

Commissioners:

SCOTT L. METZGER
Chairman

MARC C. SORTMAN
Vice Chairman

MARK MUSSINA
Secretary



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

CHRISTOPHER H. KENYON
Solicitor

Telephone (570) 320-2124
Fax (570) 320-2127

COUNTY of LYCOMING
48 WEST THIRD STREET
WILLIAMSPORT, PA 17701

www.lyco.org
county.commissioners@lyco.org

**LYCOMING COUNTY BOARD OF COMMISSIONERS
PUBLIC MEETING MINUTES
THURSDAY, MARCH 7, 2024
10:00 A.M.**

**Present: Commissioner Metzger, Commissioner Sortman, Commissioner Mussina,
Director Matthew McDermott, and Solicitor Christopher H. Kenyon.**

ADDITIONS/REVISIONS TO AGENDA NOT PREVIOUSLY POSTED

- Add Agenda Item 6.10 – Vote to approve the re-appointment of the following individual to the Lycoming County Housing Authority:
 - Brian Brooking (Term: 1/1/2024 – 12/31/2028)

**Mr. McDermott requested to make the addition to the agenda not previously posted.
Mr. Mussina moved to approve the addition to the agenda. Mr. Sortman 2nd the motion.
Approved 3-0**

1.0 OPERATIONS

- 1.1 Opening Prayer
- 1.2 Pledge of Allegiance
- 1.3 Convene Commissioners' Public Meeting
- 1.4 Approve the Minutes of the Previous Meeting

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

- 1.5 Public Comment on Agenda Items Only

William Fenderson, Woodward Township. Mr. Fenderson added to his comments at the last public meeting. He requested that a report be added to the agenda titled Accounts Payable instead of Treasurers report with an attachment so everyone can see where we stand.

Mr. Metzger responded that the Commissioners will discuss this with the Controller and Treasurer before issuing any response.

2.0 REPORTS

- 2.1 Kalen Barnes – Vote to approve accounts payable cash requirement report for invoices due through 3/13/24 for payment on 3/06/24 in the amount of \$2,582,516.98.

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

3.0 INFORMATION ITEM

- 3.1 Matthew McDermott - "The Status of Lycoming County Sanctuary County".

Recess Commissioners' Public Meeting for the Salary Board

Mr. Metzger explained that a media outlet last week listed Lycoming County as a Sanctuary County. Mr. Metzger explained that this all stems from the prison and ICE detainees. We have researched this and talked to a lot of people in the community. Mr. Metzger read the following statement made by the Solicitor J. David Smith at the May 3, 2018 public meeting:

“Simply put, Lycoming County is not a sanctuary county. It does not shelter illegal immigrants, nor does it interfere with any law enforcement effort to identify and remove illegal immigrants from our community. Lycoming County complies with all mandatory orders of immigration authorities, and it cooperates with those authorities as required by law.”

This Board of Commissioners stands by this statement today.

Mark Lusk, Sheriff – Sheriff Lusk informed the public that elected officials in this state cannot impose a sanctuary status or they would be arrested. The Sheriff oversees the warrant system for the County and works closely with other law enforcement agencies. If an individual is apprehended that has an ICE detainer we would contact the local ICE office and transport the person to them. ICE would then make the determination on what happens with that detainee. No one gets caught and released. Sheriff Lusk also assured the public that they are not seeing any immigration issues in the County. The problems we are seeing are the dope related murders.

Brad Shoemaker, Warden – Warden Shoemaker reported that SAVIN is the name of the system anyone can register to find out if a specific person that is incarcerated is being released or transferred. It is the system that the Prison and the DA's office cooperates within the State. You must register for a specific person, but you do not need to be a victim to register. Warden Shoemaker explained that the County Prison is titled by Title 37, Chapter 95. We must have a legal hold for anyone brought to the prison. We can't accept anyone without a legal commitment. If a person brought in has an ICE hold, once they have satisfied that warrant and no longer needs to be in our custody we contact ICE to allow them to come and take custody of that person. We addressed this in 2012 and have been doing it this way ever since. This is not new. We contacted the local ICE officials and coordinated this with them. After talking with other prisons in the state we do the same thing as other county prisons that are not on the GIS list., but our name appears on the list. We are not a sanctuary city or county. We cooperate with immigration and customs enforcement. We hold people on legal authority and judicial review of the courts. We can't hold someone without that. There has to be a commitment from a judge or magistrate. Without that we can't take them. It's the same thing with release. We can't release someone without that. We have to get a legal document to release them. It's all paper work driven on our end as far as our ability to maintain people within our custody. If someone comes into our custody and the only hold on them is an immigration request they are transferred right into immigration custody. ICE is contacted immediately. We are on the list based on the wording of the guidelines. This will be addressed at the prison Board meeting tomorrow.

