

MINUTE BOOK

BOARD OF COUNTY COMMISSIONERS

WASHINGTON COUNTY, PENNSYLVANIA

Minute No. 691

Washington County Commissioners

Washington, PA, March 7, 2002

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 John P. Bevec, Diana L. Irely and J. Bracken Burns, Sr. Also being present: Cathi Kresh, Administrator/Chief Clerk; Solicitor Richard DiSalle; Linda Belcher, Administrative Assistant; John Rheel and Todd Hammond, Sheriff's Office; Controller Mike Namie; Michelle Miller, Director of Human Resources; Lisa Cessna and Melanie Finney, Planning Commission; George Krcelich, Director of Human Services; Reverend Michael Milinovich, First Methodist of Monongahela; Jack Welty, Acting Benefits Coordinator of Veteran's Affairs; Susan and Alexandra Loutsion; students who participated in the National History Day competition; Vaughn Dailey, Peters Township School District; Dino Bruno, SEIU member; Charlie and Mary Jo Keenan, Harry Sabatasse, interested citizens; Sandra Wagner, Kathy Shaner, Anna Zigmund, Kristine Briggs and Mark Connor, SEIU members; Sara Snatchko, PA Focus; Linda Metz, Observer-Reporter; Jim Jefferson, WJPA; Chris Haines, Herald-Standard; Stacey Wolford, Valley Independent; and Gary Smith, Cal U TV.

Chairman Bevec called the meeting to order at approximately 10:05 a.m.

Reverend Milinovich led the meeting with a prayer.

Mr. Welty led the Pledge of Allegiance.

Chairman Bevec entertained a motion to approve Minute No. 690 dated February 21, 2002.

Moved by Mrs. Irely, seconded by Mr. Burns, that Minute No. 690 be approved as written.

Roll call vote taken:

Mr. Burns - Yes; Mrs. Irely - Yes; Mr. Bevec - Yes.

Motion carried unanimously.

SPECIAL ORDER OF BUSINESS

The Commissioners presented a Certificate of Congratulations to Alexandra Loutsion who was a finalist in the Prudential Spirit of Community Awards.

Ms. Loutsion thanked the Commissioners for the certificate and gave a brief statement of her involvement with group of students she assisted in a school project.

The Commissioners presented Certificates of Recognition to students who participated in the National History Day Competition.

Mr. Vaughn Dailey of Peters Township School District and National History Day Advisor, introduced each student. The students gave a description of their what their research project entailed for the National History Day Competition.

(RECESS FOR PHOTOS)

PUBLIC COMMENTS

Dino Bruno, union representative for SEIU Local 585, commented on the issues regarding the contract negotiations between the Commissioners and the union. He urged the Commissioners to cooperate in settling a new contract as soon as possible.

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Charlie Keenan, of Blaine Township, commented on the land swap deal in the McGuffey School District.

Mr. Kennan stressed he is not against this land swap but it should be worked out so it is a win-win situation for everyone.

Mr. Keenan pointed out the land swap deal will be a burden for the taxpayers of the area and will not benefit the residents in the McGuffey School District.

Harry Sabatasse addressed the Board regarding his request for the Board's support in the elimination of property taxes in the state of Pennsylvania.

Commissioner Irey noted the Board recently received information regarding the Resolution and at this time is still reviewing what was sent from Bob Logue of KDKA Radio.

OLD BUSINESS

Solicitor DiSalle recommended the Board award the bid for Lumber to the following vendors based on the "per unit" cost:

Midwestern Wholesalers, Norwalk OH

West Elizabeth Lumber, Elizabeth, PA

The effective date of this bid is through August 31, 2002 with the option to extend through February 28, 2003 by mutual consent of both parties. The total cost of this contract is approximately \$25,000.00.

Moved by Mrs. Irey, seconded by Mr. Burns, awarding the bid for lumber as per above.

Roll call vote taken:

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

Motion carried unanimously.

Solicitor DiSalle recommended the Board award the bids for the construction of Exhibit Halls #2 and #4 for the Washington County Fairgrounds as follows:

- General Construction – Davis & Sons, Spraggs, PA
- Plumbing – Babich Plumbing, Glen Willard, PA
- HVAC – Hranec Sheet Metal, Inc., Uniontown, PA
- Electrical – Lighthouse Electric, Washington, PA

The total cost of this project is \$1,379,500.00.

Solicitor DiSalle noted the awards are to be made subject to the execution of an agreement between the Fair Board and the County providing for the repayment of funds made available to the Fair Board out of the bond issue and any amounts relating to the loan guarantee.

Moved by Mrs. Irey, seconded Mr. Burns, to award the foregoing bids for the construction of the Exhibit Halls for the Washington County Fair subject to the execution of the foregoing agreement.

