

Wednesday, March 5, 2014

The first regular meeting of March of the Pike County Commissioners was called to order by Commissioner Caridi at 9:00 a.m. at the Pike County Administration Building, followed by the "Pledge of Allegiance" to the flag. An opening prayer was offered by Deacon John Babbitts of Emmanuel Lutheran Church.

PRESENT: Commissioners Caridi and Osterberg; Chief Clerk Orben; Solicitor Farley.

NOT PRESENT: Commissioner Caridi.

Public Comments/Questions concerning today's agenda.

Presentation of Certificate of Appreciation to Donald Benjamin Van Steenburgh III for his 26 years of service as Public Defender.

Senator Lisa Baker presented a Citation from the Senate of Pennsylvania to Lieutenant John J. Flynn for 30 years of dedicated service to Pike County.

Senator Lisa Baker gave a presentation on Veteran Programs offered by the Commonwealth. There is a Veteran's Service Officer Program that provides a network of assistance through veterans' organizations. This year in the budget, Governor Corbett has proposed \$2.3 million for Veteran's Service Outreach. A new driver's license for veterans was unveiled yesterday with the word "veteran" and the American flag on it. A Veteran's Trust fund was created about a year ago which will also help to provide outreach to veterans. A license plate with a bald eagle and American Flag honoring veterans is now available, and PennDot will transfer \$15.00 of the fee for that license into the Veteran's Trust Fund. In addition, donations can be made to the Trust Fund by checking off the donation box on license and registration renewals. Senator Baker brought information packets which she left for the press and public.

Sheriff Philip Bueki publicly thanked Senator Baker for her efforts in passing the Sheriff Training Bill which states that anyone running for Sheriff needs to be a certified law enforcement officer. Sheriff Bueki presented Senator Baker and Harry Forbes, Representative to the Governor, with a 200th Anniversary Sheriff's Coin.

Dave Weber, Senator Marino's representative, spoke about the new Veteran Administration Contract with Wayne Memorial Hospital. Mr. Weber stated that this will enable veterans to go to the Wayne Memorial Health System in the Stourbridge Mall for their basic needs instead of the VA clinic in Wilkes-Barre. They should be open sometime this year. Further efforts will be made to include other clinics of the Wayne Memorial Health System.

Jack Boyle and Theresa Butler, owners of Middletown Community Health Center in Milford, were present at the meeting. Ms. Butler stated that the Health Center is federally qualified as a health center and is also looking to build a partnership with local hospitals for uninsured and underinsured individuals. They have also engaged in a contractual relationship with the VA Subcontract Committee. They will be able to accept veterans into the health center for all types of services. They provide internal medicine, pediatrics, ob/gyn and additional services.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to approve the March 5, 2014 Agenda.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to approve the February 19, 2014 Commissioners' Meeting Minutes.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to approve the February 19 and 26, 2014 Conference Minutes.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to approve payment from **GENERAL FUND (County Bills)**, in the amount of \$185,062.78, subject to further review.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to approve payment from **CAPITAL RESERVE FUND (Shohola Complex renovations)**, in the amount of \$14,477.00.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to approve payment from **ACT 8 FUND (ESRI-ARC GIS)**, in the amount of \$13,328.00.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to approve payment from **HOTEL TAX FUND (Court Filing Fee-Bushkill Inn)**, in the amount of \$131.00.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to approve payment from **PC EMPLOYEES HEALTH INSURANCE FUND**, in the amount of \$85,033.58.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to approve exonerations as presented by Cynthia Gehris, Tax Claim Bureau Director, for a property in Greene Township and a property in Lackawaxen Township.
VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

PERSONNEL:

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to hire **TIMOTHY KNAPP**, as a full time Operations Training Director/Facility Director of the Pike County Training Center, for a 40 hour work week, effective March 3, 2014, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

George Beodeker, Acting Emergency Management Coordinator, introduced Timothy Knapp, currently Assistant Chief of Forest Fire Company, with over 25 years of service to emergency services. Mr. Knapp has already reached out to the high schools to get volunteers for emergency services. There have been a number of younger individuals who are now training at the Training Center. Mr. Knapp commented that last April a Junior Week program was held, which will again be held this April, in the hopes that it will expand to a monthly program. This was an in-County course with 62 young people participating. This was held again in November with 54 young adults attending. The goal for the next Junior Week is to have 80 young adults. The Commissioners stressed the importance of recruiting volunteers and also having a Training Center. Senator Baker also commented on the funding and programs for emergency services.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to hire **KATE LARKIN** and **NICOLE FABIAN**, as full time Dispatchers for the Communications Center, for a 40 hour work week, effective March 12, 2014, with benefits after 90 days. These are replacement positions.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to hire **VINCENT CORDOVA**, as a full time Watershed Specialist for the Conservation District, for a 40 hour work week, effective March 3, 2014, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to hire **WILLIAM ERDMAN**, as a full time Resource Conservationist for the Conservation District, for a 40 hour work week, effective March 17, 2014, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to hire **LAURA ORBEN**, as a full time Clerk for the Penn State Extension Office, for a 37 ½ hour work week, effective March 10, 2014, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to acknowledge receipt of a letter from Warden Lowe advising that he has transferred, with Prison Board approval, **WILLIAM DE LEEUW**, from Plumber to Waste Water Treatment Operator at the Correctional Facility, effective March 3, 2014, at his current rate of pay. This is a replacement position.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to change the Plumber position to a Maintenance position at the Correctional Facility, effective March 3, 2014.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Osterberg, to acknowledge receipt of a letter from Warden Lowe advising that he has hired, with Prison Board approval, **JAMES D'UVA** and **THEODORE WETZEL**, to fill the full time Maintenance positions at the Correctional Facility, for a 40 hour work week, effective March 3, 2014, with benefits after 90 days. These are replacement positions.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

Motion: by Commissioner Osterberg and seconded by Commissioner Caridi, to recess the Commissioners' Meeting to hold a Salary Board Meeting.

Vote: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

A SALARY BOARD MEETING WAS HELD.

Motion: by Commissioner Osterberg and seconded by Commissioner Caridi, to reconvene the Commissioners' Meeting.

Vote: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

OLD BUSINESS:

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to open bids received for the CDBG Broad Street Parking Lot Project in Milford Borough.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

Solicitor Farley opened the following bids:

<u>Contractors</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
Morgan Site Contractors	\$45,530	\$38,240
E.R. Linde Construction	\$32,375	\$32,375
Wayco, Inc.	\$30,340	\$27,228.30
Pioneer Construction	\$27,800	\$18,780

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to table the bids received for the CDBG Broad Street Parking Lot Project in Milford Borough for review until March 19, 2014.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

NEW BUSINESS:

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to advertise for Letters of Interest and Statements of Qualifications from consulting engineers to perform NBIS Bridge Safety Inspections in Pike County.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to advertise for bids for the sale of a 2002 Ford Econoline Club Wagon, VIN #1FBSS31S32HA47911, with 73,583 miles, AS IS, for a minimum bid of \$600.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to execute the Community Development Block Grant Contract between DCED and the County of Pike, in the amount of \$249,591.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to authorize the Chairman to execute the payment voucher for the March 2014 rental assistance subsidy from Delaware Run in the amount of \$1,820, on behalf of the Human Development Office.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to authorize the Chairman to execute the Housing Rehabilitation Lien, on behalf of the Human Development Office.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to authorize the Chairman to execute the Juvenile Court Judges' Commission 2013/14 Grant-In-Aid Award Notification/Invoice in the amount of \$130,804, on behalf of the Juvenile Probation Office.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to authorize the Chairman to execute the DPW Renewal Application for Existing Certificate of Compliance on behalf of Children & Youth Services.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to execute the Certification Statement FY 2013/14 Second Quarter Report on behalf of Children & Youth Services.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to execute the Purchase of Service Agreement FY 2013/14 between Commonwealth Clinical Group and the County of Pike, on behalf of Children & Youth Services.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to execute, with Prison Board approval, the Intergovernmental Agreement between the County of Wayne, on behalf of the Wayne County Correctional Facility, and the County of Pike, on behalf of the Pike County Correctional Facility.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Motion carried.

