

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, September 15, 2015 in the public safety building, Uniontown PA.

In attendance-

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

Commissioner Zapotosky called the meeting to order at 10 a.m. A silent prayer was held. The pledge of allegiance was recited.

Public Comment on Agenda Items

Prior to accepting public comment, Commissioner Zapotosky asked everyone to be cognizant that it is a business meeting they are conducting.

Marybeth Homistek said she had a question on item 10 about the raise/promotion for Eugene Gallo. Commissioner Zapotosky said the salary board already voted on it. Ms. Homistek asked if Gallo is currently a staff specialist or an administrative assistant, asking what his title was last week. Commissioner Zapotosky said the raise isn't effective until the vote. Ms. Homistek then asked about why an e-mail was sent on Sept. 8 in which he used his new title and a discussion ensued about the role of the salary board and commissioners in promotions and salaries. Ms. Homistek then asked about where the money would be coming from in the budget. Commissioner Ambrosini said the money is in the budget for salaries. Ms. Homistek then asked for an explanation of the difference between the two jobs and what additional duties Mr. Gallo will have. Commissioner Zapotosky said he can't compare apples to oranges because he didn't have the job descriptions and Ms. Homistek reiterated that she was concerned that he was using his new title in Sept. 8 correspondence.

Commissioner Zimmerlink said the salary board by county code creates positions and set salaries and individuals are not to be named and it is up to the commissioners to fill those positions. Matt Uram of the Area Agency on Aging said he thought there was going to be a proclamation for Employ Older Workers Week. Commissioner Zimmerlink asked who received it, adding that she didn't. Betty Saunders said she sent it to Ms. Kathy Winkler. Ms. Winkler said she didn't receive it. Commissioner Zimmerlink asked if any representatives were available. Mr. Uram spoke about the good things going on with older workers and said he had two certificates he wanted to present. He thanked Community Action Agency of Fayette County for their roles in helping older workers finding jobs.

Geraldine Mazza said she was also concerned about the raise and asked about the difference in the job descriptions, specifically what the added duties are. She asked

about a probationary period for a new employee. Commissioner Zimmerlink said she believes that there is a 90-day probationary period, adding that they can check on that, someone can check on that after they get back. Mrs. Mazza said some of the duties that Mr. Gallo is performing should be done by a commissioner. Commissioner Ambrosini said whatever assignments he is given are his job. Mrs. Mazza disagreed with how the job is handled. Commissioner Ambrosini further explained the job that Mr. Gallo is doing. He also explained what he has done to bring jobs to Fayette County. Mrs. Mazza asked about Ms. Winkler's duties and Commissioner Zapotosky explained her duties. Commissioner Zimmerlink said she had just heard from the HR director and there is no probationary period for non-union employees. Mrs. Mazza said it is her opinion that the two commissioners want to ruin the financial condition of the county. She said they are lame ducks and they shouldn't be spending money and shame on both of them.

Jim Armstrong said he wanted to address CannonDesign from the spreadsheet, which is under the Controller's office item on the agenda. He said he has been following the jail issue for a while. He said there isn't enough jail space and we have the second highest crime rate in the state behind Philadelphia. He said he has two studies, the jail feasibility study and the Astorino Cannon study. Commissioner Zapotosky said it isn't an agenda item. Mr. Armstrong said he wanted two minutes to have his say, arguing that it is an agenda item and it is on the spreadsheet. He said the first study was \$24,000 and gave three options. He said the CannonDesign study is a concept study and cost \$185,000. He said the Astorino CannonDesign study only has 10 good pages, for a cost of \$18,500 per page. He said the Crabtree Rohrbaugh study has 58 good pages. Mr. Armstrong said the second study cost more than families in Fayette County earn in 10 years. He asked who commissioned it and how it was paid for.

Goldie J. Brown said she was a landlord for 27 years and they took landlord away from her. She said her tenant had visitors and she didn't question her and she then got a call from the tenant next door complaining about the next door neighbor. She said she then evicted the woman. Ms. Brown then explained about her tenant Mr. Mitchell. Commissioner Zapotosky said although this wasn't an agenda item, he would let her finish, but no one else would speak unless it was an agenda item. She said he isn't her husband, he is her tenant. She said she got a letter from Section 8 saying she owed \$1,706 and she isn't married, there is no common law in Pennsylvania. She said he is her handyman, she is not married. Commissioner Zapotosky said Ms. Winkler can contact the housing authority. Ms. Brown then expressed concerns about the housing authority representatives.

Commissioner Zimmerlink suggested that Ms. Brown speak with Beverly Beal, a member of the housing authority, would help her. Mr. Mitchell said he is 80 years old, he is retired and he is a veteran. He said he read it all through. Mr. Mitchell gave a synopsis about his background. He said his wife died after 50 years of marriage and they raised six children. He spoke about the contract and said when they get personal, it isn't right. He said he is single and there isn't any common law, but if she wanted to marry him, he would marry her, adding, "that woman I love." He said don't hold my emotions against me, I signed a contract and I live by it. He said he is a police officer,

retired out of Vanderbilt Borough, and he didn't want his name dragged through the mud. He said he is 80 years old. Mrs. Mazza said she is 86 years old.

