

Commissioners' Minutes August 14, 2012

Those in attendance: Kay Rupert Susan Kerr Tyler Cotherman Scott Seeley
Steve Allison Alicia McCauley Theresa Snyder Donna Reinsel Kelsey Hubert

Roll Call:

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

Approval of the Agenda: On a motion made by Commissioner Campbell and second by Commissioner Faller to amend the agenda with one item under “other business,” the motion passed.

Approval of the Minutes: On a motion made by Commissioner Faller and second by Commissioner Campbell to approve the minutes dated July 24, 2012, with a correction to item 10, Deitz’s Quart of Honor was in Fern and the brothers were at Immaculate Conception, the motion passed.

Correspondence:

- ❖ The Clarion County Treasurer’s report dated July 1 through July 31, 2012, was received with an ending balance of \$6,049,559.46.
- ❖ A letter dated August 1, 2012, was received from the State Deputy Secretary for Mental Health and Substance Abuse Services notifying the county’s drug and alcohol program of its fiscal year 2012-2013 primary allocation from the State Department of Public Welfare, Office of Mental Health and Substance Abuse Services, including funding for both Behavioral Health Services Initiative (Appropriation 10262) and the Act 152 program for Medical Assistance eligible persons. Total Award amount: \$568,667: \$413,909 for Appropriation 10262; \$154,758 for Act 152.
- ❖ An email dated July 27, 2012, was received from Doug Hill, Executive Director of the County Commissioners Association of Pennsylvania (CCAP), informing the county that the Commonwealth Court has ruled that Act 108 of 2011, permitting county commissioners to take action to abolish the office of jury commissioners, stands.
- ❖ A letter dated July 16, 2012, was received from the Department of Public Welfare presenting the county’s **tentative** Fiscal Year (FY) 2012-2013 Medical Assistance Transportation Program (MATP) allocation amount for Clarion County as \$635,500.
- ❖ A letter dated July 31, 2012, was received from Rev. Clara Belloit on behalf of the Clarion County Shelter Task Force announcing the participation in an unsheltered homeless person count on Wednesday, August 15, 2012. The Task Force is asking anyone that encounters homeless individuals to complete a survey and return it to Kerry Kifer at 226-1080, on August 15th, at 214 S 7th Avenue, Clarion, PA 16214.
- ❖ A letter dated July 24, 2012, was received from Pennsylvania-American Water Company (PAWC) of Hershey, PA, informing the county of an application to the Pennsylvania Public Utility Commission (PUC) in January of 2012, for the approval of the transfer, by sale, of the water works property and rights of Paint Township Municipal Water Authority (PTMWA) to PAWC, and the commencement by PAWC of water service to the public in a portion of Paint Township presently being served by the PTMWA.
- ❖ A municipal notice dated July 30, 2012, was received from Gibson-Thomas Engineering Co., Inc. of East Brady, PA, informing the county that Emlenton Area Municipal Authority intends to apply for a National Pollutant Discharge Elimination System (NPDES) permit renewal from the

Pennsylvania Department of Environmental Protection (DEP) for the sewage treatment plant located in Richland Township.

- ❖ A letter dated July 27, 2012, was received from the Pennsylvania Department of Transportation (PennDOT), in Harrisburg, PA, stating that the single audit report of transportation-related financial data presented in the county's Schedule of Expenditures of Federal Awards (SEFA) for the year ending December 31, 2010 has been accepted.
- ❖ A letter dated July 26, 2012, was received from the Pennsylvania Department of Agriculture, Bureau of Food Distribution regarding the decision to utilize State Food Purchase Program (SFPP) funds to defray administrative costs associated with The Emergency Food Assistance Program (TEFAP), the department has set up SFPP funding in FY 2012-13 to help address the shortfall in federal funding for administering TEFAP.

Announcements:

- ❖ Friday, August 17, at 9 a.m. is the Board of Inspectors' meeting in the commissioners' conference room.
- ❖ Tuesday, August 21, at 9 a.m. is work session in the commissioners' conference room.
- ❖ Tuesday, August 28, at 9 a.m. is the Commissioner, Salary, and Retirement board meetings in the commissioners' conference room.

Public Concerns and Comments: There were no public concerns or comments at this time.

