

Lewistown, PA

December 20, 2018

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, December 20, 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 the Physical Plant Lonnie Griffith; Director of Human Services; Floyd Ciccolini; Danielle Ciccolini; Skylar Ciccolini; James Lamancusa; Steven Arose; 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 December 6, 2018. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

IV. Approval of Bills:

1. General Fund, Accounts Payable:

Cks. #121843 to 122023 and EFTs # 24688 to 24755 in the amount of \$694,536.35

2. Payroll Account:

Cks. #78539 to 78547, Direct Deposit Advices #22890 to 23125 in the amount of \$332,438.54

3. 911 Account:

Cks. #51648 to 51659 and EFTs #20532 to 20536 in the amount of \$8,090.50

4. CDBG Account:

Cks. #1434 in the amount of \$942.49

5. CDBG Home Account

Cks. #431 in the amount of \$254.16

6. Act 137 Account:

Ck. #3022 in the amount of \$225.00

7. LEPC Account:

Ck. #1442 in the amount of \$387.18

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
12/05/2018-12/18/2018**

General Account Starting Balance	\$356,525.71
DEBITS	
Deposits Receipts #94578 – 94798	523,859.01
Transfer from 911	3.54
Transfer from Capital Reserve	500,000.00
Transfer from LEPC	429.48
Interest	0.00
TOTAL DEBITS	\$1,024,292.03
CREDITS	
Bills Paid CK # 121843-122023, EFT'S # 24688-24755	694,536.35
Transfer to Payroll CKS 78539-78547, DD 22890-23125	332,438.54
Transfer to CDBG	234.76
TOTAL CREDITS	\$1,027,209.65
<u>Ending Balance (Interest @ 01.390% as of 12/18/2018)</u>	<u>\$353,608.09</u>
Liquid Fuels	
Invested at JV Bank @ 01.390% as of 12/18/2018	\$310,789.45
Liquid Fuels - Act 89	
Invested at JV Bank @ 01.390% as of 12/18/2018	\$264,245.27
911 Telephone Account	
Invested at JV Bank @ 01.390% as of 12/18/2018	\$2,709,467.59
LEPC	
Invested at JV Bank @ 01.390% as of 12/18/2018	\$15,696.57
Local Use Fund	
Invested at JV Bank @ 01.390% as of 12/18/2018	\$192,539.69
Capital Reserve Account	
Invested at JV Bank @ 02.51% as of 12/18/2018	\$4,068,237.74
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:

- Department Head Meeting*
- Retirement Board Meeting*
- PennDOT – Meeting regarding Temporary Easements*
- Operation Fairness Meeting*
- Bid Opening – MCCF Access Control System Replacement*
- 911 Projects Review Meeting*
- JVBDS Joinder Board Meeting*
- Regional Services Corporation Personnel Committee*
- Regional Services Corporation Board Meeting*
- Downtown Lewistown Board Meeting*

Commissioner Dunkle:

- Department Head Meeting*
- Retirement Board Meeting*
- Mifflin County Airport Authority Meeting*
- PennDOT – Meeting regarding Temporary Easements*
- Operation Fairness Meeting*
- Soil Conservation Meeting*
- Bid Opening – MCCF Access Control System Replacement*
- 911 Projects Review Meeting*
- Central Counties Youth Detention Board Meeting*
- JVBDS Joinder Board Meeting*
- Mifflin County Parks and Recreation Council Meeting*
- LEO – Central PA Workforce Development Tax Force Meeting*

Commissioner Postal:

- Department Head Meeting*
- Retirement Board Meeting*
- PennDOT – Meeting regarding Temporary Easements*
- Operation Fairness Meeting*
- Bid Opening – MCCF Access Control System Replacement*
- 911 Projects Review Meeting*
- JVBDS Joinder Board Meeting*
- Kistler Borough Meeting*
- Meeting regarding pending Ordinances*
- SEDA-COG Joint Rail Authority*
- SEDA-COG Natural Gas Co-op Board*
- Internet Broadband Kick Off Conference Call*
- Downtown Lewistown Inc. Board Meeting*

VII. Public Comment:

None to report.