Michael Cavanagh said he wanted to speak about the commissioners creating positions out of thin air. He asked what Ms. Winkler's position was changed to, with Commissioner Zimmerlink saying it is an administrative specialist. Mr. Cavanagh said there were never those positions before, adding that Mr. Gallo only answers to Commissioner Ambrosini. He spoke about his objections to the changes. Commissioner Ambrosini said he doesn't need an administrative assistant, he needs a staff specialist to do things the administrative assistant doesn't do. Mr. Cavanagh also spoke about a position in the veteran's office.

Crime Victims' Center of Fayette County

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve approval a revised contract between the County of Fayette and the Crime Victims' Center of Fayette County for the Supervised Visitation Center to expire December 31, 2015.

Commissioner Ambrosini yes
Commissioner Zaptosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Assessment Office

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to advertise a "Request for Proposal" by Fayette County Assessment Office for web site hosting and maintenance for a one-year period beginning January 1, 2016 through December 31, 2016 with options to renew on an annual basis thereafter.

Commissioner Ambrosini yes
Commissioner Zaptosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

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

Jack B. Stoneking, 108 Highhouse St., Smithfield, PA parcel 14-24-0049 effective 2015 school tax only.

Olga R Thorpe 163 Long St Uniontown, PA parcel 14-17-0065 effective 2015 school tax only.

Carl R. Ribnisky 649 Washington Ave, Uniontown, PA parcel 25-58-0121 effective 2015 school tax only.

John T. Fields Jr. 215 Blosser Hill Rd., Point Marion, PA parcel 36-14-0024 effective 2015 school tax only.

Dale C. Hillen 190 Memory Lane, Dunbar, PA parcel 09-10-0048-02 effective 2015 school tax only.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Behavioral Health Administration:

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

| | <u>Contract Value</u> | <u>Period</u> |
|---|-----------------------|----------------|
| <u>Professional Services Agreement Modification #1 2014-2015</u> | | |
| Carol Over | \$10,350 | 7/1/14-6/30/15 |
| <u>Modification Agreements #2 2014-2015</u> | | |
| Laurel House, Inc. | \$697,601 | 7/1/14-6/30/15 |
| Mental Health Association | \$901,821 | 7/1/14-6/30/15 |
| <u>Base Contract Agreement 2015-2016</u> | | |
| Chestnut Ridge Counseling Services, Inc. | \$1,800,000 | 7/1/15-6/30/16 |
| NHS Pennsylvania | \$19,906 | 7/1/15-6/30/16 |

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to advertise for bids for the lease of four (4) 2016 Ford Fusion or 2016 Chevrolet Malibu sedans (or equivalent model) for Fayette County Behavioral Health Administration to replace four 2003 Chevrolet Malibu's, for 36 or 39 months, depending on programs available.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Children and Youth Services:

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to ratify a **FY2014-15** Contract Addendum to Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Family Care for Children and Youth**, 25 Belford Boulevard, Milton, PA 17847. The purpose of the addend is to include a Foster Care Rate. The rate is as follows:

Cert #413720/409670 KA \$ 60.21/day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & ServiceMaster Cleaning and Disaster Restoration Services, 665 Stoystown Road, Somerset, PA 15501. The services for this contract pertains to cleaning services respective to hoarding issues. The rate for this service is \$8,997.47. This contract is available for review.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Gerious George, Jr., Esq.**, George, Port, & George, 92 E. Main Street, Uniontown, PA 15401. Attorney George was court appointed to represent children in dependency proceedings. The rate for his services is \$1,000.00 per month.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015-16** Purchase of Service Agreement between the

County of Fayette, through Fayette County Children & Youth Services & **Community Action Southwest and Try-Again Homes**, 150 West Beau Street, Suite 304, Washington, PA 15301. Community Action Southwest and Try-Again Homes will provide consultations, assessments, court testimony, documentation, collateral activity and quantities of service provided clearly identifying the face to face time spent with the client. The rate is \$ 48.50 per hour.

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Carol Hughes**, Licensed Psychologist, with the physical address being: 410 S. Maple Avenue, Greensburg, PA 15601. Ms. Hughes will provide Evaluations, Court Testimony on an as needed basis. The rates are as follows:

| | | |
|---|---------------|-----------------|
| | | PER 1/10 HOUR |
| Mental Health Examination/Assessment | \$ 7.00 | |
| Forensic Examination/Assessment | | \$ 7.00 |
| Mileage reimbursement | \$.57.5/mile | |
| Sibling Incest/Safety Instruction | \$ 8.05 | |
| Non-offending Parenting Instruction | | \$ 8.05 |
| Relapse Prevention/Self-Regulation Instruction | \$ 8.05 | |
| Relapse Prevention/Self-Regulation Instruction (Group Instruction) – Adolescent/Adult (billed per individual) | \$ 2.80 | |
| Instruction for dependency/incorrigibility concerns | | \$ 8.05 |
| | | PER 1/10 HOUR |
| Instruction for delinquency concerns | | \$ 8.05 |
| Instruction for other behavioral concerns | \$ 8.05 | |
| Trauma Intervention Instruction | \$ 8.05 | |
| Sexual abuse /victim instruction | \$ 8.05 | |
| Parenting Instruction | | \$ 8.05 |
| Specialized Instruction for Attachment Disorder Individual or co-joint/family instruction | | \$ 10.00 |
| Expert Testimony (in-person/via phone) | \$ 10.80 | |
| Supervised Visitation | | |
| Visit/Observation | | \$ 7.00 |
| Report/Court Summary/Correspondence & Consultation | | \$ 8.05 |
| Behavior Observation as function of assessment | \$ 8.05 | |
| Consultation | | \$ 8.05 |
| | | PER EXAMINATION |
| Polygraph Examination (@ Greensburg office) | \$400.00 | |
| @ Polygrapher’s office | \$350.00 | |
| Consult | \$ 8.05/hr. | |
| | | PER 1/10 HOUR |

| | |
|--|---------|
| Quarterly Report & Other Correspondence | \$ 8.05 |
| Psychotherapy | \$ 8.05 |
| Group Trauma Focused Cognitive Behavioral Therapy (TF-CBT) | |
| Adolescent (per individual) | \$ 2.80 |
| Monthly & Quarterly Report/Court Summary/Correspondence/Consult/Parent session/Parent-child co-joint session | \$ 8.05 |
| Abuse Focused Cognitive Behavioral Therapy | \$ 8.05 |
| Parent-Child Interaction Therapy | \$ 8.05 |
| Dialectical Behavior Therapy | \$ 8.05 |

*****15-16 Rate of Compensation is available for review

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **Community Resources of Fayette County, Inc. a/k/a/ Crime Victims' Center of Fayette County**, 6 Oliver Square, Suite 108, Uniontown, PA 15401 for School & Community Program on as needed basis. The rate is \$14,000.00 for the contract period.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **Community Resources of Fayette County, Inc. a/k/a/ Crime Victims' Center of Fayette County**, 6 Oliver Square, Suite 108, Uniontown, PA 15401 for Parenting classes, Truancy Program, Counseling/Visitation/Life Skills, Community Awareness, Teen Life Skills, Teen Parenting on an as needed basis. The rates are as follows:

| | |
|--|-------------------------------------|
| Parenting Classes | \$ 1000.00/class of 11 wk. duration |
| Truancy Elimination Program | \$ 55.00/hr. |
| (not to exceed \$100,000/school yr.) | |
| Truancy education seminar for parents to include 3 hrs. of classroom and 1 hr. prep time | \$ 200.00 |
| Direct work w/individual | \$ 50.00/hr. |
| Counseling/Visitation (life skills) | \$ 50.00/hr. |

| | | |
|-----------------------------|----|-----------|
| Victim/Community Awareness | | |
| Competency Develop. Program | \$ | 50.00/hr. |
| Teen Life Skills Program | \$ | 50.00/hr. |
| Teen Parenting Program | \$ | 50.00/hr. |

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the appointment of a county resident, Jolene Hough, to a 3-year term on the Fayette County Children & Youth Services Advisory Committee. The term shall expire on August 31, 2018. The Advisory Committee voted unanimously, at the August 24, 2015 monthly meeting, to recommend her appointment to the commissioners at the September meeting.

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Controller:

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify \$13,213.10 in interest drawdowns and \$43,887.30 in construction expenses for the First National Bank Construction Note, as attached.

Commissioner Ambrosini abstain
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed 2-0-1

Chief Deputy Controller Sidney Bush gave the following financial condition of the county.

Office of the Controller

Fayette County, Pennsylvania



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

| | | | |
|--------------------------------------|------------------------------------|-----------------|---------------------|
| FUND: | GENERAL FUND | | |
| | DATE: | 15-Sep-15 | |
| CASH: | Checking Account | United Bank | \$6,943,494.82 |
| Funds Owed to General Fund | | | |
| | Arc Payments Due | | |
| | Intermediate Punishment Fund-.3yrs | \$ | 40,651.26 |
| | Offenders Supervision Fund-3yrs | \$ | 87,758.28 |
| | Central Service Payments | | |
| | C-17 Fund-3yrs | \$ | 12,490.00 |
| | Offenders Sprvsn-4yr | \$ | 56,740.00 |
| | Intermediate Punishment-4yrs | \$ | 29,053.00 |
| | | | \$ 226,692.54 |
| Funds General Fund Owes | | | |
| | Tax Anticipation Note | \$ | 3,000,000.00 |
| | | | \$ 3,000,000.00 |
| Budget Year | Net Position | | \$4,170,187.36 |
| | | | Year to Date |
| Total 2015 Revenues | | \$ | 22,667,657.49 |
| Total 2015 Expenditures | | \$ | 20,251,860.39 |
| Total 2014 Expenditures paid in 2015 | | \$ | 1,753,401.77 |
| Capital Reserve Fund Balance | Fund 51 | \$ | 221,444.43 |
| Bond Fund Balance | Fund 53 | \$ | 50,655.47 |
| Act 13 Marcellus Shale Balance | Fund 13 | | |
| | | Balance in Bank | \$2,830,551.48 |
| | | Rec'd in 2015 | \$1,541,325.71 |

