

September 10, 2009

McKean County Commissioners in regular session assembled on Thursday, September 10, 2009 at 10:00 AM in the Commissioners meeting room. Present were Commissioners Joe DeMott, Al Pingie, and Judy Church, Chief Clerk, Audrey Irons, County Solicitor, Dan Hartle. Also present were Sandy Thompson, Martha Knight, Nancy Evans, Angie Tennes, John Shedio, Sue Shedio, Amber Hancharick, Ryan Shedio, and Joe Marasco.

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 August 25, 2009 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 to Foster Township in the amount of \$11,090.00 representing payment for their completed Liquid Fuel Project for the year 2009. This money is to be taken from the 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 Norwich Township in the amount of \$2,895.00 for the year 2009.

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 maintenance agreement with Karpinski's Office Systems (KOS) for a copy machine for the McKean County Juvenile Probation Office for one year. Cost is \$336.00.

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 approve Amendment # 1 to the Program Management Agreement for the Emergency Food Assistance Program for McKean County. The amendment adds reporting requirements as required by the American Recovery and Reinvestment Act of 2009 (ARRA) that were not anticipated in

the current Management Agreement and are necessary for administrative payment to be made to the TEFAP county agencies.

Mrs. Irons – The amendment to the agreement requires the county to file separate quarterly reports for the ARRA 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 enter into a Media and Information-Distribution Agreement with Optical Storage Solutions, Inc. for the McKean County Recorder's Office for their Landex System.

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 award the bid for constructing a metal roof on one of the old county home buildings that houses the Planning Commission, Economic Development, Soil Conservation, and Recycling Offices to Falk Construction in the amount of \$16,500.00.

Mr. DeMott – Mentioned that this bid was a result of having to re-bid the project – we had two bids the last time – one was higher and one was lower – the low bid did not have a bid bond or check so we re-bid the project and subsequently we only had one bid.

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 request from Smethport Borough to receive a complimentary copy of the entire McKean County Tax Parcel GIS data layer for their consultant so they can prepare the feasibility study for a woody-biomass combined heat and power plant.

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 Chestnut Ridge Radio Communications, Inc. in the amount of \$14,380.35 for replacing radio equipment at the Prospect Tower Site that was damaged by lightening and is inoperable.

Mr. DeMott – Mentioned that the county has received a check from the county's insurance company in the amount of \$13,590.35 toward paying for replacing the equipment. Chestnut Ridge is participating with Motorola in the state's COSTARS contract so this equipment has already been bid and meets the bidding requirements that we would have under the county code. Also wanted to thank Chestnut Ridge Radio

Communications, Inc. for providing them with radio equipment to use until we can purchase the new radio equipment.

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

M oved by Mr. Pingie, seconded by Mrs. Church, to award the bid to Roy Duffy in the amount of \$4,688.00 for doing the stream restoration project on Mary Sue Pearce’s property at 9 Pratt Hollow, Bradford, Pa.

Other bids received for the project were as follows:

Meadville Land Services	\$9,906.00
Solveson Contracting	\$7,500.00
Thompson Services	\$5,733.20
S&S Enterprises	\$7,143.60
Root Trucking	\$7,971.00

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 award the bid to Roy Duffy in the amount of \$10,524.00 for doing the stream restoration project on Alan Kinney’s property at Fogel Crossing, Port Allegany, Pa. 16743.

Other bids received for the project were as follows:

Meadville Land Services	\$17,138.00
Solveson Contracting	\$11,000.00
Thompson Services	\$12,076.45
S & S Enterprises	\$19,217.80
Chad Moses	\$22,665.00
Root Trucking	\$18,119.00

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 award the bid to Solveson Contracting in the amount of \$11,514.00 for doing the stream restoration project on Jim DeCasper’s property at 19 JKF Drive, Lewis Run, Pa.

Other bids received for the project were as follows:

Meadville Land Services	\$12,396.00
Roy Duffy	\$10,668.00
S & S Enterprises	\$10,121.60

This project was combined with John Petruzzi's property making Solveson Contracting the low bidder for both projects.

