

COMMISSIONERS' MEETING MINUTES
MARCH 27, 2019

Commissioner Chairman Michael A. Baker called the regular meeting of the Indiana County Commissioners to order at 10:33 a.m. in the Commissioners Hearing Room.

ROLL CALL

Chairman Michael A. Baker, present
Commissioner Rodney D. Ruddock, present
Commissioner Sherene Hess, present

Also, in attendance were Solicitor Matthew T. Budash, Chief Clerk Robin Maryai and others. Members of the news media present were Josh Widdowson, Chauncy Ross and Greg Reinbold.

PLEDGE OF ALLEGIANCE

Commissioner Baker led those present in reciting the Pledge of Allegiance to the American Flag. Commissioner Baker asked those present to remain standing for a moment of silence for Mark Lundquist who pass away suddenly. Mark was the county's financial advisor for many years.

APPROVE MINUTES...MARCH 10, 2019

A motion was made by Mr. Ruddock, seconded by Ms. Hess and carried unanimously to approve the minutes of March 10, 2019.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSIONS

There was an Executive Session held on March 20, 2019 at 10:30 a.m. to discuss contractual matters in the Office of Planning & Development.

PROCLAMATION...CHILD ABUSE PREVENTION MONTH

After a proclamation was read by Ms. Hess, a motion was made, seconded by Mr. Ruddock and carried unanimously to proclaim the month of April, 2019 as Child Abuse Prevention Month in Indiana County and urge all citizens to work together to help reduce child abuse and neglect and engage in activities that strengthen families and provide a healthy environment for children to learn, grow and thrive in our community.

Jessica Clark from the Care Center was present to accept the proclamation and thanked the Commissioners for their continued support. She said the Care Center uses the pinwheel as national symbol of child abuse awareness and every child deserves a safe happy childhood. The pinwheel planting ceremony will be March 29th at noon on the courthouse front lawn and they will be up for the entire month of April.

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. Ruddock, seconded by Ms. Hess 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, 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.

RESOLUTION – FAIR HOUSING / PLANNING

At the request of LuAnn Zak, Office of Planning & Development, a motion was made by Mr. Ruddock, seconded by Ms. Hess 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, 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.

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 Mr. Ruddock, seconded by Ms. Hess 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 AUTHORIZING DELEGATION OF SIGNING AUTHORITY 2017 CDBG COMPETITIVE PROGRAM / PLANNING

At the request of LuAnn Zak, Office of Planning & Development, a motion was made by Mr. Ruddock, seconded by Ms. Hess and carried unanimously to approve a resolution authorizing the delegation of the signing authority for invoicing of the 2017 CDBG Competitive Program contract number C000070335. 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 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.

RESOLUTION – ARC POWER INITIATIVE GRANT APPLICATION SUBMISSION – WESTMORELAND COUNTY COMMUNITY COLLEGE & CHALLENGER LEARNING CENTER BUILDING PROJECT - PLANNING

At the request of Byron Stauffer, Office of Planning & Development, and in collaboration with Westmoreland County Community College (WCCC) and the Challenger Learning Center Indiana Pennsylvania (CLCIP), a motion was made by Mr. Ruddock, seconded by Ms. Hess and carried unanimously to authorize the submission of a Federal grant application to the Appalachian Regional Commission (ARC), POWER Initiative program in the amount of up to \$3,000,000 for eligible costs associated with the development of an approximately 27,000 square foot education and training facility proposed on the campus of the Indiana County Technology Center (ICTC). The motion also includes authorization for Commissioner Baker and /or any appropriate official to be granted authorization to execute any such documents or take such actions required to execute the POWER Initiative contract and to implement the same. The purpose of the project is to provide a regional learning facility for students K-12, as well as adult learners that includes a community college, the technology center, and a proposed Challenger Learning Center that strengthen knowledge in science, technology, engineering, and mathematics (STEM) to inspire students to pursue careers in these fields, all intended to provide students entering the workforce the necessary skill sets to pursue successful careers in high demand occupations. The POWER Initiative grant will be administered by the Office of Planning & Development in collaboration with the Indiana County Development Corporation that will assist in the construction of the site improvements and the building.

ADMINISTRATIVE SERVICES REIMBURSEMENT AGREEMENT

Commissioner Baker explained, the board will be considering separate, but related actions that are necessary to establish and maintain a public-private relationship between the County and the Indiana County Development Corporation (ICDC). These actions will align the County and the ICDC in their collective and ongoing planning and economic development efforts for the County.