Roll call vote taken:

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

Motion carried unanimously.

Solicitor DiSalle recommended the Board award the bid for Meat to the following vendors based on the "per unit" cost:

Gordon Foods, Grand Rapids, MI
Green Valley, Claysville, PA

Sysco Foods, Harmony, PA

The approximate cost of this contract is \$25,000.00.

Moved by Mrs. Irey, seconded by Mr. Burns, awarding the Meat bid as per above.

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Roll call vote taken:

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

Motion carried unanimously.

Solicitor DiSalle recommended the Board reject the bids for Natural Gas as the bid received did not meet the specifications and authorize the re-advertising of said bid.

Moved by Mrs. Irej, seconded by Mr. Burns, to reject and re-advertise bids for Natural Gas.

Roll call vote taken:

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

Motion carried unanimously.

NEW BUSINESS

Chief Clerk presented to the Board for their consideration and approval a request for qualifications for architectural services to assist in the planning for the renovations at the Health Center.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the request for qualifications for architectural services as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval expenses associated with the Annual Juvenile Court Advisory Board dinner to be held on April 17, 2002. The total cost is \$952.42 this amount is in the approved annual department budget.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the expenses for the Annual Juvenile Court Advisory Board dinner as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the addition of the Middle Atlantic Great Lakes Organized Crime Law Enforcement Network to the list of County approved organizations for membership. The annual cost is \$350.00 and the membership rate will be prorated for 2002.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the addition of the Middle Atlantic Great Lakes Organized Crime Law Enforcement Network to the list of County approved organizations.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the continuation of the Victims of Crime Act Grant with the Pennsylvania Department on Crime and Delinquency. This federal grant is in the amount of

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\$68,659.00 for the period of July 1, 2002 through June 30, 2003. It is to be noted this requires a soft County match which is expected to be met by volunteer hours.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the continuation of the Victims of Crime Act Grant as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an increase to the contract allocation for Southwood Family Home Services in the amount of \$15,000.00 for a full year July 1, 2001 through June 30, 2002. It is to be noted the total allocation amount will be \$30,000.00. No County funds are required.

Moved by Mr. Burns, seconded by Mrs. Irej, approving the increase to the contract allocations for Southwood Family Home Services as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval addendum #1 to the July 19, 2001 agreement between the County and Washington County Tourism Agency to provide for expenditure of hotel tax revenues from the restricted account. This addendum will expire in conjunction with the July agreement on December 31, 2002 and is subject to annual renewal by mutual consent of both parties.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the foregoing addendum #1 between the County and the Washington County Tourism Agency.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the following Child Care Provider Agreements for 2001-2002. 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.

Angela Kostelansky, Charleroi
Estelle Hilliard, Burgettstown
Sharon Coughanour, Charleroi

Christy Bayles, California
Betty Shannon, Washington

Moved by Mr. Burns, seconded by Mrs. Irej, approving the foregoing Child Care Service Provider Agreements.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a supplement to the contract with L. Robert Kimball Engineers in the amount of \$2,000.00 to identify obstructions (trees) by geographic coordinates that penetrate the approach surface to Runway 27 at the Washington County Airport. The FAA has ordered the vicinity to be cleared. The costs will be paid 50% State Capital Budget and 50% County dollars.

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Moved by Mrs. Irej.

Commissioner Burns stated that he understands that the trees are to be removed because they interfere with the glide slope device. He stated it strikes him that someone has made a mistake in planning this and leaving the trees in place, if in fact the FAA was not going to approve the plan. Commissioner Burns noted this matter should be looked into before paying the engineering company more money if identifying the need to cut down the trees was part of the original contract. A discussion was held regarding the tree removal matter.

Commissioner Irej agreed with Commissioner Burns on looking into the matter to determine if there is liability on the part of the contractor but stressed concern on the timetable for the removal of the trees for FAA approval to operate the ILS. Commissioner Irej also stated the matter is a little bit more complicated because the trees are not on county property but actually located on property owned by the Pennsylvania Water Company.

Commissioner Burns questioned Solicitor DiSalle as to what action could be taken if the Board agrees to expend funds is the Board in fact admitting some guilt or absolving some party from any problems they may have caused to the county.

Solicitor DiSalle commented he did not believe the county would be admitting any guilt but the county may be absolving L. Robert Kimball Engineers by entering into this contract.

Commissioner Burns stated he felt the county should not absorb the cost if there was negligence. He stated it would be more prudent to table this motion and pursue whether or not there was some negligence or find out if Kimball is willing to move forward until this issue is resolved.

Lisa Cessna, Director of the Planning Commission, explained to the Board there would be no harm in tabling the issue for further review. She stated an agreement must first be reached with the water company before the trees can be removed.

More discussion followed on this matter.

