

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, June 18, 2015 in Courtroom Number Three of the Fayette County Courthouse.

**In attendance-**

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

**Commissioner Zapotosky** called the meeting to order at 10:03 a.m. **A silent** prayer was observed, followed by the pledge of allegiance.

**Public Comment on Agenda Items**

**Prior to** taking public comment on agenda items, Commissioner Zimmerlink said they needed to amend the agenda to add something, confirming with Chief Clerk Revak that she sent something to them. She said after them amend the agenda, they need to take public comment.

**Commissioner Zapotosky** asked for a motion to consider amending the agenda to add under Redevelopment Authority, consider placing on the agenda approval to amend the agreement between RET-FAY, the Redevelopment Authority and the County to extend the time period for completion of the Holiday Inn Express building project from December 31, 2015 to May 31, 2016.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to amend the agenda to add approval to amend the agreement between RET-FAY, the Redevelopment Authority and the County to extend the time period for completion of the Holiday Inn Express building project from December 31, 2015 to May 31, 2016.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Public Comment on Agenda Items**

**Marybeth Homistek** asked Commissioner Ambrosini about the Redevelopment Authority item, inquiring whether it was the Act 13 package Connellsville, impact fee, adding that it was in the newspaper that he said something about the money being used for a ramp at the Yough Park, did that come out of that money? Commissioner

Zapotosky said he would let Commissioner Ambrosini answer, after which time he would read an e-mail he received from Andrew French. Commissioner Homistek said is this the money for that grant. Commissioner Ambrosini said he didn't make any comments in the paper about that. Ms. Homistek said yes you did, the newspaper said that Commissioner Ambrosini said the funds can be used for a ramp at the Yough Park, so you were in the paper today saying that, and I'm not making this up. Commissioner Zimmerlink said it's in the Trib, yeah, it's in the Courier or something, Commissioner Ambrosini, I read something about it and it said something about Aaron Zolbrod, said that Act 13 monies could be used to match a grant for, what was it, a ramp, that's all. Geno Gallo, administrative assistant to Commissioner Ambrosini, said there was correspondence asking, but that was it. Ms. Homistek said it was in the paper today that Commissioner Ambrosini said it.

**Commissioner Ambrosini** said that is obviously a misquote. Commissioner Zimmerlink said that wouldn't be item number four because this here is the Fayette County Redevelopment Authority. She said item number four, Amy, you always write Redevelopment Authority, that is the Fayette County Redevelopment Authority, maybe from this point on so that we have no issues, just write Fayette County Redevelopment Authority. She said Marybeth, what you read in the newspaper that was all Connellsville, so I can answer this question, the item on the agenda has nothing to do with the Connellsville Redevelopment Authority, the item has to do with the Fayette County Redevelopment Authority. Commissioner Zapotosky then read an e-mail from Andrew French that he received that morning about the redevelopment authority initiatives. Ms. Homistek then spoke about a comment attributed to Commissioner Ambrosini in the paper about the Connellsville Redevelopment Authority. Commissioner Ambrosini said none of them can speak for the Connellsville Redevelopment Authority. Ms. Homistek said he is in the paper saying that and he should be accountable for his words.

**Commissioner Ambrosini** said as he said, it is a misquote, he hasn't even been in town. Ms. Homistek said it wasn't a misquote, somebody said it. Terry Kriss said he wanted to comment on number 4, these Act 13 funds, what you just read from your smart phone, this guy has a nice laundry list of what he would like to do, correct me if I'm wrong, these Act 13 funds were supposed to be used for the people who were impacted, economic development has nothing to do with economic development for Marcellus does it? Commissioner Zapotosky said the definition is very broad. Mr. Kriss said they will get the stakeholders and the public, how come as we sit before you today, what are these initiatives? He said he doesn't want to hear after those two make yea votes, he wants to hear now how this dough is to be spent. He said after the vote means nothing to him. He asked if the public has been notified how they intend to spend this money. Commissioner Zapotosky said it isn't how they intend to spend it, it is the redevelopment authority's decision to utilize it as a supplement until the gaming revenues are approved to reimburse. Mr. Kriss said is it intended for one purpose or not. Commissioner Zapotosky said it is intended for several purposes that he sent the e-mail on, and he read them. Mr. Kriss said he can say anything he wants.

**Commissioner Zapotosky** said he is the executive director of the redevelopment authority so he has to take his recommendation seriously because he is in charge of the redevelopment authority. Mr. Kriss said you should tell us what these initiatives are. Commissioner Zapotosky said an example would be the Brownsville project itself. He said \$9 million was received to build a senior citizen complex and there are additional costs associated with that, they will be pursuing foundation money. Mr. Kriss said that is his point, there are organizations that depend on this solely now. He said are you going to give that money to people who have any avenues and forget the rest? He said what is the list. Commissioner Zapotosky said the definition of 13 is broad, we have funded CYS with 13 before. He said we can fund economic development with 13 as well. Mr. Kriss said you don't know what they even are. Commissioner Zapotosky said he just read it, he wants to use them as the local share to act as the match or the seed money to proceed with other projects. Mr. Kriss said do any other commissioners want to chime in, is he missing something, is he wrong here?

**Commissioner Zimmerlink** said she would chime in because it is going to be an item to vote on. She said at the Tuesday agenda meeting in which she and Commissioner Zapotosky attended, one of the comments she made were what are the initiatives, what are the projects, and she had contacted on a number of occasions, Andrew French, asking for the list, not just because he is asking for Act 13 monies, but because Fayette County Redevelopment Authority is one of the lead economic development agencies in Fayette County charged with specific projects. She said commissioners are charged with boosting economic development projects. She said they must know clearly what those projects are, how much those projects cost and what funding avenues and revenue streams are going to be used. She said she has asked for that on more than one occasion and Commissioner Zapotosky agreed and she mentioned it to him a month ago when he passed her office and said he was going down to the redevelopment authority and I said, hey I just sent him an e-mail.

**Commissioner Zimmerlink** said again, 30 days, 45 days later, still nothing, that's the first thing, so, I don't know what more I can do other than walk down to the office and get him to specifically say what those projects are, what the total amounts are, what the revenue streams are, that's the first thing. She said the second thing is that it doesn't say anywhere in this proposed agenda item that it would be a loan from Act 13 monies and the gaming revenue. She said now, Commissioner Zapotosky is correct in that Act 13 monies can be used for economic development projects, but it is broad and if anyone has ever read items that are listed, there are probably about eight that says what Act 13 monies can be used for. She said number one, she doesn't want to lend out money until gaming revenue comes in, OK, that's the first thing, and the second thing, the thing that is very important is this, our Act 13 monies that we have already received this year for the well producing last year, has been earmarked and/or appropriated for other projects, it's been done. She said the county just received notification through the PUC, as a matter of fact, all counties in Pennsylvania that are subject to receiving impact fees as well as the municipalities receive information as to how much we are going to receive in the year 2015 for the year 2014 from the production.

**Commissioner Zimmerlink** said as many of us have thought, it's less than the prior year, as a matter of fact, I looked at it again this morning, and it is about \$135,000 less than last year. Commissioner Zapotosky said is it over a million? Commissioner Zimmerlink said they are always over a million, but if you look at what we received in the past three years, this is the lowest, OK, for this year, so what we are receiving in the Act 13 monies is \$1,197,787, that's not legacy or bridge, first thing that has to come out of that is a Motorola, we are obligated for 10 years, I think we have paid two or three. You take the \$845,000 that leaves a balance of \$353 to distribute. Again, that is 135 less than last year. She said if you take 110 off of there, you see where we are at. She said more importantly is, at the time of budgeting, and this is really important, the commissioners are charged in sitting down in the months of October, November and December and devising and planning for the upcoming year on expenses and our projects. She said we earmark and assume how much money we are getting in Act 13 based on prior years. She said we lowballed it a little bit, we said about 1.1, I wasn't off by much, it was 1.197. She said in there we took 185 right off the top so that means we have 353 left. She said we earmarked 350, around 350 some odd thousand dollars for specific projects within the county, most of those are solely county related.

**Commissioner Zimmerlink** said if we give money, and not just the redevelopment authority. She said she is sure in the next couple of months there will be other requests made, the problem is that while it is nice to say yes I am going to be giving this money or yes I am going to be giving this money to different people, you have to realize that we have already earmarked it for other projects and if we don't use them for other projects, the thing that we sat in a conference room and planned for is all for nothing. She said she can tell ya, now Mar, you and I did not talk about what you said, this public comment on agenda items, I'm surprised, I didn't know you would read the Tribune Review frankly, but, when I read that article this morning and saw that another individual, apparently it was a misquote, he said, Commissioner Ambrosini said he was misquoted, but, while all those projects are good, and the county commissioners should be as best we can be supporting them, we have our own projects that we have earmarked and a lot of them are internal projects that are very important, to help us, that's why the gaming revenue is set for economic development projects and that is what I will use the gaming revenue for, the economic development projects, Fayette County Redevelopment Authority, the commissioners' all of us, designating it with Andrew French's office, it is very important that those monies for those projects, I will support them, but again I want to know what they are as well.

**Terry Kriss** said is it correct to say that they are asking you to vote on something that you don't have an idea of. Commissioner Zimmerlink said other than what he read, and it may not be a loan, on Tuesday, whenever we had our agenda meeting, last week, Commissioner Zapotosky said, in fact he had spoken with Andrew French that perhaps it could be a loan, I don't know, it doesn't state it in here. Commissioner Zapotosky said he had stated it in the e-mail, the problem is the DCED is still finalizing our guidelines under the ISA, which is the gaming revenue. He said until they finalize it, because we are an entitlement county, we can't draw down from, like Washington County gets it directly, we have to draw it down from DCED, so at that point until DCED finalizes it, the gaming money is still in Harrisburg. He said Andrew is asking for the projects he had

cited, Brownsville being one, the business park and the local share account through other economic development activities, if we would provide him with these funds, subsequently when the LSA was approved, he could. He said the LSA is the gaming revenue, we are going to receive that revenue.

**Commissioner Zapotosky** said there is no question they are going to receive that and the redevelopment authority is our partner. He said last week he went to speak with Mr. French and there were attorneys and he didn't get to talk to him. He said it was a few weeks. Commissioner Zimmerlink said two or three months. Commissioner Zapotosky said he got an email at 8:52 this morning. Geraldine Mazza asked Commissioner Zapotosky if he thought it would be prudent to know what they are going to use the money for, what are the projects and what are they going to do, are they going to put in a swimming pool. Commissioner Zapotosky said no, it is all contingent upon trek development and they are going to be seeking foundation monies to look at stabilizing, i.e. union station, there is going to be costs associated with that. He said Andrew's group is audited every year and he does not recall any audit ever showing any monies being directed in the wrong way. Mrs. Mazza said before you give them the money, don't the citizens of this county have the right to know what they are going to spend it, say you are going to give \$50,000, don't we have a right to know what they are going to spend it on?

**Commissioner Zapotosky** said he is going to disclose that, he is just telling her what he is saying here. He said there is a local share account that he is going to draw down from and the board will have to approve those appropriations, he has a board as well and I trust our redevelopment authority's judgement, they have done a wonderful job. Mr. Kriss said he is the one who said to include people in a roundtable. Commissioner Zapotosky said Andrew does a pretty good job at the redevelopment authority. Commissioner Zimmerlink said she thinks that the important part is that the money that is being asked for has already been earmarked for our other county projects. She said for the county budget, there were a few of us in the room, correct, and we listed what those items were and planned accordingly and that's the idea. Mr. Kriss said wasn't the sheriff in here the last commissioner's meeting asking for money, so everyone is coming looking for money that you don't even have. Commissioner Zimmerlink said that is why she raised the red flag. Commissioner Zapotosky said this isn't giving money away, this is investing money in viable projects that are already in play. He said that development project is already in play and Jack Lawver is here, what was treks response at your meeting, they want to build when?

