An agenda meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, June 14, 2016 at the Public Safety Building, Uniontown PA.

In attendance-

Commissioner Chairman Vincent A. Vicites

Commissioner Dave Lohr

Commissioner Angela M. Zimmerlink

Chief Clerk Amy Revak

Solicitor John Cupp

A silent prayer was observed, followed by the recitation of the pledge of allegiance.

Public Comment on Agenda Items- None

Fayette County Redevelopment Authority

Andrew French presented the agenda items. He said the ESG grant is an annually grant and they partner with various agencies. He said they will apply up to $750,000 and the money would be used for the operations of the homeless shelters in the county and assistance to people in jeopardy of becoming homeless.

Prior to making a motion, Commissioner Zimmerlink said she wanted to add in the amount of up to $750,000. Commissioner Lohr asked the amount and Mr. French said he could get an exact amount. Commissioner Zimmerlink said they should have an exact amount and asked Mr. French to e-mail it to the Chief Clerk.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda adoption of a resolution to approve the submission of an application requesting funding through the Emergency Solutions Grant (ESG) Program of up to $750,000. The approval will authorize the commissioners to sign and submit the application for assistance and will also approve execution of a cooperation agreement that highlights the Redevelopment Authority's responsibilities for administration of the ESG program on behalf of the county.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Mr. French said the next application is for competitive grant money. He said the project is for 48 homes that do not have water. Commissioner Zimmerlink said it needs to be added in an amount of up to $750,000. Mr. French said that will be the amount.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda adoption of a resolution to approve a 2016 competitive Community Development Block Grant (CDBG) application for a water system improvement project in the Mudd Pike and Braddock Road area of Henry Clay Township of $750,000. The approval will authorize the commissioners to sign and submit the application for assistance and will also approve execution of a cooperation agreement with highlights the Redevelopment Authority's responsibilities for administration of the CDBG funding.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Mr. French said the other agenda items were revisions that are required by the CDBG programs. He said it is shifts of money between programs.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda adoption of a resolution which authorizes the Redevelopment Authority to make budget revisions to the county's fiscal year 2011, 2012, 2013 and 2014 Community development Block Grant (CDBG) programs.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda adoption of a resolution which approves a modification to Washington Township's FY 2011 Community Development Block Grant (CDBG) program in the amount of $46,700.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda adoption of a resolution which authorizes the Redevelopment Authority to make budget revisions to the county's Fiscal Year 2014 Emergency Solutions Grant (ESG) program.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Assessment Office

Bill Lukach, head of the assessment office, presented the agenda items. After he read the first item, Commissioner Zimmerlink asked about if this was discussed during 2016 budget discussions. Mr. Lukach said the refund amount is not in the 2016 budget. Commissioner Zimmerlink said getting a line item from the Controller's office, but he needs to know if the money is budgeted, and he shouldn't just ask the Controller. Mr. Lukach said for 2017, 2018 and 2019, it would come under his office. Commissioner Zimmerlink said they need to make certain the money is in the line item. Commissioner Vicites asked how much is in the refund line item for the office. Mr. Lukach said Wal-Mart wasn't in the line item, but the second item is in the line item. Commissioner Vicites asked if they are covered. Mr. Lukach said the tax collectors line item is for 2016. He said the amounts are easy to determine but the paybacks are different for different cases. Commissioner Zimmerlink said the bottom line is that it is court ordered but the money must be in for this year, with the other years being done in those years.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of the Court Order that outlines the settlement agreement between Wal-Mart Real Estate Business Trust and the Fayette County Board of Assessment Appeals. The Court Order sets the assessed value beginning tax year 2016 (Jan. 1 2016) at $11,580,000. Refund amounts for the tax years 2010-2015 and repayment terms are set forth in Exhibit A in the Court Order and detailed below. The Court Order has been signed by the School District and Township. For tax year 2016, a correction of assessed value from $13,883,050 to $11,580,000. The refund due for 2016 is $12,700.12. To be requisitioned from Refunds Real Estate Property Taxes Current Year (GL Org. Code 013110) (GL Object 01.4137.31100).

