An agenda meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Thursday, August 11, 2016 at the Public Safety Building, Uniontown PA.

In attendance-

Commissioner Chairman Vincent A. Vicites

Commissioner Dave Lohr

Commissioner Angela M. Zimmerlink

Chief Clerk Amy Revak

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

Public Comment on Agenda Items- None

Behavioral Health Administration

Lisa Ferris presented the agenda items.

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda approving agreements and modifications:

Modification Agreements #2 2015-2016	**Contract Value**	**Period**
Allegheny Intermediate Unit	$762,964	7/1/15-6/30/16
Professional Service Agreements 2016-201		
Advance Management	$43,925	7/1/16-6/30/17
Elizabeth Kaylor	$1,000	7/1/16-6/30/17
Mental Health Association in Fayette County	$2,250	7/1/16-6/30/17
Value Behavioral Health of PA	$92,700	7/1/16-6/30/18
Base Contract Agreement 2016-2017		
accessAbilities	$100,000	7/1/16-6/30/17
Allegheny Intermediate Unit	$701,464	7/1/16-6/30/17
Arc, Fayette	$450,460	7/1/16-6/30/17

Chestnut Ridge Counseling Services	$1,710,000	7/1/16-6/30/17
Laurel House, Inc.	$707,316	7/1/16-6/30/17
Westmoreland Community Action	$10,000	7/1/16-6/30/17

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda awarding Bid Number 16-04 to Davies Ford, 2551 Memorial Boulevard, Connellsville, PA for the lease of two 2017 Ford Fusion SE sedans at a monthly cost of Five Hundred Fifty-Three Dollars and Thirty-Six Cents (**$553.36**) for thirty-nine (39) months, with a total cost of Twenty-Two Thousand Thirty-Two Dollars and Four Cents (**$22,032.04**) for the lease period with 18,000 miles per year allowance.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Lohr asked if there was a buyout clause on those and Ms. Ferris said there is.

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda approving to advertise for bids for the lease of one 2017 Ford Explorer 4WD (or equivalent model) for Fayette County Behavioral Health Administration to replace a similar vehicle that is nearing lease end (12/20/16). Our request is to lease the vehicle for a period of either 36 or 39 months depending upon lease programs available.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Bridge Department

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval to donate three vehicles to the Fayette County Fireman's Association; a 1999 Plymouth Breeze – VIN# 1P3EJ46CXXNS44420, 1999 Plymouth Breeze – VIN# 1P3EJ46C0XN551828, and 2001 Ford Crown Victoria – VIN# 2FAFP71W81X200408, for fire and rescue training.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval to advertise for bid the following vehicles for sale: a 1999 Ford Contour; a 2006 Ford E-350 veteran's bus; a 2001 Chevrolet Malibu; a 2001 Chevrolet Malibu; a 2001, Ford Truck F-150 and a 1998 GMC Truck 1500.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink said they need to get the VIN numbers on those vehicles also. Commissioner Vicites said these vehicles are at the bridge department and they need to be disposed of.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval to take three vehicles to the junkyard: a 1995 Ford Aerostar, a 2001 Dodge Ram and a 1994 Chevrolet Astro van.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, commissioner Vicites said the three commissioners had met with department heads during performance evals and goals for 2016 and that was one of the items they had for the bridge department to get rid of the old vehicles to get new fleets in. Commissioner Vicites said that was a goal and he knows the Fayette County

Fireman's Association is very happy to see that happen. He said they are also tenants out there and they need to keep it in good condition.

Children and Youth Services

Gina D'Auria presented the agenda items.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratifying a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Community Action Southwest/Try-Again Homes,** 150 West Beau Street, Suite 304, Washington, PA 15301. Community Action Southwest and Try-Again Homes will provide foster care and group home services on an as needed basis. The rates are as follows:

Initial Clothing	$ 250.00
Foster Care Rates	Per Day
Emergency	$ 58.59
Respite	$ 59.20
Conventional	$ 57.62
Comprehensive	$ 57.93
Special Needs	$ 57.97
Specialized	$ 58.63

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratifying a **FY2015-2016** Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Community Specialists Corporation, d/b/a The Academy**, 900 Agnew Road, Pittsburgh, PA 15227.

