

December 17, 2009

A Meeting of the Fayette County Board of Commissioners was held on Thursday December 17, 2009 at 10:00 a.m. in the Public Service Building, Uniontown, Pa.

Present;

Commissioner Vince Zapotosky, Chairman
Commissioner Vincent A. Vicites, Vice Chairman
Commissioner Angela M. Zimmerlink
Warren Hughes, County Manager/Acting Chief Clerk
Joseph Ferens, County Solicitor

- Meeting called to order
- Prayer was given by Rev. Ewing Merritta
- Pledge of Allegiance

Public Comment on Agenda Items: None

Proclamations/Awards

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to present a Proclamation, acknowledging 2010 The Year of George C. Marshall.

Muriel Nuttall and Donna Holdorf accepted the Proclamation.

Muriel Nuttall thanked the Commissioners for the proclamation.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to award Wilma King with a Community Recognition Award for the year 2009 from MH/MR Advisory Board.

Lisa Ferris Kushner congratulated Wilma King, being she was nominated and chosen to receive the Recognition Award

Robin Brady spoke highly about Mrs. King, and all that she has accomplished.

Children & Youth Services

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve FY2009- Purchase of Service Agreement between the County of Fayette & the County of Westmoreland for the purchase of Detention Services for delinquent youth at the Westmoreland County Regional Youth Service Center at a rate of \$264.67 per day.

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve FY2009-10 Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County District Attorney. The contract is for \$44,000.

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Information Technology Department

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the County Commissioners Association Sharepoint Web Site Hosting Services for 2010 in the amount of \$3,845.00

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

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Assessment Office

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the following for Real Estate Tax Exemption as they are 100% Disabled Veterans as approved by the PA Dept. of Military Affairs for the 2010 county fiscal tax year.

Jeffrey A Morris 509 Edna St Connellsville City 05-09-01

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Fact/Human & Community Services

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify an amendment to the Homeless Assistance Program contracts as follows:

City Missions

\$115,921 Emergency Shelter
30,000 Bridge House
30,000 Case Management

Fayette County Community Action Agency

\$112,764 Bridge House
42,076 Case Management
177,087 Rental Assistance

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to award the following contracts for Transfer Center:

Masco Construction –general contractor	\$822,528
Newco Mechanical Inc –plumbing	\$ 36,100
A-1 Electrical –electrical	\$116,000
Whitby Inc –mechanical	\$37,800

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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

Tax Claim Bureau

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a resolution to adopt a new fee schedule for delinquent tax payers 2010.

Sara Thomas Director of the Tax Claim Bureau explained how the fee schedule for delinquent taxes will benefit the Tax Claim Office, and Fayette County. Miss Thomas also agreed taking this type of action is a fair decision.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Election Bureau

Moved by Commissioner Zimmerlink and second by Commissioner Zapotosky to ratify the agreement approving Hart Intercivic's preventative maintenance service for Voting Machines in the amount of \$ \$37,703.50

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Planning & Zoning and Community Development

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to ratify the grant application for the Energy Efficiency & Conservation Block Grant which is a \$3 million project over a three year period in the amount of \$4,999,936.00.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	abstained

Motion passed 2-0

Commissioner Zimmerlink stated she did sign the support letter.

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Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the Act 167 Stormwater Management Plan Phase II to be complete by June 30, 2010 in the amount of \$90,000 with the County share being \$22,500.

Commissioner Zapotosky stated by performing this we will be in compliance with DEP Extension.

