

WEDNESDAY, MARCH 25, 2020

The Adams County Board of Commissioners met this date in regularly scheduled session at 9:48 a.m. in the in the Ceremonial Courtroom with Chairman Randy Phiel presiding. Others in attendance: Commissioners James E. Martin and Marty Karsteter Qually; Molly R. Mudd, Solicitor; Steven A. Nevada, County Manager; John Phillips, Controller; Alex Hayes, *Gettysburg Times* (Via Phone) and Chief Clerk Paula V. Neiman.

At this time, Chairman Phiel thanked the staff for their patience and understanding and for the essential personnel at the Prison, Children & Youth and certain Court offices. Great work in keeping things open and running. An update will be going out later today.

Pledge of Allegiance

Minutes:

Mr. Martin moved, seconded by Mr. Qually to approve the Minutes of the March 11, 2020 Commissioners' Meeting as presented.

Motion carried.

NOTE: The March 18, 2020 Commissioner's Meeting was cancelled.

NOTE: The April 1, 2020 Commissioner's Meeting is cancelled.

Proclamation:

- Mr. Qually moved, seconded by Mr. Martin, to adopt and proclaim March 12 – April 26, 2020 as "**LAND CONSERVANCY OF ADAMS COUNTY**".

Motion carried.

Public Comment:

No Public Comment was addressed to the Board at this time.

Clerk of Courts:

- With recommendation from Clerk of Courts Kelly Lawver, and after review by Solicitor Molly Mudd, Mr. Qually moved, seconded y Mr. Martin, to approve and sign the Agreement with ACNB for Remote Deposit. The Clerk of Courts office will be purchasing, with criminal automation funds, a multi-feed scanner so they will have the capability of remotely depositing checks.

Motion carried.

- With recommendation from Clerk of Courts Kelly Lawver, and after review by Solicitor Molly Mudd, Mr. Martin moved, seconded by Mr. Qually, to appoint Chairman Randy L. Phiel to sign on behalf of the Board the Authorization for Direct Payment via ACH Agreement with GOVPAYNET, now known as ALLPAID, to waive all service fees, chargebacks, or costs ("Obligations") normally charged to Defendants for debit/credit and kiosk transactions for the payment of fees, fines, costs, restitution or other charges assessed in a criminal matter. These fees will be billed to the County of Adams to be paid out of the Adams County Offender Treatment Account, per Paragraph (6) of Supervision Order SO-22-2020. At such time as Paragraph (6) of Supervision Order SO-22-2020 is vacated by the Court, the fees will return to the defendant's responsibility.

Motion carried.

Tax Services:

- With recommendation from Daryl Crum, Director, and after review by Solicitor Molly Mudd, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners appoint Chairman Randy L. Phiel to execute on behalf of the Board the Lexis Nexis Risk Solutions Government Application and Agreement with vendor Accurint. Vendor agrees to provide access to documents confirming the address and census information for property owners. Contract bills cost for each record retrieved according to "Schedule A Accurint for Government", costing on average \$1,000.00/year.

Motion carried.

- With recommendation from Susan Miller, Chief Assessor, Mr. Martin moved, seconded by Mr. Qually, to approve the following:
 - Personal Tax Exemption Request for meeting the guidelines of County policy for Duncan A. Myers, Littlestown Borough
 - Disabled Veterans Real Property Tax Exemption Certification for Dennis P. Rebert, 18 Bourbon Trail, Fairfield, PA, Hamiltonban Township, Parcel #18BB0-0093--000 for his 1 ½ story home, with a detached garage, residential sheds and 1.16 acres, effective with the 2020-2021 school taxes.

Motion carried.