Initial Clothing $250.00

Residential:	Rate/day
Cert # 401650SH – New Outlook Academy	$210.00
Cert # 401650NM – New Outlook Academy	$265.00

Cert # 435120DU – Diagnostic Unit $159.98

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratifying a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Gwen's Girls**, 711 West Commons Street, Pittsburgh, PA 15212. Gwens' Girls will provide services for expectant teens and infants on an as needed basis. The rates are as follows:

Initial Clothing	$250.00
	PER DIEM
Group Home Level 1 (CC)	$ 118.26
Group Home Level 2 (DD)	$ 162.63
Group Home Infant (EE)	$ 191.90

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratifying a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Glen Mills Schools, Inc**., Post Office Box 5001, Concordville, PA 19331, for residential placement services for delinquent youth on an as needed basis. The rate are as follows:

Initial Clothing - $250.00

	PER DAY
113050 - Residential Program	$ 138.51
137300 – Residential Program	$ 138.51
112970 – Residential Program	$ 138.51

112880 – Residential Program	$ 138.51
112980 – Residential Program	$ 138.51
112960 – Residential Program	$ 138.51
112890 – Residential Program	$ 138.51
113010 – Residential Program	$ 138.51
112920 – Residential Program	$ 138.51
112940 – Residential Program	$ 138.51
113020 – Residential Program	$ 138.51
112860 – Residential Program	$ 138.51
113030 – Residential Program	$ 138.51
113030 – Residential Program	$ 135.79

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratifying a **FY2015-16** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Families United Network, Inc.**, 276 Ashler Manor Drive, Muncy, PA 17756 for foster care and group home services on an as needed basis. The rates are as follows:

Initial Clothing - $250.00

Cert. #311110 Foster Family Care

Class CK	$ 59.43/day
Class MC	$ 107.07/day

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Ewing D. Newcomer, Esq.,** 4 N. Beeson Avenue, Uniontown, PA 15401 for agency representation. The rate for his services is $110.00 per hour.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Anthony S. Dedola, Jr**., Esq., 51 E. South Street, Uniontown, PA 15401 for agency representation. The rate for his services is $140.00 per hour and $5.00 per notarization.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink asked Ms. D'Auria to clarify which years the contracts were for.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY 2016-17** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **M & R Transportation**, 2 Bel Meade Terrace, Uniontown, PA 15401 for transportation costs to enable foster children to attend their home school after placement in substitute care. The rate for this service is $50.00 per day per student or otherwise agreed upon rate(s) dependent upon mileage, distance and number of children transported to varying schools.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** 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 Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** 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	$ 1,000.00/class of 11 wk duration
Truancy Elimination Program	$60.00/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 Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Community Action Southwest/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 Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services and **Adams and Adams, Attorneys at Law,** 55 E. Church Street, Suite 101, Uniontown, PA 15401 for four parking spaces in the lot of Adams. The parking spaces are numbers 24, 25, 26 and 27. The rate is: Twenty-Five Dollars $25.00 per parking spot for a total of One Hundred Dollars

($100.00) per month.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation and **Family First**, Post Office Box 234, McClellandtown, PA 15458 for in-home services on an as needed basis for CYS & JPO families. The rates are as follows:

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

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a **FY2016-17** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation and **PA Professional Health Services,** 50 W. Main Street, Uniontown, PA 15401 for outpatient mental health services on an as needed basis for CYS & JPO families. The rates are as follows:

Each group program must have, at minimum, three participants. No group shall consist of both victims and offenders. The Service Provider will furnish a certificate of completion and a written summary of the course to the County upon the participant's completion of the course. If a participant fails to complete the course, the Service Provider must attempt to obtain payment for services through the insurance prior to billing the County. It is agreed that the County should also be the payee of last resort. If the individual being referred for services has insurance, the Service Provider must attempt to obtain payment for services through the insurance provider(s) prior to billing the County.

If a recommendation for services beyond the eight week course of the three week course (adolescent) is made, services are not to be continued until explicit consent is obtained from the County. If the case is referred by JPO, consent for further service may be provided by JPO or member of management.

If referred by CYS, a member of management must provide explicit consent for the continuation of services.