Commissioner Vicites commented most counties are in the seconded phase of this plan and there are funds available because the other counties are in their second phase which there is about \$500,000.00 available and DEP will contribute to the project.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Behavioral Health Administration

Moved By Commissioner Vicites and seconded by Commissioner Zapotosky to approve agreements and modifications:

<u>Modification Agreement #6 2008-2009</u>	<u>Contract Value</u>	<u>Period</u>
Steps for a Healthier PA Fayette County	\$11,969	7/1/09-6/30/10
<u>Contract Agreement 2009-2010</u>		
Fayette Resources, Inc.	\$1,005,664	7/1/09-6/30/10
<u>EI Federal Contract 2009-2010</u>		
Western PA School for the Deaf	\$6,000	7/1/09-6/30/10
<u>Modification Agreement #1 Federal 2008-2009</u>		
Goodwill Industries of Southwestern PA	\$538,396	7/1/08-6/30/09
Interim Healthcare	\$288,636	7/1/08-6/30/09
National Mentor Healthcare, LLC d/b/a PA Mentor	\$234,007	7/1/08-6/30/09
<u>Modification Agreement #1 Base 2008-2009</u>		
Goodwill Industries of Southwestern PA	\$529,101	7/1/08-6/30/09
<u>Modification Agreement #7 Base 2008-2009</u>		
Chestnut Ridge Counseling Services, Inc.	\$2,223,794	7/1/08-6/30/09

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

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Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the Fiscal Year 2009-2010 Fayette County Behavioral Health Administration Compensation Plan for the period July 1, 2009 through June 30, 2010 at a flat rate of \$1000.00.

Commissioner Vicites stated a flat rate of \$1000.00 instead of a 3% raise across the board, he added as a whole we need to start looking at that. He said by doing this the people that are making a lesser salary would benefit from this decision instead of the 3%, also the overall cost would be comparative if it is the General Fund or the FCBH Program. The \$1000.00 will be the compensation for 2010 and will be broke down into each paycheck. Commissioner Vicites stated he feels this will be a fair plan for everyone involved being the lesser paid employees pay the same amount in benefits.

Lisa Ferris Kushner Director of FCBH stated they sent a purposed plan of 3% increase for everyone that is Long Gevity/ Non Union Employees, same plan as prior years. She said if this is agreed upon, the grid will need to be changed for all positions and classifications though it should be doable.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

EMA

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the Motorola Service Agreement for 911 for the 2010 in the Amount of \$84,332.40 paid Quarterly. (Has been signed by Board)

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the Maintenance Agreement with Embarg for 9-1-1 phone system for 2010 in the amount of \$30,984.60.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

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Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve quotation with InterAct Public Safety Systems for software upgrade to Computer Aided Dispatcher System and add 7 additional work station software licenses. Total \$158,212.00-\$15,000.00 annual maintenance upgrade credit for a total of \$143,212.00. Funding has been approved under wireless for this project.

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources

EMA/911

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify the transfer of Jason Jacobs, F/T 911 Dispatcher to P/T 911 dispatcher at the same rate of \$11.37/hr effective 12/10/09. .

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Veteran Affairs

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to accept the resignation of Joseph Stasko, Per Diem Van Driver effective 12/3/09.

Commissioner Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites Consider approving the hire Mr. Alan Ryan as Director of Veteran Affairs at an annual salary of \$30,166.50 and he was unanimously selected by the Liaison Committee. Starting date yet TBA.

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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Commissioner Zimmerlink asked Human Resource Director Dominick Carnicella if he knew when the effective date of hire would be.

Mr. Carnicella stated Mr. Ryan said he would start immediately.

Commissioner Zimmerlink stated all applicants did agree with the starting pay rate after 2009 of \$30,166.50, though if there will be a 3% increase across the board for non-union for the year 2010, at that time it will be \$31,071.50. She said that is why we need to determine that issue now.

Mr. Carnicella commented the beginning of the year would be a better choice for the new Veterans Director.

Commissioner Zapotosky suggested starting now at this time of the year when it will be somewhat slower and quieter could be a good choice.

All Commissioners agreed to contact Mr. Ryan and let him decide when he would like to begin.

Commissioner Vicites commended and thanked all individuals on the Liaison committee for doing such a great job helping with the hours they spend making recommendations for a Veterans Director in the compounds of the law.

Commissioner Zapotosky introduced Chester Prinky as a new member of the Liaison committee and also spent many hours in the office.

Mr. Prinky thanked the Commissioners for the new hire and he stated he feels Mr. Ryan will do a good job and he is quite ready to begin his new job. He stated he felt Mr. Ryan will start the beginning of the year 2010.

