

Thursday, December 18, 2008 – 10:00 a.m.

A Meeting of the Fayette County Board of Commissioners was held on Thursday, December 18, 2008 at 10:00 am in the Conference Room at the Public Service Building, Uniontown Pa.

Present:

Commissioner Vince Zapotosky, Chairman
Commissioner Vincent Vicites, Vice Chairman
Commissioner Angela Zimmerlink, Secretary
Judy M. Bodkin, Chief Clerk
Warren Hughes, County Manager
Joe Ferens, County Solicitor

- Meeting called to Order
- Prayer given by Rev. Ewing Marietta
- Pledge of Allegiance

Public comment on agenda items: none

- Controller

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the investment of December 4, 2008 - \$7,500,000 for 14 days at 1.25% with Parkvale \$3,595.89

Commissioner Zapotoskyaye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify Tyler Technology contracts for the Munis system as listed.

Annual Support Agreement and License Agreement for Munis Software
For the period 01/01/09 – 12/31/09 - \$14,112.00

Renewal for IBM Informix Support
For the period 01/01/09 – 12/31/09 - \$997.50

Disaster Recover Contract
For the period 12/20/08 – 12/19/2009 - \$5,000.00

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve an application being submitted by the County to the Pennsylvania Department of Community and Economic Development (DCED) HOME Investment Partnerships Program requesting funding to provide \$500,000 in additional support for a permanent supporting housing development being constructed by FCCAA (Fayette Apartments).

Commissioner Zapotoskyaye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- EMA/911

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve an agreement with L. Robert Kimball & Associates to provide consultant service for 911 Wireline/Wireless Planning to the County of Fayette.

Commissioner Zapotoskyaye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Commissioner Vicites thanked Robert Kimball & Associated for doing a good job and commended them for their actions.

- Tax Assessment

Moved by Commissioners Vicites and seconded by Commissioner Zimmerlink 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 2009 county fiscal tax year.

Elizabeth Beatty	409 Pechin Rd	Dunbar Twp	09-31-0095
Eric McCrae	278 Greenfield Rd	Vanderbilt B	40-02-0055
Dorothy Cernitsky	18 Country Clb Bvd	South Union	34-18-0023
Gary D White	517 Collier Rd	Georges Twp	14-15-0094-01
Danny P Conn	230 Leis Vand Rd	Dunbar Twp	09-11-0032-01
Glen Nielsen	123 E 1 st St	Gstone Jefferson Twp	17-16-0059

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve a contract amendment with RBA Professional Data Systems and the County of Fayette for reassessment functions in 2009 at a cost of \$44,840 to be billed 50% in January 2009 and balance when the software enhancements and imported value are made available to the County Assessment Office for use.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve an agreement with Tyler Technologies for web site hosting for 2009 at a cost of \$21,000.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Planning, Zoning and Community Development

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to enter into an agreement between the County of Fayette and the Department of Environmental Protection for Phase I of Act 167 Stormwater Management as mandated by the state.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Children & Youth Services

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve FY2008-09 Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services & attorney Joseph M. Standish appointed by the court to represent children in dependency proceedings. The rate for the legal services is \$65.00 per hour.

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

- MH/MR Program

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

<u>Contract Agreement 2008-2009 (Base)</u>	<u>Contract Value</u>	<u>Period</u>
Allegheny Intermediate Unit	\$ 549,200	7/1/08-6/30/09
Allegheny Valley School	\$ 26,400	7/1/08-6/30/09
<u>Contract Agreement 2007-2008 (Base)</u>		
Allegheny Valley School	\$ 21,662	7/1/07-6/30/08
Fayette Resources, Inc.	\$1,079,599	7/1/07-6/30/08
<u>Modification Agreement #3 2007-2008 (Base)</u>		
Arc, Fayette	\$ 639,785	7/1/07-6/30/08
<u>Modification Agreement #5 2007-2008 (Base)</u>		
Fayette Resources, Inc.	\$1,171,262	7/1/07-6/30/08
<u>Modification Agreement #4 2007-2008 (Federal)</u>		
Arc, Fayette	\$2,136,657	7/1/07-6/30/08

