

May 27, 2008

McKean County Commissioners in regular session assembled on Tuesday, May 27, 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, Gerard Rettger, 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 April 24, 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. Bradford City - \$16,843.00 – representing payment for their completed Liquid Fuel Project for the year 2008 – Liquid Fuel Fund.
2. Area Transportation Authority - \$250,000.00 – representing the 2nd quarter actual and the 4th quarter advance payment for the 2007-2008 fiscal year for the Medical Assistance Transportation Program they administer for the county - Grants Public Welfare Fund.
3. YWCA - \$4,178.00 – representing the May payment for the Homeless Assistance Program they administer for the county – Grants Public Welfare Fund.
4. Urban Engineers - \$1,314.50 – representing payment for professional services rendered for the Boyer Crossing Bridge Replacement Project for the period ending May 4, 2008 – County of McKean Boyer Bridge Project Fund.
5. Northwest Engineering, Inc. - \$4,220.96 – representing payment for professional services rendered for the Galico Bridge Replacement Project – Galico Bridge Project Fund.
6. Alcohol & Drug Abuse Services - \$13,537.00 – representing a portion of their budget allotment for the period ending March 31, 2008.
7. Northwest Engineering, Inc. - \$9,091.55 – representing payment for professional services rendered for the McKean County Bridge Inspection Program – 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 a county aid application for Otto Township in the amount of \$8,954.00 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 issue real estate tax exemptions for the following properties.

1. City of Bradford – 17 Howard Street – Vacant property and building will be demolished by the City.
2. City of Bradford – 13 Howard Street – Vacant property and building will be demolished by the City.

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 proclaim the month of May as National Community Action Month.

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 adopt the following resolution.

RESOLUTION NO. 11 OF 2008

A RESOLUTION OF THE COUNTY OF McKEAN, PENNSYLVANIA, ESTABLISHING POLICIES TO FACILITATE REQUESTS FOR PUBLIC RECORDS OF THE COUNTY OF McKEAN, THE MANNER IN WHICH RECORDS SHALL BE DISSEMINATED, THE MANNER IN WHICH DECISION SHALL BE MADE CONCERNING DISSEMINATION OF PUBLIC RECORDS, AND ESTABLISHING A FEE SCHEDULE FOR DUPLICATION AND CERTIFICATION OF PUBLIC RECORDS OF THE COUNTY OF McKEAN.

WHEREAS, the County of McKean (“County”), is a County of the Sixth Class incorporated under the provisions of the County Code, Act of July 28, 1953, P. L. 723, as amended, 16 P.S. § 101-2901, and

WHEREAS, Act No. 2002-100 (the “Act”), requires that the County establish written policies necessary to provide for access to public records of the County and to establish a reasonable fee schedule associated therewith.

NOW, THEREFORE, BE IT RESOLVED, by the County as follows:

COUNTY OF McKEAN

POLICY FOR ACCESS TO PUBLIC RECORDS

SECTION 1. All requests for access to public records of the County of McKean shall be made in writing, verbally (in person or telephonically), or by facsimile.

SECTION 2. All requests for access to public records of the County shall be directed to the Chief Clerk of McKean County, 500 West Main Street, Courthouse, Smethport, Pa. 16749. Telephone: 814-887-3202, facsimile: 814-887-2242.

SECTION 3. All documents deemed public records shall be available for inspection, retrieval and duplicating during established business hours (8:30 – 4:30) excepting weekends and County holidays.

SECTION 4. When a request is received for access to public records, the County shall make a determination within five (5) business days of receipt of the request, to grant or deny the request. The person or entity requesting the information shall be promptly notified of the County's decision.

SECTION 5. If, after receiving a request for access to public records, the County determines any of the following circumstances exist, the person or entity requesting access to the records shall be issued a notice that the request is being reviewed:

- (a) The request for access requires redaction of a public record;
- (b) The request for access requires retrieval of a record stored in a remote location;
- (c) A timely response to the request for access cannot be accomplished due to bona fide and specified staff limitations;
- (d) A legal review of the request is necessary to determine whether the record is a public record to access under the Act;
- (e) The person or entity requesting access to the public record has not complied with the County's policies regarding access to public records; or
- (f) The person requesting access to the record refuses to pay applicable fees as contained herein.

The person or entity requesting access to the public record shall be informed in writing as to the specific reason that their request is being reviewed.

SECTION 6. If a request for access to public records is denied, the person or entity

requesting the records shall be informed of the reason that the request has been denied and shall be given the authority relied upon by the County for denying access. The notice of denial shall contain the name of the person making the decision to deny access to the public record, the date of the denial, and shall include the signature of the person denying access, along with an explanation of the procedures for appealing the County's denial of access to the record in question.

