

March 8, 2011

McKean County Commissioners in regular session assembled on Tuesday, March 8, 2011 at 10:00 AM in the Commissioners meeting room. Present were Commissioners Joseph DeMott and Judy Church, Chief Clerk, Audrey Irons, County Solicitor, Dan Hartle. Also present were Jill Rend, Ted Lutz, and Martha Knight.

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

Mr. DeMott – Pointed out that Mr. Pingie was not able to attend the meeting today because his wife is having a procedure done today.

Moved by Mrs. Church, seconded by Mr. DeMott, to approve the minutes of the February 22, 2011 meeting.

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

Mr. DeMott – Opened the meeting for public comment.

Jill Rend – Director of the Butler County Community College BC3 Upper Allegheny – handed out flyers on the college – they opened in January of 2011 – they are serving 11 counties in the northwest/central region of Pennsylvania – this came about because Senator Scarnati provided a grant because he saw the need that there was no community college serving anyone north of interstate 80. The Butler County Community College is the fastest growing community college in Pennsylvania – the Upper Allegheny branch that they have is the fifth location – the main campus is in Butler – and they have branch campuses in Cranberry, Hermitage, and New Castle. Her office is at Jeff Tech in Reynoldsville. They have satellite locations set up in Port Allegany, St. Marys, Warren, and Clarion. They are offering a lot of on line degree programs. They are starting out with 2 degree programs – the first one is business management which is a two year associate degree and the second one is general studies which is a two year with a transfer to a four year university – they picked these two degrees because they are the most popular and right now approximately 70 % of their students actually do transfer on to a four year university. They have open enrollment – they admit every student that applies – they only need their high school diploma or GED and even if they don't have those they have a program called ability to benefit – they do testing and still get into college. It costs \$25.00 to be admitted – then they give them tests in reading, writing, and math and based on their scores in those tests they have face to face courses for developmental English and reading and prep math and prep algebra – students will either test out of these and go into English, algebra, business math or they will have to take the prep and development courses before they go into those other areas – they hold these classes face to face to make sure the students have a good solid foundation so they are ready and prepared for their college experience – they also have intro to micro computing face to face because it is hard to teach computers over the computer. She went on to explain

how their on line courses work. Explained the cost per credit – outlined cost comparison for their program versus regular college. They help the students with all the support they need whether it be financial, etc. to continue with their schooling. They partner with other universities so students can get bachelor degrees, etc. Left other brochure guides for each one of their colleges for Science & Technology, Business, Humanities & Social Services, and Nursing & Allied Health. They have over 100 courses on line so if students are looking for another degree in one of our other areas they could start and get a lot of their general studies with her and get on line classes for the rest and maybe have to spend a semester or so on the main campus – there is no housing at the main campus, but they could get an apartment to finish a degree. They do have classes in the summer and the fall. They have had contacts with area businesses to see how they could help them. They have a meeting set up next week with area hospitals to see what they could offer and see how they could work together and how they could improve their community. They will be constantly looking and evaluating their courses to see where their students are coming from and what is needed in each area. Their goal is to continue to grow and increase their offerings.

A question and answer period followed her presentation.

Moved by Mrs. Church, seconded by Mr. DeMott, to approve payment to Eldred Township in the amount of \$6,854.00 representing payment for their completed Liquid Fuel Project for the year 2010. This money is to be taken from the Liquid Fuel Fund.

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

Moved by Mrs. Church, seconded by Mr. DeMott, to approve the following county aid applications for the year 2011.

1. Corydon Township \$1,325.00
2. Kane Borough \$7,812.00

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

Moved by Mrs. Church, seconded by Mr. DeMott, to issue real estate tax exemptions to the following:

1. Commonwealth of Pa., DCNR – 1,478.5 acres of land located in Norwich Township as DCNR is exempt and has a payment in lieu of tax agreement.
2. Commonwealth of Pa., DCNR – 4,045.24 acres of land located in Sergeant Township as DCNR is exempt and has a payment in lieu of tax agreement.

