

COMMISSIONERS' MEETING MINUTES
APRIL 12, 2023

Commissioner R. Michael Keith called the regular meeting of the Indiana County Commissioners to order at 10:30 a.m. in the Commissioners Hearing Room.

ROLL CALL

Chairman R. Michael Keith, present
Commissioner Robin A. Gorman, present
Commissioner Sherene Hess, present

Also, in attendance were Solicitor Matthew T. Budash and Chief Clerk Robin Maryai.

PLEDGE OF ALLEGIANCE

Commissioner Keith led those present in reciting the Pledge of Allegiance to the American Flag.

APPROVE MINUTES...MARCH 22, 2023

A motion was made by Ms. Hess, seconded by Ms. Gorman, and carried unanimously to approve the minutes of March 22, 2023.

COVID UPDATE

COVID case counts in Indiana County, have fluctuated somewhat over the past two weeks. For the 7-day period of March 1st to March 7th, there were 96 reported COVID cases. However, from March 8th to March 14th, the total dropped to 41 COVID cases. So far this calendar year the County has not had a 7-day period where there have been 100 COVID Cases or more. The CDC continues to categorize Indiana County, and all surrounding counties at the "LOW" rate of COVID Community Levels. The majority of Pennsylvania is in this same category. PADOH discontinued reporting COVID Statistics this month, all PADOH links point to the CDC Website. CDC continues to report slight increases in the rates of COVID vaccinations. PADOH Seasonal Flu cases in Indiana County for week 10, of 2023, ending March 11, reported a total of 1,091 cases documented. These cases have also decreased.

PUBLIC COMMENT

Josh Widdowson made public comment regarding the Teddy Bear Fund Drive. Tammy Curry made public comment regarding the Homer City Power Plant and Twolick Dam Recreational Facility.

EXECUTIVE SESSIONS

There were no Executive Sessions.

PROCLAMATION...SEXUAL ASSAULT AWARENESS MONTH

After a proclamation was read, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to recognize the Alice Paul House for the services they provide to victims and proclaim April 2023 as Sexual Assault Awareness Month and urge all citizens to play a role in the elimination of violence in our community.

PROCLAMATION...AUTISM AWARENESS MONTH

After a proclamation was read, a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to proclaim April 2023 as Autism Awareness Month and to promote autism

awareness, inclusion, and self-determination for all, and assure that each person is provided an opportunity to achieve the highest possible quality of life.

PROCLAMATION...412THRIVE DAY

After a proclamation was read, a motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to recognize April 12, 2023 as 412Thrive Day in Indiana County and applaud the group for continuing to be such a strong support system to make those affected by cancer feel secure.

PROCLAMATION...INDIANA COUNTY WALKS DAY

After a proclamation was read, a motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to proclaim Saturday, April 22, 2023 as Indiana County Walks Day and urged residents to put on their sneakers and become more physically active by walking.

PROCLAMATION...FAIR HOUSING MONTH

After a proclamation was read, a motion was made by Mr. Keith, seconded by Ms. Hess and carried unanimously to proclaim April as Fair Housing Month and to bring to the attention of county residents their right to live where they want to live without prejudice or discrimination by any owners of real estate, developers, builders or financial organizations.

RESOLUTION – FAIR HOUSING / PLANNING

At the request of LuAnn Zak, Office of Planning & Development, a motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to approve the Fair Housing Resolution for Indiana County and “on behalf of” (“OBO”) the Community Development Block Grant (CDBG) Entitlement communities of Indiana Borough and Center Township. The resolution identifies publicly how Indiana County, including the “OBO” communities, will promote, educate and aid in the enforcement of Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Act), the Pennsylvania Human Relations Act, and any local laws or ordinances. The actions identified for implementation to further fair housing will include at a minimum publicizing the name and contact information of the designated Fair Housing Officer for Indiana County, including the “OBO” communities of Indiana Borough and Center Township; conducting a minimum of one fair housing activity annually, and utilizing the fair housing logo on all materials dealing with housing programs.

RESOLUTION - DESIGNATION OF A FAIR HOUSING OFFICER AND COMPLAINT PROCESS / PLANNING

At the request of LuAnn Zak, Office of Planning & Development, a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to adopt a resolution designating Christina Coleman as the Fair Housing Officer to comply with Federal Fair Housing Law and the Pennsylvania Human Relations Act and identify a complaint process. The Fair Housing Officer designation includes the County of Indiana and Indiana County “on behalf of” Indiana Borough and Center Township as designated Community Development Block Grant Entitlement Grantees. The Fair Housing Officer is available to assist any resident that believes they have been discriminated against based on the federal, state and local laws and ordinances. The duties include receiving all complaints of housing discrimination and taking the appropriate action to resolve the complaint as required.