Commissioner Vicites commended Madonna Nicklow for being very devoted to the job she performs and also had a lot to do statistically where it is at today.

Commissioner Zapotosky and **Mr. Prinky** both agreed with Commissioner Vicites.

Commissioners

Moved by Commissioner Zapotosky and second by Commissioner Vicites approve the minutes for November 19th 2009 Commissioners Meeting.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

Moved by Commissioner Zimmerlink and seconded by Commissioners Vicites to approve the following transfers:

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**TRANSFERS
11-12-09 to 12-10-09
2009 Budget**

OFFICE	LINE ITEM	DEBIT	CREDIT
Health Insurance			
Building & Grounds	014174 51560	9,913.00	
Adult Probation	014236 51560	9,900.00	
Controller	014133 51560	10,178.00	
Law Library	014188 51560	1,287.00	
Info Tech.	014112 51560		3,000.00
Controller	014133 51560		2,600.00
Clerk of Courts	014191 51560		1,800.00
Commissioners	014111 51560		500.00
Coroner	014193 51560		1,500.00
Info Tech	014112 51560		500.00
Prison	014232 51560		1,300.00
Jury Commissioners	014188 51560		4,900.00
Juvenile Probation	014237 51560		2,000.00
Magistrate	014186 51560		3,000.00
Public Defenders	014152 51560		10,178.00
Election Bureau			
Salary Director	014120 51200	200.00	
Rent – Polling Places	014120 53830		200.00
Assessment Office			
Material & Supplies	014136 52000	2,000.00	
Telephone	014136 53200		2,000.00
Delta – Grant	014171 42079	23,750.00	
Appeal Hearings	014136 52411		23,750.00
Courts			
Salaries	014184 51400	3,500.00	
Viewers	014184 51411		3,500.00
Unappropriated	014999 59040	24,500.00	
Ct App. Attorney	014184 53141		24,500.00
Recorder of Deeds			
Postage	014153 53250	277.26	
Telephone	014153 53200		277.26
Coroner			
Autopsy	014193 53180	5,000.00	
Transports	014193 52638		5,000.00
Veterans Office			
Salaries	014294 51200	6,000.00	
Burials	014294 52530		6,000.00
District Attorney			
Professional Services	014194 53100	4,200.00	
Travel	014194 53300		4,000.00
Witness Fees	014194 53171		200.00
Constables			
Unappropriated	014999 59040	15,000.00	
Constables	014192 53150		15,000.00

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Total Debits	\$115,705.26
Total Credits	\$115,705.26

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to award bid number 09-13 Gasoline and Fuel for 2010 to Center Independent Oil of Smock, PA for Regular Gasoline at 2.199 per gallon, Premium Gasoline for 2.379 per gallon, Diesel Fuel for 2.179 per gallon and Bulk Fuel for 2.159 based on cost of inventory.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved By Commissioner Zimmerlink and seconded by Commissioner Vicites to award bid number 09-14 "Tires and related work" to Bob Summerel Tire Company of Uniontown and Gebe and Skocik Tire Center of Uniontown.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to award bid number 09-15 Janitorial Supplies, for 2010 to Central Poly Corp. of Linden, NJ, Pyramid School Products of Tampa, FL, Mark IV of Uniontown, PA and Steratore Sanitary Supply Inc of eight four, PA.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to award bid # 09-16 for grass cutting and related duties for the three county parks and Dunlap Creek Dam to Goodwill Industries of Uniontown in the amount of \$34,539 per year for 3 years.

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Commissioner Zimmerlink asked Warren Hughes County Manager if there were 3 bids received. His reply was, there were 3 received though 2 were rejected, reason being 1 bid did not have enough copies as per the instructions, and the other did not include their bid bond as per instructions.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

Commissioner Zimmerlink stated, as said before this the grass cutting should be done internally.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve GSA Contract #GS-07F-9785H to purchase security equipment utilizing a grant given to the County in the amount of \$50,000.00 from Representative Bill DeWeese.

