

WEDNESDAY, AUGUST 10, 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: Commissioner James E. Martin; Steve Nevada, County Administrator; Molly Mudd, Solicitor; John Phillips, Controller; Beth Cissel, Deputy Controller; Michele Miller, HR Director; Candi Clark, Court HR Generalist; Melissa Devlin, Budget & Purchasing Director (phone); Todd Garrett, Budget Analyst II; Daryl Crum, Tax Services Director; Phil Walter, CIO (phone); Sherri Clayton-Williams, Planning Director; Sarah Finkey, CYS Administrator; Angie Crouse, Elections/Voter Registration Director; Robin Fitzpatrick, Present, Adams Economic Alliance; Tammy Myers; News Reporter Vanessa Pellechio Sanders, *Gettysburg Times* and Chief Clerk Paula V. Neiman.

Minutes:

Mr. Martin moved, seconded by Mr. Phiel, to approve the Minutes of the July 26, 2023 Commissioner’s Meeting as presented.

Motion carried.

Proclamations:

- Mr. Martin moved, seconded by Mr. Phiel, to adopt and proclaim August 10, 2023 as **“CHILD SUPPORT ENFORCEMENT AWARENESS MONTH”** in Adams County. This proclamation was presented to Kelly Carothers, Executive Director of Domestic Relations and staff.

Motion carried.

- Mr. Martin moved, seconded by Mr. Phiel to adopt and proclaim August 6-12, 2023 as **“NATIONAL FARMERS MARKET WEEK”** in Adams County. This proclamation was presented to Reza Djala, Market Manager and Kathy Glahn, President of the Adams County Farmers Market Board.

Motion carried.

Public Comment:

No Public Comment was brought before the Board at this time.

Elections and Voter Registration:

With recommendation from Angela Crouse, Director and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners approve the following:

- EVS 6.3.0.0 Reporting Standard Standalone System Purchase Order with Election Systems & Software, LLC (“ES&S”). This Purchase Order provides upgrades to the ES&S software and necessary testing of the ES&S workstations at ES&S headquarters. Total cost of the upgrades, including shipping, is \$1,930.00. This Purchase Order is made subject to COSTARS Contract No. 039-E23-015. The order is effective August 10, 2023.
- Application for the Election Integrity Grant Program to be administered through the PA Department of Community & Economic Development. This Program, established by Act 88 of 2022, allocates \$375,156.52 in funding to Adams County for eligible election costs. This Application is effective August 10, 2023.

Motion carried.

Children & Youth Services:

With recommendation from Sarah Finkey, Administrator, Mr. Martin moved, seconded by Mr. Phiel, to approve the following:

Adoption Assistance Agreements:

- L.C. on behalf of J.F.B. in the subsidy amount of \$760.42/month
- L.C. on behalf of A.J.B. in the subsidy amount of 760.42/month

Motion carried.

With recommendation from Sarah Finkey, Administrator, Mr. Martin moved, seconded by Mr. Phiel, to approve the following:

2023-2024 Purchase of Service Agreements:

- Adelphoi; Family Care Services; Pathways Adolescent Center; York County Youth Development Center; Bruce Kelly; RiverRock

Motion carried.

Information Technology:

With recommendation from Phil Walter, CIO and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners approve the revised Adams County E-mail Retention Policy (121.05). This policy is being updated to reflect recent changes made to the County's e-mail retention practices. The revised policy is effective August 10, 2023.

Motion carried.

Tax Services:

- With recommendation from Susan Miller, Chief Assessor, Mr. Martin moved, seconded by Mr. Phiel, to approve the Disabled Veterans Real Property Tax Exemption for Parcel #07F10-0046 located in Butler Township, for the home and 86.28 acres, effective beginning with the 2022 County/Municipal Taxes.

Motion carried.

- Board Chairman Phiel noted for matter of record and per County Ordinance #3 of 2013, on an annual basis as of July 1, the Adams County Tax Services will calculate the Coefficient of Dispersion (COD) based upon sales which occurred in Adams County between January 1st and December 31st of the previous year. A COD greater than 20.0 would trigger the County to examine the need of a county wide reassessment. This year's COD is calculated at 12.94, which is well within the acceptable range as stated by the International Association of Assessing Officers (IAAO).
- With recommendation from Daryl Crum, Director, Mr. Martin moved, seconded by Mr. Phiel, to approve and appoint the following as the Auxiliary Tax Assessment Appeal Board: Barbara Underwood-Cumberland Township; Barbara Walter-Butler Township; William Arrington-Cumberland Township and Lisa Moreno-Woodward-Mt. Joy Township and to further recommend Barbara Walter be appointed as a substitute member of the primary Adams County Board of Assessment Appeals, in the event of an absence or recusal of one of its members.

Motion carried.

Victim Witness:

With recommendation from Samantha Hoffman, Director and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners approve and sign the following:

- Project Modification Request for the Awareness, Notification, and Restitution Grant (#37861) from the Pennsylvania Commission on Crime and Delinquency (PCCD) for \$175,517.00 in State funds. This modification allows for a reallocation of supplies funds to personnel funds due to an increase in costs related to staffing changes, but does not change the overall grant amount. The Modification is effective July 26, 2023.
- Project Modification Request for the Victims of Crimes Act “VOCA” – Direct Services to Victims of Crime Grant (#33123) from PCCD for \$322,509.00 in federal funds. This modification allows for a reallocation of supplies funds to personnel funds due to an increase in costs related to staffing changes, but does not change the overall grant amount. The Modification is effective July 26, 2023.

Motion carried.

Building and Maintenance:

With recommendation from Larry Steinour, Director and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners designate Chairman Randy L. Phiel to sign the proposal from Guardian CSC, of York, PA, for installation of a new Water Softener System at the Human Services Building. It is further recommended that the Commissioners sign the Addendum to the Terms and Conditions, which incorporates the County’s standard terms and conditions into the Agreement. The Quote is effective August 10, 2023. Total cost to the County is \$7,679.00.

Motion carried.

Public Defender:

With recommendation from Public Defender Scott Harper, and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners sign the Professional Services Agreement with Dr. Daniel Benny, a Private Investigator who is licensed in Pennsylvania. Dr. Benny will provide expert witness services for the Adams County Public Defender’s Office for an upcoming criminal trial. The term of this Agreement shall commence on August 10, 2023 and terminate upon completion of services. Dr. Benny shall charge the County an hourly rate of \$250.00 and a daily rate of \$2,500.00 for the day of his trial testimony, not to exceed \$15,000.00 for the entirety of his services.

Motion carried.

Human Resources:

With recommendation from Michele Miller, Director and Warden Katy Hileman, and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners designate Chairman Randy L. Phiel to sign the Advertising Agreement with Gettysburg Times Publishing, LLC. The Agreement is for a recruitment advertising campaign for the County utilizing both digital and print media. It is also recommended that the Commissioners sign the Terms and Conditions between the County and Gettysburg Times Publishing. The term of the Agreement is one (1) year, commencing August 1, 2023 and terminating July 31, 2024. Total cost to the County is \$39,950.00. One-third of the cost (\$13,316.67) to be paid out of the SCAAP State Criminal Alien Assistance Program Grant for corrections work force development and retention, with the remaining cost (\$26,633.33) to be paid out of the Human Resources Professional Services budget.

Motion carried.

Adams County Adult Correctional Complex:

With recommendation from Warden Katy Hileman, and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners designate Chairman Randy L. Phiel to sign the Quote with Kint Corporation, a Harrisburg, PA company, to perform two semi-annual inspections of the prison's Siemens MXL Fire Alarm System. The first inspection is to be performed in September 2023 and the second in March 2024. Total cost to the County is \$5,314.00.

Motion carried.

