

Commissioners' Minutes

April 11, 2012

Those in Attendance:

David Dunn Bill Fiscus Mike McGrady Scott Bell Susan Kerr Becky Hetrick Frank Stacy
Kay Rupert Scott Seeley Tess Snyder Jane Schautz Robi Lombardo Steve Allison
Donna Reinsel Danielle Kunselman

Roll Call:

Commissioner Brosius – present
Commissioner Campbell – present
Commissioner Faller – present

Approval of the Agenda: On a motion made by Commission Campbell and second by Commissioner Faller to approve the agenda with one addition under other business, the motion passed.

Approval of the Minutes: On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the minutes dated March 28, 2012 as presented, the motion passed.

Correspondence:

- ❖ Two letters dated March 16, 2012, were received from Gannett Fleming, Inc. of Pittsburgh, PA informing the county of the intention of the Redbank Valley Municipal Authority to file an application with the state Department of Environmental Protection (DEP) for a:
 1. General Permit-GP5-utility line stream crossing to construct a waterline to serve the establishments along Route 66 in Porter Township.
 2. General Permit-GP4-intake and outfall structures to construct a secondary emergency intake at the water treatment plant in the borough of New Bethlehem.
- ❖ A letter dated March 21, 2012, was received from Fox & Fox, Inc. of Clarion informing the county of its intent to file an application with the state DEP for a Chapter 105 permit on behalf of the Abarta Oil & Gas Company, Inc.-McCall Well No.1 pipeline project-GP-5-utility line stream for a crossing directional bored under Little Licking Creek in Piney Township.
- ❖ A letter dated March 23, 2012, was received from Pennsylvania Board of Probation and Parole announcing the second and final payment of \$25,492.00 for the 2011/2012 Grant-In-Aid Funds Continuing Program for the Improvement of Adult Probation Services Application and Agreement. The first payment of \$28,324.00 was disbursed in February 2012. Total award is \$53,816.00.
- ❖ A letter dated March 23, 2012, was received by the county planning director from Fike Associates, Inc. of Clarion requesting the completion of a municipal land use letter to be submitted with its non coal permit application to the state DEP. This letter was completed and returned by the Planning & Development Office.
- ❖ A letter dated March 26, 2012, was received from Dakota Engineering Associates, Inc. of Pittsburgh, PA., giving the county notice that the Foxburg Area Water and Sewer Authority will be applying for a renewal of its existing NPDES discharge permit with the state DEP.
- ❖ A letter dated March 26, 2012, was received from Kooman, Heeter, & Gulnac, PC of Clarion giving the county notice of the dissolution of T & D RVs, Inc., located in Clarion.
- ❖ A request dated April 02, 2012, from County Commissioners Association of PA (CCAP) calling for support of House Bill 1329, which would increase the threshold over which prevailing wages must be paid on public projects from \$25,000.00 to \$185,000.00 with an annual adjustment for inflation thereafter.

**At this time, Commissioner Campbell suggested the request from CCAP become a business item for the next work session so the board would be able to decide if they would support or not support HB 1329. Commissioner Brosius concurred with the suggestion.

- ❖ A notice from the Clarion County Mental Health/Developmental Disabilities Advisory Board is seeking members for the Clarion County MH/DD Advisory Board. Interested parties should contact Nancy Jeannerat at Clarion County MH/DD Administration.
- ❖ A letter dated March 21, 2012, was received from County Commissioners Association of Pennsylvania congratulating Warden Jeff Hornberger of an honorable mention for the committees County Jail Best Practices Award for 2012 in the small county category. The nomination is based on the Drug and Alcohol Treatment Program.

**At this time, Commissioner Faller explained the program creation was the combined efforts of Jayne Smail, District Judge Long-Turk, Warden Hornberger, and President Judge Arner, which helped reduce the inmate overcrowding.

