

## THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS

THURSDAY, SEPTEMBER 8, 2016

PRESENT: Doug McLinko, Daryl Miller and Ed Bustin

PLEDGE OF ALLEGIANCE TO THE FLAGCALL TO ORDERVISITOR REMARKS CONCERNING AGENDAUNFINISHED BUSINESS

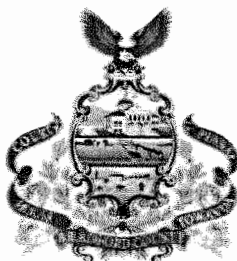
A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to approve the minutes of Thursday, August 25, 2016.

Request For Proposals for the Bradford County Comprehensive Plan were opened and a motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to take under advisement.

NEW BUSINESS

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to proclaim September 8, 2016 as International Literacy Day in Bradford County.

Doug McLinko, Chairman  
Daryl L. Miller, Vice Chairman  
Ed Bustin, Commissioner



Michelle L. Shedden, Chief Clerk  
Jonathan Foster, Solicitor

Bradford County Commissioners Office

## PROCLAMATION

## INTERNATIONAL LITERACY DAY

WHEREAS, the ability to read is a fundamental importance to all people; and

WHEREAS, this nation was founded by, and depends upon, a literate and informed citizenry; and

WHEREAS, literacy is a gateway to the full participation in the affairs of this nation; and

WHEREAS, volunteers in adult literacy programs should be commended for their willingness to help others improve their skills;

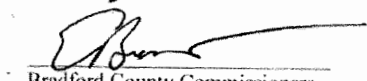
NOW THEREFORE, we, the Bradford County Commissioners, do hereby proclaim that September 8<sup>th</sup> be designated as:

## INTERNATIONAL LITERACY DAY IN BRADFORD COUNTY

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of the County of Bradford to be affixed this 8<sup>th</sup> day of September 2016.

ATTEST:

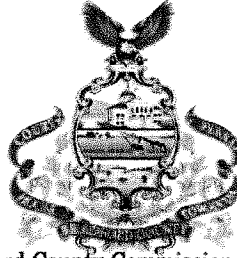
  
Michelle L. Shedden, Chief Clerk

  
Bradford County Commissioners

THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to proclaim September 26, 2016 through October 1, 2016 as National Adult Education and Family Literacy Week in Bradford County.

Doug McLinko, Chairman  
Daryl L. Miller, Vice Chairman  
Ed Bustin, Commissioner



Michelle L. Shedden, Chief Clerk  
Jonathan Foster, Solicitor

**Bradford County Commissioners Office**

**PROCLAMATION**

**NATIONAL ADULT EDUCATION AND FAMILY LITERACY WEEK**

WHEREAS, the literacy of its citizens is essential for the economic well-being of the United States, our society, and the individuals who can benefit from full participation therein;

WHEREAS, literacy and education skills are a prerequisite to individuals reaping the full benefit of opportunities in the United States;

WHEREAS, the economy and our position in the global economy depend on having a literate, skilled population;

WHEREAS, the education skills of parents and reading to children have a direct impact on the educational success of their children;

WHEREAS, many people in the United States lack the reading, math, or English skills to read a prescription and follow medical instructions, endangering their lives and the lives of their loved ones;

WHEREAS, many individuals who are unemployed, underemployed or receive public assistance lack the literacy skills to obtain and keep a job with family-sustaining income, continue their education, or participate in job training programs;

WHEREAS, many high school dropouts do not have the literacy skills to complete their education, transition to postsecondary education or vocational training, or become employed;

WHEREAS, the National Adult Education and Family Literacy Week highlights the need for the nation to support efforts to ensure each and everyone has the necessary literacy skills to succeed at home, at work, and in society.

NOW THEREFORE, we, the Bradford County Commissioners, do hereby proclaim that September 26, 2016 – October 1, 2016 to be designated as: **NATIONAL ADULT EDUCATION AND FAMILY LITERACY WEEK** in Bradford County.