Tax years 2010-2015 repayment terms. Requisitioned from (GL Org Code 014136) (GL Object 52416) Appeals Refunds.

2017 - $10,052.38

2018 - $10,052.38

2019 - $10,052.38

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink said both has been reassessed at a lower rate, which is a loss of close to $4 million. She clarified when the court order will be complete. Solicitor Cupp said since the action is being contingent on the resolution, they are giving the assessment office approval to proceed if it is accepted. He said he didn't think one of the parties dealt with the county openly. Commissioner Zimmerlink asked about the other two taxing bodies. Mr. Cupp said the school district agreed and the municipality didn't participate. He said he would recommend moving forward, adding that if it doesn't work out the resolution lapses.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda adoption of a resolution for a settlement agreement between Spirit SPE Portfolio and the Fayette County Board of Assessment Appeals, Court Case (3735 of 2008, G.D.). The signing of the final order is contingent upon agreement among all parties with an interest in the appeal. National Envelope Corp, NE OP CO, Cenveo, Spirit Portfolio and United States Bankruptcy Court. The proposed settlement sets the assessed value at $4,260,000 for the tax years 2009-2014. The assessed value reverts back to the current assessment of $6,676,090 for tax years 2015 & 2016.

The county refund liability for tax years 2009-2014 is $58,487.39. Repayment terms over two years would be $29,243.70 in 2016 and $29,243.70 in 2017. Requisitioned from (GL Org Code 014136) (GL Object 52416) Appeals Refunds.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Mr. Lukach said they are $290 short and money will have to be transferred.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of the following for a real estate tax exemption as they have been qualified as a 100% disabled veterans by the Veterans Administration of Pennsylvania.

Gwendolyn Nichols – 411 Dove Drive – Uniontown PA parcel 34-23-0215
exemption effective for taxes due on or after April 6, 2016
James Burkholder – 1246 Connellsville Rd – Uniontown PA parcel 25-30-0084
exemption effective for taxes due on or after April 19, 2016
Michael R Opalko -243 Bethelboro Road – Uniontown PA parcel 25-12-0060
exemption effective for taxes due on or after January 13,2016

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Behavioral Health Administration

Bob Calisti presented the agenda items.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of agreements and modifications:

	Contract Value	Period
HealthChoices 13th Amendment to Amended Agreement		
2016 Value Behavioral Health of PA	N/A	2016
Base Contract Agreement 2016-2017		
Crosskeys Human Services, Inc.	$1,098,851	7/1/16-6/30/17
Southwest Behavioral Care, Inc.	$374,976	7/1/16-6/30/17
Fee-For-Service Agreement 2016-2017		
Fayette Emergency Medical Services	$5,000	7/1/16-6/30/17

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval to advertise for bids for the lease of two (2) 2017 Ford Fusion or 2017 Chevrolet Malibu sedans (or equivalent model) for Fayette County Behavioral Health Administration to replace two vehicles that are nearing lease end. Our request is to lease the vehicles for a period of either 36 or 39 months depending upon lease programs available.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Mr. Calisti said there are 2013 Ford Fusions that will be going back unless someone wants them. He said he hasn't sent any information and the leases run through September 30. Commissioner Zimmerlink asked if they are high miles and Mr. Calisti said no. He said the vehicles only have 30,000 miles and they are in good shape and the buyout is about $13,000 plus fees of about $500. Commissioner Zimmerlink asked for information on the vehicles.

