

The regular weekly meeting of the Clearfield County Commissioners was held on Tuesday, July 24, 2018 with Chair Sobel, conducting the meeting. The following were in attendance: Commissioners Scotto and McCracken, Kim Kesner, Solicitor; Kathy Miller, Deputy Controller; Jodi Brennan, Director of Planning and Solid Waste; Hope Hughes and Dee Graham, Central PA Community Action; Patricia **Morowski**, Diane Byers, Progress/Courier; Jessica Shirey, gantdaily.com; Yvonne Lehman, WOKW Radio; Lisa McFadden, Chief Clerk.

Minutes of the previous meeting of July 10, 2018 were approved by motion of Commissioner Scotto, seconded by Commissioner McCracken; motion carried unanimously.

Deputy Controller Kathy Miller presented the following bills for approval: General Fund, \$2,633,558.21; Liquid Fuels Fund, \$7,393.97; Capital Reserve Fund, \$7,660.48; 911 Fund, \$9,216.81; Children Youth Services Fund, \$452,407.11; Domestic Relations Fund, \$12,112.70. Approval of the bills by Commissioner McCracken, seconded by Commissioner Scotto; motion carried unanimously. Commissioner McCracken noted that the pay-off of the TAN was a part of the bills.

#### Personnel Changes

Separations/Retirements - Shelby Woodring, Administrative Assistant/EMA, effective July 20, 2018.

Kristy Goodman, Quality Assurance, EMA/911, effective July 23, 2018.

Approval of the bills by motion of Commissioner McCracken, seconded by Commissioner Scotto; motion carried unanimously.

Public Comment - Patricia **Morowski** attended the meeting to make the Commissioners aware that after she had a property survey completed she discovered that it appears there was information added to her property deed of 1973 after reviewing the original deed of 1932. Ms. Monoski feels this was done in error and is looking for direction in getting her problem straightened up. Chair Sobel told her the Commissioners would be happy to look at the matter and get in touch with her. Mr. Sobel also made Ms. Morowski aware that a lot of time these matters require an attorney to fix the matter by initiating an action through the courts to have it changed.

Old Business - None

#### NEW BUSINESS:

Jodi Brennan, asked the Board to consider approval of the 904 Performance and State Recycling Grant Application. Ms. Brennan explained that the County will apply for the grant on behalf of the Solid Waste Authority in the amount of \$30,000, which will be used for recycling programs. Motion to approve the agreement by Commissioner Scotto, seconded by Commissioner McCracken; motion carried unanimously.

Ms. Brennan announced the next Electronic Waste event will be held on Saturday, August 25<sup>th</sup> from 9:00AM to 1:00PM. Anyone interested in participating will need to call or register online with the collection company. Ms. Brennan wanted the participants to keep in mind the cost to the consumer is 60 cents per pound for the electronics and to be prepared to pay those costs.

Chair Sobel asked for a motion to approve the agreement with National Bond & Collection Associates. National Bond & Collection Associates will be collecting fees through the County Jail from inmates. Motion to execute the agreement by Commissioner Scotto, seconded by Commissioner McCracken; motion carried unanimously. (Solicitor Kesner review the agreement and approved it as to form)

Chief Clerk McFadden asked the Board to approve copier lease agreements with Doing Better Business for use by District Judges Nevling and Glass. Approval of the lease agreements by Commissioner McCracken, seconded by Commissioner Scotto; motion carried unanimously.

Liquid Fuel allocations were approved by motion of Commissioner McCracken for Knox Township in the amount of \$3,453.04; seconded by Commissioner Scotto; motion carried, Chair Sobel abstained due to conflict. A Liquid Fuel allocation for Burnside Township in the amount of \$3,000 was approved by motion by Commissioner McCracken, seconded by Commissioner Scotto; motion carried unanimously.

Chair Sobel spoke about the public meeting concerning the proposed Camp Hope Landfill last evening. DEP conducted the meeting at the Florian Banquet Hall that was very well attended with standing room only with thirty-five people testifying. Commissioner Scotto thanked everyone that participated last evening's event. Reminded that DEP is a regulatory agency and just follows the permit process and looks at it objectively and if you follow the steps, you will be granted the permit. He feels that PA Waste are promising bottled sunshine and if the permit is approved they will sell it and will not come through with any of the promises they have made and we will be stuck with the landfill. Commissioner McCracken said he presented three points in his testimony and after being involved in this process for over 10 years, one of the points he spoke of is the harms vs benefits analysis. DEP has given PA Waste a lot of credit towards promised benefits but these benefits will only come to fruition if PA Waste actually completes the landfill and operates it. Commissioner McCracken referenced a lawsuit that filed in Philadelphia Court of Common Pleas by partners Delibero and Luber who sued PA Waste along with partners Robert Rovner and Judge Robert Daniels estate. Two statements in that lawsuit state "it is the intent of the PA Waste partnership to acquire the land and the necessary permits for a municipal waste management facility to sell on the on the open market" and later in the same document "on October 28, 2003 PA Waste was formed as a manager/managed Limited Liability Company to acquire the land and the necessary permitting for a municipal waste management facility in Pennsylvania for sale on the open market". Commissioner McCracken requested at last night's meeting for DEP to discount or eliminate any benefits that may be attributed to PA Waste building and operating the Camp Hope Run landfill as the Philadelphia lawsuit between the PA Waste partners clearly states they plan to sell the land and permit over actually developing and operating a landfill.

(continued)

Jodi Brennan spoke that contrary to what was said by the engineer for PA Waste last night Pennsylvania has plenty of space with current landfills. Landfills are designed for decades of use although the landfill may only be permitted in 10 years increments the capacity is well beyond the 10-year period. Solicitor Kesner spoke that DEP is a regulatory agency, their powers are given and limited by the PA Legislature, and do not have the ability just to decide yes or no on a something like this. The Commissioners have now and in the past provided substantive input and objections to the landfill applications and permits. At this point we are very confused and disappointed the first application was rejected on two basis site suitability and harms benefits analysis the second application is as void of information and as deficient as the first application but has flew through with DEP those requirements. Regards to site suitability you are required to indicate that this site has to provide something that is not already being provided and still not indicated or divulged where the waste is coming from or any contracts that they have in place for waste for the facility. As Ms. Brennan pointed out that included in the County Plan the County has existing facilities that have capacity and experience and PA Waste has never operated a landfill, they are just a group investors. The law says the burden is on PA Waste to demonstrate that the benefits outweighs the harms. The permit has been reviewed and it just does not meet the "smell test", but DEP says the benefits outweigh the harms. How if we do not know where the waste is coming from how do we know it is not going to affect our current plan and affect our recycling programs. Solicitor Kesner suggested everyone read the lawsuit that Commissioner McCracken spoke of and the credibility of PA Waste where some of the principal investors sued some of the other investors for financial misconduct and misleading them.

Solicitors Report - Kim responded to press reports last week of the Mo Shannon Valley School District with regards to the County providing a school resource officer. Solicitor Kesner said he was surprised the press report that the County and the school district that a proposed deal for a Sheriff's deputy to be employed as the school resource officer had fallen through. Solicitor Kesner said that was news to him and the Commissioners and was not aware they had reached a make or break point. The press reports indicated the issue was the indemnification provision and the solicitor could not recommended approval that was being requested by the Commissioner. The language in this agreement is the same language that the County has with DuBois and Clearfield School Districts to provide a Probation officer on site at those schools. The County requested that the School District indemnify the County from any and all risks including negligence by the school district. The County would be supplying the resource officer and would be reimbursed by the school district. Solicitor Kesner has not spoken with the Solicitor or Superintendent since the press reports.

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