

**COMMISSIONERS' MEETING MINUTES**  
**FEBRUARY 13, 2013**

Commissioner Chairman Rodney D. Ruddock called the regular meeting of the Indiana County Commissioners to order at 10:30 a.m. in the Commissioners' Hearing Room.

**ROLL CALL**

Chairman Rodney D. Ruddock, present                      Commissioner David S. Frick, present  
Commissioner Patricia A. Evanko, present

Also in attendance were Solicitor Edwin Clark, Chief Clerk Robin Maryai and others. Members of the news media present were Randy Wells, Nick Ruffner, Ben Cunningham and Greg Reinbold.

**PLEDGE OF ALLEGIANCE**

Commissioner Ruddock asked Gabrielle Goril, who was attending as a shadow with Commissioner Evanko to lead those present in reciting the Pledge of Allegiance to the American Flag.

**APPROVE MINUTES...JANUARY 23, 2013**

A motion was made by Ms. Evanko, seconded by Mr. Frick and unanimously carried to approve the minutes of January 23, 2013 as submitted.

**PUBLIC COMMENT**

There was no public comment.

**PROCLAMATION...RECOGNITION OF SUPPLY DRIVE IN HONOR OF AMERICA'S PROMISE**

After a proclamation was read by Mr. Frick, it was seconded by Ms. Evanko, and unanimously carried to recognize students from United, Homer Center and Saltsburg Schools for the personal hygiene and school supplies they collected in Honor of America's Promise.

**COURTHOUSE SECURITY UPGRADE / COURTS**

Tom Stutzman, Director of the Emergency Management Agency, explained that the County has an opportunity to utilize Homeland Security money to provide an upgrade to the courthouse security. He further explained that Region 13 through a grant received by Allegheny County has made available \$250,000.00 to assist with those upgrades. A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to move forward with the upgrades to the security system. Christy Donofrio, Court Administrator, said Judge Martin appreciates the cooperation in moving forward. The project will proceed under the director of Bill Sink and Sheriff Robert Fyock and will be overseen by Judge Martin.

**ORDINANCE...2013 TAX ANTICIPATION NOTE**

At the request of Sandra Kirkland, Treasurer, a motion was made by Ms. Evanko, seconded by Mr. Ruddock and unanimously carried to approve an Ordinance authorizing the 2013 Tax Anticipation Note in the amount of \$4,687,741.00 through S&T Bank with an interest rate of 1.359% and is a tax free loan. Under Pennsylvania law, counties can enter into a loan agreement

to obtain funds necessary to offset any shortfalls until tax revenues begin to come in and must be paid back before the close of the year.

#### **AUTHORIZATION OF SURPLUS EQUIPMENT / INDIAN HAVEN**

At the request of Kim Cobaugh, Communities at Indian Haven, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to authorize the sale of two surplus tables at Indian Haven. The tables can be seen by contacting Ms. Cobaugh and the sealed bids are due by 10:30 a.m. on February 25, 2013 in the Commissioners Office.

#### **CONTRACT...SCHILLINGER & KEITH / TAX CLAIM**

At the request of Frank Sisko, Chief Assessor, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a contract with Schillinger & Keith to do title searches in conjunction with the Tax Claim/ Judicial Tax Sale in the amount of \$100.00 per parcel and is a pass through cost as part of the sale.

#### **AGREEMENT...INDIANA TITLE & ABSTRACT / TAX CLAIM**

At the request of Frank Sisko, Chief Assessor, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a contract with Indiana Title Abstract Corp. to do title searches in conjunction with the Tax Claim/ Judicial Tax Sale in the amount of \$100.00 per parcel and is a pass through cost as part of the sale.

#### **RECOGNITION FROM FEMA FOR DEVELOPMENT OF COUNTY HAZARD MITIGATION PLAN / EMA**

Commissioner Ruddock recognized receiving a letter from FEMA Mitigation Division Director, Eugene K. Gruber, commending Indiana County and the Tom Stutzman's staff for supporting and assisting in the development of the county hazard mitigation plan. The final product will allow for risks to be mitigated prior to a disaster and will assist the constituents of Indiana County in the event that a disaster should occur. Tom Stutzman said it took two years to develop the plan and was coordinated with the efforts of the Office of Planning & Development with the Comprehensive Plan as well with 38 municipalities in the county.

