

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, November 18, 2014 in the Public Service Building, Uniontown, Pa.

In attendance-

Commission Chairman Vincent Zapotosky
Commissioner Alfred Ambrosini
Commissioner Angela M. Zimmerlink
Chief Clerk Amy Revak
Chief Solicitor John Cupp

Chairman Zapotosky called the meeting to order at 10:01 a.m. He asked everyone to rise for a silent prayer and asked everyone to keep in their prayers the thoughts of Mr. Ralph Mazza who passed away and also longtime solicitor Joe Ferens.

The pledge of allegiance was recited.

Commissioner Zimmerlink asked if there was a different agenda. She said the agenda that she got on Friday, was that the same agenda? Chief Clerk Revak said she took off the announcement for the public officials meeting since it is not being held.

Commissioner Zimmerlink said so people who are sitting in the audience have a different agenda than I have or anyone else has right? Chief Clerk Revak said no, I distributed the agendas this morning. Commissioner Zapotosky said so those are the copies on the table? Commissioner Zimmerlink said here is what is really important- we as three commissioners have got to- let's start this from this point on, any time on Tuesday, the second Tuesday of the month, we make an agenda, John Cupp, you're the solicitor, either tell me I'm right or tell me I'm wrong, but let's get it straight, OK, when we pass an agenda on the second Tuesday of the month, those agenda items are the agenda, right? Solicitor Cupp said those are the agenda items and if you want to change the agenda, you have to do it by motion at this meeting.

Commissioner Zimmerlink said, so what we say on Tuesday, the second Tuesday, and it gets printed, and then it goes out to, it is supposed to go on the website, which it wasn't on the website today, for this time, plus it goes to the media, yea, plus it comes to us, and so for a whole week I work off of that agenda and then I come in and something is changed, now today it is a minor thing, well it is not that minor because we did make a directive, that agenda that is stated on Tuesday, the second Tuesday of the month, and we leave that day, those words are to stay the same until we see this agenda here, we should never have an amended agenda, correct, unless we amend it here. Solicitor Cupp said exactly. Commissioner Zimmerlink said so please, no more having different agendas sent out, do my fellow two commissioners agree? Commissioner Zapotosky said I concur. Commissioner Ambrosini said yes. Commissioner Zimmerlink said everyone's got the directive, so thank you for that.

Proclamations

Commissioner Zapotosky said they had a request offered by the United Mine Workers of America. He said we had actually given them the hard copy a week ago but if you would like to come up and if somebody would like to read this because I am never going to be able to make it through it. Commissioner Ambrosini said as you know, during my career I was in the industry that burns a lot of coal and we continuously try to burn it in a clean fashion and I think we were pretty successful. He then read the Environmental Protection Agency's Clean Power Plan. A UMWA representative then thanked the commissioners on behalf of the UMWA president. He said they are not against clean air and water but they want to make sure the rules are fair so they can provide electricity. Commissioner Zapotosky said Al, you helped burn the coal, my grandfather and father in law helped mine the coal for 70 plus years between the two of them and he said he knew the pride they took in the job they did and he agrees that this message needs to resonate to areas that are affected or will be ill-affected by these type of executive orders and these type of regulatory changes.

Commissioner Zapotosky said his grandmother, God rest her soul, survived part and parcel on her UMWA pension and her black lung benefits so I applaud your efforts to hold the Feds feet to the fire and he hopes it is accepted. The representative said that they will. Commissioner Zimmerlink said the little yard signs, War on Coal, OK, we you supportive of that? The rep. said on the war on coal? Commissioner Zimmerlink said Obama War on Coal. The rep. said no, we did not support President Obama in the last election. Commissioner Zimmerlink said that's my question, you were not supportive of his stand, and neither was I, and signs went out where they needed to go because his administration did declare war on coal. She said that is why you got my signature on that.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink accept the proclamation of

Environmental Protection Agency's Clean Power Plan

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Comment on Agenda Items

Commissioner Zapotosky said there was one person who signed up for public comment. Commissioner Zimmerlink said whoever is going to comment on agenda items, if they could state the number and then they will go from there. Marybeth Homistek said it is agenda item 14 but it is a general comment about the controller. She said she just wanted to thank the Controller for doing great due diligence and she called her office twice to thank her for the things that have slipped through the cracks. She said she think she is doing her job well. She said regarding number 14 for a bus or van, when was that put in the paper for bids, was that ever advertised in the paper?

Commissioner Zapotosky said it was on the COSTAR, so they are allowed to choose from the COSTARS list, adding that he didn't know if it was advertised or not. Ms. Homistek said isn't that not fair to other dealerships? She said she spent Friday and Saturday of her time calling dealerships on line and you can get a Ford, first of all, she said she didn't know why they need a mini bus with a diesel engine, which is an \$8,000 upgrade.

Ms. Homistek said diesel is harder to maintain, it takes more maintenance, the fuel is costly and it pollutes. She said you can get a Ford transit with a very high roof with seats for 14 and have a handicapped ramp installed for about \$62,000. She said that is a \$25,000 savings and we have \$2 million that the county has just blown for the jail and you would think that the county would want to save some money, she said she isn't being accusatory here but just looking over the weekend, calling dealers and looking online, she doesn't understand why, and Davies Ford is doing one now and it is going to be \$62,000 with the lift. She said she would gladly volunteer to be a citizen whatever and call around and get deals and look at options on vehicle pricings. She said \$80,000 for a mini bus just seems a bit much for the vets. She said the vets don't deserve a limo to go to Pittsburgh, they need a ride, I'm a vet and I don't need a fancy ride.

Ms. Homistek said she is a vet, she used the van 15 years ago and she got carsick it was so beat up and fumes, but when you can get a Ford van with a cutout 14 passenger and have a handicapped put in by mobility works for 62 maximum and here she is looking at \$79,000, it doesn't seem fiscally prudent to go ahead and vote on it without looking at other bids. She said Davies Ford said they look in the paper all the time for bids and they are doing another county vehicle right now and they didn't see anything advertised for this COSTAR. She asked where is COSTAR, Fayette County? Commissioner Zapotosky said COSTAR is a list of approved vendors by the state where you can buy directly from the COSTARs list. Commissioner Zimmerlink asked Chief Clerk Revak if this is being done through COSTARs. Chief Clerk Revak said she believes so. Commissioner Zimmerlink said we said that but she didn't hear those words out of Madonna's mouth at the Tuesday agenda and she didn't want to put words in the directors. She said she thought it was COSTARs and when they said it she didn't object so to answer that question, thank you for offering to do that, to look, however, that is the job of the director, of veteran's affairs, it is the job of the director of tax assessment when he wants something, election bureau, and they have to follow county code and they, the board of commissioners would not agree to purchase or to use a particular vendor if it wasn't approved through and didn't follow the contract administration.

Ms. Homistek said if you could save money by going locally but they don't bid because they don't get a response. Commissioner Zimmerlink said my question to you is did you take some of those specs and ask those. Ms. Homistek said the specs that she was able to obtain, yes. She said the main thing is the lift, which is \$15,000 to put in. Commissioner Zimmerlink said you sent some e-mails out to the commissioners, and placed some telephone calls. Ms. Homistek said it was in the Trib, it wasn't local but the Trib had an article about the agenda meeting and this van and I saw \$79,000 and then I looked online. Commissioner Zimmerlink said and since you have done that, what we

should do, just to make sure everything has been looked at is ask Madonna, ask the director if she has explored options besides this and we will do that but I can tell you that the three of us felt comfortable with what she did or we wouldn't have advanced it, however, since you were raising those issues, we certainly will look at it again, Madonna is on personal leave so when she is back we will bring that to her attention but we still have to advance it and they can modify the resolution to some degree but she thinks Commissioner Zapotosky had talked to Madonna and the van would not be ready, it would have to be built. Commissioner Zapotosky said it wouldn't be ready until late Spring, early Summer. He said he has since spoken to Kim Renze out at FACT and he is trying to find, they are currently using a FACT bus, but he is also trying to find a smaller, minivan that will be to their use as well until such a time as we get the new one, whatever avenue we explore.

Commissioner Zimmerlink said with COSTARS, the e-mail she read from her, the vehicle she put forward was used and it had some miles on it, so you are comparing that to a brand new one. She said they will bring that to her attention when she comes back to make sure that she did explore all options since you brought it to our attention. Ms. Homistek said if you can save \$10,000 by looking around, you may want to do that, not just go with COSTARS out here and built it when it could be here in two months. Terry Kriss said he wanted to expound on what Marybeth said. He asked if it was the responsibility of the veteran's affairs office to negotiate on that. Commissioner Zimmerlink said the director of every office. Mr. Kriss said is that normal procedure or do we just throw a dart and go wherever. Commissioner Zimmerlink said we didn't throw a dart, in this case here she went to COSTARS and COSTARS has all of the vendors and from COSTARS this was the best price, that is the information that she provided to us. Mr. Kriss said so you don't know if she went out and did her research or not. Commissioner Zimmerlink said yes, you do it on COSTARS.

Commissioner Zapotosky said it is like the general services of the state. He said GSA, you can buy GSA buildings and, like the federal building, the federal post office was once under the auspice of the federal government and they sold it to the county for \$1 providing that they implemented a juvenile programs so the county got that for \$1 so if you are familiar with the general services administration, COSTAR just mirrors that. Mr. Kriss asked if they cut a better deal than a car dealer. Commissioner Zapotosky said he didn't know, he never bought a van before. Mr. Kriss said it just makes common sense, you are the one who always advocates for buying local, why wouldn't you want to support a local dealership who could probably give you the best deal possible. He said he thinks they have been neglected, he agrees with Marybeth, he applauds her for doing her job on this, she shouldn't be the watchdog of spending and he would also like to know if she did her job, just because it is COSTARS doesn't mean we have to go with that obviously. He said if you are talking about a dollar building, that is a no brainer, he understands that, if you are dropping \$80,000 for a van.

Commissioner Zapotosky said he agrees with him. Mr. Kriss said when diesel is 75 cents more a gallon than gasoline, one has to really think about it when you are looking at public taxpayer money. He said one other thing, number 15, consider approval to grant a waiver for a 90 day balance for Nemaquin Woodlands, he doesn't understand

that. Commissioner Zimmerlink said she doesn't believe that is how the motion was read at the agenda, she said she tried to get the tape from the minutes but both tape recorders did not tape I am told, but she recalls that when this was advanced it did not say nine day balance, it can't be proven one way or another other than people and their notes and my notes and my notes say that it was advanced as it was written on the agenda at that time with 30 days, but at any rate, it is waiving a 30 days public comment period, it is not waiving nine days. She said there is a 30 day period out that and 21 days have passed and they just want to say no more, so that is basically waiving, it sounds better when you say, oh the public just doesn't have another nine days but it is basically waiving 30 days. Mr. Kriss said the lord says patience is a virtue, are you telling me that Nemaocolin Woodlands can't wait nine more days like everybody else in this community is expected to do.

Commissioner Zimmerlink said the state legislature wrote a law and DEP states that a township and a county can waive it, however it is up to a county and a township. She said just because the township waived it does not mean that the county has to. She said it is going to be up to us three whether or not we waive it, I have already been on record saying that when an agency gives the public 30 days to comment, give the public 30 days to comment. Mr. Kriss said he doesn't see how any of the three of them can go against that, there is nothing this important that can't wait nine more days in any of our lives, he should be able to follow the rules just like anybody else in this room would be expected to do, that is called preferential treatment. Commissioner Zapotosky said this project was already reviewed, it already had a 30 day comment period. He said it was subsequently, since Marathon had abandoned most of it's projects, this project was under a 30 days comment period, that since has expired but because this will fit only Nemaocolin property, it's only going to be used to provide Nemaocolin property gas, it has no infringement on the public whatsoever, it is all Nemaocolin, and it was already, actually if you want to add it up, it was 51 days comment period, it exceeded the 30 days by definition of the notice. Commissioner Zimmerlink said if the spokesperson for Nemaocolin, this pipeline, why are they asking for us to waive a 30 day notice?

Commissioner Zapotosky said construction. Commissioner Zimmerlink said no, it's because. Mr. Kriss said he should wait like a normal person, its preferential treatment. He said it is nine days, it is not going to make or break Nemaocolin Woodlands, Hardy or the gas company. Commissioner Zapotosky said he isn't saying it is going to break anybody but. Mr. Kriss said why are we doing it. Commissioner Zimmerlink said you are going to set a precedent. Mr. Kriss said once again we are going down that road, the select few get what they want in this community. He said that is what it is telling him, he can wait nine days and so can you, let the period happen, let the system do its thing, move along, don't stick your nose in that kind of business, that's my comment on that.

Commissioner Zimmerlink said they have to do a housekeeping item, which was not taken care of, fell through the cracks, no one spoke up, so let's just fix it. Commissioner Zimmerlink said she nominates Commissioner Al Ambrosini to be secretary of the board of commissioners. Commissioner Zapotosky seconded the nomination.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to name Commissioner Al Ambrosini as secretary of the board of commissioners.

Commissioner Ambrosini abstain
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-0-1

Commissioner Zimmerlink said Commissioner Zapotosky asked her to take over the meeting due to his COPD.

Assessment Office

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to ratify an agreement with Valbridge Property Advisors, 4701 Baptist Rd, Pittsburgh PA 15227 James A. White, MAI to conduct an appraisal on parcel 15-35-0076-02 the Duke Energy facility located in German Township.

Appraisal fees are: Phase 1 – \$4,500
Phase 2 - \$5,500

Cost to be shared by the County, Township and School District. The County's cost is \$1,069.13 for Phase 1 and \$2,395.84 for Phase 2.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Behavioral Health Administration

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve agreements and modifications:

	<u>Contract Value</u>	<u>Period</u>
<u>HealthChoices Amendment #2 - 2015</u> DPW/Fayette County	N/A	2015
<u>HealthChoices Fee-For-Service Agreement - 2015</u> Allegheny HealthChoices, Inc.	\$100/per hr.	1/1/15-12/31/15
Mark Fox & Associates LLC	\$100/per hr.	1/1/15-12/31/15
Tidgewell Associates, Inc.	\$150/per hr.	1/1/15-12/31/15
Lawrence J. Tabas, Esquire (Obermayer, Rebmann, Maxwell, Hippel & LLP)	\$300/hr.	1/1/15-12/31/15

Modification Agreement #2 2013-2014

accessAbilities, Inc. \$87,000 7/1/13-6/30/14

Modification Agreement #3 2013-2014

Fayette Resources, Inc. \$427,531 7/1/13-6/30/14

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink said she received correspondence from Bob Calisti asking that all the bids be rejected. She said consider moving to reject all four bids under Bid number 14 06 for the lease of a 2014 Explorer as not meeting the bid specifications.

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to reject all four bids under Bid Number 14-06 for the lease of one 2015 Ford Explorer 4WD (or equivalent model).

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Children and Youth Services

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to ratify a **FY2013-14** Purchase of Service Agreement **Addendum** between the County of Fayette, through Fayette County Children & Youth Services & **Keystone Adolescent Center**, 60 S. Race Street, Greenville, PA 16125 for Residential, Shelter and Foster Care Services on an as needed basis. The rates are as follows:

463890KM - Male Residential Services \$ 149.00/Day
437070KF - Female Residential Services \$ 159.00/Day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Mars Home for Youth**, 521 Route 228, Mars, PA 16046, for residential and group home services on an as needed basis. The rate is as follows:

Initial Clothing - \$250.00
Residential

Cert # 411720
\$ 166.55 per day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation Office and **Cornell Abraxas Group, Inc.**, 2840 Liberty Avenue, Suite 300, Pittsburgh, PA 15222 for placement & non-placement services on an as needed basis for CYS & JPO youth. The rates are as follows:

Initial Clothing - \$250.00	
Abraxas I	
Social Training & Education Program (STEP)	\$171.36
411230 Pioneer Dorm 1	
411250 Seneca Dorm	
411240 Mountain Top Dorm 2	
406800 Dakota Dorm 4	
Intensive Residential Program	\$289.32
411200 Evergreen Dorm 3	
Female D&A Treatment	\$208.24
419760 Mohican Dorm	
Leadership Development Program	
355310	\$ 160.45
301400 Female Unit	\$ 160.45
310320 Open Residential Fire Setter/ Sex Offender	\$ 293.55
Abraxas Youth Center:	
304420 Fire Setter/Sex Offender	\$ 307.73
303980 Detention	\$ 284.17
303970 Shelter	\$ 284.17
Abraxas Academy:	
215700 Secure Residential	\$ 312.50
222430 Detention	\$ 288.00
223770 Shelter	\$ 255.00

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **Pressley Ridge**, 5500 Corporate Drive, Suite 400, Pittsburgh, PA 15237 for placements and in-home services on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00

PLACEMENT	RATE PER DAY
421800-Unit ID - FC	\$ 94.50
421800-Unit ID - ES	\$ 94.50
434260-Unit ID FC	\$ 94.50
434260 – Unit ID ES	\$ 94.50
473810–Unit ID - HH	\$ 65.37
326620–Unit ID - AA	\$ 50.07
326620–Unit ID - BB	\$ 82.08
IN-HOME	
Family Preservation	\$ 70.11/hour

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation Office and **Justice Works Youth Care, Inc.**, 1500 Ardmore Boulevard, Suite 410, Pittsburgh, PA 15221 for placements and in-home services on an as needed basis. The rates are as follows:

STOPP® \$80/hour

A 60 day, high impact, 24/7 crisis and stabilization program; proven to keep children safe and at home despite profound dysfunction.

VIP (Violation Initiative Program)® \$80/hour

VIP® utilizes STOPP® stabilization methodology for chronic non-compliant juvenile delinquents who are at high risk of being detained and placed for violating probation, family or community standards.

JustCare® \$75/hour

A flexible resource for CYS/JPO agencies serving as continuing care reunification (managed care) program and a community-based service designed to alleviate challenging family situations.

Nurturing Parenting \$75/hour

Nurturing parenting is an evidenced based practice that is family centered initiative designed to build nurturing parenting skills as an alternative to abusive and neglectful parenting and child rearing practices.

Truancy Remediation \$75/hour

WhyTry is an internationally recognized, research-based intervention model targeting risk factors and issues related to drug and alcohol use, school violence and aggression, truancy, anti-bullying and dropout prevention.

FGDM \$3,000/conference
\$1000/successful referral but no conference
\$250 unsuccessful referral
\$650/ Facilitation Only (Including food prep + site rental)
JWYC provides coordination & facilitation for this evidence based practice.

Visitation \$135/per visit for cases within 65 mile radius of county seat. Cases 66 miles and beyond \$100/per visit, \$30/per hour travel time + travel allowance to equal rate established by the IRS, not to be below 51 cents.

ICM (Institutional Case Management) \$19.86/Per Diem
Increase effectiveness of residential placements, managing CYS/JPO cost by decreasing length of stay, and enhancing community protection and youth rehabilitation by intensively supervising transition to the community and to provide family preparation.

Supervised Visits \$49/Per Hour
Supervised Visitation allows parents who may be at risk to their children or to another parent to experience parent-child contact while in the presence of an appropriate third party.

Visit Coaching \$65/Per Hour
A visitation service using a “coaching” system based on the principles of empowerment, empathy, responsiveness, and active listening.

Anger Management \$75/Per Hour
The Anger Management program is a cognitive behavioral approach designed to help participants learn effective coping skills and become aware of their reactions in real life situations.

Independent Living \$80/Per Hour
The intent of the Independent Living Program is to focus on assessing, supervising, supporting and assisting youth in the development of skills that allow for the greater likelihood of future autonomy.

Girl’s Circle Group \$350/group session (Max of 10 youth in a group), \$70/Per Hour for individual missed appointments – *Travel Not include in Rate
The Girl’s Circle model is a structured support group for girls from 9-18 years, integrates relational theory, resiliency practices, and skills training in a specific format designed to increase positive connection, personal and collective strengths, and competence in girls.

Thinking for a Change (T4C) \$350/group session (Max of 10 youth in a group), \$70/Per Hour for individual missed appointments – *Travel Not include in Rate T4C encourages participants to recognize the connections between thinking errors and anti-social behavior traits.

