

COMMISSIONERS' MEETING MINUTES
APRIL 8, 2020

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. It is noted that because the courthouse is closed during the Corona Virus Pandemic, the meeting was open to the public via Zoom.com

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE

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

APPROVE MINUTES...MARCH 11, 2020

A motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve the minutes of March 11, 2020.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSIONS

There were no Executive Sessions.

PROCLAMATION OF APRIL AS FAIR HOUSING MONTH IN INDIANA COUNTY / 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 declare April as Fair Housing Month in Indiana County. The declaration is to bring attention to the residents of Indiana County that it is their right to live where they want without prejudice and discrimination. It is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) to discriminate in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services because of race, color, sex, national origin, religion, familial status (families with children), or handicap (disability, and, the Pennsylvania Human Relations Act add the additional protected classes of age, ancestry and use of guide or support animals.

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 a Fair Housing Resolution for Indiana County and “on behalf of” (“OBO”) the Community Development Block Grant (CDBG) Entitlement communities of Indiana Borough, Burrell and Center Townships. 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, Burrell and Center Townships; 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 COMPLIANT 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, Community Development Analyst 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, Burrell Township 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. The notice of the Fair Housing Officer and compliant process will be published in the Indiana Gazette on April 9, 2020 and will be posted on the County’s website.

CONTRACT AGREEMENT – CDBG 2019 INDIANA COUNTY AND INDIANA COUNTY “OBO” INDIANA BOROUGH, BURRELL TOWNSHIP, CENTER TOWNSHIP / PLANNING

At the request of LuAnn Zak, Office of Planning & Development, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to enter into a contract agreement with the Commonwealth of Pennsylvania for the 2019 Community Development Block Grant contract for Indiana County and Indiana County “on behalf of” Indiana Borough, Burrell Township and Center Township. The contract is for \$667,832.00 for various project activities including water and sewer system improvements, storm water management and planning. The contract timeline is March 2, 2020 to March 1, 2024. Approval also allows Commissioner Keith to sign required paperwork for contract execution.

RESOLUTION AUTHORIZING DELEGATION OF SIGNING AUTHORITY 2019 CDBG PROGRAM / 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 a resolution authorizing the delegation of the signing authority for invoicing of the 2019 CDBG Program contract number C000073660. The delegation of the signing authority is for LuAnn Zak to review and sign all invoices for the CDBG contract prior to submission to the Pennsylvania Department of Community and Economic Development (DCED) for approval. The signing authority request is to comply with the Commonwealth’s paperless invoicing process. The resolution includes a commitment that the Board of Commissioners will notify DCED of any changes in personnel

and understand that the ultimate responsibility of the overall management of the grants remain with the County.

**CONTRACT AWARD – MULTIPLE FISCAL YEARS CDBG INDIANA COUNTY
“OBO INDIANA BOROUGH / PLANNING**

At the request of LuAnn Zak, Office of Planning & Development and on behalf of Indiana Borough, a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to enter into a contract with Stiffler McGraw & Associates, Indiana, PA. The contract award is on behalf of Indiana Borough for the design of multiple CDBG funded project activities. The total contract amount for all three project activities is \$99,800.00 with each activities costs and services delineated separately. The contract will be funded with Indiana Borough’s 2016, 2017, 2018 and 2019 CDBG entitlement funds.

The contract breakdown per project activity is as follows:

- First Street Retention Pond Improvements: \$47,600.00
Includes permitting, design, bidding, construction, inspection and as-built services.
- S. 7th Street Storm Sewer Replacement: \$14,500.00
Includes design, bidding, construction and as-built services.
- S. 15th Street Storm Culvert Replacement: \$37,500.00
Includes permitting, final design, bidding, construction, inspection and as-built services.

It is noted that the detailed scope of services was provided in the request for proposal that are incorporated as part of the contract.

**CONTRACT AWARD – BLAIRSVILLE MURPHY BUILDING DEMOLITION
PROJECT / PLANNING**

At the request of David Morrow, Office of Planning & Development and on behalf of Blairsville Community Development Authority and Remington & Vernick Engineers, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to enter into a contract agreement with Ligonier Construction, Laughlintown, PA, for the Blairsville Murphy Building Demolition Project. The contract award in the amount of \$314,000.00 is for the demolition of the 3 story Murphy Building at the intersection of East Market Street and Stewart Street in the Borough of Blairsville. A total of four responsive proposals were submitted low bid as stated and a high bid of \$435,000.00. This project is being funded with 2017 Indiana County Community Development Block Grant Funds, Keystone Communities Program Funds, S&T Bank Tax Credits through the Neighborhood Assistance Program and Local Blairsville Borough Funds.

