

Minute No. 738

Washington County Commissioners

Washington, PA, February 19, 2004

The Washington County Board of Commissioners met in regular session in the Public Meeting Room, Courthouse Square, Washington, Pennsylvania, with the following members being present: Commissioners Larry Maggi, J. Bracken Burns, Sr. and Diana L. Irey. Also being present: Mary Helicke, Chief Clerk; Mary Lynn Drewitz, Assistant Solicitor; Leo Trich, Director of Administration; Linda Belcher, Administrative Assistant; Joy Sprowls and Joann Metz, Commissioner's Office; Melanie Finney, Planning Commission; Acting Sheriff John Rheel and Todd Hammond; Reverend Don Amon, The Lighthouse Ministries; Ken Barna, Vickie Heyman, Gary Riley, Yvonne Orsatti and Janet Bizet, Tax Assessment Office; Jean Byers, President of the Business Professional Women, Peters Township; Colin O'Brien, Tanner Barnes, Paolo Ciocro, Ross Widenor, Michelle Sereda, Katie McNeal, Elizabeth Zeffioro and Derek Brouwer, participants of the MATHCOUNTS competition; Douglas Barrett, Kathy Spallino, Sandra McCall, Karen Myzak and Chris Kedzuf, coaches for MATHCOUNTS; Commander J. Frederick Scherrer, Dom DeFranco, William Snedeker, Gary McLaughlin, Mike Klauer, George Yates Larry Bresselsmith, Gene Rockacy, Lew Irwin, Joe Hamcost, members of the VFW Post 764 of Peters Township; Pete Lorenzo, SEIU representative; Bill West, John Adams, Marcella Dalverny, Ron and Maya Patch, Phil Ames, George Eckert, Jeff Hottel, A. J. Sorsenson, Pete West, Jerry Seaman, Polly Chappel, Mary Lou Tullio, Nancy Mirckle and Carl Maggi, interested citizens; Jim Jefferson, WJPA; Linda Metz, Observer-Reporter; Ken Bonnell, Weekly Recorder and Casey Gelchler, PA Focus.

Co-Chairman Burns called the meeting to order at approximately 10:03 a.m.

Reverend Amon led with a prayer.

Mr. Scherrer led the Pledge of Allegiance.

Co-Chairman Burns entertained a motion to approve Minute No. 737 dated February 5, 2004.

Moved by Mr. Maggi, seconded by Mrs. Irey, approving Minute No. 737 as written.

Roll call vote taken:

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

Motion carried unanimously.

SPECIAL ORDER OF BUSINESS

The Commissioners presented a plaque of recognition to the VFW Post 764 of McMurray for the construction of the Wall of Valor.

Co-Chairman Maggi stated he is very proud and honored to present this plaque to the VFW Post 764 for their dedication and hard work involved with this worthwhile project. He also pointed out that the service these men have given to our country is to be commended.

Commander Scherrer thanked the Board for the plaque and recognized Post 764 members for their hard work and valuable time in the construction of the Wall of Valor.

At this time, Mr. Scherrer introduced members of VFW Post 764 who were present at the meeting.

The Commissioners presented a certificate of recognition to Brain Hottel for his efforts involving the memory of Private First Class Thomas A. Shipe.

Mr. Hottel, accepted the certificate and thanked the Board on behalf of his son, who could not make it to the

meeting because he was attending classes this morning.

The Commissioners presented certificates of congratulations to students that participated in the MATHCOUNTS competition this past weekend.

Jean Byers, of the BPW, commented on the history of the MATHCOUNTS competition and stated it is always an honor to come to the Commissioners' Meeting year after year for this presentation to honor the students who have participated in MATHCOUNTS.

The Commissioners presented a plaque to Ken Barna recognizing his thirty-two years of service to Washington County as an employee in the Tax Assessment Office and congratulated him on his upcoming retirement.

Mr. Barna thanked the Board for the plaque and stated he looks forward to his retirement.

Co-Chairman Burns thanked Mr. Barna for his many years as a public servant to the residents of Washington County.

