

Lewistown, PA

December 6, 2018

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, December 6, 2018 at 9:00 a.m. In attendance were Commissioners Kevin Kodish, Stephen Dunkle and Robert Postal, Jr.; Solicitor Stephen Snook, BMZ Law; Chief Clerk Cathy Romig and Assistant Chief Clerk Angela Shuey.

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

Guests present: Treasurer Deb Civitts; Public Safety Director Phil Lucas; Director of Fiscal Affairs Mike Baker; Director of Planning Bill Gomes; Register & Recorder Barb Stringer; Children & Youth Administrator Dana Bubb; Community Development Administrator/Assistant Director James Lettiere; Housing Rehabilitation Specialist Doug Marks; Attorney Mark Remy; Max Oburn and Steven Gibson, MCTV

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

I. Invocation: *The Invocation was given by Chairman Kodish.*

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

III. Approval of Minutes:

Motion was made by Commissioner Postal to accept the minutes of the Regular Meeting of November 29, 2018. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

IV. Approval of Bills:

1. General Fund, Accounts Payable:

Cks. #121794 to 121842 and EFTs # 24681 to 24687 in the amount of \$241,436.30

2. Payroll Account:

Cks. #78528 to 78538, Direct Deposit Advices #22655 to 22889 in the amount of \$479,921.97

3. 911 Account:

Cks. #51644 to 51647 and EFTs #20530 to 20531 in the amount of \$11,013.36

4. CDBG Account:

Cks. #1432 to 1433 in the amount of \$32,377.94

5. CDBG Home Account

Cks. #429 to 430 in the amount of \$15,400.09

6. Act 137 Account:

Ck. #3021 in the amount of \$644.54

Motion was made by Commissioner Postal to approve payment of bills as listed above. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

V. *Treasurer's Report:*

TREASURER'S REPORT
11/28/2018-12/04/2018

General Account Starting Balance	\$334,634.31
DEBITS	
Deposits Receipts #94472 – 94569	242,128.08
Transfer from 911	0.00
Transfer from Capital Reserve	500,000.00
Transfer from LEPC	0.00
Voided Check	34.54
Interest	1,087.05
TOTAL DEBITS	\$743,249.67
CREDITS	
Bills Paid CK # 121794-121842, EFT'S # 24681-24687	241,436.30
Transfer to Payroll CKS 78528-78538, DD 22655-22889	479,921.97
NSF CKS	0.00
TOTAL CREDITS	\$721,358.27
<u>Ending Balance (Interest @ 01.390% as of 12/04/2018)</u>	<u>\$356,525.71</u>

Liquid Fuels

Invested at JV Bank @ 01.390% as of 12/04/2018 \$310,789.45

Liquid Fuels - Act 89

Invested at JV Bank @ 01.390% as of 12/04/2018 \$264,245.27

911 Telephone Account

Invested at JV Bank @ 01.390% as of 12/04/2018 \$2,706,589.45

LEPC

Invested at JV Bank @ 01.390% as of 12/04/2018 \$16,513.23

Local Use Fund

Invested at JV Bank @ 01.390% as of 12/04/2018 \$192,539.69

Capital Reserve Account

Invested at JV Bank @ 02.51% as of 12/04/2018 \$4,516,781.31

CERTIFICATE OF DEPOSIT

Invested at FNB @ 2.55% 3,054,389.22

Report Subject to Audit

Motion was made by Commissioner Dunkle to approve the Treasurer's Report as received, subject to audit. Commissioner Postal seconded the motion. The motion was unanimously approved.

VI. *Meetings and Events:*

*Chairman Kodish: Planning Commission Meeting
Regional Services Personnel Committee*

*Higher Education Planning with Senator Corman
CARS Board
Future Budget Planning
SEDA-COG Board, Lewisburg
Lewistown Christmas Parade
Various internal meetings*

*Commissioner Dunkle: Planning Commission Meeting
Higher Education Planning with Senator Corman
Future Budget Planning
Various internal meetings*

*Commissioner Postal: Planning Commission Meeting
Meeting with Armagh and Brown Township Supervisors
and SEDA-COG Natural Gas Co-op
Higher Education Planning with Senator Corman
Future Budget Planning
Wayne Township Supervisors Meeting
Lewistown Christmas Parade
Various internal meetings*

VII. Public Comment:

None to report.