**Commissioner Zapotosky** said there are viable projects that are included in this that would provide assistance to the borough of Brownsville for the Fayette County Business Park, all through the local share accounts. Mr. Kriss said all wonderful, but there is no magic money tree. Commissioner Zapotosky said there is, the LSA money is coming Mr. Kriss, the gaming money is coming, it is a matter of DCED approving it. Commissioner Zimmerlink said they all support. Mr. Kriss said give us some information, that's the bottom line. Commissioner Zapotosky said this is subject to a vote and they will go from there. Commissioner Zimmerlink said there isn't anyone here who doesn't support economic development projects throughout Fayette County, it is a

matter of everyone knows who's an elected official or who is charged with being a director or a board member, redevelopment authorities, trusts, things of that nature, you have to plan ahead, and I don't know how you guys operate your checkbook, I know how I operate mine, and what I do is I know how much money I have and then I know whether or not I am going to put on a new roof at my house, or I'm going to put on a deck, or I am going to do this or I am going to do that, take money from one item to another, then you leave the projects that you have carefully sat down and worked on with department heads and so we have department heads and people we are planning on buying equipment and doing certain things. She said that is not to say these are not good projects because they are, it is a matter of planning.

**Commissioner Zapotosky** said again, these are projects that we are going to invest in with the 13, understanding that the DCED, inevitably we are going to receive the gaming money and Andrew had shared with me that he could reimburse us the 13 money that we utilized today for the LSA, again, I think it's, you need to make the investment, granted, you are not always, you may need to put a roof on your house this summer but if your air conditioning goes out, which one are you going to prioritize? Mr. Kriss said roof, it's a no brainer. Commissioner Zapotosky said it depends on what your priorities are. Commissioner Zimmerlink said as a matter of fact, the roof in the courthouse is leaking and we did put money in for that. Commissioner Zapotosky said they are very fortunately to have the 13 coming from the Marcellus shale and the gaming coming. Commissioner Zimmerlink said how much gaming money are we getting, I don't know. Mr. Kriss said not very much, according to the newspaper. Mr. Kriss said regarding a contract for Ford Business machines, did he hear that some departments are writing letters of support to vote on this, is that common practice in this building for department heads waving the flag, yea, yea, yea, Ford Business Machines, throw Compaq out, is that common practice in the courthouse?

**Commissioner Zapotosky** said they had sent the letters based on the contract that they have with Com Doc. He said it is a month to month contract, they are not satisfied. Mr. Kriss said is it common practice? Commissioner Zimmerlink said no, it was asked. She said it was asked by, not me, but it was asked by somebody. Commissioner Zapotosky said he asked them to ask to get out of the contract. Mr. Kriss said they didn't come to you, you went to them? Commissioner Zapotosky said no, they came to us. Mr. Kriss said all these departments said they are not satisfied. Commissioner Zapotosky said Kathy, they came to us. Kathy Winkler said they came to us. Commissioner Zimmerlink said who is they? Commissioner Zapotosky said all of the offices in question. Commissioner Zapotosky said there are four. Ms. Winkler said there are only four. Mr. Kriss said a 63 month contract, is that also standard, that seems like a long time. He said that is a big time contract man, is that common? Commissioner Zapotosky said our phone and copy contracts tend to be a little longer. Mr. Kriss said is it common practice. Commissioner Zapotosky said he didn't recall what the last contract was, so he couldn't answer that question.

**Mr. Kriss** said Ford Business Machines who is its owner? Commissioner Zapotosky said John Garlow. Mr. Kriss asked if he was a campaign contributor of his. Commissioner Zapotosky said not recently. Mr. Kriss asked if he was in the past.

Commissioner Zapotosky said yeah. Mr. Kriss asked Commissioner Ambrosini if he is a campaign contributor of his. Commissioner Ambrosini said yes. Mr. Kriss asked Commissioner Zimmerlink if he is a contributor of hers. Commissioner Zimmerlink said no. Commissioner Zapotosky said that is not germane to the issue. Mr. Kriss said political payback. Commissioner Zapotosky said no, no. Mr. Kriss said if he gets it, it is a very lucrative five year contract. He said how about if they rectify the problems with that company and work with them. He said it is becoming a pattern in Fayette County, and everybody sees it, certain businesses, certain engineers, getting all the work and all the deals. He said when they see county employees getting drawn into the mix, we don't like this, and he isn't buying the letters, as long as the copier works, he is sure they could care less, who, where why or when, that is up to you guys and the department heads. He said it is a pay to play story and there are too many connect the dots with Mr. Garlow and this is a five year contract, this is big money, what is the cost, is it a million dollars? He said you are going into a contract and you don't even know the amount of the numbers, five years you are giving to Mr. Garlow, or whoever it is.

**Commissioner Zapotosky** said first of all, a little clarification Mr. Kriss, Ford Business does every other office with the exception of these four. He said they would be one provider. Mr. Kriss said one provider for the entire county, that's a hell of a deal. He said he sees no competitive fairness in that situation at all. Commissioner Zimmerlink said well, it says here, let me just read it, it says the Controller's office, Records Department, Prison, Veteran's Affairs and Tax Claim, five, OK, so, it says here a 63 month lease with the controller's records, prison, veterans affairs and it would cost each office \$274.25 per month, which is an increase of \$113.79 each month so I would assume each month times each office, I don't know, but with the amount of copies allowed they should not be paying for overages, but she hasn't seen the contract to see if with Ford Business would or wouldn't be paying the overages but it does say that it is an increase. She said the other thing is that it says tax claim would be \$514 a month, which includes covering the cost of getting the current Com doc lease, so apparently there is a cost for that, also increasing the copies allowing, allowing eliminating paying and increase of \$314 a month. She said it is in black and white, it is an increase of close to \$400, \$450 a month, have to look to see whether or not that is budgeted for the remaining years, for the remaining months of 2015 because we did allocate money into each line item in our budget for copy charges, so. Mr. Kriss said if they have a contract already why can't they pick up the phone and say, hey Joe Blow, we have issues, why don't you come and see me and we can straighten these problems out, that is common business practice.

**Commissioner Zimmerlink** said you can't pick up the phone and call them and say there is a problem if you aren't told by a department head that there is a problem. Commissioner Zapotosky said that is why they asked department heads to provide the statements because they know there is a problem. Ms. Winkler said department heads have been calling. Mr. Kriss said, Commissioner Zimmerlink, did any department head call you? Commissioner Zimmerlink said not within this past, what they are talking about, didn't Com Doc come in and talk with you Kathy? Ms. Winkler said yes, he has gone to the different departments. Commissioner Zimmerlink said the time to do this is in October when we meet with the department heads. Mr. Kriss said all of a sudden

there is a rush now. Commissioner Zapotosky said no, there is no rush. Mr. Kriss said sure there is, if you two ain't in office, it's not a problem anymore. Commissioner Zapotosky said you are casting dispersions, pay to play, those aren't fair dispersions. If I may sir, the reason why I felt one provider is better is because you have one provider servicing all the copiers in the county, if you need toner, you run down to the next office and you grab toner, that's the kind of level of communication, when printers are 12 miles away as opposed to 60 miles away, that's the rationale I use. Mr. Kriss said it makes sense but wouldn't it be proper and fair and correct etiquette to bid out the entire process. He agrees with the thought, one stop shop, isn't it county procedure to do a bid? Commissioner Zapotosky said it is still under the terms of the, Ford still have a viable contract with the other offices. Mr. Kriss said you gave them the entire contract, and right before election no less.

**Mrs. Mazza** said isn't all word over \$10,000 to be put out for bid? Commissioner Zapotosky said it is \$18,000 now. Mrs. Mazza said it should go out, that's your county code, that's a resolution you commissioners made to put it out for bid. Commissioner Zapotosky said this is basically a month to month contract that the offices wanted to terminate and the natural flow would be to have one provider instead of having multiple providers and we have tried to do that in a number of instances, our printers, our printing machines, Brother's Lazer, they do all the county printing machines, they provide all the repairs, all we have to do is buy the toner, but it is one vendor. Mr. Kriss said and they bid for that contract? Commissioner Zapotosky said they submitted a proposal. Mr. Kriss said you are shaking your head no and he is saying yes. Commissioner Zimmerlink said they submitted a proposal, there wasn't a competitive bid, not to my knowledge. Mr. Kriss said there it is Vince. Commissioner Zapotosky said that he said they submitted a proposal. Mr. Kriss said that's not a competitive bid for others to know, to know. Commissioner Zapotosky said to know what?

**Mr. Kriss** said it follows with Ford. Commissioner Zapotosky said Mr. Kriss you just agreed that one provider makes good common sense, right? Mr. Kriss said competitively bid out. Commissioner Zapotosky said Ford currently has a contract with every other office but the four. Mr. Kriss asked how long their contract is, give me a guess, two years. Commissioner Zapotosky said he thinks it was a four or five year deal. Mr. Kriss said he would have thought if they wanted to play this game, give them equal money, give them 63 months and rebid it out. He said you guys jump at things that are so clearly obvious you don't put those things in thought, you just do it. He said you do it for special interest. Commissioner Zapotosky said it hasn't been voted on yet sir. Mr. Kriss said that is why he is talking now because they will see in several minutes how all this goes. Commissioner Zapotosky asked if there was additional public comment on agenda items. Mrs. Mazza said Vince, the county commissioners passed a resolution, it said anything over \$18,000 had to be advertised and if you don't do that, you are going against your own resolution. Commissioner Zapotosky said this is tying into an existing contract, this is amending an existing contract, adding the four offices and adding to an existing contract.

**Commissioner Zapotosky** said this is multifunctional printers, these are the proposals, are they the same, I am trying to see the length of the contract. He said it would give

them more ability to print more copies, it would result in a savings but. Mr. Kriss said how is it a savings when they are asking for \$500 a month more? Commissioner Zapotosky said they are giving them more in the overages. He said Com Doc was charging us a substantial amount more for overages. He said Sarah Minnick's office was paying an outrageous amount for overages and she makes reference to that. Ms. Winkler said last week or the week before they had a disaster. Commissioner Zapotosky said what is the disaster, was it working, was it not working? Ms. Winkler said they had a jam for a whole one, two days. Commissioner Zapotosky then read from the letters about the desire for departments to change providers. He said that is why he asked for their statements. Mr. Kriss said they were all extracted. He said he doesn't believe them for a minute, all they had to do was pick up the phone and call the commissioners, everyone knows the power you too have among the county employees. Commissioner Zimmerlink said let me read this, it says here from Kathy, Jeanine, to the controller's office, the prison, records department and veterans affairs. She read, "To all, Commissioner Zapotosky is requesting an email or a letter stating you may be interested in changing the provider of your Xerox machine. In your email please add a few reasons why you are not happy with the present provider, he is presently looking into the matter to have it resolved."

**Commissioner Zapotosky** said they contacted us prior to that email and I told Kathy to contact them. Mr. Kriss said why would you send a letter to the people that already sent you, come on, Vince, Vince. Commissioner Zapotosky said I concede, I yield. Mr. Kriss said you just won't admit it and you are doing it right before election. Ms. Winkler said everyone called us. Mr. Kriss said Kathy, no disrespect, you just got a \$3,000 raise, so it is a connect the dots story, it's lets help each other and to hell with the citizens in this county. Commissioner Zapotosky said that isn't correct and he takes offense to that. He said that's your opinion and you are entitled to it. Mr. Kriss said that is a lot of people's opinion.

### **Redevelopment Authority**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to table approval of the allocation of \$110,000 in Act 13 funds to support initiatives identified by the County and the Redevelopment Authority for economic and community development initiatives through Fayette County.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

### **Motion passed unanimously**

**In making** the motion, Commissioner Ambrosini said as everyone knows, he is very pro-economic development in Fayette County and there are a lot of projects that they need to do and that is one of the major ways they are going to make Fayette County a much better place. He said economic development simply creates jobs and while he is for this he hasn't had a chance to sit down and review with Andrew the details of this,

and I appreciate you reading the, his email today, and there is nothing there that I am not 100 percent supportive of, but I would like to request that we table this until next month and we have a chance to review it. Commissioner Zapotosky said that is fine with him, until everybody has a chance to sit down and review it with him.

