

MAY 30, 2019

THE REGULAR WEEKLY MEETING OF THE CARBON COUNTY BOARD OF COMMISSIONERS CONVENEED THIS DATE AT 10:30 A.M. IN THE COMMISSIONER'S MEETING ROOM, CARBON COUNTY ADMINISTRATION BUILDING, JIM THORPE, PENNSYLVANIA.

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

THE COUNTY CONTROLLER, COUNTY TREASURER, COUNTY SHERIFF, AND THE COURT ADMINISTRATOR 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 MAY 23, 2019.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

GUESTS: (CONCERNING COUNTY BUSINESS AS PER COUNTY POLICY #2012-01 GOV)

MARY SHORTEN, JIM THORPE

RE: QUESTIONED IF COUNTY HAS WITHDRAWN CONDITIONAL APPROVAL FOR THE SUSQUEHANNA STREET PROJECT; CONCERNS REGARDING REMOVAL OF LOWER ROOF OF ARCHIVES BUILDING

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 MAY 30, 2019.

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 71095 THROUGH 71137 AND DIRECT DEPOSIT CHECK NUMBERS 6008981 THROUGH 6009397 FOR THE PAYROLL PAID THROUGH THE PAYROLL FUND CHECKING ACCOUNT FOR ALL COUNTY FUNDS TOTALING \$573,381.93 (PAYROLL DATED MAY 24, 2019).

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 206214 THROUGH 206308 FOR EXPENDITURES THROUGH THE GENERAL FUND CLEARING ACCOUNT AS FOLLOWS:

GENERAL FUND	\$	110,711.81
COUNTY PARKING FUND	\$	187.24
LIQUID FUELS FUND	\$	1,287.86
AREA AGENCY ON AGING FUND	\$	42,163.02
CHILDREN & YOUTH FUND	\$	18.71
DOMESTIC RELATIONS FUND	\$	47.99
WORKFORCE INVESTMENT ACT FUND	\$	836.27
PARKS & RECREATION FUND	\$	728.17
CARBON TRANSPORTATION FUND	\$	21,744.00
9-1-1 FUND	\$	3,357.67
HAZ-MAT RESPONSE FUND	\$	1,391.08
HOMELESS GRANT FUND	\$	3,954.00
VICTIM/WITNESS FUND	\$	2.97
RECORDER OF DEEDS IMPROVEMENT FUND	\$	12,945.85
COUNTY RECORDS IMPROVEMENT FUND	\$	17,088.97
AFFORDABLE HOUSING FUND	\$	1.55
CLERK OF COURTS AUTOMATION FUND	\$	2,530.09
HOTEL ROOM EXCISE TAX FUND	\$	178,945.34
CAPITAL PROJECTS FUND	\$	<u>24,356.15</u>
TOTAL:	\$	422,298.74

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

* MR. O'GUREK STATED, "YES, WITH THE EXCEPTION OF THE BILLS FOR THE TIMES NEWS, TN PRINTING, BLUE RIDGE COMMUNICATIONS, AND PENTELEDATA, TO WHICH I ABSTAIN BECAUSE I AM A PART-TIME EMPLOYEE OF THE TIMES NEWS WHICH IS A SISTER COMPANY OF TN PRINTING, BLUE RIDGE COMMUNICATIONS AND PENTELEDATA."

ETHICS COMMISSION COMPLIANCE:

COMMISSIONER O'GUREK PRESENTED THE FOLLOWING MEMORANDUM INDICATING HIS POTENTIAL CONFLICT OF INTEREST WITH PENCOR RELATED COMPANIES AS PER THE ADVICE OF THE STATE ETHICS COMMISSION:

MEMORANDUM

SECTION 1103(J) OF THE ETHICS ACTS PROVIDES AS FOLLOWS:

