

A meeting of the Fayette County Board of Commissioners was held on Thursday, November 17, 2011 at 10:00 a.m. in Courtroom #1 of the Fayette County Court House, Uniontown Pa.

Present:

Commissioner Vince Zapotosky, Chairman
Commissioner Vincent Vicites, Vice Chairman
Commissioner Angela Zimmerlink, Secretary
Warren Hughes, Acting Chief Clerk & County Manager
Sheryl Heid, County Solicitors

- Meeting called to Order
- Silent Prayer
- Pledge of Allegiance

Commissioner Zapotosky asked that the agenda be amended under the Commissioners Unit.

1st Item: Consider entering into a contract between the County of Fayette and Municipal Finance Partners, the Counties actuarial to perform actuarial services for special early retirement benefits study. Meetings and implementation at a cost not to exceed \$5000, inclusive of any other fees with set amount to be paid by the Office of the Prothonotary's General Account.

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to amend the agenda.

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|-------------------------|-----|
| Commissioners Zapotosky | yes |
| Commissioner Vicites | yes |
| Commissioner Zimmerlink | yes |

Motion passed unanimously

Public Comment: none

2nd Item: Consider approving advertising for the 2012 Tax Revenue Anticipation Note, known as a Tran Note.

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to amend the agenda.

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Public Comment: none

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the following Proclamations.

World Prematurity Day – November 17
 Pancreatic Cancer Awareness Month

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Fayette County Controllers:

Joyce Barnett read the Financial Condition of the County.

| | | | |
|-----------------------------|------------------------------|--------------|----------------|
| FUND: | GENERAL FUND | | |
| DATE: | 17-Nov-11 | | |
| CASH: | Checking Account | Centra Bank | \$5,102,132.50 |
| Funds Owed to General Fund | | | |
| | Temporary Loans | | |
| | Vitim Witness Fund | \$30,000.00 | |
| | Children & Youth Fund | \$500,000.00 | |
| | Fredericktown Ferry | \$10,000.00 | |
| | | | \$540,000.00 |
| Arc Payment Due2010 | | | |
| | Intermediate Punishment Fund | \$11,212.46 | |
| | Offenders Supervision Fund | \$22,552.87 | |
| | | | \$33,765.33 |
| Payroll Due to General Fund | | | |
| | Victim Witness Fund | \$2,164.37 | |
| | | | \$2,164.37 |

| | | |
|--------------------------------------|--------------|-----------------|
| Funds General Fund Owes | | |
| Tran Note | | \$4,000,000.00 |
| Budget Year 2011 | Net Position | \$1,678,062.20 |
| | | Year to Date |
| Total 2011 Revenues | | \$20,199,883.57 |
| Total 2011 Expenditures | | \$20,195,175.77 |
| Total 2010 Expenditures paid in 2011 | | \$499,422.50 |
| Capital Reserve Fund Balance | | \$78,321.96 |
| Bond Fund Balance | | \$2,128,747.59 |

Emergency Management

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify Annual Motorola Service Agreement for 2012 in the total amount of \$ 65,368.92 paid quarterly.

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve SBM Electronics Inc. upgrade the 9-1-1 Audiolog Max – Pro Voice recorder for 9-1-1 at a cost of \$47,557.75 under State contract payable from grant funding.

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve contracting Mission Critical Partners for professional services to assist Fayette County with the design of a public safety 9-1-1 network and CPE solution that would support Fayette County’s emergency call delivery (911) calls. This will be part of a State, County and Regional project using State funding, Region 13 funding, and County 9-1-1 funding in the amount of \$ 110,660.00.

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Vicites said it is important to continue upgrading the 911 system for the County.

