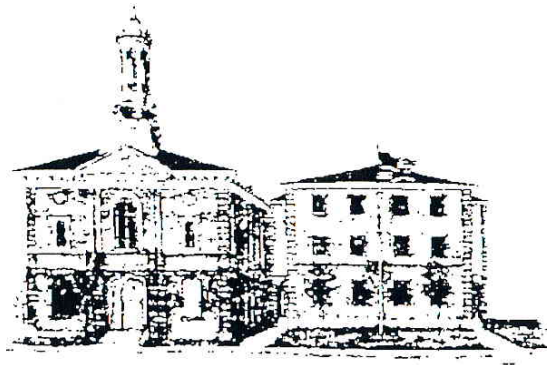


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PERRY COUNTY COMMISSIONERS
PO BOX 37

NEW BLOOMFIELD, PA 17068-0037

PHONE (717) 582-2131

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June 16, 2014

Craig J. Staudenmaier, Esquire
200 North 3rd Street
Harrisburg, PA 17101

Dear Mr. Staudenmaier:

Reference is made to your letter of May 30, 2014, received by me on June 6, 2014, and your firm's invoice dated June 2, 2014 in the amount of \$2,403.00. I have been requested by the Board of Commissioners of Perry County to respond to both.

Pursuant to your fee engagement letter of March 26, 2014, your firm agreed not to incur a fee in excess of \$2,000.00 without prior authorization from the Perry County Board of Commissioners. Notwithstanding the same, your firm has submitted bills to date totaling \$3,891.75. Your invoice of June 2, 2014 was presented for payment at the regular Board of Commissioners meeting held on June 9, 2014, and it was unanimously agreed to pay the difference of your firm's agreed upon fee and the sum of \$1,435.00 previously paid. Accordingly, I am enclosing herein a check payable to your firm in the amount of \$565.00.

I am sure that you are aware that as the party drafting said fee agreement, you will be bound to the terms of the same. Moreover, the case of In re: Pike Auditors Audit Report of 2008, 990 A.2d 127 (Pa. Cmwlth.2010), is not applicable to the within matter.

As you may be aware, the Auditors failed to request funding for a solicitor when they presented their 2014 budget. Notwithstanding the same, when requested, the Board of Commissioners granted the Auditors the sum of \$2,000. to obtain legal representation. Under the circumstances presented and in accordance with our past practice where an elected official failed to provide a budgeted item for legal representation, it was and remains the position of the Board of Commissioners that said sum of \$2,000. was reasonable and appropriate.

As indicated in a communication dated April 25, 2014 from Commissioners Benner and Rudy to the Perry County Auditors, a copy of which is enclosed herein, the Board of Commissioners informed the Auditors that prior to considering their request for additional legal fees they should first attempt to perform a financial audit of the Sheriff's concealed weapons permit fees records with the information provided by the Sheriff. It is my understanding that said

information included the original records maintained by the Sheriff's Office with the names of the concealed firearm applicants redacted. The Auditors refused to attempt to perform said Audit under said circumstances.

The Board of Commissioners believes that the same is entirely unreasonable and demonstrative of the Auditors' unwillingness to attempt to perform their elected duties without creating a financial hardship for the taxpayers of Perry County. It remains the position of the Board of Commissioners that the Auditors should first attempt to perform said financial audit with the information provided by the Sheriff of Perry County and if for some reason said audit cannot be performed as a result of the Sheriff's refusal to disclose the names of the applicants, the Auditors should then meet with the County Commissioners to review the status of the same at which time the Commissioners will give any request for additional funding due consideration.

I note that in the last paragraph of your letter, you reference filing a legal action in a court of competent jurisdiction. We believe that the filing of the same at this time is premature and totally unnecessary. As such, the County of Perry will not pay for legal fees incurred to your firm for the same.

The Perry County Board of Commissioners does not believe that a judicial determination of whether the Auditors have the right to compel the Sheriff to disclose the names of applicants for concealed weapons is necessary in order for the Auditors to complete their financial audit. Furthermore, any such litigation will ultimately result in the taxpayers of Perry County being requested to fund legal fees for both the Auditors and the Sheriff. As the guardians of the taxpayers' money, it remains the position of the Board of Commissioners that prior to expending money on legal proceedings to determine whether the Auditors have the legal authority to compel the Sheriff to disclose the names of applicants of concealed firearms, the Auditors will be required to attempt to perform their financial audit of the Sheriff's office.

In order to be of assistance to the Auditors in resolving this matter, I have been authorized by the Board of Commissioners to offer them the services of Robert W. Morris & Company, P.C. who performs the single audit of Perry County's financial records to review the records offered by the Sheriff to determine if a proper financial accounting of funds was made by the Sheriff of Perry County. Please advise if the Auditors agree to accept said offer of assistance. Reference in the within letter to the Board of Commissioners is to the majority of said Board of Commissioners unless otherwise indicated.

Very truly yours,



William R. Bunt
Solicitor

Check Enclosed

Cc: County Auditors
CC: County Commissioners