

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, April 21, 2015 in the public safety building.

**In attendance-**

Commission Chairman Vincent Zapotosky  
Commissioner Alfred Ambrosini  
Commissioner Angela M. Zimmerlink (arrived at 10:20 a.m.)  
Chief Clerk Amy Revak  
Solicitor John Cupp

**Commissioner Zapotosky** called the meeting to order at 10 a.m. He said we have been blessed by the entrance of Pastor Ewing Marietta who will offer us a blessing and if you remain standing for the pledge of allegiance. Rev. Marietta said today we have another pastor, David Douthitt from New Life Baptist Church. Pastor Douthitt recited a prayer.

The pledge of allegiance was recited.

**Commissioner Zapotosky** wished everyone a good morning, adding that he hoped that everyone had wonderful Easter holidays. He said they were going to do the proclamations.

**Proclamations**

Child Abuse Prevention Month April 2015

Sexual Assault Awareness Month April 2015

Victims' Rights Month April 2015

Mental Health Awareness Month May 2015

Older Americans Month May 2015

**Commissioner Zapotosky** read the proclamation for Child Abuse Prevention Month April 2015.

**Commissioner Ambrosini** read the proclamation for Sexual Assault Awareness Month April 2015. Michelle Shumar, the executive director of the Crime Victims Center spoke about services her organization offers. She said they have been in the county for 40 years and the evening before there was a major event at Penn State, the Eberly Campus and spoke about the collaboration to prevent sexual assault on campus. She said she brought teal pins for each of the commissioners, adding that teal is the color for sexual assault awareness month and because it is 40<sup>th</sup> anniversary of the organization

they did a commemorative medallion and she is presenting one to each of the commissioners.

**Commissioner Zapotosky** read the proclamation for Victims' Rights Month April 2015. Ms. Shumar said often her organization is confused with Domestic Violence services, adding that organization is involved in many task groups and committees with them and their focus is domestic violence and her organization's focus is working with victims of sexual assault and other violent crimes and she thinks they are Fayette County's best kept secret with regard to working with victims. She said they are the conduit to process applications for victim compensation. She said the people affected by violent crime and have loss as a result, they are able to process claims in hopes that they can recoup some of that loss. She said they are located out at Oliver Square Plaza and they work with victims of sexual assault and other violent crimes. She urged anyone touched by violent crime to call the center and said they can assist.

**Commissioner Ambrosini** read the proclamation for Mental Health Awareness Month May 2015.

**Commissioner Zapotosky** read the proclamation for Older Americans Month May 2015. The executive director of the Connellsville Senior Tigers Inc. said on behalf of the Southwestern Pennsylvania Area Agency on Aging she wanted to thank the commissioners for their endorsement and support of aging services received by Fayette County consumers. She gave a list of agencies that provide services and the services they provide.

### **Public Comment on Agenda Items**

**Commissioner Zapotosky** said at this time, there are people from Connellsville City Council, and also have jobs that they would like to return back to, and their comments would fall under the repository sale, without objection, he would like to open up the public comment on agenda items to Aaron Zolbrod councilman. He said without seeing any objection, he said the floor is yours. Mr. Zolbrod asked Tom Curry, the code enforcement officer, to join him. Mr. Zolbrod said he thinks most people know him, he said he is a resident and business owner in Connellsville as well. He said he is the director of public health and safety for the city. He said other than Mayor Lincoln he did not tell any member of council he was attending the meeting, so he wasn't speaking on behalf of the other three members. He said he did feel he was speaking on behalf of thousands of residents of Connellsville and voters of Connellsville.

**Mr. Zolbrod** said being in politics he can completely understand how much they have on their plate and before he got into this he had no idea how much time it takes to do this kind of job but he said himself and many others feel that the county and commissioners have not given a couple of issues the attention they deserve. He said in fact when it comes to the city's most serious safety issue, the WCVI building, their request for information regarding the sale of the building at times have been completely ignored. He said on several occasions they have provided facts regarding the conditions of the building that greatly affect Connellsville residents and first responders safety as

well as the city's financial interest. Mr. Zolbrod said he doesn't think they have been taken into consideration during this process, which has dragged on for literally years. He said over five years ago an engineering report from K2 Engineering that declared that structure "a serious health hazard and undue safety risk to the general public with potentially life threatening conditions." He said that was over five years ago.

**Mr. Zolbrod** said the deplorable conditions of the WCVI building were made aware to the Chief County Clerk Warren Hughes all the way back in October of 2011 and Connellsville explained there was an order to demolish the building. He said in December of that same year the property was transferred to the county. He said that was the first opportunity for the county to work with Connellsville to come up with a solution to a building that posed life threatening circumstances. He said prior to the tax sale on October 24 an e-mail was sent, which he said he has a copy if they would like, to Mr. Hughes from Mr. Curry, our code enforcement officer, along with the engineering report. He said Mr. Hughes was also notified that we had started the Act 90 process, which actually may have given Connellsville some leverage to get the building demolished at no cost to the city had it not been put up for tax sale. He said we specifically asked in that e-mail, Mr. Curry did, what the county's plans were regarding the structure. He said we never received a response to that e-mail.

**Mr. Zolbrod** said the second opportunity that the county had to work with Connellsville to come up with a solution for the building other than selling it at the tax sale, and in the condition it is in, he doesn't understand why anybody would have thought that somebody would want that building. He said he feels that Connellsville is left holding the bag, adding that it feels to him that, and he is sure others, that all the county wanted to do was ensure they would not be responsible for the demolition of the property and didn't care how it affected Connellsville or the safety risk it imposed on county residents, not just Connellsville residents. He said he hates to point out the obvious, but Connellsville is in the county. Mr. Zolbrod said as such, the county has a responsibility to protect those residents, something he doesn't feel the county has done despite numerous opportunities. He said that being said, he would think a plan should have been taken by the county working jointly with Connellsville instead of what seems to be in spite of Connellsville to ensure that no tragedies would ever be a possibility.

**Mr. Zolbrod** said you all need to understand that every day that possibility could become a reality. He said he also believes that if a tragedy does happen the county may not be accountable in the court of law but they certainly will be in the court of public opinion. He said after selling the building to an out of state buyer who after seeing the engineers report decided to pass on taking ownership, that gave the county yet another opportunity to work with the city on finding a solution to the problem. He said this is a gentleman who looked at the engineers report and found that it was so bad he didn't even want it for the couple hundred dollars that he paid for it. He said so they decided to sell it to yet another out of state buyer for less than \$200. He said prior to the transfer of the deed, Mr. Curry cited the county for failure to demolish the structure and again cited the engineers report from 2010. He said again the county could have not transferred the deed and chose to work with the city to work with us to get this property taken down.

