

**BUSINESS SESSION
BLAIR COUNTY BOARD OF COMMISSIONERS
PARTICIPATION BY TELEPHONE CONFERENCE ONLY
TUESDAY, JULY 14, 2020, 10:00 A.M.**

**Public meetings are being held by conference call while the county is under the Governor's Green Phase of reopening. To participate in the meeting please dial 1-408-419-1715 or 1-408-915-6290 and enter meeting number 2468097683#*

1. CALL TO ORDER
2. MOMENT OF SILENT REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. APPROVAL OF MINUTES – 06/09/2020
5. EXECUTIVE SESSION ANNOUNCEMENT
6. PUBLIC COMMENT
7. UPCOMING MEETINGS

Wednesday, July 15, 2020	10:00 a.m.	*Board of Assessment Appeals
	10:00 a.m.	Southern Alleghenies Planning and Development Commission (Contact Commission re: mtg. method)
Thursday, July 16, 2020	8:30 a.m.	*Prison Board
	10:00 a.m.	*Records Improvement
Friday, July 17, 2020		
Monday, July 20, 2020	7:30 p.m.	Conservation District Meeting (Contact District re: mtg. method)
Tuesday, July 21, 2020	10:00 a.m.	*Commissioner Work Session
Wednesday, July 22, 2020	3:00 p.m.	Blair HealthChoices Board Mtg. (Contact agency re: mtg. method)
Thursday, July 23, 2020	10:30 a.m.	*Salary Board
	11:30 a.m.	Blair Senior Services Board Mtg. (Contact agency re: mtg. method)
Friday, July 24, 2020		
Monday, July 27, 2020		
Tuesday, July 28, 2020	10:00 a.m.	*Commissioners Business Session

8. COMMISSIONERS COMMENTS
9. CONSENT AGENDA

Resolution 289-2020:

- a. Payment of three (3) Warrant Lists dated 07/10/2020, in the amounts of \$183,800.73 #200714CY; \$949,776.69 #200714MW and \$92,183.82 #200714SS, which include payment of the following invoices:
 - UPMC Altoona, in the total amount of \$27,669.66.
 - **2017 Project Fund/Bond/Courthouse & Prison Roof Projects:** J. M. Young & Sons, Inc., Application #3, Final, in the total amount of \$20,592.40.
 - **2017 Project Fund/Bond/Courthouse Interior Alterations & HVAC Project:** K & K Plumbing Co., Inc., Application # 3, Final, in the total amount of \$2,492.92; and Marc Service, Inc., Application #16 in the amount of \$900.00 and Application #17 Final, in the total amount of \$77,100.29.
- b. Ratification of the following nine (9) Warrant Lists as listed below:

EFF DATE	REFERENCE	AMOUNT
07/09/2020	200707CO	-11,106.51
07/09/2020	200707PR	-1,830.00
07/10/2020	200710HR	-1,053.67
07/07/2020	200707FS	-2,662.97
07/03/2020	200703WC	-6,003.46
07/10/2020	200710HR	-5,216.92
07/01/2020	200701HI	-528,997.12
07/03/2020	200703HR	-5,790.55
07/01/2020	200701WC	-6,250.00

- c. **2020 Budget Transfer:** June 2020 charges received from Justifacts, Inc.

From	\$	To	
01101GCO-42000 General County Operations	\$249.30	012011-42000 APO	
01101GCO-42000 General County Operations	\$122.85	013201-42000 CYF	
01101GCO-42000 General County Operations	\$179.85	01160-42000 Custody Office	
01101GCO-42000 General County Operations	\$122.85	01160TS-42000 Judge Sullivan	
01101GCO-42000 General County Operations	\$215.70	01158-42000 District Attorney	
01101GCO-42000 General County Operations	\$111.25	08607-42000 Fort Roberdeau	
01101GCO-42000 General County Operations	\$128.85	01161MD-42000 MDJ Dunio	
01101GCO-42000 General County Operations	\$116.85	01161FM-42000 MDJ Miller	
01101GCO-42000 General County Operations	\$682.80	01209PO-42000 Prison	
01101GCO-42000 General County Operations	\$116.85	01153-42000 Prothonotary	
01101GCO-42000 General County Operations	\$101.25	01151-42000 Sheriff	
01101GCO-42000 General County Operations	\$116.85	01603-42000 Veterans' Affairs	

- d. **2020 Budget Transfer:** May 2020 charges received from McNeese Wallace.