VOTING CONFLICT-WHERE VOTING CONFLICTS ARE NOT OTHERWISE ADDRESSED BY THE CONSTITUTION OF PENNSYLVANIA OR BY ANY LAW RULE REGULATION ORDER OR ORDINANCE, THE FOLLOWING PROCEDURE SHALL BE EMPLOYED. ANY PUBLIC OFFICIAL OR PUBLIC EMPLOYEE WHO IN THE DISCHARGE OF HIS OFFICIAL DUTIES WOULD BE REQUIRED TO VOTE ON A MATTER THAT WOULD RESULT IN A CONFLICT OF INTEREST SHALL ABSTAIN FROM VOTING AND PRIOR TO THE VOTE BEING TAKEN PUBLICLY ANNOUNCE AND DISCLOSE THE NATURE OF HIS INTEREST AS A PUBLIC RECORD IN A WRITTEN MEMORANDUM FILED WITH THE PERSON RESPONSIBLE FOR RECORDING THE MINUTES OF THE MEETING AT WHICH THE VOTE IS TAKEN PROVIDED THAT WHENEVER A GOVERNING BODY WOULD BE UNABLE TO TAKE ANY ACTION ON A MATTER BEFORE IT BECAUSE THE NUMBER OF MEMBERS OF THE BODY REQUIRED TO ABSTAIN FROM VOTING UNDER THE PROVISIONS OF THIS SECTION MAKES THE MAJORITY OR OTHER LEGALLY REQUIRED VOTE OF APPROVAL UNATTAINABLE THEN SUCH MEMBERS SHALL BE PROVIDED TO VOTE IF DISCLOSURES ARE MADE AS OTHERWISE PROVIDED HEREIN. IN THE CASE OF A THREE-MEMBER GOVERNING BODY OF A POLITICAL SUBDIVISION WHERE ONE MEMBER HAS ABSTAINED FROM VOTING AS A RESULT OF A CONFLICT OF INTEREST AND THE REMAINING TWO MEMBERS OF THE GOVERNING BODY HAVE CAST OPPOSING VOTES THE MEMBER WHO HAS ABSTAINED SHALL BE PERMITTED TO VOTE TO BREAK THE TIE VOTE IF DISCLOSURE IS MADE AS OTHERWISE PROVIDED HEREIN.

ACCORDINGLY, TO COMPLY WITH THIS SECTION OF THE ETHICS ACT, I AM SUBMITTING THIS MEMORANDUM AS A MEANS OF PROVIDING FULL DISCLOSURE OF A CONFLICT OF INTEREST, STATING THAT I AM ABSTAINING TODAY ON ANY ACTIONS RELATING TO PAYING BILLS TO, ADVERTISING WITH, ACCEPTING PROPOSALS FROM AND/OR ENTERING CONTRACTS WITH TIMES NEWS, LEHIGHTON, PA, BECAUSE I AM A PART-TIME EMPLOYEE THERE, AS WELL AS ITS SISTER COMPANIES, INCLUDING BLUE RIDGE COMMUNICATIONS, PENTELEDATA, THE PALMERTON TELEPHONE COMPANY AND PENCOR HOSE AND FITTING, AND ANY OTHER PENCOR SERVICES' AFFILIATES.

/S/ WILLIAM J. O'GUREK, MEMBER

05/30/2019

TREASURER'S REPORT:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE TREASURER'S REPORT DATED MAY 20, 2019 TO MAY 24, 2019 REPORTING BALANCES AS FOLLOWS:

BALANCES AS OF MAY 24, 2019:

