

AGENDA
LAWRENCE COUNTY COMMISSIONERS
September 24, 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, September 17, 2013

B. Presentation of Written Communications:

- 1. RETTEW, dated September 19, 2013, giving Act 14 notification for a PADEP ESCGP-2 Permit for work to be done in Mahoning Township.
- 2. ENTECH, dated September 19, 2013, giving Act 14 notification for a ESCGP-2 for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities for work to be done in Pulaski Township.
- 3. MINETECH ENGINEERS, dated September 20, 2013 giving Act 14 renewal notification for their existing State Only Operating Permit 37-00314 for work to be done in Plan Grove and Scott Townships.

V. PROCLAMATIONS AND CERTIFICATES:

- 1. Proclamation declaring September 20, 2013 as POW/MIA Recognition Day in Lawrence County.

VI. REPORTS AND NEW BUSINESS

- A. Staff Reports: None
- B. Personnel Report: None
- C. Commissioner Reports and Comments

D. New Business:

LCEDC

1. Proposed KOEZ (R-2013-218)

MH/DS

1. Contract-Positive Steps Therapy, Inc.-Base
2. Contract-Positive Steps Therapy, Inc.-Waiver

CYS/JPO

1. Contract-The Summit School, Inc.
2. Contract-Cray Youth and Family Services

DEPARTMENT OF PUBLIC SAFETY

1. Grant Application-HMRF

TRANSFER OF FUNDS (non-administrative) (R-2013-219)

1. JPO (\$18,323.71)
2. Prothonotary (\$13,000.00)

TRANSFER OF FUNDS (administrative)

1. Register/Recorders (\$400.00)

VII. RESOLUTION

A. Resolutions on the table

B Resolutions to be taken off the table: None

C. New Resolutions:

1. R-2013-216 Authorization to execute a grant application for funding an Act 101 Section 904 Recycling grant for materials collected during 2012.
2. R-2013-217 Authorization to execute an agreement on behalf of Lawrence County Recycling/Solid Waste Department for the following landfills: Carbon Limestone Sanitary Landfill, Hyland Landfill, Imperial Landfill, Mahoning Landfill, McKean County Landfill, Northwest Sanitary Landfill, Seneca Landfill, and Tri County Landfill for a ten (10) year period.

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. 09/18/2013
 - 2. 09/20/2013

X. ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on Tuesday, October 1, 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, September 24 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, September 24, 2013 was called to order by Commissioner Robert Del Signore, at 10:00 a.m. Office Manager Carol MacDonald called the Roll. Those in attendance were, Commissioners, **Robert Del Signore, Sr., Steve Craig,;** Chief Clerk/County Administrator **James Gagliano, Lisa Boots, John Carran, Bill Betz, Brian Melcer, Joe Venasco, Cindy Scaramazza, Dave Gettings , Linda Nitch, Debbie Morris, 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.

Mr. Vogler was on telephone from Harrisburg.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC

None

APPROVAL OF MINUTES

1. Minutes of Tuesday, September 17, 2013

Moved by **Mr. Craig** seconded by Mr. Vogler to accept and file the minutes. Motion carried 3-0.

WRITTEN CORRESPONDENCE

1. RETTEW, dated September 19, 2013, giving Act 14 notification for a PADEP ESCGP-2 Permit for work to be done in Mahoning Township.
2. ENTECH, dated September 19,2013, giving Act 14 notification for a ESCGP-2 for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities for work to be done in Pulaski Township.
3. MINETECH ENGINEERS, dated September 20, 2013 giving Act 14 renewal notification for their existing State Only Operating Permit 37-00314 for work to be done in Plan Grove and Scott Townships.

Moved by Mr. Craig seconded by Mr. Vogler to accept and file the written correspondence. Motion carried 3-0.

Proclamations and Certificates

Proclamation declaring September 20, 2013 as POW/MIA Recognition Day in Lawrence County.

Moved by Mr. Craig seconded by Mr. Vogler to accept and file the proclamation. Motion carried 3-0.

Staff Report

None

Personnel Report

None

COMMISSIONERS' COMMENTS

Mr. Craig had no comments.

Mr. Del Signore had no comments

Mr. Vogler stated he was at the Harness Commission Meeting in Harrisburg.

Resolutions on the table: None

Resolutions to be taken off the table: None

RESOLUTION R-2012-216

Resolution of the Board of Commissioners of Lawrence County to apply for an Act 101, Section 904 Municipal Recycling Performance grant.

WHEREAS, the Commonwealth of Pennsylvania, Department of Environmental Protection has provided for funds available under the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, and

WHEREAS, the County of Lawrence has embarked on a program to comply with the Pennsylvania Department of Environmental Protection mandate to complete a county municipal solid waste management plan, and

WHEREAS, the County has begun the county recycling program, and

WHEREAS, The Pennsylvania Department of Environmental Protection has funding available to reward municipalities on their recycling performance, and

WHEREAS, the County intends to make an application to receive Act 101, Section 904 performance grant funds from the Department of Environmental Protection.

NOW, THEREFORE, BE IT RESOLVED, that an application for funding an Act 101, Section 904 Recycling grant be submitted to the Pennsylvania Department of Environmental Protection for the materials collected during 2012.

