

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, February 10, 2015

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 February 10, 2015 was called to order by Commissioner Dan Vogler, at 12:00 p.m. in the Commissioners' Meeting Room. Office Manager Carol MacDonald called the Roll. Those in attendance were, Commissioners, **Dan Vogler, Robert Del Signore, Sr., Steve Craig;** **Chief Clerk/County Administrator James Gagliano, Clarence Nelson, Don Dougherty, Brian Melcer, Ken Langford, Loretta Spielvogel, Susan Karson, Sandra Collins, Richard Rapone, Donielle Russell, Eric Poole, Ellwood City Ledger and Debbie Morris, New Castle News.** 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

Richard Rapone, Treasurer gave a report.

GENERAL PUBLIC

None

APPROVAL OF MINUTES

1. The minutes of Tuesday, February 3, 2015.

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

WRITTEN CORRESPONDENCE

- a. Lawrence County Children and Youth Services Advisory Committee, dated February 2, 2015, giving notification that they would like to place Marilyn Lockwood and Cindy Cusick on their board.
- b. Frank B. Taylor Engineering, dated February 4, 2015, giving Act 14 notification for a General Permit BWM-GP-7 for work to be done on the Neshannock Creek Bike Trail Culvert Installation.
- c. Rex Energy, dated February 5, 2015, giving Act 14 notification for a Permit Application for Drilling or Altering a Well, for work to be one in Little Beaver Township.

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

Proclamations and Certificates

1. Proclamation proclaiming February as "Dignity and Respect Month."

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

Staff Report

None

COMMISSIONERS' COMMENTS

Mr. Del Signore had none

Mr. Craig had none

Mr. Vogler gave an update on the Casino.

Mr. Vogler stated the Commissioners will help the Lawrence County Library Federation with an allocation to help fix the bookmobile. Mr. Vogler stated that Miss Karson and Miss Collins should submit an invoice for the repairs.

Resolutions to be taken off the table: None

RESOLUTION R-2015-022

WHEREAS, Lawrence County is a member of the Southwestern Pennsylvania Commission (SPC); and

WHEREAS, as a member of SPC, Lawrence County is required to establish a Public Participation Panel.

NOW, THEREFORE IT BE RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that the Lawrence County Commissioners have established a Public Participation Panel and have appointed the following County residents to serve on this panel for a two year term:

1. Dave Badger
2. Everett Bleakney
3. Eileen Borrelli

4. Kevin Bowser
5. Jonathan Bruce
6. Diane DeCarbo
7. Debby Hennon
8. Jim Hill
9. Lori Hilliard
10. Bill Humphrey
11. Helen Jackson
12. Amy Kunselman
13. Ken Langford
14. Susan Lautenbacher
15. Karolee Loughhead
16. Robert McCracken
17. Linda Nitch
18. Kim Parrott
19. Angelo Pezzuolo
20. Angela Schon
21. Rebecca Shaner
22. Charlotte Sheffield
23. John Todorich
24. Keith Venezia
25. Dom Vicarri
26. Robert Villella
27. Gayle Young

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

RESOLUTION R-2015-023

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 Jan 1, 2015 thru June 30, 2015.
2. Authorization is hereby given to execute the following addendum:

Human Services Center, Inc.- Base - as detailed in attachment designated 2015-023 Program description and rates are also listed within the attachment.

**People In Need
2703 W. State St.
New Castle, Pa. 16101**

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

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

RESOLUTION R-2015-024

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 Jan 1, 2015 thru June 30, 2015.
4. Authorization is hereby given to execute the following addendum:

People In Need- Base - as detailed in attachment designated 2015-024 Program description and rates are also listed within the attachment.

**People In Need
2703 W. State St.**

New Castle, Pa. 16101

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

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

RESOLUTION R-2015-025

HEREAS, 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, 2014 thru June 30, 2015.
2. Authorization is hereby given to execute the following addendum:

Lawrence County Social Services- Base - as detailed in attachment designated 2015-025 Program description and rates are also listed within the attachment.

**Lawrence County Social Services
241 Grant St.
New Castle, Pa. 16101**

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

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

RESOLUTION R-2015-026

WHEREAS, the Public Safety Emergency Telephone Act gave Pennsylvania county government responsibility for implementing and managing a system of 911 call taking on behalf of the citizens of the Commonwealth, setting in place planning processes, lines of authority between counties and Pennsylvania Emergency Management Agency (PEMA) and a funding stream based on telephone subscriber surcharges; and

WHEREAS, under counties' stewardship, Pennsylvania's 911 system is one of the best managed and up-to-date systems in the nation, with almost complete E-911 coverage (Enhanced 911, providing locator systems for wireline, wireless, and VoIP calls), the fewest Public Safety Answering Points (PSAPs) per capita among large states, and a commitment to moving toward Next Generation 911 (NG911) technologies.

