

THE REGULAR WEEKLY MEETING OF THE CARBON COUNTY BOARD OF COMMISSIONERS CONVENED THIS DATE AT 10:31 A.M. IN THE COMMISSIONER’S MEETING ROOM, COURTHOUSE ANNEX, JIM THORPE, PENNSYLVANIA.

PRESENT WERE COMMISSIONERS NOTHSTEIN, GERHARD, AND O’GUREK, CHIEF CLERK/COUNTY ADMINISTRATOR AHNER, SOLICITOR MISCAVIGE, AND EXECUTIVE SECRETARY MARIANNE BUTRIE.

THE COUNTY CONTROLLER, COUNTY TREASURER, REGISTER OF WILLS AND ASSISTANT COURT ADMINISTRATOR HAMM WERE ALSO PRESENT.

**MOMENT OF SILENCE:**

A MOMENT OF SILENCE WAS OBSERVED.

**PRAYER:**

THE VICE-CHAIRMAN OFFERED THE PRAYER.

**PLEDGE OF ALLEGIANCE:**

THE MEETING OPENED WITH THE PLEDGE OF ALLEGIANCE.

**OFFICIAL ACTIONS OF THE CARBON COUNTY BOARD OF COMMISSIONERS:**

**MINUTES:**

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD OCTOBER 15, 2015.

BOARD POLLED:	O’GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**GUESTS (CONCERNING COUNTY BUSINESS):**

KATHY HENDERSON, CARBON COUNTY ECONOMIC DEVELOPMENT	RE: LEASE OF 40,000 SF WAREHOUSE TO COMPANY FROM HOUSTON, TEXAS
--	--

THE COUNTY TREASURER INTRODUCED MARIAN CATHOLIC HIGH SCHOOL SENIORS ANTHONY SACCO AND JUSTIN HERRON WHO WERE SHADOWING HIM FOR THE DAY.

**PROCLAMATION:**

#15-355 **FAMILY PROMISE WEEK:**

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO ADOPT THE FOLLOWING PROCLAMATION:

**PROCLAMATION #2015-08**  
**FAMILY PROMISE WEEK**

**WHEREAS**, IN NOVEMBER 2011, FAMILY PROMISE OF CARBON COUNTY BEGAN OPERATIONS DEDICATED TO HELPING ITS MOST VULNERABLE AMONG US – CHILDREN AND FAMILIES WHO ARE TEMPORARILY HOMELESS; AND

**WHEREAS**, FAMILY PROMISE SUPPORTS NUMEROUS CONGREGATIONS OF OUR AREA’S FAITH COMMUNITY, WHICH PROVIDES THE FACILITIES TO HOUSE AND FEED GUEST FAMILIES, THEREBY MAKING A REAL DIFFERENCE IN

THE LIVES OF THEIR NEIGHBORS IN NEED; AND

**WHEREAS,** BELIEVING THAT EVERY CHILD DESERVES A HOME, FAMILY PROMISE OF CARBON COUNTY AND ITS MORE THAN 250 VOLUNTEERS EMPOWER FAMILIES IN MAKING THEIR TRANSITION FROM HOMELESSNESS TO SUSTAINABLE INDEPENDENCE; AND

**WHEREAS,** OVER THE PAST FOUR YEARS, FAMILY PROMISE OF CARBON COUNTY HAS GRADUATED MORE THAN 30 FAMILIES INTO SECURE, AFFORDABLE HOUSING.

**NOW, THEREFORE,** THE CARBON COUNTY BOARD OF COMMISSIONERS HEREBY PROCLAIMS THE WEEK OF OCTOBER 18, 2015 AS FAMILY PROMISE WEEK IN CARBON COUNTY AND IN DOING SO URGES ALL CITIZENS TO RECOGNIZE AND RAISE AWARENESS OF THE ISSUE OF HOMELESS CHILDREN AND FAMILIES IN OUR COMMUNITY.

