

COUNTY COMMISSIONERS' WORK SESSION MINUTES
TUESDAY, FEBRUARY 9, 2016

The Board of County Commissioners met today in their weekly Work Session.

Present at today's meeting were:

Dennis P. Stuckey, Chairman
Joshua G. Parsons, Vice Chairman
Craig E. Lehman
BOARD OF COUNTY COMMISSIONERS

Lisa Johnson
ASSISTANT CHIEF CLERK

Crystal Clark, Esquire
COUNTY SOLICITOR

Also present were:

Matthew Acker, Deputy Treasurer/Director of Tax Claims Bureau
TREASURER'S OFFICE

George Alspach, Solicitor
CONTROLLER'S OFFICE

John Bennawit, Records Specialist
INFORMATION TECHNOLOGY DEPARTMENT

Jeffrey Cutler
EAST LAMPETER TOWNSHIP TAX COLLECTOR

Brian Hurter, Controller
CONTROLLER'S OFFICE

Ralph Hutchinson, Manager
EAST LAMPETER TOWNSHIP BOARD OF SUPERVISORS

Mike Sload, Deputy Director
INFORMATION TECHNOLOGY DEPARTMENT/BUDGET SERVICES

Paul Weiss, Administrator
DEPARTMENT OF PARKS AND RECREATION

Commissioner Stuckey called the meeting to order at 10:10 a.m.

Commissioner Stuckey announced that the Board of Commissioners meet in Executive Session on Tuesday, February 9, 2016 at 9:08 a.m. to discuss Potential Litigation Matters regarding contract disputes; Litigation Matters involving the Gilchrist, Reyes, Abrante and Noviho arbitration; Labor Grievance matters; and Personnel Matters involving the discipline, suspension and termination of various employees.

Commissioner Stuckey announced the postponement of approval of the January 26, 2016 Work Session Minutes and February 2, 2016 Work Session Minutes.

Commissioner Stuckey announced there will be no Work Session held on Tuesday, February 23, 2016 and no Commissioners Meeting held on Wednesday, February 24, 2016 as that is when the NACO conference is scheduled.

1. Paul Weiss, Administrator, presented an Agreement on behalf of the Department of Parks and Recreation.
NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated February 17, 2016.
2. Matthew Acker, Deputy Treasurer and Director of the Tax Claim Bureau, presented Solicitor and Co-Solicitor Appointments on behalf of the Tax Claim Bureau.
NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated February 17, 2016.
3. Mike Sload, Deputy Director, and John Bennawit, Records Specialist, presented a Consultant Agreement on behalf of the Information Technology Department.
NOTE: For more information please refer to the County Commissioners' Meeting Minutes dated February 17, 2016.
4. Brian Hurter, Controller, and George Alspach, Solicitor, presented an Audit Report of the East Lampeter Township Tax Collector performed by the Controller's Office.

Mr. Hurter presented the findings from January 1, 2014 thru January 15, 2015, noting the main issue was the accounts not being paid to the County in the correct period and reviewed three of the audit findings:

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- 1) Timely submission of the tax collections.
- 2) No payment documentation.
- 3) Consistent high bank balance after monthly and year end settlement.

The Controller's Office has determined an amount of \$17,922 is owed to Lancaster County for failure to pay real estate taxes on a timely basis and put together ten recommendations which they feel would clean up the issues going forward.

Mr. Alspach confirmed for Commissioner Lehman that per the tax collection law the next step would be to notify to the surety, but they have not at this point as the Board has that authority, and pointed out that East Lampeter Township has ongoing litigation to try to remove Mr. Cutler.

Ms. Clark said the recommendations could be part of joining the suit as well to give some legal authority insuring they are followed.

Mr. Hutchinson corrected Mr. Alspach, saying the Township has taken action in an attempt to compel Mr. Cutler to do his job, not remove him from office. Mr. Hutchinson encouraged the Board to consider joining in support of that action and agreed with making the recommendations legally required as part of Mr. Cutler's activities as tax collector, also noting their Board has taken action to make payment demand for their amount due, approximately \$7700.

Mr. Cutler said he gets paper copies from the banks of what is being paid, then he hand records which causes delays, noting with the amount of paper and documents he gets it is easy to miss something. Mr. Cutler stated that he would like to enhance real estate tax laws and has come up with an alternate to the system which makes taxes uniform.

Commissioner Lehman expressed concern that the Controller has made specific findings which show Mr. Cutler consistently negatively impacting Lancaster County's cash flow on an ongoing basis, explaining we are not receiving money in a timely basis so we cannot invest that money to earn interest which helps to defray the costs to taxpayers for provided services, and that is not acceptable. Commissioner Lehman understands that Mr. Cutler is trying to do the best he can but that does not absolve him of addressing the findings the Controller has put forth nor does it absolve him from taking a position on whether or not he can agree to the recommendations

Mr. Hurter said they do not run into the same issues with other tax collectors, some with double the parcels, not receiving their bills electronically.

The Board agreed to review all information and revisit at a later date.

5. Lisa Johnson presented the February 10, 2016 County Commissioners' Meeting Agenda noting no changes.
6. On motion of Commissioner Lehman, seconded by Commissioner Parsons, the meeting was adjourned at 11:31 a.m.

Motion passed unanimously.

Respectfully submitted,

Christine M. Carrigan, Executive Assistant
Commissioners' Office