

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, June 17, 2014 in the Public Service Building, Uniontown, Pa.

In attendance-

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

Chairman Ambrosini called the meeting to order at 10:02 a.m.

A silent prayer was observed.

The pledge of allegiance was recited.

Geraldine Mazza asked if they can start a meeting without adjourning the last meeting. Commissioner Ambrosini asked her to please wait for public comment. Commissioner Ambrosini asked to amend the agenda to add a proclamation for the 100th Birthday of Ida Mae Alsop.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend the agenda to add a proclamation for the 100th Birthday of Ida Mae Alsop.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Proclamations

Commissioner Ambrosini read the proclamation honoring Mrs. Alsop. Commissioner Ambrosini then read the proclamation honoring and recognizing Pennsylvania 2-1-1 Southwest in Fayette County. A representative of the 2-1-1 program said it is available 24/7 and there is a real person who asks how they can help you and there are over 22,000 services listed in the database. He said they currently work in 11 counties, the whole way to Mercer and you are as far south as we go, to Indiana and Beaver so that 11 county region is where we are working in southwestern Pennsylvania. He said we are considered the strongest PA 2-1-1 in the state and we have a lot of health and human services working with us for anything from food, rental assistance, finding summer camps for children, the beauty of 2-1-1 is that it is not driven by income, it's if you have a need, the same as if you would call 9-1-1 for an emergency, you call the 2-1-1 number and get information. He said many people call around for health and human

service information, I have an aging parent, I don't know where to turn to, what sources are available to help and 2-1-1 has all that information at their fingertip, they will send it to you they will help you, they have 24 hours service, so feel free to call back if you don't get the service you are looking for. He said just having that one on one connection with somebody, United Way uses this information to gather information from this, we can share with the county commissioners, and I have some reports to share with them today, it talks about what are the needs in your community, why are people calling and reaching out for services so it gives them a tell of where they need to look at where they need to provide services. He said that information is available, it is available on our website as well, the website is pa211sw.org and that is free and a lot of individuals use it, it is open to the public, and if anybody has any questions, they will be here and they are welcome to reach out and he does a lot of presentations as does Tom, who is working in the community here as well so if you have any questions reach him as well.

Marybeth Homistek asked how long it has been operational. The representative said in this area it has been operational for three years, so the information, they were getting their feet wet so, as they gathered data and information from the agencies they wanted to roll it out, now we went public with it and we also have a great agreement with your 911 center in Fayette County who on a good day say we do this at 911 and you do this at 211, on a bad day we are available to them that they can call upon us to take non-emergency calls. He said that provides help for them as well to keep them from getting bombarded with a lot of calls and let them get down to business.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink for the following proclamations:

Proclamation Honoring and Recognizing Pennsylvania 2-1-1 Southwest in Fayette County

Proclamation honoring the 100th Birthday of Ida Mae Alsop

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Comment on Agenda Items

Mrs. Mazza asked if you can start a meeting without adjourning the last meeting. Commissioner Ambrosini asked Solicitor Cupp to address Mrs. Mazza's question. Solicitor Cupp said when you don't have a quorum, you adjourn or recess until time to adjourn. He said he didn't have knowledge of what happened at that meeting. Mrs. Mazza said the commissioners got up and walked out. Solicitor Cupp said then you didn't have a quorum. Mrs. Mazza said there was no adjournment, no recess, nothing, so as far as I read the rules that meeting is still in progress. Commissioner Zapotosky asked Solicitor Cupp if because the agenda reads. Solicitor Cupp said you have

adjournment listed on your agenda so if the agenda preceded the adjournment occurred whether you announced it or not. Mrs. Mazza said once they got up and walked out nothing happened and she believes that when there is public comment at a meeting, the governing body cannot get up and walk out of there when there is public comment in progress. Solicitor Cupp said people can come and go as they please, whether or not they should is a different question. Mrs. Mazza said not when you have a business meeting like a school board or a commissioner's meeting, as long as there is public comment, according to the rules, they're supposed to stay there until the public comment is over.

Solicitor Cupp said they didn't have a meeting once they lost their quorum. Mrs. Mazza said they lost the quorum because they got up and walked out. Commissioner Zapotosky said and then the adjournment listed in the agenda would then take precedent, it would occur. Commissioner Zapotosky said it would occur, that is his understanding. Mrs. Mazza said it is illegal for them to get up and walk out during public comment. Michael Cavanagh said he was the guy the commissioner's walked out on, first Commissioner Zapotosky walked out and then Commissioner Ambrosini walked out, there was no adjournment. Commissioner Ambrosini informed Mr. Cavanagh he has three minutes to make your comments. Commissioner Zapotosky said let's try to proceed with the meeting. Mr. Cavanagh said so far as asking for decorum he thinks it is very rude to walk out during public comment. He said agenda items, under Commissioners, number 18, consider approval of an agreement with Dunbar Township Sanitary Authority to provide sewage for the Tahj Mahal.

Commissioner Ambrosini said he would prefer to call it the Fayette County Justice and Rehabilitation Center. Commissioner Zapotosky said he can call it whatever he wants. Mr. Cavanagh said it says here as attached, can you give me a dollar figure on it because he has an agenda he got three minutes before the meeting and he doesn't have anything attached to it. He said, it says as attached, how can the citizens come before you when they don't have the information. He said you had an agenda meeting a week before the meeting, could that agenda not be made available online? Commissioner Zapotosky said he has no problems posting it, take it to Kebin, IT, staffer and get acknowledgement from the other two commissioners and put it online, its fine with me. Mr. Cavanagh said he thinks as an order of business if there are 136,000 people out there who want to review the agenda, it should be posted, didn't you and Commissioner Zimmerlink agree to that in concept?

Commissioner Zapotosky said he has no problems with it, put it on. He said he doesn't know how himself but it can be done. Mr. Cavanagh said the agenda doesn't have someone on it that they are voting on that you said it does. Commissioner Zapotosky said he doesn't have any problems with that at all, it is important to have the information out there, we don't try to hide it, it's published, and it's available. Commissioner Ambrosini said under item E of the attachment it is \$677,000. Mr. Cavanagh said plus other additional items, is there not a consulting fee? Commissioner Ambrosini said that is the agreement that includes the engineering costs. Mr. Cavanagh said \$700,000. Commissioner Ambrosini said \$677,000.

Commissioner Zimmerlink said plus, one item, John, Solicitor Cupp, why don't you answer, the question is from the citizen, what's the cost, it's an agenda item, and agreement for sewage, you gave a copy of this to us, in addition to the 677, item number D, it says a cap would be at \$200,000 to be paid by the county. She said do you want to just address what the cost is. Solicitor Cupp said sure. There are aspects of the costs, there is \$600,000 construction cost, which would be the requested build in, the SPR unit, there is a tap in fee at \$200,000 and there is a monthly fee for the treatment of sewage once you start introducing sewage into the system, those are the four things that are provided for in the agreement. Mr. Cavanagh said what is the last cost? Solicitor Cupp said the introduction of sewage into the system. Mr. Cavanagh said how much is that? Solicitor Cupp said you don't know that yet. Commissioner Zimmerlink said it does say in there, said fee shall be the rate charged by other customers served by the EDTSA per EDU. Solicitor Cupp said right.

Commissioner Zapotosky said so it is the current charges per the Dunbar Sewage Authority, and that is going to be based on usage. Mr. Cavanagh said Commissioner Ambrosini, that price has gone up since you last spoke because there is a tap in fee, so we are at \$877,000. Commissioner Ambrosini said he didn't know what the tap in fee was the last time they spoke. Mr. Cavanagh said it is in the resolution. Commissioner Ambrosini said the last time they spoke that Mr. Cavanagh is referring to we didn't know what the tap in fee was, we now know what it is. Mr. Cavanagh said this is his final, we are not going to belabor this, but we are at \$877,000 and some change with the tap in fee. Commissioner Ambrosini said it would be 877 total. Commissioner Zimmerlink said item number H, customer, which is the county, shall install and maintain in continuous operation a device to screen and/or grind material generated from the facility, as described in Exhibit B, but there is no Exhibit B, what is that cost, do you know? Solicitor Cupp said he has no idea, that would be part of your plumbing and engineering, that is something that is washing mattresses, washing cups and things like that.