**Commissioner Zapotosky** said he wanted to ask two questions, real brief. He asked how much the estimated demolition cost is to tear the building down. Mr. Zolbrod said \$68,000. Commissioner Zapotosky said his second question is when did the city adopt an ordinance to start enforcing a failure to maintain structures and that sort of thing? Mr. Curry said the BOCA code was first implemented in 2001. Commissioner Zapotosky said was there deterioration during that time? Mr. Zolbrod said he cannot speak to that as he wasn't there. Commissioner Zapotosky said one would have to conclude that deterioration must have been and it just wasn't recorded or something. Mr. Zolbrod said he didn't know. He said people who buy these properties are called internet gamblers. He said they buy properties for next to nothing and hope to flip it with no intention of fixing them. He said their hope is to scan another person stupid enough to purchase it. He said the man who owns the property has listed it at \$50,000 online.

**Mr. Zolbrod** said he has never responded to the city despite being cited two times and has been billed by charges occurred by New Haven Hose who have had to respond because of bricks falling off the building. He said just two days ago another window broke on the property and glass fell into the sidewalk and onto Pittsburgh Street. He said bricks and other debris have fallen off into the sidewalk on multiple occasions, some as recently as a few weeks ago. He said it sits on one of the busiest streets in Connellsville with the very real possibility that it could literally fall into the street or onto a passing car or pedestrian. He said we are lucky that it didn't happen on Sunday in that windstorm or last night in the downpour. He said every day that goes by, and he believes Mr. Curry agrees with it, with that building standing, is a day something terrible could happen to somebody. He said the worst thing to him is that representatives of the county knew this was a possibility that this building could have these problems and fall into the street over five years ago but has chosen, in his opinion, to ignore that by getting rid of the property by whomever was willing to take it and again the city is going to be the one left holding the bag unless a joint solution is come up with.

**Mr. Zolbrod** said it is time for the county to step up and come up with a solution to help Connellsville rid our city of one of the biggest health and safety issues in the entire county. He said if the right decisions were made by county official's years ago, it wouldn't be a problem today. He said the argument that was made to him when he walked in the door is that the county doesn't own the building and they realize that but the county owned the building on more than on occasion. He said they owned it, they sold it, the gentleman didn't take ownership of it, the county owned it again, sold it again, still had the opportunity after being in deplorable condition so that isn't really an argument, the problem is that years ago steps should have been taken to alleviate the problem. He said now the county doesn't own it and he has heard the argument before, well if we help you pay for the demolition of this building there will be 850 other ones that want to have us come and pay for demolitions of buildings. He said he would ask how many of the others did the county own at one point and how many others did the county know could be life threatening.

**Mr. Zolbrod** said he thinks that is a totally different situation than, we know there are tons of blighted buildings in the county but this is unique, he would love to know how many others fall in this category. He said he asks all three county commissioners what

plans they have to remedy this issue and he hopes there is a plan in place and it is agreeable to the city. Commissioner Ambrosini said he wanted to respond to some of the points. He said first of all, when properties come up for tax sale, the county is simply a caretaker for all three taxing bodies, the county doesn't own the building, we are responsible to go through the process with our agencies, the tax claim bureau to get the properties back, sell them to get them back on the tax sale list, or the taxing list so they can be tax revenue. Mr. Zolbrod said in the condition the property is in, there is no way it could bring in tax revenue. Commissioner Ambrosini said the second thing is that Mr. Simpson does have a record of rehabilitating properties.

**Commissioner Ambrosini** said you making the claim that there was no way he was going to do that, nobody really knows that, including yourself. Mr. Zolbrod said they do know that because he isn't responding and there isn't any record of him rehabilitating anything. Mr. Curry said there are several times when he has purchased buildings and turned around and sold them two or three weeks later. Commissioner Zapotosky said ladies and gentleman, I don't think we have to go back too far in our memories and remember a little borough along the Monongahela that in the last 80s and early 90s, massive property purchase occurred at the downtown community and visions of circa 1945 along with the sounds of slot machines and boats going down the Monongahela, three and four star restaurants and union station, once again that grand old dame that she was in her heyday, drive through Brownsville now. He said we were the benefactor of RCAP money from the Governor's office with Brownsville and we are still fighting a battle down there. He said it's a battle that occurred many decades before we were even born.

**Commissioner Zapotosky** said Brownsville Hospital isn't on there, what about the nursing school? Commissioner Zimmerlink said she didn't say the hospital, she said that she said it wasn't on the repository sale. Commissioner Zapotosky said it is dated, it is before our time. He said he talked to Mike Edwards and Greg Lincoln and we can set up a time. He said he and Kathy (Winkler) have been talking to Toni, trying to figure out a solution between the county, the owner and the municipality. He said he is willing to sit down and do what we can, he just doesn't know what the answer is. He said if he had the answer he would give it to them today and he promises. Mr. Zolbrod said it needs to be a joint venture between the county, adding that he and others feel that the county holds responsibility and we should have tackled this problem when it was noted it was in imminent danger and life threatening. He said he believes the county has a responsibility to protect the citizens. He said it could fall into the street tomorrow.

**Commissioner Zimmerlink** said Solicitor Cupp, you are familiar with the WCVI building, how it was transferred and placed in the repository sale, and the process, could you please weigh in on this. Solicitor Cupp said the city had an opportunity to object when they were making the sale. Mr. Curry said they don't they can only object over back taxes. Solicitor Cupp said they got a notice and the city did not respond to that notice. Mr. Curry said they could only respond based on back taxes and the other code deficiencies. He said they sent a letter three days later that the notice was improper. Solicitor Cupp said he has no record of ever receiving a letter. Mr. Curry said there was a notarized letter signed. Mr. Zolbrod said they can split hairs all they want,

they want them to work with them, be it CDBG money, be it casino money, he said they are expecting that help. Mr. Zolbrod said he thinks that's what the voters and residents of Connellsville will expect.

**Commissioner Ambrosini** said he believes they do need to work together, he said he has responded to the city's request to meet, he has given dates. Mr. Zolbrod said he has e-mailed several times and has no responses. Commissioner Ambrosini said he has provided dates. Mr. Zolbrod said they e-mailed Commissioner Zimmerlink and she said she would get back to us. Commissioner Zimmerlink said she responded. Mr. Zolbrod said it was two weeks later and only after another e-mail was sent that was somewhat aggressive. Commissioner Ambrosini said Mr. Zolbrod, I did respond with dates that he would be available to have a meeting and he talked to one of the councilmen. Mr. Zolbrod said he sincerely hopes they can get together. Commissioner Zapotosky said Kathy has been working with Toni to try to schedule. Mr. Zolbrod said just so you know, Toni is no longer with the city, so they will have to work with others. Commissioner Zapotosky said he didn't know that. Mr. Zolbrod said to call himself or the mayor.

