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COUNTY COMMISSIONERS
LARRY MAGGI
CHAIRMAN
DIANA IREY VAUGHAN
VICE - CHAIRMAN
HARLAN G. SHOBER, JR.
724-228-6724



County of Washington
COMMONWEALTH OF PENNSYLVANIA
100 WEST BEAU STREET, SUITE 702
WASHINGTON, PA 15301

DIRECTOR OF ADMINISTRATION
SCOTT H. FERGUS
724-228-6725
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CYNTHIA B. GRIFFIN
724-228-6723
FAX 724-228-6965

January 30, 2017

The Honorable Bud Cook
Pennsylvania House of Representatives
PO Box 202049
Harrisburg, PA 17120-2049

Dear Representative Cook:

We, as the Washington County Board of Commissioners, are writing to request your strong support to continue the Washington County Local Share Account Program (LSA Program) in its current form. As you are aware, the Pennsylvania Supreme Court recently ruled that a local share assessment provided for in the *Pennsylvania Race Horse Development and Gaming Act* is unconstitutional as it taxes the Commonwealth's 12 casinos in an unequal manner. The Board of Commissioners is extremely concerned of the detrimental effects this ruling and the subsequent loss of millions of dollars annually in economic development, infrastructure and community improvement monies will have on our county and our municipalities, if the Pennsylvania General Assembly does not remedy the issue by May 26, 2017.

Under the *Pennsylvania Race Horse Development and Gaming Act*, casinos must pay at least 4 percent of gross slot-machine gambling revenues to their host communities. That includes 2 percent to counties and 2 percent or \$10 million, whichever is greater, to municipalities. For Washington County, this equates to approximately \$10 million per year in LSA Program funds with \$3.5 million of that amount going *directly* to our municipalities. Since the LSA's inception, the program has awarded \$79,955,481 in project grants throughout the county. From those awards, the Monongahela Valley has received \$27,311,259 in local share project grants or 34 percent of the total LSA funding since 2008.

In addition, each municipality in the Monongahela Valley receives a direct annual allocation from the LSA funds which collectively totals \$1,379,940. From that approximately \$3.5 million, municipalities in the 49th Legislative District receive a collective total of \$961,890 in direct allocations from the LSA funds each year which they depend on for their annual budgets as well as infrastructure and economic development projects.

The recent Pennsylvania Supreme Court's decision places our county in severe jeopardy of losing LSA funds, especially for our local municipalities which receive direct allocations and depend on these monies for their budgets. Any legislative change or inaction on the part of the Pennsylvania General Assembly that does not continue Washington County's LSA program in its current form will cost our municipalities millions of dollars in revenues and cost Washington County millions of dollars in resources for economic, community and job creation projects.

The Washington County Board of Commissioners urges you, as a member of the county's legislation delegation and member of the Pennsylvania House of Representatives Gaming Oversight Committee, to actively engage in the process to continue the LSA program in its current form and allow our municipalities to continue to receive the resources they require for their community growth.

Sincerely,

Washington County Board of Commissioners

Larry Maggi
Commissioner Chairman

Diana Irely Vaughan
Commissioner Vice Chairman

Harlan G. Shober, Jr.
Commissioner

/jht

FYI BMD

Laura Hough

From: Irey Vaughan, Diana <IreyDL@co.washington.pa.us>
Sent: Wednesday, March 08, 2017 5:25 PM
To: Laura Hough
Cc: Maggi, Larry; Shoher, Harlan; Fergus, Scott
Subject: Re: phone conversation on 3.7.17

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Laura,

Thank you for your call today looking for clarification on if the Washington County Chamber of Commerce and Washington County Tourism Promotion Agency are independent of Washington County Government. The answer is yes...they are independent of county government. The Chamber and Tourism are separate nonprofit corporations, and are organized as 501(c)(6) organizations. As are all business and nonprofit corporations, the Chamber and Tourism are absolutely independent. 501(c)(6) includes the following organizations: business leagues, chambers of commerce, real-estate boards, boards of trade or professional football leagues, not organized for profit and no part of the net earnings of which inures to the benefit of any private individual. Neither the Chamber nor Tourism is any more governmental than, say, the National Football League. They are nonprofit corporations which do not have shareholders but rather members. They are each governed by a Board of Directors and no Director is elected or beholden to any electorate or constituency. They are not subject to regular supervision, oversight or influence by any person or entity, governmental or private. Specifically, they are not a "local agency" subject to the Right-to-Know Law, and they are not an "Agency" subject to the Open Meetings Law. They do not perform any governmental function. Persons interested in attending a meeting of the Chamber Board or the Tourism Board do so at the pleasure of the Board or if invited by the Board to address a matter of interest to the Board.

On a professional note, the Washington County Board of Commissioners have enjoyed a long-standing, positive relationship with the Chamber and Tourism. They have been tremendous partners in the county's economic and tourism success and we value and respect our relationship with both entities. I would argue that our relationship with the business community through the Chamber as well as in Tourism efforts have to be one of the best in the region and we are often complemented by other counties on the public/private partnership we have here in Washington County with both groups.

Please let me know if you have any questions.

Diana

Bud 3-20-2017

As the State Representative of the 49th Pennsylvania Legislative district, I'm writing this letter in response of your letter dated January 30, 2017 requesting support of the support of the Washington County Local Share Account Program (LSA) "in its current form". I would be most happy and welcome the opportunity to meet with all 3 of Washington County Commissioners to discuss the Washington County Local Share Account Program in detail. I understand and appreciate the inherent benefits to our Municipalities, Townships, Cities and County pertaining to LSA.

