

AGENDA
COMMISSIONERS CONFERENCE
OCTOBER 1, 2024

I Call to Order

II Unfinished Business/Correspondence

III Motion by _____, second by _____, to approve the minutes of the meeting dated September 24, 2024 as presented.

Vote called: Aye _____ Nay _____ Abstain _____

IV Motion by _____, second by _____ to adopt Resolution Number 2024-11 to execute Letter of Amendment 2 with the Pennsylvania Department of Transportation increasing the costs for the Dobson Road Bridge Removal project to \$525,000.

Vote called: North _____ Humes _____ Pisarcik _____

V Motion by _____, second by _____ to adopt Ordinance Number 2024-02 establishing a County Demolition and Rehabilitation Fund and imposing a fee to be collected by the Jefferson County Tax Claim Bureau from purchasers at sales under the real estate tax sale law and by the foreclosure action in accordance with Act 48 of 2024. This Ordinance will go into effect January 1, 2025.

Vote called: Aye _____ Nay _____ Abstain _____

VI Motion by _____, second by _____, to adopt Ordinance Number 2024-03 authorizing the collection of a fee for each deed and mortgage recorded which shall be deposited into the Jefferson County Demolition and Rehabilitation Fund to be used exclusively for the demolition of blighted properties situate in Jefferson County, in accordance with Act 152 of 2016. This Ordinance will go into effect January 1, 2025.

Vote called: Aye _____ Nay _____ Abstain _____

VII Motion by _____, second by _____, to appoint Elise Grovanz to the North Central PA Regional Planning and Development Commission's CEDS Committee.

Vote called: Aye _____ Nay _____ Abstain _____

VIII Motion by _____, second by _____, to appoint Elise Grovanz to the North Central PA Regional Planning and Development Commission's RPO Transportation Committee and appoint Jessica Seary as the alternate member.

Vote called: Aye _____ Nay _____ Abstain _____

IX Motion by _____, second by _____ to appoint Mark Pennsy of Punxsutawney to the Area Transportation Authority to fill an unexpired term. Mr. Pennsy's term will expire December 31, 2027.

Vote called: Aye _____ Nay _____ Abstain _____

X Public Comments

XI Close Public Comments

XII Motion by _____, second by _____, that the meeting be adjourned.

Vote called: Aye _____ Nay _____ Abstain _____

ANNOUNCEMENTS

There will be no Commissioners Meeting on October 8, 2024

All County Offices will be closed on Monday, October 14, 2024 in observance of Columbus Day

**BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF JEFFERSON COUNTY, PENNSYLVANIA, PURSUANT TO ACT 48 OF 2024, ESTABLISHING A COUNTY DEMOLITION AND REHABILITATION FUND AND IMPOSING A FEE TO BE COLLECTED BY THE JEFFERSON COUNTY TAX CLAIM BUREAU FROM PURCHASERS AT SALES UNDER THE REAL ESTATE TAX SALE LAW AND BY THE JEFFERSON COUNTY SHERIFF FROM JUDICIAL SALES IN MORTGAGE FORECLOSURE ACTIONS; DEFINING TERMS; AND PROVIDING FOR SEVERABILITY, REPEALER AND EFFECTIVE DATE.

BE IT HEREBY ORDAINED AND ENACTED by the Board of Commissioners of Jefferson County, pursuant to its authority under Pennsylvania Act 48 of 2024, amending Section 631 of the Pennsylvania Real Estate Tax Sale Law, 72 P.S. § 5860.631, as follows:

Section 1: SHORT TITLE: The within Ordinance may be referred to herein and elsewhere as the “Demolition and Rehabilitation Fund Ordinance”.

Section 2: DEFINITIONS: As used in this Ordinance, the following terms shall have the meanings set forth below:

“Tax sale” shall mean any upset tax sale, private sale, judicial sale or repository sale conducted by the Jefferson County Tax Claim Bureau for delinquent real property taxes pursuant to the Pennsylvania Real Estate Tax Sale Law, 72 P.S. § 5860.101 *et seq.*, but shall *not* include any property that is sold for delinquent real property taxes to a non-profit entity, land bank or government entity or to a property acquired by the Pennsylvania Housing Finance Agency.

“Mortgage foreclosure sale” shall mean any sale of real property conducted by the Office of the Jefferson County Sheriff in connection with a mortgage foreclosure action pursuant to the authority of Article XII of the Pennsylvania County Code, 16 P.S. § 1201 *et seq.* and the Pennsylvania Rules of Civil Procedure, 231 Pa. Code § 51 *et seq.*

Section 3: ESTABLISHMENT OF THE JEFFERSON COUNTY DEMOLITION AND REHABILITATION FUND:

Effective as of January 1, 2025, a Jefferson County Demolition and Rehabilitation Fund shall be established by the Jefferson County Treasurer pursuant to Pennsylvania Act 48 of 2024.

