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Vice Chairman

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Secretary



MATTHEW A. McDERMOTT
*Director of Administration
and Chief Clerk*

J. DAVID SMITH
Solicitor

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**Minutes of the Meeting of
May 9, 2019
Board Room, Executive Plaza
Pine Street, Williamsport**

Commissioner McKernan - Present
Commissioner Mussare - Present
Commissioner Mirabito - Present

Solicitor Smith - Present

1.0 OPERATIONS

1.1 CONVENE COMMISSIONERS MEETING. Mr. McKernan convened the Commissioners Meeting 10:06 a.m.

1.2 APPROVE THE MINUTES OF THE PREVIOUS MEETINGS. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved the minutes of the previous meeting as they are recorded.

1.3 RECEIVE PUBLIC COMMENTS (AGENDA ITEMS ONLY). Mr. McKernan opened the floor to public comment on agenda items only, and none were received.

2.0 ACTION ITEMS

2.1 APPROVE FY2019-2021 MOTOROLA SOLUTIONS MAINTENANCE AGREEMENT. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved.

2.2 APPROVE FY2018-2019 PCORP LOSS PREVENTION GRANT APPLICATIONS: A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved.

2.3 APPROVE LEASE AGREEMENT WITH LAMAR COMPANIES. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approve a billboard for a five year term.

2.4 APPROVE FOLLOWING PERSONNEL ACTIONS. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0) approved.

Prison – Kassandra L. Steele as full time replacement Correctional Officer Relief/Cook –Pay grade CO1 - \$16.81 per hour effective 5/14/19.

DPS-Communications- as full time replacement Telecommunicator I- without Exp. – Pay grade 6 - \$16.59 per hour effective 5/20/19.

DPS-Communications – as full part-time replacement Telecommunicator I –Pay grade 7 – \$16.83 per hour effective 5/13/19.

Controllers – Lori Wallis – department transfer as full time Financial Technician- Pay grade 6 - \$18.667982 per hour effective 5/19/19.

Controllers – Cynthia Gira- department transfer as full time Financial Technician – Pay grade 6 - \$17.434971 per hour effective 5/19/19.

Controllers – Charlene Fischer – department transfer as full time General Accountant- Pay grade 9 - \$42,179.89 annually effective 5/19/19.

Controllers – Heather Lehman- department transfer as full time General Accountant – Pay grade 9 - \$44,993.15 annually effective 5/19/19.

2.5 APPROVE RESOLUTION 2019-06 RELOCATION OF BICYCLE ROUTE G, A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved.

2.6 APPROVE MEMORANDUM OF UNDERSTANDING FOR THE CONSTRUCTION OF THE LCCD GARAGE PROJECT. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved.

Mr. McKernan recessed the Commissioners' Meeting at 11:03 a.m.

3.0 SALARY BOARD

3.1 CONVENE SALARY BOARD. Mr. McKernan convened the Board of Assessment Revision. Krista Rogers Controller was present.

3.2 APPROVE CHANGES TO TDA & TDA TOTALS REPORT. A motion by Mrs. Rogers and seconded by Mr. Mussare and passed (4-0), approved.

Fiscal

Removal of:

(2) General Accountant positions

(2) Fiscal Technician positions

Controllers

Additions:

(2) General Accountant positions

- (2) Financial Technician positions (Change from previous title of Fiscal Technicians)

3.3 APPROVE CHANGES TO SALARY SCHEDULE. A motion by Mrs. Rogers and seconded by Mr. Mirabito and passed (4-0), approved.

Fiscal:

Removal of:

- (2) General Accountant positions
- (2) Fiscal Technician positions

Controllers:

Additions:

- (2) General Accountant positions, PG 8/9
- (2) Financial Technician positions, PG 5/6 (Change from previous title of Fiscal Technicians)

Paygrades & Salaries for all (4) positions remain the same

3.4 ADJOURN SALARY BOARD.

Mr. McKernan reconvened Commissioners' Meeting at 11:06 a.m.

