

THE REGULAR WEEKLY MEETING OF THE CARBON COUNTY BOARD OF COMMISSIONERS CONVENED THIS DATE AT 10:32 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, AND THE COURT ADMINISTRATOR WERE ALSO PRESENT.

**MOMENT OF SILENCE:**

A MOMENT OF SILENCE WAS OBSERVED.

**PRAYER:**

COMMISSIONER O'GUREK 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 22, 2015.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**GUESTS (CONCERNING COUNTY BUSINESS):**

THERE WERE NO GUESTS CONCERNING COUNTY BUSINESS.

**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 29, 2015.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**SUPPLEMENTAL APPROPRIATIONS:**

THERE WERE NO SUPPLEMENTAL APPROPRIATIONS.

**EXPENDITURE APPROVAL:**

**GENERAL FUND CLEARING ACCOUNT:**

APPROVAL OF CHECK NUMBERS 118577 THROUGH 118696 FOR EXPENDITURES THROUGH THE GENERAL FUND CLEARING ACCOUNT AS FOLLOWS:

GENERAL FUND	\$ 462,654.44
9-1-1 FUND	\$ 18,562.40
COUNTY PARKING FUND	\$ 6,083.94
LIQUID FUELS TAX FUND	\$ 1,610.55
AREA AGENCY ON AGING FUND	\$ 26,072.35
CHILDREN & YOUTH FUND	\$ 66,695.97
HUMAN SERVICE AGENCY FUND	\$ 2,424.10
DOMESTIC RELATIONS 4D FUND	\$ 15,224.82
WORKFORCE INVESTMENT ACT FUND	\$ 8,577.32
PARKS & RECREATION FUND	\$ 10,959.87
HAZ-MAT RESPONSE FUND	\$ 29.97
OFFENDER SUPERVISION FUND	\$ 14,978.00
CENTRALIZED BOOKING FUND	\$ 14.02
AFFORDABLE HOUSING FUND	\$ 40.41
CDBG FUND	\$ 10,795.94
DEBT SERVICE FUND	\$ 6,425.70
FRINGE BENEFIT PAYMENT FUND	\$ <u>1,106.95</u>
TOTAL:	\$ 652,256.75

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 BLUE RIDGE COMMUNICATIONS, PENTELEDATA, AND THE TIMES NEWS, HE ABSTAINED.

**TREASURER'S REPORT:**

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE TREASURER'S REPORT DATED OCTOBER 23, 2015 REPORTING BALANCES AS FOLLOWS:

**BALANCES AS OF OCTOBER 23, 2015:**

GENERAL FUND CHECKING ACCOUNT	\$ 1,596.53
PAYROLL CHECKING ACCOUNT	\$ 12,163.84
GENERAL FUND SP NOW	\$ 12,368,932.96
OPERATING RESERVE	\$ 931,110.04
RENTAL PROPERTY	\$ 222,978.54
SOLID WASTE FUND	\$ 63,365.73
9-1-1 FUND	\$ 286,866.52
PARKING FUND	\$ 1,130,415.19

ACT 78 FUND	\$	72,039.35
ACT 56 FUND	\$	752,872.78
LIQUID FUELS	\$	394,466.60
AREA AGENCY ON AGING	\$	110,053.35
CHILDREN & YOUTH	\$	261,748.95
HUMAN SERVICES AGENCY	\$	25,466.21
DOMESTIC RELATIONS	\$	88,633.35
WORKFORCE INVESTMENT ACT	\$	16,432.18
PARKS & RECREATION FUND	\$	159,349.50
CARBON TRANSPORTATION	\$	138.04
HAZMAT FUND	\$	132,195.00
OFFENDER SUPERVISION	\$	519,597.74
ADULT ELECTRONIC MONITORING	\$	167,203.51
FARMLAND PRESERVATION	\$	96,471.81
HUMAN SERVICES DEVELOPMENT	\$	7.06
HOMELESS GRANT	\$	1.35
CENTRALIZED BOOKING	\$	79,379.71
VICTIM WITNESS	\$	12,799.79
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	\$	96,806.40
CDBG FUND	\$	10,819.14
DEBT SERVICE	\$	2,025,869.40
CAPITAL PROJECTS	\$	290,036.07
FRINGE BENEFITS	\$	492,087.82
TAX CLAIM	\$	258,235.50

