

## Schuylkill County Tax Collection Committee First Meeting Minutes

The Meeting was held at the Schuylkill County Courthouse, 401 North Second Street, Pottsville, Pennsylvania 17901 in Courtroom 1 on Monday, October 12, 2009.

Everyone attending the meeting signed in prior to the start of the meeting. The sign-in sheets are attached hereto and listed as Insert number 1. It was determined that there was a quorum.

The meeting was called to order at 6:15 p.m. and the Pledge of Allegiance followed.

A greeting and introduction was given by Robert S. Frycklund, Esquire. In accordance with Act 32 of 2008 he was appointed by the Board of Commissioners of the County of Schuylkill to act as its designated representative on July 22, 2009. In that capacity, it is his responsibility to organize and send notice of tonight's meeting and to act as the Interim Chairperson until another chairperson is elected tonight as well as a vice chairperson and a secretary.

One of the handouts, attached hereto and listed as **Insert number 2**, is a form titled Nominations for Committee Officer Positions. There was an advance planning meeting held on Monday, September 28, 2009 and we did have 2 nominees at that time. The nominees were Jack J. Hurst and Andrew D. Smarkanic as Chairperson and Vice-Chairperson respectively. We still do not have a nominee for secretary so Bob would ask that you give that some thought and if you want to submit it anonymously you can do that with the nominations form.

As an introduction it was suggested that everyone stand up and state their name and who they represent. If you are interested in wanting to hold one of the positions you can openly state that and maybe give everyone a little background about yourself.

Just to make sure we did not miss anyone signing in Robert S. Frycklund asked the people in attendance if there was anyone here from West Penn Township, Landingville Borough, Middleport Borough or Conyngham Township. There was no reply as to any representative being at the meeting for these 4 municipalities.

Act 32 provides that the majority of the delegates of the tax collection committee must be present at the meeting to constitute a quorum and in order to take official action. The record does reflect that we do have a majority of the delegates representing the municipalities and school districts of Schuylkill County in attendance. Sixty-eight (68) political subdivisions were represented at the meeting.

In accordance with Act 32 of 2008 and the PA Opens Meeting Law or the Sunshine Act, written notice of this meeting was mailed to all municipalities and school districts assigned to the Schuylkill County Tax Collection District on September 15, 2009. That notice was also prominently posted at the public entrance of the Schuylkill County Courthouse and published in the Friday, September 18, 2009 edition of the Pottsville Republican Herald a daily newspaper which is published and generally circulated in the County of Schuylkill.

The floor was then opened to the public and/or delegates on any of the items of business which are specifically Identified on the agenda. If anyone wants to talk about something that is not specifically on the agenda there will be time at the end of the meeting before the adjournment. A discussion was held about how it would be handled if we do not get a nomination for secretary and everyone votes and puts a different name to be nominated. Luckily this was taken care of and we do have a nomination for secretary. Her name is Patricia Reazor.

Nomination forms were collected by Michael Van Allen and given to Robert S. Frycklund. A copy of the forms collected are attached hereto and listed as **Insert number 3**.

The nominations we received are as follows:

Jack Hurst – Chairperson	He accepted the nomination
Larry Wittig – Chairperson	He declined the nomination
Andrew Smarkanic - Vice Chairperson	He accepted the nomination
Kevin Steigerwalt - Vice Chairperson	He declined the nomination
Patricia Reazor – Secretary	She accepted the nomination
Jen Laudeman – Secretary	She declined the nomination

We clearly have a slate of one for each position. That being, Jack J. Hurst for Chairperson, Andrew D. Smarkanic for Vice Chairperson and Patricia Reazor for Secretary. We will not need the ballot handout because we are permitted to take a hand vote if there is just one nominee for each position. A motion was made to elect Jack J. Hurst for Chairperson, Andrew D. Smarkanic for Vice Chairperson and Patricia Reazor for Secretary this was 1<sup>st</sup> by Julian Milewski (Ringtown Borough) and 2<sup>nd</sup> by Sharon Chiao. A show of hands in favor clearly showed a majority of the delegates voted in favor of that slate of officers. With that completed we welcome Jack Hurst as your new Chairperson for the Tax Collection Committee.

