

**LAWRENCE COUNTY COMMISSIONERS' MEETING**  
**PUBLIC MEETING**  
**MINUTES OF Tuesday, May 3, 2022**

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, May 3, 2022, was called to order by **Commissioner Morgan Boyd**, at 10:00 am at the Lawrence County Commissioners Meeting Room. Deputy Chief Clerk, Vanessa Bayless called the roll. Those in attendance were, **Commissioner Daniel Vogler, Commissioner Loretta Spielvogel, Becky Shaffer, John Greenwood, First Energy/Penn Power, Ben Wagner, First Energy/Penn Power, Dick Craig, Nicholas Vercilla, Ellwood City Ledger, Debbie Wachter, NCN**

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**

None

**FISCAL/CONTRACTUAL**

- A. Repository Properties: None
- B. Receipt of Bids/Proposals: None
- C. Warrant Registers:
  - 1. April 29, 2022

Moved by Mr. Vogler, seconded by Ms. Spielvogel to file said warrant registers. Motion carried 3-0.

**APPROVAL OF MINUTES**

- 1. Tuesday, April 26, 2022

Made the correction, that Commissioner Morgan Boyd was in attendance.

Moved by Mr. Vogler, seconded by Ms. Spielvogel to approve April 26, 2022 minutes. Motion carried 3-0.

**WRITTEN CORRESPONDENCE**

None

**REPORTS**

**Staff Reports**

None

**COMMISSIONERS' COMMENTS**

Mr. Vogler stated the Primary Election is only two (2) weeks away. He spoke to Mr. Germani this morning and he will probably convene Election Board the Monday before Election Day. Mr. Vogler stated he will be in Harrisburg, attending a CCAP Conference next Tuesday, however he will phone in for the meeting.

Ms. Spielvogel stated she will not be in attendance at next week's Commissioners' meeting, as she will be on vacation.

Mr. Boyd stated that over the last year the City appointed him to the New Castle Transit Authority. They have been working on an on demand vehicle service, something along the lines of Lift or Uber for our rural communities in the County. He is happy to state the preliminary study has come back that looks very advantageous to structure something like this. He thanked Judge Motto, DA Lamancusa, ACTS and PennDOT for funding the endeavor.

**NEW BUSINESS**

**RESOLUTION R-2022-90**

**WHEREAS**, this Settlement and Release Agreement is made and entered into between Brian Covert and Lawrence County, Pennsylvania, Lawrence County Corrections, Lawrence County Prison Board and

Loretta Spielvogel, Dan Vogler, Morgan Boyd, Dominick Motto, Joshua Lamancusa, David Prestopine and Perry Quahliero, both individual and in their capacity as Lawrence County Prison Board Members; and

**WHEREAS**, Covert began employment with County on February 24, 2003 and currently holds the position of Warden; and

**WHEREAS**, County intends to separate Covert's employment; and

**WHEREAS**, neither Covert nor County admit any wrongdoing or liability by virtue of entering into this Agreement; and

**WHEREAS**, the parties desire to resolve any and all matters in dispute between them and accordingly have agreed to the attached Settlement and Release Agreement; and

**NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, in consideration of the mutual agreements contained herein, the benefits to be derived by the parties therefrom, and other good and valuable consideration, the adequacy of which is hereby acknowledged, intending to be legally bound hereby, the parties hereby agree to the attached Settlement and Release Agreement.

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

#### **RESOLUTION R-2022-91**

**WHEREAS**, this Settlement and Release Agreement is made and entered into between Jason D. Hilton and Lawrence County, Pennsylvania, Lawrence County Corrections, Lawrence County Prison Board and Loretta Spielvogel, Dan Vogler, Morgan Boyd, Dominick Motto, Joshua Lamancusa, David Prestopine and Perry Q uahliero, both individual and in their capacity as Lawrence County Prison Board Members; and

**WHEREAS**, Hilton began employment with County on November 12, 1999 and currently holds the position of Deputy Warden; and

**WHEREAS**, County intends to separate Hilton's employment; and

**WHEREAS**, neither Hilton nor County admit any wrongdoing or liability by virtue of entering into this Agreement; and

**WHEREAS**, the parties desire to resolve any and all matters in dispute between them and accordingly have agreed to the attached Settlement and Release Agreement; and

**NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, in consideration of the mutual agreements contained herein, the benefits to be derived by the parties therefrom, and other good and valuable consideration, the adequacy of which is hereby acknowledged, intending to be legally bound hereby, the parties hereby agree to the attached Settlement and Release Agreement.