Commissioner Zapotosky said that is the hardware of the project, the infrastructure. Solicitor Cupp said that is something we would have in our building, what we would build. Mr. Cavanagh said his last thing is under Public Works you have an approval for a watershed cleanup as Jacob's Creek Park. He said he is encouraged by that, the two parks that the county maintains have been in sorely need of maintenance. He said in the design process of the prison you spent \$200,000 on a potential women's at the old kindergarten center and you could have gone out front and had a bonfire with the \$200,000 because it was wasted, you could have done a lot of cleanup and made some repairs and maybe have some facilities for the taxpayers to use for recreation, that would be a good idea instead of wasting \$200,000 on something you chose not to pursue.

An unidentified woman, who later identified herself as Emma Jane Davis, said she was at the last meeting and the meeting that wasn't a meeting and at that meeting Brownsville Bus Company was here to talk and the meeting was cancelled at the last minute. She said at that meeting Mr. Zapotosky you said you wanted to table about the bus company, there isn't anything on the agenda. Commissioner Zapotosky said what

had happened, what transpired was that Brownsville had contended that they were never informed of the intent to terminate the contract. He said there was some question as to who got the letters, they met with our director Lori Groover-Smith and Kim Renze and came to an agreement that they were willing to implement a new process, a new training program to see if it fits the category of what they are supposed to provide, if they continue to violate any of the regulations set forth by the office then they will proceed with the termination. He said that was basically what happened.

Commissioner Zimmerlink said the commissioners will need to act on that because the termination letter had already been approved and sent. Commissioner Zapotosky said it would have to be rescinded, yes ma'am. Commissioner Zimmerlink said if that is what transpired after the meeting that needs to come back to the commissioners. Commissioner Zapotosky said that is correct, it would have to be an item placed on the agenda to rescind. He said he didn't have a chance to speak with Lori yesterday, so the matter would have to remain in a state, it should have been on the agenda to table, again, but it was not placed. The woman said she was just wondering, she didn't want Brownsville be pushed back. Commissioner Zapotosky said no ma'am, that was my concern and again, Brownsville Bus Lines was saying that they did not receive the information, it was kind of a he said/she said, and there were some questions of whether or not they were informing them of complaints and then the complaint being resolved, it was a very poor lack of communication. The woman said she didn't know who was there.

Commissioner Zapotosky said Jack Lawver was here. The woman said she knows Frank and it wasn't him. Commissioner Zapotosky said it was Jack Lawver. Commissioner Zimmerlink said she is also following up with the director because as you stated, you were present at the last meeting, our county solicitor stated that all the proper procedures were followed, that was Solicitor Heid, so she will follow up on that as well. The woman said her name was Emma Jane Davis and she has a tough time saying Brownsville because she is still affiliated with Brownfield.

Fayette County Redevelopment Authority

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to adopt a resolution approving the submission of an application requesting funding through the Emergency Solutions Grant Program as well as execution of a cooperation agreement with the authority to administrate the program on behalf of the county.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Assessment Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the following for a real estate tax exemption as he has been qualified as a 100% disabled veteran by the Veterans Administration of Pennsylvania effective for the 2014 tax year.

Louis G. Costantino 6 David Street Brownsville PA 15417 Parcel 02-06-0075

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a request by the City of Uniontown through The City of Uniontown Redevelopment Authority to exonerate the 2012 delinquent tax lien against parcel 38-10-0245 in the amount of \$197.89.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Following a motion, Commissioner Zimmerlink said it should say in the amount of \$197.89. She asked Solicitor Cupp if he knew the amount and he said no. Commissioner Zapotosky said he thought the amount was about \$200, he wasn't sure. Commissioner Zimmerlink said according to the letter Bill Lukach gave us it is \$197.89, I think that should be in the resolution. Commissioner Zapotosky said he concurs, and adding the figure in his motion.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Fayette County Assessment Office to enter into an agreement with James A. White, MAI to conduct an appraisal on parcel 39-05-0002-01, the National Envelope/Spirit Portfolio facility located in Upper Tyrone Township. Appraisal fees are: Phase 1 – \$2,000 site inspection and preliminary analysis
Phase 2 - \$4,250 completed report and first round of

testimony

Fees to be shared by taxing bodies. Funds available in budget.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked Solicitor Cupp if he had whether or not Bill Lukach, director of the assessment office, Bill Lukach, contacted any other appraisers in order to get costs. Solicitor Cupp said he did not know. Commissioner Zimmerlink said so we don't know if he just called one. Solicitor Cupp said it is his recollection it is difficult to find and appraiser for an industrial facility. Commissioner Zimmerlink said understood, but she is sure there isn't just one in the surrounding counties, she just wanted to know if he had sought out more than one. Solicitor Cupp said he didn't know that. Commissioner Zapotosky said he would make the motion, adding that Mr. Lukach was here at the agenda meeting. Commissioner Zimmerlink asked if he mentioned that he did. Commissioner Zapotosky said no, he did not. Commissioner Zimmerlink said she will approve it subject to that it meets the requirements of the county code for the bidding thresholds. Commissioner Ambrosini said is that a second. Commissioner Zimmerlink said no, she made a motion subject to, did you make a motion?

Commissioner Zapotosky said yes, he made a motion because you have half the funds and fees are being paid by another taxing body, clearly it is going to be under the threshold of bidding. He said again, because this has some expertise, level of expertise associated with it, I will be good faith agree that Mr. Lukach did his due diligence in securing this appraiser. Commissioner Zimmerlink asked if the other two taxing bodies agreed to split this cost, do you know, they did, they did, second.

Behavioral Health Administration

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the agreements and modifications as listed:

	<u>Contract Value</u>	<u>Period</u>
<u>Modification Agreement #1 2013-2014</u>		
accessAbilities, Inc.	\$80,000	7/1/13-6/30/14
Diversified Human Services, Inc.	\$69,000	7/1/13-6/30/14
Therapy Connections, LLC	\$72,000	7/1/13-6/30/14
<u>Modification Agreement #2 2013-2014</u>		
Fayette Resources, Inc.	\$415,005	7/1/13-6/30/14
<u>HealthChoices Amendment #1 - 2014</u>		
Allegheny HealthChoices, Inc.	\$100/per hr. Up to \$78,100	1/1/14-12/31/14

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Bridge Department

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a Supplemental Bridge Inspection Agreement for the NBIS

Bridge Inspection and Inventory Project between Fayette County and M.J. McTish and Associates, Inc. d/b/a McTish, Kunkle and Associates Engineer. The estimated cost increase is \$34,795.72 for additional inspection units and Non-Professional costs for Rigging and Traffic Control were added to the original equipment.

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Zapotosky said he spoke to Bill (Arnold) and he explained the need to proceed with this. He said McTish is the contracted on the MBIS and does any and all the inspection work on, we have a number of bridges that are in grave condition.

Children & Youth Services

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation Office and **Cornell Abraxas Group, Inc.**, 2840 Liberty Avenue, Suite 300, Pittsburgh, PA 15222 for placement & non-placement services on an as needed basis for CYS & JPO youth. The rates are as follows:

Initial Clothing - \$250.00		
Abraxas I		
Social Training & Education Program (STEP)	\$171.36	
411230 Pioneer Dorm 1		
411250 Seneca Dorm		
411240 Mountain Top Dorm 2		
411260 Explorer Dorm 5		
411160 Frontier Dorm		
406800 Dakota Dorm 4		
Intensive Residential Program	\$289.32	
411190 Simmelkjaer Dorm		
411200 Evergreen Dorm 3		
Female D&A Treatment	\$208.24	
419760 Mohican Dorm		
411210 Building 1 Redwood		
Abraxas II		
454310 Community Based Intensive	\$147.75	
Leadership Development Center:		
355310 Leadership Development Program	\$ 151.65	
301400 Leadership Development Program- Female Unit	\$ 151.65	
310320 Open Residential Fire Setter/ Sex Offender	\$ 293.55	
Abraxas Youth Center:		
304420 Fire Setter/Sex Offender	\$ 307.73	

303980 Detention	\$ 284.17
303970 Shelter	\$ 284.17
Abraxas Academy:	
215700 Secure Residential	\$ 312.50
222430 Detention	\$ 288.00
223770 Shelter	\$ 255.00
405190 Erie Residential Mental Health	\$ 293.55

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation and **Family First**, Post Office Box 234, McClellandtown, PA 15458 for in-home services on an as needed basis for CYS & JPO families. The rates are as follows:

In-home services for treatment, collateral contacts, documentation and travel time for client and collateral contact but travel time will be capped at one hour per client face-to-face contact and collateral contact; \$62.00 per hour for all related counseling services, consultations, assessments, court testimony, documentation, collateral activity and training for the County.

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation Office and **Auberle**, 1101 Hartman Street, McKeesport, PA 15132 for Residential Providers including group home setting on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
	PER DAY
417100 – Hartman Street Residential Program B and Program C	\$ 179.03
436330 – Hartman Shelter	\$ 271.00
443730 – Gate Bloom Program	\$ 179.03
437480 – GOAL Program	\$ 162.89
423030 – Foster Care - AA	\$ 56.25

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Family Solutions** (Tony Schrim), 1133 Jerome Street, Pittsburgh, PA 15220 for consultation, assessment, counseling, family preservation, and family reunification services to CYS consumers on an as needed basis. The rates are as follows:

Family Preservation/In-home Service	\$ 54.00/hour
Domestic Violence Men's Group	\$3600.00 per 24 wk. program
Trauma Support Group	\$6720.00 per 42 wk. program
Parent Support Group	\$4200.00 per 22 wk. program
Change Enhancement	\$4640.00 per 29 wk. program
Family Group Decision Making	
Standard Services	
** Unsuccessful Referral	\$ 250.00 per referral (max 3 hrs.)
** Successful Referral	\$1000.00 per referral (max 10 hrs.)
** Successful Conference	\$2200.00 per referral (max 30 hrs.)
Emergency Services (within 7-10 days)	
** Unsuccessful Referral	\$ 185.00 per referral (max 3 hrs.)
** Successful Referral	\$ 500.00 per referral (max 10 hrs.)
** Successful Conference	\$1000.00 per referral (max 30 hrs.)

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of two (2) Intel Server System with heat sinks and cooling fans from Vitalink Computers for a total cost of \$16,500.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the **appointment of a county resident, Matt Crutchman**, to a 3-year term on the Fayette County Children & Youth Services Advisory Committee. The term shall expire on May 31, 2017. The Advisory Committee voted unanimously at the April monthly meeting to recommend his appointment to the commissioners at the June meeting.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Clerk of Courts

Commissioner Ambrosini asked for a motion to consider approval to enter into an agreement with the City to provide parking in the City's parking garage located on Gallatin Avenue, at no cost to the employees. This would only be temporary, until the lower lot has been repaired. The request is due to the recent loss of parking spaces in the lower lot and is being made through SEIU 668, which would ask the commissioners to consider the proposal to ensure the continuation of the past practice of providing parking for County employees. Commissioner Zapotosky said he made the motion to advance this and Dominick was not at the meeting so he didn't know what the position was of the item in negotiations of the collective bargaining agreement. Commissioner Zapotosky asked Mr. Carnicella to address it.

Dominick Carnicella said he understands what the request is and parking is not in the collective bargaining agreement. He said parking is provided on a first come, first serve basis. Commissioner Zapotosky asked what his recommendation is on this, do you recommend we table or reject it pending the CBA? He said if they provide parking for one office, other offices will soon follow. He said then you will build up a cost and he doesn't know what that would be. Mr. Carnicella said currently the county does not guarantee parking for anyone other than in the upper lot, which has designated spaces. He said the lower lot has never been a designated space area, so you are right, we would be setting a precedent. Commissioner Zimmerlink asked Mr. Carnicella if he had a copy of the agenda. Mr. Carnicella said yes. Commissioner Zimmerlink asked if he saw the second sentence that said it would only be temporary until the lower lot has been repaired, so it's not, did you know that? Mr. Carnicella said he heard that.

Commissioner Zimmerlink asked Mr. Bob Carson how long is it going to take for the lower, you don't have to go into a lot of detail, we all know that the lower lot. Mr. Carson said he doesn't have much detail. Commissioner Zimmerlink said the lower lot is in need of immediate repair because of sink holes, things of that nature, do you have an estimate time? Mr. Carson said he needed to get an estimate of time, they are looking at surveys down there and possibly see why they are having problems. Commissioner Zimmerlink said so there is preliminary work even before the construction, OK, and this request that is on the agenda is only during that period of time, once the repairs are made then, they are not asking it to be included in the CBA or anything. She said that is what she is reading here, whoever placed this on the agenda, it says this would, just asking the questions, I'm not saying I'm going to support or not support it, I'm trying to get the information.

Commissioner Zapotosky said that it says it is being made through the SEIU. Commissioner Zimmerlink said yeah, they are making the request, but it says this would

only be temporary until the lower lot has been repaired. This request is due to the recent loss of parking spaces in the lower lot. She said the reason it says it is being made through SEIU was because the request was made to place it on the agenda, our Chief Clerk informed her it wasn't going to be on the agenda unless she had it from a department head or an elected official, that's why it is under Clerk of Courts, we all got the same e-mail from Jan saying I'm an elected official, I'll go ahead and place it on the agenda and it is being requested through SEIU but the point of all of this is that those groups of individuals are asking for parking just for the temporary time, not to be included in the CBA agreement, correct, OK thank you. Commissioner Zimmerlink said what is the status, don't you have that later on the agenda? Mr. Carson said there is seeking permission to advertise an RFP.

Commissioner Zapotosky said until there is additional information as to what direction we are going, how quickly we will get there, I don't want to set a precedent because we will be doing that, subsequent other offices will be in here next month, actually it becomes a part of the CBA, it would be an addendum to the CBA. Commissioner Zimmerlink said they have one of two things to do, they either move to table or take no action and she is OK with not taking any action at this time. Commissioner Zapotosky said that is his position as well.

Controller

Auditor Eric Blanda gave the following financial condition of the county.