SECTION 7. The following fees shall be applicable to requests for access to public records:

- (a) Standard size photocopying fees – (.25¢) Twenty-Five Cents per page;
- (b) Certification of a public record – (\$5.00) Five Dollar per record certified;
- (c) Copying records onto electronic media – Twenty Dollars (\$20.00) plus actual cost of materials and media used for copying, and
- (d) Copying off-site of subdivision, land development or other plans-Twenty Dollars (\$20.00) plus actual cost incurred.

These fees shall not apply to following offices which have established separate fee schedules pursuant to State Statute: Recorder of Deeds, Prothonotary/Clerk of Courts and Register of Wills.

The above list is not exhaustive. Additional fees may apply for specialized copying. The County will inform the person or entity requesting access to the public record the projected costs. The County, in its sole discretion, may waive the fees for duplication of public records if the County determines that it is in the public interest to do so.

SECTION 8. If the estimated costs of duplication of a public record are expected to exceed One Hundred Dollars (\$100.00), the County requires the person or entity requesting the record to prepay the estimated fees authorized by this policy, prior to providing access to the public record. Access to the records requested shall be postponed until prepayment is received.

SECTION 9. The County shall utilize the form attached hereto as Exhibit "A" to process all requests for access to the County's public records. When completed, a copy of the form shall be given to the person requesting the information and a copy shall be retained by the County. (For Exhibit "A" see complete copy of the resolution on file in the Commissioner's Office)

Mrs. Church – Stated that when the law changes they will have to revise the resolution.

Mr. Pingie – And when that does happen, we will need to look at the standardized fees for the copying, etc.

Mr. DeMott – My understanding is that the state agency is going to set the fee schedule for those types of services.

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 Pennsylvania Victim Notification Service Program.

Mr. DeMott – This is basically a program where victims and witnesses are notified when a prisoner is being released, when there is a change in their status, etc. which is part of our victim assistance program. The PA SAVIN Program is sponsored by the Pa. District Attorneys Institute.

Mr. Petrisek – The questionnaire that is included with the agenda for this program – is there significance to that – it asks things like are you going to change your jail management system?

Mr. DeMott – That is an enrollment form that we need to complete and send in to the state District Attorneys Institute to enroll in the 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 enter into a five year contract with Wolfe Communications Systems for providing maintenance services for the County's phone system. The monthly support fee is \$421.15 plus applicable tax.

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 purchase a copy machine for the Recorder's Office from Karpinski's Office Systems (KOS) in the amount of \$3,975.00.

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 accept the quote of Zito Media for providing internet services to the county for the amount of \$1,050.00 per month.

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 a Right of Way and Easement Agreement between McKean County and Zito Media Communications, LLC.

Mr. DeMott – This will allow Zito Media to set several utility poles on county property behind the 911 Center. It will give them a way back out of there to continue their loop.

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 agreements with numerous service providers for the Department of Human Services as listed below:

CYS Contracts:

Adelphoi Village
Alternative Rehabilitation Communities
The Bair Foundation
Bethesda Children's Center
Bradley Center
Children's Center for Treatment (Beacon Light)
Clearbrook
Cornell Abraxas
Diakon Youth Services
Family Care for Children and Youth
George Junior Republic
Glade Run
Harbor Creek Youth Services
Kid's Peace National Centers
Laurel Youth Services
Northwestern Human Services – NHS Youth Services
Outside In
Pathways Adolescent Center
Pentz Run
Perseus House, Inc.
Pyramid Healthcare, Inc.
Sarah A. Reed Children's Center
Southwood Psychiatric Hospital
The Guidance Center
Tioga County Human Services
Vision Quest
White Deer Run
Lakeshore
Training Toward Self Reliance

Mental Health Delegates

Tania Geist
Stoney Greenburg
Gary Leet
Johnna McCullough
Jason Neal
Curt Proctor
Burlan Sizemore
Terry Songer
Diane Smith
Ronald Tanner

Stanley Pecora, Jr. Attorney – represents the county in mental health commitment hearings.

Letter of Understandings

Addis & Associates
Alcohol & Drug Abuse Services
Area Agency on Aging
BRMC
Clarion Psych
Jene G. Gardner – Interpreter
Forest/Warren Human Services
Milestone Psych Center
Dr. Patricia Morgan
Penelope Miller
Pine Oaks (PCH)
BLBHS-Port Psychological
Potter County Human Services
Dr. Allen Ryen
Warren General

Letter of Agreements

Area Agency on Aging
BRMC
Brooks' Dom Care
Carl Longosky
Carolyn Carl
Community Nurses
Pine Oaks (PCH)
Community Services of Venango

Mental Health Mental Retardation Contracts

Devereux
Evergreen Elm
Dickinson Mental Health Center
Futures
Martha Lloyd
Ramsbottom
The Guidance Center
YWCA

Early Intervention Services

CARE of Children
Elizabeth Costello
The Guidance Center
McKean County Visiting Nurses Association
Sandra Mishic
PA Elks Major Project
Seneca Highlands Intermediate Unit

