

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

Present at today's meeting were:

Joshua G. Parsons, Chairman
Ray D'Agostino, Vice Chairman
Craig E. Lehman
BOARD OF COUNTY COMMISSIONERS

Lawrence George
CHIEF CLERK

Lisa Johnson
ASSISTANT CHIEF CLERK

Christina Hausner, Esquire
COUNTY SOLICITOR

Also present were:

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

Melissa Anderson, Assistant Supervisor
COURT REPORTERS

Charlie Douts, Director
FACILITIES MANAGEMENT

Craig Haertter, Operations Manager
PROPERTY ASSESSMENT OFFICE

Carter Walker, Reporter
LANCASTER NEWS

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

Commissioner Parsons announced the postponement approval for the November 13, 2019 Commissioners' Meeting Minutes, November 26, 2019 Evening Commissioners' Meeting Minutes, December 11, 2019 Commissioners' Meeting Minutes, December 18, 2019 Commissioners' Meeting Minutes and January 8, 2020 Commissioners' Meeting Minutes.

Resolution No. 12 of 2020 – Property Assessment Office – Exoneration Request of County Taxes

Mr. Acker, Chief Deputy Treasurer, stated that his office had a chance to review this specific parcel No. 160-23500-0-0000 located on Lime Street, Rheems, West Donegal Township, more thoroughly and gave some background information on the listed property. Mr. Acker indicated that this type of exoneration request is nothing new and has been done in the past. This parcel was purchased at a Judicial Sale back in 2008 and came back in 2011 for an Upset Tax Sale. At that time, the purchaser did not know thoroughly what they were purchasing and will usually let a property sit idle, does not pay taxes and it gets recycled back through the Tax Claim Bureau process and potentially comes up for sale again.

After this property was exposed at an Upset Tax Sale a decision was made not to incur all costs involved in taking it through a Judicial Sale again. That determination was made on the simple fact that this is a one-acre unbuildable lot that will probably not sell. It was determined for them to reach out to the Assessment Office and have them do a reevaluation on this property to see if we can get this cleaned up. In October 2012, a letter was sent from Lynn Ferguson, Nicholas & Hoenagle LLP. to Ephrata School District and West Donegal Township indicating that they wanted to go through the process of having the property reevaluated and reassessed, and if they had any objections to let them know. There were no objections and the Tax Claim Bureau did proceed with presenting this to the Board of Assessment Appeals in which the Board did reduce the value of the property to \$0. What this does is take care of the property so tax years going forward there will be no tax bills generated during that time. There were back taxes, and everyone agreed going forward that this should be assessed at \$0 value. Now, it is about going back and cleaning up the books on the prior year taxes and that requires documentation to be sent to Ephrata Area School District and West Donegal Township asking for permission to basically go forward in exonerating taxes due on this property. The municipality and school district both gave permission. Once the Treasurer has approval, they then present to the Assessment Office to represent the County moving forward in seeking exoneration on the County tax portion due. This is cleaning up the records from a County standpoint and getting it removed from the books.

Mr. Acker added that there are several options that you can do with this property. The property is sitting in limbo, and in theory if the property owner would ever sell the property at that time taxes would typically get paid at a settlement. This has been historically done and a judgement call was made by the Tax Claim Bureau and the Treasurers Solicitor trying to get everyone on the same page. Assessment had presented these matters to the board in the form of checks and balances so they can come forward with all the documentation in place and pitch it to the Board of Commissioners for approval.

Commissioner D'Agostino had conversation with colleague Commissioner Lehman and Mr. Acker and stated that this would clean it up administratively but not physically. One of the options suggested was to have a quick clean deal with the property owner and the owner of the lot to possibly do a transfer. If not, it can come back to the Board and be dealt with in an appropriate manner.

**Lancaster County Commissioners' Meeting Minutes
Wednesday, January 15, 2020**

Commissioner Parsons asked if this could be sent to repository as a standard process, Mr. Acker stated to do that, the property must go through a Judicial Sale process again and it was deemed not cost worthy on this specific property.

Commissioner Lehman stated there is a weakness in this process because of the way it is set up, there is no responsibility on the part of the owner in this specific case. They basically purchased a piece of property, walked away from it, and now the County must expend resources to clean up the mess and yet the owner still retains ownership of the property. Commissioner Lehman thinks the optics of this are bad if people are expected to be responsible for decisions that they have made.

After a discussion, the Board agreed to remove the Resolution from the agenda and run it through the normal process. If in the interim a solution gets worked out, that is even better. Commissioner Lehman stated that he can reach out to CCAP from an advocacy standpoint to see about getting a precedent set to clean up the policy.

RESOLUTION NO. 12 OF 2020
(Resolution No. amended from No. 13 to No. 12)

On motion of Commissioner D'Agostino, seconded by Commissioner Lehman, it was agreed for the County of Lancaster to approve the following budget adjustments:

REVENUE ACCOUNT:

Facilities Management -	
State Grant -	<u>\$89,520.00 (+)</u>
Mosquito Borne Disease Control Program	
A3100 43030 A-6321	

EXPENDITURE ACCOUNTS:

Facilities Management -	
Personnel Services	<u>\$37,985.00 (+)</u>
A3100 43030 A-7100	

Facilities Management -	
Supplies	<u>\$12,405.00 (+)</u>
A3100 43030 A-7200	

Facilities Management -	
Purchased Services	<u>\$12,480.00 (+)</u>
A3100 43030 A7300	

Facilities Management -	
Capital Expenditures	<u>\$26,650.00 (+)</u>
A3100 43030 A-7500	

\$89,520.00 (+)

Motion passed unanimously.

Mr. George, Chief Clerk opened a discussion on long-term contract commitments and requested the two motions listed below be amended to a one-year term for both agreements with Murray, and not three as originally proposed and submitted by Murray Insurance.

Commissioner Lehman has some concerns and stated we need to be mindful that we do not incur fees in the long run. Ms. Hausner stated there are advantages to longer term contracts, but they are all different.

On motion of Commissioner Lehman, seconded by Commissioner D'Agostino, it was agreed for the County of Lancaster to approve the following, as amended from prepared motion:

Agreement With:

Murray
Lancaster, Pennsylvania

Purpose:

Murray will act as claims administrator and service agent in matters pertaining to Pennsylvania Workers' Compensation claims.

Amount/Term:

Excess Workers' Compensation Third Party Administration Fee as follows:

- \$14,437.50 for the term February 1, 2020 through December 31, 2020.

Motion passed unanimously.

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On motion of Commissioner D'Agostino, seconded by Commissioner Lehman, it was agreed for the County of Lancaster to approve the following, as amended from prepared motion:

- Agreement With:** Murray
Lancaster, Pennsylvania
- Purpose:** Murray will act as claims administrator and service agent in matters pertaining to Public Entity Employment-related Practices Liability, Public Entity Management Liability and Law Enforcement Liability Protection claims.
- Amount/Term:** Professional Liability Third Party Administration Fee as follows:
 - \$19,906.25 for the term February 1, 2020 through March 31, 2021.

Motion passed unanimously.

On motion of Commissioner D'Agostino, seconded by Commissioner Lehman, it was agreed for the County of Lancaster, acting on behalf of the Court Reporters, to approve the following:

1. **Per Diem Court Reporter Agreement With:** Allen Blank
Paradise, Pennsylvania
Purpose: To provide computerized reporting services and transcription services to the Lancaster County Court of Common Pleas as needed.
Amount: \$150.00 for the morning session and \$175.00 for the afternoon session, with compensation not to exceed \$325.00 per day. Page rate for transcripts shall be commensurate with the rate established by Lancaster County Rule of Judicial Administration 4008 as amended.
Term: The contract period shall commence January 1, 2020 and shall renew annually on January 1, unless sooner terminated by a party providing 60-days' written advance notice of its intention to terminate the agreement.
2. **Per Diem Court Reporter Agreement With:** Michelle Parke
Millersville, Pennsylvania
Purpose: To provide computerized reporting services and transcription services to the Lancaster County Court of Common Pleas as needed.
Amount: \$150.00 for the morning session and \$175.00 for the afternoon session, with compensation not to exceed \$325.00 per day. Page rate for transcripts shall be commensurate with the rate established by Lancaster County Rule of Judicial Administration 4008 as amended.
Term: The contract period shall commence January 1, 2020 and shall renew annually on January 1, unless sooner terminated by a party providing 60-days' written advance notice of its intention to terminate the agreement.
3. **Per Diem Court Reporter Agreement With:** Brenda Pardun
Maytown, Pennsylvania
Purpose: To provide computerized reporting services and transcription services to the Lancaster County Court of Common Pleas as needed.
Amount: \$150.00 for the morning session and \$175.00 for the afternoon session, with compensation not to exceed \$325.00 per day. Page rate for transcripts shall be commensurate with the rate established by Lancaster County Rule of Judicial Administration 4008 as amended.
Term: The contract period shall commence January 1, 2020 and shall renew annually on January 1, unless sooner terminated by a party providing 60-days' written advance notice of its intention to terminate the agreement.
4. **Per Diem Court Reporter Agreement With:** Angela Kilby
Columbia, Pennsylvania
Purpose: To provide computerized reporting services and transcription services to the Lancaster County Court of Common Pleas as needed.

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Amount:

\$150.00 for the morning session and \$175.00 for the afternoon session, with compensation not to exceed \$325.00 per day. Page rate for transcripts shall be commensurate with the rate established by Lancaster County Rule of Judicial Administration 4008 as amended.

Term:

The contract period shall commence January 1, 2020 and shall renew annually on January 1, unless sooner terminated by a party providing 60-days' written advance notice of its intention to terminate the agreement.

Motion passed unanimously.

On motion of Commissioner D'Agostino, seconded by Commissioner Lehman, the meeting adjourned at 10:02 a.m.

Motion passed unanimously.

Respectfully submitted,



Latoya Westbrook-Thomas, Executive Assistant
Commissioners' Office