Billable Performance Guide
Direct Contact:

1. Billing includes face to face, actual client contacts by phone, accompanying clients to appointments, attending court, specific case functions as indicated by CYS/JPO, or other collateral contacts.
2. May bill for up to 2 failed consecutive contacts without approval by CYS/JPO to continue. No more than 30 min at a time.
3. Direct contact time includes meetings with the client, family member, worker, another community provider, supervised visits, observations, participation in a Family Group Decision Making or similar service (All staff in attendance is billable separately).
4. As part of the engagement process, families will have an opportunity to take part in the development of progress notes. Family’s that help in note documentation will be clearly identified in the note that they participated in writing the specific entry.

Indirect Contact –

Indirect contact is defined as time used to write case notes, preparing monthly reports, attending court AT the request of the family, supervision, driving to and from the client's residence or location, and attending CYS/JPO reviews. This will be billed at 20% of total direct contact hours.

Discharge Planning:

Notification of case closure must provide a minimum of 7 days for JWYC to appropriately close a case and set up all aftercare supports.

Collateral/Client Service Report:

Collateral contact is billable in the form of building resource contacts for a family or youth.

“Step Down” in Care:

JWYC requires 7 days notice to prepare for case step down or up to adjust to the case needs, and ensure safety and well-being of all parties involved. This time allows JW to notify other caregivers of the modification and to make their own personal adjustments to support the family and youth.

Phone Calls:

1. Phone calls to clients are billable.
2. Phone calls are billable as related to a crisis situation.
3. Phone calls are billable when contacting a case worker, or other community provider.

Court: All court ordered time is billable.

Extra-Ordinary Travel: Outside travel is reimbursable for all travel to and from locations, as defined by the county or state, and at the IRS rate and guidelines identified by this contract service guide.

Authorization of Services:

If it is agreed that services are approved to be completed- via email, letters, fax – county must honor this service request by this agent of the county.

Expiration of Services:

JWYC will provide at least 10 days notice prior to expiration of authorization.

- Commissioner Ambrosini yes
- Commissioner Zapotosky yes
- Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY2014-15 Purchase of Service Agreement** between the County of Fayette, through Fayette County Children & Youth Services and **The Children's Aid Home Programs of Somerset County, Inc.**, 1476 North Center Avenue, Somerset, PA 15001 for Residential and Foster Care Providers on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
312330 – Class FC – Foster Care	PER DAY \$ 71.22

- Commissioner Ambrosini yes
- Commissioner Zapotosky yes
- Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **CRC Health Group (dba) White Deer Run**, 360 White Deer Run Road, Allenwood, PA 17810, for residential placement services for adolescent sex offenders on an as needed basis. The rate is as follows:

Initial Clothing - \$250.00

Cert # 408970 – AA Cove Prep	PER DAY
Adolescent Male Sex Offender Program	\$255.00

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Adelphoi Village, Inc.**, 1119 Village Way, Latrobe, PA 15650 (and a payment address of 354 Main Street, Latrobe, PA 15650) for an **aftercare program** on an as needed basis. The rates are as follows:

	PER DAY
Aftercare Program	\$ 116.00

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services and **Adams and Adams, Attorneys at Law**, 55 E. Church Street, Suite 101, Uniontown, PA 15401 for four parking spaces located at said address. The parking spaces are numbers 21, 38, 39 and 41. The rate is: Twenty-Five Dollars (\$25.00) per parking spot for a total of One Hundred Dollars (\$100.00) per month.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Western PA Child Care LLC**, 12 Dakota Drive, Emlenton, PA 16373, for residential and secure residential treatment services for adolescents on an as needed basis. The rate is as follows:

Initial Clothing - \$250.00

Cert # 444180	
Intensive Open Residential Treatment	\$ 270.50/ day
Cert #444170 TR- Secure Treatment	\$ 323.50/ day
Cert #204100 TR – Secure Treatment	\$ 345.00/ day
Cert #207860 SO – Sex Offenders/Fire Starters	\$ 348.25/ day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **2014-2015** Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Summit School, Inc. d/b/a Summit Academy**, 900 Agnew Road, Pittsburgh, PA 15227.

Initial Clothing \$250.00	
Residential:	Rate:
Cert # 472040 Residential-SR	\$ 128.65
Cert # 472040 Drug & Alcohol DA	\$ 209.00

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **2014-2015** Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Community Specialists Corporation, d/b/a The Academy**, 900 Agnew Road, Pittsburgh, PA 15227.

Initial Clothing \$250.00

Residential:

Rate:

Cert # 401650 – Unit ID: - DU

\$159.98/ day

Cert # 401650 – Unit ID: - KU

\$159.98/ day

Cert # 435120 – Unit ID: - SH

\$210.00/ day

Commissioner Ambrosini yes

Commissioner Zapotosky yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY 2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **M & R Transportation**, 2 Bel Meade Terrace, Uniontown, PA 15401 for transportation costs to enable foster children to attend their home school after placement in substitute care. The rate for this service is \$50.00 per day per student.

Commissioner Ambrosini yes

Commissioner Zapotosky yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY 2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **CPP Behavioral Health**, 253 S. Mt. Vernon Avenue, Uniontown, PA 15401 for referrals, psychological evaluations, testing, court testimony and court reports. The rates are as follows:

Intake (per session)	\$ 80.00
Psychiatric Evaluation (per session)	\$250.00
Medicine Management (10-15 minutes)	\$ 55.00
Individual Therapy (per hour)	\$ 70.00
Family Therapy (per hour)	\$ 80.00
Group Therapy (per 15 minutes)	\$ 8.00
Spanish to English Translator	
Mon-Fri 8-6	\$ 45.00/hr
After 6:00 pm	\$ 55.00/hr
Sat-Sun	\$ 65.00/hr
Court Testimony	\$ 85.00/hr
Clinical Report	\$ 50.00/hr
Mileage	\$ IRS Rate
Psychological Testing	
IQ Testing	\$ 250.00
Urine Drug Screen	
12 Panel Test	\$ 55.00
In-Home Drug & Alcohol Services	

Individual Therapy (per 15 min)	\$ 26.50
Family Therapy (per 15 min)	\$ 26.50
Comprehensive Individual Assessment	
Comprehensive Assessment-Individual Adult	\$ 350.00
Comprehensive Assessment-Individual Child	\$ 225.00
Comprehensive Assessment-Individual Report	\$ 250.00
Comprehensive Family Assessment	
Comprehensive Family Assessment-per adult	\$ 325.00
Comprehensive Family Assessment-per child	\$ 200.00
Comprehensive Family Report-family	\$ 325.00
Parenting Assessment (AAPI/NSCS)	\$ 40.00
NP Evidence Based Parenting Class (includes pre and post AAPI) – 22.5 hours of education	
15 week class (10 participants max)	\$1150.00
NP Evidence Based Adult Parents & School Age Children Class – 60 hours of education	
15 week simultaneous adult group/class (10 max)	\$1530.00
15 week simultaneous child group/class (10 max)	\$1530.00
NP Evidence Based Families in Substance Abuse Treatment & Recovery Class - 68 hours of education 17 week simultaneous adult group/class (10 max)	\$ 1734.00
17 week simultaneous child group/class (10 max)	\$ 1734.00
NP Evidence Based In-Home Parenting Education Program	
Nurturing Skills for Families Education Program	\$ 71.00/hr

Commissioner Ambrosini yes
Commissioner Zaptosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a second, Commissioner Ambrosini said just for clarification, the FY stands for fiscal year, not four-year. He said it may be a little confusing to people listening to that.

A motion was made by Commissioner Zaptosky and seconded by Commissioner Ambrosini to approve a **FY2014-15** Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **The Bair Foundation of Pennsylvania**, 241 High Street, New Wilmington, PA 16142 for foster family placement services on an as needed basis. The rates per day are as follows:

Initial Clothing - \$250.00

Foster Family Care Cert #316390	RATE
Class AA – Supported Foster Care	\$ 69.31/day
Class AB – Medically Needy FC 1 & 2	\$ 57.02/day
Class AC – Medically Needy FC 3 & 4	\$ 61.97/day
Class AD – Supported Kinship Care	\$ 69.31/day
Class AE – Traditional Foster Care & Basic Kinship Care	\$ 58.33/day

Class AF – Supported Foster Care Mother & Non-Dependent Infant Best for Families Program	\$ 81.97/day
In-home services Cert #415360	\$ 63.00/hr. RATE
Class PH	\$ 68.63/day
Class PI	\$ 56.45/day
Class PJ	\$ 61.36/day
Class PK	\$ 68.63/day
Class PL	\$ 57.75/day
Class PF	\$ 65.55/day
Class PM Best for Families Program	\$ 85.02/day
In-home services Cert # 432940	\$ 63.00/hr. RATE
Class WA – Supported Foster Care	\$ 66.96/day
Class WB – Medically Needy FC 1 & 2	\$ 56.45/day
Class WC – Medically Needy FC 3 & 4	\$ 61.36/day
Class WD – Traditional Foster Care & Basic Kinship Care	\$ 57.75/day
Class WF – Supported Foster Care Mother & Non-Dependent Infant	\$ 82.57/day
Class WG – Supported Kinship Care	\$ 66.96/day
Best for Families Program	
In-home services Cert # 348370	\$ 63.00/hr. RATE
Class MA: Supported Foster Care	\$ 68.63/day
Class MB: Medically Needy FC 1 & 2	\$ 56.45/day
Class MC: Medically Needy FC 3 & 4	\$ 61.36/day
Class MD: Supported Kinship Care	\$ 68.63/day
Class MG: Traditional Foster Care & Basic Kinship Care	\$ 57.78/day
Class MH: Supported Foster Care Mother & Non-Dependent Infant	\$ 85.02/day
Class MI: Supported Kinship Care: Mother & Non-Dependent Infant	\$ 85.02/day
Class MJ: Structured Intervention – Foster Care	\$ 73.50/day
Class MK: Community Rehabilitation - Intensive Treatment Program	\$ 35.05/day
Class ML: Community Residential Rehabilitation	\$ 28.35/day
Best for Families Program	
In-home services	\$ 63.00/hr.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services / Fayette County Juvenile Probation, and **Professional Family Care Services, Inc.**, 937 Menoher Boulevard,

Johnstown, PA 15905 for group home placement/shelter services on an as needed basis.
 The rates are as follows:

Initial Clothing	\$ 250.00
Foster Family Care - 331020 Class FF	\$ 59.74/day
Non-Placement Services	
Family Group Decision Making Standard Services	
Unsuccessful Referral	\$ 250.00/referral (max. 3 hours)
Successful Referral	\$1,000.00 (max. 10 hours)
Successful Conference	\$2,400.00 (max. 30 hours)
Emergency Services	
Unsuccessful Referral	\$ 185.00/referral (max. 3 hours)
Successful Referral	\$ 500.00 (max. 10 hours)
Successful Conference	\$1,000.00 (max. 30 hours)
Blended Family Decision Making	
Successful Referral	\$ 1,500.00
Successful Meeting	\$ 3,000.00
Reunification Services	\$ 60.00/hr.