Mental Retardation Waiver-Waiver Agreement

ARC of Crawford Co
Cameron-Elk MH/MR Program
Community Links
Community Nurses
Devereux
Dickinson Mental Health Center
Elcam, Inc.
Erie Homes for Children and Adults
Evergreen Elm
John Golden III
Futures
Lakeshore
Carl Longosky
Pediatric Services of America
Ramsbottom
YWCA

Business Associate Agreement Addendum-HIPAA

Bethesda Children's Center
Diakon Youth Services
Area Transportation Authority
Carolyn Carl
Community Nurses

Devereux Pocono Center
Elcam, Inc.
Life for Independence for Today
Training Toward Self-Reliance
PA Elks Major Project
YWCA
Tania Geist
Stoney Greenburg
Gary Leet
Johnna McCullough
Jason Neal
Curt Proctor
Burlan Sizemore
Terry Songer
Diane Smith
Ronald Tanner

Human Services Development Fund Contract

Area Agency on Aging
(Personal Assistance Services)

The Guidance Center
(Steps Drop-In Center, Big Brothers Big Sisters, Family Center)

Life and Independence for Today
(Life Skills Education, Service Planning/Case Management Housing)

McKean County Visiting Nurses Association
(Life Skills Education, Services Planning Case Management, Homemaker, Counseling,
Chore, Information, and Referral)

Kane Area Community Center
(Service Planning)

CYS Purchase of Service Agreement

Southwood Psychiatric Center

Business Language Addendum-HIPAA

McKean County Visiting Nurses Association

Business Associate Agreement-HIPAA

The Guidance Center

Mr. Pingie – Mentioned that these contracts have all been approved by Dan Wertz, the attorney for CYS.

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 contact energy companies about drilling for gas or oil on county owned property.

Mr. Pingie – Is this going to be for all county property?

Mr. DeMott – We are not going to limit ourselves – we are basically thinking about the property behind Sena Kean, but we do have other properties. There is a sizeable chunk just this side of Mt. Jewett. I don't think there is any reason to restrict it to just a certain area.

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 advertise for bids for cleaning the front of the Courthouse.

Mr. Pingie – Are we going to just limit that to the front of the courthouse or should we include the total parameter of the building?

Mr. DeMott – If we just do the front first, we will get a feeling on how satisfactory the work turns out before we consider doing other areas as well. We had asked for proposals for this project, but they were to the point where we had to advertise for bids for the 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 advertise for proposals for the use of the County's Title III Funds for the year 2008.

Mrs. Irons – The first step in allocating the Title III Funds is advertising for proposals and setting a date that the proposals are due back for the Commissioners review. The county has over \$250,000 in funds to allocate and there are 6 different categories for applying for the funds. The second step is to review the proposals and determine how you are going to allocate the funds. The third step is to advertise how you are proposing to allocate the funds and we have to allow a 45 day public comment period. The fourth step would be passing a resolution allocating the funds.

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 the bid of Automated Customized Storage Solutions, Inc., in the amount of \$84,315.76 for purchasing the vertical carousel filing system for the Prothonotary's Office.

Mrs. Church – Commented that Bonnie Howard couldn't be at the meeting today, but she gave the Commissioners a recommendation from James Baldwin stating that both bids met the specifications and he recommended the low bid of \$84,315.76.

It was noted that the other bid that was received for the project was from Stuart Design Group and was in the amount of \$139,652.97.

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 reject all bids that were received for upgrading the electrical system for the 911 Center and to have the architect revise the specifications and re-advertise the project for bids.

Mr. Rettger – Recommended that due to some confusion in the bid specifications that the bids be rejected and to re-bid the project. The confusion in the bid specifications wasn't discovered until after the bids had been received and opened.

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 table the decision on accepting or rejecting the bids that were received for the vehicles for the 3 different departments until the next Commissioner's meeting to allow the departments and the Commissioners more time to review the bids.

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 the insurance quote from the County Commissioners Association of Pennsylvania (CCAP) Program in the amount of \$103,071.00 for the county's liability renewal policy for the 2008-2009 policy year. The premium will be paid in 3 installments – June 1, September 1, and December 1, 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.

Mrs. Church – Mentioned that the work session for Thursday, May 29, 2008 has been canceled as the Commissioners will be out of town.

Mr. Petrisek – Have you been contacted by anyone about drilling on county property?

Mr. DeMott – Yes, by 2 companies. We would like to put that out there and begin discussing this with some companies. It would probably be next year before we could actually do something. We do have a lease in effect with a farmer until next spring, etc. We have some things to clarify and work through, but we would like to start those discussions and see if we can get some value from the mineral rights.

Next meeting – June 5, 2008 at 10:00 AM at the 911 Center. The meeting will be held in place of the work session that was scheduled for that time at the courthouse.

Moved by Mr. Pingie, seconded by Mr. DeMott, to adjourn the meeting.

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

Chief Clerk