

January 7, 2008

McKean County Commissioners in special session assembled on Monday, January 7, 2008 at 10:00 AM in the Commissioners meeting room, 500 West Main Street, Smethport, Pa. Present were Commissioners Joseph DeMott, Al Pingie, and Judy Church, Chief Clerk, Audrey Irons. Also present were Dan Hartle, Heidi Boser, Mike Schreiber, and George Petrisek.

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

Moved by Mr. Pingie, seconded by Mrs. Church, to appoint Joseph DeMott as temporary Chairman for today's meeting.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to appoint Joseph DeMott as the Chairman of the Board of Commissioners for a four year period ending December 31, 2011.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mrs. Church, seconded by Mr. DeMott, to appoint Al Pingie as the Vice-Chairman of the Board of Commissioners for a four year period ending December 31, 2011.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mr. DeMott, to appoint Judy Church as the Secretary of the Board of Commissioners for a four year period ending December 31, 2011.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Mr. Pingie – Mentioned that it is a pleasure to be back as a Commissioner and is looking forward to working with all the employees and department heads and feels the next four years is going to be a lot of fun and a joy of working with Joe & Judy.

Mr. DeMott – Mentioned he is very encouraged with the discussios that they have had with various people and it will be a pleasure working with everyone. Also mentioned that

the minutes of the January 3, 2008 meeting haven't been prepared as yet, so they will deal with them at the next meeting.

Mr. DeMott – Opened the meeting for public comment.

No public comment.

Moved by Mr. Pingie, seconded by Mrs. Church, to appoint Dan Hartle as the County Solicitor for the Board of Commissioners/Election Board for a four year period ending December 31, 2011.

Vote on the above resolution, DeMott- yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, that notice is hereby given that the McKean County Commissioners, in their various capacities designated by law, will hold their regular meetings for the year 2008 in the Commissioners meeting room, 500 West Main Street, Smethport, Pa. at 10:00 AM on the fourth Tuesday of each month during the year 2008. Regularly scheduled meetings may be canceled by giving notice to the media and the public at the previous regularly scheduled meeting, or by giving public notice through the media and posting on the bulletin board in the Rotunda of the Courthouse. If any special meeting shall be called, publication of notice of said meeting shall be by local newspaper of general circulation at least twenty-four (24) hours in advance of said meeting; additionally, notice of same shall be posted at least twenty-four (24) hours in advance of said meeting on the bulletin board in the Rotunda of the Courthouse. Notice is also given that the McKean County Commissioners will hold their regular meetings for the Retirement Board at 1:00 PM, and their regular meetings for the Salary Board at 1:15 PM, on the first Tuesday of each month in the Commissioners meeting room. Notice is also given that the McKean County Prison Board will hold their regular meetings on the second Friday of every month at 11:00 AM in the Commissioners meeting room except for the March, June, September, and December meetings which will be held at the McKean County Prison. The January meeting has been changed to January 18, 2008 at 9:00 AM in the Commissioners meeting room. If any regularly scheduled meeting falls on a Holiday, then said meeting shall be held the following scheduled workday, unless Notice is otherwise given. Emergency meetings not requiring "Notice" under the Act shall be posted and published in advance if possible, and posted and published within (48) hours after the meeting is held. Notice is also given that the McKean County Commissioners will hold weekly public work sessions every Thursday at 10:00 AM in the Commissioners meeting room as necessary. This schedule shall remain posted on the bulletin board in the Rotunda of the McKean County Courthouse, in public view, for the remainder of the year 2008, in compliance with the aforementioned "Act."

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to adopt the following resolution.

RESOLUTION NO. 6 OF 2008

A RESOLUTION OF THE COUNTY OF McKEAN

WHEREAS, the Board of County Commissioners of the County of McKean is desirous of insuring the greatest possible access by its Citizens to the business and rightful concerns of said Citizens; and

WHEREAS, the Board of County Commissioners of the County of McKean is desirous of insuring that the orderly conduct of business at Meetings is accomplished in a manner consistent with the laws of the Commonwealth and the Constitution of the United States; and

WHEREAS, the Board of County Commissioners of the County of McKean has determined that to accomplish these ends it is necessary to have an established set of Rules and Regulations for the Conduct of Meetings and Order of Business;

NOW THEREFORE, BE IT RESOLVED that the following **RULES AND REGULATIONS FOR THE CONDUCT OF MEETINGS AND ORDER OF BUSINESS** are hereby adopted.