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to ratify the resignation of Fayette County Children & Youth Services Advisory Board Member, Barbara Peters, effective October 20, 2014.

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Controller

Joyce Barnett read the following financial condition of the county.

Office of the Controller

Fayette County, Pennsylvania

JEANINE B. WRONA

Acting Controller

FUND: GENERAL FUND

DATE: 18-Nov-14



Phone (724) 430-1217

Fax (724) 430-1366

CASH:

Checking Account	United Bank	\$2,487,309.39
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Funds Owed to General Fund

Temporary Loans		
Children and Youth Fund	\$	500,000.00
Bond Fund	\$	2,009,542.20
		\$ 2,509,542.20
Arc Payments Due		
Intermediate Punishment Fund-.3yrs	\$	40,651.26
Offenders Supervision Fund-3yrs	\$	87,758.28
		\$ 128,409.54
Central Service Payments		
C-17 Fund-3yrs	\$	12,490.00
Offenders Sprvsn-4yr	\$	56,740.00
Intermediate Punishment-4yrs	\$	29,053.00

Funds General Fund Owes		\$ 98,283.00
Tax Anticipation Note		\$ 2,080,000.00
		\$ 2,080,000.00

Budget Year	Net Position	\$3,143,544.13
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	Year to Date
Total 2014 Revenues	\$ 26,287,135.11
Total 2014 Expenditures	\$ 23,499,436.74
Total 2013 Expenditures paid in 2014	\$ 1,120,484.47

Capital Reserve Fund Balance	Fund 51	\$ 234,841.45
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Bond Fund Balance	Fund 53	\$ 50,590.74
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Act 13 Marcellus Shale Balance	Fund 13	
		Balance in Bank \$3,169,145.55
		Rec'd in 2014 \$1,676,780.45

FAYETTE COUNTY COURTHOUSE • 61 EAST MAIN STREET • UNIONTOWN, PENNSYLVANIA 15401

Commissioner Zimmerlink said the Act 13 money will be decreased. She said because of some of the confusion at the beginning of this meeting we will be amending the agenda, she will make a motion to amend the agenda so we can pass a resolution to approve the Act 13 Marcellus shale monies of for the Motorola payments. She said all three commissioners had agreed as budgets were being prepared so that needs to be taken care of. She said we will do that toward the end of the meeting if that is OK with the other commissioners. She said that will diminish that and the amounts that she gave for the Act 13, that is, correct me if I am wrong, is that inclusive of Act 13 revenue impact fees, bridge and legacy? Ms. Barnett said it includes bridge and legacy, that is one lump sum. Commissioner Zimmerlink said the bridge is restricted monies, so she wants to make sure that everybody understands that although it may look as though the county is receiving a large sum, we are not receiving as much as other nearby counties but a portion of that, and that \$215,000 we talked about yesterday, I got the paper, that also is bridge improvements. She said so bridge improvement amounts, that is about \$200,000 for one year, those are only to be used to repair or replace our locally county owned bridges.

Commissioner Zimmerlink said the legacy fund has to be used only for certain items and then we have our separate Marcellus Shale. She said they are in the process of budget and year-end paying bills and going into 2015. She asked if it would be fair to say that our 2014 budget, on the revenue side, has some amounts for anticipated revenue collected that are overinflated and we will not be receiving as much as anticipated on the adopted 2014 budget? Ms. Barnett said that is correct. Commissioner Zimmerlink said one instance would be the UPI fund, the revenue side in the 2014 budget anticipates \$450,000. She said collected to date is roughly \$76,000. She said for anyone here who can do some mathematics in their head that's more than \$400,000 we're in the, we're, we will not receive, OK. She said that is an issue that the three commissioners have to address and what that means is the major expenses for 2014, you said you are going to get \$450,000, which I am not going to bring up old news, but I said not to put that amount in there because there was no way you could collect that, now we have more than \$400,000 that we, 375 that will be a cash flow problem.

Commissioner Zimmerlink said that has to be discussed and handled by the three commissioners before the end of this year, that means getting in a room and talking and figuring out where that money is coming from. She said it doesn't exist, it's not rocket science here, it doesn't exist so something has to be done. She said the second part is could you confirm to me on our debt service and calculation for 2014 we will have a discrepancy and a lesser amount than anticipated under our debt service fund and that is to be in the amount of \$500,000 because the amount that was placed on the general fund budget said \$500,000 for gaming revenue, casino monies, OK, which should not have been put in the budget as anticipated revenue which would have offset the debt service fund, did I explain that correctly? OK, so there is another \$500,000 that again, these three commissioners need to sit down in a room and say, you have \$500,000 that was placed in the budget as an anticipated, and it's not there and you can't go find it anywhere because it doesn't exist so that means something has to be done. She said the reason she is asking her that question is that she is the deputy controller, could you

remind me when Jeanine took over as acting and you took over as the deputy. Ms. Barnett said the end of May.

Commissioner Zimmerlink said OK, the end of May, OK, so I will say that, I will parrot the words of somebody else who had spoken already, for the months of June, July, August, September, October and a few days in November, the controller's office has really stepped up to the plate and has given, provided information that was not readily available in prior months. She said she will thank her for that and no one can fault, and this is Commissioner Angela Zimmerlink's opinion, no one can fault those individuals who are in the controller's office from June 1 on for anything prior because they were not privy to some of the information and they were not part of the process and did not have all of the information but now that you have the information, I can say that you have been bringing it to our attention in a very steadfast manner and now it is up to us to resolve it. She said it's not that she had a crystal ball, she could just at the time of the budget passing if you don't have the money you don't just put it don't on a piece of paper and say I have it, it doesn't work that way. She asked if there is anything that you want to add as far as things that I may have missed, if you don't, that's fine, I know I didn't go through a list with you, I just brought up two, the gaming shortfall and the revenue and she can only think of the two at the top of her head.

Commissioner Zapotosky said he agrees with Commissioner Zimmerlink, the controller's office has been working very diligently with getting us the information trying to disseminate how it was determined, the accounting methodology, so he wanted to thank both of you all, as well as Jeanine, who is not present. Commissioner Zimmerlink said and the others who are preparing the information, because quite frankly, she had three individuals from the controller's office who came to me after an article was written in the paper and certain derogatory and negative comments by county commissioner with the controller's office and these individuals had been there for quite some time and really took offense to it because they are hardworking and they can only produce the information as it is presented to them. So, we can move on, I don't have anything more to say, thank you both.

Human Resources

CYS

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to ratify the resignation of Caseworker I, Sean Taylor, effective November 7, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

EMA

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to ratify the resignation of FT 911 Dispatcher, Christine Reinhard, effective October 16, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

FACT

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to ratify the resignation of FT Bus Driver, Lori Randall, effective October 11, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to ratify the transfer of P/T Prison CO Don Ganoe to FT Bus Driver at SEIU Pay Grade 7 Step A \$11.40/hr. (\$22,230 annually) effective October 31, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the hire of Joe Carbonara as a FT Bus Driver at SEIU Pay Grade 7 Step A \$11.40/hr. (\$22,230 annually) effective November 19, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

HR

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to ratify the collective bargaining agreement between the County of Fayette Board of Commissioners and County employees represented by Service Employee

International Union (SEIU) Master Unit, for the period of January 1, 2014- December 31, 2017.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Information Technology

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of Anthony Amicarella, Director of IT at Non Union Supervisory Pay Grade 15 \$40,852.50 effective Monday, November 17, 2014.

Commissioner Ambrosini abstain
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-0-1

While making the motion, Commissioner Zimmerlink asked when the pay period ends. Commissioner Zapotosky, before making his second, asked if this came as a recommendation from the HR director, who wasn't present. Commissioner Zimmerlink said he has two recommendations.

Office of Human and Community Services/FACT

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the purchase of 7 Ford buses from state contract #4400008420 using CTCE/5310 funding. Total cost \$322,370.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zapotosky said this is another example of money from, OK. Commissioner Zimmerlink said county governments and other governments are told that COSTARS is the best possible pricing and we believe it to be true if you are comparing apples to apples but we will look at that other option.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve FY 14-15 agreements for Homeless Assistance Program (HAP) and Human Service Development Fund (HSDF) with the following:

City Mission (HAP) \$157,955

Fayette County Community Action Agency (HAP) \$250,613
City Mission \$9,263
Fayette County Behavior Health Administration \$77,350
Center in the Woods \$3,263
Albert Gallatin Human Services \$93,403
Fayette County Drug & Alcohol \$20,100
Fayette County Community Action Agency \$10,000

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Planning and Zoning

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a request from Fayette County Better Buildings Initiative to approve a measure that transfers revolving loan fund money from the Private Industry Council to the Redevelopment Authority of the County of Fayette to be applied to its residential energy efficiency upgrade program at an estimated amount of up to \$50,000.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Zapotosky said it is money for a revolving loan and there is still some liability they will be collecting.

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a request from the Fayette County Recycling Program to approve the purchase of a flat-bed dump truck for its Recycling Program through Pennsylvania Co-Stars. Estimated cost is \$80,562.59. The County will pay for the truck up front and receive reimbursement from the PA-DEP.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a rezoning request RZ 14-4 Sheetz, Inc., Bullsken Township, requesting an extension of B-1 General Business on property currently zoned A-1 Agricultural- Rural.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a rezoning request RZ 14-5 Preset 31, Georges Township, requesting an extension of B-1 General Business on property currently zoned M-2 Heavy Industrial.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a rezoning request RZ 14-6 GeographX, LLC, Brownsville Township, requesting an extension of B-1 General Business on property currently zoned R-2 High Density Residential.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a rezoning request RZ 14-7 Tammy Jobes, Georges Township, requesting a change of zone from M-1 Light Industrial to A-1 Agricultural-Rural.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Works

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the advertisement and solicitation of bids for a mezzanine level addition for Boiler House located on county-owned property.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to solicit bids for Janitorial supplies for 2015.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to solicit bids for Tires and front end repairs for County owned vehicles for 2015.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Claim

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to accept the following bid from the November 4, 2014 Repository Sale Bid Opening, subject to all conditions being met.

Bidder	Municipality/Township	Parcel Number	Amount of Bid
James Kane Record	German Township	15-25-0008	\$320.00

Total \$320.00

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Veteran's Affairs

Commissioner Zimmerlink asked for a motion to consider approval to purchase from COSTARS a 2015 Ford 14-passenger minibus with handicapped seating at an estimated cost of \$79,103. She said it could include other options.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to consider approval to purchase from COSTARS a 2015 Ford 14-passenger minibus with handicapped seating at an estimated cost of \$79,103, also to explore other entities that deal with vehicles of this nature, provided they meet the specifications.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to consider approval to grant a waiver for the 9-day balance of the 30-day comment period for T & F Exploration, which is tied to the ESCGP-2 plan submitted for the Nemaclin 7008 pipeline project.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to consider approval of the minutes of the Sept. 16, 2014 regular commissioners meeting.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink abstain

Motion passed 2-0-1

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to consider tabling the minutes of the October 21, 2014 regular commissioners meeting.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

During discussions on the motion, Solicitor Cupp said when a motion is tabled, the business is to move to take it off the table at the subsequent meeting and it can only lay on the table for one meeting and then it dies after that, it has to be December. Commissioner Zimmerlink said we could rather than making a motion to table, and Solicitor Cupp said you could remove it from the agenda and then put it back on the agenda for December when you have your December agenda meeting. Commissioner Zimmerlink said remove or table? Solicitor Cupp said it has the same effect.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the ratification of a proposal between the County of Fayette and McClure and Wolf LLP for accounting assistance and consultation for the annual budget at a cost not to exceed \$12,000 and for the annual audit at a cost not to exceed \$30,000.

Commissioner Ambrosini no
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

Commissioner Zimmerlink asked for a motion to consider approval to advertise to begin the process of getting a Tax Revenue Anticipation Note (TRAN) with the utilization of SGA Financial Advisory Services, Inc, if needed. She said she isn't sure what they are doing. Commissioner Zapotosky said they wanted to begin the process. Commissioner Zimmerlink said they have to clean that up, and directed Solicitor Cupp to look at that. Commissioner Zapotosky said he wanted to make sure they got the process beginning before they actually get to the point. Commissioner Zimmerlink said they would not advertise to begin the process, you don't do that so, has anyone spoken with SGA, Mark Lundquist? Commissioner Zapotosky said he has and he is just waiting for them to prepare everything they need, i.e. the proposed budget. Commissioner Zimmerlink asked if it is something all three commissioners want to advance with SGA or are you looking for other options? Commissioner Ambrosini said he is happy with SGA. Commissioner Zapotosky said he is comfortable with Mark Lundquist, he thinks he has done a very good job for us thus far.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve utilizing SGA Financial Advisory Services Inc. to solicit proposals for the 2015 Tax Revenue Anticipation Note.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Consider to ratify the following transfers:

10-15-14 to 11-7-14

Department	Cost Center	Debit	Credit
Adult Probation			
Training	01423653350	\$290.00	
Data processing	01423652360		\$290.00
Drug testing	01423653191	\$965.00	
Photocopy/printing	01423652200		\$965.00
Assessment			
Association dues	01413654200	\$2,000.00	
Travel	014123653300		\$2,000.00
Building and grounds			
Parks/equipment	01455052300	\$11,000.00	
Parks/capital outlay	01455057000		\$11,000.00
Contracted services	01455053011	\$500.00	
Parks travel	01455053300		\$500.00
Parks travel	01455053300	\$605.00	
B/G travel	01417453300		\$605.00
Parks/contract services	01455053011	\$30.00	
Parks inspection fees	01455053192		\$30.00
Courts			
Fees	01418451412	\$5,000.00	
Materials/supplies	01418452000		\$5,000.00
Fees	01418451412	\$1,000.00	
Travel	01418453010		\$1,000.00
Human resources			
Drug testing/employees	01415551935	\$1,000.00	
Materials/supplies	01415552000		\$1,000.00
Magisterial district courts			
Central Court utilities	01418600053600	\$1,000.00	
MDJ Abraham utilities	01418630253600		\$1,000.00
Central court	01418600053830	\$500.00	
MDJ Kasunic M/S	01418630452000		\$500.00
Total Debits	\$22,890.00	Total Credits	\$22,890.00

Commissioner Ambrosini yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zapotosky was out of the room during the vote.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend the agenda to authorize the payment of \$844,768.07 Act 13 monies for our Motorola payments for two years.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink called for public comment on the item. There was no public comment on the item.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to allocate \$844,768.07 from Act 13 Marcellus shale impact fee calendar reporting year 2013 for the Motorola payment.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to allocate \$844,768.07 from Act 13 impact fee revenue from the calendar reporting year 2014 for the Motorola payment.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Announcements:

The Fayette County commissioners will be accepting letters of interest for numerous Boards and Authorities. The deadline for accepting the letters will be November 28, 2014.

The openings are on:

Agriculture Land Preservation Board	Fayette County Airport Authority
Fayette County Conservation District	Fayette County Health Center
Fayette County Hotel Tax	Fayette County Housing Authority
Fayette County Industrial Development Authority	Laurel Highlands Visitors Bureau
Behavioral Health Administration	North Fayette Municipal Authority
Fayette County Planning Commission	Regional Trail Corporation
Southwestern Pa Commission-SPC	Fayette County Transportation Executive Committee
Fayette County UCC Appeals Board	Workforce Investment Board
Fayette County Zoning Hearing Board	Emergency Medical Services Board
Southwestern PA Human Services	

People interested in serving on any of the above should send letters to the commissioner's office in care of:

Kathy Winkler
61 East Main Street
Uniontown, Pa 15401
(OR) by e-mail to
kwinkler@fayettepa.org

The Fayette County commissioners will hold a special meeting at 1:30 p.m. on Tuesday, December 9, 2014 to propose a 2015 general fund budget, which will be adopted at a special meeting on 10 a.m. Monday, December 29, 2014. Both meetings will be held in the conference room of the public safety building.

The Fayette County commissioners will hold a special meeting at 10 a.m. on Friday, November 21, 2014 in the commissioner's meeting room of the Fayette County courthouse to select architectural/engineering firms for the Fayette County Prison Project.

Commissioner Zimmerlink said to Chief Clerk Revak and Solicitor Cupp that the legal ad for the first one was placed in the Herald-Standard and she said she has not yet seen the one for the Friday, November 21 meeting. Chief Clerk Revak said she received confirmation that the ad would run, but she didn't know the date. Commissioner Zimmerlink said it is imperative that you guys check on that given that Friday is two days from now, it would have to be in, what is today is Tuesday, it has to be in 24 hours, OK, unless my eyes missed it, I did not see it in the newspaper, OK, I could be wrong, I'm just, check that it is done so that we do not miss any deadlines. She said at the agenda meeting, also we were going to hold a special meeting on December 10 to set the salaries of the elected officials whose terms would commence in 2016 but that does not need to be done as that was already done. She asked for any other public announcements from county commissioners and there was none.

Public Comments

Marybeth Homistek asked Mr. Cupp why he sits with his back to the commissioners all the time. She said it seems he would want to face them so that when they ask him questions he wouldn't have to look around to answer them. She said she noticed that every time they ask him a question, he has to turn. She said he is employed by the county and she would think that he would want to face them so he could get a better look at them. Solicitor Cupp said in the 16 years he has been here the solicitor, no matter who it was, always sat in one of these two chairs looking that way, and he can sit any way the commissioners would like me to sit. Ms. Homistek said she has been noticing that and she said she thought she would ask. She said just for her information because she has done a lot of research and she spent a lot of money to get the right to know documents, what is going on with Genesis House, is the county sending inmates there yet?

Commissioner Zapotosky said that he isn't sure of the status, the last time he spoke with Rev. Sanders it was pertaining to his 1023 to make sure that they had that in place

because until such a time as they received that 501 designation, they are not eligible to receive any funds via a grant. He said they may have gotten it, he just doesn't know. He said he knows there was a picture in the paper a couple weeks ago, commissioner maybe you can shed some light on it, I don't know. Commissioner Ambrosini said he does know that the facility is open, he does not know how many individuals are there and he knows they will accept individuals from both the county jail and the state correctional facility. Ms. Homistek said so it is operational then. Commissioner Ambrosini said he believes so but he thinks it is just begun. Commissioner Zimmerlink said she will interject, there is a prison board meeting the last Thursday of the month, to her knowledge it has not been cancelled. She said Mary, you do the minutes for the prison board, could you please ask Sheriff Brownfield to post on the agenda about the status of the Genesis House and someone can address that. She said if she isn't able to attend that meeting, it would be in the minutes.

Ms. Homistek said she has a little comment, adding that she isn't a good speaker without notes. She said she spent some time with Mrs. Mazza yesterday and they joked around a lot about local issues and she wanted her to bring this up, but she has to clean up the language a bit, but there is a wonderful new store at the Laurel Mall that sells Sarsaparilla, Rural King, she said she is hooked on it, and it is a really cool store and it was heard on the radio that a week or so ago on the Susan Sickles hour that someone from the county is taking credit for getting that store here. She asked Commissioner Ambrosini if he knows a Susan Samuelson, has he ever talked to Susan Samuelson, the vice president of Rural King. Commissioner Ambrosini said he wasn't sure, he talked to several executives of the company. Ms. Homistek said so has she and none of them have ever heard of him. Commissioner Zapotosky said he wanted to ask a question, what is Rural King? Ms. Homistek said it is a farm store.

