Westmoreland County Tax Collection Commission (WCTCC)

Operating Board Meeting Minutes

Tuesday, August 28, 2012

Chairman Scott Sistek called the meeting to order. Roll call was taken with the following members present: Scott Sistek, Jude Abraham, Caprice Mills, Diane Figg, Paul Fry, Eileen Navish, Diane Heming, Jon Perry, Gregory Primm and Michael Wrobleski. Solicitor Lawrence Maiello was also present.

Pledge of Allegiance.

Approval of Minutes. Paul Fry **MOVED** to approve the minutes of the Operating Board Meeting held on July 24, 2012, and Diane Figg **SECONDED.** No discussion. **Motion carried.**

Approval of Bills. Diane Figg reported there were two bills; Ann Eicher, $60 for transcription services, and $696 for legal costs for a total of $756.
Diane Heming **MOVED** to approve the bills, and Eileen Navish **SECONDED.** No discussion. **Motion carried.**

Public Comment. For the record there was no public comment at tonight's meeting.

Treasurer's Report. Diane Figg reported before paying the two bills the balance in the checking account is $32,758.25 with $4.95 of interest earned. Ms. Figg noted that everyone should have received the weighted vote calculation and verification of these numbers is still pending.
Eileen Navish **MOVED** to approve the Treasurer's Report, and Diane Heming **SECONDED.** No discussion. **Motion carried.**

Solicitor's Report. Solicitor Maiello passed out an update received this afternoon from the Meridian Group, the entity that is working on the issues surrounding CENTAX. Solicitor Maiello reiterated the concerns with CENTAX: Tax Collection Districts (TCDs) not getting their money; the possibility of contracts being terminated; and claims being filed against Travelers, the bonding company for CENTAX. Solicitor Maiello reported that after attending a number of meetings it has become clear that CENTAX will no longer be in business; a transition is being conducted which could take up to six weeks, and at the present time there is no accountability as to how much money each TCD should be receiving. Solicitor Maiello continued that the issue this TCC is facing is we filed a bond claim with no dollar amount and he suggested that to preserve our claim we need to come up with an approximate dollar amount for the claim using some type of methodology. If no number is reached, Solicitor Maiello will respond without that information. A discussion continued as to how the collection process is progressing. Caprice Mills reviewed with the committee the responses she has received with regard to the collection process with Berkheimer which might help with the CENTAX collection amounts expected. Solicitor Maiello continued that some of the counties where CENTAX is the collector are considering becoming a party to a suit filed by Greentree to have a receiver appointed so they are a party to that lawsuit and would have input with respect to the receiver if one is appointed; a Petition to Intervene would be required to be a party along with Greentree. Solicitor Maiello suggested that he attend a conference scheduled for this Thursday that will update the information on where things stand with respect to the CENTAX distributions and

asked the committee if they would like to be a part of this lawsuit reminding the committee there will be costs associated with the preparation of the legal documents.
Diane Heming **MOVED** to approve to proceed with the Petition to Intervene contingent on Solicitor Maiello's confirmation after attending the conference, and Diane Figg **SECONDED.** No further discussion. **Motion carried.**

Committee Reports.

Tax Collector Performance Committee. Diane Heming suggested that the committee send out two to three questions to the group in regard to what they have been receiving from the Tax Collector and use those responses to review the performance of the Tax Collector and proceed from there.

Auditor Selection Committee. The committee discussed what the audit should encompass with the Request for Proposal (RFP) to include all these standards and addressed at the Pre-Bid Meeting. It was suggested that Michael Foreman from the Department of Community and Economic Development review the RFP information and report to the committee what the expected costs might be and what issues may arise in regard to the search for an auditing firm. A decision was made to present the recommendation at the full WCTCC meeting in January.

Open Board Discussion. For the record no discussion was presented at tonight's meeting.

Agenda.

1. **Berkheimer/CENTAX Update.** Shawn Perry, a representative from Berkheimer, reported the biggest problem CENTAX is facing is with their data system, however the year 2011 will be completed by CENTAX and Berkheimer has been appointed to handle 2012 forward. However, a TCD can elect to put out an RFP and hire another Tax Collector if they choose not to use Berkheimer.

2. **Calendar Year 2013-January 2014 Meeting Dates.** Scott Sistek reviewed the dates for the upcoming year 2013 through January 2014: the Operating Board Meetings will be held the fourth Tuesday of the month at 5:30 p.m. and the quarterly full WCTCC meetings at 6:30 p.m. with the exception of January where the full WCTCC precedes the reorganization of the Operating Board Meeting which is held immediately following the full WCTCC meeting. Additionally, during the months of October and December the meetings are moved to the third Tuesday.
   Diane Figg **MOVED** to approve the meeting dates for calendar year 2013 and January 2014, and Gregory Primm **SECONDED.** No discussion. **Motion carried.**

Adjournment. Jude Abraham **MOVED** to adjourn the meeting. **SECONDED:** Diane Figg.

Respectfully Submitted,

Caprice Mills
WCTCC Operating Board Secretary
& Open Records Officer