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

Courts:

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve an amendment to the Fayette County Constable handbook, effective October 1, 2015, as attached. The amendment is due to a 2015 Domestic Relations contract replacing the 2014 Domestic Relations contract.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources:

Children & Youth Services

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the September 11, 2015 resignation of Laura Steyer, Caseworker I.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners Unit

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve the September 2, 2015 promotion of Eugene Gallo Jr. from Administrative Assistant, Grade 9, SR \$12.61 hr. (\$24,589.50 annually) to Staff Specialist, Grade 13, SR \$14.61 hr. (\$28,489.50 annually).

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

Election Bureau

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to ratify the hire of Erica Cole as Department Clerk II, SEIU, Grade 5, SR at \$10.76 hr. (\$20,982 annually), effective August 24, 2015.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve the September 2, 2015 promotion of Angela Wyandt, from Human Resources Coordinator, Grade 10, SR at \$ 13.09 hr. (\$25,525.50 annually) to Human Resources Technician, Grade 12, SR at \$14.09 hr. (\$27,475 annually).

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

Following the vote, Commissioner Zimmerlink said for both of those, it said approving what has been done. She said what is the September 2 promotion, we didn't have a meeting on September 2. Commissioner Zapotosky said that was when the salary board was held. Commissioner Zimmerlink said the salary board creates positions and sets salaries for both of their positions. She said salary boards do not promote, that's county code. Commissioner Zapotosky said they are approving the action taken at the salary board. Commissioner Zimmerlink said salary boards do not promote, correct Solicitor Cupp? Solicitor Cupp said the answer is yes, he said sometimes the commissioners act before the salary board and sometimes the salary board acts before the commissioners and unless you have the two sitting at the same time, and Commissioner Zimmerlink said that is incorrect because the commissioners cannot promote someone to a position before it is created, they have never done that and she has been here for a number of years so that doesn't make sense.

Solicitor Cupp said that is exactly what they did when they had the reshuffling of the office of solicitor. Commissioner Zimmerlink said no, county code, county code, pull the county code said the commissioners under county code appoints a chief solicitor and we can have assistant county solicitors. Solicitor Cupp said what you just said is right. Commissioner Zimmerlink said I know. Solicitor Cupp said there are other things that happened. Commissioner Zimmerlink said she didn't want to talk about solicitors because that isn't on the agenda. She said what happened was voting on a promotion that occurred at a salary board, salary boards do not promote. Solicitor Cupp said the salary board created the position. Commissioner Zimmerlink said they didn't promote and they didn't create and it is a matter of record now, thank you.

Tax assessment

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve the July 29, 2015 reclassifications of Sarah Byers and Jared Billy

from Assessor I, SEIU Grade 12 Step A at \$14.08 hr. (\$27,456 annually) to Assessor II GRADE 13 Step A \$14.57 hr. (\$28,411.50 annually).

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Fayette County Office of Human and Community Services/ FACT:

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to approve awarding RFP 15-02 to A-Affordable Sanitation, Smithton PA for sewage removal at \$.10 per gallon for up to 5 years.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Zimmerlink asked Solicitor Cupp is he or Sheryl Heid reviewed that contract. Solicitor Cupp said he didn't receive that. Commissioner Zimmerlink asked if there was a date certain in there. Commissioner Ambrosini said it is written that way due to public sewerage coming to the site. Commissioner Zimmerlink said they can move on and if there is a problem later they can correct it.

Consider awarding RFP 15-03 to TBD (bid opening Sept 10) for design/construction of storage building. A discussion was held about the fact no bids were received for the project.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend the agenda to authorize the readvertisement under RFP for design/construction of a storage building.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

No public comment was made on the item.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to authorize the advertisement under RFP for design/construction of a storage building for the Fayette County Office of Human and Community Services/FACT.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to advertise an RFP for Vehicle Overhaul services for 5 Gillig buses.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prison

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to award bid 15-05 for the inmate yard fencing project at the Fayette County Prison to the lowest responsible bidder, Schrock Fence Company, at a total bid cost of \$51,906.54. Funding for this project is available in the Prison's budget under line item 57000, Capital Outlay.