Commissioner Zapotosky said forgive his ignorance, he didn't know. Ms. Homistek said they have clothes, they have, it's a very cool store. She said her question is that is Bud Neckerauer a county elected official and Commissioner Ambrosini said no. Ms. Homistek said he has also been taking credit for getting the store there and she was just wondering if the county was instrumental in getting the store to locate in the center of the county. Commissioner Ambrosini said first of all, he didn't believe that anybody was taking credit, he merely indicated that the airport was instrumental in the executives having a place to fly in and finding the location for the store. Ms. Homistek said the airport got the store here. Commissioner Ambrosini said if we didn't have the airport that store wouldn't be there. He said he wanted to make that real clear because as most people know executives from various companies want to use corporate aircraft to expedite their business. He said if we didn't have a facility in this county, not only Rural King but other things wouldn't have happened. Ms. Homistek said the new Hobby Lobby wouldn't be coming if not for the airport. Commissioner Ambrosini said he didn't say that.

Ms. Homistek said it would be the same premise, the airport brings all the new businesses. Commissioner Ambrosini said she is just putting words in, and she is just making things up. Ms. Homistek said she is trying to extrapolate what there is in common with the airport being responsible for Rural King, that makes no sense. She

said does that make sense Mr. Kriss that the airport. Commissioner Zimmerlink said please address the comments to the board. Ms. Homistek said she spoke with people at the store and most of the employees are from Maryland because they couldn't find people local and they were questioning if anybody from Fayette County was responsible for getting it here, why didn't they come to the grand opening and why there wasn't a photo opp because people love photo opps. She said it seems like this is just a falsehood put out on the radio that Commissioner Ambrosini and Bud Neckerauer got that store here. Commissioner Ambrosini said first of all, that was never stated on the radio. Commissioner Zimmerlink said let him answer. Commissioner Ambrosini said he was simply giving the airport credit for that facility, just like when they put roads. He said any part of our infrastructure is important to the development of Fayette County whether it is sewage, roads or an airport.

Commissioner Ambrosini said that was simply what he was saying and he knows that you are twisting it. Ms. Homistek said she isn't twisting it. Commissioner Ambrosini said she is entitled to her opinion. Ms. Homistek said yes she is, but she thinks other people heard that on the radio also. She said that was her main comment, the fact that no one at Rural King knows your name other than he is the guy that wanted to put the jail next door. She said she did a lot of research and chewed on an awful lot of peanuts to find the truth. Terry Kriss said they slipped one by him in Behavioral Health, paying someone \$45 to \$55 an hour for a Spanish to English translator, I find that offensive, I really do. He said his grandparents came over on a boat like everybody else and they were forced to read and speak English and everyone should learn how to do it. He said in the year of 2014 for us to be paying somebody 50 bucks an hour to translate somebody in English, come on guys, there is no need for this. He said how many people need this translation is what he would like to know, first of all and it should never happen in today's society.

Commissioner Zapotosky said he would check with the director to find out if it is, it could be mandatory from the fed or the state, he would check on it. Mr. Kriss asked if they agreed with him that. Commissioner Zapotosky said he would like to think that the predominant language spoken in this country should be English, it is across the world. Mr. Kriss said OK, at 50 an hour we need to pay somebody to do this. Commissioner Zapotosky said if you call the social security administration you can find them speaking languages. Mr. Kriss said he understands that, but we are here in a small county, we're all from immigrant parents and grandparents but we have all learned the system and to speak English, so he thinks that is offensive. He said Commissioners Zapotosky and Ambrosini on this clearly shows that you are looking for jobs or are looking for Joe's campaign contribution and votes and it sets another terrible precedent for preferential treatment to the select few of this county. He said there is no need for it, there is no earth-shattering news that somebody can't wait for another seven or nine days, again you are setting terrible precedents for the select few of the county, we will move off of that subject.

Commissioner Ambrosini said he would respond to that. He said first of all, as Commissioner Zapotosky already pointed out, they already had well over a 30 day comment period. Mr. Kriss said he didn't buy that or they wouldn't be required to do it

again, so he didn't buy that. Commissioner Zapotosky said they had to do it again because they split. Mr. Kriss said then let them do it again. Commissioner Zimmerlink said if they didn't have it, it would not have been on the agenda. Mr. Kriss said, I'm sorry Al, go ahead. Commissioner Ambrosini said since they have had ample time and the fact that everything was on Nemaquin property, gas well, and all the property including if there was any residence, they have already signed off on it, including the township. He said the fact that, as everybody witnessed this morning, we are getting into some bad weather and that was the only reason that they stated that they wanted this so they could put in the pipeline before the weather really got bad through January and February. He said somebody that knows what construction issues are and bad weather, he thinks it is a very reasonable thing to waive.

Mr. Kriss said that is your answer? He said it would be 40 45 degrees, we are not with the permafrost. He said the season hasn't begun so nine more days, he sees lots of contractors all over Fayette County building apartments, building, nobody is on hold right now, the permafrost isn't present, that's a lame excuse. Commissioner Ambrosini said that is your opinion. Mr. Kriss said he thinks they are doing it for votes, and they are giving preferential treatment and you are looking for more campaign contributions. Commissioner Zapotosky said he never got a campaign contribution. Mr. Kriss said he doesn't know that and he doesn't follow that, but in his eyes, that is what they are looking for in doing this. Commissioner Ambrosini said in the first place, Mr. Joe Hardy owns a casino, he is not allowed to give campaign contributions to any elected officials. Mr. Kriss said his daughter and this person and that person and everybody else, if they want to do it for him, of course they can, come on, come on. He said OK, let's move along, he heard some ramblings that somebody wants to have a man of the year award for Ralph Mazza.

Mr. Kriss said he heard these ramblings going on. He said for his two cents worth, he thinks the commissioners should make a proclamation honoring both Ralph and Jerri together, they have always been here together, I think it would be nice to do that and he thinks the man of the year award with yearly inductees is a bad idea that is being done in poor taste. He said the Mazza's have never sought public office or any accolades for themselves would not want this done. He said he applauds Ralph and Jerri for their longtime commitment and their courage to speak out against bad county government and its wasteful spending. He said let's not cloud his legacy with county commissioner candidates or any elected official trying to attach themselves to it in any way. He said that is just his feelings on the subject, they deserve something but it will be politicized if you want to go down that road, man of the year, every year it will be more politics. Commissioner Zapotosky said he thinks that with all due respect, our feelings for Mr. Mazza rest in our heart. Mr. Kriss said with all of us, so let's not politicize that. He said they both deserve a lot of credit, let's not attach the dark side to them.

Mr. Kriss said Sheryl Heid, he has been on this subject for three months he has come in here. He said number one, she intervened on the case without commissioner approval causing further delay in their due process and costing everyone more money in attorney fees. He said two, Commissioner Zapotosky, he didn't know which commissioners meeting, the one before, she come up to you and told you that you

should stop us audience members from speaking about Jack Heneks newspaper comments during the public comment period, is that correct? Commissioner Zapotosky said he didn't recall her ever saying that. He said she may have said that sir, but he didn't recall those words exactly so he can't say yes or no. Mr. Kriss said he relayed it to him right there. Commissioner Zapotosky said OK, then she did. Mr. Kriss said here is the problem with that, she has no right to even suggest such craziness, to silence our right to freedom of speech. He said why would she come up to you and tell you, silence these people from talking about Jack Heneks for a story that was in that morning's newspaper. He said does he have a right to even do that? Commissioner Zapotosky said sir, did I silence you? Mr. Kriss said no you didn't, and I commend you for that.

Mr. Kriss said why is she on this continual path, we are telling the people what to do, now we are trying to silence an audience, why? Commissioner Zapotosky said he isn't trying to silence him. Mr. Kriss said he knows that, you are not and I applaud you for that, Al tried that and it didn't work too well. He said why is this county solicitor trying to silence this audience, he doesn't like it and nobody in this room should like it. He said at a recent zoning hearing board, Al Ambrosini asked Dave Bukovan a question and from what he understands, his answer was that he can't answer that because he has been instructed not to by our solicitor. He said Dave Bukovan has been the chief zoning officer for almost 20 years in this county and he certainly has the knowledge and authority to answer any of these questions. He said why was Sheryl Heid assuming as solicitor that day, what is she doing instructing Dave Bukovan not to answer county commissioner's questions, Dave can't speak for himself here? Is that not what he is paid to do, to be the expert on zoning? He said why is Sheryl whispering in his ear, don't answer these questions?

Commissioner Zimmerlink said Sheryl Heid wasn't at the rezoning, she and Commissioner Ambrosini were and Commissioner Ambrosini specifically asked a question regarding, he asked a legitimate specific question to Dave Bukovan, I wanted the answer as well, his response was, and I am paraphrasing, but she is pretty darn close to it, that the solicitor had recommended not to give a response. She said she did not think that was right and afterwards she did contact both Solicitor Heid and John Cupp and to date she still doesn't have a sufficient response. She said as a matter of fact, she doesn't have a response. She said she will follow up on that because it is on her to-do list to follow up on. Commissioner Ambrosini said he believes the response was to the best of his recollection that Dave was not to give legal advice in terms of the ordinances. Commissioner Zimmerlink said it wasn't legal advice. Mr. Kriss said he is the chief zoning officer, Al. He said he remembers at his hearing, he said he would take the Fifth, what is this guy doing? Commissioner Zimmerlink said it wasn't specific legal advice, she does have a copy of the transcript, the question was, is this considered spot zoning, that was the question, and his response was on the advice of counsel, he was not to respond to that.

