

COUNTY COMMISSIONERS' MINUTES
WEDNESDAY, MARCH 23, 2016

The Board of County Commissioners met today in their weekly Commissioners' Meeting.

Present at today's meeting were:

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

Lisa Johnson
ASSISTANT CHIEF CLERK

Also present were:

James Cowhey, Executive Director
PLANNING COMMISSION

Pamela Grosh, Director, Victim Witness Services
DISTRICT ATTORNEY'S OFFICE

Brian Hurter, Controller
CONTROLLERS OFFICE

Matt Knepper, Director
AGRICULTURAL PRESERVE BOARD

Karen Martynick, Executive Director
LANCASTER FARMLAND TRUST

Crystal Natan, Executive Director
CHILDREN AND YOUTH AGENCY

Jeff Swinehart, Deputy Director
LANCASTER FARMLAND TRUST

Commissioner Stuckey called the meeting to order at 9:15 a.m. followed by the Pledge of Allegiance.

Commissioner Stuckey announced to postpone approval of March 2, 2016 Commissioners' Meeting Minutes, March 9, 2016 Evening Commissioners' Meeting Minutes, and March 16, 2016 Commissioners' Meeting Minutes.

Commissioner Stuckey announced that there is an Election Board Meeting immediately following the Commissioners' Meeting today.

Presentation of Results of Lancaster Farmland Trust 2015 Challenge Grant

Karen Martynick, Executive Director, Lancaster Farmland Trust

Jeff Swinehart, Deputy Director, Lancaster Farmland Trust

Matt Knepper, Director, Agricultural Preserve Board

Mr. Knepper explained that 2016 will be the eleventh year of the challenge grant partnership and the Farmland Trust has never failed to raise its share of funds.

Mr. Swinehart presented the Board with spreadsheets, stating this funding along with the required match resulted in a return of 208% of the County's investment. Mr. Swinehart thanked the Board for their support and acknowledged the significant contributions made by the landowners.

Ms. Martynick said the Farmland Trust is very cognizant of the responsibility it has to be good stewards of the taxpayers' dollars which come to them as a result of the Boards generosity. Ms. Martynick also discussed the findings of the poll done in December in which 91% believe Lancaster County is an excellent place to live, work and raise their family, and 94% believe that the farmland we have contributes to that quality of life, noting that the investment the Board makes in farmland preservation is one that resonates with the public.

Commissioner Lehman stated the partnership between the Ag Preserve Board and the Farmland Trust is a model across the Country, which is why we are number one in the nation and having concrete numbers that show we are doing what the community expects us to do is hugely helpful to do our job.

ORDINANCE NO. 118

On motion of Commissioner Parsons, seconded by Commissioner Lehman;

AN ORDINANCE OF THE LANCASTER COUNTY, PENNSYLVANIA, BOARD OF COMMISSIONERS DELAYING THE REPEAL, IN CERTAIN MUNICIPALITIES, OF THE LANCASTER COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, ENACTED SEPTEMBER 25, 1991, AND AS AMENDED BY ORDINANCE NO. 117; and

WHEREAS, the Lancaster County Planning Commission has had the authority for subdivision and land development plan approvals since 1960, when the Lancaster County Board of Commissioners adopted the County's first subdivision and land development plan ordinance ("SALDO"); and

WHEREAS, the Pennsylvania Municipalities Planning Code ("the MPC") establishes the authority of a county to enact a SALDO for land in those municipalities that have no SALDO in effect, which Lancaster County ("the County") has so done; and

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WHEREAS, the Lancaster County Board of Commissioners adopted and enacted on September 25, 1991, the current County SALDO as Ordinance No. 31 of 1991, as subsequently amended by Ordinance No. 117; and

WHEREAS, the MPC establishes the authority of a municipality to enact a SALDO for land under its jurisdiction and grants counties the opportunity to review and report to the municipality on SALDO applications filed with the municipality; and

WHEREAS, on October 7, 2015 the Lancaster County Board of Commissioners adopted Ordinance No. 117 which repealed the authority of the Lancaster County Subdivision and Land Development Ordinance, effective April 4, 2016, for the remaining seventeen municipalities that had not yet adopted their own ordinance; and

WHEREAS, several municipalities have communicated that they are unable to complete adoption of a subdivision and land development ordinance by the April 4, 2016 deadline; and

WHEREAS, in order that there be no lapse in subdivision and land development regulations in those municipalities that have not adopted their own ordinance, the County SALDO shall remain in effect in such municipalities until June 30, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF LANCASTER COUNTY, PENNSYLVANIA:

Section 1. Modification of Repeal

That the Lancaster County, Pennsylvania, Subdivision and Land Development Ordinance, Ordinance No. 31 of 1991, as enacted and ordained on September 25, 1991, and as subsequently amended by Ordinance No. 117, shall not be repealed for those municipalities that have not yet adopted subdivision and land development ordinances until the date further specified below.

Section 2. Effective Date

That this Ordinance shall become effective on April 4, 2016 for the municipalities of which have not adopted a subdivision and land development ordinance by April 4, 2016 and shall expire on June 30, 2016.

Motion passed unanimously.

On motion of Commissioner Lehman, seconded by Commissioner Parsons, it was agreed for the County of Lancaster, acting on behalf of the Children and Youth Agency and/or the Office of Juvenile Probation, to approve the following:

<u>Agreement With:</u>	<u>For:</u>	<u>Amounts Fiscal Year 2015-2016</u>
UMHC – Residential	Residential – Cottage A	\$210.00/day
Mechanicsburg, PA	Residential – Cottage B	\$210.00/day
	Residential – Cottage C	\$210.00/day
	Residential – Cottage D	\$210.00/day

Motion passed unanimously.

On motion of Commissioner Parsons, seconded by Commissioner Lehman, it was agreed for the County of Lancaster, acting on behalf of the District Attorney's Office – Victim/Witness Services, to approve the following:

<u>Grant Application With:</u>	Pennsylvania Commission on Crime and Delinquency Harrisburg, Pennsylvania
<u>Purpose:</u>	To apply for Victims of Crime Act – Victim Advocacy Project grant funding to partially fund the salaries and benefits for the Sexual Assault/Children's Advocate position and the Victim Advocate for domestic violence victims position. These advocates provide support, orientation, accompaniment, referrals to counselors and other social service agencies, assistance with transportation, child care and other matters related to court appearances, assistance with filing Crime Victims Compensation claims, and victim advocacy for sexual assault victims, child victims and their parents, and for victims of domestic violence.
<u>Amount/Term:</u>	Not to exceed \$248,498.00 for the period July 1, 2016 through June 30, 2019 (100% Federal funding).

Motion passed unanimously.

Mr. Hurter followed up on yesterday's presentation regarding the bond refinancing process noting it would be helpful to maintain a sold general fund balance if the County proceeds with the refunding opportunities.

Mr. Hurter also gave an update on the East Lampeter Township tax collector, Jeffrey Cutler, by providing the Board with a spreadsheet which detailed 23 properties who were reported in error. Mr. Hurter explained that two weeks ago the Tax Claims Bureau sent out bills to delinquent taxpayers and the Treasurer's Office subsequently received numerous phone calls from people who said they had paid their taxes. The callers were directed to contact Mr. Cutler, but his voice

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mail was full. Mr. Hurter noted some payments have been received, but he is concerned about Mr. Cutler's high bank balance. Mr. Hurter stated he believes this is money that should be turned over to the Township and the County and Mr. Cutler has not made any attempt to reconcile these issues.

Commissioner Lehman said this is particularly egregious as people are being damaged from a credit perspective because Mr. Cutler has failed to do his job and his incompetence has negatively impacted the County, the municipality and some taxpayers which is completely unacceptable.

Mr. Hurter confirmed the surety has been contacted by County Solicitor Crystal Clark.

The Board thanked Mr. Hurter for taking the lead and his attention to this matter, agreeing that it needs to be rectified as Mr. Cutler is unable to perform his required duties as tax collector.

On motion of Commissioner Parsons, seconded by Commissioner Lehman, the meeting adjourned at 9:52 a.m.

Motion passed unanimously.

Respectfully submitted,

Christine M. Carrigan, Executive Assistant
Commissioners' Office