

Lewistown, PA

August 29, 2019

*The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, August 29, 2019 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; Director of Fiscal Affairs Mike Baker; Warden Josh Garver; Director of Voter Registration and Elections Zane Swanger; Chief Probation Officer Todd Harpster; Director of the Physical Plant Lonnie Griffith; Jackie Fisher; Harry Geedey; Debbie Trudeau; Gary Gill; Sandi Dunmire; Nancy Laub; Ann Dunmire; Joanne Santamaria; Sue Ellen Ballentine; Bonnie Hackett; Sue Reinke; Tim Bordell; Ann Thompson; Domenica Genovese; Dwight Aurand; Kat Knepp and Maddie Ream, MCTV*

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

**I. Invocation:** *The Invocation was given by Commissioner Dunkle.*

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

**III. Approval of Minutes:**

*Motion was made by Commissioner Dunkle to accept the minutes of the Regular Meeting of August 15, 2019. Commissioner Postal seconded the motion. The motion was unanimously approved.*

**IV. Approval of Bills:**

**1. General Fund, Accounts Payable:**

*Cks. #125015 to 125182 and EFTs # 25489 to 25509 in the amount of \$2,056,527.17*

**2. Payroll Account:**

*Cks. #78700 to 78709 and Direct Deposit Advices # 27283 to 27528 in the amount of \$419,250.69*

**3. 911 Account:**

*Cks. # 51800 to 51806 and EFTs #20616 to 20622 in the amount of \$78,527.90; voided EFT #20621*

**4. CDBG Account:**

*Cks. # 1471 in the amount of \$2,250.00*

**5. Act 137 Account:**

*Ck. # 3055 in the amount of \$21.00*

**6. LEPC Account:**

*Ck. # 1469 to 1472 in the amount of \$264.49*

7. *Liquid Fuels Act 89 Account:*

*EFT # 8084 in the amount of \$57.04*

*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**  
**08/14/2019-08/27/2019**

**General Account** Starting Balance **\$325,707.90**

**DEBITS**

Deposits Receipts #98398 – 98545	1,919,488.66
Transfer from 911	0.00
Transfer from Capital Reserve	625,000.00
Transfer from LEPC	0.00
Voided Checks	0.00
Interest	0.00

**TOTAL DEBITS** **\$2,544,488.66**

**CREDITS**

Bills Paid CK #'S 125015-125182, EFT'S # 25489-25509	2,056,527.17
Transfer to Payroll CKS 78700-78709, DD 27282-27528	419,250.69
NSF Checks	0.00

**TOTAL CREDITS** **\$2,475,777.86**

Ending Balance (Interest @ 01.390% as of 08/27/2019) **\$394,418.70**

**Liquid Fuels**

Invested at JV Bank @ 01.390% as of 8/27/2019 **\$292,050.43**

**Liquid Fuels - Act 89**

Invested at JV Bank @ 01.390% as of 8/27/2019 **\$286,605.90**

**911 Telephone Account**

Invested at JV Bank @ 01.390% as of 8/27/2019 **\$1,424,215.06**

**LEPC**

Invested at JV Bank @ 01.390% as of 8/27/2019 **\$35,367.48**

**Local Use Fund**

Invested at JV Bank @ 01.390% as of 8/27/2019 **\$292,050.43**

**Capital Reserve Account**

Invested at JV Bank @ 02.43% as of 8/27/2019 **\$8,742,919.55**

**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:*
- Various Internal meetings*
  - Meeting with Red Cross Representative*
  - JVBDS Joinder Board Meeting*
  - Repository Bid Opening*
  - Veteran's Day Parade Planning Meeting*
  - Hope House Open House*
  - Regional Services Personnel Committee Meeting*
  - Tourism Board Meeting*
  - Library Board Meeting*
  - Meeting with J-Way Architect*
- Commissioner Dunkle:*
- Various Internal meetings*
  - Meeting with Red Cross Representative*
  - JVBDS Joinder Board Meeting*
  - Repository Bid Opening*
  - Veteran's Day Parade Planning Meeting*
  - Hope House Open House*
  - Meeting with Harold Johnson regarding the Menno-Union bridge project*
  - Meeting with J-Way Architect*
- Commissioner Postal:*
- Various Internal meetings*
  - Meeting with Red Cross Representative*
  - JVBDS Joinder Board Meeting*
  - Repository Bid Opening*
  - Veteran's Day Parade Planning Meeting*
  - Hope House Open House*
  - DLI Executive Committee Meeting*
  - Internet Security Meeting*
  - Mifflin County Planning Commission Meeting*
  - SEDA-COG Joint Rail Authority Special Meeting*
  - Mifflin County Housing Authority Meeting*
  - Meeting with J-Way Architect*