**CONTRACT AWARD – JOSEPHINE SEWER SYSTEM INFILTRATION PROJECT /
PLANNING**

At the request of David Morrow, Office of Planning & Development and on behalf of Burrell Township Supervisors, Burrell Township Sewer Authority and Stiffler McGraw and Associates a

motion was made by Mr. Keith, seconded by Ms. Hess and carried unanimously to enter into a contract agreement with D.J. Wisor & Sons, West Decatur, PA, for the Josephine Sewer System Infiltration Project. The contract award request in the amount of \$190,190.00 is for the replacement of approximately 120 sanitary sewer observation stacks in the village of Josephine, Burrell Township. A total of seven proposals were submitted low bid as stated and a high bid of \$359,295.00. This project is being funded with 2016, 2017 and 2018 Burrell Township Community Development Block Grant Funds along with funds from the Burrell Township Sewer Authority.

PROFESSIONAL SERVICES CONTRACT AWARD – NORTH CENTRAL PENNSYLVANIA REGIONAL PLANNING AND DEVELOPMENT COMMISSION – VERTICAL ASSET INVENTORY AND BROADBAND SURVEY / PLANNING

At the request of Byron Stauffer, Office of Planning & Development, a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to approve a professional services contract with the North Central Pennsylvania Regional Planning and Development Commission to conduct a county-wide vertical asset inventory and broadband survey. The vertical asset inventory will document all towers, barn silos, water tanks and other vertical assets that may be purposeful in the deployment of broadband infrastructure. The contract also includes conducting a broadband survey, including all Indiana County school districts and local agencies, to independently determine the unserved and underserved areas within Indiana County for deployment of broadband services. The scope of work of the contract shall be completed within nine months at a cost of \$25,000.00. The County will be reimbursed for the contract costs through a Keystone Communities Program (KCP) grant administered by the Commonwealth of Pennsylvania, Department of Community & Economic Development.

GROUND LEASE AGREEMENT – INDIANA COUNTY TECHNOLOGY CENTER – INDIANA COUNTY CONSERVATION DISTRICT OFFICE PROJECT / PLANNING

At the request of Byron Stauffer, Office of Planning & Development, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve and authorize the signing of a Ground Lease Agreement with the Indiana County Technology Center (ICTC) for the Indiana County Conservation District Office Project. The initial Ground Lease term is for 27 1/2 years, effective on December 1, 2019, for approximately six (6) acres of property to be used for administrative and environmental education programs and calls for a one-time payment of \$150,000 to the ICTC. The \$150,000 will be paid to the County by the Indiana County Conservation District via a MOU previously approved. The Ground Lease sets a \$300 annual Common Area Maintenance fee payable July 1st each year for maintaining common areas of the ICTC campus along with other shared capital repairs and maintenance provisions. The Ground Lease may be extended for one additional 25-year term for \$1.00.

The Commissioners have entered into four prime contract agreements for the construction of a new Indiana County Conservation District office building. Total of the combined four contracts is \$2,029,890.00. The work includes the construction of a one-story wood frame structure of approximately 6,500 square feet. The building shall include administrative office space, a 1,000 square foot environmental and agricultural educational group room and a 500 square foot conference room. Construction costs will be covered by a grant from the Redevelopment

Assistance Capital Program and funds derived from a long-term sublease with the Indiana County Conservation District.

BOARD VACANCIES

Chief Clerk Robin Maryai announced there is a vacancy on both the Transit Authority and the Housing Authority. Anyone interested in serving on these boards can submit a letter of interest to the Commissioner's Office.

AGREEMENT...HIGHER INFORMATION GROUP, INC. / PROTHONOTARY – CLERK OF COURTS

On behalf of Randy Degenkolb, Prothonotary & Clerk of Courts, a motion was made by Mr. Keith, seconded by Ms. Hess and carried unanimously to approve an agreement with Higher Information Group, Inc. to convert public criminal records from microfilm to digital files at the rate of \$0.03 per image. These records span the years of 1806 – 2004 and there are approximately 960,000 images. The estimated cost is \$29,300.00 and will be funded 50-50 from the Records Improvement Fund and the Prothonotary's Automation Fund.

AMENDMENT 5...FEDERAL ENGINEERING, INC. / EMA

On behalf of Thomas Stutzman, Emergency Management Agency, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve Amendment 5 to the current agreement with Federal Engineering. The county maintains an agreement with Federal Engineering to assist with lease agreements and engineering for non-public safety use of the county facilities. The original contract entered into in 2017 in the amount of \$10,000.00. Amendment 5 will extend the agreement for FY 2020 in the amount not to exceed \$20,000.00.