**Commissioner Zimmerlink** said let me respond. She said she received an e-mail as well, asking if we could meet at 7 p.m. with city council, all three county commissioners. She said right there is an issue, she wanted to talk with John Cupp about having the three commissioners come to a council meeting. She said that request was on Wednesday or Holy Thursday, OK, Friday, Good Friday we were closed, is that not right Kathy? She said well you said it was aggressive, and come on, seriously. Mr. Zolbrod said that you said you would get back to the city and two weeks later on dates that were. Commissioner Zimmerlink said that she said she would get back with Greg Lincoln and she needed to talk with John Cupp about it, did she not talk to John Cupp about the procedure and what, if anything, we need to do. Mr. Zolbrod said let's leave the dates behind, let's solve the problem, us arguing about. Commissioner Zimmerlink said the other thing, then please don't make a statement like that, OK. Mr. Zolbrod said he apologized. Commissioner Zimmerlink said she talked with John Cupp about what if anything without making empty promises, what can the county do, or what the county may not have done in the repository sale and that is why she wants the county solicitor to weigh in on that.

**Commissioner Zimmerlink** said John, please weigh in on that, according to the tax claim office, the property, Commissioner Ambrosini began to talk about that, the property was sold, the county did not have clear title, what's the legal terminology that you used, that the county cannot go in and take possession of the property while it is under the tax claim. Solicitor Cupp said he isn't sure he understands her question, he said they had a tax sale and without bringing the specifics of the sale with him, his recollection is that they did not receive a bid at the tax sale. He said there are two tax sales, an upset sale and a free and clear sale, and at neither of those sales did anyone make a bid. He said they took title to the property, something they don't do any longer, which I don't think we do, and. Mr. Zolbrod said you did take title to the property at one point. Solicitor Cupp said then they advertised it and they received a bid, and notice of the bids were sent to the municipalities, we didn't receive an objection, we sold it.

**Commissioner Zimmerlink** said if the county did that process correctly, and then also now that it has been changed and all three county commissioners voted on it and all three county commissioners signed off on the deed and if there is anything now that the county can do given that it is listed in the private owners name, she said she doesn't want statements to be made that the county will be able to do this, this or that, if we can't, we need to have a discussion on it and John Cupp, please tell us, can the county do anything with this listed in a private individual's name, tell us. Solicitor Cupp said the building is in violation of the city's ordinance. And your solicitor needs to do whatever he needs to do to enforce that ordinance. Mr. Curry said they can't because he is out of state. Mr. Zolbrod said there is a warrant issued for his arrest and they can't. Commissioner Zapotosky asked if he could interject something. Commissioner Zimmerlink said seriously she would like to have the county solicitor. Commissioner Zapotosky said he has had his hand up for five minutes and he is getting tired.

**Commissioner Zimmerlink** said you're the county solicitor. Commissioner Zapotosky said he is the county commissioner and he would like to. Commissioner Zimmerlink said go ahead. Solicitor Cupp said he would be happy to defer to him. Commissioner Zapotosky said no, no, no, no. Commissioner Zimmerlink said they are trying to see if there is anything legally that the county can do, that is what I am asking, if there is something we can do if there is a private owner. Commissioner Zapotosky said he was going to chime in here. He said his suggestion, and it has been this since Day One, is to eliminate this county commissioner table, this council table, who are two authorities that the sole mission statement is to see growth in the city of Connellsville and throughout Fayette County, the redevelopment authorities correct? He said to him that would be the fitting conduit to engage in discussion with members of all of them. Mr. Zolbrod said they would like CDBG money to tear it down. Commissioner Zapotosky said they are not even there yet.

**Commissioner Zapotosky** said let's just start there. He said we just gave them \$25,000 of hotel tax money yesterday, I think it was 25 K, 50 K. He said it was for demolition, but for a park. He said he is just saying, it is the start. He said if I may, I have been sitting in on meetings with the redevelopment authority in Brownsville for the last two years. He said Andrew French has a good grip on this, we could work with the right people to see if there is anything, right now we are not going anywhere, outside of asking Mr. Cupp to bring up a legal opinion. He said he thinks it eliminates a lot of this, do I think we have a variable as the owner and could it come into play, sure, but I know this unknown owner would love to have the property demolished so his land values go up, but he would like to get, let's sit down and talk, bring Andrew and Mike together and see what they can formulate because they have funds out there that they can tap into as well. Mr. Zolbrod said they have done the research on that and according to the redevelopment authority, they don't have any emergency CDBG money to do that.

**Commissioner Zimmerlink** said can that money be used if it is a private owner? Mr. Curry said in theory yes but they have been cracking down on how they are using that money. Mr. Zolbrod said according to Mr. Curry's research, that building could be demolished tomorrow. Commissioner Zimmerlink said if you want to, there was an e-mail exchange, and she is available Thursday. She said you want to meet, I am

available. Mr. Zolbrod said all they want to do is get a solution to this property. He said they need to get something done before that building literally kills somebody. He said Tom has been in that building and he won't go in anymore. Commissioner Zapotosky said who is the previous owner from before? Mr. Curry said it was a man from California and they had him convicted once guilty and a local magisterial justice. Commissioner Zapotosky said OK, enough, he didn't do anything. Mr. Curry said they could have done something but the county still sold it at a tax sale.

**Commissioner Zimmerlink** said if you are still able to meet, you sent an e-mail about this coming Thursday during the day, we can't do it at a council meeting, you understand the reasons, we can have one of the county solicitors, either Sheryl Heid or John Cupp available and have someone from the redevelopment authority to determine whether or not there are any money that can be used to help that property even though it is in the name of a private individual. Mr. Zolbrod said he wanted to bring up another place where there is money is the money from the tax sales that is sitting that is yet to be distributed, he said he understands there is close to \$1 million sitting in that. Commissioner Zimmerlink said John Cupp and Sheryl Heid does that, they do distribution and it has to go through liens and judgements, right. Mr. Zolbrod said are they working on that to expedite that at this time? Commissioner Zimmerlink said they work on it all the time. Mr. Zolbrod said there have been several inquiries to the tax claim bureau and he hasn't gotten any response.

**Commissioner Zapotosky** said that would be a question for them. Mr. Zolbrod said there is some money that could be used to demolish that building. He said that is money that the municipalities have coming to them. Solicitor Cupp said in answer to that question, no, that money is all specifically outlined in the real estate tax sale law, it goes first to the lienholders, and then it goes back to the owner, so it does not go to a fund you can use. Mr. Zolbrod said so some of that money isn't to go to the municipalities. Solicitor Cupp said only the taxes that are due. Mr. Zolbrod said so there is some money there, he doesn't know how much it is. Commissioner Zimmerlink said we process them. Mr. Zolbrod said that is money for the municipalities. Commissioner Zimmerlink said our two county solicitors are sitting here and they do process the tax distributions, correct. Mr. Zolbrod said do you have a timeline on when that money has to be finished. Solicitor Cupp said they have objections to the sale and they can't make distributions until they do the objections. Mr. Zolbrod said he understands they are complicated but is anybody working on that? Solicitor Cupp said he didn't know if there were any hearings outstanding or not. Commissioner Zapotosky said if they have questions we will provide them, we still have a heavy business schedule in front of us today.