Bridge Department:

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda ratification of the approval for the resurface of LaFayette Manor Road in South Union Township. The cost will be piggybacked off of the South Union Township contract for $6,500.00 using ACT 44 money.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Children and Youth Services

Gina D'Auria presented the agenda items.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of a **2015-2016** 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 152271 for residential providers including group home setting on an as needed basis. The rates are as follows:

Initial Clothing $250.00

Residential:		Rate
Cert # 472040	Residential-SR	$ 134.98
Cert # 472040	Drug & Alcohol DA	$ 209.00

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of a **FY2015-16** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services and Fayette County Juvenile Probation Office (place of business: 34 West Peter Street, Uniontown, PA 15401) and **Alternative Living Solutions**, 2108 Tartan Court, Latrobe, PA 15650 for group home services on an as needed basis. The rates are as follows:

Initial Clothing	$ 250.00
Cert. #441000 - Broad St. Apt. Unit GY	$ 197.95
Cert. #444600 – Broad St. Apt. A Unit GY	$ 197.95
Cert. #444610 Broad St. Apt. B Unit GY	$ 197.95
Cert. #442110 – Georges Station Apt.	$ 197.95
Cert. #444620 - Georges Station Apt. 917A	$ 197.95
Cert. #444640 – Georges Station Apt. 917B	$ 197.95
Cert. #443960 – Twin Run Apt.	$ 197.95

Cert. #446300 – Supervised Independent Living (SIL) $ 197.95

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Three Rivers Adoption Council,** 307 Fourth Avenue, Suite 310, Pittsburgh, PA 15222 for foster care/adoption services on an as needed basis. The rates are as follows:

Initial Clothing $250.00

Cert. 436240	RATE
Level #1-AA	$ 40.85
Level #2-BB	$ 42.89
Level #3-CC	$ 46.00
Level #4-DD	$ 52.09

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to place on the agenda approval of a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Haven Home for Girls, Maternity Group Home,** 720 Gebhart Road, Post Office Box 296, Windsor, PA 17366. Haven Home will provide services for expectant teens on an as needed basis. The rates are as follows:

Initial Clothing $250.00

Cert. # 330090	RATE
Expectant Youth/Mother Only – ES	$ 178.00/day

Mother with Child-MC	$ 217.63/day
Mother with Two Children-MT	$ 257.26/day
Child Only-CH	$ 39.63/day

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Courts

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval to enter into a cleaning contract for MDJ Dennis office 14-2-02 with Pam Tesauro for $100 a month starting May 27, 2016, not to exceed $1,200 a year. Term to end when one party notifies other that they want to terminate contract.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink asked Solicitor Cupp to look at the Magisterial District Judge leases to review them. Prior to the next item, a discussion was held about extending the lease for the court. Commissioner Zimmerlink said years ago she sat down with former solicitor Joe Ferens and others to look at the leases. She said they have made long term leases with options.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of a lease agreement with The Agostini Group for District Court 14-0-00 for a term of 5 years for $2,000 a month beginning in November of 2016. Rent for the first 5 years would be $2,000 a month and if chosen to continue with this lease agreement continuing with the increments provided.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Election Bureau

Larry Blosser presented the agenda item.

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to place on the agenda approval for attendance of the Election Bureau Director to the 2016 PA County Election Official Conference, to be held in State College, Pa August 15 through August 18. The cost of lodging for 3 nights will be $371.07. The cost of the registration fee will be $ 235.00. The total budgeted cost is $606.07.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda to ratify the update to Policy # 3.9 Performance Evaluation in the Fayette County Policy and Procedure Manual.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda to adopt the update to Policy # 8.1 General Safety in the Fayette County Policy and Procedure Manual, effective June 16, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

CYS

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda ratifying the resignation of Keith Medley, Caseworker, effective May 24, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approving the hiring of Josh Burnsworth, Caseworker II, (non-certified) at a rate of $15.50/hr. or $30,225 annually, effective July 5, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

FACT

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda ratifying the resignation of Isaac Clifford, Small Bus Transit Operator (part-time), effective May 12, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Office of Human and Community Services/FACT

Lori Groover Smith presented the agenda items.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approving the HSDF agreements for FY 15-16 as follows:

