

THURSDAY, AUGUST 11, 2022:

The Adams County Board of Commissioners met this date in regularly scheduled session at 1:30 p.m. at the Adams County Courthouse, Historic Courtroom and via conference call with Chairman Randy Phiel presiding. Others in attendance: Commissioners James E. Martin and Marty Karsteter Qually; Steve Nevada, County Manager; Solicitor Molly R. Mudd; Beth Cissel, Deputy Controller; Sherri Clayton-Williams, Director of Planning; Don Fennimore, Court Administrator; Daryl Crum, Director of Tax Services; Angie Crouse, Director of Elections; Phil Walter, CIO; Melissa Devlin, Director of Accounts and Budgets; Todd Garrett, Budget Analyst II; Danette Laughman, HR Deputy Director; Candi Clark, Court HR Generalist; Casey Darling-Horan, York/Adams MH-IDD Administrator. News Reporter Vanessa Pellechio Sanders, *Gettysburg Times* and Chief Clerk Paula V. Neiman.

Minutes:

Mr. Martin moved, seconded by Mr. Qually, to approve the Minutes of the July 27, 2022 Commissioner's Meeting as presented.

Motion carried.

Presentation:

At this time Board Chairman recognized the following:

- Teresa Polvinale, Program Specialist I with Adams County Children & Youth Services, for 20 years of dedicated service. Sarah Finkey, CYS Administrator provided a highlight of her many achievements and successes over the years.
- David James, Esq., Guardian Ad Litem for his 45 years providing services to the children of Adams County. Sarah Finkey, CYS Administrator provided an overview of his dedicated service to all the children that he has helped throughout his years.

Public Comment:

- Jake Bylsma – no address was provided. Mr. Bylsma addressed his concern regarding criminal law enforcement.

Public Hearing:

Board Chairman announced, as advertised, a public hearing will be held at this time to accept public comment on the 2022-2023 Human Services Development Fund Block Grant Program. Chairman Phiel recognized Casey Darling-Horan, MSW, County Administrator, York/Adams MH-IDD Program. Ms. Darlin-Horan provided the following overview:

- 10-12% increase in funding with a description of where it may be applied.
- Mental Health Priorities: Much needed increase for all types of services – in-patient and out-patient.
- Intellectual Disabilities Services: Expansion of referrals

After the presentation, there was a period of public comment. The records shall show that no public comment regarding the 2022-2023 Human Services Plan was provided at this time. Chairman Phiel expressed appreciation for the work and efforts of the York/Adams MH-IDD Program and the York/Adams Drug & Alcohol Commission regarding the provision of human services to our citizens.

Mr. Qually moved, seconded by Mr. Martin to approve the submission of the 2022-2023 Human Services Development Fund Block Grant to the Commonwealth of Pennsylvania, Department of Human Services.

Motion carried.

Court Administration:

With recommendation from Don Fennimore, Court Administrator and after review by Solicitor Molly R. Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners approve the West Order Form with West Publishing Corporation (D/B/A Thomson Reuters). This Agreement renews the Court's subscription to the West Complete Library package, which includes print editions of Pennsylvania rules, statutes, and practice guides. The cost of the subscription is \$2,097.52 per month (\$25,170.24 per year), with a 5% annual increase. The Agreement is effective August 11, 2022 for a 3-year term.

Motion carried.

Building & Maintenance:

With recommendation from Larry Steinour, Director and after review by Solicitor Molly Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners appoint Chairman Randy L. Phiel to sign, on behalf of the Board, the 2020/2021 Adams County ESCO Project Final Project Acceptance dated July 25, 2022, certifying that The Work as described in the Contract Agreement is complete and operational, satisfactory and acceptable for all purposes of the Contract Agreement. Total contract price for the project was \$3,213,531.00.

Motion carried.

Probation Services:

With recommendation from Chief Gale Kendall, and after review by Solicitor Molly Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners approve and sign the 2022-23 Juvenile Probation Services Grant Agreement (Contract # 4100093158) between the Commonwealth of Pennsylvania, through the Juvenile Court Judges' Commission of the Office of General Counsel, and Adams County. This Agreement provides for a grant award of \$71,777.00, to be used for juvenile probation personnel salaries. This Agreement covers budget period July 1, 2022 through June 30, 2023. No County match is required. Further, it is recommended that the Board sign the Equitable Compensation letter, certifying that Adams County's juvenile probation personnel are paid compensation that is equitable to the compensation provided to other County and Court employees.

