

AGENDA
LAWRENCE COUNTY COMMISSIONERS
July 9, 2013

I. OPENING EXERCISES

- A. Call to Order
- B. Pledge of Allegiance & Moment of Silence
- C. Roll Call
- D. Explanation of Procedures to Audience

II. ROW OFFICER REPORTS AND COMMENTS

III. PUBLIC COMMENTS

IV. MINUTES AND CORRESPONDENCE

- A. Approval of Minutes:
 - 1. Tuesday, July 2, 2013
- B. Presentation of Written Communications:

V. PROCLAMATIONS AND CERTIFICATES:

- 1. Proclamation commending John Caccia for his heroic actions in saving a life in a Perry Township house fire.
- 2. Proclamation commending Anthony Stefura for his heroic actions in saving a life in a Perry Township house fire.
- 3. Proclamation commending Alan Folino for his heroic actions in saving a life in a Perry Township house fire.
- 4. Proclamation commending Mark Green for his heroic actions in saving a life in a Perry Township house fire.
- 5. Proclamation commending Ken Massioni for his heroic actions in saving a life in a Perry Township house fire.
- 6. Proclamation commending Nathan Boyle for his heroic actions in saving a life in a Perry Township house fire.
- 7. Proclamation commending Traci Copper for her heroic actions in saving a life in a Perry Township house fire.

VI. REPORTS AND NEW BUSINESS

A. Staff Reports: None

B. Personnel Report: None

C. Commissioner Reports and Comments

D. New Business:

1. Adult Probation

a. Grant in Aid

2. Department of Public Safety

a. Radiation Emergency Response Fund

b. Hazardous Material Emergency Planning and Response

3. Tax Claim

a. Contract-J.R. Hardester

b. Contract-Bruce Peterson

4. Children and Youth

a. CWEL program

5. Budget Amendment (R-2013-113)

a. Marcellus Legacy Fund

6. Transfer of funds (administrative)

a. Courts

b. MDJ Rishel

7. Marcellus Shale R-2013-114)

a. Allocations

8. Solicitor (R-2013-115)

a. Conflict of interest cases for Solicitor

9. Jury Commissioners

a. Rescinding R-2012-271 (R-2013-116)

VII. RESOLUTION

A. Resolutions on the table

B Resolutions to be taken off the table: None

C. New Resolutions:

1. R-2013-108 Authorization to execute an agreement with GSK Apex Enterprises, Inc., on behalf of Mental Health Developmental Services to provide professional services for an amount not to exceed \$3,450.00 for the period of July 1, 2013 through June 30, 2014 with all payments being made from the MH/DS Fund.
2. R-2013-109 Authorization to execute an agreement with Richardson Psychiatric Assoc.-Base, on behalf of Mental Health Developmental Services to provide professional services for an amount not to exceed \$5,000.00 for the period of July 1, 2013 through June 30, 2014 with all payments being made from the MH/DS Fund.
3. R-2013-110 Authorization to execute an agreement with Butler County Mental Health/Early Intervention/Intellectual Disabilities Program and Drug and Alcohol Program to establish a Health Care Coordination Unit (H.C.Q.U.) of behalf of Beaver, Butler, Armstrong, Indiana, Clarion, Crawford, Venango, Mercer and Lawrence County.
4. R-2013-111 Authorization to execute an agreement with NHS Pennsylvania on behalf of Lawrence County Children and Youth and Juvenile Probation Departments to provide professional services for the period of July 1, 2012 through June 30, 2013.
5. R-2013-112 Transfer of funds designated as T-5.

a. Commissioners

D. Motion to amend the agenda. (if necessary)

VIII. ORDINANCES

A. On the Table: None

B. For introduction: None

C. For final action:

IX. FISCAL AND CONTRACTUAL

A. Advertise for bids/proposals: None

B. Receipt of bids/proposals:

C. Fiscal Reports: None

D. Report on Quotes: None

E. Warrant Register:

1. July 3, 2013

X. ANNOUNCEMENTS

A. The next Commissioners' Public Meeting will be held on Tuesday, July 9, 2013 at 10:00 a.m. in the Commissioners' Meeting Room.

XI. Public Comments

XII. Adjournment

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, July 9, 2013

The Lawrence County Commissioners' Meeting was opened with the Pledge of Allegiance to the Flag followed by a Moment of Silence.

