

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, March 7, 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, March 7, 2023, was called to order by **Commissioner Morgan Boyd**, at 10:00 am at the Lawrence County Commissioners Meeting Room. Administrative Assistant, Kristine Venasco, called the roll. Those in attendance were, **Commissioner Dan Vogler, Commissioner Loretta Spielvogel, Michael Grippo, Brandon Rischel, Al Burick, and Frank Augustine, Shenango Township Supervisors, Bill Messner, Amy Lamb, Amy McKinney, Vanessa Lovely, Dan Kennedy, Debbie Kennedy and 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

None

FISCAL/CONTRACTUAL

- A. Repository Properties: None
- B. Warrant Registers:
 - 1. February 28, 2023

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

- C. Receipt of Bids/Proposals: None

MINUTES AND CORRESPONDENCE

- A. Approval of Minutes:
 - a. Thursday, February 28, 2023

Moved by Ms. Spielvogel, seconded by Mr. Boyd to approve said minutes. Mr. Vogler abstained. Motion carried 2-0-1.

B. Presentation of Written Communications:

1. Frank B. Taylor Engineering, Inc. – Water Quality Management Permit Modification single residence sewage treatment plant (Slippery Rock Twp.)

Moved by Ms. Spielvogel, seconded by Mr. Vogler to file written communication(s). Motion carried 3-0.

REPORTS

A. Staff Reports

None

B. Commissioner Reports

Mr. Boyd reserved his comments until the end of the meeting.

Mr. Vogler thanked Mr. Boyd for his service and wished him all the best.

Ms. Spielvogel also thanked Mr. Boyd and said she is looking forward to working with him.

NEW BUSINESS RESOLUTIONS

RESOLUTION R-2023-

WHEREAS, Lawrence County was awarded \$16,609,704.00 in funding from the American Rescue Plan Act of 2021; and

WHEREAS, the Lawrence County Board of Commissioners is the appropriate administrative entity responsible for allocating American Rescue Plan Act funding; and

WHEREAS, the Lawrence County Board of Commissioners recognizes that the intended use of this funding is to both respond to the public health and economic impacts of the COVID-19 pandemic and to enhance public health, economic, and community outcomes throughout Lawrence County; and

WHEREAS, the Lawrence County Board of Commissioners has previously appropriated \$10,000,000.00 from the American Rescue Plan Act account into the General Fund, as allowable under federal regulation, thus removing fund restrictions on the utilization of this \$10,000,000.00; and

WHEREAS, the Lawrence County Board of Commissioners has identified four impactful projects which may be undertaken with a combination of restricted American Rescue Plan Act funding and enhanced General Fund funding.

NOW, THEREFORE BE IT RESOLVED by the Lawrence County Board of Commissioners, that the attached list of projects and the accompanying funding from the listed funding source for each project is approved and instructs the Lawrence

County Department of Planning and Community Development and the Lawrence County Controller to undertake the appropriate administrative actions necessary to facilitate the deployment of funds for each project.

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

RESOLUTION R-2023-

WHEREAS, Lawrence County is aware of the a potential lawsuit against Norfolk Southern for damages to Lawrence County related to the East Palestine, Ohio train derailment, and

WHEREAS, settlement negotiations are ongoing between the County of Lawrence, private attorneys, and Norfolk Southern, and

WHEREAS, in order to continue actively participating in ongoing litigation and settlement discussions, the County is required to execute settlement participation forms provided by its contracted counsel;

WHEREAS, although execution of the aforementioned participation form does not guarantee specific funds to Lawrence County, nor bind them to a settlement result, it is necessary to participate in the ongoing negotiations in order to obtain a potential recovery; and

WHEREAS, Levin Sedran & Berman and Robert Peirce & Associates are being recommended for the County's attorneys in this matter; and

NOW THERREFORE, BE IT RESOLVED, the County Commissioners are authorized to execute all settlement participation forms provided by Levin Sedran & Berman and Robert Peirce & Associates.

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

RESOLUTION R-2023

WHEREAS, the County of Lawrence wishes to revise contract allocation for projects eligible under the Community Development Block Grant- COVID Discretionary Round 3 (CDBG-CV3) for FFY 2020; and

WHEREAS, the County would like to delete the IDIS Activity 56129 and increase the IDIS Activity 56131 Public Facilities allocation by \$66,370.00 and revise the budget allocation to \$1,281,986.00.

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

1. The County shall prepare and submit a FFY 2020 CDBG-CV3 Discretionary Revision Request #1, 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-2023-

WHEREAS, the County of Lawrence, Department of Planning and Community Development administers the Community Development Block Grant on behalf of Ellwood City Borough; and

WHEREAS, Ellwood City Borough has designated their FY2021 CDBG funds to a Street Improvement Project to benefit low and moderate income persons; and

WHEREAS, the County of Lawrence, Department of Planning and Community Development is requesting bids from contractors to complete the above mentioned project; and

WHEREAS, the County will advertise for bids on March 13th and March 20th with bids being due on April 10th.

