediate Family - A spouse, parent, brother, sister, or child.

Marketing - An action by a recognized tourism promotion agency that includes, but is not limited to, promoting and encouraging visitors to visit a specific County, Counties, or geographic region.

Occupancy - The use or possession, or the right to the use or possession by a person, other than a Permanent Resident of any Hotel room or rooms for any purpose, or the right to the use or possession of the furnishings, services or to the services accompanying the use and possession of a room.

Patron - Any natural person who pays the Consideration for occupancy of a Hotel room or rooms.

Permanent Resident - A person occupying or has the right to occupy a Hotel room or rooms for thirty (30) consecutive days or more.

Recognized Tourist Promotion Agency - The nonprofit corporation, organization, association or agency which is engaged in planning and promoting programs designed to stimulate and increase the volume of tourist, visitor, and vacation business within a County and certified by the County as of the effective date of this subsection or under section 1770.11.

Records - Includes, but is not limited to, the number of daily transactions, rate of each occupancy, revenues received for all transactions, cash receipts and sales journals, cash disbursements and purchase journals, and general ledgers.

Regional Tourist Promotion Activities - Services, activities, facilities and events which result in a significant number of nonresidents visiting the County for recreational, cultural or educational purposes.

Room - A space in a building set aside for use and occupancy by patrons or otherwise, for Consideration, having at least one (1) bed or other sleeping accommodations provided.

Tax Year - The tax year is the calendar year.

Temporary - A period of time not exceeding thirty (30) consecutive days.

Transaction - The activity involving a transient or patron obtaining occupancy of a Hotel room from which Consideration is payable to the Hotel Operator or Booking Agent under an express or an implied contract.

Transient - An individual who obtains Hotel accommodations by means of registering at the facility for temporary occupancy of a room for personal use by paying a fee to the Hotel Operator or Booking Agent.

Treasurer - The office of the Treasurer for the County of Mifflin.

Section 4 - Imposition of Hotel Room Rental Tax

- (a) A five percent (5%) tax is imposed on Consideration received by a Hotel Operator or Booking Agent within the County from each transaction of renting a room or rooms to accommodate transients.
- (b) If the County or any duly authorized representative is unable to determine the tax due from Hotel Operator or Booking Agent records, the tax due for each unpaid tax year shall be determined to be the lesser of the following:
 - (1) Five percent (5%) of the Consideration that could have been received by the Hotel Operator or Booking Agent for all rooms during the tax year at occupancy rates in effect at the time of the determination.
 - (2) Five percent (5%) of the annualized Consideration received during the tax year prior to the determination.

Section 5 - Collection of the Hotel Room Rental Tax

- (a) The Hotel Operator or Booking Agent shall collect Hotel Room Rental Tax from the patron or patrons of every room or rooms rented. The Hotel Operator or Booking Agent shall then remit the tax collected to the Treasurer in accordance with the Rules and Regulations.
- (b) A Booking Agent may, or if required by applicable state law, shall collect and remit the tax on behalf of an Operator. An Operator shall not be responsible for collecting and remitting the tax on any transaction for which it has received confirmation that the Booking Agent has collected and remitted the tax.

Section 6 - Payment of the Hotel Room Rental Tax

- (a) The Hotel Operator or Booking Agent shall pay the Hotel Room Rental Tax to the Treasurer as follows:
 - (1) Every Hotel Operator or Booking Agent shall transmit to the Treasurer, on or before the twentieth (20th) day of each calendar month, a return for the calendar month preceding the month in which the return is made, which return shall report the amount of Consideration received for the transactions during the calendar months

for which the return is made, the amount of tax due from the Hotel Operator or Booking Agent for that month, and such other information as the Treasurer may require.

- (2) Every Hotel Operator or Booking Agent, at the time of filing every required return, shall compute and pay over to the Treasurer the taxes shown as due on the return for the period for which the return is made.
- (3) If a Hotel Operator or Booking Agent enters the business of the renting of rooms subsequent to the effective date of this Ordinance, the first return shall be filed on the twentieth (20th) day of the first calendar month subsequent thereto. The first return and tax payment due shall be for all transactions occurring during the preceding calendar month based upon the actual taxable transactions occurring during the preceding calendar month.

Section 7 - Filing of a Hotel Room Rental Tax Return

The Hotel Operator or Booking Agent shall file a Hotel Room Rental Tax Return when paying the tax summarizing the Consideration received.