MISCELLANEOUS:

Carla Medura, Penn Dot, gave an update on the Interstate 84 reconstruction project, which will be from Exit 46 to the New York state line. This is also in conjunction with the reconstruction of the bridge across the river with NY DOT. Penn Dot will be concentrating on the westbound lanes this year. There are also four bridges that are involved. Currently, traffic concerns are being looked at. Notifications will be offered through websites, emails, etc. Funding has already been appropriated for this project. Message boards and highway advisory radios will notify motorists of delays.

Peter Wulfhorst, Penn State Extension, and MaryAnn Keegan and Chris Schlagel, representatives of the Pocono Source Water Protection Collaborative presented information on the source water protection. MaryAnn Keegan gave an overview on the importance of protecting the sources of drinking water during this presentation. Sheriff Bueki commented that the drug take-back program is now available from Monday to Friday at the Sheriff's Office. This will also aid in protecting the drinking water by eliminating the improper disposal of drugs. Peter Wulfhorst announced that the Collaborative is holding an informational meeting on March 22, 2014 at 9:00 a.m. at the Pike County Training Center.

Questions and comments were opened to the Public and the Press, which included further discussion on the Courthouse Expansion.

Bill Kiger, representing Concerned Pike Taxpayers, commented that the word "Taxpayers" was added to the name of the informal group of more than 50. The group has discussed a number of aspects that they are concerned with in terms of the Courthouse expansion project. He said 'the more they look at it, the more they see the total size of this project, dollar wise, possibly is not totally justified.' The reason they added "taxpayers" is because they are all taxpayers in the County. He questioned whether the Board of Commissioners rethought slowing down the project and engaging with the group in some of these aspects and come up with what they feel is a better community solution. Commissioner Caridi said that they have received estimates and contracts from Verizon, but they are waiting for Orange & Rockland for costs. The Commissioners do not have the legal justification from Orange & Rockland for the position that they have taken concerning the County having to incur that expense. Solicitor Farley stated that that relates to the cost to actually redo the Verizon lines. Verizon's position is that the line that runs between the alley way is "their connection to the world". Verizon also stated that to move the line either up, over and back, or underneath is anywhere from \$450,000 to \$550,000. Solicitor Farley said that what he did in order to avoid being in court for five years, is researched Superior Court cases that detail this. The standard is that if it is in the right-of-way, the County may be able to force Verizon to pay the cost. Instead of having a judge decide this, Solicitor Farley sent the documentation to Verizon and explained it for them with the mentioned cases. He did the research for them and told them what he found. He asked what the cost would be and what their position is on who is paying the cost. The Commissioners and Solicitor are still waiting for an answer from Verizon. Solicitor Farley expressed that they are waiting for all the information to make a final decision. At this point the only key piece that they have received is that the cost will be between \$450,000 and \$550,000 for moving that line. This is from a letter in writing from Verizon and a contract from Verizon stating that cost. Several emails have been sent regarding who is paying for the line move.

Bill Kiger said that another concern is the analysis of a number of alternatives. Putting the courthouse on the alley behind the present courthouse is one alternative. Are there other alternatives saving the Kenworthy House, attaching it to the new proposed construction? Commissioner Caridi responded by reminding Mr. Kiger that that was addressed at the previous meeting with Engineer Mike Lamoreaux, where Mr. Lamoreaux said it was impractical to try to utilize the Kenworthy Building for judicial space and offices. Commissioner Caridi stated that he does not think that it meets AOPC standards and guidelines. One of the alternatives was to move the Kenworthy building to save the structure. Commissioner Osterberg said that was still on the table, to offer two lots next to the columns and give the building to the Preservation Trust of Pike County with a caveat that says when and if they ever sell the property and the building, the County would have to be paid back whatever the lots are worth. The Commissioners already offered for the building to be moved. The Commissioners also offered \$40,000 upon somebody bidding on it. Those offers are still on the table now, and if it is desired to be kept on Broad Street, the Commissioners will offer the lots. It is not the role of the Commissioners to give away County assets to any non-profit group, but sometime in the future, when and if the property is sold, the County would be reimbursed.

