

January 3, 2008

McKean County Commissioners in special session assembled on Thursday, January 3, 2008 at 12:00 Noon at the 911 Center, 17175 Route 6, Smethport, Pa. 16749. Present were Commissioners Clifford Lane and John Egbert, County Administrator, Michele Alfieri-Causar, Chief Clerk, Audrey Irons. Also present were Heidi Boser and George Petrisek.

The meeting was called to order by Mr. Lane, followed by the Pledge of Allegiance and a moment of silence.

Moved by Mr. Egbert, seconded by Mr. Lane, to approve the minutes of the December 18, 2007 meeting.

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays. Carried.

Mr. Lane – Opened the meeting for public comment.

No public comment.

Moved by Mr. Egbert, seconded by Mr. Lane, to approve payment of the following invoices.

1. Foster Township - \$11,098.00 – representing payment for their completed Liquid Fuel Project for the year 2007 – Liquid Fuel Fund.
2. Liberty Township - \$9,284.00 – representing payment for their completed Liquid Fuel Project for the year 2007 – Liquid Fuel Fund.

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays. Carried.

Moved by Mr. Egbert, seconded by Mr. Lane, to adopt the following resolution.

RESOLUTION 1 OF 2008

A RESOLUTION AUTHORIZING McKEAN COUNTY TO ENTER INTO AGREEMENTS WITH VARIOUS SERVICE PROVIDERS FOR THE McKEAN COUNTY DEPARTMENT OF HUMAN SERVICES

WHEREAS, one of the main functions of County government is to provide services and support to residents of the County in need; and

WHEREAS, the McKean County Department of Human Services oversees the provision of services on behalf of McKean County to the residents of the County

including, but not limited to, MH/MR services, services to dependent and neglected children, drug and alcohol services, foster care, residential treatment and independent living assistance by way of example; and

WHEREAS, numerous entities provide the various needed services to county residents; and

WHEREAS, the Board of Commissioners is desirous of reducing to writing the agreements with each service provider.

NOW THEREFORE, this 3rd day of January 2008, it is hereby **RESOLVED** and enacted as follows:

1. That the Board of Commissioners is hereby authorized to enter into Agreements with all of the providers listed on Exhibit "A" attached hereto, and adopted by reference herein.
2. That any two members of the County Board of Commissioners, are hereby authorized and directed on behalf of the County, (i) to execute and deliver such an Agreement, and (ii) to execute and deliver such additional instruments, and to take such further actions as may be necessary or appropriate to carry forth the Agreement and the transactions to be effected under the Agreement.

McKean County Visiting Nurses Association
20 School Street
Bradford, Pa. 16701

The Guidance Center
Prevention Projects at the McKean County Family Centers
110 Campus Drive
Bradford, Pa. 16701

EXHIBIT "A"

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays.
Carried.

Moved by Mr. Egbert, seconded by Mr. Lane, to adopt the following resolution.

RESOLUTION 2 OF 2008

WHEREAS, the Congress of the United States passed the “Secure Rural Schools and Community Self-Determination Act of 2000,” PL 106-393 which offered counties funds in place of revenues that are lost due to the federal ownership of land in the respective counties of states; and

WHEREAS, the stated purposes of PL 106 are to stabilize payments to counties to provide funding for schools and roads that supplements other available funds, to make additional investments in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality; and

WHEREAS, Title III of said Act limits the expenditure by the counties of said funds to the following categories (1) Search, rescue and emergency services on federal lands; (2) Community service work camps on federal lands; (3) Easement purchases (access or conservation); (4) Forest-related after-school educational opportunities; (5) Fire prevention and county wildfire planning; (6) Community forestry; and

WHEREAS, as required by PL 106-393 the Board of Commissioners gave the public a forty-five day period for comment on its proposed Title III projects; and

WHEREAS, McKean County has approximately \$274,540.54 including interest as of October 31, 2007 in its Title III Project Special Fund Account, and which the Board of Commissioners is desirous of distributing said Title III funding pursuant to the published plan of disbursement.

NOW THEREFORE, this 3rd day of January, 2008, it is hereby **RESOLVED** and enacted as follows:

That the funds received by McKean County from the Federal Government as part of the Secure Rural Schools and Community Self-Determination Act of 2000 shall be awarded to the following proposed projects approved by the Board of Commissioners as follows:

1. To the McKean County Sheriff’s Department Dive and Rescue Team the amount of \$1,500.00 for housing and improvements; \$6,529.00 for communications and other equipment; \$15,925.00 for personal protection equipment; \$5,000.00 for vehicles and maintenance; \$5,000.00 for training; \$2,100.00 to reimburse McKean County for Worker’s Compensation insurance costs for team members and \$808.00 to reimburse McKean County for vehicle insurance, for a total of \$36,862.00;
2. To the Allegheny National Forest Vacation Bureau the amount of \$50,000.00 for ongoing efforts towards developing a new welcome/discovery center, and \$24,945.00 for the creation and operation of an Interactive-Educational Visual

Interpretation of the Allegheny National Forest using the internet, for a total of \$74,945.00;

3. To the Forest Resources Education Program sponsored by the Penn State Extension Office the final installment of a three year commitment in the amount of \$60,690.00;
4. To the Forestry Education Center, the final installment of a three year commitment in the amount of \$15,000.00 towards a multi-county regional Forestry Education School Center'
5. To the Corydon Township Volunteer Fire Department for search and rescue and water rescue equipment the amount of \$6,309.19; for rope rescue equipment in the amount of \$7,376.48, for Communication and EMS equipment in the amount of \$6,789.85; for Vehicle Numbers on Roofs in the amount of \$375.00; for a total amount of \$20,850.52;
6. To the Kinzua Valley Trails Club the amount of \$50,000.00 to assist in the purchase of the fully improved three mile trail easement, Thundershower Run to Markham from Forest Investment and;
7. The balance remaining in the Title III funds after all distributions above have been made shall also be applied to the request from the Kinzua Valley Trails Club, said balance as of November 13, 2007 being approximately \$16,193.02.

Ms. Alfieri-Causar – Commented that the amounts awarded in the resolution were the same as were published in the legal notice. We did not receive any public comment during the 45 day comment period.

Mr. Petrisek – The McKean County Sheriff's Department Dive and Rescue Team – is that part of the Sheriff's Department?

Mr. Egbert – It is a volunteer dive and rescue team that the Commissioners support through the Title III Funds.

Mr. Petrisek – It is officially authorized by the county?

Mr. Egbert – To the best of my knowledge it is.

Mr. Lane – And they provide dive and rescue support to the Allegheny Reservoir and that is why they qualify.

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays. Carried.

Moved by Mr. Egbert, seconded by Mr. Lane, to adopt the following resolution.

RESOLUTION 3 OF 2008

A RESOLUTION CREATING THE McKEAN COUNTY CRIMINAL JUSTICE
ADVISORY BOARD

WHEREAS, McKean County, like many other counties throughout the Commonwealth, is struggling with prison overcrowding and the effective use of limited resources; and

WHEREAS, the McKean County Board of Commissioners is desirous of delivering criminal justice programs for the betterment of the County and the Board recognizes the benefit of receiving input from various service providers and participants within the criminal justice system; and

WHEREAS, the Board of Commissioners desires to create a Criminal Justice Advisory Board to examine and address community criminal justice issues and to recommend ways in which key stakeholders can efficiently, effectively, and collaboratively deliver criminal justice programs through those communities encompassed by McKean County; and

WHEREAS, a number of individuals from throughout McKean County have agreed to serve on such a board, and an organization informational meeting has already been held; and

WHEREAS, the McKean County Board of Commissioners is desirous of formally creating the McKean County Criminal Justice Advisory Board (CJAB).

NOW THEREFORE, this 3rd day of January 2008, it is hereby **RESOLVED** and enacted as follows:

1. The McKean County Criminal Justice Advisory Board (CJAB) is hereby created.
2. That CJAB membership is reserved for individuals with the authority and expertise to affect the delivery of community juvenile and criminal justice programs in McKean County.
3. That CJAB membership shall be comprised of, but not limited to representatives from the following *core group* of stakeholders in the community justice system:

Assistant Administrator, Human Services
Chief of Probation
Court Administrator
County Commissioner

Magisterial District Judge
2 Police Chiefs
Public Defender
Prison Warden

County IT Director
Director of Domestic Relations
Director of Emergency Services
District Attorney

Prothonotary/Clerk of Courts
Sheriff
Victim Witness Coordinator
Local public and/or non-profit
human assistance and services
organizations

4. The CJAB is empowered to make recommendations to key stakeholders, including but not limited to, the McKean County Prison Board regarding the community juvenile and criminal justice system.

Mr. Lane – This is just a continuation of what we are doing with the prison board.

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays.
Carried.

Moved by Mr. Egbert, seconded by Mr. Lane, to adopt the following resolution.

RESOLUTION 4 OF 2008

A RESOLUTION ESTABLISHING THE SALARY FOR NON-BARGAINING UNIT COUNTY EMPLOYEES FOR THE YEAR 2008

WHEREAS, the Board of Commissioners desires to provide a cost of living increase in salary to all non-bargaining unit county employees; and

WHEREAS, the Board of Commissioners provided for a cost of living increase in the amount of two per cent (2%) within the 2008 county budget; and

WHEREAS, McKean County has adopted a formal pay structure in that all non-union positions were evaluated and market priced with each position being assigned a grade; and

WHEREAS, McKean County has also adopted a performance evaluation process on which all department heads/elected officials received training on how to perform individual performance evaluations on staff members; and

WHEREAS, all non-union employees were made aware of the new evaluation process being put into place; and

WHEREAS, all non-union employees who received a performance evaluation from their superior are then eligible to receive an increase over and above the cost of living increase based upon the performance scores submitted by their supervisor; and

WHEREAS, department heads/elected officials were given approximately two (2) months to complete the evaluations on their staff; and

WHEREAS, the results submitted to the Human Resources Department by each department head/elected official have been placed within the appropriate merit compensation matrix to determine in a uniform way, the amount of such increase to be awarded to eligible employees.

WHEREAS, an additional one per cent (1%) was allowed for in the budget for additional merit pay increases; and

NOW THEREFORE, this 3rd day of January 2008, it is hereby **RESOLVED** and enacted as follows:

1. That effective January 1, 2008, all non-bargaining unit employees shall receive a cost of living increase in the amount of two per cent (2%)
2. That effective January 1, 2008, the employees listed on the spreadsheet attached hereto as Exhibit "A" (see complete resolution on file in the Commissioners Office for Exhibit "A") shall receive the additional merit pay increases as set forth therein.
3. Any non-union employee who is not listed on Exhibit "A" will receive only the two per cent (2%) cost of living increase.
4. That pursuant to collective bargaining agreements, all employees who fall under the Commissioner's Residual unit and the 911 Unit shall receive an increase of two per cent (2%) based upon the appropriate Consumer Price Index under the contract.
5. All employees who fall under the collective bargaining unit at the Prison will receive an increase of three per cent (3%).

Mr. Petrisek – Is this different from what you have done in the past?

Mr. Egbert – It is a little more complicated this year than it has been in the past. It is not cut and dried – not everybody gets the same increase.

Ms. Alfieri-Causar – All non-union employees are getting a two per cent (2%) cost of living increase and then as a result of the wage & salary study that we did where all the positions were evaluated and market priced and job descriptions were written and placed on a grid and each job had a grade and pay scale – that was the precursor for doing the second part of what is happening here which is over and above the cost of living increase – there is an additional merit pay increase available depending on the employees performance evaluations – all the elected officials and department heads were given training on how to do employee performance appraisals – they were given two months to get them done and once those appraisal results were turned into the Human Resources Department the numbers that they came up were applied to the grid that was prepared for

us by J. L. Nick to determine what additional salary increase if any they get based on their performance evaluation and attached to the resolution is a spreadsheet that indicates the percentage increase that each employee will receive. Their total percentage increase ranges from two and a half per cent (2 ½ %) to four per cent (4%).

Mr. Petrisek – Did all the non union employees get a merit increase?

Ms. Alfieri-Causar – Their were some Row Officers that did not provide Human Resources with any performance evaluation on their employees so therefore those employees will only receive an increase of two per cent (2%).

Mr. Lane – If you look at the bottom of the 2nd page of “Exhibit A”, it states which offices did not provide the performance evaluations and it also lists the increase that the union employees will receive that was negotiated.

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays. Carried.

Moved by Mr. Egbert, seconded by Mr. Lane, to adopt the following resolution.

RESOLUTION 5 OF 2008

A RESOLUTION CREATING AN OPERATING RESERVE FUND AND AUTHORIZING THE ENTRY INTO A CUSTODY AGREEMENT WITH NORTHWEST SAVINGS BANK AND AN INVESTMENT MANAGEMENT AGREEMENT WITH MANNING & NAPIER ADVISORS, INC.

WHEREAS, the McKean County Board of Commissioners continues to seek means of more efficiently managing the County’s funds; and

WHEREAS, in accordance with that purpose, the Board of Commissioners has elected to create an Operating Reserve Fund Account with (1) the county’s one-half of the proceeds from the McKean County Solid Waste Authority’s Closing Account which had been maintained at Hamlin Bank & Trust, the county’s share being \$187,405.16; and (2) the \$129,780.00 refund from Benecon Benefits and Consulting Group as a result of the county’s successful self-insurance program; and (3) an amount sufficient to bring the account total to \$900,000.00 from an amount which is to be transferred to McKean County by the McKean County Solid Waste Authority (SWA) on or about January 23, 2008 as a result of the agreement between the SWA and the County which was adopted by the Court as an Order; and

WHEREAS, Northwest Savings Bank has agreed to serve as the custodian of the funds of said account and Manning & Napier Advisors, Inc. has agreed to provide investment expertise and management services of the assets in said account; and

WHEREAS, 16 P.S. §1748.3 (the County Code) provides that the county commissioners shall have the power to create and maintain a separate operating reserve fund in order to minimize future revenue shortfalls and deficits, provide greater continuity and predictability in the funding of vital government services, minimize the need to increase taxes to balance the budget in times of fiscal distress, provide the capacity to undertake long-range financial planning and develop fiscal resources to meet long-term needs; and

WHEREAS, as a result of sound fiscal practices, McKean County is for the first time in a position to create such a fund and the Board of Commissioners is desirous of doing so.

NOW THEREFORE, this 3rd day of January 2008, it is hereby **RESOLVED** and enacted as follows:

1. Pursuant to 16 P.S. §1784.3 an Operating Reserve Fund is hereby created.
2. That the McKean County Treasurer is hereby directed and authorized to open an account at Northwest Savings Bank entitled Operating Reserve Fund with the said Northwest Savings Bank being the custodian of the account, and further that the principal of said account shall be managed by Manning and Napier, Inc.
3. That the initial deposit to open said account shall be with the county's one-half of the proceeds from the McKean County Solid Waste Authority's Closing Account which had been maintained at Hamlin Bank & Trust, the county's share being \$187,405.16 and the \$129,780.00 refund from Benecon Benefits and Consulting Group as a result of the county's successful self-insurance program, making the opening deposit \$317,185.16.
4. That upon receipt of the approximately \$1,500,000.00 which is to be transferred to McKean County by the McKean County Solid Waste Authority (SWA) on or about January 23, 2008 as a result of the agreement between the SWA and the County and subsequent Court Order, approximately \$582,815.00, shall also be deposited into said account. However, only such amount from this receipt shall be transferred to the Operating Reserve Fund as to result in the balance of the account being \$900,000.00 or 10% of the General Fund Reserve which ever is greater and in compliance with the statute.

Mr. Egbert – Mentioned that Section 1784.3 in the county code explains about creating this fund and how you can spend the funds.

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays. Carried.

Mr. Lane – Opened the meeting for public comment.

Mr. Petrisek – Can you give some examples of what kind of expenditures you can use the operating reserve fund to pay?

Ms. Alfieri-Causar – There are all kinds of things you can use it for, but you have to do it by resolution at a public meeting.

Mr. Egbert – For example, you could use it for a budget shortfall, but you have to take action at a public meeting as to how much you are taking and for what reason.

Mr. Petrisek – Why are you creating this fund?

Mr. Lane – We have excess money at this point and by creating this fund it allows for up and down shortfalls in the general fund where we can take money from this fund to be able to pay our vendors or we can use it for unexpected expenditures like a murder trial.

Mr. Petrisek – Like a contingency fund?

Mr. Lane – That is exactly what it is.

Mr. Petrisek – If you take money out of the fund, does it have to be paid back?

Ms. Alfieri-Causar – It can be refunded if the money is available. It is something they will have to look at each year. Hopefully, it will be.

Mr. Egbert – The county is in good shape now to allow us to do this and still have a reserve.

Ms. Alfieri-Causar – It also protects the money by putting it in the reserve fund instead of putting it into the general fund where it would be eaten up to pay general operating expenses – this way they have to stop and think about how they are going to spend the money.

Moved by Mr. Egbert, seconded by Mr. Lane, to adjourn the meeting.

Vote on the above resolution, Lane – yes. Egbert – yes. Two – yeas. No – nays. Carried.

Chief Clerk