**Mr. Zolbrod** said again, I thank you for your time. Commissioner Zimmerlink said during the day on Thursday is good for her, pick a time and tell me. Mr. Zolbrod said are they available also. Commissioner Ambrosini said yes I am. Commissioner Zapotosky said he has to check, he has a nine-year-old, so. Mr. Curry said Thursday at 7 o'clock. Commissioner Zimmerlink said no, no, no, no. Commissioner Zapotosky said not during a council meeting. Mr. Zolbrod said is there a time that works. Mr. Zolbrod said you tell us a time Thursday and we'll be there. Commissioner Zimmerlink said she will be there

from 8 o'clock in the morning until 4:30 on Thursday, how about 9 o'clock? Commissioner Ambrosini? Commissioner Ambrosini said he is good Thursday or Friday. Commissioner Zimmerlink said Commissioner Ambrosini had already sent correspondence. Mr. Zolbrod said where are we meeting? Commissioner Zimmerlink said in the conference room. Commissioner Zapotosky said 9 o'clock Friday? Commissioner Zimmerlink said no, 9 o'clock on Thursday. Commissioner Zapotosky said OK, Thursday. Commissioner Zimmerlink said he is talking about Andrew French, so. Mr. Zolbrod said they are talking about getting Michael Edwards there. Commissioner Zimmerlink said no, that's fine, but Andrew French, those are where you are saying some of the monies are coming from, right?

**Commissioner Zapotosky** said no, I said that these are. Commissioner Zimmerlink said the redevelopment authority, CDBG monies he had mentioned. Commissioner Zapotosky said that he said that Andrew has handled buildings of this condition, i.e. Brownsville. Mr. Zolbrod said these are people we want to get. Commissioner Zapotosky said yes. Commissioner Zimmerlink asked if Sheryl Heid or John Cupp were available for 9 a.m. on Thursday. Ms. Heid said it would be her and she is checking with her secretary to see if she is available. Commissioner Ambrosini said Mr. Zolbrod, even though you have indicated that you are not speaking on behalf of the city or the council, would you notify them of this meeting and make sure the possibly the mayor and other councilmen may attend. Mr. Zolbrod said yes he would. Mr. Curry said in the courthouse?

**Commissioner Zimmerlink** said yes. She asked Solicitor Cupp if the meeting needs to be advertised, adding that there will be two or more commissioners sitting there to discuss and deliberate, I'm asking please the county solicitor. Solicitor Cupp said if you don't make a decision there, you don't have to advertise. He said if you have a meeting on short notice, you won't be able to make a decision there. Commissioner Zimmerlink said you won't be able to make a decision unless you have a public meeting anyway, there you have it. Mr. Zolbrod thanked the commissioners for their time.

**Assessment Office**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the following for a real estate tax exemption as they have been qualified as 100% disabled veterans by the Veterans Administration of Pennsylvania effective for 2014 School taxes.

	<u>Parcel ID#</u>
Sylvester Lukaszewicz 207 River Rd East Millsboro PA	19-14-0006
Willie Williams 1418 1/2 Cambria Ave Connellsville PA	09-19-0076
Joseph T Imbrogno 161 Washington Drive Fayette City PA	17-03-0052
John E Cole 215 DeMuth Rd Connellsville PA	06-04-0006-01
Robert A Kennison 2 Center Ave Smithfield PA	32-06-0121
John C Hardy 275 Burgess Field Rd Uniontown PA	14-10-0048-10
Anthony S Karwatske 334 Georges Fairchance Rd Uniontown PA	14-17-0009
Anthony R Kostelnik 119 Slaughter House Lane Dunbar PA	09-20-0033
Curtis A Shaffer 943 Third St New Salem PA	22-13-0156

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Behavioral Health Administration**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve agreements and modifications, as listed:

	<u>Contract Value</u>	<u>Period</u>
<b><u>Professional Service Agreements 2014-2015</u></b>		
Continuum Pediatric Nursing Services	\$21,965.00	12/08/14-6/30/15
The Center For Hearing & Deaf Services	\$600.00	3/13/15-6/30/15
<b><u>Modification Agreement #1 2014-2015</u></b>		
Connellsville Counseling & Psychological Svcs.	\$1,500.00	7/1/14-6/30/15
Laurel House, Inc.	\$516,036.00	7/1/14-6/30/15
Neurological Therapy Specialists, Inc.	\$6,000.00	7/1/14-6/30/15

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Children and Youth Services**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve Consider approval of a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Amanda Como, Esquire**, 92 East Main Street, Suite 20, Uniontown, PA 15401. Attorney Como was court appointed to represent children in dependency proceedings. The rate for her services is \$1,000.00 per month.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Benjamin F. Goodwin, Esquire**, 92 East Main Street, Suite 20,

Uniontown, PA 15401. Attorney Goodwin was court appointed to represent children in dependency proceedings. The rate for his services is \$1,000.00 per month.

**Commissioner Zapotosky** asked for a second to the motion. When he didn't receive a second, Commissioner Zapotosky said the motion died due to lack of a second. Commissioner Zimmerlink said she abstained on that. Commissioner Zapotosky then called for the financial report on the county. Commissioner Zimmerlink then said they had to back up. Commissioner Zapotosky he was court appointed. He said it would it have been a conflict of interest, and then he said that is a question for something else and he would move on.

### **Controller**

Acting Chief Deputy Controller Eric Blanda gave the following financial condition of the county.

# Office of the Controller

Fayette County, Pennsylvania

**JEANINE B. WRONA**  
Acting Controller



Phone (724) 430-1217  
Fax (724) 430-1366

FUND: GENERAL FUND

DATE: 21-Apr-15

CASH:

Checking Account United Bank \$4,495,080.44

**Funds Owed to General Fund**

Arc Payments Due			
	Intermediate Punishment Fund-.3yrs	\$	40,651.26
	Offenders Supervision Fund-3yrs	\$	87,758.28
Central Service Payments			
	C-17 Fund-3yrs	\$	12,490.00
	Offenders Sprvsn-4yr	\$	56,740.00
	Intermediate Punishment-4yrs	\$	29,053.00
		\$	226,692.54

**Funds General Fund Owes**

Tax Anticipation Note	\$ 5,000,000.00
	\$ 5,000,000.00

Budget Year Net Position -\$278,227.02

	Year to Date
Total 2015 Revenues	\$ 7,209,870.29
Total 2015 Expenditures	\$ 8,287,122.82
Total 2014 Expenditures paid in 2015	\$ 1,680,176.88

Capital Reserve Fund Balance Fund 51 \$ 221,074.73

Bond Fund Balance Fund 53 \$ 50,641.84

Act 13 Marcellus Shale Balance Fund 13 Balance in Bank \$1,456,285.37  
Rec'd in 2015 \$0.00

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**Commissioner Zimmerlink** said before moving on they needed to back up. She read the motion for Benjamin F. Goodwin, then asked Commissioner Ambrosini if he still wanted to make the motion.