Section 4: DIRECTIVES:

- a. Effective as of January 1, 2025, which is not less than ninety (90) days after the effective date of this Ordinance, the Jefferson County Board of Commissioners authorizes and directs the Jefferson County Tax Claim Bureau and the Office of the Jefferson County Sheriff to collect a fee in the amount of two hundred fifty dollars (\$250.00) from each and every purchaser of real property from a tax sale or a mortgage foreclosure sale, respectively, in addition to the purchase price of the property and all other associated fees and costs. Each and every separate parcel of real estate sold at a tax sale or mortgage foreclosure sale shall be subject the purchaser's obligation to pay the said fee in the amount of two hundred fifty dollars (\$250.00).
- b. As soon as practicable after each tax sale or mortgage foreclosure sale, the Jefferson County Tax Claim Bureau and the Office of the Jefferson County Sheriff shall promptly deliver any and all funds collected pursuant to this Demolition and Rehabilitation Fund Ordinance to the Office of the Jefferson County Treasurer for deposit into the Jefferson County Demolition and Rehabilitation Fund.
- c. Jefferson County may reserve up to five percent (5%) of the gross proceeds for administration and oversight.

Section 5: ADMINISTRATION OF THE JEFFERSON COUNTY DEMOLITION AND REHABILITATION FUND:

- a. Any and all funds collected by the Jefferson County Tax Claim Bureau and the Office of the Jefferson County Sheriff pursuant to this Demolition and Rehabilitation Fund Ordinance shall be promptly deposited by the Jefferson County Treasurer into a designated fund for the exclusive purposes of the Jefferson County Demolition and Rehabilitation Fund.
- b. The methods of custody, divestiture, disbursement and application of any and all funds deposited into the Jefferson County Demolition and Rehabilitation Fund shall be consistent with generally-accepted accounting principles (GAAP) and the laws of the Commonwealth of Pennsylvania.
- c. Funds deposited and maintained in the Jefferson County Demolition and Rehabilitation Fund shall be administered by the Jefferson County Board of Commissioners, which, within its sole discretion, may use the funds for its own demolition and/or rehabilitation projects, or may award funds by application on a competitive basis to municipalities, school districts, redevelopment authorities and/or other non-profit entities for demolition and/or rehabilitation of blighted properties located within Jefferson County, Pennsylvania.

d. Additionally, the Jefferson County Board of Commissioners may act in its sole discretion to approve the use of funds deposited and maintained in the Jefferson County Demolition and Rehabilitation Fund by a non-profit or for-profit corporation that has a contract with the County of Jefferson or with any taxing district, redevelopment authority, land bank or other government entity, for demolition and/or rehabilitation of blighted properties located within Jefferson County, Pennsylvania.

Section 6: FORM AND METHOD OF NOTICE TO AFFECTED AGENCIES:

Notice that the Jefferson County Board of Commissioners has established a Demolition and Rehabilitation Fund, and that the fee imposed herein shall be collected and deposited as provided by Section 4, above, shall be transmitted to each of the offices of the Jefferson County Tax Claim Bureau, Jefferson County Sheriff, Jefferson County Treasurer and Jefferson County Prothonotary by transmitting a true, correct and accurate copy of the within Demolition and Rehabilitation Fund Ordinance to the department head of each said office via U.S. Mail, electronic mail and/or hand-delivery within two (2) working days of its enactment.

Section 7: SEVERABILITY: The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, same such shall not affect the validity of any of the remaining provisions of the within Ordinance.

Section 8: REPEALER: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

Section 9: EFFECTIVE DATE: This Ordinance shall become effective as of January 1, 2025.

DULY ENACTED AND ORDAINED by the Board of Commissioners of the County of Jefferson, Pennsylvania, in lawful session duly assembled, this 1st day of October, 2024.

ATTEST:

JEFFERSON COUNTY BOARD OF COMMISSIONERS:

Karen Lupone
Chief Clerk

BY: _____
Scott E. North, Chair

BY: _____
Mark H. Humes, Vice-Chair

BY: _____
Jeffrey E. Pisarcik, Commissioner

**BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 2024-03

AN ORDINANCE PURSUANT TO PENNSYLVANIA ACT 152 OF 2016 (42 P.S. § 21052.2), AUTHORIZING THE COLLECTION OF A \$15.00 FEE FOR EACH DEED AND MORTGAGE RECORDED WHICH SHALL BE DEPOSITED INTO THE JEFFERSON COUNTY DEMOLITION AND REHABILITATION FUND TO BE USED EXCLUSIVELY FOR THE DEMOLITION OF BLIGHTED PROPERTIES SITUATE IN JEFFERSON COUNTY, REQUIRING THE FILING OF AN INITIAL REPORT WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) WITHIN 90 DAYS INCLUDING A PLAN FOR HOW THE FUNDS WILL BE SPENT AND HOW MANY PROPERTIES ARE LIKELY TO BE DEMOLISHED, AND REQUIRING AN ANNUAL REPORT TO DCED SHOWING HOW MANY PROPERTIES HAVE BEEN DEMOLISHED.

