

WEDNESDAY, JANUARY 25, 2012:

The Adams County Board of Commissioners met this date in regularly scheduled session at 9:00 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; Treasurer Theresa Adamik; Bob Jackson; Scott Pitzer; Representatives from local Emergency Responders; Department Directors John Eline, EMS, Mary Bowers, Assistant Director, Tom Adair, CAD Coordinator; Kathy McConaghay, Children & Youth; Monica Dutko, Voter Registration, Melissa Devlin, Finance, Philip Swope, Purchasing Coordinator, Nick Colonna, Planning, Anne Thomas, Grants Coordinator, Don Fennimore, Court Administrator, Kelly Koch, Ag Land Preservation; News Reporters Jess Haines, *The Gettysburg Times*; Steve Maroni, *Hanover Evening Sun*, ACTV and Chief Clerk Paula V. Neiman.

Pledge of Allegiance

Moment of Silence:

Chairman Phiel announced a Moment of Silence will be held at this time for Brandon Little, Fallen Firefighter, John R. White, Former Solicitor and Peggy J. Breighner, Former Clerk of Courts.

Minutes:

Mr. Martin moved, seconded by Mr. Qually to approve the Minutes of the January 11, 2012 Commissioners' Meeting as presented.

Motion carried.

Public Comment:

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.

- Mayor Ron Harris, Carroll Valley Borough – President of the Borough's Association. There is only one word – interoperability. He recommends to the Board of Commissioners to approve the radio project.
- Chief Robert Then, Adams Regional Police Department - he stands here not only as a chief of police but also as a taxpayer. It has been a topic of discussion for many years and now a possible reality. The facts: current system is outdated; safety for all residents; it is a lifeline for help. We have analyzed many county systems and the system that is before you is the one that suits Adams County. As a taxpayer I am willing to invest in this system. This may be the most difficult decision this Board will make but moving forward is the best decision.
- Chief Alan Baldwin, Gettysburg Fire Department – On behalf of the 4,000 plus responders we support this system and urge the Commissioners to move forward with this project. He thanked the Commissioners for the courage to move forward.
- Paul Benyeda, Gettysburg – Resident of Adams County and is here to support the radio project.

With no other public comment Commissioner Phiel thanked everyone for their participation and thanked the responders for the fine work they do

in keeping our citizens safe and that is something we want – our citizens to be safe.

Radio Project:

At this time Commissioner Phiel introduced John Eline, Director of Emergency Services. With the assistance of Chief Rick Hileman, they provided an overview of the project. It was noted the length of time involved in studying, visiting and reviewing information, the Radio Working Group recommended Motorola for the system, Alcatel for the equipment and J.G. Contractors for the construction of the towers. A summary of the work performed by the Radio Working Group was available for distribution.

Tom Adair, CAD Coordinator and Brian Malinich, LR Kimble Associates presented an overview of the coverage areas that will be provided. P-25 coverage is required by January 2013 and if not, Adams County has the possibility of losing licenses.

County Solicitor John Hartzell noted the County Code has a stand alone statute known as the Public Safety Emergency Telephone Act which requires every county to have a 911 system. This creates a mandate for the county.

Commissioner Qually complimented and thanked the Radio Working Group for their hard work in this preparation for a new system. We have established the need and the solution. Now the Commissioners need to decide how to fund this project.

Commissioner Martin thanked the responders and policemen for attending our meeting today and the Radio Working Group for their time in preparing the information. The County needs a more effective system and now is the time. It would not be good business decision for the County to keep trying to make the current system work.

Commissioner Phiel noted we tried to find a better and less expense system for our residents. We have done our research and the time is now to make the change for good communication and response. We feel this is the best system. We have been discussing funding options and County Manager Albert Penksa will now present.

Mr. Penksa noted there were few options available – we looked at leasing or purchasing. To lease it would have been a half mill increase in order to pay off the debt quickly. To purchase and borrow over the years would cost more. Another option is to fund construction costs in 2012 and the first 6 months of 2013 with a \$20 million debt. The County will proceed to seek grants to pay for the balance of the equipment. Least expensive way for funding the project would be to fund over 25 years. This represents a .181 tax increase. The current millage is 3.5518 which would change to 3.7328 for the year 2012. I am asking the Board of Commissioners to consider this split funding proposal.

