

The regular meeting of the Huntingdon County Commissioners was held on the above date and time in the Commissioner's Office with the following present: Commissioners Sather, Walls and Thomas; Chief Clerk, Heather Fellman; Solicitor, Larry Newton; Planning Director, Jim Lettiere; Community Development Administrator, Stacia-Fe Gillen; CYS Director, Shannon Walborn; CYS Fiscal Supervisor, Claudia Conrad; CYS Fiscal Tech, Chris Dixon; President Judge, George Zanic; Court Administrator, Angela Robinson; Probation Director, Len Hahn; Daily News Reporter, Kylie Hawn.

The meeting was called to order at 9:30 a.m. by Commissioner Sather. Heather Fellman conducted roll call of all call-in participants and discussed policies and procedures for public comment during the meeting. All participants will be muted for the duration of the meeting except during public comment periods. During public comment periods, participants will be unmuted individually to ensure that everyone is heard. Prayer was led by Commissioner Walls and the Pledge of Allegiance to the flag was led by Commissioner Thomas.

It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Sather, yes; Walls, yes; Thomas, yes) to approve the minutes of the previous meeting.

It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Walls, yes; Thomas, yes; Sather, yes) to approve payment of bills.

There were five additions to the agenda. The first addition was from Community Development Administrator, Stacia-Fe Gillen, regarding the demolition project at 913 Pike Street in Smithfield. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Thomas, yes; Sather, yes; Walls, yes). The second addition was to accept resignations from the Probation Department. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Sather, yes; Walls, yes; Thomas, yes). The third addition was consideration of approval to fill an open position in the Probation Department. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Walls, yes; Thomas, yes; Sather, yes). The fourth addition was the acceptance of a resignation from the Treasurer's Office. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Thomas, yes; Sather, yes; Walls, yes). The fifth addition was from Jim Lettiere, Planning Director, for the Wood Township 2021 Agreement for Act 13. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Sather, yes; Walls, yes; Thomas, yes).

Under announcements, Commissioner Sather commented that as we anticipate celebrating July 4th and the freedoms we have in the United States we should keep health and safety in mind. Commissioner Thomas also announced that county offices will be closed on Monday, July 5th, in observance of July 4th.

There were no public comments.

There were no matters to be addressed by the solicitor.

Under new business, President Judge, George Zanic, discussed court facilities. Judge Zanic commented that he has appreciated that over the last three years the Commissioners have worked with the Judge and worked with the engineers from CES Engineering to discuss the potential for renovating the second floor of the Courthouse. The main issue is handicap accessibility up there. We have had several issues and have worked around them but the accessibility of the second floor needs to be addressed. Since 1975, there really have not been renovations to the second floor and it has been cut up several times to address the then needs. What we decided to do as a Court and Commissioners was to get an overall second-floor study. That was first done by CES Engineers I believe in 2018. The Courts have gone back to them with suggestions and so have the Commissioners. Last week they gave us a final report based on our discussions. The issue always has been how we pay for this. When the Commissioners came into office, there was no Capitol Improvement Fund for the Courthouse or anything else. It was going to be difficult to do any large project, even if we borrowed money, because of the situation with the Bailey Building. The Commissioners were not willing to borrow money, and that was understood. On October 23, 2017, Judge Zanic issued an administrative order, which took effect on January 2, 2018, that charges \$200 for every convicted defendant as a court cost to be collected by the Probation Department. That money has been collected. It took some time to get started. We are now averaging about \$7,000 each month that the Probation Department is collecting. This money is placed into a dedicated fund that can only be spent with the permission of the Commissioners and the Court. As of last week, there was about \$167,000 in that fund and it is increasing every day. The question for the Commissioners has always been can that fund go away if another President Judge comes in? The answer to that is yes. This was done by administrative order to supplement any funds we can get for renovations. The latest report from CES Engineering was received on June 15th. The project that we are contemplating is