Commissioner Zapotoskyaye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to award Bid Number 08-18, submitted by Davies Ford Connellsville, Route 119 North, Connellsville, PA for the leasing of a 2009 Ford Flex SE at a monthly cost of \$464.56 for thirty-six months, with a

total cost of \$16,852.66 for the lease period

Commissioner Zapotoskyaye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Human Resource Department

Under Children and Youth Services

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to accept the resignation of Vincent Dipaolo, County Caseworker I, effective January 2, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the hire of Colleen Moyer as a F/T County Caseworker I, at \$13.18/hr (\$25,709.00), effective December 22, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the hire of Elizabeth Weible as a F/T County Caseworker I, at \$13.18/hr (\$25,709.00), effective January 5, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the hire of Tom Boyd as a F/T County Caseworker I, at \$13.18/hr (\$25,709.00), effective January 5, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the hire of Robert Madison as a F/T County Caseworker I, at \$13.18/hr (\$25,709.00), effective January 5, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the hire of Shawn Murray as an F/T substitute County Caseworker I, at \$13.18/hr (\$25,709.00), effective January 5, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the hire of Kristin Cooper as a F/T substitute County Caseworker I, at \$13.18/hr (\$25,709.00), effective January 5, 2009.

Under FACT

Moved by Commissioner Vicites and second by Commissioner Zimmerlink to ratify the hire of David Hertznehl, as a full-time Small Transit Vehicle Operator at SEIU Pay Grade 7, Step A \$9.80 (\$19,110.00) effective December 15, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the hire of Sterling Lambie as a full-time Small Transit Vehicle Operator at SEIU Pay Grade 7, Step A \$9.80 (\$19,110.00) effective December 15, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the hire of Lloyd Jenkins as a part-time Small Transit Vehicle Operator at SEIU Pay Grade 7, Step A \$9.80 (\$19,110.00) effective December 15, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation of Jerome Dean, full-time Small Transit Vehicle Operator, effective November 26, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation of Joyce Monayer, Program Specialist, effective December 12, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and second by Commissioner Vicites to accept the resignation of Stella Rebitch, Operations Manager, effective January 16, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Under Public Defender

Moved by Commissioner Vicites and second by Commissioner Zimmerlink to ratify the approval of the volunteer internship of Karla Ramage through Pennsylvania Institute of Health and Technology, effective December 3, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye
Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation of Krista Wingrove, Department Clerk, effective December 19, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under Veterans Affairs

Dominick Carnicella, Human Resource Director, stated the VA Liaison Committee and he interviewed 18 applicants and chose 5 individuals on December 17, 2008 for the Commissioners to interview. Mr. Carnicella asked the Commissioners if they made a decision on a final applicant.

Commissioner Zapotosky asked Dominick Carnicella for confirmation that the correct interview process was followed which Dominick Carnicella confirmed saying the VA Liaison Committee did an excellent job and he is confident the selection process was done right. **Commissioner Zimmerlink** ask Dominick Carnicella from the 5 individuals the Commissioners interviewed yesterday afternoon how many did he call between then and this morning to see when the individual could start and how did he know who to call. Mr. Carnicella stated he called one person because two Commissioners gave him the name. Commissioner Zimmerlink asked if the only individual contacted was Floyd Coddington and Mr. Carnicella confirmed that it was.

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the hire of Mr. Floyd Coddington as Director of Veterans Affairs office effective January 5, 2009 at \$15.02/hr (\$29,289.00).

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Commissioner Vicites and Commissioner Zapotosky commented Mr. Coddington interviewed well and ranked the highest on their rating.

- Human Services/FACT

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky for the approval to advertise the purchase of one grand accessible minivan (100% state funded).

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to purchase a 2009 Ford Explorer from state contract #013-026, total cost \$22,831.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the purchase of three 12+2 passenger buses through state contract #6100002131, total cost \$179,520(Federal, state and local match)

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink for the approval to advertise, the disposal of vehicles #108 Ford 2000; #113 Chevy 2000; and #116 Dodge Minivan 2000.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify the transportation amendments for Edenfield Stages, Brownsville Bus Lines, Goodwill Industries, White Line Taxi, and Mt Citizens Action Group. Amendment is for fixed route payments and fuel & tire invoice reimbursements.