From	\$	To
01101GCO-44080 General County Operations	\$114.00	01103HW-44080 Highway
01101GCO-44080 General County Operations	\$3391.50	01105-44080 Human Resources
01101GCO-44080 General County Operations	\$1225.50	01105718-44080 Human Resources
01101GCO-44080 General County Operations	\$1396.50	01101-44080 Commissioners
01101GCO-44080 General County Operations	\$342.00	013201-44080 CYF
01101GCO-44080 General County Operations	\$85.50	011061-44080 Elections
01101GCO-44080 General County Operations	\$627.00	01105-44080 Human Resources
01101GCO-44080 General County Operations	\$1767.00	01157-44080 Public Defender
01101GCO-44080 General County Operations	\$1282.50	013201-44080 CYF
01101GCO-44080 General County Operations	\$550.00	01101-440880 Commissioners

- e. **2020 Budget Transfer:** Enhanced cyber security for remote work to be reimbursed through a PCoRP Grant:

From	\$	To
01101-46040-Commissioners	\$19,626.92	01117-42080-IT

- f. **Blair County Bridges #70/County Road 101 over South Poplar Run:** Requesting approval for payment of ECMS submission Invoice #7, Part 5, received from Keller Engineers, in the total amount of \$14,835.72, for Preliminary Design for County Road 101, Bridge over South Poplar Run, Rehabilitation Project. Expense is 100% reimbursable through the Road Map.
- g. **Blair County Bridges #82/Monastery Road:** Requesting approval for payment of Invoice #8, Part 1, received from Keller Engineers, in the total amount of \$4,787.93, for Preliminary Design for the Monastery Road Bridge over Frankstown Branch of Juniata River Rehabilitation Project. Expense is 100% reimbursable through the Road Map.
- h. **Blair County Bridge #67/West Loop Road:** Requesting approval for payment of Invoice #11, Part 1, received from Keller Engineers, in the total amount of \$18,849.42, for Preliminary Engineering for the West Loop Road Bridge Replacement Project. Expense is 95% reimbursable and will be paid from Marcellus Shale Legacy Funds.
- i. **Blair County Bridge #10/Friesville:** Requesting approval for payment of ECMS submission Invoice #1, Part 3, received from Keller Engineers, Inc., in the total amount of \$3,005.23, for Construction Services for the Bridge #10/ Friesville over South Poplar Run, Rehabilitation Project. Expense is 95% reimbursable and will be paid from Marcellus Shale Legacy Funds.
- j. **NBIS Bridge Inspection and Inventory:** Requesting approval of Invoice #36, received from Stiffler McGraw, in the total amount of \$1,648.30 as follows: Bridge #48, Irish Flats Lane over Little Juniata River, \$627.40; County Road 101, Bedford Street over South Dry Run, \$1,012.84 and Mileage, \$8.06. Expenses will be paid out of the Act 44 Reserve Account (No. 059) and are 80% reimbursable.
- k. **Corrections to Resolution 279-2020 Consent Agenda dated July 7, 2020:**
Employment: Lindsay M. Dempsie, FT, Temporary, Department Assistant, Social Services, \$25.00/hr., effective 07/06/2020 (unable to accept employment), and Donna Givler, FT, District Court Administrative Staff (not Administrative Assistant as listed on consent agenda.)
- l. **Employment:** Joseph P. Bequeath, Temporary, Custodian, Public Works, \$14.42/hr., effective 07/13/2020; Kristy L. Harr, FT, Clean & Green Specialist, Assessment, \$20,905.54/yr., **effective 07/20/2020**; Nicole A. Roland, Seasonal, Tour Guide, Fort Roberdeau, \$10.00/hr., effective 07/13/2020; Kendra A. Gallina, from FT, Accounts Payable Specialist, Controller \$11.02/hr., to Temporary Department Assistant, Controller \$11.02/hr., effective 07/11/2020.
- m. **Resignations:** Esther A. Myers, FT, Receptionist, Court Administration, \$10.25/hr., effective 07/10/2020; Derek V. Carlins, PT, EMA and Hazmat Planner, EMA, \$17,242.16/yr., effective 07/10/2020; and Austin W. Shuey, FT, Sheriff's Deputy, Sheriff's Office, \$15.01/hr., effective 07/10/2020.