VIII. New Business:

Chairman Kodish noted that the order of Agenda Items A. and B. would be switched, with B. being presented first.

B. Change Order No. 2 for the Bender Park ADA fishing pier project – Additional quantities of materials - \$485.00

Mr. Marks discussed that this project is substantially complete. This change in quantities was based on the amount of stone and asphalt used for the pathway leading to the fishing pier.

Motion was made by Commissioner Dunkle to approve Change Order No. 2 for the Bender Park ADA fishing pier project. Commissioner Postal seconded the motion. The motion was unanimously approved.

A. Resolution No. 17 of 2018 On Behalf of Brown Township Supervisors Approving Budget Revisions to the fiscal years 2015 and 2016 CDBG Program years

RESOLUTION NUMBER 17 of 2018

RESOLUTION OF THE MIFFLIN COUNTY COMMISSIONERS (MCC) ON BEHALF OF (OBO) THE BROWN TOWNSHIP SUPERVISORS APPROVING BUDGET REVISIONS TO THE FFY 2015 AND 2016 CDBG PROGRAM YEARS

WHEREAS, the MCC, on behalf of the Brown Township Supervisors funded the Bender Park Handicapped Fishing Pier in FFY 2015, in the amount of \$27,985.00 and in 2016 in the amount of \$13,700.00 and the project has been bid and the low bid was provided by G and R Charles Excavating, LTD of Port Trevorton, PA, in the amount of \$27,785.00 and the award was approved by the Brown Township Supervisors on July 2, 2018 and the MCC, OBO the Brown Township Supervisors on July 5, 2018;

WHEREAS, the project is substantially complete and the County received a request for a change order to the project in the amount of \$485.00 representing an overage to the bid figure of \$27,785.00 which will necessitate a change order for the project;

WHEREAS, the MCC, on behalf of the Brown Township Supervisors funded the Woodland and East Back Mountain Road (water laterals) housing rehabilitation project in FFY 2015 in the amount of \$7,613.41 and the project has been completed and there are excess funds remaining for this project in the amount of \$2,063.41 that need to be reallocated to another eligible and fundable project ;

WHEREAS, the MCC on behalf of the Brown Township Supervisors is desirous of decreasing the Woodland and East Back Mountain Road (water laterals) housing rehabilitation project from FFY 2015, in the amount of \$2,063.41 and adding \$2,063.41 in FFY 2015 towards the 2015 Bender Park Handicapped Fishing Pier project;

WHEREAS, as a result of the 2015 budget revision, the MCC on behalf of the Brown Township Supervisors is desirous of decreasing the FFY 2016 Bender Park Handicapped Fishing Pier project since there are excess funds for this project in the amount of \$917.85 and desires to add \$917.85 to the Township's single-family housing rehabilitation project in FFY 2016;

WHEREAS, the Brown Township Supervisors approved the aforementioned budget revisions through Resolution 2018-20 on Monday, December 3, 2018;

WHEREAS, it is the requirement of the Pennsylvania Department of Community and Economic Development (PA-DCED), to revise Mifflin County's on behalf of the Brown Township Supervisors 2015 and 2016 program budgets, so as to complete the following actions:

1. Decrease the FFY 2015 Brown Township Supervisors FFY 2015 Woodland and East Back Mountain Road (water laterals) housing rehabilitation project in the amount of \$2,063.41 and increase the FFY 2015 Bender Park handicapped fishing pier project by \$2,063.41 leaving a FFY 2015 budget in the amount of \$30,048.41.
2. Decrease the FFY 2016 Bender Park handicapped fishing pier project in the amount of \$917.85 and increase the FFY 2016 single-family housing rehabilitation project, in the amount of \$917.85 leaving a new FFY 2016 Bender Park handicapped fishing pier project budget in the amount of \$12,782.15 and a new FFY 2016 single-family housing rehabilitation project in the amount of \$53,297.85.

