

# MINUTE BOOK

BOARD OF COUNTY COMMISSIONERS

WASHINGTON COUNTY, PENNSYLVANIA

Minute No. 772

Washington County Commissioners

Washington, PA, August 5, 2005

The Washington County Board of Commissioners met in a special session in the Public Meeting Room, Courthouse Square, Washington, Pennsylvania, with the following members being present: Commissioners Bracken Burns, Larry Maggi and Diana L. Irey. Also being present: Mary Helicke, Chief Clerk; Lynn DeHaven, Solicitor; Linda Belcher, Administrative Assistant; Joy Sprowls Commissioners Office; Debbie Bardella, Recorder of Deeds; Sheriff John Rheel; Captain Todd Hammond, Sheriff's Office; Vincent Ley, Planning Commission; Father John Lendvai, Ave Maria Church; Harry Wilson, Director of Veterans Affairs; Kerrie Gill, American Legion; Bill McGowen and Bob Griffin, Redevelopment Authority; Marcella Dalverny, Harry Sabatasse, Carl Maggi, Nikki Sheppick, Ed Mazur, Jeff Bull, Bill West, Ed Lemley, Irene and Harry Imperatore, Jill Moncilovich, interested citizens; Emily Catalone, WJPA, Ken Bonnell, Weekly Recorder and Barbara Miller, Observer-Reporter.

Co-Chairman Burns called the meeting to order at approximately 11:05 a.m.

Father Lendvai led the meeting with a prayer.

Mr. Gill led the Pledge of Allegiance.

Co-Chairman Burns entertained a motion to approve Minute No. 771 dated July 13, 2005.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving Minute No. 771 as written.

Roll call vote taken:

Mrs. Irey - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

## SPECIAL ORDER OF BUSINESS

None

(RECESS FOR PHOTOS)

## PUBLIC COMMENTS

Ed Lemley, of South Strabane Township, addressed the Board regarding the Victory Centre Project and the proposed tax increment financing plan for this project. Mr. Lemley noted he lost his job in 1994 at Cooper Power Systems and pointed out Washington County needs more good paying jobs with full benefits. Mr. Lemley stated he does not favor the TIF plan for Victory Centre.

Co-Chairman Burns pointed out since the time Southpointe has been developed, 5,000 high paying jobs have been created in Washington County and the project before the Board today will bring an additional 2,600 jobs.

Harry Sabatasse, of Burgettstown, again addressed the Board regarding the elected officials receiving a pay increase. He stated they should take action to eliminate the raises or face the possibility of being elected out of office. Mr. Sabatasse noted Commissioner Irey is willing to take action on this matter to stop the pay raises and her colleagues should do the same.

Jill Stuart Monclivich of M&K Therapy Associates in South Strabane, made comments regarding the TIF for the Victory Centre Project. She stated she is a business owner and she did not receive any tax breaks for starting her business. She said the County should not be giving tax dollars away and questioned why the TIF could not be for a

shorter time period and for less money. Ms. Stuart Moncliovich stated she is opposed to the Commissioners approving the TIF plan.

Co-Chairman Burns stated he would like to clarify the reality and said none of the companies will get a tax break and they will not only pay 100% of their taxes, they are committed to paying over and above their taxes with something called a NID (Neighborhood Improvement District), so they will not be getting a tax break. Commissioner Burns stated that the statement that the developers were receiving a tax break was misinformation which has been passed out to the community and it was inappropriate for that to be done.

#### OLD BUSINESS

Solicitor DeHaven recommended the Board award the bid award the bid for the courthouse renovation of the former Recorder of Deeds office into a courtroom and offices for the sixth judge. This award is for the base bid only which includes completing the courtroom, finishing partitions and doors for other office, finishing partitions on the existing stair and finishes within the existing stair and stairwell entrance. The award is as follows:

- a. General Construction - Lone Pine, Bentleyville, PA  
Base Bid - \$249,000
- b. Electrical - David W. Jones Company, Charleroi, PA  
Base Bid - \$23,670

This does not include plumbing, HVAC, jury box, jury deliberation room, offices, furniture and equipment, carpet for offices, or sound system. The plumbing consists of adding a bathroom where there is existing plumbing. The building maintenance staff will put in the bathroom, paint and complete as much as possible in the offices and demo all light fixtures. The total cost of the award for the base bid is \$272,670.

Moved by Mrs. Irej, seconded by Mr. Maggi, awarding the bid for the courthouse renovation project as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - No; Mr. Burns - Yes.

Motion carried.

Solicitor DeHaven recommended the Board award the bid for the Welding Services to Job Fab, Inc., Washington, PA on a time and material basis. This contract is effective August 5, 2005 through August 4, 2006 with the option to extend for two additional one year periods. The hourly rates are as follows:

Monday through Friday 8:00 am to 5:00 pm - \$34/hour labor and \$30/hour per truck

Monday through Friday 5:00 pm to 8:00 am & weekends - \$51/hour labor and \$30/hour per truck

Moved by Mrs. Irej, seconded by Mr. Burns, awarding the bid for R-7 Rock lining and 2 A aggregate as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Burns - Yes; Mr. Maggi - Yes.

Motion carried unanimously.

#### NEW BUSINESS

Chief Clerk presented to the Board for their consideration and approval the adoption of a resolution agreeing to participate in a tax increment financing district for the Victory Center Development Area as follows:

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The Board of Commissioners of Washington County hereby agrees to participate in the TIF District in accordance with the TIF Plan and based upon the tax increments set forth in the TIF Plan for a period of twenty (20) years and will allocate eighty (80) percent of the tax increment to the Authority for the purpose of financing the TIF District.

The respective governing bodies of the School District and Township shall be notified of this action and requested to undertake similar favorable consideration and cooperation in participating in the TIF District.

The County's agreement to participate in the TIF District shall be conditioned upon the respective governing bodies of the School District and the Township agreeing to participate in the TIF District.

A copy of this Resolution shall be delivered to the Board of Supervisors of the Township on or before the date of its aforementioned Public Hearing for the creation of the TIF District.

The proper officials of the County are hereby directed to enter into a Cooperation Agreement, subject to the County Solicitor's review, concerning the County's participation in the TIF District, and the appropriate public officials of the County are hereby directed to take such actions as are necessary to implement the TIF District.

The tax revenues due or owed to, or received by the County from the TIF District, subject to the percentage limitation and time requirement set forth in Paragraph 1 of this Resolution, are hereby pledged and a security interest is hereby granted to secure the repayment of any debt incurred by the Authority for the purpose of financing the TIF District.

Moved by Mr. Maggi, seconded by Mr. Burns, adopting the foregoing TIF Resolution for the Victory Centre Project.

Roll call vote taken:

## COMMENTS:

Commissioner Irey made the following comments:

Over the past two weeks I have spent the majority of my time reviewing information on the TIF Plan for the Victory Centre Development Project. I have met with representatives from Tanger, PADOT, Washington County Redevelopment Authority and Pepper Hamilton as well as having numerous conversations with citizens through out the County.

The Tanger Outlets and Bass Pro Projects would be a wonderful addition to Washington County. I have personally shopped at Bass Pro and Tanger Outlets. Both are outstanding venues that I would welcome to Washington County.

In my capacity of Commissioner, I must work to develop an attractive business environment conducive to job creation. I must coordinate and approve incentive packages that encourage development without burdening the taxpayers and giving unfair advantages to specific businesses.

Since learning of the proposed Tanger & Bass Pro developments I have asked many questions. I appreciate the effort that has been put forth by Tanger Outlets in their willingness to meet and discuss the project and their attempt to answer my questions. I have asked questions because I have a fiduciary responsibility to the people I represent and I realize that my decision can have a substantial impact on Washington County. I had hoped that by this time adequate information had been presented allowing reasonable time for review. The following issues have not yet been adequately addressed:

- Detailed commitment letters from the developers Tanger Outlets and Bass Pro.
- A forecast of permanent jobs with a detail of the types of jobs and salaries to be produced.
- A more detailed breakdown of project costs. Yesterday I was provided with a State proposed commitment letter dated September 9, 2005, which expired 60 days from issuance. Today I was provided with a letter dated today extending the September 9, 2003 letter. However proposed funding plans in the letter and TIF document are not consistent.
- Right-of-way/Easement plans are not available. Potential eminent domain issues exist.

- Indications are the proposed township road right-of-ways and sewer and water easements will be acquired through purchase from Tanger/Bass Pro.
- The currently provided project cost summaries are vague.
- The Economic Impact Analysis currently provided does not fully address impacts of the development.
- The Neighbor Improvement District (NID) has not been created for this site.

It has been 11 months since the City of Washington TIF was approved and it is still incomplete. The right thing to do for Washington County and its citizens, is to postpone this vote and to prepare a policy for Tax Increment Financing Projects.

Mrs. Irey – Abstain.

Commissioner Maggi stated that he has given this issue a lot of attention and it has to be one of the most important issues he has faced since taking office. He has received information both in favor of and against the TIF.

Over the past five days, there has been mass mailings and phone calls made to Washington County residents regarding the TIF. Signs have been put on telephone poles from an unidentified group stating their opinion against the TIF. The source and the validity of these advertisements concern Commissioner Maggi.

Back in 1963, there was talk about development in the area adjacent to the Meadows Racetrack. It is now 42 years later, and again, there is talk about development. Commissioner Maggi believes the time has come for that development to become a reality.

Mr. Maggi – Yes.

Co-Chairman Burns stated when a developer offers 2,600 jobs to our community, they deserve my respect even if they are not \$50,000 or \$100,000 a year jobs. Co-Chairman Burns pointed out he has been elected to office to look out for the health and welfare of the community and part of that is job creation.

Co-Chairman Burns also noted the economic turndown the County went through in the 1980's and stressed that did not turn around until just a year or two ago citing the recent increase of residents in Washington County according to census figures. He stated the turn around is due in part to Southpointe, which is one of the finest economic development projects in Western Pennsylvania and has put in this community 5,000 high paying jobs.

Co-Chairman Burns pointed out this kind of development is what keeps your children and grandchildren in this area. He said this action will put jobs on the table. He thanked and saluted Bass Pro and Tanger for thinking of Washington County to locate their businesses here.

Mr. Burns - Yes.

Motion carried.

Chief Clerk presented to the Board for their consideration and approval the adoption of a resolution authorizing the Redevelopment Authority to file an application for financial assistance under the state land use planning and technical assistance program for the City of Monongahela and New Eagle Borough.

Moved by Mrs. Irey, seconded by Mr. Maggi, adopting the foregoing Resolution.

Roll call vote taken:

Mrs. Irey – Yes; Mr. Maggi – Yes; Mr. Burns – Yes.

Motion carried unanimously.

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Chief Clerk respectfully requests the Commissioners amend Washington County's Ethics Policy of August 25, 1994. The new policy, Code of Conduct and Ethics Policy, conforms to federal regulations.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the amendment to the Washington County Ethics Policy as per above.

Roll call vote taken:

Mrs. Irej- Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for consideration and approval the Amended County Plan to comply with Title II of the Help America Vote Act of 2002 (HAVA). The plan includes grant applications in the total amount of \$1,032,766.44 for the purpose of upgrading the existing punch card system, purchasing handicapped voting units and all training associated with the election process and Voter Outreach Programs. No additional County funds are required.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the Amended County Plan for the Help America Vote Act as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a Deed of Easement for permanent and temporary right-of-ways with Dr. Sean Porbin in the amount of \$500 to allow for reconstruction of the Cross Creek # 20 bridge in Cross Creek Township. The costs will be paid 80% State and 20% County Liquid Fuels.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the foregoing Deed of Easement with Dr. Sean Porbin for the Cross Creek # 20 bridge.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a permanent and temporary easement and right-of-way with Helen Williams in the amount of \$4,200 to allow for construction and maintenance of a replacement bridge for Wall Street in Monongahela. This easement was presented at the June 8, 2005 meeting under the name of Helen Filippelli since that time; the property has been transferred to Ms. Williams. The costs will be paid 80% State and 20% County Liquid Fuels.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the permanent and temporary easement with Helen Williams as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns- Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a Change Order with Gregori Construction and Engineering, Inc. in an amount not to exceed \$19,260.00 for additional spall repairs on the National

Pike Trail Tunnel # 2 and # 4. It is to be noted this will also increase the contract time by ten calendar days with a new completion date of September 16, 2005.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the Change Order with Gregori Construction and Engineering, Inc. as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration the renewal of two grants with the Pennsylvania Commission on Crime and Delinquency. Both the Victims of Juvenile Offenders (VOJO) and Rights and Services Act (RASA) grants are for calendar year 2006 and are totally funded by the Commonwealth.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the renewal of the two grants with the Pennsylvania Commission on Crime and Delinquency as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a collateral agreement with Gateway Bank to provide additional protection for County funds.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the collateral agreement with Gateway Bank as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an agreement with the Department of Veterans Affairs to participate in a student work study program. This program will enable a student receiving VA education benefits to work in the Washington County Veterans Office. This agreement entails no cost to the County.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the agreement with the Department of Veterans Affairs as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the following Child Care Provider Agreements. These agreements will be automatically renewed until either party to the Agreement notifies the other party in writing of their intent not to renew under the current terms of the provider agreements.

Tammy Bass, Donora  
Sharon Pyles, Marianna  
James McNeely, Washington  
Margaret A. Loulis, Monessen  
Mary E. Phillips, Donora  
Bridget Dobrovich/Cynthia Dobrovich, Washington

Barbara J. Johnson, Ellsworth  
Rachel S. Hinnebusch, Washington  
Renee E. Wolfe, Clarksville  
Corrina M. Moore, Washington

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the foregoing Child Care Information Services

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agreements.

Roll call vote taken:

Mrs. Irej Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an agreement with the Department of Public Welfare in the amount of \$296,021 for the Homeless Assistance Program for the period July 1, 2005 through June 30, 2006.

No County dollars are required.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the foregoing agreement with the Department of Public Welfare for the Homeless Assistance Program.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval agreements with the following providers for the period July 1, 2005 through June 30, 2006, to provide homeless assistance services. No County funds are required.

Connect, Inc.	
Emergency Shelter Services	\$95,000
Washington Women's Shelter	
Bridge Housing for DV Victims	\$18,500
Emergency Shelter Services	\$ 7,500
SWPA American Red Cross	
Prevention and Case Management	<u>\$100,519</u>
TOTAL	\$221,519

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the agreements with the above-mentioned providers for homeless assistance services.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an agreement with the Department of Public Welfare for the Medical Assistance Transportation Program in the amount of \$1,624,835 for fiscal year 2005-2006. Also, an agreement with the Washington County Transportation Authority for management of said program. No County dollars are required.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the foregoing agreement with the Department of Public Welfare for the Medical Assistance Transportation Program.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an agreement with Liberty Dialysis, LLC for the provision of outpatient dialysis services at the Washington County Health Center. The term of this agreement is August 5, 2005 through August 4, 2006 and will automatically renew for successive one year periods unless either party

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gives the other notice to an expiration date. Other than transportation to and from the dialysis facility, which is required under current State regulations, there are no costs associated with this contract.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the agreement with Liberty Dialysis, LLC for the Washington County Health Center as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an advertising proposal to proceed with the advertising campaign as proposed by Comcast to focus on the Alzheimer's/Dementia specialty units at the Washington County Health Center for a three week period at a cost of \$4,997. No additional County funds are required.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the advertising proposal with Comcast as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a Unit Cost Provider Agreement with Southwestern Pennsylvania Area Agency on Aging for the Adult Day Care Program. The rate per client day of service is \$44.64 and is effective July 1, 2005.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the Unit Cost Provider Agreement with Southwestern Pennsylvania Area Agency on Aging.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an Ancillary Provider Agreement with UPMC Health Plan, Inc., UPMC Health Network, Inc. and UPMC for You, Inc. (UPMCHP). This agreement will expand the Health Center's ability to serve additional UPMC beneficiaries and will provide additional revenue.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the Ancillary Provider Agreement with UPMC Health Plan, Inc. as per above.

Roll call vote taken:

Mrs. Irej - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an agreement with the following Purchase of Service providers for the period July 1, 2005 through June 30, 2006 for Children and Youth Services Office.

<u>PROVIDER</u>	<u>AMOUNT</u>
Community Specialists Corporation, d/b/a The Academy	\$ 75,000
Cornell Abraxas Group, Inc.	510,000
Hermitage House Youth Services, Inc.	50,000
Outside in School of Experiential Education	150,000
Pyramid Healthcare, Inc.	105,000
SPHS Behavioral Health - Host Family	150,000

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Spectrum Family Network	205,000
The Summit Academy	250,000
Try-Again Homes, Inc.	700,000
Vision Quest	745,000
White Deer Run, Inc.	<u>520,000</u>
Total	\$3,460,000

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the foregoing Children and Youth Services provider agreements.

Roll call vote taken:

Mrs. Irey - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval Memorandum of Understanding with Mailing Specialists, Inc., Pittsburgh, PA for the purpose of picking up of the County's presort mail. There is no charge to the county for this service. The only charges that could be incurred by Washington County would be for a "Fast Forward" service. It is also requested approval for a Request to Pay Postage Refunds to Presenter of Mail" This allows Mailing Specialists, Inc. to receive postage refunds due to the volume they incur from all customers.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the Memorandum of Understanding with Mailing Specialists, Inc. as per above.

Roll call vote taken:

Mrs. Irey - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented the Board for their consideration and approval a month to month extension of the current agreement with Comcast Cable for the Washington County Health Center to allow for time to rebid and evaluate bids received for the satellite or cable services. This extension would be effective September 1, 2005 at the current rate of \$1500 per month. The vendor would be given a thirty (30) day written notice of cancellation of the agreement.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the extension to the agreement with Comcast Cable for the Washington County Health Center.

Roll call vote taken:

Mrs. Irey - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a one year service contract with Building Control Systems, Inc., Carnegie, PA for the control system at the Family Court Center and will be effective August 5, 2005 through August 4, 2006 at the rate of \$7,520 per year.

Moved by Mr. Maggi, seconded by Mr. Burns, to table this item.

Roll call vote taken:

Mrs. Irey - Yes; Mr. Maggi - Yes; Mr. Burns - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the adoption of a Resolution authorizing the Solicitor of Washington County to execute on behalf of Washington County the Settlement and Mutual Release and



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There being no further business, Co-Chairman Burns declared the meeting adjourned at approximately

11:40 a.m.

THE FOREGOING MINUTES SUBMITTED FOR APPROVAL

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August 17, 2005  
ATTEST: Mary E Helucke  
CHIEF CLERK