Bill Kiger said that the concern is that the Kenworthy House is not expendable because it is an icon on the main street and to move it would totally take it out of context. They would like to see some documentation on why the Kenworthy house cannot be adapted and connected to a reduced proposed project. Commissioner Osterberg said that question was asked last meeting and answered by Mike Lamoreaux, who is the expert and understands his profession very well, and now the group wants the Commissioners to pay him to give the same results of what he said. Mike gave his honest opinion which was that the building is not functional and not an adaptable reused building for County functions.

Someone from the audience said that at the last meeting the Commissioners said that the group could find an outside engineer to take a look, and so they did that due diligence. Some of them have expressed that an extension could be built out the back of the Kenworthy building. He accepts that the Kenworthy building is not suitable, but questioned whether the Commissioners considered actually adding a structure that replicates it with contemporary materials that are fireproof that looks like the Kenworthy but extends it back and gives the same square footage footprint that the County is seeking for the Jail, but somehow fits into the historic look of the area. Commissioner Caridi said that they would not get another engineer, but would be willing to look at architects that have some experience in trying to make it more palatable to the community. Mike has already looked at that scenario and it would necessitate the purchase of an expensive piece of property and Commissioner Osterberg's opinion is that the commercial district would be moved into the residential district. Commissioner Osterberg read the minutes from the previous meeting because the same issues are being rehashed. ... "how much it would cost to incorporate the Kenworthy building into the proposed expansion without moving or demolishing it. Mike Lamoreaux, the County's Engineer, stated that this could be done but it would need to be a 4 story building connected to the back of the courthouse with fire suppression issues interfacing with a "timber building". Also, putting two stories underground could be done but the costs would be excessive" Commissioner Osterberg said he had no objection to answering questions but not questions that have already been asked and answered. Commissioner Osterberg asked if they wanted to hire Mr. Lamoreaux, do all these analysis, do every design possible and spend tens of thousands of dollars on engineering studies, instead of the practical way of moving forward by just moving the building. The same person said that he was suggesting that the group do that and present it to the Commissioners, and not that the County take it on as an addition. He also said that it was stated in the last meeting that "if you want to do that study, you go ahead and do it." Commissioner Caridi said that they do have the freedom to do that. The person said that 'yes', they are going to try to do that.

Dick Snyder said that Commissioner Wagner, at the last meeting, suggested that the group get their own engineer, which they have done. They also have obtained an architect. He asked if the Commissioners were willing to authorize McGoey, Hauser to cooperate with their engineer and architect by providing some basic information such as surveys, etc. so that

they do not have to go through the Freedom of Information Law. Solicitor Farley said that it is not called Freedom of Information Law, but the Right to Know Law. The Right to Know Law, about 5 years ago, has changed drastically in the right direction so citizens can get almost any information. Solicitor Farley said that the engineer will have to say exactly what he wants, and Solicitor Farley will then give the request to Mike Lamoreaux, because he is entitled to protect his work product as an engineer. Solicitor Farley said that he cannot force McGoey, Hauser & Edsall to breach contracts with the County or give documents that Mike believes is a work product. As an example, Solicitor Farley said, that as an attorney, there are certain thought processes that he does for trials and work which are his and the clients. He does not have to give that up. He has to give up his pleadings, the work that was recorded as record. He does not know what Mike will say is work product, but to protect everyone involved, the engineer needs to fill out the Right to Know request. He will review with Mike and respond to each and every one. If there is something specifically that he cannot give, he will give the reason why under the Right to Know law. An appeal can be made to the hearing officer in Harrisburg. Information will not just be given because it is asked for. It needs to go through the proper channels to protect everyone.

