MINUTES

Erie County Council

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ERIE COUNTY, PA

Terry M. Scutella, Chairman
Rock Copeland, Vice Chairman
Charlie Bayle
Chris Drexel
André R. Horton
Ellen Schauerman
Jim Winarski

Erie County Courthouse
140 West 6th Street, Room 117
Erie, PA 16501

REGULAR MEETING MINUTES

Tuesday, February 25, 2025

PLEDGE OF ALLEGIANCE

Chairman Scutella called the meeting to order and recited the Pledge of Allegiance at 6:04pm.

OPTIONAL PRAYER OR REFLECTION

Mrs. Schauerman read a reflection.

ROLL CALL

Members Present: Terry Scutella, Chair, Rock Copeland, Vice Chair, Charlie Bayle, Chris Drexel, Andre Horton, Ellen Schauerman, and Jim Winarski

Others present: Karen Chillcott, Megan Moore, Attorneys Tom Talarico and Jay Stranahan, and Colin Domowicz, Financial Advisor

HEARING OF THE PUBLIC

Others - Three Minutes

Freda Tepfer, City of Erie: Ms. Tepfer voiced her confusion and concern regarding who maintains the official Erie County Facebook page, and Council members being misquoted on it. She discussed that Pleasant Ridge Manor had been underfunded, which now caused financial problems for that reason. She reminded that the community was aging, and would need some place to go. She supported a forensic audit by the state to review the county finances and noted there were 3 different budgets discussed at the previous Finance Committee meeting. She expressed concern about the integrity of Medicaid.

Jerry Servidio, Millcreek Township: Mr. Servidio commented about things done recently in Erie County that benefited the people, such as the childcare development funds. He proposed every year be an election year so things would be done. He questioned what the Economic Development did that was worth over $700K dollars, their cost in the budget. He stated there had been no return to the people for the $5M given to project Resolve. He questioned how concerned people in the county were about Emergency Services since the

Republicans voted against the service fee proposed by former Governor Wolf or if they just wanted a "free ride like they got with the state police". In conclusion, he voiced staunch support of Pleasant Ridge Manor, and hoped the Council would support them.

Matt Texter, City of Erie: Mr. Texter thanked the Council, especially the representative of District 3, for their hard work. He expressed his frustration of the events at the Finance Committee meeting on February 20 because no answers were given to the duly elected representative of his district for questions he and his neighbors want answered. He commented on the lack of transparency of Davis and his administration and stated it was time for accountability. He offered support for Ordinance 11, Resolution 3, and Resolution 4, 2025. Mr. Texter concluded that those on social media unable to comment on Davis' election page should post with #blockedbybrenton in order to see how many people he has blocked from commenting.

Mary Rennie, City of Erie: Ms. Rennie expressed the utmost support for Resolution 4, 2024 to request the PA Auditor General review the county budgets and books. She stated the Home Rule Charter provided for county services and facilities with the highest degree of accountability, efficiency, and economy, but had meant less with every passing week. She emphasized that both the County Executive and County Council were required to execute and enforce the Home Rule Charter, ordinances and resolutions of the Council, and the Government Accounting Standards Board rules. She asserted that there could not be a planned deficit no matter what the County Executive said because it was illegal. She relayed there was a rule for the expending the General Fund and it could not be used for operational expenses (Resolution 26, 2015).

Alivia Haibach, North East: Ms. Haibach, CEO of MHEDS of Erie County, addressed the Erie County policy for honoring ICE detainers at Erie County Prison. She stated that there was a "chilling health impact" that resulted in greater healthcare costs. She questioned the fiscal responsibility of the contract and the access to medications for detainees. She explained that other counties' contract had a time limit, usually 48 hours, while the Erie County contract allowed ICE to detain people indefinitely in the Erie County Prison, and asked who negotiated the contract with the federal government. She stated the federal government had announced they were picking up dangerous criminals, but shared an example of a local resident who was picked because he spoke Spanish while he walked to work. She noted while it was not the jurisdiction of the Council, she felt it was important they were aware of what was happening and question why this was the policy of Erie County.

Gretchen Blough, Edinboro: Ms. Blough stated the County Executive did not do his job and submitted an unbalanced budget in order to blame the Council for a tax increase during an election year. She referenced social media posts by County Executive Davis where he stated he did not have time to read the Home Rule Charter or respond to legal action. She referenced that official county information was posted on his personal social media page where he blocks people and not the official county page. She noted the official county Facebook page read like a re-election page for Brenton Davis. She asked the Council to support and enforce Resolution 4 and Ordinance 11, 2025 on the agenda.