The Lawrence County Commissioners' Meeting of Tuesday, July 9, 2013 was called to order by Commissioner Dan Vogler, at 10:00 a.m. Office Manager Carol MacDonald called the Roll. Those in attendance were, Commissioners, **Dan Vogler, Robert Del Signore, Sr.; Chief Clerk/County Administrator James Gagliano, Clarence Nelson, John Altman, Cindy Scaramazza, John Carran, Dave Gettings, Debbie Henson, James Jendrysik, J.R. Hardester, Mary Grzebieniak, New Castle News, and Eric Poole, Ellwood City Ledger.** It was stated for the record that the meeting is being taped. Those wishing to speak shall be given five minutes. If they need more time, they are to see the Chief Clerk at another time and he will arrange for them to meet with the Commissioners. Those speaking are to state for the record their names, addresses and the nature of their business.

ROW OFFICERS' REPORTS AND COMMENTS

Mr. Gettings, Controller, gave a report.

GENERAL PUBLIC

Mr. Nelson asked for an update on the Casino

APPROVAL OF MINUTES

1. Minutes of Tuesday, July 2, 2013

Moved by **Mr. Del Signore** seconded by Mr. Vogler to accept and file the minutes. Motion carried 2-0.

WRITTEN CORRESPONDENCE

None

Proclamations and Certificates

1. Proclamation commending John Caccia for his heroic actions in saving a life in a Perry Township house fire.
2. Proclamation commending Anthony Stefura for his heroic actions in saving a life in a Perry Township house fire.
3. Proclamation commending Alan Folino for his heroic actions in saving a life in a Perry Township house fire.
4. Proclamation commending Mark Green for his heroic actions in saving a life in a Perry Township house fire.
5. Proclamation commending Ken Massioni for his heroic actions in saving a life in a Perry Township house fire.
6. Proclamation commending Nathan Boyle for his heroic actions in saving a life in a Perry Township house fire.
7. Proclamation commending Traci Copper for her heroic actions in saving a life in a Perry Township house fire.

Moved by Mr. Del Signore seconded by Mr. Vogler to accept and file the proclamation. Motion carried 2-0.

Staff Report

Mr. Hardester, Chief Assessor, gave a report

Personnel Report

None

COMMISSIONERS' COMMENTS

Mr. Vogler gave an update on the Casino.

Mr. Del Signore had no comments.

Resolutions on the table: None

Resolutions to be taken off the table: None

RESOLUTION R-2012-108

WHEREAS, the Mental Health and Developmental Services is responsible for the diagnosis, care, treatment, and rehabilitation of the mentally disabled, and

WHEREAS, Lawrence County, through its Mental Health and Developmental Services desires to contract for certain services; and

WHEREAS, the Mental Health/Intellectual Disability Act of 1966 and the Department of Public Welfare fiscal regulations provide for the purchase of office equipment and services, and

NOW, THEREFORE, be it resolved by the Lawrence County Board of Commissioners, that:

1. The agreement listed in item 2 shall be approved for the period of July 1, 2013 thru June 30, 2014.
2. Authorization is hereby given to execute the following addendum:

GSK Apex Enterprises, Inc.- Base - as detailed in attachment designated 2013-108 Program description and rates are also listed within the attachment.

Be it further resolved that payments be made from the MH/DS fund.

Moved by **Mr. Del Signore** seconded by Mr. Vogler to approve said resolution. Motion carried 2-0.

RESOLUTION R-2012-109

WHEREAS, the Mental Health and Developmental Services is responsible for the diagnosis, care, treatment, and rehabilitation of the mentally disabled, and

WHEREAS, Lawrence County, through its Mental Health and Developmental Services desires to contract for certain services; and

WHEREAS, the Mental Health/Intellectual Disability Act of 1966 and the Department of Public Welfare fiscal regulations provide for the purchase of office equipment and services, and

NOW, THEREFORE, be it resolved by the Lawrence County Board of Commissioners, that:

3. The agreement listed in item 2 shall be approved for the period of July 1, 2013 thru June 30, 2014.
4. Authorization is hereby given to execute the following addendum:

Richardson Psychiatric Assoc. - Base - as detailed in attachment designated 2013-109 Program description and rates are also listed within the attachment.

Be it further resolved that payments be made from the MH/DS fund.

Moved by **Mr. Del Signore** seconded by Mr. Vogler to approve said resolution. Motion carried 2-0.

RESOLUTION R-2012-110

WHEREAS, the Mental Health and Developmental Services is responsible for the diagnosis, care, treatment, and rehabilitation of the mentally disabled, and

WHEREAS, clinical health care expertise is needed by consumers and families served, and county MH/DS staff; and

WHEREAS, consumers and families need assistance in coordinating and securing services to address health care needs; and

WHEREAS, the MH/MR Programs of Beaver, Butler, Armstrong, Indiana, Clarion, Crawford, Venango, Mercer and Lawrence counties agree to combine resources to achieve cost efficiencies; and

WHEREAS, the Dept. of Public Welfare, through the state Office of Developmental Programs (ODP) has granted funds to Lawrence County MH/DS in the amount of \$6,000 (with no local match).