Prior to a vote, Commissioner Zimmerlink said there was a transfer into the line item and she checked yesterday and there wasn't the full amount, unless a transfer has been done since then. She asked if that full amount is available. Chief Clerk Revak said she didn't know off the top of her head if the full amount was available. Commissioner Zimmerlink said there was a transfer but it wasn't enough. Chief Clerk Revak said no additional transfers have been done. Commissioner Zimmerlink said there was information from the jail staff, and this wasn't the lowest bidder. She said there was a difference of \$6,000. She outlined that the lowest bidder didn't do an on-site visit and is protesting not getting the contract and spoke about Cupp's response and the threat of legal action by the lowest bidder. She said she didn't think they should take this route. Commissioner Zapotosky asked if the bid specifications were available and Chief Clerk Revak said she did not have them. Commissioner Zapotosky said he didn't believe someone could bid on a fence project without visiting the site. Commissioner Zimmerlink said the issue was the bid spec. Solicitor Cupp said based on the information he was given, it was mandatory and what this gentleman is saying just isn't true.

Solicitor Cupp said he got the language sent to him by e-mail and assuming it was correct, it made it a mandatory requirement. Commissioner Zimmerlink said the bid spec says that? Solicitor Cupp said yes, he is positive that was in the e-mail. Commissioner Zimmerlink said she didn't want a staff member to tell them that the suggested that one of the assistants go to the courthouse and get the bid spec, or the Chief Clerk, and that stuff should be done before now. Solicitor Cupp said when they

send something in an e-mail that says this is what it says, it should say that. No action was taken.

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to advertise a request for proposals to seek technical and pricing proposals to provide comprehensive health services for the Prison's inmate population for a five-year period (January 1, 2016, through December 31, 2020). The Prison's current Agreement for comprehensive health services with Prime Care Medical, Inc., will expire on December 31, 2015.

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

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

| Department | 8/13/15 to 9/1/15 Cost Center | Debit | Credit |
|------------------------|----------------------------------|--------------------|--------------------|
| Assessment | | | |
| Appeals fund | 01413652416 | \$1,200 | |
| Photocopy/printing | 01413652200 | | \$1,200 |
| Courts | | | |
| Materials/supplies | 01418452000 | \$38.37 | |
| Materials/supplies | 01412052000 | | \$38.37 |
| Human Resources | | | |
| Health insurance | 01415551560 | \$1,550 | |
| Salary full time | 01415551400 | | \$1,550 |
| Health insurance | 01415551560 | \$14,598 | |
| Contract services HR | 01415553140 | | \$14,598 |
| Drug testing employees | 01415551935 | \$2,000 | |
| Contract services HR | | | \$2,000 |
| Veterans Affairs | | | |
| Contract services | 01429453300 | \$1,200 | |
| Materials/supplies | 01429452000 | | \$1,200 |
| Total Debits | | \$20,586.37 | |
| | Total Credits | | \$20,586.37 |

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Public Announcements- None

Public Comments

Joseph Shellhammer, a 24-year old chef, said he has more friend's that have been in prison or rehab than college. He said addiction isn't a chemical problem, it's a community problem. He said there is no help from the community and there is nothing for the youth to do so they turn to drugs. He spoke about having no faith in the county and wasting money on prison studies. Commissioner Zapotosky talked about the need to bring down college loans, saying he used to work as a director of financial aid. Mr. Shellhammer said the board should look into building a better place for kids, instead of building a prison. He said it was \$185,000 on a prison concept. Commissioner Zimmerlink said they spent \$3.5 million and got blueprints. She said what are you asking, are you asking the commissioners to build something for the children? She said the current and past boards have worked with other entities to address problems, they all do that.

Mr. Shellhammer asked where the priorities are, what are they doing for the community? Commissioner Zapotosky said they have created avenues for alternative sentencing by creating various courts. He talked about the importance of outlets for the youth. Mr. Shellhammer said there is nothing for the youth to get clean and stay clean. He said he knows about people in jail that come out addicted to drugs. Commissioner Ambrosini said there is also the Genesis House available, which has a faith-based element to it and they help them get jobs. He said they are working to fund parks so families can enjoy recreation together. He said there is also an organization that helps get families out of poverty. Commissioner Ambrosini spoke about the need to bring jobs to the county. Commissioner Zapotosky said there is a level of personal responsibility for our own actions, you can't always look to the right or the left and blame the other guy. He said if opportunities are provided, we need to take advantage of it. He praised Mr. Shellhammer's abilities as a chef.

Marybeth Homistek asked about the fence project and if it could have led to a lawsuit. Commissioner Zapotosky said it could have, but the bid specifications use the word responsibility of the bidder. Commissioner Zimmerlink said not mandatory but the lowest bidder contacted the county to say he would protest so that is why we are addressing it. Ms. Homistek said usually she is told to be quiet and today there was a circus atmosphere and she had a hard time concentrating. Commissioner Zapotosky said he didn't realize it was a problem. Ms. Homistek asked about the status of the Chevron lease. Commissioner Zapotosky said it is being reviewed by the Chevron legal department. Solicitor Cupp said he is still working with the legal department to clarify some issues in the lease. Commissioner Zimmerlink spoke about prior discussions about language in the lease. Ms. Homistek made comments about Solicitor Cupp reading his e-mail, and then said because she speaks out at meetings, she is the subject of online harassment, someone from Connellsville gave her a present a couple weeks ago, a dead duck with a noose around its neck in an effort to silence her but it won't work.

