

August 12, 2008

ERIE COUNTY COUNCIL – Special Meeting

Mr. Giles called to order a Special Meeting of the Erie County Council at 5:04 p.m. at the Wesleyville Borough Building, 3421 Buffalo Road, Wesleyville, Pennsylvania. Following the Pledge of Allegiance, the County Clerk called the roll:

Members Present: Mr. Giles, Chairman
Mr. Cleaver, Vice Chairman
Mr. Fatica
Mr. Foust
Mr. Leone
Mrs. Loll
Mr. Mitchell

Members Absent: None

Also Present: Douglas R. Smith, County Clerk
Joseph P. Maloney, Council CPA
Thomas Talarico, Council Solicitor
Mark A. DiVecchio, County Executive
Sean Wiley, Director of Administration
James Sparber, Director of Finance
Bob Spaulding, Director of Economic Development
Sue Ellen Pasquale, Manager of Accounting

Mr. Giles explained that the purpose of this Special Meeting is to provide an opportunity to Members of Council to discuss with both Council's attorney and the attorneys representing the County before Judge Dunlavey the impact of going forward with an appeal regarding the gaming litigation so that a consensus can be reached. The clock is ticking on this legal issue and a decision needs to be made.

Mr. Leone moved that Council go into Executive Session; Mr. Fatica seconded, and it carried in a unanimous roll call vote. Mr. Foust suggested an office located in the front of the building for this session.

Mr. Giles explained that this Executive Session is in accordance with the rules and regulations pertaining to the Sunshine Act and the conduct of public business, and confirmed this with Attorney Talarico.

Mr. Flowers, Reporter for the *Erie Times News*, made an objection at this time. As he understands the Sunshine Act, there are provisions for specific litigation; however, since this is a high profile issue, he asked that this meeting be open to the public. He noted the County's position has been argued in open court on this issue. This is his position and the position of the newspaper.

Mr. Giles responded that Council is not necessarily discussing what was filed before Judge Dunlavey, but what Erie County's position will be going forward from that ruling. This is different than simply the public record on file. This will be a discussion on how the County will handle this ruling while meeting with the attorneys. This is important since it is critical to the public and the county as this matter moves forward. Mr. Giles believes that having the opportunity to meet with lawyers was certainly put into the act for this very purpose.

Mr. Flowers asked whether the roll call constituted each individual member's vote on holding the Executive Session and Mr. Giles confirmed that was correct.

August 12, 2008

Council went into Executive Session at 5:06 p.m.

Mr. Giles called the Special Meeting back to order at 6:28 p.m. He stated that Attorney Roger Taft was present to answer any questions regarding this litigation issue. The consensus on the part of Council and the Administration is that a clarification would be requested based on the idea that there are some items in the judge's order that appear to be positive and can be used by the County in going forward. Attorney Taft will provide any details to the reporters as Council moves from this meeting into the next meeting. He thanked everyone for their patience.

Adjournment

There being no further business, the meeting adjourned at 6:29 p.m.