Moved by **Mr. Craig** seconded by Mr. Del Signore to approve said resolution. Motion carried 3-0.

RESOLUTION R-2012-217

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, was approved and gave the County of Lawrence

- (a) The primary responsibility for planning for municipal waste management within its boundaries;
- (b) The primary power to control the flow of municipal waste generated within its boundaries; and

WHEREAS, the following landfills have successfully met the criteria to be included in the Lawrence County Solid Waste Management Plan for the provision of ten years of solid waste capacity:

Carbon Limestone Sanitary Landfill
Hyland Landfill
Imperial Landfill
Mahoning Landfill
McKean County Landfill
Northwest Sanitary Landfill
Seneca Landfill
Tri-County Landfill

NOW, THEREFORE BE IT RESOLVED that the Lawrence County Board of Commissioners that:

The County of Lawrence accepts and executes the ten year disposal agreements with the above named landfills, to be effective January 1 2014.

Moved by **Mr. Craig** seconded by Mr. Del Signore to approve said resolution. Motion carried 3-0.

RESOLUTION R-2012-218

WHEREAS, the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act (Act of October 6, 1998, P.L. 705, No. 92), as amended, hereinafter referred to as the "Act," authorizes political subdivisions to apply to the Pennsylvania Department of Community and Economic Development (DCED) for designation of an area within the respective political subdivision as a KOEZ, granting exemptions, deductions, abatements or credits from all local taxes identified in the Act; and

WHEREAS, the Lawrence County Board of Commissioners recognizes the need to encourage investment on property ("Proposed KOEZ") identified in Attachment "A," that is experiencing distress, characterized by one or more of the following: high unemployment, low investment of new capital, blighted conditions, underutilized, obsolete or abandoned industrial commercial and residential structures, deteriorated tax base; and

WHEREAS, approval of benefits provided in the Act will result in improving the economic, physical, and social conditions within the Proposed KOEZ by stimulating existing businesses employment, creating new employment opportunities and diminishing blight; and

WHEREAS, it is expected that increased private and public-sector investors will reverse the disinvestment and conditions of blight within the Proposed KOEZ by the time of its termination; and

WHEREAS, the Proposed KOEZ is not less than ten acres but not more than 350 acres in the aggregate; and

WHEREAS, the Proposed KOEZ is comprised of parcels which are (i) deteriorated, underutilized or unoccupied or (ii) are occupied by a Qualified Business (as that term is defined in the Act) which creates or retains at least 1,000 full-time jobs in Pennsylvania within three years from the designation by DCED of the Proposed KOEZ and makes a capital investment of at least \$500,000,000 in the Proposed KOEZ within three years from the designation by DCED of the Proposed KOEZ.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS that, effective SEPTEMBER 24, 2013, the following provisions shall apply:

1. Real Property Tax on the Proposed KOEZ is 100% exempt in accordance with the provisions and limitations hereinafter set forth in accordance with the Act, such exemption to begin on January 1, 2014 and to terminate December 31, 2023 (a ten year period).
2. The provisions of the Act not herein enumerated, shall, nevertheless, be incorporated as part of this Resolution, by reference.

3. This Resolution shall be effective upon execution, conditioned upon the approval of the application by DCED.

Moved by **Mr. Craig** seconded by Mr. Del Signore to approve said resolution. Motion carried 3-0.

RESOLUTION R-2012-219

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 \$31,323.71 described in detail on the attachment(s) designated as T-2013-11

ADULT PROBATION

Amount: \$18,323.17
From: 01.419800.110200
Jury Comm-Salary of Staff
To: 01.423500.110200
APO/ Salary of Staff

PROTHONOTARY

Amount: \$13,000.00
From: 01.411100.509000
Comm. Contingency
To: 01419500.403000
Maintenance Repairs

Moved by **Mr. Craig** seconded by Mr. Del Signore to approve said resolution. Motion carried 3-0.

RESOLUTION R-2012-220

Whereas, Act 165 Hazardous Material Response Fund (HMRF), administered by Pennsylvania emergency Management Agency, provides funds for development of emergency response capabilities to the dangers which hazardous material releases pose to the general public; ;and

Whereas, to be eligible for funding, the grant application must be submitted to Pennsylvania Emergency Management Agency by September 30, 2013; and

Whereas, Pennsylvania Emergency Management's disbursement of funds in the amount of \$ 8,361.00 expended during the period from July 1, 2013 to June 30, 2014.

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that; authorization is given to execute on behalf of the Lawrence County Department of Public Safety, all documents related to the Hazardous Materials Response Fund (HMRF Grant Application and Grant Program for the period of July 1, 2013 through June 30, 2014.

Moved by **Mr. Craig** seconded by Mr. Del Signore to approve said resolution. Motion carried 3-0.

Ordinances

- 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. September 18, 2013 through September 20, 2013

Moved by **Mr. Craig** seconded by Mr. Vogler to accept and file the warrant register. Motion carried 3-0.

ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on Tuesday, October 1, 2013 at 10:00 a.m. in the

Commissioners' Meeting Room.

PUBLIC COMMENTS

None

ADJOURNMENT

Moved by **Mr. Craig** seconded by Mr. Vogler to adjourn the Lawrence County Commissioners meeting dated Tuesday, September 24, 2013 at 10:40 a.m. Motion carried 3-0.