NOW, THEREFORE, BE IT RESOLVED, by the MCC:

1. That the program revisions affecting the Township's FFY 2015 and 2016 budgets are approved through the adoption of this Resolution.
2. That the Mifflin County Planning and Development Department is authorized to complete and submit said revision requests and required documentation to the (PA- 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 MCC held on **Thursday, December 6, 2018**.

Mr. Lettiere discussed that this Resolution is tied to the Change Order presented in Agenda Item B. This Resolution does not increase or decrease funding, it moves money around to different line items. He then reviewed the specific budget adjustments and accounts this revision would affect. The Brown Township Supervisors approved this Resolution at their meeting held on Monday, December 3, 2018.

Motion was made by Commissioner Dunkle to approve Resolution No. 17 of 2018. Commissioner Postal seconded the motion. The motion was unanimously approved.

The public meeting was recessed at 9:18 a.m. for a public hearing for the Mifflin County Community Development Block Grant Program Competitive Project in Wayne Township.

The public meeting reconvened at 9:25 a.m.

- C. Resolution No. 18 of 2018 authorizing the submission of a 2019 Community Development Block Grant Competitive Application for the West Wayne Township, Cedar Crest Area, in Mount Union for the infrastructure improvements project

**RESOLUTION NO. 18-2018
RESOLUTION OF THE MIFFLIN COUNTY COMMISSIONERS**

**APPROVING THE SUBMISSION OF A 2019 CDBG COMPETITIVE APPLICATION FOR
THE WEST WAYNE TOWNSHIP, CEDAR CREST AREA, IN MOUNT UNION, FOR THE
INFRASTRUCTURE IMPROVEMENTS PROJECT**

WHEREAS, the Mifflin County Commissioners, Mifflin County Pennsylvania (PA) is eligible to apply for up to \$1,000,000.00 from the Pennsylvania Department of Community and Economic Development (PA-DCED) under the Community Development Block Grant-Competitive Program (CDBG-C), and the application will be requesting \$1,000,000.00, and

WHEREAS, an income survey was conducted within the service area for the project, which resulted in a low-moderate income percentage of 53.28% and the results were approved by PA-DCED in 2016, and

WHEREAS, the Mifflin County Commissioners committed \$45,425.00 from 2015 County CDBG entitlement funds and \$105,600.00 from 2016 County entitlement CDBG funds totaling \$151,025.00 for sewer improvements in the West Wayne Township, Cedar Crest area of Mount Union, which is the same geographic area for the CDBG-C grant application, and

WHEREAS, the Mifflin County Commissioners CDBG-Competitive application for this project is consistent with the overall three-year Community Development Plan for federal fiscal years 2018, 2019 and 2020, and

WHEREAS, the Mifflin County Planning and Development Department held two public hearings for this project, have created and posted notices in public buildings throughout the County and posted notices on the County's website summarizing the activities to be included in the final application, in accordance with the County's Citizen Participation Plan, and

WHEREAS, the Mifflin County Commissioners have reviewed the proposed activities and given due consideration to all written and oral comments presented at the public hearings, and have authorized the application to be submitted to PA-DCED by December 31, 2018 for a CDBG-C grant application, and

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

1. The FFY 2019 CDBG-Competitive application is hereby approved for the completion of activities necessary to submit said grant application to the PA-DCED for the West Wayne Township, Cedar Crest area of Mount Union infrastructure improvements project;
2. That the Chairman of the Mifflin County Commissioners is hereby authorized to execute documentation for said application to the PA-DCED and hereby authorizes the Mifflin County Planning and Development Department employees, to complete and submit the project application;
3. That the various plans, assurances and policies previously adopted by the County for federally assisted community development programs (including plans for equal opportunity for minority and women owned business enterprises, Section 3 firms, fair housing, residential anti-displacement and relocation assistance plan, citizen participation plan, and procurement policy are applicable to the FFY 2019 CDBG-Competitive Program.