As a member of the State's Gaming Oversight Committee I have numerous questions pertaining to LSA and hope that you will be able to enlighten me pertaining to the processes and procedures that Washington County takes throughout the entire LSA funding and award process. I've heard from many of our 34 Boroughs, Townships and the City of Monongahela in the District as to the importance of the fund and their concerns of the distribution of the funds. I and staff have been compiling as much information as possible so that we might be more informed as to not only the impact but the Local LSA process as well. Hopefully, we can clarify some of their concerns and questions.

I was informed that the County would like to discuss my stance on Act 13 as well. I would encourage that we combine this topic with the LSA meeting with the three Commissioners and myself. We had a similar meeting with our Fayette County Commissioners and found it to be most helpful. Please let me know when we can schedule this meeting of elected officials to discuss both LSA and Act 13. The sooner the better.

Further, as a member of House of Representatives "Travel and Tourism Committee along with the Game and Fisheries Committee", an additional meeting would be helpful to discuss travel and tourism pertaining to Washington County. I would encourage that we establish a separate meeting with your pertinent staff overseeing any departments that have an impact on these areas. I would like to help the County to promote our parks, waterways, trails, wildlife, attractions, activities and assets. As you are aware, the 49th Legislative district covers a major section of Washington County and the District has much to offer in the areas of Travel and Tourism. Through promotion of these assets, we can improve underutilized grassroots educational opportunities for our youth and senior citizens, improve our quality of life, attract and retain businesses, and while achieving all of these positive objectives we are directly attacking the drug epidemic. We must collectively change course and attack problems as opportunities! By initiating and participating in this new approach, together, we as a TEAM we can achieve more!

I look forward to these additional meetings with the Commissions and County staff once we have our initial meeting to discuss how we collectively can work together to achieve great things for both the Commonwealth, the 49th District and the County.

Make it a GREAT DAY,

Bud

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March 31, 2017

The Honorable Bud Cook
Room B-15
Main Capital Building
Harrisburg, PA 17120-2169

Dear Representative Cook;

I have been asked by the commissioners to coordinate the proposed meeting between you and the commissioners. If you or your staff could provide me with a couple of dates that you are available sometime after the holiday we will work to set something up.

As to the inquiries in your letter for information prior to the meeting:

- First as to your questions about the process and procedures the county follows. I am attaching hereto the guidelines that explains the process and procedures followed. These procedures were originally adopted, in consultation with DCED, in 2009 soon after the passage of the Gaming Act. As you know that Gaming Act placed upon the Commissioners the responsibility and power to allocate the gaming funds following the keystone Principles. Rather than just distributing the money from the county, as the Act provides, the BOC determined it was in the best interest of the county and our taxpayers to develop a creditable, transparent system to administer the funds so working with DCED the present system was developed.
- Minutes – I am not sure what you mean – the Board of Commissioners meeting minutes would include the action taken to make the final recommendation to DCED. I am not sure what records or minutes either the Redevelopment Authority or DCED would have but the RACW would have elaborate files on each application and project. As to the review committee no formal minutes were taken but I am sure the notes of the representative from the legislative delegation would be available to you. This year the representative was Senator Camera Bartolotta.

The commissioners agree that they need a good working relationship with the legislature. The commissioners would like to use the opportunity of this meeting to discuss with you State matters

that are of mutual and extreme importance to the County. Among things the commissioners would like to discuss:

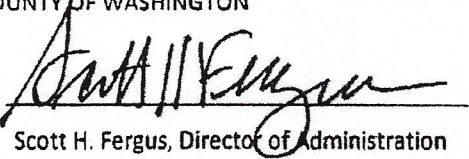
- Status of adoption of the State Budget – in years past delaying passage of the budget has caused harm to the most vulnerable in our community along with the agencies that serve them.
- Proposed cuts to Human Services and other services – if the County is to be mandated to provide the services we need the funds to do so
- Property Tax relief – it has been promised but the promise hasn't been kept
- Reassessment reform – Having just been through a reassessment it is obvious that there are weaknesses in the system that can only be cured by action by the state legislature.
- Pension reform – the county pension is fully actuarially funded through sacrifices made over the years but the state hasn't made the same sacrifices and we understand that we are now in crisis mode - what can be done about the unfunded pension liability.
- Civil Service for CYS – we presently have 12 positions we are unable to fill because of the antiquated state Civil Service System
- Tourism – as you mention something of great importance to Washington County – The Commissioners would like to discuss what can be done to get better state participation in Tourism – Presently Pennsylvania is 49 of 50 states in funding tourist promotion.

With best personal regards, I remain

Very truly yours

COUNTY OF WASHINGTON

By


Scott H. Fergus, Director of Administration

SHF/s

cc– Board of Commissioners

cc - District office



Washington County Board of Commissioners
Agenda
Thursday, July 27, 2017
10:00 a.m.

Attendees

Washington County Board of Commissioners

The Hon. Larry Maggi, Chairman

The Hon. Diana Irey Vaughan

The Hon. Harlan G. Shober, Jr.

The Hon. Bud Cook, Pennsylvania House of Representatives

Mr. Jeff Kotula, Washington County Chamber of Commerce and Tourism Promotion Agency

Items for Discussion

- Opioid Crisis
- Washington County Local Share Program
 - Supreme Court Decision
- Video Gaming Terminals (VGT's)
- PA House Bill 212
- State Tourism Funding