

Lewistown, PA

December 21, 2017

The Board of Mifflin County Commissioners met for their Regular Meeting on Thursday, December 21, 2017 at 9:00 a.m. In attendance were Commissioners Kevin Kodish, Stephen Dunkle and Robert Postal, Jr.; Solicitor Stephen Snook; Chief Clerk Cathy Romig and Fiscal Affairs Assistant Angela Shuey.

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

Guests present: Commissioner's Office Liaison Patty Wilson; Director of Fiscal Affairs Lauren Mowry; Director of Tax Services Harry Clever; Chief Probation Officer Todd Harpster; County Auditor Helen Kirk and Reverend James Thomas, Lewistown Presbyterian Church.

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

I. Invocation: *The Invocation was given by Reverend James Thomas of Lewistown Presbyterian Church.*

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 December 7, 2017. Commissioner Postal seconded the motion. The motion was unanimously approved.

IV. Approval of Bills:

1. General Fund, Accounts Payable:

Cks. #117159 to 117328 and EFTs # 23639-23648 in the amount of \$477,246.44

2. Payroll Account

Cks. #78051 to 78071 and Direct Deposit Advices #16746 to 16977 in the amount of \$331,817.21

3. CDBG Account

Cks. #1367 - 1371 in the amount of \$141,762.68

4. 911 Account

Cks. #51435 to 51445 and EFTs #20405 to 20411 in the amount of \$15,234.20

5. LEPC Account

Cks. #1402 - #1403 in the amount of \$450.40

6. Liquid Fuels Account:

Ck. #1649 in the amount of \$215,047.65

7. Liquid Fuels Act 89 Account:

Ck. #8062 in the amount of \$83,001.79

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:

No Treasurer's Report was presented.

VI. Meetings and Events:

Chairman Kodish: *Library Board*
Regional Services Corporation Executive Committee
Regional Services Corporation Board
Court Security Committee
MCIDA Board
Juniata River Valley Tourism Board
JVBDS Joinder Board
Regional Services Corporation Personnel Committee

Commissioner Dunkle: *Department Head Meeting*
Mifflin County Airport Authority
MCIDA Board
WIB/LEO Board
Soil Conservation District
JVBDS Joinder Board
CJAB – re-entry of prisoners
Various internal department meetings

Commissioner Postal: *Communities That Care Leadership*
Court Security
Operation Fairness update
JVBDS Executive Board
Juniata River Valley Visitors Bureau
Joint Rail Authority conference call
SEDA-COG Natural Gas Cooperative
Redevelopment Authority
Focus Central Pennsylvania
DLI Board of Directors Meeting
CCAP - Appointed to the Community and Economic
Development Committee

VII. Public Comment:

None to report.

VIII. New Business:

A. Request for exoneration of 2017 county portion per capita taxes

- Brown Township Tax Collector Cheryl Hartzler – 24*
- Wayne Township Tax Collector Mary Ellen Reed – 14*
- Armagh Township Tax Collector Linda Marks – 2*

Motion was made by Commissioner Dunkle to approve the Requests for Exoneration of 2017 per capita taxes. Seconded by Commissioner Postal. The motion was unanimously approved.

B. *Request for exoneration of 2017 county real estate tax bills and relieve the tax collectors from collecting these bills:*

- *Parcel No. 04,05-128 located in Lewistown Borough – Parcel approved for Military exempt status - \$431.20*
- *Parcel No. 16,16-937 located in Derry Township – Parcel approved for Military exempt status - \$890.40*
- *Parcel No. 16,19-616 located in Derry Township – Parcel approved for Military exempt status - \$342.40*
- *Parcel No. 15,22-110 located in Decatur Township – Parcel approved for Military exempt status - \$603.20*

Motion was made by Commissioner Postal to approve the Requests for Exoneration. Seconded by Commissioner Dunkle. The motion was unanimously approved.