A motion was made by Mr. Ruddock, seconded by Ms. Hess and carried unanimously to approve the Administrative Services Reimbursement Agreement between the County and the ICDC. This agreement both formalizes and memorializes an existing agreement between the County and the ICDC that was initially entered into in 1994. Under the terms of the agreement, the ICDC will continue to pay the county \$50,000.00 annually for administrative services rendered to the ICDC by the Office of Planning & Development. These services have been recognized to be both significant and substantial by both the County and the ICDC and are outlined in detail under Attachment A of the agreement. The agreement has been reviewed by County's Solicitor

EXECUTIVE MANAGEMENT SERVICES AGREEMENT

A motion was made by Mr. Ruddock, seconded by Ms. Hess and carried unanimously to approve the Executive Management Services Agreement. This is an entirely new agreement that will modify the way the county's Office of Planning and Development is administered and will establish a contractual arrangement between the county and the ICDC for the services of the Executive Director of the Planning Office. Under the terms of this agreement, the following will occur:

1. Office of Planning & Development (OPD) Executive Director Byron Stauffer will cease employment with the county effective on or about April 8, 2019.
2. The county will contract with ICDC for the services of an Executive Director for OPD.

3. The ICDC will employ a person who will serve as the Executive Director of OPD.
4. That employee is subject to the mutual consent of the county and the ICDC.
5. That employee will exercise full administrative and management authority over OPD.
6. The county will pay ICDC a management fee for the Executive Director's services.

The duties and responsibilities of the Executive Director are outlined in detail under Attachment A of the agreement. The agreement has been reviewed by the county's solicitor.

RESOLUTION...WAIVER, RELEASE AND DISCHARGE

A motion was made by Mr. Ruddock, seconded by Ms. Hess and unanimously carried to approve the WAIVER, RELEASE AND DISCHARGE of a rule imposed by the county on the ICDC under the county's Revolving Loan Fund program. Under the terms of the agreement of the RLF, which disbursed funds to the ICDC on February 27, 2018, the ICDC was prohibited from hiring any employee or consultant of the county who was employed during a one-year period prior to the making of the loan to ICDC. The ICDC has requested that this prohibition be waived, released and discharged by the county in consideration of the ratification of the EXECUTIVE MANAGEMENT SERVICES AGREEMENT, which was just completed by the board in the previous action. The language of the WAIVER, RELEASE AND DISCHARGE has been reviewed by the county solicitor.

Commissioner Baker said we have ratified an agreement with the Indiana County Development Corporation (ICDC), which is a private entity, that will formally join their efforts at expanding economic development and creating new job opportunities for Indiana County and the region.

Under the terms of the three-year agreement, the ICDC will provide an Executive Director and management services to the county Office of Planning and Development. Current Executive Director Byron Stauffer, Jr. will leave county employment and become an employee of ICDC, but will, by virtue of this agreement, retain full administrative oversight of the county Planning Office, as well. The county will pay a management fee of \$110,000/year to the ICDC for the services of the Executive Director, which is slightly less than it currently spends on total wages and benefits for Stauffer under the old plan.

With the addition of the new Urban Outfitters fulfillment center in Indiana County and the potential for other spin-off business and industrial opportunities, the county and ICDC recognized the need to make a greater investment in their collective economic development efforts. The ICDC stepped up and offered additional financial support to retain and enlarge Byron Stauffer's services that the county could not otherwise afford to pay. This deal ensures continuity of leadership in our economic development efforts and in the Planning office while controlling the costs associated with doing so. The county is grateful to the ICDC's leadership team for helping to make it possible.

This agreement is very similar to the way the county has operated the Indian Haven skilled nursing facility for many years. While the nursing home's personnel are employees of the county, the administrator and management services are provided by Affinity Health Services of Indiana. As a result of that relationship, Indian Haven is one of the few remaining county-owned nursing homes that continues to operate at a net profit, and that is a very difficult accomplishment in today's healthcare market. Today's agreement between the county and the ICDC provides a very similar public-private partnership arrangement for the Office of Planning and Development.

CONTRACT...THE EFFICIENCY NETWORK, INC.