Ms. Homistek asked Commissioner Zapotosky about pictures of him using a county Chevy Malibu for weeks. Commissioner Zapotosky said it was nine or 10 days. Ms. Homistek said it fell under hardship, which makes no sense, couldn't Kathy pick you up, or couldn't you rent a car? Commissioner Zapotosky said there weren't rentals available. He said he used it to and from the office and picked his son up from school. He said he went to a doctor's office to pick up a proposal. He said he has the policy and other people use county cars full time, he used it, his car was getting repaired, he couldn't get a rental, he used the county car for several days, he never sought reimbursement for use of the car. Joyce Nuscetelli spoke about concerns in pay increases for county employees. She asked what the commissioner's thoughts were on the elderly losing their homes because of taxes. Commissioner Zapotosky said the county taxes are some of the lowest in the southwestern Pennsylvania region. He said he can't comment on school or city taxes, adding that the school taxes are the highest.

Commissioner Zapotosky said there is a House Bill that changes property taxes to another tax. Ms. Nuscetelli said when you have \$3.5 million spent on the jail where people protested and protested. She said it wasn't fair when they spent all that money and they should be cautious when spending. She said she has been collecting strays, primarily cats, and she got in trouble with the community because they called the police on her in Redstone Township, but she didn't get in any trouble because when she talks to people they know the sincerity of her heart. She spoke about what she did with animals after the SPCA closed. She said Hoffman Kennels doesn't do anything to adopt cats, they are all euthanized and 50 percent of the dogs get euthanized as well. She spoke about finding a home for a kitten. She asked if the commissioners can do something about Hoffman Kennels. Evelyn Hovanec said there are options that need to be explored to deal with this problem. Commissioner Zimmerlink suggested that the two talk after the meeting about the issue. Commissioner Zapotosky said there is still the agenda item of the prison fencing.

A discussion ensued about the wording in the prison fence specifications. Solicitor Cupp said he believed the wording was sufficient to award to the second lowest bidder but he didn't like the language. Commissioner Zimmerlink said if it was mandatory, they should have used the word mandatory. She said the specifications say it is the "responsibility of each bidder before submitting a bid to perform a site visit to become familiar with the local conditions." She said the protest of the low bidder is that it doesn't say mandatory and he was responsible by performing a site visit through Google maps and search. She said the other part says it is the responsibility of the contractor to field verify the project prior to submitting a bid. She said whatever the terminology, whatever the interpretation of "to field verify" would be, his statement is he had issues like this before, he took them to court and he won, I understand what our options are, your interpretation is that you could stand behind this if we move forward on it. Solicitor Cupp said that is what he is saying. Commissioner Zimmerlink said then someone can make a motion.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to reject the bids and rebid with language that speaks clear as it pertains to the requirements of the prospective bidding company.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said they would have to amend the agenda and then authorize a re-advertisement, correct?

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend the agenda to authorize a rebid on the prison fencing project.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zapotosky asked if there was any public comment, there was none.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to rebid the inmate prison fencing project at the Fayette County Prison.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zapotosky said his mother is in Hospice and the doctors are going to her house, so he had to leave. He said he wasn't going anywhere, he was just going to see his mom.

Jonathan Jones asked Commissioner Ambrosini to repeat what he said about jobs to just out of high school graduates. Commissioner Ambrosini said Boeing in Smithfield has jobs available to young people coming right out of high school and they will do on the job training. Mr. Jones spoke about the unemployment rate for 18 to 24 year olds, he also said that young people will not find jobs at \$45,000 a year. A discussion occurred about Boeing and kids out of high school making \$45,000 a year. Commissioner Zimmerlink suggested that anyone interested in what Boeing is doing or what their wages are, contact them. She said people up here can pat themselves on the back before or after the election, but they didn't create the jobs. An exchange then occurred about Boeing and Fay Penn Economic Development Council. Mr. Jones asked if there are any plans to seek money from Primecare Medical for negligence for the death of an inmate at the jail. Commissioner Zapotosky said it is still under investigation and they cannot comment on that. Mr. Jones spoke about issues with the woman.

Commissioner Zapotosky said they cannot discuss it, the coroner will conduct his review. Mr. Jones then listed several allegations about what occurs at the county jail and Commissioner Zapotosky said he couldn't substantiate the claims. He said he wouldn't answer any questions about PrimeCare Medical. Mr. Jones then made additional accusations about incidents that occurred at the jail involving his brother. Commissioner Zapotosky said he remembered the incident and asked for a welfare and safety check on the young man in question. Mr. Jones questioned about inmates taking psychiatric medication and a discussion occurred about the issue.

Sean Cavanagh said he wanted to ask Solicitor Cupp a question regarding the county code. He said he is pro-energy and T. Boone Pickens is one of his heroes. He asked how many people work in the gas industry. He said three members of his family have worked for companies involved in the gas industry. He said it is his contention that the county didn't follow the proper procedure according to the county code. Solicitor Cupp said if you look at things in a logical sequence, they are not at that point. He said they discussed approval of the lease and they can't advertise something they don't have. He said they don't have a lease approved by DCNR. Commissioner Zimmerlink said she wanted to interrupt, adding that there was a vote to approve a lease under those terms and conditions. Solicitor Cupp said they don't have the lease back that they can approve yet. Commissioner Zimmerlink said the county approved the lease at the last meeting. Solicitor Cupp said that is not the sequence, the agreement should be approved by DCNR and then you should advertise it. He said we are still at step two and what you are suggesting are step three or four.

Mr. Cavanagh said the lease was voted on to approve. He spoke about the county code and the advertising requirements and asked if the vote to approve the lease was illegal, not proper or irrelevant. Commissioner Zapotosky said that would be determined by DCNR. Mr. Cavanagh said he was asking the lawyer. Solicitor Cupp said he represents them, and they have to follow the proper procedures. Commissioner Zimmerlink said she knows they have to follow the proper procedures. She asked if Solicitor Cupp believed the proper procedure was followed. Solicitor Cupp said they are not yet there, there is still a step two. Commissioner Zimmerlink said the county didn't even contact DCNR. Commissioner Zapotosky said he sent an e-mail to Solicitor Cupp asking him under the provisions of Act 70 if this was a responsible step to take. Commissioner Zimmerlink said and your response was yes, but DCNR also stated that before any lease agreement is entered into, that it must have their approval first. She said that didn't happen, and she spoke about the need to get an expert, and that wasn't done.

Commissioner Zimmerlink spoke about what her understanding is regarding the county code. Solicitor Cupp said Mr. Lukach did an evaluation. Commissioner Zimmerlink said that evaluation was done after the vote on the lease and that is what his question is. Mr. Cavanagh said he would quote the deceased solicitor for the county, Joe Ferens, whom he knew well, who said, "the law is the law is the law." He said either the law says you can or the law says you can't. He said he was a commissioner for

eight years and spoke about the lease. He said the facts are the facts. He spoke about how the issue was handled in Allegheny County. He said he felt very vindicated and said it is a pattern of the administration of bad judgment and politics. Mr. Cavanagh also was critical about the raise for Mr. Gallo and the prison project. He went on to criticize Commissioner Ambrosini for his actions.

Commissioner Ambrosini said he appreciates Mr. Cavanagh feeling vindicated but he wasn't sure why he felt vindicated. He said he keeps hearing Pittsburgh International Airport. He said when that gas lease was done, gas prices were higher. He said in Allegheny County, the gas is more valuable than the gas in Fayette County. Mr. Cavanagh quoted the county code about the need to advertise a lease before approving it, and the need to get an appraiser. Commissioner Ambrosini said they are in the process of complying with 2306, and spoke about the advertising requirement. Commissioner Zimmerlink said I'm vice chair here, please, let's not have any outbursts. She said answer the question and let's move on, there might be some other. Commissioner Ambrosini said the reason they put the advertisements in the paper is so people know the agreement has been entered into. He said they can't advertise until they have a completed agreement. Commissioner Zimmerlink said it didn't make sense what he said, as it is clear in the county code, as it says when they are considering the sale of real estate they attain the valuation and take public comment and that did not occur. A disagreement then ensued between Commissioners Ambrosini and Zimmerlink. Commissioner Zimmerlink then spoke about the fact that there was only one valuation done and it was after the fact.

Nick Staferi of Dawson said he wanted to talk to the commissioners as a concerned citizen. He said he heard about the youth in Fayette County. He said he is 29 years old, born and raised in Fayette County, a 2004 graduate of Albert Gallatin and a 2008 graduate of Waynesburg. He said that year it was rough to find a job. He said he got a job with DCNR, got laid off and then got a job with DEP and was then deemed non-essential and instead of defaulting on his \$90,000 of school loans from Waynesburg, he went into the private sector and got a job with Atlas Energy. He said he lives on a 150 acre farm and for the first time last year he bought a new tractor for a farm that has been in existence since 1954. He said you have to look at the opportunities that are afforded to Fayette County. He said what other industry does the county have? He said we don't have anything to keep the young folks here, so before they start talking about the gas company this or the commissioners that, think about the opportunities we have in front of us. He said they should spend time on trails or fishing or at the county parks, which are opportunities other areas such as Philadelphia or Harrisburg don't have.

Commissioner Zimmerlink said she agrees that the Marcellus shale industry has been good for the economy of the county, and she said the citizens that come to the meetings haven't been saying for the companies to get out of the county, have stated very clearly even though they are painted in a very, very bad light because it sounds good but what they said, number one, is to balance, as you do with every industry, balance the health, safety and welfare, and also what they have said, and I know because I have been here and I have heard them, is make sure you are open and transparent before you enter into an agreement and make sure you take public comment, that is all the citizens have

asked, despite being painted in a very bad light through some articles and some opinion letters. She said most of the citizens have spoken have been favorable to it, they don't want Fayette County to remain the second poorest county, neither do I, and I have been on record regarding the industry.

Mrs. Mazza said they aren't against industry, adding she came from Allegheny County 63 years ago, what she is saying is there is a right way to run this county and there is a wrong way to run this county. She said for the last four years, the county has been run by the wrong people the wrong way. She said they do things their way and it is always wrong. Mrs. Mazza complained about the current administration and how things were handled in the current administration. Commissioner Zimmerlink asked if they could wrap up a little bit. Mrs. Mazza said the newspaper only prints certain things and protects one commissioner. Michael Cavanagh spoke about the price of natural gas, and disputed Commissioner Ambrosini's earlier comments about the price. He said he had worked in the gas industry and the question has never been about supporting the gas industry. He said the question has been how they have handled the lease. He said he does legal research for the gas industry and he doesn't know anybody who wouldn't negotiate a lease. He said the way it was handled was not proper and everybody knows what is going on here. Commissioner Ambrosini said they are trying to improve the county.

Mr. Cavanagh said they handled it the wrong way, just like the \$3.5 million prison debacle. Commissioner Ambrosini said that was incorrect, adding that they have \$2 million in equity in the set of plans that Crabtree Rohrbaugh designed that they need and nobody will deny that. He said the prison will help young people who made bad choices because they looked at all the issues facing young people and those are addressed in the new facility. He said the newspapers were invited to the prison working group meetings, and there are no secrets here, there is a significant problem and they need to help rehabilitate people. Commissioner Zimmerlink asked if anyone knows how many out of county rentals they had in the last couple of months. Mr. Cavanagh said he was going to ask that, and asked. Commissioner Ambrosini asked if anyone knew how much money is wasted every year having two facilities, one which is 126 years old, and the other, a minimum security metal building, how much money is being wasted on that alone, adding that it has been in the paper. Commissioner Zimmerlink said just because it has been in the paper, do you have any documentation to back it up?

Mr. Cavanagh said the minimum security facility cost \$1 million. Commissioner Ambrosini said it was \$1.5 million. Mr. Cavanagh said you spent \$3.5 million on design. Commissioner Ambrosini said he did not. Mr. Cavanagh was critical of the plans for the new prison, with Commissioner Ambrosini saying it is needed. Mr. Cavanagh said businesses came to the county on their own, Commissioner Ambrosini didn't bring them here. Commissioner Ambrosini said Cedarwood Development attracts these companies. He said the TIF is an economic development tool that helps us create jobs and allows Cedarwood to pay for \$1 million in storm drains that is part of the infrastructure and the \$1 million TIF gets paid back over 20 years. Commissioner Ambrosini spoke about the history of the business park. Mr. Cavanagh said recently Commissioner Ambrosini reversed disciplinary actions that he signed off on.

Commissioner Ambrosini said there were a couple of instances. He said for the two prison employees, he reversed them but never signed off on them in the first place because he knew they were wrong. He said those reversals were signed off on by every member of the prison board except one. Commissioner Zimmerlink said that was not accurate, but she isn't going to correct him. She asked Commissioner Ambrosini what the vote of the District Attorney was. He said he never voted to suspend the prison employees. Commissioner Zimmerlink said Commissioner Zapotosky didn't vote to reverse the suspensions either. Commissioner Ambrosini said he did, and Commissioner Zimmerlink maintained that he did not. She said that Commissioner Zapotosky told her that. Mr. Cavanagh said he supported others. Commissioner Ambrosini said he thought the employees were being disciplined by the HR department, and they were not. He said he stopped his efforts after learning that it was done by Commissioner Zimmerlink. Commissioner Zimmerlink said Commissioner Ambrosini interviewed the employees. Commissioner Ambrosini said they corrected the situation.

Julie Toye spoke about the raises given for Geno Gallo and Kathy Winkler, and asked if vacancies will have to occur next year to pay for them. She said some departments have six month probationary periods. She said the citizens get a bad reputation but there was a department head that said "shut the Hell up" and another that said if he gets up again, he was leaving. She said department heads and employees should shut their mouths too and maybe things would go smoother. Emma Jean Davis said she was upset about the raise, adding that she was a nurse for years and her last raise was 12 cents an hour. Mr. Jones said they are advertising a sale after it occurred. Commissioner Ambrosini said that did not occur, they are not advertising, it is a notice to advise the citizens entering into a lease to let them know who the lease is with so they can view the contract. He said they can't advertise until it is complete. Commissioner Zimmerlink said no, you have to take public comment before you vote on it. Commissioner Ambrosini said the notice says who the lease is with and who it is with. Mr. Jones and Commissioner Ambrosini discussed what the legal notice must say.

Rob Hilliard said there was some confusion over natural gas prices. He said the national price average and Appalachian prices are different. Sean Cavanagh said the county code states you advertise before and the lease was improper and illegal.

Adjournment

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to adjourn.

Commissioner Ambrosini yes
Commissioner Zimmerlink yes

Motion passed unanimously