5.0 REPORTS / INFORMATION ITEMS.

Commissioners honored Lycoming County Law Enforcement Officers as they recognized May 15, 2019 as Peace Officers Memorial Day and May 12 -19, 2019 as National Police Week.

William Weber updated the Commissioners on the organizations and activities taking place in Lycoming County as a part of Mental Health Awareness Month.

Commissioners' provided a proclamation to recognize the 90th Anniversary of the Williamsport Junior League.

Lycoming County EMS were recognized for National EMS Week – May 19th – 25th , 2019 . The theme this year is Beyond the Call. A 2019 EMS for Children (EMS) Day Proclamation was also received by the First Responders.

5.5 Lycoming County is requesting proposals for Transportation Special Impact Study for Planning and Community Development.

5.6 Lycoming County is requesting bids for the Hughesville Streambank Protection Project.

5.7 Lycoming County is requesting proposals for Expansion Joint Replacement Project: County Bridge No. 101.

6.0 COMMISSIONER COMMENT. Mr. McKernan opened the floor to commissioner comment and none were received:

7.0 PUBLIC COMMENT. Mr. McKernan opened the floor to public comment and the following were none received:

Cary Steran – Would to see the Commissioners meetings videotaped. The decisions made in the meetings affect everyone and they have a right to see the meetings. The City of Williamsport is capable of putting the meetings on youtube.

Commissioner McKernan- We had meetings with the IT department and we are hoping to have more information in early June regarding the filming of the meetings.

Scott Miller- See attached articles. Concerned more emphasis is not placed on recycling plastics.

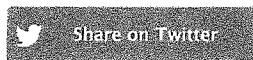
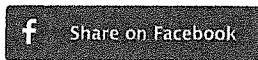
8.0 NEXT REGULARLY SCHEDULED MEETING. Mr. McKernan announced the next regularly scheduled meeting as a work session on Tuesday, May 14, 2019. The next public meeting will be held on Thursday, May 16, 2019. Both meetings begin at 10:00 a.m. Commissioner's Briefing Room. 1st Floor, Executive Plaza, 330 Pine Street, Williamsport, PA 17701.

9.0 ADJOURN COMMISSIONERS' MEETING. Mr. McKernan adjourned the Commissioners' Meeting.

Pennsylvania's new Bay plan falls well short of cleanup goals

State would need to double current spending for plan that achieves only two-thirds of nitrogen goal

Karl Blankenship | April 19, 2019



1

Pennsylvania's draft plan to help clean up the Chesapeake Bay falls far short of achieving its 2025 pollution reduction goals, a gap that would jeopardize regional efforts to restore the nation's largest estuary to healthy conditions.

The state's draft watershed implementation plan, submitted to the U.S. Environmental Protection Agency on April 12, says the state "is committed to having all practices and controls in place by 2025."

But, while the actions outlined in the plan would meet Pennsylvania's phosphorus goals, they would make only two-thirds of the 34-million-pound nitrogen reduction needed by 2025.



That shortfall is nearly a quarter of the remaining

Pennsylvania's draft plan for reaching its 2025 Bay cleanup goals only gets two-thirds of the nitrogen reductions needed, but would still require the state to more than double its spending on pollution control efforts. (Karl Blankenship)

nitrogen reductions needed from the entire Bay watershed from now through 2025, the deadline for taking all actions needed to restore Bay water quality.

Even with that shortfall, the plan would require Pennsylvania to increase its spending on pollution reduction efforts by \$257 million a year – more than double what the state currently spends.

If Pennsylvania fails to fix its nitrogen reduction shortfall by the time final plans are to be completed this summer, it could set up a showdown with the EPA. Because Pennsylvania is so far behind in its Bay commitments, the agency last year singled the state out for increased oversight, and said its new plan needed to demonstrate that it will have the programs, funding and policies needed to implement it, or face potential “consequences.”