Warren Hughes stated the funds are available.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to perform an RFQ for Solicitor to the Zoning Hearing Board decision will still be made by the Zoning Hearing Board.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

Commissioner Zimmerlink stated the money has already been set aside in the General Fund Budget.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to name Commissioner Angela Zimmerlink as Representative to the Southwestern PA Commission Nominating Committee.

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Commissioner Zimmerlink stated she will accept the nomination.

Commissioner Zapotosky commented if we would check the attendance record that would be a concern because Commissioner Zimmerlink did not attend many meetings, so he felt a motion should be made to table this nomination at this time.

Commissioner Zimmerlink stated it would now give me the opportunity to attend the meetings. She said she is offering her services to serve and become more involved for year 2010.

Commissioner Vicites said it requires being present at the meetings if placed on the committee.

Commissioner Zimmerlink stated she will be present at the meetings.

Commissioner Zimmerlink asked who had this position previously.

Commissioner Vicites stated it was you.

Commissioner Zimmerlink stated, she wanted that reply for the record

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	abstain

Motion passed 2-0

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to adopt the 2010 Fayette County Budget, total expenses being \$23,262,089.00 total revenue at \$22,109,055.00 with a negative balance this year of \$ 1,029,703.00, the mileage rate for 2010 will remain the same 3.51448.

Commissioner Zimmerlink stated the real work begins after the budget is purposed in mid November and from that time forward we are charged with holding budget working sessions and planning for the next year's spending. She added the form in which we do is the budget work sessions also we do meet with other Department Heads. She commented the reason why it is important to have the open dialog is because the General Fund Budget is our policy making pool and it also lays out for our plan of government operations for our future county goals for 2010. She stated, this year the budget plan does exceed the projective revenue, being that said, she does not agree with all of the expenses that have been funded in this particular budget, and also more of the open budget process should be in telling. She stated if this budget would have included a mileage rate increase, I would of not voted to adopt it. Commissioner Zimmerlink added the avoidable increases are in the Health Care, approximately \$600,000.00. (General Fund only) from last year, also the General Fund used for ARK which is our annual Retirement Contribution Plan is an addition and is \$110,000.00. This year the Children & Youth Services, the increase of the county match from 2009 through 2010 is \$67,000.00. Our other county offices have either

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decreased or stayed the same. Also in this budget does include a wage increase for non-union as well as the CYS Union, for the non-union the increase will be \$90,000.00.

Commissioner Zapotosky stated this is a sound physical budget that had taken a lot of work; as far as the Fund Balance, we did have to use \$500,000.00 last year being the cost has increased this year.

Mr. Hughes explained we went from budgeting of \$940,000.00 to \$1,000,050.00.

Commissioner Vicites added that our budget was \$22,900, 000.00 last year and the budget this year is \$23,200,000.00, however the increase in Health Care this year is \$650,000.00, \$110,000.00 for Ark which is the Pension Payments that are \$750,000.00 which are additional expenses in two Line Items however our overall budget only increased by \$350,000.00, he stated the only thing to keep in mind besides the monies that are in the State, our revenue is down this year from last year. He stated he feels this current budget is paired down; it is realistic because we looked at historic averages and we asked our Dept. Heads to cooperate to hold the line on that and, they have done that. Commissioner Vicites thanked County Manager Warren Hughes which worked very hard on this budget, and all of the County Staff.

Public announcement: None

Public Comments:

Mr. Mazza spoke to Commissioner Zapotosky concerning the previous election.

Commissioner Zapotosky replied by stating, he will not speak about political issue at a Fayette County`s Commissioners Meeting.

Tanya Cellurale asked about last month at the Commissioners Meeting for the Commissioners to withdraw the appeal which was the county against Zoning Hearing Board decision and the Cellurale case; she questioned the Commissioners, what is the holdup on the signature for the finality of it.

Commissioner Zapotosky stated that is a matter that is litigation which I am not permitted to comment at this time that is between Council representing the county of the defendant as well as your attorney.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to adjourn this meeting.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed unanimously