Commissioner Zimmerlink said that is what she said, Commissioner Ambrosini asked a legitimate question, she was getting ready to ask the same question, that is not legal advice, that is pursuant to you being the chief zoning officer and we had Sara Rosiek sitting there as well, it was not asking for a legal opinion, it was, according to the

county's zoning ordinance and according to the definition and information provided, would it in your opinion as the chief zoning officer and the director, would that be considered spot zoning. She said they have answered that question in the past and they should continue to answer it, he was not asking for legal advice. Mr. Kriss asked for Commissioner Ambrosini's comment, adding, you don't think his expertise could have answered that question. He said couldn't he answer that and why would Sheryl tell him not to? Commissioner Ambrosini said he can't speak to that. Mr. Kriss asked if he thinks it is right that she did. Commissioner Ambrosini said unless he reviews that with her, which he has not, he can't answer that intelligently. Mr. Kriss said Commissioner Zapotosky, we had a hearing in front of Judge Ober last week, did Sheryl Heid not call you right before that hearing?

Commissioner Zapotosky said yes she did. Mr. Kriss said what she said was do you have any information you want to relay to Wendy O'Brien. Commissioner Zapotosky said no, her question was did Wendy O'Brien contact me. He said he told her no, he did not receive a call from Wendy O'Brien. Mr. Kriss said OK, did you know that Sheryl Heid went to that hearing? Commissioner Zapotosky said he is aware of that after the fact, we had an agenda meeting at 10 o'clock that morning. He said she asked me if Wendy O'Brien contacted me, Commissioner Zimmerlink was in my office as the call was coming in and she asked me that question and I told her no. Mr. Kriss said do you know why she is even concerned or involved, she has nothing to do with it, who instructed her to go to that hearing? Commissioner Zapotosky said he did not. Commissioners Ambrosini and Zimmerlink said they did not. Mr. Kriss said she went to it on her own, no business whatsoever being there, getting paid on county time for something she has no business going to. Commissioner Zimmerlink said she contacted Sheryl Heid after the hearing indicating that Number One, she was not given majority commissioner approval to intervene, therefore all of her actions from that point on she should not have been involved in that case in any way, shape or form, meaning calling me, calling Ambrosini, calling Zapotosky, calling Wendy O'Brien and calling anyone and she made that very clear, nor did she need to be at the hearing because she was not representing the county under that county intervention because that had been pulled.

Mr. Kriss said she is still sticking her nose in legal business that does not concern her and she has been warned, she has been told and she keeps on rolling. He said next, after Attorney Rich Bower made a 30 minute plea to the planning commission asking to put on hold and gather more info. on Commissioner Ambrosini not having legal standing Sheryl Heid did absolutely nothing to inform or persuade her board before they quickly made a unanimous decision with Chairman Baker blurting out, you could always appeal our decision if you don't like it. He said once again putting the burden on the citizens to overturn their obvious political decision, here she is again, she had the opportunity, we have a seasoned lawyer who is supposed to guide her board legally but what Bower asked her to do, not stop it, not overturn it, but look into it further, do your research before you make a decision but you know what bad card players they are, it didn't take him two seconds for Mr. George to jump up or somebody to make the motion and George to jump up and second it and then when Baker blurts out, you don't like it, just appeal it, I am getting sick of that just appeal it answer from these county players on these boards.

Mr. Kriss said it is very easy to say those words but it become very time consuming and it is expensive on citizens like me to overturn this crap. He said she had her opportunity to use a lawyer to take a little time with that board, sit down with them, explain the facts of the law that were made blatantly clear by Bower, she chose not to do that and they moved along. He said Commissioner Zapotosky, was Sheryl Heid ever your personal attorney? Commissioner Zapotosky said that is a personal matter. Mr. Kriss said he wasn't going to ask what for he was just asking if she ever represented him. Commissioner Zapotosky said he paid for her services and it is a personal matter. Mr. Kriss said OK, he didn't need to know. Commissioner Zapotosky said he paid for her services, handsomely paid for her services. Mr. Kriss said we all know what legal fees are about. He asked if this is the reason he is hesitant in taking corrective action against her. Commissioner Zapotosky said no sir. Mr. Kriss said, are you sure about that Vince? Commissioner Zapotosky said that has nothing to do with anything. He said that is a personal matter that he would prefer not to discuss in public because it is involving a minor and no disrespect to you, but you are probing into. Mr. Kriss said no I am not. Commissioner Zapotosky said it is a personal matter and she was paid handsomely along with every other party that was involved in the process.

Mr. Kriss said he would drop it then, he wasn't asking to divulge. Commissioner Zapotosky said it is very sensitive to him because what it was about. Mr. Kriss said being outside the box. Commissioner Zapotosky said you have asked me the question and I have answered it, the answer is no. Mr. Kriss said he has come here for the past three months asking the commissioners what they are going to do about this rogue county solicitor who keeps doing whatever she wants. He said he is asking that she resigns her position or be relieved of her duties. He said how is it going to be, are we just going to continue to let this go? He said he is going to file a formal complaint with the Fayette and state BAR for all these incidents. He said he is tired of the bull and if you guys just let her keep getting away with it, nothing is ever going to change here. He said he has proven time and time again she's a problem. He said her problems are running off on him as a citizen and my wallet and others in this community. He said she is trying to silence people and she should be doing her job, she doesn't and when she shouldn't be doing her job, she's in, I am bored and sick of that.

Mr. Kriss said lastly, this concerns the newspaper, Patty Yauger and Mark O'Keefe. He said there had to be at least 50 front page stories that were pro prison. He said when Judge Ober put the kibosh on this prison debacle last week, your newspaper the Herald-Standard thought page A3 would suffice and Sean Cavanagh's alleged carjack, he was more important, on the top of the front page. He said this continued bias on this subject by you and Mark O'Keefe is so blatant that it makes me sick. He said in case you don't understand your job as journalists is to report the story with all the facts not your slanted version. He said you, Patty and Mark, should be ashamed of yourselves because you are both part of the problem and not the solution that this county so desperately needs. He said being mum on the subject for the past week only confirms your lack of objectivity. Do you understand that Patty, you and Mark? Commissioner Zimmerlink said wait, public comment. Mr. Kriss said that is his public comment. He said

for that prison story, for 50 stories to be on the front page but the day the axe fell, to be buried and for a week we're mum.

Mr. Kriss said if she is mad about the name he called her several months ago, grow up and get over it, I have been called far worse in my life. Commissioner Zimmerlink said public comment comes to us please. Mr. Kriss said do your job. Commissioner Zimmerlink asked if there was any other public comment, she said the commissioners will address, please, is there any other public comment? Wendy Baur said yes there is. She said they come to these meetings and Al, God Bless. She asked if it was possible to get somebody in there from domestic violence to explain to people what verbal abuse is and that nobody should be subjected to that. She said that is a bit aggressive, don't you think? Commissioner Zimmerlink said public comment, everyone has a right to speak. Ms. Baur said they do Angela, but come on. She said he is being aggressive calling people names and being confrontational. Commissioner Zimmerlink said she didn't hear any comment, she didn't hear that today. She said did somebody make a statement today? Ms. Baur said he was being pretty aggressive and hostile. She said the meeting on Friday, she asked if it was in the newspaper. Commissioner Zimmerlink said she asked for the legal advertisement. Ms. Baur said you had not seen it in the newspaper.

Commissioner Zimmerlink said unless, do we have a tape of these meetings? Ms. Baur said she doesn't need a tape of these meetings, she didn't remember seeing it in the newspaper so her question is that if it is not in the newspaper today what is the deadline for that meeting. Commissioner Zapotosky said 24 hours. Ms. Baur said thank you. Commissioner Zimmerlink said hold on, are you sure that it is 24 hours, I was going to relay that to the solicitor, what is the proper ? Solicitor Cupp said 24 hours. Commissioner Zimmerlink said so when does it have to be? Solicitor Cupp said 24 hours before the meeting. Commissioner Zimmerlink said so it has to be in by Thursday, Thursday. She said they are going to back to, did she miss something as far as a personal attack because if I did, I apologize if I did not stop it if there was someone's feelings hurt here, I don't recall. She said she didn't, they are asking that all public comment please be addressed here and not to members of the public, OK. She said if you have something to say on a personal level you can always do it afterwards but for public comment on county matters, please address it to the board of commissioners and not to each other in the audience.

Commissioner Zimmerlink said if she missed a direct attack, then she apologizes for not asking the speaker to stop, but seriously I did not hear. She said they had Marybeth, Terry Kriss, Wendy Baur, OK, Michael. Michael Cavanagh said he is going to address this to Commissioner Ambrosini, with the recent decision by Judge Ober, do you now have some reflection on the process that you didn't have standing? He said you have citizens here and other citizens and Mr. Mazza, God Bless him he just passed away, they had to go to court because of your actions there was no resolutions, there is this fundamental thing that we talk about when we come to county government, two commissioners voting or signing off on things. He said the county did not own the property, you went in and did something, do you have any reflection on that? Commissioner Ambrosini said it would not have been an issue Michael, if we would

have adopted a resolution to place that in front of the zoning hearing board. He said he did not receive a second for the resolution, it's as simple as that. He said Judge Ober gave us ample time to correct it. He said at that time, as you know I did not have a second vote. Commissioner Zimmerlink said there was not a second vote because there was never a motion made. She said you can't make a second if you don't have a motion. She said her recollection is that there was never a motion presented in any of the minutes, therefore that is why there is not a second. Commissioner Ambrosini said actually there was in an agenda meeting.

Commissioner Zimmerlink said Richard Bower, who had over 100 pages of attachments from what she understands and could not produce a resolution or any part of the minutes, so that is all she is saying, but the second part, I will disagree with Commissioner Ambrosini that is not the only reason that Judge Ober dismissed the case, there were errors of law, even if there would have been standing and there would have been a second vote and resolution passed to apply for the zoning application, there were errors of law made as per the judge and she wasn't there but she started to read part of the notes that people have taken and getting the transcript and there were others there who probably can address the situation, errors of law that it did not meet the requirements of a special exception and a variance in accordance with our zoning ordinance. Mr. Cavanagh said that takes him to the second part, which is the zoning board itself, you guys appoint those members and it is now by an outside judge who had no connection to it that basically said that this was done incorrectly. Mr. Cavanagh asked what kind of action will be done to ensure this doesn't happen in the future. He said you have a zoning hearing board that is violating the zoning ordinance as well and basically doing something they should not have done.