#### **CONTRACT BETWEEN ALLEGHENY COUNTY AND INDIANA COUNTY / EMA**

At the request of Tom Stutzman, Director of EMA, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a contract between Allegheny County and Indiana County to assist with funding of salary and benefits for one position in the EMA Office in the amount of \$47,000.00. This is a reoccurring contract with Allegheny County and is funded through Homeland Security monies.

#### **PROPOSAL FOR WIRELESS ACCURACY TESTING AND WIRELESS WIRELINE FUND MANAGEMENT / EMA**

At the request of Tom Stutzman, Director of EMA, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve a Proposal for Wireless Accuracy Testing and Wireless Wireline Fund Management with Essential Management Solutions. The purpose of the contract is to perform a wireless accuracy test and to assist with fund management for wireless and wireline costs. This proposal will allow the county to go out and validate the information that is being receiving from wireless telephone calls at the tower sites. The total cost of the contract is \$90,000.00 with \$60,000.00 paid from the Wireless Fund and \$30,000.00 from General Fund.

## **INDIANA COUNTY ACT 13 IMPACT FEE DISTRIBUTION – 2011**

Byron Stauffer, Director of the Office of Planning & Development, explained that Indiana County has received its notification from the Pennsylvania Public Utility Commission (PUC) of the 2011 Act 13 Impact Fee Distribution. The Act 13 Impact Fee Distribution is based on an eligibility formula utilizing a complicated series of criteria based on unconventional gas wells. The PUC has determined that 32 of the 4,333 spud unconventional gas wells statewide are located in Indiana County. Under Section 2314(d)(1) of Act 13, Indiana County has been allocated \$282,419.45. These funds must be used for one of the thirteen criteria outlined in Act 13 under this section.

Mr. Stauffer reviewed the thirteen criteria under Section 2314(d)(1) as follows:

1. Construction, reconstruction, maintenance and repair of roadways, bridges and public infrastructure.
2. Water, storm water and sewer systems, including construction, reconstruction, maintenance and repair.
3. Emergency preparedness and public safety, including law enforcement and fire services, hazardous material response, 911, equipment, acquisition and other services.
4. Environmental programs, including trails, parks and recreation, open space, flood plain management, conservation districts and agricultural preservation.
5. Preservation and reclamation of surface and subsurface waters and water supplies.
6. Tax reductions, including homestead exclusions.
7. Projects to increase the availability of safe and affordable housing to residents.
8. Records management, geographic information systems and information technology.
9. Delivery of social services.
10. Judicial services.
11. Deposit into a county or municipality's capital reserve fund if the funds are used solely for an authorized purpose.
12. Career and technical centers for training of workers in the oil and gas industry.
13. Local or regional planning initiatives under the act of July 31, 1968 (P.L. 805, No. 247), known as the Pennsylvania Municipalities Planning Code.

Upon an examination of the thirteen criteria under Section 2314(d)(1) and a review of the needs of the County to support various projects and initiatives, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve the following expenditures/projects. The motion also includes allowing Commissioner Ruddock to sign all required forms and also the ability to make moderate adjustments as needed.

- \$64,919.45 – Emergency Management Agency (EMA) for costs associated with the Public Safety Radio Communications Project and other related costs [Criteria #3];
- \$127,500.00 – Geographic Information System (GIS) upgrades [Criteria #8];
- \$10,000.00 – Records Management [Criteria #8];
- \$60,000.00 – Delivery of Human (Social) Services [Criteria #9];
- \$20,000.00 – Storm Water Management Plan – Phase I [Criteria #13].

Commissioner Ruddock said one of the things they take pride in as Commissioners is that they want to be transparent to the public. There is no hidden agenda and these are dollars that come to the County and they want to make sure these dollars go back and support the county in the best possible way they see fit. He also said that a lot of the issues they are dealing with are infrastructure requirements that provide long range benefit to the county. The county will probably receive additional dollars this year and they will relook at some of the other projects that are on the plate to bring services to those in need in Indiana County.

