

December 16, 2010

A Meeting of the Fayette County Board of Commissioners was held on Thursday December 16, 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, Secretary  
Warren Hughes, County Manager/Acting Chief Clerk  
Joseph Ferens, County Solicitor

- Meeting called to order
- Prayer was given by Pastor Ewing Marietta
- Pledge of Allegiance

**Public Comment on Agenda Items:** None

**Fayette County Controllers Office**

**Sean Lally** Fayette County Controller read the Financial Condition of the County.

**GENERAL FUND**

DATE: 16-Dec-10

**CASH:**

Checking Account	Centra Bank	\$1,785,439.87
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**Funds Owed to General Fund**

Victim Witness Fund	\$30,000.00
Children and Youth Fund	\$500,000.00
<b>Total</b>	<b>\$530,000.00</b>

**Payroll Due to General Fund**

Victim Witness Fund	\$11,997.03
<b>Total</b>	<b>\$11,997.03</b>

**Funds General Fund Owes**

<b>Budget Year 2010</b>	<b>Net Position</b>	<b>\$2,327,436.90</b>
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December 16, 2010

	<b>Year to Date</b>
<b>Total 2010 Revenues</b>	\$22,583,672.50
<b>Total 2010 Expenditures</b>	\$22,460,106.55
<b>Total 2009 Expenditures paid in 2010</b>	\$989,438.42
<b>Capital Reserve Fund Balance</b>	\$81,259.43
<b>Bond Fund Balance</b>	\$2,361.20

**Fayette County Redevelopment Authority**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve a Resolution authorizing the submission of a proposal by the Fayette County Redevelopment Authority to the Commonwealth of Pennsylvania requesting Two Million Dollars (\$2,000,000) in funding through the Redevelopment Assistance Capital Program (RACP) for development of the Fayette County Business Park in South Union Township, Fayette County, Pennsylvania.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to approve a Cooperation Agreement between the County and the Redevelopment Authority for administration of Fifty Thousand Dollars (\$50,000) in funding through the Commonwealth of Pennsylvania Community Action Team Pre-Development Grant to Loan Program to support the Downtown Pre-Development Financing Initiative for the Cities of Connellsville and Uniontown, Fayette County, Pennsylvania.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**EMA/911**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve for Guy Napolillo to attend Incident Management Team training January 10 – 14, 2011 in Minneapolis, Minnesota as part of the on going training for the Region 13 IMT members. Cost to be paid by Region 13.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

December 16, 2010

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve for James Bittner to attend Incident Management Team training January 17 -20, 2011 in Emmitsburg, MD as part of the on going training for the Region 13 IMT members. Cost to be paid by Region 13.

Commissioner Zapotosky      yes  
Commissioner Vicites          yes  
Commissioner Zimmerlink      yes

Motion passed unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink and seconded by Commissioner Zimmerlink to ratify the purchase of Motorola radio equipment with COPS grant funding under PA State Contract 5820-02 in the amount of \$ 870,040.01

Commissioner Zapotosky      yes  
Commissioner Vicites          yes  
Commissioner Zimmerlink      yes

Motion passed unanimously

**Behavior Health Administration**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve agreements and modifications as follows:

<b><u>Fee for Service Agreement 2010-2011</u></b>	<b><u>Contract Value</u></b>	<b><u>Period</u></b>
Steps to a Healthier PA, Fayette County (AHEC)	\$73,091	7/1/10-6/30/11
<b><u>Modification Agreements #1 2010-2011</u></b>		
Southwest Behavioral Care, Inc.	\$477,373	7/1/10-6/30/11
Transitional Employment Consultants	\$620	7/1/10-6/30/11
<b><u>Modification Agreement #2 2009-2010</u></b>		
Western PA School for the Deaf	\$13,362	7/1/09-6/30/10
<b><u>Health Choices Reinvestment Funds 2009</u></b>		
Adelphoi Village, Inc.	\$150,002	2009 Funds

Commissioner Zapotosky      yes  
Commissioner Vicites          yes  
Commissioner Zimmerlink      yes

Motion passed unanimously

December 16, 2010

**Children & Youth Services**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve a Purchase of Service Agreement for FY2010-11 between the County of Fayette, and through Children & Youth Services and M&R Transportation, 2 Bel Meade Terrace Uniontown, PA 15401 for transportation costs for a dependent youth in the Laurel Highlands School District, allowing the student to attend their home school while in substitute care. The Rate for the services is \$25.00 per school day.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink   yes

Motion passed unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve a request made by the Fayette County CYS Advisory Committee to approve the reappointment of Deborah Cooper, a 3-year term on the Fayette County Children & Youth Services Advisory Committee. Ms. Copper’s term expires December 31, 2010.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink   yes

Motion passed unanimously

**Fayette County Prison**

**Moved** by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to awarding RFP #10-02 to Primecare for Health Care Services for the Prison, a 5 year period beginning January 1, 2011 ending December 31, 2015 for a cost of \$2,898,279.80 on an average daily count of 275 inmates.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink   yes

Motion passed unanimously

**Commissioner Zimmerlink** stated on this RFP there were 3 bids, 3 responses and 2 of those responses were not accepted because they did not meet the requirements.

December 16, 2010

**Fact**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to modify the advertising procedures to add exterior Advertising on the busses as follows:

Queen size monthly \$100.00  
King size monthly \$150.00

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept an agreement with Route Match Software for \$19,653.55 support for 2011 for AVL/Ranger software and equipment.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Planning & Zoning**

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to approve RZ 10-7 Donna Dillinger, Lower and Upper Tyrone Townships, requesting a change of zone from A-1 Agricultural-Rural to B-1 General Business.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	abstain

Motion passed 2-0

**Commissioner Zimmerlink** commented she wasn't present for the hearing.

December 16, 2010

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve a grant application to use Conservation Environmental Initiative (CEI) funds for the restroom renovations at Dunlap and Jacob's Creek Parks. Total cost of the project is \$92,976.00.

Commissioner Zaptosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Commissioner Vicites** stated hopefully this can be completely in the spring.

**Moved** by Commissioner Zaptosky and seconded by Commissioner Zimmerlink to approve subcontracts between the following agencies for the Fayette County Energy Efficiency project:

Fayette County and Penn State University  
Fayette County and Private Industry Council  
Fayette County and Redevelopment Authority of Fayette County

Commissioner Zaptosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zaptosky to renew cooperation agreements between the County and the following Municipalities for County enforcement of the UCC. This Agreement will run January 1, 2011 to December 31, 2014.

Belle Vernon Borough	Markleysburg Borough
Brownsville Borough	Masontown Borough
Brownsville Township	Newell Borough
Bullskin Township	Nicholson Township
Connellsville City	Ohiopyle Borough
Dawson Borough	Perry Township
Dunbar Borough	Point Marion Borough
Dunbar Township	Redstone Township
Everson Borough	Saltlick Township
Fairchance Borough	South Connellsville Borough
Franklin Township	Springfield Township
Georges Township	Springhill Township
German Township	Stewart Township
Henry Clay Township	Upper Tyrone Township
Jefferson Township	Vanderbilt Borough
Lower Tyrone Township	Wharton Township
Luzerne Township	Washington Township

Commissioner Zaptosky	yes
Commissioner Vicites	yes

December 16, 2010

Commissioner Zimmerlink      yes

Motion passed unanimously

**Tax Assessment**

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following individual(s) for a property tax exemption as they have been approved as 100% disabled veterans by the Department of Military & Veterans Affairs Administration for the 2011 tax year.

Roy A Beck      222 N Washington St      Masontown      21-02-0068

Commissioner Zapotosky      yes  
Commissioner Vicites      yes  
Commissioner Zimmerlink      yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a contract with Resource Technologies Corporation for mineral assessment (coal, stone) for a two (2) year period at \$ 9,600 per year. This is a continuation of an existing contract with no increase in price.

Commissioner Zapotosky      yes  
Commissioner Vicites      yes  
Commissioner Zimmerlink      yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites approving setting the billing & payment dates for the 2011 real estate & per capita taxes. Billing date March 1<sup>st</sup>. 2% Discount Period March 1 to April 30<sup>th</sup>. Face Period May 1 to June 30<sup>th</sup>, 10% Penalty Period July 1<sup>st</sup> to December 31<sup>st</sup>. These are all existing dates that are remaining the same.

Commissioner Zapotosky      yes  
Commissioner Vicites      yes  
Commissioner Zimmerlink      yes

Motion passed unanimously

**Human Resources**

**Building and Grounds**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation due to retirement of Thomas Rosinski, Maintenance Worker III, effective December 31, 2010.

December 16, 2010

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Commissioner Zapotosky & Vicites** both thanked Mr. Rosinski for the years he devoted his time to the county and also well on his retirement.

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to ratify the temporary hire of Kristin Kolosky as Custodial Worker at \$8.87/ hr, effective December 13, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### **CYS**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the hire of Ophelia D. Martin as a County Caseworker I at 15.12/hr (\$29,484) effective January 3, 2011.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### **FCBHA**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the resignation (Separation to Accept State Employment) of Chad E. Metts, County Caseworker II, effective December 3, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and second by Commissioner Zapotosky to accepting the resignation of Robyn R. Marmie, County Caseworker II, effective December 17, 2010.

December 16, 2010

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to accept the resignation (Separation to Accept State Employment) of Gabriella E. Locke, County Caseworker II, effective December 22, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the hire of Carma R. Krueger as Clerk Typist II at \$9.97/hr. (\$19,441.50), effective December 27, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of Kelli A. Hilliard as County Caseworker II at \$15.09 hour (\$29,425.50), effective January 3, 2011.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of Kristin A. Cooper as County Caseworker II at \$15.09 hour (\$29,425.50), effective January 3, 2011.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

December 16, 2010

### **Human Resources**

**Moved** by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the Collective Bargaining Agreement between the County of Fayette and the UMWA Prison employees effective January 1, 2010- December 31, 2012.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### **Veterans Affairs**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation of Sharon Wandell, Department Clerk I, effective December 17, 2010

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### **EMA**

**Moved** by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the promotion of Louis Otto, P/T EMA Region 13 Specialist to F/T EMA Region 13 Specialist at SEIU EMA Scale Pay Grade 11 Step A \$12.9/hr (\$26,811.20) effective January 3, 2010

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### **Commissioners:**

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to approve the November 18, 2010 Commissioner Minutes

December 16, 2010

Commissioner Zapotosky      yes  
Commissioner Vicites          yes  
Commissioner Zimmerlink      no

Motion passed 2-1

**Moved** by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the ratification of the transfers for the period 11-10-10 to 12-9-10.

<b>OFFICE</b>	<b>LINE ITEM</b>	<b>DEBIT</b>	<b>CREDIT</b>
<b>Controllers Office</b>			
Contract Computer	014133 53010	\$7,141.00	
Travel	014133 53300		\$200.00
Full Time Salary	014111 51400	\$5,500.00	
Full Time Salary	014133 51400	\$3,000.00	
FICA	014133 51610	\$1,539.00	
Assoc. Dues	014133 54200	\$1,020.00	
Postage	014133 53250		\$1,000.00
GASB	014133 53005		\$16,500.00
Mat & supplies	014133 52000		\$500.00
<b>Assessment Office</b>			
Contract Services	014136 53026	\$500.00	
Appeal Hearings	014136 52411		\$500.00
<b>Building &amp; Grounds</b>			
Utilities PSB	014174 53610	\$8,500.00	
Utilities Courthouse	014174 53600	\$3,400.00	
Travel-Planning	014171 53300		\$6,900.00
Liab. Insurance	014870 53520		\$5,000.00
<b>Health Care Waiver</b>			
Prison Health Care	014232 51560	\$1,541.69	
H/C Waiver	014870 51581		\$1,541.69
<b>Magistrates</b>			
B&G Utilities	014174 53610	\$3,200.00	
DJ-Telephone	014186 53200		\$3,200.00
Full Time Salary	014186 51400	\$1,500.00	
Mat & Supplies	014186 52000		\$1,500.00
<b>District Attorney</b>			
FICA	014194 51610	\$5,000.00	
Salary Full Time	014194 51400	\$25,000.00	
Salary Assistants	014194 51310	\$20,000.00	
Mat & Supplies	014194 52000		\$4,000.00
Professional Serv.	014194 53100		\$33,000.00
Witness Fees	014194 53171		\$1,000.00
Travel	014194 53300		\$12,000.00

December 16, 2010

**Sheriff**

Telephone	014197 53200	\$200.00	
Training	014197 53350	\$500.00	
Contract Computer	014197 53010	\$300.00	
Salary Full Time	014197 51400		\$3,900.00
Travel	014197 53300		\$4,900.00

**Fayette County Prison**

Rental	014232 53830	\$33,000.00	
Medical	014232 53020		\$33,000.00
Uniforms	014232 52735	\$2,950.00	
Training	014232 53350	\$7,000.00	
Mat & Supplies	014232 52000		\$9,950.00
Repairs to Bldg.	014232 53730	\$2,000.00	
Telephone	014232 53200		\$2,000.00

**Adult Probation**

Mat & Supplies	014236 52000	\$1,400.00	
Drug Testing	014236 53191		\$1,400.00

<b>Total Debits</b>	<b>\$138,091.69</b>
<b>Total Credits</b>	<b>\$138,091.69</b>

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to Award Bid # 10-08 Purchases and Installation of vehicle tire and certain work on the County vehicles to Bob Sumeral Tire.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to Award Bid # 10-09 Purchase and delivery of janitorial supplies for the County buildings to the following: All American Poly, Pyramid Cleaning Supplies, Janitor Supply, Steratore, HD Supply, and Interboro Packing Corp.

December 16, 2010

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to Award Bid # 10-10 Purchases of gasoline and diesel fuel for the County vehicles and bulk fuel for the Fact Office and the ferry boat to Center Independent Oil.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zimmerlink to Table RFQ # 10-06 Audit Services for the County, years ending 2010, 2011 and 2012. **(Died for lack of second)**

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to award RFQ # 10-06 Audit Services for the County, years ending 2010, 2011 and 2012.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to authorize the County of Fayette, and the Fayette County Airport Authority to submit an amendment to the Commonwealth of Pennsylvania requesting One Million Dollars (\$1,000,000) in funding through the Redevelopment Assistance Capital Program (RACP) for Hangar Construction at the Joseph A Hardy Connellsville Airport, Lemont Furnace, Fayette County, Pennsylvania. Resolution #09-3-25-42 dated March 26, 2009

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Zapotosky and seconded by Commissioner Vicites to approve Option 3 under the Contract with Constellation Energy with a yearly payment of \$59,129.00 at an interest rate of 4.681%.

December 16, 2010

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Moved** by Commissioner Vicites and seconded by Commissioner Zapotosky to adopt the 2011 Fayette County Budget.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

**Public Announcements:** The Commissioners will still accept letters of interest for Board appointments until December 27, 2010. Please send to Kathy Winkler 61 East Main Street, Uniontown PA 15401 or to [kwinkler@fayettepa.org](mailto:kwinkler@fayettepa.org)

We have received notice of a vacancy on the Planning Commission due to the Resignation of Michael Benninger, if there are any interested parties please send Letter of interest to Kathy Winkler, 61 East Main Street, Uniontown PA or [kwinkler@fayettepa.org](mailto:kwinkler@fayettepa.org)

**Public Comments :** **Beverly Beal** asks Commissioner Zimmerlink what out of the budget would she have cut.

**Commissioner Zimmerlink**, explains that she felt things such as the contracts, doing and RFP for Solicitors, controlling expenses for the future such as not increasing salaries such as the tax collectors, elected officials, outsourcing the Human Resource Department. With the salaries of the unions you do the best you can with negotiating a contract. We disagree on how a government should run. I believe that government should do some sacrificing.

**Beverly Beal** states that if the money is not there the tax payers have to pay it.

**Commissioner Zapotosky** states yes Mrs. Beal you serve on school board and when you see the County taxes or the municipality taxes versus the school district taxes, they school district taxes are through the roof.

**Commissioner Vicites** states that right now you have 3 taxing bodies and if you own a \$120,000.00 home your school taxes are approx \$1400.00 County taxes approximately \$500 and municipality probably around \$200.00, we the county have the lowest county tax in Western PA, But people look at the total package not realizing that there are 3 taxing bodies. I don't want to have to raise taxes, as I have only done it a couple of times in my tenure. Raising taxes is a last resort for me. As for the Delta contract, yes we put money out for Delta, but that was the best return on money that I have ever seen we have received several million. The reason we did not contract with them this year is that we adjusted to the situation.

December 16, 2010

**Commissioner Zapotosky** states that there were no saving presented for the Human Resource department at the time we performed the RFQ

**Commissioner Vicites**, I have always stayed consistent with the 3% cost of living increases. Our County employees are not over paid, there is no way

**Commissioner Zimmerlink**, states that you are working for County government where do you get the money to pay the bills, sometimes you have to make sacrifices.

**Commissioner Zapotosky** states that our expenditures this year are greater than last year, but a large percentage of those are based on the prison, the arch payments, health care increases, so if we did not have those increases which are unpredictable, would our budget be equal to or close to previous years?

**County Manager Warren Hughes**, states definitely

**Commissioner Zapotosky**, so then taking into consideration the expenditures that are not within our control, we are doing business at last years or the previous year's level or cost. So how can you judge when you are spending like two or three years previous. No one can control cell rentals. Again this is a disagreement but we are not spending above and beyond our limitations, but we also understand that there are certain limitations that are beyond our control.

**Controller Lally** spoke to the costs of the Annual Retirement Contribution and how now one could have predicted what the costs would be to the county.

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to adjourn

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

## Adjournment

hjs