Section 8 - Collection and Disposition of Revenues

- (a) The Treasurer shall collect the tax from the Hotel Operator or Booking Agent and deposit the revenues received from the tax in a special fund.
- (b) The County shall distribute the revenues from the special fund in the following manner:
 - (1) The Treasurer shall deduct from the fund an administrative fee of four percent (4%) of all Hotel taxes collected to defray all direct and indirect costs related to the implementation of the tax and all direct and indirect costs related to collection, auditing, and distribution of the revenue collected.
 - (2) The Treasurer shall distribute to the recognized tourist promotion agency authorized to act within the County all remaining revenues not later than sixty (60) days after receipt of the tax revenues.

Section 9 - Use of the Revenues

- (a) The recognized tourist promotion agency shall use tax revenues to directly fund County-wide tourism, convention promotion, and tourism development.
- (b) The recognized tourist promotion agency shall present to the Board of Commissioners an Annual Plan that will provide an outline of the goals and objectives for county-wide tourism, convention promotion, and tourism development proposed for the upcoming year by October 1 to be reviewed and acted upon by the County by January 1 of each calendar year. In the event that the Board of Commissioners disapproves the proposed Annual Plan, the two (2) parties agree to work together in a good faith effort to resolve the disputed issues in a timely manner prior to January 1. Should the plan not receive approval by the County by January 1, the current Annual Plan will remain in effect until such time as an acceptable plan is developed or the Board of Commissioners elects to appoint an alternate recognized tourist promotion agency. This Annual Plan will provide an outline of the goals and objectives for operations, programs, and development activities proposed for the upcoming year. The Annual Plan will also include details regarding the proposed manner in which operations and programming will be conducted, including a staffing plan, basic operating budget, a capital budget and performance measures to review the previous year's activities with an explanation of any variations between the proposed activities and what actually occurred during the year. The Annual Plan will also include a copy of an independent accounting firm's full audit report of the prior year's finances along with the IRS Form 990. The recognized tourist promotion agency shall be required to provide for a full audit by an independent CPA.

Any modifications or revisions to the Annual Plan shall be submitted to the County for approval. Agreement on the Annual Plan is essential to the distribution of funds to the recognized tourist promotion agency and must be approved at a Public Meeting of the Board of Commissioners.

Section 10 - Recordkeeping Requirements

For each calendar year or part thereof during which a Hotel does any business or receives any Consideration, the Hotel Operator or Booking Agent shall maintain and retain all records for such year until the expiration of three (3) years after the Hotel Room Rental Tax Return for such year has been filed.

Section 11 - Access to Records

The County or duly authorized representative shall have access to any books, documents, papers, and records of the Hotel Operator or Booking Agent and recognized tourist promotion agency which are directly pertinent to the collection and expenditure of the proceeds of the tax authorized by this Ordinance for the purpose of making audit examination, excerpts, and transcriptions.

Section 12 - Late Payment Fees

If for any reason the tax is not paid when due under the provisions of Section 6, a late payment fee at the rate of eighteen percent (18%) per year, or three fourths percent (3/4%) per month, on the amount of the tax which remains unpaid shall be added and collected.

Section 13 - Enforcement

All taxes due and unpaid under this article shall be recoverable by the County in accordance with Rules and Regulations established by the Treasurer. When any Hotel Operator or Booking Agent shall fail to pay the tax as herein provided, upon request of the Treasurer, the County Solicitor shall bring or cause to be brought a civil action in any Court having jurisdiction to enforce payment of all taxes and late payment fees due. In addition to other remedies available to collect debts, the County may file a lien upon the Hotel in the name of the County and for the use of the County as provided by law.

Section 14 - Penalties

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, in a summary proceeding before any Magisterial District Judge in Mifflin County, be sentenced to pay a fine of not more than seventy five dollars (\$75) for the first offense, one hundred fifty dollars (\$150) for the second offense, two hundred and fifty dollars (\$250) for the third offense, and three hundred dollars (\$300) for the fourth and each additional offense, and cost of prosecution for each violation thereof, and in default of payment of such fine and costs, to undergo imprisonment for not more than ten (10) days. Said fines and costs shall be in addition to, and not in lieu of, the payment of the tax and interest as set forth in Section 12.

Section 15 - Administration

The Treasurer shall be responsible for administering the provisions of this Ordinance. The Treasurer shall promulgate and submit administrative rules and regulations to the Board of Commissioners for their approval within thirty (30) days of enactment of this Ordinance.

Section 16 - Severability of Provisions

If any provision, clause, sentence, paragraph, section, or part of this Ordinance, or application thereof to any person, firm, corporation, public agency, or circumstance, shall for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporation, public agencies or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, public agency, or circumstances involved. It is hereby declared to be the legislative intent of the Board of Commissioners that this Ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section or part thereof not been included.