Finance Department:

With recommendation by Staff Accountant Phil Swope, and after review by Solicitor Molly Mudd, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners appoint Chairman Randy L. Phiel to execute on behalf of the Board the following Agreements relative to the procurement of County vehicles from Enterprise Fleet Management:

- Enterprise Fleet Management Amendment To Maintenance Agreement.
- Enterprise Fleet Management Amendment to Master Equity Lease Agreement.
- Enterprise Agreement Addendum.
- The New Harrisburg Truck Body Co. Quote # 2171-GM as part of needed improvements for a leased vehicle. Total Price 25,895.00
- The New Harrisburg Truck Body Co. Quote # 2119-GM as part of needed improvements for a leased vehicle. Total Price 5,195.00
- Enterprise Quote No 4446452 for a Ford F-550 for the Maintenance Department. Total Price 60,698.00
- Enterprise Quote No 4427823 for a Ford Ranger XL 4x4 SuperCab for the Maintenance Department. Total Price 29,509.00
- Enterprise Quote No 4436451 for a Ford Transit 350 Cargo for the Maintenance Department. Total Price 43,124.00
- Enterprise Quote No 4447796 for a Ford Expedition Max XL 4dr 4x4 for the Prison. Total Price 52,510.00
- Enterprise Quote No 4447098 for a Dodge Charger Police 4dr All-wheel Drive Sedan for Probation. Total Price 38,330.00
- Enterprise Quote No 4435294 for a Ford Police Interceptor Utility for Probation. Total Price 38,256.00
- Enterprise Quote No 4434504 for a Ford Transit 350 Passenger for Probation. Total Price 42,222.00
- 911 Rapid Response Quote Q-12262 for needed improvements to a leased vehicle. Total Price 3,196.20
- 911 Rapid Response Quote Q-12263 for needed improvements to a leased vehicle. Total Price 2,128.30
- 911 Rapid Response Quote Q-12265 for needed improvements to a leased vehicle. Total Price 1,171.65
- 911 Rapid Response Quote Q-12347 for needed improvements to a leased vehicle. Total Price 2,436.95
- 911 Rapid Response Quote Q-12376 for needed improvements to a leased vehicle. Total Price 16,789.49
- 911 Rapid Response Quote Q-12380 for needed improvements to a leased vehicle. Total Price 16,789.49

- 911 Rapid Response Quote Q-12384 for needed improvements to a leased vehicle. Total Price 14,930.41
- Enterprise Quote No 4427721 for a Ford Expedition XL 4dr 4x4 for the Sheriff. Total Price 51,208.00
- Enterprise Quote No 4453071 for a Ford Police Interceptor Utility for the Sheriff replacing a previous vehicle. Total Price 38,431.00
- Enterprise Quote No 4453071 for a Ford Police Interceptor Utility for the Sheriff replacing a previous vehicle. Total Price 38,431.00

Motion carried.

Victim Witness:

With recommendation from Cindy Keeney, Director, and after review by Solicitor Molly Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners approve the Grant Application for certain Endowment Act Funds made available by the Pennsylvania Commission on Crime and Delinquency (PCCD) in the amount of \$69,552.00 to be used for the purpose of serving child victims of sexual abuse. It is further recommended that an MOU with the Adams County Children’s Advocacy Services be approved for the provision of services in furtherance of that purpose should the grant monies be awarded.

Motion carried.

Commissioners:

Recommendation from Solicitor Molly R. Mudd that the Board of Commissioners approve the following:

- Mr. Qually moved, seconded by Mr. Martin, to approve and Ratify the Declaration of Disaster Emergency for the County of Adams, Pennsylvania made March 18, 2020, whereby the Adams County Board of Commissioners pursuant to the provisions of section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa. C.S. Section 7501) did hereby declare the existence of a disaster emergency in Adams County due to the presence and threat of COVID-19, create a Leadership Council to coordinate the County’s activities and emergency response, and did authorize pursuant to Section 7501 (d) the temporary suspension of all formal requirements in light of the exigencies of this disaster emergency including all time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements) pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds as follows:

**DECLARATION OF DISASTER EMERGENCY
FOR THE COUNTY OF ADAMS, PENNSYLVANIA**

WHEREAS, a novel coronavirus (now known as “SARS CoV-2”) emerged in Wuhan, China, began infecting humans in December 2019, and has since spread throughout the world, including the United States; and