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 award the bid to Solveson Contracting in the amount of \$8,426.00 for doing the stream restoration project on John Petruzzi's property at 8 Lincoln Drive, Lewis Run, Pa.

Other bids received for the project were as follows:

Meadville Land Services	\$11,470.00
Roy Duffy	\$10,260.00
S & S Enterprises	\$ 9,567.00

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 award the bid to Solveson Contracting in the amount of \$550.00 for doing the stream restoration project on Richard LaBrozzi's property at 61 Leonard Avenue, Bradford, Pa.

Other bids that were received for the project are as follows:

Meadville Land Services	\$ 1,690.00
Roy Duffy	\$ 2,200.00
Chad Moses	\$ 1,200.00
S & S Enterprises	\$ 2,000.00
Thompson Services	\$ 583.50
Root Trucking	\$ 966.00

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 award the bid to Solveson Contracting in the amount of \$3,750.00 for doing the stream restoration project on Jesse Butler's property at 8393 Route 155, Port Allegany, Pa.

Other bids that were received for the project are as follows:

Meadville Land Services	\$ 4,593.00
Roy Duffy	\$ 4,530.00
Chad Moses	\$ 4,410.00
S & S Enterprises	\$13,500.00

Thompson Services	\$ 5,244.00
Root Trucking	\$ 5,778.00

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 award the bid to Meadville Land Services in the amount of \$3,295.00 for doing the stream restoration project on Bruce Perry’s property at 359 W. Washington Street, Bradford, Pa.

Other bids that were received for the project are as follows:

Roy Duffy	\$ 5,546.00
Solveson Contracting	\$ 4,650.00
S & S Enterprises	\$ 5,756.20
Root Trucking	\$ 9,900.00

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 award the bid to Meadville Land Services in the amount of \$5,113.00 for doing the stream restoration project on Debra Chilson’s property at 530 Bolivar Drive, Bradford, Pa.

Other bids that were received for the project are as follows:

Roy Duffy	\$ 6,506.00
Solveson Contracting	\$ 6,600.00
S & S Enterprises	\$14,020.20
Thompson Services	\$ 5,621.70
Root Trucking	\$ 9,545.00

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 award the bid to Thompson Services in the amount of \$9,569.31 for doing the stream restoration project on Louis Niggel’s property at 3101 W. Washington Street, Bradford, Pa.

Other bids that were received for the project are as follows:

Meadville Land Services	\$14,495.00
Roy Duffy	\$ 9,802.00
Solveson Contracting	\$14,994.00
S & S Enterprises	\$15,690.40

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 award the bid to Thompson Services in the amount of \$5,613.10 for doing the stream restoration project on Jeff Brown’s property at 12 Northgate Drive, Bradford, Pa.

Other bids that were received for the project are as follows:

Meadville Land Services	\$ 8,257.00
Roy Duffy	\$ 5,800.00
Solveson Contracting	\$ 6,970.00
S & S Enterprises	\$ 8,217.00

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 award the bid to Thompson Services in the amount of \$5,130.63 for doing the stream restoration project on Tim Cobb’s property at 3001 W. Washington Street, Bradford, Pa.

Other bids that were received on the project are as follows:

Meadville Land Services	\$ 7,200.00
Roy Duffy	\$ 5,640.00
Solveson Contracting	\$ 6,000.00
S & S Enterprises	\$ 9,293.60

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 award the bid to Thompson Services in the amount of \$5,423.01 for doing the stream restoration project on Freda Ludwig’s property at 8463 Route 155, Port Allegany, Pa.

Other bids that were received on the project are as follows:

Meadville Land Services	\$ 6,972.00
Roy Duffy	\$ 5,850.00
Solveson Contracting	\$ 5,540.00
Chad Moses	\$11,354.00
S & S Enterprises	\$12,960.80
Root Trucking	\$ 6,119.00

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 award the bid to Thompson Services in the amount of \$7,528.31 for doing the stream restoration project on Commonwealth Forest Investment's property at K 59 CCC Road, Westline, Pa.

