

October 28, 2008

McKean County Commissioners in regular session assembled on Tuesday, October 28, 2008 at 10:00 AM in the Commissioners meeting room. Present were Commissioners Joseph DeMott, Al Pingie, and Judy Church, Chief Clerk, Audrey Irons. Also present were Dan Hartle 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 approve the minutes of the September 23, 2008 meeting.

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

Mr. DeMott – Opened the meeting for public comment.

No public comment.

Moved by Mr. Pingie, seconded by Mrs. Church, to approve payment of the following invoices:

1. Corydon Township - \$1,327.00 – representing payment for their completed Liquid Fuel Project – Liquid Fuel Fund.
2. Sergeant Township - \$1,152.00 – representing payment for their completed Liquid Fuel Project – Liquid Fuel Fund.
3. YWCA - \$4,178.00 – representing the October payment for the Homeless Assistance Program they administer for the county – Grants Public Welfare Fund.
4. Area Transportation Authority - \$313,248.00 – representing the 2nd quarter advance payment for FY 2008-2009 for the Medical Assistance Transportation Program they administer for the county – Grants Public Welfare Fund.
5. Northwest Engineering - \$26,810.97 – representing payment for professional services rendered for the McKean County Bridge Inspection Program for the period ending October 21, 2008 – Liquid Fuel Fund.
6. Kane Borough - \$7,817.00 – representing payment for their completed Liquid Fuel Project for the year 2008 – Liquid Fuel Fund.
7. Liberty Township - \$9,272.00 – representing payment for their completed Liquid Fuel Project for the year 2008 – Liquid Fuel Fund.

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 approve the following real estate tax exemptions.

1. Grace Lutheran Church – 38 Pearl Street, Bradford, Pa. – property is currently used as a play area and is intended for future building expansion.
2. Grace Lutheran Church – 22 Pearl Street, Bradford, Pa. – property is currently used as a play area and is intended for future building expansion.
3. Grace Lutheran Church – 18 Pearl Street, Bradford, Pa. – property is currently used as a play area and is intended for future building expansion.

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 approve a LERTA exemption for the Bradford Economic Development Corporation for property at 195-225 Chestnut Street Extension, Bradford, Pa.

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 issue real estate tax refunds to the following:

1. Crown Atlantic Company, LLC - \$634.24 – their property was adjusted due to a court order.
2. Julie Raymo - \$52.39 – double assessment with another parcel.

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 approve a county aid application for Eldred Township in the amount of \$6,863.00 for the year 2008.

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 Steve Bell to the McKean County Housing Authority and the McKean County Redevelopment Authority to complete the unexpired term of Charles Bell on both authorities that will expire on November 30, 2012.

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 Kelly Okerlund to the North Central Workforce Investment Board effective October 1, 2008 through September 30, 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, to reappoint the following individuals to the North Central Workforce Investment Board.

David Cornelius – term effective 10-6-06 through 9-30-09

Jennifer Macey – term effective 10-1-06 through 9-30-09

James O’Mara – term effective 10-1-08 through 9-30-11

Sandra Romanowski – term effective 10-1-07 through 9-30-10

Paul Timbrook – term effective 10-1-08 through 9-30-11

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 accept an offer from David Ledwith for purchasing property from the McKean County Repository for unsold property formerly owned by Gary & Lois Smith for a vacant lot of .09 acres situated at C. Newton Road for the amount of \$250.00.

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 21 OF 2008

A RESOLUTION AWARDING THE DISTRIBUTION OF FUNDS UNDER THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000

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 \$265,734.24 including interest as of August 31, 2008 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 28th day of October, 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 \$33,765.00 for personal protective equipment, communication equipment, and 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 \$36,673.00;
2. To the Allegheny National Forest Vacation Bureau the amount of \$28,000.00 for their Trail Central Brand & Positioning Plan; \$20,000.00 for their Wildcatters & Oil Barons multi county educational tourism project to produce a hardcover illustrated history of the discover and production of oil, historic and modern photos with text; \$10,000.00 for their Driving Tour DVD-Educational tourism project to create a hybrid DVD & web site promotion of the region that includes theme based driving tours with history, heritage and natural sites to visit within the forest & surrounding area; \$11,525.48 for their Allegheny Outdoor Adventure Map & DVD-create, print and distribute 100,000 copies of a new adventure map-the Allegheny National Forest Outdoor Adventure map with companion promotional DVD; for a total of \$69,525.48;
3. To the Forest Resources Education Program sponsored by the Penn State Extension Office for continuation of their education program in the amount of \$60,690.00;
4. To the Corydon Township Volunteer Fire Department for fire and rescue equipment in the amount of \$16,901.76;

