

WEDNESDAY, FEBRUARY 8, 2012:

The Adams County Board of Commissioners met this date in regularly scheduled session at 9:02 a.m. in the Ceremonial Courtroom with Board Chairman Randy L. Phiel presiding. The following were in attendance: Commissioners James E. Martin and Marty Karsteter Qually; Solicitor John M. Hartzell; Albert Penksa, County Manager; Controller Steve Renner; Beverly Boyd, Prothonotary; Department Directors John Eline, EMS, Melissa Devlin, Finance, Kathy McConaghay, Children & Youth, Barbara Walter, Assessment, Nick Colonna, Planning; William Cameron, Bridge Engineer, Pennoni Associates; Bernard Yannetti, Esq.; Joel Groff, PennDOT District 8; Ben Thomas and Tom Shealer, Cumberland Township; Scott Pitzer; Bob Jackson; Stan Clark; Concerned Citizens of Adams County; News Reporters Jess Haines, *The Gettysburg Times*; Steve Maroni, *Hanover Evening Sun*, ACTV and Chief Clerk Paula V. Neiman.

Pledge of Allegiance

Minutes:

Mr. Martin moved, seconded by Mr. Qually to approve the Minutes of the January 25, 2012 Commissioners Meeting as presented.

Motion carried.

Belmont Bridge Bid Opening:

Chairman Phiel noted this is the place and time publicly advertised to open the sealed proposals for the construction of Adams County Bridge No. 124, Belmont Bridge. The following bids were received, opened and announced:

Allan A. Myers, Inc. Worcester, PA	\$1,057,716.35	Bid Bond
Conewago Enterprises Hanover, PA	\$ 939,000.00	Bid Bond
Deblin, Inc. Mechanicsburg, PA	\$ 978,812.03	Bid Bond
Jay Fulkroad & Sons McAlisterville, PA	\$ 975,708.09	Bid Bond
George S. Hann & Son Ft. Littleton, PA	\$ 913,708.42	Bid Bond
Hempt Bros. Inc. Camp Hill, PA	\$ 994,233.00	Bid Bond
Lobar Site Development Dillsburg, PA	\$ 937,400.10	Bid Bond

These bids will be taken under advisement and reviewed by our Bridge Engineer William Cameron with an Intent to Award issued by March 14, execution of contract by Commissioners by March 28, Notice to Proceed issued to Contractor by April 11 with final completion by January 1, 2013.

Proclamations:

Mr. Qually moved, seconded by Mr. Martin to adopt and proclaim the Month of February 2012 as **“Teen Dating Violence Prevention & Awareness Month”** in Adams County. This proclamation was presented to Melissa Mateson, Education Services at Survivors, Inc.

Motion carried.

Public Comments:

During the 30-minute Public Comment the individual wishing to speak will come forward to the podium to address the Board, state their name and address and will have 5-minutes to give his/her comments related to county business.

- Skip Strayer – Gettysburg Area resident – meeting held at the middle school in August with close to 1,800 people in attendance. Issue was the re-assessment. During the campaign questions were asked, comments were given and addressed. An agreement was signed and he feels was violated. Richard Sanderson was elected to review the COD and he feels he favored 21st Century. Mr. Strayer is requesting the Board to review the work and upon this review notify Judge Kuhn that the County was not able to meet the court ordered 15% and try to rectify it for the citizens of Adams County.
- Paul Kellett – shared documents with the Board. Noted his dissatisfaction with the COD and would like to see information presented to the Court. This re-assessment does not meet Judge Kuhn’s order. It really needs to be corrected.
- Alexandria Escalera, resident of Gettysburg Borough and Peoples Choice Adams – The re-assessment is not over. You need to have this made right. You can make choices to turn this around. Lots of documents showing the county is off on the numbers. It is not over until you or the new Judge does something.

Commissioners:

- Mr. Qually moved, seconded by Mr. Martin to approve the amended 2012 Adams County Budget and Resolution No. 1 of 2012 as follows:

A RESOLUTION OF THE COUNTY OF ADAMS, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING, LEVYING AND SETTING THE TAXES AND TAX RATES ON REAL PROPERTY AND PERSONS FOR FISCAL YEAR 2012, AND AMENDING PREVIOUS BUDGET APPROVED BY ORDINANCE NO. 5 OF 2011 AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE COUNTY GOVERNMENT, HEREINAFTER SET FORTH, DURING SAID FISCAL YEAR.

RESOLUTION NO. 1 OF 2012

WHEREAS, the County of Adams, through the incumbent Board of Commissioners, approved a budget on December 29, 2011 for calendar year 2012, doing so by enacting Ordinance No. 5 of 2011; and

WHEREAS, such action was undertaken pursuant to the requirements of the County Code at 16 P.S. §1782 requiring adoption of a budget, and 16 P.S. §1770 concerning tax levies; and

WHEREAS, the Board of Commissioners taking office on January 1, 2012 took action to open the budget at a public meeting of the Board of Commissioners on January 11, 2012, pursuant to authority contained at 16 P.S. §1782.1; and

WHEREAS, the Board of Commissioners, by action taken at its public meeting on January 25, 2012, approved advertising of an amended budget, posting of an amended budget for public review in the Office of the Chief Clerk to the Board of Commissioners, and tentative amendments to said budget, in accordance with the provisions contained at 16 P.S. §1782.1.

NOW THEREFORE, BE IS RESOLVED, and it is hereby **RESOLVED**, by the County of Adams, Pennsylvania, by its governing body, the duly elected and incumbent Board of County Commissioners, Randy L. Phiel, James E. Martin, and Marty Karsteter Qually, as follows:

1. Real Property Tax: The budget of the County of Adams is hereby amended for the fiscal year 2012, to be follows: that a tax be and the same is hereby levied on all real property within the said County subject to taxation for County purposes for the fiscal year 2012, as follows: Tax rate for general County purposes, 3.7328 mills on each dollar of assessed valuation.

2. Per Capita Tax: That a per capita tax on persons be and the same is hereby levied on all persons subject to taxation for County purposes for the fiscal year 2012, at the rate of Five Dollars (\$5.00) per capita.

3. Special Library Tax: That, pursuant to and in accordance with 24 P.S. §4401, a special tax be and the same is hereby levied on all real property within the said County subject to taxation for County purposes for the fiscal year 2012 at the rate of .1147 mills on each dollar of assessed valuation; all income from such tax shall be used for the support and maintenance of the Adams County Library System, with such sum included within the overall Real Property Tax denoted in paragraph 1, above.

4. Emergency Services Replacement Radio Project: That, pursuant to responsibilities related to the Emergency Telephone Service Act, 35 Pa.C.S. §§5301-5398, there is levied on all real property within the said County subject to taxation for County purposes for the fiscal year 2012 tax at the rate of .181 mills on each dollar of assessed valuation; all income from such tax to be used for funding and support of a replacement Emergency Services Replacement Radio Project, to include bond repayment, project costs, maintenance support, and any other costs related to the Emergency Services Replacement Radio Project, with such sum included within the overall Real Property Tax denoted in paragraph 1, above.

5. Budget Amount: That for the expenses of the County for the fiscal year 2012, the amounts set forth in the County Budget Form, on file and publicly displayed in the Office of the Adams County Commissioners, Adams County Courthouse (Second Floor), Gettysburg, Pennsylvania, as amended by action of the Board of Commissioners at the meeting held on January 25, 2012, and as made available for a period of at least ten (10) days for public inspection, in accordance with 16 P.S. §1782.1, are hereby appropriated from the revenues available for the said fiscal year for the specific purposes set forth therein, which amount are more fully itemized in the County Budget Form (CBF) on file in the Office of the Adams County Commissioners, which Budget Form is hereby made a part hereof and incorporated herein; said Budget being preliminarily modified on January 25, 2012, and formally adopted as modified this February 8, 2012.

6. Repeal of Conflicting Actions: This Resolution, previous Resolutions, or other previous actions of the Board of Commissioners, conflicting with the present Resolution, shall be, and the same is hereby, repealed insofar as the same affects or conflicts with this Resolution.

7. Effective Date: This Resolution shall be effective as of February 8, 2012, for and during the fiscal year 2012.

IN WITNESS WHEREOF, the present Resolution has been duly adopted this 8th day of February 2012 in a duly advertised and convened public session.

ATTEST:

s/s
Paula V. Neiman
Chief Clerk

ADAMS COUNTY COMMISSIONERS

s/s
Randy L. Phiel, Chairman

s/s
James E. Martin, Vice-Chairman

s/s
Marty Karsteter Qually, Commissioner

Motion carried.

- Mr. Qually moved, seconded by Mr. Martin to approve the appointment of Steven W. Renner, Controller as the Chief Administrative Officer for the PA Municipal Retirement System Pension Plan.

Motion carried.

- Mr. Qually moved, seconded by Mr. Martin to approve the Members First Credit Union Visa Account and Resolution No. 3 of 2012 as follows:

A RESOLUTION OF THE COUNTY OF ADAMS, COMMONWEALTH OF PENNSYLVANIA, PROVIDING AUTHORITY FOR THE BOARD OF COMMISSIONERS TO ENTER INTO AN AGREEMENT CONCERNING CREDIT CARD ACQUISITION, AND CONFIRMING THE CORPORATE POWERS OF THE BOARD OF COMMISSIONERS

RESOLUTION NO. 3 OF 2012

WHEREAS, the County of Adams, through the incumbent Board of Commissioners, desires to acquire credit cards for transaction of routine County business matters; and

WHEREAS, pursuant to the County Code, 16 P.S. §203, the corporate power of the County of Adams is vested in the Adams County Board of Commissioners; and

WHEREAS, that power includes, pursuant to 16 P.S. §1701, the carrying out of fiscal affairs, which includes routine business activities, including banking; and

WHEREAS, the Board of Commissioners has the power to enact resolutions, pursuant to the County Code, 16 P.S. §209; and

WHEREAS, the Board of Commissioners desires to document its power to undertake corporate actions on behalf of the County in acquiring such credit cards through this resolution.

NOW THEREFORE, BE IT RESOLVED, and it is hereby **RESOLVED**, by the County of Adams, Pennsylvania, by its governing body, the duly elected and incumbent Board of County Commissioners, Randy L. Phiel, James E. Martin, and Marty Karsteter Qually, as follows:

1. The Board of Commissioners hereby authorizes the County Manager and Chief Clerk to take whatever action is necessary to acquire credit cards in the name of the County and its three Commissioners, the County Manager and Chief Clerk, for routine business transactions.
2. This authority is made under the corporate powers under the County of Adams.
3. Nothing in this Resolution absolves the County government, or any department thereof, from any of the normal business practices and procedures that ensure compliance with statutes, regulations, and other good business practices.
4. Effective Date: This Resolution shall be effective as of February 8, 2012, for and during the fiscal year 2012.

IN WITNESS WHEREOF, the present Resolution has been duly adopted this 8th day of February 2012 in a duly advertised and convened public session.

ATTEST:

s/s
Paula V. Neiman
Chief Clerk

ADAMS COUNTY COMMISSIONERS

s/s
Randy L. Phiel, Chairman

s/s
James E. Martin, Vice-Chairman

s/s
Marty Karsteter Qually, Commissioner

Motion carried.

Tax Assessment:

Recommendation from Barbara Walter, Chief Assessor:

- Mr. Martin moved, seconded by Mr. Qually to approve exoneration of per capita tax for Frances Bowling, Naomi Leagan, Reda Young, all from Oxford Township and Brunetta L. Sibert, Straban Township.

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually to approve the Application for Real Property Tax Exemption filed by the Borough of Arendtsville for Parcel #02006-0074-000 located in Arendtsville Borough for the Borough Offices, Community Rooms and Community Recreational Areas effective December 13, 2011.

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually to table for additional information the Application for Real Property Tax Exemption filed by Diocese of Harrisburg/St. Francis Xavier Church for Parcel #09F11-0142-000 located in Cumberland Township.

Bernard Yannetti, Esq. – Noted the information on the St. Francis exemption has been submitted and the Board needs to take action. Chairman Phiel stated to Attorney Yannetti that the public comment period is over.

Motion carried.