301 Main Street Towanda PA 18848 (570) 265-1727 Fax (570) 265-1729  
www.bradfordcountypa.org

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of the County of Bradford to be affixed this 8<sup>th</sup> day of September, 2016.

Attest:

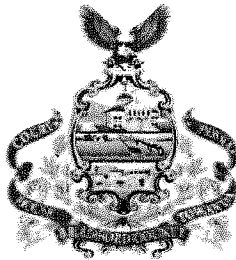
Michelle L. Shedden, Chief Clerk

Bradford County Commissioners

THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

A motion was made by Mr. Bustin, seconded by Mr. Miller, all voted "aye" to proclaim September 12-16, 2016 as Chamber of Commerce Week in Bradford County.

Doug McLinko, Chairman  
Daryl L. Miller, Vice Chairman  
Ed Bustin, Commissioner



Michelle L. Shedden, Chief Clerk  
Jonathan Foster, Solicitor

Bradford County Commissioners Office

PROCLAMATION

Chamber of Commerce Week

WHEREAS, local business is integral to the growth and longevity of a community; and

WHEREAS, the strength of local business is dependent on the support of the community; and



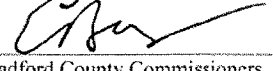
WHEREAS, the Central Bradford County Chamber of Commerce is partners with both the community and local businesses of Towanda/Wysox and surrounding areas; and

WHEREAS, the Central Bradford County Chamber of Commerce tirelessly promotes and supports Towanda/Wysox and surrounding areas;

NOW THEREFORE, be it resolved that the Board of Commissioners of the County of Bradford, Pennsylvania, do hereby proclaim September 12-16, 2016 as "Chamber of Commerce Week" in Bradford County. We encourage all businesses and community members to take advantage of the resources available from the Central Bradford County Chamber and to celebrate the All 5 Bradford County Chambers for their contributions.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of the County of Bradford to be affixed this 8<sup>th</sup> day of September 2016.

ATTEST:

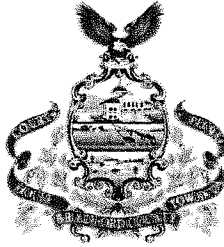
  
Michelle L. Shedden, Chief Clerk

Bradford County Commissioners

THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

A motion was made by Mr. McLinko, seconded by Mr. Bustin, all vote d “aye” to approve Resolution 2016-10 requesting that legislators address the issue of royalty payments owed to lease holders by passing House Bill 1391.

Doug McLinko, Chairman  
Daryl L. Miller, Vice Chairman  
Ed Bustin, Commissioner



Michelle L. Shedden, Chief Clerk  
Jonathan Foster, Solicitor

Bradford County Commissioners Office

**RESOLUTION 2016-10**

**WHEREAS:** the Commonwealth of Pennsylvania Legislature passed legislation in 1979 commonly referred to as the “Guaranteed Minimum Royalty Act” or (Act of July 20, 1979, P.L. 183, No. 60) which states, in part that, “a lease or other such conveying the right to remove or recover oil, natural gas or gas of any other designation from lessor to lessee shall not be valid if such lease does not guarantee the lessor at least one-eighth royalty of all oil, natural gas or gas of other such designations removed or recovered from the subject real property;” and

**WHEREAS:** in 2010 the Commonwealth’s Supreme Court rendered a decision in *Kilmer v. Elex Co. Land Services Inc.* a decision concerning the GRMA (Guaranteed Minimum Royalty Act) which included at footnote #14 the following statement of the Court: “We note that the General Assembly is the branch of government best suited to weigh the public policies underlying the determination of the proper point of valuation in the deregulated gas industry. However, until the General Assembly acts to specify the point of valuation, we must interpret the statute as written, prior to delegation.” Accordingly, the Supreme Court has specifically referenced this Legislature’s power to determine how the GMRA’s royalty calculation will be determined, and thus the legislatures’ failure to act is an acceptance of the status gas arrangement; and

