

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, April 25, 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, April 25, 2023, was called to order by **Commissioner Dan Vogler**, at 10:00 am at the Lawrence County Commissioners Meeting Room. Deputy Chief Clerk, Vanessa Bayless, called the roll. Those in attendance were, **Commissioner Loretta Spielvogel, Commissioner Brian Burick, Dorothy Burchett, Robert Burchett, Allen Miller, Debbie Wachter, 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.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC COMMENTS

Mr. Burchett spoke about the \$5 Vehicle Fee Ordinance. He supports rescinding the Ordinance. He further spoke about the Lawrence Village Plaza project.

FISCAL/CONTRACTUAL

- | | |
|----------------------------------|-------------------|
| A. Repository Properties: | None |
| B. Advertise for Bids/Proposals: | None |
| C. Receipt of Bids/Proposals: | None |
| D. Warrant Registers: | |
| | 1. April 20, 2023 |
| | 2. April 18, 2023 |

Moved by Ms. Spielvogel, seconded by Mr. Burick to approve and file said warrant register(s). Motion carried 3-0.

MINUTES AND CORRESPONDENCE

- A. Approval of Minutes:
a. Thursday, April 18, 2023

Moved by Mr. Burick, seconded by Ms. Spielvogel to approve said minutes. Motion carried 3-0.

- B. Presentation of Written Communications: None

REPORTS

- A. Staff Reports None
- B. Commissioner Reports

Ms. Spielvogel spoke briefly about the \$5 Vehicle Fee Ordinance and stated those funds go directly towards usage of the County's roads. The gas tax is set by the State. The broadband study costs are being paid out of the ARPA funds. She further spoke on the train derailment in East Palestine, Ohio. Governor Shapiro's office this morning released an interactive map showing soil and water

studies that have been conducted. So far all tests have been negative and the water and soil are clean for Lawrence County. Tests will continue. The website address is: gis.dep.pa.gov/ohioderailmenttesting.

Mr. Burick stated the Lawrence Village Plaza project was voted on before he was appointed into office.

Mr. Vogler stated the Commissioners met with Janet Falotico from Visit Lawrence County this morning. It was a very uplifting meeting. The 2023 Visitors' Guide has been published and Commissioner Vogler had some on hand. He further stated that Commissioner Spielvogel will take former Commissioner Boyd's place on the SPC Executive Committee. Congratulations to her.

NEW BUSINESS **RESOLUTIONS**

RESOLUTION

R-2023-128

WHEREAS, Act 147 Radiation Emergency Response Fund (RERF) administered by Pennsylvania Emergency management Agency provides funds for Lawrence County Department of Public Safety to improve response capability and to serve as a support County for the Beaver Valley Nuclear Plant Facility; and

WHEREAS, Lawrence County is eligible for a grant allocation of \$7,392.00 in Act 147 funds for fiscal year 2023-2024; and

WHEREAS, an application and grant agreement for funds has been prepared in the amount of \$7,392.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that authorization is given to execute on behalf of Lawrence County Department of Public Safety, all documents related to Act 147 Radiation Emergency Response fund application and grant funding for grant period of July 1, 2023 - June 30, 2024 in the amount of \$7,392.00.

Moved by Mr. Burick, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 3-0.

RESOLUTION R-2023-129

WHEREAS, Act 165 Hazardous Material Response Fund (HMRF), administered by Pennsylvania Emergency Management Agency, provides funds for development of emergency response capabilities to the dangers which hazardous material releases pose to the general public; and

WHEREAS, to be eligible for funding, the grant application must be submitted to Pennsylvania Emergency Management Agency by May 8, 2023; and

WHEREAS, Pennsylvania Emergency Management's disbursement of funds in the amount of \$8,382.00 expended during the period from July 1, 2023 to June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that authorization is given to execute on behalf of the Lawrence County Department of Public Safety, all documents related to the Hazardous Materials Response Fund (HMRF Grant Application and Grant Program for the period of July 1, 2023, through June 30, 2024.

Moved by Ms. Spielvogel, seconded by Mr. Burick to approve said Resolution. Motion carried 3-0.

RESOLUTION R-2023-130

WHEREAS, Lawrence County solicited bids for the FY2021 Street Improvement Project in Ellwood City under the FY 2021 CDBG program; and

WHEREAS, the Lawrence County Department of Planning and Community Development reviewed the bids and reported that Youngblood Paving, Inc., 2516 State Route 18, Wampum, PA, was the lowest responsible bidder with a bid of \$162,345.03; and

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

1. Youngblood Paving, Inc. is awarded the bid for the completion of the FY2021 Street Improvement Project under the FY2021 CDBG program;
2. A total of \$109,571.00 in CDBG dollars will be allocated to complete this project;
3. Ellwood City Borough will cover the remaining \$52,774.03 contract balance;
4. The Chairman is authorized to execute all documents related to this contract.

Moved by Mr. Burick, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 3-0.

RESOLUTION

R-2023-131

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 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:

DECREASING Victim Witness Revenue Victim Witness Revenue Fund Account: 20334000.334135 by (\$2,452.00); and

DECREASING Transfer from Victim Services Victim Witness Revenue Fund Account: 20391000.391148 by (\$6,612.00); and

DECREASING Salaries of Staff Victim Witness Expense Fund Account: 20419400.110200 by (\$126.00); and

DECREASING Employee Insurance & Benefits Victim Witness Expense Fund Account: 20419400.151000 by (\$8,425.00); and

DECREASING FICA Expense Victim Witness Expense Fund Account: 20419400.152000 by (\$10.00); and

DECREASING Unemployment Insurance Victim Witness Expense Fund Account: 20419400.155000 by (\$15.00); and

DECREASING Workers Comp Insurance Victim Witness Expense Fund Account: 20419400.156000 by (\$120.00); and

DECREASING Materials & Supplies Victim Witness Expense Fund Account: 20419400.201000 by (\$1,200.00); and

INCREASING Transfer to General Fund Victim Witness Expense Fund Account: 20490300.901101 by \$832.00

Reason: To Correct As Per State Budget

Moved by Ms. Spielvogel, seconded by Mr. Burick to approve said Resolution. Motion carried 3-0.

RESOLUTION

R-2023-132

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 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 Intercept & Reentry Program General Fund Revenue Fund Account: 01331065.331000.93669 by \$295,821.00; and

INCREASING Personnel General Fund Expense Fund Account: 01423065.110200 by \$39,967.00

INCREASING Personnel-OT General Fund Expense Fund Account: 01423065.110400 by \$119,659.00; and

INCREASING Employee Benefits General Fund Expense Fund Account: 01423065.151000 by \$20,250.00; and

INCREASING Equipment General Fund Expense Fund Account: 01423065.213000 by \$93,000.00; and

INCREASING Supplies & Operating Expenses General Fund Expense Fund Account: 01423065.201000 by \$21,232.00; and

INCREASING Travel & Training General Fund Expense Fund Account: 01423065.508000 by \$1,713.00

Reason: To Budget for IRP Grant

Moved by Mr. Burick, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 3-0.

RESOLUTION

R-2023-133

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 \$505.00 described in detail on the attachment(s) designated as T-2023-17.

Moved by Ms. Spielvogel, seconded by Mr. Burick to approve said Resolution. Motion carried 3-0.

TRANSFER (ADMINISTRATIVE)

- a. Coroner from Contingency to Software for \$4,702.00

Moved by Mr. Burick, seconded by Ms. Spielvogel to approve the Administrative Transfer. Motion carried 3-0.

RESOLUTIONS ON THE TABLE

1. Resolution for discussion and possible approval to designate Lawrence County

Economic Development as the Industrial Development Organization of Lawrence County.

The resolution will stay on the table.

ORDINANCES

- A. Discussion: None
- B. On the Table: Ordinance No. 1 of 2023-An Ordinance for rescinding Lawrence County Ordinance No. 4 of 2020, which implemented a fee for local use as provided by 75 Pa.C.S. §1935, allowing a County, in its discretion, to impose a county fee of \$5.00 for each nonexempt vehicle registered to an address located within its borders.
- C. For Introduction: None
- D. For final action: Ordinance No. 1 of 2023-An Ordinance for rescinding Lawrence County Ordinance No. 4 of 2020, which implemented a fee for local use as provided by 75 Pa.C.S. §1935, allowing a County, in its discretion, to impose a county fee of \$5.00 for each nonexempt vehicle registered to an address located within its borders.

Moved by Mr. Burick, seconded by Ms. Spielvogel to remove from the table. Motion carried 3-0.

Moved by Ms. Spielvogel, seconded by Mr. Burick to approve Ordinance No. 1 of 2023. Motion failed 1-2.

ANNOUNCEMENTS

- A. The next Commissioners' Meeting will be held on Tuesday, May 2, 2023 at 10:00 a.m. in the Commissioners' Meeting Room.
- B. There will be an Opioid Advisory Board meeting on Tuesday, May 2, 2023 at 12:00 Noon in the Commissioners' Meeting Room.

PUBLIC COMMENTS

Mr. Burick thanked the Commissioners for the time and consideration to consider and research the \$5 Vehicle Registration Fee Ordinance. When he first heard of the fee, he opposed it. Once he was reappointed as a Commissioner, he also felt to rescind it. Upon researching the five (5) main funding sources for roads' and bridges' maintenance and upkeep, which are liquid fuels, Act 13, Act 44, Act 89 and the Local Use Fund he noticed liquid fuel funds have decreased over the last 14 years. Electric vehicles have been increasing so the gas tax the County receives will be decreasing as well. He further stated bids for asphalt and paving have come in 40% higher this year.

Ms. Spielvogel stated she agrees with Mr. Burick. The good far outweighs the negative.

Mr. Vogler stated the County is not responsible for roads and streets. The County is only responsible for the County's bridges. He further stated 25 out of 67 counties have enacted the \$5 Vehicle Registration Fee. He also stated the municipalities have numerous funding sources available that they can utilize for roads and street improvements.

ADJOURNMENT

Moved by Ms. Spielvogel, seconded by Mr. Burick to adjourn the meeting of the Lawrence County Commissioners meeting dated Tuesday, April 25, 2023, at 11:00 AM.