Commissioners:

With recommendation from Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Phiel, that the Board of Commissioners approve the following:

- Adopt Resolution No. 10 of 2023 which approves the issuance of a federally tax-exempt bond by the Adams County Industrial Development Authority ("IDA") for the purpose of funding a loan applied for by John and Barbara Zook through the Next Generation Farmer Loan Program ("Program") in the amount of \$616,000.00. The Program provides federally tax-exempt financing for the purpose of reducing a farmer's interest rate for eligible capital purchases. On July 20, 2023, the IDA held a duly-advertised public hearing on the Zook's application to use the loan to purchase 48 acres of agricultural land located at 265 Seven Stars Road, Franklin Township, Adams County for the purpose of growing crops and raising cattle. The IDA approved the issuance of the bond on the same date by resolution of the board. The County's approval of the IDA's bond issuance is required under the federal Tax Equity and Fiscal Responsibility Act of 1982, but such approval does not make the County an obligor or otherwise make the County liable for the principal or interest on the bond. This Resolution is effective August 10, 2023 and as follows:

RESOLUTION NO. 10 OF 2023

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF ADAMS TO APPROVE FEDERALLY TAX-EXEMPT FINANCING THROUGH PENNSYLVANIA'S NEXT GENERATION FARMER LOAN PROGRAM UPON APPLICATION BY JOHN AND BARBARA ZOOK

WHEREAS, the Next Generation Farmer Loan Program (the "Program") was established pursuant to the Pennsylvania Economic Development Financing Law, Act 102 of 1967 (as amended) to provide federally tax-exempt financing for the purpose of reducing a farmer's interest rate for capital purchases; and

WHEREAS, John F. Zook and Barbara S. Zook have applied for a loan in the amount of \$616,000 through the Program for the purpose of acquiring 48 acres of agricultural land located at 265 Seven Stars Road, Franklin Township, Adams County, Pennsylvania. Said land will be used for growing crops and raising cattle; and

WHEREAS, on July 20th, 2023, the Adams County Industrial Development Authority held a public hearing after reasonable notice on the application of John F. Zook and Barbara S. Zook pursuant to the federal Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") and the regulations set forth in 26 C.F.R. 1.141-1 *et seq.* ("Tax Exemption Requirements for State and Local Bonds"); and

WHEREAS, the Adams County Industrial Development Authority has determined that the application/project conforms to the public purpose, eligibility and financial responsibility requirements of the Economic Development Financing Law and has resolved to approve the issuance of a Limited Obligation Note evidencing the project loan amount of \$616,000 at a publicly advertised meeting as evidenced by the resolution attached herein as "Exhibit A"; and

WHEREAS, the Project's details are set forth in the public notice announcement on file in the Adams County Industrial Development Authority's Office.

NOW, THEREFORE, BE IT RESOLVED by the Adams County Board of Commissioners, that the Board, being satisfied that the requirements to issue a federally tax-exempt bond for purposes of the Program have been met, hereby approves the revenue obligation or tax-exempt issues as stated above; and

BE IT FURTHER RESOLVED, that the approval granted hereby and as required by TEFRA and the regulations set forth in 26 C.F.R. Part 1 shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of, or interest on, any obligations issued by the Authority.

THIS RESOLUTION IS ADOPTED this 10th day of August, 2023, by the Board of Commissioners of the County of Adams, Pennsylvania, in lawful session duly assembled.

ATTEST

ADAMS COUNTY COMMISSIONERS

By: /s/
Paula V. Neiman, Chief Clerk

By: /s/
Randy L. Phiel, Chairman

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

By: /s/
Marty Karsteter Qually, Commissioner

Motion carried.