VIII. New Business:

A. *Proclamation Recognizing Skylar Ciccolini*

PROCLAMATION FOR SKYLAR CICCOLINI

WHEREAS, Mifflin County is proud to recognize the extraordinary achievements of dedicated and courageous young adults who serve as an inspiration for others in the community; and

WHEREAS, Skylar Ciccolini is one of the top high school girls javelin throwers in the country; and

WHEREAS, Skylar is a three time PIAA district and state qualifier with a PIAA district 6 and state championship; and

WHEREAS, Skylar was selected by the United States Olympic Committee to represent the United States in the Youth Olympic Games in Buenos Aires, Argentina, finishing seventh with a throw of 180 feet and 8 inches; and

WHEREAS, Skylar holds the record for the Penn Relays, Lock Haven Invitational, Mid-Penn Conference, Millersville University Stadium and the Chambersburg Stadium; and

WHEREAS, Skylar earned the Mifflin County High School indoor and outdoor records for High Jump and Javelin; and

WHEREAS, Skylar earned International Championships at the Caribbean Scholastic Invitational in the Bahamas, and in Jena, Germany at the Javelin Invitational; and

WHEREAS, Skylar captured the fourth all-time High School javelin mark of 53.96 meters (177 feet and .4 inches); and

NOW, THEREFORE, ON THIS 20TH DAY OF DECEMBER, 2018, the Mifflin County Commissioners do hereby commend Skylar Ciccolini for her training, her commitment to her goals, and her achievements in track and field and extend best wishes for her continued success in the classroom and on the field.

Motion was made by Commissioner Dunkle to adopt the Proclamation Recognizing Skylar Ciccolini. Commissioner Postal seconded the motion. The motion was unanimously approved.

Ms. Ciccolini commented on her experience in Argentina. She really enjoyed the experience, especially meeting new people from many different backgrounds. She felt that being able to compete against the best athletes in the javelin event was amazing.

Chairman Kodish added that it's an incredible accomplishment. All of her hard work has paid off. He mentioned that Skylar is an incredible ambassador for us and she has put Mifflin County on the map in track and field. We are looking forward to seeing her in the coming year.

B. Request for exoneration of 2018 county portion per capita taxes

- Armagh Township Tax Collector Linda Marks – 1*
- Wayne Township Tax Collector Mary Ellen Reed – 6*
- Lewistown Borough Tax Collector Erin Anewalt – 26*

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.

C. Request for exoneration of 2016 & 2017 supplemental county real estate tax bills and relieve the Tax Collector from collecting these bills:

- Parcel No. 14,03-0103D-,000 located in Brown Township – value on parcel was in error and will be re-billed with the March billing – County Amounts - \$792.04 and \$889.31*

Motion was made by Commissioner Postal to approve the request for exoneration of 2016 & 2017 supplemental county real estate tax bills. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

D. Health, Safety and Welfare Resolution No. 20 of 2018 for the Diakon Lutheran Social Ministries financing project

RESOLUTION NO. 20 OF 2018

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MIFFLIN, APPROVING THE FINANCING BY THE CUMBERLAND COUNTY MUNICIPAL AUTHORITY OF A PROJECT FOR THE BENEFIT OF DIAKON LUTHERAN SOCIAL MINISTRIES WHICH PROJECT CONSISTS OF, AMONG OTHER THINGS, THE REFUNDING OF CERTAIN OUTSTANDING DEBT OF THE AUTHORITY ISSUED FOR THE BENEFIT OF DIAKON LUTHERAN SOCIAL MINISTRIES; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREAS SERVED BY DIAKON LUTHERAN SOCIAL MINISTRIES, TO HAVE THE PROJECT PROVIDED BY AND FINANCED THROUGH THE AUTHORITY; DESIGNATING THE CHAIRMAN OF THE BOARD OF COMMISSIONERS OR, IN HIS ABSENCE, ANY OTHER MEMBER OF THE BOARD OF COMMISSIONERS AS THE PERSON TO ACT ON BEHALF OF THE BOARD OF COMMISSIONERS AS THE “APPLICABLE ELECTED REPRESENTATIVE” WITHIN THE MEANING OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AUTHORIZING SUCH CHAIRMAN OR ANY SUCH MEMBER OF THE BOARD OF COMMISSIONERS TO TAKE CERTAIN ACTIONS ON BEHALF OF THE BOARD OF COMMISSIONERS AS SUCH “APPLICABLE REPRESENTATIVE;” AND AUTHORIZING OTHER NECESSARY AND APPROPRIATE ACTION.