BOARD POLLED: O'GUREK YES  
 GERHARD YES  
 NOTHSTEIN YES

**PERSONNEL REPORT:**

**SEMINAR/TRAINING REQUEST:**

**TAX ASSESSMENT**

**PAMELA BAUCHSPIES**

ASSESSORS ASSOCIATION FALL CONFERENCE

BEDFORD, PA

COST: CONFERENCE FEE \$290, LODGING, MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE PERSONNEL REPORT DATED OCTOBER 29, 2015.

BOARD POLLED: O'GUREK YES  
 GERHARD YES  
 NOTHSTEIN YES

**CORRESPONDENCE:**

A COPY OF A PRESS RELEASE ADVISING OF A PUBLIC INFORMATION SESSION TO BE HELD NOVEMBER 5, 2015 AT THE TRESCKOW VOLUNTEER FIRE COMPANY TO UPDATE RESIDENTS ON THE JEANSVILLE MINE FIRE IN BANKS TOWNSHIP, CARBON COUNTY WAS RECEIVED FROM THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION.

**ADVERTISING REQUESTS:**

**#15-365 CDBG/FAIR HOUSING:**

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO AUTHORIZE THE ADVERTISING OF THE FAIR HOUSING FLYER TO BE INSERTED IN THE TIMES NEWS TO FULFILL THE FAIR HOUSING REQUIREMENT FOR THE 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

BOARD POLLED: O'GUREK ABSTAIN  
GERHARD YES  
NOTHSTEIN YES

**CORRECTIONAL FACILITY:**

**#15-366 D&A AGREEMENT/DRUG TESTING:**

AN AGREEMENT WITH THE CARBON-MONROE-PIKE DRUG & ALCOHOL COMMISSION TO PROVIDE DRUG AND ALCOHOL TREATMENT SERVICES AT THE CARBON COUNTY CORRECTIONAL FACILITY (CCCF) FOR THE TERM 1/01/2016 THROUGH 12/31/2016 AT A COST OF \$54,000.00 WAS PRESENTED FOR BOARD ACTION.

THE AGREEMENT PROVIDES FOR 40 HOURS PER WEEK OF SERVICES FROM THE COMMISSION WHICH EMPHASIZES REHABILITATION BY PROVIDING DRUG AND ALCOHOL TREATMENT SERVICES TO INCARCERATED INDIVIDUALS AS WELL AS INTERACTION WITH THE PA BOARD OF PROBATION & PAROLE, CARBON COUNTY PROBATION DEPARTMENT, PUBLIC DEFENDER'S OFFICE AND PRIVATE ATTORNEYS.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND EXECUTE THE AGREEMENT WITH THE CARBON-MONROE-PIKE DRUG & ALCOHOL COMMISSION.

BOARD POLLED: O'GUREK YES  
GERHARD YES  
NOTHSTEIN YES

**#15-367 INMATE TELEPHONE SERVICE:**

**GLOBAL TEL\* LINK/AMENDMENT:**

A COMMUNICATION WAS RECEIVED FROM THE CARBON COUNTY CORRECTIONAL FACILITY (CCCF) ENCLOSING AN AMENDMENT TO THE AGREEMENT DATED JULY 20, 2011 WITH GLOBAL TEL\*LINK CORPORATION FOR INMATE TELEPHONE SERVICE. THIS AMENDMENT EXTENDS THE AGREEMENT FOR AN ADDITIONAL FIVE (5) YEARS, THROUGH AND UNTIL JULY 20, 2021.