Section 17 - Effective Date

- (a) This Ordinance shall take effect on September 1, 2016.
- (b) The proper officers of the County are hereby authorized and directed to take any and all action necessary to implement the Hotel Room Rental Tax in accordance with this Ordinance.

DULY ENACTED AND ORDAINED at a Public Meeting of the Board of Commissioners of the County of Mifflin, Pennsylvania, held this 1st day of September, 2016

Motion was made by Commissioner Kodish to approve Ordinance No. 2 of 2016. Seconded by Commissioner Dunkle. The motion was unanimously approved.

- C. *Request for exoneration of delinquent real estate taxes, penalties, fees and interest on Parcel No. 15,13-0113C-004 – the mobile home on this property was removed – County amount \$336.68*

Motion was made by Commissioner Dunkle to approve the Request for exoneration of delinquent taxes and interest on Parcel No. 15,13-0113C-004. Seconded by Commissioner Kodish. The motion was unanimously approved.

- D. *Offer for Parcel No. 16,43-0083--,000 located in Derry Township that is currently in repository for unsold properties - \$1,500.00*

Motion was made by Commissioner Dunkle to approve the Offer for Parcel No. 16,43-0083,000 . Seconded by Commissioner Kodish. The motion was unanimously approved.

- E. *Quote from Chris Aumiller for appraisal services of the Black's Hospital property - \$3,000.00*

Motion was made by Commissioner Kodish to approve the Quote from Chris Aumiller for appraisal services. Seconded by Commissioner Dunkle. The motion was unanimously approved.

- F. *Purchase of Service Agreements for use, if needed, by Children and Youth*

- *Diakon Child, Family and Community Ministries – Allentown, PA
Motion was made by Commissioner Dunkle to approve the Purchase of Service Agreement. Seconded by Commissioner Kodish. The motion was unanimously approved.*
- *MacGregor Behavioral Health Services – Gettysburg, PA
Motion was made by Commissioner Kodish to approve the Purchase of Service Agreement. Seconded by Commissioner Dunkle. The motion was unanimously approved.*
- *Mooney & Associates – Wormleysburg, PA
Motion was made by Commissioner Dunkle to approve the Purchase of Service Agreement. Seconded by Commissioner Kodish. The motion was unanimously approved.*
- *Cornell Abraxas Group, Inc. – Pittsburgh, PA
Motion was made by Commissioner Dunkle to approve the Purchase of Service Agreement. Seconded by Commissioner Kodish. The motion was unanimously approved.*
- *The Children's Aid Society of Franklin County – Chambersburg, PA
Motion was made by Commissioner Kodish to approve the Purchase of Service Agreement. Seconded by Commissioner Dunkle. The motion was unanimously approved.*
- *David Ray – Lewistown, PA
Motion was made by Commissioner Kodish to approve the Purchase of Service Agreement. Seconded by Commissioner Dunkle. Chairman Nancollas is saying no to the hiring of David Ray. Commissioner Dunkle and Kodish say aye. Motion carries.*

Ms. Seiler: Detailed each Service Agreement.

Motion and approvals are noted above with each Service Agreement.

- G. *Contract Renewal with CenturyLink to provide service and maintenance to the Emergency 911 telephone system for the period September 1, 2016 through August 31, 2017*

Motion was made by Commissioner Dunkle to approve the Contract Renewal with CenturyLink. Seconded by Commissioner Kodish. The motion was unanimously approved.

- H. *Contract amendment with Pictometry to upgrade a portion of oblique imagery for an additional cost of \$9,284.00*

Motion was made by Commissioner Dunkle to approve the Contract amendment with Pictometry. Seconded by commissioner Kodish. The motion was unanimously approved.

- I. *Medical Assistance Transportation Program Participant Grant Agreement and Assurance of Compliance for the period July 1, 2016 through June 30, 2017*

Motion was made by Commissioner Kodish to approve the Medical Assistance Program Participant Grant Agreement and Assurance of Compliance. Seconded by Commissioner Dunkle. The motion was unanimously approved.

- J. *Homeland Security Program Grant Agreement for the period September 1, 2016 through August 31, 2019*

Mr. Lucas: Task Force Grant used for planning, equipment and to coordinate responses – fire fighters and law enforcement.

Motion was made by Commissioner Dunkle to approve the Homeland Security Program Grant Agreement. Seconded by Commissioner Kodish. The motion was unanimously approved.