to be done in phases. The suggestion from the engineer is to do the first three phases together to start to save money. Judge Zanic has also spoken to other counties who have used Recovery Act money for Courthouse renovations. One of the big issues with our Courthouse is the HVAC system upstairs. That has malfunctioned sometimes and they have talked about that needing to be replaced. That is in phase one or two of the plan from the engineers. That project would qualify for Recovery Act money. If 25% of the project is used for something that falls into the Recovery Act provisions, you can cover the whole project with Recovery Act money. If you are willing to use Recovery Act money for this, the money that is being collected could be used for repairs over the years. Alternatively, if the Commissioners seek to borrow money, we can pay the debt from those collected funds. A big part of this are the window replacements in the Courthouse. This is very expensive. The cost broke down to somewhere around \$20,000 per window and there are a lot of windows in this building. The Commissioners were kind enough to reach out to the Historical Society to get permission to use vinyl instead of wood and if they grant that permission it will be much cheaper. That is a large part of the first phase of the project. The project also contemplates flipping the Courtroom for security issues. That was one of the suggestions from the Commissioners so that we did not have to put in another elevator with security. We could use the same elevator. I am not asking for action to be taken today. We want to begin talking about this matter publicly and move this project forward. This can be done without any effect on the taxpayers. We can use Court funds and allow the people who use the Court System to pay for the Court System. We are at the point now where we have to do something about the accessibility on the second floor with the elevator, jury box and bathrooms. The carpet is about 30 years old and in the past we have always used Probation funds to renovate the Courthouse and at this point that is not possible. Judge Zanic asked if this is something that the accountants could look into to see if we can use Recovery Act funds or if we can look at some kind of joint agreement between the Courts and the Commissioners to borrow funds for this project and repay from court fees as the Courts cannot borrow funds. Commissioner Sather commented that the Commissioners have continued to retain Susquehanna Accounting and Consulting for help in managing the Recovery Act funding. We are now receiving information related to what we can and cannot use this funding for. Commissioner Thomas commented that he cannot commit anything right now. We are looking at the American Rescue Plan and have RFPs out to the entire county to expand broadband, which is also a very important project. We also have another proposal where we applied for money to help with broadband. We are still working through the process of where those monies go. We want to make sure we can do as much for the residents as we can. Judge Zanic commented that the interest rates are currently very low. The Commissioners may want to consider borrowing now. If we can use Recovery Act funds for the project then the loan can be retired with Recovery Act money which is also permissible according to my understanding. The price of materials are also climbing. That is one of the reasons that we went back to the drawing board with engineering to get an updated list. We do not know where interest rates and material costs are going. My guess is that they will continue to go up. Again, there would not be general fund money that would pay for this. I hope that we can act quickly and use the Recovery Act money to retire the debt. Commissioner Walls commented that broadband is an important thing to reach those that do not have it. This board of Commissioners, when building maintenance has been done has tried to make sure it was done right but there is never enough money to do what you need to do. If this project can be funded, it will benefit all of the residents in tax savings, not having to raise taxes to do the necessary maintenance. I am willing to look at a combination of things also to get this done. The windows are inefficient, the HVAC is not efficient. There are a lot of projects that, if we can look at fixing them without general fund money we need to look at that. Judge Zanic commented that we looked at those numbers and we could not come to a consensus on what we would save on the heating and cooling because we have so many systems up there it is hard to say. You know there are holes in the windows. It is very cold in the winter and hot in the summer. Our Maintenance staff is on the roof a lot fixing the HVAC. Stacia-Fe Gillen asked what the total estimate is for all of the phases. Judge Zanic commented that he believes that the total for all the phases was \$2.3 million, but he doesn't have that number in front of him. The total for the first three phases was \$1.2 million.

Shannon Walborn, CYS Director, requested consideration of approval for a purchase of service agreement with Ray Ghaner for agency solicitor services. This item was tabled at last week's commission meeting. Ms. Walborn has contracts prepared for whichever option the Commissioners would like to consider, either a flat monthly rate or the hourly rate. Commissioner Thomas commented that he thought originally that the amount for the flat monthly rate was a misprint, but seeing the review that you sent and the information we got from our fiscal office, the flat monthly rate comes out to less money than the hourly rate. Ms. Walborn commented that if you compare the '18/'19 fiscal year, when I came in as director, to where I project we will finish this fiscal year, there is a 29% decrease in our solicitor cost. Either contract reflects that, whether we do the flat rate or hourly. In that time, we also had a 39% decrease in kids in out of home care. It really is a direct correlation to that working relationship. A lot of times when you think about your solicitor, you think of consultation hours of 8-5. It is not at all uncommon, however, for Attorney Ghaner to consult with us over the weekend and in the evenings. Child abuse does not end at 5:00, so not only are my staff around the clock, but our solicitor is as well. I do not want it to be a question of do we call Attorney Ghaner to consult on this or not? It definitely helps with that. We are not the only county to consider a flat monthly consultation rate for CYS. Commissioner Sather commented that his concern is that we are considering a flat monthly fee for a part-time legal counsel. A lot of times, we will look at fixed fees for full-time counsel, but not part-time. It does raise some questions on that. The motion last week for to approve a fixed monthly rate of \$9,000. Commissioner Thomas asked if the agreement can be terminated with 60 days notice. Claudia Conrad responded that it will be the same contract terms as previous years. Commissioner Thomas commented that Attorney Ghaner's skills and experience are not in question. The concern is the amount of money for this contract. We have been paying more than that to two attorneys over the last few years. Commissioner Sather commented that he would like our solicitor to review whatever contract is approved to ensure that there is the ability to extend or terminate the contract. Solicitor Newton commented that if there are reservations about the monthly rate, a reasonable solution would be to continue the contract at the hourly rate and revisit it. Commissioner Thomas commented that the hourly rate is higher than the flat monthly rate. Commissioner Walls commented that he would prefer to continue at the hourly rate and do some further research. I have talked to some other counties that are doing things differently. I am not disputing the quality or amount of service Ray Ghaner gives. I would like to have some time to consider. The Commissioners gave consideration of approval to renew the contract at an hourly rate of \$90 per hour pending solicitor review. This contract can be revisited after further study by the Commissioners. It was moved by Commissioner Walls, seconded by Commissioner Thomas. Claudia Conrad asked what other information the Commissioners needed regarding the other contract. Commissioner Thomas responded that he wanted to look at the billing for the month. Claudia Conrad responded that CYS had reviewed that information. Commissioner Thomas commented that he had talked to some other counties and they are doing

some things differently. Claudia Conrad responded that they have also talked to several other counties. Commissioner Sather commented that this will continue service and there will be no lapse in service. Attorney Ghaner will still provide legal counsel for CYS. Judge Zanic commented on the exceptional job that Shannon Walborn and the rest of the CYS department does. A lot of counties have younger, more inexperienced attorneys working as solicitor for their agencies. We are lucky to have Ray Ghaner because of his experience in the children's services field. We are also reimbursed by the Commonwealth 50% for these services. The legal work that Attorney Ghaner does also keeps kids out of care, which saves on the back end as well. I am very proud of the work that we are able to do thanks to Attorney Ghaner's work and experience and the work of our CYS department. Commissioner Sather concurred with the accolades for Shannon Walborn, the CYS Department and Ray Ghaner. This is not a discussion on Attorney Ghaner's services, but rather a discussion on the agreement and how we go forward on the agreement. Commissioner Walls added that quality of service is an important factor. When we look at numbers, the cheapest isn't always better, but we have to put in our due diligence for the taxpayers. Kylie Hawn asked if \$9,000 per month would be cheaper than \$90 per hour. Commissioner Thomas responded that that is what the billing shows. Shannon Walborn commented that when you look at the 2018/2019 fiscal year, we had 80 kids in care and were consulting much more than where we are when we have 54 kids in care like we do now. We had two solicitors and now we have gone to one solicitor. None of us can predict the future on how many kids will be in care at any given time. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Thomas, yes; Sather, yes; Walls, yes) to enter into executive session at 10:06 AM to discuss personnel matters. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Sather, yes; Walls, yes; Thomas, yes) to leave executive session at 10:21 AM. No decisions were made and no votes were taken during the executive session. The previous motion to approve the contract at a rate of \$90 per hour on an as-needed basis pending solicitor review was carried (Walls, yes; Thomas, no; Sather, yes). Commissioner Thomas explained that his no vote is not in any way related to his opinion of Mr. Ghaner or his experience or qualifications. After seeing the facts, I believe it would have been cheaper to go with the flat monthly fee. Commissioner Walls added that he is not disputing the quality of Mr. Ghaner's work either. I want to make sure I am responsibly using taxpayer dollars. Commissioner Sather echoed Commissioner Walls' sentiments.

