

February 2, 2010 Minutes of Jan. 19, 2010 Reg.Mtg. apprvd. Agenda Amended. Alloc. Of Liq. Fuels to Correct Mileage Calc. adopted; PS Rev. Revenue & Expend. For Payment of Maint. Software Contract adopted; PH Revis. Rev. for Nurse Family Partnership adopted;. First Rdgs: PH Revis. Rev. & Expen for H1N1; PH SA Immun. Grant for H1N1. Modification to Erie Cnty 2009 CDBG "R" Prgrm adopted. Appt. Council Solicitor to Adjudicate Rights of Certain parties Under Local Agency Law adopted. Intergov. Rel. Spec. in CE Ofc failed.

ERIE COUNTY COUNCIL – Regular Meeting

Dr. Foust, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 p.m. in the Erie County Council Caucus Room, Erie County Courthouse, Erie, Pennsylvania. Following the Pledge of Allegiance, the County Clerk called the roll:

Members Present: Dr. Foust, Chairman
Mr. Beeman
Mr. Cleaver
Mr. Fatica
Mr. Giles
Mrs. Loll

Members Absent: Mr. Leone, Vice Chairman

Also Present: Douglas R. Smith, County Clerk
Thomas Talarico, Council Solicitor
Joseph P. Maloney, Council CPA
Jerry Mifsud, Director of Administration
Jim Sparber, Director of Finance
Sue Ellen Pasquale, Manager of Accounting

Dr. Foust acknowledged the presence of students from Gannon and Edinboro Universities at this evening's meeting.

Minutes Mr. Giles moved to approve the minutes of the January 19, 2010 Regular Meeting; Mr. Cleaver seconded and it carried in a unanimous roll call vote.

Finance Committee Mr. Fatica reported the Finance Committee met on Thursday, January 28, 2010 and agreed to place Ordinances 14, 15, 16, 17, and 18 on the agenda for first readings along with the possible adoption of Resolutions 3 and 4.

Personnel Committee Mrs. Loll reported that originally the Personnel Committee had no ordinances on the agenda, however, during Council's caucus decided to place Ordinance 13, 2010 on the agenda for a second reading and a vote.

Mr. Giles' Report Mr. Giles reported that the National Association of Counties hosted their Annual Justice and Public Safety Retreat from January 20-23. This involved people from the Department of Justice in Washington along with a variety of other providers regarding corrections and court issues. One of those days was spent with individuals from FEMA, and they were provided the *CEO's Disaster Survival Kit*, a common sense guide for local government chief executive officers. Mr. Giles provided County Executive Barry Grossman and Chip Love a copy of this document.

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NACo

NACo Justice and Public Safety Conference Report
NACo meeting in Bexar County focuses on justice issues

Counties are looking at innovative strategies to reduce jail populations across America

Alleviating overcrowding in the nation's county jails and state prisons was the focus of discussion during the National Association of Counties' (NACo) Justice and Public Safety (JPS) Steering Committee policy and strategy meeting Jan. 20-23 in Bexar County, Texas. The meetings were held at the Marriott River Center Hotel in San Antonio.

The annual policy and strategy meeting enables members of NACo's JSP committee to meet with national experts and discuss important criminal justice, public safety and homeland security issues on behalf of the nation's 3,068 counties. The JSP Committee is responsible for developing NACo policy in these areas. The committee is chaired by David Hudson, county judge, Sebastian County, Ark.

The meeting's keynote speaker was U.S. District Court Judge Jack Zouhary, Northern District of Ohio. Judge Zouhary discussed "Building Reentry Bridges" relating to the Second Chance Act. The legislation, along with the \$2 billion addition to the Byrne Justice Assistance Grant Program under the Recovery Act, provides assistance to counties and other state and local governments in developing evidence-based programs that will help enable persons leaving jail, prison or juvenile facilities to successfully re-enter their communities. He spoke on Thursday, January 21 at 10 a.m. in Conference Room 1-4.

Other featured guest speakers included Dan A. Naranjo, a nationally renowned Credited Distinguished Mediator (TMCA), and Dr. Allen T. Craddock, St. Mary's University Attorney-Mediator. Both spoke about effective strategies of using mediation by state associations of counties and state governments in designing win-win policies to lower jail and prison populations.