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

#### **RESOLUTION R-2022-92**

**WHEREAS**, the Lawrence County Commissioners desire to contract certain services; and

**WHEREAS**, the County has the authority and duty to provide services; and

**WHEREAS**, the County wishes to enter into a contract with Zelenkofske Axelrod LLC to extend auditing services to the County for the years ending December 31, 2022, 2023 and 2024; and

**WHEREAS**, the annual fees for these services will be as follows:

Year	Financial and Single Audit	Conservation District Audit
2022	\$79,735	\$3,590
2023	\$81,330	\$3,665
2024	\$82,960	\$3,735

**WHEREAS**, the 2022 audit fees have remained the same as the 2021 audit fees. For December 31, 2023 and 2024, a 2% inflationary adjustment is included; and

**WHEREAS**, if additional time is necessary, discussion will be held and a new fee estimate will be provided before Zelenkofske Axelrod LLC incurs the additional costs; and

**NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, that a contract extension be approved to provide audit services for Lawrence County

for the years ending December 31, 2022, 2023 and 2024, with the Commissioners signing the attached acknowledgement sheet.

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

#### **RESOLUTION R-2022-93**

**WHEREAS**, Lawrence County and Washington County each operate a County Prison for the incarceration of prisoners being held for various authorities; and

**WHEREAS**, Lawrence County and Washington County are desirous of obtaining temporary space as needed for housing said prisoners; and

**WHEREAS**, Lawrence County and Washington County each operate a County Prison and each has space available to house said prisoners; and

**WHEREAS**, Washington County agrees to reimburse for services for their respective inmates under this Agreement at the rate of \$50.00 per inmate, per day plus medical expenses. This agreement is not to exceed \$50,000 per year; and

**WHEREAS**, Lawrence County shall submit an invoice monthly identifying the inmates housed and the rate of \$50.00 per inmate, per day plus any medical expense incurred; and

**NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, that this Agreement between Lawrence and Washington Counties will be from April 21, 2022-December 31, 2022 and shall continue on a year to year basis unless otherwise terminated pursuant to the terms of this Agreement.

Mr. Vogler noted this is Washington County, PA.

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

#### **RESOLUTION R-2022-94**

**WHEREAS**, on December 7, 2021, Resolution R-2021-325, John Greenwood was reappointed to the Lawrence County Industrial Development Authority for a four (4) year term to expire on December 31, 2025; and

**WHEREAS**, Mr. Greenwood has asked to resign, effective May 3, 2022, due to relocation; and

1. John Greenwood, 3110 Wild Grape Road, New Castle, PA 16105 (Neshannock Twp.)

**NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, that we do hereby accept the resignation of John Greenwood from the Lawrence County Industrial Development Authority.

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

#### **RESOLUTION R-2022-95**

**WHEREAS**, the County of Lawrence wishes to revise contract allocation for projects eligible under the Community Development Block Grant (CDBG) for FFY 2016; and

**WHEREAS**, the County, in FFY 2016 received funding for Byers Avenue South New Castle Borough and the County has been implementing a County Rehab program utilizing CDBG funds; and

**WHEREAS**, the Byers Avenue South New Castle Borough project came in under budget by \$9,936.14; and

**WHEREAS**, the County would like to reduce the Byers Avenue South New Castle Borough IDIS Activity 49675 budget allocation by \$9,936.14 and revise the budget allocation to \$81,063.86; and

**WHEREAS**, the County will add County Rehab with a budget allocation of \$9,936.14.

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

1. The County shall prepare and submit a FFY 2016 Revision Request #3, to the Department of Community and Economic Development; and
2. The revision request will detail the above project activities and financial requests.