Commissioner Zimmerlink stated Edenfield Stages approached the Commissioners asking for bi-weekly payments but no other carrier asked and the County has set a precedent by changing agreements to meet vendor's financial needs. She said county vender contracts generally are paid monthly.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Ray McDonald and Kristine Peck to attend PSP level 400 training in Gettysburg at a cost of \$285 each, plus lodging.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Commissioner Vicites commented this trip has been a series of training programs. Mr. McDonald and Miss Peck has completed 3 trainings, this will be the 4th.

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to **Table** the approval for Ron Lynch to go to ABC Company in Miami, Florida approximately January 31 to review repairs and accept vehicle (Bus #153) as complete. All costs paid by Edenfield insurance company.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Commissioner Zimmerlink explained the reason to Table this was because at the Tuesday Agenda Meeting she asked for confirmation that Edenfield Stages were to pay but staff could not confirm it.

- Veterans Affairs

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to award Bid No. 08-12: Flags to Flag Zone LLC of Pottstown total amount of \$17,480 and reject Markers/rods and re-authorize bidding of said item.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

- Commissioners

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the Commissioner Meeting Minutes of June 3, 2008 and September 25, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify Regional/County Central Booking Project User Agency Agreement dated December 3, 2008 between the Pennsylvania Chiefs of Police Association (PCPA) and the County of Fayette and ratify Memorandum to User Agency Agreement with the City of Uniontown and the County of Fayette designating the Uniontown Police Department as host of the equipment/location of the anticipated Fayette County Booking Center.

Commissioner Zimmerlink said she would only agree as she said at the Agenda Meeting that future funding would not come from the General Fund because this service falls under police services and should be funded by user fees, fines and by the entities using the Booking Center and she urged the Uniontown Police Department to seek other funding. **Commissioner Vicites** stated there was no commitment from any Commissioner to use the General Fund. Commissioner Zapotosky agreed and said this will benefit Fayette County.

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify budget transfers for the period November 13 to December 15, 1008:

OFFICE

DEBIT CREDIT

Election Bureau/Unappropriated

Unappropriated 014999 59040	\$5,067.30	
Election Workers 014120 51313		\$5,067.30

Magistrate/Unappropriated

FICA 014186 51610	\$3,000.00	
Material & Supplies 014186 52000		\$3,000.00
Contract Cleaning 014186 51460	\$1,500.00	
Utilities 014186 53600		\$1,500.00

Assessment Office

Contract Serv Com 014136 53026	\$4,500.00	
Contract GIS Map 014136 53025		\$4,500.00

Building & Grounds/Planning

Utilities 014174 53600	\$11,000.00	
Auto Maint 014174 53741		\$5,000.00
Travel S. Waste 014171 53301		\$6,000.00

Courts

Association Dues 014184 54200	\$1,200.00	
Travel 014184 53300		\$200.00
Contract Computer 014184 53010		\$1,000.00

Planning

Mag. Filing Fees 014171 52425	\$1,000.00	
Postage 014171 53250		\$1,000.00

Sheriff

Material & Supplies 014197 52000	\$2,000.00	
Training 014197 53350	\$285.00	
Travel 014197 53300		\$2,285.00

Prison

Jail Cell Rental	014232 53830	\$30,000.00	
Utilities	014232 53600		\$20,000.00
Material & Supplies	014232 52000		\$10,000.00
Emergency Med	014232 53190	\$1,800.00	
Telephone	014232 53200		\$1,800.00

Unappropriated/Legal Advertising/Constables

Unappropriated	014999 59040	\$13,000.00	
Legal Advertising	0141771 53400		\$5,000.00
Constables	014192 53150		\$8,000.00

Unappropriated/Veterans/Commissioners

Unappropriated	014999 59040	\$6,500.00	
Veterans Telephone	014294 53200		\$500.00
Commissioners Tele	014111 53200		\$6,000.00