Brian Graff, District 2: Mr. Graff expressed support for Resolution 3, 2025. He suggested that the public watch the February 20, 2025 Finance Committee meeting available on YouTube (https://www.youtube.com/c/eriecountypa). He explained four items that he felt warranted Resolution 3, 2025 from the meeting: 1. A lack of transparency in a public forum demonstrated by evasiveness and not answering questions. 2. An unwillingness to explain in public forum why the County Executive tax rate differed from the approved rate of County Council, even though he (Paul Lichtenwalter) admitted he knew the answer. 3. The latest version of the budget riddled with new errors, inconsistencies and numerous line items, which was not seen before by the Council. 4. An apparent lack of good faith negotiating with County Council to work out their differences. He noted that it was a shame that the Council was forced to sue because the County Executive has attempted to increase the budget through vetoes again, especially after they had won their case that pertained to the same issues with the 2023 and 2024 budgets. He concluded that Resolution 3 and 4, 2025 should be adopted.

MINUTES FROM PREVIOUS MEETING

February 11, 2025 - Regular Meeting

Mr. Horton made the motion to accept the minutes, was seconded by Mrs. Schauerman, and approved 7-0.

Yea: 7
Nay: 0

REPORTS OF COUNTY OFFICIALS

County Executive and/or his Designee

No report offered.

Finance Committee - Mr. Copeland

Mr. Copeland announced the items on the agenda from the Finance Committee meeting on February 20, 2025.

Personnel Committee - Mr. Winarski

Mr. Winarski relayed the Personnel Committee items on the agenda from the meeting on February 20, 2025.

Other Members of the Council

Mr. Horton stated he felt compelled to speak on the issue of childcare funds due to comments made by the public. He noted the Council appropriated the $2.5M to the childcare initiative, and the County Executive tried to veto the money. He remarked that it was due to his colleagues overriding that veto that the funds were appropriated to childcare development. He also mentioned the money was not dispersed for weeks because the County Executive stated he had not had the chance to schedule a check giving ceremony for what he surmised was nothing more than a photo op. Mr. Horton advised that the Administration could not take credit for appropriating funds it tried to block it. He noted the funding for Fly Erie, to support the airport that was desperately trying to maintain and keep service in Erie County, was vetoed by the County Executive due to the Council insisting that county policy be followed and the Executive not be allowed to sit on the Fly Erie Board of Directors. He stated it was appropriate and proper to say these things from the dais, not a Facebook post. He concluded with a salute to Councilman Drexel for his avid and diligent work to pass the childcare initiative and funding.

Mr. Copeland stated how busy the month had been for him and it was impossible to address He addressed the concerns about ICE detainees and concluded that ICE had the right to determine the consequence of someone picked up for a crime. He offered that the recent detainees in the news were picked up for "walking while brown" with no probable cause or due process. He reported the Council had no role unfortunately in that contract process. In reference to Ordinance 11, 2025 he emphasized that county resources were used for politicking and to denigrate elected officials on official county social media sites. He revealed that county government was 22 elected officials, not just the Administration, and decorum was needed.

Mr. Drexel thanked all five Democrats on Council for their support of the childcare funds. He referenced the attacks on Pleasant Ridge Manor by the Administration, and that they misquoted him. He reported that the County Executive served as the president of PRM, and for him to give the impression he was not aware of their finances was ridiculous. He stated PRM was vital to the community and he would fight for their funding. He concluded that the County Executive did not have the support of the majority of County Council, nor the authority, to pass an EMS tax and needed to stop announcing otherwise.

Chairman Scutella voiced his delight that the Council was able to appropriate the childcare initiative. He shared that childcare, early development, and education had been important to him for 40 years, spanning from his own children to his grandchildren, as parent, grandparent, and councilperson. He stated the County Executive should not use the social media of the county to disparage elected officials; it was to inform and educate the public on county information.

OLD BUSINESS

Ordinance Number 8, 2025, "2025 Appointed Official Salary Ordinance-Part Time Assistant Public Defender" (First Read 2/11/25) (Personnel Committee)

Ordinance 8, 2025 received a second reading. A motion to accept was made by Schauerman, seconded by Winarski, and carried 7-0.

Yea: 7
Nay: 0

Resolution Number 3, 2025, "A Resolution Directing Council's Solicitor to File Suit to Enforce the 2025 Annual Budget and Enjoin the Administration's Illegal Tax Collection Efforts" (Tabled 2/11/25)

A motion to un-table this resolution was offered by Copeland, seconded by Horton, and passed 7-0.
Yea: 7
Nay: 0

Ms. Chillcott read Resolution 3, 2025.
Mr. Drexel stated he received multiple calls from concerned tax collectors and supervisors about this vote and that it would prevent the tax notices from being mailed. He noted he discussed the situation with the Council solicitor and was assured this would not impede the ability of municipalities to receive their taxes, and the tax bills would be sent.

Mr. Winarski stated he was against a tax increase at the budget and continues to be against a tax increase, and would therefore vote no on this resolution. He highlighted that he respected his colleagues' effort on the budget session and millage increase, but thought they should use the General Fund to pay for the costs. He noted at the end of the day the courts would decide how it should end.

Mr. Bayle stated he would vote no because he was against the tax increase. He remarked that he this would be settled in court because there were two different views on this between the Administration and certain members of the Council. He also noted he still had concerns despite the discussion in caucus in regards to the collection process that could affect municipalities negatively.

