

position on drilling in the conservation zone. He said it was reported that Penn Future supports a 300 foot setback which was reported incorrectly and they actually support banning deep drilling in conservation zones. They are also in support of overall best practices and are working with the task force and Heather Sage from Penn Future will be speaking at the next task force meeting. He said the decision the board makes in regards to the change of the ordinance will last for years to come. Commissioner Ruddock said the next task force meeting will be October 27th.

PROCLAMATION...NATIONAL BUSINESS WOMEN'S WEEK

After a proclamation was read by Ms. Evanko, a motion was made, seconded by Mr. Frick and unanimously carried to proclaim October 17 – 21, 2011 as National Business Women's Week in Indiana County. This event is sponsored by Indiana Business and Professional Women and Business and Professional Women's Foundation. The Commissioners urge all citizens, businesses and community organizations in Indiana County to join this salute to working women. Chris Welker and Chris Mellinger were present to accept the proclamation and thanked the Commissioners for their continued support.

PROCLAMATION...DOMESTIC VIOLENCE AWARENESS MONTH

After a proclamation was read by Mr. Frick, a motion was made, seconded by Mr. Ruddock and unanimously carried to proclaim October 2011 as Domestic Violence Awareness Month in Indiana County and urge all citizens to actively participate in efforts to improve victim safety and hold the perpetrators of domestic abuse accountable for their actions against individuals, victims and our society as a whole. Lou Ann Williams from the Alice Paul House was present and thanked the Commissioners for their continued support.

ADOPTING AND AUTHORIZING THE FILING OF THE 2011 NON-ENTITLEMENT CDBG PROGRAM APPLICATION

At the request of the Office of Planning & Development, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a resolution approving the following project scopes for the 2011 Non-Entitlement Community Development Block Grant Application and authorizing the Office of Planning & Development to file the application with the Pennsylvania Department of Community and Economic Development by October 14, 2011.

- A. Indiana County - \$305,766.00
 - 1. Indiana County Homeless Veterans Housing Complex
 - 2. Administration and Audit

- B. Indiana Borough - \$198,824.00
 - 1. Greater Indiana Revitalization Program
 - 2. Kovalchick Convention and Athletic Complex – Acquisition
 - 3. Planning
 - 4. Administration and Audit

- C. Center Township - \$98,719.00
 - 1. Cherry Run Water Extension Project
 - 2. Administration and Audit

Approval is also recommended to have Commissioner Ruddock sign all necessary forms to complete the application process. The total of the application is \$603,409.00. Commissioner spoke about how important this project is to the County and how capitalizing on the opportunity

to bring a homeless veterans housing complex to Indiana County. The program will leverage additional dollars otherwise we wouldn't have access to which is close to a million dollars when all is said and done and that is impressive. He also said since the announcement through the media they have received many inquiries of how can we assist and how can we donate. He said Luann Zak was very helpful in working with Brenda Stormer, Director of Veterans Affairs, in making this happen if it doesn't work we can always go back to the drawing board and reallocate the money.

CONTRACT AWARD – 300 INDIAN SPRINGS ROAD ROOF RENOVATIONS

PROJECT:

At the request of the Office of Planning & Development, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a general construction contract in the amount of \$84,575.00 to Davis Contracting, Ford City, PA, for the 300 Indian Springs Road Roof Renovations Project. Sealed bids for the project were opened at 10:00 a.m. on Monday, October 3, 2011. Bids received ranged from a low of \$84,575.00 to a high of \$106,900.00 to install a new roof membrane and make various roof improvements. This project will be solely funded by the Indiana County Development Corporation.

RLF LOAN TO GORELL ENTERPRISES, INC.

At the request of the Office of Planning and Development, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a \$250,000.00 term loan from the Indiana County Revolving Loan Fund (RLF) to Gorell Enterprises, Inc (Gorell). Gorell is a manufacturer of specially engineered, custom-manufactured windows for replacement and new-construction applications, patio doors, and aluminum storm windows and doors. Gorell will use the loan proceeds to fund working capital requirements. The interest rate will be fixed at 4.0% for a term of 36 months. The RLF is leveraged by funds from owner equity. The borrower will retain 285 full-time jobs over the next three years as a result of this project. The RLF loan application has been reviewed by the Revolving Loan Fund Loan Review Committee and approved subject to satisfactory review of the fully executed bank documentation of its current lender.

Commissioner Evanko commented that she is glad that we can help out to help save 285 jobs. Commissioner Ruddock said we have 285 jobs at stake in Indiana County and anything we can do to help nurture that project is well worth the energies of this board.