Business:

At this time Commissioner Brosius presented the LOIs for opening and reviewing.

On a motion made by Commissioner Campbell and second by Commissioner Faller to table the LOIs for further review, the motion passed.

- 1) Opening and awarding, pending final review by a team comprised of County staff and others as appropriate, of the letter of intent (LOI) submitted for architectural services related to the interior renovation of the Clarion County courthouse. The request for LOIs was first approved at a regular Commissioners' business meeting on June 26 and the LOIs were accepted through August 13.
 - Celli-Flynn Brennan Architects & Planners of Pittsburgh, PA – did not provide an amount.
 - Crabtree Rohrbaugh & Associates of Mechanicsburg, PA – estimated 6% above cost.
 - EADS Group of Clarion, PA – estimated 6-7% above cost.
 - Glance & Associates of Pittsburgh, PA – estimated 5-20% above cost.
 - KTH Architects of Dubois, PA – estimated 7% above cost.
 - L R Kimball of Ebensburg, PA – estimated 7-8% above cost.
 - Stantec/Burt Hill Architecture & Engineering LLC of Butler, PA – did not provide an amount.
 - Struxures LLC of Seneca, PA – estimated 5% above cost.
 - Vitetta of Harrisburg, PA – estimated 7% above cost.

Discussion: Commissioner Campbell stated "We will be reviewing them and selecting which companies will be presenting a 30-minute presentation before we decide to award the project."

Kelsey Huebert of C-93 asked, "Were you expecting a dollar amount?" Chief Clerk Keller stated "due to the nature of the letter, we do not expect comparable offers as we were asking for plan proposals. This is not a traditional bid so there will be different types of services being offered. When we review the work, it will be based, not only on cost, but on the scope of services being offered."

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 Resolution number 14 of 2012 as presented, the motion passed.

- 2) Approval of Resolution No. 14 of 2012, To Abolish the Office of Jury Commissioner. On December 15, 2011, Governor Corbett signed House Bill 166 into law as Act 108, which authorizes the governing body of any county in Pennsylvania, except first and second class counties, to abolish the Office of Jury Commissioner. Adopted: August 14, 2012.



COUNTY OF CLARION, PENNSYLVANIA

RESOLUTION NUMBER 14 OF 2012

To Abolish the Office of Jury Commissioner

WHEREAS, the General Assembly of Pennsylvania approved House Bill 1644, and on December 15, 2011, Governor Tom Corbett signed House Bill 1644 into law as Act 108, a statute that amends the County Code to authorize the governing body of any county in Pennsylvania except counties of the first and second class to abolish the office of Jury Commissioner; and

WHEREAS, the Clarion County Commissioners have met with the President Judge of the Court of Common Pleas of Clarion County to discuss the practical ramifications of abolishing the office of Jury commissioner and how the jury selection process would be handled if such office were to be abolished; and

WHEREAS, the Board of Commissioners and the President Judge are in agreement that the Clarion County Court Administrator's Office is capable and willing to assume all responsibilities currently handled by the elected Jury Commissioners, with no detriment to the jury selection process and no inconvenience to the Court; and

WHEREAS, the Board of Commissioners of the County of Clarion has reviewed the procedures in effect within the County to ensure that lists of potential jurors are a representative cross-section of the community.

NOW, THEREFORE, BE IT RESOLVED THAT WE, the Commissioners of Clarion County, in accordance with Act 108 of 2011, do hereby abolish the Office of Jury Commissioners in Clarion County at the completion of the term of office on December 31, 2013.

Clarion County Board of Commissioners


Wayne R. Brosius

ATTEST:


G. Butch Campbell


Anjanette M. Keller/
Chief Clerk, County Administrator


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 request to purchase three transportation vehicles as presented, the motion passed.

- 3) Approval of the purchase of three transportation vehicles, one seven-passenger minivan and two 12-passenger busses, which will replace vehicles that have outlived their usefulness to the County. PennDOT approved the use of \$175,000 from the FFY 11-12 funds to purchase these vehicles, which are to be purchased through the State DGS contract from Rohrer Bus of Duncannon, PA.

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 renewal as presented, the motion passed.

