

# **APPROVED**

Mifflin County Tax Collection Committee (MCTCC)

April 14, 2016 at 5:30 P.M.

Mifflin County School District Administrative Building

## **Delegates Present:**

Linda Marks, Armagh Township  
Holli Barger, Secretary- MCSD Alt 1, Armagh Township Alt 1  
Teresa King, Brown Township  
Kelly Shutes, Derry Township  
Lisa Swisher, Treasurer- Granville Township  
Robert Long, Vice Chairman- Lewistown Borough  
Roland Fagan, McVeytown Borough  
Autumn Fiscus, Chairman- Mifflin County School District  
Sherry Miller, Oliver Township

## **Quorum Present? Yes**

## **Others Present:**

Mark Remy, Solicitor  
Lauren Kershner, Lewistown Sentinel  
W. Keith Booher, Miffco Tax Services, Inc. (Miffco)  
Betty Henry, Miffco Tax Services, Inc. (Miffco)  
Debbie LeGuen, Miffco Tax Services, Inc. (Miffco)  
Dianna Walter, Lewistown Borough  
Frank Berrier, Lewistown Borough  
Barry Bargo  
Mary Lou Sigler  
Annemarie Swineford  
Jim Fossleman, Dauphin County TCC

## **Proceedings:**

Meeting called to order at 5:35 P.M. by Chairman, Autumn Fiscus

## **PUBLIC COMMENT:**

Frank Berrier of Lewistown Borough Council asks the TCC to follow up on requests for information and reports submitted to Miffco Tax Services, Inc. by Lewistown Borough Treasurer, Dianna Walter on March 17, 2016 and March 23, 2016. He also stated that he feels that as the owner of a local tax preparation business, he is being treated unfairly by Miffco due to the fact that they have no longer been returning incomplete or incorrect tax returns to his office for correction. He feels that this is retribution resulting from the multiple complaints he has brought forth to the School Board and the TCC.

W. Keith Booher confirms that his office has discontinued the practice of returning incomplete and/or incorrect returns to Mr. Berrier due to his complaint of a breach in taxpayer confidentiality. Mr. Booher distributes a packet of handouts to the Committee. The packet

includes letters of support for Miffco Tax Services, Inc., copies of policies and links to policies found on the Miffco web site, a reply to Mr. Frank Berrier's allegations and reports of collections of Local Services Tax, Earned Income Tax and Per Capita collections from 2012-2015. Mr. Booher says his office defines delinquent Earned Income Tax as taxes that he has to enter into legal proceedings to collect. He further states that his office makes every effort to work with local employers and taxpayers to avoid fines and legal action when possible.

Solicitor Mark Remy notes that the definition of delinquent is "not paid when due".

#### **APPROVAL OF MINUTES:**

The minutes of the March 10, 2016 meeting of the Mifflin County Tax Collection Committee Meeting were approved with minor corrections: the Motions were missing from the "Member to approve refunds in excess of \$1,000.00, in "Public Comment" the word non-filing was spelled incorrectly. Motion to approve made by Robert Long, seconded by Teresa King, motion carries unanimously.

#### **CHAIRMAN'S UPDATE:**

Chairman Autumn Fiscus updates the TCC on the most recent Mifflin County School District position. The School Board rescinded their vote to go out to RFP for a new tax collector. The Board is asking the TCC to investigate the allegations and return a report of findings.

#### **SUMMARY OF CONCERNS:**

Vice Chairman and Lewistown Borough delegate, Robert Long, presents a list of concerns raised by Lewistown Borough and some concerns raised by Mr. Long as a TCC delegate. Mr. Long starts by saying that it is Miffco's duty to always act in the best interest of the TCC and the municipalities and he feels that most of the issues can be solved with minor adjustments and good communication. Mr. Long reviews the list of concerns and suggests corrective actions that could be taken by the TCC and/or Miffco. Some of the concerns discussed were lack of a comprehensive audit, monthly reports that lack the details specified in the tax collection agreement, the excessive data requested in the tax collection agreement, defining delinquent earned income tax and confirming the collection of the proper commissions, policies, fee schedules, rules and regulations not clearly posted on the Miffco web site, electronic filing and TCC enforcement procedures. He also asked the committee to consider whether or not tax preparation services performed by Mr. Booher presented a conflict of interest. Mr. Long suggested that the Chairman review the Engagement Letter between the TCC and Young Oakes and Brown to see if the audit covered all of the taxes collected by Miffco. Autumn Fiscus states that she spoke with the auditor briefly and was in the process of obtaining the engagement letter. Roland Fagan says the TCC needs to be sure we got the audit we paid for. Mr. Long says that once we determine where the ball was dropped, we have multiple options for any audit needed. Mr. Long closed by stating that his suggestion is to form a committee to review the agreement for compliance and bring proposed amendments back to the TCC. Teresa King asks that the minutes be reviewed to see if there is mention of the TCC verbally declining the electronic filing option. Mrs. King agrees that contacting the auditor is the best place to start.

**PUBLIC COMMENT:**

Jim Fossleman from the Dauphin County TCC and a former consultant to Miffco, speaks in support of Miffco and their local service. He says Miffco's knowledge of the area is a huge asset to the municipalities they serve. He reminded the TCC that they are the law and that it is up to them, not DCED, to enforce the best practices. His suggestion is to fine tune the agreement with Miffco and stay with a local service. Mr. Long reminds Mr. Fossleman that the TCC is fact finding at this time and has until July to decide how to proceed.

**SERVICES TO LOCAL PREPARERS:**

Kelly Shutes makes a motion to direct Miffco Tax Services, Inc. to send all tax returns in need of corrections directly to the taxpayer and discontinue the practice of allowing local preparers to pick up the returns for corrections. Robert Long seconds the motion. Motion carries unanimously.

**LEWSITOWN BOROUGH REQUEST:**

Robert Long reviews the requests that Frank Berrier brought up during public comment. Keith Booher states that Miffco will comply with the requests by May 15, 2016 or before. He reminds the committee that this is his busiest time of year.

**TREASURER'S REPORT:**

Lisa Swisher presents the Treasurer's Report. She states that all but two municipalities have submitted their payments. The current balance is \$13,760.13. Roland Fagan makes a motion to accept the Treasurer's report as submitted. Teresa King seconds the motion. Motion carries unanimously

With no other business before the committee, Lisa Swisher makes a motion to adjourn. Roland Fagan seconds the motion. Motion carries unanimously; meeting adjourned at 7:50 P.M.

Minutes taken by Holli Barger