CHANGE ORDER #3 – ARCHITECTURAL SERVICES CONTRACT – INDIANA COUNTY FOOD BANK WAREHOUSE / PLANNING

At the request of LuAnn Zak, The Office of Planning & Development and on behalf of ICCAP, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve Change Order #3 to the Architectural Services contract with Stiffler McGraw & Associates, Inc. for additional services provided at the Indiana County Food Bank Warehouse. The requested change order will increase the contract by \$1,920.00 from \$151,393.00 to \$153,313.00. The change order request reflects additional

services to design removal of the wall beside the floor scale and to add a metal stud frame beam and relocation of the door to create a more open receiving area. Sufficient funds are available to cover the additional costs.

ADOPTION OF THE INDIANA COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) / PLANNING

Josh Krug, Office of Planning & Development explained in 2018, an initial round of public and stakeholder engagement was completed by the project team in an effort to build awareness and gain input in the development of the draft SALDO. Next, a final draft document was completed, and the project team engaged with our municipal partners, key stakeholders and the public for a second round of outreach and public participation in 2021 to gain feedback on the draft. We then made the full updated draft document available for public review and comment for 60 days. The final draft Ordinance was available for public review in hard copy at the County Law Library and all public libraries throughout the County, the Indiana County Office of Planning & Development, and the office of the Indiana County Commissioners. Printed copies have been available from the Indiana County Office of Planning & Development at a cost no more than the cost to print. The Ordinance and other informational materials have been available on the Office of Planning & Development's website at www.icopd.org and the County website at www.indianacountypa.gov. The public comment period concluded Friday, July 1, 2022.

Mr. Krug further explained that we have since addressed and incorporated appropriate changes based on feedback received during the comment period and additional discussions with key stakeholders. Pursuant to the Municipalities Planning Code, an advertised public hearing was held in-person on March 15, 2023 in the Commissioners Meeting Room and virtually via Zoom at which a summary of the Ordinance and the process of developing the Ordinance was presented for questions and comments. With no additional comments to address, the project team and the Indiana County Planning Commission feel confident in recommending the Indiana County Subdivision and Land Development Ordinance for adoption by the Indiana County Commissioners. The Ordinance will not be active until 120 days from the date of adoption. Land Developments that have applied for building permits prior to the activation date will not be required to comply with the Ordinance.

A motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to adopt the Indiana County Subdivision and Land Development Ordinance (SALDO). As recommended in the Indiana County Comprehensive Plan, the SALDO Committee of the Indiana County Planning Commission and Planning staff have worked in cooperation with project consultants Environmental Planning & Design as well as the municipalities throughout Indiana County, the public, the County Commissioners, and other key stakeholders to develop the Indiana County Subdivision and Land Development Ordinance. This ordinance will replace the Indiana County Subdivision Ordinance, last amended in 1991.

CONTRACT AWARDS – INDIANA COUNTY BROADBAND DEPLOYMENT INITIATIVE

Byron Stauffer explained in response to the RFP to bring High Speed Internet and Broadband Services to Indiana County, REA Energy Cooperative (REA) and its wholly owned subsidiary In The Stix Broadband, LLC (ITX), is proposing to build approximately 350 miles of fiber optic cabling in and around Indiana County. Their plan is to build approximately \$14,346,920 of total fiber infrastructure in Indiana County. The specific grant configuration proposed is designed to avoid Rural Digital Opportunity Fund (RDOF) areas and maximize areas identified by Indiana County that are difficult to service, currently. This solution will provide a fiber-to-the home (FTTH) broadband solution with symmetrical Internet Service speeds ranging from 50Mbps to 1Gbps (1000Mbps). As presented, this is a true fiber optic solution that offers state-of-the art Internet that residents and businesses in densely populated areas have come to enjoy. Additionally, in hard-to-reach areas, REA / ITX will utilize their network services to offer up to gig-speed service wirelessly within areas up to three-quarters of a mile from their fiber optic lines.

The total investment into this project that Indiana County will cover is \$4,584,605.00, which will represent 131 miles of fiber optic cabling, please see attached. From mapping analysis, it is estimated that there are 1,710 residents and 151 businesses for a total of 1,861 potential service locations. REA / ITX will provide \$280,038.31 towards this initial project.

Funding to implement this project will be through one or more Federal, State and local sources, including Appalachian Regional Commission Partnerships for Opportunity and Workforce and Economic Revitalization (ARC POWER) Initiative, the Keystone Communities Program (KCP) and County of Indiana matching funds.