GENERAL FUND CHECKING ACCOUNT	\$ 5,022.26
GENERAL FUND SP NOW	\$ 5,661,434.48
OPERATING RESERVE FUND	\$ 965,946.55
RENTAL PROPERTY FUND	\$ 182,995.95
COUNTY PARKING FUND	\$ 1,024,253.12
LIQUID FUELS TAX FUND	\$ 527,929.41
AREA AGENCY ON AGING FUND	\$ 339,273.16
CHILDREN & YOUTH FUND	\$ 184,766.24
HUMAN SERVICE AGENCY FUND	\$ 19,920.05
DOMESTIC RELATION IV-D FUND	\$ 141,548.92
WORKFORCE INVESTMENT ACT	\$ 36,380.28
PARKS & RECREATION FUND	\$ 107,016.16
CARBON TRANSPORTATION SYSTEM FUND	\$ 250,564.42
9-1-1 FUND	\$ 1,463,675.96
HAZMAT RESPONSE FUND	\$ 148,782.13
OFFENDER SUPERVISION FUND	\$ 259,583.31
ADULT ELECTRONIC MONITORING FUND	\$ 197,977.76
FARMLAND PRESERVATION FUND	\$ 40,297.61
HUMAN SERVICE DEVELOPMENT FUND	\$ 24,571.66
HOMELESS GRANT FUND	\$ 11,975.65
CENTRALIZED BOOKING FUND	\$ 131,475.55
VICTIM/WITNESS FUND	\$ 14,407.19
RECORDER OF DEEDS IMPROVEMENT FUND	\$ 42,305.67
COUNTY RECORDS IMPROVEMENTS FUND	\$ 22,318.40
JUVENILE SUPERVISION FEE FUND	\$ 35,342.55
COMMUNITY SERVICE FEE FUND	\$ 9,027.23
PROTHONOTARY AUTOMATION FUND	\$ 81,054.33
AFFORDABLE HOUSING FUND	\$ 301,347.05
CLERK OF COURTS AUTOMATION FUND	\$ 4,415.17
REGISTER OF WILLS AUTOMATION FUND	\$ 11,043.44
JUVENILE ELECTRONIC MONITORING FUND	\$ 6,175.05
VITAL STATS IMPROVEMENT FUND	\$ 44,677.23
SUBSTANCE ABUSE EDUCATION	\$ 147,155.07
LIQUID FUELS/ACT 44	\$ 452,070.40
HIGHWAY BRIDGE IMPROVEMENT ACT 13	\$ 523,712.38
VICTIMS SERVICES FUND	\$ 50,449.61
HOTEL ROOM EXCISE TAX FUND	\$ 179,353.36
CDBG FUND	\$ 8.61
DEBT SERVICE FUND	\$ 883,343.99
CAPITAL PROJECTS FUND	\$ 16,817,276.81
FRINGE BENEFIT PAYMENT FUND	\$ 543,710.34
PAYROLL FUND	\$ 168,253.35
TAX CLAIM FUND	\$ 828,652.82

BOARD POLLED: O'GUREK YES
 GERHARD YES
 NOTHSTEIN YES

PERSONNEL REPORT:

SEMINAR/TRAINING REQUESTS:

AREA AGENCY ON AGING

DAVID A. SLINGER

DEENA L. FITAL

CONNIE M. LYNN

MAY 30, 2019

PDA FIELDWORKER SAFETY AND AWARENESS
WYOMISSING, PA
COST: MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

COMMUNICATIONS

GARY L. WILLIAMS, JR.
JUSTIN E. MARKELL
ENTERPRISE CAD – NEW CALL TAKER WEBINAR
NESQUEHONING, PA

ELECTIONS

LISA R. DART
ASSOCIATION OF EASTERN PENNSYLVANIA COUNTY ELECTION PERSONNEL SPRING MEETING
JIM THORPE, PA
COST: CONFERENCE FEE \$55

VARIOUS DEPARTMENTS

JASON P. SHELLHAMMER - GEOGRAPHIC INFORMATION SYSTEM
JUSTIN E. MARKELL - COMMUNICATIONS
DISTRICT 5-0 FUNCTIONAL ROAD CLASSIFICATION MEETING
ALLENTOWN, PA
COST: MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE PERSONNEL REPORT DATED
MAY 30, 2019.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

CORRESPONDENCE:

MINUTES RECEIVED: APRIL 12, 2019 MEETING OF THE PARKS & RECREATION COMMISSION; APRIL 16, 2019
MEETING OF THE CARBON COUNTY PLANNING COMMISSION; APRIL 16, 2019 MEETING OF THE CARBON
COUNTY SAFETY COMMITTEE.

THE CALENDAR YEAR 2018 REPORT WAS RECEIVED FROM THE CARBON COUNTY CORONER.

A COMMUNICATION WAS RECEIVED FROM THE PALMERTON AREA LIBRARY ASSOCIATION THANKING
THE COUNTY FOR THEIR \$1,200 DONATION.

A COMMUNICATION WAS RECEIVED FROM PENN FOREST TOWNSHIP ADVISING THAT THEY ARE
APPLYING THROUGH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) FOR A
GREENWAYS, TRAILS, AND RECREATION PROGRAM (GTRP) GRANT TO EXPAND THEIR EXISTING
PLAYGROUND AT THE TOWNSHIP'S NEW RECREATION PARK, TO MEET COMMUNITY DEMAND.

A COMMUNICATION WAS RECEIVED FROM THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE
ADVISING THAT AS PER THE 2018-2019 GRANT-IN-AID FUNDS CONTINUING PROGRAM FOR THE
IMPROVEMENT OF ADULT PROBATION SERVICES APPLICATION AND AGREEMENT, AN INVOICE FOR THE
SECOND AND FINAL PAYMENT IN THE AMOUNT OF \$30,243.00 HAS BEEN SUBMITTED.

ADVERTISING REQUEST:

#19-265 FARMLAND PRESERVATION MEETINGS:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO AUTHORIZE THE ADVERTISEMENT OF A PUBLIC NOTICE REGARDING THE CARBON COUNTY AGRICULTURAL LAND PRESERVATION BOARD MEETINGS FROM JUNE 2019 TO MAY OF 2020.

BOARD POLLED: O’GUREK ABSTAIN*
GERHARD YES
NOTHSTEIN YES

* MR. O’GUREK STATED, “I ABSTAIN BECAUSE I AM A PART-TIME EMPLOYEE OF THE TIMES NEWS WHERE THE ADVERTISEMENT WILL BE PUBLISHED”

SOLICITOR'S REPORT:

PARKS/RECREATION:

#19-266 AGREEMENTS/MCLP:

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

ST. MARK’S & ST. JOHN’S EPISCOPAL CHURCH
15K FOOTRACE (RACE STREET RUN), JULY 6, 2019

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

FURTHER BUSINESS:

CORRECTIONAL FACILITY:

#19-267 HOSPITAL EXPENSES:

THE CHAIRMAN REFERENCED THE BUDGET TRANSFERS WHICH WERE APPROVED AT TODAY’S MEETING, NOTING THAT ANOTHER TRANSFER OF FUNDS, IN THE AMOUNT OF \$25,000.00, HAD TO BE MADE TO THE CORRECTIONAL FACILITY FOR PRISON HOSPITAL EXPENSES. \$65,000.00 WAS BUDGETED IN JANUARY AND THERE WERE TWO (2) PREVIOUS TRANSFERS OF \$20,000.00 FROM THE CONTINGENCY FUND. IT HAS BEEN AN EXTREMELY BAD YEAR, WITH TWO AND THREE INMATES IN THE HOSPITAL AT THE SAME TIME. THIS ALSO RUNS UP THE SHERIFF’S OFFICE BUDGET DUE TO OVERTIME AND TRAVEL EXPENSES TO COVER TWENTY-FOUR HOUR SECURITY WHEN INMATES ARE IN THE HOSPITAL. THESE ARE EXPENSES THAT CANNOT BE PLANNED FOR BASED ON PRIOR YEAR BUDGETS.

COMMISSIONERS’ REPORTS:

COMMISSIONER O’GUREK PROVIDED INFORMATION ON THE FOLLOWING:

- COUNTY IS LOOKING FOR COLLEGE STUDENTS FOR THE BRIDGE CREWS
- STILL IN PROCESS OF CERTIFYING THE ELECTION. ELECTION BOARD WILL MEET ON JUNE 10TH. 563 APPLICATIONS ALREADY RECEIVED FOR NEW VOTERS OR CHANGE OF PARTY, ETC.; CANNOT PROCESS UNTIL AFTER THE CERTIFICATION IS COMPLETE

COMMISSIONER NOTHSTEIN REPORTED THAT USDA REPRESENTATIVES ATTENDED THE COUNCIL OF GOVERNMENTS (COG) MEETING TUESDAY EVENING AND PRESENTED INFORMATION PACKETS ON THE SPOTTED LANTERN FLY.

MAY 30, 2019

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,

THE MEETING OF THE BOARD OF COMMISSIONERS ADJOURNED AT 10:50 A.M.

ELOISE K. AHNER,
CHIEF CLERK/COUNTY ADMINISTRATOR

WAYNE E. NOTHSTEIN, CHAIRMAN