I HEREBY CERTIFY that the above is a true and correct copy of a resolution adopted at a regular meeting of the Mifflin County Commissioners held on **Thursday, December 6, 2018**.

Motion was made by Commissioner Postal to approve Resolution No. 18 of 2018.
Commissioner Dunkle seconded the motion. The motion was unanimously approved.

- D. Request for exoneration of 2018 county portion per capita taxes

- Wayne Township Tax Collector Mary Ellen Reed – 7
- Brown Township Tax Collector Cheryl Hartzler – 98
- Granville Township Tax Collector Billi Weaver – 28

Motion was made by Commissioner Dunkle to approve the requests for exoneration of 2018 county portion per capita taxes. Commissioner Postal seconded the motion. The motion was unanimously approved.

E. Purchase of Service Agreements for use, if needed, by Children and Youth:

- *Centre County Children's Advocacy Center, Bellefonte, PA*
- *Pathways Adolescent Center, Inc., Oil City, PA*
- *The Children's Home of Pittsburgh, Pittsburgh, PA*
- *Family Care for Children and Youth, Inc., Milton, PA*

Motion was made by Commissioner Dunkle to approve the purchase of service agreements. Commissioner Postal seconded the motion. The motion was unanimously approved.

Ms. Bubb explained that these are renewal agreements. She also gave a description of each provider and the services they offer. She mentioned that these service providers are chosen for specific children based on geographic region and services provided.

F. Purchase of Service Agreement with Mark Remy, Esquire, from the Law Offices of Knepp and Snook, as Assistant District Attorney for the period January 1, 2019 through December 31, 2019 for a monthly sum of \$2,625.00

Motion was made by Commissioner Postal to approve the purchase of service agreement. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

G. Purchase of Service Agreement with Mark Remy, Esquire, from the Law Offices of Knepp and Snook, as Prison Board Solicitor for the period January 1, 2019 through December 31, 2019 at a rate of \$100.00 per hour.

Motion was made by Commissioner Dunkle to approve the purchase of service agreement. Commissioner Postal seconded the motion. The motion was unanimously approved.

H. Purchase of Service Agreement with Brian Baker, Private Detective, as Criminal Investigator for the Public Defender's Office at a rate of \$695.00 per month for the period January 1, 2019 through December 31, 2019

Motion was made by Commissioner Postal to approve the purchase of service agreement. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

I. Applications for County Aid – 2018 Liquid Fuels Allocation:

- *Burnham Borough - \$2,061.68*
- *Menno Township - \$2,912.44*

Motion was made by Commissioner Dunkle to approve the applications for county aid – 2018 Liquid Fuels Allocation. Commissioner Postal seconded the motion. The motion was unanimously approved.

J. Appointment of Gene Wolfkill to the Mifflin County Internet Advisory Board

Motion was made by Commissioner Postal to approve the appointment of Gene Wolfkill to the Mifflin County Internet Advisory Board. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

K. 2017 Grant Agreement with U.S. Department of Homeland Security to fund the update of the Mifflin County Hazardous Mitigation Plan

Mr. Gomes stated that several months ago, the Commissioners authorized the application for the Hazard Mitigation Plan Update. This is the follow up agreement that needs to be approved stating that the County is entering into an agreement with Pennsylvania Emergency Management Agency (PEMA). Solicitor Snook has reviewed the agreement as well.

Mr. Lucas added that this grant is a result of flooding and damages that occurred in 2017. When the Federal government recognized we had significant damages and there was a presidential disaster declaration in Pennsylvania, these funds were made available afterwards. Counties in the affected area and surrounding areas have the opportunity to begin pre-disaster mitigation activities in order to better prepare for disasters in the future.

