

COMMISSIONERS' MEETING MINUTES
DECEMBER 15, 2021

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...NOVEMBER 17, 2021

A motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve the minutes of November 17, 2021.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSIONS

There was an Executive Session held on December 7, 2021 at 2:30 p.m. to discuss the Opioid Litigation.

COVID 19 UPDATE

Tom Stutzman reported over the last several there was a spike in positive Covid cases locally and globally. The week following Thanksgiving the County averaged 85 cases per day. The outbreak has placed a strain on the local healthcare resources including treatment delays. Ventilators are in high demand and requests have been made for state resources to support local facilities. Because the CDC has changed guidelines to include those 5 years of age and older, the percentages have dropped. 44% of Indiana County is fully vaccinated, 95 people a day are getting tested on average, 59 deaths and 11,914 County residents have taken advantage of getting the booster shots. Total covid related deaths to date is 283. Vaccinations are available and Mr. Stutzman encourages those not vaccinated to do so.

RESOLUTION...OPIOID SETTLEMENT AGREEMENTS

Solicitor Matt Budash explained that the County retained the law firm of Marcus and Mack to represent Indiana County's interests in the opioid litigation and that settlements will be forthcoming. He requested that the board approve a resolution authorizing Brian Neiderhiser from Marcus and Mack to execute certain documents as listed in the resolution on behalf of Indiana County. A motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve the Resolution authorizing Brian Neiderhiser to execute documents on behalf of Indiana County as listed in the Resolution.

PROJECT SHARE AGREEMENT...CALVARY PRESBYTERIAN CHURCH / DEPT OF HUMAN SERVICES

At the request of Maureen Pounds, Department of Human Services, a motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to approve an agreement between the County and Calvary Presbyterian Church for their participation in Project SHARE. Project SHARE is a collaborative effort by organizations and the faith community to share resources and information to help residents of the county in need.

\$50,000 CARES ACT REVOLVING LOAN FUND (CARES ACT RLF) LOAN TO RUSSELLS MOTORSPORTS, INC. / PLANNING

At the request of Angela Campisano, Office of Planning & Development, a motion was made by Mr. Keith, seconded by Ms. Hess and carried unanimously to approve a \$50,000 term loan from the Indiana County CARES Act Revolving Loan Fund (RLF) to Russells Motorsports, Inc. This business was established in 1997 and specialize in the sale of used autos. They are located in Blairsville. All of the proceeds of this loan will solely be used as working capital to pay for critical operating expenses such as payroll, utilities, and inventory to alleviate economic injury caused by the COVID-19 pandemic disaster. The interest rate is 0.0% fixed for the term of the loan. There is no payment for the first twelve months; then 60 months of principal. The Borrower will retain 1 full-time equivalent employee as a result of these funds. The application was reviewed and approved by the Revolving Loan Fund Loan Review Committee.

RESOLUTION – RE-CERTIFYING THE CARES ACT REVOLVING LOAN FUND / PLANNING

At the request of Angela Campisano, Office of Planning & Development, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to adopt a resolution re-certifying that the CARES Act Revolving Loan Fund is being operated consistent with the existing Economic Development Strategy and are being operated in accordance with the policies and procedures contained in the administrative plan. This is a housekeeping item required semi-annually by the Economic Development Administration. Our Economic Development Strategy is embodied within the document, *Mapping the Future: The Southwestern PA Plan* which is developed by the Southwestern Pennsylvania Commission and endorsed by EDA.

CHANGE ORDER #1 – GLEN CAMPBELL BOROUGH WATER SYSTEM IMPROVEMENT PROJECT / PLANNING

At the request of David Morrow, Indiana County Office of Planning & Development and on behalf of Glen Campbell Borough and The EADS Group, Inc., a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to approve Change Order #1 with SE Construction Group, LLC in the amount of \$265,414.80 for the Glen Campbell Borough Water System Improvement Project. Change Order #1 is a deduct change order to delete waterline installations on Rickardsale Road and First Avenue in Glen Campbell Borough. This deduct is necessary in order to bring the project within budget. The revised contract with SE Construction Group, LLC with approval of Change Order #1 will be \$958,595.00.

REJECT BIDS: INDIANA COUNTY PRISON MANHOLE REHABILITATION PROJECT / PLANNING

At the request of David Morrow, Indiana County Office of Planning & Development and on behalf of Gibson-Thomas Engineering Co., Inc., a motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to reject all bids received on November 12, 2021 for the Indiana County Prison Manhole Rehabilitation Project. This action is being requested due to the

bids exceeding the current project budget. It is anticipated the project will be rebid early spring of 2022. Three bids were received on the project ranging from low bid of \$107,410 to a high bid of \$144,000.

MATERIAL PURCHASE REQUEST – INDIANA COUNTY EDUCATION & TECHNOLOGY CENTER PROJECT / PLANNING

At the request of David Morrow, Office of Planning & Development and on behalf of Cavcon Construction, Inc., a motion was made by Ms. Gorman, seconded by Mr. Keith and carried unanimously to approve the expenditure of \$73,400.00 for the purchase of Suspended Ceiling Baffles through ESSI Acoustical Products Company of Cleveland, OH for the Indiana County Education & Technology Center Project. A total of two responsive proposals were submitted ranging from low bid as stated by ESSI Acoustical Products Company of \$73,400 and a high bid of \$74,597.80. This materials only purchase is being funded with Appalachian Regional Commission (ARC) Grant funds.

BUDGET REVISION #1 – INDIANA COUNTY 2018 CDBG ENTITLEMENT/PEG RUN RESERVOIR PROJECT / 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 budget revision to the County's 2018 CDBG Entitlement project. The Pennsylvania Department of Environmental Protection (DEP) has mandated additional equipment at the water treatment plant. The budget revision will add the purchase and installation of equipment at the Peg Run Reservoir Water Treatment Plant. The estimated costs of the equipment is approximately \$30,000.00. There are sufficient project funds from the Peg Run Reservoir Improvements Project to cover the additional costs. The beneficiaries and service area of the project remain unchanged.

2017 CDBG CONTRACT EXTENSION / 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 approve a contract extension request to the PA Department of Community & Economic Development (DCED) for the 2017 CDBG Entitlement contract. The extension requests that the contract deadline date be revised from February 13, 2022 to June 7, 2022. Due to issues related to the Coronavirus pandemic, proposed activities within the contract have been delayed and modifications have been necessary to complete the projects. A preliminary approval has been received from DCED for the extension with final paperwork to be submitted if approved by the Board of Commissioners. This request allows for Commissioner Keith to sign all necessary paperwork.

2016 AND 2017 CDBG PROJECT ACTIVITY EXTENSIONS / PLANNING

LuAnn Zak, Office of Planning & Development requested that the Board of Commissioners approve the following 3-Year Project Activity extensions for the 2016 and 2017 CDBG Entitlement contracts:

A motion was made by Ms. Hess, seconded by Ms. Gorman and carried unanimously to approve that the activity completion date be extended to May 15, 2022 for the 2016 CDBG Entitlement Indiana County "On Behalf Of" Indiana Borough S. 7th Street Storm Sewer Replacement Project

A motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve that the activity completion date be extended to May 15, 2022 for the 2017 CDBG Entitlement S. 7th Street Storm Sewer Replacement Project “On Behalf Of” Indiana Borough

A motion was made by Ms. Hess, seconded by Mr. Keith and carried unanimously to approve that the activity completion date be extended to may 15, 2022 for the Old Ernest Mine Demolition Project – Indiana County.

All necessary paperwork will be submitted to PA DCED.

MEMORANDUM OF UNDERSTANDING FOR PCA CREATIVE COMMUNITIES INITIATIVE GRANT REIMBURSEMENT REQUEST / PLANNING

At the request of Josh Krug, Office of Planning & Development, a motion was made by Mr. Keith, seconded by Ms. Gorman and carried unanimously to approve entering into a Memorandum of Understanding with Hannah Harley, Project Manager, for the Creative Spaces Collective program. Indiana County, through the Office of Planning & Development was awarded a grant of \$100,000 from the Pennsylvania Council on the Arts (PCA) - Creative Communities Program. In order to maximize the leveraging of the grant program while working within the program requirements it will be necessary to enter into separate agreements or memorandums of understanding with any party other than the County that has paid or will pay for project expenses directly, as the County is the official grantee. This MOU will allow Hannah Harley to pay invoices directly on behalf of the County of Indiana for the current grant period July 1, 2021 – June 30, 2022. This request allows for Commissioner Keith to sign all necessary paperwork.

GRANT APPLICATION – ARC ACCESS ROAD PROGRAM - 119 BUSINESS PARK ACCESS ROAD PROJECT – CENTER TOWNSHIP / 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 authorize the filing of a federal grant application to the Appalachian Regional Commission (ARC) Access Road Program in the amount of \$500,000 and to enter into a Cooperation Agreement with the Indiana County Development Corporation and Center Township Supervisors to facilitate the development of the project.

The 119 Business Park Access Road Project scope will provide access to approximately 10-acres of previously undeveloped business park property for light manufacturing and industrial development. The proposed project will result in a new 540 LF (0.102 mile) access road that is 24’ wide with 2’ curb gutter and 100’ diameter cul-de-sac, including all development phases, such as engineering, design, survey, administration, inspection & testing, environmental, permitting, grading, stormwater management, lighting, markings and signage, according to applicable design standards. Once complete, the final project will facilitate business location and/or expansion opportunities, resulting in the creation of approximately 50 family sustaining non-construction jobs. The ICDC has received a number of inquiries for the subject property, however the lack of an adequate access road has been challenging. The new roadway will be dedicated as a public road to Center Township following close-out of the project.

The total estimated project budget is \$1,079,195, which has been approved by PennDOT D-10. The balance of the funding will be a \$367,500 State grant through the Commonwealth Financing Authority Multimodal Transportation Fund (CFA MTF).

LIQUID FUELS – APPLICATION TO ENCUMBER – 119 BUSINESS PARK ACCESS ROAD PROJECT – CENTER TOWNSHIP / 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 authorize the submission of a funding application to PennDOT District-10 for a total of \$211,700 Application to Encumber Liquid Fuels Tax Funds in collaboration with the Indiana County Development Corporation (ICDC) and the Center Township Supervisors to partially offset eligible project costs for the 119 Business Park Access Road Project.

The total estimated project budget is \$1,079,195, which has been approved by PennDOT D-10. The balance of the funding will be a \$500,000 grant through the Appalachian Regional Commission (ARC) Access Road Program (Federal) and a \$367,500 State grant through the Commonwealth Financing Authority Multimodal Transportation Fund (CFA MTF). With the leveraging of the Federal and State funding, the requested Liquid Fuels funding represents approximately 20% of the total estimated project costs.

CHANGE ORDER #1 – INDIANA COUNTY BRIDGE BARRIER RETROFIT & BEAM CRACK REPAIRS / PLANNING

At the request of Robin Maryai, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve Change Order #1 in the amount of \$2,821.18 for the Indiana County Bridge Barrier Retrofit & Beam Crack Repair Project. The change order is for additional concrete anchor bolts and labor needed to complete to the project.

CONSENT FOR RIGHT OF ENTRY...DEPARTMENT OF ENVIRONMENTAL PROTECTION

At the request of Robin Maryai, a motion was made by Ms. Hess, seconded by Mr. Keith and carried unanimously to approve a Consent for Right of Entry that will allow DEP to access portions of the Ghost Town Trail near Raxis for the construction of the mine water treatment plant.

2021 BUDGET TRANSFER

At the request of Lisa Gregersen, Financial Supervisor, a motion was made by Ms. Gorman, seconded by Ms. Hess and carried unanimously to approve a 2021 budget transfer from reserves in the amount of \$820,000.00 to cover costs associated with the broadband projects that were funded with CARES grant money.

RESOLUTION...ELIMINATION OF THE COUNTY PER CAPITA TAX

A motion was made by Ms. Gorman, seconded by Mr. Keith and carried unanimously to approve a resolution abolishing the \$5.00 County Per Capita Tax effective January 1, 2022.

2022 GENERAL FUND BUDGET

A motion was made by Mr. Keith, seconded by Ms. Gorman, and carried unanimously to approve the 2022 General Fund Budget as follows:

Opening Balance..... \$ 4,234,611
Total Revenues..... \$41,906,563
Total Expenditures.... \$46,141,174

The real estate tax will remain the same. This will allow a real-estate tax rate of 4.905 mills. .70 mills of 4.905 are applied to debt with the remaining millage of 4.205 to general operating fund.

The per capita tax has been abolished in a previous action.

2022 CAPITAL FUND BUDGET

A motion was made by Ms. Gorman, seconded by Ms. Hess, and carried unanimously to approve the Capital Fund Budget as follows:

Opening Balance..... \$30,970
Total Revenue..... \$20,030
Total Expenditures.... \$51,000

2022 LIQUID FUELS BUDGET

A motion was made by Ms. Gorman, seconded by Mr. Keith and carried unanimously to approve the Liquid Fuels Budget as follows:

Opening Balance..... \$0
Total Revenue..... \$367,896
Total Expenditures.... \$367,896

COURTHOUSE CLOSED...DECEMBER 24, 2021 AND DECEMBER 31, 2021

Commissioner Keith announced that the courthouse will be closed December 24, 2021 to observe the Christmas Day Holiday and December 31, 2021 to observe the New Years Day Holiday.

OTHER BUSINESS

The It's a Wonderful Life parade and tree lighting will be held on November 19th at 7:00 p.m.

NEXT REGULAR MEETING... JANUARY 12, 2022 AT 10:30 A.M.

The next regular scheduled Commissioners' Public meeting will be held on Wednesday, January 12, 2022 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 11:21 a.m.

Sherene Hess, Secretary

R. Michael Keith, Chairman