

WS 2/11/09
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**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF DAUPHIN
COUNTY, PENNSYLVANIA, PROVIDING FOR COMPENSATION OF DULY
ELECTED OR APPOINTED TAX COLLECTORS FOR SERVICES RENDERED
IN COLLECTING COUNTY TAXES**

RESOLUTION NO. 3 - 2009

WHEREAS, pursuant to the Act of May 25, 1945, P.L. 1050 §34 and §35; 72 P.S. §5511.34 and §5511.35, the Dauphin County Board of Commissioners is empowered to fix the compensation of Collectors of County taxes; and

WHEREAS, pursuant to the Act of May 25, 1945, P.L. 1050 §36.1; 72 P.S. §5511.36(a), any raise or reduction in the compensation or salary of elected Tax Collectors must be by ordinance or resolution; and

WHEREAS, pursuant to the Act of August 9, 1955, P.L. 323 §509; 72 P.S. §509, the Dauphin County Board of Commissioners is empowered to adopt resolutions and ordinances prescribing the manner in which powers of the County shall be carried out; and

WHEREAS, the Board now wishes to change that method of compensation for tax collectors.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED, by the Dauphin County Board of Commissioners that;

SECTION ONE:

Duly elected or appointed Tax Collectors, collecting County taxes, shall receive compensation in the form of \$1.85 per bill actually collected by them, shall receive free access to Dauphin County's web-based software package, shall receive access to the necessary computer system for operation of such software, and will receive a fee to provide monthly internet access.

SECTION TWO:

Duly elected or appointed Tax Collectors, collecting County taxes, shall receive an additional \$800.00 annually if they perform all the following requirements:

1. Timely remittance of funds, to Dauphin County, to be done weekly based on actual receipt of funds or postmark of funds,
2. Timely remittance of Pennsylvania Department of Community and Economic Development Report, to Dauphin County Treasurer, to be remitted by the 10th of every month.
3. Maintenance of a collateralized municipal fund account for available daily balances over \$250,000, and
4. Utilization of Dauphin County's Web-Based Software System or compatible network.

SECTION THREE:

Duly elected or appointed Tax Collectors, collecting County taxes, who meet the requirements established in Section Two, shall also receive an additional \$400.00 annually if they perform four (4) of the following requirements:

1. Quarterly remittance of reconciled bank statements to Dauphin County,
2. Appointment of a deputy tax collector,
3. Offer alternative method(s) of payment,
4. Implementation of demonstrated security measures,
5. Maintenance of an interest-bearing checking account, or
6. Direct deposit of funds into county account.

SECTION FOUR:

Payments of compensation under Section Two and Section Three above shall be done in the following manner:

Fulfillment of the requirements in Section Two and Section Three shall be evaluated by the Office of the Dauphin County Treasurer and compensation shall be allowed as follows:

1. \$200 per quarter for adherence to Section Two; and
2. \$400 annually for adherence to Section Three.

All payments of allowed compensation under Section Two will be made quarterly; and, all payments of allowed compensation under Section Three will be made annually on the first County pay-day after submission of the Tax Collector's final report due January 20 or as dictated by Dauphin County Tax Claim Bureau.

SECTION FIVE:

Failing to use the Dauphin County computer-based software or compatible network by December 31, 2010, will result in the following reduction of compensation:

\$1.85 per bill collected until December 31, 2010

\$1.65 per bill collected effective February 1, 2011

\$1.00 per bill collected effective February 1, 2012

\$.75 per bill collected effective February 1, 2013

SECTION SIX:

The Dauphin County Board of Commissioners shall in their discretion award the Eight Hundred Dollars (\$800.00) in Section Two and Four Hundred Dollars (\$400.00) in Section Three to any duly elected or appointed tax collector who is unable to procure the use of the Dauphin County computer-based software (for a reason not controlled by the Tax Collector) and is able to demonstrate a willingness to use the software if it were available.

SECTION SEVEN:

For the collection of County taxes, the Tax Collector shall be allowed the actual and needful expenditures for printing, postage, books, blanks and forms.

SECTION EIGHT:

Tax Collectors shall not be deemed County employees for the purposes of County employee benefits, including, but not limited to, leave, retirement, and medical benefits.

SECTION NINE:

Each Tax Collector shall on Wednesday of each week, make a true, verified statement, in writing, to the County Treasurer of all taxes collected (or statement that no

taxes were collected) for the County during the previous week (Monday through Sunday), giving the names of taxables, the amount collected from each, along with discounts granted or penalties applied, if any, and the total amount of taxes received, discounts granted and penalties applied. The Collector shall pay over on or before the Wednesday of each week, to the County Treasurer, all monies collected as taxes during the previous week (Monday through Sunday) and take his or her receipt for the same.

SECTION TEN:

If a section, sentence, clause, phrase or requirement of this Resolution is for any reason held to be unconstitutional or otherwise unlawful, such holding shall not affect the validity of the remaining portions thereof.

SECTION ELEVEN:

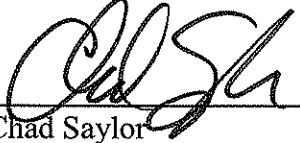
If current, updated, or new legislation or regulations are in conflict with this Resolution, then this Resolution shall be deemed to reflect said change or modification.

SECTION TWELVE:

This Resolution shall take effect January 1, 2010.

DULY ORDERED AND ENACTED, by the Dauphin County Board of
Commissioners in lawful session duly assembled this 11 day of February, 2009.

ATTEST:



Chad Saylor
Chief Clerk/Chief of Staff

COUNTY OF DAUPHIN
BOARD OF COMMISSIONERS



Jeff Mast, Chairman



Dominic D. DiFrancesco II, Vice Chairman



George P. Hartwick III, Secretary

(SEAL)