WHEREAS, the 911 system faces significant challenges to meet rapidly changing technology requirements, a funding stream whose failure to keep pace with needs requires counties to rely both heavily and increasingly on the property tax, and the June 30, 2015, sunset of one key funding source, the wireless telephone surcharge; and

WHEREAS, the Act currently keys its planning, administrative, and audit functions separately to different communications technologies, inhibiting counties' ability to manage the system, to incorporate shared services, or to implement system efficiencies; and

WHEREAS, the intent of the original law was to fully fund counties' eligible 911 costs; and

WHEREAS, the current subscriber fee structure is a monthly surcharge on wireline, wireless, and VoIP subscribers, ranging from \$1.00 to \$1.50 per month for wireline, and set at \$1.00 per month for wireless and VoIP; and

WHEREAS, the wireline fees have not changed since the Act's passage in 1990 and the wireless and VoIP fees, although adopted later, were keyed to the 1990 wireline rates, all of which, if adjusted for inflation alone, would mean fees of at least \$1.72; and

WHEREAS, Counties over the years have adapted and upgraded 911 systems to meet unanticipated technology change including locator systems, and are now actively planning upcoming technology needs including Next Generation 911 text, video, and other social media; and

WHEREAS, the onslaught of technological change was unforeseen and dramatically altered the ability of the funding structure to meet county needs, for both operating and capital costs; and

WHEREAS, the current funding structure covers only 65 percent of the County's cost to provide this vital service, with the remainder drawn from County property tax revenues; and

WHEREAS, the need to address the funding stream is immediate, and will reach crisis proportions if action is delayed past the June 30, 2015 expiration of the wireless telephone subscriber surcharge;

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

1. Lawrence County joins with the County Commissioners Association of Pennsylvania in support of a comprehensive rewrite of Chapter 53 of Title 35; and
2. Lawrence County supports a reform bill that:
 - a. is technology-neutral allowing counties to develop systems meeting current and future needs; and
 - b. combines planning, administrative, funding and audit provisions into a single consolidated whole, affording counties the best opportunity to manage effectively, facilitate shared services, incorporate system efficiencies, and readily adapt to new technologies; and
 - c. increases 911 subscriber fees to a level that fully supports current and next generation operations, and which keys the fees to inflation or allows for other mechanisms to provide regular adjustments to meet system needs; and
3. A copy of this resolution be sent to the Lawrence County legislative delegation, to Governor Wolf, to the Director of the Pennsylvania Emergency Management Agency, and to the County Commissioners Association of Pennsylvania.

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

Moved by Mr. Del Signore seconded by Mr. Craig to amend the agenda. Motion carried 3-0.

RESOLUTION R-2015-027

Whereas, it has become necessary to include Interim tax bills from 2014; and

Whereas, the Lawrence County Treasurer's Department will be mailing out on April 1, 2015 the March Interim Bills; and

Whereas, The Lawrence County Treasurer's Department requests that the dates for the March Interim Bills to be as follows;

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

1. The March Interim Tax bills be set as follows:
 - a. Monday June 1, 2015 for the end of the discount period
 - b. Monday August 3, 2015 for the end of the face period
 - c. December 31, 2015 for the end of the penalty period.

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

RESOLUTION R-2015-028

WHEREAS, the Lawrence County Department of Public Safety is eligible for 50% reimbursement for the position of Public Safety Director and Administrative Assistant in the amount of \$71,254.08; and,

WHEREAS, to receive reimbursement the Emergency Performance Grant Agreement must be executed,

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

Authorization is given to Chairman, Dan Vogler to execute on behalf of the Board of Commissioners, the Pennsylvania Emergency Management Performance Grant Agreement and all related documents for the period of October 1, 2014 – September 30, 2015.

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

RESOLUTION R-2015-029

WHEREAS, the Lawrence County Commissioners agree to enter into supplemental agreement #116967-A which is a supplement for PennDOT Agreement #116967 entered into previously on the 14th day of January, 2002; and

WHEREAS, the Lawrence County Commissioners understand this is an 80/20 Federal Grant and a portion of the funds previously allocated have been spent; and

WHEREAS, the Lawrence County Commissioners approves the Neshannock Creek Trail Supplemental agreement not to exceed \$90,000.00 or 20% local share as described in the supplemental agreement; and

NOW, THEREFORE IT BE RESOLVED, by the Lawrence County Board of Commissioners, that the Lawrence County Board of Commissioners approves the supplemental agreement not to exceed \$90,000.00

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

RESOLUTION R-2015-030

BE IT RESOLVED, by authority of the Lawrence County Board of Commissioner of the County of Lawrence, and it is hereby resolved by authority of the same, that the Chairman of the Lawrence County Board of Commissioners be authorized and directed to sign the attached Agreement on its behalf and that the County Administrator/Chief Clerk be authorized to attest the same.

I, Daniel J. Vogler, Chairman of the Lawrence County Board of Commissioners, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Lawrence County Board of Commissioners, held the 10th day of February, 2015.

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

RESOLUTION R-2015-031

Whereas, the Board of Commissioners of the County of Lawrence, Pennsylvania (the "Commissioners") adopted a resolution to establish the Lawrence County Industrial development Authority (the "Authority") on march 27, 1969, pursuant to the Industrial Development Authority Law, Act of August 23, 1967, PL. 251, 73 P. S. § 371 et sew., (the "Act"); and

Whereas, under the Act, the number of members of the Board of the Authority (the "Board") shall be set forth in the Articles but may not be less than five (5); and

Whereas, under the Act, the Commissioners may remove a member of the Board with or without cause; and
Whereas, the Commissioners desire to aid and cooperate with the Authority in accordance with the provisions of Section 375 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that: the Lawrence County Commissioners do hereby appoint the following to the Industrial Development Authority of Lawrence County Board.

Robert E. Foht

12-31-2017

Moved by **Mr. Del Signore** seconded by Mr. Craig 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: None

ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on Tuesday, February 17, 2015 at 12:00 p.m. in the Commissioners' Meeting Room.
- B. There will be a Retirement Board Hearing immediately following today's Public Meeting.
- C. The Courthouse will be closed on Monday, February 16, 2015 in observance of President's Day.

PUBLIC COMMENTS

None

ADJOURNMENT

Moved by **Mr. Craig** seconded by Mr. Del Signore to adjourn the Lawrence County Commissioners meeting dated Tuesday, February 10, 2015 at 12:45 p.m. Motion carried 3-0.