WHEREAS the General Assembly of Pennsylvania passed Act 152 of 2016 (42 P.S. 21052.2) which was approved by Governor Wolf on November 4, 2016 and effective 60 days after enactment (hereinafter the "Demolition Fund Act") and said Act established fees for services of recorders of deeds in various counties including counties of the sixth class, authorized a special deed and mortgage recording fee and established county demolition funds.

WHEREAS the County of Jefferson desires to enact an ordinance to support the Demolition and Rehabilitation Fund, and to impose such a special deed and mortgage recording fee for use in the demolition of blighted properties in Jefferson County.

NOW THEREFORE, BE IT, AND IT IS HEREBY ORDAINED AND ENACTED by the Jefferson County Commissioners of the County of Jefferson as follows:

SECTION 1 - DEFINITIONS

"Blighted property." A property which meets at least three of the criteria listed under 68 P.S. § 1 105(d)(5) of the Abandoned and Blighted Property Conservatorship Act (68 P.S. § 1 101 et seq.), as determined by the governing body of a county. The criteria under section (5)(d)(5) of said Abandoned and Blighted Property Conservatorship Act include the following nine items:

- (i) The building or physical structure is a public nuisance.
- (ii) The building is in need of substantial rehabilitation and no rehabilitation has taken place during the previous 12 months.
- (iii) The building is unfit for human habitation, occupancy or use.
- (iv) The condition and vacancy of the building materially increase the risk of fire to the building and to adjacent properties.
- (v) The building is subject to unauthorized entry leading to potential health and safety hazards and one of the following applies: (A) The owner has failed to take reasonable and necessary measures to secure the building. (B) The municipality has secured the building in order to prevent such hazards after the owner has failed to do so.
- (vi) The property is an attractive nuisance to children, including, but not limited to, the presence of abandoned wells, shafts, basements, excavations and unsafe structures.
- (vii) The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards.
- (viii) The dilapidated appearance or other condition of the building negatively affects the economic well-being of residents and businesses in close proximity to the building,

including decreases in property value and loss of business, and the owner has failed to take reasonable and necessary measures to remedy appearance or the condition.

(ix) The property is an attractive nuisance for illicit purposes, including prostitution, drug use and vagrancy.

SECTION 2 - DEMOLITION AND REHABILITATION FUND

A Jefferson County Demolition and Rehabilitation Fund is established which shall be funded as hereinafter provided and which shall be used exclusively for the demolition of certain "blighted properties" in Jefferson County. Jefferson County may reserve up to five percent (5%) of the gross proceeds for administration and oversight.

SECTION 3 - IMPOSITION OF RECORDING FEES

In addition to any and all existing recording fees, there is hereby imposed a \$15.00 demolition fund recording fee for each deed and each mortgage recorded with the Jefferson County Recorder of Deeds. All such demolition fund recording fees shall be deposited into the Jefferson County Demolition and Rehabilitation fund and utilized for the purpose set forth in this Ordinance.

SECTION 4 - REPORTING REQUIREMENTS

In compliance with the provisions of the Demolition Fund Act, an initial report shall be filed with the Pennsylvania Department of Community and Economic Development (DCED) within 90 days of the enactment of this Ordinance setting forth how the funds will be spent and how many properties are likely to be demolished. An additional annual report shall be filed with DCED showing how many properties have been demolished.

SECTION 5 – EXPIRATION

The provisions of Section 2.2 of the Demolition Fund Act require that this ordinance shall expire 10 years from the effective date of the Demolition Fund Act.

SECTION 6 - SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, same such shall not affect the validity of any of the remaining provisions of the within Ordinance.

SECTION 7 - EFFECTIVE DATE

This Ordinance shall become effective January 1, 2025 and a \$15.00 demolition fee shall be collected for each deed and each mortgage recorded with the Jefferson County Recorder of Deeds on or after January 1, 2025.

ORDAINED AND ENACTED on this 1st of October, 2024.

ATTEST:

JEFFERSON COUNTY BOARD OF COMMISSIONERS:

Karen Lupone
Chief Clerk

BY: _____
Scott E. North, Chair

BY: _____
Mark H. Humes, Vice-Chair

BY: _____
Jeffrey E. Pisarcik, Commissioner