### **Children and Youth Services**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Benjamin F. Goodwin, Esquire**, 92 East Main Street, Suite 20, Uniontown, PA 15401. Attorney Goodwin was court appointed to represent children in dependency proceedings. The rate for his services is \$1,000.00 per month.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### **Courts**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify a contract between the county and constable Rob Geary to work at the booking center for \$15.50 an hour as of February 1, 2015 to end on December 31, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### **Emergency Management Agency**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve RFP 15-01 submitted by Zelenkofske Axelrod LLC for the triennial audit of the 9-1-1 account for the period January 1, 2012 to December 31, 2014 for a total cost of \$7,500.00.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve Guy Napolillo to attend the National Homeland Security Conference June 9 – 13 in San Antonio, TX. with expenses to be covered by Region 13.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the 10 year (SUAll) System Upgrade Agreement between Motorola and Fayette County running January 1, 2016 – December 31, 2025 at an annual cost of \$91,473.00.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the 10 year (SUAll) System Upgrade Agreement between Motorola and the ICORRS Counties of which Fayette County is a member running January 1, 2016 – December 31, 2025. The coverage for Master Site is at a cost of \$174,710.00 per year. Fayette's share of the total cost will be \$29,118.33.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### **Human Resources**

#### **FCBHA**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve the 2015 Fayette County Behavioral Health Administration Compensation Plan for the period January 1, 2015 through December 31, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### Commissioners Unit

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the resignation of Mary Schroyer, Administrative Assistant, effective March 13, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

#### **Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the hire of Denise Stepanik as Human Resource Director, Supervisory, Non-Union at Pay Grade 22, \$26.62/hr. (\$51,909 annually), effective March 26, 2015.

Commissioner Ambrosini abstain  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

#### **Motion passed 2-0-1**

### Children & Youth Services

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Mark McShane, as Caseworker I, SEIU, at \$15.12/hr. (\$29,484 annually) effective April 6, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

#### **Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Danielle Thomas, as Caseworker I, SEIU, at \$15.12/hr. (\$29,484 annually) effective April 6, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

#### **Motion passed unanimously**

### **Emergency Management Agency**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Beth Harwood, as 911 Dispatcher Trainee, at \$8.50/hr. effective April 16, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Rhonda Grimes, as 911 Dispatcher Trainee, at \$8.50/hr. effective April 16, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Tina Carrigan, as Part-Time 911 Dispatcher, at starting rate Pay Grade 10, at \$13.30/hr. effective April 16, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### **Juvenile Probation Office**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to approve a contract between the county and the Pennsylvania Juvenile Court Judges' commission which would grant exclusive permission to the Fayette County Juvenile Probation office for use of the Brief Intervention Tools assessment, at no cost.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Office of Human and Community Services**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the Consolidated Operating (Shared Ride, PWD, WTW, Fixed Route) & Consolidated Capital Application for FY 15-16 to be electronically submitted to PennDOT.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to approve the application of 5310 formula funding through FTA for FY 15-16 to be used for fixed route operations and capital.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to advertise a public hearing/public participation plan of projects for May 8, 2015 at 9:00 a.m. at the FACT office.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed 3-0**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to advertise an RFP for providing shared ride service in the mountain area and providing fixed route service on Brownsville Express Route, Brownsville Republic Route and Masontown Fairchance Routes for period of 2 years beginning July 1, 2015 through June 30, 2017.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to purchase a 25' and 28' transit bus for fixed route service from state contract #4400013305 for total not to exceed \$220,000.00 with a 3 percent match from the county.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### **Planning and Zoning**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to approve the final Right-of-Way Plan Title Sheet for Weaver Mill Bridge No. 95 (T-500) Weaver Mill Road over Georges Creek. It has been recommended for approval by the District Executive.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve RZ 15-1 Edward W. Harry, Jr., Bullskin Township, for an extension of R-1 Medium Density Residential on property currently zoned B-1 General Business.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### **Tax Claim**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to accept the following bids from the April 7, 2015 Repository Sale Bid Opening, subject to all conditions being met.

04-07-15 Results

Bidder	Parcel	Amount	Township
Parvez A. Bhatti	30-23-0009	\$700.00	Redstone Twp.

Parvez A. Bhatti	38-04-0121	\$1,005.00	Uniontown City
Rene Kruse	02-07-0266	\$505.00	Brownsville Borough

Total \$2,210.00

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Veterans Affairs**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve Madonna Nicklow and Glenn Siple to attend the annual PSACDVA Conference and Training to be held the week of June 21 through June 26, 2015 at the Pittsburgh Marriot North Cranberry Township Pa.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Commissioners**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve a LERTA designation for Brier Hill Steel on behalf of Boeing Corporation at the Smithfield location in the Fayette Business Park on parcel 14-25-0207-13 in Georges Township pending review by the Tax Assessment office to determine eligibility.

**Commissioner Zimmerlink** said after the motion and second that they have notification that they are not allowed to do that at this time, adding that there is a motion and a second on it. Commissioner Zapotosky said he isn't aware, he didn't see the notifications. Commissioner Zimmerlink said let me just say, at the end of the agenda meeting that all three commissioners attended the tax assessment office was directed to do the research and to send a communication to all three county commissioners, which was done, that day, two hours later, all of us received it as well as, everyone received that and then on Monday, April 20 a second follow up e-mail was sent from the tax assessment office confirming again the process, to say that the county cannot do this at this time. Solicitor Cupp said the township has to start the process. Commissioner Zapotosky asked Commissioner Ambrosini if he would rescind his motion and he said he would rescind his motion until the township starts the process. Commissioner Zapotosky said it is a good project and it is going to result in jobs but we have to follow the right procedure.

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the February 17, 2015 regular commissioner meeting minutes.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the March 17, 2015 regular commissioner meeting minutes.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to authorize the Fayette County Fair Board to enter into an agreement with the North Fayette County Municipal Authority to grant the Authority a right of way to extend a public water line within a portion of the perimeter of the fairgrounds parking lot, in an area along the eastern side of Route 119 to the intersection of Pechin Road and along the northern side of Pechin Road to approximately the "second" entrance road to the fairgrounds parking lot. The final location of the public water line shall be agreed upon by the Authority and the Fair Board with that location being memorialized by professionally engineered or surveyed diagram, the cost of which is to be born solely by the Authority. Upon approval of such agreement with the North Fayette County Municipal Authority by the Fair Board, the Commissioners, on behalf of Fayette County, will execute a formal Deed of Easement in a form approved by the County Solicitor.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Prior to** a motion, Commissioner Zimmerlink asked Solicitor Cupp if he reviewed the information. Solicitor Cupp said he has his stuff from Solicitor Sepic but he didn't have his language, and he finally got a drawing from him.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to award RFQ 15-01 "professional services to negotiate contracts with the county bargaining units and provide legal services on human resource matters for the remaining months of the year 2015 and the following four years" to Leech Tishman.