Commissioner Burns stated he was not interested in waiving the liability of the engineering firm in this matter and that he felt that by entering into a contract with them to study the tree removal issue would give the impression the county felt the matter as "over and above" the original contract. He stated that FAA approval was a reasonable expectation for the county to have and we should determine whose fault it was that it was not granted.

Commissioner Irej questioned Ms. Cessna as to whether tabling this matter for another two weeks would in any way harm the process and in the meantime work with the water company about the removal of the trees.

Ms. Cessna stated that would not be a problem.

Commissioner Burns seconded the previous motion and made a motion to table the matter with the understanding that in the interim that the Solicitor will pursue the matter of whether there could have been negligence on the part of any vendor and allowing the Director of Planning to move forward with the negotiations with the water company.

Commissioner Irej seconded the motion to table and added the Solicitor take a look at this matter and determine if there is any liability or negligence as Commissioner Burns has stated.

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Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a supplement to the contract with Herbert, Rowland and Grubic, Inc. in the amount of \$1,778.27 to complete the Phase 1 study on Pigeon #2, Stockdaletown bridge project in Monongahela. The current contract amount of \$268,697.21 will be increased to \$270,475.48 and the costs will be paid 80% State and 20% County Liquid Fuels.

Moved by Mr. Burns, seconded by Mrs. Irej, approving the contract supplement with Herbert, Rowland and Grubic, Inc. as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an engineering agreement with Herbert, Rowland and Grubic, Inc. for the completion of Pike #11, Daisytown Bridge in California Borough. The total cost of \$234,866.82 will be paid 80% State and 20% County Liquid Fuels.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the engineering agreement with Herbert, Rowland and Grubic, Inc.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an engineering agreement with the EADS Group for the design of two covered bridge projects: the Mid-Wheeling #1, Erskine in West Finley Township and Mid-Wheeling #4, Mays in Donegal Township. The total cost of \$406,734.74 will be paid 100% State Act 26 funding.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the engineering agreement with the EADS Group as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a reimbursement agreement with the Pennsylvania Department of Transportation for the design, right of way acquisition and utility relocation of Chartiers #61, South Wade in the City of Washington. The estimated project cost of \$190,000.00 will be paid 80% State and 20% County Liquid Fuels.

Moved by Mrs. Irej, seconded by Mr. Burns, approving a reimbursement agreement with the Pennsylvania Department of Transportation as per a above.

Roll call vote taken:

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

Motion carried unanimously.

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Chief Clerk presented to the Board for their consideration and approval the purchase of two scanners for the Recorder of Deeds Office from state contract. The cost for each scanner is \$6,795.00 for a total of \$13,590.00. It is to be noted this purchase is being paid by the Records Improvement Fund.

Moved by Mr. Burns, seconded by Mrs. Irey, approving the foregoing purchase of two scanners for the Recorder of Deeds.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the purchase of an additional cellular phone from state contract for Highway Safety. The rate will be \$9.95 per month plus \$.30/minute peak and \$.10 minute off peak.

Moved by Mr. Burns, seconded by Mrs. Irey, approving the purchase of an additional phone for Highway Safety.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval a contract with TXU Energy Services of Pittsburgh to provide natural gas for the period of April 1, 2002 through June 30, 2002. The service will be at a fixed price of \$3.95 per DTH plus \$.02 Columbia Gas of Pennsylvania aggregation fee.

Moved by Mr. Burns, seconded by Mrs. Irey, approving the contract with TXU Energy Services of Pittsburgh as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the ratification of the contract amendment that was previously signed by the Board with the Pennsylvania Department of Health for the period of November 1, 2000 through June 30, 2005 for the Drug and Alcohol Program. It is to be noted the funding will be announced at the beginning of each fiscal year.

Moved by Mrs. Irey, seconded by Mr. Burns, approving the ratification of the contract amendment with the Pennsylvania Department of Health as per above.

Roll call vote taken:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval the purchase of computer hardware from state contract for the Transportation Authority to operate a new software program. The total cost is \$40,705.00 and is fully funded by PennDOT.

Moved by Mr. Burns, seconded by Mrs. Irey, approving the purchase of computer hardware from the state contract for the Transportation Authority.

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Roll call vote taken:

Mr. Burns - Yes; Mrs. Irely - Yes; Mr. Bevec - Yes.

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval an agreement with CSX for the disposition of tunnel #2 in Donegal Township, tunnel #4 in Buffalo Township, culvert #168 and 11.49 acres of land which encompasses parcels 4,6,7, 8 and 10. It is to be noted CSX will include steel barricades currently placed on the portals to the tunnels and a payment of \$400,000.00 that will be used toward the rehabilitation of the tunnels.

