

April 29, 2010

A Meeting of the Fayette County Board of Commissioners was held on Thursday April 29, 2010 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 Marietta
- Pledge of Allegiance

**Rev. Marietta** announced May 6, 2010 will be National Prayer Day, which will take place at 5 corners at Marshal Monument, he added this event will begin at 5:00 pm and will last approximately ½ hour, and he also hopes everyone will attend along with the Fayette County Commissioners.

**Commissioner Zapotosky** stated he would like to offer a request to amend the agenda.

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to permit the amendment which would allow the Planning Office to request the Commissioners to revise the agenda to include the ratification of the Grant Application submitted to the Pennsylvania Department of Conservation & National Resource to continue the development of the Sheep Skin Trail North Phase.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Commissioner Zimmerlink** offered to explain exactly what the previous motion meant, the application had already been approved by the Commissioners & this was a ratification to submit an application to DCNR for the development of the Sheep Skin Trail, the DCNR Grant Application amount is in the amount of 1.3 million and there will be a county match.

**Commissioner Vicites** stated this issue has been placed on the agenda by the Transit Operating Committee by of the SPC Board and is to be added to the list, in the event the stimulus money that may come available in the future in another round, then it will be considered for this funding.

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**Commissioner Zapotosky** added there was a dead line to submit the application which was the 23<sup>rd</sup> of April.

**Public Comment on Agenda Items:**

**Keith Charles** stated he is the Landlord of District Justice Randy Abraham`s Office and that he was extremely surprised and disappointed to find out that there has been discussions taking place since January 2010 concerning moving the office from its current location. He didn`t find out about this until he read it in the newspaper. Mr. Charles added that in the past accommodations were added to suit District Justice Abrahams needs adding up to around \$30,000. He explained the current office seems to have worked just fine for the past several years.

**Joseph Ryan** Chief of Police of Masontown Borough stated this issue was a business proposition that arose when Masontown Borough purchased a building to move their offices into. Chief Ryan added the completion of the building is suspected to be completed at the end of year 2010.

**Proclamations/Resolutions**

Mental Health Awareness Month (Linda Savochka, Carl Meyers, Charles David, and Angela Frye)  
May 2010 as Community Action Month (Teresa Furnier)

Older American`s Month

Fayette County Buy and Celebrate Local Month (Bob Junk, Fay Penn)

**Linda Savochka** of Fayette County Behavioral Health Administration I am here to ask the Commissioners to proclaim May as Mental Health Awareness Month. Accompanying her was Carl Meyers, Charles David, and Angela Frye.

**Angela Frye explained** the recovery program for Mental Health was important to her because it helped her realize that no matter what your illness is you still can do what you want and be what you what to be in life.

**Teresa Furnier** of Fayette County Community Action Agency stated that FCCAA has worked to help social economic conditions in Fayette County by helping disadvantaged individuals achieved self-sufficiency in our area since 1966. She asked that the Commissioners also to proclaim May 2010, Community Action Month.

**Gwyn Ridgley** was present in regards` to Older Americans Month & announced she was pleased to be in the presence of the Commissioners and was able to request that the Fayette County Board of Commissioners proclaim May 2010 as Older`s Americans Month which has been celebrated for over 40 years here in America in recognition of the valuable contributions of older citizens to the economy & communities not only in Fayette County but throughout the United States. She said May 5<sup>th</sup> at 1:00 pm; the celebration and observance will be more formally announced at Brownsville Senior Citizens Center.

**Bob Junk** of Fay Penn Economic Development Council thanked the Commissioners for giving Fay Penn the opportunity to come forward and consider a proclamation declaring May, Small Business Owner, Buy & Celebrate Local Month. He explained there will be 4 local Farmers Markets which will be in Connellsville, Ohiopyle, Masontown, and here in

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Downtown Uniontown. There are discount cards available, if you are still in need of one, they are available at the Herald Standard Office, or at the Fay Penns Office.

