

Thursday, November 20, 2008 – 10:00 a.m.

A Meeting of the Fayette County Board of Commissioners was held on Thursday, November 20, 2008 at 10:00 am in the Conference Room at the Public Service Building, Uniontown, Pa.

Present:

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

- Meeting called to Order
- Silent Prayer
- Pledge of Allegiance
- Public comment on agenda items: none

Harry Joseph, on behalf of MHMR Advisory Board presented a Community Recognition Award to Pat Richard Kuhser for her volunteer time for individuals with Down Syndrome. Mr. Joseph stated Mrs. Richard Kuhser served on the ARC Board of Directors. She was nominated for the award by Aggie Omivesta and it was presented to her by Tom Nines. The Commissioners presented her with the award with congratulations.

Controller

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the investments of October 30, 2008 - \$15,000,000 for 14 days at 1.75% interest with Parkvale \$10,068.49; November 13, 2008 - \$11,500,000 for 21 days at 1.75% interest with Parkvale \$11,578.77

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify the agreement of November 10, 2008 between Susquehanna Group Advisors to provide technical assistance and advice to the County in reviewing the County's 2009 Operating Budget at an hourly rate of \$140 estimated for 30-35 hours not to exceed a total cost of \$4,500

Commissioner Zapotosky aye
 Commissioner Vicites aye
 Commissioner Zimmerlink aye

Motion Passed Unanimously

Commissioner Zimmerlink received confirmation from the County Manager, Warren Hughes that funds were available in the Audit line item. Controller Lally said \$15,000 was in the account. Mr. Hughes said \$10,000 of it was used for the audit so \$5,000 remains.

Commissioner Zapotosky stated it was a good investment and Fayette County benefited and Sam Lynch from Susquehanna Group Advisors did an outstanding job.

Commissioner Vicites said Mr. Lynch gave a report with all the changes that was made and bringing someone in with the knowledge of GAS Bee was the best thing we have done. **Commissioner Vicites** commended Commissioner Zapotosky for suggesting the Advisors.

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

FUND	GENERAL FUND	
	DATE :	20-Nov-08
CASH:		
	Checking Account National City Bank	\$2,243,387.73
	Investment	\$6,500,000.00
		\$8,743,387.73
Funds Owed to General Fund		
	Temporary Loans	
	Intermediate Punishment Fund	\$35,610.94
	Transportation Fund	\$360,000.00
	Children & Youth Fund	\$500,000.00
		\$895,610.94
Funds General Fund Owes		
	Tax Anticipation Note	\$5,000,000.00
	Debt Service Fund	\$31,953.05
		\$5,031,953.05
Budget Year 2008	Net Position	\$4,607,045.62
		Year to Date
Total 2008 Revenues		\$20,776,547.85
Total 2008 Expenditures		\$18,658,643.32

Adult Probation

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify amendment #1 between the County of Fayette, Adult Probation Office and BI Inc. to maintain five Spare ExacuTrack AT Tracker Units on site at all times.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Courts

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the agreement between the County of Fayette/Courts and AT&T for switched digital service – volume discount plan for a term of three years beginning November 20, 2008 at \$1200.00 a year, (\$100.00 per month) for 3 years.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Emergency Management/911

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to ratify Service Agreement between the County and Full Service Computing Corp T/A Full Service Network (FSN) for the Enhanced 911 Telephone Service for the County of Fayette effective November 20, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Planning, Zoning & Community Development

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to authorize the Planning Zoning Office to submit a grant application with PHMC (PA Historical Museum Commission) in the amount of \$30,000 which is a \$15,000 county match for the purpose of purchasing shelving/acid free boxes in accordance with the approved September 2008 County Records Retention Policy & Space Allotment.

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 approve the Purchase of Service Agreements for FY2008-09 between the County of Fayette, through Fayette County Children & Youth Services & Tracey B. Wrona Kowal for counseling & training. These services will be utilized on an as needed basis. The rates are as follows:

Counseling & Consultation	\$ 55.00 per hour
Court Testimony	\$ 75.00 per hour
Training	\$125.00 per hour

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to approve a purchase of a service agreement between the County of Fayette, through Fayette County Children & Youth Services and the Fayette County District Attorney's Office, for FY2008-09. The contract is for \$44,000 per year.

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>Contracts 2008-2009 (Base)</u>	<u>Contract Value</u>	<u>Period</u>
Fayette County Adult Probation Office	\$ 83,274	7/1/08-6/30/09
Fayette Resources, Inc.	\$ 974,841	7/1/08-6/30/09
<u>Modification Agreement #1 2008-2009 (Base)</u>		
Neurological Therapy Specialists, Inc.	\$ 9,000	7/1/08-6/30/09

<u>Modification Agreement #2 2008-2009 (Base)</u>		
Southwest Behavioral Care, Inc.	\$ 427,496	7/1/08-6/30/09
<u>EI & Families Medicaid Waiver County Program Mod #1 (Federal)</u>		
Neurological Therapy Specialists, Inc.	\$ 9,000	7/1/08-6/30/09
<u>Modification Agreement #2 2007-2008 (Federal)</u>		
Keystone Community Resources, Inc.	\$ 129,376	7/1/07-6/30/08
<u>Modification Agreement #4 2007-2008 (Federal)</u>		
Goodwill of Southwestern Pa	\$ 470,344	7/1/07-6/30/08
<u>Modification Agreement #6 2007-2008 (Base)</u>		
Goodwill of Southwestern Pa	\$ 621,217	7/1/07-6/30/08

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 retirement of Frank Catalano, Bridge Worker II effective November 7, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under Building and Grounds

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the hire of Steven Fronius as Custodial Worker, at \$8.32/hr (\$16,224.00), effective November 17, 2008 and accept the voluntary resignation of the same individual effective November 20, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under EMA/911

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the promotion of Lisa West to EMA/911 Shift Supervisor at EMA Scale SEIU Pay Grade 12, Step A \$12.14/hr (\$25,251.20), effective November 10, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under FACT

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to ratify the promotion of Lori Grover Smith, Accounting Manager, to FACT Assistant Director, \$17.57/hr (\$34,261.50), effective November 17, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Commissioner Zimmerlink said this is a ratification and she gave her objection to this hire because the Director is on medical leave and she believes this should wait for the Director's return and because staff informed the Commissioners that this position should not be filled and also because the person selected for the Assistant Director position is being promoted from the Accounting Department and issues have been raised recently in this regard. **Commissioner Vicites** said there is no one in charge right now so he supported the hire.

Motion Passed 2-1

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the hire of Daniel Fisher as a full-time Small Transit Vehicle Operator at SEIU Pay Grade 7, Step A \$9.80 (\$19,110.00 annually) effective November 17, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Under Veteran Affairs

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify the resignation of Rosemary White, Director of Veteran Affairs, and effective November 14, 2008.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Commissioner Vicites wished Rosemary White well.

IT Department

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to award RFP No. 08-09 Local/Long Distance Phone Service to Verizon.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink abstain

Commissioner Zimmerlink stated she had not been provided the information by the IT Department.

Motion Passed 2-0

Commissioners

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify budget transfers for the period October 22-November 13, 2008:

OFFICE		DEBIT	CREDIT
<u>Magistrate/Unappropriated</u>			
Unappropriated	014999 59040	\$16,000.00	
Magistrates Postage	014186 53250		\$16,000.00
<u>Assessment Office</u>			
Materials & Supplies	014136 52000	\$650.00	
Association Dues	014136 54200		\$400.00

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to award Bid No. 08-17 Grass Cutting Jacobs Creek Park to Stash Scape as attached.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify change order #1 for Keystone Waterproofing, Inc. of Greensburg, PA 15601 for the amount of \$8,302.00.

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 Vicki J. Leonelli as the Representative for Fayette County on the Southwestern Pennsylvania Heritage Preservation Commission.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to reject Bid No. 08-11 Sale of 235 Sequoia Lever Voting Machines.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to re-advertise the sale of 235 Sequoia Lever Voting Machines and send a notice to local scrap dealers informing them of the disposal of 235 voting machines.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zapotosky to approve the plan of Rev. Ewing Marietta to have spoken prayer at the Commissioners Meetings.

Commissioner Zapotosky stated he spoke with Rev. Ewing Marietta and he will provide an advanced draft/copy of the prayer that will be offered before the monthly Commissioners meeting. **Commissioner Zimmerlink** stated she supports continuing with silent prayer.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink nay

Motion Passed 2-1

Commissioner Zapotosky extended his thanks to his colleagues, County Controller Sean Lally, Judy Bodkin Chief Clerk, Warren Hughes County Manager and Sam Lynch from Susquehanna Group Advisors which laid out a blue print to follow to enhance the budget process.

Commissioner Vicites commented since the original request came in at \$24,356,267.00, we have been able to pare that down to \$22,651,000.00 which is a starting point. **Commissioner Vicites** said now we have to put this out to the public to review for the next 20 days.

Commissioner Zimmerlink agreed Susquehanna Group Advisors provided assistance because the budget was not in accordance with the County Code with the new GASBE requirements. **Commissioner Zimmerlink** said the County should be able to minimize the services of Susquehanna and instead rely more on County staff and the elected officials to continue this budget and well as future budgets. She stated the format is now different and it will eliminate or reduce any type of internal accounting errors if staff adheres to the advise and format and also make certain the items are attributed to the proper accounts and each of the departments continue to monitor their budgets. She also said the County should have less budget transfers. **Commissioner Zimmerlink** said the County should propose a balanced budget or one with a lesser deficit because now the Commissioners will decide how to reduce the \$716,000 expenses which means more cuts or increases in revenues or using the surplus. She also said that she again supports creating an Operating Reserve Fund & a Capital Reserve Fund.

Commissioner Vicites said the County has never proposed a balanced budget & that the

Commissioners have to look at every line item for further cuts.

Moved by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to consider proposing the 2009 Fayette County Budget with total revenue of \$22,127,648.00, total expenditures of 22,651,958.00. The Board of Commissioners will have a special meeting December 18, 2008 at 10:00am for final adoption of the 2009 Fayette County Fund Budget.

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously

Public Announcement

Commissioners will be accepting letters of interest until December 15th for the following Boards: Agricultural Land Preservation Board, Fayette County Airport Authority, Children & Youth Services, Fayette County Health Center, Fayette County Housing Authority, Fayette County Industrial Development Authority, Mental Health Mental Retardation Board, North Fayette Municipal Authority, Fayette County Planning Commission, Fayette County Redevelopment Authority, Regional Trail, SPC Public Participation Panel, Fayette County Executive Committee, Fayette County UCC Appeals Board, Workforce Investment Board, Fayette County Zoning Hearing Board, Emergency Medical Services Board, Southwestern PA Human Services, and Southwestern PA Heritage Preservation Commission. Please send letters of interest to Kathy Winkler in the Commissioners Office at 61 East Main Street, Uniontown PA 15401.

Public Comment;

Mrs. Mazza asked the Commissioners how many employees are with the Joseph A. Hardy Connellsville Airport. Commissioner Zapotosky replied 4 full time employees and 2 part time employees. Mrs. Mazza commented her understanding is there will be new individuals appointed to the Airport Authority Board and she hopes they will be successful board members that will spend funds wisely.

Mr. Mazza commented about Fact Transportation and asked how a contract can be fulfilled without the correct signatures. Commissioner Zapotosky stated there will be additional review in regards to this matter and he also commended County Controller Sean Lally for his inquiry on this issue. **Controller Lally** commented we are moving forward with a more extensive audit being done by an outside firm. **Commissioner Zimmerlink** stated the OHCS has its own accounting department and that they internally process checks adding that there are three employees within that accounting department. **Commissioner Zapotosky** said there should have been a process followed and he wants to insure matters were done in accordance with the County Code adding that there will be additional individuals to make sure it is done correct.

Mary Grace Butela Dunbar Twp. Tax Collector wanted to supply information she gathered for the Commissioners in regards to the Laurel Mall, Dunbar Twp. She stated the Mall was purchased in August 2008 by a company called Gator Laurel Partners. She said in June 2007 the Mall assessed at \$ 5,575,000.00, in June of this year 2008 there was a Court Order that lowered it to 2.5 million dollars. She stated the County lost \$9,506.00. On Oct. 16, 2008 Gator Laurel Partners and their Attorneys went before the County Appeal Board and asked for the assessment to be lower to \$500,000.00, the Board did lower it to 1.5 million dollars, now they are taking it back to Common Pleas again they want it lower to \$500,000.00. Mrs. Butela commented the same date the Laurel Mall was purchased Aug 1,2008 Gator Laurel Partners purchased a Strip Mall in Memphis, Tenn. and took a loan out for 4.3 million dollars. Mrs. Butela asked the Commissioners to look into this issue. **Commissioner Vicites** stated the Commissioners had a hearing with them and denied their appeal; the next step was to go in front of the Courts.

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

Commissioner Zapotosky aye
Commissioner Vicites aye
Commissioner Zimmerlink aye

Motion Passed Unanimously