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve amending the agreement between RET-FAY, the Redevelopment Authority and the County to extend the time period for completion of the Holiday Inn Express building project from December 31, 2015 to May 31, 2016.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**After a motion** was made, Commissioner Zimmerlink said the agenda item was only to extend the date of the completion of the project, from December 31, 2015 to May 31, 2016. She said a person asked what the project was and it was said the Holiday Inn Express. She said she is reading Andrew's email, that amendment allowed them to change their development plans from building two medical office buildings to constructing the Holiday Inn, so is this, oh OK, back in April of 2014 the commissioners apparently approved an amendment to the redevelopment authority, they were going to do medical office buildings, they changed it to the Holiday Inn, what this resolution now is to, instead of holding them to the construction completion to be the end of this year, it is the middle of May, or the middle of 2016, but it's the same construction project, OK.

**Assessment Office**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve an agreement with Ford Credit Municipal Finance Department (Costar Program) to lease a 2015 Ford Escape for \$24,301 for 20 payments, Quarterly in advance Payment amount \$1,392.96 x 20 payments = \$27,859.20.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Prior to a motion**, Commissioner Zimmerlink asked if there was a meeting with Enterprise. She said that would be different that Ford Credit. Chief Clerk Revak said the meeting was to occur after the agenda meeting. Commissioner Zimmerlink said wait a minute here, did we not all get, and I don't have it with me, an e-mail from Bill Lukach that said he did meet with Enterprise and he is still requesting that we go with Ford

Credit because of timing. Commissioner Ambrosini said he needs a vehicle right now. Commissioner Zimmerlink said they need to take out the meeting.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following for a 2015 real estate tax exemption as they have been qualified as 100% disabled veterans by the Veterans Administration of Pennsylvania.

Frank J. Spataro	1215 Indian Creek Valley Rd Indianhead, PA	31-15-0103
William J. Leiner	4 Liberty Circle Fairchance, PA	11-06-0185-01
Richard Sherwood	1030 Nellie Rd Vanderbilt, PA	09-02-0045-01
John E. Landman	411 Boones Lane Mount Braddock PA	25-16-0077
Ray O'Neil	21 North St Point Marion PA	29-02-0027

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

### **Behavioral Health Administration**

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

	<b><u>Contract Value</u></b>	<b><u>Period</u></b>
<b><u>Professional Service Agreements 2014-2015</u></b>		
Carol Over	\$10,000	7/1/14-6/30/15
<b><u>Professional Service Agreements 2015-2016</u></b>		
Advanced Management Services	\$31,590	7/1/15-6/30/16
Combustion Service & Equipment Co.	\$ 9,950	7/1/15-6/30/16

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to exercise the lease purchase option on a 2013 Ford Explorer XLT leased through Acme Auto Leasing, LLC for \$17,859.00 as an addition to the FCBHA fleet.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

## **Bridge Department**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of a 2015 Ford F350 4 x 4 Crew Cab 8 Ft. Box Truck through the PA State Contract/COSTARS Program to replace an aging vehicle. The total cost of the purchase is \$31,602.60. Davies Ford, Route 119, P.O. Box 1052, Connellsville, PA 15425, is an approved COSTARS vendor.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

### **Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to approve a Reimbursement Agreement (Agreement Number: R15120002) between the Commonwealth of Pennsylvania acting through the Department of Transportation, and the County of Fayette, a political subdivision in the County of Fayette, of the Commonwealth of Pennsylvania, acting through its proper officials. This project involves a bridge replacement of Fayette County Bridge 102 Church Street Extension in Georges Township, Fayette County, Pennsylvania. It will be funded entirely by Federal Highway Administration (FHWA) and the Commonwealth.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

### **Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a resolution to designate signature authority for the commissioners for the Church Street Extension project in Georges Township between the County of Fayette and the Commonwealth of Pennsylvania for Art Cappella, under consultation with the commissioners.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

### **Motion passed unanimously**

## **Children and Youth Services**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services, and **Avanco International, Inc.**, 11325 Random Hills Road, Suite 350, Fairfax, VA 22030. The cost

of Version 10 Upgrades is shared by all fifty-four CAPS counties. The cost has been proportionally allocated across counties based on the number of users in each county compared to the total number of CAPS users. The total cost of the Version 10 Upgrades for all counties is \$201,200 with **Fayette County responsible for \$3,712.92.**The upgrades to be completed during the period of May through August 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services, and **Avanco International, Inc.**, 11325 Random Hills Road, Suite 350, Fairfax, VA 22030, for child accounting and profile system application service agreement relating to support services. The cost for this service is \$8,013.00 per quarter.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY 2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **Combustion Service & Equipment Company** of 2016 Babcock Blvd., Pittsburgh, PA, from June 1, 2015, through May 31, 2016 for HVAC mechanical equipment preventative maintenance at the CYS office building at a cost of \$1,860.00 annually.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Controller**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to ratify \$6,170.87 in interest drawdowns and \$26,635.52 in construction expenses for the First National Bank Construction Note, as attached.

Commissioner Ambrosini yes  
Commissioner Zimmerlink abstain  
Commissioner Zapotosky yes

**Motion passed 2-0-1**

**Acting Chief Deputy Eric Blanda** presented the following financial condition of the county.

## Office of the Controller

Fayette County, Pennsylvania

**JEANINE B. WRONA**  
*Acting Controller*



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

FUND:	GENERAL FUND		
	DATE:	18-Jun-15	
CASH:	Checking Account	United Bank	\$9,301,497.38
<b>Funds Owed to General Fund</b>			
	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
<b>Funds General Fund Owes</b>			
	Tax Anticipation Note	\$	3,000,000.00
		\$	3,000,000.00
<b>Budget Year</b>	<b>Net Position</b>		<b>\$6,528,189.92</b>
			<b>Year to Date</b>
Total 2015 Revenues		\$	19,560,954.52
Total 2015 Expenditures		\$	13,776,997.03
Total 2014 Expenditures paid in 2015		\$	1,700,195.92
Capital Reserve Fund Balance	Fund 51	\$	221,165.58
Bond Fund Balance	Fund 53	\$	50,645.05
Act 13 Marcellus Shale Balance	Fund 13	Balance in Bank	\$1,456,883.85
		Rec'd in 2015	\$0.00

**Human Resources**

**Building & Grounds**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Wendy Hile as Custodial Worker I, SEIU, at Pay Grade 3, at \$10.08/hr. (\$19,656 annually) effective June 2, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Emergency Management**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify approval from part time to full time of Tina Carrigan, Technical Communications Officer I (TCO I; formerly titled Dispatcher), SEIU-911, at Pay Grade 10, at \$13.30/hr. (\$27,664 annually) effective June 8, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**FACT**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to accept resignation of Robert Scott part time small transit operator, titled NON-CDL FACT Driver, effective May 29, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve part time to full time, Gary Eanes, small transit operator, titled NON-CDL FACT Driver, SEIU, at Pay Grade 8, at \$12.28/hr. (\$25,532.21 annually) effective June 22, 2015.

Commissioner Ambrosini yes

Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Stephen Corcoran as part time small transit operator at \$11.86/hr. effective June 15, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Bruce Wolfe as part time small transit operator, titled NON-CDL FACT Driver, at \$11.86/ hr. effective June 15, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Human Resources**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the attendance of Denise Stepanik, HR Director, at a no-cost CCAP-sponsored Affordable Care Act Training in Cranberry on June 10, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Public Defender's Office**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Brian Shoaf, as Investigator, SEIU, at \$12.72/hr. (\$24,804.00 annually) effective June 1, 2015 and ratify accepting his resignation from the position, effective June 9, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify the hire of Joy McClintok, as Department Clerk I, SEIU, at \$10.08/hr. (\$19,656 annually) effective June 15, 2015.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Juvenile Probation Office**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a letter of agreement between the County of Fayette and Adagio Health Inc. for the "Focus on Kids" curriculum for youth ages 12 to 16, which focuses on teen pregnancy and STDs. All fees will be covered by the Jewish Healthcare Grant for a two year period, ending June 30, 2017, with identified future grant funding possibilities.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Office of Human and Community Services/Fayette Area Coordinated Transportation**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve Third Party Sponsorship agreements for FY 15-16 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 Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a contract with Fayette County Community Action Agency for administration of food bank program for FY 15-16.

Commissioner Ambrosini yes

Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve advertising agreements for FY 15-16.

Froggy 94.9 monthly cost of	\$2,016
Pickle 99.3 monthly cost of	\$1,232
WKVE 103.1 monthly cost of	\$1,080
Comcast monthly cost of	\$2,250
WMBS Radio monthly cost of	\$ 487
Senior Times monthly cost of	\$ 90
Herald Standard monthly cost	\$ 420

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Commissioner Zapotosky** asked for a motion to award RFQ 15-03 for fixed route services.

Central Cab proposal:

Brownsville Express Route year 1 - \$51.25/hr.; year 2- \$52.00/hr.  
Brownsville Republic Route year 1 -\$51.25/hr.; year 2 -\$52.00/hr.  
Masontown/Fairchance Route year 1- \$53.15/hr.; year 2 -\$54.50/hr.

Brownsville Bus Lines proposal:

Brownsville Express Route year 1 - \$52.00/hr.; year 2- \$54.00/hr.  
Brownsville Republic Route year 1 - \$52.00/hr.; year 2- \$54.00/hr.  
Masontown/Fairchance Route – no bid

(Brownsville Bus Lines is an additional cost of \$4,786 year 1 and additional cost of \$12,764 year 2)

**Commissioner Zapotosky** asked Kim Renze, operations manager, to speak. Commissioner Zapotosky clarified that it was a request for qualifications. He said one of the things he had called Mr. Renze about was because one company is located in Brownsville and and company is located in Waynesburg. He said our buses will be providing the transportation, they will be our vehicles, correct? Mr. Renze said correct. Commissioner Zapotosky said his question is that if Central Cab is traveling from Waynesburg to Fayette County, they would be accumulating additional miles on our vehicles, would they not? Mr. Renze said yes. Commissioner Zapotosky said what does a mile on a bus cost? Mr. Renze said for all intents and purposes our miles are based on passengers per vehicle and deadhead miles. Commissioner Zapotosky asked what a

deadhead mile is. Mr. Renze said deadhead miles is \$2.42. Commissioner Zapotosky said in essence Central Cab would be utilizing our buses, putting on additional mileage, additional wear and tear, correct? Mr. Renze said yes. Commissioner Zapotosky said whether they store at Central Cab or store at the FACT building. He said the difference in the RFQ was, a dollar? Commissioner Zimmerlink said (to a woman in the audience), are you from Central Cab, and would you like to add to this?

**Leigh Mansberry**, controller for the Central Cab Company, said the headquarters are located in Waynesburg, said they submitted this bid and they had already entered into a verbal contract to store the buses in Uniontown, at our cost and there will be no driving back and forth to Waynesburg. He said the things you said in the paper, and I don't think you ever contacted us, the things you said in the paper Mr. Zapotosky weren't totally representing us properly, we are located in Waynesburg, which is outside the county, but I, my husband, who is the general manager and 15 to 18 other employees all live in Fayette County. She said the payroll for 2014 for people who live in Fayette County was half a million dollars. She said they are taxpayers, voters, property owners here in Fayette County, we will hire additional people from Fayette County, the buses will be stored here in Fayette County. Commissioner Zapotosky said what is the site location for the storage? Ms. Mansberry said Fayette Street. Commissioner Zapotosky asked Mr. Renze if he inspected that facility and Mr. Renze said no.