Commissioner Evanko said the categories chosen are essential for the County's growth and expansion. We do need more monies but we will handle that in the future and this will give us a boost in that direction.

Ed Patterson, Director of Indiana Parks and Trails, explained that a portion of the Act 13 Impact Fee has been allocated to the Indiana County Parks & Trails in the amount of \$75,405.00. This funding will support projects that were selected from the county parks capital improvement/capital equipment list.

A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve the following expenditures from Act 13 Marcellus Shale Legacy Fund.

1. Hoodlebug Trail Connector Bridge Pre-Engineering - \$10,000.00
2. Purchase of two mowers - \$23,825.00
3. Equipment trailer - \$1,600.00
4. (2) Prefabricated restrooms for Ghost Town - \$25,180.00
5. Trail shelter and picnic tables - \$5,100.00
6. Gazebo at Old Smicksburg Park - \$4,900.00
7. Roof replacement at Kintersburg Covered Bridge

Mr. Patterson said he appreciates the allocation because it has been lean in funding for the Parks & Trails as the state has cut back on grant funding.

The Board recognized and commended the hard work that Mr. Patterson and his staff does at the parks.

### **RUNWAY CONSTRUCTION PROJECT – INDIANA COUNTY/JIMMY STEWART AIRPORT**

Ron Anderson, Chairman of the Airport Authority, was present requesting that the Board of Commissioners take the following actions concerning the runway construction project at the Airport:

Mr. Anderson asked the Board to accept an amended and increased aviation tentative allocation proposing State participation in the amount of up to \$1,500,000.00 for completion of the new runway project. The allocation will require a matching local share of costs in the amount of \$1,500,000.00 for the construction work. The increase in funding is to cover any additional costs related to the runway and parallel taxiway projects. A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to accept the amended and increased aviation tentative allocation of up to \$1,500,000.00 from the State.

Mr. Anderson asked the Board to approve a revised Promissory Note between the County and Airport Authority wherein the County will loan the local share amount of up to \$1,500,000.00 to the Authority. A schedule of annual interest and principal payments will have the loan paid back to the County by 2022. Commissioner Ruddock asked if this replaces the prior two promissory notes that was approved. Mr. Anderson said he would need to clarify with their Solicitor, Jim Carmella. Commissioner Ruddock said he doesn't want it to look like we are approving two or three separate promissory notes and suggested this item be tabled for further clarification. A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to table action on the promissory note.

Mr. Anderson asked the Board to accept an aviation tentative allocation proposing Federal and State participation in the amount of \$117,000.00 to identify obstructions and acquire easements for the future installation of an Instrument Landing System at the Airport. The allocation will require a local share of costs in the amount of \$3,000.00 for the project. The source of the local share will be determined when a grant offer is officially made to the County. Mr. Anderson said it is his expectation that the Airport Authority would cover the \$3,000.00 however he needs to get approval from the Airport Authority. Commissioner Ruddock suggested accepting the allocation subject to the agreed reimbursement of the local share cost. A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to accept the aviation tentative allocations of \$117,000.00 with the source of the local share being determined when the grant offer is officially made to the County.

Mr. Anderson asked the Board to accept an aviation tentative allocation proposing State participation in the amount of \$97,500.00 to acquire a fuel truck and related equipment for the Airport. The allocation will require a local share of costs in the amount of \$32,500.00 for the project. The source of the local share will be determined when a grant offer is officially made to the County. Commissioner Ruddock asked if this is beyond the scope of the five phase plan for airport. Mr. Anderson said this fuel truck was in the 12 year plan and it was negotiated with the BOA to move the fuel truck further out in the plan making this money available for the rebuilding of the automatic weather observation system that is obsolete. Commissioner Evanko and Commissioner Ruddock said this raises a flag of caution by asking the County to accept a tentative allocation for a fuel truck that we are not actually acquiring an allocation for. His concern is that he doesn't want to enter into any agreement that is not for its intended purpose and would prefer that until we agree to something it is looked at in more detail and discussed again. A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to table action until further clarification is received to the intended allocation of the money.

**\$100,000.00 RLF LOAN TO ANTHONY E. MEDVETZ AND LINDA S. MEDVETZ, AND ANTHONY E. MEDVETZ, D/B/A FAST TIMES DESIGN AND SCREEN PRINTING**

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 \$100,000.00 term loan from the Indiana County Revolving Loan Fund (RLF) to Anthony E. Medvetz and Linda S. Medvetz, and Anthony E. Medvetz, d/b/a Fast Times Design and Screen Printing (Fast Times). The borrower is a graphic printing manufacturer, specializing in apparel decoration, vinyl signage, vehicle graphics, and specialty promotional products. The loan proceeds will be used to partially fund the purchase of a 7,000 sq. ft. commercial building for the relocation and expansion of the business. The interest rate will be fixed at 2.75% for a term of 180 months. The RLF funds will be leveraged by funds from S&T Bank and Owner Equity. The borrower will retain 3and create

1 full-time job as a result of this project. The RLF loan application has been reviewed and approved by the Revolving Loan Fund Loan Review Committee.

Tony Medvetz, Owner of Fast Times and John Brennan, Manager of Fast Times was present and said they appreciate the consideration and approval of the loan and look forward to continued growth in the business.

### **CONTRACT MODIFICATION – 2011 CDBG INDIANA COUNTY “OBO” INDIANA BOROUGH**

At the request of the Office of Planning & Development and the Borough of Indiana, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve modification #1 to the 2011 CDBG contract. The modification requests the elimination of Budget Line 01 – Acquisition of Real Property for \$85,960.00. These funds are to be re-allocated to Budget Line 03K – Street Improvements that was originally allocated \$78,000.00. The contract modification will revise the Street Improvements budget line to \$163,960.00 for the B2 Segment of the Indiana Revitalization Project. The required paperwork will be submitted to the Pennsylvania Department of Community and Economic Development for final approval.

### **2011 ESG-H PROGRAM VENDOR SERVICES CONTRACT**

At the request of the Office of Planning & Development, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to enter into a contract agreement with the Indiana County Community Action Program (ICCAP) to provide services for the 2011 ESG-H Program. ICCAP will be designated as the County’s vendor for services. The services to be provided will be financial assistance for rapid-re-housing, data entry for the Pennsylvania Human Management Information System (HMIS), and associated administrative services. The contract dates will coincide with the effective dates of the County’s contract with the Commonwealth of Pennsylvania. The contract term begins October 17, 2012, and shall end on October 16, 2014, subject to all other provisions.

### **2012 ESG PROGRAM VENDOR SERVICES CONTRACT**

At the request of the Office of Planning & Development, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to enter into a contract agreement with the Indiana County Community Action Program (ICCAP) to provide services for the 2012 ESG Program. ICCAP will be designated as the County’s vendor for services through the 2012 ESG contract and provide essential and operational services at the Pathway Homeless Shelter in Black Lick. The contract dates will coincide with the effective dates of the County’s contract with the Commonwealth of Pennsylvania. The contract term begins October 19, 2012, and shall end on August 22, 2014, subject to all other provisions.

### **CONTRACT AWARD – INDIANA BOROUGH INDIANA DOWNTOWN SEGMENT B<sup>2</sup> ECONOMIC DEVELOPMENT PROJECT**

A the request of the Office of Planning & Development, E. G. & G., Inc. and Indiana Borough Council, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to enter into a contract agreement with M. and B. Services, LLC for the Indiana Downtown Segment B<sup>2</sup> Economic Development Project. The contract award in the amount of \$769,075.55 is for streetscape improvements on N. 7<sup>th</sup> Street and limited work on Vinegar Hill.

This project is being funded through the following funding sources:

1. Indiana Borough 2010, 2011 and 2012 CDBG Entitlement Funds
2. County Liquid Fuels Funds
3. Senator White Appropriations
4. DCED (HRA) Housing and Redevelopment Assistance Funds
5. Penelec Rebate from Segment A

**CHANGE ORDER #1 – INDIANA BOROUGH INDIANA DOWNTOWN SEGMENT B2 ECONOMIC DEVELOPMENT PROJECT**

At the request of the Office of Planning & Development, E.G. & G., Inc. and the Borough of Indiana recommend the Board of Commissioners approve Change Order #1 with M and B Services, LLC on the Downtown Segment B2 Economic Development Project. Change Order #1 in the amount of \$93,821.77 is for acceptance of alternate bids #2 and #3 for an Electrical Distribution Plan and Benches.