Sean Strub stated that Solicitor Farley's response was very interesting as the question was directed to the Commissioners. He stated that if there is a work product that the taxpayers of Pike County have paid for, it belongs to the taxpayers of Pike County, and a cooperative attitude from the Commissioners would be to say 'yes, we will instruct our County engineer to cooperate with this group of 450 taxpayers to the extent that it is possible and that it is feasible', not saying we will give you only what you request only through a Right to Know request and it needs to be very specific. "You mentioned that you implied some frustration that you haven't heard back a response to your letter." He would like to know when the Commissioners are going to respond to the letters from the Pike County Preservation Trust and also when are the Commissioners going to respond to the letter from the Concerned Pike Taxpayers. "We send you these letters and you just totally ignore them. Commissioner Wagner in the paper this week, said that we have had the discussions, we've had the meetings. This is not true. This is not true, and quite frankly, the scene you are sitting in front of, the map of Pike County, in Milford Borough, was planned, and was an early example of extraordinary municipal planning and Governor Pinchot's bust here who was a great advocate of planning. You have done very poor planning on this project. On several occasions there have been references to two space assessment studies, one by Kimball & Associates and the other by McGoey Hauser. We requested those space assessment studies specifically under a Right to Know request that I filed and we didn't get them. We were told that they don't exist." Commissioner Caridi said that they do exist and that statement was never made. Commissioner Caridi said that Mr. Kiger has an open records request right now that is being fulfilled. "I had an open records request last summer asking for them and I was told you do not have them." Commissioner Caridi said that he is combining two different issues. "We did not have anything formal from MHE at the time of your request. We cannot give you something that we do not possess. Whatever we possess and you requested, we gave you", explained Commissioner Caridi. "How about the Kimball Associates one?", asked Mr. Strub. Chief Clerk Gary Orben responded that he spoke to Mr. Kiger yesterday about that request and indicated that the book is on his desk and a copy of that book is approximately \$60. At that point Mr. Kiger indicated that he would like to take a look at the book. Mr. Orben asked Mr. Kiger if that was correct. Mr. Strub then stated.. "and this book didn't exist a few weeks ago when I filed a Right to Know request asking for this? It's been several weeks, but maybe it was overlooked then. The point is that it has been so difficult to get the information." Chief Clerk Orben said he has a Right to Know request on his desk. Solicitor Farley asked if there were any Right to Know requests outstanding? Mr. Strub said "I don't think so". Solicitor Farley asked how Mr. Strub could say the County didn't answer if he doesn't have one outstanding. Mr. Strub said he didn't say that. Farley and Caridi both acknowledged that Mr. Strub just did say that. Solicitor Farley continued by stating that he provided any information that was asked, and when it was late, Solicitor Farley explained why it was late and then provided documentation. He reiterated that the only reason for the written Right to Know request is so that there is a paper trail for both parties and was documentation that it was either honored or, if for some reason it could not be honored, it would state the exact reason why, which can be appealed if desired. When the issues of the law are raised, it is the job of the Solicitor. The goal from the beginning is 'open full disclosure for all the taxpayers of Pike County'. The request regarding the amount for the work that needs to be done was honored. Solicitor Farley is trying to save taxpayers' money by fully disclosing the legal positions and asking them (Verizon) upfront why they disagree with him. (Argument ensued between Solicitor Farley and Sean Strub regarding being appropriate and being upfront and the Right to Know law.) Mr. Strub then said that he does not have an outstanding Right to Know request at the moment. He was referring to the Right to Know request that he filed several weeks ago that were responded to and was told that there was not any space assessment study. Perhaps it was overlooked at the time. Commissioner Osterberg said that the Right to Know request that he saw from Mr. Strub was regarding "communications between Commissioners". There are none. The offices are right next door to each other. They do not send emails to each other. The response was that there are none. Commissioner Osterberg also recalled one regarding the rendition of the outside of the building. There was none, and when the rendition came out, Mr. Strub got one. Mr. Strub said he would send a copy of the one he believes he sent. Commissioner Osterberg said that now he "believes" after accusing the Commissioners of ignoring him.

