Westmoreland County Tax Collection Committee (WCTCC)

Operating Board Meeting Minutes

Tuesday, December 18, 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, Diane Heming and Jon Perry. Solicitor Lawrence Maiello arrived later on during the meeting. Eileen Navish, Gregory Primm and Michael Wrobleski were absent.

Pledge of Allegiance.

Approval of Minutes. Diane Heming **MOVED** to approve the minutes of the Operating Board Meeting held on October 16, 2012, and Diane Figg **SECONDED.** No discussion. **Motion carried.**

Approval of Bills. Diane Figg reported there were three bills; the Tribune-Review advertisement for the audit which was $83.40; $100 to Ann Eicher for transcription services; and $1,370 for legal costs for a total of $1,553.40. Ms. Figg explained the legal bills are up due to this amount is for two months and the additional time required with regard to the CENTAX issues.
Paul Fry **MOVED** to approve the bills, and Jude Abraham **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 prior to those three bills we had $29,248.44; once the bills are paid the account balance will be $27,695.04. Ms. Figg noted the bank is still charging fees and she will continue to have them waived.
Jude Abraham **MOVED** to approve the Treasurer's Report, and Caprice Mills **SECONDED.** No further discussion. **Motion carried.**

Committee Reports.

Tax Collector Performance Committee. Diane Heming stated the Committee is not receiving responses with respect to the performance reviews. Ms. Heming suggested the next thing to do is follow the outline presented by Solicitor Maiello and prepare a survey specific to the six points of the contract they were to follow and request responses to those six points. A discussion followed concerning Berkheimer crediting the correct municipality with the monies being collected which continued into the Auditor Selection Committee report.

Auditor Selection Committee. Jon Perry confirmed that this audit should validate they are collecting what they should be and dispersing the monies to the right areas. Mr. Perry reported they have received four proposals that are all in the same ballpark except for one. Mr. Perry also stated that according to Act 32 the Committee is responsible to audit the collections, receipts and the disbursements the Tax Collector does on our behalf. Due to the Audit Request for Proposals (RFPs) coming in so high Scott Sistek suggested targeting firms in the area of Bangor near Philadelphia so there are no additional travel fees. Mr. Perry stated he wasn't sure the fees were reflective of travel; according to the RFPs the travel fees and out-of-pocket expenses would be billed additionally. Mr. Perry continued the significant expense won't come from the travel; it

will be the hours. Solicitor Maiello reported that in the discussions he's been involved with in regard to other counties requesting audit proposals the auditing firms were very unfamiliar with this type of audit request which is why the costs are higher. Solicitor Maiello suggested calling the two firms in and explaining exactly what the expectations are and give them an opportunity to revise their numbers; it's not a public bidding process. Solicitor Maiello noted legally the TCC is required to have an audit performed annually which has to be completed and circulated by September 1st of the following year. A discussion followed in regard to waiting until some other counties have their audits completed to see who performed the audit and having a firm contracted for one year as opposed to three years. Mr. Sistek suggested the interviews of the two firms be done in conjunction with the February meeting with approval of the auditor by the full WCTCC in April.

Solicitor's Report. Solicitor Maiello reported on the CENTAX issues. A request will be made on the bond to recoup any legal fees as soon as it's clear what the claim would be. Supposedly all the money has been accounted for except for $800,000 of the Act 32 money. Berkheimer has confirmed verbally they received the money from CENTAX. Assuming there isn't a claim we can develop, a claim will be made for the attorney fees which wouldn't have been incurred had it not been for the CENTAX problems. A formal report that was filed in January will show what occurred last quarter. The only news is the 2010 and 2011 mess that CENTAX did not complete has been awarded to Berkheimer; a contract worth $850,000.

Open Board Discussion. Caprice Mills reported she will verify the members of the current Appeals Board.

Agenda.

1. **2013 Operating Board.** Scott Sistek reminded the Committee there are two openings on the 2013 Operating Board representing two School Districts that will have to be addressed at the January meeting.

2. **Assessment and Budget for 2013.** Diane Figg reported the proposed Budget will be sent out to the Committee and presented at the January 2013 meeting including the proposed assessments and audit fees.

3. **Weighted Vote.** Scott Sistek reported that a two-thirds vote is necessary at the January meeting to adopt the amendment to the Bylaws to change to a weighted vote instead of a quorum for voting at the quarterly meetings.
   Diane Figg **MOVED** to change the vote requirement to a weighted vote instead of a quorum, and Diane Heming **SECONDED.** No discussion. **Motion carried.**

Adjournment. Jon Perry **MOVED** to adjourn the meeting. **SECONDED:** Diane Figg.

Respectfully Submitted,

Caprice Mills
WCTCC Operating Board Secretary
& Open Records Officer