Ann M. Bruno, Council Secretary

August 12, 2008

Minutes of July 8, 2008 approved. Issuance of Gen. Oblg. Bonds Series of 2008 adopted; Gen. Fund SA for Reduction of Drug Forf. Fees in Weed & Seed adopted; PH SA for Tobacco Grant adopted; PH SA for Cancer Prevention Grant adopted; Library SA for Summer Rdg. Prgrm. adopted; Planning Fund SA of Add. Grant Revenue adopted; Gen. Fund SA for Act 137 adopted; Gen. Fund SAQ for Solicitor's Ofc adopted; Gen. Fund Rev. Exp. & Rel. of Rest. Funds in Reass. adopted; Gen. Fund Rev. Exp. For Rel. of Rest. Acct in Sheriff adopted; Dom. Rel. SA for Sheriff Per Diems in Temp. Dom. Rel. adopted; Gen. Fund SA for Sheriff Per Diems in Dom. Rel. from July thru Dec. adopted; Dom. Rel. SA for Transfer to Dom. Rel. for Aug. through Dec. 2008 Rent adopted; Gen. Fund SA for Transfer to Dom. Rel. Fund adopted; Change in Grade and Hours for HRC Dir. adopted; PH SA for OPANAC Grant adopted; Gen. Fund SA for Change in Fringe Ben. for HS Bldg Oper. Due to Change in Personnel adopted; Res. 56 remains tabled. Replacement of Hot Water Ranks at Prison adopted. First Rdgs: Rev. Rev & Exp. In HRC, Creation of New HUD Bureau; Planning Fund Budget Revis. Reven. & Exp. For Transfer of Planning Acct to Gen. Fund SA for Transfer of Planning Acct; C&Y Incr. Transfer from Gen. Fund for 2008 Oper.; Incr. Transfer to C&Y; Amending Ord. 17, 2008; Gen. Fund SA OT in Clerk's Ofc; Gen. Fund SA for PHMC Grant; Gen Fund SA for Interest on Loan from ECCM; PH SA for Add. Cancer Grant; Completion of Memorial Tile Prjct; Payment of Moving Costs; Gen. Fund SA for Transfer to Dom. Rel; Library SA for Gates Grant; Donation from Friends of Library; Library SA for Software Maint; Library SA Add. Revenue from Mem. Books; Planning SA of Add. Rev; EMA SA Donated Equip; Dom Rel. SA Retro Wage Incr & Pension Adj; CS SA for Retro Wage Incr. & Pension Adj; PH SA for Retro Wage Incr. & Pens. Adj; Gen. Fund SA for Retro Wage Incr & Pens. Adj; Library Rev. Exp. & Retro Wage Incr & Pens. Adj; EMA Rev. Exp. For Retro Wage Incr. & Pens. Adj; D& A Rev. Exp. For Retro Wage Incr. & Pens. Adj; MH/MR Rev. Exp. For Retro Wage Incr & Pens. Adj; HealthChoices Exp. For Retro Wage Incr. & Pens. Adj; Amending Ord. 126, 2006; MH/MR Downgrade Two Pos. & Upgrade One Pos.; Appt. Off. Salary Vacated

August 12, 2008

Pt. Time Asst PD. Apprvg Rev. to FY 2005 CDBG adopted; Auth. Rev. to FY 2007 CDBG adopted; Exon. Taxes in Lake City & Girard SD adopted; Exon. Taxes in LeBouef Twp & SD adopted; Exon. Taxes in Girard SD adopted; Exon. Taxes in Conneaut, Springfield & NW SD adopted; Exon. Taxes in Wesleyville & Iroquois SD adopted. Joseph Rodriguez apptd to RAFC. Amy Graves apptd to HRC. Reimb. Res. of the Cnty of Erie, PA adopted.

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Giles called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Wesleyville Borough Building, 3421 Buffalo Road, Wesleyville, Pennsylvania. Following the Pledge of Allegiance, the County Clerk called the roll:

Roll Call

Members Present: Mr. Giles, Chairman
Mr. Cleaver, Vice Chairman
Mr. Fatica
Mr. Foust
Mr. Leone
Mrs. Loll
Mr. Mitchell

Members Absent: None

Also Present: Douglas R. Smith, County Clerk
Joseph P. Maloney, Council CPA
Thomas Talarico, Council Solicitor
Sean Wiley, Director of Administration
James Sparber, Director of Finance
Bob Spaulding, Director of Economic Development
Sue Ellen Pasquale, Manager of Accounting

Thank You Wesleyville Borough

Mr. Foust stated that Wesleyville is such a good district, two representatives are needed. He pointed out that Mr. Cleaver represents part of Wesleyville; however, the Borough Building is in Mr. Foust's district. He acknowledged public officials who were present this evening – Norma Renshaw, the Wesleyville Tax Collector; Bill Beardsley, North East Tax Collector, Sheryl Kyle, Vice President of Borough Council was present earlier; and Joe Peck, Harborcreek Supervisor. Mr. Foust thanked the staff of Wesleyville Borough, particularly Mr. Pete Nye.

Hearing of The Public

Rose Graham, 419 State Street, Erie, stated that she has been the Executive Director of the Erie County Historical Society for approximately seven weeks. She is before Council to ask that the Erie County Historical Society be considered as a dedicated asset and included as such in the Gaming Revenue Plan. This organization is quite large with six sites in the City and County of Erie and serves approximately 26,000 people a year. This figure has more than doubled since 2006. She explained that the Historical Society operates the only public planetarium in Northwest Pennsylvania and has partnerships with all major school districts to bring their children to the planetarium to learn. She asked Council for their consideration to include the Historical Society as a regional asset.

August 12, 2008

Hearing of
The Public

Mr. Giles explained that various organizations attend the annual budget process in late October and the Historical Society is included in that group. At that time, there will be a further opportunity to answer questions, distribute literature and discuss programs.