1. Roberts' Rules of Order shall apply, except where a specific rule to the contrary is prescribed.
2. All meetings, regular and special, shall be held in the Commissioners meeting room, 500 West Main Street, Smethport, Pa. unless "Notice" is given of a change of location in accordance with the provisions of the Act of 1998, Oct. 15, P. L. 729, No. 93, § 1, (65 Pa. C.S.A. §701 et seq) commonly known as the "Sunshine Act".
3. All "Official actions" and "deliberation", as defined by the "Act", shall take place at a meeting which is open to the Public unless subject to the exceptions set forth in § 707 of the "Act" relating to executive sessions.
4. The Order of Business shall be as set forth in the Model Agenda adopted by the Commissioners for the Conduct of Meetings.
5. The Board of Commissioners shall organize on the first Monday of each January which occurs every four years after the first Monday of January, 2008, at which time they shall elect a Chairman, a Vice Chairman and a Secretary.
6. Regular meetings shall be held on the fourth Tuesday of each month at 10:00 AM, during the calendar year.
7. Public work sessions will be held every Thursday at 10:00 AM in the Commissioners meeting room as necessary.

8. If any regularly scheduled meeting falls on a Holiday, then said meeting shall be held the following scheduled workday, unless "Notice" prescribed by the "Sunshine Act" is otherwise given.
9. If any special meeting shall be called, publication of notice of said meeting shall be by local newspaper of general circulation at least twenty-four (24) hours in advance of said meeting; additionally, notice of same shall be posted at least twenty-four (24) hours in advance of said meeting on the bulletin board in the Rotunda of the Courthouse.
10. Emergency meetings not requiring Notice under the "Act" shall be published as soon prior thereto as possible and within (48) hours after the meeting is held.
11. Regular meetings of the Retirement Board shall be held at 1:00 P.M. and regular meetings of the Salary Board shall be held at 1:15 P.M. the first Tuesday of every month in the Commissioners meeting room unless notice is given of a change of location. Regular meetings of the McKean County Prison Board shall be held at 11:00 A.M. on the second Friday of every month in the Commissioners meeting room except for the March, June, September, and December meetings which will be held at the McKean County Prison. If any regular scheduled meeting falls on a Holiday, then said meeting shall be held the following scheduled workday.
12. Regularly scheduled meetings may be canceled by (1) giving notice to the media and the public at the previous regularly scheduled meeting, or (2) by giving public notice through the media and posting on the bulletin board in the Rotunda of the Courthouse.
13. All "Official actions" and "deliberation", as defined by the "Act", shall take place at a meeting which is open to the Public unless subject to the exceptions set forth in § 707 of the "Act" relating to executive sessions.
14. All official documents and instruments shall be executed in the name of the County by the three County Commissioners; the Official Seal shall be affixed, and the Chief Clerk shall attest thereto.
15. A quorum for the conduct of business shall consist of two members.
16. All members present shall vote on every question, either Yes, No or Abstain.
17. The Chief Clerk, or in her absence the Director of Voter Registration/Elections, shall keep the record of the proceedings at all meetings held by the County Commissioners.

18. Written Minutes shall be kept of all open meetings and shall include: (1) the date, time and place of the meeting;(2) the names of members present; (3) the substance of all official actions and a record by individual member of the roll call votes taken; (4) the names of all citizens who appeared officially and the subject of their testimony.
19. These Rules and Regulations shall apply to all meetings of the County Commissioners in all of the various capacities in which they are named under the Law.
20. These Rules and Regulations may be altered at a Regular Meeting or Special Meeting held in conformity with law, as required to comply with any of the provisions of the Act of 1955, August 9, P.L. 323 as amended, known as the "County Code"; the Act of 1957, P.L. 442 as amended, known as the "Right to Know Act"; and the Act of 1998, Oct. 15, P.L. 729, No. 93, § 1 known as the "Sunshine Act".
21. In order to insure the proper conduct of meetings and the maintenance of order, the Chairman may rule a person out of order who causes a public disturbance which disrupts the orderly conduct of the meeting or consistently and continuously raises issues which are not "comments on matters of concern, official action or deliberation which are or may be before the board." The Chairman, in the interest of preserving the time available to conduct the business of the Board, may limit the amount of time allocated to each individual who addresses the Board. The Chairman reserves the right to expel any individual who behaves in such manner as to, in the Chairman's opinion, disrupt the meeting and prevent the orderly conduct of business. This regulation shall be applied so as to preserve and not violate the intent of the Act of 1998, Oct. 15, P.L. 729, No. 93, § 1 known as the "Sunshine Act".
22. These Rules and Regulations shall be conspicuously posted and remain posted on the bulletin board in the Rotunda of the McKean County Courthouse until changed or amended.

This Resolution is hereby approved by the Board of County Commissioners of the County of McKean at a meeting of the Board of County Commissioners held on this 7th day of January, 2008 in lawful session assembled.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to designate the working hours for the courthouse from 8:30 AM to 4:30 PM.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mrs. Church, seconded by Mr. Pingie, to appoint Joe DeMott to serve on the Bradford Regional Airport Authority for a five year term.

Mr. DeMott – Mentioned that Clifford Lane was reappointed to the Bradford Regional Airport Authority for a five year term at the December 18, 2007 Commissioner’s meeting by the previous Commissioners and as the current Commissioners we concur with that reappointment – we appreciate Cliff’s years of experience on the Authority, but we also feel we should have a sitting Commissioner on that board as well.

George Petrisek – Does that mean that Cliff will still be on that authority as well as Joe?

Mr. DeMott – He will still be on the board, but there were two vacancies for representatives from McKean County. I will be the sitting Commissioner on the authority and Cliff will be a representative from the general public.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mrs. Church, seconded by Mr. DeMott, to appoint Al Pingie to serve on the McKean County Conservation District for a one year term.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to appoint the following individuals to serve on the North Central Pa. Regional Planning and Development Commission’s full Board of Directors for a one year term.

Joe DeMott	Commissioner Representative
Al Pingie	Commissioner Representative
Tim Yohe	Municipal Elected Official Representative
Dr. Livingston Alexander	Education/Workforce Development Representative

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to reappoint the following individuals to serve on the North Central Pa. Regional Planning and Development Commission’s full Board of Directors for a one year term.

Debbie Lunden	Planning Representative
Robert Esch	Industry Representative

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to appoint Joe DeMott to serve on the North Central Pa. Regional Planning and Development Commission’s Executive Committee as the Commissioner’s Representative for a one year term.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mrs. Church, seconded by Mr. Pingie, to reappoint Robert Esch to serve on the North Central Pa. Regional Planning and Development Commission’s Executive Committee as an Industry Representative for a one year term.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mr. DeMott, to appoint Judy Church to serve on the Office of Human Services Board as a Commissioner Representative for a one year term.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to reappoint the following individuals to serve on the Headwaters Resource Conservation Development Council for a one year term.

Debbie Lunden	Planning Representative
James Clark	Commissioner’s Representative

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to reappoint Charlotte Chew-Sturm to serve on the Office of Human Services Board as a Commissioner’s Representative for a one year term.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to re-open the county budget that was adopted on December 18, 2007.

It was noted that any changes to the budget would have to be made available for public inspection for 10 days prior to readopting the budget and the budget has to be readopted on or before February 15, 2008.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mrs. Church, seconded by Mr. Pingie, to terminate the agreement between J. L. Nick Associates, Inc. and McKean County effective of today's date giving them a 90 day written notice of the cancellation of their contract.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to abolish the County Administrator position for McKean County effective as of today's date, January 7, 2008.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Mr. DeMott – Opened the meeting for public comment.

Mr. Petrisek – Re-opening the budget – do you have anything specific in mind?

Mr. DeMott – We are going to have to move around some funds such as funds that were budgeted for the county administrator's position. We need to reallocate those funds and by re-opening the budget it will give us an opportunity to take a hard look at the budget – we have nothing specific in mind or an agenda, but we want to have the freedom to do that, so this will give us a period of time to get into the job and to take a look at our operations and see where we need to make some financial changes, etc.

Mr. Petrisek – At this time are you planning on abolishing any other positions?

Mr. DeMott – Not that we could name this morning. We would want to discuss any changes in personnel with the people involved before taking any action and we are not in a position this morning to do anything along those lines.

Mr. Petrisek – What is the agreement with J. L. Nick?

Mr. DeMott – They are a consulting company that provides advice and assistance to our human resources department.

Mr. Petrisek – Are you abolishing the human resources department or just the consultant services?

Mr. DeMott – We are just opting out of the contract with J. L. Nick – there is a 90 day written cancellation clause in the contract. They were receiving \$4,000 a month through December of 2007 and their contract drops to \$3,500 a month this month, so we will be paying them \$3,500 a month for January through March of 2008.

Mr. Petrisek – So will there still be a Human Resources Department?

Mr. DeMott – I can't answer that question today. We are looking at a lot of things and we are not in a position this morning to make that decision.

Ms. Boser – Regarding the J. L. Nick contract – does this take effect today as far as them not being able to come in for 90 days or are you giving them 90 days to continue to provide us with their services?

Mr. DeMott – They will still be providing services for 90 days.

Moved by Mr. Pingie, seconded by Mrs. Church, to adjourn the meeting.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Chief Clerk