**Commissioner Zimmerlink** stated she and her husband own a small business and added they support all the local business owners.

**Mr. Junk** explained local small business owners give so much more back to Fayette County including churches, extra funds, and support in many ways verses some of the other retail outlets.

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zepotosky to approve the previous proclamations /resolutions.

Commissioner Zepotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Fayette County Controller**

Financial Condition of the County read by Fayette County Sean P. Lilly

FUND: GENERAL FUND

CASH	DATE	29-Apr-10	
	Checking Account	Centre Bank	\$4,598,814.41

Funds Owed to the General Fund

Temporary Loans

Intermediate Punish Fund	\$35,610.94
Victim Witness Fund	\$30,000.00
Children & Youth Fund	\$1,000,000.00

Payroll Owed to General Fund

Victim Witness Fund	\$2,029.40
Domestic Relations Fund	\$39,080.16
County Records Improvement Fund	\$1,012.94
Offenders Supervision Fund	\$17,436.89
Intermediate Punishment Fund	\$10,095.42
Fredericktown Ferry Fund	\$2,510.31
Liquid Fuels Fund	\$9,187.60
UCC Fund	\$2,637.94
Children and Youth Fund	\$51,833.80
911 Fund	\$39,294.61
Fact	\$35,474.14
MH/MR	\$123,541.53
Retirement Fund	\$142,674.05

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Funds General Funds Owed		\$1,542,419.73
Tax Anticipation Note	\$4,000,000.000	\$4,000,000.00
Budget Year 2010	Net Portion	\$2,141,234.14
		Year to Date
Total 2010 Revenue		\$7,044,594.79
Total 2010 Expenditures		\$6,965,393.66
Total 2010 Expenditures paid in 2010		\$989,438.42
Capital Reserve Fund Balance		\$81,021.59
Bond Fund Balance 1/1/10		\$2,361.20

**Fayette County Redevelopment Authority**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the adoption of the resolutions which approve modifications to the following Community and Development Block Grant (CDBG) Programs: North Union Twp – FY2010 ARA-CDBG; Luzerne Twp FY 2007 CDBG; Redstone Township-FY 2006-FY-2007 CDBG; and Fayette County- FY-2006 CDBG

Commissioner Zapotosky      yes  
Commissioner Vicites          yes  
Commissioners Zimmerlink      yes

Motion Passed Unanimously

**Fayette County Community Action Agency**

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to allow the courthouse to serve as the location for the 2010 Magic and Mistletoe Event on Saturday, December 4, 2010.

**Commissioner Zapotosky** stated the Fayette County Courts have already given their approval to conduct the event & use their courts rooms, we have had this event in the past and it turned out to be a wonderful evening.

Commissioner Zapotosky      yes  
Commissioner Vicites          yes  
Commissioners Zimmerlink      abstain

Motion Passed 2-0

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Behavioral Health Administration

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to approve the following agreements and modifications

<u>Modification Agreement #1 2009-2010</u>	<u>Contract Value</u>	<u>Period</u>
Therapy Connections, LLC	\$28,000	7/1/09-6/30/10
<u>Fee for Service Agreement 2009-2010</u>		
EMS Southwest, Inc.	\$1,000	7/1/09-6/30/10
<u>Health Choices Reinvestment Modification Agreement #1 -2006 Funds</u>		
Southwest Behavioral Care, Inc.	\$212,650	2006 Funds

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

Children & Youth Services

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve Purchase of **Service Agreement** for FY2009-10 between the County of Fayette, through Fayette County Children & Youth Services and **ACS Psychological Services** – 136 East Fayette Street, Uniontown, PA 15401 for testing, assessment, & treatment of adults & children on an as needed basis. The services & rates include the following:

Psychological Testing	\$150.00 per hour
Individual Assessment / Therapy	\$ 70.00 per hour
Group Therapy	\$ 35.00 per hour
Court Testimony	\$100.00 per hour

