

YORK COUNTY, PENNSYLVANIA ORDINANCE NO. 1998 - 03

**AN ORDINANCE AUTHORIZING THE ORGANIZATION OF
THE GENERAL AUTHORITY OF SOUTHCENTRAL
PENNSYLVANIA, AND PRESCRIBING THE COMPOSITION
AND POWERS OF THE SAID AUTHORITY**

WHEREAS, the York County Commissioners desire to protect the health, safety, morals and general welfare of the people of the County of York by promoting, stimulating, rehabilitating, and revitalizing business and industry, research and development, manufacturing, public projects, and community assets in the County of York and elsewhere; and

WHEREAS, the York County Commissioners have investigated the various means by which it could effectuate the previously mentioned goals; and

WHEREAS, the York County Commissioners have determined that it is advisable to pursue achievement of the previously mentioned goals through an authority organized pursuant to the Municipal Authorities Act of 1945, Act of May 2, 1945, P.L.382, as amended (the "Authorities Act"); and

WHEREAS, the York County Commissioners desire to set forth the composition and powers of the said Authority pursuant to the Authorities Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of York, in the Commonwealth of Pennsylvania, and it is hereby resolved by the authority of the Board as follows:

Section I. ORGANIZATION OF AUTHORITY.

The Board of Commissioners of the County of York, in the Commonwealth of Pennsylvania, desire to and hereby signify its intention to organize a general authority in said County and Commonwealth, under the Articles of Incorporation of Municipal Authority.

Section II. ARTICLES OF INCORPORATION.

In pursuance of said intention, the Articles of Incorporation of the said authority are hereby approved by the Board of Commissioners in the following form:

ARTICLES OF INCORPORATION

of

MUNICIPAL AUTHORITY

To the Secretary of the Commonwealth of Pennsylvania,
Harrisburg, Pennsylvania:

In compliance with the requirements of the Municipality Authorities Act of 1945, 53 P.S. Sections 301-322, and pursuant to an Ordinance adopted by the Board of Commissioners of the County of York, Pennsylvania, that a General Authority be established, under the provisions of the aforementioned law, the Board of Commissioners of the County of York, Pennsylvania, desiring that a General Authority be established and that a Certificate of Incorporation be issued to said Authority does hereby certify:

(a) NAME: The name of the Authority shall be: General Authority of Southcentral Pennsylvania;

(b) ENABLING ACT: The Authority is formed under the Municipality Authorities Act of 1945, approved May 2, 1945, as amended;

(c) OTHER AUTHORITIES: No other Authority has been organized under the Municipal Authorities Act of 1945, as amended, or under the Act of June 28, 1935, P.L. 463, and is in existence in or for the Incorporating Municipality, except:

1. York County Industrial Development Authority
2. York County Hospital Authority
3. York County Solid Waste and Refuse Authority
4. York County Transportation Authority
5. Air Transportation Authority of York County
6. York County Redevelopment Authority
7. York County Rail Trail Authority
8. Maryland and Pennsylvania Preservation Authority
9. Susquehanna Area Regional Airport Authority

(d) INCORPORATING MUNICIPALITY: The name of the incorporating municipality is the County of York, Pennsylvania.

The names and addresses of the Board of Commissioners of the County of York, Pennsylvania, are as follows:

<u>Name</u>	<u>Address</u>
Robert A. Minnich	1670 Northview Road, York, PA 17402
Christopher B. Reilly	256 Brookwood Drive S, York, PA 17403
Shirley L. Glass	405 Monocacy Trail, Spring Grove, PA 17362

(e) BOARD OF AUTHORITY: The Board shall consist of seven (7) members. Three (3) members shall be appointed by the York County Commissioners (YCC). Two (2) members shall be appointed

by the York County Industrial Development Authority (YCIDA). Two (2) members shall be appointed by the York County Industrial Development Corporation (YCIDC). Each member shall be a citizen and resident of York County.