Adams County Industrial Development Authority (ACIDA):

Mr. Martin moved, seconded by Mr. Qually to re-appoint Christine Smith of Conewago Enterprises to the Board of Directors for another five year term beginning September 1, 2011 through August 31, 2016.

Motion carried.

Capital Resource Conservation & Development Area Council, Inc.:

Mr. Qually moved, seconded by Mr. Martin to approve to appoint the following as Board Members to the Capital Resource Conservation & Development (RC&D) Board:

- Jordan Gouker, Member-at-Large, for a three-year term to March 2015
- Commissioner Jim Martin, Alternate, for one year to March 2013
- Fran Koch, Alternate, for one year to March 2013

Motion carried.

Prothonotary:

With recommendation from Prothonotary Beverly Boyd, Mr. Qually moved, seconded by Mr. Martin to approve the Annual Contract Extension for IMR Limited, PO Box 248, Hazelton, PA in the amount of \$11,000.00 for the Full Court License Program. Ms. Boyd noted this will be paid out of the Records Management funds which is a fee charged for document filing. No county funds will be used.

Motion carried.

Adams County Council of Governments:

Mr. Qually moved, seconded by Mr. Martin to approve Resolution No. 2 of 2012 for support of a Department of Community & Economic Development Grant Application for the Adams County Council of Governments. Sharon Hamm, from Straban Township, provided an overview of the project.

RESOLUTION No. 2 of 2012

SUPPPORT FOR THE COUNCIL OF GOVERNMENTS (COG) TO APPLY FOR GRANT FUNDING THROUGH THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

WHEREAS, the Adams County Council of Governments will be undertaking a project to evaluate the emergency service needs of Adams County; and

WHEREAS, the Adams County Board of Commissioners hereby supports the Adams County Council of Governments in their endeavor to obtain funding by applying for a grant through the Department of Community & Economic Development, Municipal Assistance Program; and

WHEREAS, the grant funding will be used for the joint evaluation of the fire and emergency service needs for Adams County, and to assist the COG with proceeding with issuing of the Request for Proposals.

NOW THEREFORE BE IT RESOLVED, that the Adams County Commissioners supports the Adams County Council of Governments in their endeavor to obtain funding from the Department of Community & Economic Development.

IN WITNESS WHEREOF, the present Resolution has been duly adopted this 8th day of February, 2012.

ATTEST:

ADAMS COUNTY COMMISSIONERS

s/s
Paula V. Neiman
Chief Clerk

s/s
Randy L. Phiel, Chairman

s/s
James E. Martin, Vice-Chairman

s/s
Marty Karsteter Qually

Motion carried.

Reports:

Chairman Phiel noted receipt of the 911 Communications Report for the month of January 2012.

Personnel Report:

Mr. Martin moved, seconded by Mr. Qually to approve the Personnel Report as follows:

Adams County Adult Correctional Complex:

Note that we rescinded the employment of Josh Kriner, Corrections Officer, effective January 9, 2012.

Separation of Employment:

- Louis Powell, PT Telecommunicator, effective January 18, 2012
- Robert DeWitt, Jr., PT Telecommunicator, effective January 27, 2012
- David Cargo, Caseworker II, effective February 6, 2012

Motion carried.

Expenditures:

Mr. Martin moved, seconded by Mr. Qually to approve the following expenditures for the period January 20, 2012 through February 3, 2012:

General Fund	\$ 1,815,527.66
911 Fund	\$ 52,005.81
Children & Youth Services	\$ 213,992.89

HazMat Fund	\$	73.68
Liquid Fuels	\$	85,630.06
Law Enforcement	\$	217.26
Act 137	\$	43,592.55
Block Grant	\$	8,404.11
Commissary Fund	\$	3,436.09
Capital Project GO Note 09	\$	129,318.00

Motion carried.

Other Business:

No Other Business was brought before the Board at this time.

Salary Board Meeting:

The Salary Board Meeting will be held immediately following the Commissioners Meeting.

Adjournment:

Mr. Qually moved, seconded by Mr. Martin to adjourn the Commissioners Meeting at 10:00 a.m. this date.

Motion carried.

Respectfully submitted,

Paula V. Neiman
Chief Clerk