

WEDNESDAY, MAY 29, 2013:

The Adams County Board of Commissioners met this date in regularly scheduled session at 9:05 a.m. in the Ceremonial Courtroom with Chairman Randy L. Phiel presiding. The following were in attendance: Commissioners James E. Martin and Marty Karsteter Qually; John Hartzell, Solicitor; Kurt Behn, Assistant Solicitor; Albert Penksa, County Manager; Steve Renner, County Controller; Sue Cohick, Children & Youth Administrator; Sherri DePasqua, Children & Youth Assistant Administrator; Nick Colonna, Planning & Development Director; Matt Stough, West Nile Virus Technician; Beth Cissel, Deputy Controller; Don Fennimore, Court Administrator; Neil Burkholder, Probation Services Director; Cindy Keeney, Director Victim Witness; Candi Clark, Human Resources; Brynn Seidenstricker, Human Resources Intern; Adams County Economic Development Corp. representatives Robin Fitzpatrick, Director and Kaycee Kemper; Donna Kriser, Bond Council, McNees Wallace & Nurick; County Citizens: Jim Behm and Stan Clark; News Reporters: Jarrad Hedes, *The Gettysburg Times*, and Tad Taborn, *Hanover Evening Sun* and Chief Clerk Paula Neiman.

Pledge of Allegiance

Minutes:

Mr. Martin moved, seconded by Mr. Qually to approve the Minutes of the May 15, 2013 Commissioners' Meeting as presented.

Motion carried.

TEFRA Public Hearing – Gettysburg College Bond Issue:

Chairman Phiel called to order the Public Hearing at 9:05 a.m. Chairman Phiel turned the meeting over to Solicitor Hartzell who provided an overview of the reason for holding a TEFRA Hearing. At this time the Hearing was turned over to Gary Hartman, the Solicitor for the Adams County Industrial Development Authority.

Solicitor Hartman introduced Donna Kreiser, Bond Counsel from McNees Wallace & Nurick LCC. Ms. Kreiser noted, on behalf of Gettysburg College, their interest in refunding certain bonds and issues of 2008 and in doing so this Hearing is required by the tax code. Ms. Kreiser mentioned that this refinancing in no way constitutes debt to the County. Ms. Christine Hartman, a representative from the College noted they are pursuing this refinancing as a cost savings for the college and will answer any questions from the Board of Commissioners or the public.

At this time Chairman Phiel called for public comment. The record shall show that there was no public comment to be received on this project. Solicitor Hartzell reviewed the Resolution that was provide and it does not obligate any finance by the County.

With recommendation from Solicitor Hartzell for the Board of Commissioners, Mr. Qually moved, seconded by Mr. Martin to approve, pursuant to the hearing conducted May 29, 2013, to approve the project proposed by Gettysburg College for the refinancing of bonds for various projects.

RESOLUTION No. 4 OF 2013

APPROVING THE REFINANCING OF CERTAIN OBLIGATIONS OF GETTYSBURG COLLEGE, WHICH FINANCED CERTAIN FACILITIES OF THE COLLEGE LOCATED IN ADAMS COUNTY

WHEREAS, the Adams County Industrial Development Authority (the "Authority") is a body corporate and politic organized and existing under the Pennsylvania Economic Development Financing Law, Act of August 23, 1967, as

amended (the "Act") by the Board of Commissioners (the "County Commissioners") of the County of Adams, Pennsylvania (the "County"), for the purpose of undertaking projects of the kind and character authorized and permitted by, and also as limited by, provisions of the Act; and

WHEREAS, Gettysburg College (the "Borrower") has represented to the Authority that it is a Pennsylvania not-for-profit corporation and an organization described in Section 501(c) (3) of the United States Internal Revenue Code of 1986, as amended; and

WHEREAS, at the request of the Borrower, the Authority intends to undertake pursuant to the Act a project (the "Project") consisting generally of the (a) current refunding of the outstanding Gettysburg College Revenue Bonds, Series of 2008A (Fixed Rate) issued by the Authority in connection with the undertaking of certain capital projects of the Borrower; (b) the payment, if applicable, of capitalized interest on the bonds and the funding of any necessary reserve fund(s) for the bonds; and (c) the payment of all or a portion of the costs of issuance of the bonds; and