Specifically, the EPA said it expected the state to provide “technical details,” including a listing of all nutrient control actions needed to meet its Bay pollution reduction goals – something the draft did not do, and it provides little detail about how it would cover the shortfall.

Deborah Klenotic, a spokeswoman for the state Department of Environmental Protection, acknowledged the plan only outlined actions that achieved two-thirds of the nitrogen goal, but said the state “will meet its obligations through additional measures.”

“A key focus ... is increased tracking of nitrogen reductions from sources not yet documented,” she said.

The plan said many conservation measures that farmers and others implemented on their own – without public funding – have not been accounted for in meeting Bay goals. It calls for increased efforts to track those actions, as well as other measures for which it says the state has not received full pollution-reduction credit.

Pennsylvania does not touch the Chesapeake Bay directly, but it is by far the largest source of water-fouling nutrients that reach the nation's largest estuary – primarily

through the Susquehanna River, which is the source of half the freshwater entering the Bay. A portion of the state also drains into the Potomac River, another major Bay tributary.

But the state has lagged far behind in its nutrient reduction efforts for nitrogen ever since the EPA enacted its new cleanup initiative, the Chesapeake Bay Total Maximum Daily Load, or pollution diet, in 2010. The TMDL established limits on the amounts of nitrogen, phosphorus and sediment that flow from the six states that drain into the nation's largest estuary as well as from the District of Columbia.

In the Bay, the nutrients feed algae blooms, which block sunlight from reaching the underwater grass beds that provide habitat for many species. And when the algae die, they lead to oxygen-starved "dead zones."

States have been working toward meeting the EPA's pollution diet goals since 2010, but Pennsylvania has lagged far behind. Under the TMDL, the Keystone state needed to slash nitrogen discharges to the Bay by 39.5 million pounds by 2025, from 112.7 million pounds a year to 73.2 million.



Pennsylvania does not touch the Chesapeake Bay directly, but it is by far the largest source of water-fouling nutrients that reach the nation's largest estuary – primarily through the Susquehanna River, which is the source of half the freshwater entering the Bay. (Karl Blankenship)

But through the end of 2017 – the most recent figures publicly available – the state had reduced its nitrogen contributions by just 5.4 million pounds, according to the state-federal Bay Program. That leaves a 34-million-pound shortfall.

Because of its chronically lagging performance, Pennsylvania is responsible for about three-quarters of the remaining nitrogen reductions needed from the entire Bay

watershed to meet cleanup goals.

But in proposing to reduce nitrogen by just two-thirds of what's needed, Pennsylvania's draft plan would still leave a gap of more than 11 million pounds.

That gap in the draft plan puts pressure on the EPA to determine how it will respond. Representatives from other jurisdictions – especially Maryland – have called on the agency to apply more pressure on Pennsylvania, saying that the Bay cannot reach its water quality goals without the Keystone state making its share of needed nutrient reductions.

Last year, the EPA warned that if the state did not submit a satisfactory plan, it could face a variety of consequences. Those could include forcing wastewater treatment plants to make further costly upgrades, bringing more animal feedlots under the federal regulatory umbrella, or redirecting how EPA grant funds are spent.

An agency spokesman declined to comment on Pennsylvania's plan, saying only that the agency was reviewing drafts from all the states – which are to describe all cleanup actions needed by 2025 – and would release its assessments in early June.

Once the EPA finishes its review of the plans, states will have until August 9 to submit final documents to the agency.

Harry Campbell, Pennsylvania executive director of the Chesapeake Bay Foundation, expressed disappointment that Pennsylvania's plan failed to address the state's shortfall. "We've got to fix it and fund it," he said.

Campbell praised the state's effort to involve counties, farmers and other stakeholders in the plan's development, saying "the process got a lot of interest, energy and even enthusiasm" and that the state would have been further along if such an outreach effort had begun years ago.

But, he added, "the bottom line is it's got to add up, and obviously, it's got to be funded."