**Commissioner Zapotosky** asked if he was aware they had rented a facility. Mr. Renze said it had been mentioned that it would behoove them to have a location in the city or closer to Brownsville, he said the contract doesn't require it, but they visit the site and view the maintenance records and stuff like that. Commissioner Zimmerlink said, you said, "it would behoove them," who is saying that, you, the FACT office, who? She said she is repeating his word, that is was suggested by FACT that it would behoove Central Cab to find a location here in Fayette County? Mr. Renze said that is correct. Commissioner Zimmerlink said did they find a location in Fayette County? The answer given was yes. Commissioner Zimmerlink said you said a verbal agreement, which whom, someone at FACT? Ms. Mansberry said with someone else. Commissioner Zimmerlink said, so you will be storing them here in Fayette County? Ms. Mansberry said that Commissioner Zapotosky also said it would cost more, but the only thing FACT reimburses them for are the actual hours. Commissioner Zapotosky said he was talking about with the deadhead miles.

**Commissioner Zimmerlink** said there are no deadhead miles, but also Kim Renze you said it was not a requirement in the bid specifications to have it here in Fayette County, but you decided to do that for cost and a whole list of reasons, but even if you didn't, it wasn't a bid spec, and you still came in lower, and while we all want people in Fayette County to be working in Fayette County, again, it has nothing to do, you are saying that the people that you employ do reside in Fayette County, just like the other. Ms. Mansberry said they do hire locally and encourage to hire locally. Commissioner Zapotosky said gain, I don't mean. Commissioner Zimmerlink said the verbal thing, first off, it doesn't matter, that was just something, that's the icing on the cake, it wasn't a bid spec, so whether it is verbal or not, the point is it wasn't a part of the bid spec but they decided to do it anyway. She said taking that even out of the equation, all things

considered, it still should go to you because of the bid specs. Commissioner Zapotosky said this is not a bid, this is a. Commissioner Zimmerlink said the proposals. She said all of them are equally qualified, why you would do a qualification for bus service over a request for proposals is beyond me, I am actually surprised, you do a request for qualifications in other contracts such as this? Mr. Renze said all the bus contracts are request for qualifications and it has been since I started.

**Commissioner Zimmerlink** said does Central Cab qualify under the definition of transportation with the state and federal? Mr. Renze said yes. Commissioner Zimmerlink said OK, so they met all of the qualifications. She said so everything is equal in the response and you are not making a recommendation either/or, you are providing us with the information as well you should. She said your information is that you provided that out to the public, they were sealed proposals back, OK, you check marked everything off and the companies meet the qualifications and the bottom line is that one company would be more, in year one would be \$4,786 more and an additional cost of \$12,764 in year two. She said that isn't a misprint, is it, OK. Commissioner Zapotosky said back to the deadhead question, they are storing the buses, they have a verbal agreement, somewhere in Uniontown. He said they are going to be storing the buses, because that is a requirement, to store the buses, you have to have them stored. Mr. Renze said they have to be stored indoors. He said the routes they will be traveling are Brownsville, Brownsville Republic and Masontown Fairchance, correct? Mr. Renze said and the Brownsville Express, they both originate in Brownsville. Commissioner Zapotosky said if Brownsville Bus Lines is located in Brownsville and the storage facility is in Uniontown, there's about a 12 miles difference between Brownsville and Uniontown, and you said at an average rate of \$2.12, we are talking about 24 miles round trip, per bus, there is deadhead miles there, are there not? Mr. Renze said yes there would be.

**Commissioner Zapotosky** said those miles have an impact on our vehicles. Mr. Renze said correct. She said it isn't the perfect picture that they just painted. He said the icing on the cake is getting a storage facility, which they are required to do under the terms of the contract, be it located at Waynesburg or at FACT, they have to store the buses inside. Commissioner Zimmerlink said the additional mileage certainly isn't an additional cost of \$12,764. Commissioner Zapotosky said I don't have a calculator here, but let me see, I don't know, I think it is substantial when you start adding it up commissioner. Mr. Kriss said what about the empty trips back and forth to Pittsburgh with these buses, I have never heard you say a word. Commissioner Zapotosky said Mr. Kriss, this isn't public comment at this time, we have an issue on the floor, I am just saying that there is accumulation of deadhead miles that would not be put on by Brownsville Bus Line if they had the route, correct. Ms. Mansberry said the cost is all the cost, but most of it would be paid by Central Cab Company and not the county. He said there would only be depreciation of the bus, and that isn't \$2.12 a day. She said Central Cab would pay maintenance and other costs.

**Mr. Renze** said for their federal report, they have to come up with a cost of mileage and for deadhead miles, salaries and everything, the cost is \$2.12. Commissioner Zimmerlink said that is the first she has ever heard of that and she has been a

commissioner since 2004 awarding contracts like this. She said first off it was we need jobs in Fayette County, then it was well, they're a different county, then we find out they are here in Fayette County as well as their people and now we are coming up with deadhead miles. Commissioner Zapotosky said it is an issue, commissioner, are you going to put 24 miles on a car every day and not be reimbursed for it? Mrs. Mazza said it's a no brainer, I don't know what the discussion is about, it's a no brainer.

**A motion** was made by Commissioner Zimmerlink to award RFQ 15-03 for fixed route services to Central Cab. The motion died when it did not receive a second.

Commissioner Ambrosini said what he would prefer, there are on the face of the cost per hour is not all the cost, there seems to be some additional costs, so what I would prefer is to have an actual low cost evaluated bid done, or evaluation done, I'm sorry, and I'm sure Mr. Renze could help with that so we would know exactly what the costs are of this particular contract. Commissioner Zapotosky said you are talking about including the cost for the deadhead miles? Commissioner Ambrosini said any cost that the county would incur that the county could incur or FACT would incur beyond the cost per hour listed for the various routes. He said it may not outweigh the costs we show here in terms of the \$4,786 for the first year and the \$12,700 for the second year, it may not outweigh that, but unless we quantify that we won't know, I would prefer us quantifying those additional costs before we vote on this contract. Commissioner Zapotosky said Mr. Renze, you just explained that based on your report that you have to file with the federal government, which is a requirement under the federal highway administration, correct, that you list deadhead miles at a cost of two dollars and... Mr. Renze said, no sir, we don't list deadhead miles. The federal government, when we do our reports, we do passengers per hour, and they are also paid for start of route and end of route. He said the federal government only requires him to report what the miles are. He said on a true association, they have to come up with how many miles they put on their vehicles.

**Commissioner Zapotosky** said they are still cumulative miles, on these vehicles, additional mileage cost us money even though it is not coming out of pocket because it shortens the life span or whatever the case may be, it costs something, wear and tear on the vehicle, whatever the cost may be, so that does have a monetary value to it. Mr. Renze said it would. Commissioner Zimmerlink said Mr. Renze, you have indicated before that you have written these proposals, they have been the same for a number of years, correct? She said have you ever, reviewed, requested under the bid specs to list any deadhead miles of those people who are responding to the bid?, No. She said and we have been doing this for. Commissioner Zapotosky said maybe we should be because we have been accumulating a lot of miles on our vehicles. Commissioner Zimmerlink said is there any requirement for the federal government to do that, you just said no, correct? She said OK, in the request for proposals, qualifications, was that requested in the specs, to differentiate between deadhead miles and things of that nature? She said it was not, so both bidders properly responded to the questions that was asked of FACT, correct? Mr. Renze said yes. Ms. Mansberry said it overstates the cost of those miles because Central Cab bears the maintenance, the fuel and the driver cost of that.

**Commissioner Zimmerlink** said so, there's additional miles put on the bus, additional wear and tear, you just said you are bearing the cost. Ms. Mansberry said they are maintaining it, to get depreciation for the cost of a miles you have multiply the number of years you are going to run it, divided by all the miles that go on it a year to get the cost per mile. Commissioner Zapotosky said he is reading here, Kim, you and Lori discussed this, direct cost, this is revenue mile, \$2.12, if the buses are being stored in Uniontown, will be deadheading travel 48 miles, you are still basing it on \$2.12 at 12,672 miles annually, the cost is \$26,864 annually. Mr. Renze said that is the figure with everything included, fuel maintenance, hours, everything, it is not the cost that FACT incurs. Commissioner Zapotosky said the bus incurs it because it is getting additional mileage put on it, that's the reality of it. Ms. Mansberry said you are talking about 48 miles a day, you just said Brownsville is 12 miles away. Commissioner Zapotosky said this is coming from Waynesburg. Ms. Mansberry said that was an assumption. Commissioner Zimmerlink said that was an assumption. Commissioner Zapotosky said I was just reading an e-mail, ma'am.

**Mr. Renze** said they have two buses, it is 12 miles each way each day, which is 24, for 48 a day. Commissioner Zimmerlink said and you were doing that from Waynesburg? Mr. Renze said that is Brownsville. Commissioner Zapotosky said there is another question he has to raise and he will just ask the question. He said miles on a car, it costs us money, it does either indirectly ore directly. He said they move down to scheduling, these are fixed routes, so the distance, could it have an impact on the scheduling, pickup times, inclement weather, traffic, construction, whatever. Mr. Renze said the schedules are set, the route starts, say the Brownsville route starts at 8 o'clock, he has no control other than the bus has to be there at 8 o'clock. He said what time it leaves it housing area. Commissioner Zimmerlink said so if it is snowing and they decide to leave at 6 to be there at 8, that's, the route. She said ma'am, have you, I know the answer to this but I am going to ask it anyway, have you ever provided transportation under FACT? Ms. Mansberry said absolutely. She said they have provided since she started 26 years ago, she isn't sure when FACT came into existence.

**Commissioner Zimmerlink** said to your knowledge, have you lived up to the terms of your contract? Ms. Mansberry said absolutely. Commissioner Zimmerlink said Mr. Renze, to your knowledge. Mr. Renze said they have been providing fixed route since it started in 2005 or 6. Commissioner Zapotosky said if I may ask, please to be fair, Mr. Lawver. Commissioner Zimmerlink said the same, so again, the bid was put out, the proposal, the qualifications, were put out, everything equal, they answered it and here's the bottom line, that's why I made a motion, I didn't get a second. Commissioner Zapotosky said I agree, everything is equal, with the exception of when a bus pulls out of Brownsville, they are going to start their route, when a bus pulls out of Uniontown, it doesn't start it's route until it gets to Brownsville. He said there is mileage accumulated when that bus does not have any passengers, it is just putting miles on the bus. Ms. Mansberry said so, you would have to take the cost of the years you are going to use it divided by every single mile you put on it, to determine how much it would cost. Commissioner Zimmerlink said where is the first pick up? Mr. Renze said for Brownsville Republic it is Market Street, in Brownsville.

**Commissioner Zimmerlink** said this is nothing to do with being against Brownsville, they provided a good service as well.

**A motion** was made by Commissioner Zapotosky to award RFQ 15-03 for fixed route services to Brownsville Bus Lines based on the deadhead miles that will be accumulated, the additional wear and tear and the scheduling. Commissioner Zimmerlink said that is not part of the specs. Commissioner Zapotosky said it is a request for qualifications, it does not follow the lowest responsible bid, that's my motion. Commissioner Zimmerlink said that is not, there's a motion on the floor and we will see if there is a second, I'm going to clarify this because he is adding, Commissioner Zapotosky in his motion has added additional conditions that was not part of the. Commissioner Zapotosky said he is adding his rationale, these aren't conditions, and it's just my rationale. Commissioner Zimmerlink said it is based on your rationale without the other individual telling you without a calculator, but she is telling you for 26 years that you are talking pennies, correct, there you go. She said there is a motion on the floor and it is a request for qualifications. Commissioner Zapotosky said there is a motion on the floor, is there a second to the motion? The motion dies for lack of second.

**Commissioner Ambrosini** said what he would prefer is to have a lowest evaluated bid performed on these contracts, even if it's only a depreciation value of the buses, I think we need to quantify that so we know how to vote on that. Following a comment by Mr. Kriss about depreciation on copy machines, Commissioner Zapotosky asked for order please. Commissioner Zimmerlink said the legal ad that was sent out as Commissioner Zapotosky just stated as his arguments against my arguments, it was a request for qualifications, and that is what we sent. She said that is with both companies, as well as Masontown Fairchance, they at least apparently received the information but decided not to bid, send in a response for the request for qualifications. She said what Commissioner Ambrosini is now asking is an analysis for the lowest bid, there are two different things, in county government, you have bids, lowest responsible bidder, money, you have request for proposal, which is usually for professional services, we have a request for qualifications, that has nothing to do with, cost is no factor, is that not correct, Solicitor Cupp, that a request for qualifications, that Commissioner Zapotosky said cost is not a factor.