C. *Request for County Aid – 2017 Liquid Fuels Allocation*

- *Menno Township - \$2,912.44*
- *Kistler Borough - \$1,000.00*
- *Burnham Borough - \$2,061.68*
- *Newton Hamilton Borough - \$1,000.00*
- *McVeytown Borough - \$1,000.00*
- *Oliver Township - \$3,317.67*
- *Decatur Township - \$5,174.17*
- *Union Township - \$4,664.46*
- *Juniata Terrace Borough - \$1,000.00*

Motion was made by Commissioner Postal to approve the Requests for County Aid. Seconded by Commissioner Dunkle. The motion was unanimously approved.

D. *Project Modification Request for the Intermediate Punishment Grant – requesting an additional \$16,505.00*

Mr. Harpster stated that this is a two-year grant for the CIP Grant. The first year ended in July and if there is extra money left over, it is available to the existing grant. For us, the amount is \$16,505.00. This will be used for partial salary and programming through June when the new grant will begin.

Motion was made by Commissioner Postal to approve the Project Modification Request. Seconded by Commissioner Dunkle. The motion was unanimously approved.

E. *Purchase of Service Agreement with Mackenzie Veet, Bellefonte, PA to provide assistance with caseworker duties at the Children and Youth Office at a rate of \$23.00 per hour.*

Motion was made by Commissioner Postal to approve the Purchase of Service Agreement with Mackenzie Veet. Seconded by Commissioner Dunkle. The motion was unanimously approved.

F. *Bids for 2018 Tax Revenue Anticipation Loan (TRAN):*

- *Juniata Valley Bank – 2.58% Taxable*
- *Kish Bank – 2.99% Taxable*
- *First National Bank – 2.90% Taxable*
- *Northwest Bank – 2.39% Taxable*

Motion was made by Commissioner Postal to accept the low bid of Juniata Valley Bank. Seconded by Commissioner Dunkle. The motion was unanimously approved.

Commissioner Postal went on to say that while Juniata Valley Bank doesn't have the lowest rate, it also doesn't come with attached conditions that the other Institutions required.

Ms. Mowry elaborated that Northwest Bank, the lowest bidder, required the County to deposit \$2.5 Million into a non-interest bearing account. The amount of interest forfeited by doing this would have been several thousand dollars. While some of the Institutions required processing fees for this TRAN, Juniata Valley Bank requires no up-front fees.

Chairman Kodish added that for the last three to four years, we have not drawn any money on the TRAN account. We go through this process in case we would need to draw, but our plan is not have to do that. We will not go with the Bank showing the lowest rate because of the additional conditions set forth.

G. Note Resolution No. 36 of 2017 authorizing the issuance of a tax and revenue anticipation note

COUNTY OF MIFFLIN

(Pennsylvania)

NOTE RESOLUTION NO. 36 OF 2017

AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES 2018 WITH THE TERMS SET FORTH IN THE FOREGOING AND ATTACHED CERTIFICATE AND TRANSMITTAL; APPROVING A FORM OF NOTE; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE NOTE; AUTHORIZING AND DIRECTING THE FILING OF PROCEEDINGS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; PROVIDING FOR THE PAYMENT AND SECURITY OF THE NOTE; MAKING CERTAIN FEDERAL INCOME TAX COVENANTS IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL OF THE JUNIATA VALLEY BANK FOR THE PURCHASE OF THE NOTE; AND REPEALING INCONSISTENT RESOLUTIONS.

WHEREAS, the above-named County, duly organized and subsisting as a political subdivision of the Commonwealth of Pennsylvania (the "Local Government Unit") anticipates the receipt of both current taxes and current revenues during the fiscal year ending December 31, 2018; and

WHEREAS, the Local Government Unit desires to borrow for the purpose of meeting current expenses by issuing a note, to be repaid, inter alia, from those taxes and revenues, all in accordance with the Local Government Unit Debt Act (the "Debt Act"), as codified by the Act of December 19, 1996, P.L. 1158, No. 177, as amended; and

