

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, December 19, 2023

The Lawrence County Commissioners' Meeting was opened with the Pledge of Allegiance to the Flag followed by a Moment of Silence.

The Lawrence County Commissioners' Meeting of Tuesday, December 19, 2023, was called to order by **Commissioner Loretta Spielvogel**, at 10:00 am at the Lawrence County Commissioners Meeting Room. Deputy Chief Clerk, Vanessa Bayless, called the roll. Those in attendance were **Commissioner Dan Vogler, County Administrator Joe Venasco, Rebecca Shaffer, Sean Carroll, BC3, Dr. Nicholas Neupauer, BC3, Angelo Perrotta, Noone from the New Castle News.** It was stated for the record that the meeting is being taped. Those wishing to speak shall be given five minutes. If they need more time, they are to see the Deputy Chief Clerk at another time, and she will arrange for them to meet with the Commissioners. Those speaking are to state for the record their names, addresses and the nature of their business.

Commissioner Burick is out of the office today, feeling under the weather. We wish him well.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC COMMENTS

Mr. Perrotta thanked the Commissioners for their acknowledgement of NCTV45 and the citation/proclamation they honored him with.

FISCAL/CONTRACTUAL

- A. Repository Properties: None
- B. Advertise for bids/proposals: None
- C. Receipt for bids/proposals: None
- D. Warrant Registers:
 - 1. December 11, 2023
 - 2. December 12, 2023
 - 3. December 14, 2023

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve and file said warrant register(s). Motion carried 2-0.

MINUTES AND CORRESPONDENCE

- A. Approval of Minutes:
 - a. Tuesday, December 12, 2023

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said minutes.
Motion carried 2-0.

B. Presentation of Written Communications:

1. Gateway Engineers on behalf of Pennsylvania American Water Company, Application for NPDES Permit for waterline replacement on East Long St. New Castle (City of New Castle)

Moved by Ms. Spielvogel, seconded by Mr. Vogler to file said written correspondence. Motion carried 2-0.

REPORTS

A. Staff Reports: None

B. Commissioner Reports

Mr. Vogler had no comment.

Ms. Spielvogel had no comment.

NEW BUSINESS
RESOLUTIONS

R E S O L U T I O N

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF
LAWRENCE, PENNSYLVANIA**

RESOLUTION R-2022-141

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania has enacted and amended the Industrial Development Assistance Law for the purpose of promoting the welfare of the people of the Commonwealth by the rendering of financial assistance to industrial development organizations engaged in promoting the development and expansion of business, industry, and commerce in the respective counties of the Commonwealth; and

WHEREAS, pursuant to the provisions of the Industrial Development Assistance Law only one such industrial development organization shall be designated and qualified in each county to receive such financial assistance in accordance with the provision of said law; and

WHEREAS, to so qualify for such financial assistance an industrial development organization must be designated for that purpose by the Board of County Commissioners of the county which such industrial development organization is to represent; and

WHEREAS, pursuant to Resolution R-2003-179 dated July 22, 2003, the Lawrence County Economic Development Corporation was designated as the Industrial Development Organization for the County of Lawrence in adherence

to the Industrial Development Assistance Law and the Pennsylvania County Code; and

WHEREAS, the Lawrence County Board of Commissioners find it in the best interest of the County to reaffirm the aforementioned designation upon the Lawrence County Economic Development Corporation with its principal office at 325 E. Washington Street, New Castle, Pennsylvania, 16101, has been designated by the Board of Commissioners of the County of Lawrence, Pennsylvania to be the Industrial Development Organization to represent the said County for the purposes of the Industrial Development Assistance Law; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. The Lawrence County Economic Development Corporation is hereby designated as the Industrial Development Organization for the County of Lawrence with full power and authority to represent said County in all matters relevant to and for all purposes of the Industrial Development Assistance Law.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to remove Resolution R-2022-141 from the table. Motion carried 2-0.

No motion was made to move forward with Resolution R-2022-141. The Resolution was removed from the agenda, no further action was taken.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAWRENCE, PENNSYLVANIA

RESOLUTION R-2023-483

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania has enacted and amended the Industrial Development Assistance Law for the purpose of promoting the welfare of the people of the Commonwealth by the rendering of financial assistance to industrial development organizations engaged in promoting the development and expansion of business, industry, and commerce in the respective counties of the Commonwealth; and

WHEREAS, pursuant to the provisions of the Industrial Development Assistance Law only one such industrial development organization shall be designated and qualified in each county to receive such financial assistance in accordance with the provision of said law; and

WHEREAS, to so qualify for such financial assistance an industrial development organization must be designated for that purpose by the Board of County Commissioners of the county which such industrial development organization is to represent; and

WHEREAS, pursuant to Resolution R-2003-179 dated July 22, 2003, the Lawrence County Economic Development Corporation was designated as the Industrial Development Organization for the County of Lawrence in adherence to the Industrial Development Assistance Law and the Pennsylvania County Code; and

WHEREAS, the Lawrence County Board of Commissioners find it in the best interest of the County to reaffirm the aforementioned designation upon the Lawrence County Economic Development Corporation with its principal office at 325 E. Washington Street, New Castle, Pennsylvania, 16101, has been designated by the Board of Commissioners of the County of Lawrence, Pennsylvania to be the Industrial Development Organization to represent the said County for the purposes of the Industrial Development Assistance Law; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. The Lawrence County Economic Development Corporation is hereby designated as the Industrial Development Organization for the County of Lawrence with full power and authority to represent said County in all matters relevant to and for all purposes of the Industrial Development Assistance Law.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said Resolution Motion carried 2-0.

RESOLUTION R-2023-

WHEREAS, the roof on the Lawrence County Government Center is over 40 years old and past its expected lifespan and has both sloped outer sections and an interior flat roof that need replaced; and

WHEREAS, the county CYS building has a flat roof on the side addition that has had ongoing leakage issues; and

WHEREAS, the roof on the DA joint operations center is also in need of repairs; and

WHEREAS, TREMCO Roofing offers the industry's most comprehensive roofing and weatherproofing solutions for restoration, repair, maintenance, replacement and new construction; and

NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS authorizes Tremco to develop specifications and obtain roofing proposals for the reroofing projects at the Courthouse, Youth Services Building and the Operational Center in accordance with the Terms and Conditions within the AEPA KPN Contractor Network Purchasing Contract AEPA

IFB #021-D Weatherproofing Technologies Inc. Master Roofing and Building Envelope Services Contract No IFB #021-D and related documents.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to remove said resolution from the table. Motion carried 2-0.

RESOLUTION R-2023-482

WHEREAS, the roof on the Lawrence County Government Center is over 40 years old and past its expected lifespan and has both sloped outer sections and an interior flat roof that need replaced; and

WHEREAS, the county CYS building has a flat roof on the side addition that has had ongoing leakage issues; and

WHEREAS, the roof on the DA joint operations center is also in need of repairs; and

WHEREAS, TREMCO Roofing offers the industry's most comprehensive roofing and weatherproofing solutions for restoration, repair, maintenance, replacement and new construction; and

NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS authorizes Tremco to develop specifications and obtain roofing proposals for the reroofing projects at the Courthouse, Youth Services Building and the Operational Center in accordance with the Terms and Conditions within the AEPA KPN Contractor Network Purchasing Contract AEPA IFB #021-D Weatherproofing Technologies Inc. Master Roofing and Building Envelope Services Contract No IFB #021-D and related documents.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said resolution. Motion carried 2-0.

RESOLUTION R-2023-484

WHEREAS, Section 603 of the federal American Rescue Plan Act ("ARPA"), which became law on March 11, 2021, establishes a Coronavirus Local Fiscal Recovery Fund ("FRF" or "Local Fiscal Recovery Fund"); and

WHEREAS, the American Rescue Plan Act requires that Local Fiscal Recovery Fund money be used for expenditures on or after March 3, 2021 (1) to respond to the COVID-19 public health emergency or its negative economic impacts; (2) for the provision of government services to the extent of the reduction in revenue of the applicable local government due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the local government; (3) for premium pay for essential workers; and (4) to make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, the County is distributing Local Fiscal Recovery Fund

money to eligible entities for permissible expenditures; and

WHEREAS, the County has allocated \$200,000.00 to BC3 for enhancements and capital improvements to its Lawrence County Building; and

NOW, THEREFORE IT BE RESOLVED, by the Lawrence County Commissioners, that the Board of Commissioners approves an allocation of \$200,000.00 to BC3.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-485

WHEREAS, Lawrence County solicited bids for the Quaker Falls Recreational Area- Phase II in Mahoning Township under the Pennsylvania Department of Conservation and Natural Resources (DCNR) Community Conservation Partnership Program (C2P2) grant program award number BRC-PRD-28-82; and

WHEREAS, the Lawrence County Department of Planning and Community Development reviewed the bids and reported that Horizon Construction Group, Inc., 3272 State Route 257, Seneca, PA 16346 was the lowest responsible bidder with a bid of \$199,950.00; and

WHEREAS, Horizon Construction Group, Inc., 3272 State Route 257, Seneca, PA 16346 will complete recreation area construction and miscellaneous construction;

NOW, THEREFORE IT BE RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that;

- Horizon Construction Group, Inc. is awarded the bid for the completion of Quaker Falls Recreation Area Construction - Phase II project funded under the DCNR C2P2 program;
- A total of \$199,950.00 will be allocated under the grants and program line item to complete this project;
- The Chairman is authorized to execute all documents related to this contract.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-486

WHEREAS, Section 1784 of the County Code, *Supplemental Appropriations Transfer of Funds; Appropriation Limits*, authorizes the Board of Commissioners, by resolution, to make supplemental appropriations for any lawful purpose from

any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated; and

WHEREAS, it is the intent of the Board of Commissioners to adjust the existing FY2023 Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2023 Lawrence County Budget as follows:

INCREASING Revenue DA Forfeitures Account: 21341000.341148 by \$32,000.00; and

INCREASING Expense DA Forfeiture Expenses Account: 21419400.999900 by \$32,000.00; and

Reason: Forfeiture collections exceeded budgeted revenues

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-487

WHEREAS, budgets cannot always anticipate every extraordinary, ordinary, or contingency situation which arises throughout the fiscal year; and

WHEREAS, Section 1784 of the County code permits the Commissioners by resolution to authorize budget transfers from any encumbered balance; and

WHEREAS, the need to provide additional appropriations to certain accounts now exists; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. Authorization is hereby given to the appropriate administrative officials to transfer a total of \$1,608.00 described in detail on the attachment(s) designated as T-2023-53.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-488

WHEREAS, budgets cannot always anticipate every extraordinary, ordinary, or contingency situation which arises throughout the fiscal year; and

WHEREAS, Section 1784 of the County code permits the Commissioners by resolution to authorize budget transfers from any encumbered balance; and

WHEREAS, the need to provide additional appropriations to certain accounts now exists; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. Authorization is hereby given to the appropriate administrative officials to transfer a total of \$996.00 described in detail on the attachment(s) designated as T-2023-54

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said Resolution.
Motion carried 2-0.

RESOLUTION R-2023-489

WHEREAS, budgets cannot always anticipate every extraordinary, ordinary, or contingency situation which arises throughout the fiscal year; and

WHEREAS, Section 1784 of the County code permits the Commissioners by resolution to authorize budget transfers from any encumbered balance; and

WHEREAS, the need to provide additional appropriations to certain accounts now exists; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. Authorization is hereby given to the appropriate administrative officials to transfer a total of \$254,600.00 described in detail on the attachment(s) designated as T-2023-55.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said Resolution.
Motion carried 2-0.

TRANSFERS (ADMINISTRATIVE)

- a. Voters from Various Accounts to Various Accounts for \$51,000.00
- b. Maintenance from Maintenance and Repairs to Major Equipment for \$17,000.00
- c. DJ Nicholson from Contingency to Equipment Maintenance for \$300.00
- d. Domestic Relations from Travel and Training to Credit Checks for \$300.00
- e. Domestic Relations from Travel and Training to Water/Sewage for \$70.00
- f. Prothonotary from Contingency to Advertising for \$1,000.00
- g. Prothonotary from Contingency to Postage for \$400.00

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve said administrative transfers. Motion carried 2-0.

RESOLUTIONS ON THE TABLE

None

ORDINANCES

- | | |
|----------------------|------|
| A. Discussion: | None |
| B. On the Table: | None |
| C. For Introduction: | None |
| D. For Final Action: | None |

ANNOUNCEMENTS

- A. The next Commissioners' Meeting will be held on Thursday, December 28, 2023, at 10:00 a.m. in the Commissioners' Meeting Room.
- B. The Courthouse will be closed on Monday, December 25-Wednesday, December 27, 2023, in observance of the Christmas Holiday.
- C. The Courthouse will be closed on Monday, January 1, 2024, in observance of New Years' Day.
- D. The Swearing in Ceremony will be held on Tuesday, January 2, 2024, at 11:00AM in Courtroom #1.
- E. The first Commissioners' Meeting of 2024 will be held on Tuesday,

January 2, 2024 at 1:00PM in the Commissioners' Meeting Room.

- F. The Annual Salary Board meeting will be held on Tuesday, January 2, 2024 at 2:00PM in the Commissioners' Meeting Room.

PUBLIC COMMENTS

Dr. Neupauer, President of Butler Community College thanked the Commissioners for their allocation today. He gave an overview of BC3 and looks forward to the progress and keeping the Community College in the County.

Mr. Vogler thanked Dr. Neupauer and said he appreciates and is honored to work with Dr. Neupauer and BC3. He discussed the economic impact to the County by having the Community College here.

Ms. Spielvogel echoed Mr. Vogler's comments and thanked Dr Neupauer.

ADJOURNMENT

Moved by Mr. Vogler, seconded by Ms. Spielvogel to adjourn the meeting of the Lawrence County Commissioners meeting dated Tuesday, December 19, 2023, at 10:45 AM. Mr. Vogler commented how fast Ms. Spielvogel ran the meeting today. She jokingly noted it was because Mr. Burick was not here. Motion carried 2-0.