Decrease Albert Gallatin Human Services to $77,485

Increase Fayette County Behavioral Health to $81,200

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval to purchase 3 shared ride 12+2 passenger Ford buses from Rohrer Bus state contract #4400008420 for a total cost of $176,604. 100% state funding.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Vicites said FACT has done a good job and he wants to give credit where credit is due.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of a service agreement with Trane for heating and air conditioning maintenance for 5 year term at annual cost of $6,155.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval to submit a shared ride fare increase application to be effective 9/1/16.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to place on the agenda Consider placing on the agenda approval of FY 16-17 Third Party Sponsorship agreements for Uniontown Hospital, Chestnut Ridge Counseling, Fayette County Blind Association, and Fayette County Behavioral Health Administration.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of FY 16-17 agreements as follows:

WMBS Radio	$ 487.66 monthly
Pickle	$1,232.00 monthly
Froggy	$2,016.00 monthly

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

<u>Planning, Zoning and Community Development Office</u>

Sara Rosiek, head of the planning office, presented the first agenda item.

A motion was made by Commissioner Zimmerlink to consider placing on the agenda ZA 09-1 Amendment to Zoning Ordinance Historic Resource Overlay. After Commissioner Vicites asked for a second and none was made, Commissioner Zimmerlink said she can see there isn't going to be a second. She said they need to advance this one and the next one, 15-3, she sent e-mails and the overlay has been on the website with the information since 2009. She said this is to be consistent with ZA 15-3 historic resource overlay. She said the county enlisted a consultant EPD and there were numerous committee meetings in preparation of the overlay so the county would be in compliance with the municipal planning code and the comprehensive land use plan. She said one of the four sections in the comp plan and the ordinance is to address historic resource in a particular county. She talked about the process that had occurred

with the ordinance, with a hearing in 2009. She said it was tabled 2-1 in 2009. She said it needs advanced to a commissioners meeting. She said they remain in non-compliance since 2009. The motion died when it did not received a second.

Commissioner Lohr asked if this would be a part of the comprehensive plan. Commissioner Zimmerlink said that is her point and that is what they want it to be and that is why she wants to move it forward. She said they should give the planning office a clear direction. She said national Road, DCNR and the county paid for the ordinance. She said everybody but the current board of commissioners are recommending approval. She said they should approve it, table it or not approve it, they can't just leave it sit and it has been since 2009, and they are in non-compliance with the comp plan. She said they need to update the official maps. Commissioner Vicites said the planning commission did not make a decision this week on another amendment to the ordinance with the oil and gas and they want the comp plan updated. He said they need an updated comp plan and there is money in the budget to move forward on it. He said they have amendments and an old comp plan and they need to do a new comp plan and then see what it says to weigh decisions on the amendments. Commissioner Zimmerlink agreed they need to update the comp plan. Commissioner Vicites said they shouldn't add updates, adding there haven't been that many amendments.

Ms. Rosiek said there have been several. Commissioner Vicites again said he didn't think they should do amendments until the comp plan is updated. He said the planning commission recommended they do an updated comp plan. Commissioner Zimmerlink said they are required every ten years to update the comp plan. Commissioner Vicites said they are well underway, they have had three meetings and it needs to get out to bid and implement. Commissioner Zimmerlink said it can take up to two years to implement. Commissioner Vicites said he didn't know if it would take that long if it is expedited. Ms. Rosiek said the recommendation was to have it wrapped up in one year. Commissioner Zimmerlink said Westmoreland County paid $250,000 and got a consultant from Chicago and they are moving a lot quicker. Commissioner Vicites said they budgeted money and they need to RFP it and get it moving. Commissioner Zimmerlink said they need to put it on the agenda and it is up to the planning office to do that. She spoke again about planning commission recommendations, calling them inconsistent.

Commissioner Vicites said there are different board members than in 2009. He said he wants the most accurate information and didn't want to vote on the amendments until a new comp plan is approved. Ms. Rosiek said there aren't any pressing issues. Commissioner Zimmerlink said regardless of the makeup of the board, the county entered into an agreement with the consultant and the plan has been planning with the existing comp plan. She said there are about 10 to 15 zoning hearing board hearings and all are based on the existing comp plan. She said it is an existing document that is effective and in use. Commissioner Vicites said when they redid the rezoning ordinance they did the comp plan first and once it was in place, the zoning ordinance was done. Ms. Rosiek said the comp plan was done in 2000 and the zoning ordinance was done in

2006. He said he wants to not make decisions on an old comp plan. Commissioner Zimmerlink said it is the existing comp plan. Commissioner Vicites said it is 16 years old and they should update it.

