

WEDNESDAY, NOVEMBER 15, 2023:

The Adams County Board of Commissioners met this date in regularly scheduled session at 9:00 a.m. at the Adams County Courthouse, Historic Courtroom and via conference call with Chairman Randy L. Phiel presiding. Others in attendance: Commissioners James E. Martin and Marty Karsteter Qually; Molly R. Mudd, Solicitor; Steve Nevada, County Administrator; John Phillips, Controller; Michele Miller, HR Director; Don Fennimore, Court Administrator; Melissa Devlin, Budget & Purchasing Director; Phil Swope, Budget & Purchasing Assistant Director; Todd Garrett, Budget Analyst II; Sherri Clayton-Williams, Planning Director; Mark Clowney, Senior Planner; Daryl Crum, Tax Services Director; Ashlee Hammonds, IT Department and Kevin Smith. Those participating by phone: Sarah Finkey, CYS Administrator; Tammy Myers and Tom Weaver, SAVES; News Reporters Judi Seniura, *Gettysburg Connections* and Vanessa Pellechio Sanders, *Gettysburg Times* and Deputy Chief Clerk Lisa A. Moreno-Woodward.

Minutes:

Mr. Martin moved, seconded by Mr. Qually, to approve the Minutes of the November 1, 2023 Commissioner’s Meeting as presented.

Motion carried.

Public Comment:

- Tom Weaver, SAVES – had some follow up questions about Ordinance No. 3 of 2023 which gives a real estate rebate for qualified volunteer fire fighters and volunteer EMS personnel residing in Adams County.
- Kevin Smith, spoke to the “KINDNESS PROCLAMATION” the Commissioners approved at the November 1, 2023 meeting. He thanked the Commissioners for embracing this initiative. We all embrace kindness in different ways.

Public Hearing:

Commissioner Phiel opened the Public Hearing at 9:14 a.m. this date and recognized Mark Clowney from the Office of Planning and Development. Mr. Clowney presented the details for the purchase of a conservation easement on the Paula Frey Farm, 65 Hickory Road, Littlestown, PA, located in Mt. Joy Township. The property consists of 45.66 acres.

Solicitor Mudd asked the audience if anyone is here to raise an objection to this easement. It was noted that no one was in attendance to make an objection. No comment from the Board of Commissioners at this time.

Mr. Clowney indicated the title search of the Paula Frey Farm was complete and clear. This is the first farm to be preserved with the Tim Brown preservation monies. The cost per acre offered is \$2,628.00, with the purchase price of \$119,994.48 for the conservation easement. Mr. Clowney asked the Board for approval of the purchase of the conservation easement for the Paula Frey Farm.

No other comment or questions were brought before the Board. The Public Hearing closed at 9:19 a.m.

Ag Land Preservation:

With recommendation from Ellen Dayhoff, Rural Resource Manager, Mr. Qually moved, seconded by Mr. Martin, to approve the Deed of Conservation Easement for the Paula Frey Farm, 65 Hickory Road, Littlestown, PA, located in Mt. Joy Township, for 45.66 acres and to approve Chairman Randy L. Phiel to sign the Agreement of Sale on behalf of the Board of Commissioners.

Motion carried.

Court Administration:

Mr. Qually moved, seconded by Mr. Martin, to rescind West Publishing Corporation motion approved at the Commissioner’s Meeting held November 1, 2023 as follows:

“With recommendation from District Court Administrator Don Fennimore, and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners designate Chairman Randy L. Phiel to sign the contract with West Publishing Corporation, a Minnesota company, for renewal of the Law Library’s Print Library Maintenance Agreement. The term of the Agreement is five (5) years, commencing on December 1, 2023 and terminating on November 30, 2028. Total cost to the County for the five-year Agreement is \$30,999.00.”

Motion carried.

With recommendation from District Court Administrator Don Fennimore, and after review by Solicitor Molly R. Mudd, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners designate Chairman Randy L. Phiel to sign the contract with West Publishing Corporation, a Minnesota company, for renewal of the Law Library’s Print Library Maintenance Agreement. The term of the Agreement is five (5) years, commencing on December 1, 2023 and terminating on November 30, 2028. Total cost to the County for the five-year agreement is \$371,988.00.