- 4) Approval of a contract renewal between the Office of Children and Youth Services and Big Brothers Big Sisters of Venango, Forest, & Clarion Counties for youth mentoring services. This contract was first presented and tabled at the regular Commissioners' business meeting on July 11, 2012. Term: July 1, 2012 to June 30, 2013. Cost: \$15,000/yr. County Match: \$3,000/yr.

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 between the Clarion County Commissioners and Stephanie R. Hager, Esquire, to be appointed as outside counsel to represent indigent criminal defendants in post conviction proceedings in which the Clarion County Public Defender has a conflict of interest. Effective: August 1, 2012. Cost: \$416.66/monthly retainer; \$50/hour for Appellate Court proceedings upon the denial of post conviction relief act, and only if the defendant requests an appeal be made.

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.

- 6) Approval of a new contract between the Clarion County Commissioners and Stephanie R. Hager, Esquire, to be outside counsel appointed to represent juvenile criminal defendants in criminal proceedings. Effective: August 1, 2012. Cost: \$1,850/monthly retainer; \$50/hour for Appellate Court proceedings upon the denial of post conviction relief act, and only if the defendant requests an appeal be made.

Discussion: Commissioner Campbell stated “contracts for items No. 5 and No. 6 are not a new service; these are just replacing other offices that decided not to renew their contracts.”

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.

- 7) Approval of a new contract between the Clarion County Office of Mental Health and Developmental Disabilities Administration and The Arc of Clarion and Venango Counties for Drop-In services for mental health consumers. Term: July 1, 2012, to June 30, 2013. Cost: \$30,000/yr. County Match: \$3,000/yr.

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 addendum as presented, the motion passed.

- 8) Approval of an addendum to the lease agreement between Clarion County Commissioners and D.R. Enterprises, Inc., of Templeton, PA., for the office of the Public Defender located at 16 Grant Street, Clarion, PA. The lease was first entered into on April 12, 2007, and expired July 31, 2012. Term: Month-to-month basis. Effective: August 1, 2012. Cost: \$675/month.

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 addendum as presented, the motion passed.

- 9) Approval of addendum 2012/2013 to the lease agreement between Clarion County Commissioners and Services Access & Management (SAMs,) Inc., of Reading, PA., for the rent of office space at 214 South 7th Avenue, Clarion, PA. This addendum is a yearly agreement to the contract first approved on May 12, 2009. Term: July 1, 2012, to June 30, 2013. Rent: \$11,508/month.

Discussion: Commissioner Brosius stated “This amount is based on actual cost to the county that is calculated by our accounting office.”

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 RASA grant application as presented, the motion passed.

- 10) Approval of the 2013-2014 Victims Rights and Service (RASA) Grant for the Clarion County District Attorney’s office. The grant helps maintain the position of Victim/Witness Coordinator. Term: January 1, 2013, to December 31, 2014. Requesting Grant Amount: \$27,644.

Discussion: Commissioner Campbell asked, “This is a yearly grant?” Kay Rupert answered, “Yes.”

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 VOJO grant application as presented, the motion passed.

- 11) Approval of the 2012 Victim of Juvenile Offender Grant (VOJO) for the Clarion County District Attorney’s office. This grant allocates funds to help maintain the position of Juvenile Victim/Witness Coordinator. Project period: July 1, 2012, to December 31, 2012. Requesting Grant Amount: \$4,895.

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 exonerations as presented, the motion passed.

12) Approval for exoneration requests of the \$5.00 Clarion County Per Capita Tax for the year 2012 for three tax payers in Madison Township.

Discussion: Commissioner Brosius stated, "These requests came from people that have extenuating circumstances."

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 proclamations as presented, the motion passed.

13) Approval of the Proclamations for the month of September:

- National Preparedness Month, September 2012 – which creates an important reminder for every resident of Clarion County to prepare their homes, businesses, and communities for any type of emergency, including natural disasters and potential terrorist attacks.

PROCLAMATION

National Preparedness Month, September 2012

WHEREAS, "National Preparedness Month" creates an important opportunity for every resident of Clarion County to prepare their homes, businesses, and communities for any type of emergency including natural disasters and potential terrorist attacks; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency's *Ready* Campaign, Citizen Corps and other federal, state, local, tribal, territorial, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, emergency preparedness is the responsibility of every citizen of Clarion County and all citizens are urged to make preparedness as a priority and work together, as a team, to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

WHEREAS, all citizens of Clarion County are encouraged to participate in citizen preparedness activities and asked to review the *Ready* campaign's website at Ready.gov And become more prepared.

THEREFORE, BE RESOLVED, that the Clarion County Board of Commissioners hereby proclaims September, 2012 as National Preparedness Month, and encourages all citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared society.

DATED this 14th day of August, 2012

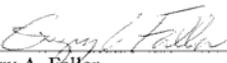
Clarion County Board of Commissioners


Wayne R. Brosius - Chairman

ATTEST:


G. Butch Campbell


Anjanette M. Keller
Chief Clerk/ County Administrator


Gregory A. Faller

- Foodstock Month in Clarion County, September 2012 – Sponsored by the Clarion County Community Bank in preparation for this year’s food collection drive for the county’s food pantries and food banks.

PROCLAMATION

WHEREAS, The Clarion County Community Bank has established “Foodstock 2012” in preparation for this year’s food collection drive for the County’s Food Pantries and Food Banks; and,

WHEREAS, During these difficult economic times, there is a much greater need this year for larger stockpiles of food to assist those in our county with the basic need for food; and,

WHEREAS, The high cost of other necessities, those facing layoffs, or who have been laid off, cut-backs, unemployment benefits being exhausted, and the lack of state funds to provide for crucial human services programs, brings us all to the reality that we need to do what we can to assist our Clarion County neighbors; and,

WHEREAS, By sharing a non-perishable, non-expired food item or items, this show of compassion for those in need will fill the gap for those families needing to provide enough food to satisfy their basic needs.

WHEREAS, Collection will take place through businesses, organizations and churches throughout the month of September culminating in a massive drive during the entire 9 days of Autumn Leaf Festival.

**NOW, THEREFORE, BE IT RESOLVED ON THIS 14TH DAY OF AUGUST, 2012,
THE CLARION COUNTY BOARD OF COMMISSIONERS,
DO HEREBY PROCLAIM**

**THE MONTH OF SEPTEMBER, 2012
AS
FOODSTOCK MONTH IN CLARION COUNTY**

AND THAT BY CONTRIBUTING TO THE CAUSE DURING ALF WEEK AND THE
ENTIRE MONTH OF SEPTENBR WE WILL BE SUPPORTING THE ACTION
AGAINST HUNGER IN OUR CLARION COUNTY COMMUNITY.

Clarion County Commissioners

Wayne R. Brosius
Wayne R. Brosius

G. Butch Campbell
G. Butch Campbell

Gregory A. Faller
Gregory A. Faller

Attest:

Anjanette M. Keller
Anjanette M. Keller
Chief Clerk, County Administrator

8/14/2012.

On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the request submitted for September 11, the motion passed.

- 14) Approval of the request submitted by Don Montgomery, on behalf of VFW Post 2145, to use Memorial Park and the gazebo for Patriot’s Day Services on Tuesday, September 11, 2012, from 4 p.m. to 8 p.m.

On a motion made by Commissioner Campbell and second by Commissioner Faller to approve the request for Autumn Leaf Festival as presented, the motion passed.

- 15) Approval of the request submitted by Tracy Becker, on behalf of Farmers National Bank Autumn Leaf Festival:
- a) To place picnic tables in Memorial Park, and on the western lawn of the courthouse from Monday, September 24, through Friday, October 12, 2012.