Jack gave an overview of what Act 32 is with a Power Point Program. This overview talked about the restructure of the collection of earned income tax through district and municipalities, implementation deadlines, new forms, bylaws, tax collection district, tax collection committee, weighted voting, responsibilities, operating costs, reports to be filed, rules and regulations, etc. This overview can be found on [www.pasbo.org](http://www.pasbo.org).

Jack would like to appoint Robert S. Frycklund as Interim Solicitor at least until the next meeting.

Jack would like to nominate Robert S. Frycklund as Interim Open Records Officer. This would currently make sense since he is in possession of all records so far. This nomination was accepted by Robert S. Frycklund and 1<sup>st</sup> by Tom Oblas (Mahanoy City Borough) and 2<sup>nd</sup> by Tony Demalis (Shend Valley School District) and by show of hands the majority voted yes.

A discussion was held about the formation of the Bylaws Committee. We would like to have 5 members on the Bylaws Committee and then it was changed to 7. By show of hands 7 people would like to sit on the Bylaws Committee. The 7 people are as follows:

Patsy Bowman (Tri-Valley School District)  
Jen Laudeman (Minersville Area School District)  
Steve Pellman (Frailey Township)  
Laure Ruch (Reilly Township)  
Judith Leeman (Pine Grove Township)  
Tom Oblas (Mahanoy City Borough)  
Leo Schwartz (Pottsville City)

Discussions were held about a budget and the costs associated with Act 32, all of which the costs are going to have to be shared by everyone. A discussion arose about why and where are the municipalities and school districts going to get the money to put into the budget to pay for this. There were questions raised about why are we doing this and what if we do not do it. The people were advised that this was not voluntary and this was mandated by the State. We are just charged with the implementation of the Act. Andy Smarkanic gave another explanation of Act 32 and tried to reassure the people that none of us asked for this to happen. A comment was made that this is going to cost us more money than what we are getting in. A discussion to answer some questions went on. Robert S. Frycklund spoke to the County Administrator shortly after the advance planning meeting and he is going to recommend to the Board of Commissioners that they loan the Tax District approximately Ten Thousand (\$10,000.00) Dollars for start-up costs. We will have; upfront costs until we get moving and start collecting revenue. Also, DCED has indicated that have some grant money available. We do not know the terms and conditions of these grants yet but that is why it is important that we get a budget committee together and moving as soon as possible. A question was raised that Berkheimer does collect a percent, will the EIT also collect a percent? This discussion also led into the topic of the municipalities and school districts preparing their budgets. They should definitely budget something in their 2010 budgets. The discussion then moved into a conversation about the weighed voting. There was a gentleman that was very concerned about this weighted voting and the budget Issues. He was answered that the weighed vote can be changed when the by-laws are created, if this is so desired. Another discussion

was held about where to get the money to cover this when we did not ask for this to happen. The people were advised that it could be possible to speak with your local state representatives. The people spoke about inviting the representatives to the next meeting. The people's opinions need to be voiced and full implementation is not required until January 1, 2012 so now is the time to speak your mind. A gentleman mentioned the options of creating our own committee, join with another county, and/or contact Berkheimer or Centax for their fees and see which is better. We already have an entity that collects taxes so why not have Schuylkill County do it so that everyone is not getting a cut of the pie and it may be cheaper and keep it within our County. A discussion was held about using the County Tax Office at the Courthouse. Andy spoke about each person bringing an amount to the next meeting of what each pay so that we can compare and discuss the best way to go.

A discussion was held about the formation of the Budget Committee. We would like to have 5 members on the Budget Committee and then it was changed to 7. By show of hands 7 people would like to sit on the Budget Committee. The 7 people are as follows:

Patsy Bowman (Tri-Valley School District)  
Kim Umphrey (Schuylkill. Haven School District)  
Larry Dubbs (Pine Grove Borough)  
Sharon Chiao (Mahanoy Township)  
Gerald Lengel (Pine Grove Area School District)  
Larry Padora (New Ringgold Borough)  
John Belsak (New Ringgold Borough)

A discussion was held about when to hold meetings, where are some possible meeting places and places for storage of records. It was decided that the next meeting will be scheduled for Monday, November 16, 2009 beginning at 6:00 p.m. at the Schuylkill County Courthouse in Courtroom #1.

We need to establish at least Errors and Omissions Insurance. The suggestion is that we go with Seltzer Insurance Company at least temporarily for this insurance coverage. This motion was made by Michael Van Allen and 2<sup>nd</sup> by Jack Hurst. By show of hands the majority voted yes.

A gentleman wanted to know when the Budget and Bylaws Committees meet will it be open for public discussion. The meetings are open to the public but the committees will have to get their items accomplished so if you would have any concerns or anything to add to the committee issues you can give your input at the next meeting.

There was an open discussion about the meetings, voting matter and quorums. A gentleman wanted to reiterate and stress about the problem with a weighted vote. He stated one man one vote is what the bylaws should be changed to read instead of the weighed vote.

There was a discussion about there being any personal liability.

There will be a list organized so that all the information can be circulated to everyone.

Adjournment – 1<sup>st</sup> by Wendell Gainer and 2<sup>nd</sup> William McDonald, all in favor.

Respectfully submitted

Tracie L. Clews

**SCHUYLKILL TAX COLLECTION DISTRICT  
2009/2010 EXPENDITURES BUDGET**

**(SEPTEMBER 2009 - DECEMBER 2010)**

<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
LEGAL FEES	\$ 25,000.00
AUDIT FEES	\$ 1,000.00
SUPPLIES/POSTAGE	\$ 5,000.00
ADVERTISING	\$ 5,000.00
INSURANCE COSTS	\$ 5,000.00
CONTINGENCY COSTS	<u>\$ 19,000.00</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 60,000.00</u></b>

SCHUYLKILL TAX COLLECTION DISTRICT  
2009/2010 BUDGET BREAKDOWN

SCHUYLKILL TCD MUNICIPALITIES				WEIGHTED SHARE
COUNTY OF ORIGIN	MUNICIPALITY NAME	MUNICIPAL EIT REVENUE	MUNICIPAL PROPORTIONAL EIT REVENUE	\$60,000.00
	<b>BLUE MOUNTAIN SD</b>			
SCHUYLKILL	AUBURN BORO	\$80,234	0.40%	\$238.68
SCHUYLKILL	CRESSONA BORO	\$146,682	0.73%	\$436.35
SCHUYLKILL	DEER LAKE BORO	\$68,140	0.34%	\$202.70
SCHUYLKILL	EAST BRUNSWICK TWP	\$223,044	1.11%	\$663.51
SCHUYLKILL	NEW RINGGOLD BORO	\$43,299	0.21%	\$128.80
SCHUYLKILL	NORTH MANHEIM TWP	\$301,506	1.49%	\$896.91
SCHUYLKILL	ORWIGSBURG BORO	\$340,090	1.69%	\$1,011.69
SCHUYLKILL	WAYNE TWP	\$456,598	2.26%	\$1,358.28
SCHUYLKILL	WEST BRUNSWICK TWP	\$396,060	1.96%	\$1,178.19
	<b>MAHANoy AREA SD</b>			
SCHUYLKILL	DELANO TWP	\$31,623	0.16%	\$94.07
SCHUYLKILL	GILBERTON BORO	\$36,825	0.18%	\$109.55
SCHUYLKILL	MAHANoy CITY BORO	\$232,397	1.15%	\$691.33
SCHUYLKILL	MAHANoy TWP	\$78,932	0.39%	\$234.81
SCHUYLKILL	RUSH TWP	\$22,604	0.11%	\$67.24
SCHUYLKILL	RYAN TWP	\$129,684	0.64%	\$385.78
	<b>MINERSVILLE AREA SD</b>			
SCHUYLKILL	BRANCH TWP	\$129,945	0.64%	\$386.56
SCHUYLKILL	CASS TWP	\$128,008	0.63%	\$380.80
SCHUYLKILL	FOSTER TWP	\$19,999	0.10%	\$59.49
SCHUYLKILL	MINERSVILLE BORO	\$276,094	1.37%	\$821.32
SCHUYLKILL	REILLY TWP	\$42,959	0.21%	\$127.79
	<b>NORTH SCHUYLKILL SD</b>			
COLUMBIA	CONYNGHAM TWP	\$53,371	0.26%	\$158.77
SCHUYLKILL	ASHLAND BORO	\$204,661	1.01%	\$608.82
SCHUYLKILL	BUTLER TWP	\$333,835	1.66%	\$993.08
SCHUYLKILL	FRACKVILLE BORO	\$276,444	1.37%	\$822.36
SCHUYLKILL	GIRARDVILLE BORO	\$98,836	0.49%	\$294.02
SCHUYLKILL	GORDON BORO	\$67,506	0.33%	\$200.82
SCHUYLKILL	RINGTOWN BORO	\$74,062	0.37%	\$220.32
SCHUYLKILL	UNION TWP	\$99,858	0.50%	\$297.06
	<b>PINE GROVE AREA SD</b>			
SCHUYLKILL	FRAILEY TWP	\$31,448	0.16%	\$93.55
SCHUYLKILL	PINE GROVE BORO	\$199,069	0.99%	\$592.19
SCHUYLKILL	PINE GROVE TWP	\$390,693	1.94%	\$1,162.22
SCHUYLKILL	TREMONT BORO	\$118,694	0.59%	\$353.09
SCHUYLKILL	TREMONT TWP	\$19,187	0.10%	\$57.08
SCHUYLKILL	WASHINGTON TWP	\$168,401	0.83%	\$500.96
	<b>POTTSVILLE AREA SD</b>			
SCHUYLKILL	MECHANICSVILLE BORO	\$27,117	0.13%	\$80.67
SCHUYLKILL	MT CARBON BORO	\$6,052	0.03%	\$18.00
SCHUYLKILL	NORWEGIAN TWP	\$181,657	0.90%	\$540.39
SCHUYLKILL	PALO ALTO BORO	\$61,612	0.31%	\$183.28
SCHUYLKILL	PORT CARBON BORO	\$142,902	0.71%	\$425.10
SCHUYLKILL	POTTSVILLE CITY	\$1,021,699	5.07%	\$3,039.33
	<b>SAINT CLAIR AREA SD</b>			
SCHUYLKILL	BLYTHE TWP	\$76,698	0.38%	\$228.16
SCHUYLKILL	EAST NORWEGIAN TWP	\$69,043	0.34%	\$205.39
SCHUYLKILL	MIDDLEPORT BORO	\$25,495	0.13%	\$75.84
SCHUYLKILL	NEW CASTLE TWP	\$16,569	0.08%	\$49.29
SCHUYLKILL	NEW PHILADELPHIA BORO	\$71,394	0.35%	\$212.38
SCHUYLKILL	ST CLAIR BORO	\$195,086	0.97%	\$580.34

SCHUYLKILL TCD MUNICIPALITIES				WEIGHTED SHARE
COUNTY OF ORIGIN	MUNICIPALITY NAME	MUNICIPAL EIT REVENUE	MUNICIPAL PROPORTIONAL EIT REVENUE	\$60,000.00
	<b>SHENANDOAH VALLEY SD</b>			
SCHUYLKILL	SHENANDOAH BORO	\$246,918	1.22%	\$734.53
SCHUYLKILL	WEST MAHANOEY TWP	\$202,874	1.01%	\$603.50
	<b>SCHUYLKILL HAVEN AREA SD</b>			
SCHUYLKILL	LANDINGVILLE BORO	\$12,507	0.06%	\$37.21
SCHUYLKILL	PORT CLINTON BORO	\$24,992	0.12%	\$74.35
SCHUYLKILL	SCHUYLKILL HAVEN BORO	\$400,506	1.99%	\$1,191.42
SCHUYLKILL	SOUTH MANHEIM TWP	\$241,203	1.20%	\$717.53
	<b>TAMAQUA AREA SD</b>			
SCHUYLKILL	RUSH TWP	\$291,235	1.44%	\$866.36
SCHUYLKILL	SCHUYLKILL TWP	\$78,613	0.39%	\$233.86
SCHUYLKILL	TAMAQUA BORO	\$448,345	2.22%	\$1,333.73
SCHUYLKILL	WALKER TWP	\$97,665	0.48%	\$290.53
SCHUYLKILL	WEST PENN TWP	\$391,548	1.94%	\$1,164.77
	<b>TRI-VALLEY SD</b>			
SCHUYLKILL	BARRY TWP	\$75,276	0.37%	\$223.93
SCHUYLKILL	ELDRED TWP	\$50,928	0.25%	\$151.50
SCHUYLKILL	HEGINS TWP	\$290,067	1.44%	\$862.88
SCHUYLKILL	HUBLEY TWP	\$70,743	0.35%	\$210.44
SCHUYLKILL	UPPER MAHANTANGO TWP	\$52,908	0.26%	\$157.39
	<b>SCHUYLKILL TCD MUNICIPAL TOTALS</b>	<b>\$10,192,440</b>	<b>51%</b>	<b>\$30,320.24</b>
SCHUYLKILL TCD MUNICIPALITIES				WEIGHTED SHARE
COUNTY OF ORIGIN	SCHOOL DISTRICT NAME	SCHOOL DISTRICT EIT REVENUE	SCHOOL DISTRICT PROPORTIONAL EIT REVENUE	
SCHUYLKILL	BLUE MOUNTAIN SD	\$1,715,253	8.50%	\$5,102.49
SCHUYLKILL	MAHANOEY AREA SD	\$553,447	2.74%	\$1,646.38
SCHUYLKILL	MINERSVILLE AREA SD	\$677,169	3.36%	\$2,014.43
SCHUYLKILL	NORTH SCHUYLKILL SD	\$1,210,797	6.00%	\$3,601.85
SCHUYLKILL	PINE GROVE AREA SD	\$990,850	4.91%	\$2,947.56
SCHUYLKILL	POTTSVILLE AREA SD	\$1,279,241	6.34%	\$3,805.46
SCHUYLKILL	SAINT CLAIR AREA SD	\$467,942	2.32%	\$1,392.02
SCHUYLKILL	SHENANDOAH VALLEY SD	\$480,083	2.38%	\$1,428.14
SCHUYLKILL	SCHUYLKILL HAVEN AREA SD	\$708,583	3.51%	\$2,107.88
SCHUYLKILL	TAMAQUA AREA SD	\$1,299,869	6.44%	\$3,866.82
SCHUYLKILL	TRI-VALLEY SD	\$593,905	2.94%	\$1,766.74
	<b>SCHUYLKILL TCD SCHOOL DISTRICT TOTALS</b>	<b>\$9,977,138</b>	<b>49%</b>	<b>\$29,679.76</b>
	<b>SCHUYLKILL TCD GRAND TOTALS</b>	<b>\$20,169,578</b>	<b>100.00%</b>	<b>\$60,000.00</b>