A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Thursday, June 16, 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

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to adopt a resolution to approve the submission of an application requesting funding of $464,800 through the Emergency Solutions Grant (ESG) Program. 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

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to adopt 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 which highlights the Redevelopment Authority's responsibilities for administration of the CDBG funding.

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 adopt 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 Lohr and seconded by Commissioner Zimmerlink to adopt 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 Lohr and seconded by Commissioner Zimmerlink to adopt 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

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to approve 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

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to adopt 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

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve 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

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve 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 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. The 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

Bridge Department

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to ratify 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

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve 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 15271 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 approve 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 approve 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 Zimmerlink and seconded by Commissioner Lohr to approve 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

<u>Controller</u>

Controller Scott Abraham gave the following financial condition of the county.

Office of the Controller

Fayette County, Pennsylvania

SCOTT T. ABRAHAM
Controller

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

FUND: **GENERAL FUND**

DATE: 16-Jun-16

CASH:

Checking Account	United Bank		$10,894,670.62

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	$ 4,000,000.00	
		$ 4,000,000.00

Budget Year	**Net Position**	$7,121,363.16

		Year to Date
Total 2016 Revenues		$ 20,630,145.16
Total 2016 Expenditures		$ 13,910,300.93
Total 2015 Expenditures paid in 2016		$ 1,749,657.23

Capital Reserve Fund Balance	**Fund 51**		$ 222,275.98
Bond Fund Balance	**Fund 53**		$ 50,697.67
Act 13 Marcellus Shale Balance	**Fund 13**	Balance in Bank	$1,943,828.77
		Rec'd in 2016	$0.00

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Controller Abraham said the tax anticipation note has been reduced from $7 million to $4 million. In response to a question from Commissioner Vicites, Controller Abraham said the next $1.5 million payment is due in July and there will be two after that.

Courts

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr 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

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to table 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

Prior to a vote, Commissioner Vicites said they will finalize that and have it on next month's agenda.

Election Bureau

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve the 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 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 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 ratify 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 approve 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

Prior to a motion, Commissioner Zimmerlink asked about the starting rate. Chief Clerk Revak said at the agenda meeting Commissioner Vicites said $15.15, but it is $15.50. Commissioner Vicites said he stands corrected, adding that he needs new glasses.

FACT

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to ratify 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

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve 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 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

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve 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 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 Zimmerlink and seconded by Commissioner Lohr to approve 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 approve 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

Planning, Zoning and Community Development Office

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve 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

Prior to a motion, Commissioner Zimmerlink asked what the response from the county office was about whether or not it was done before. Chief Clerk Revak said the answer was that they have not announced the recipients of the 2015 grant, which is the one the county applied for previously due to the state postponing the announcement, the announcement is scheduled for July 1, so if the money is not received for that, they want to reapply so that is why it is on the agenda. Commissioner Vicites said it is very important to the upgrading of the parks, the restrooms out there at both of the parks are deplorable and they need to be rebuilt so it can be something our residents can occupy and it will help. Commissioner Zimmerlink said that is why they applied for it in 2015.

Prison

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to award 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 approve 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

Sheriff

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve a loan resolution for vehicles (a 2016 Ford transit van and a 2016 Ford Police Inteceptor) subject to negotiations for the payment terms 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

Prior to a motion, Commissioner Zimmerlink asked if they received any response from the planning zoning or sheriff on this. Chief Clerk Revak said she spoke with Art Cappella the day before and Sheriff Custer that morning and the answer is that it is a loan/grant program which means the county has to do both the loan and the grant but Art said the terms of the loan can be negotiated regarding how quickly it can be paid off. Commissioner Vicites said, so it is a package thing that has to be done. Chief Clerk Revak said what was approved in February was the loan/grant. Commissioner Zimmerlink asked what was approved in February. Chief Clerk Revak said that was the submission part and this is the actual approval. Commissioner Zimmerlink reiterated that February was the request and this is the approval. She asked if there is flexibility on the part of the loan. Chief Clerk Revak said it is her understanding from Art that there is.