Office of the Controller

Fayette County, Pennsylvania

SEAN P. LALLY
Controller



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

FUND:	GENERAL FUND		
	DATE:	17-Jun-14	
CASH:	Checking Account	United Bank	\$10,447,436.14
Funds Owed to General Fund			
	Temporary Loans		
	Victim Witness Fund	\$ 30,000.00	
	Children and Youth Fund	\$ 2,000,000.00	
	Bond Fund	\$ 1,886,466.78	
	Due to General Fund		
	Ferry Insurance Policy	\$ 9,796.00	
			\$ 3,926,262.78
	Arc Payments Due		
	Intermediate Punishment Fund-.3yrs	\$ 40,651.26	
	Offenders Supervision Fund-3yrs	\$ 87,758.28	
	Victim Witness	\$ 4,271.61	
	Records Improvement	\$ 2,325.32	
	Fredericktown Ferry	\$ 5,054.04	
			\$ 140,060.51
	Central Service Payments		
	C-17 Fund-2yrs	\$ 9,005.00	
	Offenders Sprvsn-3yr	\$ 39,369.00	
	Intermediate Punishment-3yrs	\$ 19,532.00	
	Victim Witness Fund	\$ 10,780.00	
			\$ 78,686.00
	Funds General Fund Owes		
	Tax Anticipation Note	\$ 7,380,000.00	
			\$ 7,380,000.00
Budget Year	Net Position		\$7,212,445.43
			Year to Date
Total 2014 Revenues			\$ 18,755,904.84
Total 2014 Expenditures			\$ 11,946,837.58
Total 2013 Expenditures paid in 2014			\$ 1,120,484.47
Capital Reserve Fund Balance	Fund 51		\$ 234,349.87
Bond Fund Balance	Fund 53		\$ 210,531.61

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

Commissioner Zapotosky said he thinks it is important that the loan from CYS, the state is in transition from fiscal years, beginning July 1, so it is important that we follow up with, is it Harry up there, the financial, to make sure he calls Harrisburg and finds out the status of that \$2 million, cause that is starting to get a little high as we move into the last quarter, I don't want that thing at \$4 million, and that is where we are destined, if we don't receive some reimbursement.

Fayette County Office of Human and Community Services

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve Third Party Sponsorship agreements for FY 2014-15 with Fayette County Blind Association, Chestnut Ridge Counseling, Southwestern Pennsylvania Area Agency on Aging, St Therese Church, and Fayette County Behavioral Health Administration.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a contract with Fayette County Community Action Agency for administration of food bank program for FY 2014-15.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve advertising agreements for FY 2014-15 as listed.

Froggy 94.9 monthly cost of	\$1,554
Pickle 99.3 monthly cost of	\$ 966
Comcast monthly cost of	\$2,229
WMBS Radio monthly cost of	\$ 487
WKVE Radio monthly cost of	\$1,080
Senior Times monthly cost of	\$ 90
Herald Standard monthly cost	\$ 420

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following service agreements for FY 2014-15:

Fleet Computing	\$ 550
Route Match Software	\$39,767
Route Match AVL	\$25,161

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve awarding bid No.14-04 to BNC Construction, LLC from Champion, PA for \$46,830.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a second, Commissioner Zimmerlink said Solicitor Cupp had questions relating to the scope of work and asked if he had those questions answered. She said she knows there is a motion, she isn't seconding until he answers. Solicitor Cupp said he drafted an agreement that incorporated the program booklet and the drawings, which were very comprehensive. He said he drafted a revised contract with the 148 page manual and eight pages of drawings incorporated into it. Commissioner Zimmerlink said he had mentioned inspection and asked Solicitor Cupp if he got the answer to that question, and then if he recommended approval. Solicitor Cupp said inspection is in there. Commissioner Zimmerlink said so you are saying although you didn't get the answer it is addressed. Solicitor Cupp said it is addressed in that booklet. Commissioner Zimmerlink said and the county is protected. Solicitor Cupp said the county is protected, but we need somebody to do the inspection. Commissioner Zimmerlink asked who is going to do the inspection. Solicitor Cupp said they will select someone for the inspection, before Commissioner Zimmerlink seconded the motion.

Human Resources

Bridge Department

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of John Hall as a Bridge Worker I at SEIU Pay Grade 6 Step A, 11.04/hr. (\$22,963.20 annually) effective June 30, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink said this is a union position, did you have any internal bids? Dominick Carnicella said no. Commissioner Zimmerlink asked how many individuals applied. Mr. Carnicella said there were approximately 10 applicants. Commissioner Zimmerlink asked how many were interviewed. Mr. Carnicella said about five. Commissioner Zimmerlink asked if Bill Arnold is supportive of this person. Mr. Carnicella said yes and Commissioner Zimmerlink made the motion.

Building and Grounds

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the resignation of summer clerk, Brad Wendel, effective May 16, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

FACT

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of Quinton Simpson as the Technician D- Serviceperson, at SEIU Pay Grade 2 Step A \$9.69/hr. (\$18,895.50 annually), effective June 23, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink asked prior to making a motion if there were any internal bids. Mr. Carnicella said there were not. Commissioner Zimmerlink asked if he recalled how many sent applications. Mr. Carnicella said there were five that applied and three were called in for interviews. Commissioner Zimmerlink asked if Lori Groover-Smith and Kim Renze conducted the interviews. Mr. Carnicella said it was the other person and Commissioner Zimmerlink said who oversees the garage, and confirmed that the applicant was recommended before making a motion.

Human Resources

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the collective bargaining agreement between the County of Fayette Board of Commissioners and Prison employees represented by United Mine Workers of America (UMWA) for the period of January 1, 2014- December 31, 2016.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making the motion, Commissioner Zapotosky asked if the employees had adopted the agreement. Mr. Carnicella said yes, the membership has passed it.

Mr. Carnicella asked for a motion to consider updating the County Smoking policy to relocate the Courthouse designated smoking area to a TBD location to go from right beside the courthouse to near the boiler house. He said currently there is one handicapped parking space and some open area and by moving the smoking area, we will gain a parking space. Commissioner Zimmerlink said in the policy adopted in 2005, and she is only talking about the courthouse employees smoking area because that is the item they are discussing now, that has already been determined through commissioner approved policy, and it says for the courthouse a roof and open structure located outside the employees entrance, so really there is nothing to change, it is already, John you can after I am finished talking, weigh in on this part, it's a carport, you can just pick it up, and you are going to move it, I know where you are talking about, the boiler area, OK, and there are what, two or three handicapped spaces. Mr. Carnicella said there are three there now, and there will be two after.

Commissioner Zimmerlink said so you want to move those three, they will still be in that general area, the upper parking lot, correct. Mr. Carnicella said we will still be able to keep two parking spaces there. Commissioner Zimmerlink said you are just picking up the carport and moving it. She said question for Bob Carson, that is the entrance to go down into the boiler house, your people go in and out of that building, not every day. Mr. Carson said one goes in there daily. Commissioner Zimmerlink asked if that poses any problems for him in order to get equipment in and out because by moving the carport you are also going to be moving the picnic table, which is fine, but that isn't going to be any issue, you will be able to. Mr. Carson said the way it is getting set up, they will have a parking space back there and use some space that we don't use now.

Commissioner Zapotosky asked if he had any concerns with his employees and them expressing disagreement with relocation in the path that they travel daily. Mr. Carnicella said it shouldn't be an issue. Commissioner Zapotosky said he wanted to make sure it

wasn't an ADA issue. Commissioner Zimmerlink said given that it is a designated smoking area and it is already in our fully adopted policy that says outside the employee's entrance, it is still outside the employee's entrance, you are just moving it, I don't think that we need to. Commissioner Zepotosky said he agreed. Commissioner Zimmerlink said you have an administrative approval here, Bob, pick it up, move it, with the picnic table. Commissioner Ambrosini said there may be some efforts to relocate some handicapped parking spaces closer to the building that may require some labor costs on Mr. Carson's part,

Commissioner Zepotosky said he will support any initiative that will assist our employees that have physical challenges that require us, handicapped parking. Commissioner Zimmerlink said handicapped parking, you get some blue paint and a sign, right, there you go, OK. She said OK, that's fine, so there's no action that needs to be taken on that, you have administrative approval. Commissioner Zimmerlink said just so people know, the reason this issue was brought up, we do have a smoking area in the back and apparently there were some individuals who were, instead of standing under the smoke tent as it is called with an open roof, they were walking around and smoke was going up in another office's window and they didn't like it so that is why, enough said.

Mr. Carnicella then asked for a motion to consider updating the County Smoking policy to set a TBD distance away from entrances and exits for all county buildings and designated smoking areas. He said he saw the proposed resolution from Solicitor Cupp and his understanding is that it only lists the courthouse but if you use that same proposal and indicate for all county buildings. Commissioner Zimmerlink said again, the smoking policy states smoking, chewing, rubbing or spitting of tobacco products shall be permitted within specifically established open areas connected to or in close proximity to each of the major county facilities, we already addressed the courthouse, the next one was the public service building, children and youth, Fayette County Behavioral Health, bridge department and federal building and all of them just designate outside the building. She said again, we would have to update this particular policy but she said she doesn't agree with as proposed by Solicitor Cupp that the director of building and grounds shall have the authority and duty to designate the smoking area.

Commissioner Zimmerlink said we are the commissioners and if there are any questions about this or anything else it is going to rest on the commissioners and not the director of building and grounds, well actually you are public works now, so rather than it being open ended, what I would prefer is number one, if we state the distance and pass it, or you come back and give us the designated areas. She said she doesn't think it should turn into a half an hour conversation, she said there is no state or federal regulation that actually designates distance, is that correct Solicitor Cupp? If you look it up for other public offices throughout Fayette County and other places, they designate a

smoke free zone ,which is fine, and then again, the reason we have this issue is because there have been, I have been a commissioner for a number of years, and I have probably had three or four complaints from and it is usually during juror time, that as they are walking through there is a ring of smoke.

Commissioner Zimmerlink said also the Controller's office, Sean Lally, former Controller had made a comment, people stand and lead up against the area right above his door, his window, you can smell the smoke, actually you can smell it coming into my office at times, Kathy (Winkler) I think you can smell it as well, so yes there is a, is that correct Kathy?, so yes there is a need for everybody concerned to set out a designated area but she doesn't think it is right for the commissioners to say, Bob Carson, pick an area, I think it is up to us to come up with a distance, 20 feet, 30 feet, something like that. Commissioner Zapotosky said at the meeting he said there was a, he remembered a federal something, law, whatever, so just now he looked it up.

Commissioner Zapotosky said there was an executive order passed on this and he will give the current GSA, General Service Administration, which operates all federal buildings, has it set at 30 feet. Commissioner Zimmerlink said OK, so that's federal buildings, this is a county building. Commissioner Zapotosky said he understands, she wanted to know the distance that is commonly used, you can use 30 and that is based on an executive order.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend Fayette County Policy 5.7 in the Fayette County Policy and Procedure manual listed under the designated smoking areas to set a smoke free zone of 30 feet from all public and employee entrances.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

In making the motion, Commissioner Zimmerlink asked if her fellow commissioners would be agreeable to 30 feet and Commissioner Zapotosky said Bill Clinton said 30 feet was OK and so did George Bush.

Information Technology

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table approving the volunteer internship of TBD effective TBD.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a second, Commissioner Zimmerlink asked Mr. Carnicella if he is going to bring another name back next month, adding that if he doesn't, they don't need to table. Mr. Carnicella said the person interested is gathering more information. Commissioner Zapotosky asked if that is the young man he met and Mr. Carnicella said yes it was.

Tax Assessment

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to accept the resignation of Assessor I, Kelly Flynn, effective June 13, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to accept the resignation of Assessor II, Jani DiMarco, effective July 11, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Defender

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to accept the resignation of Assistant Public Defender, Charity Krupa, effective June 6, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the hire of Robert Harper as an Assistant Public Defender at Non-Union Non-Supervisory Pay Grade 9 starting rate \$24,589.50 annually, effective June 13, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Juvenile Probation Office

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to enter into an agreement with Emile D. Etheridge Sr. for instruction and materials of his program, Can Emile?, for presentation during regular JPO in-house 5 session competency development classes for \$1,224.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Works

Public Works Director Bob Carson asked for a motion to consider approval to enter into a lease extension agreement with Columbia Gas of PA for 20 years for a regulator site in German Township at the same rate of \$100 annually. Commissioner Zimmerlink said the only thing that is changed in this agreement is the term? She said the lease agreement identifies the parcel number? She asked Solicitor Cupp if he took a look at it. Solicitor Cupp said he will. Commissioner Zapotosky asked how long we have had the lease agreement. Mr. Carson said it is 20 years old now. Commissioner Zimmerlink said the first term is 20 years, this is an extension, the first term did not address increases. Mr. Carson said it did not address increases. Commissioner Zimmerlink said could we not have asked for somewhat of a, even if it is a slight increase? Mr. Carson said in response to a question from Commissioner Zimmerlink that he sent the information to the commissioners and Solicitor Cupp. Commissioner Zapotosky said it should be more than \$100. Commissioner Zimmerlink asked who Mr. Carson spoke with and he said there was a representative there. Commissioner Zapotosky said that is why you are smiling and shaking your head.

Commissioner Zapotosky said he would think and an applicable cost of living increase would be doable. Commissioner Zimmerlink said can you provide us with an area, where is this? Jacqueline White of Columbia Gas said it is in German Township and regulator sites tend to be in areas that are not useful for anything else. She said asked from identifying it by parcel number, Commissioner Zimmerlink said that would be good and asked her to do that. Ms. White said the parcel number is in the extension agreement along with a copy of the deed, she said the regulator is for the German Township area, it doesn't serve any additional area. Commissioner Zapotosky said that raises the question- with gas drilling increasing in the county, will there be and is there in that agreement the ability to expand that, our facility in any way, shape or form. He

said he doesn't know how big it is, he doesn't know if it is as big as the table or chair or what it is. Mrs. White said there are standards regarding size of the regulator and explained how the gas is regulated. She said Columbia Gas always offers the same amount for the lease payment.

Commissioner Zapotosky asked if the lease were entered into today, what would be the standard lease price. Ms. White said there are different factors on that, depending on whether or not that is required for development. She said all the German Township regulator does is provide flow for German Township. She said it wouldn't be unusual to pay \$200 annually. Following a discussion about whether the lease was enacted in 1994 or 1984, Commissioner Zapotosky said a lease for \$200 in 1954, really, it doesn't cost the same. He said he would ask that they table it subject to additional review and perhaps some further discussion with Columbia Gas. He said it would be the same type of lease, 20 years. Commissioner Zimmerlink asked what month it expired, adding that we are in June, and it says here beginning November 14, 2014 so we can't just table this and leave it go. Ms. White said the reason why they do it in advance is if there was some unknown need of Fayette County to use the site for something else, they need to have time to change.

Commissioner Zimmerlink said reading this, it says beginning November 14, you need to take something back to your office and I would imagine give your approval and everything is the same except for the dollar amount, is there a threshold you would have to go through, like PUC or anything? Ms. White said only if it goes up like 5000 percent we would have to come up with a reason why it is more economic too pay that amount rather than relocate. She said the costs are standardized. Commissioner Zimmerlink said they are passed on to the consumer. Ms. White said you could ask for \$1 million and Fayette County's gas rates would go up. Commissioner Zapotosky said he is certain Fayette County is not making as much money as Columbia Gas. Ms. White said she wasn't disputing that, she is saying they also have a governing body.

Commissioner Zimmerlink said that is why she asked, obviously if it goes up a certain threshold you have to talk to PUC or other regulatory, so if we place this on the agenda for the July meeting, which would be the third Tuesday of July and during that period of time we contact you and come up with a different dollar amount and this was passed in August that would be OK with you, you would still have sufficient time. Ms. White said she didn't want to go any longer than that. Commissioner Zimmerlink asked if she was Jacqueline White, and she said she is. Commissioner Zimmerlink said if you give a copy to our chief clerk and we can give you a call and have some discussion and place it on the agenda and if we talk with you between now and the third Tuesday of July you would be able to give us an indication of whether it would be accepted or not. Commissioner Zapotosky asked if she could give them guidelines, adding that the PUC sets the cost for these type of regulators. Ms. White said it doesn't have a specific rate. Commissioner Zapotosky said so, it is all negotiable.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a motion to table entering into a lease extension agreement with Columbia Gas of PA for 20 years for a regulator site in German Township at the same rate of \$100 annually to the July 2014 meeting.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve Jacobs Creek Watershed Association's Executive Director Patty Miller's request for permission to have a cleanup at Jacobs Creek Park on Sat. June 21, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said this is a yearly thing. Commissioner Zapotosky asked what the status is of the parks. He said they had a constituent here earlier that spoke of them being in bad condition. He said he spoke with Captain AI and he isn't aware of anything catastrophic, have they been properly cut or can you give us an update. Mr. Carson said they had some trouble getting the property cut until the time we purchased the mowers and had been leasing them on a daily basis through Fayco and last Monday they went to get them and they were rented out. Commissioner Zapotosky said Masontown Park is being taken care of, we subcontracted that work out so that is being taken care of. Mr. Carson said the rain held them up a couple of days and the staff has been short.

Commissioner Zapotosky asked if the county got it's influx of summer workers that traditionally work at the bridge department and help? Mr. Carson said yes. He said with the bad weather through the winter, the PIC workers were still in school. Commissioner Zapotosky said with the holiday approaching, the parks will be heavily used. Mr. Carson said they have issues with roofs and will take care of that and is seeking ways to repair the parks.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to advertise for an RFP to have a structural engineer evaluate the concrete pads, soil substrate beneath and steel structure of the parking area on County owned property along Penn St. Uniontown, PA. that spans Redstone Creek. This is the area that has been barricaded off.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of the Winter Maintenance Equipment for \$12,500. The equipment is through the PA State CoStars Contract # 4400011404 from Fletcher Sales and Service Inc. 315 Fletcher Lane; Greensburg, PA. 15601.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Zimmerlink said her first question was to define what the equipment is and the second question was what the cost is. Mr. Carson said it is covered in the next one and Commissioner Zimmerlink said it is for this one, and confirmed the cost.

Mr. Carson said the PCoRP Loss Prevention Grant application has been reviewed and approved by the PCoRP Underwriting and Claims Committee. The county applied for a matching grant of \$12,500.00 to use for Winter Maintenance Equipment at the Courthouse / Parking areas and other local County owned properties. During the winter months and due to the numerous snow storms and extended number of our slip and fall accidents for employees. A check for \$12,500.00 for the grant should be issued by June 15, 2014. This equipment is for the Ventrac 4500 tractor that was purchased recently. The purchase of the tractor was used as the match for this grant. Commissioner Zimmerlink said it was just an explanation of what just passed, adding that she read that three times trying to figure it out. She said it is an explanation and isn't asking for something. Mr. Carson said this is the matching grant.

Tax Claim

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a motion to accept the following bids from the June 3, 2014 Repository Sale Bid Opening, subject to all conditions being met, as listed.

Bidder	Amount	Parcel	Township
Adrain Airey	\$170.00	38-15-0293	Uniontown City
Leighton Simpson	\$200.00	05-07-0114	Connellsville City

Total \$370.00
Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Attorney Davina Burd (through the Mark Rowan Law firm of Connellsville) to conduct deed searches for the 266 parcels listed in the 2015 free and clear sale in the amount of \$50 each for a total of \$13,300.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Zimmerlink asked if the director of the Tax Claim Bureau made calls as opposed to running an advertisement. Commissioner Zapotosky said she went to Vincent Roskovensky, who previously did it, and he was \$5 more.

Veterans Affairs

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve Madonna Nicklow and Glenn Siple to attend the Annual PSACDVA Conference to be held in Wilkes-Barre, Pa. the week of June 16, 2014 through June 20, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

Commissioner Ambrosini asked for a motion to consider approval of an allocation of TBD from the Marcellus Shale Legacy Fund to the Fayette County Agricultural Land Preservation Program. Commissioner Zimmerlink said last year they gave the program out of Legacy Funds \$25,000. She said Darrell Becker was present at that time and it was matched dollar for dollar.

A motion was made by Commissioner Zimmerlink to allocate from calendar year 2012 legacy Fund the amount of, this is the balance that is left \$25,896.63, that will be, so it will be to approve and allocation of \$25,896.63 from the 2012 Marcellus Shale Legacy Fund for the Fayette County Agricultural Land Preservation Program. Commissioner Zapotosky said that is 2012 Legacy Funds. He asked if there was an estimated amount for 2013. Commissioner Zimmerlink said about \$114,000. Commissioner Zapotosky

said there are other items on the agenda requesting funds and if they could table and have a chance to review some of the requests that have come in thus far and potentially some of the other requests. He said one came from Jeffries to him about an incubator type of thing with Masontown Borough and he didn't know the Fay Penn request, so he would ask that they table it pending a review of these. Commissioner Ambrosini said there was a motion made, if there is no second, it will die for lack of a second. Commissioner Zapotosky said that is fine, he just wants to in a cooperative spirit just table the whole list, but OK, we will just go that route.

Commissioner Ambrosini said since there isn't a second, it will die due to lack of a second. He said actually, typically they have a meeting with the county Agricultural Land Preservation Board and they have not had an opportunity to do that as of yet, he would rather meet with Mr. Becker and discuss his request prior to us setting a cost number for potentially the available legacy fund. Commissioner Zimmerlink said it isn't potential because the amount is what she just said and he did provide us with information. She said he provided all three of us with information. Commissioner Ambrosini said he has also requested a meeting which they haven't had a chance to have yet. Commissioner Zapotosky said he is saying that there is an amount of money in that pool and hopefully everybody can get a little bit but that is why he wanted to table.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table a \$20,000 allocation from Act 13 funding for a collaboration between the Fayette County Career & Technical Institute, Masontown Matters and Fay Penn Economic Development Council.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the April 15, 2014 regular commissioner meeting minutes.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve an agreement with the Dunbar Borough/Township Sanitary Authority to provide sewage treatment to the Fayette County Justice and Rehabilitation Center, as attached.

Commissioner Ambrosini yes
Commissioner Zapotosky yes

Commissioner Zimmerlink no

Motion passed 2-1

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the following transfers, as listed:

5-15-14 to 6-04-14			
Department	Cost Center	Debit	Credit
Human Resources			
Equipment	01415552300	\$500.00	
Materials/supplies	01415552000		\$500.00
MDJs			
Utilities	01418600053600	\$91.00	
Travel	01418620153300		\$91.00
Bond	01418600036912003	\$339.07	
Travel	01418620153300		\$339.07
Materials/supplies	01418600052000	\$413.74	
Travel	01418620153300		\$413.74
Assoc. dues	01418610154200	\$50.00	
Assoc. dues	01418610254200	\$25.00	
Travel	01418620253300		\$75.00
Assoc. dues	01418610254200	\$25.00	
Assoc. dues	01418620254200	\$50.00	
Travel	01418610253300		\$75.00
Assoc. dues	01418620354200	\$50.00	
Travel	01418630453300		\$50.00
Prison			
Medical services	01423253020	\$28,700.00	
Materials/supplies	01423252000		\$28,700.00
Food	01423252290	\$16,500.00	
R&M building	01423253730		\$16,500.00
Total Debits	\$46,743.81	Total Credits	\$46,743.81

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Emergency Medical Services Board EMSI

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Scott Patrick Dolan to the Emergency Medical Services Board for the unexpired term ending December 31, 2014.
Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked Kathy Winkler if that was the only name submitted and she replied yes. In making the second, Commissioner Zapotosky said he has wonderful credentials.

Public Announcements- none

Public Comments

Ralph Mazza spoke about land use appeals. He said more than a year ago he made a comment about the World War II memorial that sits out front and the only cleanup it gets is from volunteers. He said he was told that it would be taken care of. Commissioner Zapotosky said he thought it was. Mr. Mazza said it hasn't been and Commissioner Zapotosky said he will walk up there right after the meeting. Mr. Mazza said it hasn't been taken care of and he got a call that a small group took out 13 bags of garbage and they didn't get it all, they said they got tired. He said the cans have never been emptied. Commissioner Zapotosky asked if they are our cans or city cans. He asked Mr. Carson about it and then said he would walk up with him and look at it.

Mr. Carson said the cans belong to the county and they are emptied once a week. Mr. Mazza said he was told there is still garbage in there. He said a sign should be put up saying there a penalty for anyone throwing garbage in there. He said people throw garbage in the bushes and he doesn't want that to happen. He said there was a good job of landscaping done there and now it is all going to pot by inconsiderate people who don't realize it is a memorial.

Commissioner Zimmerlink said there should be either an agreement or a memorandum of understanding and they can check on that because whenever the committee approached the commissioners to designate that area for the memorial. She said she remembered the number of individuals involved who did meet with the commissioners at that time and she didn't remember from memory, but they may have even passed a resolution and even if they didn't pass a resolution, there may be either a memorandum of understanding or an agreement that was attached to a resolution. She said Joe T. Joseph was on the committee and there was another individual, she didn't know his name, but there were two individuals who headed that committee. She said they could check that. She said Chuck Thomas, the Bataan march. Commissioner Zapotosky said Chuck had served on the veteran's liaison committee, right? Commissioner Zimmerlink said that is Chester and Commissioner Zapotosky said no, there was a Chuck before. There was then a discussion about who was involved with the memorial and taking care of it. Commissioner Zimmerlink said there are summer people and they will check with the building and grounds department.

Commissioner Zapotosky asked Mr. Cupp if they could set an ordinance for littering. Solicitor Cupp said there is a statute that penalizes littering. Commissioner Zapotosky

said they could apply the applicable littering laws. Solicitor Cupp said they could list the statute. Jim Killinger thanked the commissioners for the smoking policy. He said you may or may not know, he had a heart transplant several years ago and he wanted to thank them for putting 30 feet out there, adding that it is a very important issue who have illnesses. He said secondhand smoke, from his experience, is not good. He said if it were up to him, he would have no smoking but 30 feet is a start and he thanked them. An unidentified woman asked if there were any more agendas, she said she came to several meetings and there aren't enough. Commissioner Zapotosky said if they need any more to ask Kathy or Mary and they will get her one.

William Jones said his wife is running for office under the Green Party for the 51st District, and attempted to give campaign materials in the form of a press release to each of the commissioners. He said all her information is on the press release. Geraldine Mazza asked if they got the geo report yet on the property they are thinking of buying. Commissioner Ambrosini said the geological survey, it has been submitted to the engineering firm, yes. Mrs. Mazza asked if he had a copy of it. Commissioner Ambrosini said he does not personally have a copy of it. Mrs. Mazza asked how she could see a copy of it and Commissioner Ambrosini said ask soon as he gets it, he will have it available to her. Mrs. Mazza said he previously said until he gets the report it is just a sale pending. Commissioner Ambrosini said it is part of the due diligence. Marybeth Homistek said for the February special meeting, she read the minutes last night on line, she said the geotechnical survey was referenced and the request was to get a copy in February, have you read that yet, have you seen a copy of that, does it have issues with pyrite, sinkholes?

Commissioner Zimmerlink said the one that was referenced in February was the one that Commissioner Ambrosini said was provided. He said there were a few residents at the meeting and they asked for copies. Commissioner Ambrosini said that was provided to the people who asked for it. Commissioner Zimmerlink said did you ask a question, can I finish answering a question? She said Fay Penn provided that to Commissioner Ambrosini back in December and that was for a particular study and that was when the, another individual was looking at that site, it was Universal Wells, that is the study that she has seen. She said she believes, and she can ask Commissioner Ambrosini, that is not the study he is referring to know and Mrs. Mazza. She said there should be one for this particular site and she didn't see it because he just said he doesn't it, that one know. Ms. Homistek asked if they knew about issues. Commissioner Ambrosini said not specifically and Ms. Homistek asked about pyrite. Commissioner Ambrosini said not specifically, he doesn't know what specifically the report says but whatever the report says it will result in an engineering solution to prepare the property for a building.

Commissioner Zimmerlink asked if he knew what company was doing the geological survey. Commissioner Ambrosini said he didn't recall the name, they are on Route 51 not too far from, and Commissioner Zapotosky said Musey, is it Musey is that the one, I am only going because you said 51. Commissioner Zimmerlink said she didn't know. She said if it is complete she can make a communication with Crabtree and Associates for a copy, not to say that she will get it, but she will make a request and if he says it is done then it should be available. Ms. Homistek asked if the FAA has replied to the jail

issue by e-mail to your knowledge. Commissioner Ambrosini said no, not yet. He said he believes they have 45 days to respond. Ms. Homistek asked if they knew if Mr. Laskey's property had flooded with all the rain. Commissioner Zapotosky said he didn't know. Ms. Homistek said Evelyn Hovanec couldn't be at the meeting, but she asked her to ask about the Sheepskin Trail and the issue with Point Marion with free flow power they had to change their plans because they didn't know the Sheepskin Trail and the trail, part of it is to be at the Dunbar site, that Sheepskin Trail is to go to Smithfield. Commissioner Zapotosky said it has to get through Springhill Township first. Ms. Homistek said that is property from the jail and are they going to have to change the plans on the jail on the 60 whatever acre site.

Commissioner Zapotosky asked if that section of the trail is done and Ms. Homistek said it is going to be. Commissioner Zapotosky said it is part of the overall trail and it is supposed to come through Uniontown also. Commissioner Ambrosini said she mentioned free flow power, what does that have anything to do with. Ms. Homistek said Sheepskin Trail, they had to stop their progress because they didn't know the Sheepskin Trail was there. Commissioner Ambrosini asked where is there and Ms. Homistek said Point Marion, it was in the paper last week. Commissioner Zapotosky said Councilman Ryan and he couldn't remember his first name, he put a call in to talk to him, just out of curiosity, and he isn't making that comparison. Ms. Homistek said it has to have gone to the Fayette County zoning whenever this thing was. Commissioner Zimmerlink asked if Evelyn's question is since the Sheepskin Trail, we all know where it is, from one end of Fayette County to another, since the article said the group in Point Marion will be looking at the site location and possibly changing it so it does not interfere with the Sheepskin Trail area, so your question as I understand it is will the county consider that for down on the Dunbar Township site. She said she believe that was addressed, and you can pull the transcript, at the zoning hearing board, OK, it was.

Commissioner Zimmerlink said they had parties sitting there and she didn't remember the exact response but Evelyn was at the zoning hearing board, so basically to find the answer to that question, the engineer and the representative, the architect, pull the transcript and find out. She said she thinks that they said that it wasn't an issue. Mrs. Mazza said they said they didn't even know the trail existed. Commissioner Zimmerlink said the best thing to do is answer the question and the question was posed by either one of the zoning hearing board members and /or the attorney who was present and she said they went back and forth on it. Commissioner Zapotosky said to Ms. Homistek that he would call Donna Holdorf, who is active with the trail, after the meeting and find out what information you need. Ms. Homistek said that stuck in her head. Commissioner Zapotosky said Donna Holdorf knows more about the trail than anyone, she is the trail lady.

Commissioner Ambrosini said if he recalls, one of the resolutions of the zoning hearing board, when they had the meeting they indicated that a berm be built between the bike trail and the justice center to basically provide a fence or a mask. Ms. Homistek said one final financial question, when Controller Lally was there at the March meeting, he said out of county rentals cost \$270,000 and if you divide that by a figure you get a month, but it print last week you are saying for each month you delay it costs \$200,000.