Anger Management/Domestic Violence Treatment Programs-Adolescent Course:

Initial Evaluation	$ 30.00
Three week course	$125.00

Anger Management/Domestic Violence Treatment Programs-Adult Course:

Initial Evaluation	$ 30.00

Eight week course $250.00

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Vicites and seconded by Commissioner Zimmerlink to consider placing on the agenda approval of the appointment of a county resident, **James A. Hercik**, to a 3-year term on the Fayette County Children & Youth Services Advisory Committee. The term shall expire on June 30, 2019. The Advisory Committee voted unanimously, at the June 25, 2016 monthly meeting, to recommend his appointment to the commissioners at the July meeting.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda approval of the appointment of a county resident, **Lisa Show**, to a 3-year term on the Fayette County Children & Youth Services Advisory Committee. The term shall expire on June 30, 2019. The Advisory Committee voted unanimously, at the June 25, 2016 monthly meeting, to recommend her appointment to the commissioners at the July meeting.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Courts

Tammy Lambie presented the agenda items. She asked for a lease agreement, adding that if that wasn't possible the court would like to advertise for another site for Central Court. Commissioner Lohr asked if it was settled now, adding that it changed the day before last time. Ms. Lambie said last time there was an oversight regarding the amount in the original proposal for renovations. She said once it was reviewed again, it was changed. She said the landlord is asking that the county reimburse him $75,000 only if

the lease is broken in a 10 year time period. The commissioners clarified that the county would not have to pay unless the lease is broken. A discussion was held about the flood plain issue. Commissioner Zimmerlink said it was a location they were going to use for the jail and everyone said it was a flood plain issue. Ms. Lambie said she went to look at it and the water came up to the back door but it did not crest in the building. She said nothing is ever safe in this world, but hopefully if it floods again, they will be safe from flooding. She said she tried to take a picture to show the water line but the picture didn't turn out. Commissioner Zimmerlink said she didn't have a problem with advancing both and then determining which to approve next week. Commissioner Vicites said the key is to get this moving, one way or another. Ms. Lambie said regardless of what happens, they need the letter for the current landlord.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda entering into a lease agreement with The Agostini Group for a new Central Court location at 148 East Main Street, Uniontown for a 10 year lease with rent for first 5 years at $2,000 a month, years 6-10 $2,200 a month, with an amortized cost for improvements at $75,000 for renovations. If the lease is not broken within the 10 years amortized, costs would be dissolved.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

OR

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda advertising an RFP for a new central court location in the City of Uniontown, or the outlying area.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Vicites said they are putting both on the agenda so they have a little flexibility.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda signing a letter to the City of Uniontown stating that the current lease for our Central Court, is soon expiring but we would like to extend lease month to month until a new location/renovations can be accomplished.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Ms. Lambie explained why the letter was needed. Commissioner Vicites said she saw a letter the week before. Commissioner Zimmerlink asked if anyone signed it, adding that Commissioner Vicites was able to sign some things. She asked Chief Clerk Revak if it was placed in the tray. Chief Clerk Revak said she didn't recall seeing it. Commissioner Vicites said he wasn't sure if John Cupp wrote it or not but they can print it out and put it on letterhead. A discussion then ensued about what is in the letter.

Human Resources

CYS

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approving the resignation of Kevin Newton, Caseworker I, effective August 11, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratification of the separation of employment of Heather Hess, Casework Supervisor, effective July 21, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Public Defender

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approving the hire of Sherry Walters, Department Clerk I, $10.08/hour ($19,656 annually), effective July 25, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

FACT

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda the hiring of Robert Yatsko as part time Small Transit Operator pay grade 7, $11.86/hour, effective August 22, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Juvenile Probation Office:

Cale White presented the item for consideration. Commissioner Zimmerlink asked how many years the program has been used and Mr. White said since July of 2014.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a continuation of the Can Emile? Program for the JPO competency program from September 1, 2016 through June 30, 2017 at a cost of $3,628.00.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Office of Human and Community Services/FACT:

Lori Groover-Smith presented the agenda items.