- K. *Resignation of Tanisha Bordell from the Fiscal Manager in the Planning and Development Department effective August 23, 2016*

Motion was made by Commissioner Dunkle to approve the Resignation of Tanisha Bordell. Seconded by Commissioner Kodish. The motion was unanimously approved.

- L. *Hiring of Ayla Hockenberry for an intern in the Probation Office effective August 29, 2016*

Motion was made by Commissioner Kodish to approve the Hiring of Ayla Hockenberry. Seconded by Commissioner Dunkle. The motion was unanimously approved.

- M. *Hiring of Alan Sunderland for Chief Deputy Coroner effective September 1, 2016*

Motion was made by Commissioner Dunkle to approve the Hiring of Alan Sunderland. Seconded by Commissioner Kodish. The motion was unanimously approved.

- N. *Hiring of Barbara Barker for on call Deputy Coroner effective September 1, 2016*

Motion was made by Commissioner Dunkle to approve the Hiring of Barbara Barker. Seconded by Commissioner Kodish. The motion was unanimously approved.

- O. *Hiring of Sara Krumenaker for Office Manager in the Children and Youth Department effective September 6, 2016*

Motion was made by Commissioner Kodish to approve the Hiring of Sara Krumenaker. Seconded by Commissioner Dunkle. The motion was unanimously approved.

P. *Hiring of Lisa Hubler for Correction Counselor Supervisor effective September 12, 2016*

Motion was made by Commissioner Kodish to approve the Hiring of Lisa Hubler. Seconded by Commissioner Dunkle. The motion was unanimously approved.

Q. *Hiring of Tre Carter for Part-Time Corrections Officer effective September 11, 2016*

Motion was made by Commissioner Dunkle to approve the Hiring of Tre Carter. Seconded by Commissioner Kodish. The motion was unanimously approved.

R. *Retirement of Warden Bernie Zook effective September 30, 2016*

Chairman Nancollas: I would like to thank Bernie for his time and service.

Solicitor Snook: Bernie has dedicated a lot of time and effort to this County over the years. He did a very good job taking care of the inmates for all these years. Thank you and good luck Bernie.

Commissioner Kodish: I want to wish Bernie the best.

Motion was made by Commissioner Dunkle to approve the Retirement of Warden Bernie Zook. Seconded by Commissioner Kodish. The motion was unanimously approved.

IX. Public Comment:

Ms. Krohn: First of all I want you all to remember the First Amendment of freedom of religion. I have heard the repeated arguments of the past two weeks about Ms. Nancollas 's post. There is a difference from private speech and government speech. The post was clearly identified as Lisa Nancollas, Mifflin County Commissioner. It would be hard to argue that this is not defined as government speech. The First Amendment only applies to private speech. The establishment clause has been violated and reflects very poorly on our community. It has threatened the efficiency of our government and the economic development of our County. The only step would be the resignation of Lisa Nancollas.

Ms. Mundy: I am not coming out of the woodwork for what just happened. Lisa chose to put it on a website that showed her as Mifflin County Commissioner. At a local level she does not have the power to do that. Freedom of Religion is the first item in the First Amendment. When she says No Islam, what about the other religions and non-religions? How are people going to feel comfortable coming to a community that has a bigot leading and speaking for us? I am worried about terrorist that live in our backyard. I am also worried about other terrorists like the KKK who might come here and set up shop. Please come and help us hold local government accountable. What you did was put a target o our backs. I agree that she should resign and step down.

Mr. Fike: My relatives and I did not put time in the military to deny people the right to free speech. Muslims do not believe in separation of religion and state. I do not want to see this country turn into another France, where French police are not even allowed to enter Muslim Territories.

Ms. Mayes: I am very disturbed by the post by Lisa Nancollas about the Muslims and I have also heard people say that America is a free country and we can say what we want, but that is not totally true. There are always limits to our behavior. We have to pay taxes. We can't rob banks. Public officials need to hold themselves to a higher standard and they need to set an example that others can follow. They should keep their opinions to themselves including opinions that may be offensive, judgmental or harmful to others. They are not like teenagers that can say whatever they want.. These comments were extremely inappropriate to be made by anyone but especially by an elected official. Lisa Nancollas was elected to represent all residents of our County, regardless of whether she

agrees with them or not. She could just as easily have said this about blacks, whites, gays, Christians or Jews. If she is that ignorant that she cannot tell the difference between the millions of patriotic god loving Muslims and a small percentage of extreme radical Muslims. There is already way too much hatred and fear of people that are different than us. This type of rhetoric, regardless of impact is totally wrong, harmful, shameful, inappropriate and inexcusable. The bottom line is that should have been said at all. I think that we can all agree except for a minority group that no one likes radical terrorism in our country. Public officials should care about all people all the time. This is an embarrassment to our County and everyone everywhere. We deserve far better than that. Because of this she needs to resign immediately,

Mr. Knable: The President, people running for President are able to express their views, how they feel and their beliefs. I don't see why there is a big uproar over Lisa Nancollas's comment. The people of the County voted for her to run this County. I think it would be a big mistake if she resigns. Forget it and go live your lives.