10. UNFINISHED BUSINESS:

Adoption of Resolutions:

Resolution 290-2020: A resolution approving the seeking of loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, such deferment being \$324,000.00 of Blair County's portion of Boscov's Section 108 Loan.

Resolution 291-2020: A resolution approving an Affordable Housing Trust Fund Program Disbursement in an amount up to \$10,000.00 to be equally matched by TEAM Effort for the renovation of low and moderate-income homes in the County of Blair during the summer of 2021.

Resolution 292-2020: A resolution approving a FY 2020 Department of Community and Economic Development (DCED) Emergency Solutions Grant (ESG) Award in the amount of \$282,589.00 and authorization for Jim Hudack to certify and sign all payment requests as permitted by DCED and for the Board of Commissioner's to e-sign the said grant award contract.

Resolution 293-2020: A resolution approving the payment of the Patient-Centered Outcome Research Institute (PCORI) Fee for plan year ending 03/31/2019, in the amount of \$1,960.88.

11. OLD BUSINESS:

Valley View Park:

Discussion concerning use of Valley View Park and the waiving of fees for use to conduct the 1st Annual Youth Day from 1 pm to 5 pm on Saturday, August 8, 2020, sponsored by local resident Kendel Butler, Jona Bittner, and the Altoona Police Department.

Prothonotary:

Requesting approval of a quote received from T2B Commercial Interiors for the purchase of 20, Model 4900C Natick Black Configurable Task Chairs, in the total amount of \$5,246.60. (AIS NCPA Contract NCPA07-16)

12. NEW BUSINESS:

Department of Social Services:

Requesting approval of the Blair County Human Services Block Grant Annual Plan for FY 2020/2021.

Trump et. al. Litigation in Western District of Pennsylvania

Requesting approval to sign an engagement letter retaining Babst, Calland, Clements and Zomnir, with Exhibits A: Counties Participating in Representation and Exhibit B: Hourly Rates of Attorneys, for the litigation filed in the United States Western District Court titled Donald J. Trump for President, Inc. et. al vs. Kathy Boockvar et. al.

Pennsylvania Democratic Party et. al. Litigation in Commonwealth Court of Pennsylvania

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13. ADJOURN:

BUSINESS SESSION: TUESDAY, JULY 14, 2020, 10:00 A.M.

Location Participation by telephone conference only.

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Call to Order:

Commissioner Erb called the meeting to order.

Moment of Silent Reflection:

Commissioner Erb called for a moment of silent reflection.

Pledge of Allegiance to the Flag:

Commissioner Erb requested that those attending stand and recite the Pledge of Allegiance to the Flag.

Roll Call Members Present:

Commissioner Erb, Commissioner Burke, Commissioner Webster, Chief Clerk Hemminger and Solicitor Karn.

Roll Call Others Present:

Melissa Harpster (Commissioners Office), Jim Ott (Sheriff), Jenn Sleppy and Sarah Chuff (Finance), A. C. Stickel (Controller), Christina Stacey and Jim Hudack (Social Services), Kay Stephens (Altoona Mirror), Helen Schmitt (Public) and Robin Patton (Prothonotary).

Approval of Minutes:

Commissioner Erb called for corrections or changes to the meeting minutes of 06/09/2020.

There were no corrections or changes noted.