Related issues discussed included "justice reinvestment," which creates partnerships to lower jail and prison populations and takes the savings for making reinvestments in prevention, treatment, housing, and other re-entry services.

Justice reentry and reinvestment are JPS committee priorities this year. Through the committee's work, NACo will urge Congress to lower jail recidivism and reinvest the savings by reauthorizing the Second Chance Act, adopting companion legislation (Justice Reinvestment Act) that would reinvest savings from lowering jail populations into such areas as housing, education, prevention, job training, substance abuse and treatment.

According to the U.S. Bureau of Justice statistics, there are about 13 million admissions to county jails each year. And of that number about 700,000 to 800,000 individuals are committed to state prison. An estimated two-thirds of the inmates are in "pretrial status," meaning that they are being held without conviction at a great cost to local taxpayers. Further, statistics show that of all the unconvicted inmates, the majority (65 percent) are non-violent offenders and are prime candidates for effective pretrial services programs.

NACo believes the money counties spend holding non-violent, un-convicted people before their trial could be better spent on designing sophisticated pretrial systems that address the issues of public safety in the community.

Joe Giles reported the annual policy meetings of the JPS committee have been enormously helpful in shaping our policies based on the knowledge of committee members and some of the top experts in the country.

"NACo had a significant role in developing the re-entry and reinvestment legislation and making the case for a strong local government involvement and an expansion of pretrial services," Giles said. "Counties spend more than \$70 billion each year on criminal justice and billions more on health and human services, so even a small reduction in recidivism could produce billions of dollars in cost savings."

As part of the JPS committee meetings, committee members toured the Bexar County's two primary crisis jail diversion facilities for persons with mental illness and substance abuse (Jan. 20). These programs won the Gold Medal of the American Psychiatric Association.

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Mr. Giles'
Report

Mr. Giles further reported that the County Commissioners Association of Pennsylvania held its board meeting in State College on Thursday and Friday of this past week. This was a most eventful meeting because it was followed up with an interview with one of the candidates for Governor of Pennsylvania. As president of the association, Mr. Giles chaired the televised one and one-half hour interview with Joe Hoeffel. The set of interviews will be done in the same fashion with the same duplicated agenda for each of the gubernatorial candidates, and they will be televised on PCN during the next two months. Mr. Giles stated, as a cautionary note, that CCAP is a not for profit, non-partisan group and, therefore, does not make endorsements. However, a report is made to the membership, which body represents county commissioners or county elected officials in all 67 counties in Pennsylvania, so it does have some impact and persuasion with those within local government.

Mr. Giles also noted that he is one of the few people in the country serving on the National Association of Counties' Executive Board. A telephone conference is held every other Monday and during the last conference call, the staff reported that no one had submitted their name for second vice president. Mr. Giles explained there is a new system in NACo in which one must complete a four page candidate summary with information such as background, successes, interests, and philosophy about county government. Mr. Giles completed one of those forms and is now a candidate for second vice president for NACo. He reported this to the CCAP board and has received their support. There are approximately 22 people on that board from a variety of counties. Mr. Giles is excited about this opportunity, but anxious about the fact that it is a short term cycle. The election will take place during the annual meeting in mid July. However, having 28 years of NACo involvement and the Justice and Public Steering Committee, as well as having served on the board representing Pennsylvania for 14 years along with a variety of tasks, assignments, and roles, he feels comfortable going forward. In his 14 years or more of involvement, Mr. Giles has seen people jump in without the length or breadth of service or the years of experience connected to the organization. This would be the first time in the history of Pennsylvania, 125 years of CCAP, and 75 years of NACo there would be someone running for president for NACo, and hopefully successfully.

Dr. Foust's
Report

Dr. Foust reported that he attended the North East Chamber of Commerce annual meeting last week at Quincy Wine Cellars in Ripley, New York. Also last Thursday, Mr. Fatica and Dr. Foust were honored guests at a legislative luncheon. All members of Council were invited to discuss their views on the issues facing county government and the many challenges facing county government over the next 11 to 12 months. Dr. Foust noted it was a very good conversation and there was a mix of people asking questions, and hopefully, were provided good answers. Dr. Foust noted, as has been said over and over again, that the General Fund Budget is being managed quite efficiently and effectively. There are increasing pressures due to lack of state and federal funding to deliver services that county government is required to deliver. This year there will be approximately \$31 million less in grants from state and federal sources. This amounts to roughly 15 percent of the budget. This would be difficult for anyone, and Dr. Foust believes Council handled this situation as forthright as could possibly be done.

Later that evening, Dr. Foust also attended the awards dinner for the Economic Development Corporation. Most members of Council attended as well. He noted that Accuspec Electronics of Summit Township was named Employer of the Year, and Bay City Orthocare was named the Entrepreneur of the Year.

This morning, Dr. Foust attended the latest meeting of the stakeholders for the Airport Project. Dr. Foust reminded everyone that the County contributed, with interest, approximately \$25 million in gaming funds to help fund this particular project. Just about all of the land acquisition is complete, all the relocations are complete, and the first round of bids are set to go out in March. Roughly \$10 million in bids should be awarded in June, and the extension portion of the project, the second bid stage amounting to roughly \$31 million, will be awarded by next March. Dr. Foust noted that all state

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Dr. Foust's Report	grants are in place and no bad news is coming from the federal government as far as their particular share. It was said more than once how integral the county's contribution to this particular project has been. This project would not have gone forward without the backbone of this Council to vote for those issues to help move the airport project ahead.
Agenda Amended	<p>Mr. Giles moved to amend the agenda to add Ordinance Number 13, 2010 under Old Business and move Ordinances 17 and 18 to second readings. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.</p> <p>Dr. Foust advised members of the audience new to council meetings that first readings are not read in their entirety because they are not voted on. The ordinances read in full are second readings. Resolutions are read once and then voted on.</p>
First Readings	<p>Mr. Smith gave first readings of the following ordinances:</p> <p style="padding-left: 40px;">Ordinance Number 14, 2010, "2010 Liquid Fuels Fund Budget Revised Allocation Of Liquid Fuels Grant To Correct Mileage Calculation"</p> <p style="padding-left: 40px;">Ordinance Number 15, 2010, "2010 Public Safety Fund Budget Revised Revenue And Expenditures For Payment Of A Software Maintenance Contract"</p> <p style="padding-left: 40px;">Ordinance Number 16, 2010, "2010 Public Health Fund Budget Revised Revenue For Nurse Family Partnership Due To A Decrease In State Funding"</p>
H1N1 Grant Program	Mr. Smith gave a second reading of Ordinance Number 17, 2010, "2010 Public Health Fund Budget Revised Revenue And Expenditures For H1N1 Grant Program." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.
PH SA for H1N1 Immun. Grant	Mr. Smith gave a second reading of Ordinance Number 18, 2010, "First 2010 Public Health Fund Budget Supplemental Appropriation For The Immunization Grant For H1N1 And Creation Of New Line Items." Mrs. Loll moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.
Modif. To 2009 CDBG "R" Prgrm	Mr. Smith gave a reading of Resolution Number 3, 2010, "Resolution Authorizing A Modification To Erie County's 2009 Community Development Block Grant - "R" Program." Mr. Giles moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.
Appt. of Council Sol. To Adjud. Rights of Cert. Parties Under Local Agency Law	Mr. Smith gave a reading of Resolution Number 4, 2010, "Appointment Of Council's Solicitor To Adjudicate The Rights Of Certain Parties Under The Local Agency Law." Mr. Fatica moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.
Six Mo. Intergov. Rel. Prof. in CE Ofc Fails	Mr. Smith gave a second reading of Ordinance Number 13, 2010, "2010 General Fund Budget Revised Expenditures For A Six Month Intergovernmental Relations Professional In The County Executive's Office." Mr. Giles moved to adopt; Mr. Cleaver seconded.

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Dr. Foust's
Comments

Dr. Foust stated that he believes this is an unnecessary step. The administration has withdrawn the job; the person who was to fill the position has withdrawn his name. Council wants to move this off their agenda, yet, it is being put back on the agenda. He believes this is setting a bad precedent in trying to cooperate with the County Executive during a very tough budget year. Dr. Foust feels the County Executive, in many ways, was doing Council a favor. There wasn't support for this particular job and he withdrew the request as a result. Now Council wants to show him what they're really made of, and this is disappointing to Dr. Foust.

Dr. Foust called for a vote on Ordinance Number 13, 2010, and it failed in a roll call vote of 0-6.

Adjournment

There being no further business, the meeting adjourned at 7:20 p.m.

Ann M. Bruno, Council Secretary