Mr. Horton shared his support for the resolution, but stated it was not as simple as for or against it. He questioned how the budget would be balanced with the missing $7.4M from the tax increase. He asked the question what should be deleted from the budget, or should the general fund be raided.

Mr. Copeland stated this was about the separation of power, the foundation of government, and honoring the Home Rule Charter. He advised that this lawsuit was about if the executive could increase expenses through a veto, if final budget numbers were allowable that were never in the proposed or amended budgets, and appropriation of Gaming Revenue never ascribed by Council action. He concluded that this lawsuit was about defending Council's constitutional power and the survival of our system.

The motion for Resolution 3, 2025 was made by Horton, seconded by Copeland, and carried 4-3.
Yea: 4 (Copeland, Drexel, Horton, Scutella)
Nay: 3 (Bayle, Schauerman, Winarski)

NEW BUSINESS

Ordinance Number 9, 2025, "An Ordinance of the County of Erie, Pennsylvania Authorizing

Ordinance 9, 2025 received a first reading.

and Directing the Execution and Delivery of a Guaranty Agreement for the Benefit of Pleasant Ridge Manor and Compliance with the Provisions Thereof and Incurring Nonelectoral Debt Thereby; Approving a $700,000 Letter of Credit Agreement from Pleasant Ridge to First National Bank of Pennsylvania; Directing the Proper Officers of the County to Take Necessary Action; and Repealing All Inconsistent Ordinances" (Finance Committee)

Ordinance Number 10, 2025, "First 2025 General Fund Budget Supplemental Appropriation of $227,789 for Line Items in Juvenile Probation" (Finance Committee)

Ordinance 10, 2025 received a first reading by Ms. Chillcott.

Ordinance Number 11, 2025, "An Ordinance Amending the Erie County Administrative Code to Establish Restrictions on the Use of County Resources and to Limit Their Use to Official Government Business" (Finance Committee)

Ordinance 11, 2025 received a first reading by Ms. Chillcott.

Resolution Number 4, 2025, "A Resolution Directing the Erie County Chief Clerk to Request an Investigation of the Budget Policies and Procedures Employed by the County Administration for the Budget Years 2023, 2024, and 2025" (Finance Committee)

Resolution 4, 2025 was read into the record by the Clerk. A motion was made by Schauerman, seconded by Copeland, and carried 7-0.

Mr. Bayle offered support for this resolution due to his belief in transparency, but voiced that it should go back to the prior administration. He stated that the Controller had not spoken to Council on any problems or concerns, although it seemed that some Council members were privy to information that others were not given, and he would like to hear from him. He noted that the Council's accountants had not gone through the budget yet. He believes that an audit would be premature at this time, but will support it for transparency's sake.

Mr. Horton stated he had been asking for an audit for over a year. He noted that the Controller's office lacked the manpower for this size job now, and usually looked at just the previous year. He reported that the finances of the County are in trouble. He acknowledged that the Council had not done their job by allowing a year to lapse without an accountant, and therefore no one to double check the books. He noted it took less than three years to destabilize the finances in one of the most stable entities in the region. He stated he hoped an audit would not find major misgivings, but did not think that was likely.

Mr. Copeland stated he was resistant previously to an audit because he wanted a definitive reason to call for one, but found many. He offered examples of issues with transfers and the budgets, and stated that the numbers did not arbitrarily change but were changed to fit the definition of the Executive's reality. He stated he did not have time to put out all these fires, and concluded the need for an audit was more than warranted.
Yea: 7
Nay: 0

Possible appointment of Jennifer G. Kubiak, PMP, MSOL, AIS, AINS, ACS, CIIP, DAE, CLP-A to the Erie County Library Advisory Board. Term to expire December 31, 2027. (Copeland)

Mr. Copeland stated there had been a fight with the Executive over his nomination last year to appoint Mary Rennie, a former director of the library and council member, and a wonderful advocate for the Library. He noted since he was unable to get Mary, he was very happy he met Jennifer Kubiak. He stated she was a wonderful person, and looked forward to her appointment. A motion to appoint was made by Copeland, seconded by Schauerman, and was approved 7-0.
Yea: 7
Nay: 0

Possible appointment of Mary Jane Gilson to Erie County Care Management. Term to expire December 31, 2027. (Schauerman)

A motion to appoint was made by Schauerman, seconded by Copeland, and carried 7-0.
Yea: 7
Nay: 0

Possible appointment of Donald P. Claypoole to the Erie County Children and Youth Advisory Board. This appointment will run concurrent with Councilman Bayle's term and will expire on December 31, 2025. (Bayle)

A motion to appoint was made by Bayle, seconded by Winarski, and carried 6-1.
Yea: 6
Nay: 1 (Drexel)

<u>ADJOURNMENT</u>

The next Finance/Personnel Committee Meetings are Thursday, March 6, 2025. The next Regular Meeting of County Council is Tuesday, March 11, 2025.	The meeting adjourned at 7:03pm on a motion by Mr. Horton.