Securing funding from the state's General Assembly has long been a challenge. According to the plan, the state and counties in the watershed currently spend about \$229 million a year on efforts that would help meet Bay goals. But that spending needs to be ramped up to \$485 million a year – resulting in a \$257 million annual shortfall.

The shortfalls identified in the report are not new, though. A Pennsylvania “reboot” strategy released three years ago intending to jump-start the state’s Bay obligations also identified severe staffing shortages and a similar funding shortfall.

Campbell said that the new plan, and the potential for EPA action, could finally spur the state’s lawmakers to provide more resources for the job. “This is sort of a stark reminder, and maybe even a wake-up call, as to the need,” he said.

Pennsylvania has always faced a more difficult challenge in reducing nutrient pollution than most other states in the watershed.

Maryland and Virginia have made recent progress primarily by upgrading wastewater treatment plants, but only about a tenth of Pennsylvania’s nitrogen comes from that sector.

Most of its nutrients come from agricultural and stormwater runoff – sectors all states have struggled to control – and Pennsylvania has more of each than any other jurisdiction in the Bay watershed.

It has more farms – 33,000 – than any other state, and most are small, making both oversight and outreach a struggle. Likewise, much of the stormwater pollution comes from small rural communities. Three-fourths of Pennsylvania’s developed lands in the Bay watershed are outside areas covered by state and federal stormwater permits, meaning there is little effective regulatory control.

“Compared to the other states in the watershed, the scale of the nonpoint source challenges in Pennsylvania is one of the most significant factors that has impacted past progress and will impact future success,” the state’s draft plan says.

Despite its shortfall, the draft state plan acknowledges the urgency to begin demonstrating cleanup progress or face potential EPA action. It implores local governments and others to “demonstrate progress” even if concrete action is not immediately possible.

For instance, it said, local governments can take necessary administrative steps toward creating stormwater fees even if they cannot be levied immediately. They can also create voluntary programs to reduce lawn fertilizer, subsidize rain barrels and promote reforestation, the plan suggested.

The plan also emphasizes that not only the Bay, but the state’s own rivers, streams and public drinking water supplies are at risk and would benefit from the cleanup actions.

If the state doesn’t ramp up its efforts, some – including Maryland lawmakers – have suggested bringing lawsuits to try to force action. In the draft plan, Pennsylvania tacitly acknowledges that patience among others involved in the Bay restoration effort is wearing thin, and that it “could face opposition from other states and environmental organizations” if it does not do more.



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About Karl Blankenship

Karl Blankenship is editor of the Bay Journal and executive director of Bay Journal Media. He has served as editor of the Bay Journal since its inception in 1991. [Send Karl an e-mail](#) .

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Comments

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Joseph Francis Corcoran on April 22, 2019:

PENNSYLVANIA REAL-TIME NEWS

This is what happened to the more than \$4 billion Pennsylvania Lottery sold in games last year

Updated Jun 11, 2019;
Posted Jun 10, 2019



A Powerball ticket purchased in a convenience store in Lancaster, Pa., is held in front of a Pennsylvania Lottery computer screen advertising the record \$1.4 billion Powerball jackpot, Jan. 11, 2015, in this file photo.

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By Ed Mahon of PA Post

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Bush says she never wins.

But she had a question about the lottery. Where e
Pennsylvania?

<http://fw.to/WxjOF3N>

Bush, a 66-year-old retired operations executive i
lived in North Carolina, Georgia and Tennessee. [All three](#) of those [states](#) dedicate lottery
profits to help [pay for education](#).

She's relatively new to Pennsylvania. She moved to a house outside Elizabethtown in
Lancaster County about five years ago, after her husband died.

She asked about lottery funding in a [question to the Listening Post](#).

"There are a lot of people that spend a lot of money on the lottery, in many cases, money
that they don't really have to spend," she said in a follow-up interview. "And I would hope
that that money is actually going towards a good cause."

We looked into it.

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Sandi Bush moved to Pennsylvania about five years ago. She wondered how the state spends its lottery money. She is seen outside her Lancaster County home on May 30, 2019.