Other bids that were received on the project are as follows:

Meadville Land Services	\$10,900.00
Roy Duffy	\$11,761.00
Solveson Contracting	\$ 8,000.00
S & S Enterprises	\$ 7,363.80
Root Trucking	\$14,547.00

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

Sandy Thompson – Mentioned that S& S Enterprises are out of Somerset County and they withdrew all their bids as they were the low bidders on only three projects and they didn't feel it was feasible for them to have to come so far for only 3 projects. Mentioned that the projects have all been approved by the Soil Conservation District Board – most of these projects are funded through the Grower Greener II County Environmental Initiative Program which is for \$150,000 and three of the projects are funded through a stream improvement program which is through DEP. The total cost for the projects is \$81,124.36. The amount that is funded through the Grower Green II Program is \$62,852.32 and the amount that is funded through DEP is \$18,272.04.

Moved by Mr. Pingie, seconded by Mrs. Church, to enter into a Partnership Agreement with the United States Census Bureau for the 2010 Census.

Mr. DeMott – Pointed out that the Commissioners had a visit yesterday with a man from the Census Bureau and what we are trying to do is promote awareness of the 2010 Census and to drive home the importance of completing the census forms – a lot of the funding that the county and the local municipalities will receive are based upon those population statistics. Also, our representation both in the federal government and state government will be determined by the census so it is important that we get everyone accounted for. We intent to try to form a committee for census awareness – we invite anyone in the county that is interested in participating and joining in that effort – we are going to try to incorporate notices with correspondence from the county, etc. reminding people of the importance of doing this and that is the general idea of this agreement with the Census Bureau.

Mrs. Church – There could also be some temporary jobs created doing the census period in our area which would be helpful.

Mr. DeMott – We will also be agreeing to provide space for training and that sort of thing as part of this agreement.

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 engage PNC Bank and Thomas Lynch, Esquire, as bond council to issue a bond in the approximate amount of \$3,900,000.00. The funds are to be used to construct a new 25 bed work release building at the McKean County Jail, construct a kitchen and garage addition to the jail, remodel some existing jail space for other use, replace the windows in the courthouse, insulate the courthouse roof and attic, upgrade the lighting, electrical, and fire alarm systems in the courthouse, replace selected ceilings, replace front courthouse steps and the rear patio and make repairs to other county properties.

Mr. DeMott – As you are aware we have been planning the jail addition and remodeling for some time – this will help solve our over crowding problem, this will keep our work release people in a separate facility so they will not be going back into the main jail population on a daily basis and we feel that is going to improve security. We are building on a new kitchen – in January we began cooking the food ourselves rather than purchasing prepared meals and we have already saved over \$100,000 this year by doing that. The current space that is being used for the work release inmates will be remodeled for other uses – there will be some solitary cells, etc. That is basically what the jail project consists of.

Mr. Pingie - With the work release facility – one of the reasons we decided to construct this building was to prevent contraband from being brought back in by the work release people because they had been threatened by the general population of the jail – so if we remove those people from that facility there will be no contact with the general population – it is a security thing and it will also provide protection for our correctional officers.

Mr. DeMott – We have been looking at remodeling the courthouse since we took office. The previous board of commissioners had spent a great deal of time and effort of looking at the problems we have here. Our lighting system is now obsolete – we can no longer buy the light bulbs or the ballast for the lights in the courthouse. We need to go to something that is more modern and more efficient. The windows in the building are single pane – they are 70 years old and we feel we have a great deal of air infiltration to the existing windows. The roof is not insulated and the attic needs to have more insulation and we feel we will save quite a bit of heat by insulating both the roof and attic space. As part of the lighting system there will be lowered ceilings in some areas of the courthouse. We had originally thought that we would also replace the heating and air conditioning system in the courthouse – we have put that portion of it on hold for a number of reasons. The major reason being that Smethport Borough is doing the biomass project and when that comes to fruition we will be using their system for heat and cooling for the courthouse and we didn't want to spend a lot of money on new heating equipment that may or may not be compatible with the new system when it is developed. One of the other thoughts in regards to the ceiling is that we would have to run duct work if we are going to go to a more central heating and air conditioning and that would be hidden in

part by some of the ceiling, but we are holding off on the heating and air conditioning portion while we do that.