Total Debits \$80,852.30

Total Credit \$80852.30

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Commissioner Zimmerlink the next Agenda Item dealt with the new Open Records Law and every County must do a number of things prior to January 1, 2009 the date the new law takes effect. She said she prepared a Guide, Policy & Procedure giving copies to the County Solicitor Ferens and fellow Commissioners two weeks ago but they haven't responded back with changes. She asked the Solicitor if he had any changes. **Solicitor Ferens** responded that he reviewed the packet and the only issue he had is that the appeal time to the Open Records Office Dept. is 15 days not 5 days and the only thing we are required to do at this time is name an Open Records Officer. **Commissioner Zapotosky** recommended making it user friendly for our Constituents. **Commissioner Vicites** stated the copy fees are one set fee but there are some large items for example tax rolls that have a different fee structure and those fee structures need to be approved ahead of time by the State. **Commissioner Vicites** also commented on the need to approve a Policy. **Commissioner Zimmerlink** said all of the information about fees was in the packet she prepared and she believed it was best to approve everything as she suggested and that she isn't going to again explain this because she provided the information to everyone weeks ago.

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the Guide for the compliance to Pennsylvania Right to Know Law; Appoint Judy Bodkin, Chief Clerk as the Open Records Officer; Accept the fee schedule as per the Pennsylvania Office of Open Records with the notation that when a lesser amount is noted it will be charged and; To utilize the standard response form as provided by the Pennsylvania Office of Open Records.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to extend the Felice & Associates Contract for 60 days expiring February 28, 2009 at a rate of \$10,200 per month.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Commissioner Zapotosky stated we are still continuing our search for a HR Director which we have received several applicants. **Commissioner Zimmerlink** commented that she voted nay one reason being we should negotiate for a lesser rate for this 2- month period. **Commissioner Zapotosky** commented that John Felice of Felice & Associates stated they would not accept a lesser rate.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve the rate increase for ridership on the Fredericktown Ferry subject to approval from the Washington Board of Commissioners.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify the submission and execution of a grant with FTA in the amount of \$970,874.00 with an understanding that there may or may not be a county match.

Commissioner Zapotosky stated this Grant is in regard to the Fredericktown Ferry and the Port

of the Pittsburgh Commission. They secured these dollars years ago for a service of a Water Taxi in Pittsburgh, though was never used. These funds came available through Dave Coder, Green County Commissioner and Jim Mccargle. **Commissioner Zapotosky** said if this project would carry through. There is a requirement of 20% match between Fayette and Washington Counties. The Grant has to be signed by all parties involved by a certain date or it would be jeopardized.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and second by Commissioner Zapotosky to pass a resolution, to request a stretch of the Mon Valley Expressway Turnpike 43, from Uniontown to Brownsville be named after Jim Marzullo in his honor.

Commissioner Vicites commented that Mr. Marzulla who passed away last month was a wonderful person and a great supporter of the Mon Valley Expressway, in his honor naming a stretch of the Expressway after Mr. Marzulla would be appropriate.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve a resolution to permit the Herman Lumber Company to utilize the bridge # 32 in Wharton Twp. Lumber co has bonded, insured and held harmless the County of Fayette.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Commissioner Zimmerlink stated the next Agenda Item is for the County to consider a service provider for electronic payments for County transactions. She said the Treasurer's Office likes Gov Pay and would use it to collect Hotel Tax and dog license fees to start and the Tax Claim looked at the service agreeing it would be good and also the Clerk of Courts has agreed to use Gov Pay. She also confirmed with the Controller that he was supportive. **Commissioner Vicites** commented he believes in the concept and will make it easier for our Constituents. Commissioner Zimmerlink said she knows **Solicitor Ferens** questioned the RFP process after

talking with Commissioner Vicites and asked if he had issues with this and he said he would have asked those questions even if Commissioner Vicites had not. Both Commissioner Zapotosky and Vicites questioned if Gov Pay was the lowest cost and Commissioner Zimmerlink said the information had been provided showing the different prices and that the equipment is free to the County and no tax dollars are used for these services because the user pays for the service and from those service providers reviewed Gov Pay met Fayette County's needs.