Ms. Reesman: I wish to have clarification is this a County site or her personal site.

Solicitor Snook: It is not a County website.

Mr. Wright: Huntingdon County. We do not want Muslims in Huntingdon County. America is about working, individual conscience support of our own and a way of life with our own resources. This is a witch hunt.

Mr. Ritchey: Huntingdon County. This is the classic scenario that we have been watching on television of political correctness. I do not approve of what Lisa Nancollas did. That is her business, not mine. Political correctness is destroying our country.

Ms. Scott: Were you saying that you did not want any Muslims? Or extremists?

Chairman Nancollas: No comment.

Mr. Crone: I hear that the Facebook page is not a County page, but there are multiple Facebook pages. It is still related with the County and gives people reading that page views on the County. Negative views should not be accepted at all It is a County site whether they want to admit it or not. In private industry if I would post something against my employer, I would be fired immediately.

Solicitor Snook: It is not a County website.

Ms: Did you have two separate Facebook pages?

Chairman Nancollas: No. comment.

Mr. Geedy: What happened was absolutely, positively wrong. I realize that we are not going to get an apology from Lisa, but we have two other County Commissioners. I would like to see the other Commissioners denounce what she said and what she did. It is vitally important as a County as a backwoods humbug place where people are not welcome. Any opportunity to get new business here is gone. We have industries in this County that already have Muslims working for them and Muslim owned. Businesses are going to want to hire the best people they can. The best people may be Muslims.

Mr. Wright: Run a campaign and have her defeated.

Ms. Mundy: Clinton and Trump do not a title behind their names. Nurses in Harrisburg were fired because of a Facebook post. Anybody who works in Human Resources knows that your private or professional Facebook page is up for grabs when it comes to your position. This post clearly stated, No Islam Allowed, I believe that you walk with my God or you will not enter the gates of heaven. This was clearly a religious post. It was an intent of hate. It is all over the Federal website and it is all over the State website.

Ms. Spagnolotti: I am so crazy and disappointed in Ms. Nancollas. I did not expect this type of rhetoric from her. When she indentified herself as a Mifflin County Commissioner she was speaking to all of us. I was incredibly disappointed and insulted and she does not speak for me.. That type of rhetoric is not in my life and I do not believe in it. The other two Commissioners should denounce this type of behavior. I believe that her priorities are not with the people of Mifflin County. She is more concerned with her Tea Party agenda.

Ms. Mundy: If you do not denounce her, you are very unpatriotic.

Commissioner Kodish: I am against all terrorists, I do not care what country you are from. Senseless killings have no place in the world. I am a Christian. I pray to a loving God and that means all people. Only Lisa can answer what she meant, whether she was talking about all Islam or just the terrorists. The original post does not seem to indicate just terrorists. You are taking it to the limit here. This is the Land of the Free and the Home of the Brave – In New York the plaque doesn't say, "Give me your tired, your poor, but no Islam allowed!" There are a lot of good doctors in this country from Islam.

Commissioner Dunkle: My comment would be thus: A lot of people have spoken today. There has been a lot of grandstanding on both sides. I think if we are really concerned about the issue at hand it is not what we said here today that matters. What matters is what we do from this point on. If you have taken the podium and if you voiced your opinion one way or the other, then why not take it to the next step? Why not reach out, seek out moderate Islam members of this community and other communities and see what you can do with them where the radical element is contained. That's what we need to do. We need to prevent young people who become disillousioned with the grandeur and the promises of ISIS and other such radical organizations. We need to reach out to them and make them aware what ISIS and radical groups are doing. The best way to do that is to work with moderate Muslims and others to bring about peace and harmony in this world.

Ms. Mundy: Have you done that yet? You were invited to Mosques.

Commissioner Dunkle: I was not invited.

Chairman Nancollas: No comment.

X. Adjournment

With no other business on the agenda, Chairman Nancollas adjourned the meeting at 10:25 a.m.

Secretary

ATTEST:

Chief Clerk