Mrs. Church – We are going to try not to disrupt the old wood toward the ceiling.

Mr. DeMott – The point is when we take the lights down there are going to be holes in the ceiling that will have to be repaired in some way. Our architects are very aware of the nature of the building and they are not planning on lowering the ceilings in room such as our meeting room. The front courthouse steps are sandstone and they have been falling apart for some time. The previous board of commissioners spent a great deal of money in an attempt to repair them in 2007 and that repair lasted less than a year and the contractor that did that work has been back twice to redo the work and it is just not going to hold and we have talked to other contractors and it is very difficult to patch. We would be replacing that with new sandstone steps and we also have a considerable amount of cracking and problems with the rear patio or the second story access to the building. We will also be replacing at least one roof on our Route 6 property area and there are some other miscellaneous type of things that we will need to do.

Martha Knight – Will you have your architects look at your Route 6 buildings for repairs – such as having them prepare estimates or that type of thing?

Mr. DeMott – We will probably look at them with some of our own people.

Ms. Knight – So your \$3,900,000 should cover what you want to do?

Mr. DeMott – Yes and the debt service on that will be paid from interest on the capital improvement fund – PNC bank has proposed that the new bond would wrap around our existing debt so it wouldn't dramatically increase our debt service. Our debt service will only increase by about \$170,000.

Ms. Knight – What is the term of the bond issue?

Mrs. Evans – It goes out to 2026 – the current existing county debt goes out to 2022, so basically what they are doing is extending the bond for another 4 years.

Ms. Knight – So the county would be debt free in 2026?

Mrs. Evans – Yes.

Ms. Knight – What are your total annual debt payments.

Mr. DeMott – Slightly less than a million dollars. We are currently paying about \$800,000 a year in debt service.

Ms. Evans – And that money is taken out of the general fund. It is a budgeted item.

The debt service on the increase of \$170,000 will be taken from the interest that is made on the capital improvement fund.

Ms. Knight – Where did the money come from that is in the capital improvement fund?

Mrs. Evans – From the sale of Sena Kean Manor and from the landfill.

Ms. Knight – And at the time that money was dedicated to capital improvements and not general budget use by the previous board of commissioners?

Ms. Church – Right.

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

Mr. DeMott – Opened the meeting for public comment.

Joe Marasco – Making a request on behalf of John & Susan Shedio to be granted a partial exoneration for property they own in Kane Borough for the year 2007. The property is the former Ames True Temper, Inc... The Shedio's purchased the property in November of 2006. The property was assessed at about \$425,000. They paid \$70,000 for the property and appealed the assessment at an annual appeal hearing in 2007 which was heard in October of 2007 for the 2008 tax year. The Assessment Appeal Board lowered the assessment to \$70,000 for the year 2008. The Shedio's are current with their 2008 and 2009 taxes. Somewhere along the line the Shedio's missed the opportunity to file an appeal of the 2007 taxes. The property is in considerable disrepair. The property has been vandalized. The Kane School District did agree to grant the Shedio's a partial exoneration for the year 2007 contingent upon the approval of Kane Borough and the county also granting the partial exoneration. Kane Borough has said they will approve the partial exoneration subject to some conditions that the Shedio's will have to do. If the Shedio's accept their conditions they will approve the partial exoneration. They haven't said what the conditions are, but one of them will probably be for increased maintenance of the property. Kane Borough is probably going to work more closely with the Shedio's on some industrial development in that area. The cost to bring the buildings up to code would be astronomically – it would probably be cheaper to raise the buildings then to repair them. We are asking the Commissioners to exercise their discretionary powers and allow a partial exoneration under these circumstances. The property is currently up for the tax sale that is going to be held on September 14, 2009. Mentioned that he did file a writ of summons this morning with the court naming the McKean County Tax Claim Bureau in the writ of summons.