Behavioral Health Administration:

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following agreements and modifications:

| <u>Service Agreement</u> | <u>HealthChoices - 2012</u> | <u>Contract Value</u> | <u>Period</u> |
|---|------------------------------------|----------------------------------|----------------------|
| Allegheny HealthChoices, Inc. | | \$100/per hour Up to \$69,500 | 1/1/12-12/31/12 |
| <u>HealthChoices Amendment #5 - 2012</u> | | | |
| DPW/Fayette County | | N/A | 2012 |

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to award Bid Number 11-08 to Davies Ford Connellsville for the lease of one (1) 2012 Ford Explorer 4WD at a monthly cost of Four Hundred Twenty-Eight Dollars and Seventy-Four Cents (**\$428.74**) for thirty-six (36) months, transfer fees of \$133.50, with a total cost of Fifteen Thousand Five Hundred Sixty-Eight Dollars and Fourteen Cents (**\$15,568.14**) for the lease period with 18,000 miles per year allowance.

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Children & Youth Services:

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a FY2010-11 **Purchase of Service Agreements** between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Wesley Spectrum Services**, 221 Penn Avenue, Pittsburgh, PA 15221 for foster family placement service on an as needed basis. The rate is as follows:

Initial Clothing - \$250.00

414780 - Foster Family Care Class AA - \$52.02 per day

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a FY2011-12 **Purchase of Service Agreement** between the County of Fayette, through Fayette County Children & Youth Services, and **Tony Schrim (Family Solutions)**, 1133 Jerome Street, Pittsburgh, PA 15220 for consultation, assessment, counseling, family preservation, and family reunification services to CYS consumers on an as needed basis. The rate for all services is \$54.00 per hour.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve **Purchase of Service Agreements** between the County of Fayette, through Fayette County Children & Youth Services & attorneys to represent CYS & those appointed by the court to represent children in dependency proceedings during FY2011-12. Rates as attached.

Anthony Dedola - CYS Solicitor
Ewing D. Newcomer - CYS Solicitor
Karen Kiefer - Child's Attorney
Michelle Kelly - Child's Attorney
Wendy O'Brien - Child's Attorney
John A. Kopas, III - Child's Attorney

Benjamin F. Goodwin - Child's Attorney
Beverly Jean Ullien - Child's Attorney
Anthony Iannamorelli - Child's Attorney
Mariah Balling-Peck - Child's Attorney
Kimberly D. Kovach - Child's Attorney
Margaret Zylka House - Child's Attorney

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a FY2011-12 **Purchase of Service Agreements** between the County of Fayette, through Fayette County Children & Youth Services, and Avanco International, Inc., 1751 Pinnacle Drive, Suite 425, McLean, VA 22102, for consultation and labor

related to the transition from the existing child welfare management information system (ACYS) to the DPW approved CAPS system. Not to exceed \$5,000.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Assessment Office:

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the following for a Real Estate Tax Exemption as they have been approved as a 100% Disabled Veteran by the Department of Military & Veterans Affairs for the 2012 tax year.

Sharon Zampatti PO Box 774 Perry Twp 27-12-0011

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve a LERTA, Local Economic Revitalization Tax Assistance Act, for Wharton Township beginning December 2011 for a five (5) year period. This is a continuation of the existing program enacted by the township supervisors that expires in December 2011. It is 100% tax abatement for new commercial construction or renovation. Copy attached.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink no

Motion passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve a LERTA, Local Economic Revitalization Tax Assistance Act, for the City of Connellsville, for a five (5) year period as enacted by Connellsville City Council. It is a 100% tax abatement for new commercial & industrial construction and renovation. Copy attached.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink no

Motion passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve entering into an agreement between the County of Fayette and RMZ Holdings for the Amphitheater property.

Sheryl Heid County Solicitor explained the agreement that has been proposed and had been reviewed by County Solicitor Joseph Ferens is a lease with an option to purchase; the lease is for \$1500.00 a month and the offer to purchase in the sum of \$210,000.00. The lease extends for one year with opportunity to extend it two more years. She added the lease as written provides that the \$210,000.00 will be the purchase price, whether the option purchase was exercised in year 1, 2 or 3. The lease specifically excludes the mineral rights whether leased or purchased.

Commissioner Vicites stated the \$210,000.00 price is the average of the 2 appraisals which was \$170,000.00 and \$250,000.00.

Fred Ziegler thanked the Commissioners for giving him the opportunity to move forward, entering into an agreement concerning the Amphitheater Property.

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| Commissioners Zapotosky | yes |
| Commissioner Vicites | yes |
| Commissioner Zimmerlink | yes |

Motion passed unanimously

Commissioner Zimmerlink explained she was never opposed to the RMZ Holdings lease. She said being it is County Property; it should have been open for a public bid.

Human Resources:

Commissioners

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratifying the approval to hire Barbara Buchko as a temporary Commissioners Administrative Assistant at \$11.85/hr, working 18.75 hours or less per week, effective November 14, 2011 through December 31, 2011.

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| Commissioners Zapotosky | yes |
| Commissioner Vicites | yes |
| Commissioner Zimmerlink | abstain |

Motion passed 2-0

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to ratify the approval to hire Delores Buchko as a temporary Commissioners Administrative

Assistant at \$11.85/hr, working 18.75 hours or less per week, effective November 14, 2011 through December 31, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink abstain

Motion passed 2-0

FACT

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the resignation of F/T Bus Driver, Linda Barber effective October 31, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded Commissioner Zimmerlink to ratify the hire of Russel Baird as a P/T Bus Driver at \$10.75/hr effective November 7, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the promotion of Tech D Serviceperson, Alvin Rockwell, to Tech C Mechanic at SEIU Pay Grade 6 Step A \$10.41/hr (\$20,299.50) effective November 21, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

FCBHA

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve ratifying the resignation due to retirement of Data Analyst II, James B. Pritt, effective November 30, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the 350 hour volunteer internship of Sara Provance, Business Administration and Marketing Major at PSU Fayette, effective December 19, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prison

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve 350 hour volunteer internship of Christine Collier, Administration of Justice and Psychology Major at PSU Fayette, effective December 19, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Defender

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the hire of Bruce Franke as Investigator at SEIU Pay Grade 9 Step A \$11.52/hr effective November 14, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve 440 hour volunteer internship of Samantha Jo Yuwan, Administration of Justice Major at PSU Fayette, effective December 19, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Assessment

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the transfer of FACT Transportation Information Specialist, Jennifer Maddas, to Mapping Technician at SEIU Pay Grade 7 Step A \$10.75/hr (\$20,962.50) effective November 21, 2011.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Courts – District Judges:

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the Fayette County Constable Handbook, effective January 12, 2012.

Troy Rice President of the Constable Association stated not all of the Constables agree on the wording in the handbook.

Sheryl Heid County Solicitor stated she did review the handbook and had a number of questions in regards to how constables operate and handle different situations. She added a meeting is set up for today November 17 to go over the wording with the Constables and the President Judge.

Tammy Lambie Court Administrative Assistant stated President Judge Solomon asked Judge Haggerty to form a board which it was. A meeting was held to review the

handbook with the President Judge, Attorney Cupp, Judge Haggerty and the newly appointed board members, which the handbook was determined to be satisfactory.

Commissioner Zapotosky suggested tabling the matter until the December meeting which would allow time to review the handbook and then move forward. He added it needs to be implemented until all the concerns addressed.

Tammy Lambie stated the courts are not in favor of delaying the adoption of the handbook. She asked the Commissioners to adopt the handbook with stipulation, that it be reviewed and implemented by January 1, 2012, with County Solicitor Sheryl Heid, to correct any necessary verbiage if needed. That way training can begin, and the Constables can sign a contract.

Commissioner Vicites said we do need to move forward with this and if any issue arises, we can amend it.

Commissioner Zapotosky said he felt it would be needed to adopt it as a provisional approval at this meeting, and then final approval will be granted at the December's meeting.

Commissioner Zimmerlink stated Attorney Cupp reviewed the handbook and said it was fine which means, in this particular instance, he did not have any hesitation on how it was written that would place the County in harm's way with respect to litigation.

Attorney Heid stated she had several questions requiring clear intent needs to be negotiated between the courts and the Constable Association; she wants to make certain the language is clear with no misunderstandings or legal issues after January 1, 2012.

Commissioner Zapotosky stated in by virtue of the said information and allowing for this issue to be approved in this manner, it allows for the process to continue training and the schedule can be formed. The fact is the handbook is needed.

Commissioner Vicites stated, if approved today, it can be amended by the Commissioners, at any time if there are any changes that need to be taken care of.

Mr. Ronald Haggerty District Judge commented, though was unable to be heard.

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| Commissioners Zapotosky | yes |
| Commissioner Vicites | yes |
| Commissioner Zimmerlink | yes |

Motion passed unanimously

Commissioners:

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve the October 27th, 2011 Commissioner Meeting minutes.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve an extension of the Felice contract for three (3) months effective January 1, 2012 to March 31, 2012.

Commissioner Vicites said Felice & Associates is in process of negotiations and it is important to keep them on.

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink no

Motion passed 2-1

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the following transfers in the 2011 budget from October 20 to November 9, 2011.

**TRANSFERS
2011
10-20-11 TO 11-09-11**

| Department Cost Center | Debit | Credit |
|---|--------------|---------------|
| Adult Probation | | |
| Material & Supplies 014236 52000 | \$500.00 | |
| Drug Testing 014236 53191 | | \$500.00 |
| Building and Grounds | | |
| Salaries 014174 51400 | \$3,000.00 | |
| FICA 014174 51610 | \$1,000.00 | |
| Auto Repair 014174 53741 | | \$4,000.00 |
| Coroner – Contingency/Unappropriated | | |
| Unappropriated 014999 59040 | \$7,500.00 | |
| Coroner Transport 014193 52638 | | \$7,500.00 |

| | | | |
|--------------------------------|---------------------|-----------------|-----------------|
| Sheriff | | | |
| Training | 014197 53350 | \$150.00 | |
| Material & Supplies | 014197 52000 | | \$150.00 |
| Total Debits | \$11,650.00 | | |
| Total Credits | \$11,650.00 | | |

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to enter into a contract between the County of Fayette and Municipal Finance Partners, the County's actuarial, to perform actuarial services for a Special Early Retirement Benefit study, meetings, & implementation at a cost not to exceed \$5,000 to be paid from the County General Fund, and then after a transfer will be made from Prothonotary General Account into the General Fund.

Commissioner Zimmerlink suggested that this be paid from our County General Fund Budget and not from the General Account of the Office of Prothonotary, which she stated we would have two accounts to remove that from which would be our Unappropriated Balance, \$5000.00 which there is funds in there or from the Reserve Account which again there are enough funds available to cover this.

Commissioner Vicites added Lance Winterhalter, Prothonotary Office Director, spoke at the Retirement Board Meeting and made the proposal to the board and subsequently got on the agenda which it can be taken from where it is designated from, though he did make the offer and would lessen the impact of the budget.

Commissioners Zapotosky yes
 Commissioner Vicites yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the advertising for the 2012 Tax Revenue Anticipation Note (TRAN).

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously

Announcements: Announcing the kick-off of the Guaranteed Energy Savings Project through Constellation Energy, for the County Buildings.

Renee Gaskins explained the process of the Guaranteed Energy Savings Project and how it will progress.

The Commissioners will be accepting letters of interest for Board Appointments until December 15, 2011. Please send to:

Kathy Winkler
61 East Main Street,
Uniontown, PA 15401
or: e-mail kwinkler@fayettepa.org

Public Comments:

Mr. Mazza commented though was unable to be heard.

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

Commissioners Zapotosky yes
Commissioner Vicites yes
Commissioner Zimmerlink yes

Motion passed unanimously