The names, addresses, appointing party, and terms of office of the first members of the Board of said Authority are as follows:

	<u>Name</u>	<u>Address</u>	<u>Appointing Party</u>	<u>Term</u>
1.	James Phipps	2570 Springwood Road York, PA 17402	YCC	1
2.	J. Donald Butcher	3687 Concord Road York, PA 17402	YCIDA	1
3.	James Hogg	2350 Springwood Road York, PA 17402	YCIDC	2
4.	Glenn Wootton	940 Westminster Ave. Hanover, PA 17331	YCC	2
5.	Albert H. Spinner	216 Haines Drive York, PA 17402	YCIDA	3
6.	Richard Reinhardt	P. O. Box 577 York, PA 17405	YCIDC	3
7.	Robert Delp, Sr.	2515 Woodmont Drive York, PA 17404	YCC	4

The term of office of the first members of the Board of the Authority shall commence on the date of appointment and shall continue for the number of years set forth above, computed, however, from the first Monday of January, 1999. Upon expiration of the term of any member, the governing body of the Appointing party shall appoint a member of the Board for a term of five (5) years from the date of expiration of the prior term. Any vacancy on the Board shall be filled (for the unexpired term) by the governing body of the Appointing Party having the power of

appointment for that Board seat.

(f) PURPOSE AND POWERS: The Authority is organized for the purpose of financing projects of the following kind and character: 1) buildings to be devoted wholly or partially for public uses, including public school buildings, and facilities for the conduct of judicial proceedings, and for revenue-producing purposes; 2) transportation, marketing, shopping, terminals, bridges, tunnels, flood-control projects, highways, parkways, traffic distribution centers, parking spaces, airports, and all facilities necessary or incident thereto; 3) parks, recreation grounds and facilities; 4) sewers, sewer systems or parts thereof; 5) sewage treatment works, including works for treatment and disposing of industrial wastes; 6) facilities and equipment for the collection, removal or disposal of ashes, garbage, rubbish, and other refuse materials by incineration, landfill or other method; 7) steam heating plants and distribution systems; 8) incinerator plants; 9) waterworks, water supply works, water distribution systems; 10) facilities to produce steam; 11) facilities for generating surplus electric power which are related to incinerator plants, dams, water supply works, water distribution systems or sewage treatment plants; 12) swimming pools, playgrounds, lakes, low-head dams; 13) hospitals, health centers; 14) buildings and facilities for private, non-profit, nonsectarian secondary schools, colleges and universities, state-related universities and community college, which are determined by the Authority to be eligible educational institutions, provided that such buildings and facilities shall

have been approved by resolution or ordinance adopted by the governing body of the municipality or municipalities organizing the Authority and that the approval does not obligate the taxing power of the governing body in any way; 15) motor buses for public use, when such motor buses are to be used in any municipality, subways; and 16) industrial development projects, including but not limited to projects to retain or develop existing industries and the development of new industries, the development and administration of business improvements and administrative services relating thereto. All Authority projects shall comply with the requirements of § 306A of the Municipality Authorities Act of 1945, as amended.

When effectuating the previously mentioned purposes, the Authority is authorized to exercise all those powers enumerated in § 306B of the Municipality Authorities Act of 1945, as amended.

(g) TERM OF EXISTENCE: The term of existence of the Authority shall be fifty (50) years.

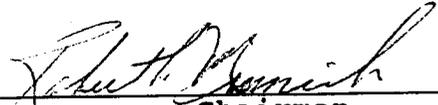
WITNESS the hands of the Chairman and Chief Clerk of the Board of Commissioners of York County and the seal of the County of York, Pennsylvania, this 12th day of August, 1998.

Attest:



Chief Clerk

BOARD OF COMMISSIONERS
COUNTY OF YORK

By: 

Chairman

Section III. APPOINTMENT OF MEMBERS.

The first members of the Authority named in the proposed Articles of Incorporation, and identified therein as appointees of this County, are hereby specifically appointed members of said Board for the terms of office set forth after their respective names.

Section IV. EXECUTION OF ARTICLES OF INCORPORATION.

The Chairman of the Board of Commissioners of the County of York shall execute the required Articles of Incorporation of said Authority on behalf of the County of York, and the seal of said County shall be thereto affixed and attested by the Chief Clerk. The County Solicitor is authorized and directed to cause to be published, once in the legal periodical of York County and once in a newspaper published and of general circulation in York County, a notice of intention to file said Articles of Incorporation, and to file a certified copy of this Ordinance together with Proofs of Publication of the notice of the public meeting and the notice of the intention to file said Articles of Incorporation, with the Secretary of the Commonwealth of Pennsylvania, accompanied by the required filing fee as provided by said "Municipality Authorities Act of 1945," its supplements and amendments.

Section V. REPEALER.

All Ordinances and Resolutions, and parts thereof, inconsistent herewith are hereby repealed.

Section VI. EFFECTIVE DATE.

This ordinance shall take effect immediately upon final enactment.