Commissioner Zimmerlink said at the beginning of the year they agreed to update the comp plan but it still won't be done for a year. She asked Ms. Rosiek how many rezonings they have had this year. Ms. Rosiek said three. Commissioner Zimmerlink said they will have them in the future and asked if they will hold off. Commissioner Vicites said you can't, you can still use the existing rules. He said you are talking about changing the zoning without knowing what the comp plan will say in the future, he is saying use your existing and run your government and move it forward, but when you make a change in amendments you should have that document in place before you do it. Commissioner Zimmerlink said that is what she is talking about. She said they should do the amendments under the existing current legal document and asked why he wouldn't approve one amendment but would approve the others. Commissioner Vicites said he wasn't in favor of any of the amendments. Commissioner Zimmerlink said why don't they cancel the rezoning hearings. Commissioner Vicites said that is comparing apples and oranges. He said she is talking about a zoning hearing and they have to move forward. Commissioner Zimmerlink said only if it is an individual, not a zoning amendment. Commissioner Vicites said you should still get the hearings but should have the comp plan in place before making decisions.

Commissioner Lohr asked about the zoning ordinance, with Ms. Rosiek saying the ordinance is 80 pages long. Commissioner Zimmerlink said the actual historic part isn't that long. Commissioner Lohr said he doesn't want so many restrictions on the county that they can't do anything. He said more ordinances restrict people from making a living and he won't tolerate that. He said he only knows what he reads in the press because he hasn't read the ordinance. Commissioner Zimmerlink said it is on the website and it is eight pages. She said the county must have a historic ordinance and she will put it on in a couple months. Commissioner Lohr said in the current comp plan, although it is outdated, these areas were already addressed. Commissioner Zimmerlink said no. Commissioner Vicites said they are also required to have a comp plan and they don't. Commissioner Zimmerlink said they do have one. Commissioner Vicites said they have had one for 16 years, but when did it go out of date? He said it went out of date in 2010 and it still hasn't been done since 2010. He said they have agreed to do it and they need to get it done and hopefully they can get it on the agenda for an RFP as soon as possible. Commissioner Zimmerlink said it is still going to take a year.

Commissioner Zimmerlink said it isn't in the current document and that is why it was looked at before and there are requirements they need to address. Commissioner Vicites said first they need to get the comp plan done and then they can make good decisions. Commissioner Zimmerlink said they disagree because he doesn't think it is in place and she does. Commissioner Vicites said the old one is outdated and

Commissioner Zimmerlink said it is the only one they can use. Commissioner Vicites said it is outdated and they need to update it before making decisions on zoning amendments.

No motions were made on the following:

Consider placing on the agenda ZA 15-3 Amendment to Zoning Ordinance re: Agriculture

Consider placing on the agenda ZA 16-1 Amendment to Zoning Ordinance re: Limited Winery & Distillery (as revised 5/2016)

Consider placing on the agenda ZA 16-2 Amendment to Zoning Ordinance re: Specialized Animal Raising & Care (as revised 5/2016)

Ms. Rosiek explained the agriculture amendment. Commissioner Zimmerlink asked why it was being placed on the agenda if they don't have an updated comp plan. Ms. Rosiek said it is a recommendation by the planning commission. No motion was made and it died. Ms. Rosiek presented the next amendment about a winery. She said she has been fielding questions and they don't have it addressed. No motion was made and it died. Ms. Rosiek presented the next amendment. No motion was made and it died. Commissioner Zimmerlink then asked about an agenda item under the commissioners and asked why it was not under the planning office. Chief Clerk Revak said Art Cappella had sent it to her and put it under commissioners. Commissioner Zimmerlink said she saw Art in the parking lot and he didn't understand, adding that it was miscommunication. Ms. Rosiek then read the agenda item. Before a motion, Commissioner Zimmerlink asked why it is that she thinks they have already approved this. Commissioner Vicites said let's put it on Thursday and get an answer. He directed Ms. Rosiek to give the answer before Thursday.