Tom Adams, Williamsport – Mr. Adams read from the bible. He reminded everyone that we are founded as a covenant nation. He expressed his views on responding to the issue of immigration and encouraged everyone to work together and refrain from judging. He also encouraged everyone to understand what freedom is about and not be arrogant.

Mr. Metzger informed the public that we understand that this is an extremely serious matter. Anytime that people have brought this to our attention we have addressed this and reported back to you. We will not ignore this. We welcome anyone that is legal. Employers bring people in to our County. They may look different but we welcome them as long as they are legal. They are doing work that needs to be done. If they break the law we will deal with them. If they are here illegally and you can prove it bring it to our attention and we will turn them over to law enforcement. What's not healthy in the County is spreading rumors, which is easy to do on social media. It's not healthy. It's not welcoming for our community. If you have concerns call us. We are not going to stick our heads in the sand. We are not a sanctuary County, nor do we want to be a sanctuary County. We will address this play on words and the terminology by the Authority that should do so which is the Prison Board. The Prison Board will address that and we will report back to the public once the decision is made.

Mr. Sortman reiterated what Mr. Metzger said and assured the public they will do everything they can to get the wording corrected and the county removed from the list.

Mr. Mussina added that although the issues at the southern border may be the nation's greatest challenge it is not the County's. The biggest issue for the safety of our County per Mr. Mussina is the drug and gang violence.

Mr. Metzger read the definition of a sanctuary city/county. He reiterated that Lycoming County is not a sanctuary County and they will address the issue. He referenced the issue with the drugs and guns in the area. He encouraged everyone to be loving to their neighbor and get to know them.

Please refer to the online video for detailed questions and comments from meeting attendees.

4.0 SALARY BOARD ACTIONS – SALARY BOARD MINUTES CAN BE FOUND ON: LYCO.ORG>ELECTED OFFICIALS>CONTROLLER

- 4.1 Convene Salary Board.
- 4.2 Matthew McDermott – Vote to approve Salary Board minutes of the previous meeting, February 29, 2024.
- 4.3 Matthew McDermott – Vote to approve the following salary board actions as outlined in Attachment (A).

Reconvene Commissioners' Public Meeting

5.0 PERSONNEL ACTIONS

- 5.1 Matthew McDermott – Approve the following Personnel Actions as conditional offers of employment, subject to the successful completion of a background check and all other employment conditions as outlined in Attachment (B).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

6.0 ACTION ITEMS

- 6.1 Mya Toon – Vote to approve Intergovernmental Agreement with River Valley Transit Authority in the amount of \$100,000.00 (2024 budgeted item).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

- 6.2 Mya Toon – Vote to approve Agreement of Sale for the purchase of vacant land located at 110 Hill Alley, Jersey Shore in the amount of \$225,000.00 (Act 13 funds).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

Brian Girio, Broker with Real Estate Excel – This is in the very early stages and is dependent on and requires a subdivision approval.

Scott Metzger informed that due to the delay with the Public Safety Building in Jersey Shore we felt that we needed to pursue looking for land elsewhere for the Magistrates office. We hope to have this project completed within 12 to 18 months.

- 6.3 Sal Vitko – Vote to approve revision to 2022-2024 Williamsport Area Transportation Study (WATSP) Unified Planning Work Program (UPWP) budget (Department of Transportation funds).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

- 6.4 Maleick Fleming – Vote to approve Agreement with the City of Williamsport in the amount of \$20,000.00 (Act 13 funds).

Mr. Mussina moved to approve. Mr. Metzger 2nd the motion. Mr. Sortman voted Nay. Approved 2-1

- 6.5 Leslie Kilpatrick – Vote to approve Agreement for phone and Internet service for MDJ Dieter's Office (2024 budgeted item).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

- 6.6 Jason Yorks – Vote to approve the purchase and install of new stars and spacers in GS3, GS4 & GS5 from Green Machine in the amount of \$109,502.38 (2024 budgeted item).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

- 6.7 Jason Yorks – Vote to approve the purchase and installation of a new rolling steel door from Overhead Door Company in the amount \$19,404.00 (2024 budgeted item).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

6.8 Ken George – Vote to approve the following Change Orders for TSP Third Floor Renovation Project (2024 budget funds available):

- Change Order #5 with J & M Construction Specialty, Inc at no change in cost.

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

- Change Order #6 with J & M Construction Specialty, Inc in the amount of \$4,120.00.

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

- Change Order #1 with Dixon AC&R Corporation in the amount of \$1,950.00.

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Mr. Metzger abstained. Approved 2-0

6.9 Shannon Rossman – Vote to approve Agreement with Tiadaghton Valley Municipal Authority in the amount of \$150,000.00 (Act 13 funds).

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

6.10 Matthew McDermott – Vote to approve the re-appointment of the following individual to the Lycoming County Housing Authority:

- Brian Brooking (Term: 1/1/2024 – 12/31/2028)

Mr. Mussina moved to approve. Mr. Sortman 2nd the motion. Approved 3-0

7.0 COMMISSIONER COMMENT

Mr. Metzger extended the County’s condolences and prayers to Ed Ott’s family. He will be sorely missed.

Mr. Sortman explained why he voted no on Agenda item 6.4. He expressed his concerns about the future of the ACT 13 and ARPA funds.

Mr. Metzger added that Lycoming County has been very smart on how they have managed this money, but we must be diligent on how these monies are spent in the future. There are a lot of commitments made for this money.

Mr. Mussina announced that this weekend in Hershey the state championships for wrestling will take place. It is a special time for both the wrestlers and their parents. He wished all the youth and the parents the best.

Mr. Metzger announced that the Prison Board meeting will take place tomorrow at 8:30 at the prison. It will not be live streamed so people will need to attend in person.

8.0 GENERAL PUBLIC COMMENT

Speakers who wish to address the Board of Commissioners will be limited for no more than three (3) minutes on any particular item. The speaker must state his/her name and address for the record. Any deviation from this rule must be approved by the Board Chairman.

Tom Schaeck, Muncy Township- Mr. Schaeck spoke about two pending bills currently in the state legislature, Bill 1975 and 1988. Mr. Schaeck wants people to be aware of these bills and the impact if they are passed.

Mr. Metzger responded that they are aware of the bills as is Representative Hamm.

Marsha Bergman, Woodward Township – Ms. Bergman has started a petition for a Fourth Street exit off S. 220 Highway for public and transportation safety in Linden. She outlined the benefits the additional exit would provide and gave Mr. McDermott a copy of the petition that has been drawn up. She asked for guidance on how to proceed. Mr. McDermott took her information to pass on to the transportation portion of the Planning Department.

Catherine Burns, Muncy - Ms. Burns wanted to clarify previous comments regarding the redevelopment of the mall area. Ms. Burns stated that she is very excited about the potential commerce and traffic, both which will benefit her. She is concerned about the bills that Mr. Schaeck spoke about happening anywhere in our area.

Mr. Metzger responded that FamVest has said numerous times they have no interest in putting in low income housing in the mall area.

Ms. Burns replied that the SunGazette indicated there will be residential housing. With these bills everyone needs to stay aware.

Mr. Metzger stated that the County would welcome any developer that has a good track record

Mr. Sortman assured Ms. Burns that everyone would fight long and hard losing our own zoning in our townships.

Mr. Metzger reiterated that everyone he has spoken with is against these bills.

Steve Hall, Muncy, commented that he appreciates everyone's efforts to keep the County safe. He asked if the EMS is prepared if the phone and internet systems would go down during a disaster/emergency.

Mr. Metzger responded that the head of the EMS works closely with all law enforcement agencies and is prepared for any emergency that would happen. They are planners They bring in and work with any agency that is needed.

YOU TUBE PUBLIC COMMENT

Tony CooperSouth Williamsport - Good morning. Currently the Lycoming County public website is absent of meeting minutes for all of December 2023.



Tony CooperA citizen currently has to use the Right to Know Law to access public meeting minutes.



Tony CooperCan you please advise to when the entire library of historical meeting minutes will be available to the public on the website

Tony CooperCurrently, a Right to Know is filed with the County as RTK-2024-00025. This Right to Know is on a “30-day extension” and the request is only seeking access to public meeting minutes.