Commissioner Ambrosini said the ZHB did their job and they did it in the bounds they were allowed to do it. He said the only omission was the fact that we didn't have a resolution on the paper. Commissioner Zimmerlink said no, that's incorrect. Ms. Homistek said you're a liar, again. Commissioner Zimmerlink said please, please, Marybeth please. Ms. Homistek said she read the minutes. Commissioner Ambrosini said there was a motion in the agenda meeting. Ms. Homistek said no there was not. Commissioner Zimmerlink said Marybeth, let him speak. Commissioner Ambrosini said there was a motion to place on the agenda a resolution in a commissioner's agenda meeting and that motion was not carried. He said a motion never got to a regular voting meeting, go ahead Michael, go ahead. Mr. Cavanagh said the bottom line is your action without resolution, without approval of at least one of your other colleagues started this whole snowball, started the fact that they had to go to court to stop this and we had to have a visiting judge come in here. Do you not see that, do you not accept any responsibility for that, moving forward on your own without proper.

Commissioner Ambrosini said the only responsibility that he accepts is the fact that he didn't know they had to have a resolution, he thought the filling out of the paperwork was enough, so he admits that but the fact of the matter is that it is a good project, it's what this county needs. John Cofchin said it is a dead project. Commissioner Ambrosini said that doesn't mean it's not a good project, John, it's a cost effective project for the county. Mr. Cofchin said we are here today where we should have been two years ago

talking about fixing this problem and we have spent two years blundering, fumbling. He said nearly everybody in the room knows the difference between 150 acres and 12 acres. He said the judge characterized the failure of his program as self-inflicted, Mr. Ambrosini that is on you bud. He said accept it, and try to be part of the future solution and let's just get past that it was a good project. Commissioner Ambrosini said it actually is a great project and he will tell him why. He said the people sitting next to you know it is a good project. Commissioner Zimmerlink said wait, hold on one second, we're, back up here, we are public comment and there is someone at the podium and please if there is any discussion afterwards, I will say this, as far as who should take responsibility, it should be the three sitting commissioners whether it is in this administration, past administration or future administration because the three sitting commissioners whomever they are, they appoint zoning hearing board and if the zoning hearing board does not take the zoning ordinance and apply it properly and it is a continuous thing, everybody does make mistakes but we do have arguments on both sides, we have lawyers there and making a legitimate argument and our zoning hearing board members simply say if you don't like it you can always appeal, that is wrong to do it should never be on the burden of a citizen, regardless of what the project is.

Commissioner Zimmerlink said we have to appoint good zoning hearing board members and not political appointments. She said they have to appoint good solicitors and they have to ask those solicitors to make sure that they give legal advice as per county code, zoning ordinance, nothing else, don't look at anything outside of the box, just give us the legal advice and then us three or whoever is sitting up here has to make that decision. She said although it may not have been written in the Trib and the Herald, I didn't read both of them in very much detail as to all of the reasons, it was very clear that Judge Ober said within five minutes that there was no standing and there were errors of law made by the zoning hearing board and others, John Cofchin also stated that it was self-inflicted. She said even if they would have got past the standing this is not a simple resolution, OK, that is ridiculous to even say. She said if you did have the standing the zoning hearing board and planning commission, OK, erred in applying the zoning ordinance in defining the rules of the PHMC. She said there was a self-inflicted hardship, it did not meet the guidelines, it was very clear, pull the transcript, read it, or ask any one of the citizens who paid out of their own pocket thousands of dollars, OK, because we have boards and commissioners who just are flippant about these things and its ridiculous and I said from Day One if you are not going to follow the zoning ordinance, throw it out the window and get rid of countywide zoning.

Commissioner Zimmerlink said and to simply say that I didn't have a resolution, that is an insult, I take it as an insult on behalf of all the citizens who had to put money out of their own pocket and fight this. Mr. Kriss said it is also the \$100,000 Cupp and Heid story, they let him and enhanced him to get away with it. Commissioner Zimmerlink said she included solicitors. Mr. Kriss said they should know better. Commissioner Zimmerlink said she included solicitors, zoning hearing board and planning commission is what I said. Mr. Kriss said own up to it Al, Cupp and Sheryl, you did it, nobody else, you three. Mr. Cavanagh said moving forward, it is your job to ensure, just what you said Commissioner Zimmerlink, you have to ensure that this doesn't happen and needless money, taxpayers aren't paying to this government for representation, they

you have to come in and you have lawyers and groups paying to fight you with your own money and you have to hire outside lawyers as they did to come. Commissioner Zimmerlink said plus the citizens pay for Wendy O'Brien and John Cupp, we all pay, you do, you do. Mr. Cavanagh said it really is a sickening process and you guys have to take control of how you are appointing these members and move forward, you have to really follow the process, Mr. Ambrosini your answers really aren't, you know, by anybody who seen you applying for that yourself for the county which didn't own the property, you didn't have a resolution, it's just fundamental stuff that, with all the attorneys and all the money that we spend as taxpayers, this should have never been, it should have never been, regardless of your merits of the project or not, we're \$2 ½ million wasted at this point, we've got to move forward.

Commissioner Ambrosini said the money isn't wasted unless we don't build this facility. Mr. Cavanagh said you are not building it there, you didn't close on the property, so. He said are we having a meeting on Friday for the architect to look at another alternative. Commissioner Zimmerlink said the project should have been, no action should have been taken as soon as that appeal was taken. She said that is what she attempted to stop, as soon as that appeal was taken by, I believe it was the Krisses and then the citizens followed, it could have been vice versa. She said as soon as that happened that is when all action and county monies should not have been expended because you have to wait for the outcome of the litigation but instead more time was taken and we can't, Commissioner Zapotosky and I are faulted by, here is what you read in the paper, we halted or we stalled the project, I did not halt or stall a project, that land is, the land use appeal, it was the wrong property to pick, plain and simple, Number One it was in a Dunbar Township Business Park for economic development, OK, Number Two, the special exception and the variance did not apply, even to a layman's own eye and understanding of the zoning ordinance, it should have never been put forward and I attempted to stop any continued bleeding of this project by having more time and more money wasted, it didn't go through until August, I believe, August 18 of 2014, but if you recall this nay commissioner here voted against those, advancing it, but I also was proactive and made a motion and did not receive a second, back in October 2013, 2013, to halt all actions and begin the process that we are now doing, which is exploring options.

Commissioner Zimmerlink said the problem will be addressed and Herald Standard and Mark O'Keefe and the editorial board can blame me all they want and say that I am the one that held the project up, as they wrote it, as they wrote it. She said however, they are incorrect because it takes more than one commissioner to do anything and it takes a majority of the prison board. She said facts are facts so where we're at now is where we should have been back in October, the only thing we can do is move ahead and address the problem. She said Friday we will have a special meeting to name and architect/engineer and move forward on the project and look at other options because guess what, that option for Dunbar Township Business Park, it was dead back when they applied for that special exception because it wasn't going to go through at that time and look how many months and tax dollars was wasted. She said I can tell you that \$2.5 million, well actually 2.1 was spent and there is around \$300,000 that is still due to these individuals, that money was not allocated and put aside in the general fund

budget for 2014. She said that money was set over here to pay these expenses but instead of paying those expenses it was taken out to pay new expenses, well these other expenses still have to be paid. She said \$2.1 million has to be found, where it is going to be found, it is going to be borrowed by that \$10 million, so all that it is just rolling it down, it's going from one pocket to another with interest payments. She said it's wasted and we need money to pay these bills before December 31, please, please. Mr. Cavanagh said his last comment was that he attended the zoning board meeting and the planning commission meeting and there was an air of arrogance in that and a forgone conclusion. Commissioner Ambrosini said again he is getting a little personal here.

Commissioner Zimmerlink said air of arrogance, that's not personal, that's a statement. Commissioner Zapotosky said let's try to have some decorum. Commissioner Zimmerlink said no, you can say somebody was arrogant, that's not. Mr. Cavanagh said he watched and there were some questions asked at the zoning board meeting and moving forward I see you are soliciting citizens to be appointed to boards, moving forward you have to make sure this stuff doesn't happen. He said that is collectively as three commissioners voting to put the right people on. Chris Bennett of Local 913 said he isn't going to argue about the new prison, but it was a very well thought out plan for years to come, it wasn't a piecemeal we are going maybe have to build another building in 15 years, no it was a plan that was easily added on to and it could have adapted us for a long time. He said that being said, what new plans do we have to go forward? Commissioner Zimmerlink said there is no new plan until we meet with, OK, there is no plan, OK, so. She said there is no specific approved plan, that is the process we are at at this time. She said she doesn't want it in the paper that we are having multiple buildings, that is what one person is saying, it's multiple buildings, we are having an architect to be selected, once that architect is selected they are going to look at all the options, in the city of Uniontown and on site and then the plan will be selected. She said it's called we're exploring those options.

Mr. Bennett said from a labor standpoint any time you run multiple buildings. Commissioner Zimmerlink said who said multiple buildings? She said don't talk about it when no one said we're, where do you get that? Mr. Bennett said they will be on site right? Commissioner Zimmerlink said maybe, maybe not, we don't know, we haven't discussed it with the architect yet. Mr. Bennett said he isn't going to argue that with her, he said for the needs of A, the officers, B, the inmates and all the support staff at the prison, it does not feel to us that we are being in this loop. He said they are talking to everybody except but the people who have to be there daily and that is where he is at. Commissioner Zimmerlink asked if you guys were part of the prison working group. Mr. Bennett said yes, our union president at the time was. Commissioner Zimmerlink said who was that? Mr. Bennett said Mike Hicks. Commissioner Zimmerlink asked if he was at all of the meetings.

Mr. Bennett said he can't tell her that, but now there is a new union president. Commissioner Zapotosky said he has spoken with several of you. Mr. Bennett said yes, you have spoken to us. He said this is not an attack on anybody but from what he saw today it seems like we are not being listened to and all this other stuff, the personal

attacks and everyone getting up here and being negative we need to come together as a community and do things, not just bitch about what everyone else has done but we need to stand up and say OK, how can we be part of the solution and now just argue and bicker about who is holding this county back.

Adjournment

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to adjourn the meeting.

Commissioner Ambrosini yes
Commissioner Zimmerlink yes
Commissioner Zapotosky yes

Motion passed unanimously