THE AGREEMENT WAS APPROVED AT THE OCTOBER 21, 2015 MEETING OF THE CARBON COUNTY PRISON BOARD.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND EXECUTE THE AMENDMENT TO THE AGREEMENT WITH GLOBAL TEL\*LINK CORPORATION.

BOARD POLLED: O'GUREK YES  
GERHARD YES  
NOTHSTEIN YES

**#15-368 SOFTWARE LICENSING/DIAMOND DRUGS:**

**SAPPHIRE HEALTH:**

SOFTWARE LICENSING AND OPERATIONAL SUPPORT GUIDELINES BETWEEN THE COUNTY AND DIAMOND DRUGS, INCORPORATED, D/B/A DIAMOND PHARMACY SERVICES, INDIANA, PENNSYLVANIA FOR PROVISION OF SOFTWARE OWNED BY SAPPHIRE HEALTH LLC WAS PRESENTED FOR APPROVAL AND EXECUTION. THE SOFTWARE IS TO BE UTILIZED AT THE CARBON COUNTY CORRECTIONAL FACILITY (CCCF) AT NO COST TO THE COUNTY.

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

BOARD POLLED: O'GUREK YES  
 GERHARD YES  
 NOTHSTEIN YES

**IN-LIEU-OF-TAXES:**

**#15-369 BETHLEHEM AUTHORITY:**

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE THE DISTRIBUTION OF A \$20,357.59 CHECK FROM THE CITY OF BETHLEHEM TO SCHOOL DISTRICTS AND TOWNSHIPS REPRESENTING PAYMENT IN-LIEU-OF-TAXES FOR 2015 ON PROPERTY OWNED BY THE BETHLEHEM WATER AUTHORITY AS FOLLOWS:

JIM THORPE AREA SCHOOL DISTRICT	\$ 8,528.30
PALMERTON AREA SCHOOL DISTRICT	\$ 5,046.86
PENN FOREST TOWNSHIP	\$ 355.34
TOWAMENSING TOWNSHIP	\$ 304.29
LOWER TOWAMENSING TOWNSHIP	\$ 4.70
COUNTY OF CARBON	\$ 6,118.10

BOARD POLLED: O'GUREK YES  
 GERHARD YES  
 NOTHSTEIN YES

**SOLICITOR'S REPORT:**

**#15-370 BANNER REQUESTS:**

A BANNER REQUEST WAS SUBMITTED FOR THE FOLLOWING:

BACH & HANDEL CHORALE  
 CHRISTMAS CONCERT/ST. MARK'S CHURCH, DECEMBER 5, 2015  
 BANNER REQUEST: 11/21/15 TO 12/06/15

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

**PROCLAMATION:**

**#15-371 EPILEPSY AWARENESS MONTH:**

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ADOPT THE FOLLOWING PROCLAMATION RECOGNIZING NOVEMBER AS EPILEPSY AWARENESS MONTH:

**PROCLAMATION #2015-09**  
**EPILEPSY AWARENESS MONTH**  
**NOVEMBER 2015**

**WHEREAS**, EPILEPSY IS A NEUROLOGICAL DISEASE SOMETIMES REFERRED TO AS A SEIZURE DISORDER AND IS CHARACTERIZED BY RECURRING SEIZURES AND 1 IN 26 PEOPLE WILL DEVELOP EPILEPSY IN THEIR LIFETIME; AND

**WHEREAS**, MORE THAN 209,000 PENNSYLVANIANS LIVE WITH EPILEPSY OR A SEIZURE DISORDER; AND

**WHEREAS**, UP TO 50,000 AMERICANS DIE EACH YEAR FROM SEIZURES AND RELATED CAUSES, INCLUDING SUDDEN UNEXPLAINED DEATH IN EPILEPSY; AND