(RECESS FOR PHOTOS)

PUBLIC COMMENTS

Dr. A.J. Sorenson of Peters Township presented to the Board a list of questions that were generated from a group of concerned citizens. He stated the Board did not have to answer the questions at this time but could send their replies to the news media at a later time.

Mr. Sorenson also mentioned an article that appeared in the newspaper regarding the issue of compensation for Tax Assessment Appeal Board members. He stated there was some confusion as to what the actual compensation is for the board members.

Commissioner Irey stated she brought this issue up yesterday and did not receive an answer. She stated she proposed the amount of compensation at \$200/per day versus \$1,000/per month for each member. Commissioner Irey noted at budget time she did a study of other counties' structure of their tax assessment appeal boards.

Commissioner Irey said she was very surprised to learn from today's newspaper that there were different amounts in the contracts with the individuals who would serve on the board.

At this point, Mr. Sorenson questioned the Board what the compensation would be for the tax appeal board members and how the salary is set.

Co-Chairman Burns explained for many years the members were paid \$1,000/per month with benefits and beginning in 1996 there were no benefits.

Discussion was held on the number of days and hours the board members work each month.

Co-Chairman Burns addressed Mr. Sorenson's statement by making it very clear that for four years, as an elected Commissioner, he was denied a representative on the tax appeal board by the previous board. He noted he questioned this action every year. He stated he didn't have representation for four years but Commissioner Irey will and noted "that is good government." He pointed out he informed Commissioner Irey yesterday she could have an appointment to this board, who would be her representative, even though he was not given that opportunity in the past. He also stated Commissioner Irey will be treated fairly now and for the next four years.

MINUTE BOOK

BOARD OF COUNTY COMMISSIONERS

WASHINGTON COUNTY, PENNSYLVANIA

First, Commissioner Irely stated it was her understanding that the individual who would be appointed, Mr. Lou Waller, told her he had the support of Commissioners Maggi and Burns when she contacted him in January to see if he wanted to continue to serve on this board.

Secondly, yesterday at the agenda meeting, she questioned whether these board appointments would be on the agenda and was told it was planned to be brought up. At that time, she asked what the compensation would be for the board members. She was informed the compensation would be the same as in the past but when she read today's newspaper there were different amounts of compensation for the board members. Commissioner Irely said she was not informed by her colleagues of changes in the contract salaries.

More discussion was held regarding the issue of the appointments to the tax assessment appeal board.

Co-Chairman Maggi stated his appointment, Abe Nasim, voluntarily accepted \$750 per month so he would not exceed his Social Security limits.

Commissioner Irely stated to make this fair, all members should receive the same amount for doing the same type of work. She noted if the board members were paid \$200 per day, as she proposed at budget time, the county could save \$30,000 per year but Commissioners Maggi and Burns refused to consider the change.

Co-Chairman Maggi told Mr. Sorenson it is not his position to answer the questions during the public comment portion of the meeting but he is available in his office everyday, all day and is willing to meet and discuss any issues because that is the way he does business.

Commissioner Irely noted she and Commissioner Bevec may not have always been fair to Co-Chairman Burns in the past but she met with Commissioner Burns during their prior term and stated she wanted to work with him and later that day Commissioner Burns came to her office and yelled and swore at her for thirty five minutes.

John Adams asked the Board if they were going to answer the three questions that Mr. Sorenson presented to the Board.

Co-Chairman Maggi stated he was available in his office to discuss any questions that someone may have.

Commissioner Irely stated she would answer the questions.

Regarding pay raises for elected officials, she noted it is on record with the prior administration and this administration that she has asked for a meeting to discuss this matter and rescind the raises.

Regarding a conflict of interest between the Administrator, Mr. Trich, and BSI where he was formerly on the board, Commissioner Irely spoke with Mr. Trich about this issue and was told he resigned from the board, which is not a paid position but remains to be paid as a part time director of development for the Frontier League.

Regarding the lending of millions of dollars to the baseball organization, the Wild Things, to continue to operate, she stated she was informed by a taxpayer that there would be a vote today on the possibility of doing a bond issuance for that organization. She is not in favor of this action.