***WHEREAS,** The Cumberland County Municipal Authority (the “Authority”) is a municipal authority incorporated pursuant to a resolution of the Board of Commissioners of the County of Cumberland, Pennsylvania, and is existing under and governed by the provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., as amended and supplemented (the “Authorities Act”); and*

***WHEREAS,** The Authorities Act permits the Authority to assist in the financing of buildings and facilities for health centers; and*

***WHEREAS,** Diakon Lutheran Social Ministries, a Pennsylvania nonprofit corporation (“DLSM”) has requested that the Authority finance a project (the “Project”) which consists of, among other things: (1) the current refunding of the Authority’s Revenue Note, Series A of 2014 (Diakon Lutheran Social Ministries Project) (the “2014 Note”); and (2) the payment of the costs and expenses incident to the issuance of the 2019 Bonds; and*

***WHEREAS,** DLSM has represented to the Authority that (i) it owns the facilities comprising the Project, (ii) proceeds of the 2014 Note were used to finance or refinance the acquisition, construction, renovation, improvement and equipping of certain skilled nursing, personal care and independent living facilities owned and operated by DLSM; and (iii) such facilities comprise a “health center” in that they constitute integrated facilities which provide substantial health care services on a nonsectarian basis and reasonably related services and which are operated by a nonprofit corporation existing under the laws of the Commonwealth of Pennsylvania (the “Commonwealth”); and*

***WHEREAS,** In order to finance the Project, DLSM has requested that the Authority issue its Revenue Bonds or Notes (Diakon Lutheran Social Ministries Project) Series A of 2019 (the “2019 Bonds”); and*

***WHEREAS,** The County of Mifflin (the “County”) approves the financing of the Project for the benefit of DLSM, and has determined that it is in the best interests of the people in the County of Mifflin, and is desirable for the health, safety and welfare of the people in the area served by DLSM and the Project to have the Project provided, and undertaken, by the Authority; and*

WHEREAS, Pursuant to the Internal Revenue Code of 1986, as amended (the “Code”), all bonds or notes to be executed by the Authority, such as the 2019 Bonds to be issued to finance the Project for the benefit of DLSSM, must be approved by the “applicable elected representative” of the governmental units in which the Project is located after a public hearing following reasonable public notice; and

WHEREAS, Pursuant to the Code, the term “applicable elected representative” means, among other things, the elected legislative body of the governmental unit in which the Project is located; and

WHEREAS, A portion of the Project is located in the County; and

WHEREAS, The Board of Commissioners of the County (the “Board”) is the “applicable elected representative” of the County within the meaning of the Code; and

WHEREAS, The Board desires to authorize and direct any member of its Board to act on its behalf as such “applicable elected representative.”

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, AS FOLLOWS:

- 1. In connection with the financing of the Project by the Authority, this Board of Commissioners hereby declares it to be desirable for the health, safety and welfare of the people in the area served by DLSSM and the Project, to have the Project provided by, and financed through, the Authority.*
- 2. The Board hereby empowers, authorizes and directs the Chairman of the Board or, in his absence, any other member of the Board, to execute and deliver an “approval of applicable representative” in the form attached hereto; provided that, such approval shall be delivered only following a public hearing, held on behalf of the County, which has followed reasonable public notice, with respect to the Project (described on such approval). The Board intends that this resolution and the subsequent execution and delivery of the approval of “applicable elected representative” by any Commissioner of this County shall constitute the “approval by a government unit” required by Section 147 (f) of the Code.*
- 3. The approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.*

The County acknowledges that the Authority is entitled to rely upon, and will rely upon, the findings and determinations of this County as set forth in Paragraph 1 above.