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to enter into an agreement approving Gov-Pay as Fayette County's Service Provider for electronic payment of online, face-to-face and telephone transactions.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to adopt the Fayette County's 2009 General Fund Budget and setting the 2009 real estate tax millage rate at 3.51448.

Commissioner Zimmerlink expressed her disappointment with the decision that the mileage rate had not been lowered $\frac{1}{4}$ of a mill. **Commissioner Zapotosky** thanked everyone for their help that was involved in the Budget process and he also stated a millage decrease is something everyone would like to see but unfortunately the responsibilities we have with our County forbids it at this time. He said the worst is yet to come and he did not want to lower it now only to double it in 2010. **Commissioner Vicites** stated the millage cannot be changed and we have to keep the County solvent. He said lowering taxes would be a wrong decision because of the many unfunded mandates this year and maybe more next year. **Commissioner Vicites** also thanked everyone that was involved with the budget.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Commissioner Zimmerlink said the next Agenda Item was to transfer part of the surplus into two Reserve Accounts. She said Sam Lynch, Susquehanna Group said the year-end 2008 estimate is 3.4 million. **Commissioner Vicites** felt there was a Reserve Fund already created. **Commissioner Zimmerlink** confirmed with County Manager Warren Hughes the two Capital Funds one known as Fund 50 and one Fund 51. Fund 51 is for Capital Projects. Fund 50 is

Capital Reserve which Commissioner Vicites was referring to. She suggested increasing the Capital Reserve fund and assuring it was within Section 1784.2 of the County Code. **Commissioner Zimmerlink** stated she also wants to create and place funds into the Operating Reserve fund as Section 1784.3 of the County Code. **Commissioner Vicites** stated he would rather wait to make a decision because placing funds into the Operating Reserve Fund being it is a restricted fund and can only be used for selective purposes. **Commissioner Zapotosky** stated he felt comfortable making a decision at that time.

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to place \$350,000.00 into the Capital Reserve Fund as per section 1784.2 of the County Code.

Commissioner Zapotosky	aye
Commissioner Vicites	nay
Commissioner Zimmerlink	aye

Motion Passed 2-1

Commissioner Vicites stated he voted nay being he wants more of a detailed estimate.

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to create an Operating Reserve Fund as per section 1784.3 of the County Code placing \$1,000,000.00 (1 million) into the account.

Commissioner Zapotosky	aye
Commissioner Vicites	nay
Commissioner Zimmerlink	aye

Motion Passed 2-1

Commissioner Vicites stated he voted nay because he felt the dollar amount should have been higher.

Commissioner Zimmerlink asked Warren Hughes, County Manger how much was needed for the 2009 Tran Note and he responded 2 million.

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to authorize the advertising for Request for Proposal (RFP) for the 2009 Tran Note in the amount of \$2,000,000 (2 million).

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Public Announcement: None

Public Comment

Mr. Mazza commented about the \$400,000 that Commissioner Vicites mentioned was placed into a Capital Reserve Fund years ago and he asked him to tell us next month what happened to those funds. **Commissioner Vicites** stated \$423,000 was the purchase of the land on Rt. 40 and that money went into a Capitol Reserve Fund and over the years it helped maintain the Court House. **Commissioner Vicites** asked Sean Lally County Controller to find that information on what those fund where used.

Tanya Cellurale Office Manager of Joeys Auto Repair Service said there is a lot of talk about savings tax dollars but yet Commissioner Zimmerlink has been against the Cellurales and it has cost taxpayers a lot of money. She asked the Commissioners to vote next month to discontinue the County's appeal case. Commissioner Vicites said he didn't vote to appeal it and would support dismissing it. Commissioner Zapotosky agreed that the Cellurales have been unfairly targeted and would agree to dismiss it. Commissioner Zimmerlink stated that Tanya Cellurale already knew that the two Commissioners were going to dismiss the County appeal because of their meeting with the Cellurale attorney and Commissioner Zimmerlink questioned why Tanya Cellurale is asking when she knows it has already been decided by the two Commissioners.

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

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously