

The regular meeting of the Clearfield County Commissioners was held on Tuesday, January 22, 2008 at 10:00 A.M. with Chairman Sobel conducting the meeting. The following were in attendance: Commissioners Sobel and McCracken; Kim Kesner, Solicitor; Claudia Read, Controller; Jodi Brennan, County Planner; Darryl Lashinsky, resident; Richard Hughes, resident; Leslie Stott, Clearfield Borough Operations Manager; Bradley Lashinsky, resident; Lori Rancki, RN-DRMC; Amy Dixon, Clearfield Hospital; Rex Lettie, Cen-Clear Child Services; Nick Ruffner, WJAC-TV; Chuck Allen, PSU Cooperative Extension; Josh Quigley, EMA; Bill Gillen, WOKW; Evan Carr, WJAC-TV; Dena Bosak, Courier Express; Aaron Evans, gantdaily.com; Jeff Corcino, Progress; Claudia Read, Controller; Brian Jacobs, LIFT; David Buzzell, Drinker Biddle; Robert C. Daniels, PA Waste; Ramsey G. DiLiberio, PA Waste; Bob Rovner, PA Waste; Lisa McFadden, Chief Clerk.

Minutes of the previous meeting of January 7, 2008 were approved by motion of Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

Controller Read presented the following bills for approval: General Fund, \$872,318.20; Liquid Fuels Fund, \$44,566.49; Hazardous Materials Fund, \$831.53; 911 Fund, \$68,044.37; Children Youth Services Fund, \$291,952.43; Domestic Relations Fund, \$4,705.80; Small Communities Block Grant, \$21,190.45. Approval of the bills by motion of Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

#### Personnel Issues

New Hires – Heather Smith, Caseworker/CYS, effective January 8, 2008.

Diane Knepp, Temporary P/T Corrections Officer/Jail, effective January 15, 2008.

Christopher Fye, Enforcement Officer-Investigator/DRO, effective January 16, 2008.

Chris Beck, Assistant MIS Director-Programming/Database Management, effective, January 23, 2008.

#### Resignations/Terminations –

Barbara Gray, Temporary F/T Bookkeeper III/DRO, effective, January 23, 2008.

#### Probation Completion

Mark Kelly, P/T Telecommunicator/911, effective January 7, 2008.

Phillip Keith, Enforcement Officer/DRO, effective January 8, 2008.

Approval of the personnel issues by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.

Public Comment – None

Old Business – None

Amy Dixon, Clearfield Hospital and Lori Rancik, DRMC presented the Board with a Proclamation in support of “National Wear Red Day – February 1, 2008. The purpose of this special day is to increase awareness that heart disease is the No.#1 killer among women. Commissioner McMillen read the proclamation and made a motion to adopt the proclamation, seconded by Commissioner McCracken; motion carried unanimously.

Josh Quigley presented the Board with a Mutual Aid Agreement between Clearfield and Jefferson Counties. Approval of the agreement by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.

Mr. Quigley also presented an agreement between the County and Eagle Towing and Recovery, Inc.. Josh explained that 2005 the County had a verbal agreement with Eagle to act as the

certified HAZMAT Team for the County. The State requires documentation of proof that the County has a HAZMAT Team. Approval by motion of Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

Mr. Quigley announced that the County has received a Hazardous Materials Response Fund Grant (Act 165) in the amount of \$14,192 the money is placed in the HAZMAT Fund and is used for increases in day to day operations for the Hazardous Materials response program. Also a Commercial Equipment Direct Assistance Program Grant in the amount of \$14,000. With those funds a Incident Commander Interface machine. The machine will be used to interface

Solicitor Kesner presented a Receipt & Release Agreement between the County and IPC Command Systems, Inc. The County had previously purchased dispatching software from IPC for use at the 911 Center. After installation it was discovered there were several issues with the software. After several attempts to address the issues the previous Board made a decision to terminate use of the software and purchase different software. At that time a demand was made to IPC for a refund for a portion of the purchase price of the software. IPC agreed to return our total cost in the amount of \$171,520.00. Solicitor Kesner and Mr. Quigley have reviewed and negotiated the Receipt & Release Agreement and both find it acceptable. Motion to execute the agreement by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.

Mary Anne Wesdock asked the Board to approve an agreement between the County and Sammartino & Stout, Inc. for appraisal services. Ms. Wesdock explained that the Walmart Super Center had previously had an Assessment Appeal Hearing and asked that the value of their building be lowered from 6.8 million to 4.6 million. The Appeals Board did not grant the request and therefore Walmart filed with the Court of Common Pleas. Ms. Wesdock now feels that this professional appraisal is appropriate. The service is estimated to cost \$6,000-\$8,000. Motion to approve the agreement by Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

Chuck Allen asked the Board to approve the West Nile Virus Program Grant for the year 2008. Penn State Cooperative Extension will be the administrator of the program. The grant agreement will be between the County and Department of Environmental Protection and also a Subgrant Agreement between the County and Penn State for administration of the program. Approval of the documents by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.

Rex Lettie asked the Board to consider approval of the Family Centers Grant application in the amount of \$333,218 that will require a local match of \$37,025 (provided by Cen-Clear) and also a Pass Through Agreement for Cen-Clear to administer the program. Motion to approve the grant application by Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously. Motion to execute the Pass Through Agreement by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.

Controller Read asked the Board to adopt Resolution 2008-#2 Supplemental Appropriations for expenses/revenues for the Commissary Fund in the amount of \$3,600.00. Approval by motion of Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

Commissioner McCracken presented a Lease Agreement between the County and Irvona Volunteer Fire Co. No. 1. Commissioner McCracken explained that the fire company building also houses the Irvona Borough Polling place and the County agreed to give the Fire Company \$5,000 to assist in the cost of repairs to make their building more handicap accessible. The County will then ask for reimbursement from the HAVA funds to reimburse the County General Fund. Part of the requirements of HAVA the County must have a 10-year lease with the owners of the building when HAVA Funds are being used. Motion to execute the Lease Agreement by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.

Commissioner McCracken presented an Agreement between the County and DCNR for the inclusion in the 2008 Gypsy Moth Suppression program. The previous Board was made aware in 2007 that the Gypsy Moth infestation has been moving out of Centre County and into the eastern portion of Clearfield County and get the program in place and keep the infestation from spreading. Motion to execute the agreement by Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

Chief Clerk McFadden asked that the Board approve executing a contract between the County and Jay Fulkroad & Sons, Inc. for the replacement of the T315 Burnside Township Bridge Project. The bridge is a County owned bridge and has been an ongoing project since at least 1996. The cost of the replacement is \$2,010,125.90 and is 100% funded by Bridge Bill and Act 26 funds. Approval of the contract by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.

Solicitor Kesner presented the Board with an Amendment to the Real Estate Sales Option Agreement between the County and Leland Condon approving a 90-day extension through April 15, 2008 to the current Sales Option Agreement. Motion to execute the Amendment to the Real Estate Sales Option Agreement by Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

Commissioner McMillen explained that the current Board of Commissioners would like to reaffirm Resolution 2007-#19 opposing the Tolling of I-80. The new Board will be resending letters to the public officials that represent Clearfield County. Motion to reaffirm Resolution 2007-#19 by Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

The Board announced the following appointments and reappointments:

North Central BOD -	John Sobel
North Central WIB	John Sobel
North Central Full Board	John Sobel
Mark McCracken	
	John Shimko
	Harry Robbins (reappointment)
	Jodi Brennan (reappointment)
	Lois Richards (reappointment)
	Herm Suplizio (reappointment)
	Nancy Micks (alternate) (reappointment)
CCEDC	Joan Robinson McMillen
CCRTA	Mark McCracken
Conservation District	Joan Robinson McMillen
Central County Youth	Joan Robinson McMillen
CCEDC	Bill Shiner (reappointment)
(Appoint member from CCIDA)	
CCRTA	Hildred Rowles
CCIDA	Gerry Hatcher(reappointment) and Dan Corbet
DUJ Airport Board	Scott Brubaker
Board of Assessment Appeals –	Chris Bollie, Mike Errigo and Maggie Billotte

Motion to approve the above appointments by Commissioner McMillen, seconded by Commissioner McCracken; motion carried unanimously.

