

**COMMISSIONERS GENERAL SESSION**  
**March 16, 2020**

**Present at the meeting were**  
**Commissioners:** Brian S. Allen – Chairman  
Gary R. Eby – Vice-Chairman  
Shannon Hines - Chief Clerk  
William R. Bunt - Solicitor

**Present from the Press:** None

**Present from the Public:** Rich Fultz, Dave Hammar, Dave Magee, Kim McMullen, Marty Smith, Michelle Thebes, Joy Zerance, and Christina Zook.

Commissioner Allen opened the meeting at 10:00 a.m. on March 16, 2020 with the Pledge to the Flag and a moment of silence. The meeting was recorded by the County.

**Public Comments:** Dave Magee questioned if the County was looking to refinance any debt it may have due to the low interest rates.

Commissioner Allen stated that a report has been received from CCAP and no evidence of embezzlement was found in their investigation.

**Approval of Minutes:** Commissioner Eby made a motion to approve the minutes of March 2, 2020. Commissioner Allen seconded the motion. All agreed. Motion carried.

**Warrant List:** Commissioner Eby made a motion to approve the warrant list dated March 4, 2020 in the amount of \$56.43. Commissioner Allen seconded the motion. All agreed. Motion carried.

Commissioner Eby made a motion to approve the warrant list dated March 17, 2020 in the amount of \$668,831.15 upon the recommendation of the Fiscal Office and review by the Commissioners. Commissioner Allen seconded the motion. All agreed. Motion carried.

**Meeting Business:** Commissioner Eby made a motion to approve the PEMA 911 Statewide Interconnectivity Funding Grant Agreement based on the recommendation of the 911 Director. Commissioner Allen seconded the motion. All agreed. Motion carried.

Commissioner Eby made a motion to approve the agreement with Crystal Prosser, Esquire for legal services for the Prothonotary/Clerk of Courts at a quarterly rate of \$1,375 based on the recommendation of the Prothonotary/Clerk of Courts. Commissioner Allen seconded the motion. All agreed. Motion carried.

**Employee Status:** Commissioner Eby made a motion to approve the resignation of Nicole Hegeman, Office Manager in the Extension Office effective March 18, 2020. Commissioner Allen seconded the motion. All agreed. Motion carried.

Commissioner Eby stated that due to the resignation of Ms. Hegeman, the Penn State Extension Office made the recommendation to transition the Office Manager position from a County employee position to a Penn State employee position. He stated that the transition would mean that the position would come under the SOP of Penn State Extension and the County would instead reimburse Penn State for the pay/benefits of the position. Commissioner Eby stated that this change would be advantageous to the County as the reimbursement cost would be less than the current cost of the position to the County. He

also commented that the individual hired into this position, if it was a Penn State position, would be able to take advantage of the tuition discount at Penn State for themselves and family members. Based on this information and the recommendation of Nina Redding, Penn State Extension Business Operation Manager, Commissioner Eby made a motion to transition the Office Manager position in the Extension Office to a Penn State position. Commissioner Allen seconded the motion. All agreed. Motion carried.

**Solicitors Report:** Solicitor Bunt commented on the current coronavirus situation and the quickly changing environment. He asked that the Commissioner take formal action regarding the leave policy for employees due to the current situation and employee questions. Solicitor Bunt recommended that employees first be required to use sick leave and then be able to use any other leave they have, due to absences related to the coronavirus. Commissioner Eby made a motion that sick leave should be used first by employees, prior to utilizing accrued personal and vacation days. He also stressed that departments that are governed by higher authorities, other than the County, follow their guidelines, as they take precedence. Commissioner Eby did state that the Commissioners need to be made aware of any guidelines handed down by other authorities that affect County departments. Commissioner Eby made a motion that County employees must use their sick leave in relation to the pandemic situation, then liberal leave usage may occur. Commissioner Allen seconded the motion. All agreed. Motion carried.

Solicitor Bunt stated that meetings may not be occurring in the future, but County bills still need to be paid. He recommended that the Commissioners address this fiscal issue. Commissioner Allen made a motion that the Fiscal Office pay all routine and necessary bills, including payroll, until further notice. Commissioner Eby seconded the motion. All agreed. Motion carried.

Solicitor Bunt stated that the Sunshine Law does allow the Commissioners to have a meeting without notice in the event of an emergency situation. He commented that an emergency is defined as a situation where life or property are at risk/in danger. Solicitor Bunt stated that he was aware that Berks County has authorized a state of emergency and had suspended all laws and regulations that would prohibit the County from acting due to a formal meeting. He stated that due to the current situation he wanted the Commissioners to be aware of their options.

**Public Comments:** Rich Fultz commented that he believes there are other counties that have declared a state of emergency as well. He stated that he had prepared a Declaration of Disaster Emergency for the Commissioners review.

Dave Magee questioned if the Declaration pertained to any rules or regulations for municipalities.

Rich Fultz stated that counties and municipalities can complete a Declaration of Disaster Emergency. He commented that normally each municipality/borough would authorize an emergency declaration individually. Mr. Fultz stated that this would allow the municipalities to take advantage of state and federal funding, emergency resources, and supplies if provided.

Joy Zerance questioned if an employee wants to take off due to childcare issues caused by the current situation can they use sick leave.

Commissioner Eby made a motion to go into executive session to review the Declaration of Disaster Emergency document. Commissioner Allen seconded the motion. All agreed. Motion carried.

The regular meeting reconvened at 10:29 a.m.

Commissioner Eby made a motion to enact the Declaration of Disaster Emergency for Perry County, based upon the recommendation of the EMA Director. Commissioner Allen seconded the motion. All agreed. Motion carried.

Dave Magee questioned if municipalities and boroughs should meet immediately to enact a Declaration of Disaster Emergency or if the issue could wait until a future scheduled meeting.

Rich Fultz stated that the County cannot direct boroughs or municipalities to enact a declaration, as that is a decision for each municipality. He commented that a declaration template would be emailed to all stakeholders.

Christina Zook questioned if the court rooms and conference rooms would be sanitized between hearings.

**Comments from Press:** None

Commissioner Eby made a motion to adjourn at 10:35 a.m. Commissioner Allen seconded the motion. All agreed. Motion carried.

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Shannon Hines, Chief Clerk

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Brenda L. Watson, Secretary