- b) Use of Memorial Park from Friday, September 28, through Sunday, October 7, 2012, for food concessions and the amusement company, with appropriate distance from the monuments.
- c) Use of employee parking lot next to the courthouse from 5 p.m. Friday, September 28, through Sunday, October 7, 2012, for the amusement company.
- d) Use of basement electric power source from the courthouse to an electric panel box in the chamber sign area.
- e) Use of the western side of the courthouse lawn for food concession tents or trailers, sponsor tents or tables and picnic tables. There will be no food concessions in the middle of Memorial Park.
- f) Use of the sidewalk area in front of the courthouse for food concessions.
- g) Use of the courthouse outside water hook-ups for food concessions placed on the courthouse side (north) of Main Street.
- h) Use of the courthouse entrance sidewalk from the courthouse main entrance steps to the Main Street sidewalk for Cultural Nights for Monday, October 1, from 6 p.m. until 11 p.m.; Tuesday, October 2, from 6 p.m. until 11 p.m.; Wednesday, October 3, from 5:30 p.m. until 11 p.m. (if scheduled, Karaoke Night is from 8:30 p.m. until 10 p.m.); Thursday, October 4, from 6 p.m. until 11 p.m.
- i) Use of the courthouse entrance sidewalk from the courthouse main entrance steps to the Main Street sidewalk for the “NoMAD” concert on Friday, October 5, from 6 p.m. until 11 p.m.
- j) Use of the courthouse entrance sidewalk from the courthouse main entrance steps to the Main Street sidewalk for the post Tournament of Leaves parade concert from 3 p.m. until 10 p.m. on Saturday, October 6.
- k) Find a suitable location for the courthouse dumpster so as not to interfere with the business of the county and to provide a positive impact on the overall appearance of the amusement company. The chamber will have the garbage service provider, Veolia Environment Services, to collect the waste from the county dumpster as part of their nightly service. (To be coordinated with Bob Smith.)

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

16) Approval of the General Fund bills which include all expenditures over \$300; dated, July 20 through August 9, 2012, totaling \$1,280,129.86.

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 budget transfers as presented, the motion passed.

17) Approval of the budget transfers for the dates of July 20 to August 10, 2012, totaling \$11,872.70.

JULY 20 TO AUGUST 10, 2012			
CLARION COUNTY			
BUDGET TRANSFERS			
DEPARTMENT	FROM	TO	TOTAL
DOMESTIC RELATIONS	COURT/LEGAL FEES	PROFESSIONAL SERVICES	\$4,500.00
HUMAN SERVICES	WAGES	INDIRECT COSTS	\$5,000.00
ELECTIONS	DUES	TRAVEL	\$50.00
ELECTIONS	DUES	TRAVEL	\$72.70
HUMAN RESOURCES	PROFESSIONAL SERVICES	ADVERTISING	\$950.00
HUMAN SERVICES	DUES	TELEPHONE	\$200.00
DISTRICT ATTORNEY	WITNESSES	MATERIALS & SUPPLIES	\$600.00
DISTRICT ATTORNEY	DRUG TESTING	WITNESSES	\$500.00
TOTAL			\$11,872.70

Roll Call Vote:

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

Other Business:

At this time, Commissioner Campbell presented one item for other business.

18) Approval of a letter seeking fund assistance from West Penn Power Sustainable Energy Fund through SEDA-COG's Energy Resource Center for a utility bill analysis.

Discussion: Commissioner Campbell explained the funds offered will assist the county with cost associated with a utility bill analysis for electric, heat and water accounts. All the county needs to do is provide 24 months of utility consumption and cost.

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

Public Questions and Answer Period:

Steve Allison commended the Commissioners on the amounts of bids they had received for the Courthouse renovations. Allison also commented on business item No. 3 and wanted to know if there was anything they could do about the amount of money about to be spent. Commissioner Campbell explained it was a state contract and the county is a pass through for the money. Rupert explained that the county doesn't have a choice when the state picks the provider. Allison also question the contracts for items No.5 and No.6, and if it was common to have a conflict of interest for the public defender. Commissioner Campbell stated that if there were multiple defendants in one case then the public defender would have a conflict.

Scott Seeley, of the Clarion Newspaper, asked if there was a reason for such a high amount on item No.9. Commissioner Campbell explained that the location is 22,000 sq. ft. and that is the actual cost of maintaining the building. Commissioner Brosius explained the amount approved was not income for the county but merely the actual cost of maintaining the building through cost analysis for a fiscal year, then the amount is divided up depending on the amount of square footage being used.

Huebert, of the C-93 asked Commissioner Faller if he was the only Jury Commissioner and Commissioner Faller explained, "there are two jury commissioners, the other being Naomi Summerville, who is ready to retire."

Adjournment: On a motion made by Commissioner Faller and second by Commissioner Campbell to adjourn at 9:52 a.m., the motion passed.