At the request of Bill Sink, Director of County Facilities, a motion was made by Mr. Ruddock, seconded by Ms. Hess and carried unanimously to approve a contract with The Efficiency Network (TEN) in the amount of \$1,122,291.00. TEN performed an Investment Grade Audit and delivered a proposal for the following upgrades at the Courthouse and three other county-owned buildings:

County-Wide Lighting	\$618,101.00.
Courthouse Demand Control Ventilation	\$8,864.00
Courthouse Exhaust Fan Control	\$10,833.00
Indian Haven Laundry Ozone	\$66,881.00
Courthouse Cooling Tower Repair w/o VFD	\$25,996.00
Courthouse Gutter Heaters	\$49,960.00
Replace Courthouse back door operator	\$5,976.00
Replace stairway doors	\$10,448.00
Annex 827 Drains and Sidewalks	\$77,992.00
Annex 827 Split System Repairs	\$13,290.00
ICEMA Office Split System Replacement	\$244,951.00
Total	\$1,122,291.00

Mr. Sink said TEN guarantees that the county will recoup the cost of the work with reductions in electric, gas and other utility billing. Under this contract, the guaranteed savings works out with guaranteed savings in 10.2 years. The project will cost less than the amount that the county has allocated in the budget and that no loans will be necessary. Indiana County will be required under Act 163 to pay for one year of measurement and verification. That audit will cost \$5,060.00. It is also noted that the county can apply for a PCoRP Grant in the amount of \$10,448.00 to cover the costs to replace the stairway doors.

CONSIGNMENT AGREEMENT...ENTERPRISE FLEET MANAGEMENT

At the request of Robin Maryai, Chief Clerk, a motion was made by Mr. Ruddock, seconded by Ms. Hess and carried unanimously to approve a Consignment Agreement with Enterprise Fleet Management whereby they will sell at wholesale unused county vehicles at the rate of \$200.00 per vehicle plus towing if the vehicle is not drivable.

OTHER BUSINESS

Commissioner Hess presented a statement on behalf of the board regarding a hate speech, the text of which is as follows: “You may have heard about some racist messages appearing billboard on Route 422 owned by a Worthington businessman. Those racially charged words and sentiments are not only racist, they represent hate speech. While it is protected speech under the 1st amendment of the constitution, it is hurtful, divisive and the opposite of patriotism. True love of country says NO to intolerance and hateful words and actions that tear us along racial, ethnic, gender, and religious lines. True love of country says we will unify and protect our brothers and sisters who are marginalized and not allow those who have let their fear and anger overtake their sense of country and family.

Hate is nothing new. But in my short time as an elected official, I have been to more vigils to commemorate those who have been murdered in the name of hate than I ever thought I would. The propaganda that has vilified and demonized African Americans, Latinos, Muslims, Jews, LGBT people and other groups is astonishing and depressing. In Indiana we HAVE responded:

we've held candlelight vigils, interfaith services, and other activities to bring together people of different races, religions, and ethnic groups. We honor black history and mark anniversaries. We bring together people of different ethnicities and income levels for a meal or other fellowship. I've been part of community conversations where people told their stories, their immigration history, their daily encounters with discrimination, their fear about revealing sexual orientation, and so on. This gives me hope.

But we must do more and we have to do it before the tragedy occurs. And I want to call on all of us to do our part: faith alliances, labor unions, teachers, women's groups, university faculties, fair housing councils, business, military, and community leaders, youth and students: let's create a community who is committed to responding to hate messages and actions rapidly and with unity.

While they are worthy and necessary and the beginning, we need to do more than march and pray; we need to support training in race relations, push our legislators to support anti — hate legislation, and to see others who are different from us as human beings who have the same right to a secure and joyful life. What is a community and how long can it sustain itself if half or more of the members of it do not feel like they belong? If we are not careful, our community will be compromised, there will be no bright future. Words matter and actions matter too.

It is not difficult to be loving and to use respectful and civilized words. Let's commit to celebrating diversity and inclusion, and stand up to those who try to divide. We have so many problems to solve, in our community and in our country. Our children, here and all over the world, are watching. Let us show them what we are and what we can be in the United States of America.”

NEXT REGULAR MEETING...APRIL 10, 2019 AT 10:30 A.M.

The next regular scheduled Commissioners' Public meeting will be held on Wednesday, April 10, 2019 at 10:30 a.m. in the Commissioners' Hearing Room.

ADJOURNMENT

With no other business to come before the Board at this time, Commissioner Baker adjourned the meeting at 11:37 a.m.

Sherene Hess, Secretary

Michael A. Baker, Chairman