**WHEREAS:** many landmen soliciting landowners in an effort to get mineral leases signed repeatedly implied that landowners would receive regular royalty payments free of costs. For example, one prominent gas company brochure stated, “The mineral owner bears no risk, but in return receives regular royalty payments based on the well’s production revenue. The operator incurs all risks and costs associated with drilling and producing the well;” and

**WHEREAS:** many landowners in Bradford County are being severely negatively impacted by the practice of deducting exorbitantly high “post production costs” from their royalty checks, with the deductions significantly outpacing the cyclical market downturns which have impacted the industry; and

THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

**WHEREAS:** the Commissioners of Bradford County respectfully ask the Legislature of the Commonwealth of Pennsylvania to address this issue through the adoption of legislation that clarifies that the royalties shall be one-eighth of the value of the product, exclusive of post production costs; and


**WHEREAS:** House Bill 1391, which would amend the GMRA to clarify the required royalty to be paid, has been introduced in the Pennsylvania Legislature, but without any substantive debate occurring on the Bill or without a floor vote on the Bill taking place; and

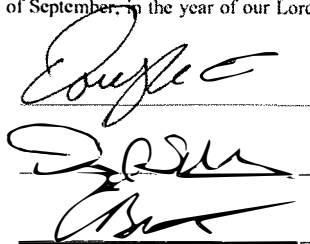
**WHEREAS:** leaseholding landowners in Bradford County continue to receive royalty payments which have the fee substantially reduced by improper deduction for post production costs.

**NOW THEREFORE,** be it now resolved that the Commissioners of Bradford County hereby demand that the Pennsylvania Legislature immediately act to protect the rights of landowners across the Commonwealth. Be it further resolved that in the absence of such action by the Legislature, the Commissioners authorize and resolve to take any necessary and lawful actions within its enumerated powers to advocate and bring about such Legislative action.

**IN WITNESS WHEREOF,** we have hereunto set our hands and caused the seal of the County of Bradford to be affixed this 8<sup>th</sup> day of September, in the year of our Lord, two thousand sixteen.

ATTEST:

  
Michelle L. Shedden, Chief Clerk

  
Bradford County Commissioners

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to approve an agreement between Bradford County and Zepplein Communications, Inc. pending solicitor approval.

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to approve the submission of a grant application to the Pennsylvania Commission on Crime and Delinquency for state funding in the amount of \$101,280.00 to be used by Bradford County Victim Services for the following:

VOJO funding for Victim Services 2017-2018	\$24,606.00
RASA funding for Victim Services 2017-2018	\$76,674.00

A motion was made by Mr. Bustin, seconded by Mr. Miller, all voted "aye" to approve an agreement between Bradford County and LW Consulting, Inc. to provide Medicaid and Medicare cost report preparation to the Bradford County Manor for fiscal year ending December 31, 2016 at a fee of \$5,675.00.

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to approve an agreement between Bradford County and S.L. Smith Company for window cleaning at the Bradford County Courthouse at a fee of \$1,500.00.

A motion was made by Mr. Bustin, seconded by Mr. Miller, all voted "aye" to approve a modification request for the 2014 Community Development Block Grant (CDBG) budget.

A motion was made by Mr. Bustin, seconded by Mr. Miller, all voted "aye" to approve the following:

the hire of Jennifer C. Kingsley as part time casual Dietary Attendant as per the recommendation of Jim Shadduck, Manor Administrator, effective August 31, 2016.

the hire of Tasha N. Gowin as part time casual Universal Caregiver as per the recommendation of Jim Shadduck, Manor Administrator, effective August 31, 2016.

the hire of Lily T. Carter as part time casual Universal Caregiver as per the recommendation of Jim Shadduck, Manor Administrator, effective September 7, 2016.

THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

the hire of Kira Vroman as full time Universal Caregiver as per the recommendation of Jim Shadduck, Manor Administrator, effective August 31, 2016.

the hire of Sarah L. Kneebone as part time casual Valet as per the recommendation of Jim Shadduck, Manor Administrator, effective August 17, 2016.

the hire of Carson R. Spencer part time casual Administrative Clerk 1 as per the recommendation of Jim Shadduck, Manor Administrator, effective September 7, 2016.

the hire of David J. Hall as full time CNA as per the recommendation of Jim Shadduck, Manor Administrator, effective September 21, 2016.

the hire of Amy L. Lee as part time casual CNA as per the recommendation of Jim Shadduck, Manor Administrator, effective September 21, 2016.

the hire of Amanda R. Dennison as part time casual CNA as per the recommendation of Jim Shadduck, Manor Administrator, effective September 21, 2016.

the hire of Ashley A. Robinson as regular part time Laundry Attendant as per the recommendation of Jim Shadduck, Manor Administrator, effective September 21, 2016.

the transfer of Ann Cole from full time Account Clerk II to full time Account Clerk III as per the recommendation of Becky Clark, Treasurer, effective September 6, 2016.

the transfer of Michael Segear from part time Correctional Officer to full time Correctional Officer as per the recommendation of Warden Don Stewart, effective September 11, 2016.

the transfer of Judith A. Evans from probationary to regular status Administrative Assistant 2 in Intellectual Disabilities as per the recommendation of Bill Blevins, Human Services Director, effective August 15, 2016.

the transfer of Vicky L. Schrader from full time Administrative Assistant 1 in Human Services to full time Fiscal Assistant as per the recommendation of Bill Blevins, Human Services Director, effective September 12, 2016.

the hire of Jessica V. Harmon as full time probationary Clerk Typist 1 in Children and Youth Services as per the recommendation of Bill Blevins, Human Services Director, effective September 12, 2016.

the transfer of Matthew D. Poll from full time County Caseworker 2 to full time County Caseworker 3 in Mental Health as per the recommendation Bill Blevins, Human Services Director, effective August 29, 2016.

the hire of Alesha A. Johnson, as full time probationary Fiscal Technician in Human Services as per the recommendation of Bill Blevins, Human Services Director, effective September 19, 2016.

the hire of Zach Redell as part time casual Administrative Clerk I as per the recommendation of Jeff Singer, Library Director, effective September 26, 2016.

the transfer of Nicholas Carey from full time Probation Officer Trainee to full time Probation Officer as per the recommendation of Justin Popovich, Chief Probation Officer, effective September 7, 2016.

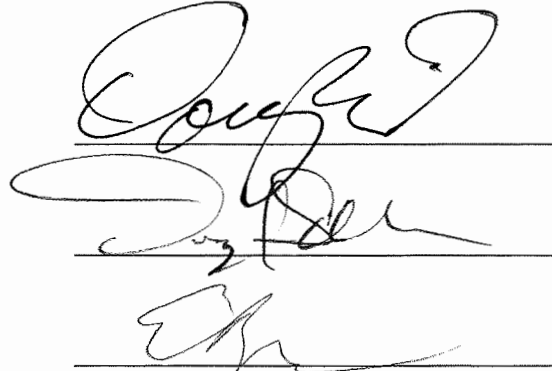
the transfer of Nathan Smith from full time Probation Officer Trainee to full time Probation Officer as per the recommendation of Justin Popovich, Chief Probation Officer, effective September 7, 2016.

the transfer of Jessica McDermott from full time Account Clerk II to full time Assistant Elections Director as per the recommendation of Renee Smithkors, Elections Director, effective September 12, 2016.

THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

OTHER

The September 22, 2016 Commissioners Meeting is going to be held at Hornbrook Park at 5:00 pm.



Bradford County Commissioners

SALARY BOARD

UNFINISHED BUSINESS

NEW BUSINESS

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to approve the reclassification of the full time Activities Director position at the Bradford County Manor from G20, 37.5 hours per week to G18, 37.5 hours per week effective September 11, 2016.

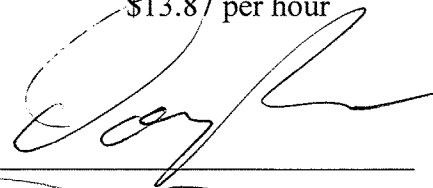

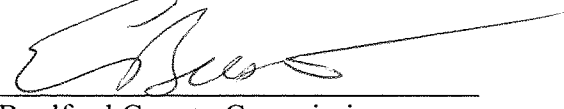
A motion was made by Mr. Bustin, seconded by Mr. Miller, all voted "aye" to set the following salaries:

Jennifer C. Kingsley, pt casual Dietary Attendant Effective August 31, 2016	MU9 \$9.56 per hour
Tasha N. Gowin, pt casual Universal Caregiver Effective August 31, 2016	G15 \$12.74 per hour
Lily T. Carter, pt casual Universal Caregiver Effective September 7, 2016	G15 \$12.74 per hour
Kira Vroman, ft Universal Caregiver Effective August 31, 2016	MU15 \$12.80 per hour
Sarah L. Kneebone, pt casual Valet Effective August 17, 2016	\$7.85 per hour
Carson R. Spencer, pt casual Administrative Clerk 1 Effective September 7, 2016	MU10 \$10.02 per hour
David J. Hall, full time CNA Effective September 21, 2016	MU12 \$12.04 per hour
Amy L. Lee, pt casual CNA Effective September 21, 2016	MU12 \$11.46 per hour
Amanda R. Dennison, pt casual CNA Effective September 21, 2016	MU12 \$11.46 per hour
Ashley A. Robinson, regular pt Laundry Attendant Effective September 21, 2016	MU9 \$9.56 per hour

THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

Ann Cole, ft Account Clerk III Effective September 6, 2016	G16 \$13.40 per hour
Michael Segear, ft Correctional Officer Effective September 11, 2016	\$12.50 per hour
Vicky L. Schrader, ft Fiscal Assistant Effective September 12, 2016	G14 \$12.50 per hour
Jessica V. Harmon, probationary ft Clerk Typist 1 Effective September 12, 2016	G10 \$9.98 per hour
Matthew D. Poll, ft County Caseworker 3 Effective August 29, 2016	G22 \$23.54 per hour
Alesha A. Johnson, ft. Fiscal Technician Effective September 19, 2016	G16 \$13.38 per hour
Zach Redell, pt casual Administrative Clerk I Effective September 26, 2016	G10 \$9.98 per hour
Nicholas Carey, ft Probation Officer Effective September 7, 2016	\$15.40 per hour
Nathan Smith, ft Probation Officer Effective September 7, 2016	\$15.40 per hour
Jessica McDermott, ft Assistant Elections Director Effective September 12, 2016	G16 \$13.87 per hour

  
\_\_\_\_\_  
Bradford County Treasurer

  
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Bradford County Commissioners



THE MINUTES OF THE BRADFORD COUNTY COMMISSIONERS  
A CONTINUATION OF THURSDAY, SEPTEMBER 8, 2016

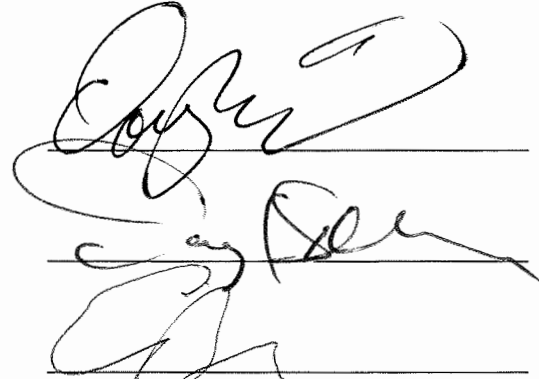
ASSESSMENT BOARD

UNFINISHED BUSINESS

NEW BUSINESS

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to approve the real estate changes for August 2016.

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to approve the occupational changes for August 2016.



Bradford County Commissioners  
Acting Board of Assessment

VISITORS REMARKS

The Commissioners answered questions from the press and public at this time.

ADJOURNMENT

A motion was made by Mr. Miller, seconded by Mr. Bustin, all voted "aye" to adjourn the meeting at 10:50 a.m.