**Solicitor Cupp** said you have a request for qualifications, if you want to make an analysis of your proposals or whatever you want to call them to come through and you use the responses to your RFQ to make that determination. He said now, the proper, if you don't believe you can make a determination based on the RFQ either because of the way people gave the answers, the way you posed the question, you reject them all and solicit another RFQ. Commissioner Zimmerlink said if anybody doesn't understand the questions that were asked and the answers that were provided, then everyone ought to just go home because they were very clear. She said it all started out by saying a request for qualifications and both companies qualified, they both met, meet everything, all the requirements and you are looking at now what the cost is. Commissioner Zapotosky said if they are going to award this today, they would require that the buses have a facility to be stored in , do you have documentation to support

that you have a facility to store the vehicles in? Ms. Mansberry said yes, they have been storing them all this time, but they could have today. Commissioner Zapotosky said he is just asking the question, a verbal agreement is a verbal agreement. He said if they are going to base it on qualifications, one of the requirements.

**Commissioner Zimmerlink** said the verbal agreement is for an indoor facility. Ms. Mansberry said it is a verbal agreement, we can tell you right now they will be housed indoors. Commissioner Zapotosky said they have to be, you already can have them housed in Waynesburg. Ms. Mansberry said because of the outcome here today they couldn't have a written agreement until we got the contract, but that would be just a formality. Commissioner Zimmerlink said right, why would you enter into a written agreement without knowing what was going to go on here today? Commissioner Zapotosky said why would we enter into a written agreement until we are sure they have a facility to store the buses in? Commissioner Zimmerlink said because they do have, because she just got done saying she has a facility. Commissioner Zapotosky said they have a storage facility in Waynesburg. Commissioner Zimmerlink said and that is a specification in the request for qualifications to have a facility that they can store it inside. Commissioner Zapotosky said his point of contention is that Brownsville's qualifications are better, to better serve the ridership because the buses are on the routes in question.

**Commissioner Zimmerlink** said you can't issue a request for qualifications, no wait, you can't issue it then have companies respond to the answers to the questions that we have asked and then when we don't like it say I am going to reject it and I am going to rewrite it. Commissioner Zapotosky said Mr. Cupp just got done saying in a request for qualifications, you have a right to address questions pursuant to those qualifications, you are not. Commissioner Zimmerlink said asked and answered, asked and answered. Commissioner Zapotosky said his argument is again if they are stored in Waynesburg that increases the deadhead miles, which depreciates the value of our vehicles. Commissioner Zimmerlink said then you should have stated that in the bid specifications in asking them to quantify or do an analysis, you didn't do that and because now you don't like the outcome. Commissioner Zapotosky said my motion failed, my motion failed. Mrs. Mazza said a couple years ago you had complaints about Brownsville line. Commissioner Zimmerlink said that is even beside the point because there aren't any today, and the point, is, and I understand what you are saying. Mrs. Mazza said you remember that? Commissioner Zimmerlink said yes I do but I did ask Mr. Renze if both companies that did respond have met the qualifications and he did say yes, so let bygones be bygones and they corrected whatever the issues were.

**Commissioner Zimmerlink** said as it stands here today, I made a motion and it died, Commissioner Zapotosky's motion died. She said Ambrosini now wants to do an evaluation with a lower bid which is totally different from a request for qualifications. Commissioner Ambrosini said you misunderstand what I am asking for. He said he is asking for FACT to do a lowest cost evaluated analysis of the existing information that we received. He said both companies are fine organizations and they do very good jobs and he wouldn't have a problem awarding the bid to either one, but there seems to be

with our discussion here today, some unknown quantity and all he is asking is that FACT do an analysis to determine whether that unknown quantity is of significant value or not. He said so at least when we do actually vote on this then we will know what the cost is. Commissioner Zimmerlink said first off, that burden should not be, that responsibility should not be on FACT, do you or do you not agree, Mr. Renze? Mr. Renze said he doesn't know their costs, they do not have things that say you have to pay your driver whatever, he doesn't know if they provide health care or not, our costs are our costs. He said when they do a request for qualifications, they are asking counties what can you do these routes for us at an hourly rate, again it is based on hours. He said therefore all we ask them is their qualifications. He said it is the same document and both of them have been filling it out for years. He said he can't quantify any numbers for costs.

**Commissioner Zimmerlink** said they don't have to provide that, all they have to provide under the request for qualifications is what their costs would be. She said if they want to make money, make a lot of money, little money or no money that is their choice. Commissioner Ambrosini said let me clarify that a little bit, I'm not asking the bus companies to give you any more information that what you already have, all their costs are in their hourly costs so we don't need to know anything more than that, the only thing I am asking to quantify is the depreciation costs of the vehicles that are in question traveling from one point versus another point, that's all he is asking, that those depreciation costs over a period of time, whatever a bus lasts for, be calculated into the cost, and like I say, it could be insignificant, it may not be, but at least we will know. Mr. Kriss said you could say that about any bus. Commissioner Zapotosky said they are talking about this particular RFQ. Commissioner Zimmerlink said you have to write the RFQ the same for. Commissioner Zapotosky said we will look forward to the next RFQ.

**Mr. Kriss** said you are insulting this businesswoman here, you really are. Commissioner Zapotosky said Mr. Kriss, this is a public meeting and you are interjecting, I take that as an insult, please. Ms. Mansberry said she had a question, if you are talking just depreciation on the buses and all companies should be subject to the information, and when will this be decided, because these runs start July 1. Commissioner Zimmerlink said sure, that's another thing too, and what is going to happen, the items on the agenda, you either award it, or you reject it, it is not fair to afterwards, after everyone has submitted their information, both companies have fairly and accurately submitted the information that was required per the federal government as well as you, and now you are backtracking, asking things to be changed on June 18 and it starts on July 1. Commissioner Ambrosini said he didn't ask for anything to be changed. Commissioner Zimmerlink said Solicitor Cupp, you would have to reject all of the bids, is that not correct? Solicitor Cupp said if you do not believe that you have enough information to make an informed decision, then you have to reject all the bids and put out another RFQ. Commissioner Zimmerlink said that's right.

**Solicitor Cupp** said you either take what you got and make a decision or you get what you think you need to know and make a decision. Commissioner Zimmerlink said, but you would have to reject these bids, you have to reject these bids, you can't just say let's move on to the next item and then everyone go back to their office and do what

they need to do and then come back and either sign it in your office and ratify it at a later time or next month, or hold a special meeting, you cannot do it that way, you have to reject the bids. Following various comments, Ms. Mansberry said it takes a lot to operate a business, and they travel two million miles a year, and she asked if they would suspend transportation. Mr. Renze said commissioners I will have to request that since the contract ends June 30 and there is no extension built in these agreements with the federal government, and he has an obligation to the riders to have buses on the road that day, so he is going to ask their permission to directly operate these three routes until such time as we get. Commissioner Zimmerlink said directly operate, define that meaning. Mr. Renze said FACT is going to have to operate these routes, ma'am.

**Commissioner Zimmerlink** said which means what. Mr. Renze said which means I am also going to request that I need a minimum of four more employees. Commissioner Zimmerlink said there you go, or overtime, or, that's right. Mr. Renze said he doesn't have the staff to run these three routes. Commissioner Zimmerlink said we know that, I know that. Mr. Renze said these are CDL drivers. Commissioner Ambrosini said would the current bus line be willing to extend their contract for one month? Mr. Renze said it is not a provision in the contract commissioner, and the federal government requires that a contract be in place to operate the vehicles. Commissioner Ambrosini said but that wouldn't prohibit us from extending the contract that would still satisfy the government guidelines. Commissioner Zimmerlink said the existing contract owner would have to be notified and asked to extend for one month under certain terms and conditions and if that existing contractor comes back and says, sure I'll do it, but they may want to do it for \$70 an hour, but you are at their beck and call, as you just said, I mean, you explained it clear.

**Commissioner Ambrosini** said Solicitor Cupp, would the, if the existing bus lines was willing, under the same terms and conditions to operate today, to extend it for one month, would that satisfy the legal requirements? Solicitor Cupp said that is a question he isn't prepared to answer right now but he would guess that you could do that. Commissioner Zapotosky said they have done it in previous situations. Commissioner Zimmerlink said who? Commissioner Zapotosky said was it New Salem, I believe it was, before we renewed their contract, what was that, Edenfield, that would have been before your time. Mr. Renze said yes. Commissioner Zimmerlink said, and when was that, when did you arrive? Mr. Renze said he arrived in 08, so the Edenfield stuff was previous. Commissioner Zimmerlink said I think that Commissioner Zapotosky arrived in 08 too so that was even before that time so you are still not comparing apples to apples. Commissioner Zapotosky said they extended the contract. Commissioner Zimmerlink said who has the existing contract? Mr. Renze said the existing contracts? Commissioner Zimmerlink said Commissioner Ambrosini is asking hypothetically about extending a contract, who holds the existing contract?

**Mr. Renze** said the existing contract is held for Masontown route by Central Cab and the Brownsville Route and Brownsville Express by Brownsville Bus Lines, so you are going with two contracts. Commissioner Zapotosky said so at this point Mr. Cupp, we are going to have to make a motion to reject the request for qualifications since we are not able to successfully. Solicitor Cupp said if that is your evaluation, if you can't make

an informed decision, that is what you need to do. Commissioner Zimmerlink said if that goes through, she is really going to delve into this because if you can't make an informed decision with this information there is something wrong here. She said not being able to make an informed decision means that you don't have the information, you didn't ask the question and it wasn't answered, plain and simple, this is getting a little bit. Commissioner Zapotosky said again, I, Commissioner, with all due respect, even though I realize that there is a verbal agreement, there is still nothing in place that demonstrates that the buses will be housed in Fayette County. Commissioner Zimmerlink said that is absolutely incorrect, ma'am, you were very specific. Commissioner Zapotosky said they have a verbal agreement. Commissioner Zimmerlink said they are going to move it to a different place. Ms. Mansberry said that is what they chose to do.

**Commissioner Zapotosky** said if he could finish his statement, they could continue to run the buses from Waynesburg. Commissioner Zimmerlink said you have met the qualifications, if this contract is awarded today those buses are inside a storage area, correct? Ms. Mansberry said yes, but they are choosing to move them to Fayette County. Commissioner Zimmerlink said but you don't have to but, so you met the qualifications, it has nothing to do with a verbal agreement, you. Commissioner Zapotosky said he is just talking about the increase under the mileage use, whether it is coming from Uniontown or coming from Waynesburg. Commissioner Zimmerlink said we need to move, it's a quarter till 12.

**A motion** was made by Commissioner Zapotosky to reject RFQ 15 -03. Commissioner Zimmerlink said she is going to contact the federal government, she will contact them over this one. Commissioner Zapotosky asked for a second to the motion. Commissioner Ambrosini said, Solicitor Cupp, would that be a necessary course of action, to reject the RFQ, just only to evaluate. Solicitor Cupp said if you are not going to act on the RFQ, you should reject it. Commissioner Zimmerlink said that's right, and you are not acting, you either award or you don't award, you award or your reject. Solicitor Cupp said you don't have to do that today but you are going to have a problem Mr. Renze has indicated if you don't do something today anyway. Commissioner Zapotosky said there is a motion, is there a second to the motion. Commissioner Ambrosini said again, before you bang, Commissioner Zapotosky said he isn't banging anything. Commissioner Ambrosini said again, there is a small, or maybe more significant unknown cost in terms of depreciation and if we don't evaluate that costwise, I don't think we are being prudent. Commissioner Zimmerlink said then you are going to have to reject and bids and you are going to have to reword the specifications allowing any company to do their evaluation and make it part of the specifications.