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda approving an agreement with Port Authority allowing FACT to utilize a limited portion of the East Busway for layover purposes only at no cost. Agreement is for one year to renew year to year unless either party terminates.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Zimmerlink asked where it is located. Commissioner Lohr said it is in Pittsburgh.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval to advertise disposal of the following buses:

#	VIN	MAKE/MODEL	YEAR
142	1FDXE45P86DA89200	Ford	2006
164	1FDFE45P59DA75206	Ford	2009
168	1FDFE4FSXBDA39228	Ford	2011
191	1FDFE45P49DA72295	Ford	2009
194	1FD4E45P98DB47787	Ford	2008

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda FY 16-17 Human Service Development Funds agreements with the following:

City Mission Living Stones $9,286

Fayette County Behavioral Health Administration $ 77,350

Center in the Woods $3,240

Albert Gallatin Human Services $96,403

Fayette County Drug & Alcohol $20,100

Fayette County Community Action Agency $10,000

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda FY 16-17 Homeless Assistance Program agreements with the following:

City Mission Living Stones $159,955

Fayette County Community Action Agency $252,612

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Planning, Zoning and Community Development Office:

Sara Rosiek presented the agenda items.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ZA 16-3 (revision to ZA 15-1) amendment to the Fayette County Zoning Ordinance regarding Oil & Gas Operations as well as Oil & Gas Facilities.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Before making a motion, Commissioner Zimmerlink confirmed that hearings were held on both issues.

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda RZ 16-1 Anthony Mancini, North Union Township, requesting an extension of B-1 General Business on property currently zoned R-2 High Density Residential.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prison

Jack Loughry presented the agenda item.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda awarding a five year contract pursuant to RFP 16-01 for comprehensive health care services to the lowest bidder and current contractor, Prime Care Medical, to include the optional services of a Licensed Professional Counselor, effective October 1, 2016 at a basic cost of $775,836.25; a counselor cost of $74,666.29 annually; for a total cost of $850,502.54 annually.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Zimmerlink said the costs must be included. Commissioner Vicites explained that it was put out for an RFP but the licensed professional counselor were added. Mr. Loughry provided the costs. Commissioner Vicites asked about the counselor services. Mr. Loughry explained how the contract will be handled. Commissioner Zimmerlink said this is over and above the current services provided at the jail. Commissioner Lohr said prisoners can be evaluated and taken out of suicide watch. Commissioner Vicites asked when it will go into effect. He asked about the costs, and Mr. Loughry said they will have the money.

Public Works

Bob Carson presented the agenda items. Prior to making a motion, Commissioner Zimmerlink asked if it was advertised. Mr. Carson said it was being advertised prior to adoption. Commissioner Vicites said it is something they need to do to get implementing documents complete.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda enacting the proposed Ordinance (Amendment to Ordinance G90-1) for Fayette County's Solid Waste Management Plan from Dave Minnear of L. R. Kimball.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval to advertise for a special meeting for Monday August 22, 2016 at a time convenient for the Commissioners to award the Bid 16-05 for the Roof Repairs on the Courthouse and the Prison. The Roof Bids are to be opened at 3:00 pm on Thursday, August 18, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of a contract with Enviro21 for putting our TV's collected at Hard to Recycle Events on their website for solid waste recyclers to bid on nationally. The fee is $250.00 annually.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Mr. Carson said at the last hard to recycle collection, they still have six out of seven dumpsters full and the outfit the county has used in the past has become overwhelmed due to changes in the environmental regulations. He said to pay for each dumpster, it would be $6,500 per dumpster. He said a company from Somerset had been getting rid of them but they can't get rid of them fast enough. He said he can't take any more TVs. Commissioner Zimmerlink said the contract must be signed before TVs are accepted. Commissioner Vicites said the program has always been operated as a wash and they can't get into a deficit situation.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda paying Invoice No. 27106 in the amount of $41,340.08, submitted by Anchor Marine /Greater Lakes EZ Dock; 1501 Ferry Rd., Grand Island, NY 14072 fronting money from the general fund contingency line item. Once it is approved the funds received would be put back in the contingency fund from the county LSA funds from Lady Luck Nemacolin Casino. This is for payment of the Kayak, Canoe ADA dock installed at Dunlap Creek Lake Park in Menallen Township.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Mr. Carson explained that the money will come from the Lady Luck Casino RSA funds.