Regarding the status of the Ken Barna investigation, Commissioner Irely stated the investigation has been completed by the solicitor for the Tax Assessment Office and there were no findings that he did anything inappropriate.

Phil Ames of Scenery Hill questioned the Board regarding satellites in his area.

Commissioner Irely stated Mr. Trich would look into this matter for Mr. Ames.

OLD BUSINESS

Assistant Solicitor Drewitz recommended the Board award the bid for a dishwasher at the Health Center to CurranTaylor, Inc., Canonsburg, PA in the amount of \$64,800.

MINUTE BOOK

BOARD OF COUNTY COMMISSIONERS

WASHINGTON COUNTY, PENNSYLVANIA

Moved by Mr. Burns, seconded by Mrs. Irej, awarding the bid for a dishwasher at the Health Center as per above.

Roll call vote taken:

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

Motion carried unanimously.

NEW BUSINESS

Steve Wiencek of the Redevelopment Authority presented to the Board for their consideration and approval a Resolution approving the plan revisions and amendments to the Community Development Block Grant and Home Investment Partnerships Programs which are part of the County's Consolidated Action Plan.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the foregoing Resolution for the City of Washington.

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 Addendum to the current contract with Brady's Bend for the storage of records at their facility. This addendum is in accordance with the original proposal received by Brady's Bend and will outline the records to be stored and the term of the current pricing schedule. The cost of storing records is \$.15 per cubic foot per month. This price will be held for two years and then the price will increase to \$.16/cubic ft. and \$.17/cubic ft. for year five of the contract. This amount is being paid from the Records Improvement Fund.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the addendum to the current contract with Brady's Bend 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 renewal of the annual contract with Boyle Consulting for the design and implementation of Seagate Crystal Reports for the FACTS 5 system. The Court is requesting renewal of the contract to continue with the various operations and projects involving the use of Crystal with the Courts and Row Offices. The funds to support this contract are contained within the Court Automation budget. The contract is effective March 1, 2004 through February 28, 2005 at the cost of \$125 per hour on site and \$100 per hour off site. Total services not to exceed \$8,500.

Moved by Mrs. Irej, seconded by Mr. Maggi, approving the renewal of the annual contract with Boyle Consulting for the FACTS 5 system 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 grant request in the amount of \$4,175 with the Department of Justice. This federal grant, which requires no County match, will be used to pay for the activities

planned for the National Crime Victims' Rights Week in April of this year.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the grant with the Department of Justice as per above.

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 an agreement with the Department of Public Welfare regarding the Nursing Facility Provider Certification and Settlement Agreement. This agreement will waive the Health Center's right to appeal their case mix reimbursement for Year Nine (July 1, 2003 through June 30, 2004). In exchange, a one time payment of \$316,380.00 will be made to the Health Center through the IGT (Intergovernmental Transfer) funds.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the foregoing agreement with the Department of Public Welfare regarding the Nursing Facility Provider Certification and Settlement Agreement.

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 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.

Springhouse Learning Station, Coal Center	Smart Kids Child Care and Learning Center, Canonsburg
Brandi Perkins, Canonsburg	Robert Johnson, Washington
Dorothy Kennedy, Houston	Amy Anderson, Houston
Marissa Carter, Washington	

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the foregoing Child Care Information Services 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 an agreement with the Senior Times in the amount of \$125.00 per month for one year beginning January 1, 2004. This publication by the Area Agency on Aging(AAA) is one of the Health Center's key referral sources and is included in the 2004 budget.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the agreement with the Senior Times as per above.

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 an agreement with Southwestern Pennsylvania Human Services, Inc. for the operation of the Family Center in the amount of \$58,692.00 for the period of January 1, 2004 through June 30, 2005. No County dollars are required.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the foregoing agreement with Southwestern Pennsylvania Human Services, Inc.

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 submission of the Human Services Development Fund Assurance of Compliance for fiscal year 2003/04 in the amount of \$682,322.00 for the period of July 1, 2003 through June 30, 2004. No County dollars are required.

Moved by Mrs. Irey, seconded Mr. Maggi, approving the submission of the Human Services Development Fund Assurance of Compliance as per above.

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 ratification of an agreement with Attorney Joseph Zupancic as the Title IV-D attorney for the Domestic Relations Office. This is in accordance with the functions set forth by the Department of Public Welfare. The annual amount of this contract is \$25,000.00 for 2004. The agreement amount will be paid from the Domestic Relations Section IV-D fund and is effective January 27, 2004 through September 30, 2005.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the foregoing agreement with Attorney Joseph Zupancic for Domestic Relations.

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 Washington County CareerLink Business Plan Agreement, effective February 1, 2004. CareerLink is funded by the Department of Labor and Industry. No County dollars are required.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the Washington County CareerLink business Plan Agreement as per above.

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 an extension to the term of Richard Lehman, whose current term expires on December 31, 2004 to December 31, 2006 to comply with Chapter 138e.13 issued under the Agricultural Security Area Law.

Moved Mrs. Irey, seconded by Mr. Maggi, approving the extension to the term of Richard Lehman as per above.

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 an extension to the term of Marjorie

D'Antonio of the Washington County Library Board from December 31, 2004 to December 31, 2006 due to a clerical error.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the extension to the term of Marjorie D'Antonio per above.

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 authorization to purchase the Atlas Package, a County Grant Resource, subsidized by PCCD through CCAP. The package provides an up-to-date listing of current grant opportunities locally and nationwide. The subscription cost is \$400 per seat per year.

Moved by Mrs. Irey, seconded by Mr. Maggi, approving the authorization to purchase the Atlas Package as per above.

Roll call vote taken:

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

Motion carried unanimously.

TAX APPEAL BOARD AGREEMENTS

Co-Chairman Burns noted these items would be voted on individually.

Moved by Mr. Maggi, seconded by Mr. Burns, nominating Abe Nasim as a member of the Tax Assessment Appeals Board and approving a contract with Mr. Nasim at the compensation of \$750.00 per month. This contract will be effective February 19, 2004 through December 31, 2004.

Roll call vote taken:

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

Motion carried.

Regarding the nomination and approval of the contract with Lou Waller, Commissioner Irey stated she is not ready to take action on this matter due to the fact she was not afforded the opportunity to discuss the change in the compensation for the board members. She was aware of this situation by reading it in the newspaper this morning and she is not able to contact Mr. Waller because he is out of town.

Moved by Mr. Burns, seconded by Mr. Maggi, nominating Robert Lusk as a member of the Tax Assessment Appeals Board and approving a contract with Mr. Lusk at the compensation of \$1,000.00 per month. This contract will be effective February 19, 2004 through December 31, 2004.

Roll call vote taken:

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

Motion carried.

Commissioner Irey noted she has nothing against the appointed individuals, they have fine reputations in the community and she feels they will do a good job but her concern is with the compensation.

ANNOUNCEMENTS

An Executive Session was held on February 18, 2004 immediately following the Agenda Meeting to discuss personnel and litigation issues.

The quarterly meeting of the Retirement Board will meet immediately following the Commissioners' Meeting.

SOLICITOR:

Assistant Solicitor Drewitz presented to the Board for their consideration and approval the following tax refunds.

Moved by Mrs. Irey, seconded by Mr. Maggi, that the Tax Assessment Office be authorized to prepare the following tax refunds due to either duplication or overpayment of real estate or personal property tax.

- | | |
|-------------------------------------|-----------------|
| 1. Steven D. & Katherine M. Pfeifer | 2003 County Tax |
| 302 Timber Lake Drive | |
| Venetia, PA 15367 | |
| District: Peters Township | |
| Parcel: 540-005-08-00-0016-00 | |
| Total: \$646.37 | |

Roll call vote taken:

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

Motion carried unanimously.

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

10:30 a.m.

THE FOREGOING MINUTES SUBMITTED FOR APPROVAL

March 2, 2004

ATTEST: Mary E. Delicke
CHIEF CLERK