Pennsylvania has a unique lottery system

The Pennsylvania Lottery describes itself as the only state lottery that designates all its proceeds to programs that benefit older residents.

Still, some advocates for older residents and their caregivers have criticized how lawmakers use lottery funds.

The type of lottery benefits have expanded since 1971

When lawmakers established the [Pennsylvania Lottery in 1971](#), they said the money had to go to older Pennsylvanians.

At first, the lottery money was targeted for property tax relief.

“Over time, there were a couple more programs added,” said Ray Landis, advocacy manager for AARP Pennsylvania.

Now, the lottery money also goes to: rent rebates, free and reduced-fare transportation services; low cost-prescription medication programs; local senior centers and area agencies on aging; and long-term care assistance.

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During the most recent fiscal year, the Pennsylvania Lottery reported sales of more than \$4.2 billion. It paid out prizes of more than \$2.7 billion, and it reported paying out more than \$1 billion in benefits.

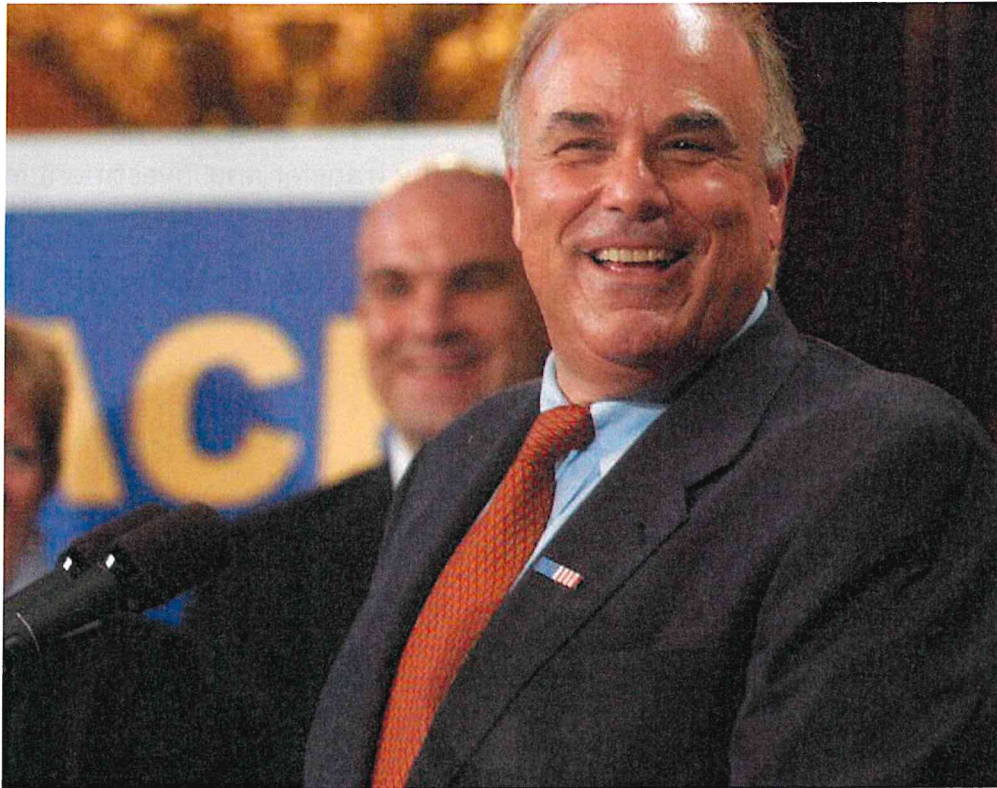
Some people think it should not help pay for Medicaid programs

The Senior Support Coalition, which includes the AARP of Pennsylvania and other organizations for older Pennsylvanians and their caregivers, has criticized a change that began when Democrat Ed Rendell was governor.

In the 2006-07 budget, the state transferred nearly \$249 million to what is now the called Pennsylvania Department of Human Services to help pay for long-term care assistance. That money helps pay for nursing home services or similar Medicaid-funded care provided in a home, such as assistance with eating, bathing, dressing, taking medication and providing transportation.