Tony CooperAdditionally, tomorrow at the Prison Board Meeting, the same question will be asked.



Tony CooperOnly 3 months of meeting minutes for the Prison Board for the year 2023 are available on the public website.



Tony CooperThe public was assured by Commissioner Metzger during recent a meeting that this would be investigated.



Tony CooperWhat does that mean and what is the progress? Thank you for your time.
Tony CooperWhat does that mean and what is the progress? Thank you for your time.

Tony CooperSouth Wiloiamspport - Commissioners, would you please let the public know that tomorrow’s Prison Board meeting is being held at the Prison without a live feed. Is there a dial in for the public?



Just One



Just One

Janice FischerIf we are not a sanctuary county then why are they on the list as one

Just OneFrom an outsider point of view, this is both informative, educational and entertaining at the same time. Most of all it’s interesting to observe the degree of democratic discourse in action...

Just One*discourse

TruthseekerTo commenter Tom: 'problems with Indians' check yourself. This is opposite of truth. Commissioners meeting are not the place for your platform and personal beliefs. You're judgmental and biased!

Just OneWhere does the line go between rational fear and paranoia? Perhaps people's fear of social dumping and blurring of cultural identities and the inadequacy to adapt to regionalism and globalization...

J

Just One...is translated into irrational externalization...

Just One...NIMBY-ism (Not In My BackYard) is a common phenomenon everywhere in the world where people otherwise separated by different factors have to interact due to global developments.. in this case...

Just One...NIMBY-ism refers to immigrants not being welcome by the host-community...

Just One...but it could also refer to members of community do not want other infringing of their rights be it related to measures against climate change or governments initiating major changes in their...

J

Just One...localities..

Just OneThank you to everyone involved in this open conversation and discussion!

Tony CooperIt is amazing to see how much time was spent over the temporary position of an able and plugged in worker, but the Sheriff can get approval for new deputy positions in the MDJ offices in no time.

Just OneInteresting...

carol johnsonfor your information regarding Lycoming County and the non/ sanctuary status and for your patience with people's comments and questions. I appreciate your work efforts and transparency!

carol johnsonAdd thank you to my above statement at the beginning of my initial sentence

9.0 NEXT SCHEDULED MEETING

The next Commissioners Public Meeting will be held on Thursday, March 14, 2024, at 10:00 A.M. in the Commissioner's Board Room, 1st Floor, Executive Plaza, 330 Pine Street, Williamsport, PA 17701.

TO VIEW THIS MEETING CLICK ON THE LINK BELOW:

<https://www.youtube.com/watch?v=C2jmY62U01w>

ATTACHMENT (A)

SALARY BOARD ACTIONS:

- Information Services – Request to approve compensation of IT Operations Director above the maximum of the pay scale, Retro Effective: 03/03/2024
- Register & Recorder – Request to add a Full Time Temporary Clerk III position, Effective: 03/17/2024
- Domestic Relations – Request to remove the following position from the TDA:
 - Clerk III, Effective: 03/17/2024
- Purchasing – Request to remove the following position from the TDA:
 - Part Time Administrative Specialist, Effective: 03/17/2024
- Sheriff's Office – Request to remove the following position from the TDA:
 - Temporary Sheriff Special Projects, Effective: 03/17/2024
- District Attorney – Request to remove the following positions from the TDA:
 - Clerk I, Effective: 03/17/2024
 - Temporary Chief County Detective, Effective: 03/17/2024
- Information Services – Request to remove the following position from the TDA:
Clerk III, Effective 03/17/2024

ATTACHMENT (B)

PERSONNEL ACTIONS:

- Department of Public Safety – Jacob Wentz, Emergency Management Specialist – Operations and Training, Full-Time Replacement, \$40,394.45 per year, 75 hours per Pay Period, Anticipated Start Date: March 25, 2024.
- Financial Management – Shanean Edmonds, Financial Support Specialist, Full-Time Replacement, \$20.97 per hour, 75 hours per Pay Period, Anticipated Start Date: March 18, 2024.
- Commissioners – Roxanna Morfesis, Administrative Coordinator, Full-Time Replacement, \$36,523.50 per year, 75 hours per Pay Period, Anticipated Start Date: March 18, 2024.