Tax Claim

Sarah Minnick presented the agenda item.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of the following repository bids opened August 2, 2016, subject to all conditions being met.

Bidder name	Parcel Number	Amount	Township
Jessica Karwatski	34-12-0068-86	$260.00	South Union Township
Robert McManus	30-35-0097	$315.00	Redstone Township
Jessica Karwatski	25-16-0027-95	$230.00	North Union Township
Morrbiz LLC	15-10-0004	$250.00	German Township

Total $1,055.00

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

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

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

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

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval of the August 2, 2016 special commissioners meeting minutes.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda adoption of an amendment to the Articles of Incorporation for the Fayette County Industrial Development Authority to extend the term of its existence for another 50 years, until January 1, 2068.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Attorney Ernest DeHaas explained that the Industrial Development Authority was originally created for 50 years and an amendment is needed for a project because a note can't be issued beyond the life of the authority. Commissioner Zimmerlink asked if it is always 50 years, is that the maximum or minimum. Mr. DeHaas said 50 years is the maximum amount that it can be extended. He said there is a fee to advertise. Commissioner Zimmerlink said if something happens in that time frame, steps can be taken, correct.? Mr. DeHaas said any authority can dissolve. He said the other motion relating to a project being undertaken by Fayette Thermal LLC, which provides heat to SCI Fayette. He said bonds were initially issued but they now want to refinance with another bank and they have asked that the loan be made through the authority. He said there is no liability on the authority or county or other taxing body. Mr. DeHaas said the authority has approved a resolution and submitted an application to DCED. He said the internal revenue code governs such activities and a hearing must be held. He said a hearing was held and no one attended. He said in addition to the hearing, an elected official must sign a certificate saying the loan has been approved. He said it does not create any financial liability.

Commissioner Lohr asked if that is stated anywhere. Mr. DeHaas said that is stated in the law. Commissioner Zimmerlink asked exactly what action he is asking that the commissioners take. Mr. DeHaas said the amount is $4 million and the term of the loan mirrors the existing debt. Commissioner Zimmerlink said basically he is asking for the commissioners to execute the certification of applicable elected representative for the Fayette County Industrial Development Authority to participate in a $4 million loan between Fayette Thermal LLC and M&T Bank.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda authorizing execution of the certification of applicable elected representative for the Fayette County Industrial Development Authority to participate in a $4 million loan between Fayette Thermal LLC and M&T Bank.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approval to allocate $18,700 in Act 13 funding from year TBD for the Fayette County Bureau of Investigations, formerly the Fayette County Drug Task Force, for equipment listed on invoice No. 141.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, a discussion ensued about the importance of designating which year to take the allocation from. Commissioner Vicites said it is equipment they needed for the drug task force. He reviewed the invoice. Commissioner Zimmerlink asked which year they are going to take the Act 13 money from. She said that needs to be determined. She said this year a little more than $1 million was received this year, and because more than $800,000 is allocated for EMA funding, there is $200,000 or less to spend this year. Commissioner Vicites said they are important and he supports law enforcement efforts. Commissioner Zimmerlink said she agrees, adding that drug forfeiture money was supposed to be used for purchases. Commissioner Lohr said of the Act 13 money, the $845,000 for the EMA and a maintenance fee, that is way off of what it was in years past.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda approving ordinance 2016-1, to establish a registration fee for the sale of precious metals.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Vicites said there wasn't anyone there from the District Attorney's office. He added that it was advertised properly. Zimmerlink asked about an advertisement and holding a public hearing for the ordinance. Chief Clerk Revak said the requirement was that the advertisement had to be no less than seven days and no more than 60 days prior to adoption. She added that in the legal notice it didn't have the full text of the ordinance but the legal notice stated that anyone who wished to view the ordinance could come to the commissioner's office, adding that she attached it on the agenda and it is on the web site. Commissioner Vicites said this is something being done in other counties and it will support law enforcement efforts to track things of this nature.