Sue Shedio – They have been working with the Kane Area Development Center to see if anything can be done with the property. They have the sawmill in Slippery Rock and the area up here is rich in natural resources, oil, gas, timber, but unfortunately we have never in our lifetime seen such a decline in the economy – we feel it will recover but it is

going to take some time – we are asking for some consideration now – the property was vandalized way before we bought it – we are working with the police department – everything has been smashed or broken – we are looking to see if there are any grants available to help us, but with current economic, etc. we haven't found anything yet.

Mr. Marasco – This request is hopefully a temporary measure. The Shedio's are hoping to be able to develop the property and once that happens the property value will go back up to where it should be when it is productive

Mr. Pingie – Here it is 2009 and the property was purchased in November of 2006, why didn't they appeal the property when they bought it?

Mr. Marasco – They did appeal the assessment in 2007 but it only effected the 2008 and the 2009 taxes. We asked the Tax Claim Bureau about the delinquent taxes and they told us the biggest obstacle would probably be the school district so much of the time from that time on has been trying to convince the school district to grant the partial exoneration and now that they have that sort of paved the way to where we are now. Feels the property is only worth \$70,000 at the current time.

Mr. Pingie – Asked how much communication has the Shedio's had with Kane Borough as to what can be done with this property.

Amber Hancharick – I have been in my position for 2 and ½ years and we have always been looking for funds that are available to help any of our blighted properties and theirs is one of the most notable properties because it is so visible on the Route 6 Corridor. Unfortunately, until we get the tax issue resolved and figure what is going to happen to the property, we didn't want to work toward that effort and then have the property go up for tax sale. The property does have a rail siting so we believe it is a valuable property and should be one of our more marketable sites.

Mr. DeMott – I have a procedural question – it seems to me that each taxing authority action would be independent of each other – where the school district could agree even if the borough and the county did not?

Mr. Marasco – I think all 3 have to agree.

Mr. Hartle – No, anyone of the 3 can exonerate – we have had that happen before.

Mr. Marasco – We are working to get all 3 to exonerate especially since the School District has taken the position that they will only do so if the other two agree also.

Mr. DeMott – Expressed his concerns about granting the partial exoneration and setting a precedent for the future.

Angie Tennes – Stated that she will have one of her staff people go out to the property today to take pictures of the property.

After continued discussion on the Shedio's request for partial exoneration it was moved by Mr. Pingie, seconded by Mrs. Church to table their decision until the next Commissioner's meeting and to remove the property from the tax sale that is scheduled for September 14, 2009 as a Writ of Summons has been filed with the court. The commissioners want to see pictures of the property to see the state of disrepair, etc. as soon as possible.

Mrs. Church – We would also like to know what Kane Borough's stipulations are that they want the Shedio's to do before they grant the partial exoneration.

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

Ms. Knight – Asked about deadline for applications for the Kane Borough Community Development Block Grant Funds – are those cleared through the Housing and Redevelopment Authority?

Mr. DeMott – We have no assurance at this time that there are going to be CDBG funds – they are going ahead and starting the process and hope that those funds will be available, but they have yet to be authorized by the federal government.

Ms. Knight – What about the census jobs you were talking about – I know there have already been some people that have been trained and had some employment.

Mrs. Church – They are in the initial part of it – when they get down to the door to door canvassing there should be that type of work. The main thing they want us to do is encourage people to send the questionnaire back in – back in 2000 it was a lengthy questionnaire and this one is only supposed to have 10 questions. Back in 2000 people were very discussed with it because they asked very invasive questions – this one supposedly does not – should only be one page.

Ms. Knight – And from this legislative districts can be redrawn?

Mrs. Church – Yes, the handout that is on the end of the table explains everything and there is a website where you can look up information, etc. In the 2000 Census, Pennsylvania lost 2 districts.

Mrs. Knight – The roof that you are replacing at the old county home – does the contractor have to be someone who is certified with the state?

Mr. DeMott – Are you talking about the contractor registration program?

Mrs. Knight – I have been checking to see if there are any certified contractors in our area for some work I need to have done and I have only found one. So all of the projects

you are doing now will the contractors have to be certified for the projects you are bidding?

Mr. Hartle – We can easily check that.

Mrs. Knight – Anything different on your financial situation while you are waiting for the state budget to be passed?

Mrs. Church – We are okay for right now.

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