INDIANA COUNTY SPECIAL RECREATION AND CONSERVATION ZONING ORDINANCE

Commissioner Ruddock said at the public meeting on June 22, 2011 a letter was sent to Byron Stauffer, Director of the Office of Planning & Development and Mr. Edwin Nehrig, Chairman of the Indiana County Planning Commission requesting necessary steps be taken to revisit the existing ordinance and propose recommended changes to the Board of Commissioners at the earliest opportunity. The Board realizes that this process may take significant time to properly review all of the information that has become and continues to become available specific to Marcellus Shale drilling. Additionally, there have been efforts by many municipalities and at the state level to find ways which address the same concerns which have surfaced in Indiana County. He said that statement is still valid as it was on June 22nd. The letter also requested an update of the status of their efforts by the first public meeting of October 12, 2011.

Byron Stauffer introduced two members of the Planning Commission present, Delbert Highlands and Ross Bricklemeyer. He commended the Planning Commission and the Zoning Board of their work thus far. He said they are seeking every possible resource to make a final recommendation at the earliest possible opportunity. He also commended all participants at the public meetings as there has been a civil discourse throughout the process to amend the ordinance. They have received good information and referrals, invited and received speakers with many different expertises's ranging from accumulative affects of air quality, smog pollution to water issues, etc. There is still some work to do and other efforts around the state have taken two years to complete. We are trying to accelerate this into a six to seven month process. He also noted there is a time sensitive issue of trying to provide the Zoning Hearing Board with the necessary tools and policy directive to be able to make informed decisions moving forward in anticipation of further applications in the conservation zone.

In response to the Board of Commissioners letter of request, dated June 22, 2011, the Indiana County Planning Commission and Office of Planning & Development scheduled a series of public meetings and a workshop to revisit the existing Special Recreation and Conservation Zoning Ordinance and propose recommended changes due to impacts regarding Marcellus Shale drilling. To date, the following activities have occurred.

- Participation in the Indiana County Natural Gas Task Force;
- Review of Indiana County Zoning Hearing Board's findings of fact and conclusions of law upon the application of MDS Energy, Ltd.;
- Review of the Pennsylvania Municipalities Planning Code;
- Review of the Pennsylvania Oil and Gas Act;
- Review of DCNR gas lease provisions related to land use;
- Review of Coalition for a Healthy County Handouts of various articles and presentations as well as the Proposed Draft Ordinance Amendment as prepared by PennFuture;
- Review of signed Petitions (175) and Form Letters (112) submitted by the Coalition for a Healthy County;
- Review of the Indiana County League of Women's Voters Marcellus Shale Study Guide;
- Review of Governor's Marcellus Shale Advisory Commission Report, which includes 103 recommendations;
- Review of relevant Pennsylvania court cases on local regulation of gas drilling and wells;
- Invited a number of guest speakers to present at public meetings, including:
 - Jim Resh, Indiana County Conservation District;
 - Gerald Smith, Coalition for a Healthy County;
 - Review of written comments from Penn Future;
 - Suzanne Seppi, Group Against Smog and Pollution;
 - Kurt Hausammann, Lycoming County Planning Director;
 - Craig Neal, VP Central PA Gas Operations with CNX Gas Company
 - Roy Lynch, Geologist with CNX Gas Company
 - Ken Bisbee, Yellow Creek State Park Manager
- Took public comment at public meetings, including from:
 - Beth Marshall, Indiana County Zoning Hearing Board Member;
 - Mike Knapp, Knapp Acquisitions;

- Jim Ray, Property Owner in Conservation Zone; and
- Letter from Indiana County Farm Bureau.
- Participation in gas drilling webinar, *Natural Gas Extraction: Planning Implications*, sponsored by the Pennsylvania Chapter of the American Planning Association and featuring speakers from Lycoming County and the Penn State Cooperative Extension;
- Review of Lycoming County natural gas zoning amendment upon DCED recommendation;
- Review of Lycoming County Zoning Ordinance;
- Review of DEP Erosion and Sediment Control Plan procedures, and;
- Review of Governor Corbett's proposed Impact Fee and related regulatory proposals.

The Planning Commission will hold a second workshop meeting at the earliest possible convenience to continue preparing draft language for the amendment. A public meeting will be planned in November 2011 where the Planning Commission will formally vote to recommend final text amendments related to oil and gas drilling activities under the jurisdiction of the Special Recreation and Conservation Zoning Ordinance. The Planning Commission will forward its recommendations to the Commissioners and a public hearing will be held at the earliest possible convenience. The County Commissioners will then have ninety (90) days from the public hearing to vote on the amendment.

Commissioner Ruddock commended the Planning Commission and said this has not been an easy task. There have been multiple meetings, long hours and have worked closely with Planning Department in trying to achieve an end product that really is the win, win, win that we have talked about for Indiana County. The process continues and the challenge is to drive it forward with the recommendation coming to them by the November 16, 2011 public meeting then the Board of Commissioners need to have some time to announce the ordinance and give sufficient time for the public to hear that published ordinance then they will meet and discuss with the public in a public forum and make a decision at a subsequent public meeting. They are working towards adoption in January of 2012 which leads him to a request. He made an informal request that the gas companies would hold off in securing a permit from Indiana County until such time we get this fully mapped out and that would be very advantageous to them to have a clear understanding of what the expectations is of the county by that January time frame. If the companies would be willing to wait until such time they seek permit approval that would be good for all of us because it would demonstrate a good faith effort that we are all trying to work as a team on this and make sure we are doing the right thing at the right time for the citizens of Indiana County.

LETTER OF SUPPORT...BUREAU OF AVIATION

At the request of Ron Anderson, Chairman of the Airport Authority, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve Commissioner Ruddock to sign the following letter of support be forward to the Bureau of Aviation for the continued funding of the final phase of the Jimmy Stewart Airport.

David Parker
 PennDOT Bureau of Aviation
 1800 Wilmington Road
 P.O. Box 229
 New Castle, PA 16103

RE: Indiana County — Jimmy Stewart Airport
Internal Order No. 7880059085
Contract No. 11-1
Improve Runway 10-28, Phase III Construction (Grading, Paving and Lighting)

Dear Mr. Parker:

As requested by the PennDOT Bureau of Aviation, please accept this letter on behalf of the Indiana County Board of Commissioners and the Indiana County Airport Authority as a renewed commitment to provide the local share funds for the above referenced project.

Estimates prepared by Lee-Simpson Associates, Inc. indicate that additional local share funds will need to be committed to the project. Our original commitment of \$2.4 million was submitted by letter to the Bureau of Aviation in July, 2005.

For your information, local share costs to date on the project total \$1,476,217.00. The remaining local share funds committed to the project in 2005 are \$925,474.00 which are \$130,692.00 less than the Engineer's estimates to finish the work. The Airport Authority has agreed to contribute up to \$140,000.00 of its funds to cover the shortfall.

Thank you for your consideration and assistance with this matter. Please contact us if you have any questions or require additional information.

Sincerely

Rodney D. Ruddock, Chairman

Mr. Anderson commented that bid specifications for the next phase will go out in the next couple of weeks.

CONTRACT...MISSION CRITICAL PARTNERS / EMA

At the request of Tom Stutzman, Director of EMA/911, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a contract with Mission Critical Partners to perform a study in conjunction with eight other counties in Western Pennsylvania. This approval is for only Phase I of the contract and this study will look at replacement of the 911 communications switch controller and to perform an upgrade of the next generation 911 services and also to utilize a county connected network to share services across county lines. This contract is to study the needs addressed in those eight counties. The cost of the contract is \$28,870.00 and will be paid for with wireless funding overages. This will not have an effect on their annual budget.

Commissioner Ruddock commented that this recommendation has come to them because of the energies of Glenn Cannon who is the PEMA Director. Mr. Cannon is aware of the efforts made as part of the public safety radio project and the fact that we were able to assemble the counties of Region 13 to do exactly the same model to save counties money for the switching signal for the public safety radio. This replicates and mirrors exactly what we did and he is realizing there are savings that can be born in if counties start working together. That is the important

mechanism that is driving this plan and we want to be part of it because we know in the long run it will be less expensive and safer for the people of Indiana County.

RE-APPOINTMENTS...WORKFORCE INVESTMENT BOARD

A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve the re-appointments of Reba Johnson, Robin Gorman and Ronald Bowersox to the Tri-County Workforce Investment Board; terms to expire September 30, 2014.

COUNTY RETURN BOARD...NOVEMBER 8, 2011

A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve the following to the County Return Board for the November 8, 2011 Municipal Election:

Republican – Darla Coble, Margaret Babco
Democratic – Margaret Karp, Margaret Preite

OTHER BUSINESS

Commissioner Ruddock introduced Jeff Grimm who was recently hired in the Office of Planning & Development.

NEXT REGULAR MEETING...OCTOBER 26, 2011

The next regular scheduled Commissioners' Public meeting will be held on Wednesday, October 26, 2011 at 10:30 a.m. in the Commissioners' Hearing Room.

ADJOURMENT

With no other business to come before the Board at this time, Commissioner Ruddock adjourned the meeting at 11:23 a.m.

Patricia A. Evanko, Secretary

Rodney D. Ruddock, Chairman