We increasingly live in a knowledge-driven economy, making access to high-speed internet essential to our daily lives and economy. Lack of quality internet access means that businesses and farmers are not able to market themselves and conduct business online, our children and adult learners miss out on online educational opportunities and residents cannot connect to healthcare facilities or cannot share information with specialists using telehealth access, for example.

As defined by the Pennsylvania Broadband Development Authority (PBDA), broadband or high-speed Internet allows users to access the Internet at significantly higher and faster speeds than those available through “dial-up” services, specifically at speeds at 100/20 Mbps for residential services and 100/100 Mbps for business services.

A motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to approve entering into a contract with REA Energy Cooperative (REA) to construct, operate and maintain a fiber optic based high-speed Internet network in targeted unserved and underserved areas of Indiana County. Authorization also allows for Commissioner Keith to execute contract documents is also requested.

PRIVATE PROVIDER AGREEMENTS FY 22-23 AND 23-24 / CYS

At the request of Terrence Redd, Children & Youth Services, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve an agreement with Hearts and Wings, Inc., Ariel, PA for FY 22-23 to provide services to Children & Youth Services and Juvenile Probation on an as needed basis. They provide placement services.

At the request of Terrence Redd, Children & Youth Services, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve an agreement with Menta Psychological, Indiana, PA for FY 23-24 to provide services to Children & Youth Services and Juvenile Probation on an as needed basis. They provide non-placement services.

At the request of Terrence Redd, Children & Youth Services, a motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to approve an agreement with Alice Paul House, Indiana, PA for FY 23-24 to provide services to Children & Youth Services and Juvenile Probation on an as needed basis. They provide non-placement services.

At the request of Terrence Redd, Children & Youth Services, a motion was made by Mr. Keith, seconded by Ms. Hess and carried unanimously to approve an agreement with Unity Family Services, Indiana, PA for FY 23-24 to provide services to Children & Youth Services and Juvenile Probation on an as needed basis. They provide non-placement services.

CONTRACT AMENDMENT...PENNSYLVANIA COMMISSION ON CRIME & DELINQUENCY INTERMEDIATE PUNISHMENT PROGRAM (ELECTRONIC MONITORING) / PROBATION

At the request of James Decker, Probation Office, a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to approve a project modification request to the PCCD for an increased amount of expenditures for electronic monitoring in the Drug Treatment Court in the amount of \$24,980.00.

GRANT APPLICATION...PENNSYLVANIA COMMISSION ON CRIME & DELINQUENCY INTERMEDIATE PUNISHMENT (RESTRICTIVE CONDITIONS) / PROBATION

At the request of James Decker, Probation Office, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve a grant application be submitted to PCCD for the renewal of the Intermediate Punishment (Restrictive Conditions) Grant for FY23-34. This grant is used to fund a major portion of the Drug Treatment Court Program and drug and alcohol treatment evaluations/treatment and programming through the Alcohol and Drug Commission. In the past Indiana County has received \$135,000.00 in the past. Mr. Decker said the Probation Office will be requesting an increase in funding revenue based on the court's statistics.

GRANT APPLICATION...PENNSYLVANIA COMMISSION ON CRIME & DELINQUENCY – FORENSIC/PATHOLOGICAL SERVICES / PROBATION

At the request of James Decker, Probation Office, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve a grant application be submitted to PCCDF for forensic/pathological services applicable to the regional programming being offered by the Indiana County Coroner's Office in the amount of \$250,000.00. If awarded, items that would be purchased are Rapid Drug testing unit, 360degree crime scene cameras, camera upgrades and new computers. Further financial assistance includes paying per autopsy conducted by the medical examiner and all training for testing and technology use.

EQUIPMENT PURCHASE...WEST CENTRAL TRACTOR, INC. / PARKS

At the request of Ed Patterson, Parks & Trails, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve an equipment purchase from West Central Tractor, Inc. through the PA Costars purchasing program a John Deere 4052R tractor in the amount of \$68,225.00. Funding for this purchase will come from the Marcellus Shale Legacy Fund and from the sale of a used tractor.

SALE OF TRACTOR – MUNICIBID AUCTION / PARKS

At the request of Ed Patterson, Parks & Trails, a motion was made by Mr. Keith, seconded by Ms. Hess and carried unanimously to approve the high bid through Municibid Auction Site submitted by Brian Jerrell of Jerrell's Landscapes and Nurseries of Mt. Laurel, NJ in the amount of \$34,300.00.