NOW, THEREFORE, be it resolved by the Lawrence County Board of Commissioners, that:

1. The attached agreement with the Butler County Mental Health/Early Intervention/Intellectual Disabilities Program and Drug and Alcohol Program is hereby executed for the purpose of establishing a Health Care Coordination Unit (H.C.Q.U.) on behalf of the participating counties for the reasons given above.

Moved by **Mr. Del Signore** seconded by Mr. Vogler to approve said resolution. Motion carried 2-0.

RESOLUTION R-2012-111

Whereas, Lawrence County, through its Juvenile Probation Department, desires to contract certain social services; and

Whereas, the County has the authority and duty to provide social services to children and youth subject to the regulations established by the Commonwealth of Pennsylvania (DPW) and the Juvenile code.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. The Purchase of Service Agreements listed in Attachment A shall be in effect for the period of July 1, 2012 through June 30, 2013.
2. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement. A rate schedule for 2012-2013 is attached.
3. Authorization is hereby given to execute an Agreement with the following service provider:

Moved by **Mr. Del Signore** seconded by Mr. Vogler to approve said resolution. Motion carried 2-0.

RESOLUTION R-2012-112

Whereas, budgets cannot always anticipate every extraordinary, ordinary, or contingency situation which arises throughout the fiscal year; and

Whereas, Section 1784 of the County code permits the Commissioners by resolution to authorize budget transfers from any encumbered balance; and

Whereas, the need to provide additional appropriations to certain accounts now exists.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. Authorization is hereby given to the appropriate administrative officials to transfer a total of \$300.00 described in detail on the attachment(s) designated as T-2013-05

- a. Commissioners

Amount:	\$300.00
From	01.411100.509000 Commissioners Contingency
To:	01.418400.205000 Courts-Uniforms

Moved by **Mr. Del Signore** seconded by Mr. Vogler to approve said resolution. Motion carried 2-0.

RESOLUTION R-2012-113

WHEREAS, Section 1784 of the County Code, *Supplemental Appropriations Transfer of Fund; Appropriation Limits* authorizes the Board of Commissioners, by resolution, to make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated; and

WHEREAS, various County departments have realized unanticipated income; and

WHEREAS, the adopted 2013 budget must be adjusted to account for the additional income.

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS; that the 2013 Lawrence County General Fund Budget shall be amended by increasing the following accounts:

General Fund

REVENUE:		
Marcellus Legacy Fund	47.411100.334000	\$127,646.50
EXPENDITURE:		
Marcellus Legacy Fund	47.411100.999900	\$127,646.50
Misc. Allocations		

Moved by **Mr. Del Signore** seconded by Mr. Vogler to approve said resolution. Motion carried 2-0.

RESOLUTION R-2012-115

Whereas, the Board of Commissioners at times has a need for outside counsel to represent the County in matters outside the scope of the work performed by the Solicitor requiring specialized law or when the Solicitor has a conflict of interest in a case or is unavailable; and

Whereas, Section 904 of the County Code permits appointing special counsel who shall be attorneys at law admitted to practice in the courts of this Commonwealth with approval of the court of common pleas; and

Whereas, special counsel shall perform such duties in connection with the legal affairs of the county as may be assigned to him by the County Commissioners or the County Solicitor.

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. The County Solicitor shall be authorized to file a petition with the Court of Common pleas listing attorney(s) to provide legal representation to the County as directed by the Lawrence County Board of Commissioners.
2. Authorization is given to negotiate an hourly rate with each firm for the rendition of the various services required and to execute engagement letters.

Moved by **Mr. Del Signore** seconded by Mr. Vogler to approve said resolution. Motion carried 2-0.

- A. On the Table: None
- B. Remove from Table: None
- C. For final action: None

Fiscal Reports

- A. Proposals: None
- B. Receipt of bids/proposals: None
- C. Fiscal report: None
- D. Report on Quotes: None
- E. Warrant Register:
 - 1. July 3, 2013

Moved by **Mr. Del Signore** seconded by Mr. Vogler to accept and file the warrant register. Motion carried 2-0.

ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on Tuesday, July 16, 2013 at 10:00 a.m. in the Commissioners' Meeting Room.

PUBLIC COMMENTS

None

ADJOURNMENT

Moved by **Mr. Del Signore** seconded by Mr. Vogler to adjourn the Lawrence County Commissioners meeting dated Tuesday, July 9, 2013 at 10:55 a.m. Motion carried 2-0.