Mr. Arose from Stevens & Lee as bond council for Diakon discussed that Diakon seeks approval of Resolution 20 of 2018 for their project. Diakon operates eight different communities within PA. This project will refinance 2014 notes and issue a new 2019 note. The bonds will be issued through Cumberland County Municipal Authority and there will be no liability on behalf of Mifflin County. These bonds will be used solely for refinancing and are not to exceed \$22,500,000. This refinance will result in an overall savings for Diakon. The bonds have not yet been priced, hence the reason for the “not to exceed” figure. The specific interest rate and principal amount of the bonds will be determined once the bonds are priced. This will likely occur sometime in January 2019.

Motion was made by Commissioner Postal to approve Resolution No. 20 of 2018 for the Diakon Lutheran Social Ministries financing project. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

- E. Lease Addendum with Frank and Angela Pannizzo for premises located at 100 South Main Street, Reedsville, Office of District Judge Kent Smith, extending the lease for an additional term of five years terminating on December 31, 2023 for a monthly sum of \$1,125.00*

Motion was made by Commissioner Postal to approve the Lease Addendum with Frank and Angela Pannizzo for 100 South Main Street, Reedsville, PA. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

- F. Mifflin County Domestic Relations Constable Agreement with David Suarez, Millerstown, PA for the period November 29, 2018 through September 30, 2020*

Motion was made by Commissioner Dunkle to approve the Constable Agreement with David Suarez, Millerstown, PA. Commissioner Postal seconded the motion. The motion was unanimously approved.

- G. Purchase of Service Agreement with Michael S. Gingerich, Esquire, as Court appointed counsel for custodial parents in child welfare cases for the period January 1, 2019 through December 31, 2019 at the monthly rate of \$2,125.00*

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

- H. Receipt of HUD Funds*

Ms. Fisher acknowledged the receipt of HUD Funds for the 3C Group (Clear Concepts Counseling non-profit) - \$4,135.40, 3C Group \$17,197.00, Shelter Services, Inc. - \$25,685.70 and Shelter Services, Inc. - \$54,502.78 for a total of \$101,520.88. These funds cover two budget years including 2016-2017 and 2017-2018.

Chairman Kodish then asked that Items I. and J. be combined into one motion. These are temporary easements for a construction project on Third Street. There will be work done on new traffic lights.

- I. Temporary Easement with PennDOT for Construction Purposes on Third Street, Parcel No. 22*
- J. Temporary Easement with PennDOT for Construction Purposes on Third Street, Parcel No. 203*

Motion was made by Commissioner Dunkle to approve the Temporary Easements presented in Items I. and J. representing Parcel No. 22 and Parcel No. 203 respectively. Commissioner Postal seconded the motion. The motion was unanimously approved.

- K. Applications for County Aid – 2018 Liquid Fuels Allocation:*

- Armagh Township - \$5,604.61*
- Granville Township - \$6,337.46*
- Juniata Terrace Borough - \$1,000.00*
- Kistler Borough - \$1,000.00*
- McVeytown Borough - \$1,000.00*
- Newton Hamilton Borough - \$1,000.00*
- Union Township - \$4,664.46*

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

- L. Resolution No. 21 of 2018 appointing William Gomes to the Seda-Cog Metropolitan Planning Organization for a four-year term*

Confirming the appointment of William Gomes as a voting member of the SEDA-COG Metropolitan Planning Organization (MPO), to serve in the term ending December 31, 2022.

WHEREAS, the SEDA-COG MPO has the authority to conduct transportation planning and programming activities for the Bloomsburg-Berwick Urbanized Area, and the entire eight-county region that includes: Clinton, Columbia, Juniata, Mifflin, Montour, Northumberland, Snyder, and Union Counties; and

WHEREAS, Article III of the adopted SEDA-COG MPO bylaws provides that the Mifflin County Commissioners must appoint Mifflin County's voting member on the SEDA-COG MPO; and

WHEREAS, SEDA-COG MPO voting members should be re-affirmed following a term of four years by the appointing authority, except that the terms of the members first appointed shall be so fixed that no more than four shall be reappointed or replaced during a calendar year; and

WHEREAS, SEDA-COG MPO voting membership may change as members resign, as appointing authorities replace their representatives, or as recommended by the MPO for approval; and

WHEREAS, the success of the SEDA-COG MPO is ensured by regular, active participation and input from its members; and

WHEREAS, the Mifflin County Commissioners desire to have their county's voice and perspective considered through the SEDA-COG MPO forum;

NOW, THEREFORE, BE IT RESOLVED, that the Mifflin County Commissioners hereby consent to and confirm the appointment of William Gomes as a voting member of the SEDA-COG MPO, to serve in the term ending December 31, 2022.