5. To McKean County Biodynamics, Inc. toward setting up a biodynamic teaching and demonstration plot for the benefit of forest and field application of their biodynamic preparation for the public in the amount of \$10,000.00;
6. To the 911 Center for upgrading the emergency paging system for McKean County in the amount of \$25,944.00;
7. To the McKean County Conservation District toward the salary of a Program Specialist for the McKean County Conservation District in the amount of \$26,000.00;
8. To the McKean County Historical Society for enhancing their wildlife display in the museum in the amount of \$20,000.00;
9. The balance remaining in the Title III funds after all distributions above have been made shall also be applied to the request from the Allegheny National Forest Vacation Bureau to use toward their Allegheny Outdoor Map & DVD project.

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 22 OF 2008

AUTHORIZATION TO PROCEED WITH SECURING A TAX REVENUE ANTICIPATION NOTE

WHEREAS, during the months of January and February of each year the County experiences a negative cash flow due to the fact that revenues from the upcoming year's real property assessment are not yet payable; and

WHEREAS, the Local Government Unit Debt Act recognizes this to be an annual occurrence and provides a procedure for the securing of a Tax Revenue Anticipation Note; and

WHEREAS, the Board of Commissioners desires to secure a Tax Revenue Anticipation Note in an amount not to exceed \$3.5 million dollars which pursuant to the Local Government Unit Debt Act will be repaid within the current fiscal year.

NOW THEREFORE, this 28th day of October, 2008, the Board of Commissioners of McKean County hereby **RESOLVES** and enacts as follows:

That the Board of Commissioners is authorized and directed to commence the procedures necessary to secure a Tax Revenue Anticipation Note for the 2009 fiscal year.

Mr. DeMott – I did talk to Nancy about the suggestion that one of the bankers made that we talked to recently that we should set the date for opening the bids as close to the end of the year as practical. In some of the past years the bids have been due around November 1, but because of the potential fluctuation in the market between November 1 and January 1 banks generally charge a higher interest rate to cover that uncertainty and so a suggestion was made that if the quotes were due in the middle of December we might get a more accurate or lower rate on the loan than if we asked for quotes earlier and we intend to do that.

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

George Petrisek – Do you have the money to pay the loan back this year?

Mr. DeMott – Yes, we do – that money is in a separate fund and it is fully funded.

Mr. Petrisek – When is the loan due?

Mr. DeMott – December 31, 2008.

Mr. Petrisek – And this loan is for the same amount as always?

Mr. DeMott – Yes, with this resolution we are authorizing to borrow not in excess of \$3,500,000 and the amount may be less – we have to look at our cash flow situation and the market and see how much we are going to borrow – this is what the county has been borrowing the last few years.

Moved by Mr. Pingie, seconded by Mrs. Church, to enter into an agreement with the County of Erie for part time pathologist services for the year 2008.

Mr. Hartle – Asked if the retainer of \$5,000 in the agreement is typical for this agreement?

Mrs. Irons – Yes, that is what we have been doing.

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 enter into service provider agreements with the following providers for the Department of Human Services.

Mary Buzard – Business Associate Agreement Addendum

Training Toward Self-Reliance (Contractual Agreement-MH/MR)

John Golden III (Letter of Agreement-MH/MR)

Project Point of Light (Letter of Understanding-MH)

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 enter into an agreement with Dave Kronenwetter for upgrading the electrical system at the 911 Center.

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 participate in the Secure Rural Schools Program for the year 2009 rather than accepting 25 % of the timber sales.

Mr. DeMott – Pointed out that the Forest Service did do an analysis for McKean County based on projected sales and prices and the county is significantly ahead in participating in the Secure Rural Schools Program rather than taking 25 % of the timber sales.

Mr. Petrisek – Haven't we been taking the 25 %?