WHEREAS, as required by Section 8126 of the Debt Act, the Chief Legislative Officer and/or the Chief Administrative Officer, or their duly elected and acting successors on the Governing Body, with properly delegated authority (the "Designated Officers") of the Local Government Unit have, not more than thirty (30) days before this date on which this Note Resolution is being adopted and furthermore hereby confirmed on this date, made an estimate, from taxes now levied and assessed and from other budgeted revenues, of the taxes and revenues to be received and the expenditures to be made during the period when such note will be outstanding and have certified that estimate by a duly executed document (the "Certificate as to Collections and Expenditures"); and

WHEREAS, The Juniata Valley Bank (the "Purchaser") has submitted an acceptable proposal (the "Proposal") for the purchase of the Local Government Unit's Note;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body as follows:

Section 1 – Authorization. The Local Government Unit hereby authorizes the issuance of a tax and revenue anticipation note in the principal amount and with the specific terms (the "Note") stated in the foregoing and attached Certificate and Transmittal to the Department of Community and Economic Development.

Section 2 – Form. The Note shall be designated "Tax and Revenue Anticipation Note, Series 2018." The Note shall be in the form of a single instrument, in a denomination equal to the maximum principal amount of the series. The Note shall bear interest at the applicable interest rate stated in the Proposal on the principal amount advanced and only from the date of (each) actual advance of funds, to the maturity date (or redemption date), payable at maturity (or redemption date).

The Note shall be subject to redemption prior to maturity, in accordance with the Proposal as set forth by the Purchaser, shall be in registered form, without coupons, shall be negotiable, shall be dated the date of delivery, and shall be payable as to principal and interest on December 31, 2018 (unless subject to earlier redemption or prepayment), upon presentation by the owner at the office of the Local Government Unit, in such coin or currency of the United States of America as shall be legal tender for the payment of public and private debts at the time and place of payment.

The exact form of the Note shall contain an unconditional promise to pay the principal of and interest on the Note to the owner when due, shall pledge, and grant a security interest in, the taxes and revenues of the Local Government Unit to be received during the period that the Note is outstanding to the payment of the Note, shall recite the valid issuance of the Note under the Debt Act pursuant to proper corporate authority, shall prohibit personal recourse against officials of the Local Government Unit and shall certify proper achievement of all conditions precedent to the issuance of the Note.

Section 3 – Execution and Delivery. The Note shall be executed by the Chief Legislative Officer of the Governing Body and shall have the corporate seal (or a facsimile thereof) of the Local Government Unit affixed thereto or printed thereon, duly attested by the Chief Administrative Officer. To the extent that any one signature on the Note is manual, the other signatures may be facsimile. The Designated Officers are further authorized and directed to deliver the Note to the Purchaser, upon the terms and conditions hereinafter and in the Proposal provided, receive the proceeds therefor, execute and deliver such certificates and other closing and financing documents (including, but not limited to, a loan agreement, if necessary), and take such other action as may be necessary or appropriate in order to effectuate the proper issuance, sale and delivery of the Note and to evidence the loan of funds thereunder. The Chief Legislative Officer of the Governing Body, Chief Administrative Officer of the Governing Body and/or Financial Manager of the Local Government Unit are hereby authorized to execute from time to time any requisition(s) as may be required for the advance of funds under the Note.

Section 4 -- Filing. The Designated Officer is hereby authorized and directed to certify and transmit copies of this Note Resolution, the Proposal and the Certificate as to Collections and Expenditures (which includes a calculation of the cumulative cash flow deficit), the contents of which are hereby approved, with the Department of Community and Economic Development of the Commonwealth of Pennsylvania.

Section 5 – Security. As security for payment of the Note, the Local Government Unit pledges and grants to the Sinking Fund Depository for the benefit of the owners, from time to time, of the Note, on an equal and ratable basis, a first lien and charge on, and security interest in, all of the taxes, revenues, accounts and general intangibles, including "Total Revenues" as defined in the Local Government Unit Debt Act, to be received during the period that the Note will be outstanding, together with taxes, revenues, accounts and general intangibles, including Total Revenues to be received during fiscal years subsequent to the year during which the Note is issued, in the event the Local Government Unit defaults on the payment of principal or interest on the Note.

The Designated Officer is hereby authorized and directed to cause to be filed a financing statement pursuant to the Uniform Commercial Code to perfect the security interest hereby created. All expenses of such filing shall be borne by the Local Government Unit.

In the event of any default on the Note or hereunder, the Local Government Unit agrees to pay the reasonable expenses of the Purchaser (including court costs and attorney's fees) incurred in collecting the amounts due.

Section 6 – General Obligation. The Note issued pursuant to this Note Resolution shall be a general obligation of the Local Government Unit. The Local Government Unit hereby covenants with the owners from time to time of the Note that if funds are not available for the full payment of the Note within the fiscal year in which issued, then the Local Government Unit will either (1) include the amounts necessary to pay the Note in its budget for the next fiscal year, pursuant to Section 8125 of the Debt Act, to the extent then permitted by applicable law; (2) fund such amounts within the next fiscal year in accordance with Sections 8129 and 8130 of the Debt Act; or (3) provide for payment of the Note by any combination of (1) and (2), in all events, upon notice to and with the consent and agreement of the Purchaser.

Section 7 – Reserved

Section 8 – Award. The Note is hereby awarded and sold at private sale by negotiation to the Purchaser, at 100% of the principal amount advanced, in accordance with the Proposal as set forth in the foregoing and attached Certificate and Transmittal, which, as presented at this meeting, is hereby accepted and directed to be executed by the Designated Officers. The Local Government Unit shall not be obligated for any Bank fees.

Section 9 – Costs. All notice, filing and legal fees properly incurred in connection with issuance of the Note will be paid by the Local Government Unit. The Designated Officers are hereby authorized and directed to pay all such reasonable expenses at the time of Settlement on the Note.

1. Section 10 – Note Resolution a Contract. This Note Resolution is a contract with the owners, from time to time, of the Note.

Section 11 – Inconsistent Actions. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.

DULY ADOPTED at, and recorded in the minutes of, a properly constituted meeting of the Governing Body of the Local Government Unit held on the 21st day of December, 2017.

Motion was made by Commissioner Dunkle to approve Note Resolution No. 36 of 2017. Seconded by Commissioner Postal. The motion was unanimously approved.

H. Application for Mifflin County to encumber liquid fuels - \$30,000.00 – bridge maintenance

Motion was made by Commissioner Postal to encumber Liquid Fuels. Seconded by Commissioner Dunkle. The motion was unanimously approved.

I. Reappointments to the Alert and Advisory Committee for two-year terms:

- *Shari Spicher*
- *Scott Mauery*
- *Craig Weston*
- *Terry Beers*
- *Eric Howell*
- *Marc Chesney*
- *Patrick Shoop*
- *Brian Anders*
- *Bill Beers, Jr.*

Motion was made by Commissioner Dunkle to approve the Reappointments to the Alert and Advisory Committee. Seconded by Commissioner Postal. The motion was unanimously approved.

J. Personnel:

- *Resignation of Stacey Leach from Caseworker in the Children and Youth Office effective December 31, 2017*
- *Resignation of Travis McCullough from Corrections Food Service Manager effective December 22, 2017*
- *Hiring of Rachel Jimenez for Caseworker I in the Children and Youth Office effective December 18, 2017*
- *Promotion of Laurie Kozak to Chief Sheriff Deputy effective January 1, 2018*
- *Promotion of Joshua Garver to Warden effective January 1, 2018*
- *Resignation of Linsey Landis from Sheriff Deputy effective December 31, 2017*
- *Hiring of Brittany Searer for Sheriff Deputy effective January 8, 2018*
- *Resignation from Kim Snook from part-time cook at the correctional facility effective December 15, 2017*
- *Promotion of Travis Reik from Sergeant to Lieutenant at the correctional facility effective January 7, 2018*

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

IX. Adjournment:

With no other business on the agenda, Chairman Kodish adjourned the meeting at 9:15 a.m.

Secretary

ATTEST:

Chief Clerk