**Commissioner Ambrosini** said he doesn't think that they need to ask the bus company. Commissioner Zimmerlink said it's only fair, they are the ones that are involved in it, and you can't, you heard from Mr. Renze that it's out of his domain. Ms. Mansberry said it is a depreciation, it is not a cost to the county. Mr. Renze said the buses that you operate, the two big buses were \$330,000 and the federal government funded them. Commissioner Zimmerlink said yeah, we don't pay for those, not that I don't want to save the federal government money, but. Commissioner Zapotosky said it

is still taxpayer provided equipment, now we are going to care about the federal government? Commissioner Zimmerlink said no one said that, but I knew that you would go down that route. "It's not funny, OK, it's not funny, everyone is, you know, what you are trying to do here is so obvious, it is very obvious," she said. She said you are twisting and turning it and now saying let's go save the federal government. Commissioner Zapotosky said he made a motion to reject the bids, that is his motion. He said the motion dies due to lack of second and they still haven't resolved the matter. Mrs. Mazza said he is doing a big disservice to the citizens of Fayette County. Commissioner Zapotosky asked how many employees Mr. Lawver has, what about this guy here, are we doing him a disservice too? Mr. Kriss said he put in a bid and he was higher.

**Commissioner Zapotosky** said but you weigh. Commissioner Zimmerlink said and that should have been in the specs. Mr. Kriss said the lowest cost is the bid. Commissioner Zapotosky said this isn't a bid, it is a request for qualifications. Commissioner Zimmerlink said again, Mr. Renze, again, I want to save everybody money, but also, I like Brownsville, I like Waynesburg, it has nothing to do with this, OK. She said was there a question in the 35 pages that you submitted that said how many people you employed, how many workers that live in Fayette County, where you will provide the service, was that one of the questions? The answer was no. Commissioner Zimmerlink said there you go. Commissioner Zapotosky said he was only making a comment that they were doing a disservice to this young lady, he thinks it is only fair that we include the folks from Brownsville. Commissioner Zimmerlink said it was a sealed proposal, correct? She said the companies provided the information, let's make a decision people. Commissioner Zapotosky said he made two motions, both failed.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to award RFQ 15-03 for fixed route services to Central Cab.

Central Cab proposal:

Brownsville Express Route year 1 - \$51.25/hr.; year 2 - \$52.00/hr.

Brownsville Republic Route year 1 - \$51.25/hr.; year 2 - \$52.00/hr.

Masontown/Fairchance Route year 1 - \$53.15/hr.; year 2 - \$54.50/hr.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky no

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

**Prior to** providing a second to the motion, Commissioner Ambrosini asked which route? Commissioner Zapotosky said it is for the Brownsville Express, Brownsville Republic and Masontown/Fairchance routes. After Commissioner Zapotosky asked for a second, Commissioner Ambrosini said he didn't feel comfortable not doing an internal analysis of the depreciation costs, I don't, I think that has just been disproven, like we already mentioned, it doesn't matter where it comes from it is all taxpayers dollars. Mr. Kriss

said you are not worried about taxpayer's dollars. Commissioner Ambrosini said in an effort to move on, he will second the motion. A vote was then taken on the motion.

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to award RFQ 15-03 shared ride services to Mountain Citizens Action Group for:

Wharton, Stewart and Henry Clay townships for years 1 & 2 at shared ride reimbursement rate, as governed by PennDOT. (no other bid received)

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to grant approval to advertise the following buses for disposal:

142	1FDXE45P86DA89200	FORD	2006
164	1FDXE45P59DA75206	FORD	2009
191	1FDXE45P49DA72295	FORD	2009

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Planning and Zoning**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve RZ 15-5 AJL Reality, Upper Tyrone Township, requesting a change of zone from B-1 General Business to A-1 Agricultural-Rural.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Tax Claim**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to accept the following bids from the June 2, 2015 Repository Sale Bid Opening, subject to all conditions being met.

06-02-2015 Results

Bidder Name	Parcel Number	Township	Amount
Jerry Mankins	36-24-0029	Tonya Cottrell Smithfield	\$300.00
Smithfield Borough	32-07-0021	Borough Dunbar	\$363.18
Michelle Murphy	09-30-0024	Township	\$410.00
Sarvani BK Velivela	38-04-0389	Uniontown City	\$571.00
			Total\$1,644.18

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a letter to rescind two bids from Rachel Boyd for parcel numbers 02-10-0179 and 02-10-0180. The bids were received in May and approved by the commissioners.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**Commissioners**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the May 14, 2015 regular commissioner meeting minutes.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the attached resolution relating to Section 147(f) of the Internal Revenue Code of 1986, as amended, approving issuance by the Latrobe Industrial Development Authority of its note in the principal amount of \$10,800,000 for Mt. Macrina Manor.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to enter into a contract with Ford Business Machines for multi-functional printers for the following offices:

Controller's Office, Records Department, Prison, Veteran's Affairs and Tax Claim

All of these offices are currently with ComDoc and all have written letters requesting to change to Ford Business Machines. The 63-month lease with Ford Business for the Controller's Office, Records Department, Prison and Veterans Affairs would cost each office \$274.25 per month, an increase of \$113.79 each month but with the amount of copies allowed they should not be paying for overages.

The 63-month lease with Ford Business for the Tax Claim office would be \$513.99 per month, which includes covering the cost of getting out the current ComDoc lease and also increasing the copies allowed eliminating paying for overages. This is an increase of \$314.00 each month.

Commissioner Ambrosini yes  
Commissioner Zimmerlink no  
Commissioner Zapotosky yes

**Motion passed 2-1**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following designated deputy tax collectors submitted by the two below municipalities, as required under Act 164 of 2014, which requires all tax collector's to appoint a deputy that can act on his/her behalf in the event they are incapacitated and unable to perform the duties of tax collector. For Markleysburg Borough, Markleysburg Borough Council on behalf of tax collector Lori L. Frazee and Nicholson Township, Janenne Gabeletto on behalf of tax collector Deborah Gabeletto.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

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

5-9-15 to 6-5-15

Department	Cost Center	Debit	Credit
<b>Human Resources</b>			
Contract services HR	01415553140	\$42,923.97	
Director	01415551325		\$38,081.25
Health Insurance Waiver	01415551561		\$1,575.00
Life Insurance	01415551580		\$33.75
FICA	01415551610		\$2,913.21
Unemployment comp.	01415551612		\$233.09
Workers comp.	01415551615		\$87.67
<b>Prison</b>			
Prisoners out of county	01423253840	\$68,300.00	
Capital Outlay	01423257000		\$68,300.00
<b>Sheriff</b>			
Ammunition	01419752250	\$295.00	
Equipment	01419752300	\$300.00	
Training	01419753350		\$595.00
<b>Total Debits</b>	<b>\$111,818.97</b>	<b>Total Credits</b>	<b>\$111,818.97</b>

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

**Motion passed unanimously**

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the following nominations for the Workforce Development Board of the Westmoreland-Fayette area:

Thomas Connelly, Business Sector  
4-Year Term- July 1, 2015 – June 30, 2019

Doug Decker, Business Sector  
2-Year Term- July 1, 2015 – June 30, 2017

Muriel Nuttall, Business Sector  
4-Year Term- July 1, 2015 – June 30, 2019

Joseph Putila, Business Sector  
2-Year Term- July 1, 2015 – June 30, 2017

George Rattay, Labor Sector  
2-Year Term- July 1, 2015 – June 30, 2017

Joe Segilia, Local Education Agency Sector  
2-Year Term- July 1, 2015 – June 30, 2017

Jim Stark, Community Based Organization Sector  
3-Year Term- July 1, 2015 – June 30, 2018

Frank Staszko , State Employment Service Wagner-Peyser Sector  
3-Year Term- July 1, 2015 – June 30, 2018

Edward Yankovich, Labor Sector  
4-Year Term- July 1, 2015- June 30, 2019

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes  
Commissioner Zapotosky yes

### **Motion passed unanimously**

### **Public Announcements/ Public Comments**

**Mike Roebuck** said he was there to say he has issues with the tax assessment office. He said he hates the camera and he is nervous, but about a month ago they came on his property where he is building a house. He said he called the tax assessment office and said can you please give me notification before you come on my property. He said he was robbed and broken into a second time and the gentleman's comment was that he is sorry you are paranoid when someone comes on your property. He said that isn't a way to talk to the taxpayers and it gets better. He said Monday they showed up again, and he called in, and he talked to the gentleman again and he transferred me, and I never threatened, never did anything, he asked how do you assess the square footage of the house, from the outside or the inside of the house? He said the man couldn't answer the question and he was transferred to a lady who said that if you don't want us on your property we'll assess your house at whatever we want, you can file and appeal and deal with it then.

**Mr. Roebuck** said he then said he wanted to speak to a supervisor and she said she is a supervisor. He said he then said he wanted to speak to her supervisor and he was transferred to him and he was worse than she was. He said that he basically hung up on him. He said he has their names but he wasn't going to say them. He said he waited about 15 or 20 minutes and talked to the gentleman who was at his house, and he was very nice. He said he thinks his name is Sam, and Sam was very nice. Mr. Roebuck said he wasn't stopping him from trying to do his job, just call me before you come, that's the way an accident can happen. He said he lives in the middle of the woods, he has no neighbors, and he transferred me back to the other guy and he threatened to call the state police on me because he said I threatened him. He said that he said he didn't threaten him and his last comment was that he found somebody that isn't scared of him, how does that feel, and hung the phone up.

**Mr. Roebuck** said that is a government employee talking to a taxpayer. He said he wouldn't have come here. He said Vince returned his phone call and Angela did and Mr. Ambrosini was out of town. He said he can't believe that a county employee would talk to somebody like that. He said all he asked, and he told him the first time, just call me before you come out, I've been robbed before. Mr. Roebuck said that he said yes he would call and when I called nobody had called me. He said nobody should be able to talk to somebody that way, he is a county employee, you guys are the bosses and I

hope there is action taken against him. He said he took his time to come here to make this comment when he should be in Pittsburgh working. He said he appreciates Vince making contact and it isn't political. Commissioner Zimmerlink said it is more than just them making contact with the office, they need to take action. Commissioner Zapotosky said he is also going to propose corrective action, that hopefully it doesn't happen, not just to you, he thinks there is a way to address this in a more informative fashion than you were.

**Commissioner Zimmerlink** said she would revisit the request she made a couple years back and that is to have both our tax assessment office as well as our zoning office, those individuals who go on private property, who go on lands, to wear not only a vest, OK, I can tell you, it wasn't this administration, it was before that I had broached that, of wearing a vest, I couldn't get the support for whatever reason, I can hopefully get the support now, to not only wear a vest that we will pay for, you know a neck vest, it's not that big of a deal, and it identifies people. She said in addition to that, to call ahead of time, that's for safety reasons, and number two, if you need access, you talk about wear and tear and mileage, they are in our county vehicle, driving out to a place, if they want to have access, they can't answer the questions, here's, it is just a matter of contacting them ahead of time. Commissioner Zapotosky said he and Mr. Roebuck spoke yesterday, and that was ironic because that was part of the corrective action plan. Commissioner Zimmerlink said let's write it and sign it within the next two or three days and she has already asked the directors of both offices to get us the number of vests that are needed and when Jill returns on Monday we need to wait for her to price them out and in addition to that, we need to have, price it out just so we can pay for it.

**Mr. Roebuck** said he isn't done yet, and he didn't know why they were out there, he doesn't even have an occupancy permit. He said you can't assess the property until it is completed. Commissioner Zimmerlink asked if he asked them that. Mr. Roebuck said he couldn't have a conversation with the gentleman in that office, he was threatening to call the police on him. Commissioner Zimmerlink said she can tell him, Mr. Cupp, confirm whether or not I am right or wrong and Mr. Roebuck is correct, the individual got a building permit, he is having work done, you do have another individual from the UCC coming out, without names, and then after the work is done, that is when the assessment office comes out to assess the increase in value, correct? Mr. Cupp said unless the permit has been issued for an exceedingly long period of time. Commissioner Zimmerlink said has the permit been issued for an exceedingly long period of time? Mr. Roebuck said 18 months. Commissioner Zimmerlink asked if that is an exceedingly long period of time, aren't they good for two years, OK, two years is 24 months, 18 months, so there's another issue. She said so in addition to getting the vests, telling them to call ahead of time, OK, and also to address the manner in which an individual is spoken with, it will get resolved in the next two or three days. Mr. Roebuck said to assess, do they do it from the outside or the inside?