Motion by Commissioner Burke, seconded by Commissioner Webster and unanimously approved to accept the minutes as prepared.

Executive Session Announcement:

Chief Clerk Hemminger announced that today, July 14, 2020, beginning at 8:50 a.m., Commissioners Erb, Burke and Webster, Solicitor Karn, Director of Elections Seymour as well as herself, met in Executive Session to discuss the Donald J. Trump for President, Inc. et. al vs. Kathy Boockvar et. al and the Pennsylvania Democratic Party et. al vs. Kathy Boockvar et. al pending lawsuits.

Public Comment:

Commissioner Erb called for public comment.

Kay Stephens, Altoona Mirror Reporter, stated that if public meetings continue to be conducted via telephone conference, she would like the Board to consider allowing public participants video access in addition to telephone access into meetings.

Upcoming Meetings:

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Tuesday, July 28, 2020	10:00 a.m.	*Commissioners Business Session

Commissioners Comments:

Commissioner Erb called for commissioners comments.

Commissioner Webster – no comments noted.

Commissioner Burke announced that today is Bastille Day.

Commissioner Erb – no comments noted.

Consent Agenda:

Resolution 289-2020:

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Commissioner Erb noted his abstention due to a conflict of interest on the payment of invoices to UPMC Altoona.

Motion by Commissioner Burke, seconded by Commissioner Webster and unanimously approved to adopt Resolution 289-2020 with abstention as noted.

Unfinished Business:

Adoption of Resolutions:

Resolution 290-2020: A resolution approving the seeking of loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, such deferment being \$324,000.00 of Blair County's portion of Boscov's Section 108 Loan.

Chief Clerk Hemminger stated that all documents have been reviewed by Solicitor Karn and are ready for execution.

Motion by Commissioner Webster, seconded by Commissioner Burke and unanimously approved to adopt Resolution 290-2020.

Resolution 291-2020: A resolution approving an Affordable Housing Trust Fund Program Disbursement in an amount up to \$10,000.00 to be equally matched by TEAM Effort for the renovation of low and moderate-income homes in the County of Blair during the summer of 2021.

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Resolution 292-2020: A resolution approving a FY 2020 Department of Community and Economic Development (DCED) Emergency Solutions Grant (ESG) Award in the amount of \$282,589.00 and authorization for Jim Hudack to certify and sign all payment requests as permitted by DCED and for the Board of Commissioner's to e-sign the said grant award contract.

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Motion by Commissioner Erb, seconded by Commissioner Burke and unanimously approved to adopt Resolution 293-2020.

Old Business:

Valley View Park:

Commissioner Webster presented discussion concerning use of Valley View Park and the waiving of fees for use to conduct the 1st Annual Youth Day from 1 pm to 5 pm on Saturday, August 8, 2020, sponsored by local resident Kendell Butler, Jona Bittner, and the Altoona Police Department.

Commissioner Webster stated that several requests had been made to Kendell Butler, Jona Bittner and the Altoona Police Department to participate in the Commissioners Meeting both last Tuesday, July 7 and today; however, there has been no participation by any of the event organizers.

Commissioner Webster stated it was anticipated that with their participation in a commissioners meeting some of the concerns raised with conducting such a large event during the COVID-19 Pandemic could have been addressed. She stated some of the Park and Recreation Advisory Board Members concerns relate to conducting such a large crowd gathering event and being able to maintain proper social distancing guidelines, maintaining attendance of less than 250 people, obtaining security for a large event, liability insurance coverage concerns, etc.

Commissioner Webster stated that since the event organizers have not followed through with participating in a meeting, she feels their request warrants no further discussion as this time, and that without a resolve and the adoption of a Resolution approving their request, the event cannot be held at Valley View Park.

Discussion followed.