Representatives of PA Waste attended the meeting to discuss the proposed Camp Hope Landfill in Boggs Township. David Buzzell, Esq. of Drinker Biddle representing PA Waste, LLC was the

designated spokesperson of the group. Mr. Buzzell explained that PA Waste had filed an application with Department of Environmental Protection approximately a year and a half ago. There was also an LMIP meeting held with the Commissioners, Municipalities and public in attendance. Presentation was made on behalf of the landfill as to the facility, its harms and benefits. Comments were submitted by the Commissioners to the DEP in opposition of the facility and a review letter was issued by the DEP raising two critical concerns upfront such as the term of the permit and Act 101 consistency and compliance. A response to the term of the permit issues was provided earlier in January after two extensions were granted. Recently a response was filed to the Act 101 consistency issues. PA Waste has made a request to the Commissioners and the Solid Waste Authority for inclusion into the County Plan. The County responded that an additional landfill capacity is not needed in our County Plan. Solicitor Kesner asked what the current status of the permit. Mr. Buzzell responded that currently all of the extensions to the permits expired January 15, 2008 but PA Waste has not received any response to date from PA Waste. On January 14, 2008 PA Waste sent a letter to DEP asking for an additional 90-day extension but no action has been received from DEP.

Ramsey DiLibero spoke to the group and explained that he has been in the waste collections business for 36 years and serves on the Chester County Solid Waste Authority who runs a landfill. Mr. DiLibero feels that a landfill is an asset to a community. A by-product of a landfill is methane gas which is a cheap source of gas that can be used to help industry as a valuable attraction tool in keeping industry and drawing industry in. Mr. DiLibero commented that last year the landfill in Chester County contributed 1.5 million dollars in donations. Solicitor Kesner asked if PA Waste has any existing landfills and Mr. DiLibero responded that PA Waste is a group of investors and experienced people. Commissioner McCracken asked how long it takes for methane to build up and be utilized, Mr. DiLibero answered it depends on what type of trash is being put in the landfill such as municipal waste or sewage sludge. The landfill in Chester County produced methane approximately two or three years after it opened.

Commissioner McCracken explained that his major concerns and thoughts with respect to the landfill and if the landfill could be downsized to accommodate the local trash not out of state trash and only be a smaller regional landfill. Mr. Buzzell didn't feel that would be a good business decision with this size of a project. The increased truck traffic on our local roads is very much a concern to the local officials and residents. The County already experiences the truck traffic traveling on Route 153 through Penfield to the Greentree Landfill in Elk County which is just over the Clearfield County line. Mr. McCracken also commented they have investigated and spoke with DEP and the Solid Waste Authority and cannot find that there is any benefit to break from our stance and any previous Boards of Commissioners to include a new landfill in the County Plan until after it is permitted.

Commissioner McCracken also asked if it would be possible if the landfill were permitted if the trash could be railed in as opposed to trucked in to ease the truck traffic. Commissioner McCracken asked if PA Waste will retain ownership of the landfill or if it will be sold

Commissioner McMillen explained that they are a new Board of Commissioners and she ran for election opposed to landfills and her thoughts have not changed. Commissioner McMillen stated that "she felt the proposed landfill would have a negative impact on attracting new businesses and housing in the County. The landfill will only lower the quality and standard of living for the citizens throughout Clearfield County and is not in the best interest of Clearfield County. The proposed landfill will put excessive strain on local roads and property damage and will heighten the traffic on these roads and will place a greater need on police and fire transportation. We need to step back and way the odds of long-term liability of the proposed landfill. Also there is no guarantee that PA Waste will run the landfill and do a good when they do not have a current landfill

Commissioner Sobel

Solicitors Report – None

Motion to adjourn by Commissioner McCracken, seconded by Commissioner McMillen; motion carried unanimously.