She said that is an outrageous amount when it is clearly under \$100,000. Commissioner Ambrosini said the out of county rentals is not the full cost of delaying this project. He said out of county rentals doesn't include transportation costs to send inmates to the seven different counties that we send people to as far away as Centre County which is in State College. He said it doesn't include additional medical costs that we pay for including medical transport costs. He said he recalled signing an invoice for nearly \$1,000 just a month ago to transport an inmate from Butler or Beaver back here and it doesn't include, those costs don't include the inefficiencies that we currently experience in our existing facility.

Commissioner Ambrosini said we are currently using a facility that was designed 125 years ago and we are keeping three times as many inmates in there than it was originally designed so there, and that is not to even talk about the risks and liabilities we are experiencing so your view of the \$67,000 or \$70,000 a month is just a small part of our cost of not having an appropriate facility and it doesn't certainly include any litigation, rehabilitation and recidivism reductions and the health of the community. Ms. Homistek said if she goes to the Controller's office, she can see figures totaling \$200,000 a month being spent. Commissioner Ambrosini said no they don't have that, Commissioner Zapotosky said they are not in a direct PO, no. He said you will see an example of three weeks of food service cost, well one week times three of \$7,000 per week of food service. He said it is the cost we provide in the county because we couldn't, we had to get a company from, the only company that bid was a company from Alabama, I'm sorry, Louisiana, and the only party that we could find out anything about whether they were a good provider or not was in Virginia, so it is hard to get people to even bid things here, so it wouldn't be in a specific.

Ms. Homistek said her concern is the constant bombardment in the press of the comment, due to the delays, as if citizens delayed your prison. She said your inefficiencies and not prior planning are delaying the prison. She said we are not stopping you, it is your problem, every time we delay, you say it is \$200,000, it is not our fault. Commissioner Zapotosky said no it isn't. Ms. Homistek said that it says that for each month the county delays it costs \$200,000. Commissioner Ambrosini asked if she is saying that they should expedite the construction of the new facility. Ms. Homistek said that she is saying that they have nothing to show for \$1.5 million. Commissioner Ambrosini said they have an architectural design of the facility, we have to pay for that, it is a cost. Ms. Homistek said they have wasted \$2 million. Commissioner Ambrosini said we have not wasted \$2 million. He said they are moving forward with this project. Ms. Homistek is it still going to open in December 2015 and here it is almost July. Commissioner Ambrosini said that is the plan.

Ms. Homistek asked if the women's annex is still going to be at the airport. Commissioner Ambrosini said they have determined that the cost of renovating any facility in the time it is going to take us to, it would be more costly than we could get in return so have chosen not to go that direction. He said we chose to continue with the new facility and try to get it erected as quickly as possible. Ms. Homistek asked how much they spent to decide not to put it at the airport. Commissioner Ambrosini said he is sure there is a cost. Ms. Homistek said like Iowa Street, that was just for not.

Commissioner Ambrosini said planning is a cost but it is a small cost compared to the project itself, just like the jail. He said the cheapest dollars in any project you can spend is planning dollars, so if, you have an option, you can either plan or you can just make a decision and go forward but that is never a cost effective way to do anything. He said the more planning you do, the least cost of actually executing the project itself, and that is, those are general.

Commissioner Zapotosky said what is it preparation, planning. Ms. Homistek said all this time and still nothing. Commissioner Zapotosky said he wanted to give a quick, he texted Donna Holdorf and she stated that the jail would be in close proximity, but actually that section will be built as a part of the construction project so it will actually aid in the trail, that came from Donna Holdorf. Mrs. Mazza asked if he said at the last meeting that they never considered putting the women's annex at a hangar of the airport. She said somebody got up and asked you about it and you said you never said that. Commissioner Ambrosini said he did not say that. He said we were looking at other. Following various comments from Mrs. Mazza, Commissioner Ambrosini said after it was determined that the Iowa Street project was not cost effective, he said we were going to look at other county facilities around the county to see if there was any land there and the airport, obviously was a facility, there are vacant buildings on that facility, that we could consider. He said obviously, even though that is a lot less expensive to use one of the vacant, it isn't a hangar, it was originally a warehouse, even at that it still is not cost effective.

Commissioner Zapotosky said the warden also took the action of utilizing the third floor exclusively for women that allowed us to have a higher intake. He said the third floor, he didn't know if there were male prisoners up there previously. Susan Sickle then said she wanted to outline the use of the \$10,000 that the commissioner's proposed to use for legacy funds. She said they chose to work with organizations within Fayette County that are providing education to non-farmers. She said they go into various Fayette County schools and teach how to raise chicks, embryology, and about plants. Commissioner Zapotosky said they are adding to their curriculum, i.e. farming. Ms. Sickle said one program is for third and fifth graders and to promote agricultural literacy and promote understanding. She said there are hands on programs with 30 minute activities. She said one is to show children how to grow a plant and sustain it, she said embryology about the chicks was done for fourth graders. She said there were 250 seventh graders at Uniontown, Brownsville and Laurel Highlands.

Ms. Sickle said they would pay for the projects to go out there and educate children. She said there are day camps and after school camps in which they are promoting agriculture. She said they are specifically for children who are not 4-H members and do not have a farming background. She said the other thing they looked into is, if they ever get it approved, is Rebecca Hilton, the manager of the Elm Street and Main Street programs and she has a program called grow on your own, and it is growing a garden all summer and go to the farmer's market and teach people how to grow their own vegetables and eat healthy. She said she uses the three city parks to grow a garden on Prospect, Lafayette School and East End Community Center. She said the other projects they looked into are from farm bureau but they are geared to teach people

about agriculture. She said one is workshop detail for teacher to go to Penn State, spend the week up there and learn about projects about agriculture they can bring back to their students and perform in the schools and get credit toward their licensing during that week. She said they normally asked the local farm bureau to sponsor the teachers for that week so they don't have any out of pocket expenses. She said the other thing is the mobile Ag lab which they booked to come to the Fayette County Fair. She said it is a lab aimed at different grades of kids, but the huge RV that comes to the school and parks itself there for a week it fulfils the teacher's requirements and it is completely funded and it will be at the Fayette County Fair this year.

Commissioner Zimmerlink said you provided all that to all of us, and just so you know and I did sent you an e-mail on this and I think you responded back, I did make a motion to place it on the agenda and it was approved and then when they went to the May meeting, the chief clerk said she inadvertently forgot to put it on the agenda, actually it should have been put on the agenda this month too and I was going to raise the issue when we got to that item number but because there was a request to table everything, I figured don't even say anything, that will be tabled too. She said every motion, it needs to advance to the next. She said you gave it to me in an e-mail, all those programs you just went over are all good programs and all those programs fall under. Ms. Sickle said the board voted on all of them and they are open to other projects and she has reached out to the boy scouts and the girl scouts and any other organizations she can think of if they have a program that involves some sort of farming to participate.

Commissioner Ambrosini said he appreciates her efforts to find all these educational programs. Fayette County is still agriculture and it is very important to make sure our young people get educated in terms of the farming processes and procedures and especially the young people who live on farms. He said we need them to stay there and continue the tradition. He said a lot of our farms are over 200 years old in Fayette County and it's crucial that we maintain that industry. He said hopefully as we move along with economic development in Fayette County we can enhance the agricultural industry to even create additional jobs for people in Fayette County. Ms. Sickle said it goes hand in hand and on Facebook there was an article trying to promote, there was a farmer who left \$4 million to the state and his community. She said he was a man with no kids and no family and the woman he was to marry suddenly passed away. She said to the county 4-H he gave \$4 million. She said there are a lot of things that can be contributed. Commissioner Ambrosini said he knows how much time and effort she has put in those programs in her efforts in the farming community and the county and other agencies will be more than happy to help with those efforts to not only educate our kids but help the farming community in general.

Adjournment

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

Commissioner Ambrosini yes
Commissioner Zapotosky yes

Commissioner Zimmerlink yes

Motion passed unanimously