A motion was made by Commissioner Lohr and seconded by Commissioner Vicites to consider placing on the agenda amending resolution 14-06-17-24 to amend Fayette County Policy 5.7 in the Fayette County Policy and Procedure manual listed under the designated smoking areas to set a smoke free zone of at least 20 feet from all public and employee entrances.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said they need whatever the policy is going to say. Commissioner Vicites said it is going from 30 feet to 20 feet. Commissioner Zimmerlink said they could talk about it Thursday as well, but they could keep it at 30 feet, and just simply state, with the exception of, adding that would actually be better, adding they have all of the signs, 30 feet is the norm and there are reasons and studies and all that, and they already approved administratively having the smoke tent moved and consider keeping in at 30 feet and whatever that resolution says, if it says from all public entrances and employee entrances, just remove employee entrances, that's it.

Commissioner Vicites said he has no problem with that, but where it is located now in the back parking lot with 50 cars pulling out, it's scary and there could be an accident.

Commissioner Zimmerlink said at the last commissioners meeting, she and Commissioner Lohr said to return the tent back and it is still where it is at, and she sent a reminder to building and grounds to have it done. She said 30 feet has been working out for the courthouse and for other offices and they could just change the wording to with the exception of the courthouse entrance. Commissioner Vicites said that is fine, he just wants it moved back, adding that it was fine where it was. He said they need to get something done to move that. He said he read that 20 feet is an acceptable distance, adding that 30 feet would be better but you couldn't go 30 and still put it where we used to have it.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda allocating $50,000 in 2016 Marcellus Shale Legacy funds to the Agricultural Land Preservation Board for the preservation of farms program.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Darrell Becker spoke prior to a motion about the program. He is the chairman of the land preservation board. He said they have been able to preserve a 185 acre farm in Upper Tyrone, a 70 acre farm in Menallen and an 85 acre farm in Dunbar. He said every dollar that comes in is matched with a greater of 1 to 1 by the state. He said through previous allocations they have been able to preserve one farm a year. He asked for $50,000 from the legacy fund, adding that will be matched from the state to preserve a larger farm. Commissioner Zimmerlink asked if they didn't allocate $50,000 if they would still be able to preserve that particular farm. Mr. Becker said he isn't saying that, he is saying it may take more than one year to preserve that farm. He said right now they only get money from clean and green and they get a two cent tax on cigarettes, that is minimal. He said last year $30,000 was matched by $32,000. He said once a farm is developed, it never goes back to a farm. He said farmland is decreasing at a rapid rate and the state needs farmland. He added that legacy funds can be used for that purpose.

Commissioner Zimmerlink said she asked about the $50,000 because last year they allocated 30 but he had asked for more. She said she recalled making a motion for a higher amount and didn't get a second so they gave them 30. She said that is the importance of asking for that full amount, they are not asking for an amount just out of

the air, there is a reason for it. Mr. Becker said a 103 acre farm is up next. He said he will need more than $103,000. He said there are legal issues about mineral rights, but that farm is in the process of being preserved.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratification of an agreement between the County of Fayette and Genesis House Ministry Inc. to provide re-entry services for the County for clients court ordered to Genesis House Ministry, Inc. subject to the availability of funds allocated in the 2016 County General Fund Budget under the Indigent Program/APO, the sum of $500.00 per client will be paid for those court-ordered January 2016 through December 31, 2016 as determined by APO/Courts.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink said she gave the Chief Clerk the wording for the motion and there is one for ratification and one for approval and they don't need to do both. She said she contacted the Controller's office and asked them to remove the contract that was submitted without her signature, adding that was taken care of. After the motion, Commissioner Lohr asked about what the agreement covers. Commissioner Vicites said it is a ratification and it covers people previously.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratification of Fayette County joining a class action lawsuit for municipal derivative transactions (involving Bank of America Corporation State AG Settlement; GE Funding Capital Markets Services, Inc. State AG Settlement, JPMorgan Chase & Co. State AG Settlement, Wachovia Bank N.A. State AG Settlement and UBS AG State AG Settlement) for transactions in municipal derivatives which occurred between January 1, 1992 and August 18, 2011.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Vicites explained that this is something a lot of counties are joining in this class action suit that had those timeframes because the county could get settlement money.

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda an appointment to the Fayette County Redevelopment Authority for a term to expire July 8, 2021.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Zimmerlink to consider placing on the agenda an appointment as an alternate to the Fayette County Zoning Hearing Board, with a term to expire December 31, 2017.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Lohr to consider placing on the agenda ratification of the following transfers.