NOW, THEREFORE BE IT RESOLVED by the Lawrence County Board of Commissioners that the Board of Commissioners will be advertising for bids for “Ellwood City Street Improvement Project”, with bids being due on April 10th, 2023.

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

RESOLUTION R-2023 - _____

WHEREAS, Lawrence County, through its Children and Youth Department, desires to contract certain social services; and

WHEREAS, the County has the authority and duty to provide social services to children and youth subject to the regulations established by the Commonwealth of Pennsylvania (DHS) and the Juvenile Code:

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

1. The Purchase of Service Agreement under the provider Allied Coordinated Transportation, Inc. shall be in effect for the period of July 01, 2022, through June 30, 2023.

2. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement.
3. Authorization is hereby given to execute an Agreement with the following service provider:

**Allied Coordinated Transportation, Inc.
241 W. Grant Street, P.O. Box 189
New Castle, PA. 16103**

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

RESOLUTION R-2023 - _____

WHEREAS, Lawrence County, through its Children and Youth Department, desires to contract certain social services; and

WHEREAS, the County has the authority and duty to provide social services to children and youth subject to the regulations established by the Commonwealth of Pennsylvania (DHS) and the Juvenile Code:

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

1. The Purchase of Service Agreement under the provider Twin Pines Family Services, LLC shall be in effect for the period of July 01, 2022, through June 30, 2023.
2. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement.
3. Authorization is hereby given to execute an Agreement with the following service provider:

**Twin Pines Family Services, LLC
1 Washington St. Suite A
Hopwood, PA. 15445**

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

RESOLUTION R-2023 - _____

WHEREAS, Lawrence County, through its Children and Youth Department, desires to contract certain social services; and

WHEREAS, the County has the authority and duty to provide social services to children and youth subject to the regulations established by the Commonwealth of Pennsylvania (DHS) and the Juvenile Code:

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

4. The Purchase of Service Agreement under the provider Auberle shall be in effect for the period of July 01, 2022, through June 30, 2023.
5. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement.
6. Authorization is hereby given to execute an Agreement with the following service provider:

**Auberle
1101 Hartman Street
McKeesport, PA. 15132**

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

RESOLUTION R-2023-

WHEREAS, E. Mack Parrott has moved out of the County; and

WHEREAS, the Commissioners made the appropriate public announcement at two (2) of their public meetings and received application(s) from those interested in being appointed to the Lawrence County Airport Authority; and

WHEREAS, the Commissioners appoint Antonio L. Miller to fill the vacancy and complete the term of E. Mack Parrott, which expires on June 1, 2027; and.

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

1. Antonio L. Miller, 2981 Mercer Road, New Castle, PA 16105 (Neshannock Township) be appointed to fill the vacancy and complete the term of E. Mack Parrott to the Lawrence County Airport Authority, with a term to expire June 1, 2027.

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

RESOLUTION

R-2023-

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 Prior Year Balance General Revenue Account: 01390000.342000 by \$900,000.00; and

INCREASING Lawrence Village Plaza General Expense Account: 01451200.803600 by \$900,000.00

Reason: Lawrence Village Plaza Project

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

RESOLUTION

R-2023-

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 Prior Year Balance General Revenue Fund Account: 01390000.342000 by \$100,000.00; and

INCREASING Tourism General Expense Account: 01451200.801900 by \$100,000.00 and;

Reason: Tourism Allocation

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

RESOLUTION

R-2023-

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 \$400,000.00 described in detail on the attachment(s) designated as T-2023-11.

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

TRANSFERS (ADMINISTRATIVE)

None

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 was left on the table.

ORDINANCES

None

ANNOUNCEMENTS

- A. There will be no Commissioners' Meeting on March 21, 2023.
- B. The next Commissioners' Meeting will be held on Tuesday, March 28, 2023 at 10:00 a.m. in the Commissioners' Meeting Room.

PUBLIC COMMENTS

Mr. Boyd thanked the residents of Lawrence County for the opportunity to serve them.

The Shenango Township supervisors thanked Mr. Boyd and all the Commissioners' for all of their help and funding for Shenango Township.

Amy Lamb of New Castle shared memorabilia that she obtained when cleaning out a Veteran's home. She will be donating to the Historical Society.

ADJOURNMENT

Mr. Boyd adjourned the meeting of the Lawrence County Commissioners meeting dated Tuesday, March 8, 2023, at 10:45 AM.