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

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**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve **Purchase of Service Agreement** for FY2009-10 between the County of Fayette, through Fayette County Children & Youth Services and **Jo Ann Jankoski** – 197 Leiber Manor, Hopwood, PA 15445 for assessment, evaluation, & treatment of adults & children, as well as training of staff & foster parents on an as needed basis at a rate of **\$75.00** per hour.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve **Purchase of Service Agreement** for FY2009-10 between the County of Fayette, through Fayette County Children & Youth Services and **Tony Schrim** – 1133 Jerome Street, Pittsburgh, PA 15220 for assessment, evaluation, & treatment of adults & children on an as needed basis at a rate of **\$54.00** per hour.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve **Purchase of Service Agreement** for FY2009-10 between the County of Fayette, through Fayette County Children & Youth Services and **Attorney Lauren Despot** – 18 Mill Street Square, Uniontown, PA 15401. Attorney Despot has been appointed by the Court to represent children in dependency proceedings. The rate for her services is \$65.00 per hour.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioners Vicites and seconded by Commissioner Zimmerlink to approve **Purchase of Service Agreement** for FY2008-09 between the County of Fayette, through Fayette County Juvenile Probation and **Hugh S. Smith PhD.** – 1850 William Penn Way, suite 202, Lancaster, PA 17601 for psychological evaluation services on an as needed basis at a rate of **\$55.00** per hour.

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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve **Purchase of Service Agreement** for FY2009-10 between the County of Fayette, through Fayette County Children & Youth Services and **Carol Patterson** - P.O. Box 608, Greensburg, PA 15601 for Bonding Assessments to determine if parent's rights should be terminated. Services are utilized on an as needed basis. The rates for the services are as follows:

Bonding Assessment	\$350.00 per assessment
Court Testimony, Travel, & Observation	\$100.00 per hour

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

### **Election Bureau**

**Moved** by Commissioner Zapotosky to approve polling place changes for the May 18<sup>th</sup> 2010 Election as follows.

Nicholson Twp, 2<sup>nd</sup> District from New Geneva Baptist Church to Nicholson Twp Shed Garaged

Uniontown City, 2<sup>Nd</sup> Ward from American Legion to Uniontown City Hall Council Chambers

North Union Township, 5<sup>th</sup> District from Valley Sportsman's Club to West Leisenring Volunteer Fire Department.

**Commissioner Zimmerlink** stated it is not required for the Commissioners to change polling places being the Election Board has already done so.

### **Commissioner Zapotosky withdrew his motion.**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve advertising for the special election of the 12<sup>th</sup> Congressional District required by the Dept of State.

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Commissioner Zapotosky	yes
Commissioner Vicites	abstain
Commissioners Zimmerlink	yes

Motion Passed 2-0

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify Bid # 10-02 to Beggs Brothers Printing for printing of the ballots at a cost of \$6725.00 for the Primary Election.

Commissioner Zapotosky	yes
Commissioner Vicites	abstain
Commissioners Zimmerlink	yes

Motion Passed 2-0

**Commissioner Vicites** explained the reason he abstained is because he is an upcoming candidate

### **EMA/911**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to designate Roy Shipley as EMA Director, Agent for County of Fayette to execute the necessary papers for the “February Snow of 2010” event. Once funding is approved by FEMA (PEMA-DAP-2)

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve a revised Local Emergency Planning Committee List as recommended by EMA.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

### **Fact**

Consider awarding purchase of 25 four camera systems and DVR recorders to TBD in the amount of TBD.

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**Commissioner Zimmerlink** stated this previous motion needs to be rejected; the Acting Director Lori Groover Smith contacted each of us and asked us not to award the bid, the reason being because is all bids received were over budgeted. She added that we will need to reauthorize the same bid.

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to reject bid # 10-03 for 25 four cameras and DVR systems.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify a change order for \$9,425 to Fairchance Construction for garage project.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	no

Motion Passed 2-1

**Commissioner Zimmerlink** explained this is a ratification which means that the change order has already been approved by 2 commissioners. She said the reason it should not have been done was because this is a change order for the garage project which the total amount of the change order was \$9,000, when questioned the acting director as to why the changes were needed and this should have been reviewed and discussed at the time of the bids.

**Commissioner Vicites** stated he had asked that question and it was clearly stated to him that we would not be able to move forward, that the permit would not have been issued because we would have been out of compliance.

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approval the purchase of radios and dispatching equipment from Motorola state contract #5820-02 for \$38,400.28.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify an application for \$250,000 in round two ARRA funding through the Southwestern Pennsylvania Commission.

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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	no

Motion Passed 2-1

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to approve an agreement with Clearview Strategies for Professional Services not to exceed \$2,500 to develop Policy and Procedures for Advertising.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	no

Motion Passed 2-1

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve submission of grant applications for FY 2010-2011 for Welfare to Work, New Freedom, Shared Ride, Medical Assistance Transportation Program, Persons with Disabilities Program, 5307 Urban Operating and Capital, Urban Operating State, and State Bond amounts TBD.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to advertise request for Proposal for Human Service Development Fund and Homeless Assistance Program.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to amend the agreement with FCCAA for Human Service Development Fund; Family Development credentialing class \$12,247; Adult Daycare service \$5,200; Counseling \$8,213; Information and Referral \$26,766. (Line item revision only, total agreement amount unchanged)

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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend the agreement with FCCAA for Homeless Assistance Program; Bridge House 109,948; Case Management 55,365; Rental Assistance 163,798. (Line item revision only, total agreement amount unchanged)

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend the agreement with ECHO daycare to add a drug free workplace clause as recommended by auditors.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to amend agreements with Brownsville Bus, White Line Taxi, Central Cab Co, Budget Charters, Goodwill Industries, Mt Citizens Action Group, Albert Gallatin Human Services, Fayette County Community Action Agency, Fayette County Behavioral Health Administration, City Missions, and Center in the Woods to add suspension and debarment clauses as recommended by auditors.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Human Resources**

**CYS**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify the hire of Jessica N. Durant as County Caseworker I, at \$14.68/hr (\$28,634) effective May 10, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the hire of Sherrie Bochnak as Clerk Typist II, at \$11.31/hr (\$22,055) effective May 10, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**EMA/911**

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the volunteer internship of Mary Frances Zentkovich, Penn State Fayette Bachelor of Administration of Justice Major, effective May 17, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the promotion of Douglas Myers, from 911 Dispatcher to Full Time EMA Region 13 Specialist at SEIU 911 Scale Pay Grade 11 Step C \$12.77/hr (\$26,561.60) effective May 10, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

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**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the hire of Louis Otto as Part Time EMA Region 13 Specialist at \$12.15/hr effective May 10, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

### **FCBHA**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation of County Caseworker II, Michael Holp, effective April 9, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the transfer of Andria Guth, County Caseworker II at CY5 To County Caseworker II at FCBHA at \$14.66/hr (\$28,587) effective May 17, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the transfer of Lana J. O'Conner, County Caseworker II at CY5 to County Casework II at FCBHA at \$14.66/hr (\$28,587) effective May 17, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

### **Human Resources**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to **Table** approving policy and procedures for the self funded health care program.

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Commissioner Zaptosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zaptosky to approve the volunteer internship of Samantha Daliere, Mansfield Human Resource and Psychology major, effective May 17, 2010.

Commissioner Zaptosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zaptosky and seconded by Commissioner Vicites to approve an internship agreement between the County of Fayette and the Mansfield University of PA.

Commissioner Zaptosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to **Table** the updates to the Fayette County Policy and Procedures for Sick Leave, Family Medical Leave and Personal Leave.

Commissioner Zaptosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

### **Commissioners**

**Moved** by Commissioner Zaptosky and seconded by Commissioner Vicites to approve the Commissioner Minutes for March 25, 2010.

Commissioner Zaptosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	nay

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Motion Passed 2-1

**Moved** by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Muriel Nuttall and Tammy Stenson as Co-Chairpersons of the Fayette County Public Participation Panel.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Michael Edwards, from the Redevelopment Authority of Connellsville to replace his predecessor on the panel

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to approve signing a complaint to be filed by the County against Woodland Zoo and More Inc.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	abstain

Motion Passed 2-0

**Commissioner Zimmerlink** explained the reason she abstained was because she felt it was a redundant motion, the Commissioners gave the approval unanimously back in February to pursue any necessary course of action against Woodlands Zoo.

**Commissioners Vicites** stated this was the initial complaint which needs to be placed on record.

**Commissioner Zapotosky** explained that there is an outstanding debt present with this issue which is increasing so we need to make every effort to recover those funds.

**Commissioner Vicites** also commented his concern was that whatever action was taken was preceded with caution legally.

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites that any change concerning Magisterial District # 14302 be subject to review and approval by the Solicitor. Judge Solomon has made the request, which I will yield to his request for the move however under the stipulation, that the lease agreement and the resolution adopted by the Borough of Masontown, Pa. does not conflict in any way legally and that the county as well as all parties involved including the current landlord of the facility with all the rights are protected and the cost lost in revenue is addressed.

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**Commissioner Zimmerlink** asked current landlord Keith Charles, if has he been receiving his rental payments from the county in his name. His reply was yes. She also added on Tuesday's Meeting April 20, 2010 that she sees no viable reason to terminate the lease agreement early and relocate to another sight. She explained the county is still under an existing lease agreement which doesn't expire until December 31, 2011. She suggested not taking any action on this matter until the lease is up.

**Commissioner Vicites** stated since he has been a Commissioner he has always tried to work with the municipalities, we have moved public places to public buildings. He added he tries to keep a consistent approach to his decision making, legally we need to find out if this can be done.

**Commissioner Zapotosky** stated speaking with the judge this move is in his favor and in past practice the President Judges has in fact directed the relocation of the MDJ Offices & he feels the Borough has made a reasonable offer and are willing to accept a restitution on the balance of the lease also the facility they are going to supply is double the size and will supply more security for the DJ, staff, and allow for the Boro Police Dept to be in their own Borough 71% more of the time.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	no

Motion Passed 2-0

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the Fayette County 10 year Solid Waste Recycling Plan; DEP will give final approval after our approval.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratifying the filing of a motion for a special tax sale of the Liggett Properties in Brownsville, PA.

**Commissioner Zapotosky** stated this matter began in a legal proceeding in December 2009 before Judge Wagner, he added in the proceedings Solicitor Cupp made reference to the court, the county would consider having a special sale in the spring of 2010 in conjunction with another sale also Judge Wagner issued an order to file a motion to the court allowing the county to schedule a sale, continuation from the upset sale last year.

**Sara Thomas** Director of Tax Claim stated Judge Wagner's order reads; now this 28<sup>th</sup> day of April 2010 upon consideration of the forgoing motion it is hereby ordered in decreed that no further service on the petitioners shall be required in the Fayette County Tax Claim Bureau of the properties listed in this petition for public upset sale on the 12<sup>th</sup> day of July 2010, 9:30 am in Court Room # 2 at the Fayette County Court House.

**Commissioner Zapotosky** asked Miss Thomas how many properties will be involved in this sale. Her relay was roughly 100.

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**Commissioner Zimmerlink** said the Judge is not ordering a sale, what the motion states is that this is ratifying, which means the Commissioners have already approved and has asked one of the county solicitors to present to the courts a motion asking the courts to allow us to have a sale without the need for additional and further advertising, she added the reason for this is because these properties have been up for sale though have been beyond control of the County Commissioners, County, and the Tax Claim Bureau that the properties were taken out of the sale. The land owner went through the court proceedings and had it removed. She added anything could happen between now and July 12<sup>th</sup>, the owner could pay, which would be in full for all back taxes being 2008 and prior, interest, penalties rates and everything involving the taxes. **Miss Thomas** stated they have exhausted their agreement option as of now.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the contract for termination of cleaning services of District Court 14-1-01 with Marissa Allison effective April 1, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a contract for cleaning services of District Court 14-1-01 with Melissa Renze beginning April 1, 2010 for \$100.00 per month.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to ratify the following transfers:

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**TRANSFERS  
2-17-10 TO 4-16-10  
2010 Budget**

<b>OFFICE</b>	<b>LINE ITEM</b>	<b>DEBIT</b>	<b>CREDIT</b>
<u>Courts</u>			
Material & Supplies	01-4184 52000	\$1,521.00	
Computer Services	01-4184 53010		\$1,521.00
	Total Debits	\$1,521.00	
	Total Credits	\$1,521.00	
	Commissioner Zapotosky	yes	
	Commissioner Vicites	yes	
	Commissioners Zimmerlink	no	

Motion Passed 2-1

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Carolyn Capozza to the vacancy on the Area Agency on Aging Board.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	abstain

Motion Passed 2-0

**Commissioner Zimmerlink** explained the reason she abstained was because they were unable to meet for an interview.

**Commissioners**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the submission of Grant Application submitted to the Pa. Dept. of Conservation Natural Resources for 1.3 million dollars to the Planning Office and Delta Development ratify the submission of the Grant Application submitted to the Pa. Department Conservation Natural Resources for 1.3 million Dollars for continue development of Sheep Skin Trail North Phase 3. Grant application was done by Planning Zoning & Delta Development.

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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously

### **Public Announcements:**

Update on the census: **Commissioner Vicites** stated we have received 78% feedback from Fayette County Citizens, which he added he thanked the citizen of Fayette County for a job well done. By now the questionnaire should have been submitted, if it has not been sent back the Census workers will be stopping at your homes.

There is a vacancy on the Redevelopment Authority Board, interested parties should either mail or email their letters of interest to Kathy Winkler, 61 East Main Street, Uniontown PA 15401 of [kwinkler@fayettepa.org](mailto:kwinkler@fayettepa.org)

### **Public Comments**

**Terry Ryan** Fact Representative commented on Fact Transportation not only as a citizen also as a daily user of Fact , he stated he was happy to report in his opinion that everything is running very well at Fact. He added the 2 appointments the Commissioners made appointing Lori Groover Smith as the Acting Director & Kim Renze as Fact Coordinator were 2 terrific appointments. He said those 2 individuals have turned the Fact Operation around 100%. Mr. Ryan asked not only as a user but also a member of the board that you appoint Lori Groover Smith as the Permanent Director, she has proven her leadership; she works excellent with the Executive Board, and the employees at the Fact Office. **Commissioner Zapotosky** stated he agreed with Mr. Ryan that Mrs. Groover Smith and Mr. Renze and the entire team at Fact Transportation have changed the makeup on how we now run the Fact Office.

**Commissioner Vicites** stated he has notice in the last 15 months fact has it's got progressively better, and he hasn't heard any major complaints. He said that is a good sign that things are improving.

**Commissioner Zimmerlink** added just because you don't hear of any problems Don't think for one minute there aren't any, there just not as vocal as they use to be, but we have had then in the past 15 months to address some issues a reorganization plan has been submitted by the Acting Director Mrs., Lori Groover Smith & staff which was presented at a salary board meeting that we had attended which in that was suggested changes, Salary Board did Table that item and there will be another Salary Board Meeting which is tentatively scheduled for May 19<sup>th</sup>, 2010 @ 11:00am to review the reorganization.

April 29, 2010

**Commissioner Vicites** again stated the number of calls have definitely decreased in the past several months concerning Fact.

**Gifford Fisher** of Fairchance explained how his land has been land locked in by his neighbors for 30 year & has had 4 surveyors. He provided information and pictures of his property to the Commissioners, and is requesting any help they can provide.

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to Adjourn.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioners Zimmerlink	yes

Motion Passed Unanimously