Prothonotary:

Chief Clerk Hemminger presented discussion concerning the a quote received from T2B Commercial Interiors for the purchase of 20, Model 4900C Natick Black Configurable Task Chairs, in the total amount of \$5,246.60. (AIS NCPA Contract NCPA07-16)

Chief Clerk Hemminger stated that Prothonotary Patton was able to work with the county's purchasing department to obtain a comparable chair to the one quoted for the Prothonotary Office to try out. Mrs. Hemminger stated that the comparable chair is in the price range of approximately \$80.00 per chair vs. \$262.00 per chair as quoted by T2B Commercial Interiors.

Chief Clerk Hemminger stated that for the time being, no action will be taken on the quote received from T2B Commercial Interiors however, should the need arise, the item can be placed on a future agenda for further discussion.

Discussion followed.

New Business:

Department of Social Services:

Jim Hudack requested approval of the Blair County Human Services Block Grant Annual Plan for FY 2020/2021.

Mr. Hudack stated that the submission of the Human Services Block Grant Annual Plan is an annual requirement of the state and is a collaborated effort of the Department of Social Services, Intellectual Disability Services, Human Services, Mental Health Services, Drug, and Alcohol to consolidate the services into one annual plan.

Mr. Hudack stated that the plan had a submission return date of July 20, 2020; however, he has requested and received an extension to the submission date.

Discussion followed.

Trump et. al. Litigation in Western District of Pennsylvania

Solicitor Karn requested approval to sign an engagement letter retaining Babst, Calland, Clements and Zomnir, with Exhibits A: Counties Participating in Representation and Exhibit B: Hourly Rates of Attorneys, for the litigation filed in the United States Western District Court titled Donald J. Trump for President, Inc. et. al vs. Kathy Boockvar et. al.

Pennsylvania Democratic Party et. al. Litigation in Commonwealth Court of Pennsylvania

Solicitor Karn requested approval to sign an engagement letter retaining Babst, Calland, Clements and Zomnir, with Exhibits A: Counties Participating in Representation and Exhibit B: Hourly Rates of Attorneys, for the litigation filed in the Commonwealth Court of Pennsylvania titled Pennsylvania Democratic Party et. al vs. Kathy Boockvar et. al.

Solicitor Karn stated that litigation was recently filed in the United States Western District Court titled Donald J. Trump for President, Inc. et. al vs. Kathy Boockvar et. al. The lawsuit questions the state's vote-by-mail process and procedures, as well as voters being permitted to drop off completed ballots at collection sites instead of being permitted to deliver them directly to the county election offices.

Solicitor Karn stated that the county was made aware of a second lawsuit that was filed Monday in the Commonwealth Court by the Pennsylvania Democratic Party. This lawsuit also questions the state's vote-by-mail process and procedures and seeks court rulings that, in some of the cases, counter requests in the Donald J. Trump for President, Inc. lawsuit.

Solicitor Karn stated that Blair County's process and procedures conducted with the June 2, 2020 primary election were "transparent, fair and accountable."

Solicitor Karn requested approval for Commissioner Erb to sign an engagement letter retaining Babst, Calland, Clements and Zomnir to represent the County with the two-2 lawsuits. He stated that the firm provides legal services for Centre County with headquarters located in Pittsburgh, PA. He stated that the counties of Centre, Bedford, Columbia, Dauphin, Fayette, Indiana, Lackawanna, Mercer, Northumberland, Union, as well as Blair are uniting to address the lawsuits in both federal and state courts. Costs of the engagement will be shared by the uniting counties.

Discussion followed.

Resolution 294-2020: A resolution approving Engagement Letter between the County of Blair retaining Babst, Calland, Clements and Zomnir, with Exhibits A: Counties Participating in Representation and Exhibit B: Hourly Rates of Attorneys, for litigations filed as follows:

1. United States Western District Court titled Donald J. Trump for President, Inc. et. al vs. Kathy Boockvar et. al.
2. Commonwealth Court of Pennsylvania titled Pennsylvania Democratic Party et. al vs. Kathy Boockvar et. al.

Motion by Commissioner Erb, seconded by Commissioner Burke and unanimously approved to adopt Resolution 294-2020.

Meeting Adjourned,

Nicole M. Hemminger, Chief Clerk