**VII. Public Comment:**

*Several members of the Fair Districts PA organization spoke about their desire for support in favor of legislation that would stop gerrymandering in Pennsylvania. Comments were offered by Gary Gill, Debbie Trudeau, Sandi Dunmire, Jackie Fisher, Joanne Santamaria and Harry Geedey. The group feels gerrymandering is a problem and it tilts the election playing field, so they asked the Commissioners to pass a resolution supporting legislation that calls for an independent citizens redistricting commission. The Commissioners agreed that gerrymandering is a problem and they would like more information on the organization before they would pass a resolution on the matter.*

**VIII. New Business:**

A. *Zane Swanger, Director of Elections and Voter Registration – Purchasing New Voting Equipment*

*Mr. Swanger began by referring to the Governor’s directive from 2018 for all PA counties to purchase and implement new voting equipment prior to the 2020 Presidential primary election. At this time, all Counties have been appropriated funds by the PA Department of State comprised of Federal funds to purchase new voting machines. Mifflin County’s share would be approximately \$41,000.00. The Federal funds will no longer be guaranteed as reimbursement if the purchase of voting machines is not formally approved by the end of 2019. Governor Wolf’s administration is actively working on a potential bond issue to cover 60% of the cost for new machines. Also note, failure to comply by the end of this year poses the risk of missing out on a percentage of that potential funding. All certified election vendors had an opportunity to submit proposals to Mifflin County. Three were invited to provide a local demonstration. Given the time constraint we are under, and to comply with the Governor’s directive, Mr. Swanger has asked for a motion and vote on a purchase of Mifflin County’s next generation of voting equipment.*

*Motion was made by Commissioner Postal to approve the proposal from ES&S (Election Systems and Software) for \$266,310.00 with equipment to be delivered and training to occur prior to the November election.*

*Chairman Kodish stepped from chair to second the motion.*

*Commissioner Dunkle protests the mandate issued by Governor Wolf and his administration and will vote against this motion. The State is working on funding to cover roughly 60% of the cost of the new equipment. The County will be responsible for paying the cost upfront and is not guaranteed to receive the reimbursement from the State. He reminded the audience that when the Commissioners voted on a Resolution last year on November 29, he indicated he would support the initiative only if the State provided full funding. He agrees that Counties that don’t have a verifiable, auditable paper trail should purchase new equipment to ensure the integrity of the election. He applauded the work of the Election Director, Zane Swanger for keeping the Commissioners informed about events surrounding this issue.*

*Commissioner Postal agreed with Commissioner Dunkle but feels we’ve been put in a position similar to that of other Counties around us in that if we want to have the new machines in place for the November election, we must proceed. He feels there is little to be gained by waiting, so he will reluctantly vote in favor of this item.*

*Chairman Kodish also agrees with Commissioner Dunkle that when the State acted imprudently to the legal settlement causing this fiasco without giving consideration to Counties that already had voting machines that addressed the pertinent concerns. If we don’t purchase new machines, we risk that the Department of State will decertify the machines, leaving us to have to hand count each and every ballot cast. We need to act now to ensure the new machines are in place prior to the 2020 Presidential primary and to obtain the highest possible level of reimbursement. In principle he disagrees with the position the Governor has put Counties in but he has a public duty to make the most prudent decisions for Mifflin County.*

*Commissioner Dunkle mentioned the total cost to Mifflin County aside from the reimbursement received would be close to \$115,000.00. He also commented that as he understands it, we could possibly lose federal funding if we don’t act in 2019, it does not say we definitely would lose it.*

<i>Vote on the motion:</i>	<i>Commissioner Postal -</i>	<i>Yes</i>
	<i>Commissioner Dunkle -</i>	<i>No</i>
	<i>Chairman Kodish -</i>	<i>Yes</i>

*The motion passed 2-1.*

B. Request for exoneration of 2019 county portion per capita taxes:

- Armagh Township Tax Collector Linda Marks – 5
- Union Township Tax Collector Herb Zook – 2

Motion was made by Commissioner Postal to approve the requests for exoneration. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

C. Amending the action taken on July 3, 2019 to exonerate Granville Township Tax Collector Billi Weaver from collecting 2019 per capita tax bills as presented (76) – corrected total 75

Motion was made by Commissioner Postal to amend the action taken on July 3, 2019 to exonerate Granville Township Tax Collector Billi Weaver from collecting 2019 per capita tax bills as presented (76) – corrected total 75. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

D. Request for refund of a portion of the 2018 and 2019 County real estate taxes:

- Parcel No. 03,03-0310B located in Lewistown Borough – reduction granted through Mifflin County Assessment Appeals - \$12,428.21

Motion was made by Commissioner Postal to approve a request for refund of a portion of the 2018 and 2019 County real estate taxes. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

E. Request for refund of a portion of the 2013 through 2018 County real estate taxes:

- Parcel No. 18,05-0146 located in Menno Township - error in the calculation - \$413.25

Motion was made by Commissioner Dunkle to approve the request for refund of a portion of the 2013 through 2018 County real estate taxes. Commissioner Postal seconded the motion. The motion was unanimously approved.

F. Offer for Parcel No. 18,02-0105C-,000 located in Menno Township that is currently in repository for unsold properties - \$50.00

Motion was made by Commissioner Postal to approve the offer for Parcel No. 18,02-0105C-,000 located in Menno Township that is currently in repository for unsold properties - \$50.00. Commissioner Dunkle seconded the motion. The motion was unanimously approved.

Commissioner Postal pointed out this is a program the Commissioner have started for blight remediation and have targeted the repository list as first priority.

G. Application for the Adult Treatment Court Grant for the period October 1, 2019 through September 30, 2021 - \$150,000.00

Mr. Harpster mentioned this is the Adult Treatment Court Grant from PCCD that is applied for every two years. This will pay for the treatment court program for adult offenders who have severe drug and alcohol problems. This is a continuation of our current program.

*Motion was made by Commissioner Postal to approve the application for the Adult Treatment Court Grant for the period October 1, 2019 through September 30, 2021 - \$150,000.00. Commissioner Dunkle seconded the motion. The motion was unanimously approved.*

*H. Ordinance No. 3 of 2019 authorizing the County of Mifflin to enter into intergovernmental cooperation agreements with municipalities for structurally deficient bridge projects to be funded up to ninety percent of eligible costs by the Mifflin County Bridge Replacement and Rehabilitation Program.*

# ***THE COUNTY OF MIFFLIN, PENNSYLVANIA***

## ***ORDINANCE NO. 3 OF 2019***

***AN ORDINANCE AUTHORIZING THE COUNTY OF MIFFLIN TO ENTER INTO INTERGOVERNMENTAL COOPERATION AGREEMENTS WITH THE HEREINAFTER-NAMED MUNICIPALITIES FOR EACH MUNICIPALITY TO IDENTIFY STRUCTURALLY DEFICIENT BRIDGES WITHIN THEIR RESPECTIVE MUNICIPALITY AS PROJECTS TO BE FUNDED UP TO NINETY PERCENT (90%) OF ELIGIBLE COSTS BY THE MIFFLIN COUNTY BRIDGE REPLACEMENT AND REHABILITATION PROGRAM.***

*WHEREAS, pursuant to the Intergovernmental Cooperation Act, 53 Pa.C.S. §2301, et seq., a local government may enter into intergovernmental cooperation with, or delegate any functions, powers, or responsibilities to, one or more other local governments upon the passage of an ordinance by its governing body; and*

*WHEREAS, Mifflin County has established the Mifflin County Bridge Replacement and Rehabilitation Program under which a municipality may apply for up to ninety-percent (90%) county funding to replace or rehabilitate structurally deficient bridges identified by the authorized body of each respective municipality; and*

*WHEREAS, Mifflin County will enter into agreements with the following municipalities in an effort to improve safe and efficient travel within each municipality: Armagh Township, Brown Township, Decatur Township, Derry Township, Granville Township, Menno Township, Oliver Township, Union Township, and Wayne Township; and*

*WHEREAS, the Board of Commissioners of Mifflin County desire to enter into the aforementioned agreements as a part of the Mifflin County Bridge Replacement and Rehabilitation Program.*

*NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Commissioners of the County of Mifflin, Pennsylvania, by virtue of the power and authority vested in same, as follows:*

- 1. The Board of Commissioners of the County of Mifflin (hereinafter "County") may enter into an intergovernmental cooperation agreement as a part of the Mifflin County Bridge Replacement and Rehabilitation Program (hereinafter "Bridge Program"), with the following municipalities: Armagh Township, Brown Township, Decatur Township, Derry Township, Granville Township, Menno Township, Oliver Township, Union Township, and Wayne Township.*

2. *Each individual agreement with the aforesaid municipality or municipalities are specifically incorporated herein by this reference as if the same were more fully and severally set forth at length.*
3. *The provisions of this Ordinance are severable and should any of its provisions be determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared to be the intention of the Board of Commissioners of the County of Mifflin that this Ordinance would have been adopted if such invalid or unconstitutional provisions had not been included.*
4. *All ordinances or parts of ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict herewith.*

*This Ordinance shall take effect immediately.*

*Motion was made by Commissioner Postal to approve Ordinance No. 3 of 2019. Commissioner Dunkle seconded the motion. The motion was unanimously approved.*

*I. Intergovernmental Cooperation Agreements for Bridge Replacement and Rehabilitation Program*

- *Derry Township*
- *Wayne Township*
- *Union and Menno Townships*

*Motion was made by Commissioner Dunkle to approve the Intergovernmental Cooperation Agreements for the Bridge Replacement and Rehabilitation Program. Commissioner Postal seconded the motion. The motion was unanimously approved.*

*Commissioner Postal added there will be additional agreements coming to the Commissioners regarding bridges in other municipalities.*

*J. Fire Alarm Inspection Agreement with Berkshire Systems Group, Inc. for the period September 1, 2019 through August 31, 2022 - \$1,272.00 per year*

*Mr. Griffith indicated this is for the main courthouse. It is for the fire alarms and smoke detectors for a period of three years with no rate changes. Also, in the terms of the agreement there will be no automatic rollovers. This will include bi-annual inspections.*

*Motion was made by Commissioner Postal to approve the Fire Alarm Inspection Agreement with Berkshire Systems Group, Inc. for the period September 1, 2019 through August 31, 2022 - \$1,272.00 per year. Commissioner Dunkle seconded the motion. The motion was unanimously approved.*

*K. Applications for County Aid – 2019 Liquid Fuels Allocation:*

- *McVeytown Borough - \$1,000.00*

*Motion was made by Commissioner Dunkle to approve the applications for County Aid – 2019 Liquid Fuels Allocation. Commissioner Postal seconded the motion. The motion was unanimously approved.*

*L. Personnel:*

- *Hiring of Alan Kratzer for Deputy Coroner effective September 1, 2019*

- *Promotion of Erika Rowland from Caseworker I to Caseworker II in the Children and Youth Department effective September 1, 2019*
- *Transfer of Brittany Peck from full-time to part-time Sheriff Deputy effective August 30, 2019*
- *Transfer of Scott Hargenrader from part-time to full-time Sheriff Deputy effective September 3, 2019*
- *Hiring of part-time Corrections Officer Steawna Long effective September 16, 2019*

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

***IX. Adjournment:***

*With no other business on the agenda, Chairman Kodish adjourned the meeting at 10:12 a.m.*

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*Secretary*

***ATTEST:***

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*Chief Clerk*