Every year after that, whether it was a Democrat or Republican in the governor's office, lawmakers approved transferring hundreds of millions of dollars of lottery money for that long-term care assistance.

In 2013, Landis said that lottery money in the Medicaid nursing home budget should return to the lottery fund so it "[can fulfill its intended purpose — providing essential assistance to help older adults remain at home.](#)"



Then-Pennsylvania Gov. Ed Rendell unveils a plan to use lottery money to expand the state's prescription-drug program for senior citizens, Thursday, May 29, 2003, at the Capitol in Harrisburg, Pa. Later, Rendell approved transferring lottery money to what was then the Pennsylvania Department of Public Welfare for long-term care assistance.

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In his state budget proposal, Gov. Tom Wolf called for transferring about \$400 million from the Pennsylvania Lottery Fund to the Department of Human Services “to offset program costs for older Pennsylvanians.”

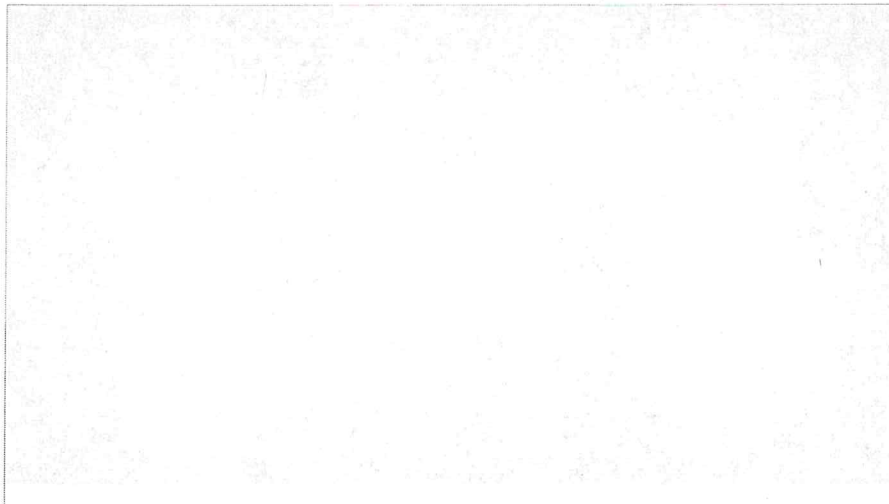
Ewa Dworakowski, a spokesperson for the Pennsylvania Lottery, said the shift to using lottery money for Medicaid programs occurred as the aging population grew — and as long-term care costs grew with it.

“Lottery fund projections demonstrated the ability to afford these additional costs,” Dworakowski said.


She said the Department of Human Services ensures that the funding is only used for people 60 and older.

Mike Straub, a spokesperson for the House GOP Caucus, said \$372 million has been moved from the lottery fund to the Department of Human Services this budget cycle, so the governor’s proposal “is not a big ask in the grand scheme of things.”

He said most members see the funding “as a worthy transfer and investment in our oldest residents.”



Jenn Kocher, a spokesperson for the Senate GOP Caucus, said the money “is being used for seniors and programs to support seniors, which fits the purposes of lottery funding.”

 Since 2006-07, state lawmakers have transferred hundreds of millions of dollars each year from the Pennsylvania Lottery Fund to what is now called the Department of Human Services. Dollar amounts below are in millions.

Since 2006-07, state lawmakers have transferred hundreds of millions of dollars

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Under Wolf's proposed budget, the Lottery Fund would still provide hundreds of millions of dollars for non-Medicaid related programs, including for property tax and rent assistance, prescription medications and senior centers.

Meanwhile, the Senior Support Coalition is advocating for reducing or eliminating transfers from the Lottery Fund to the state Medicaid program.