WHEREAS, SARS CoV-2 is known to have the potential to cause Coronavirus Disease-2019 (COVID-19) in humans; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) has declared COVID-19 a “public health emergency of international concern,” and the U.S. Department of Health and Human Services (“HHS”) Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, the Governor’s Office of the Commonwealth of Pennsylvania issued a Proclamation of Disaster Emergency on March 6, 2020 due to COVID-19 under the authority of 35 Pa.C.S. § 7501, *et seq.* that authorized the suspension of certain procedures and formalities prescribed by law and urged counties to “act as necessary to meet the current exigencies”; and

WHEREAS, emergency management measures are required to reduce the severity of this disaster and to protect the health, safety and welfare of affected residents in Adams County; and

WHEREAS, Section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa.C.S. § 7501) authorizes Adams County to declare a disaster emergency “upon the finding a disaster has occurred or is imminent.”

NOW THEREFORE, we, the Adams County Board of Commissioners (“the Commissioners”), pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa.C.S. § 7501), do hereby declare the existence of a disaster emergency in Adams County due to COVID-19.

1. The Commissioners hereby direct the Chief Administrative Officer and the Department of Emergency Services Director to coordinate the County’s activities and emergency response, to work with state and federal authorities, to take all appropriate action needed to alleviate the effects of this disaster, to aid in the restoration of essential public services, and to take any other action deemed necessary to respond to this emergency.
2. The Commissioners hereby create a Leadership Council to advise the Chief Administrative Officer and Department of Emergency Services Director in response to COVID-19 that shall consist of the Board of Commissioners, Chief Clerk, Human Resources and the County Solicitor and any and all additional members as deemed necessary and appropriate by the Commissioners. This Leadership Council shall meet as needed in response to COVID-19 without the need to formally advertise times and places of meetings due to the exigent and evolving circumstances of this disaster.
3. The Commissioners, pursuant to 35 Pa.C.S. § 7501(d), authorize the temporary suspension of all formal requirements in light of the exigencies of this disaster emergency, including all time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements) pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds.

This Declaration shall take effect immediately.

Authorized this 18th day of March 2020.

ATTEST:

**COUNTY OF ADAMS
ADAMS COUNTY COMMISSIONERS**

_____/s/
Paula V. Neiman, Chief Clerk

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

(SEAL)

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

By: _____/s/
Marty Karsteter Qually, Commissioner

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually, to ratify the authorization for Chairman Randy L. Phiel to sign the Performance Group Staffing Service Agreement for month to month janitorial services.

Motion carried.

- Mr. Qually moved, seconded by Mr. Martin, to approve Resolution No. 3 of 2020 whereby the Adams County Board of Commissioners hereby urge Governor Tom Wolf and the General Assembly to move the primary election to June 23, 2020 and, for this primary election only, to allow this election to occur entirely through

absentee and mail-in ballots in order to prevent the need to vote in person as follows:

RESOLUTION NO. 3 OF 2020

WHEREAS, a Primary Election is currently scheduled to occur on April 28, 2020;
and

WHEREAS, the County of Adams issued a Declaration of Disaster Emergency as a result of COVID-19 on or about March 18, 2020; and

WHEREAS, the County has been losing polling places and poll workers due to the impact of and uncertainty surrounding COVID-19; and

WHEREAS, the County has been experiencing staff shortages due to illness and difficulty in sourcing necessary supplies to address the anticipated increase in mail-in and absentee ballots.

THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED, that the Adams County Board of Commissioners hereby urges Governor Tom Wolf and the General Assembly to move the Primary Election to June 23, 2020 and, for this Primary Election only, to allow this Election to occur entirely through absentee and mail-in ballots in order to prevent the need to vote in person.

ADOPTED THIS 25th DAY OF MARCH, 2020.

ATTEST:

**COUNTY OF ADAMS
ADAMS COUNTY COMMISSIONERS**

_____/s/_____
Paula V. Neiman, Chief Clerk

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

(SEAL)

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

By: _____/s/_____
Marty Karsteter Qually, Commissioner

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually, to adopt Resolution No. 4 of 2020 "Continued Declaration of Local Disaster Emergency for the County of Adams, Pennsylvania" whereby this Declaration shall self-renew without further action of the Board of Commissioners, provided that such self-renewal shall occur only for so long as the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak issued by President Donald J. Trump remains in effect or for so long as the Proclamation of Disaster Emergency issued by Governor Tom Wolf remains in effect as follows:

ADAMS COUNTY RESOLUTION NO. 4 of 2020 CONTINUED DECLARATION OF LOCAL DISASTER EMERGENCY

WHEREAS, on March 13, 2020, United States President Donald J. Trump issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak, pursuant to Sections 201 and 301 of the National Emergencies Act (50 U.S.C. § 1601, *et seq.*) and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), finding and

proclaiming that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020;

WHEREAS, on March 6, 2020, pursuant to Section 7301(c) of the Emergency Management Services Code, 35 Pa. C.S. § 7101, *et seq.*, Governor Tom Wolf issued a Proclamation of Disaster Emergency, proclaiming the existence of a disaster emergency across the Commonwealth of Pennsylvania as a result of the spread of coronavirus or COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic;

WHEREAS, on or about March 18, 2020, the Adams County Board of Commissioners, by Resolution NO. 3 of 2020 and pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. § 7101, *et seq.*, proclaimed the existence of a local disaster emergency in the County of Adams as of the 18th day of March 2020.

NOW, THEREFORE, We, the undersigned Board of Commissioners of Adams County pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. § 7101, *et seq.*, did ratify the Declaration of Local Disaster Emergency for the County of Adams, Pennsylvania on or about the 25th day of March 2020.

FURTHER, the Declaration of Local Disaster Emergency, shall be continued for a period not in excess of seven (7) days, but at the expiration of those seven days, shall self-renew without further action of the Adams County Board of Commissioners, provided that such self-renewal shall occur only for so long as the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak issued by President Donald J. Trump remains in effect or for so long as the Proclamation of Disaster Emergency issued by Governor Tom Wolf remains in effect.

This Resolution shall take effect immediately.

Authorized this 25th day of March 2020.

ATTEST:

**COUNTY OF ADAMS
ADAMS COUNTY COMMISSIONERS**

_____/s/_____
Paula V. Neiman, Chief Clerk

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

(SEAL)

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

By: _____/s/_____
Marty Karsteter Qually, Commissioner

Motion carried.

- Mr. Qually moved, seconded by Mr. Martin, to authorize the advertisement of Ordinance No. 1 of 2020 further amending and supplementing the Adams County Tax Collection Policy, whereas the County, State and Country are operating under a Declaration of Emergency due to the COVID-19 pandemic, such that the federal and state taxing authorities have extended the deadline for filing federal and state taxes due to the economic impact of the virus, and Adams County desires to mitigate the economic impact of COVID-19 on County taxpayers by exercising its statutory discretion to reduce penalties for late tax payments and by extending the 2% discount for a period of sixty days for payments related to taxable year 2020.

Motion carried.

At this time, Court Administrator Don Fennimore joined the meeting.

Personnel Report:

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

Courts:

- Domestic Relations – Separation of employment for Susan Ford, General Clerk, effective March 16, 2020

Motion carried.

Expenditures:

Mr. Martin moved, seconded by Mr. Qually, to approve the following expenditures for the period March 9, 2020 through March 20, 2020:

General Fund Total	\$ 1,817,665.76
General Fund	\$ 627,148.70
Debt Service Payments	\$ 237,924.48
Payroll – Week #12	\$ 952,592.58
Children & Youth Services	\$ 230,183.35
Domestic Relations	\$ 366.20
HazMat Funds	\$ 46.18
Commissary Fund	\$ 1,822.32
Records Management	\$ 3,155.00
Hotel Tax Fund	\$ 67,049.08
Coroner Visa	\$ 100.00
Act 13 Bridge Improvements	\$ 12,137.53
Capital Projects - Reserve	\$ 7,717.03
911 Fund	\$ 9,538.96
Internal Service Fund	\$ 108,035.03

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 following the Commissioners Meeting.

Adjournment:

Mr. Martin moved, seconded by Mr. Qually, to adjourn the Commissioner's Meeting at 9:28 a.m. this date.

Motion carried.

Respectfully submitted,

Paula V. Neiman
Chief Clerk