DISASTER EMERGENCY DECLARATION STATEMENT

County Solicitor, Matthew Budash, said that on March 16, 2020 the board of commissioners issued and published a Disaster Emergency Declaration Statement in response to the current Covid-19 infectious disease pandemic. The emergency declaration was issued pursuant to Title 35 section 7501 of the Pennsylvania Emergency Management Services Code which allows among other things for the county to employ temporary workers, rent equipment, purchase supplies and materials, enter into contracts and agreements for the performance of public works as may be required to meet the emergency. While that declaration was not issued at a public meeting, it should be affirmed by public vote. Mr. Budash said this is not a renewal and not an extension. The emergency declaration was declared on March 16, 2020 and remains in effect today. A motion was made by Ms. Hess, seconded Ms. Gorman to publicly recognize the Disaster Emergency Declaration Statement issued by Indiana County.

PUBLIC DISASTER ASSISTANCE APPLICATION AND AGREEMENT FOR FINANCIAL ASSISTANCE

A motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve the Public Assistance Application and Agreement for Financial Assistance between the Commonwealth of Pennsylvania and the County of Indiana to apply for public disaster assistance due to the Covid19 Pandemic. The motion also allows for Mr. Keith to sign all necessary documents for the agreement.

RESOLUTION...SECOND AMENDMENT

County Solicitor, Matthew Budash, presented the board a Resolution that supports the Second Amendment of the Constitution of the United States and the Commonwealth of Pennsylvania. There has been a public discussion regarding the infringement of the Second Amendment rights not only across the country but also in Indiana County. This Resolution expresses opposition to any gun law that is found unconstitutional and affirms the intent of Indiana County to support the Second Amendment and oppose within the limits of the United States and Pennsylvania Constitutions in the effort to unconstitutionally restrict Second Amendment rights. Mr. Keith made a motion, seconded by Ms. Gorman to approve the Resolution. Ms. Hess abstained from the vote.

AGREEMENT...THOMAS, THOMAS AND HAFER, LLP

A motion was made by Ms. Hess, seconded by Ms. Gorman, and carried unanimously to approve an agreement with Thomas, Thomas and Hafer, LLP to provide legal counsel to Indiana County. Three members of the Board of View have been sued in United States District Court for the Western District of Pennsylvania alleging a violation of civil rights in connection with condemnation proceedings initiated by the Pennsylvania Department of Transportation. Attorney Suzanne B. Merrick has agreed to represent Indiana County and the Board of View at the rate of \$175.00 per hour.

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

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 certifying that Indiana County will provide the Indiana County Transit Authority local funds in the amount of \$81,227.00 for State FY 2020-2021.

OTHER BUSINESS

Commissioner Keith read the following statement.: To the residents of Indiana County thank you for your cooperation during the trying times we are facing. We want to insure to all of Indiana County that we are behind you and we will get through this. We ask that you please be patient and abide by the safety recommendations of the CDC and the Pennsylvania Department of Health. Emergency Management Agency Director, Tom Stutzman, is providing information and updating constantly what is happening throughout our county. As of today, there are 25 confirmed cases and no deaths. The county resources are being provided to those agencies requesting them. The Commissioners spoke with Senator Casey and shared information including our needs from the federal government and we have been in contact with our state senator and representatives also receiving information on the issues and needs. Judge Martin and the courts have been working closely together with the Commissioners also, with decisions and needs for the safety of the personnel. There is information and resources listed on the county's website. Governor Wolf has issued that the flags in the Commonwealth be flown at half-staff to honor the victims of Covid-19.

Commissioner Gorman reminded everyone there is great information and resources listed on the county's website. There is a mirid of people out there working well above and beyond to serve the businesses. There is great need across our state and nation. Ms. Gorman thanked everyone

for their patience. She is Indiana County proud and ask that people keep in mind our systems are not equipped for such a surge. So please be patient but be vigilant, keep trying, don't give up. Someone will answer your call to whatever your need is. There is an overload from federal to state to local. That's not an excuse but a reality. She thanked everyone for everything they are doing.

Commissioner Hess thanked those who are on the front lines, medical, pharmaceutical professionals and all those who are essential workers. If you are staying at home, thank you for that. This a key component to beating this virus. There is small business assistance and Penn State Extension is going to hold a webinar for small business and the farming community. To roll out these enormous programs for small businesses is going to take time but there is plenty of money to go around and please patient but please try for your share. There is information on our website to navigate the unemployment maze. If you are in need of food or essential items or anything related to Human Services call 2-1-1 and they will get you connected to what you need. This is a tough time and the Emergency Management Agency is working hard in constant motion and thanked them and the county department heads for their hard work.

Byron Stauffer, Planning & Development, reminded everyone to complete their Census forms.

NEXT REGULAR MEETING...APRIL 22, 2020 AT 10:30 A.M.

The next regular scheduled Commissioners' Public meeting will be held on Wednesday, April 22, 2020 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 Ms. Hess to adjourn the meeting at 11:12 a.m.

Sherene Hess, Secretary

R. Michael Keith, Chairman