Mr. DeMott – No, we have been in the Secure Rural Schools Program and that program was threatened because it wasn't originally in the federal budget this year and so we would have reverted back to the 25 % program, but they did pass it – it was actually part of the big economic bail out program so it is going to be in existence for next year. If we do nothing we will remain in the Secure Rural Schools Program, but they asked us to make the choice, but if we make no choice we would default to that rather than the 25 %.

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 23 OF 2008

2005 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REVISION

WHEREAS, the following 2005 Community Development Block Grant (CDBG) Program activities have been completed and have unexpended funds remaining:

2005 CDBG ACTIVITIES

**UNEXPENDED
BALANCES**

Foster Township Low to Moderate Income (LMI) Tap-In Fees	\$ 3,746.23
Hamlin Township Volunteer Fire Department (VFD) Turnout Gear	\$ 1,405.00
Hamlin Township VFD Self Contained Breathing Apparatus (SCBA) Equipment	\$ 124.00
Liberty Township Municipal Building Handicapped Accessible Restroom	\$ 404.46
Otto Township VFD High Band Radio Equipment	<u>\$ 6,879.25</u>
Total Unexpended 2005 CDBG Funds	\$12,558.94

WHEREAS, there is a total of \$12,558.94 of unexpended 2005 CDBG funds available to be reallocated to other activities, and

WHEREAS, the CDBG program requires that funds be expended in a timely manner, and

WHEREAS, it has been determined that the \$12,558.94 be used to assist with the 2007 CDBG Eldred Township Brush Fire Truck so that the funds can be expended, and

WHEREAS, a revision of the 2005 McKean County CDBG Program is necessary to undertake this change in the use of funds, and

NOW, THEREFORE, BE IT RESOLVED by the McKean County Commissioners to approve this revision of the 2005 McKean County CDBG Program.

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 24 OF 2008

**2006 COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM REVISION**

WHEREAS, the following 2006 Community Development Block Grant (CDBG) Program activities have been completed and have unexpended funds remaining:

2006 CDBG ACTIVITIES

**UNEXPENDED
BALANCES**

Mt. Jewett Borough Demolition of Old Kettle Building	\$ 6,080.07
Hamilton Township Wildcat Park Pavilion Improvements	\$16,066.75
Wetmore Township East Kane Park Playground System	<u>\$ 8,631.83</u>

Total Unexpended 2006 CDBG Funds \$30,778.65

WHEREAS, there is a total of \$30,778.65 of unexpended 2006 CDBG funds available to be reallocated to other activities, and

WHEREAS, the CDBG program requires that funds be expended in a timely manner, and

WHEREAS, it has been determined that the \$30,778.65 be used to assist with the 2007 CDBG Eldred Township VFD Brush Fire Truck so that the funds can be expended, and

WHEREAS, a revision of the 2006 McKean County CDBG Program is necessary to undertake this change in the use of funds, and

NOW, THEREFORE, BE IT RESOLVED by the McKean County Commissioners to approve this revision of the 2006 McKean County CDBG Program.

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 guarantee a Pennsylvania Infrastructure Bank Loan to the Bradford Regional Airport Authority pending approval from the Pennsylvania Department of Community and Economic Development under the Uniform Debt Act.

Mr. DeMott – Explained that the airport wants to buy property adjacent to the airport – they can get a low interest loan from the Pennsylvania Infrastructure Bank if the county is willing to guarantee the loan. The loan would be for approximately \$120,000.00. The airport authority has high hopes of receiving grant money that will eventually pay a good portion of this. Because we are guaranteeing the loan, we have to report that to the Pennsylvania Department of Community and Economic Development and have their approval that basically our financial position is such that we can take on more debt so I have no expectations that there will be a problem there, but we have to fill out all the proper paperwork and send it into the state.

Mr. Petrisek – Do you have any idea how many acres?

Mr. DeMott – Approximately 14 acres with a building on the property.

Mr. Pingie – Joe, was the term on the loan for 10 years?

Mr. DeMott – Yes, it is a ten year loan. I would anticipate that the airport authority would be paying a good chunk of that back early with funding from the state.

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 authorize the county to contract with Vineyard Oil & Gas for bulk natural gas purchase for the courthouse and for the jail as we have done in the past.

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

Mr. DeMott – Opened the meeting for public comment.

No public comment.

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