Alternate Bid 2. Electrical Distribution Plan	\$ 87,874.03
Alternate Bid 3. Benches	<u>\$ 5,947.74</u>
	\$93,821.77

The revised contract amount with M and B Services, LLC with approval of Change Order #1 will be \$862,897.32.

This project is being funded through the following funding sources:

1. Indiana Borough 2010, 2011 and 2012 CDBG Entitlement Funds
2. County Liquid Fuels Funds
3. Senator White Appropriations
4. DCED (HRA) Housing and Redevelopment Assistance Funds
5. Penelec Rebate from Segment A

**RESOLUTION – INDIANA COMMUNITY UNIVERSITY DISTRICT PLAN**

At the request of the Office of Planning & Development, White Township and Indiana Borough request that the Board of Commissioners, a motion was made by Mr. Frick seconded by Ms. Evanko and unanimously carried to adopt the a Resolution supporting an Agreement for continuing comprehensive planning efforts regarding the creation of the Indiana Community University District Plan. The motion also includes the authorization of Commissioner Ruddock to sign the Resolution. The project will coordinate the planning efforts of Indiana Borough, White Township, Indiana University of Pennsylvania, and Indiana County in and around the University campus. Each has a substantial interest in well planned and well-designed areas close to campus. Ongoing and recently completed planning efforts have shown notable overlaps in agreements in land-use and regulatory policies in areas such as student housing, parking, transportation and neighborhood preservation. This project will focus on these agreements in a comprehensive planning process. The process involves multiple stakeholders in identifying issues and opportunities, and building the action strategies to mitigate issues and capitalize on opportunities. Specific areas of concentration will be housing, transportation, and open space.

**CONTRACT – MUNICIPAL ASSISTANCE PROGRAM – INDIANA COMMUNITY UNIVERSITY DISTRICT**

At the request of the Office of Planning & Development, a motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to enter into a contract agreement with the PA Department of Community and Economic Development, Municipal Assistance Program. The contract amount is for \$26,300.00 and the funds will be used to prepare a plan for the Indiana Community University District. The motion also includes the authorization of Commissioner Ruddock to sign all necessary paperwork for contract execution. The plan will identify strategies for economic development, housing (including student housing) and neighborhood preservation, transportation and parking, public safety and amenities.

**TEMPORARY LOAN TO ICCAP**

A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to authorize a temporary loan to ICCAP in the amount of \$110,000.00 which will be paid back to the County once the funds are received from the State.

**NOTICE TO PROCEED...NBIS BRIDGE INSPECTION AND INVENTORY**

A motion was made by Mr. Frick, seconded by Ms. Evanko and unanimously carried to approve the Notice to Proceed allowing Gibson Thomas perform the NBIS Bridge Inspection and Inventory, Agreement 104716.

**ANNOUNCEMENT...PETITIONS MAY 21, 2013.**

Chief Clerk, Robin Maryai, announced that February 19, 2013 is the first date to obtain signatures for candidates nomination petitions and March 12, 2013 is the last day to circulate and file nomination petitions for the upcoming May 21, 2013 Municipal Primary Election.

**COURTHOUSE CLOSED...MONDAY, FEBRUARY 18, 2013 PRESIDENT'S DAY HOLIDAY**

Commissioner Ruddock announced that the Courthouse will be closed on Monday, February 18, 2013 in observance of the President's Day Holiday.

**OTHER BUSINESS**

There was no other business.

**NEXT REGULAR MEETING...FEBRUARY 27, 2013 10:30 A.M.**

The next regular scheduled Commissioners' Public meeting will be held on Wednesday, February 27, 2013 at 10:30 a.m. in the Commissioners' Hearing Room.

**ADJOURNMENT**

With no other business to come before the Board at this time, Commissioner Ruddock adjourned the meeting at 11:54 p.m.

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Patricia A. Evanko, Secretary

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Rodney D. Ruddock, Chairman