

MINUTE BOOK

BOARD OF COUNTY COMMISSIONERS

WASHINGTON COUNTY, PENNSYLVANIA

Minute No. 635

Washington County Commissioners

Washington, PA, January 6, 2000

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. Irey and J. Bracken Burns, Sr. Also being present: Chief Clerk Michelle Miller; Jim McCune, Solicitor; Joe Zupancic, Assistant Solicitor; Marlene Luketich, Director of Administration; Linda Belcher, Secretary; Lisa Cessna, Mark Thomas and Melanie Finney, Planning Commission; Sheriff Larry Maggi and Deputy Todd Hammond; Controller Paul Belcastro; Francis King, Treasurer; Ken Krupa and Ed Sukal, Washington County Airport; Clay Hamilton and Bonnie Palfrey, Buildings and Grounds; Mark Mascara and Lou Falbo, Washington County Industrial Development Authority; Dino Bruno, Becky Bailey and Pete Lorenzo, SFIU members; Sara Stephenson, member of the Washington County Veterans Council; Joe Randall, Disabled American Veterans Council; Bob Irey, Kay Lusk, John Logar, Jerry Seaman, Butch Gorby, Rose Ann Masters, Stella Sukal and Jim Kalakawich, interested citizens; Joe Smydo, Observer-Reporter; Chris Haines, Herald Standard; Jim Jefferson, WJPA; Janice Crompton, Pittsburgh Post Gazette; Andy Briggs, KDKA TV; and Stu Brown, WPXI TV.

Chairman Bevec called the meeting to order at approximately 10:00 a.m.

Clay Hamilton led the meeting with a prayer.

Ms. Stephenson said the Pledge of Allegiance.

Chairman Bevec entertained a motion to approve Minute No. 633 dated December 23, 1999.

Moved by Mrs. Irey, seconded by Mr. Burns, that Minute No. 633 be approved.

Roll call vote taken:

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

Motion carried.

SPECIAL ORDER OF BUSINESS

The Commissioners presented Certificates of Special Recognition to Ed Sukal, an employee of the County Airport, for his courageous efforts in assisting in an aircraft fire that occurred at the Washington County Airport.

PUBLIC COMMENTS

Joe Randall, a representative of the Disabled American Veterans, addressed the Board regarding the employment of disabled veterans.

Mr. Randall stated that he would like to have further discussion with the Board on this matter.

SPECIAL ORDER OF BUSINESS (Con't)

Attorney Mark Mascara presented a Resolution to the Board with reference to a TEFRA hearing for the following project:

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APPLICANT: Corning Consumer Products Company

AMOUNT OF PROPOSED ISSUANCE: Not to exceed \$10,000,000.00

NATURE AND LOCATION OF FACILITY BEING FINANCED: The funds from the bonds will be used to finance the project to replace/rebuild the existing melting tank and to expand the capacity for manufacturing Pyrex at it site located at the Corning, Charleroi Plant, McKean Avenue, Charleroi, Pennsylvania

Moved by Mrs. Irely, seconded by Mr. Burns, adopting the foregoing Resolution.

Roll call vote taken:

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

Motion carried unanimously.

OLD BUSINESS

Solicitor McCune recommended the Board reject the bids for HVAC Maintenance.

Moved by Mrs. Irely, seconded by Mr. Burns, to reject the bid for HVAC Maintenance.

Roll call vote:

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

Motion carried unanimously.

Solicitor McCune recommended the Board award the bid for Election Supplies to the following vendors based on the per unit cost:

1. Badzik Printing, Donora, PA
2. Cane Business Forms, Atlasburg, PA
3. William Printing, Pittsburgh, PA

Moved by Mrs. Irely, seconded by Mr. Burns, to award the bid for Election Supplies as per above.

Roll call vote taken:

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

Motion carried unanimously.

Solicitor McCune recommended the Board table the bids for the restoration projects at the Longdon and Clint Sprowls Bridges for further review.

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

Roll call vote taken:

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

Motion carried unanimously.