Commissioner Ambrosini no  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed 2-1**

**Following a motion**, Commissioner Zapotosky asked Kathy Winkler if she brought the packets to the meeting. She responded no. Commissioner Zapotosky asked Commissioner Zimmerlink if she had her packets and she asked, packets of what. Commissioner Zapotosky said the proposals, he wanted to look through them one final time. Commissioner Zimmerlink wanted to know what his question was. Commissioner Zapotosky said he just wanted to make sure he had, and then seconded the motion.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to reject all proposals received for RFQ 15-02 “professional human resources for the remaining months of the year 2015 and the following four years”

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify accepting the recommendation of Astorino CannonDesign to use the services of GeoMechanics, Inc. for geotechnical engineering services the site work for the proposed jail renovation and expansion for a total estimated amount of \$17,940.00.

Commissioner Ambrosini no  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed 2-1**

**After the vote**, Commissioner Zimmerlink said she wanted to make one comment, she said she knows there was a comment on a radio show yesterday by Commissioner Ambrosini and the talk show host about GeoMechanics and she wants to make sure people understand that GeoMechanics is the same company that performed the same services out at Dunbar Township Business Park for the first potential site.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to extend the January 23, 2015 Letter of Authorization for an additional 60 days between the County and Astorino CannonDesign keeping the initial fee agreement at \$185,000 until the final AIA agreement is reached.

Commissioner Ambrosini no

Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed 2-1**

**After the** vote, Commissioner Zapotosky said it was a 2-1 vote, with Zapotosky and Zimmerlink in the affirmative and Commissioner Ambrosini, you didn't abstain did you? Commissioner Ambrosini said no, he voted no.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table allocating the Act 13 Marcellus Shale Impact Fee revenue in accordance with the 2015 General Fund Budget and confirming any prior year allocations that were voted upon but not transferred into appropriate non general funds or other entities.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Prior to** a motion, Commissioner Zimmerlink said the required document to be filed at PUC is supposed to be on April 15, Amy, you did that correct? Chief Clerk Revak said yes. Commissioner Zimmerlink said I don't have any, did anybody receive a copy? Chief Clerk Revak said she did it electronically because they mandated everybody. Commissioner Zimmerlink said she understands electronically, but a hard copy, we have to table this because, it is imperative, I put this item on the agenda, it is imperative that this gets done, the problem is that, number one we don't have copies of what was filed, that's the first thing, and the second thing is that there are earmarks that have to be allocated, so it is going to have to be tabled, unfortunately. She said they also need to review the non-general funds and other entities that, some of those were voted on and not transferred, so that has to be taken care of as well.

**Following the** vote, Commissioner Zimmerlink said Amy, I know you did it electronically and last year you provided us with a copy as well, OK, get a hard copy as well. Chief Clerk Revak said you can go on the website, anybody can go on it, but I can get you a hard copy. Commissioner Zimmerlink said we should actually look at it before it gets filed, but just, wherever you get it, just please give all three commissioners a copy.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following designated deputy tax collectors submitted by the 4 below municipalities, as required under Act 164 of 2014, which requires all tax collector's to appoint a deputy that can act on his/her behalf in the event they are incapacitated and unable to perform the duties of tax collector. Connellsville Township, Lisa Washabaugh (Andrea D. Doppelheuer); Everson Borough, Laurie Hanchar (Bryan Raygor); Dunbar Township, Marilyn Sanner (Marigrace Butela); and Newell Borough, Maryellen Brundege (Scott Brundege).

Commissioner Ambrosini yes  
 Commissioner Zimmerlink yes  
 Commissioner Zapotosky yes

**Motion passed unanimously**

**Prior to** making a motion, Commissioner Zimmerlink said as brought up at the agenda meeting, there was one issue with Markleysburg Borough Council/Lori Frazee, on having the county commissioners sign off, we have information, Markleysburg said they will not sign and the last response is that the insurance agent prefers to get all the signatures from the Markleysburg Council and then get the county to sign off, in Markleysburg case they would sign last, and that hasn't occurred as per, Amy you don't have any updated information for Markleysburg and neither does Sarah Minnick. Chief Clerk Revak said that Sarah said she tried to call the tax collector a couple times and hadn't received any calls back.

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the following transfers.

3-16-15 to 4-1-15			
Department	Cost Center	Debit	Credit
Commissioners			
Telephone	01411153200		\$57.00
CYS telephone	36442053250	\$57.00	
Telephone	01411153200	\$10,363.40	
Contingency	01417952910		\$10,363.40
Controller			
Salary full time	01413351400	\$2,670.00	
Materials/supplies	01413352000		\$2,670.00
District Attorney			
Special investigator	01419451402	\$4,022.00	
Telephone	01419453200	\$1,630.00	
Training/conference	01419453350	\$377.75	
Materials/supplies	01419452000		\$2,740.57
Professional service	01419453100		\$3,289.18
Extradition	01419452375	\$11,000.00	
Witness fees	01419453171	\$1,950.00	
Training	01419453350	\$92.00	
Professional service	01419453100		\$13,042.00
Juvenile Probation			
Telephone	01423753200	\$1,538.07	
Equipment	01423752300		\$1,538.07
<b>Total Debits</b>	<b>\$33,700.22</b>	<b>Total Credits</b>	<b>\$33,700.22</b>

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

### **Motion passed unanimously**

### **Public Announcements**

**Commissioner Zapotosky** said the county had lost one of its very hard working members of the custodian staff, and he asks that you remember that person in your prayers, he always had a smile on his face and worked very, very hard so God rest his soul.

**Commissioner Zimmerlink** said before public comment she wanted to make one comment. She said she has had a number of calls and inquiries made to her yesterday after a statement that was made during a political announcement on a political thing on WMBS radio as well as 30 second spots from Commissioner Ambrosini. She said because it deals with the county budget and a statement that was made that I and another commissioner sitting to my right voted on and three commissioners worked on, with former Commissioner Vicites, Commissioner Zapotosky and myself and former county manager Warren Hughes as well as the consultant at the time, Sam Lynch, all worked on, there was a statement on the show that the commissioners had fraudulently and illegally passed a budget and then there was after that a 30 second spot that said that we did not, particularly during the show that one particular department, APO department was not funded. She said also during the 30 second ad that there were other various departments that were not funded.

**Commissioner Zimmerlink** said she will be talking with WMBS radio but what she wanted to point out very clearly that this is the budget, the Fayette County 2012 adopted budget adopted on December 29, 2011 that is signed by Commissioner Zapotosky and Commissioner Zimmerlink and it very clearly states contrary to what was said that the adult probation was not budgeted. She said very clearly the entire department was budgeted. She said that was a conversation between the talk show host, the talk show host made one comment and said adult probation, that is a very important department, the commissioner had indicated that it was passed and it was fraudulent and illegal because one county department specifically, the adult probation, was not funded. She said again, here is the document, it is funded. She said after that there were numerous 30 second ads. She said a female voice came on and said that other county departments were not budgeted. She said she wants everyone to be able to look at this duly approved, voted on budget and every single county department was budgeted.

**Commissioner Zimmerlink** said again, that is all she is going to say about it, she said she will be talking with the new radio station regarding the ads and she also wanted to say that they were, again, the individuals that worked on that budget, one of them was Sam Lynch, Susquehanna, at that time worked on that budget, that's the same financial consultant that said commissioner wanted for the 2014 and 2015 budgets. She said it is totally incorrect and a false statement to say that this is fraudulent and illegal or to say

that the adult probation county department is not funded and other departments were not funded, it was very clear in this document that they were. Commissioner Zapotosky said, if I may, because I was the person that had to deal with that particular nightmare on budget day, as I refer to it. He said they were broaching up to the 31<sup>st</sup> of December where a budget needed to be passed and if the budget was not passed they would have immediately lost federal, state money. He said they would not have been able to make payroll, our rating would have gone into the gutter.

**Commissioner Zapotosky** said he was unable to get a consensus by either of the two commissioners in office at that time to support any initiative that would offer us with a balanced budget. He said they sat in the room until 7 o'clock, he called Sam Lynch earlier in the day and I asked Mr. Lynch, I am having a problem, I don't think we are going to get it done, we had some discussion on a tax increase however I, Commissioner Vicites at that time said he would not support a tax increase and pretty much walked away from it and it left her and I holding the bag and at that time we didn't have much bag that we were left with, it was soaking wet. He said Mr. Lynch advised me, adding that the bag was soaking wet, and Mr. Lynch had advised me of two options, one that they had actually practiced with Mr. Lynch until this year. He said one was not to have the ARC listed in the budget, which was done. He said the other was to move, and it wasn't APO, if you are going to lie, lie telling the truth, it was JPO, and if you are going to lie, lie to tell the truth.

**Commissioner Zapotosky** said it based on a school program that we knew that we would be able to put in after Commissioner Ambrosini agreed to reopening the budget with me just two weeks later and that money was put back in. He said if we are going to bend the truth, and the politics, you don't even bend it anymore, you say to Hell with the truth, you just hope you have a good reporter in your cue and you say what you say, and that's what gets out to the taxpayer but the reality is there was nothing fraudulently done, that budget can be passed as long as it has zero, zero at the end we can say El El O, as long as that budget is passed, you had how many days to reopen that budget commissioner, 60, I don't know off the top, I am just asking for a procedural question, but there was nothing fraudulently done. He said he didn't have the support to get the tax increase implemented at that time to save the county from going in default, we did what we had to do. Commissioner Zimmerlink said the budget that was voted on by both you and I, Commissioner Vicites did abstain, I understand why he did abstain, that budget was a working budget.

**Commissioner Zapotosky** said that budget was a complete budget, it was not a fraudulent budget, we take numbers out of budgets every day, so if we are going to lie, lie with the truth. He said but Sam Lynch is the person who told me to do it, the Super Sam. Commissioner Ambrosini said first of all, Sam Lynch isn't responsible to sign a legal budget, the commissioners are. Commissioner Zapotosky said you wouldn't work without him. Commissioner Ambrosini said he was an expert at county government. Commissioner Zapotosky said you would take his expert opinion and sign off on it, wouldn't ya? Commissioner Ambrosini said he is saying that there was an option to raise taxes. Commissioner Zapotosky said Commissioner, as you know, I didn't have the support. Commissioner Zimmerlink said we're not done with public comment.

Commissioner Zapotosky said I know, I'm just a little frustrated, I wasn't aware of all this.

**Commissioner Ambrosini** said part of that is, he was actually surprised that during that conversation that Commissioner Zimmerlink made the statement, and I was surprised to hear this statement, and I'm sure. Commissioner Zapotosky said he remembers it like it was yesterday. Commissioner Ambrosini said that Commissioner Zimmerlink said she would not be known as the Zapotosky Zimmerlink tax increase. He said he didn't understand what she was really saying, what she was really saying is, we'll let Ambrosini take the fall next year. Commissioner Zimmerlink said that's false, that's false, he makes the statement hoping, saying Zimmerlink Zapotosky, what he is doing here is hoping that something will get into the newspaper. Commissioner Ambrosini said that was an accurate statement.

**Commissioner Zimmerlink** said this has nothing to do with the newspaper, this, I broached the subject right here today has nothing to do with either newspaper, they did nothing wrong. She said it is the statement that Commissioner Ambrosini said yesterday during a paid political ad, as well as those ads that were ran that said that the commissioners passed a fraudulent and illegal budget and he is referring to the 2012 budget before he became a commissioner and he specifically said, it is on tape, as well as the advertisement, that the adult probation office was not funded and then the ads clearly state that we have not funded the other county departments and that is completely false if you look at these. Commissioner Ambrosini said if it was a balanced budget, it wouldn't have to be reopened. Commissioner Zimmerlink said no, every new commissioner that has come in, I reopened the budget, quite frankly if a new sitting commissioner doesn't open up the budget I would wonder about that, OK, that's all I have to say. Commissioner Zapotosky said he too will have more to say on this because I am always in the middle, whether I like it or not. He said maybe that too but he will offer more information based on what the facts were and we will go from there.

### **Public Comments**

**Geraldine Mazza** asked Commissioner Ambrosini if he will correct himself and issue and apology. Commissioner Ambrosini said he will change the A to a J. Commissioner Zimmerlink said that would still be incorrect, JPO was, she said she is going to handle it another way. Commissioner Zapotosky said it was one program in the budget. He said if he needs to have his consultant call and tell you exactly what it was but if they are going to do it, do it the right way guys. He said if they want to have those embroiled campaigns and we want to report news. Mrs. Mazza said if you were Pinocchio, you wouldn't be able to sit in this room. Commissioner Zapotosky said it came from Sam Lynch. Mrs. Mazza said first of all, she would like to two who voted to have the human resource department under the county, it's been long overdue and she doesn't understand why the vote wasn't unanimous. Commissioner Ambrosini said he can explain if she cares to listen. He asked her if she cared to listen to why he voted no on that. Mrs. Mazza said sure, if you have a reason. Commissioner Ambrosini said first of all, when you take a single organization that we had before that handled HR functions, handled all the contract negotiations of which we have four contracts in the county,

handled all the grievances, all the, not only the grievances, but the mediation and arbitration, you have that all in one organization for a flat fee of \$122,500 a year and then you divide that up into three entities, you put an HR person in that and it will cost the county about \$75,000 by itself and then you hire a legal firm to do the contract negotiations and then you hire another firm to do the grievances, arbitrations, mediations. Commissioner Zapotosky said no.

**Commissioner Zimmerlink** said we aren't hiring two firms, and where are you getting \$75,000, we just hired one, that's all we did. Commissioner Ambrosini said that's all we did today, but you were. Commissioner Zimmerlink said no, no, we hired one firm that gonna do the labor and the negotiation. Commissioner Zapotosky said we hired one person, under \$60,000, no health insurance being taken, so that takes out \$75,000 or 80 out of that equation. He said we hired one law firm that will handle CBA's, collective bargaining agreements. Commissioner Ambrosini asked what RFQ 15-02 was for. Commissioner Zimmerlink said what's it say? Commissioner Ambrosini said it doesn't say much, it just says consider action on RFQ 15-02 professional human resources for the remaining months of the year 2015 and the following four years. Commissioner Zimmerlink said right, there were two RFQs done. Commissioner Zapotosky said they wanted it to overlap for the year of 2015 in the event they were going to be working on that longer to get somebody to go into 16 and the balance of the terms of the contract.

**Commissioner Zapotosky** said what happened to that motion, it didn't even get voted on, it was. Mrs. Mazza said maybe if you did your work AI, you would know what is going on, you don't seem to know anything. Commissioner Ambrosini said they voted to reject all proposals of the second RFQ. Commissioner Zapotosky said it's done, it's killed. Commissioner Zimmerlink said we don't need them. Commissioner Ambrosini said why did you issue it in the first place? Commissioner Zapotosky said to cover the balance of 15. Commissioner Zimmerlink said no, it was not for that. Commissioner Ambrosini said it shows for four more years. Commissioner Zimmerlink said we talked about this, it was were going to get, there were two options, very clearly, one option was to hire an HR consulting firm so Felice could bid or any other firm could bid to provide a package deal and the other one was to provide legal services, which would be all HR related legal matters and CBA. She said there were two different proposals, it was on the agenda, it was clearly discussed and reviewed and it was either option, and we are choosing the option of hiring a law firm that is going to do both, which will be doing the CBA and the HR legal matters.

**Commissioner Ambrosini** said what is the hourly cost of that. Commissioner Zimmerlink said you are asking questions, and she doesn't understand why he wouldn't understand the process that we were taking for the last month. Commissioner Ambrosini said he is asking, he hasn't been included in the process. Commissioner Zapotosky said he was at every interview. Commissioner Zimmerlink said they had the interviews. Commissioner Ambrosini said including the one in Commissioner Zimmerlink's office with Denise that I was never invited to. Commissioner Zimmerlink said yes you were. Commissioner Ambrosini said he was in the courthouse that day. Commissioner Zapotosky said your doors are locked, your staff assistant locks her

door. Commissioner Ambrosini said he doesn't have a staff assistant. Commissioner Zapotosky said because she kept her door locked.

**Commissioner Zimmerlink** said the interviews were all sent to everyone, the last person to be interviewed was specifically scheduled for Wednesday knowing that all three commissioners would be there, it was our prison board meeting and then at 1 o'clock we had the veterans liaison committee and all three of us received the same information, all three of us was there when the interview person came in, I think hers was at 1:30 or 2 o'clock, Commissioner Ambrosini chose not, he was still talking to the VA liaison committee, I don't know why Commissioner Ambrosini you did not want to interview her. Commissioner Ambrosini said he did want to interview her. Commissioner Zimmerlink said you just said you were left out of the process. Commissioner Ambrosini said he was, he didn't get a notice. Commissioner Zimmerlink said yes you did, just as you knocked on my door for the others ones that were interviewed in my office and in your office. She said there were times when you and I were interviewing, OK, you had the people in your office, I had them, in my office and what did we do, Commissioner Ambrosini, you knocked at my door and you said Commissioner Zimmerlink I'm done with this person and I said Commissioner Ambrosini I'm done with this person and we traded off, and you know that.

**Commissioner Ambrosini** said not on this occasion. Commissioner Zimmerlink said it was the same process, they were taking the people back and forth from your and my office because you came late and your interviews took a little bit longer than my interviews, you know that. Commissioner Ambrosini said he likes to be thorough. Commissioner Zimmerlink said that's fine, you can be thorough, so you were involved in the interview process, OK. Commissioner Ambrosini said not this one, she was hired the same day. Commissioner Zimmerlink said it was the same process. Commissioner Zapotosky said please, she is a great, great, great person for the job. Commissioner Zimmerlink said she isn't getting into any of that. Commissioner Zapotosky said he would hate to have her muddied. Commissioner Zimmerlink said it is the same procedure, just as Commissioner Ambrosini knocked on my door and said I'm done with this person, I knocked at his door and said the person is sitting out front, that's how we interchanged it and we know that to be true. She said Mrs. Mazza, this is public comment, what else do you have?

**Mrs. Mazza** said on March 26 there was a story in the paper about Mr. Zavada talking about his suspension and he says in the story if you can believe what you read in the Herald, I don't know, that it was his opinion that he was suspended because he sat on the prison working committee. She said that he said he was ordered to sit on that committee, Mrs. Zimmerlink did you order him to sit on that committee? Commissioner Zimmerlink said no. Mrs. Mazza said Mr. Zapotosky, did you order him to sit on that committee? Commissioner Zapotosky said no, I did not order him nor would he seek any retribution if he did. Mrs. Mazza said Mr. Ambrosini, did you order him to sit on that committee? Commissioner Ambrosini said on their committee? Commissioner Zapotosky said it's the peoples committee. Mrs. Mazza said the working prison, your committee, your private committee. Commissioner Ambrosini said my committee, my

committee was not private, but no, I had all volunteers as I have said many, many times.

**Mrs. Mazza** said that it said that he was ordered to sit on that committee, she didn't order him, he didn't order him, you didn't order him, who ordered him to sit on that committee? Commissioner Ambrosini said it wasn't his committee he was talking about. Mrs. Mazza said he is talking about the prison working group. Commissioner Ambrosini said not the one that has been going on for. Mrs. Mazza said the ad hoc committee formed by Ambrosini in 2012 that decided that a new prison was needed and he said he was ordered to sit on that committee, if you didn't order him, who ordered him to sit on that committee. Commissioner Ambrosini said his request letter of July 13, 2012 clearly asked for volunteers. Mrs. Mazza said that don't answer my question, who ordered him to sit on that committee? Commissioner Ambrosini said you will have to ask him because I didn't. Commissioner Zimmerlink said OK, so you have your question answered.

**Commissioner Zapotosky** said more importantly, you have a follow-up question, if the case was made that it wasn't ordered and there was a document sent out July 2013, June 2013 that asked for him to volunteer, he was doing it under county time. Mrs. Mazza said right, and that was wrong. Commissioner Zapotosky said my question would be who approved the leaves. Commissioner Ambrosini said it was part of his job. Mrs. Mazza said no, is it in his job description that he is to sit on committees, no, don't tell me that, I know that without reading the manual. She said she hates to say it but he is one pathological liar, you couldn't tell the truth if your life depended on it. Commissioner Ambrosini said that's your opinion Mrs. Mazza. Mrs. Mazza said that is her opinion, but he proves it over and over and over and over again, every time you speak you prove me to be correct, you're pathetic.

### **Adjournment**

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

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**