- Mr. Martin moved, seconded by Mr. Phiel, to approve and sign the Subrecipient Agreements for the Adams Response & Recovery Fund (“ARRF”), which was established by the Board to allocate grant funds provided by the US Department of Treasury for eligible activities pursuant to the American Rescue Plan Act of 2021 (“ARPA”) and as authorized by the Coronavirus State and Local Fiscal Recovery Funds program (“SLFRF”). The awarded amounts were previously approved by the Board at the March 22, 2023 public meeting following a public application process:
 - Anthony’s Way: This Agreement allocates \$250,000.00 in ARRF grant funding for the purpose of responding to the public health emergency created by the COVID-19 pandemic through establishing a transitional home for men diagnosed with substance use disorder. This Agreement is effective August 10, 2023 through December 31, 2026.
 - Adams Regional Emergency Medical Services: This Agreement allocates \$250,000.00 in ARRF grant funding for the purpose of supporting emergency operations through the establishment of a critical care level EMS program. This Agreement is effective August 10, 2023, and expires December 31, 2026.
 - Southeastern Adams Volunteer Emergency Services (“SAVES”): This Agreement allocates \$250,000.00 in ARRF grant funding for the purpose of supporting emergency operations and traditional government services through necessary upgrades to its fleet of emergency vehicles. This Agreement is effective August 10, 2023, and expires December 31, 2026.
 - Adams County Arts Council: This Agreement allocates \$312,000.00 in ARRF grant funding for the purpose of addressing the economic harm the COVID-19 pandemic caused to non-profits through repair and renovation to their Arts Education Center and responding to the public health emergency through expansion of their Healing Arts program. This Agreement is effective August 10, 2023 through December 31, 2026.

Motion carried.

Personnel Report:

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

Court Administration:

- Note the status change for Grace Koppenheffer, Law Clerk, from part time to fulltime, effective July 31, 2023

Prothonotary:

Note the employment of Ashley Reilly, Court Clerk & Scanner, effective July 27, 2023.

Coroner:

Note the employment of Anthony Grifo, Deputy Coroner, effective August 14, 2023.

Building & Maintenance:

Recommendation from Larry Steinour, Director, to approve the employment of Michele Sterling, Custodian, Part time Regular, up to 29 hours/week, effective July 31,2023.

Tax Services:

Recommendation from Daryl Crum, Director, to approve the employment of Debbie Fringer, Customer Service Assessor, effective July 27, 2023.

Adams County Adult Correctional Complex:

Recommendation from Warden Katy Hileman to approve the following:

- Employment of the following Corrections Officers, pending successful completion of background screenings: Gregory Blake, effective August 7, 2023; Tyler Darragh, Cody Moretz, Justin Winfield, Emily Kurtz, effective September 11, 2023; Jacqueline Gadowski-Gibbons, effective October 16, 2023
- Note the leave of absence for Corrections Officer Brandon Black, effective July 3 through July 22, 2023

Separation of Employment with permission to post:

- Retirement of Nancy Schwartz, Custodian/Mail Clerk, effective August 31, 2023
- Richard Neeley, Lead Security Officer, effective August 25, 2023
- Hunter Shover, Corrections Officer, effective July 19, 2023
- Michael Walker, Corrections Officer, effective August 23, 2023
- Christopher Archambault, Lieutenant, ACACC, effective August 7, 2023
- Layla Sabold, Intern, Records Department at ACACC, effective August 7, 2023

Motion carried.

Expenditures:

Mr. Martin moved, seconded by Mr. Phiel, to approve the following expenditures for the period July 24, 2023 through August 4, 2023:

Expenditures cont'd:

General Fund Total	\$ 1,949,661.83
General Fund	\$ 903,179.31
PCard Payment	\$ 4,360.83
Payroll – Week #31	\$ 1,042,121.69
Children & Youth Services	\$ 213,585.21
Liquid Fuels	\$ 26,984.33
HazMat Fund	\$ 172.60
Law Enforcement	\$ 4,925.29
Commissary Fund	\$ 3,986.82
Hotel Tax Fund	\$ 72,400.79
Parks, Recs & Green Space Program	\$ 3,000.00
American Rescue Plan Act 2021	\$ 5,052.50
Capital Project-Reserve	\$ 29,400.00
911 Fund	\$ 50,322.28
Internal Service Fund	\$ 303,083.39

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. Phiel, to adjourn the Commissioner's Meeting at 12:41 a.m. this date.

Motion carried.

Respectfully submitted,



Paula V. Neiman
Chief Clerk