A motion was made by Commissioner Vicites and seconded by Commissioner Lohr to place on the agenda approval of a DCED Greenways, Trails and Recreation Program Application for four restroom facilities at two county parks (Dunlap and Jacobs Creek Parks). Total Project Cost is estimated at $164,580.00. Required match is $24,687.00. Also, consider approval of the $100.00 grant submission fee.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

<u>Prison</u>

Jack Loughry, business manager at the prison, presented the agenda items. After the first one, Commissioner Zimmerlink asked how many bids for the food service were received and how long the contract is. Commissioner Lohr asked what the price difference was between the two bids. Mr. Loughry said about $160,000 over a five year period. He said the prices by ABL were dropped and the other bidder, CBM, would have gotten the contract if the current provider hadn't reduced them. Commissioner Zimmerlink asked about the meals.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda awarding a five year contract to the low bidder and current contractor, ABL Management Inc., for RFP 16-04 for Inmate Food Services. The contractor has significantly reduced the cost for providing their services to the Prison for the next five years resulting in an annual cost savings of approximately $40,000 and a total five year savings of approximately $200,000.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approving Addendum #3 to the Prison's Vending Agreement with DSI-ITI providing for inmate phone services. The addendum is necessary to bring the terms of the agreement into compliance with recent Federal Communications Commission (FCC) rate caps and regulation for inmate interstate phone calls. The Prison never received commissions on inmate interstate phone calls and the addendum should have no effect on phone commissions currently received.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink clarified that the county is not making money, it is the FCC language. Mr. Loughry said it won't impact the prison at all.

Sheriff

Sheriff Jim Custer presented the agenda items. Before a motion was made, Commissioner Zimmerlink asked if he had any documents. Chief Clerk Revak said she

hadn't been given any and Sheriff Custer said he hadn't either. Commissioner Zimmerlink asked about the details. Sheriff Custer said it was his understanding that it wouldn't be a loan, that money would be set aside and the rest would be the grant. Commissioner Lohr said he understood they could pay.

A motion was made by Commissioner Lohr and seconded by Commissioner Vicites to place on the agenda approval of a loan resolution between the County of Fayette and the United States Department of Agriculture in the amount of $38,900.00.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to place on the agenda approval of a grant between the County of Fayette and the United States Department of Agriculture in the amount of $47,000.00.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Zimmerlink said they need the information prior to Thursday's meeting.

Tax Claim

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approving the following repository bids opened June 7, 2016, subject to all conditions being met.

Bidder Name	Parcel Number	Amount	Twp/City/Boro
Kevin Edwards	36-10-0044	$800.00	Springhill Twp
Maria Colinet	30-34-0049	$110.00	Redstone Twp

Total	$910.00

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

Commissioner Vicites said he put the first item on about the prison assessment. He said they passed a resolution for the Army Reserve Center to purchase it and they are working with them from the U.S. Government. He said they will submit a formal application but that won't be until August. He said he thought in the meantime it would be good to get a handle on the population of the prison and to get projections. He said they need accurate projections. He said the breakdown of the categories are needed. He then made the motion. Prior to a second, Commissioner Lohr asked what the assessment would include. Commissioner Vicites said it makes predictions for every five years, adding that he is referring to what was done in the past. He said he foresees an independent company that would do this, not attached to any architect or engineer. Commissioner Zimmerlink asked if they would exclude architects or engineers. Commissioner Vicites said they would have to develop the specs. A discussion hen ensued about the specs. Solicitor Cupp said they could include in the specs that anyone who submits cannot perform any future work.