Mr. DeMott – Pointed out that this was a large tract of land that was purchased by The Conservation Fund which is an environmental group and they purchased this land from a

lumber company and they are donating the land to the state to become part of Elk State Forest.

Martha Knight – Where is The Conservation Fund from:

Mr. DeMott – I believe their office is in Pittsburgh.

Ms. Knight – It is a private group?

Mr. DeMott – Yes.

Ms. Knight – When did they do that?

Mr. DeMott – Late in the fall of last year. So now instead of receiving tax funds from them we will get payment in lieu of taxes which is less than we would have received when the property was taxable. They also made a cash payment of \$50,000 to the county.

Ms. Knight – And you have already received that?

Mr. DeMott – Yes.

Mr. Hartle – Mr. DeMott did a very good job of negotiating for the money for the county.

Ms. Knight – Why were they willing to do this?

Mr. DeMott – They want to enhance the forest – this gives them control of the piece of ground that runs down the grade that comes out of Clermont – it will open up the land and trails for recreational use, for hunters, etc. for expanding the state forest. It will make the property more user friendly.

Ms. Knight – Why did the lumber company want to give the land away?

Mr. DeMott – They didn't – they sold it to DCNR.

Ms. Knight – Is that going to be good for them? Are they still going to have access to it? It is going to be forest or timbered?

Mr. DeMott – It is my understanding that the lumber company will retain the rights to timber that for a significant period of time – that is the way it was explained to me.

Ms. Knight – Would the land have been under Clean and Green before?

Mr. DeMott – I would think so.

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

Moved by Mrs. Church, seconded by Mr. DeMott, to issue a real estate LERTA exemption to William Gibble for property he owns at 211 Main Street, Bradford, Pa. He will be doing interior renovations to the first floor of the building.

Mr. Hartle – The property was previously the Bradford Hotel.

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

Moved by Mrs. Church, seconded by Mr. DeMott, to enter into a maintenance agreement with Karpinski's Office Systems (KOS) for a fax machine for the Prothonotary's Office. Cost is \$334.80 per year.

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

Moved by Mrs. Church, seconded by Mr. DeMott, to enter into a renewal maintenance agreement with Cleveland Brother Equipment Company, Inc. for the generators at the 911 Center, Prospect, Hedgehog, and Gibbs Hill Tower Sites.

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

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

RESOLUTION 4 OF 2011

A RESOLUTION RE-ENACTING THE KANE BOROUGH LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE (LERTA) ORDINANCE

WHEREAS, the current Kane Borough Local Economic Revitalization Tax Assistance Ordinance expired on September 1, 2010; and

WHEREAS, the Kane Borough Council has indicated that it believes the re-enactment of the LERTA Ordinance will contribute to the economic growth of Kane Borough; and

WHEREAS, the Kane Borough Council adopted a resolution at their August 25, 2010 meeting to re-enact the LERTA Ordinance; and

WHEREAS, the Kane Borough Council has requested the authorization, approval and/or agreement of the McKean County Board of Commissioners to participate in the LERTA Program in Kane Borough.

NOW THEREFORE, this 8th day of March, 2011, it is hereby **RESOLVED** and enacted as follows:

1. That the Board of Commissioners approves the re-enactment of the Local Economic Revitalization Tax Assistance Ordinance for Kane Borough, whereby McKean County will provide exemption from taxes for certain improvements to deteriorated commercial or industrial property and for new construction in deteriorated areas as permitted under the Local Economic Revitalization Tax Assistance Ordinance Law.
2. That said exemption shall apply for a five year period beginning in the tax year 2011.

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

Moved by Mrs. Church, seconded by Mr. DeMott, to enter into a grant agreement with the Pennsylvania Emergency Management Agency for a grant in the amount of \$1,360.00 for providing training manuals for conducting hazardous materials planning and/or training.

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

Moved by Mrs. Church, seconded by Mr. DeMott, to enter into a Right of Way Agreement with National Fuel Gas Distribution Corporation for delivery of gas to the new Domestic Relations Building subject to our solicitor's review.

Mr. DeMott – Mentioned that National Fuel will have to build an above ground structure where it comes off their main gas line to the new building.

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

Moved by Mrs. Church, seconded by Mr. DeMott, to change the previous plans at the McKean County Jail to remodel the current work release section of the jail into solitary confinement cells and leave the space as is with some remodeling upgrades in order to maintain the current prisoner capacity.

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

Mr. DeMott – Explained that the change is needed because the 28 bed work release unit will soon be occupied and the original plan was to remodel the space that the work release people are currently being housed and that would have been remodeled into a

couple of solitary confinement cells. We would have only picked up about 8 additional cells to house prisoners. Currently we have so many prisoners that are housed out of the county – the last I knew we had more than 20 people housed in other county jails and that doesn't include the dozens of people that we have on home monitoring. We have determined that it would be better to leave the current work release unit, basically, as is with some remodeling upgrades including putting in some new doors, toilet fixtures, etc. and bring 28 prisoners back to McKean County and house them ourselves. We are currently paying \$53 a day per prisoner to keep someone in jail – if you multiply that by 365 days it comes out to \$19,345 a year to house one prisoner and by doing it this way we will be able to house 20 more prisoners in our own system than we would have under the original plan at a cost of \$386,900 a year – we won't realize all of that savings because there are some marginal costs involved in that, but we will save a significant amount of money and it will also save us some transportation money because we have to transport these prisoners back here for hearings and trials and things of that nature. We feel this will be a much more cost efficient approach.

Mr. Hartle – Also, some of these prisoners will probably be approved for work release if they were housed in our jail and they would be responsible for their costs and fines.

Ms. Knight – How many cells are you gaining by leaving the space the same?

Mrs. Church – The original plan was for 8 cells so we are gaining 20 cells for a total of 28 cells.

Ms. Knight – Who is in charge of the work release? Is it Greg Teribery?

Mr. DeMott – I believe he still is.

Mr. DeMott – Opened the meeting for public comment.

Ms. Knight – Recently there have been articles in the paper about the different lawsuits that have been brought against the county – does this impact the county budget, taxes, or anything like that or it is something that is allowed for at all times in your insurance policies?

Mr. DeMott – I would assume that eventually that these things will play into our insurance rates. The Bradford Era has asked under the Right to Know Law for information about several settlements. That information is being provided, but in those agreements we have agreed not to comment and we intend to abide by that commitment, although the information is accessible to the press – we are not going to comment on any of the circumstances or make comments on the individual cases.

Mr. Hartle – Added that there was no omission of guilt by the county and secondly in my opinion they were nominal amounts.

Ms. Knight – I have tried to find how work release actually works - who can have work release – my understanding was that you had to be employed by a corp. at a regular job with regular hours because your employer is going to be some how responsible for saying yes that person was there, following their attendance, and they do not leave – we know where they all the time – so that would eliminate a self employed person from being allowed work release?

Mr. DeMott – That falls under the supervision of the court and we really don't have the authority to do that. My understanding is from what I have heard is that you are correct, but I don't know for sure if that is correct.

Ms. Knight – I would think that it would be a local rule – I have had clients who had work release who were self employed.

Mr. Hartle – I don't think it is a hard and fast rule – I think it is verifiable regular employment – they can be self employed. Gary Seefeldt should be able to tell you.

Ms. Knight – Your change in allocation of space at the jail – did that go through the Criminal Justice Board?

Mr. DeMott – No.

Ms. Knight – The decision to do that had to do with the over crowding issue you are dealing with?

Mr. DeMott – Correct.

Mrs. Church – That is for the men's unit – so the women's unit hasn't changed.

Mr. DeMott – We will still not be able to bring back everyone who is housed outside the county. We have a number of women that are housed in Warren County and we have the potential need to house 120 people or so and the jail was originally designed for 77 and with the 28 it would bring it up to 105.

Mr. Hartle – It may come down with the IP Program.

Mr. DeMott – Yes, it may come down with the IP Program – we have a lot of people doing that, but we do need to have that capacity when we have major roundups where we have 20 people showing up at the same time that have to be housed in the jail.

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

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

Chief Clerk