Stacia-Fe Gillen, Community Development Administrator, requested consideration of approval for a Notice of Award for Anteres Site Work, LLC for the Huntingdon Borough Curb Cut Project. Their bid was for \$80,900. They were the lowest responsive bidder. We consulted with Huntingdon Borough and they will either proceed to remove one of the curbs through change order or they will pay the difference. Anteres will have 15 days to procure the bid bonds and everything else that we need to have before we bring you a notice to proceed. The agreement for this project spells out the responsibilities of all parties and sets deadlines for work to be substantially completed by September 19th and fully completed and ready for final payment by October 19th. This project was given an extension to November 1st. This is a great project because it will increase ADA accessibility throughout the borough. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Walls, yes; Thomas, yes; Sather, yes).

Stacia-Fe Gillen presented the agreement between Anteres Site Work, Huntingdon County and Huntingdon Borough for the curb cut project. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Thomas, yes; Sather, yes; Walls, yes).

Stacia-Fe Gillen requested consideration of approval for a Notice of Award for the 913 Pike Street demolition project in Smithfield Township to Anteres Site Work, LLC. Their bid was for \$28,337 and they were the lowest responsive bidder. We did have a lower bidder on this project but they did not provide the necessary acknowledgements, paperwork, and correct form of check in order for them to be considered a responsive bidder. These requirements were made very clear in the bid documents. The bid difference was minimal between the two lowest bidders. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Sather, yes; Walls, yes; Thomas, yes).

Stacia-Fe Gillen requested consideration of approval for an agreement with Anteres Site Work, LLC for the Pike Street demolition project. The terms of the agreement are for substantial completion in 180 days. There is some asbestos that will need to be carefully removed. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Walls, yes; Thomas, yes; Sather, yes).

Jim Lettiere, Planning Director, requested consideration of approval for an agreement between the Huntingdon County Commissioners and the Wood Township Supervisors for the 2021 Marcellus Shale Act 13 Legacy Funding. This project will fund the J. A. Carney Field bleacher replacement project. That field is owned by Wood Township. The existing bleachers are over 25 years old and are rotting and warped. The field is used by Tussey Mountain baseball and softball teams and they also have charity softball tournaments there. The existing bleachers will be replaced with 2 sets of four rows of bleachers with chain link fence in the back installed with concrete footers. They have one year to enter into the agreement and one year for completion of the project. Pursuant to your approval today they will have to have this completed by June 29th of next year. I do not anticipate any problems with that. They are ready for this replacement. The total project cost is \$9,000. \$8,460 are for the bleachers and \$540 is for the associated administrative costs. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Thomas, yes; Sather, yes; Walls, yes).

Len Hahn, Probation Director, requested consideration of approval for the resignation of Shane Dorner. His last day as an Adult Probation Officer was June 24th and he left to pursue a career with the PA State Police. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Sather, yes; Walls, yes; Thomas, yes).

Len Hahn requested consideration of approval for the resignation of Caleb Smith. His last day as an Adult Probation Officer will be on July 2nd and he will be leaving for Officer Candidates School for the U. S. Navy. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Walls, yes; Thomas, yes; Sather, yes).

Len Hahn requested consideration of approval to hire Blake Morrison as an Adult Probation Officer to fill one of the open Adult Probation Officer positions. He has passed his pre-employment screenings and will start on June 28th. It was moved by Commissioner Walls, seconded by Commissioner Thomas and carried (Thomas, yes; Sather, yes; Walls, yes).

Consideration of approval was given for the resignation of Lauren Heane from a part-time position at the Treasurer's Office. Her last day will be July 2nd. It was moved by Commissioner Thomas, seconded by Commissioner Walls and carried (Sather, yes; Walls, yes; Thomas, yes).

There were no Matters for Action.

There were no Veteran's Burial Allowances.

There being no further business, it was moved by Commissioner Walls to adjourn the meeting at 10:52 a.m.

Minutes prepared by Heather Fellman, Chief Clerk.

Respectfully Submitted,

Jeffrey Thomas, Secretary