Joe Peck, Harborcreek Township Supervisor, wished to discuss the issue of Six Mile Creek Park. On behalf of residents, citizens and the Board of Supervisors, he thanked Council for their consideration in turning over this gem of a piece of property to Harborcreek Township to take into their vast park system. This is one of the finest park systems in all of Pennsylvania, if not the United States, with beautiful, untouched land. If Harborcreek Township does acquire this property, it fully intends to leave that state unchanged with the exception of access development. The Township has the capability, know how, equipment and manpower to improve access, as well as build roads and a parking lot. The Township also intends to fully protect the property from land clear cutting, and the exploitation of minerals, gas and oil. People have also offered to help with trail enhancements on the property. He acknowledged there is concern regarding mineral rights and hopes to work this issue out.

Minutes

Mr. Leone moved to approve the minutes of July 8, 2008; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Mr. Mitchell reported that the Finance Committee met on Thursday, August 7, 2008. Due to the length of the agenda and the fact these were discussed in caucus, he briefly noted there were a number of ordinances for second readings. Also, a resolution is on the table which may not be removed from the table this evening. Under new business, there are a number of ordinances and resolutions.

Personnel
Committee

Mrs. Loll reported the Personnel Committee met on Thursday, August 7, 2008, and agreed to place on the agenda for second readings, Ordinance Number 104, a change in grade and hours for the Human Relations Commission Director; Ordinance 120, a Public Health Fund Budget Supplemental Appropriation for OPANAC Grant; and Ordinance 121, a change in fringe benefits for Human Services Building Operations due to Change in Personnel and Creation of New Line Item.

Under New Business, Mrs. Loll reported that there are first readings for Ordinance 153, MH/MR Revised Expenditures to Downgrade Two Positions and Upgrade One Position and Ordinance 154, Appointed Official's Salary Ordinance Vacated Part Time Assistant Public Defender Position.

Mr. Mitchell's
Report

Mr. Mitchell reported that several Members of Council attended the County Commissioners Association of Pennsylvania meetings in Valley Forge, Pennsylvania last week. He is happy to report that Erie was selected for the 2013 convention site which is a major coup for the county. Mr. Maloney and his staff did an impressive job at a booth in the display area promoting both Erie and the Convention Center. Mr. Leone, Mr. Giles, and Mr. Mitchell all spoke to the issue. Mr. Giles stated that he secured 100 votes on the promise that he wouldn't give a speech.

Mr. Mitchell recalled as president of CCAP two years ago, he hosted the Board in Erie. Mr. Maloney, the Chamber and several others helped to put together a great program for the event. The weather was beautiful, and Mr. Mitchell feels this carried over in the support for this convention in 2013. Erie County was in competition with Seven Springs in Pittsburgh and Johnstown.

Mr. Mitchell stated that the meetings held at the conference were very productive. He will be asking Council, as well as placing calls to most of the commissioners in Pennsylvania, for action on some MH/MR issues next year with regard to the change of funding. A two hour discussion was held on Sunday afternoon and he believes that this will have a tremendous impact on the county as five new

August 12, 2008

Mr. Mitchell's
Report

positions will have to be added which is not acceptable to Mr. Mitchell. He will provide more information on this particular issue.

Mr. Giles'
Comments

Mr. Giles explained that approximately a month ago, district meetings were held in Erie and he believes this helped to sell that location to the County Commissioners for the 2013 convention. With 16 counties in the Northwest District, this is the biggest district in the Commonwealth. Meetings are held quarterly and are hosted alphabetically by county. Last month was Erie's turn and county commissioners from as far away as Clearfield County came to both the Sheraton and Convention Center. All were very impressed.

Mr. Giles further explained that eight counties compose the Northwest Planning Association which also consists of county commissioners. This organization also met a couple weeks ago in Erie and was impressed as well with the facilities. It was suggested a video be made to help promote the area and that is currently being worked on but was not yet ready for the meeting in Valley Forge. Mr. Giles feels it was very fortunate to have hosted these meetings here. He congratulated both Mr. Leone and Mr. Mitchell for helping to make this work

Mr. Fatica suggested Mr. Giles pat himself on the back as well; and Mr. Giles explained that he had been elected First Vice President of CCAP and is moving up the ranks. He also wished to point out that NACo consists of approximately 5,000 counties across the United States and in 2012, Pittsburgh, Pennsylvania will be hosting the NACo meeting in July.