Commissioner Vicites said it has to be totally independent of any architect or engineer. He said the figure he kept hearing was 480 and it has been half that, although it has gone up recently. He said it is still only around 250 and they need to get a handle on the figure to make good decisions. Commissioner Zimmerlink asked how it would be different than the one that was done in 2012 that also looked at facility makeup. Commissioner Vicites said she could answer that better than him but it is his understanding that it was done in house by the architect, so this would be a company that has no ties with any architect or engineer. Commissioner Zimmerlink said that goes back to the question that Solicitor Cupp answered that they will not have any contractual relationships with the county and that can be placed in the RFP. She said she is asking how this study would be different from the 2012 study. Commissioner Vicites said this company would come in, they would talk to everybody in the criminal justice system and they would make their own judgement, as with any study, it is their judgement. Commissioner Zimmerlink said the 2012 study did that, what would be different?

Commissioner Vicites said he thinks the 480 is high and it needs to be refocused on. He said they need the most accurate information. He said that figure was based on the spike in 2010 and 2011 and since that time it has leveled off. He said they need an independent third party source to evaluate the information from 2010 on to the current day and make projections into the future. He said it is essential to move forward on all fronts and get accurate information.

Commissioner Zimmerlink said she wanted to explain and understand because Crabtree Rohrbaugh and Sleighter did one in September of 2012 that included prison population and projected and yes, they did get the contract for the next part. She said she wants to make sure they all understand it isn't the same in 2012. She said they need accurate numbers. She said it exists in the program, but it doesn't do the projections. Commissioner Vicites said they need accurate projections and right now he doesn't feel 480 is accurate. Commissioner Zimmerlink said they all just got an e-mail it they all know it is troubling and she wants them broken down by sentenced, unsentenced and awaiting sentencing. The commissioners discussed the program used at the prison.

A motion was made by Commissioner Vicites and seconded by Commissioner Lohr to place on the agenda advertising a request for proposals for a county prison population assessment.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of the March 8, 2016 commissioners agenda meeting minutes.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of the April 12, 2016 commissioners agenda meeting minutes.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to place on the agenda approval of the April 21, 2016 commissioners meeting minutes.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of the May 10, 2016 commissioners agenda meeting minutes.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of the May 19, 2016 commissioners meeting minutes.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion on the lease for the Federal Building with the U.S. Postal Service, Commissioner Zimmerlink asked for the terms and for a copy of the lease. Solicitor Cupp said they had to get a drawing so they got a drawing from them. He said $15,600 in total rental income for a five year period. He said it was 10/25/2016 to 10/24/2021, $15,200 a year and the renewal option is 10/25/2021 to 10/24/2026 $15,600 per year.

He said they wanted us to give them a drawing, that is what delayed this thing. Commissioner Zimmerlink said she didn't see the final product, and she wants to read it. A discussion was held about the convenience of the post office in the federal building.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda approval of a new lease for the Federal Building with the United States Postal Service for an amount of $15,200 annually from 10/25/16 to 10/24/21 and $15,600 annually from 10/25/21 through 10/24/26.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to place on the agenda an appointment to the Fayette County Assessment Appeals Board.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, the commissioner discussed that they would make an appointment from prior interviews.

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to place on the agenda approval to forgive all outstanding county real estate taxes, including penalty and interest, for years 2012, 2013, 2014, 2015 and the current tax year assessed against property at 633 Bitner Road, Dunbar Pa. in Franklin Township at Parcel Number 13-17-0045, in an approximate amount of $1,400. The request has already been approved by the township and school district, as confirmed by court order. The deed to transfer this property to Franklin Township is dated May 10, 2016 from the estate of Patricia Rusinack and was conveyed to allow the township to demolish a dilapidated structure on the property.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, W. Thomas McCracken, a Franklin Township Supervisor, said this is really a sad situation. He said Ms. Rusinack died and conveyed one house to each daughter and there was never money in the estate to settle it, it just sat there. He said in 2012 this house burnt and the one daughter died in the fire. He said the other structure stood burnout out with the other sister living beside. He said the township got involved to mitigate the dangerousness of it and they have been to court and the township is willing to forgive the taxes which is a minimal amount and the school district which has a significant amount is forgiving them and the property is transferred to the township and they are asking the county to forgive those taxes. He said they someone interested in developing the property and they hope to get it back on the tax rolls. Attorney Jack Heneks said Supervisor McCracken has been with them all along and they have to pay the contractor $4,500 and they are out that amount. He said this will be better because the contractor will erect a building and it will be taxable at that point. He said this has been a long sad struggle but hopefully it will be better. Commissioner Zimmerlink asked about the quit claim deed and demolishment of the structure. She asked if there are any guarantees the property will be placed back on the tax rolls and the answer was no.