Mr. Strub added that the discussion about the alternatives is, in his opinion, problematic, because there is a question until they see the assumptions upon which this huge building has been based. "What are the assumptions of the projected caseload going forward, what are the space needs. It is premature to talk about alternatives until a determination is made professionally on what space is needed." Mr. Strub stated that the actual court docket in Pike County since 2006, in terms of the overall number of actions, is declined. He said it is 23-24% by all the different categories of actions. Within that, one category that is presumably the most taxing on the system, the criminal cases, has increased dramatically, which Sheriff Bueki had said was mostly drug related. He said that it is unknown if that will steadily increase. He assumes that there are things the County could do in terms of drug treatment programs that would make it not as necessary to incarcerate so many citizens when that number is so wildly out of whack with most of the other numbers of different categories of court cases which have actually been declining since 2006. Many of the documents that he was provided, through his Right to Know request, were based from a number of years ago when Pike County's population was growing at such a dramatic rate and there were fantastic projections on what the population would be. That is no longer the case. The County's population is shrinking. He thinks that the County needs to go back and look at the assumption upon which the proposal for this

building is based. He has not been provided those assumptions in terms of the space needs by department by office or what assumptions in terms of the future, growth in court cases will be. Commissioner Wagner referred to a possible third courtroom and this addition being prepared to possibly accommodate that. Mr. Strub said that has not been discussed in the public sphere that he knows about. He would like to hear about what the plans are for a third courtroom.

Mr. Strub commented that Commissioner Caridi referenced that the building in back of the courthouse would be an intrusion into the residential area. Mr. Strub stated that all of the properties adjacent to the Schneider/Kannenbecker property are already commercial use. Commissioner Osterberg responded to that by saying there are buildings that have variances to them in a residential zone. They have certificates of non-conforming use. Commissioner Osterberg stressed the fact that it is not a commercial district. Mr. Strub clarified that all the buildings around that property are not residentially occupied. They are all offices or commercial uses right now. His point is that the addition to the courthouse is not adjacent to anybody's home.

Another member of the audience commented that he created, based on the discussions, twelve Right to Know letters, and asked he could sit down for a period of time and review his requests to see if there anything. Solicitor Farley requested that they be handed in to the Chief Clerk and then they will be reviewed. If it is an engineering request then the Solicitor would review it with Mike Lamoreaux. The gentleman said that these are related to the bond issue, utilities, emails, etc. Chief Clerk Orben said that he did not know of any such requests and the gentlemen said that they were not handed in yet.

Commissioner Osterberg did clarify that he was the one who brought up and spoke about eroding into the residential zone, and not Commissioner Caridi. He also added that whoever is writing on the Concerned Pike website made a comment that he called this building a monstrosity. He stated this this is false and that he referred to it on the radio as a "building of this magnitude. He said that if the facts are going to be put out there, then the facts need to be correct and not twisted to make it more sellable. Commissioner Osterberg also requested that the person who wrote that comment should correct it. He never called it a monstrosity. In fact a member of Concerned Pike put a letter in the paper and called the building a monstrosity. He used the words "a building of this magnitude". Mr. Strub said it was his error. Commissioner Osterberg said that he told Mr. Strub at the last meeting that he did not say it and since then, this is what was put on the website.

Another gentleman asked what the next step would be after approval/disapproval from the utility company. Solicitor Farley said a legal opinion would be the next step and then the Commissioners would have to decide based on that. One would be go right to ARB or reevaluate.

Another woman commented that the work that was being done by MHE was paid by taxpayers and therefore, belonged to taxpayers. Solicitor Farley again said that all information would be provided, but the rights of the engineer also need to be protected.

Commissioner Osterberg commented that Bill Kiger has a Right to Know request and he thought that the request would be shared with the group by Mr. Kiger, and that both space need studies were offered to Mr. Kiger. Mr. Kiger responded that the group put the request together jointly and is regarding the dimensions of buildings and lots, allocations of offices within buildings, so that the entire project can be looked at, whether it's the Kenworthy, or the plan or the Malhame building, or the PennDot site. His request is for numbers, so that the group along with the architects can put together prototypes and suggest better alternatives.

Commissioner Caridi said that as far as the PennDot site is concerned, the County has asked for an estimate because the County does not own the building yet. PennDot is still hoping to go out for bid on their new facilities in the fall, which means spring construction, which means about an 18 month to two year construction process upon completion, which brings it to three years. This is why the County is not actively pursuing anything on that property.

ADJOURNMENT: THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, MARCH 19, 2014, AT 9:00 A.M., AT THE PIKE COUNTY ADMINISTRATION BUILDING.