Mr. Giles'
Report

Mr. Giles submitted the following reports:

County Commissioners Gather in Valley Forge

Members of Erie County Council recently attended the County Commissioners Association of Pennsylvania (CCAP) 122nd Annual Conference in Montgomery County. County leaders from around the Commonwealth gathered to attend workshops and training sessions, network with their peers, discuss state and federal policies that impact counties and elect Association leaders for the next year during the Annual Conference.

"The Association serves to strengthen the ability of Pennsylvania's counties to govern their own affairs and improve the well-being and quality of life for their constituents," said Mr. Giles. "To this end, the Association offers these Conferences and training opportunities to help county commissioners and county employees to better serve their constituency.

Council knows how there are many issues that impact Erie County. We share many of the same challenges of other counties statewide. The CCAP Annual Conference allows us to not only learn about the issues and how to solve them, but also allows commissioners from throughout the commonwealth to meet one-on-one to learn from each other," Mr. Giles said.

CCAP, founded in 1886, is a statewide, nonprofit, nonpartisan association representing the commissioners, chief clerks, administrators, their equivalents in home rule counties, and solicitors of Pennsylvania's 67 counties.

The Association promotes the common interests of counties by encouraging both a dialogue among county elected officials and a better understanding of county government by federal, state, and local elected officials as well as private citizens. The Association represents county government on issues before the state and federal legislative, executive and judicial branches of government. The Association provides services and educational opportunities for its members to assist them in better administering the affairs of their offices to the benefit of the public they serve.

August 12, 2008

Mr. Giles'
Elected CCAP
First VP

County Commissioners Elect Association Leaders
Erie County Council Member Joseph Giles Named First Vice-President

County Leaders from around the Commonwealth, gathered last week at the 2008 122nd Annual Conference of the County Commissioners Association of Pennsylvania (CCAP) in Montgomery County, elected Joseph Giles, Erie County Council Member, First Vice-President of the Association for 2009.

“The Association serves to strengthen the ability of Pennsylvania’s counties to govern their own affairs and improve the well-being and quality of life for their constituents,” said Giles. “To this end, the Association affects the achievement of favorable state legislation, program funding and improved public policy and provides appropriate educational programs and services to member counties.”

“I know how these issues impact us locally. We share many of the same challenges as other counties statewide. As a leader of this Association, I can make a stronger voice for our county and all the counties in Pennsylvania impacting Harrisburg, Washington D.C. and all of Pennsylvania.”

CCAP, founded in 1886, is a statewide, nonprofit, nonpartisan association representing the commissioners, chief clerks, administrators, their equivalents in home rule counties, and solicitors of Pennsylvania’s 67 counties.

The Association promotes the common interests of counties by encouraging both a dialogue among county elected officials and a better understanding of county government by federal, state and local elected officials as well as by private citizens. The Association represents county government on issues before the state and federal legislative, executive and judicial branches of government. CCAP fosters farsighted, innovative and responsive county service delivery, policy decision and public resource utilization. The Association provides services and educational opportunities for its members so that they better administer the affairs of their offices to the benefit of the public.

Mr. Giles stated that in both Mr. Leone’s number of years and his own, he has never seen an eight page agenda. This is extraordinary even during the budget process. Due to the length of the agenda, readings will be in title only.

Gen. Obligation
Bonds, Series
2008 In Principal
Amt \$22,055,000
Adopted

Mr. Smith gave a second reading of Ordinance Number 91, 2008, “An Ordinance of The County of Erie, Pennsylvania Enacted June ____, 2008 – Authorizing the Incurring of Nonelectoral Debt by the Issuance of General Obligation Bonds, Series of 2008 in the Principal Amount of Twenty-five Million _____ Hundred Thousand and 00/100 Dollars (\$2X,XXX,XXX); Covenantee to Pay and Pledging Unlimited Taxing Power for the Payment of the Bonds; Establishing a Sinking Fund and Appointing a Paying Agent, Sinking Fund Depository and Registrar in Respect of the Bonds; Fixing the Form, Interest Rate, Maturity, Redemption and Other Provisions for the Payment Thereof; Accepting a Proposal for the Purchase of the Bonds; Authorizing the Filing of Required Documents with the Department of Community and Economic Development; Ratifying and Directing Certain Actions of Officers; Approving the Official Statement; and Making Certain Other Covenants and Provisions in Respect of the Bonds.” Mr. Mitchell moved to adopt; Mr. Fatica seconded.

Mr. Mitchell moved to amend the ordinance to reflect the dollar amount of \$22,055,000. He provided the Clerk with an updated copy. Mr. Mitchell then asked Attorney Antoun to provide the details of this particular matter.

Attorney Antoun explained that the maturity rates for the bonds range from September 1, 2009 to September 1, 2017. As Mr. Mitchell indicated, the par amount of the bonds is \$22,055,000. The rates on the bonds range from 3.25% up to 5%. These bonds were sold at a premium, meaning that in

August 12, 2008

Gen. Obligation
Bonds, Series
2008 In Principal
Amt \$22,055,000
Adopted

addition to the par amount, there will be a premium paid of \$596,855.50. Attorney Antoun noted that the market was good this morning for these bonds and the underwriter was very happy to get this price. In fact, they commented that these bonds were priced the same as they would have been priced a year ago had they been fully insured. At the underwriter's suggestion, it was decided to forego insuring this bond issue which generally results in lower interest rates and ended up getting an interest rate comparable to what an insured issue would have gotten.

Mr. Cleaver asked for clarification on the bond issue. It is his belief that this is for the airport and renovations to the County Courthouse. Mr. Maloney replied it was capital improvements. Mr. Cleaver noted it was for capital improvements and a dollar amount will go towards the runway extension.

Mr. Leone stated that he has conflict of interest and a letter to be filed with regard to this matter. He will be abstaining from both voting on the amendment and the ordinance itself.

Mr. Giles then called for a vote on the amendment to Ordinance Number 91, 2008, and it carried in a roll call vote of 6-0-1, Mr. Leone abstaining.

Mr. Giles then called for a vote on the ordinance, as amended, and it carried in a roll call vote of 5-1-1, Mrs. Loll voting no and Mr. Leone abstaining.

Agenda
Amended

Mr. Mitchell motioned to move Ordinance Number 122, 2008 to a second reading and add Resolution 69, 2008 to the agenda. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Gen. Fund SA
For Reduction
Of Drug Forf.
In Weed & Seed

Mr. Foust moved to remove Ordinance Number 101, 2008, "Fortieth 2008 General Fund Budget Supplemental Appropriation for the Reduction of Drug Forfeiture Fees in Weed and Seed" from the table. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 101, 2008. Mr. Mitchell moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

PH SA for
Tobacco Grant

Mr. Smith gave a second reading of Ordinance Number 108, 2008, "Fifth 2008 Public Health Fund Budget Supplemental Appropriation for Tobacco Grant and Creation of New Line Item." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

PH SA for
Cancer Grant

Mr. Smith gave a second reading of Ordinance Number 109, 2008, "Sixth 2008 Public Health Fund Budget Supplemental Appropriation for Cancer Prevention Grant." Mr. Mitchell moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Summer Rdg.
Prgm. Grant

Mr. Smith gave a second reading of Ordinance Number 110, 2008, "Fifth 2008 Library Fund Budget Supplemental Appropriation for Summer Reading Program State Grant and the Creation of a New Line Item." Mr. Foust moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

August 12, 2008

Planning SA
Add. Grant Rev.

Mr. Smith gave a second reading of Ordinance Number 111, 2008, "First 2008 Planning Fund Budget Supplemental Appropriation of Additional Grant Revenue from Various Grants." Mr. Leone moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Act 137 Low
Income Hsg.

Mr. Smith gave a second reading of Ordinance Number 112, 2008, "Forty-Fourth 2008 General Fund Budget Supplemental Appropriation for Act 137 Low Income Housing." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Gen. Fund SA
Exp. In Solic. Ofc

Mr. Smith gave a second reading of Ordinance Number 113, 2008, "Forty-Fifth 2008 General Fund Budget Supplemental Appropriation for Various Expenditure Lines in the Solicitor's Office." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Rel. of Restr. Funds
In Reassess.

Mr. Smith gave a second reading of Ordinance Number 114, 2008, "2008 General Fund Budget Revised Expenditures and Release of Restricted Funds in Reassessment." Mr. Leone moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Rel. of Restr. Acct.
Sheriff Ofc

Mr. Smith gave a second reading of Ordinance Number 115, 2008, "2008 General Fund Budget Revised Expenditures for Release of Restricted Account in Sheriff Department." Mr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

Dom. Rel. SA for
Sheriff Per Diems
In Temp. Dom. Rel.

Mr. Smith gave a second reading of Ordinance Number 116, 2008, "Fourth 2008 Domestic Relations Fund Budget Supplemental Appropriation for Sheriff Per Diems in Temporary Domestic Relations Location." Mr. Foust moved to adopt; Mr. Cleaver seconded.

Mr. Giles explained that these two ordinances, one after the other, have to do with the fact that Domestic Relations had to be relocated to place outside of the courthouse. The expectation is that work will begin to bring them back to the courthouse having captured some revenue with the bond issue to assist with that cost. Costs are greater having this department outside of the courthouse so the sooner that office can come back, the more costs can be reduced regarding Domestic Relations. Mr. Giles then called for a vote on the ordinance and it carried in a unanimous roll call vote.

Gen. Fund SA
For Sheriff Per
Diems In Temp.
Dom. Rel. Loc.

Mr. Smith gave a second reading of Ordinance Number 117, 2008, "Forty-Sixth 2008 General Fund Budget Supplemental Appropriation for Sheriff Per Diems in Temporary Domestic Relations Location from July through December 2008." Mr. Foust moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Dom. Rel. SA Aug.
Thru Dec. Rent

Mr. Smith gave a second reading of Ordinance Number 118, 2008, "Fifth 2008 Domestic Relations Fund Budget Supplemental Appropriation for August through December 2008 Rent." Mr. Mitchell moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Gen. Fund SA
Transfer To Dom.
Rel. for Rent

Mr. Smith gave a second reading of Ordinance Number 119, 2008, "Forty-Seventh 2008 General Fund Budget Supplemental Appropriation for Transfer to Domestic Relations Fund for August through December 2008 Rent." Mr. Mitchell moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

August 12, 2008

Change in Grade
& Hours For
HRC Director

Mr. Smith gave a second reading of Ordinance Number 104, 2008, "Forty-First 2008 General Fund Budget Supplemental Appropriation for Change in Grade and Hours for Human Relations Commission Director." Mr. Fatica moved to adopt; Mr. Leone seconded.

Mr. Foust recalled that some five or six years ago, the handling of the Human Relations Commission was a real black eye on Erie County. He takes great pride in being part of re-establishing this commission noting it was a good sign that Erie County is taking this commission seriously. The grant received will help this to move forward. The education component of the Human Relations Commission is important and hopefully, discrimination can be avoided in the beginning to avoid having cases later. He encouraged his colleagues to vote for this ordinance.

Mr. Giles wished to add to Mr. Foust's comments and thanked both Mr. Smith and Dr. Terry Smith, a professor from Edinboro and the chairperson for the Human Relations Commission. This has taken a great deal of backstage work in dealing with HUD and the Commission itself as well as a variety of other issues in an effort to get this off the ground. He noted a great deal of work goes on, often after 5:00, in making sure that this will happen. He asked Mr. Smith to extend gratitude to Dr. Smith and the Commission.

Mr. Giles then called for a vote on Ordinance Number 104, 2008, and it carried in a unanimous roll call vote.

PH SA for
OPANAC Grant

Mr. Smith gave a second reading of Ordinance Number 120, 2008, "Seventh 2008 Public Health Fund Budget Supplemental Appropriation for OPANAC Grant." Mrs. Loll moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Gen. Fund SA for
Change in Fr. Ben.
For HS Bldg Oper.

Mr. Smith gave a second reading of Ordinance Number 121, 2008, "Forty-Eighth 2008 General Fund Budget Supplemental Appropriation for Change in Fringe Benefits for Human Services Building Operations Due to Change in Personnel and Creation of New Line Items." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Resolution
Remains Tabled

Mr. Giles asked for a motion to remove Resolution Number 56, 2008, "In Support of an Agreement Between Erie County, the Erie-Western Pennsylvania Port Authority, and EBIZITPA for the Fiscal Year 2007 Department of Homeland Security Grant for the Port Security Grant Program for Implementation of Presque Isle Bay Surveillance System" from the table. There being no motion to remove, the resolution remained tabled.

Replacement of Hot
Water Tanks in
Prison Adopted

Mr. Smith gave a second reading of Ordinance Number 122, 2008, "2008 Capital Projects Fund Supplemental Appropriation for the Replacement of Hot Water Tanks at the Prison and the Creation of a Line Item." Mr. Mitchell moved to adopt; Mr. Fatica seconded.

Mr. Mitchell pointed out that this is an emergency situation. He explained to members of the audience that there is a major problem within the prison with the boilers and this needs to be moved forward.

Mr. Fatica moved to amend the language in the ordinance to reflect that the monies would come from the fund balance and the bond issue would be utilized to cover the costs of the boilers.

August 12, 2008

Replacement of
Hot Water Tanks
In Prison

Specifically, \$350,000 will be transferred from the Capital Projects Fund to an account number to be assigned by the Finance Department. The ordinance is amended as follows:

Fifty-Sixth 2008 General Fund Budget ~~Capital Projects Fund~~ Supplemental Appropriation for the Replacement of Hot Water Tanks at the Prison and the Creation of a New Line Item

Be it enacted by the County Council of the County of Erie pursuant to Article II, Sections 3B (1), 3B (2)(f), and Article VIII Section 8 of the Erie County Home Rule Charter, and certified by the County Executive, that this 2008 **General Fund budget ~~Capital Projects Fund~~** supplemental appropriation in the amount of \$350,000 for the replacement of two hot water tanks at the Erie County Prison is hereby approved as outlined on the attached Exhibit A.

Mr. Leone noted that since this now becomes a part of the bond issue, he will have to abstain from voting on the ordinance.

Mr. Giles called for a vote on the amendment to Ordinance Number 22, 2008, and it carried in a roll call vote of 5-1-1, Mrs. Loll voting no and Mr. Leone abstaining.

Mr. Giles then called for a vote on the Ordinance, as amended, and it carried in a roll call vote of 5-1-1, Mrs. Loll voting no and Mr. Leone abstaining.

First Readings

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 123, 2008, "2008 General Fund Budget Revised Revenue and Expenditures in the Human Relations Commission, Creation of New HUD Bureau and New Line Items"

Ordinance Number 124, 2008, "2008 Planning Fund Budget Revised Revenue and Expenditures for the Transfer of Planning Accountant to General Accounting and New Line Items"

Ordinance Number 125, 2008, "Forty-Ninth 2008 General Fund Budget Supplemental Appropriation for the Transfer of Planning Accountant and Creation of New Line Item"

Ordinance Number 126, 2008, "2008 Children & Youth Services Fund Budget Increased Transfer from the General Fund for 2008 Operations"

Ordinance Number 127, 2008, "2008 General Fund Budget Increased Transfer to the Children & Youth Services Fund"

Ordinance Number 128, 2008, "Amending Ordinance 17, 2008, '2008 General Fund Budget Supplemental Appropriation for Drug Forfeiture Account in District Attorney Office and Creation of New Line Items'"

Ordinance Number 129, 2008, "Fiftieth 2008 General Fund Budget Supplemental Appropriation for Overtime in the Clerk of Courts' Office"

Ordinance Number 130, 2008, "Fifty-First 2008 General Fund Budget Supplemental Appropriation for PHMC Grant Received in 2007"

Ordinance Number 131, 2008, "Fifty-Second 2008 General Fund Budget Supplemental Appropriation for Interest on Loan from ECCM and the Creation of a New Line Item"

First
Readings

August 12, 2008

Ordinance Number 132, 2008, "Eighth 2008 Public Health Fund Budget Supplemental Appropriation for Additional Cancer Grant and the Creation of a New Line Item"

Ordinance Number 133, 2008, "2008 Capital Projects Fund Supplemental Appropriation for Completion of Memorial Tile Project and the Creation of a New Line Item"

Ordinance Number 134, 2008, "Sixth 2008 Domestic Relations Fund Budget Supplemental Appropriation for the Payment of Moving Costs and the Creation of a New Temporary Staff Line Item"

Ordinance Number 135, 2008, "Fifty-Third 2008 General Fund Budget Supplemental Appropriation for Transfer to Domestic Relations"

Ordinance Number 136, 2008, "Sixth 2008 Library Fund Budget Supplemental Appropriation for Gates Grant for Purchase of Computers for Library Branches and Creation of New Line Item"

Ordinance Number 137, 2008, "Seventh 2008 Library Fund Budget Supplemental Appropriation for Donation from Friends of the Library"

Ordinance Number 138, 2008, "Eighth 2008 Library Fund Budget Supplemental Appropriation for Software Maintenance Costs Reimbursed by Independent Libraries and the Creation of a New Line Item"

Ordinance Number 139, 2008, "Ninth 2008 Library Fund Budget Supplemental Appropriation of Additional Revenue from Memorial Books and Donations"

Ordinance Number 140, 2008, "Second 2008 Planning Fund Budget Supplemental Appropriation of Additional Revenue"

Ordinance Number 141, 2008, "Ninth 2008 Emergency Management Fund Budget Supplemental Appropriation for Donated Equipment from the NWPA Emergency Response Group"

Ordinance Number 142, 2008, "Seventh 2008 Domestic Relations Fund Budget Supplemental Appropriation for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 143, 2008, "Third 2008 Planning Fund Budget Supplemental Appropriation for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 144, 2008, "Third 2008 Children Services Fund Budget Supplemental Appropriation for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 145, 2008, "Ninth 2008 Public Health Fund Budget Supplemental Appropriation for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 146, 2008, "Fifty-Fourth 2008 General Fund Budget Supplemental Appropriation for Retroactive Wage Increase and Retroactive Pension Adjustment"

August 12, 2008

First Readings

Ordinance Number 147, 2008, "2008 Library Fund Budget Revised Expenditures for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 148, 2008, "2008 Emergency Management Fund Budget Revised Expenditures for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 149, 2008, "2008 Drug & Alcohol Fund Budget Revised Expenditures for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 150, 2008, "2008 MH/MR Fund Budget Revised Expenditures for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 151, 2008, "2008 Health Choices Fund Budget Revised Expenditures for Retroactive Wage Increase and Retroactive Pension Adjustment"

Ordinance Number 152, 2008, "Amending Ordinance 126, 2006, 'Department of Public Health Establishment of License Fee and Regulation of Body Art Establishments'"

Ordinance Number 153, 2008, "2008 MH/MR Fund Budget Revised Expenditures to Downgrade Two Positions and Upgrade One Position"

Ordinance Number 154, 2008, "2008 Appointed Official's Salary Ordinance Vacated Part Time Assistant Public Defender Position"

Revision to FY
2005 CDBG

Mr. Smith gave a reading of Resolution Number 62, 2008, "Resolution Approving a Revision to Erie County's FY 2005 Community Development Block Grant Program." Mrs. Loll moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Revision to FY
2007 CDBG

Resolution Number 63, 2008, "Resolution Authorizing a Revision to Erie County's FY 2007 Community Development Block Grant Program." Mrs. Loll moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Exonerations
Adopted

Mr. Mitchell moved to adopt the following resolutions:

Resolution Number 64, 2008, "Exonerating Taxes on Five (5) Abandoned Trailers/Properties in Lake City Borough and Girard School District"

Resolution Number 65, 2008, "Exonerating Taxes on Three (3) Abandoned Trailers/Properties in LeBoeuf Township and LeBoeuf School District"

Resolution Number 66, 2008, "Exonerating Taxes on Twenty-One (21) Abandoned Trailers/Properties in the Girard School District"

Resolution Number 67, 2008, "Exonerating Taxes on Abandoned Trailers/Properties in Conneaut Township, Springfield Township, and the Northwestern School District"

Resolution Number 68, 2008, "Exonerating Taxes on Three (3) Abandoned Trailers/Properties in Wesleyville Borough and the Iroquois School District"

Mr. Leone seconded the motion, and it carried in a unanimous roll call vote.

August 12, 2008

Joseph Rodriguez
appt'd to RAFC

Mr. Leone moved to approve the appointment of Joseph Rodriguez to the Regional Assets Funding Committee. Mr. Foust seconded, and it carried in a unanimous roll call vote.

Amy Graves appt'd
To HRC

Mrs. Loll moved to approve the appointment of Amy Graves to the Human Relations Commission. Mr. Foust seconded, and it carried in a unanimous roll call vote.

Sale of Parcel Apprvd.

Mr. Leone moved approve the Sale of Parcel from Repository for Unsold Properties at Index Number: 49-020-044.0-020.28. Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Reimburse. Resolution
Of Cnty of Erie, PA
Adopted

Mr. Smith gave a reading of Resolution Number 69, 2008, "Reimbursement Resolution of The County of Erie, Pennsylvania" in its entirety. Mr. Mitchell moved to adopt; Mr. Foust seconded, and it carried in a roll call vote of 5-1-1, Mrs. Loll voting no and Mr. Leone abstaining.

Adjournment

There being no further business, the meeting was adjourned at 7:54 p.m.

Ann M. Bruno, Council Secretary