WHEREAS, the Borrower has requested that the Authority issue up to \$20,000,000 in aggregate principal amount of bonds to be designated as its Gettysburg College Revenue Bonds, Series 2013 (the "Bonds"), estimated to be sufficient to provide for the Project; and

WHEREAS, the project facilities being financed or refinanced with the proceeds of the Bonds are or will be located on campus of the Borrower, in the Borough of Gettysburg, Adams County, Pennsylvania (with a mailing address of Gettysburg College, Gettysburg, Pennsylvania 17325);

WHEREAS, the Authority has authorized the issuance of the Bonds pursuant to a Resolution duly adopted by the Authority on May 16, 2013, subject to approval of the Project by this Board of County Commissioners (the "Board"); and

WHEREAS, the approval by this Board, as evidenced by this Resolution, will enable the Authority to finance the Project without imposing any liability on the County of Adams or its citizens or taxpayers with respect to the Bonds; and

WHEREAS, this Board has conducted a public hearing (the "TEFRA Hearing") as required by and in accordance with Section 147(f) of the United States Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the TEFRA Hearing, after due and proper advertisement thereof being duly given according to law, was held on May 29, 2013;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF ADAMS, PENNSYLVANIA, as follows:

1. The Project and the issuance of the Bonds to finance the costs thereof are hereby approved, it being understood that such approval shall not, directly or indirectly, obligate the taxing power of the County or otherwise obligate the County in any way whatsoever. Such approval is given for the purpose of complying with the provisions of the Act and the Code relating to the undertaking of the Project by the Authority.

2. The County Commissioners hereby approve pursuant to Section 147(f) of the Code the financing of the Project and costs related thereto in connection with the issuance of the Bonds proposed by the Authority.

3. The proper officers and representatives of the County are hereby authorized, directed and empowered on behalf of the County to execute any and all documents and to do or cause to be done any and all acts and things necessary or proper for the carrying out of the purposes of this Resolution, including, but not limited to, the approval of the issuance of the Bonds.

RESOLVED BY THE BOARD OF COMMISSIONERS, COUNTY OF ADAMS,
PENNSYLVANIA

ATTEST:

_____/s/
Paula V. Neiman, Chief Clerk

By: _____/s/
Randy L. Phiel, Chairman

By: _____/s/
James E. Martin, Vice-Chairman

(SEAL)

By: _____/s/
Marty Karsteter Qually, Commissioner

Dated: May 29, 2013

Motion carried.

The Public Hearing adjourned at 9:12 a.m. this date.

Commissioners Meeting Reconvened:

Chairman Phiel reconvened the Commissioners Meeting at 9:12 a.m. this date.

Presentation:

Chairman Phiel introduced Matt Stough, West Nile Virus Technician. Mr. Stough provided an update and overview of the West Nile Virus program that is currently being conducted by the Adams County Conservation District.

Public Comment:

There was no Public Comment addressed to the Board at this time.

Children & Youth Services:

With recommendation from Sue Cohick, Administrator, Mr. Martin moved, seconded by Mr. Qually to approve Purchase of Service Provider Contracts & Amendments for 2012-2013 (see Contract for per diems) as follows: Bethany Christian Services; National Mentor dba PA Mentor; Pressley Ridge.

Motion carried.

Commissioners:

- With recommendation from Albert Penksa, County Manager: Mr. Qually moved, seconded by Mr. Martin to approve Susquehanna Group Advisors, Inc. amendment to the original agreement dated July 27, 2011 to provide technical accounting assistance and advice to the County, effective through December 31, 2013.

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually to approve the Proposal Supplement for engineering services with Pennoni Associates, Inc. regarding the 2012-2013 Bridge Maintenance Project to include the repair of nine (9) county owned structurally deficient bridges and to apply funds from Act 13 Marcellus Legacy Fund.

Motion carried.

Probation Services:

- With recommendation from Neil Burkholder, Director: Mr. Qually moved, seconded by Mr. Martin to approve and sign the 2013 LSCMI (Risk/Needs Assessment) Training Contract between the County of Adams and Larry G. Chatterton with an estimate cost for training and travel at \$6,905 which has been budgeted and covered under the Intermediate Punishment/Electronic Monitoring Grant.

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually to approve the DUI Instructor Contract between the County of Adams and Sara Heilman for eight (8) DUI classes beginning in August 2013 through December 2013 at \$55.00/hour. These classes will be paid by the participants of the program.

Motion carried.

Victim Witness:

With recommendation from Cindy Keeney, Director, Mr. Qually moved, seconded by Mr. Martin to approve and sign the Victims of Juvenile Offenders (VOJO) Grant Funding Application for submission to the Pennsylvania Commission on Crime & Delinquency in the amount of \$15,067, effective July 1, 2013 through June 30, 2014.

Motion carried.

Planning:

With recommendation from Nick Colonna, Director, Mr. Martin moved, seconded by Mr. Qually to approve and sign the following requests:

- 2013-2014 PennDOT's Transportation Planning Program Work Order No. 5 to receive funds in the amount of \$162,717 to perform services in the field of transportation, planning and programming.
- 902 Grant Application in the amount of \$193,084 to be submitted to the Department of Environmental Protection on behalf of the Adams Rescue Mission. There is a 20% match – 18% from Adams Rescue Mission and 2% In-Kind Services from our Planning Department.

Motion carried.

Adams County Adult Correctional Complex:

With recommendation from Warden Brian Clark, Mr. Qually moved, seconded by Mr. Martin to approve and sign a Bank Resolution with ACNB for authorized signatories for the Adams County Prison Inmate Account.

Motion carried.

Personnel Report:

Mr. Martin moved, seconded by Mr. Qually to approve the following personnel actions:

Security:

Recommendation from Michael Baltzley, Director, to approve the employment of Barry Sease, PT Security Officer, effective June 3, 2013.

District Attorney:

Recommendation from District Attorney Shawn Wagner to approve the employment of Adam Barr, Assistant District Attorney, effective June 24, 2013.

Children & Youth Services:

Recommendation from Sue Cohick, Administrator, to approve the following:

- Promotion of George Matthew from Clerk Typist 1 to Caseworker 1, effective June 3, 2013
- Promotion of Betsy Bean-Shiposh from Caseworker 1 to Caseworker 2, effective June 3, 2013
- Pending approval from Salary Board a transfer of Joanna Russello, Caseworker 2 from the family Support Unit to a Caseworker 2 Attendance Specialist in the Intake General Protective Service Unit, effective June 24, 2013.

Planning:

Recommendation from Nick Colonna, Director, to approve the employment of the following:

- Christopher Caba, Comprehensive Planner, effective June 17, 2013
- Lori Lencheski, Economic Development Specialist, effective June 17, 2013
- Jennifer O'Connell, Unpaid Intern, effective June 3, 2013

Adams County Adult Correctional Complex:

Recommendation from Warden Brian Clark to approve the promotion of Barb Shultz from Records Administrative Assistant to Records Manager, effective May 20, 2013.

Separation of Employment:

- Krystle East, Caseworker 2, effective May 28, 2013
- Tyrel Taughinbaugh, Correctional Officer, effective May 5, 2013
- Jose Colon, Lieutenant, effective June 10, 2013
- Felicity Zinn, PT 911 Telecommunicator, effective May 13, 2013
- Marion "Bud" Felkoski, FT Security Officer, effective July 5, 2013

Motion carried.

Expenditures:

Mr. Qually moved, seconded by Mr. Martin to approve the following expenditures for the period May 13, 2013 through May 24, 2013:

General Fund	\$ 1,412,399.72
911 Fund	\$ 398.84
Domestic Relations	\$ 1,494.43
Children & Youth Services	\$ 22,797.13
Liquid Fuels	\$ 3,072.03
HSDF	\$ 10,000.00
Capital Project Fund	\$ 2,806.80
Commissary Fund	\$ 14,786.63

Motion carried.

Other Business:

Solicitor Hartzell reported the County has had some questions on the Pillow Tax and how it affects individuals who are renting out rooms from their single residential unit. Per the pillow tax law they do have the duty to collect and report the pillow tax to the county on the room/rooms that they rent out of their residence. This is similar to bed and breakfasts. Chairman Phiel encouraged anyone who chooses to do this to check with their insurance and review all risks and responsibilities. Submission forms are provided on the county website.

Salary Board Meeting:

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

Adjournment:

Mr. Martin moved, seconded by Mr. Qually to adjourn the Commissioners meeting at 9:45 a.m. this date.

Motion carried.

Respectfully submitted,

Paula V. Neiman
Chief Clerk