**Commissioner Ambrosini** said it is the outside. Mr. Roebuck said they couldn't answer that question for me. Commissioner Zimmerlink said they should know it if they are the assessors. Commissioner Zimmerlink said they will take care of that. Commissioner Ambrosini asked Mr. Roebuck to stay after the meeting so he could talk to him. Connie

Gore, owner of a property in Brownsville, said she has an abandoned property near her home that is impacting it. She asked about when a meeting is cancelled or rescheduled, would it be possible to put it on your website? And, she said as a Herald-Standard subscriber, she spoke about getting them to keep the legal notices on for a week instead of taking them down after a day. She said she went to two county meetings in the past week, and both times when she got there, they were rescheduled. She said if you just put it on your website, someone looks in the morning, oh it's there. She said that is one, and two is.

**Commissioner Zimmerlink** said ma'am, just so you know, if you go to the website, you didn't put the agenda on the website, how far in advance? Chief Clerk Revak said the meeting for today was placed on there Monday. Commissioner Zimmerlink said we will do it earlier. Ms. Gore said she didn't feel the need to look at the website. She said on Brownsville's website, when they have a meeting, or a cancellation, we have a calendar on that website, or if it is something very special. Commissioner Zimmerlink said so do we, it just wasn't put on, we'll make sure it gets put on. Ms. Gore said at a prior meeting Mr. Cupp made a statement about the church property and if you want to reiterate, that would be great. She said she also has some questions about what he told her. Solicitor Cupp said you are next to a building that is abandoned, if my understanding is correct. Ms. Gore said it is below her. Solicitor Cupp said and it is impacting your wall. Ms. Gore said no, it is their wall. Ms. Gore said it may be the church's wall or the borough's wall, she doesn't really know. Commissioner Zimmerlink said this is the same property discussed at the meeting last month, he responded. She said she is refreshing his memory.

**Solicitor Cupp** said the problem she has is that she doesn't have active individuals involved with the property next door. He said they formed a not for profit association and that association doesn't die like people do, you have to take it through some legal process to get rid of it. He said what you want to do is make a claim against the organization. He said you are going to have to hire an attorney to do that, assuming you have a cause of action, which is that there is no support to your property or that it is being damaged by something that is happening on the neighboring property. He said he didn't want to say whether she has a tort action against those people because it would require things that he doesn't know, she would have to look at it and have an engineer do some other things, then you file a suit against this entity, where all the trustees are dead so you won't be able to get service, so you can file a petition in court to have service by publication, you make your claim against them, and I am really oversimplifying this, your get a judgment against them, you execute against them the judgment, and then you can become the owner of the property through that means, if it works out.

**Ms. Gore** said she has had numerous attorneys look at this and she would like the documentation to determine if it was incorporated or unincorporated. Solicitor Cupp said you can look at the deed and see that. Ms. Gore said well, none of them can come up with it, and the issue, I don't want to own this church, do you know what it would cost to tear down that church? Solicitor Cupp said that is your option. Ms. Gore said her option is that she has asked the county. Solicitor Cupp said it isn't our property. Ms. Gore said

tax claim sold it to the church. Solicitor Cupp said that is when it ceased to be our property 50 years ago. Ms. Gore said all she knows is that the redevelopment authority got a \$2 million grant for 30 properties in Brownsville and this was one of them. She said they had not so she was asking them to direct the redevelopment authority to follow through on the action with what they have. Commissioner Zimmerlink said was that Brownsville, are you talking about the Fayette County Redevelopment Authority, through Andrew French, they got grant money to do this? Ms. Gore said they got a \$2 million grant for 30 properties and when I approached them earlier this year their consensus is that it was one of the 30 properties that was cited to get that \$2 million grant, however they were under no obligation to follow through on action on all of those 30 properties, the money has only been used for Liggett, and those properties, there was a house torn down with it. She said clearly this church was one of the 30 properties and for me to buy that church or take action to get that church, I become responsible for a commercial demolition of a property, you know.

**Commissioner Zimmerlink** said it's not fair for you to assume that responsibility, that is an option that the solicitor is giving you, but now that you are raising this that the Fayette County Redevelopment Authority applied for and received a grant, and with that grant they told someone in Harrisburg at DCED that these are the properties that they are going to use that money for, now if they aren't going to use it for those 30 properties, and one of those 30 properties, then they need to give the money back, otherwise they need to address the issue. Commissioner Zapotosky said if he may just add to the grant they received, there was some leeway for that because the PHMC was involved and they had to get a letter to release and there had to be a letter from the historical district that the plan met the standards and they have been brought in the Historic Preservation Society and all stakeholders, even Kathy McCollum had to acknowledge, he is talking about the I6.

**Ms. Gore** said in 2008 they got a \$2 million grant to address the blight in Brownsville, this was one of 30 properties that was to be addressed. She said she came back in 2010, in 2011 her home is damaged, in 2013 my home is damaged again, even my insurance company said it can't continue. She said the wall is falling, the wall is below her home, she said this is one of the properties that Brownsville Borough asked the county to address. She said she is just saying, her house is being damaged, every day, this rain, there are a couple dead trees that are falling, one tree fell on Market Street over the weekend, she said it is only a matter of time before the church collapses and my home collapses. She said if you have made the determination that it's an unincorporated, she has asked the redevelopment authority before to give me a letter for my insurance company with a solicitor's determination, I am doing everything I can to protect myself because when this happens, Liberty Mutual has already told me that they will go after the third parties.

**Commissioner Zapotosky** said he just texted Andrew just to bring that to his attention. Ms. Gore said he knows, I appeared there in February, I am dedicating this year to getting this remedied so my home can be fixed and I can go on with my life, and in case you haven't seen my home, I followed federal guidelines for the federal historic district. She said the church is not, it was only built in 1901, 1902, my home was built about

1850. Commissioner Zapotosky said after the meeting, if she is available, he would like to call Andrew. Ms. Gore said she would love to do that, but she can tell him what he is going to say, they are under no obligation to use the money for that. Marybeth Homistek said she had a general question for all the commissioners. She said she lives in Fairchance next to a beautiful duck pond and the ducks aren't getting a fair chance at life. She said people kill them and beat them, the kids, the kids kick them, there are three goslings, kids run through there kicking them, parents also, I have yelled at parents, they wrap them in fishing line, pull them in, and several big scabies have their legs twisted up behind them and they have a wonderful new game conservation officer, he started a year ago and his name is Andy Harvey. She said he came down Tuesday to try to help me catch this bird and we got the line off, we got most of it off.

**Ms. Homistek** said the baseball kids do the most damage because it is right by the field and they come over and run, run, run, kick, kick, kick. She said they have pulled so many dead ducks out of the overflow pipe this year. Commissioner Zapotosky said have you notified the officials of the league? Ms. Homistek said no one in Fairchance cares, she has done that for the last three years and that is why she was so pleased with the new game officer who walked the park with me. She said the other ones never did, but at the county parks, are there signs that say don't injure, are there ducks at the county parks? Commissioner Zapotosky said Dunlap has. Ms. Homistek said are there signs that say don't harm the ducks, cause it's a state law. Commissioner Zapotosky said Dunlap has primarily geese. Ms. Homistek said it is a state law that you can't harm, injure, kick, kill ducks she just wondered if at Fayette. Commissioner Zimmerlink said why don't you ask the game commission. Ms. Homistek said they have signs but they can't put them in a borough park. Commissioner Zimmerlink said then ask the borough. Ms. Homistek said according to the Fairchance mayor it is a fishing pond and not a duck pond.

**Commissioner Zapotosky** said can't they cohabitate? Commissioner Zimmerlink said why don't you just ask them to get a sign and put it up there? Ms. Homistek said she has. Commissioner Zimmerlink said and they said no? Ms. Homistek said they put up a sign don't feed the ducks. Commissioner Zimmerlink said she would think that the only thing that she can do is when she sees someone harming the geese or the ducks or the animals is to call the police. Ms. Homistek said there is an ordinance that reiterates the state one that it is illegal to harm, hurt, harass the ducks, it is also illegal to feed the ducks but no one has ever been cited for that. She said everybody that she has talked to said they used to do that when they were kids. She said it is horrific to walk that park and she has a walking stick because she walks twice a day and they know me, the kids know me. Commissioner Zimmerlink said she would call the authorities if that happens, that's about the only thing you can do. Ms. Homistek said they have bigger things to do than go after people killing the ducks. She said it is sad to see that, people don't appreciate how beautiful it is, we are the only city that has a beautiful pond, a creek, a ballfield, and there were infrared cameras put up because there was so much drug activity there years ago, and that's made a big difference. Commissioner Zapotosky said but they won't save the ducks.

**Ms. Homistek** said they believe that if you don't feed the ducks they will fly away. She said ducks don't eat bread, they eat bugs, grass and sticks. She said it is very stupid on the borough's part, don't feed the ducks, and then they made 60 go away and mysteriously they disappeared and they left six females and 30 males and there are 37 new chicks and that is what the kids parents do, they are grabbing the necks by the creek and I yell at them and they tell me to chill. She said she just wondered if the county parks had any signs. Commissioner Zapotosky said Dunlap is the only one and he goes fishing there with his son and he has never seen a sign. Ms. Homistek said they will go to Fairchance, get a catfish, pull the gills and whiskers out and leave it on the bank. She said it is just insanity with these kids. She said she didn't come to last month's meeting, she wasn't able to, you three were on the election board and she wanted to go over what happened to her when she went to vote at Fairchance on May 19. Commissioner Zapotosky said he isn't on the election board. Ms. Homistek said you aren't now but you were. Commissioner Zapotosky said no. Ms. Homistek said so she should bring it to the current board, the harassment that I endured.

**Mrs. Mazza** said she wanted to know if they could clear something up for her. She said she read a story in the paper and she is confused. She said on the one hand Mr. Zapotosky you are saying that there are no charges brought, etc., Mr. Ambrosini you are quoted twice in this article that it is an ongoing investigation, she would like somebody to tell her, yes I'm lying, or yes I'm telling the truth, just what's going on? Commissioner Zapotosky said he isn't going to offer any comment Mrs. Mazza, I received a letter from the executive director, Richard Caruso, that I provided to the newspaper. Mrs. Mazza said they didn't print your letter, so. Commissioner Zapotosky said I thought they did print the language of it, I think it did say. Mrs. Mazza said I mean they didn't show a picture of your letter. Commissioner Zapotosky said he isn't going to comment on it because it was dismissed before the preliminary stage according to Mr. Caruso and I am not going to offer any comment on it. Mrs. Mazza said maybe Mr. Ambrosini will comment. Commissioner Ambrosini said he cannot comment for a number of reasons, but he is just not going to comment. Mrs. Mazza said what reasons. Commissioner Ambrosini said he isn't going to state what those reasons are, he just can't comment.

**Mrs. Mazza** said she would ask him a direct question, is there an ongoing investigation against Mr. Zapotosky. Commissioner Ambrosini said he will not comment. Commissioner Zapotosky said by the state ethics committee? Mrs. Mazza said yes. Commissioner Zapotosky said according to the state ethics commission, there isn't. Mrs. Mazza said that is why she is confused, because the newspaper says that you say there is no investigation. Commissioner Zapotosky said he didn't say that, Mr. Caruso said that. Mrs. Mazza said that you told the newspaper that Mr. Caruso told you that there was not an investigation. Commissioner Zapotosky said no, I provided them with a copy of the letter that Mr. Caruso had sent me. Mrs. Mazza said in the same article in two different paragraphs they quote Mr. Ambrosini saying he can't comment because there is an ongoing investigation. She said somebody here is not telling the truth. Commissioner Zapotosky said Mrs. Mazza I will tell you that he worked very hard to address that issue, based on the statute, the time that elapsed with the chief investigator as well as Mr. Caruso, who was kind enough to send me the response. He

said whether or not there is any other investigation, I am not aware of, but time will tell I guess. He said there was no intent on my part, I think it was called bid rigging, I was asking for information, again, I'm not going to comment on that right now. Mrs. Mazza said that she thought when this first came out, she didn't remember any bid rigging being mentioned.