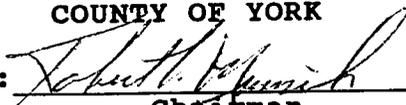
ADOPTED by the Board of Commissioners of the County of York this 12th day of August, 1998, in lawful session regularly assembled.

Attest:



Chief Clerk

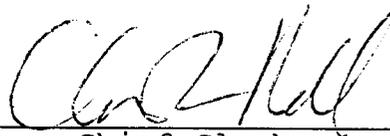
**BOARD OF COMMISSIONERS
COUNTY OF YORK**

By: 

Chairman

CERTIFICATE

I, the undersigned, Chief Clerk of the Board of Commissioners of the County of York, Commonwealth of Pennsylvania, do hereby certify that the foregoing and attested is a true and correct copy of an Ordinance of said Board of Commissioners which was duly adopted by the affirmative vote of a majority of them at a meeting thereof held on the 12th day of August, 1998.



Chief Clerk

Approved and filed in the Department of State on
the _____ day of _____, 1998.

Secretary of the Commonwealth

ARTICLES OF INCORPORATION

of

MUNICIPAL AUTHORITY

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Hanover, PA 17331 | YCC | 2 |
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and all facilities necessary or incident thereto; 3) parks, recreation grounds and facilities; 4) sewers, sewer systems or parts thereof; 5) sewage treatment works, including works for treatment and disposing of industrial wastes; 6) facilities and equipment for the collection, removal or disposal of ashes, garbage, rubbish, and other refuse materials by incineration, landfill or other method; 7) steam heating plants and distribution systems; 8) incinerator plants; 9) waterworks, water supply works, water distribution systems; 10) facilities to produce steam; 11) facilities for generating surplus electric power which are related to incinerator plants, dams, water supply works, water distribution systems or sewage treatment plants; 12) swimming pools, playgrounds, lakes, low-head dams; 13) hospitals, health centers; 14) buildings and facilities for private, non-profit, nonsectarian secondary schools, colleges and universities, state-related universities and community college, which are determined by the Authority to be eligible educational institutions, provided that such buildings and facilities shall have been approved by resolution or ordinance adopted by the governing body of the municipality or municipalities organizing the Authority and that the approval does not obligate the taxing power of the governing body in any way; 15) motor buses for public use, when such motor buses are to be used in any municipality, subways; and 16) industrial development projects, including but not limited to projects to retain or develop existing industries and the development of new industries, the development and administration of business improvements and

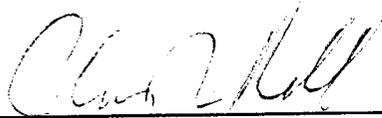
administrative services relating thereto. All Authority projects shall comply with the requirements of § 306A of the Municipality Authorities Act of 1945, as amended.

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(g) TERM OF EXISTENCE: The term of existence of the Authority shall be fifty (50) years.

WITNESS the hands of the Chairman and Chief Clerk of the Board of Commissioners of York County and the seal of the County of York, Pennsylvania, this 12th day of August, 1998.

Attest:



Chief Clerk

**BOARD OF COMMISSIONERS
COUNTY OF YORK**

By:


Chairman

Countess·Gilbert·Andrews

Law Offices

A Professional Corporation

29 North Duke Street • York, Pennsylvania 17401-1282 • Telephone: 717-848-4900 • FAX: 717-843-9039
106 Harrisburg Street, P.O. Box 606 • East Berlin, Pennsylvania 17316 • Telephone: 717-259-9592 • FAX: 717-259-9148

RECEIVED

August 13, 1998

AUG 18 1998

David Craun, Esquire
Office of the County Commissioners
One Market Way West
York, PA 17401

YORK COUNTY COMMISSIONERS

In Re: The General Authority of Southcentral Pennsylvania

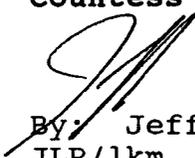
Dear Dave:

Enclosed is Ordinance No. 1998-03 and the Articles of Incorporation for The General Authority of Southcentral Pennsylvania. Please have them executed and return them to me. I have advertised the Notice of Intent and I anticipate that the Articles of Incorporation will be filed with the State on September 1, 1998. The Certificate of Incorporation should be issued about a week later.

Please call me should you have any questions.

Sincerely,

Countess Gilbert Andrews


By: Jeffrey L. Rehmeier II
JLR/lkm

Enclosures

cc: David B. Carver
Peter R. Andrews, Esquire

Jeff: as per your request.

JLR 8/18/98