- ❖ Letter dated April 3, 2012, from U.S. Department of Homeland Security/FEMA informing the county that the Hazard Mitigation Grant Program (HMGP) planning application for the Clarion County Hazard Mitigation Plan Update has been approved. The total amount of funding approved for this grant is \$70,000 with a cost breakdown of \$52,500 for the federal share and \$17,500 for the non-federal share. The period of performance for this project extends for 36 months and is set to expire 04/03/2015.

**At this time, Commissioner Campbell advised that the plan must be updated every three years. The Office of Emergency Services reviews disaster issues with the 34 municipalities and sets up how the issues would best be handled.

- ❖ The Clarion County Board of Commissioners wishes to thank the eight students from the Clarion University Theta Xi fraternity for 15.5 plus hours of community service at the Clarion County Park on March 29, 2012. Park curator Rayburn Smith stated that the Theta Xi brothers helped him immensely by carrying little buildings and signage out of the greenhouse and installing them in the children's garden. They unloaded a delivery truck and planted 28 Physocarpus and two large Pyrus Bradford pear trees.
- ❖ Treasurer's report dated March 1 through March 31, 2012, with a balance totaling \$1,113,708.17.

Announcements:

- ❖ Tuesday, April 17 at 9:00 a.m. is work session in the commissioners' conference room.
- ❖ Friday, April 20, at 9:00 a.m. is the Board of Inspectors' meeting in the commissioners' conference room.
- ❖ Tuesday, April 24 is Primary Election Day.

**At this time, Commissioner Campbell advised voters will be asked for identification at the polls for the primary election, even though it is not required. If the voter does not have an appropriate identification, then they will be provided with information. In November, the voters will need the appropriate identification to vote. If, at the general election, the voter does not have identification, they will still be able to vote by provisional ballot and will need to provide identification to the election director within seven days.

- ❖ Tuesday, April 24, at 9:00 a.m. is the Commissioner, Salary and Retirement board meetings in the commissioners' conference room.
- ❖ A reminder from the office of the Clarion County Commissioners: The Clarion County Park is still not accepting yard clippings or tree limbs.

Public Concerns and Comments: (One person per issue or concern; three-minute limit per person.)

Scott Bell of Knox, PA asked when the offices would be moved into the courthouse since it had been over a year since the purchase of the new building. Commissioner Brosius advised it was being worked on and the purchase of the administration building had been started by the previous board.

Jane Schautz of Leeper, PA was concerned with the Marcellus Shale drilling and wanted to advise the commissioners to review any company entering the county with a careful eye. Jane explained the League of Women Voters is a non-partisan organization that wanted to offer the services of the League to assist

with gathering data with regards to the Marcellus Shale for the Commissioners to use either for or against the drilling.

Business:

On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the bid submitted, pending review and recommendation by the consultant, MCM, the motion passed.

- 1) Opening and awarding, pending review, of the bids for the Office of Emergency Service. The proposal is for improvements on the police UHF radio coverage for Cameron, Clearfield and Jefferson Counties. The request for proposal was first approved for advertising at a regular commissioners' business meeting on March 13, 2012.

Discussion: One bid was submitted by Center Communications Inc., of Belfont, PA with a bid amount of \$219,375.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Campbell and second by Commissioner Faller to accept the bid submitted by Nale Abstracting Inc., of Knox.

- 2) Opening and awarding, pending review, of the bids for the Clarion County Tax Claim Bureau. The proposal is for title searches on properties that were not sold at the September 2009, September 2010, and September 2011, tax sales.

Discussion: One bid was submitted by Nale Abstracting Inc., of Knox. \$150/land parcel, \$35/trailer/shed, \$210/coal, oil, mineral. Total proposal: \$11,510.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Faller and second by Commissioner Campbell to approve ordinance no. 1 of 2012, as presented, the motion passed.

- 3) Approval of Ordinance No. 1 of 2012, authorizing an unconventional gas well fee. The ordinance imposes an unconventional gas well fee on each unconventional gas well spud in this county as authorized in Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes.

Discussion: Commissioner Brosius advised after the public meeting held on March 28, the general consensus was to enact the ordinance authorizing the fee which could bring in approximately \$150,000 to \$200,000. Commissioner Campbell explained the state decided if drilling could be done; the counties are only able to decide, by ordinance, if a fee will be accepted from the drilling. This leaves the Clarion County Board of Commissioners with two options: accept the money for the benefit of the municipalities or refuse the money on principle, but either way, the drilling will still take place.



**COUNTY OF CLARION, PENNSYLVANIA
ORDINANCE 2012-No.1**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLARION, PENNSYLVANIA AUTHORIZING AN UNCONVENTIONAL GAS WELL FEE ON EACH UNCONVENTIONAL GAS WELL SPUD IN CLARION COUNTY, PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, KNOWN AS THE UNCONVENTIONAL GAS WELL IMPACT FEE ACT; PROVIDING FOR THE ADMINISTRATION OF THE FEES; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDING FOR THE ORDINANCE TO BE TRANSMITTED TO THE PUBLIC UTILITY COMMISSION.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of Clarion County in lawful session assembled that:

Section 1. The County of Clarion hereby imposes an unconventional gas well fee on each unconventional gas well spud in this County as authorized in Title 58.

Section 2. Definitions. The following words and phrases when used in this Ordinance shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Fee" - The unconventional gas well fee imposed under Section 2302 of Title 58.

"Spud" - The actual start of drilling of an unconventional gas well.

"Title 58" - Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes as amended by Act of February 14, 2012 (P.L., No. 13).

"Unconventional Gas Well" - A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.

Section 3. The unconventional gas well fee shall be applicable, and shall be administered, as provided for in Title 58.

Section 4. This Ordinance shall take effect immediately and shall remain in effect until repealed or amended.

Section 5. A copy of this Ordinance shall be transmitted to the Public Utility Commission as required by Title 58.

Section 6. All Ordinances and Resolutions or parts thereof which are inconsistent herewith and hereby repealed insofar as they are inconsistent.

Section 7. The provisions of this Ordinance are severable. If any sentence, clause or section of

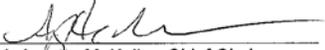


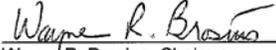
this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not invalidate the remainder of this Ordinance, and it is hereby declared to be the intention of the Board of Commissioners of the County of Clarion that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not have been included herein.

DULY ENACTED AND ORDAINED at Public Meeting of the Board of Commissioners of the County of Clarion, Pennsylvania, held this 11th day of April, 2012.

ATTEST:

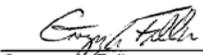
BOARD OF COMMISSIONERS


Anjanette M. Keller, Chief Clerk


Wayne R. Brosius, Chairman


G. Butch Campbell

(Seal)


Gregory A. Faller

Roll Call Vote:

Commissioner Brosius – yes
Commissioner Campbell – yes
Commissioner Faller – yes

On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the contract as presented, the motion passed.

4) Approval of a new contract for Clarion County Children and Youth Services (CYS) with Three Rivers Adoption Council of Pittsburgh, PA, for foster family services. Cost: \$63.17-\$123.68/day. County Match: \$12.63-\$24.74/day. Effective July 1, 2011, to June 30, 2012.

Discussion: Commissioner Faller asked Kay Rupert, director of CYS if this was another of the contracts that were approved once approved by the state. Kay explained that currently the county is paying FFY 10-11 rates for this service until the contract is approved at the state level. Then CYS is able to have a contract drawn up with the new contract with the FFY 11-12 rates.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Faller and second by Commissioner Campbell to approve the contract as presented, the motion passed.

- 5) Approval of a new contract for CYS with Avanco International, Inc., of Mclean, VA, for consultation and technical services to transition Clarion County CYS to a state approved case management system funded through 2011-2012 Information Technology Grant. Cost: \$20,000.00 /County match: \$6,119.20. Effective: July 1, 2011, to June 30, 2012.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Faller and second by Commissioner Campbell to approve the contract as presented, the motion passed.

- 6) Approval of a contract renewal for CYS with George, Jr. Republic of Grove City, PA for numerous residential services. Cost: \$39.88/day-\$284.37/day. County match: \$15.95/day-\$113.75/day. Effective: July 1, 2011 to June 30, 2012.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Campbell and second by Commissioner Faller to accept the proposal from Hager Paving, Inc., of Clarion as presented, the motion passed.

- 7) Approval of a proposal for paving of the parking lot at the Human Services Building on South 7th Avenue. Proposals were received from: Jefferson Paving Corporation of Brookville, PA, and Hager Paving, Inc., of Clarion, PA.

Discussion: Jefferson Paving Corporation submitted a proposal in the amount of \$11,423. Hager Paving Inc. submitted a proposal in the amount of \$9,939.

Commissioner Campbell advised the funds would not be coming out of the general fund budget. SAMs, Inc. has retained earnings that must go back to the facility to assist with programs and enhances the services for the consumers. Paving the parking lot would benefit the consumers greatly.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Faller and second by Commissioner Campbell to approve the grant as presented, the motion passed.

- 8) Approval to pursue continued funding of the Clarion County Treatment Court program through Pennsylvania Commission on Crime and Delinquency (PCCD) Drug & Alcohol/Restrictive Intermediate Punishment grant application. The recipient agency will be the Armstrong-Indiana-Clarion Drug and Alcohol Commission, managing the grant once approved by PCCD, as a pass through grant (passed through Clarion County). Grant amount applied for: \$136,539.00. Effective: FY 2012-2013.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Campbell and second by Commissioner Faller to accept the funds as presented, the motion passed.

- 9) Accepting of the Juvenile Accountability Block Grant funds from PCCD. Amount awarded: \$1,000.00 from April 1, 2012 to January 1, 2013 and \$9,000.00 from April 1, 2012, to March 31, 2013.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes

Commissioner Faller – yes

On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the park to participate in the University's service day as presented, the motion passed.

- 10) Approval of the Clarion County Park to participate in the Clarion University of Pennsylvania's Spring Service Volunteer Day. Clarion County Park has been invited to be a service site. The project proposal includes working in the Children's Creativity Garden and in the greenhouse. Effective: April 28, 2012.

On a motion made by Commissioner Faller and second by Commissioner Campbell to approve the proclamation as presented, the motion passed.

- 11) Approval of a proclamation proclaiming the month of April as "Child Abuse Prevention Month." To heighten public awareness and community action to address the issue of child abuse in Clarion County.

PROCLAMATION

WHEREAS, Children are the future of our community, county, state, and nation; and,

WHEREAS, Child abuse can destroy a child's dream of their future; and,

WHEREAS, Incidents of child abuse continue to increase and impact all racial, ethnic, economic, geographic, and social groups, regardless of age or gender; and,

WHEREAS, Clarion County Children and Youth Services serves children who have been victims of child abuse; and,

WHEREAS, Clarion County Children and Youth Services staff and volunteers are working toward a society free from child abuse by promoting prevention and offering educational programs to schools, community organizations, and other professionals; and,

WHEREAS, Clarion County Children and Youth Services requires commitment of community leaders and concerned citizens to provide quality services which support children who are victims of abuse and prevent other children from becoming victims of abuse,

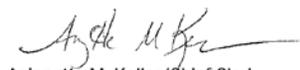
NOW, THEREFORE, BE IT RESOLVED this 11th day of April, 2012, that the Clarion County Commissioners and Clarion County Children and Youth Services proclaim the month of April as "CHILD ABUSE PREVENTION MONTH" to heighten public awareness and community action to address the issues of child abuse in Clarion County.

Clarion County Commissioners:


Wayne R. Brosius


G. Butch Campbell

Attest:


Anjanette M. Keller/Chief Clerk
County Administrator


Gregory A. Faller

On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the proclamation as presented, the motion passed.

- 12) Approval of a proclamation proclaiming the month of April as "It's time...to speak up!" Sexual Assault Awareness Month calling for all community members to be part of the solution to end sexual violence.

Sexual Assault
Awareness Month 2012



IT'S TIME ... TO TALK ABOUT IT! CONNECT. RESPECT. PREVENT SEXUAL VIOLENCE.

It's time ... to speak up!

Sexual Assault Awareness Month Proclamation

Whereas, Sexual Assault Awareness Month is intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of Clarion County; and

Whereas, Rape, sexual assault, and sexual harassment impact our community as seen by statistics indicating that one in five women will have experienced sexual assault by the time they complete college (Fisher, Cullen, & Turner, 2000); and

Whereas, We must work together to educate our community about what can be done to prevent sexual assault and how to support survivors; and

Whereas, Staff and volunteers of anti-violence programs at PASSAGES, Inc. encourage every person to speak out when witnessing acts of violence however small; and

Whereas, With leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in Clarion County through prevention education, increased awareness, and holding perpetrators who commit acts of violence responsible for their actions; and

Whereas, the Commissioners of Clarion County strongly support the efforts of national, state, and local partners, and of every citizen to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence.

NOW THEREFORE BE IT RESOLVED, This 11th day of April, 2012

That we, the Commissioners of Clarion County, join anti-sexual violence advocates and support service programs in the belief that all community members must be part of the solution to end sexual violence. Along with the United States Government and State of Pennsylvania, we do hereby proclaim April as "Sexual Assault Awareness Month!"

Handwritten signature of Wayne Brosius.

Wayne Brosius

Handwritten signature of Butch Campbell.

Butch Campbell

Handwritten signature of Greg Faller.

Greg Faller

Attest:

Handwritten signature of Anjanette M. Keller.

Anjanette M. Keller

On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the general fund bills as presented, the motion passed.

- 13) Approval of the General Fund bills which include all expenditures over \$300; dated, March 23, 2012, through April 5, 2012, totaling \$961,346.16.

Roll Call Vote:

Commissioner Brosius – yes

Commissioner Campbell – yes
Commissioner Faller – yes

On a motion made by Commissioner Faller and second by Commissioner Campbell to approve the budget transfers as presented, the motion passed.

14) Approval of a budget transfer for the dates of March 23, 2012, through April 5, 2012 totaling \$125.00.

**March 23 to April 5, 2012
CLARION COUNTY
BUDGET TRANSFERS**

DEPARTMENT	FROM	TO	TOTAL
HUMAN RESOURCES	TRAINING	DUES	\$125.00
TOTAL			\$125.00

Roll Call Vote:

Commissioner Brosius – yes
Commissioner Campbell – yes
Commissioner Faller – yes

Other Business:

On a motion made by Commissioner Faller and second by Commissioner Campbell to approve the grant pending review, the motion passed.

15) Approval to pursue continued funding for the Intermediate Punishment (IP) Grant through PCCD.

The accepting agency will be Clarion County Adult Probation. Grant amount \$30,239.00 to be applied towards salary benefits.

Roll Call Vote:

Commissioner Brosius – yes
Commissioner Campbell – yes
Commissioner Faller – yes

Public Questions and Answer Period:

Steve Allison, a citizen of the county, agreed with Commissioner Campbell about taking the decision making out of the county and municipalities hands and wanted to know if the Commissioners would be joining the lawsuit brought by seven different municipalities about the legality of Title 58. Commissioner Campbell advised the public that Allison would know the general consensus of the municipalities as he is the secretary of the Clarion County Association of Township Officials. Commissioner Brosius stated he knew of the lawsuit and at this time the board was not considering it.

Bill Fiscus, Supervisor of Limestone Township, commended the Commissioners for the support on House Bill 13, prevailing wage increase. Fiscus explained that it was a hardship on the municipalities with the current rate of the prevailing wage and the increase would help.

Adjournment:

On a motion made by Commissioner Faller and second by Commissioner Campbell to adjourn at 10:00 a.m., the motion passed.