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

#### **RESOLUTION R-2022-96**

**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 FY2022 Budget; and

**NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS** to amend the 2022 Lawrence County Budget as follows:

**INCREASING** the MH Community/Behavioral Supports 20-21 HSBG Retained Earnings Revenue Fund Account: 0733400.334102 by \$288,749.00 and;

**INCREASING** the MH Housing Supports 20-21 HSBG Retained Earnings Expense Fund Account: 07447045.418300 by \$288,749.00

**TRANSFERS (ADMINISTRATIVE)**

1. MH/DS from Contingency to Advertising for \$3,000.00
2. Domestic Relations from Contingency to Vehicle Maintenance for \$1,300.00

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Administrative Transfers. Motion carried 3-0.

**RESOLUTIONS ON THE TABLE**

None

**ORDINANCES**

None

**ANNOUNCEMENTS**

The next regular Commissioners' meeting is scheduled for **10:00 am**, on **Tuesday, May 10, 2022** in the Commissioners' Meeting Room.

There will be a Planning Commission meeting on Wednesday, May 11, 2022 at 12:00 Noon at the Taylor Township Municipal Building.

Election Day is Tuesday, May 17, 2022 (There will not be a Commissioners' Meeting)

There will be a Prison Board meeting on Wednesday, May 18, 2022 at 12:00 Noon in the Commissioners' Meeting Room.

There is a vacancy on the Industrial Development Authority (1<sup>st</sup> Announcement)

**PUBLIC COMMENTS**

Mr. Dick Craig stated he is happy to see Epworth Church doing good in the community and he also supports mail in ballots.

**ADJOURNMENT**

Mr. Boyd adjourned the meeting at 10:37 a.m.

RESOLUTION

R-2022 - 97

**WHEREAS** the Mental Health and Developmental Services is responsible for the diagnosis, care, treatment, and rehabilitation of the mentally disabled, and

**WHEREAS** Lawrence County, through its Mental Health and Developmental Services desires to contract for certain services; and

**WHEREAS** the Mental Health/Intellectual Disability Act of 1966 and the Department of Public Welfare fiscal regulations provide for the purchase of office equipment and services, and

**NOW, THEREFORE,** be it resolved by the Lawrence County Board of Commissioners, that:

1. The agreement listed in item 2 shall be approved starting July 1, 2021, through June 30, 2022
2. Authorization is hereby given to execute the following addendum:

**Lawrence County Social Services-** as detailed in attachment designated 2021- 2022 Program description and rates are also listed within the attachment.

Be it further resolved those payments be made from the MH/DS fund.

Approved 10th day of May, 2022.

Vote: Yeas 2 Nays 0

Certified this 10th day of May, 2022.

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Chief Clerk/County Administrator

**Lawrence County Social Services**  
241 Grant St.  
New Castle, Pa. 16101

**RESOLUTION**

**R-2022-98**

**WHEREAS**, Lawrence County Courts are in need of a maintenance agreement for recording devices; and

**WHEREAS**, SBM Electronics, 628 California Avenue, Pittsburgh, Pennsylvania, 15202, submitted a quote to provide recording device maintenance services; and

**WHEREAS**, term of said agreement is June 1, 2022 through May 31, 2023; and

**NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, that: SBM electronics will perform planned equipment maintenance at a cost not to exceed \$5,460.00.

Approved this 10<sup>th</sup> day of May 2022

Vote: 2 Yeas 0 Nays

Certified this 10<sup>th</sup> day of May 2022

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Joseph Venasco, County Administrator

RESOLUTION

R-2022-99

**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 FY2022 Budget; and

**NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS** to amend the 2022 Lawrence County Budget as follows:

**DECREASING** the Liquid Fuels Contingency Fund Account: .03431300.509000 by \$10,000.00 and;

**INCREASING** the Liquid Fuels Salary of Bridge Crew Fund Account: 03431300.110300 by \$7,500.00; and

**INCREASING** the Liquid Fuels FICA Expense Fund Account: 03431300.152000 by \$2,000.00; and

**INCREASING** the Liquid Fuels Unemployment Insurance Fund Account: 03431300.155000 by \$500.00

APPROVED this 10<sup>th</sup> day of May 2022

VOTE: Yeas 2 Nays 0

CERTIFIED this 10<sup>th</sup> day of May 2022

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Joseph Venasco, County Administrator