RESOLUTION...BLAIRSVILLE RIVERFRONT TRAIL RESURFACING PROJECT

At the request of Robin Maryai, Chief Clerk, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve a resolution that allows Commissioner Keith to sign any agreements, amendments and other associated documents related to the Blairsville Riverfront Trail Project.

REIMBURSEMENT AGREEMENT AMENDMENT...BLAIRSVILLE RIVERFRONT TRAIL RESURFACING PROJECT

At the request of Robin Maryai, Chief Clerk, a motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to approve an amended reimbursement agreement for the Blairsville Riverfront Trail Project. The amended amount of the reimbursement agreement has been increased from \$292,000.00 to \$345,000.00. The increase is due to increased construction costs and is 100% federally funded.

AGREEMENT...GIBSON-THOMAS ENGINEERING COMPANY FOR THE BLAIRSVILLE RIVERFRONT TRAIL RESURFACING PROJECT

At the request of Robin Maryai, Chief Clerk, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve an agreement with Gibson-Thomas Engineering to provide construction inspection for the Blairsville Riverfront Trail Project in the amount of \$35,848.83.

2022-2023 PCORP LOSS PREVENTION GRANT PROGRAM

At the request of Robin Maryai, Chief Clerk, a motion was made by Mr. Keith, seconded by Ms. Hess and carried unanimously to approve an application for the 2022-2023 PCorp Loss Prevention Grant Program through the County Commissioners Association of Pennsylvania in the amount of \$30,000.00. These funds will be used to upgrade all lock hardware in the courthouse to meet ADA requirements. The total cost of this project is \$74,127.14 and has been funded through safety grants offered by CCAP.

RESOLUTION BY MUNICIPALITY CERTIFYING PROVISION OF LOCAL MATCH FOR STATE OPERATING FINANCIAL ASSISTANCE / TRANSIT AUTHORITY

At the request of Robin Maryai, Chief Clerk, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve a Resolution by Municipality certifying provision of local match for state operating financial assistance to the Indiana County Transit Authority. The total local match made by the county for state fiscal year 23-24 is \$96,743.00.

BIDS...AIRPORT PROPERTY (033123) / AIRPORT

At the request of Robin Maryai, Chief Clerk, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve the high bid received by Edward & Cathy Meshanko in the amount of \$19,510.00 for 2.51 acres of land located in Cherryhill Township. One other bid was received.

BOARD APPOINTMENT...AIRPORT AUTHORITY

At the request of Rick Fuellner, Airport, a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to appoint Alan McKinney to the Airport Authority replacing Harold Wood, who recently passed away. Term would expire January, 2024.

LEASE AGREEMENT EXTENSION...FLUID RECOVERY SERVICES

At the request of Robin Maryai, Chief Clerk, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve a lease agreement extension with Fluid Recovery Services for the property located at 5035 Route 110, Creekside, PA 15732. This is the second of the tenants' five extensions of the original agreement. The term of this lease will be extended until June 30, 2026.

SETTLEMENT AGREEMENT AND GENERAL RELEASE OF CLAIMS – JUDICIAL WATCH

At the request of Matthew Budash, Solicitor, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve the Settlement Agreement and General Release of Claims between Judicial Watch, Inc. vs. Commonwealth of Pennsylvania, et. al, of which Indiana County is a named party and to allow Keegan R. Sean from Babst Calland to execute this agreement on behalf of Indiana County. Under this settlement, Indiana County is in agreement that information regarding the removal of inactive voters under the National Voter Registration Act will be published on the Department of State’s website for a period of 5 years. Also, the Commonwealth of Pennsylvania has agreed to pay on behalf of all parties the sum of \$15,000.00 to Judicial Watch.

OTHER BUSINESS

Commissioner Gorman thanked the WalkWorks Program on behalf of the Tourist Bureau. This program has helped tourism in Indiana County. She also thanked Laura Herrington and Greg VanHorn as the Tourist Bureau will be celebrating their 60th anniversary in business this year. A celebration of this milestone will be on June 8th. The Center for Economic Operations Newsletter will be in the Indiana Gazette and can be viewed online.

NEXT REGULAR MEETING...APRIL 26, 2023 AT 10:30 A.M.

The next regular scheduled Commissioners’ Public meeting will be held on Wednesday, April 26, 2023 at 10:30 a.m. in the Commissioners’ Hearing Room.

ADJOURNMENT

With no other business to come before the Board at this time, a motion was made by Ms. Gorman, seconded by Mr. Keith to adjourn the meeting at 12:08 p.m.

Sherene Hess, Secretary

R. Michael Keith, Chairman