**ADOPTED** BY THE CARBON COUNTY BOARD OF COMMISSIONERS THIS 22<sup>ND</sup> DAY OF OCTOBER, 2015.

**COUNTY OF CARBON BOARD OF COMMISSIONERS**

- /S/ WAYNE E. NOTHSTEIN, CHAIRMAN
- /S/ TOM J. GERHARD, VICE-CHAIRMAN
- /S/ WILLIAM J. O’GUREK, MEMBER

**ATTEST:**

/S/ ELOISE K. AHNER, CHIEF CLERK/COUNTY ADMINISTRATOR

BOARD POLLED:	O’GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**OPENING OF BIDS:**

**#15-356      CDBG/WEATHERLY:**

THE COUNTY CONTROLLER ADVISED THAT THERE WERE NO BIDS RECEIVED FOR THE FOLLOWING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT:

- PACKER TOWNSHIP NEIGHBORHOOD FACILITIES (RE-BID)
- WEATHERLY AREA COMMUNITY LIBRARY - ROOFING & SIDING ONLY
- (FY2013)

**EXECUTIVE SESSIONS:**

THE CHAIRMAN REPORTED THAT THERE WERE NO EXECUTIVE SESSIONS HELD.

**DEPARTMENT REPORTS:**

**CHIEF CLERK/COUNTY ADMINISTRATOR:**

**BUDGET TRANSFERS:**

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE BUDGET TRANSFERS AS LISTED ON TRANSMITTALS DATED OCTOBER 22, 2015.

BOARD POLLED:	O’GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**SUPPLEMENTAL APPROPRIATIONS:**

THERE WERE NO SUPPLEMENTAL APPROPRIATIONS

**EXPENDITURE APPROVAL:**

**PAYROLL FUND CHECKING ACCOUNT:**

APPROVAL OF PAYROLL CHECK NUMBERS 65630 THROUGH 65676 AND DIRECT DEPOSIT CHECK NUMBERS 5093375 THROUGH 5093707 FOR THE NET PAYROLL PAID THROUGH THE PAYROLL FUND CHECKING ACCOUNT FOR ALL COUNTY FUNDS TOTALING \$303,710.42 (PAYROLL DATED OCTOBER 16, 2015).

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO RATIFY PAYMENT OF THE PAYROLL CHECKS AS LISTED ABOVE.

BOARD POLLED: O'GUREK YES  
 GERHARD YES  
 NOTHSTEIN YES

**GENERAL FUND CLEARING ACCOUNT:**

APPROVAL OF CHECK NUMBERS 118461 THROUGH 118576 FOR EXPENDITURES THROUGH THE GENERAL FUND CLEARING ACCOUNT AS FOLLOWS:

GENERAL FUND	\$ 172,222.09
RENTAL PROPERTY FUND	\$ 4,306.88
9-1-1 FUND	\$ 3,468.29
COUNTY PARKING FUND	\$ 2,700.04
LIQUID FUELS TAX FUND	\$ 6,910.25
AREA AGENCY ON AGING FUND	\$ 37,151.78
CHILDREN & YOUTH FUND	\$ 28,329.25
HUMAN SERVICE AGENCY FUND	\$ 109.49
DOMESTIC RELATIONS 4D FUND	\$ 1,427.45
PARKS & RECREATION FUND	\$ 11,759.51
HAZ-MAT RESPONSE FUND	\$ 12.20
CENTRALIZED BOOKING FUND	\$ 44.89
VICTIM/WITNESS FUND	\$ 142.50
CDBG FUND	\$ 143.55
CAPITAL PROJECTS FUND	\$ 6,028.75
FRINGE BENEFIT PAYMENT FUND	\$ 516.94
PAYROLL FUND	\$ 46,166.93
TAX CLAIM FUND	\$ <u>133.79</u>
TOTAL:	\$ 321,574.58

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE PAYMENT OF THE CHECK NUMBERS AS LISTED ABOVE.

BOARD POLLED: O'GUREK YES\*  
 GERHARD YES  
 NOTHSTEIN YES

\* MR. O'GUREK VOTED YES WITH THE EXCEPTION OF BILLS FOR THE TIMES NEWS, BLUE RIDGE COMMUNICATIONS, AND PENCOR SERVICES, HE ABSTAINED.

**TREASURER'S REPORT:**

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE TREASURER'S REPORT DATED OCTOBER 16, 2015 REPORTING BALANCES AS FOLLOWS:

**BALANCES AS OF OCTOBER 16, 2015:**

GENERAL FUND CHECKING ACCOUNT	\$ 1,596.53
PAYROLL CHECKING ACCOUNT	\$ 135,333.31
GENERAL FUND SP NOW	\$ 12,497,366.49
OPERATING RESERVE	\$ 931,110.04
RENTAL PROPERTY	\$ 227,285.42
SOLID WASTE FUND	\$ 63,365.73
9-1-1 FUND	\$ 286,657.92
PARKING FUND	\$ 1,117,455.18
ACT 78 FUND	\$ 72,039.35
ACT 56 FUND	\$ 752,872.78
LIQUID FUELS	\$ 401,376.85
AREA AGENCY ON AGING	\$ 139,671.13
CHILDREN & YOUTH	\$ 288,019.32
HUMAN SERVICES AGENCY	\$ 12,426.11
DOMESTIC RELATIONS	\$ 58,928.80
WORKFORCE INVESTMENT ACT	\$ 16,432.18
PARKS & RECREATION FUND	\$ 169,036.79
CARBON TRANSPORTATION	\$ 138.04
HAZMAT FUND	\$ 132,207.20
OFFENDER SUPERVISION	\$ 519,597.74
ADULT ELECTRONIC MONITORING	\$ 167,183.41
FARMLAND PRESERVATION	\$ 96,471.81
HUMAN SERVICES DEVELOPMENT	\$ 7.06
HOMELESS GRANT	\$ 1.35
CENTRALIZED BOOKING	\$ 79,324.60
VICTIM WITNESS	\$ 12,942.29
RECORDER OF DEEDS	\$ 31,568.27
RECORDS IMPROVEMENTS	\$ 12,047.26
JUVENILE SUPERVISION FEE	\$ 22,046.70
COMMUNITY SERVICE FEE	\$ 14,812.13
PROTHONOTARY AUTOMATION	\$ 23,578.99
AFFORDABLE HOUSING	\$ 298,725.32
CLERK OF COURTS	\$ 3,174.90
REGISTER OF WILLS	\$ 8,174.46
JUVENILE ELECTRONIC MONITORING	\$ 4,610.59
VITAL STATISTICS	\$ 43,610.98
SUBSTANCE ABUSE EDUCATION FUND	\$ 69,630.18
LIQUID FUELS/ACT 44 FUND	\$ 122,566.94
ACT 13 BRIDGE IMPROVEMENT FUND	\$ 252,939.28
VICTIMS SERVICE FUND	\$ 34,785.23
HOTEL EXCISE TAX FUND	\$ 48,813.68
CDBG FUND	\$ 10,504.89
DEBT SERVICE	\$ 2,025,757.70
CAPITAL PROJECTS	\$ 296,064.82
FRINGE BENEFITS	\$ 491,267.06
TAX CLAIM	\$ 241,073.07

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**PERSONNEL REPORT:**

**RESIGNATIONS:**

**JUAN J. ESCALANTE**, NESQUEHONING, PA – SERGEANT, CORRECTIONS – EFFECTIVE OCTOBER 16, 2015.

**JARED T. WELSH**, TAMAQUA, PA – PART-TIME CORRECTIONS OFFICER, CORRECTIONS – EFFECTIVE OCTOBER 5, 2015.

**HIRE:**

**STEPHANIE I. MILLARD**, JIM THORPE, PA – PART-TIME K-9 OFFICER, ANIMAL SHELTER – EFFECTIVE OCTOBER 26, 2015.

**CHANGES OF STATUS:**

**SHEA E. KELCHNER**, SLATINGTON, PA

FROM: PART-TIME CORRECTIONS OFFICER, CORRECTIONS

TO: PART-TIME CORRECTIONS OFFICER/TEAMSTERS, CORRECTIONS

EFFECTIVE: OCTOBER 26, 2015

**JASON K. PFLEIDERER**, LEHIGHTON, PA

FROM: PART-TIME CORRECTIONS OFFICER, CORRECTIONS

TO: PART-TIME CORRECTIONS OFFICER/TEAMSTERS, CORRECTIONS

EFFECTIVE: OCTOBER 26, 2015

**VALERIE H. STUART**, ALBRIGHTSVILLE, PA

FROM: PART-TIME DISPATCHER TRAINEE, COMMUNICATIONS CENTER

TO: PART-TIME DISPATCHER, COMMUNICATIONS CENTER

EFFECTIVE: OCTOBER 26, 2015

**SEMINAR/TRAINING REQUESTS:**

**COMMISSIONERS**

**MARIANNE BUTRIE**

ANNUAL PENNSYLVANIA RIGHT-TO-KNOW LAW AND SUNSHINE ACT TRAINING

HARRISBURG, PA

COST: MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

**HUMAN RESOURCES**

**DAWN M. BOWMAN**

PCHIPC BOARD OF DIRECTORS MEETING

STATE COLLEGE, PA

COST: MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

**SHERIFF**

**NATHANIEL HREBIK**

ACT 2 BASIC DEPUTY SHERIFF TRAINING

STATE COLLEGE, PA

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE PERSONNEL REPORT DATED OCTOBER 22, 2015.

BOARD POLLED: O'GUREK YES  
GERHARD YES  
NOTHSTEIN YES

**CORRESPONDENCE:**

MINUTES RECEIVED: SEPTEMBER 15, 2015 MEETING OF THE CARBON COUNTY PLANNING COMMISSION.

A COPY OF THE RIGHT-OF-WAY AGREEMENT APPROVED AND SIGNED BY THE COUNTY ON JULY 2, 2015 AND CERTIFIED BY THE PUC ON SEPTEMBER 22, 2015 WHICH GRANTS PPL AUTHORITY TO CUT DOWN ANY AND ALL TREES WITHIN TWENTY-FIVE (25) FEET OF THE NEW ELECTRIC LINE ALONG FLAGSTAFF ROAD, JIM THORPE BOROUGH WAS RECEIVED FROM PPL ELECTRIC UTILITIES.

**CHILDREN & YOUTH:**

**#15-357 AGREEMENT:**

A FY 2015-16 PURCHASE OF SERVICE AGREEMENT WAS SUBMITTED FOR THE FOLLOWING PROVIDER:

**COUNTY OF NORTHAMPTON**

**PROVIDER: COUNTY OF NORTHAMPTON**

	<b><u>FY 15-16</u></b>
DETENTION CENTER	\$250.00

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND EXECUTE THE AGREEMENT AS LISTED.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**COMMUNICATIONS/911:**

**#15-358 PENTELEDATA/JNET:**

A THREE-YEAR SERVICE AGREEMENT WITH PENTELEDATA WAS SUBMITTED TO ALLOW CONTINUED ACCESS TO JNET (PENNSYLVANIA JUSTICE NETWORK) FOR THE CARBON COUNTY 9-1-1 COMMUNICATIONS.

THE CONTRACT WILL REPLACE AND COVER SUPPORT OF THE NEW ROUTER (CISCO 1941SECURITY BUNDLE W/SEC LICENSE PAK).

FEES ARE AS FOLLOWS: NON RECURRING FEE - \$3,999.75; MONTHLY FEE - \$59.95.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE AGREEMENT WITH PENTELEDATA.

BOARD POLLED:	O'GUREK	ABSTAIN
	GERHARD	YES
	NOTHSTEIN	YES

**CORRECTIONAL FACILITY:**

**#15-359 PENTELEDATA/JNET:**

A THREE-YEAR AGREEMENT WITH PENTELEDATA WAS SUBMITTED BY THE CORRECTIONAL FACILITY FOR PURCHASE OF NEW ROUTER AND MAINTENANCE OF EQUIPMENT (CISCO 1941-SEC/K9 CISCO 1941 SECURITY BUNDLE; FOUR-PORT ETHERNET SWITCH INTERFACE CARD).

FEES ARE AS FOLLOWS: NON RECURRING FEE - \$4,498.50; MONTHLY FEE - \$99.95.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE AGREEMENT WITH PENTELEDATA.

BOARD POLLED:	O'GUREK	ABSTAIN
	GERHARD	YES
	NOTHSTEIN	YES

**PLANNING & DEVELOPMENT:**

**#15-360 CDBG/SECTION 3 PLAN/RESOLUTION:**

A COMMUNICATION WAS RECEIVED FROM THE OFFICE OF PLANNING AND DEVELOPMENT ENCLOSING THE SECTION 3 PLAN AND RESOLUTION FOR COMPLIANCE WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RULES AND REGULATIONS.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE THE SECTION 3 PLAN AND ADOPT THE FOLLOWING RESOLUTION:

**RESOLUTION #15-032**

**SECTION 3 PLAN**

**WHEREAS**, IT IS THE PUBLIC POLICY OF THE COUNTY OF CARBON TO COMPLY WITH SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968.

**WHEREAS**, THE SECTION 3 PLAN IS INTENDED TO ENSURE, TO THE GREATEST EXTENT FEASIBLE, THAT TRAINING AND EMPLOYMENT OPPORTUNITIES GENERATED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROJECTS BE GIVEN TO LOW INCOME RESIDENTS OF THE SECTION 3 PROJECT AREA AND THAT CONTRACTS FOR WORK IN CONNECTION WITH THIS PROJECT BE AWARDED TO QUALIFIED SECTION 3 BUSINESS CONCERNS.

**WHEREAS**, IT IS THE INTENTION OF THE COUNTY OF CARBON TO IMPLEMENT ALL U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROJECTS IN ACCORDANCE WITH ALL SECTION 3 REQUIREMENTS.

**NOW, THEREFORE, BE IT RESOLVED** THAT THE COUNTY OF CARBON ADOPTS THE SECTION 3 PLAN, WHICH IS ATTACHED AND MADE A PART HEREOF.

**THIS RESOLUTION** ADOPTED THIS 22<sup>ND</sup> DAY OF OCTOBER, 2015.

**CARBON COUNTY BOARD OF COMMISSIONERS**

- /S/ WAYNE E. NOTHSTEIN, CHAIRMAN
- /S/ TOM J. GERHARD, VICE-CHAIRMAN
- /S/ WILLIAM J. O'GUREK, MEMBER

**ATTEST:**

/S/ ELOISE K. AHNER, CHIEF CLERK/COUNTY ADMINISTRATOR

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**SOLICITOR'S REPORT:**

**ELECTIONS:**

**#15-361 ADDENDUM/KURTZ:**

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND EXECUTE AN ADDENDUM TO THE AGREEMENT BETWEEN THE COUNTY AND SUZETTE KURTZ TO PROVIDE LOGISTICS AND ACCURACY TESTING OF VOTING MACHINES FOR THE 2015 MUNICIPAL PRIMARY AND GENERAL ELECTIONS AMENDING THE NUMBER OF NOT TO EXCEED HOURS FROM 205 TO 260 HOURS.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**PARKS/RECREATION:**

**#15-362 BANNER REQUEST:**

A BANNER REQUEST WAS SUBMITTED FOR THE FOLLOWING:

ST. JOSEPH'S CHURCH, JIM THORPE, PA  
CHRISTKINDLMARKT, DECEMBER 12, 2015  
(11/28/15 TO 12/14/15)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE BANNER REQUEST.

BOARD POLLED: O'GUREK YES  
GERHARD YES  
NOTHSTEIN YES

**#15-363 LIMITED ACCESS AGREEMENT:**

THE SOLICITOR PRESENTED A LIMITED ACCESS AGREEMENT WITH PATRICK AND JUDY OWENS FOR ACCESS TO THEIR PROPERTY LOCATED ON BUGZIE'S MOUNTAIN, BORDERED BY MAUCH CHUNK LAKE PARK (MCLP) PROPERTY, WITH ACCESS GRANTED THROUGH THE FIRELINE ROAD GATE.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND EXECUTE THE AGREEMENT.

BOARD POLLED: O'GUREK YES  
GERHARD YES  
NOTHSTEIN YES

**#15-364 MCLP/ACTIVITIES AGREEMENT:**

A SPECIAL ACTIVITIES AGREEMENT FOR USE OF MAUCH CHUNK LAKE PARK WAS SUBMITTED FOR THE FOLLOWING:

ST. JOSEPH'S REGIONAL ACADEMY  
POLAR BEAR PLUNGE, JANUARY 30, 2016  
\* PENDING APPROVAL AND SPECIAL USE PERMIT FROM THE PFBC

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE AGREEMENT.

BOARD POLLED: O'GUREK YES  
GERHARD YES  
NOTHSTEIN YES

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,

THE MEETING OF THE BOARD OF COMMISSIONERS ADJOURNED AT 10:47 A.M.

---

ELOISE K. AHNER,  
CHIEF CLERK/COUNTY ADMINISTRATOR

---

WAYNE E. NOTHSTEIN, CHAIRMAN