"Over the past ten years, \$3.5 billion has been transferred from the Lottery Fund to the state Medicaid program, creating service reductions and waiting lists for local support programs," the Senior Support Coalition says in a flyer it created for budget-related advocacy.

In addition to the AARP of Pennsylvania, the coalition includes the Center for Advocacy for the Rights & Interests of the Elderly, the Alzheimer's Association and Pennsylvania Adult Day Services Association.

Landis said the non-Medicaid programs help people avoid spending down all their assets.

"Those services are much less expensive and much more effective at keeping people at home and in their community," Landis said.

In other states, education is a popular choice for lottery money

In 2014, 44 states and the District of Columbia operated a lottery system or participated in a multi-state lottery, according to the Pennsylvania Independent Fiscal Office.

Nationwide, the majority of dedicated state lottery revenue goes to education, according to a 2017 report [from the National Conference of State Legislatures](#).

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So why does Pennsylvania spend its lottery money on older residents?

Well, Pennsylvania historically [ranks high among states for the age of its population](#), said Landis with AARP Pennsylvania.

Landis said when the lottery started in the 1970s and expanded in the 1980s, the state faced economic challenges and closing industrial plants, particularly in western Pennsylvania.

“There were a lot of older Pennsylvanians that were ... unemployed and left without benefits,” Landis said. “And I think that elected officials at that point in time saw a huge need for these services.”

Pennsylvania used to not tax lottery winners

That changed [during Wolf's first term](#). Now, the state's 3.07 percent personal income tax applies to Pennsylvania Lottery winnings.

After lawmakers approved the change, the Independent Fiscal Office estimated that the change would increase revenue for the state by \$15.2 million in the 2016-17 fiscal year.

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WEDNESDAY JUNE 5, 2019 12:11 PM

Pennsylvania Game Commission didn't track royalties from oil and gas drilling, audit finds

The agency failed to make sure that energy companies paid what they owed in royalties from oil and gas production on state hunting lands.

WRITTEN BY THE ASSOCIATED PRESS

4

The Pennsylvania Game Commission failed to make sure that energy companies paid what they owed in royalties from oil and gas production on state hunting lands, according to an audit released Thursday.

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The game commission, which manages state-owned hunting lands, permits drillers to extract natural gas from the vast Marcellus Shale formation in exchange for royalties, which rose from \$9.3 million in 2015 to \$19.2 million in 2017. About 133,700 acres of game lands are under lease.

"Essentially, the commission is relying on gas and oil companies to say how much money they owe," Auditor General Eugene DePasquale said in a statement. "I find the lack of fiscal controls to be particularly troubling at a time when oil and gas royalty revenues doubled."

The commission acknowledged it failed to adequately track royalties, attributing the problem to a lack of staff but said it has improved its accounting practices.

DePasquale's audit also faulted the agency for sitting on a huge and growing pile of cash — it totaled nearly \$73 million in 2018 — and failing to take those reserves into account when developing an annual budget. Auditors said the commission should consider its "full financial position" when making a budget or considering an increase in hunting license fees.

The audit, which covered fiscal years 2014-2017, looked at the commission's overall fiscal management and made a total of 40 recommendations.

The game commission said in a statement that it has either already implemented the auditor general's recommendations or is in the process of doing so.

"To do our best for Pennsylvania's wildlife and citizens, we must work as efficiently and effectively as possible," said the commission's executive director, Bryan Burhans. "Nearly all the recommendations offered by the auditor general's office will further improve the game commission's operations."

In assessing how the game commission was managing its oil and gas windfall, state auditors looked at royalty payments from 18 of the 66 energy companies that extracted gas from state game lands.

Auditors found the commission did not charge interest on delinquent payments nor did agency staff force gas companies to submit annual production reports that "could have provided an extra layer of accountability," DePasquale said.

The agency also let royalty checks sit around. In one case, agency staff waited 63 days to deposit a check.

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Penn State coach James Franklin sheds some light on Tommy Stevens' transfer

(/sports/article/penn-state-football-franklin-sheds-little-light-on-stevens-transfer)



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