**Commissioner Zapotosky** said there were no bids ever put out. Mrs. Mazza said I thought the charge was that you just showed him the plans. Commissioner Zapotosky said again, I don't know what the complaint read so, I don't know, I can't tell you, there are certain aspects of that department that will not confirm or deny, that's what they tell ya. Mrs. Mazza said the whole thing was really a bunch of garbage pile to start with, it's just ridiculous, that it is two commissioners, to do something like this, no wonder people laugh at Fayette County, I mean come on. Commissioner Zapotosky said I wasn't laughing, Mrs. Mazza. Mrs. Mazza said she is talking about the people in other counties that one commissioner says he has a letter that there is nothing going on and the other insists there is something going on. She said one of you looks like a fool and I don't think it's you Vince. Mr. Kriss said there was a comment made that resonates with him, he was told, if you don't like it, you can appeal it. He said he has been told that numerous times by planning officials and zoning hearing board officials, by people who think they have too much authority and power, if you don't like it, you appeal, it has become a standard pat answer around here.

**Mr. Kriss** said it costs lot of money to appeal because of the power hungry minions of this building. He said he congratulated this man for taking time out to come and talk, adding that there are others who don't have the money or the time or are scared, congratulations, you did well, it brings up the point though, you don't like it, you appeal. He said every department uses that answer and it is getting sickening. He said he will move on. He said these deadhead miles on this bus today were unbelievable, they really were. He said Vince, you shined through again man, you really did, last commissioners meeting you did it for the union with the Memorandum of Understanding that mysteriously got lost. He said today you did it for Frank Garlow and Brownsville Bus Lines. He said he saw how he treated this woman, you were grasping at any straw you could to derail this woman's bid. He said if you don't believe it, you should buy a tape from this gentleman's company and listen because it is a textbook case of political pandering for special interests. He said bottom line, everyone saw it today. He said you beat and beat and beat that drum, let me speak please, public comment.

**Mr. Kriss** said she met every qualification, played by the rules, and you want to pull the rug from under her, we all know why, it's your friend, campaign contributor, bottom line, end of story, you proved it today. Mr. Kriss said Ambrosini was smart enough to jump out of the boat for the buses but not for the copiers. He said they are doing it for special interests. He said he came before them at the last commissioners meeting about the historic ordinance, I don't see anything on the agenda about that. He said he didn't see anything about Marcellus shale, it is all about the special interest and what you guys can do for them. He said it is a repeat performance month after month, special interest get whatever you got, certain citizens, we're useless, we're obstructionists, that's all we are, we never get nothing, the deadhead miles. He said county cars used by county

employees, how much deadhead miles is on that little story, do you know. Commissioner Zapotosky said he has no idea. Mr. Kriss said do you use county cars? Commissioner Zapotosky said no, I use my Jeep. Mr. Kriss asked if he ever used a county car. Commissioner Zapotosky said yes. Mr. Kriss said there are many county employees using county cars and getting deadhead miles, at Pechin's doing their shopping at lunchtime, everybody, that has never been an issue in Fayette County. He said today it is an issue and I don't even know this gal, nothing personal, but what I witnessed today, I wouldn't want to do business with this county. He said she plays by the rules and let's pull the rug out from this lady, he wants to quantify and he wants to do something on deadhead miles, playing political games.

**Commissioner Zapotosky** said now may I speak, because you are making an allegations. Mr. Kriss said your votes today prove it and your actions prove it. He said did I hear about the Joe Schiffbauer story about the actual cost of prison, in house, out of house, he said he didn't hear about other things that have nothing to do with getting you re-elected or that will get you a buck or a contribution. He said they have proved themselves in the last 6, 8, 12, months, it is about you guys, your projects. He said the special interests are about you and you and you and not about the rest of us, we are left out of the loop, as I said before, you feed us bull and you treat us like mushrooms. He said you are becoming more blatant and open about it, bad way to do business, no competitive bidding. He said she puts in a bid, don't like it, want to derail her. He said is this the way you guys do business, nothing is on the up and up, and this woman with the historic house, ma'am I've got news for you, they're never going to do nothing to help you with your historic home, you are going to fight and they are going to do nothing for you cause they did nothing for me. Ms. Gore said she has an attorney and she needs to know if the deed is incorporated or unincorporated. Mr. Kriss said you are not going to get it from the county commissioners.

**After Mr.** Kriss continued to address Ms. Gore, Commissioner Zapotosky asked him to address the commissioners for public comment. Mr. Kriss said Commissioner Ambrosini, you made a statement and you filed an ethics complaint against your fellow commissioner. He said you also made a statement that you did that and sent it to the DA and the DA started an investigation. He said did the DA do an investigation. He said it is a yes or no question, you said it, so let's hear it now, did you submit that complaint to the DA over him? Commissioner Ambrosini said he did not submit a written complaint to the DA, no. Mr. Kriss said did you do a verbal complaint with him? Commissioner Ambrosini said he discussed it with the DA. Mr. Kriss said so what I read was true, you filed a complaint with the DA, talked with him, what happened. Commissioner Ambrosini said it isn't public business, a conversation is not public business. Mr. Kriss said is the DA going to do anything with that information, what was his response to you? Mrs. Mazza said is that why you couldn't give me an answer, because there is something going on in the DA office about it? Commissioner Ambrosini said no. Mr. Kriss said he asked a simple question, does the DA's office have it and is he doing anything with it. Commissioner Ambrosini said no. Mr. Kriss said he's not, dead issue. Commissioner Ambrosini said it has never been an issue with the DA's office. Mr. Kriss said that is in print from you. Commissioner Ambrosini said then it is a misprint. Mr. Kriss said you said you blew in his ear your problem that day.

**Commissioner Ambrosini** said first of all Mr. Kriss, the snide comment that you are making. Mr. Kriss said it's not a snide comment. Commissioner Ambrosini said blowing in his ear. Mr. Kriss said this is Al and Jack Heneks, if Jack Heneks has an investigation. Commissioner Zepotosky said he would like to be afforded the opportunity of due process if that was the case. He said he isn't going to sit there and have an allegation raised. Mr. Kriss said he said it, not me, I didn't make this allegation commissioner, he did, so let's clear it up, is the DA going to do anything with it, that's very simple. Commissioner Ambrosini said there is no action being taken by the DA, is that clear enough? Mr. Kriss said, Mr. Zepotosky, you said months ago that you knew who the person was he picked for the jail. Commissioner Zepotosky said when he spoke with someone at Crabtree he spoke about the names of project managers. Mr. Kriss said it was already predetermined? Commissioner Zepotosky said that is what he said to me on the phone and I said he prefers to have a voice in that, he understands that those firms are credible, they had done a lot of correctional facilities, and I said I would like to meet with them and we never had a chance to meet.

**Mr. Kriss** said here is a quote from you, Mr. Zepotosky said he was at a graduation party in New Jersey and Crabtree said they had the contractor already picked out and they had the contract manager already picked out and I just said no, that is not going to fly. Mr. Kriss said you knew all this stuff, that is called bid rigging, that isn't ethics, this goes beyond ethics, this is called, this is picking out. Commissioner Zepotosky said he didn't pick anybody out. Mr. Kriss said you knew who that person was, did you do anything about that? Commissioner Zepotosky said yes, my vote to suspend action on the prison. Mr. Kriss said but only after I spent tons of money and effort to get us to that point. He said you could have helped me long before Judge Ober walked in this building. He said if you would have come clean with me and the rest of this county, the knowledge was out there and you had that knowledge and you are playing games with contractors and managers with multimillion dollar budgets knowing we were appealing, you could have helped us long before.

**Commissioner Zepotosky** said there was nothing ever submitted, that is here say, he could have told me Mickey Mouse was the guy and the bottom line is. Mr. Kriss said you will believe Andrew French but you won't believe this guy. He said it is a big deal, it is a criminal act. He said did you tell Angela Zimmerlink, your fellow commissioner, that information? Commissioner Zepotosky said he didn't remember if he told her or not. Mr. Kriss said don't you think that would have been important to share with your fellow commissioner? Commissioner Zepotosky said he didn't remember telling her. He said soon thereafter we voted to suspend the project. He said there were no bids awarded and everything else is moot. Mr. Kriss said my money getting wasted because of your games that you could have prevented. Commissioner Ambrosini left the meeting. As he did, Mr. Kriss said you don't like to hear the truth, do you. Mrs. Mazza said it cost her money to file the lawsuit and it was unfair and they knew Al was doing everything wrong and the two commissioners sitting there knew it too. Mr. Kriss said all is forgiven now Mrs. Mazza.

**Adjournment**

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

Commissioner Zimmerlink yes

Commissioner Zapotosky yes

**Motion passed unanimously**

**RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF FAYETTE COUNTY, PENNSYLVANIA**

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RESOLUTION RELATING TO SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPROVING ISSUANCE BY THE LATROBE INDUSTRIAL DEVELOPMENT AUTHORITY OF ITS NOTE IN THE PRINCIPAL AMOUNT OF \$10,800,000 FOR MT.MACRINA MANOR

WHEREAS, the Latrobe Industrial Development Authority (the “Authority”) exists under the Pennsylvania Industrial and Commercial Development Authority law of 1967, approved August 23, 1967, P.L. 251, as amended, and now known as the Economic Development Financing Law, approved December 17, 1993, P.L. 490, as amended (the “Act”); and

WHEREAS, Mt. Macrina Manor, a Pennsylvania nonprofit corporation organized as a 501(c)(3) organization (the “Borrower”), has requested that the Latrobe Industrial Development Authority (the “Authority”) issue its tax-exempt facility revenue note (the “Note”) in a principal amount not to exceed \$10,800,000 for the purpose of financing improvements to Borrower’s 88,000 square foot skilled nursing facility and the construction of a 4,400 square foot addition to its facility (the “Project”) located at 520 West Main Street, Union Township, Uniontown, Fayette County, Pennsylvania 15401; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires that an issue of obligations be approved by the applicable elected representative of the governmental unit which contains the facility to be financed with the proceeds of an issue, after a public hearing following reasonable public notice; and

WHEREAS, a duly advertised public hearing was held on June 8, 2015 at 6:30 p.m. on behalf of the Authority, the City of Latrobe and Fayette County, at the Latrobe Municipal Building, Main and Jefferson Streets, Latrobe, Pennsylvania at which time public comments were sought; and

WHEREAS, Minutes or a Transcript of such public hearing reflecting the substance of the comments received, if any, has been made available; and

WHEREAS, the Authority has duly adopted resolutions in support of the Project at a public meeting, duly convened and held on May 14, 2015, authorizing the issuance of the Note; and

WHEREAS, the issuance of the Note by the Authority does not pledge the faith and credit of the Authority, or the faith and credit or taxing power of the County of Fayette.

NOW, THEREFORE BE IT RESOLVED, and it is hereby resolved that:

The County, in satisfaction of the public approval requirements of the Code, hereby approves the issuance of the Authority’s Note in a maximum principal amount of \$10,800,000

relating to the Project which will be financed by it, and authorizes the Chairman of the Board of Commissioners to execute and deliver an approval of the applicable elected representative evidencing the same pursuant to Section 147(f) of the Code.

Adopted by the majority of a quorum of the Board of Commissioners of the County of Fayette on this 16th day of June 2015.

ATTEST:

COUNTY OF FAYETTE

\_\_\_\_\_  
Chief Clerk

By: \_\_\_\_\_  
Vince Zapotosky, Commissioner, Chairman

By: \_\_\_\_\_  
Angela M. Zimmerlink, Commissioner

By: \_\_\_\_\_  
Al Ambrosini, Commissioner