Motion carried.

Adult Probation:

With recommendation from Acting Chief Kristi Fields, and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners approve the Continuing County Adult Probation and Parole Grant Application (Subgrant No. 41130) through the Pennsylvania Commission on Crime and Delinquency (“PCCD”). This Application seeks state grant funding in the amount of \$111,819.00 to support the salaries and benefits of full-time adult probation and parole staff. This Application is effective November 15, 2023.

Motion carried.

Children & Youth Services:

With recommendation from Sarah Finkey, Administrator, Mr. Qually moved, seconded by Mr. Martin, to approve the following 2023-2024 Contracts: JusticeWorks Youth Care Amendment and Hugh S. Smith Ph.D. & Associates PC.

Motion carried.

Information Technology (IT):

With recommendation from Phil Walter, CIO and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners approve the following two (2) Agreements relating to the use of Federal 2022 State and Local Cybersecurity Grant Program funds, as previously approved by the Board on May 17, 2023, through the FY 2022 SLCGP Local Government Entities Consent Agreement (“Consent Agreement”) with the PA Emergency Management Agency (“PEMA”):

- Intergovernmental Agreement for Intrusion Detection Services – This Agreement with PEMA provides that Center for Internet Security, Inc., at the direction of PEMA, shall provide combined Netflow and Intrusion Detection System monitoring for the County, including all necessary hardware and software (Intrusion and Detection Service MS-ISAC Albert Sensors). The service shall be paid for by PEMA, as provided in the Consent Agreement. This Agreement is effective November 15, 2023 and expires November 30, 2026.

- **Intergovernmental Agreement** – This Agreement with the Governor’s Office of Administration (“OA”) provides that OA will purchase 1-year software licenses from Cofense, Inc. on behalf of the County, which will enable the County to perform phishing-prevention training and exercises for its employees. The licenses shall be paid for by PEMA, as provided in the Consent Agreement. This Agreement is effective November 15, 2023, and expires December 31, 2024.

Motion carried.

Tax Services Department:

With recommendation from Daryl Crum, Director, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners approve the following:

- Pursuant to the PA Consolidated Assessment Law §8844, Subsection “f”, the Board of Assessment Appeals shall, on or before November 15th, certify the following assessed values:
 - Real Property = \$ 10,006,677,400
 - Occupations = 17,533,800
 - Per Capita = 77,778

Motion carried.

Adams County Conservation District:

With recommendation from Adam McClain, District Manager, Mr. Qually moved, seconded by Mr. Phiel, to approve the re-appointment of the following Adams County Conservation District Board Members for another four-year term beginning January 1, 2024:

- Charles A. Bennett – Public Director
- Carl Keller Jr. – Farmer Director

Adams County Commissioner Representative:

Appoint James E. Martin as the Commissioner Representative for one-year term, effective January 1, 2024 through December 31, 2024.

Motion carried.

Department of Emergency Services:

With recommendation from Warren Bladen, Director and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners designate Chairman Randy L. Phiel to sign the Amendment to the License Agreement with Tyler Technologies, Inc., a Michigan company. This Amendment provides for the addition of ESRI Arc GIS licensing to the Agreement and the removal of CAD Conversion to Enterprise CAD services from the Agreement. The Amendment is effective November 15, 2023. Total additional cost to the County over the seven-year term of the License Agreement is \$34,376.00.

Motion carried.

Human Resources:

With recommendation from Assistant Director Danette Laughman, and after review by Solicitor Molly R. Mudd, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners appoint Chairman Randy L. Phiel to sign on behalf of the Board the following Agreements as they relate to the Employee Health Care Plan:

- Fee Summary Agreement for Administrative Services Only (ASO) with Capital Blue Cross, including PPO & Rx Programs, and Blue Cross Vision Program, including the Rx Rebate Credit and Rx Multi-line Credit;
- Administrative Services Only (ASO) Fee Agreement for Stop Loss Reporting for Group No. 00504206;
- Current Program Mandated Benefits Premium Agreement;
- Program Cost Agreements for PPO 250/1000 and PPO 500/1000 Plans; and
- Proposal No. 188184 for Specific Stop Loss Coverage (Option 1 Single/Family) and Aggregate Stop Loss Coverage (Single/Family Aggregate) with BCS Stop Loss Carrier.

Motion carried.

Commissioners:

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

- Mr. Martin moved, seconded by Mr. Qually, to approve and sign Ordinance #3 of 2023 – An Ordinance providing for a real estate tax rebate for qualified volunteer fire fighters and volunteer EMS personnel residing in Adams County as follows:

COUNTY OF ADAMS, PENNSYLVANIA

ORDINANCE NO. 3 of 2023

AN ORDINANCE PROVIDING FOR A REAL ESTATE TAX REBATE FOR QUALIFIED VOLUNTEER FIRE FIGHTERS AND VOLUNTEER EMS PERSONNEL RESIDING IN ADAMS COUNTY

WHEREAS, the General Assembly has authorized the governing body of a county to provide, by ordinance or resolution, for a tax credit against real property tax to be granted to an active volunteer of a volunteer fire company or nonprofit emergency medical services agency who has complied with the requirements of the volunteer service credit program and who is certified under 35 Pa.C.S.A. § 79A23; and

WHEREAS, the Adams County Board of Commissioners (“the Board”) acknowledges the value of volunteer fire protection services and nonprofit emergency medical services provided by active volunteers, at no cost to the public; and

WHEREAS, the Board seeks to encourage individuals to volunteer as active volunteers in a volunteer fire company or nonprofit emergency medical services agency; and

WHEREAS, pursuant to the authority granted in 35 Pa.C.S.A. §§ 79A01 *et seq.*, the Board wishes to provide incentives for local active fire and emergency medical services volunteers through a real estate tax rebate program; and

NOW THEREFORE, the Board hereby ordains as follows:

Section 1. Definitions

As used in this Ordinance, the following words and phrases shall have the meaning set forth below:

- “(Active Volunteer)”. A volunteer for a volunteer fire company or nonprofit emergency medical services agency who has complied with the requirements of the volunteer services credit program and who is certified under 35 Pa.C.S.A. § 79A23 (relating to certification).
- “(Board of Commissioners) or (Board)”. The Board of Commissioners of Adams County, Pennsylvania.
- “(Individual)”. A volunteer.
- “(Real Estate Tax)”. County tax levied on residential real property owned and occupied by an Active Volunteer.
- “(Tax Rebate)”. A tax credit authorized by 35 Pa.C.S.A. § 79A13 against the real estate taxes due and owing by an Active Volunteer to the County taxing authority during a taxable year to be claimed in the form of a rebate.

- (f) **“Volunteer.”** A member of a volunteer fire company or a nonprofit emergency medical services agency.
- (g) **“Volunteer Fire Company.”** A nonprofit chartered corporation, association, or organization located in the County of Adams, Pennsylvania, that provides fire protection services and may offer other voluntary emergency services within this County.
- (h) **“Volunteer Service Credit Program.”** The program established pursuant to 35 Pa.C.S.A. § 79A21 and this Ordinance.

Section 2. Eligibility

Any Volunteer may claim a Tax Rebate as established in Section 3 if the individual is certified in accordance with Section 4 of this Ordinance and is subject to a County real estate tax as the owner and occupier of property in the County. Life tenants of property located in the County may qualify for this Tax Rebate if they can demonstrate that they are legally responsible for paying real estate taxes on said property.

Section 3. Determination of Tax Rebate

Each Active Volunteer meeting the eligibility requirements of Section 2 of this Ordinance shall be entitled to a real estate tax credit in the amount of real estate tax paid by the Active Volunteer in the applicable taxable year, not to exceed two hundred fifty dollars (\$250.00). The real estate tax credit shall be claimed according to the procedures outlined in Section 4 of this Ordinance and shall be issued in the form of a rebate paid directly to the Active Volunteer (“Tax Rebate”). Any real estate tax credit claimed pursuant to this Ordinance shall not offset future real estate taxes that may become due and owing.

Section 4. Certification Procedure

For an individual to be eligible to claim a Tax Rebate under the Volunteer Service Credit Program, the following procedures shall be followed:

- (a) A Volunteer’s fire company chief or nonprofit emergency services agency chief or manager shall certify in writing to the County Tax Services Department, on a form established by the County, a list of Volunteers that have complied with the fire company’s or nonprofit emergency medical services agency’s service requirements for the Volunteer to remain in good standing during the taxable year. The written certification shall be due to the County no later than January 15th following the certification period of January 1st through December 31st of the preceding tax year. To be certified, a Volunteer must remain in good standing as a member of the fire company or nonprofit emergency medical services agency for a period of at least six (6) months during the time period from January 1st through December 31st of the same tax year or be qualified as having sustained an active volunteer injury pursuant to Section (7) below.
- (b) The Volunteer shall submit a completed and signed Application, in a form established by the County, and shall provide a copy of the paid County real estate tax receipt for the property owned and occupied by the Volunteer to the chief or manager of the fire company or nonprofit emergency services agency no later than January 1st. The chief or manager shall then forward the notarized certification of eligible individuals, and all submitted Applications in a single packet to the County Tax Services Department no later than January 15th following the preceding tax year. Upon timely receipt of the certification, a copy of the paid real estate tax receipt, and the completed and executed Applications, the Tax Services Department shall review each applicant’s information for compliance with this Ordinance, and if compliant, shall issue a check payable to the Active Volunteer in an amount as determined in Section 3.

Section 5. Volunteer Good Standing Guidelines

The chief of the volunteer fire company or nonprofit emergency services agency shall determine that a Volunteer is in good standing if, during the applicable 6-month period, an individual earns a total of fifty (50) points from a combination of the following categories:

(i) Emergency Responses

- a. Fire or Ambulance Call - 1 point per emergency response

(ii) Training

- a. Department Training – 5 points per training
- b. Certified Training – 5 points per 8 hours
- c. Hazardous Materials Refresher - 5 points
- d. Annual Self-Contained Breathing Apparatus – 2 points
- e. Annual Driver Recertification – 4 points

(iii) Meetings

- a. Fire Department Meetings – 4 points per meeting
- b. Emergency Medical Services Meetings – 4 points per meeting
- c. Committee Meetings – 2 points per meeting
- d. Board of Officers/Relief/Officer’s Meetings – 2 points per meeting
- e. Relief Meeting – 2 points per meeting

(iv) Work Details

- a. Scheduled Work Details – 5 points per detail

(v) Fire Prevention/Public Education Activities

- a. Fire Prevention Activities – 5 points per event
- b. Public Education Events (parades, carnivals, etc.) – 3 points per event

A Volunteer may combine credits from multiple fire stations and nonprofit emergency services agencies within the County during the eligible time frame. In the event a Volunteer intends to combine credits from more than one (1) fire station or nonprofit emergency services agency during the eligible time frame, the Volunteer shall request that the chief or manager of each fire station or nonprofit emergency services agency certify, on their respective certification forms (see Section 4(a) herein), the number of credits completed for that fire station or nonprofit emergency services agency. The Volunteer shall indicate on their Application the number of combined credits from each organization they serve.

Section 6. Log of Volunteer Status

A Volunteer’s fire company chief or nonprofit emergency services agency chief or manager, or his or her designee, shall establish and maintain a log determining the Volunteer’s status as a member in good standing as defined in Section 5, and shall note all credited activities towards the minimum point requirement established in Section 5. The log shall track a Volunteer’s qualified activities for the time period of January 1st through December 31st of each taxable year. The Volunteer status log shall be subject to periodic review by the County.

Section 7. Active Volunteer Injury

An active Volunteer who was injured during a response to an emergency call and can no longer serve as an active Volunteer because of the injury and who would otherwise be eligible for the Tax Rebate shall be eligible for the Tax Rebate for the taxable year in which the injury occurred and the four (4) succeeding taxable years, should the injury continue to prevent active service. The injured Volunteer must complete, sign, and apply for certification and provide documentation from a licensed physician to the Volunteer’s fire company chief or nonprofit emergency medical services agency chief or manager no later than January 1st for certification of the immediately preceding period of January 1st through December 31st. After submission of the application, the procedures in Section 4(a) and (b) above, shall be followed.

Section 8. Appeal

A Volunteer may file an appeal within thirty (30) days of a written decision of the County disapproving the issuance of a tax rebate by submitting a written request on a form established by the County and outlining the specific reasons for the appeal. Appeals that are filed thirty (30) days or more after the date the County Tax Services Department mails the determination to the property, shall be considered untimely and shall not be considered. Within ninety (90) days of a timely receipt of an appeal, the Board shall hold a virtual or in-person hearing during which appellant shall have the opportunity to present competent evidence on his or her behalf. The burden of proof shall rest on the appellant to demonstrate that the initial decision was erroneous. Within thirty (30) days of the appeal hearing, the Board shall issue a final determination and shall mail the same to the appellant.

General Fund Deficit	-\$11,198,397
Appropriated Fund Balance	\$ 3,282,741
Assigned Fund Balance	<u>\$ 7,915,656</u>
Total General Fund & Special Funds	\$84,546,457

Hotel Tax Fund	\$ 3,020,000	\$ 2,792,151
Bridge Funds	\$ 507,300	\$ 458,500

Commissioner Phiel – The summary is no tax increase and a strong fiscal position. What we do is provide services, but being in a strong fiscal position is imperative. This is very important when providing services. When we came on board, we had to get our hands around this budget. In about two years, we obtained the strongest bonding that a county can obtain. We formed fiscal management teams, where various offices come together with regular meetings to talk about investments and budgets as a whole. The budget team meets with the Commissioners every two months to go over everything. They are a milestone that helped get us where we are today.

Commissioner Martin – He thanked the budget team. The picture at the beginning of the budget presentation, a picture of a battle on the battlefield, shows it is a battle and takes a lot of work on your part to get it trimmed down. We appreciate that point. All of these services are important, but when you have your fiscal house in order, you are able to provide an effective quality service. Everybody working together makes it stronger.

Commissioner Qually – Without a doubt, we have ironed out the budget process. We are still waiting on the state legislature to renew the 9-1-1 funding by the end of the year. There is a fee on all phones. As people shift from landlines to cell phones, there is a proposal to increase that fee. \$2.2M from that fee is coming to Adams County. If this does not get approved by the end of the year, it could hit a hole in our county budget. Without that funding, our call center is a challenge to run. The State is a massive partner in that effort.

Mr. Martin moved, seconded by Mr. Qually, to approve to tentatively adopt the 2024 Adams County Budget as presented.

Motion carried.

Personnel Report:

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

Court:

- Employment of Ashley London, General Clerk, MDJ Snyder, effective November 6, 2023
- Separation of employment for Gabrielle Francis, Law Clerk, effective November 29, 2023

Department of Emergency Services:

- Employment of Donald Giannini, Telecommunicator, effective November 27, 2023 and Annabelle Beacham, Part Time as Needed Telecommunicator, minimum of 24 hours/month, effective November 8, 2023

Children & Youth Services:

- Employment of Tiffany Lundin, Fiscal QA Program Specialist, effective November 27, 2023

Separation of Employment:

- Rescind the employment offer to Annabelle Beacham, Part time as needed Telecommunicator, effective November 8, 2023
- Telecommunicators – James Barnhart, effective November 6, 2023; Brett Allison, PTAN, effective November 9, 2023; Austin Kauffman, effective November 13, 2023
- Corrections Officers – Larry Fritz III, effective November 10, 2023; Maxx Miller, effective November 18, 2023

Motion carried.

Expenditures:

Mr. Martin moved, seconded by Mr. Qually, to approve the following expenditures for the period October 30, 2023 through November 11, 2023:

General Fund Total	\$ 1,810,274.17	
General Fund	\$ 754,345.55	
Payroll – Week #43	\$ 1,055,928.62	
Children & Youth Services	\$ 135,851.53	
Liquid Fuels	\$ 35,173.86	
Commissary Fund	\$ 4,283.75	
Records Management	\$ 3,155.00	
Hotel Tax Fund	\$ 283,544.02	
Human Services	\$ 3,329.25	
Pass Through Grant-Interest	\$ 250,000.00	
Capital Projects	\$ 7,687.14	
911 Fund	\$ 98,116.50	
Internal Service Fund	\$ 509,654.01	

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 9:56 a.m. this date.

Motion carried.

Respectfully submitted,



Lisa A. Moreno-Woodward
Deputy Chief Clerk