Motion was made by Commissioner Postal to approve Resolution No. 21 of 2018. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

M. Reappointment of James Shilling, Lewistown, PA for a one-year term on the SEDA-COG Board of Directors

Motion was made by Commissioner Postal to approve the Reappointment of James Shilling for a one-year term on the SEDA-COG Board of Directors. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

N. Reappointment of Mark Lawson, Lewistown, PA for a five-year term on the Mifflin County Housing Authority

Motion was made by Commissioner Postal to approve the Reappointment of Mark Lawson for a five-year term on the Mifflin County Housing Authority. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

O. Reappointment of Mark Ellinger, Lewistown, PA to the Agriculture Land Preservation Board for a three-year term

Motion was made by Commissioner Postal to approve the reappointment of Mark Ellinger to the Agriculture Land Preservation Board for a three-year term. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

P. Appointment/reappointments to the Mifflin County Hospital Authority for five-year terms:

- Dan Dunmire, Burnham, PA
- Victor Yoder, Reedsville, PA
- Dan Taptich, Belleville, PA

Motion was made by Commissioner Postal to approve the appointment/reappointments to the Mifflin County Hospital Authority for five-year terms. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

- Q. Reappointment of Brenda Stayrook, Lewistown, PA, to the Juniata Valley Behavioral and Developmental Services Citizens Advisory Board for a three-year term*

Motion was made by Commissioner Postal to approve the reappointment of Brenda Stayrook to the Juniata Valley Behavioral and Developmental Services Citizens Advisory Board for a three-year term. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

- R. Federal Fiscal Year 2018 Emergency Management Performance Grant - \$123,135.00*

Mr. Lucas explained that this is an annual grant that's used by Mifflin County as reimbursement for salaries for the emergency management portion of the Public Safety office. It provides for up to 50% salary and benefit reimbursement for the employees responsible for providing emergency management planning and homeland security activities. As the year progresses, a sliding scale is used across the State, so sometimes we may not get the full amount shown based on what's available when the entire State is submitting for reimbursement. Generally, we get fairly close to covering the full 50% of the salaries and benefits. This is Federal funding that comes through the State.

Motion was made by Commissioner Dunkle to approve the Federal Fiscal Year 2018 Emergency Management Performance Grant - \$123,135.00. Commissioner Postal seconded the motion. The motion was unanimously approved.

- S. Reappointments/Appointments to the Local Emergency Planning Commissioner for two-year terms:*

- Scott Mauery
- Don Hartzler
- Lisa Swisher
- Craig Wheeler
- Wade Daughtry
- Dale Stehley
- Robert Schell
- Howard Jackson
- Mark Keisey

Motion was made by Commissioner Postal to approve the Reappointments/Appointments to the Local Emergency Planning Commission for two-year terms. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

- T. Appointment of Doug Cunningham, Mifflin County School District, to the Mifflin County Internet Advisory Committee*

Motion was made by Commissioner Postal to approve the appointment of Doug Cunningham to the Mifflin County Internet Advisory Committee. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

- U. 2019 Meeting Schedules for Prison Board, Salary Board, Retirement Board and Board of Commissioners*

Motion was made by Commissioner Dunkle to approve the 2019 Meeting Schedules for Prison Board, Salary Board, Retirement Board and the Board of Commissioners. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

V. Adoption of the 2019 Budget

Chairman Kodish explained that we put the budget on display three weeks ago at our public meeting. There is no tax increase with a total budget of \$32.28 million.

Motion was made by Commissioner Postal to approve the 2019 Budget. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

W. Personnel:

- *Resignation of Corrections Officers Scott Durst and Victoria Miller effective December 24, 2018*

Motion was made by Commissioner Dunkle to accept the above personnel items. Commissioner Postal seconded the motion. The motion was unanimously approved.

Adjournment:

With no other business on the agenda, Chairman Kodish adjourned the meeting at 9:26 a.m.

Secretary

ATTEST:

Chief Clerk