Controller Steve Renner noted he has been reviewing the funding and it is important in any project to develop a financial plan to help pay for the project. He thanked the Commissioners and Al for including him in the discussions and seeking his counsel and advice. He has looked at the projects financial implications, size and scope, estimated costs, project funding, long term borrowing and the impact on the County's credit rating. In conclusion – we understand to delay the project, costs will rise and the implication of a tax increase to pay off the debt. However, we need to move forward with the project and as Controller he will not stop or obstruct this financial project. He will accept and support the Commissioners decision as prudent and reasonable.

Treasurer Theresa Adamik thanked the Commissioners for including her on the financial side of this project. It is important to keep in mind over the past 11 years the County incurred debt on several occasions and never increased taxes to pay the debt back. We would take from the fund balance which put us into a tough financial situation. It is critical if you move forward with this project to increase taxes to pay the debt service. This will put the County in a better financial position to pay the debt and to continue its daily operations.

In conclusion Commissioner Phiel asked his colleagues for any remarks:

Mr. Martin – this was put into our hands by the previous Board along with other debt that had no plans for re-paying. It is now time to act. The cost and risk is too great to put off any longer.

Mr. Qually – this is an essential service to keep our citizens safe. It is a basic work of government and a very good use of county tax dollars.

Mr. Phiel – the Commissioners has studied, listened and agonized over the past month. We questioned in making the right decision for the right reasons for Adams county responders, residents and families. We understand this is a tough decision and will not be popular with everyone. We are all taxpayers. We are dealing with a failing system and it is now time to get this done. We have already begun seeking funding to assist with the cost. He thanked his colleagues for their hard work; he recognized county staff for their hard work and the Radio Working Group for their hard work and endurance.

Commissioner Phiel asked the Board Members if they are ready to proceed with the contracts.

Contract Negotiation Direction

Mr. Martin moved, seconded by Mr. Qually that the Board of Commissioners authorize Solicitor John Hartzell, County Manager Albert Penksa, and John Eline, Director, Adams County Emergency Services, to undertake negotiations with Motorola, Alcatel – Lucent, and J.G. Contractors, for the purpose of developing separate contracts with these three entities for execution at the March 7, 2012 public meeting of the Board of Commissioners, for the development and construction of an 800 MHz emergency public radio system, provided that such contracts reflect mutually agreeable negotiated terms, including the best possible prices for such a system, and subject to successful and approved municipal financing for the system.

Motion carried with unanimous vote.

Action Concerning 2012 Bond Issuance

Mr. Martin moved, seconded by Mr. Qually that the Board of Commissioners direct County Bond Counsel Joseph Pierce, Eckert Seamans, and County Financial Advisor Jay Wenger, Susquehanna Group Advisors, to proceed with preparation for bond issuance for the Emergency Radio Replacement Project, and to prepare all financial forecasts, documents, draft ordinances, and other items necessary for gaining approval of the Pennsylvania Department of Community and Economic Development and rating agencies, with an anticipated date for final bond approval tentatively scheduled for April 4, 2012.

Motion carried with unanimous vote.

Commissioners:

Amending of the 2012 Budget

Mr. Qually moved, seconded by Mr. Martin that the Board of Commissioners, after having formally opened the budget at a publically advertised meeting of the Board of Commissioners held on January 12, 2011, under provisions contained in the County Code, at 16 P.S. §1782.1, hereby modify the budget and levy, so as to increase the tax levy an additional .181 mills, with such additional levy to fund debt and operations of the County Emergency Services Department, with the understanding that this increase will be dedicated to the debt and operations of the new emergency services radio project, with the budget increased by an amount of \$1,638,464 per annum and hereby authorize County Manager Albert Penksa and Chief Clerk Paula Neiman to publically make available for inspection the proposed amended budget at the Office of the County Commissioners, and to publically advertise the same.

Motion carried with unanimous vote.