Moved by Mrs. Irely, seconded by Mr. Burns, approving the agreement with CSX as per above.

Roll call vote taken:

Mr. Burns - Yes; Mrs. Irely - Yes; Mr. Bevec - Yes.

Motion carried unanimously.

ANNOUNCEMENTS

An Executive Session was held on February 20, 2002 immediately following the Agenda Meeting to discuss real estate issues.

Cheyenne Air Center will be holding a garage sale on Saturday, April 20th from 8:00 a.m. to 3:00 p.m. in their hangar at the Washington County Airport. The proceeds will be donated to the Todd M. Beamer Foundation for the benefit of the children who lost a parent in the September 11, 2001 crash of Flight 93.

SOLICITOR

Solicitor DiSalle presented to the Board for their consideration and approval the following tax refunds that have been approved by the Treasurer, Tax Assessment and Solicitor for the Tax Claim Bureau.

Moved by Mrs. Irely, seconded by Mr. Burns, 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. Robert Manion (2002 County Tax)
129 Lakeview Drive
McMurray, PA 15317
District: Peters Township
Parcel No. 540-010-03-05-0001-00
Total amount: \$49.55
2. Baltimore & Ohio RR Co CXS Transportation Inc. (2002 County Tax)
500 Water Street, Tax Dept. 3910
Jacksonville, FL 32202
District: Washington 8th Ward
Parcel No. 780-014-00-01-0002-00
Total amount: \$438.32
3. Michael & Maureen Kusturiss (2002 County Tax)
219 Mosier Road
Eighty Four, PA 15330
District: North Strabane Township
Parcel No. 520-006-00-00-0014-03
Total amount: \$665.45
4. Frederick J. Landenwitsch (2002 County Tax)
37 Zediker Station Road
Washington, PA 15301
District: South Strabane Township
Parcel No. 600-007-00-00-0008-02
Total amount: \$4.94

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5. David McCallum (2002 County Tax)
 P.O. Box 346
 California, PA 15419
 District: California Borough
 Parcel No. 080-019-00-02-0008-00
 Total amount: \$6.89
6. Barbara Mansfield (1996-2001 County Tax)
 114 Elizabeth Street
 Washington, PA 15301
 District: Buffalo Township
 Parcel No. 060-016-09-99-0014-00
 Total amount: \$351.13
7. Black Box Corporation (2001 County Tax)
 P.O. Box 12800
 Pittsburgh, PA 15241
 District: Cecil Township
 Parcel No. 140-012-00-00-0066-04
 Total amount: \$2,715.57
8. Lereta Corp. for (2001 County Tax)
 P.O. Box 875
 Oaks, PA 19456
 District: California Borough
 Parcel No. 080-017-00-14-0003-00
 Total amount: \$97.93

Roll call vote taken:

Mr. Burns - Yes; Mrs. Irely - Yes; Mr. Bevec - Yes.

Motion carried unanimously.

BID OPENINGS

Controller Namie opened and read the following bids.

SECURITY SERVICES (Bid Bond required)

1. AM Gard, Inc.
 600 Main Street
 Pittsburgh, PA 15215

 Total amount of bid: \$64,696.32
 A Bid Bond in the amount of 10% accompanied the bid.
2. Bedway Security Agency, L.P.
 40 East Main Street
 Carnegie, PA 15106

 Total amount of bid: \$62,300.16
 An Official Check in the amount of \$6,230.02 accompanied the bid.
3. Sentinel Security & Investigations, Inc.
 60 Franklin Farms Road
 Washington, PA 15301

 Total amount of bid: \$66,493.44
 A Cashier's Check in the amount of \$6,649.35 accompanied the bid.

Moved by Mrs. Irely, seconded by Mr. Burns, to table the bids for review.

Roll call vote taken:

Mr. Burns - Yes; Mrs. Irely - Yes; Mr. Bevec - Yes.

Motion carried unanimously.

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MEAT (No Bid Bond required)

- 1. **Gordon Food Service, Inc.**
P.O. Box 1787
Grand Rapids, MI 49501

Total amount of bid: \$27,770.84

- 2. **Green Valley Packing**
2992 Green Valley Road
Claysville, PA 15323

Total amount of bid: \$25,425.26

- 3. **Sysco**
8 Kingswood Court
Washington, PA 15301

Total amount of bid: \$24,514.15

Moved by Mrs. Irej, seconded by Mr. Burns, to table the bids for review.

Roll call vote taken:

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

Motion carried unanimously.

There being no further business, Chairman Bevec declared the meeting adjourned at approximately 11:40 a.m.

THE FOREGOING MINUTES SUBMITTED FOR APPROVAL:

_____ *March 18* _____, 2002

ATTEST: *Catherine O'Kresh*
ADMINISTRATOR/CHIEF CLERK