CORRESPONDENCE

Chief Clerk announced the following News Releases:

1. Allison Park Contractors for the Chartiers Township Sanitary Sewer Improvement Project
2. The Washington County Housing Authority is sponsoring the Sixteenth Annual 2000 Stephen J. Bollinger Memorial Scholarship Award

NEW BUSINESS

Chief Clerk presented to the Board for their consideration and approval the adoption of a Resolution authorizing the sale of certain surplus property by closed bid through the Purchasing Department.

Moved by Mrs. Irej, seconded by Mr. Burns, adopting the Resolution 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 of a final Change Order for Atlas Railroad in the amount of \$63,797.62 for construction of the Bailey Covered Bridge. This amount will be paid out of the County's Liquid Fuels allocation and reimbursed 100% from Act 26.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the final Change Order for Atlas Railroad 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 Donated Sick Time Policy and Addendum to the Contract for the Washington County Correctional Officers represented by Teamsters Local 205.

Moved by Mr. Burns, seconded by Mrs. Irej, approving the Donated Sick Time Policy and Addendum to the Contract as per above.

Roll call vote:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval to extend the Balance and Restorative Justice Grant for the Juvenile Probation Office to September 30, 2000. The current project period is April 1, 1999 through March 31, 2000. This is a federal grant of \$46,450 that does not require a County match in the first year.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the extension to the Balance and Restorative Justice 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 the submission of the Public Safety's Hazardous Material Emergency Response Preparedness Assessment for 1999. This assessment provides a basic summary of the hazardous materials threat to the County and a statement showing the number of facilities, chemicals and fees collected.

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Moved by Mrs. Irej, seconded by Mr. Burns, approving the Hazardous Material Emergency Response

Preparedness Assessment for 1999 as per above.

Roll call vote:

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

Motion carried unanimously.

Chief Clerk presented to the Board for their consideration and approval Child Care Information Services provider agreements for fiscal year 1999/2000 with the following:

Toddlers' Patch Child Care Center, California
Gayle Dewolf, Prosperity

Marjorie Nordbert, Claysville
Raenae Price, Marianna

Moved by Mrs. Irej, seconded by Mr. Burns, approving the Child Care Information Services provider agreements 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 endorsement of the contract with Southwestern Behavioral Health Management in the amount of \$205,946. This is the agreement for the second year of HealthChoices.

Moved by Mr. Burns, seconded by Mrs. Irej, approving the endorsement of the contract with Southwestern Behavioral Health Management 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 request from Behavioral Health to change the signatory authority page for the state Civil Service to the Chairman of the Washington County Board of Commissioners.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the request from Behavioral Health 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 Contract with Pyramid Healthcare in an amount not to exceed \$10,000 for the period of January 1, 2000 through June 30, 2000.

Moved by Mrs. Irej, seconded by Mr. Burns, approving the Contract with Pyramid Healthcare as per above.

Roll call vote taken:

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

Motion carried unanimously.

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Regarding old business, Commissioner Burns made a motion to appoint John Logar to the Board of Assessment Appeals. Motion died due to a lack of a second.

Moved by Chairman Bevec, seconded by Mrs. Irej, to appoint Ken Laird to the Board of Assessment Appeals.

Roll call vote taken:

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

Motion carried.

Chief Clerk recommended to the Board the appointment of Lou Brova to the Farmland Preservation Board.

Moved by Mrs. Irej, seconded by Mr. Bevec, appointing Lou Brova to the Farmland Preservation Board.

Commissioner Burns stated this appointment was made at a private meeting in direct violation of the Sunshine Law of Pennsylvania and as a Washington County Commissioner he was never informed of the meeting nor attended the meeting. He noted he was unaware of this appointment until late yesterday afternoon, therefore, he votes "No".

Commissioner Irej voted "Yes". She added this was not done behind closed doors and there was a list of all vacancies for this Board. She filled in her suggestions and handed them over to the Director of Administration. Commissioner Irej noted it was her understanding after she did this, Commissioner Bevec did the same on his own. At that time, the Director of Administration also handed a list of vacancies to Commissioner Burns' secretary asking for his recommendations.