7/20/16 to 8/1/16

Department	Cost Center	Debit	Credit
Adult Probation			
Materials and supplies	**01423652000**	**$350.00**	
Training/conference/dues	**01423653350**		**$350.00**
Assessment			
Assessors salary	**01413651311**	**$6,280.00**	
Software licenses	**01413652100**		**$6,280.00**
Controller			
Contingency	**01417952910**	**$90.00**	
Health Care tax payment	**01417951620**		**$90.00**
Veteran's			
Travel	**01429453300**	**$500.00**	

Materials and supplies	**01429452000**	**$500.00**

Total Debits $7,220.00 **Total Credits $7,220.00**

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Vicites said he wanted to add an agenda item. He said the commissioners did at least 12 interviews for the solicitor position in Fayette County. He said they did the interviews and never really moved anything forward on that. He said they talked about a reorganization of the office. He said he feels they should do that because everything they do has a legal aspect to it. He said it is important to get the information in the most effective way possible. Commissioner Vicites said he wanted to make a motion to terminate the services of the chief solicitor at the beginning of the pay period. He said it may be August 22. He said the other item is to consider appointing a new solicitor, effective that date, August 22. Commissioner Zimmerlink asked if it was only for the chief solicitor. Commissioner Vicites said that is his motion. Commissioner Lohr said they talked about restructuring it, but they never made a move on it. Commissioner Zimmerlink said they talked about both positions as well and had some preliminary executive session, allowable executive session discussions, and she thought they were all on the same page.

Commissioner Vicites said at this point, he is focusing on the chief solicitor. He said they can decide how they feel on the others. Commissioner Zimmerlink said with the chief, there was also the discussion on reorganization of the entire office. Commissioner Vicites said that can be done a number of ways, but he wanted to get started on this part. Commissioner Zimmerlink said all three of them had talked about the restructuring and having them as independent contractors or county employees. Commissioner Vicites said that was discussed. Commissioner Zimmerlink said it was a little more than discussed, and there was some commitment, adding she will talk to him privately about that. Commissioner Vicites said he is not in favor of an independent contractor, he wants them to be county employees. Commissioner Zimmerlink said if it is the person he is thinking of, there are issues.

A motion was made by Commissioner Vicites and seconded by Commissioner Lohr to consider placing on the agenda a motion to terminate the services of Fayette County's chief solicitor, effective August 22, 2016.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink no

Motion passed 2-1

After making a second, Commissioner Lohr said he would advance it to discuss, adding that they need to speak with John (Cupp). Commissioner Vicites said he is trying to be up front about this. Commissioner Zimmerlink said he should have mentioned it the day before when he came to talk to her. Commissioner Vicites said it is something he has thought about for a long time. He said there is plenty of time for public comment, it will be out there. Commissioner Zimmerlink said it isn't a matter of public comment, there should have been a discussion with the three commissioners, this is a very important decision. Commissioner Vicites said it was discussed and interviewed. Commissioner Zimmerlink said there are reasons why, one of which is that he is in the center chair, and they know some of the reasons why. Commissioner Vicites said he is trying to get it moving. Commissioner Zimmerlink said there was a discussion that if they did A, they needed to do B.

A motion was made by Commissioner Vicites and seconded by Commissioner Lohr to consider placing on the agenda a motion to appoint a chief Fayette County solicitor effective August 22, 2016, at a pay rate of $51,753 annually.

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink no

Motion passed 2-1

After a motion was made, Commissioner Zimmerlink said that salary is another issue. She said the individual he is thinking of, there was a discussion to work with the figure. Commissioner Vicites said it is appropriate to offer a salary that goes with the demand of the job. He said it is very demanding and there is a lot of legal issues the county is dealing with and he thinks that salary is internally and externally equitable for that position, from his background in human resources. Commissioner Lohr said he will work with that. Commissioner Zimmerlink said they did have discussions with him about that and they were all sitting there. Commissioner Vicites said you are saying he, "I still need to vote and make a decision." He said he was just establishing a salary at this point.

Public Announcements:

None

Public Comments:

None

Adjournment:

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

Commissioner Lohr yes

Commissioner Vicites yes

Commissioner Zimmerlink yes

Motion passed unanimously