MEETING OF THE MERCER COUNTY BOARD OF COMMISSIONERS

December 27, 2007

Members Present: Brian Beader, Kenneth A. Seamans, Olivia M. Lazor

Pledge of Allegiance:

Others Present: Ginny Richardson, Bill Boyle, John Logan, Gary Hartman, Mary Ann Daniels, Catherine Main, William Madden, Norma M. Anderton, Tom Amundsen, Bill Walbrown, Vivian Moon, Liz Fair, Ken Ammann, Mary Grzebieniak of the Vindicator, Matt Snyder of the Herald, Greg Philson of the Record Argus and other concerned citizens.

Public Comment on Agenda Items: None.

Motion to approve December 11, 2007 Chief Clerk's Meeting minutes.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to approve December 18, 2007 Chief Clerk's Meeting minutes.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to approve December 13, 2007 Commissioners' Meeting minutes.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to approve a Proclamation in order to celebrate the $250^{\rm th}$ Anniversary of the naming of the Pittsburgh, Pennsylvania Region.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to adopt Resolution No. 2007-26, authorizing the transfer of any unencumbered balance, or any portion thereof within the 2007 County Budget(s), to accounts that are overdrawn, pursuant to Section 1784 of the Fifth Class County Code.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to adopt Resolution 2007-27, fixing the tax rate for the year 2008 and appropriating specific sums estimated to be required for the specific purpose of the County Government during the fiscal year.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to approve the following MR Waiver service <u>contract amendments</u> for 2007-2008 as recommended by the Mercer County MH/MR Administrator and by the Mercer County Behavioral Health Commission, Inc., Board of Directors.

Funding	Provider	07/08 Funding	Amendment Funding	07/08 Contract
Source		Maximum	Increase/(Decrease)	Maximum
MR	Goodwill Industries	\$42,394	(\$9,527)	\$32,867
Waiver	of Fayette County			
	Uniontown			
MR	Family Transport	\$41,587	\$2,519	\$44,106
Waiver	Services, Inc.			
	Sharon			
MR	Susan Lanigan-	\$6,500	\$1,520	\$8,020
Waiver	Swem		Respite In-Home 1:1	
	Grove City			
EI	Jennifer Bitner	\$3,000	\$12,390	\$15,390
Waiver	Mineral Ridge, Ohio		Occupational Therapy	
EI	Gail Donaldson	\$3,000	\$7,080	\$10,080
Waiver	Clintonville		Speech Therapy	
EI	Erin Wojtanoski	\$9,000	\$22,326	\$31,326
Waiver	Hermitage		Occupational Therapy	
EI	George Yute	\$11,000	\$24,640	\$35,640
Waiver	Grove City		Physical Therapy	

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to enter into an addendum to the purchase of service agreement, on behalf of CYS, with Family Services of Northwest PA, 5100 Peach Street, Erie, PA 16509 to provide the following services at the following rates:

CART Individual \$45.00 per 20-30 minutes

\$90.00 per 45-50 minutes \$112.50 per 75-80 minutes (Billed to VBH/MA if eligible)

CART Family \$21.00 per 15 minute unit

(Billed to VBH/MA if eligible)

CART Court/Meeting Time \$90.00 per hour

CART Group \$10.50 per 15 minute unit

(Billed to VBH/MA if eligible)

Psychological Testing \$55.00 per hour Psycho-Sexual Assessment \$38.50 per 30 minutes

Collateral (Family w/o client present) \$15.00 per 15 minute unit

CART Abel Assessment \$275 per assessment

CART Sexual Offender Polygraph \$250 per polygraph effective 1/1/08

\$225 per polygraph 7/1/07-12/31/07

CART Risk Report \$90.00 per hour

\$180.00 for 2 hours \$360.00 for 4 hours \$540.00 for 6 hours

Psychologist Expert Court

Testimony/Prep Time \$100.00 per hour

Effective July 1, 2007 through June 30, 2008, except as noted above.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to enter into an agreement, on behalf of CYS, with Family Care for Children and Youth, Inc., 25 Belford Boulevard, Milton, PA 17847 to provide homemaker services at an hourly rate of \$35.75 not to exceed \$104,926.25 (2935 hours) for the time period of January 1, 2008 through June 30, 2008.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to enter into an agreement, on behalf of CYS, with The Thomas Organization, LLC, 47 East Bissell Avenue, Suite #1, Oil City, PA 16301 to provide Family Development Consultant Services at an hourly rate of \$34.00 not to exceed \$99,790.00 (2935 hours) for the time period of January 1, 2008 through June 30, 2008.

Page 4, continued December 27, 2007

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted ves: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to adopt Resolution 2007-28, pursuant to Section 147(f) of the Internal Revenue Code, approving Westmoreland County Industrial Development Authority's Mortgage Revenue Note, Series 2008. (Passavant Memorial Homes Project).

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted ves: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to adopt the 2008 Mercer County Budget, as attached.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to appropriate \$50,000 from the Mercer County Economic Development Account to Deerfield Farms, Inc. New Wilmington, PA contingent upon an application to the county from Deerfield Farms for the development of functional operations of a new grain storage facility and the acquisition of 26.2 acres of land at 27 Auction Rd., New Wilmington, Mercer County, PA 16142

Moved: Ms. Lazor Seconded: Mr. Seamans

For the record, Commissioner Lazor gave Mr. Walbrown of Deerfield Farms an application for County funds and recommended he be required to go through the application process.

Voted yes: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to approve the Personnel action(s) as follows:

NAME POSITION EFFECTIVE GRADE

RETIREMENTS:

HOUSEKEEPING:

Michael A. Mikota Custodian I 1/7/08

PROMOTIONS:

MERCER COUNTY JAIL

Carol Camp Sergeant 12/13/07

Daniel Miner Sergeant 12/14/07

Neil Perample Sergeant 12/17/07

(Recommendations of the Prison Bd. Meeting of 12/17/07)

NEW HIRES:

SHERIFF'S DEPT:

Marc-Anthony James Adamo Part Time Dep. Sheriff 1/7/08 90% Sheriff Training

(Replace B. Rosa who went to Full Time)

TERMINATIONS:

HOUSEKEEPING:

Merry A. McGhee Part Time Custodian I 12/20/07

END OF SERVICE:

COMMISSIONERS' OFFICE

Norma M. Anderton Chief Clerk 1/10/08

(Last work day will be 1/4/08)

APPOINT TO NEW POSITION:

CONTROLLER'S OFFICE:

Gail Moon Senior Acctg/Network Fin. Administrator 1/1/08 (Conditioned upon Salary Board Action of 12/27/07)

STAFF CHANGES:

DOMESTIC RELATIONS:

Viola Zigo Docket Clerk 1/1/08 TC&S 5

(From Intake Officer to replace M. Elder)

Madilyn Elder Intake Officer 1/1/08 TC&S 7

(From Docket Clerk to replace V. Zigo)

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to adopt Resolution 2007-29, authorizing and directing the proper County officials to enter into a commitment to restrict the development of water wells, for any purpose, on the County owned property at the corner of North Diamond St. and U.S. Route 19, formerly owned by Citizen Halpern LLC and recently purchased by the County.

Page 6, continued December 27, 2007

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to ratify the attached previously approved expenditures dated 12/11/07-12/24/07.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to accept Bree Beckstein's resignation from the Mercer County Commission for Women.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to approve the following exoneration(s) being granted as listed:

Tax Collector	<u>District</u>	County <u>Per Capita</u>	County Per <u>Capita TBC</u>	<u>Year</u>
Christine A. Davis (Cancellation of Letter da	Sandy Lake Boro ted 12/13/07)	\$ 10.00		2007
Mary Ann Tomson	Findley Twp.	345.00		2007
Suzanne Carter Barner	Mercer Boro	70.00		2007
		<i>Total:</i> 425.00		

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to approve the following refund(s) as listed:

<u>Name</u>	<u>District</u>	Amount	Year
Carol Patrick	Wheatland Boro	\$ 47.02	2007
Stephen M. Miller	Farrell`	39.66	2007
		Total: 86.68	

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to purchase, utilizing the Mercer County Economic Development Account, approximately 146 acres located in E. Lackawannock Twp., Mercer County, from Samuel B. McClelland, David L. Jervis, and Carolyn M. Bender, Co-Trustees of the John T. Jervis Trust, C. William Berger and Doreen A. Berger, husband and wife; and Carol F. Berger, Executrix of the Estate of Daniel M. Berger, Deceased, all as Tenants in Common, at a cost of \$3,082.00 per acre.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to purchase, utilizing the Mercer County Economic Development Account, approximately 72 acres located in E. Lackawannock Twp., Mercer County, from Samuel B. McClelland, Margaret E. Jervis, Carol F. Berger, Executrix of the Estate of Daniel M. Berger, Deceased, Margaret A. Berger, Allison B. Burman, Jocelyn B. Belluck, Guy E. Burman, Joseph M. Jacobson, Moss A. Jacobson, and Jonathan M. Jacobson, as Tenants in Common, for a price of \$3,541.00 per acre.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to approve the renewal of the maintenance agreement with Cummins Bridgeway for the generator at the boiler house. The cost is \$834.95 plus on load test at a cost of \$474.00

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted ves: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Motion to approve the renewal of the maintenance agreement with Renick Brothers for all of the equipment in the Courthouse. The contract requires semi-annual testing at a cost of \$6,350.00.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted ves: Mr. Seamans, Ms. Lazor, Mr. Beader

Motion carried.

Motion to approve the following contracts for 2008 between the County of Mercer and the attorneys listed to provide professional legal services to defendants who cannot be represented by the Public Defender's Office. Cases shall be assigned by and at the sole discretion of the Court of Common Pleas. The total numbers of cases and minimum amounts to be paid are as follows:

Attorney Randall Hetrick	70 cases	\$28,000.00
Attorney Jarrett Whalen	70 cases	\$28,000.00
Attorney Michael Hughes	40 cases	\$16,000.00
Attorney Tedd Nesbit	35 cases	\$14,000.00
Attorney Stephen DelPero	25 cases	\$10,000.00
Attorney John Alfredo	20 cases	\$ 8,000.00

Total: 260 cases \$104,000.00

Page 8, continued December 27, 2007

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Ms. Lazor, Mr. Beader, Mr. Seamans

Motion carried.

Motion to adopt Ordinance 02-2007, authorizing the incurring of lease rental indebtedness by the guaranty of the debt service on a note of the City of Sharon Sanitary Authority in a principal amount not to exceed three million three hundred thousand dollars (\$3,300,000); covenanting to pay, and pledging unlimited taxing power for the payment of the note under the guaranty; authorizing filings of required documents with the Department of Community and Economic Development; ratifying actions of Officers and directing other actions; and making other covenants in respect of the guaranty. This guaranty is contingent upon enactment of a parallel and senior guaranty by the city of Sharon.

Moved: Ms. Lazor Seconded: Mr. Seamans

Voted yes: Mr. Beader, Mr. Seamans, Ms. Lazor

Motion carried.

Old Business: None.

New Business: For the Record, Commissioner Lazor read the following statement: My 16 year tenure as county commissioner completes three decades of local and county government commitment. My focus has been in areas where I have some expertise and have worked to advance the growth and the opportunities for the county; Invested the time, energy and talent and over the 16 years, excellent programs have been developed and implemented saving taxpayers dollars while providing for a better delivery of services, not only in human services but programs that led to greater diversification of industries assisting in the county's economic wellbeing and stability were also accomplished. The establishment of the county's first Economic Development Fund Account and the purchase of acreage at Interchange of Routes 80 and 19 insures the county's future growth in business and commerce.

I care deeply for Mercer County and its citizens and hope that the years invested have helped to make lives better. Any accomplishment at the state and federal level, it was always my goal to keep Mercer County in the forefront for potential program or funding opportunities. I will be the first to say that neither this position nor any work accomplished is solely based on one individual. However, these last 16 years have been a large portion of my life and it has been a privilege and honor to have been given the opportunity.

At this point in time all the buildings owned and operated by the county are upgraded or new. This makes for a great working environment for employees and adds value to the assets owned by the citizens of Mercer County. The courthouse renovation is certainly one in which I am most proud to have been a part. The major renovation assures that this historical structure will continue to be a Mercer County's welcoming beacon for many, many decades.

I am very thankful that unlike 1992, today the county is fiscally sound with substantial reserve funds, a status that took years to accomplish. In this increasing complex and ever changing governmental arena a reserve is needed more than ever. Too often the situations facing county government are divided into rigid and distinct categories; too often services are crisis-oriented and organized around categorical funding; too often state agencies and funding criteria create barriers that keep positive action and functional communication between agencies and systems from meeting our citizen's needs. Having financial stability provides a strong position to negotiate rather than having to depend solely upon the discretion of state or federal bureaucrats.

Before I conclude, first and foremost I want to extend my deep gratitude and appreciation to the people of Mercer County for the honor and privilege to serve as your county commissioner.

Also, I wish to thank my assistant Linda Thomas who served me faithfully these many years and to all the department and agency directors to whom I have had the pleasure of being liaison commissioner. Throughout my tenure I have had the opportunity to be liaison to just about all areas of county government and believe that I gained more from our association than they from me. And to "all" my colleagues (all nine) I will summarize our interactions and relationships as...it was the best of times and the worst of times, but at the conclusion much was accomplished.

Finally, I believe that God sends people and opportunities into our lives. These are unique moments in time where the door opens wide and the immediate, and at times, the distant future changes. God has done this for me throughout my family life and my working career. Mature in that understanding....I always played the hand that was dealt. It is with this challenge that I leave office and look forward a new adventure.

Recess to Salary Board.

Chief Clerk

Public Comment: Vivian Moon voiced an objection about the 50K allocation. Ken Ammann asked about the land purchase, and stated he agreed with V. Moon regarding the 50K allocation. Treasurer Richardson asked about the closing date of the land purchase.

Questions of the Media: The Board answered questions posed by the press.

Motion to adjourn.

Moved: Mr. Seamans
Meeting adjourned at 11:37

Mercer County Board of Commissioners

Attest: