

Thursday, January 24, 2008

A Meeting of the Fayette County Board of Commissioners was held on Thursday, January 24, 2008 at 9:00 am in the Conference Room at the Public Service Building, Uniontown, PA.

Present:

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

Meeting called to Order
Silent Prayer
Pledge of Allegiance

- Public comment on agenda items

Dr. Jeffries and **Nancy Rossell** representing the Fayette Co. Area Vo-Tech spoke about their program.

Jim Killinger, Chairman of the Zoning Hearing Board spoke on Agenda Item 7 stating there is no need to take official action to advertise for a solicitor for the Zoning Hearing Board because the Board under their reorganization has already appointed the solicitor.

- **Board Appointments**

Fayette County Housing Authority

A motion by Commissioner Zimmerlink to appoint Donald Miller to the Fayette County Housing Authority died for lack of a second

A motion by Commissioner Vicites to reappoint James Bitonti to the Fayette County Housing Authority died for lack of a second.

A motion by Commissioner Vicites to appoint Harry Joseph to the Fayette County Housing Authority died for lack of second.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to appoint George Robert Onesko to the Fayette County Housing Authority for a term to expire December 31, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Commissioner Zimmerlink expressed her disappointment saying her fellow commissioners should have taken her ten years experience on the Fayette County Housing Authority into consideration when she made her Motion. She added that politics should be left at the door and that Don Miller didn't receive a second because of his connection with the last Uniontown Mayoral race. **Commissioner Zapotosky** disagreed saying Mr. Onesko is a good candidate and politics was not part of his decision.

Commissioner Vicites thanked James Bitonti for his service on the Board saying Mr. Bitonti was moral and did not vote on the matters of conflict of interest.

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to rescind resolution 08-01-07-16 which appointed Angela Zimmerlink to complete a year of a Term on the Fayette County Housing Authority.

Commissioner Zapotosky aye
Commissioner Vicites abstain
Commissioner Zimmerlink aye

Motion passed 2-0

Fayette County Zoning Hearing Board

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Michael Lucy as alternate member to the Zoning Hearing Board for a term to expire December 31, 2010.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Regional Trail Corporation

A motion by Commissioner Vicites to appoint Tom Sankovich died for the lack of a second.

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to TABLE the appointments to the Regional Trail Corp. pending information on the status of vacancies.

Commissioner	Zapotosky	aye
Commissioner	Vicites	aye
Commissioner	Zimmerlink	aye

Motion passed unanimously

UCC Appeals Board

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to reappoint Tim Emory to a two year term ending December 31, 2009, under Category 1 Builder.

Commissioner	Zapotosky	aye
Commissioner	Vicites	aye
Commissioner	Zimmerlink	nay

Motion passed 2-1

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to reappoint Rob Sleighter to a two-year term ending December 31, 2009, under Category 3 Civil Engineer

Commissioner	Zapotosky	aye
Commissioner	Vicites	aye
Commissioner	Zimmerlink	nay

Motion passed 2-1

Fayette County Industrial Authority

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to reappoint William Kania for a two year term ending December 31, 2009.

Commissioner	Zapotosky	aye
Commissioner	Vicites	aye
Commissioner	Zimmerlink	nay

Motion passed 2-1

A motion by Commissioner Vicites to appoint David Gumbert to the Fayette County Industrial Authority died for lack of a second.

Moved by Commission Zapotosky and seconded by Commissioner Zimmerlink to TABLE further appointments to the Fayette County Industrial Authority pending information on status of vacancies.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion passed unanimously

Southwestern PA Commission

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Vincent Vicites under the County Commissioners Category for a term ending December 31, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Vince Zapotosky under the local Official Category for a term ending December 31, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Angela Zimmerlink under the County Commissioner Category for a term ending December 31, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion passed unanimously

- **Controller**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky ratifying the investment of January 17, 2008 - \$1,550,000 for 14 days at 4.05% interest with First National \$2,407.81

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Report on the Financial Condition of the County

Controller Sean P. Lally reported the 2008 total revenues through January 24, 2008 are \$650,076.29 and the 2008 total expenditures through January 24, 2008 are \$985,799.42. The net position is \$2,469,552.23.

Controller Lally indicated for Agenda Item concerning the awarding of the auditor for the single audit in his opinion should be Zelenkofske Axelrod because the firm has been with the County for the past five years. Commissioner Vicites thanked Controller Lally for his opinion saying that as a controller he should give an opinion. Commissioner Zimmerlink asked Controller Lally if he was aware of any prior issues with that firm to which he said no.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to accept the Report on the Financial Condition of the County.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: abstain

Motion Passed 2-0

- **Veterans Affairs**

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites awarding Bid No. 07-28 Lease and Delivery of one new 2008 minibus to Wolfington Body Company, Inc. of Exton PA at \$64,008.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky awarding Bid No. 07-31 Flags to Metro Flags of Dover, NJ in the amount of \$14,880 and Grave Markers/Rods to Davis Products of Guys Mills, PA in the amount of \$12,893.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

- **Planning, Zoning and Community Development**

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites approving certification of county funds in the amount of \$4,212.80 for the 2008 Agricultural Land Preservation program year.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites ratifying authorization to bid soil sampling for the Sheepskin Trail southern segment, which is currently owned by CSX.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

No action was taken on the Agenda Item to advertise for a Request for Qualification for alternative Solicitor for the Fayette County Zoning Board.

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to TABLE RZ 07-16 Gloria Yanowsky Springfield Township petition to extend A-1 Agricultural-Rural Zone on property currently zoned B-1 General Business.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

- **Tax Assessment**

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites approving the two (2) Deed of Easement documents for lots located in Washington Township and owned by the County.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to have members appointed to Tax Assessment Appeals Board for the 2008-2012 term

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: nay

Motion Passed 2-1

Commissioner Vicites stated that while in the previous four years he was in favor of and is still in favor of an Independent Assessment Board so that in the year 2009 when reassessments are done and possibly appealed, the assessment board would be in a better position to handle the process.

Moved by Commissioner Vicites and second by Commissioner Zapotosky to adopt an Independent Appeals Board for 2008 through 2012.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: nay

Motion Passed 2-1

Commissioner Zimmerlink stated this matter should be placed on the next Commissioner Meeting agenda to appoint Board Members and also be prepared to set the rate of pay for members. She also said it needs to be decided what line item of the General Fund the pay will be taken from and the County Manager confirmed that funds were not set aside for this.

- **Tax Claim**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky authorizing the advertising of a Request for Proposal (RFP) to perform the posting of properties for the upset sale in September.

Commissioner Zapotosky: aye
 Commissioner Vicites: aye
 Commissioner Zimmerlink: aye

Motion Passed Unanimously

- **Children & Youth**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a Contract Addendum to the 2007-08 Purchase of Service Agreement, between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office and Alliance for Behavioral & Developmental Disabilities, 295 North Kerrwood Drive, Suite 108, Hermitage, PA 16148 as Per Deim and Specialized Residential Services/One-on-One at \$365.80.

Commissioner Zapotosky: aye
 Commissioner Vicites: aye
 Commissioner Zimmerlink: aye

Motion Passed Unanimously

- **MH/MR Program**

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

<u>Fee-For-Service Modification Agreement #2</u>	<u>Contract Value</u>	<u>Period 2007-2008</u>
Dr. Barbara Chandler Wright	\$ 21.92	7/1/07-6/30/08
 <u>Modification Agreements #1 2007-2008</u>		
Chestnut Ridge Counseling Services, Inc.	\$1,505,056	7/1/07-6/30/08
Crosskeys Human Services, Inc.	\$1,058,844	7/1/07-6/30/08
Goodwill Industries of Fayette County	\$ 558,138	7/1/07-6/30/08
Laurel House, Inc.	\$ 875,207	7/1/07-6/30/08
Southwest Behavioral Care, Inc.	\$ 350,013	7/1/07-6/30/08

Modification Agreement #3 2006-2007

Laurel House, Inc.	\$1,024,246	7/1/06-6/30/07
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Administrative Entity & Waiver Federal Modification #1 2007-2008

Arc, Fayette	\$2,102,772	7/1/07-6/30/08
Diversified Human Services	\$ 21,006	7/1/07-6/30/08
Life's Work of Western PA	\$ 27,490	7/1/07-6/30/08
Laurel House, Inc.	\$ 489,760	7/1/07-6/30/08
Westmoreland County Blind Association	\$ 32,243	7/1/07-6/30/08

Administrative Entity & Waiver Federal Modification #2 2007-2008

Fayette Resources, Inc.	\$3,948,162	7/1/07-6/30/08
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HealthChoices Reinvestment Funds

Fayette County Community Action Agency	\$ 500,000	2005
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Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky authorizing the advertising for an Invitation for Bid (IFB) for leasing of six (6) new copiers for Fayette County MH/MR Program.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites authorizing the advertising for an Invitation for Bid (IFB) for the leasing of a 2008 Ford Explorer XLT (or equivalent model) for Fayette County MH/MR Program for a period of either 36 or 39 months, depending upon lease programs available.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

- **Human Resource Department**

MH/MR

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky ratifying the hiring of Christopher Ek for the position of Technology Generalist 1 at \$20.18/hr (\$39,351.00/yr), effective February 4, 2008.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: abstain

Motion Passed 2-0

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites ratifying the separation of employment of Julie Morris as Administrative Assistant 2 effective December 31, 2007.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Office of Human and Community Services

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to amend the start date of Sally Fosbrink approved for hire at the December meeting for the position of Transportation Information Specialist from January 7 to January 28, 2008 and accept the resignation of William Grenaldo, part time small transit bus operator effective December 31, 2007.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Children & Youth Services

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify the hiring of Greg Sawyer for the position of County Caseworker 1 at \$13.18/hr (\$25,701.00/yr) effective January 29, 2008, to accept the resignation of Andrew Rabatin, County Caseworker 1, effective January 25,

2008 and to accept the resignation of Jan Chico, County Caseworker 1, effective January 04, 2008.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Bridge Department/Ferry Boat

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites the retirement of Paul Wroble, Ferry Boat Pilot, effective December 31, 2007.

Commissioner Zapotosky: aye
Commissioner Vicites: aye
Commissioner Zimmerlink: aye

Motion Passed Unanimously

Planning and Community Development

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to hire Francis DeCarlo Community Development Specialist at \$10.69/hr. (\$20,845.50/yr) effective January 28, 2008.

Commissioner Zimmerlink asked the Human Resource Director, Jen Cline, if she was comfortable hiring this person, even though the new hire is the father of an employee in the same office. Human Resource Director **Jennifer Cline** stated there would be no conflict because one would not be supervising the other.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink abstain

Motion passed 2-0

• **Human & Community Services/FACT**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve an agreement between the County of Fayette/FACT and the Fayette County Area Vocational Technical School for practicum/internship placements in the areas of Automotive/Diesel Maintenance at the FACT Transit Center Maintenance Department.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites for the agreement between the County of Fayette/FACT and the Port Authority of Allegheny County for usage of the South Busway.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to award Bid No #07-29 Sale of the County of Fayette, Fact Vehicles as follows:

Chris Ross of Joe Ross & Son 127 Churchill Road, Dunbar ,PA 15431
2000 Chevrolet Bus #114 at a bid of \$837.53 1997 Champion Bus #402 at a bid of \$378.96

Harry E. Jenkins, 116 Jenkins Street, Uniontown, PA 15401 - 1997 Champion Bus #404 at a bid of \$585 ;
1997 Champion Bus #407 at a bid of \$615 with junk, out of vehicle engine assembly

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve a purchase order in the total amount of \$1,820,088, (\$303,348 per vehicle) to Gillig Corporation, Hayward, California 94540 for the purchase of six 29 foot low floor buses.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to reject all received proposals on RFP 07-07 and authorize to advertise for solicitation of proposals for the procurement of a Mobile Data Computer/Automatic Vehicle Locator System to interface with FACTS existing computer aided dispatch software.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky approving the advertising of a Request for Proposals (RFP) for Lease of Bus Tires and Tubes.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky authorizing the Request for Proposal of a contract cleaning services.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites approving an agreement between Anthony Sabec, former FCOHCS Technology Manager and the County of Fayette OHCS to provide technical assistance to the department at a rate of \$20 per hour February 1-April 30, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

- **Commissioners**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky ratifying the budget transfers dated to December 11, 2007 to January 15, 2008:

<u>OFFICE</u>		<u>DEBIT</u>	<u>CREDIT</u>
Recorder of Deeds			
014153 53250	Postage	\$250.00	
014153 53200	Telephone		\$250.00
Controllers Office			
014133 57000	Capital Outlay	\$160.00	
014133 53200	Telephone		\$160.00
Planning Office			
014171 52425	Magistrates Filing Fees	\$800.00	
014171 53301	Travel – Solid Waste		\$800.00
Building & Grounds			
014174 53610	Utilities	\$2,500.00	
014174 53741	Auto Repair		\$2,500.00
Coroner/Jail			
014193 53180	Part time Salary	\$3,100.00	
014193 52000	Material & Supplies	\$1,800.00	
014999 59040	Unencumbered	\$15,732.00	
014193 53180	Coroner/Autopsies		\$20,632.00
District Attorney			
014194 53100	Professional Services	\$1,000.00	
014194 52000	Material & Supplies		\$1,000.00
Sheriff			
014197 52000	Material & Supplies	\$1,500.00	
014197 53350	Training	\$900.00	
014197 53300	Travel		\$2,400.00
Jail			
014232 53830	Prison Cell Rental	\$41,000.00	
014232 53020	Inmate Medical Care		\$41,000.00
014232 53010	Contract Computer	\$30.00	
014232 53200	Telephone		\$30.00

Adult Probation

014236 51480	On Call Services	\$700.00	
014236 53010	Contract Computer		\$700.00

Health Care Costs

014194 51560	District Attorney	\$8,250.00	
014174 51560	Building & Grounds	\$4,700.00	
014133 51560	Controller	\$4,000.00	
014197 51560	Sheriff	\$7,400.00	
014138 51560	Tax Claim	\$2,900.00	
014188 51560	Law Library	\$1,700.00	
014185 51560	Jury Commissioners	\$1,100.00	
014191 51560	Clerk Of Courts	\$930.76	
014232 51560	Prison		\$15,405.91
014152 51560	Public Defender		
	\$2,468.10		
014196 51560	Register of Wills		\$4,430.19
014184 51560	Courts		\$3,217.86
014120 51560	Election		\$2,771.74
014236 51560	Adult Probation		\$1,746.00
014136 51560	Tax Assessment		\$60.00
014153 51560	Recorder of Deeds		\$24.00
014186 51560	Magistrates		\$180.00
014237 51560	Juvenile Probation		\$676.96

TOTAL DEBITS	\$100,452.76
TOTAL CREDITS	\$100,452.76

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky authorizing Fayette County Drug and Alcohol to act as the designee of 50% of revenues from Act 198 of 2002 monies for treatment programs.

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky for advertising for an Invitation for Bid (IFB) for material and labor for the patching & painting of the hallways in the Courthouse.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

A motion by Commissioner Zimmerlink to award RFQ 07-07 to Maher Duessel for auditing services for the County Single Audit died for lack of a second.

A motion by Commissioner Vicites to award RFQ 07-07 to Zelenfoske Axelrod for Auditing Services for the County Single Audit died for lack of a second.

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to TABLE awarding RFQ 07-07 Auditing Services for the County Single Audit item at this time and place it on next month's agenda to allow Commissioner Zapotosky time to review the information.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to award RFP 08 TRAN to First National Bank of PA at 2.97%.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to participate in the Itinerant Archivist Program through the PA State Archives/CCAP.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

A motion by Commissioner Zimmerlink to purchase (50) fifty additional Eslate voting machines died for a lack of a second.

Commissioner Vicites described the two voting machines and the difference between the Eslate and the Escan. The draw back about Escans are little more money but in the long run they are going to improve our system in a lot of different ways. Commissioner Vicites said he did a lot of research on this matter. **Commissioner Zapotosky** also spoke about the machines .The technology of the Eslates is just a little complicated for some people where the Escans are a better machine for most people and also people will get through the lines much quicker.

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to develop a plan to purchase the EScan voting systems or other voting system for the General Election 2008, as machines will not be available until that time.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion passed 2-1

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites approving the Minutes of the Commissioners Meeting of December 31, 2007, Minutes of the Reorganization of the Commissioners Meeting of January 7, 2008 and Minutes of the Special Commissioners Meeting of January 7, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passes unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink approving the sum of \$10,000.00 in County Aid (Liquid Fuels) as emergency aid for Jefferson Township for road slip repair on Braznell Hill Road.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky approving change in description for Belle Vernon Borough project no. 06-28-401-05CA from purchase of Highlift or BobCat used for loading salt onto trucks to purchase a Salt Machine pending written approval from Penn Dot

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Commissioner Zimmerlink said a matter concerning Highmark is not on the agenda but needs to be addressed. A motion by Commissioner Zimmerlink to execute the third party disclosure agreement between Highmark, and the third party, Crown Benefits, Inc. as listed on the Exhibit to work in conjunction with our County Human Resources Department died for a lack of a second.

Commissioner Zapotosky stated his reservations as to why Highmark made a request to enter into the third party agreement with Crown Benefits. Commissioner Zapotosky was not sure why Highmark wants a third party to handle some aspects of our health care. They say a county alliance, which is not really an alliance in general, they're using a phrase. Commissioner Zapotosky will yield to billing as well as benefits review and analysis, that's as far as he will go in regard to Highmark or third party involvement. He believes we should do as much as we can internally such as COBRA so it does not end up in a very convoluted process with a high rate of potential for error which would be detrimental to former employees that would be voluntary or involuntary terminated so would support the motion of Commissioners to limit the scope of Crown Benefits to billing and benefits .

Moved by Commissioner Zimmerlink and second by Commissioner Zapotosky to amend the agenda. to discuss the Highmark Third Party Agreement

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion passed unanimously

Commissioners took public comment on the Highmark Agenda Item.

Delinda Young commented that the Highmark matter and the Escan voting systems both should be tabled so the public has time to research both items and a short period of time is not sufficient. **Commissioner Zimmerlink** said at times things at the last minute come up which is out of control of the commissioners. **Delinda Young** said she understands last minute items but also believes that public comment must be allowed in this case. **Commissioner Zimmerlink** agreed but said information is being given now with opportunity to comment.

A motion was made by Commissioner Zimmerlink to approve Crown Benefit to be a third party administrator for all aspects listed but died for lack of seconded.

Moved by Commissioner Zapotosky and second by Commissioner Vicites to accept Crown Benefits as a third party administrator to handle billing and the benefit review analysis which will be an annual report that they would provide us so that we can determine our health care weaknesses and strengths.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion passed 2-1

Commissioner Zimmerlink asked Solicitor Joe Ferens for an opinion on whether or not the Agenda needed amended and the resolution restated on the matter of the voting systems. Solicitor Ferens stated that there is no need to amend the agenda since there was no expenditure of money and that Delinda Young and others could still comment.

- **Public Announcement**

The Fayette County Board of Commissioners encouraged county employees to participate in SOUPER BOWL SUNDAY, a national fund raising effort with proceeds benefiting our Food Bank

- **Public Comment**

Delinda Young suggested public comment on the purchase of the Escan voting system before any vote be taken.

Geraldine Mazza wanted to know if the Commissioners had any information on the computer that was taken from the Controller's office saying the people have a right to know the status of the investigation since the computer is County property. **Commissioner Zapotosky** stated that the Commissioners had a meeting last Monday with Detective Curry and District Attorney Nancy Vernon regarding the

computers from the Controller's office. There were some initial findings however they want to continue the investigation. **Commissioner Zapotosky** stated that all three Commissioners did take action and informed the head of security which is Sheriff Gary Brownfield. There was some discussion between Commissioner Zapotosky and Solicitor Joe Ferens a few days after with regards to what rights he and Mr. Lally had with not officially an office holder until Monday at 12:00 PM. with Mr. Roberts still holding the official position of Controller until Monday at 12:01 PM. Commissioner Zapotosky asked Sheriff Gary Brownfield upon his return from vacation to convene a meeting to discuss a procedure to be in place dealing with either an elected official or a county employee's severing of employment. **Geraldine Mazza** suggested that the Attorney General's office be contacted to investigate the situation in the Controller's office. **Commissioner Zapotosky** said at the end of the investigation a determination on pursuing at a higher level will be decided. **Commissioner Zimmerlink** stated she was informed by Holly Sumey, Administrative Assistant to Commissioner Vicites regarding the situation in the Controller's office. She wanted the computer to be seized immediately to avoid any future problems by Sheriff Brownfield. The sheriff however did not feel comfortable taking that role on. Although it's agreed that there needs to be a clear process followed when elected officials or county employees leave employment things should have been done with some common sense.

Ralph Mazza reminded everyone about former Commissioner Sean Cavanaugh's administrative assistant having been escorted out of the office and questioned why Controller Mark Roberts didn't receive the same treatment. **Commissioner Zapotosky** stated there was a question on what actual day the Controller's term expired. Sheriff Brownfield contacted his solicitor and was given the opinion that the Controller could operate within the confines of his office until Monday January __, 2009 at 12:00 PM. **Jennifer Cline**, Director of Human Resources was asked if the employees were escorted out of the building. She stated that no, that customarily the only employees that are escorted out of the building, are those that are separated for a specific cause of termination.

Jim Killinger asked Commissioners Vicites and Zimmerlink if the County had an engineering firm and if it was bid out. Commissioner Vicites said there was a specific Request for Proposals for the Bridge Department for the inspection of the bridges in the county. The County does not have a general engineer and does not budget for such. Jim Killinger stated he recollects at a commissioners meeting it was announced that all the jobs were going to be bid out so that the work would be spread around. Commissioner Vicites stated that the only instances are with the Bridge Department and the Office of Planning, Zoning and Community Development. If there would be any other need to an engineering firm it certainly would be bid out.

Jim Killinger commented that the computer issue should be referred to the Pennsylvania State Police for investigation.

Ted Pritchard said he feels with his experience that the Courthouse has very terrible security. Gary Brownfield's son is the head of security in the courthouse. He has seen Attorneys walk through the metal detector without even emptying their pockets. **Commissioner Zapotosky** stated that first of all Sheriff Brownfield is the head of security in the Fayette County Courthouse.

Ted Pritchard states that his son works there and his son is the head of security saying maybe you think Gary Brownfield is the head of security, but his son is there to run the security. Nothing will be done about this, no arrests will be made.

Steve Gavorchik asked if changing the lever voting machines was a Federal or State mandate and Commissioner Vicites answered yes. **Commissioner Zimmerlink** said that it is a Federal mandate to replace the lever machines and it is up to the counties to decide which new voting machines they go with.

Mary Grace Butela asked the Commissioners if possible could some of the Appeal Hearings could be held in the evenings or on Saturdays. When the last reassessment was done in 2003 there were several individuals who could not afford to take off a days work to attend a hearing. She requested that chairs be placed in the Tax Claim Bureau for the elderly and handicapped.

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

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion passed unanimously