Commissioner Bevec voted "Yes".

Motion carried.

Chief Clerk recommended to the Board the appointment of Commissioner Irej, Dr. Tina Linbauer and Thomas Shade to the Behavioral Health Advisory Board.

Moved by Mrs. Irej, seconded by Mr. Bevec, appointing the foregoing individuals to the Behavioral Health Advisory Board.

Commissioner Burns stated these appointments were made in a private meeting with two Commissioners present which was in direct violation of the Sunshine Law of Pennsylvania. He pointed out he was not present or notified of this meeting and as a duly elected Commissioner rejects this motion and votes "No".

Commissioner Irej noted that once again these were handled by a list given to the Board by the Chief Clerk and was individually reviewed. She stated at the agenda meeting she had individuals who stated their interest in volunteering on this Board and that two of the names were given to the Board of Commissioners by the Director of the Behavioral Health.

Commissioner Burns pointed out he has served on this Board for the past four years and was never consulted as to whether or not he would be willing to continue on this Board.

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Chairman Bevec said in keeping in line with the Sunshine Law, the Board circulated a form requesting each Board member's appointments. Chairman Bevec stated he is willing to table all Board appointments until such time when the Board can meet to decide the appointments.

Commissioner Irely stated the press would also be invited to this meeting.

Commissioner Burns stated that would be appropriate.

Moved by Mr. Burns, seconded by Mrs. Irely, to table the Board appointments until the Board

Commissioners meet to further discuss this matter.

Roll call vote taken:

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

Motion carried unanimously.

Moved by Mrs. Irely, seconded by Mr. Bevec, to withdraw all previous motions for Board appointments.

Roll call vote taken:

Commissioner Burns stated he does not believe he can legally vote on withdrawing a motion that he did not vote on.

Chairman Bevec made a motion to withdraw the motion.

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

Motion carried.

ANNOUNCEMENTS

Chief Clerk made the following announcement:

1. County Offices will be closed on Monday, January 17, 2000 in observance of the Martin Luther King holiday.

Chairman Bevec noted clarification on the vote at the Salary Board Reorganization with regards to the merit raise. Commissioner Bevec stated there will be a 3% across the Board raise for management employees rather than a merit raise for this year.

Commissioner Burns stated that is incorrect. He noted this has already been voted on at a public meeting with an unanimous vote for a 3% raise by the merit system.

Commissioner Irely said there was a statement read before the vote was taken that said this would be a 3% management raise.

Commissioner Burns stated "no". He pointed out that Commissioner Irely stands corrected that the statement read a "merit increase raise". He also pointed out it was printed on the agenda in that manner.

Commissioner Irely stated it was printed on the agenda and she revised her agenda and that is what Chairman Bevec read.

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Commissioner Burns stated there were two agendas, one Commissioners Irely and Bevec devised in private meeting and one the Chief Clerk prepared for the public. Both of these read the same and it said it would be a merit increase. Commissioner Burns also noted this is a system which the Board implemented three years ago, and said it is a good system.

Commissioner Irely stated unfortunately when some Directors chose to implement this system they chose to do it inappropriately and not be fair to the employees. This is the reason why having a 3% across the board management raise is appropriate. She pointed out she was very careful when she received the agenda from the Chief Clerk that she revised it to read "management increase" and this is what Chairman Bevec read and she made the motion to approve it.

Chairman Bevec suggested the minutes and tape be reviewed on this matter.

SOLICITOR

Solicitor McCune presented to the Board for their consideration and approval an Agreement with Michael Savono, Esquire as a Conflict Attorney for the Courts and Public Defender Office in an amount not to exceed \$20,000.

Moved by Mr. Burns, seconded by Mrs. Irely, approving the foregoing Agreement with Michael Savono,

Roll call vote taken:

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

Motion carried unanimously.

There being no further business, Chairman Bevec declared the meeting adjourned at approximately 10:45 a.m.

THE FOREGOING MINUTES SUBMITTED FOR APPROVAL:

January 13, 2000

ATTEST: Michelle R. Miller

CHIEF CLERK