Mr. Gomes stated that we started the process in August of 2018 and have been waiting for the agreement.

Mr. Lucas mentioned that we have obtained a consultant to assist in this process. It has taken the State about four months to process our information.

Motion was made by Commissioner Postal to approve the 2017 grant agreement with the U.S. Department of Homeland Security to fund the update of the Mifflin County Hazardous Mitigation Plan. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

L. Appointments to the Hazard Mitigation Plan Advisory Committee

- Matt Stringer, McVeytown Borough*
- Ron Napikoski, Derry Township*
- Paul Maidens, Mifflin County School District*
- Sharina Harshbarger, Bratton Township*
- Matt Moore, Valley View Haven*
- Rex Fink, Lewistown Borough*
- Bob Henry, Juniata Valley Behavioral and Developmental Services*
- Pat Shoop, Fame EMS*
- Ann Thompson, Union Township*
- Mike Reed or Armagh Township Supervisor, Armagh Township*
- Craig Bubb, Municipal Authority of the Borough of Lewistown*

Mr. Gomes mentioned that some of the committee members were from four years ago and some were recently added. There was difficulty in getting some of the townships to adopt the ordinance last time, so they now have representation on the Committee. He also said that Mike Reed stated he did not want to serve on the Committee, so Brenda Aumiller, Armagh Township Supervisor and Secretary has agreed to serve. Mr. Lucas suggested having someone from a utility company, so Craig Bubb with the Municipal Authority of the Borough of Lewistown was chosen. PEMA suggested a nursing home representative so Valley View Haven was chosen in that category. They selected Matt Moore as their committee member. A representative from the Mifflin County School District was also chosen. Ron Napikoski agreed to serve for Derry Township and Geisinger-Lewistown Hospital. Matt Stringer with McVeytown Borough also works for Oliver Township. It is not confirmed at this point that he will serve for both municipalities. This committee represents at least six of the municipalities.

Motion was made by Commissioner Dunkle to approve the appointments to the Hazard Mitigation Plan Advisory Committee. Commissioner Postal seconded the motion. The motion was unanimously approved.

M. Resolution No. 19 of 2018 authorizing signature changes on the Recorder of Deeds Record Improvement Fund

RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING WITHDRAWAL OF MUNICIPAL PUBLIC MONEYS No. 19 of 2018

TO: (Name/Address of Financial Institution) Kish Bank 115 South Main St Lewistown, PA 17044	FROM: (Name/Address of Municipal Entity) County of Mifflin 20 N Wayne St
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Words or phrases preceded by a are applicable only if the is marked.

Under the Governing Municipality of: Mifflin County

State of:

Pennsylvania "ITIS

RESOLVED THAT:

Kish Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited;

The following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect;

The Person(s) and the number thereof designated by title designated account(s) is hereby authorized, for and on behalf of this Municipality., to sign orders or checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse tor deposit, negotiation, collection or discount by Financial Institution any and all checks, drahs,1.notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said 1v1unicipality;

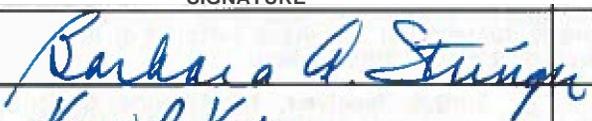
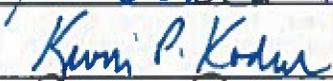
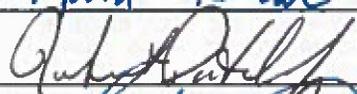
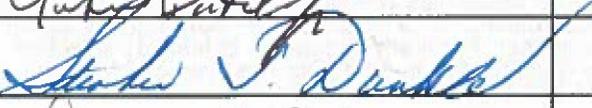
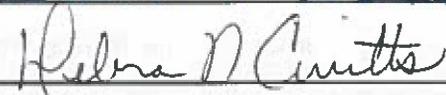
The endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and

Any one of the persons holding the offices of this Municipality designated below is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution."

THIS RESOLUTION APPLIES TO (Select One): All Accounts

Specific Account Number(s): 135860

DATE OF RESOLUTION: 12/03/2018

NAME AND TITLE	SIGNATURE	
		N O T N E C E S S A R Y
		
		
		
		
Barbara A Stringer Authorized signer		3
Kevin P Kodish Authorized signer		3
Robert P Postal Jr Authorized signer		3
Stephen T Dunkle Authorized signer		3
Debra N Civitts Authorized signer		3

Additional comments or instructions:

If the following certification is provided by the Clerk of the Municipality, the first sentence below shall apply. If the certification is provided by a member of the governing body of the Municipality, the second sentence shall apply.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of Municipality at an open legal meeting held on the day of and said resolutions are now in full force and effect.

Signed by

Date

Clerk

The undersigned member of the governing body not authorized to sign orders or checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Motion was made by Commissioner Dunkle to approve Resolution No. 19 of 2018 authorizing signature changes on the Recorder of Deeds Record Improvement Fund. Commissioner Postal seconded the motion. The motion was unanimously approved.

Chairman Kodish explained that this is establishing our procurement practices being consistent with signatures.

Mr. Baker reiterated that the statute for the Register and Recorder Record Improvement Fund specifies that it's to be administered according to County budgeting and procurement practices. This is an effort to bring the account in line with the directive of the statute.

- N. *Broadband Expansion Agreement with Noovis, LLC, Hanover, MD, for the sum of \$13,000.00*

Mr. Gomes mentioned that this is a long-standing project that his office has been involved in for over two years. To move this project forward and be more competitive, technical assistance is needed. This proposal has been reviewed by Solicitor Snook. Mr. Gomes was tasked with reaching out to people in the community to collect support money. He has about eight or nine municipalities, as well as Geisinger-Lewistown Hospital, the Water Authority, MCIDC and the Mifflin County School District who have signed on to provide some assistance.

Commissioner Dunkle asked if any of the municipalities refused to participate.

Mr. Gomes said that he did have municipalities refuse. The municipalities that refused are in areas that need broadband. When he initially visited the municipalities, he didn't promise anyone that he could get service for them. He asked for a \$200 to \$300 donation to help support the process. The ones that didn't contribute wanted to know how this would benefit them. He stated that if this isn't pursued, there will not be any better service than there is right now.

Commissioner Postal added that there will be ample opportunity for participation once the pilot locations are identified.

Mr. Gomes explained that this company will look at a pilot area so that we are able to move to a higher level with this project. We want something with an end product that will move this forward. The Noovis proposal will provide the County with suggested pilot projects including anticipated costs and schedules. He feels this is a reasonable cost.

Commissioner Dunkle agreed that the cost is reasonable. As it relates to pilot projects, if the local government municipal leaders have refused to help fund this project, he's not sure we should look at establishing pilot projects in those areas.

Commissioner Postal added that the project is due at the end of May 2019, so that gives us about six months.

Mr. Gomes stated that he believes the State will also come out with an initiative next year. By doing this, we hope we're in a better position to move something forward.

Motion was made by Commissioner Dunkle to approve the Broadband Expansion Agreement with Noovis, LLC, Hanover, MD. Commissioner Postal seconded the motion. The motion was unanimously approved.

O. Encumber \$20,000.00 Liquid Fuels money for the Dorcas Street Bridge project

Motion was made by Commissioner Postal to encumber \$20,000.00 liquid fuels money for the Dorcas Street Bridge project. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

P. Encumber \$30,000.00 Liquid Fuels money for the Whiskey Road Bridge project

Motion was made by Commissioner Postal to encumber \$30,000.00 liquid fuels money for the Whiskey Road Bridge project. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

Adjournment:

With no other business on the agenda, Chairman Kodish adjourned the meeting at 9:40 a.m.

Secretary

ATTEST:

Chief Clerk