Commissioner Lohr said he recalled from the discussion in February that it could be paid off at one time so it would be like using matching funds.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve a grant for vehicles (a 2016 Ford transit van and a 2016 Ford Police Inteceptor) 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 motion, Commissioner Zimmerlink asked if it was the grant or application and Solicitor Cupp said it sounds like it is the actual grant. Commissioner Zimmerlink asked Solicitor Cupp to take a couple minutes to look at it to make sure since they asked for it on Tuesday and none of them have seen it. She asked if there was any match to the grant and Commissioner Lohr said that is what the $39,000 is. Solicitor Cupp said grant is $47,000 and the loan is $38,900 and the total cost is $85,988. He said this is exactly that, where they accept the grant. Commissioner Zimmerlink said this is for vehicles so they should make a note of that. She asked how many vehicles. Commissioner Lohr said it is for two and they budgeted for one but when they found out about the grant they decided to get two. Solicitor Cupp said the grant is for a 2016 Ford transit van and a 2016 Ford Police Inteceptor. Commissioner Vicites said the new board of commissioners learned that several vehicles were getting to be high mileage and they looked for grant funding. He said it will help subsidize the cost of the vehicles. Commissioner Zimmerlink said some of the funding will be from either Act 13 or capital. She also said to add in the resolutions that they are for vehicles.

Tax Claim

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve 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

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to advertise a request for proposals for a county prison population assessment.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to motions to separately approve the commissioners minutes, Commissioner Zimmerlink asked to make one motion. She said normally, for obvious reasons, they may vote on them separately. She then made a motion for five sets of minutes.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve the March 8, 2016 commissioners agenda meeting minutes; the April 12, 2016 commissioners agenda meeting minutes; the April 21, 2016 commissioners meeting minutes; the May 10, 2016 commissioners agenda meeting minutes and 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 motion to include Peter Street in Uniontown. After Commissioner Lohr made a motion, Commissioner Zimmerlink asked if the date was changed after it was on the website. Chief Clerk Revak said yes, it was a typo, adding that the one on the county website has the typo. Commissioner Zimmerlink said she printed it off the county website that morning.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to approve a new lease for the Federal Building with the United States Postal Service at Peter Street in Uniontown 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 Vicites to appoint Jim Hercik to the Fayette County Assessment Appeals Board for a term to expire December 31, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

In making the motion, Commissioner Lohr said Mr. Hercik had interviewed for that position and he would be an asset on that board. Commissioner Vicites said he thinks Jim would be very knowledgeable on that board and that is why he would second the

motion. Chief Clerk Revak asked about the term of the appointment. Commissioner Vicites said they are for a year. Commissioner Zimmerlink asked if he confirmed that there would be no conflict of interest, adding that many times after county employment there may be a conflict. Solicitor Cupp said Mr. Hercik has been away from county employment for a while and it was unlikely anything would come up. Commissioner Zimmerlink said there was an incident within the last year in which he testified. Solicitor Cupp said Mr. Hercik was called as a witness and he certainly wouldn't be called as a witness if he were on the board. Commissioner Vicites said he had talked about that and he didn't think it would be a problem.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr 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

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to ratify 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

Public Announcements- None

Public Comments

Eugene Hynock asked the commissioners if they could consider a site in Brownsville for a minor league baseball venue. He said the Wild Things field is a beautiful field and asked them to look into it back there. He said Brownsville needs that back there. Commissioner Lohr said there isn't anything set in stone regarding the location. He said Connellsville is one of those places, but any place is really and open option. He said he would relay that to them. Mr. Hynock said he hopes they consider it really seriously. He said he enjoyed the meeting. Commissioner Vicites said a study is being done to determine feasibility and hopefully there will be more meetings as they obtain information. Mr. Hynock asked who would build the stadium. After commissioner Lohr said it would be all private, Mr. Hynock said that site in Brownsville is an ideal spot, adding it is a field of dreams. Commissioner Zimmerlink said they have been told that private funding will fund the stadium. She said the money for the study came from hotel tax and gaming monies. Mr. Hynock said they could also have a semi-pro soccer team there, asking them to consider Brownsville.

Patrick Purcell asked about a free and clear sale the county is going to have in September. He asked why three properties formerly owned by Ernest Liggett, the old hospital, a building that goes with it, and another house, are not being sold. He said they haven't paid taxes on it since 2005 and no maintenance has been done, it is a ghetto. Commissioner Vicites said he had sent several e-mails to Mr. Cupp, and asked him to address it from the legal standpoint. Solicitor cupp explained that selling a property at the free and clear sale is contingent upon the ability of the county to notify the owners. He said the tax claim bureau has that information and he didn't believe they were able to do that between the discharge of Mr. Liggett's bankruptcy and the date of

the sale. Mr. Purcell said he wasn't talking about all 110 pieces of property, he is talking about three pieces of property. Solicitor Cupp said he is suggesting taking three pieces of property out and not treating them the same as the other. Mr. Purcell said the last time this happened was four years ago when he declared bankruptcy and Zapotosky already had it lined up. He said he has five corporations and if they appeal it to them, it will take 15 years to get it done. He asked why they can't so three of them, adding that he is in a blighted area right now. He said the nursing home has five feet of water and they are breaking the law right now because they haven't taken care of it. He said the rulebook said they have to take care of it as fast as they can and now they are going to wait until 2017 to do this.

Solicitor Cupp then cited bankruptcy code, which he said supersedes bankruptcy laws, so that doesn't apply. Mr. Purcell asked who is responsible for the maintenance on that building. Solicitor Cupp said he would say that it is Mr. Liggett. He then spoke about case law, adding that Brownsville Borough should have appealed to get it cleaned up. He said the statues of Pennsylvania are subject to the U.S. laws and the interpretation of the courts. He explained the history of the cases relating to the issue. Solicitor Cupp started to speak about how the water in the basement is in violation of ordinances and Mr. Purcell said his question is that they knew for two months that this thing was done and they didn't act on it because he wrote Angela about it, but now you are telling him that you can't get three properties on the free and clear because you don't' have enough time. He said you could have started in February and cleared that up, why didn't you do that? Solicitor Cupp said he isn't the one who does that. Commissioner Vicites said he was giving a legal answer, and he can say that he wants to see the Brownsville properties expedited as soon as possible, adding they are committed to doing that. Mr. Purcell said he is talking about three lousy pieces of property. He said the reason he came here is that the deadline is June 30 and if they don't' do it now it won't get done until January.

Commissioner Vicites said he wants to do it as soon as possible but the question is can you do only three. Mr. Purcell said he hasn't paid any fines at all, no fines no taxes. Commissioner Vicites said he understands his frustration, adding that they want to help Brownsville. He said they deserve help. Mr. Purcell said it needs to be done on a free and clear, adding he wants three pieces sold. He said his house "ain't worth a shit" and they aren't going to do anything except sit on their asses. Commissioner Vicites said how do you say we are going to do these three but the rest we are not, we have to do them together and get it done, it's important. Geraldine Mazza asked what can be done with old paint cans. Commissioner Vicites said that is considered hazardous waste. He suggested that the garbage disposal will take it if it is dried out, it just can't be in liquid form. He said as long as it is a solid mass and not liquid, it is OK. He said if it is in liquid form, it would cost tens of thousands of dollars to dispose of it. He said that is

something he learned over the years and when he had that position, cost effectively that is how they did it. Mrs. Mazza said her daughter recently moved down from Massachusetts and loves the trails. She said her favorite saying is if the people from Fayette County don't make use of these trails, they're fools. She said she walks from Connellsville north and she can't talk enough about the trails in the county. Commissioner Vicites said they need to get the 33 mile section completed to get a trail through the center of Fayette County. The commissioners said they are working on getting the trail completed.

Commissioner Lohr said there is also a cross country trail nearby. Mrs. Mazza said it is something great and it does bring tourists here. A discussion then ensured about how beneficial the trails are for the county. Commissioner Vicites said they have the funding for the Point Marion portion of the trail and they are ready to put it out for bid. He said once that is built it will connect with West Virginia and then they need to find a way to get the funds to build the rest of it. He said Donna Holdorf has been working to try to get grants. Commissioner Lohr said he is trying to get federal funding. He said it is a great link because once it gets to Morgantown it opens up. He said companies encourage their employees to stay healthy and the trails are another factor of that. After more discussion about the trail, Commissioner Zimmerlink said they have been working on the trail project since she took office in 2004. She said trail construction is very costly and the commissioners are committed to building the trail. Commissioner Vicites said the gap in the funding is the matching funds.

Mrs. Mazza asked if the commissioners could do anything about the housing authority members, adding that they have spent a lot of money. She said she was appalled when she read that story. She said two board members went to DC and flew down and spent $1,900 to rent two cars when they were down there. She asked if they could control what the board members do. Commissioner Zimmerlink said the answer is for commissioners to appoint board members with fiduciary responsibilities. She said unless a board member violates codes to be removed, they can't be removed. She said she would comment because she was a board member and you have to look every month when the vouchers come up. She said they can pick up a phone and tell them they are representing the county. Mrs. Mazza said she resents how the airport authority uses the airport for a playground. She said they should be ashamed of themselves. Commissioner Vicites said you let them know from the get go that you want fiscal responsibility. Mrs. Mazza said she hopes the newspaper follows up to see what HUD thinks.

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