

Thursday, January 29, 2009 – 10:00 a.m.

A Meeting of the Fayette County Board of Commissioners was held on Thursday, January 29, 2009 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
Sheryl Heid, Assistant County Solicitor

- Meeting called to Order
- Prayer given by Brian Kelly
- Pledge of Allegiance

Public comment on agenda items:

Louis Bell, Tax Collector in Bullskin Township, stated he has a tax collector for 11 years. He thanked the tax collectors for attending the meeting. Mr. Bell gave his reasons why the commissioners should increase their compensation and that the Commissioners should right a wrong and increase their pay. He said that the Herald Standard editorial was degrading and that saying a tax hike could be needed in future years was their scare tactic. **Commissioner Zapotosky** said that no editorial would make his decision for him. **Mrs. Geraldine Mazza** spoke against an increase. **Commissioner Zapotosky** stated the increase would be for the budget year of 2010. **Laurie Hanchar** Tax Collector in Upper Tyrone Township said there are many issues the public does not realize that tax collectors deal with and she asked the Commissioners to restore the 65% cut of 4 years ago. She read a letter written by **Shari Bukovac**, Tax Collector in Saltlick Township who supports an increase. **Marigrace Butela**, Tax Collector in Dunbar Township spoke on the duties of a tax collector citing reasons why an increase should be given. She said it was a political decision to cut the pay 4 years ago **Mr. Maze** stated he is not entirely against an increase for the tax collectors. Commissioner Zimmerlink had **Warren Hughes**, County Manager, confirm that the county pays the postage, envelopes, receipt books, bond and all any other requirements and that the tax collectors do not pay for these items

Evelyn Hovanec, member of the Coal & Coke Heritage Center and member of the Fayette County Planning Commission asked the Commissioners not to make a decision on rezoning ZA 08-3 which amends the Zoning Ordinance to allow Deep Mining as a Permitted Use. She said this is an important matter in Fayette County with significant impact and a more in depth review should be done before the Commissioners make a decision which is slated for later in today's meeting. \

Michael Cavanaugh asked the Commissioners if the decision on increasing the compensation for tax collectors had to be made today and **Commissioner Zapotosky** stated a decision had to be

made by February 15, 2009. **Commissioner Zimmerlink** stated the compensation can be set every 4 years. **Commissioner Vicites** said he felt the last compensation decision set 4 years ago was too low. **Michael Cavanaugh** stated a person knows what the pay is before running for office and if you don't like the pay you should not run. **Kathleen Packroni** Tax Collector in Masontown said she received \$3,100 last year to collect the county taxes. She said it is not just stamping receipts and it is a never ending battle. **Shirley Eckman** Tax Collector in Everson said she received \$584.16 for collecting the County tax. **John Croftcheck** commented on the tax collector compensation saying those who run for office know their pay before they run.

- Human Services/FACT

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve addendums to the agreements for provision of services through Human Services Development Fund with the following providers:

	Decreased By:	Final Allocation Amount
Drug & Alcohol		
Education & Information	1,451	71,105
Albert Gallatin Human Services		
Counseling	307	15,052
Homemaker	1,325	64,922
Fayette County Community Action		
Counseling	167	8,224
Information & Referral	536	26,251
Fayette County MH/MR		
Family Support Services	227	11,158
Adult Development Training	2,894	212,039
Fayette County Housing Authority		
Homemaker	1,070	52,448
Adult Day Care	4,000	36,074
Case Management	429	21,025
Aging Homemaker	386	18,969
City Mission		
Case Management	357	17,503
FACT		
Transportation	100	4,900

Commissioner Zepotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve Federal Fiscal Year 2009 Certifications and Assurances for Federal Transit Administration Assistance Programs.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve Ron Lynch to go to ABC Company in Miami, Florida approximately January 31 to review repairs and accept vehicle as complete. All costs paid by Edenfield Stages Inc.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to award vehicle #113 Chevy 2000 in the amount of \$429 and #116 Dodge Minivan 2000 in the amount of \$886 to Rogers Auto Sales being the highest bidder.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Controller

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the investment of December 18, 2008 - \$2,550,000 for 21 days at 1.25% with Parkvale \$1,833.90; January 8, 2009 - \$2,550,000 for 14 days at 1% with Parkvale \$978.08; January 22, 2009 - \$1,750,000 for 14 days at 1% with Parkvale \$671.23

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify an engagement letter of January 9, 2009 with Susquehanna Group Advisors, Inc. as follows: Hourly rate - \$150.00 plus out-of pocket expenses (not to exceed \$4,000); 160 hours for a minimum fee of \$25,500 to a maximum 240 hours for a maximum fee of \$40,000.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Financial Condition of the County read by Sean P. Lally, Fayette County Controller

FUND:	GENERAL FUND	
DATE:	29-Jan-09	
Cash:		
Checking Account	National City Bank	\$1,077,836.74
Investment		\$0.00
		\$1,077,836.74
Funds Owed to General Fund		
	Temporary Loans	
	Intermediate Punishment Fund	\$35,610.94
	Children & Youth Fund	\$500,000.00
		\$535,610.94
Budget Year 2009	Net Position	\$1,613,447.68
	Year to Date	
Total 2009 Revenues		\$692,463.45
Total 2009 Expenditures		\$1,361,477.08
Total 2008 Expenditures paid in 2009		\$690,745.35

- Adult Probation

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve Agreement between the County of Fayette (APO) and American Bio Medica Corporation (ABMC) and COSTARS Contract to purchase Rapid Tox Cup II products.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Redevelopment Authority

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the 2009 Emergency Shelter Grant (ESG) Application in the amount of \$102,500 being submitted by the County on behalf of City Mission - Living Stones, Inc.

Commissioner Zapotosky aye

Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the allocation of \$18,000 in Act 137 Affordable Housing Trust Funds to the Fayette County Redevelopment Authority for the Heritage Apartments.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Fayette County Community Action Agency Inc (FCCAA)

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve a grant application to the US Department of Justice, Office of Violence Against Women to fund a Safe Haven Supervised Visitation Program to provide a safe environment for exchange and supervised visitation between parents and children in situations where domestic violence has been an issue. Grant will be prepared and administered by FCCAA. The County of Fayette must be the applicant.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- EMA/9-1-1

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve an advertisement for Request for Proposals (RFP) for the triennial audit for the period January 1, 2006 to December 31, 2008 for the 9-1-1 account. This is a requirement under Section 8(d) and Section 11.5 (e) of the Public Safety Emergency Telephone Act (Act 78).

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Tax Assessment

Moved by Commissioner 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.

Larry Gipe	1157 Geo Fchnce Rd	Georges Twp	14-36-0035
Betty Beatty	222 Oglevee Ln	Dunbar Twp	09-24-0052
Glenn Nielsen	123 E First St Grndstone	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 Zimmerlink to reauthorize the billing dates, Discount, Face & Penalty periods and amounts for the 2009 Real Estate & Per Capita bills. March & April 2% Discount, May & June Face period, July to December 31st 10% penalty.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to authorize Gary Hayden, MAI, Hayden Appraisal Services for an appraisal of the Laurel Mall property which was appealed to Fayette County Court of Common Pleas. The municipality & school district have both agreed to share cost based upon millage rate percentage. Cost not to exceed \$ 7,500. County portion would be 21 % or \$ 1,575.00.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

- Planning, Zoning and Community Development

Moved by Commissioner Zimmerlink and second by Commissioner Vicites to enter into an agreement between Fayette County and Washington Township to administer and enforce the UCC through December 31, 2010.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve ZA 08-2, an amendment to Section 1000-876 of the Fayette County Zoning Ordinance for addition and modification regarding Windmill/wind turbines as per the January 21, 2009 draft.

Commissioner Vicites said the change is the setbacks are at 1.1 thresholds

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

A Motion by Commissioner Zimmerlink to Table the item of ZA 08-3, an amendment to Section 1000-203 of the Fayette County Zoning Ordinance to include the provision that Mining, Deep, to be a permitted use in an A-1 Zoning District failed for a lack of a second

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve ZA 08-3, an amendment to Section 1000-203 of the Fayette County Zoning Ordinance to include the provision that Mining, Deep, to be a Permitted Use in an A-1 Zoning District.

Commissioner Zimmerlink read a letter from the Fayette County Farm Bureau to the three Commissioners asking that no change is made to the Zoning Ordinance on this section and that if the Commissioners are looking to change it to only allow it under the Special Exception provision.

Commissioner Zapotosky and **Commissioner Vicites** said that when the Zoning Ordinance was amended a few years ago there was an oversight on this section and they confirmed this with the former Director, Tammy Stenson and the current Director Sara Rosiek. Commissioner Zimmerlink said there is no way of knowing whether it was or wasn't an oversight and that it didn't matter what occurred then because the matter is before the Commissioners now and that all information should be gathered before making this decision.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

- Children & Youth Services

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve a purchase of service agreement for FY2008-09 between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and Community Resources of Fayette County, Inc. (Crime Victims' Center of Fayette County). The rates are as follows:

CYS Programs

Parenting Classes/ session runs 8-10 weeks	\$ 750.00 per session
Counseling	\$ 45.00 per hour
Program Budget/Year	\$ 12,500 per year

JPO Programs

VICTIM/COMMUNITY AWARENESS	
COMPETENCY DEVELOPMENT PROGRAM	\$ 25.00 per hour
TEEN LIFE SKILLS PROGRAM	\$ 25.00 per hour
TEEN PARENTING PROGRAM	\$ 25.00 per hour

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the purchase of a service agreement for FY2008-09 between the County of Fayette, through Fayette County Children & Youth Services, and Fayette County Drug & Alcohol Commission, Inc. 100 New Salem Road, Uniontown, PA 15401. The rates are as follows:

Drug Testing	\$ 45.00 per test
Assessments, Individual & Family Therapy	\$ 85.00 per hour
Group Therapy	\$ 30.00 per session
Medication Management	\$ 50.00 per session
Comprehensive Medical Examination	\$137.00 per exam

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of a service agreement for FY2008-09 between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and George Yatsko for counseling services. The rates are as follows:

Offender Counseling Individual	\$55.00 per hour
Offender Counseling Group	\$55.00 per hour
Written Reports	\$20.00 per report

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

- MH/MR Program

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

<u>Fee-For-Service Agreement 2008-2009</u>	<u>Contract Value</u>	<u>Period</u>
Mark Tidgewell Associates, Inc. "Mental Health Base funding portion only Approximately \$58,000, balance Health Choices"	\$ 358,000	7/1/08-6/30/09
<u>Modification Agreement #1 2008-2009 (Base)</u> Twin Trees, Inc.	\$ 195,785	7/1/08-6/30/09
<u>Modification Agreement #2 2008-2009 (Base)</u> Neurological Therapy Specialists, Inc.	\$ 26,200	7/1/08-6/30/09
<u>Modification Agreement #1 2007-2008 (Base)</u> Fayette Resources, Inc.	\$1,077,358	7/1/07-6/30/08
<u>Modification Agreement #2 2007-2008 (Base)</u> Fayette Resources, Inc.	\$1,095,309	7/1/07-6/30/08
<u>Modification Agreement #3 2007-2008 (Base)</u> Fayette Resources, Inc.	\$1,148,374	7/1/07-6/30/08
<u>Modification Agreement #4 2007-2008 (Base)</u> Arc, Fayette Fayette Resources, Inc.	\$ 680,466 \$1,170,064	7/1/07-6/30/08 7/1/07-6/30/08
<u>Modification Agreements #5 2007-2008 (Base)</u> Laurel House, Inc. Twin Trees, Inc.	\$1,085,425 \$ 302,949	7/1/07-6/30/08 7/1/07-6/30/08
<u>Modification Agreement #6 2007-2008 (Base)</u> Fayette Resources, Inc.	\$1,189,358	7/1/07-6/30/08
<u>Modification Agreement #7 2007-2008 (Base)</u> Goodwill of Southwestern Pennsylvania	\$ 667,440	7/1/07-6/30/08
<u>Modification Agreement #8 2007-2008 (Base)</u> Chestnut Ridge Counseling Services, Inc.	\$1,782,141	7/1/07-6/30/08
<u>Modification Agreement #1 2008-2009 (Federal)</u> Twin Trees, Inc.	\$1,793,524	7/1/08-6/30/09

Modification Agreement #1 2007-2008 (Federal)

Arc, Fayette \$ 304,062 7/1/07-6/30/08

Modification Agreements #5 2007-2008 (Federal)

Fayette Resources, Inc. \$4,227,256 7/1/07-6/30/08

Goodwill of Southwestern Pennsylvania \$ 465,688 7/1/07-6/30/08

HealthChoices Reinvestments Funds (2006)

Family Links, Inc. \$ 515,000 2006

Mental Health Association in Fayette County \$ 200,000 2006

HealthChoices Fee-For-Service-Agreement Modification #1

Tidgewell Associates, Inc. \$ 150/hr 1/1/08-12/31/08

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

• Human Resource Department

Under Bridge Department

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the hire of Albert Maddas as a Mechanic/ Welder at SEIU Pay Grade 8 Step A, \$10.51/hr (\$20,494.50) effective January 20, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under Building and Grounds

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the hire of Joshua Wadler as a Temporary Custodial Worker at \$8.61/hr (\$16,789.50) effective January 26, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under EMA/911

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to accept the resignation of Samantha Bartko, 911 Dispatcher, effective January 23, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Under FACT

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation of Lloyd Jenkins, P/T Small Transit Vehicle Operator, effective December 18, 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 David Hertznel, F/T Small Transit Vehicle Operator, effective December 31, 2008.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify the hire of Kelly Bradigan as Accounting Manager at Non-Union Supervisory Pay Grade 13 \$16.24/hr (\$31,668.00) effective January 20, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify the hire of Kim Renze as Operation Manager at Non-Union Supervisory Pay Grade 11 \$15.02/hr (\$29,289.00) effective January 20, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify the resignation of Michelle Shumar, Director, effective January 22, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

Under Human Resource Department

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the approval of the volunteer internship of Regina Pershing through Pennsylvania Institute of Health and Technology, effective January 5, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Information Technology Department

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the approval of the volunteer internship of Thomas Blaho through Laurel Business Institute, effective January 12, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the approval of the volunteer internship of Scott Kelly through Laurel Business Institute, effective February 2, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

UnderMH/MR

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to accept the resignation of Lea Ann Driscoll, County Caseworker II, effective January 16, 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 promotion of Joseph Wingrove from County Casework Supervisor to County Mental Retardation Specialist 1, at \$17.44/hr (\$34,008.00) effective February 2, 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 hire of Debra McGee, as Department Clerk I at SEIU Pay Grade 2 Step A, \$8.61/hr (\$20,494.50) effective January 26, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under Tax Assessment

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the hire of Maria DeCarlo as Temporary Homestead Clerk at \$8.61/hr (\$20,494.50) effective February 2, 2009.

Commissioner Zapotosky aye

Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under Veteran Affairs

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify the approval of the volunteer internship of Cheryl Wolfe through Laurel Business Institute, effective January 20, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Veterans Affairs

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve Bid No. 08-12: Markers/Rods to New England Manufacturing Company in the amount of \$13,200.

Warren Hughes, County Manager stated the recommendation to purchase the plastic markers and rods instead of metal came from the Veterans Affairs Office and the VA Liaison Committee. Mr. Hughes added they asked for 2,950 Markers & Rods and 3,500 Rods.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

- Commissioners

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve Commissioner Meeting Minutes of October 30, 2008 and November 20, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to give \$1200.00

to Georges Township for County Aid (MS339) calendar year 2008 to be used for General Road Maintenance with the funds to be expended by December 31, 2010.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve the awarding of the RFP TRAN Note for \$2 million to Scottdale Bank @ 2.25% being the lowest.

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 of 12-15-08 to 1-21-09 as attached.

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 between the County of Fayette and Theresa George of Normalville for janitorial services for Magisterial District Office 14-1-02 (MDJ Ron Haggerty) in the amount of \$100 per month effective January 1, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to award the contract for RFQ No 08-12 to Delta Group as Funding Assistance Consultant.

Judy M. Bodkin Chief Clerk confirmed there were 2 responses from the RFQ, Delta Group and Ron Klink. **Warren Hughes** County Manager said other counties have used consultants to seek state and federal grants and he said at times their pay is taken from the grant award but not always. **Commissioner Zapotosky** said the Delta Group has great reviews and Fayette County needs to

position itself with someone that has the expertise to work with the State and Federal to secure our share. **Commissioner Zapotosky** said it is more of a calculated decision not a risk to use a consultant. **Commissioner Vicites** stated this would be an investment for Fayette County because there are many opportunities out there now than he has seen since being in office. He said this would be a wise decision to seek this type of help. **Commissioner Zimmerlink** said that no funds were budgeted for this in the event the grant funds could not be used to pay for the consultant's fees. Commissioner Zimmerlink also stated that Ron Klink's proposal is for \$5,000 per month and Delta' is \$9,500 per month. **Commissioner Vicites** recommended that monies could be shifted around to fund the cost of the contract and he explained different possible ways this could be done one being that the Bond taken out years ago has a balance of about \$155,000 and presented a document he got from the Controllers Office. **Controller Sean Lally** said could not be certain but if his office printed the document it is accurate adding that the Commissioners could allocate the monies to go to any resource.

A Motion by Commissioner Zimmerlink to Table awarding RFQ 08-12 died for lack of a second.

Commissioner Zapotosky stated he would award to the Delta Group contingent on legal review and possibly a reduction by them.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to award RFQ 08-12 Funding Assistance Consultant to Delta Development Group

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve a compensation rate for the Tax Collectors at \$2.05 per bill paid for real estate and .15 cents per bill for Per Capita acknowledging the share of the County for the Checks, Deposit Slips & Deposit Books beginning year 2010.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to form a Committee to further expand on the County Parks and Recreation Plan to be placed on February agenda.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve a Complement Control Policy for the County.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Fayette County Airport Authority

A Motion by Commissioner Zimmerlink to appoint Al Ambosini to the Fayette County Airport Authority died for lack of second.

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Jesse Wallace to the Fayette County Airport Authority for a five (5) year term to expire the first Monday, January, 2014.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Fayette County Housing Authority

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to re-appoint George Onesko to the Fayette County Housing Authority for a five (5) year term to expire December 31, 2013.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Commissioner Zapotosky stated Mr. Onesko filled a balance of a term that was left by Mr. Radcliff and while in that position he served well and done his job efficiently. There were several other qualified applicants but Mr. Oneskos brief opportunity to serve on the Board was successful.

Commissioner Vicites commented there several other qualified individuals that applied for the position though Mr. Onesko has served in the position well and Commissioner Vicites said he collected additional research and his attendance at the meetings where 100% in the last year. He does deserve to be reappointed.

Fayette County Health Center Authority

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to Table appointments to the Fayette County Health Center Authority

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Commissioner Zimmerlink explained the reason to Table was there needed to be clarification on the current expiration dates of Board Members.

Fayette County Industrial Development Authority

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Bernard John to the Fayette County Industrial Development Authority for a five (5) year term to expire the first Monday, January, 2014.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Larry Markwood to the Fayette County Industrial Development Authority for a five (5) year term to expire the first Monday, January, 2014.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Franklin Lacava to the Fayette County Industrial Development Authority for a five (5) year term to expire the first Monday, January, 2014.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

North Fayette Municipal Authority

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Joseph Koast to the North Fayette Municipal Authority for a five (5) year term to expire December 31, 2013.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Agriculture Land Preservation Board

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Richard Burd as a farmer representative to the Agriculture Land Preservation Board for a three (3) year term to expire December 31, 2011.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

A Motion by Commissioner Zimmerlink to appoint Cindy Komarinski as a farmer representative to the Agriculture Land Preservation Board died for lack of a second.

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Louis Diamond as a farmer representative to the Land Preservation board for a three (3) year term which expires December 31, 2011.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Fayette County Conservation District

Commissioner Zimmerlink stated that Commissioner Vicites has been the Commissioner representative for a number of years and that she would offer serving in his place.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to appoint Angela Zimmerlink as Commissioner Representative to the Fayette County Conservation District Board for a one (1) year term to expire December 31, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to re-appoint Donald Bowser as a farmer representative to the Fayette County Conservation District Board for a four (4) year term to expire on December 31, 2012.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-0

Commissioner Zimmerlink stated Mr. Bowser has done a fine job but that he has served for a number of years and that another individual, Andria Janson, offered to serve and qualifies as a farm representative. **Commissioner Vicites** commented Andria Janson also was a good choice and will be consider her in the future.

Emergency Medical Services Board EMSI

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to appoint Richard Adobato to the Emergency Medical Services Board for a term one (1) year term ending December 31, 2009.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Fayette County Transportation Executive Committee

A Motion by Commissioner Zimmerlink to appoint Jolene Hough to the Fayette County Transportation Executive Committee died for lack of a second.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to appoint Thomas Sankovich to the Fayette County Transportation Executive Committee for a two (2) year term ending December 31, 2010.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Terry Ryan to the Fayette County Transportation Executive Committee for a two (2) year term ending December 31, 2010.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Fayette County Planning Commission

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to re-appoint Chip Ciarrocchi to the Fayette County Planning Commission for a four (4) year term to expire on December 31, 2012.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Michael Benninger to the Fayette County Planning Commission for a four (4) year term to expire on December 31, 2012.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Mental Health Mental Retardation

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Dr. Joseph Labuda as physician representative to the Fayette County Mental Health Mental Retardation Board for a three (3) year term to expire December 31, 2011.

Commissioner Zapotosky aye

Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Dr. Denise Martin as citizen at large representative to the Mental Health Mental Retardation Board for a three (3) year term to expire December 31, 2011.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Joseph Mickens as Professional Representative to the Mental Health Mental Retardation Board for a three (3) year term to expire December 31, 2011.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Tammy Stuck as Local Health & Welfare representative to the Mental Health Mental Retardation Board for a three (3) year term to expire December 31, 2011.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to appoint Vincent Vicites as Commissioner Representative to the Mental Health Mental Retardation Board for a one (1) year term to expire December 31, 2009.

Commissioner Zimmerlink said she has served as Commissioner representative and that it would have been nice if her fellow Commissioners would have at least asked her if she was interested in continuing to serve

Commissioner Zapotosky aye
Commissioner Vicites aye

Commissioner Zimmerlink aye

Motion Passed Unanimously

Regional Trail Corporation:

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Dr. George Wilhelm to the Regional Trail Corporation for a three (3) year term to expire on December 31, 2011.

Commissioner Zapotosky aye

Commissioner Vicites aye

Commissioner Zimmerlink nay

Motion Passed 2-1

Southwestern PA Human Services

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Jolene Hough to the Southwestern PA Human Services for a one (1) year term ending December 31, 2009.

Commissioner Zapotosky aye

Commissioner Vicites aye

Commissioner Zimmerlink aye

Motion Passed Unanimously

Southwestern PA Commission Public Participation Panel

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint the following people to the Public Participation Panel for a two (2) year term ending December 31, 2010.

Bill Blaney	Steve Cooper	Bob Foltz
Andrew French	Daniel Glitz	David Gratz
Donna Holdorf	Michael Krajovic	Tom McGrew
Phil Michael	Kerry Moser	Sally Moser
Muriel Nuttall	Judy Reed	Norma Ryan
James Saylor	Joseph Segilia	Lori Groover Smith
Ed Fike	Madeline Sloboda	Floyd Coddington
Jesse Wallace	Ben Wright	Mark Yauger
Barry Seneri	Harry Joseph	Joe Ambrose
Tammy Stenson	Mark Wasler	Rickie Polk
Brian Kisiel	Jim Marmol	Andrew Kormanik

Rod Wheeler

Nina Kaminsky

Bernard John

Commissioner Zapotosky aye

Commissioner Vicites aye

Commissioner Zimmerlink aye

Motion Passed Unanimously

Southwestern Pa Commission

Moved by Commissioner Zimmerlink to appoint Vince Zapotosky as the Commissioner Representative, Angela Zimmerlink as the Commissioner Representative & Vince Vicites as the Elective Official Representative to the Southwestern PA Commissioner for a one (1) year term ending December 31, 2009.

Commissioner Zapotosky declined his appointment. **Commissioner Zimmerlink** stated she would withdraw the previous motion.

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Andrew J. Boni as the Elected Official Representative to the Southwestern PA Commission for a (1) year term to expire on December 31, 2009.

Commissioner Zapotosky aye

Commissioner Vicites aye

Commissioner Zimmerlink nay

Motion Passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Vincent Vicites as the Commissioner Representative to the Southwestern Pa Commission for a one (1) year term to expire December 31, 2009.

Commissioner Zapotosky aye

Commissioner Vicites aye

Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to appoint Angela Zimmerlink as the Commissioner representative to the Southwestern PA Commission for a one (1) year term to expire on December 31, 2009.

Commissioner Zapotosky aye

Commissioner Vicites aye

Commissioner Zimmerlink abstain

Motion Passed 2-0

Workforce Investment Board

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Dr. Phillip Savini in the education category of the Workforce Investment Board for a three (3) year term ending December 31, 2011.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Charmaine Sampson in the business category of the Workforce Investment Board for a three (3) year term ending December 31, 2011.

Commissioner Vicites commented Charman Sampson was recommended by Fayette Chamber of Commerce. **Commissioner Zimmerlink** said there were two other individuals, Joe Putila, of Gerome Electric and James Saul, of Argon company who were very qualified to serve in this capacity.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint Andrew French in the economic category of the Workforce Investment Board for a three (3) year term ending December 31, 2011.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to appoint Mark Rush in the welfare category of the Workforce Investment Board for a three (3) year term ending December 31, 2011.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to appoint David Peters in the business category to fill the remainder of the term of the seat vacated by Bill Blaney whose term will end December 31, 2009.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to appoint James Stark in the community category of the Workforce Investment Board for a three (3) year term ending December 31, 2011.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Fayette County Zoning Hearing Board

A Motion by Commissioner Zimmerlink to appoint James Griffin as a full time member to the Fayette County Zoning Hearing Board died for lack of a second.

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint James Burns as a full time member to the Zoning Hearing Board for a three (3) year term ending December 31, 2011.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

A Motion by Commissioner Zimmerlink to appoint Myron Hoskins as an alternate member to the

Zoning Hearing Board died for lack of a second.

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to appoint Mark Rafail as an alternate member to the Fayette County Zoning Hearing Board for a three (3) year term ending December 31, 2011.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	nay

Motion Passed 2-1

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to appoint Paul Bortz Sr. as an alternate member to the Fayette County Zoning Hearing Board for a three (3) year term ending December 31, 2011.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	abstain

Motion Passed 2-0

Pittsburgh Regional Alliance

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to appoint Vince Zapotosky as the Fayette County Representative to the Pittsburgh Regional Alliance for a one (1) year term ending December 31, 2009.

Commissioner Zapotosky	abstain
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed 2-0

Moved by Commissioner Zapotosky and second by Commissioner Vicites to ratify the awarding of Bid No. 08-20 Purchase of 235 Sequoia Voting Machines to Bates Tire & Auto Salvage, of Markleysburg, for the total amount of \$7,285.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to enter into an agreement with Zelenkofske Axelrod LLC to perform a forensic audit on the Offices of Human and

Community Services and Fayette Area Coordinated Transportation not to exceed \$23,000 and out of pocket expense.

Sean Lally County Controller stated his support to this because of his audit found discrepancies and that Zelenkofske Axelrod would be the right firm to conduct the audit rather than doing a RFQ because they already know what to look for since they just completed an audit of that office. **Commissioner Zimmerlink** said again that she believed an RFQ should be done to obtain the best price and **Commissioner Vicites** said that professional services do not have to undergo the RFQ process. **Commissioner Zapotosky** said that he supports this firm doing the audit.

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously

- Public Announcement

County Liquid Fuel Applications will be sent to all municipalities. Anyone interested in serving on the Auxiliary Tax Appeals Boards should send letters of interest to Kathy Winkler by February 20, 2009. The Agenda Meeting for February 24th will be rescheduled to February 17th; and the Commissioners Meeting of February 26th is rescheduled to February 19th.

- Public Comment

Mrs. Mazza stated that if there is found to be discrepancies in county offices she hopes there will be discipline action.

Mr. Ted Pritchard said the interview process and selection of people to service on boards is a sham because he interviewed a number of times and has never been selected.

Steve Dvorchak suggested that the Commissioners reconsider the proposal to pay the tax assessment board members \$100.00 per day. He also complimented Evelyn Hovanec for her interest and information on the deep mining issue saying that the Commissioners should have listened to her because she is educated and knowledgeable in that area.

Joe Sholock said he attended the Free and Clear tax sales for about 15 years and that this year he received a tax bill school taxes on property he purchased but in previous years it was excluded.

Commissioner Zapotosky and Commissioner Vicites said they would look into the matter.

Louis Bell Tax Collector in Bullsken Township thanked the Board of Commissioners for addressing the compensation issue and giving the increase.

Evelyn Hovanec stated she would appreciate if all the Commissioners would take into consideration

her prior comments about the deep mining. **Commissioner Vicites** said he checked with the former Director and she said it was an oversight.

Mary Grace Butela Tax Collector at Dunbar Township thanked those Commissioners who increased of the compensation of the tax collectors.

Michael Cavanaugh said Evelyn Hovanec presented good information on the Deep Mining issue. He said there was a compromise on the tax collector compensation because the tax collectors wanted \$2.50 and the Commissioners gave \$2.05 and that is what government is about; compromise. He also asked the Commissioners how they base their decisions to choose board members and **Commissioner Zapotosky** said he bases it on the individual desire to serve and bringing an understanding or having background of the agency in which they want to serve.

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

Commissioner Zapotosky	aye
Commissioner Vicites	aye
Commissioner Zimmerlink	aye

Motion Passed Unanimously