Planning:

With recommendation from Nick Colonna, Director:

- Mr. Martin moved, seconded by Mr. Qually to approve the re-appointment of John Lerew and William Smith as members of the Adams County Planning Commission Board, effective January 1, 2012 for a four-year term through December 31, 2015.

Motion carried.

NOTE: There remains one (1) vacancy left on the Planning Commission Board.

- Mr. Martin moved, seconded by Mr. Qually to approve the request from Abbottstown Borough for assistance from the Planning Office through the Community Assistance Planning Program in the amount of \$1,364.

Motion carried.

Act 137 Funds:

With recommendation from the Adams County Housing Committee, Mr. Qually moved, seconded by Mr. Martin to approve a grant from the Act 137 Funds to the United Way of Adams County in the amount of \$40,000 to provide emergency rent/mortgage and heating fuel assistance. Ms. Kathy Nelson-Small was present to provide an overview of the program.

Motion carried.

Emergency Shelter Grant Program:

Mr. Qually moved, seconded by Mr. Martin to approve and sign the Emergency Shelter Grant (#C000051746) Program in the amount of \$97,462 effective December 1, 2011 through November 30, 2013. This funding will be utilized by the South Central Community Action Programs, Inc.

Motion carried.

Ag Land Preservation:

With recommendation from Ellen Dayhoff, Director:

- Mr. Qually moved, seconded by Mr. Martin to approve the Re-appointment to the Agricultural Land Preservation Board for a three-year term through December 31, 2014:

Bob Crouthamel, Contractor Member since 2004
Deb Kammerer, Citizen Member since 1999
Wayne Smith, Citizen Member 2008
George Taughinbaugh, Citizen Member 2008

Motion carried.

- Mr. Qually moved, seconded by Mr. Martin to approve and sign for submission to the Pennsylvania Department of Agriculture, Bureau of Farmland Preservation the Certification of County Funds for the 2012 Program Year in the amount of \$258,987.00.

Motion carried.

Voter Registration/Elections:

With recommendation from Monica Dutko, Director, Mr. Martin moved, seconded by Mr. Qually to approve and sign the Certification of County Maintenance of Effort form for submission to the Pennsylvania Department of State. This form is to verify the expenditures of the HAVA funds.

Motion carried.

Accounting & Budget:

With recommendation from Philip Swope, Purchasing Coordinator:

- Adams County Adult Correctional Complex - Mr. Martin moved, seconded by Mr. Qually to approve and sign a Dish Machine Lease Agreement with Ecolab Inc., 370 Wabasha St. N, St. Paul, Minnesota for a two year term in the monthly amount of \$289.95 with a renewal from year-to-year thereafter unless a 60 day written notification from either party.

Motion carried.

- Courthouse – Mr. Martin moved, seconded by Mr. Qually to approve and sign an Agreement with Higher Information Group, 400 North Blue Ribbon Avenue, Harrisburg, PA for shredding services in the amount of \$3,600.00.

Motion carried.

Reports:

Chairman Phiel noted receipt of the Communications Report for the Month of December 2011 and the Annual Report for fiscal year 2011.

Personnel Report:

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

Controller:

Note the appointment of Glenn Hartzel to the position of Temporary Part-time Accounting Assistant, effective January 11, 2012.

Separation of Employment:

- W. Scott Sandusky, Assistant Public Defender, effective January 17, 2012

Motion carried.

Expenditures:

Mr. Martin moved, seconded by Mr. Qually to approve the following expenditures for the period January 6, 2012 through January 20, 2012:

General Fund	\$ 1,743,836.98
911 Fund	\$ 175,324.05
Children & Youth Services	\$ 106,449.09
HazMat Fund	\$ 206.10
CDBG	\$ 2,200.00
Emergency Shelter	\$ 2,441.94
Act 137	\$ 11,700.00
HOME Grant	\$ 5,935.00

Motion carried.

Other Business:

Solicitor Hartzell
Commissioner Qually
Commissioner Martin
Commissioner Phiel

Salary Board Meeting:

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

Adjournment:

Mr. Qually moved, seconded by Mr. Martin to adjourn the Commissioners Meeting at 11:05 a.m. this date.

Motion carried.

Respectfully submitted,

Paula V. Neiman
Chief Clerk