**WHEREAS**, THERE ARE TWO INDEPENDENT AFFILIATES OF THE EPILEPSY FOUNDATIONS IN PENNSYLVANIA, AND BOTH AFFILIATES LEAD THE FIGHT TO STOP SEIZURES, FIND A CURE, OVERCOME THE CHALLENGES CREATED BY EPILEPSY, AND ARE DEDICATED TO ENSURING THAT ALL PEOPLE WITH EPILEPSY AND SEIZURES ARE ABLE TO PARTICIPATE IN ALL OF LIFE'S EXPERIENCES; AND

**WHEREAS**, EPILEPSY FOUNDATION PROGRAMS PROVIDE TECHNICAL ASSISTANCE, TRAINING AND SUPPORT TO PENNSYLVANIA'S SCHOOL NURSES, TEACHERS AND STUDENTS ON SEIZURE RECOGNITION AND FIRST AID AND THEY ALSO PROVIDE PATIENT EDUCATION, PUBLIC AWARENESS, INFORMATION AND REFERRAL SERVICES FOR CHILDREN AND THEIR FAMILIES LIVING WITH SEIZURES; AND

**WHEREAS**, BOTH OF THE EPILEPSY FOUNDATION AFFILIATES IN PENNSYLVANIA ARE CELEBRATING OVER 40 YEARS OF SERVICE AND DEDICATION TO PENNSYLVANIA COMMUNITIES; AND

**WHEREAS**, THE PREVENTION AND CONTROL OF EPILEPSY CAN BE ACHIEVED THROUGH CONTINUED COMMUNITY EDUCATION AND AWARENESS PROGRAMS; AND

**WHEREAS**, THE COMMONWEALTH HAS HISTORICALLY SUPPORTED THE CREATION AND EXPANSION OF EPILEPSY SUPPORT SERVICES AND AWARENESS PROGRAMS THROUGH FEDERAL AND STATE APPROPRIATIONS.

**THEREFORE**, THE COMMISSIONERS OF CARBON COUNTY HEREBY RECOGNIZE NOVEMBER 2015 AS EPILEPSY AWARENESS MONTH IN THE COUNTY OF CARBON TO PROMOTE EPILEPSY AWARENESS AND EDUCATION THROUGH THE COUNTY.

**ADOPTED** BY THE CARBON COUNTY BOARD OF COMMISSIONERS THIS 29<sup>TH</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 AHNER, CHIEF CLERK/COUNTY ADMINISTRATOR

BOARD POLLED: O'GUREK YES  
GERHARD YES  
NOTHSTEIN YES

**RESOLUTION:**

**#15-372 EAGLE SCOUT/FISHER:**

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ADOPT THE FOLLOWING RESOLUTION HONORING BRIAN FISHER, MEMBER OF BOY SCOUT TROOP 744, NESQUEHONING, PENNSYLVANIA:

**RESOLUTION #15-033**  
**EAGLE SCOUT/BRIAN A. FISHER**

**WHEREAS**, BRIAN A. FISHER OF NESQUEHONING, PENNSYLVANIA HAS SUCCEEDED IN ACHIEVING SCOUTING'S HIGHEST HONOR, THE RANK OF EAGLE SCOUT; AND

**WHEREAS**, BRIAN A. FISHER IS A MEMBER OF BOY SCOUT TROOP 744 IN NESQUEHONING, PENNSYLVANIA

AND HAS BEEN A BOY SCOUT FOR 12 YEARS. BRIAN HAS EARNED 32 MERIT BADGES, INCLUDING KAYAKING, FIRST AID, GEOCASHING, AND FIRE SAFETY; AND HAS SERVED AS SENIOR PATROL LEADER AND TROOP GUIDE; AND

**WHEREAS**, BRIAN A. FISHER’S EAGLE SCOUT PROJECT CONSISTED OF ASSEMBLING AND DISTRIBUTING A VIAL OF LIFE. THE VIAL OF LIFE IS A PACKET THAT CONTAINS A MEDICAL INFORMATION SHEET, TWO DECALS TELLING FIRST RESPONDERS YOU HAVE THE VIAL OF LIFE AND A BAGGIE. THE VIAL OF LIFE ALLOWS EMERGENCY PERSONNEL TO ACCESS PERSONAL INFORMATION DURING AN EMERGENCY SITUATION IN THE HOME. THE VIAL OF LIFE WAS DISTRIBUTED BY GOING DOOR-TO-DOOR. IT TOOK APPROXIMATELY 107.75 MAN HOURS TO COMPLETE THIS PROJECT; AND

**WHEREAS**, BRIAN A. FISHER HAS DEVELOPED THE NECESSARY SKILLS AND DETERMINATION TO ACHIEVE AN HONOR HE WILL VALUE FOR A LIFETIME; AND

**WHEREAS**, BRIAN A. FISHER IS AN INSPIRATION TO YOUNG MEN THROUGH HIS DEDICATION AND LEADERSHIP; AND

**WHEREAS**, THE BOARD OF COMMISSIONERS OF CARBON COUNTY WISHES TO ACKNOWLEDGE THE ACCOMPLISHMENTS OF BRIAN A. FISHER.

**NOW, THEREFORE, BE IT RESOLVED** THAT THE BOARD OF COMMISSIONERS OF CARBON COUNTY HEREBY RECOGNIZES THE ACHIEVEMENT OF BRIAN A. FISHER AND COMMENDS AND CONGRATULATES HIM IN ATTAINING THE RANK OF EAGLE SCOUT.

**ADOPTED** BY THE CARBON COUNTY BOARD OF COMMISSIONERS THIS 29<sup>TH</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

**TAX ASSESSMENT:**

**#15-373 TAX REFUND:**

A COMMUNICATION WAS RECEIVED FROM THE TAX ASSESSMENT BUREAU VERIFYING THAT THE FOLLOWING TAXPAYER IS DUE A REFUND OF 2015 COUNTY REAL ESTATE TAXES:

**MUNICIPALITY:** PENN FOREST TOWNSHIP

JOE C. NEFF  
6606 JEFFERSON COURT  
NEW TRIPOLI, PA 18066

**CODE:** 19-51-18254

**PROPERTY RECORD CARD #:** 50-51-A30

**REASON:** AS PER BOARD APPEAL, ASSESSMENT ON TAX SUPPLEMENT OF 3,900 IS TO BE DELETED. THESE TAXES WERE PAID ON 9/29/15, THEREFORE A REFUND IS DUE.

**TOTAL REFUND DUE:** \$39.18

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND AUTHORIZE PAYMENT OF THE TAX REFUND AS LISTED.

BOARD POLLED:	O’GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

**FURTHER BUSINESS:**

THE CHAIRMAN INFORMED THE MEDIA THAT NEXT WEEK THE CARBON, MONROE, AND PIKE COUNTY COMMISSIONERS WILL BE ISSUING A PRESS RELEASE AT THEIR RESPECTIVE WEEKLY MEETINGS ANNOUNCING THE AMOUNT OF FUNDING OWED TO EACH COUNTY BY THE STATE AND THE IMPACT THE DELAY IN ADOPTING THE STATE BUDGET IS HAVING ON EACH COUNTY.

**COMMISSIONERS' REPORTS:**

MR. GERHARD ACKNOWLEDGED RECEIPT OF A CHECK IN THE AMOUNT OF \$987.00 FROM WHITE HAVEN VETERINARY SENT TO TOM CONNORS AS A DONATION FOR THE CARBON COUNTY ANIMAL SHELTER. THE CHECK REPRESENTED A SHARE OF THE FUNDS GENERATED AT A FUND RAISER HE ATTENDED WITH OTHER ORGANIZATIONS.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,

THE MEETING OF THE BOARD OF COMMISSIONERS ADJOURNED AT 10:40 A.M.

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ELOISE K. AHNER,  
CHIEF CLERK/COUNTY ADMINISTRATOR

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WAYNE E. NOTHSTEIN, CHAIRMAN