Motion carried.

Children & Youth Services:

With recommendation from Sarah Finkey, Administrator and after review by Solicitor Molly R. Mudd, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners approve the following:

- YDC Agreement (FY 2022-2023) with York County, on behalf of York County Youth Development Center ("YDC"). This Agreement sets forth the terms and conditions for housing Adams County juvenile detainees and emergency placements at YDC pending further court determination. The per diem rate of housing is \$375.60 as needed and as available. This Agreement shall be effective July 1, 2022 and shall terminate June 30, 2023.
- 2022-2023 Purchase of Service Contracts: Central Pennsylvania Family Support; Pa Elite All Star Gym, Inc.; Concern Professional Services for Children, Youth and Families; The Impact Project; National Mentor Healthcare LLC dba PA MENTOR; Adelphoi

Motion carried.

Tax Services:

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

- Quote #Q-474294 with Environmental Systems Research Institute, Inc. ("ESRI"), a California company. This Quote provides for two (2) additional user licenses (GIS Professional Standard Perpetual License and Creator Term License) for the ArcGIS software, which aids the Tax Services Department in the creation, editing, and maintenance of County-wide GIS parcel layers. The Quote is subject to the previously-approved Master Agreement (rev. Jan 6, 2021) and renewed Maintenance Quote (#26059612). The Perpetual License is \$6,839.00. The Creator Term License is \$489.00 for a term of one (1) year, but the cost will be prorated to reflect a reduced term that ends on April 1, 2023. The quote is effective August 11, 2022, and the Creator Term License shall expire on April 1, 2023
- Ratify the Resolution with ACNB Bank, dated July 27, 2022, for account #XXXX255 to reflect the change in signatories, removing Tyler Hertzog and adding Mary Welsh for the Adams County Tax Claim Bureau.

Motion carried.

Department of Emergency Services:

With recommendation from Warren Bladen, Director and after review by Solicitor Molly Mudd, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners sign the Statement of Work from Appalachia Technologies, LLC, of Mechanicsburg, PA, for technical support of the 911 Computer-aided Dispatch (CAD) network infrastructure, including technical support outside of regular business hours. It is further recommended that the Board designate Chairman Randy L. Phiel to sign the Master Services Agreement and the Mutual Nondisclosure and Confidentiality Agreement. The Service period of this Agreement commences on August 12, 2022 and terminates on August 11, 2023. Total cost to the County is \$32,857.80, to be paid in monthly installments of \$2,738.15.

Motion carried.

IT Department:

With recommendation from Phil Walter, CIO, and after review by Solicitor Molly Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners designate Chairman Randy L. Phiel to approve the Quote from Dell Technologies, a Texas company, for Quest Kace System Management Appliance and Kace System Deployment Appliance. This software allows the IT Department to manage all County and Court devices connected to the network by pushing out tasks to all devices, inventorying all hardware and software, and sending out patches for software and operating systems. This Agreement is made pursuant to National Cooperative Purchasing Alliance (NCPA) contract #01-42, and is effective September 16, 2022 for a one-year term. Total cost to the County is \$9,510.34.

Motion carried.

Elections/Voter Registration:

With recommendation from Angie Crouse, Director and after review by Solicitor Molly R. Mudd, Mr. Qually moved, seconded by Mr. Martin, that the Board of Commissioners approve the 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 \$365,842.48 in funding to Adams County for eligible election costs. This Application is effective August 11, 2022.

Motion carried.

Adams County Adult Correctional Complex:

With recommendation from Warden Katy Hileman, and after review by Solicitor Molly Mudd, Mr. Martin moved, seconded by Mr. Qually, that the Board of Commissioners designate Chairman Randy L. Phiel to sign the following Quotes from PROAC Corporation, a Pennsylvania company:

- Quote 220012233NSP for once yearly maintenance of the kitchen exhaust system, including cleaning of exhaust hoods, fans, and ductwork.
- Quote 220012234NSP for once yearly proactive HVAC maintenance of the dryer ductwork, including cleaning of approximately 375 feet of the duct system by a certified technician.

It is further recommended that the Board of Commissioners sign the Terms and Conditions. The period of performance for this Agreement is August 11, 2022 through December 1, 2023. Total cost to the County is \$17,834.00, with \$8,864.00 to be paid in 2022 and \$8,970.00 to be paid in 2023.

Motion carried.

Commissioners:

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

- Mr. Qually moved, seconded by Mr. Martin, to approve the Professional Services Agreement with GMS Funding Solutions for Project Assignment #4 Administration of the Adams Response & Recovery Fund (ARRF) Grant Program, whereby GMS will participate in the administration of the program including but not limited to the application and guidelines and the award process. Consulting fees will be \$5,000.00 per month. Effective date of the Agreement is August 11, 2022 for an initial term of six (6) months, with automatic renewal in six (6) month increments until such time as the program is complete.

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually, to designate Chairman Randy L. Phiel to sign on behalf of the Board of Commissioners a Professional Service Agreement with Richard G. Cornogg, ASA, IFAS for Professional Appraisal Services totaling \$2,500.00. The effective date of the Agreement is August 11, 2022.

Motion carried.

- Mr. Qually moved, seconded by Mr. Martin, to approve the request by Solicitor Molly R. Mudd for authorization to advertise in a newspaper of general circulation a Notice of Public Hearing to be held on or about August 24, 2022 and Notice to Adopt the Adams County Zoning Ordinance Curative Amendment to correct the invalidity declared in the existing Zoning Ordinance, said Curative Amendment to be adopted on or about September 7, 2022 as a matter of public business.

Motion carried.

- Mr. Martin moved, seconded by Mr. Qually, to adopt the following items related to the award of the Multi-County Broadband Feasibility Study to Design Nine, Inc.:
 - Resolution No. 11 of 2022 – This Resolution is made pursuant to the Intergovernmental Agreement Act, 53 Pa.C.S. 2301 et seq., and resolves that the County enter into an Intergovernmental Agreement with Franklin County for the purpose of conducting a Multi-County Broadband Feasibility Study.

RESOLUTION NO. 11 OF 2022

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF ADAMS THAT THE COUNTY ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF FRANKLIN FOR THE PURPOSE OF CONDUCTING A MULTI-COUNTY BROADBAND FEASIBILITY STUDY

WHEREAS, there exists a present need to expand and modernize internet connectivity within each of the counties of Adams and Franklin so as to provide traditionally underserved residents with high-quality broadband infrastructure as well as other connectivity infrastructure, devices, and equipment; and

WHEREAS, the federal government, through the American Rescue Plan Act (“ARPA”), Pub.L. 117-2 (March 11, 2021), has allocated \$6.15 billion to the Commonwealth of Pennsylvania and its municipalities to fund eligible broadband upgrade projects; and

WHEREAS, Adams and Franklin Counties recognize the need to study the feasibility of broadband implementation within and across county borders so as to best develop a plan to implement such broadband services; and

WHEREAS, local governments may cooperate in the exercise or in the performance of their respective governmental functions, powers, or responsibilities, as authorized at 53 Pa.C.S. § 2303; and

WHEREAS, it is the intention of Adams and Franklin Counties to cooperate in a multi-county broadband feasibility study with Design Nine, Inc., the lowest qualified bidder selected by the Counties after a duly-advertised public bidding process and awarded at public meeting of the Adams County Board of Commissioners on July 20th, 2022; and

WHEREAS, Adams County desires to enter into an intergovernmental agreement with Franklin County for the purpose of enumerating the financial and legal responsibilities of the Parties in relation to the awarded project.

NOW, THEREFORE, BE IT RESOLVED by the Adams County Board of Commissioners, and it is hereby **RESOLVED** by authority of the same Board of Commissioners, as follows:

1. Adams County and Franklin County shall enter into an intergovernmental agreement as authorized by 53 Pa.C.S. § 2303 for the purpose of enumerating the financial and legal responsibilities in relation to a multi-county broadband feasibility study to be conducted by Design Nine, Inc.
2. Adams County shall be primarily responsible for contracting with Design Nine on behalf of Adams and Franklin Counties for the purpose of conducting a multi-county

broadband feasibility study and in accordance with the scope and price outlined in the request-for-proposal agreed upon by the Counties.

3. Each County shall be responsible for payment of one-half (1/2) of any and all total costs incurred under the contract with Design Nine. Adams County will be responsible for forwarding all payments to Design Nine upon receipt of an invoice.
4. Franklin County shall be a third party beneficiary under the contract between Adams County and Design Nine.
5. In the event of any returned monies due to failure by Design Nine to complete the project, legal damages, or any other reason, each County shall be entitled to one half (1/2) of all returned monies. If Franklin County fails to meet their payment obligations to Adams County, Adams County reserves the right to retain that same amount from Franklin's share of the returned monies in addition to any other remedies available at law or equity.
6. Each County shall indemnify, release, and hold harmless the other County as outlined in the Intergovernmental Agreement.
7. The Intergovernmental Agreement shall be effective the date last signed by the Counties and shall continue until all payment obligations hereunder have been satisfied or until the project is completed to the satisfaction of the Counties, whichever is later.

THIS RESOLUTION IS DULY ADOPTED ON this 11th day of August, 2022, at a duly advertised meeting of the Board of Commissioners of the County of Adams.

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

- **Broadband Feasibility Study Intergovernmental Agreement** – This Agreement is made with Franklin County, PA pursuant to the Intergovernmental Agreement Act, 53 Pa.C.S. 2301 et seq., for the purpose of outlining the rights and responsibilities related to the Broadband Feasibility Study of Adams and Franklin Counties. Franklin County agrees to bear half of the costs incurred in the Study. This Agreement is effective August 11, 2022 and shall expire upon fulfillment of all payment obligations.

Motion carried.

Personnel Report:

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

Court:

Recommendation from Don Fennimore, Court Administrator to note the following:

- Separation of employment of Christian Sweger, Law Clerk for President Judge George, effective August 19, 2022
- MDJ Little’s Office: Employment of Ashley Lawrence, General Clerk, effective August 15, 2022
- MDJ Snyder’s Office: Employment of Ashley Strausbaugh, General Clerk, effective August 15, 2022
- Probation Services: End of unpaid internship for Jordan Spidle, effective August 2, 2022
- Domestic Relations: Separation of employment of Kimberly Lawrence, Case Management Officer, effective August 15, 2022

Sheriff:

Recommendation from Sheriff Jim Muller to note the employment of Grant Johnson, Deputy Sheriff, pending successful completion of background screenings, effective August 22, 2022.

District Attorney:

Note the Unpaid Internship for Israel Rojas, effective August 18, 2022 through November 17, 2022.

Adams County Adult Correctional Complex:

Recommendation from Warden Katy Hileman to approve the following Corrections Officers, pending successful completion of background screenings: Alexandra Shahid and Brandon Davis, effective August 8, 2022

- Rehire Daulton Snyder, Corrections Officer, Part time Regular, scheduled for 4 hours/week with additional hours as needed, not to exceed 29 hours/week, effective August 27, 2022
- Rescind the employment offer to Brett Spalding, Maintenance Tech III, effective August 8, 2022

Separation of Employment with permission to post:

- Revise the date of separation for Caroline Aprahamian, Assistant District Attorney, from August 12 to August 2, 2022
- Emily Mackereth, Caseworker 2 for Children & Youth Services, effective August 17, 2022
- Jessica March, Caseworker 2-Family Support for Children & Youth Services, effective August 31, 2022
- Gary Angell, Maintenance Tech 2 Special Projects, effective August 25, 2022
- Israel Rojas, Paid Internship in the District Attorney’s Office, effective August 3, 2022
- Jose Abarca, Intern, Adams County Adult Correctional Complex, effective August 8, 2022
- Ellie Engnoth, Intern, Adams County Adult Correctional Complex, effective August 5, 2022
- Scott Lee, Corrections Officer, effective July 24, 2022

Motion carried.

Expenditures:

Mr. Martin moved, seconded by Mr. Qually, to approve the following expenditures for the period July 25, 2022 through August 5, 2022:

General Fund Total	\$ 1,475,800.33
General Fund	\$ 472,160.87
PCard Payment	\$ 6,433.97
Payroll – Week #31	\$ 997,205.49

Children & Youth Services	\$ 169,102.71
HazMat Fund	\$ 6,961.00
Commissary Fund	\$ 2,137.01
Hotel Tax Fund	\$ 73.65
Capital Project-Reserve	\$ 8,628.00
Capital Projects	\$ 278,433.89
911 Fund	\$ 38,166.46
Internal Service Fund	\$ 365,690.65

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. Qually moved, seconded by Mr. Martin, to adjourn the Commissioner’s Meeting at 2:38 p.m. this date.

Motion carried.

Respectfully submitted,

Paula V. Neiman
Chief Clerk