Mr. McCracken said the township was advised that since there were two houses in the estate that was never settled that they could move on the other house in which the daughter is still living but they didn't' feel that was the humane thing to do, to force her out of the house to collect the $4,500, the most humane way to handle the situation. Commissioner Zimmerlink said it is because it is a dilapidated structure and they want to clean up the township, that is the reason you are doing it because it says demolish a dilapidated structure. Mr. McCracken said they already did that and they owe the contractor $4,500 and there is still debris and he intends, which there is nothing in writing, to take the chimneys which he knocked down out of the foundation and put a modular or mobile home in, but they don't have anything in writing. Commissioner Lohr said with the transfer it will be back on the tax rolls for the lot.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to place on the agenda ratification of the following transfers and budget adjustments.

5/3/16 to 5/23/16

Department	Cost Center	Debit	Credit
Assessment			
Contract services print	**01413653013**	**$180.00**	
Software license UPI	**0141365210001**		**$180.00**

Act 13

Act 13 transfers out	**1349205900001**	**$7,993.00**	
Capital Outlay Act 13	**13414057000**		**$7,993.00**
Total Debits $8,173.00	**Total Credits**	**$8,173.00**	

Budget amendment—

Children and Youth Services

36442057000 Increase capital outlay in the amount of $22,000.00

36442033100 Increase federal funding in the amount of $11,000.00

36442033200 Increase state funding in the amount of $11,000.00

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked about the budget amendments, clarifying that it wasn't the general fund.

Public Announcements- None

Public Comments

Mr. McCracken said he was speaking on behalf of himself, adding that he is on the county planning commission. He said he taught school for 34 ½ years and he is on the planning commission, but he wasn't speaking on behalf of the planning commission. He said he was involved with the historic overlay and he wanted to compliment the planning office because there were a lot of hours by them and others. He said with his background in American history he didn't have a problem making a decision on the amendment. He said he just learned a few months ago that it isn't legal to farm in an area designated as a business zone. He also discussed requests about winery or distillery on their property. He said the animal raising came up because it isn't in the ordinance. He said personally he had no problem with those issues but the gas situation is different because he didn't know how far the gas line should have been from property lines. He said passing it along to the commissioners was asking for experts to help decide what the distances should be. He said there were people on the planning

commission with diverse backgrounds. Commissioner Vicites said everybody has a different way of looking at it and you guys just recommend. He said their motion was that they would like the comp plan updated. He said they have to stay consistent on all these decisions and they need an updated comp plan before making decisions on amendments to stay consistent. Mr. McCracken said the county has changed since 2000 when the comp plan was done.

Commissioner Zimmerlink said the historic overlay was tabled but the Route 43 exchanges overlay was approved, so that wasn't consistent. Commissioner Vicites said the comp plan wasn't out of date yet, it was out of date in 10 years. Mr. McCracken said there is a difference between someone who wants to put a vineyard in opposed to someone who wants to change the regulations for oil and gas drilling. Commissioner Vicites said there is no pressing issue for any of those three amendments so why not wait for the comp plan. Commissioner Zimmerlink said the comp plan was done in 2000 and it should have been updated in 2010. She said the commissioners and planning commission are obligated to look at these issues. Commissioner Vicites said he wants the information updated and accurate.

Adjournment

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

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously