

Thursday, June 25, 2009 – 10:00 a.m.

A Meeting of the Fayette County Board of Commissioners was held on Thursday, June 25, 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  
Warren Hughes, County Manager  
Joseph Ferens, County Solicitor

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

Public comments on Agenda Items:

**Benita Johnson** from the US Census Bureau stated conducting the census procedure is considered a Public service that benefits our community in different ways, one being Federal Tax dollars to make sure that we have the proper congressional representation and proper state representation.

**Commissioner Vicites** thanked Benita Johnson for coming to Fayette County and explaining the process of how the census is conducted and how important it is.

**Proclamations/Resolutions**

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the following Proclamations/Resolutions for the 2010 Census Partner.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

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**Fayette County Community Action**

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the Fayette County Courthouse to serve as the location for the 2009 Magic and Mistletoe Event on Saturday, December 12, 2009

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Commissioner Zimmerlink** commented she will approve and support the event though given the same concerns expressed last year.

**Controller**

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the investments of June 11, 2009 for \$8,750,000.00 for 7 days at .50% interest with First Federal for \$839.00

**Commissioner Zimmerlink** asked Sean Lally Fayette County Controller if there are any changes to the investment. Controller Lally replied there was a 2<sup>nd</sup> investment that was not on the agenda and I do not have the information with me this time.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Financial Condition of the County**

**FUND: GENERAL FUND**

Date: 25-Jun-09

**CASH:**

Checking Account	National City Bank	\$ 2,717,305.02
Investments		\$ 5,000,000.00
		\$ 7,717,305.02

**Funds owed to the General Fund**

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Temporary Loans		
Intermediate Punishment Fund		\$ 35,610.94
Children & Youth Fund		\$ 1,000,000.00
Victim/Witness Fund		\$15,000.00
		\$ 1,050,610.94
<b>Funds General Funds Owes</b>		
Tax Anticipation Note		\$2, 000,000.00
Due to Debt Service Fund		\$330,070.80
		\$2,330,070.80
<b>Budget Year 2009</b>	<b>Net Position</b>	\$6,437,845.16
		<b>Year to Date</b>
<b>Total 2009 Revenues</b>		\$15,708,534.81
<b>Total 2009 Expenditures</b>		\$11,106,057.04
<b>Total 2008 Expenditures paid in 2009</b>		\$854,133.81
<b>Capital Reserve Fund Balance</b>	\$80,759.08	
<b>Bond Fund Balance</b>	\$151,934.84	

**Commissioner Zapotosky** asked Controller Lally if the increase of \$500,000.00 is correct concerning the CYS amount. His reply was it is correct and his office called the state to find out what the processing time frame was we are looking at to get the \$500,000.00 installments which I should have an answer this week.

**Commissioner Zimmerlink** stated Fayette County is not the only County waiting for this installment.

#### **Fayette County Redevelopment Authority**

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve a cooperation agreement between the County of Fayette and the Fayette County Redevelopment Authority for construction management services, not to exceed \$33,500.00 for the Fayette Area Coordinated Transportation (Fact) Transit Facility at the Fayette County Business Park in South Union Township, Fayette County, Pennsylvania.

**Commissioner Zimmerlink** asked Andrew French should that figure be 33,500.00. He replied yes.

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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve a contract for Professional Services between the county and McMillen Engineering, Inc for architectural design, civil engineering, and construction consultation services not to exceed \$108,904.00 for the Fayette Area Coordinated Transportation (FACT) Transit Facility at the Fayette County Business Park in South Union Township, Fayette County, Pennsylvania.

**Commissioner Zapotosky** stated the funds that were received through the stimulus bill were for construction of the facility.

**Commissioner Zimmerlink** asked Mr. French should the services not exceed amount of \$98, 904.00, his reply was, he thought there was \$10,000.00 added to that for profits so it will come up to \$108,904.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

**Commissioner Zimmerlink** explained her reason for not supporting the project which was, she understood that FTA has committed those funds through the 2009 stimulus and she felt the \$900,000.00 would be better spent on the existing facility.

**Commissioner Zapotosky** stated the funds that were made available were a requirement to utilize to be shovel ready and utilize a portion of the funds by 128 days.

**Andrew French** commented we are cooperating with the county in the Fact Office and these are funds that were provided through the 2009 American Recovery Reinvestment Act referred to as stimulus money, though the county was approached by the FTA and Penn Dot of the availability of the funds. He stated the intent of the project is to locate the facility of the Fayette County Business Park which was previously owned by the county.

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### **Children & Youth Services**

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the Purchase of Service Agreements for FY2008-09 between the County of Fayette, through Fayette County Children & Youth Services/ Fayette County Juvenile Probation Office, and the providers listed below.

### **Children and Youth Service & Juvenile Probation**

#### **Contracts 7-1-2008 to 6-30-2009**

#### **Per Diem**

#### **Glen Mill Schools**

PO Box 5001

Concordville PA 19331

Initial Clothing \$250.00

112860 - 01 Taylor Hall (Reg. Residential)	\$101.03 per day
112860 - 02 Taylor Hall (Restitution / D&A)	\$106.34 per day
112880 - 01 Hayes Hall (Reg. Residential)	\$101.03 per day
112880 - 02 Hayes Hall (Restitution / D&A)	\$106.34 per day
112890 - 01 Johnson Hall I (Reg. Residential)	\$101.03 per day
112890 - 02 Johnson Hall I (Restitution / D&A)	\$106.34 per day
112920 - 01 Lincoln Hall (Reg. Residential)	\$101.03 per day
112920 - 02 Lincoln Hall (Restitution / D&A)	\$106.34 per day
112940 - 01 Madison Hall (Reg. Residential)	\$101.03 per day
112940 - 02 Madison Hall (Restitution / D&A)	\$106.34 per day
112950 - 01 Adams Hall (Reg. Residential)	\$101.03 per day
112950 - 02 Adams Hall (Restitution / D&A)	\$106.34 per day
112960 - 01 Jefferson Hall (Reg. Residential)	\$101.03 per day
112960 - 02 Jefferson Hall (Restitution / D&A)	\$106.34 per day
112970 - 01 Polk Hall (Reg. Residential)	\$101.03 per day
112970 - 02 Polk Hall (Restitution / D&A)	\$106.34 per day
112980 - 01 Jackson Hall (Reg. Residential)	\$101.03 per day
112980 - 02 Jackson Hall (Restitution / D&A)	\$106.34 per day
113010 - 01 Johnson Hall II (Reg. Residential)	\$101.03 per day
113010 - 02 Johnson Hall II (Restitution / D&A)	\$106.34 per day

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per day	113020 - 01 Monroe Hall (Reg. Residential)	\$101.03
	113020 - 02 Monroe Hall (Restitution / D&A)	\$106.34 per day
	113030 - 01 Van Buren Hall (Reg. Residential)	\$101.03 per day
	113030 - 02 Van Buren Hall (Restitution / D&A)	\$106.34 per day
	113050 - 01 Buchanan Hall I (Reg. Residential)	\$101.03 per day
	113050 - 02 Buchanan Hall I (Restitution / D&A)	\$106.34 per day
	113060 - 01 Buchanan II (Reg. Residential)	\$101.03 per day
	113060 - 02 Buchanan II (Restitution / D&A)	\$106.34 per day
	124100 - 01 Garfield Hall I (Reg. Residential)	\$101.03 per day
	124100 - 02 Garfield Hall I (Restitution / D&A)	\$106.34 per day
	137300 - 01 Tyler Hall (Reg. Residential)	\$101.03 per day
	137300 - 02 Tyler Hall (Restitution / D&A)	\$106.34 per day

**Laurel Youth Services**

PO Box 8  
Blossburg, PA 16912-0008

Initial Clothing \$250.00

462920 - Foster Family Care

Class A	\$ 72.52 per day
Class B	\$ 89.70 per day
Class C	\$113.40 per day

**Outside In School Of Experimental Education, Inc.**

PO Box 639  
303 Center Avenue  
Greensburg, PA 15601

Initial Clothing \$250.00

Placement

414710 – Pathways to Recovery Integrate Substance Abuse Program Non-MA Room & Board	\$ 88.90 per day
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In-Home

Enhanced Outpatient Substance Abuse Bundled Rate	\$425.00 per week
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**White Deer Run, Inc.**

360 White Deer Run Road  
Allenwood, PA 17810

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Initial Clothing \$250.00

Cove PREP (Torrance)  
Adolescent Male Sex Offender Program \$255.00 per day

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve a purchase of service agreement between the County of Fayette, through Fayette County Children & Youth Services and Combustion Service & Equipment Company of 2016 Babcock Blvd, Pittsburgh PA from June 1, 2009 through May 30, 2010 for HVAC mechanical equipment preventative maintenance at the CYS office building at a cost of \$1,560.00. This is a \$60.00 increase from the prior year.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve FY2009-10 Purchase of service agreements between the County of Fayette, through Fayette County Children & Youth Services and CYS Solicitors Anthony Dedola at a rate of \$130.00 per hour and Ewing D. Newcomer at a rate of \$100.00 per hour.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

**Commissioner Zimmerlink** commented she supported the agreement based on the information that was submitted by the CYS which there is a need to have this service

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continued though the fee was negotiated.

**Commissioner Zapotosky** stated based on Dave Madison, Director of CYS, Mr. Dedola provides specialized legal services and the need to do this based on evidence he presented at the agenda meeting was significant.

### **Tax Assessment**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to authorize RFP for the leasing of natural gas rights described as parcel 35-15-0044 approximately 10.07 acres and parcel 35-15-0046 approximately 1.4 acres in Springfield Township.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### **Fact/Human & Community Services**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve an agreement with ECHO Child Development Centers for Child Care Information Services total allocation of \$4,620,198.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve contract with Tri Star Motors of Blairsville PA for purchase of service truck cost is \$54,920.00.

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Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to award RFP 0906 to Vitalink for Information Technology Services for 2 years beginning July 1, 2009 as per the agreement.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites Consider approving contract with Fayette County Community Action Agency for administration of food bank program for FY09-10.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve Kelly Bradigan to attend Financial Management training at State College on August 19, tuition \$95.00 one night lodging at \$109.00.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

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### **Planning & Zoning and Community Development**

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to authorize its planning office to advance this trail development project all the way through the mandatory phases of the ECMS (Engineering & Construction Management System) process as outlined by PennDot.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded Zimmerlink to Authorize advertisement for design of Phase 8 of the Sheepskin Trail, Point Marion Section.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve ZA 09-4 Amendment to Fayette County Zoning Ordinance Section 1000-203, Windmills/Wind Turbines, to be allowed as a permitted use in an A-1 Agricultural-Rural, M-1 Light Industrial and M-2 Heavy Industrial zoning districts in accordance with the standards of Section 1000-876

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

**Commissioner Zimmerlink** stated in changing this to a permitted use, benefits a company that is constructing windmills in Fayette County though it takes away a venue for residents who are affected by the project and that venue would be before the Zoning

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Hearing Board and would have an opportunity to address their concerns.

**Commissioner Zapotosky** stated this is a new undergoing project in Fayette County, though wind energy and turbines offer a safer aspect to A-1 properties. He also commented it is necessary we move in this direction.

**Commissioner Vicites** said I was very adamant when the project first came up, the distance setbacks between houses had to be very well thought out to protect the best interest of the citizens that are close to the area. He stated this \$100 million project will benefit Fayette County, and we will be a leader.

### **EMA/911**

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to ratify the County's 9-1-1 Triennial plan (2009-2011) which was developed in accordance with the Federal Communications Commission Order 01-293 docket 94-102 and the Public Safety Emergency Telephone Act.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### **Human Resources Department**

#### **Bridge Department**

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratifying the hire of Andrew Paul Wroble as Master Ferry Boat Pilot at \$10.85/hr effective June 15, 2009.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	abstain

Motion passed 2-0

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**Building and Grounds**

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to ratifying the transfer and promotion of Samuel Murphy, Department Clerk II in the Election Bureau SEIU Pay Grade 4 Step B to Maintenance Worker I at SEIU Pay Grade 5 Step B \$9.76/hr (\$19,032.00) effective June 15, 2009.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	abstain

Motion passed 2-0

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the volunteer internship of Eric Bittinger II for 30 hours for an Albert Gallatin High School senior project, effective July 6, 2009.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**FACT/OHCS**

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to approve the hire of Vincent Miscovich as Technician C Mechanic at SEIU Pay Grade 6 Step A 9.82/hr (\$19,149.00) effective July 6, 2009.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	abstain

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Motion passed 2-0

**Human Resources**

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to ratifying the agreement with Private Industry Council for the Summer Youth Program (18-24) effective June 8, 2009.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Information Technology Department**

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the volunteer internship of Remy Olinzock for the period of June 29-August 28, 2009.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**MH/MR**

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the acceptance of the resignation due to retirement of Rita Dustolfo, Fiscal Technician, effective June 18, 2009.

Commissioner Zapotosky	yes
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Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the hire of Gloria F. Glisan as Clerk Typist II at \$9.68/hr (\$18,876.00) effective June 29, 2009.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    abstain

Motion passed 2-0

#### **Public Defender**

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to ratify the volunteer internship of Nina Martinelli for the period of June 1- August 19, 2009.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

#### **Commissioners Office**

**Commissioner Zapotosky** stated he placed this item on the agenda based on information he received that we were in need of signatory requirements under the title of chief clerk being our current chief clerk is out on leave.

**Joe Ferens County Solicitor** stated the entire signature card needs to be executed under section 521 duties of power of the chief clerk and they are to attest all orders and vouchers checks issued as other duties obtained by the chief clerk.

**Commissioner Zimmerlink** stated she does agree someone needs to be appointed

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officially to the chief clerk position.

**Commissioner Zapotosky** commented he wishes Mrs. Bodkin well, with a speedy recovery, and also he and **Commissioner Vicites** thanked Holly Sumey Administrative Assistance to Commissioner Vicites for the help she offered to perform some duties of a chief clerk.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to appointed Warren Hughes as Acting Chief Clerk who shall keeps the books of accounts of the Board of Commissioners, record and file the proceedings and papers, attest all orders voucher checks issued, and perform other duties as pertaining to office as Chief Clerk with the understanding that other duties will be shared by Commissioners Unit Staff at no additionally compensation, effective June 25, 2009

**Commissioner Zimmerlink** stated the motion that was read pertains to the attesting of county documents which is time consuming and also other duties as per the county code. She said other staff members can pick up on other duties performed by a Chief Clerk. Commissioner Zimmerlink also commented that she felt a Right to Know Officer needed to be appointed though **Mr. Ferens** stated it can be ratified at the next Commissioners Meeting.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### MH/MR

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

<u>Service Agreements 2009-2010</u>	<u>Contract Value</u>	<u>Period</u>
Combustion Service & Equipment Co.	\$ 9,750	7/1/09-6/30/10
Keefer Development Services, LLC	.\$ 7,500	7/1/09-6/30/10
Maher Duessel (Program Office)	\$ 14,300	2009
Maher Duessel (HealthChoices)	\$ 16,750	2009

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**Fee-For-Service Agreements 2009-2010**

ACS Psychological Associates, Inc.	\$ 1,000	7/1/09-6/30/10
Alicia Crouse	\$ 12,600	7/1/09-6/30/10
Richard W. Pritts, M.A. Licensed Psychologist	\$ 1,000	7/1/09-6/30/10
Tidgewell Associates, Inc.	\$ 358,000	7/1/09-6/30/10

**Agreements for Professional Services 2009-2010**

Thomas W. Shaffer, Esquire	\$ 150/site	7/1/09-6/30/10
VITALink, Computers & Supplies	\$ 1,200	7/1/09-6/30/10

**Contract Agreements 2009-2010**

Fayette County Drug & Alcohol Commission	\$ 82,360	7/1/09-6/30/10
Laurel House, Inc.	\$ 886,542	7/1/09-6/30/10

**Contract Agreement 2008-2009**

Community Living Care, Inc.	\$ 20,010	7/1/08-6/30/09
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**Administrative Entity & Waiver Provider Mod. #2 2008-2009**

Community Living Care, Inc.	\$ 134,004	7/1/08-6/30/09
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**HealthChoices Reinvestment Funds 2006**

Southwest Behavioral Care, Inc.	\$ 190,000	2006
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Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the Administrative Entity Operating Agreement between the Office of Developmental Programs, Pennsylvania Department of Public Welfare and the County of Fayette for the period covering July 1, 2009 through June 30, 2010.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

**Tax Claim Bureau**

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**Commissioner Zimmerlink** stated all Commissioners received a copy of the memorandum that was written by Assistant Solicitor John Cupp that he suggested the wording which stated the Commissioners of Fayette County hear by resolve to engage the services of Palmetto Posting to post notices of the sale for the 2009 upset tax sale and designate Palmetto Posting as the agency for such notices for all upset judicial tax sales until further resolution of the board, and we will have to add the RFP #

**Joe Ferens** stated he did not have a problem with the language though RFP#09-01 starts July 1, 09 at the rate of \$10.00 where there will be no questions in both the # and the money just like it is listed.

Moved by Commissioner Zimmerlink and seconded by Commissioner that the Fayette County Commissioners hereby resolve to engage the services of Palmetto Posting to post notices of sale for the 2009 upset tax sale and designate Palmetto Posting as the agency to post such notices for all upset and judicial tax sales until further resolution of the assured as per RFP # 09-01 beginning with the posting date of July 1, 2009 at a rate of \$10.00 per posting from the tax sale proceeds.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

### Commissioners

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to authorize requests for proposals for a contractor to help with Act 77 or the Guaranteed Energy Saving Act.

**Commissioner Zapotosky** stated this is a state program that allows for us to do some improvements, after the study is done it will demonstrate the savings that the county would receive are guaranteed and go to the debt service to address the cost of the modification.

**Commissioner Zimmerlink** stated she had no problem with doing an advertising request for proposal but thought it would be a good idea to look at the other responses and compare them.

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**Commissioner Vicites** stated he wants to actively pursue a funding for energy savings under the economic stimulus.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify resolution, asking that the State Legislature to rethink their positions on the state budget.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	no

Motion passed 2-1

**Commissioner Vicites** stated the resolution was specific and mandated county services the state has always funded.

Moved by Commissioner Zapotosky and seconded by Commissioner Vicites to rescind resolution # 09-05-28-52 Commissioner minutes for the March 26, April 23, and April 29<sup>th</sup> 2009 Commissioners meeting.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to **Table** amended minutes for the Commissioners meetings of March 26, April 23, and the Special meeting of April 29<sup>th</sup>, 2009.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to **Table** approving Commissioner Minutes for the May 28<sup>th</sup>, 2009 Commissioners

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Meeting.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded Commissioner Zimmerlink to **Table** awarding RFP no # 0909 for the Vending Machines in the Courthouse, Public Service Building and Federal Building.

**Warren Hughes** County Manager stated he made numerous phone calls to PIBH concerning the vending machines at the Federal Building and did not receive a call back.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to authorize bids for the sale of various vehicles from the county that are no longer in use.

LIST OF VEHICLE FOR DISPOSAL/SALE

95 FORD EXPLORER	1FNU34X2SUBO6343
96 CHEV. BLAZER	16NDTI3W2T2217919
90 GMC TRUCK	1GTHV33KOLF702520
88 JEEP	1J4FJ38L480188
94 PLY. GRAND VOYAGER	1P4GH44R8RX186524
00 FORD CROWN VIC.	2FQFP71W3YX151774
95 CHEV. BUS	1GBLP37F1S3316906
97 GMC YUKON	1GKEK13ROVJ705421
97 FORD CONTOUR	1FAFP66L6WK201835
92 PLY VOYAGER	2P4GH2537PR151659
01 CHEV MALIBU	1G1ND52J816223553
03 JEEP GRAND CHEROKEE	1J4GW48553C593006
03 JEEP GRAND CHEROKEE	1J4GW48523C601014
03 JEEP GRAND CHEROKEE	1J4GW48533C608733
96 DODGE CAROVAN	1B46P45R2TB355458
99 FORD WINDSTAR VAN	2FMZA5142XBB03640
95 FORD EXPLORER	1FMDU34X2SUC24618
5030 ALLIS CHALMERS TRACTOR	SERIAL # 2134

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Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

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

<b>Transfers: 4-15-09 to 6-18-09 2009 Budget</b>			
<b>Office</b>	<b>Line Item</b>	<b>Debit</b>	<b>Credit</b>
Recorder of Deeds			
Association Dues	014153 54200	\$900.00	
Telephone	014153 53200		\$900.00
Prison			
Cell Rental	014232 53830	\$50,000.00	
Utilities	014232 53600		\$50,000.00
	<b>Total Debits</b>	<b>\$50,900.00</b>	
	<b>Total Credits</b>		<b>\$50,900.00</b>

Commissioner Zapotosky    yes  
Commissioner Vicites        yes  
Commissioner Zimmerlink    yes

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve signing the settlement agreement between the United States of America, Department of Justice under the Americans with Disabilities act and the County of Fayette to come into compliance with ADA requirements at our county owned properties.

Commissioner Zapotosky    yes  
Commissioner Vicites        yes

Thursday, June 25, 2009 – 10:00 a.m.

Commissioner Zimmerlink yes

Motion passed unanimously

**Public Announcements:** none

**Public Comments:**

**Marilyn Cellurale** stated in the Herald Standard there was an article that said Commission backs Zoning Ordinance Historical Provision and where could she locate a copy of the provision. The Commissioners told her the Planning Office will be able to provide a copy. Mrs. Cellurale asked if there will be more provisions.

**Commissioner Zimmerlink** stated to Mrs. Cellurale there were two minor changes also all the sights that are being considered, the consultant is drafting them which will be available by the end of the week.

**Commissioner Zapotosky** stated either you're on it or eligible for it and it is state regulated.

**Commissioner Zimmerlink** stated the Class 2 attachment to the proposed ordinance list what is eligible to be on the list, you can chose whether or not to apply to be on the list. per Pennsylvania Historic Museum Commission. If you own a piece of property and you do not want to be on the list, you would not be on it as state requirement.

**Marilyn Cellurale** stated the land owners that are adjoined to the Historic properties are the ones being persecuted.

**Mr. Mazza** stated he is upset about Falice & Assoc. being voted in again to be the firm in charge of the HR Department.

**Thomas Bozek** stated he felt he will still be affected by the proposed windmill project and they should not have been approved. He explained the sound of the turbines is his major concern.

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### **Adjournment**

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

Thursday, June 25, 2009 – 10:00 a.m.

Commissioner Zapotosky	yes
Commissioner Vicites	yes
Commissioner Zimmerlink	yes

Motion passed unanimously