

**PROPOSED                      AGENDA, WEDNESDAY, DECEMBER 16, 2020:**

9:00 A.M.    Convening of the Adams County Board of Commissioners' Meeting.

**Pledge of Allegiance**

**Minutes:**

Approve the Minutes of the December 2, 2020 Commissioners' Meeting as presented.

**Proclamation:**

- **Robert A. Witt Day in Adams County** – December 16, 2020

**Public Comment:**

*Individuals may listen to the meeting or comment during the public comment portion of the agenda by calling **1-415-655-0001, 132-798-3497#**. Any comments related to the agenda or county business are limited to 5 minutes and the individual is to state their name and address prior to commenting.*

**Court:**

Recommendation from Don Fennimore, Court Administrator, and after review by Solicitor Molly R. Mudd that the Board of Commissioners approve and authorize Chairman Randy L. Phiel to sign two (2) Choice Security Services Rider to Alarm Service Agreements – one for District Justice Daniel Bowman, 45-D West Hanover Street, Gettysburg, PA in the amount of \$1,260.00 and one for District Justice Tony Little, 40 Church Road, East Berlin, PA in the amount of \$1,130.00 for security enhancements that involves cameras and duress alarms at these locations. The Court received grant funds from the Administrative Office of Pennsylvania Courts so no county funds will be used.

**Clerk of Courts:**

Recommendation by Clerk of Courts Kelly Lawver, and after review by Solicitor Molly Mudd, that the Board of Commissioners appoint Chairman Randy L. Phiel to sign on behalf of the Board the Master Agreement for Treasury Management Services and Government Addendum with Adams County National Bank. This Agreement will increase the Clerk of Court's approved ACH (Automated Clearing House) exposure limit to \$260,000 and the Remote Deposit Capture Service limit to \$50,000, effective December 10<sup>th</sup>, 2020.

**Sheriff's Office:**

Recommendation from James W. Muller, Adams County Sheriff, and after review by Solicitor Molly Mudd, that the Board of Commissioners execute the attached Professional Services Agreement and Addendum with Bid4Assets, Inc. of Silver Spring, Maryland. This Agreement will allow Bid4Assets to provide the Sheriff with a platform to

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#### **Sheriff's Office cont'd:**

conduct online Sheriff's Sales. The service will be financed by fees assessed against purchaser(s) of sale properties. If properties fail to be sold no fee will be assessed to the Sheriff's office. The term of the Agreement is through December 31, 2027, with the right to terminate without cause pending ninety (90) days written notice.

#### **Children and Youth Services:**

Recommendation from Sarah Finkey, Administrator and after review by Solicitor Molly Mudd, that the Board of Commissioners review and sign the following:

- January 1, 2021 – December 31, 2022 Letter of Agreement between Adams County Children and Youth Services and York/Adams Early Intervention Services regarding the coordination of referrals and provision of services for children (5) years of age and younger who have been the subject of a substantiated report of child abuse or neglect, accepted GPS assessment, or subject of a plan of safe care and/or open with a Family Support Unit.
- 2020-2021 Purchase of Service Agreement with Bruce Kelly
- Laboratory Services Agreement with Drugscan, Inc. of Horsham, for certain drug screening services, with testing prices ranging from \$5 to \$75. Agreement is effective December 9<sup>th</sup>, 2020 and terminates with 30 days' notice.

#### **Information Technology**

Recommendation by Phillip Walter, CIO and after review by Solicitor Molly Mudd, that the Board of Commissioners approve the following:

- Execute Quote #1010373 and the associated Co-Stars Addendum with the Link Computer Corporation for the purchase of Trend Micro Deep Security Anti-Malware software that enhances the County's cybersecurity protections, at a cost to the County of \$1,276.00. The term of the contract is one (1) year, from January 8, 2021 through January 7, 2022. The cost of this software is budgeted from IT contracted services.
- Execute Quote #1010274 and the associated Co-Stars addendum with Link Computer Corporation for SMARTnet software licenses for Cisco applications including video/document hosting applications, information security solutions, user licensing management solutions, networking solutions, and voicemail solutions at a cost to the County of \$110,720.78. The term of the contract is one (1) year ending on January 1, 2022. The cost for these licenses is budgeted out of IT contracted services.

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#### **Finance Department:**

Recommendation from Sara Brensinger, Purchasing Coordinator, and after review by Solicitor Molly Mudd, that the Board of Commissioners approve Equipment Lease Agreement #450-7407123-023 with Kyocera Document Solutions Mid Atlantic, Inc./Quality IT Solutions for the renewal of fourteen (14) printer/copier leases for various County and Court departments (Building & Maintenance, Prison, Sheriff, Solicitor, Veteran Affairs, and Court Administration). The monthly lease payment will be \$490.76 for a total cost of \$29,445.60 over the sixty (60) month life of the lease. The cost will come from the respective department's budget for contracted services.

#### **Building & Maintenance:**

Recommendation from Larry Steinour, Director, and after review by Solicitor Molly Mudd, that the Board approve the following:

- Service Agreement with the Overhead Door Company of Harrisburg-York (Proposal ID 144344) for the installation of a jackshaft operator for the ramp door at the Human Services Building, at a cost to the County of \$2,372.00. The Agreement is effective December 16, 2020.
- Maintenance Program Agreement (Proposal No. 20202301) with the McClure Company for the Comprehensive Preventative Maintenance of the various HVAC systems in all County-owned buildings at a total cost of \$66,576.00. This one-year agreement will be effective January 1<sup>st</sup>, 2021 and expire December 31<sup>st</sup>, 2021.
- Execute the Planned Maintenance Agreement with Susquehanna Door Service of New Oxford for the maintenance of the automatic sliding doors at the Courthouse and Human Services Building, at a cost to the County of \$645.00. The term of the Agreement is January 1, 2021 through December 31, 2021.
- Maintenance Services Agreement with NRG Building Services, Inc. of Harrisburg for the bi-monthly preventative maintenance of covered equipment in all County-owned buildings, at a total annual cost to the County of \$26,075.00. This agreement is effective January 1<sup>st</sup>, 2021 and terminates December 31<sup>st</sup>, 2021.

#### **Elections and Voter Registration:**

Recommendation from Angie Crouse, Director and after review by Solicitor Molly Mudd, that the Board of Commissioners approve the Department of State's County Application and Agreement for CARES Act Grant Funds in the amount of \$10,532.50 for the purpose of receiving reimbursement for the postage/ mailing costs incurred by the County during the 2020 General Election for mail-in ballots. No County match is required.

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#### **Tax Services:**

Recommendation from Daryl Crum, Director and after review by Solicitor Molly Mudd, that the Board approve the Professional Services and Software Agreement with Evaluator Services & Technology, Inc. ("EST") of Middletown for the licensure of updated Computer Assisted Mass Appraisal ("CAMA")/Tax Administration Software and the migration of old data to the new CAMA system. Total cost to the County will be \$15,648.00 for the software licenses, and \$2,680.00 per month for maintenance and support fees. This agreement shall commence December 16, 2020 and terminate on December 31, 2021.

#### **Planning Department:**

Recommendation from Sherri Clayton-Williams, Director, to approve the following:

- Re-appointment to the Adams County Parks Recreation & Green Space Grant Program Committee to another 4-year term effective January 1, 2021 through December 31, 2024
  - Anne Geiger, Borough Representative
  - David Sites, Realtor
  - George Taughinbaugh, Adams County Agricultural Land Preservation Board Representative
  - David Waybright, Farmer
  
- Authorize Chairman Randy L. Phiel to sign the request from East Berlin Borough for an extension to June 30, 2021 for the East Berlin Borough's Parks Recreation & Green Space Grant Project for the bathroom's construction project at their community park. This request comes after unforeseen delays, in part related to the pandemic.

#### **Fund for Adams Investment & Recovery (FAIR):**

Whereas Adams County has entered into a Contract for COVID-19 County Relief Block Grant funds with the Commonwealth of Pennsylvania, Department of Community & Economic Development (DCED), providing for financial aid to the County through Act 24 of 2020 and the Coronavirus Relief and Economic Security Act (the "CARES Act") the following recommendations now being put forward by the Chair of the Community Evaluation Team (CET), that the Board of Commissioners review and approve Sub-Recipient Agreements and award the following CARES grant monies to the Sub-Recipient(s) listed below in the amount so stated:

**FAIR Sub-Recipient Agreement Amendments:**

The following Sub-Recipients are hereby awarded FAIR grant funds for additional substantiated eligible expenses, as recommended by the Community Evaluation Team, in addition to the original grant award, such that the Sub-Recipient Agreement and Funding Scope are hereby amended to reflect a maximum total grant award to the Sub-Recipients listed below in the amounts so stated:

**Adams County Retirement Board:**

Recommendation from Controller John Phillips, in his capacity as Secretary of the Adams County Retirement Board, and after review by Solicitor Molly Mudd, that the Board of Commissioners authorize the advertisement of Ordinance No. 1 of 2021 authorizing approval to amend the County's non-uniform Pension Plan administered by the Pennsylvania Municipal Retirement System (PMRS) pursuant to Article IV of the Pennsylvania Municipal Retirement Law, expressing the Board's intent to adopt the amended Base Plan Document, Service Level Agreement and Adoption Agreements. This Ordinance will be adopted at the Adams County Commissioner's public meeting to be held Wednesday, January 13, 2021.

**Human Resources:**

Recommendation from Michele Miller, HR Director, to amend the PTO Policy to replace the 200 rollover hours and allow for up to 260 hours to remain in the active PTO bank before rolling over into Sick Leave Reserve, effective December 31, 2020.

**Commissioner's Office:**

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

- Execute the following in regard to the Adams County Historical Society (ACHS):
  - Memorandum of Understanding outlining the Board's intent to award a grant of One Million Dollars (\$1,000,000.00) to the ACHS derived from hotel tax revenues for the purposes of designing, constructing, and promoting the Museum, Archives and Education Center in Cumberland Township, and/or for the development and preservation of its historical collections and educational programs for the benefit of the community and visitors to the County; and
  - Resolution No. 17 of 2020 whereby the Board of Commissioners resolves to grant certain county funds derived from hotel tax revenues not to exceed One Million Dollars (\$1,000,000.00) to the Adams County Historical Society for the purpose of economic development and historic preservation.

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Commissioner's Office cont'd:

- Change Order #1 from the General Contractor – The Energy Network (TEN) of Pittsburgh; this is related to bringing the Chilled Water Piping at the Adams County Adult Correctional Complex above ground in order to more easily detect leaks and to work on the water lines; the contract will be increased by this Change Order #1 in the amount of \$54,390.00.
- Appoint Chairman Randy L. Phiel to sign on behalf of the Board the Memorandum of Understanding with the American Federation of State, County, and Municipal Employees, AFL-CIO, District Council 89 ("AFSCME") wherein the parties agree that the current COVID-19 pandemic and related mitigation and response plans instituted by the County to enhance safety and security of staff and inmates at the Adams County Adult Correctional Complex have created staffing difficulties at the prison such that the Parties agree, in an effort to decrease mandatory overtime for AFSCME uniformed staff, to permit the temporary staffing of AFSCME Union positions by non-unionized County staff. This MOU became effective December 8, 2020 and shall continue through April 30, 2021 unless the current pandemic crisis is resolved or upon request of either party to discontinue.
- Appoint Chairman Randy L. Phiel to execute on behalf of the Board a Letter of Representation with Barley Snyder, Attorneys at Law, whereby the Board approves the appointment of Adam Boyer as counsel to the Adams County Zoning Hearing Board, services to be billed at \$150.00/hour. The County may terminate representation at any time, at the sole discretion of the County.

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Commissioner's Office cont'd:

- Adoption of the 2021 Adams County Budget as follows:

	<u>Revenues</u>	<u>Expenditures</u>
➤ General Fund	\$52,008,335	\$54,805,676
Contingency Reserve	\$ 2,797,321	
➤ Special Funds		
911 Telecommunications	\$ 2,166,983	\$ 4,101,377
Children & Youth Services	\$ 8,481,981	\$ 9,694,967
Independent Living Grant	\$ 491,642	\$ 547,401
Hazardous Materials Grant	\$ 73,062	\$ 134,796
General Fund Contribution	\$ 3,264,873	
➤ Hotel Tax Fund		

Hotel Tax	\$ 1,041,000	\$ 1,098,194
Contingency Reserve from the Hotel Tax Fund	\$ 57,194	

➤ Bridge Funds

Act 13 Bridge Improvements	\$ 192,500	\$ 528,000
Liquid Fuels Grant	\$ 525,150	\$ 437,500
Contingency Reserve from Bridge Funds	\$ 247,850	

- General Release and Settlement Agreement with Chad M. Witmer, in full and final settlement of the EEOC Action docketed at EEOC #530-2019-06280 and in full and final settlement of Grievance #89-2637-50389 filed through Witmer’s Collective Bargaining Unit, AFSCME District Council 89. Whereas the Parties agree and desire to resolve, compromise and discharge with prejudice any and all disputes or differences between them including these Actions, the County agrees to pay the sum of \$35,000.00 to Witmer, with no admission of liability.
- Adopt Resolution No. 18 of 2020 whereby the County of Adams has identified expenses eligible for funding through the Coronavirus Relief and Economic Security Act (the “CARES Act”), in an amount in excess of \$851,865.66, such that the County’s COVID-19 response costs far exceed the funds remaining in the Fund for Adams Investment and Recovery (the “FAIR” Program) after the County has awarded eligible small businesses, non-profit organizations and municipal entities grants totaling \$8,527,969.50. Based upon the foregoing the Board authorizes and

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Commissioner’s Office cont’d:

Resolves that the remaining funds in the FAIR Program, including any accrued interest, credits, or funds undisbursed to other recipients as of December 30<sup>th</sup>, 2020 be dispersed to the County in reimbursement for all eligible expenses incurred; and that the Board further authorize and Resolve that the County’s expenses related to the administration of the FAIR Program be reimbursed to the County from the County Relief Block Grant Funds in an amount not to exceed \$186,052.50.

**Personnel Report:**

Courts:

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

- Probation Services – Employment of Matthew Czaplicki, Matthew Wagaman and Miranda Stultz, Probation Officers, effective January 4, 2021
- Separation of employment, with the intent to fill, for Sandra Sherman, Tipstaff, effective December 4, 2020 and Alan Mains, Tipstaff, effective December 18, 2020.

District Attorney:

Approve the extension of the following interns effective May 2021: Gustav Gygi and Courtney McGonagle.

Clerk of Courts:

Recommendation from Clerk of Courts Kelly Lawver to approve the employment of Deborah A. Morningstar, Deputy Clerk 3-Orphas Court, effective December 7, 2020.

Public Defender:

- End of Unpaid Internships for Parham Golestanian, and Jennifer Zerfing, both effective December 11, 2020
- Unpaid Internship for Daniel F. Handley, effective January 19, 2021 through April 30, 2021

Separation of Employment with permission to post:

- Eric Noss, 911 Assistant Supervisor, effective December 20, 2020
- David Appleby, Field Data Property Evaluator-Commercial, effective January 6, 2021
- Timothy Cromer, Corrections Officer, effective December 5, 2020
- Kenneth Kruse, Corrections Officer, effective December 9, 2020

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**Expenditures:**

Approve the following expenditures for the period November 30, 2020 through December 11, 2020:

General Fund Total	\$ 1,603,603.09	
General Fund	\$ 598,794.95	
PCard Payment	\$ 6,218.24	
Payroll – Week #50	\$ 998,589.90	
Children & Youth Services	\$ 260,607.86	
Law Enforcement	\$ 590.97	
Commissary Fund	\$ 1,732.95	
Records Management	\$ 14.68	
Hotel Tax Fund	\$ 128,969.05	
Human Services	\$ 3,356.71	



Capital Projects - Reserve	\$	1,171.25
911 Fund	\$	15,505.37
Internal Service Fund	\$	288,378.77

**Other Business:**

Solicitor Mudd  
Commissioner Qually  
Commissioner Martin  
Commissioner Phiel

**Salary Board Meeting:**

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

**Adjournment:**