

A meeting of the Fayette County Board of Commissioners was held at 10:30 a.m. on Thursday, May 22, 2014 in the Fayette County courthouse, Uniontown, Pa.

**In attendance-**

Commission Chairman Alfred Ambrosini  
Commissioner Vincent Zapotosky  
Commissioner Angela M. Zimmerlink  
Chief Clerk Amy Revak  
Assistant Solicitor Sheryl Heid

**Chairman Ambrosini** called the meeting to order at 10:30 a.m.

A silent prayer was observed.

The pledge of allegiance was recited. Ralph Mazza commented that the flags were in the wrong place in Courtroom Number One. Commissioner Zimmerlink asked if everyone could hear, adding that she will talk as loud as she can.

**Proclamations**

**Commissioner Ambrosini** said they have four proclamations to read today. He then read the proclamation for Reading Day, May 31, 2014. Representatives from various libraries gave comments about activities they have going on in the county. Commissioner Zimmerlink read the proclamation about the 60<sup>th</sup> anniversary of accessAbilities, Inc. A representative of the organization spoke about its mission and goals. Commissioner Ambrosini read the proclamation for Older American's Month, May 2014. Various representatives of senior citizens centers spoke about their services. Commissioner Zimmerlink read the proclamation for William Reid Eadie "The Mask Superstar."

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the following proclamations:

Reading Day, May 31, 2014  
60<sup>th</sup> Anniversary of accessAbilities, Inc.  
Older American's Month, May 2014  
William Reid Eadie "The Mask Superstar" Proclamation

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Public Comment on Agenda Items**

**Prior to** any comments, Commissioner Ambrosini said he wanted to remind everyone there is a three minute limit on comments and asked everyone to keep their comments to within the time frame. Terry Kriss said he wanted to comment on number 12 and ratifying the hire of Mary Schroyer as Commissioner Ambrosini's administrative assistant. He said it has to do with Commissioner Ambrosini because he is the one who advertised for the position. Commissioner Ambrosini said it was advertised but asked him to just make comments, adding that they are not going to get into a question and answer here, this is for your comments, please continue to make your comments. Mr. Kriss said the position was advertised, interviews were done and you hired the most qualified, is that correct. In any way shape or form is that person related to yourself, Commissioner Zapotosky, Commissioner Zimmerlink or Tim Mahoney?

**Commissioner Ambrosini** said he wasn't going to get the third degree. Mr. Kriss said she is working for the county, is she a relative of the commissioners. Commissioner Ambrosini said no she is not and this line of questioning is out of order, do you have a comment? Mr. Kriss said he is asking a question and you told me she is not a relative of yours. Commissioner Ambrosini said this is not a debate. Mr. Kriss said he isn't asking for a debate, he is asking for an answer to his question. Commissioner Ambrosini said make your comments and move on. Commissioner Zapotosky said traditionally when a commissioner is elected the commissioner has the right to pick his or her administrative assistant. He said you have to get approval at the commissioner's meeting to finalize it, but as far as the hire, we have the discretion to hire who we want, Commissioner Ambrosini has the discretion to hire who he wants, Commissioner Zimmerlink had a staff member a while back, she chose that person, so it's commonplace. Mr. Kriss said is it commonplace to hire political friends and have more cronyism and nepotism?

**Commissioner Ambrosini** said you are getting out of order because you are making accusations. Mr. Kriss said he wasn't making accusations, he is asking a simple question. Commissioner Ambrosini said she isn't related to anybody, he never met this person before I interviewed her. Mr. Kriss said it isn't a relative of Commissioner Zapotosky or yourself or Mr. Mahoney, is that correct? Commissioner Ambrosini said that is correct. He said he knows the blogs are saying this stuff, there is so much misinformation out there. Mr. Kriss said that is why he is here today to ask these questions. Commissioner Ambrosini said he is really hoping that most people are intelligent enough not to pay attention to the blogs because there is no controls. Mr. Kriss said you could say that about the newspaper or the radio, it is who you want to believe. He said you also want to consider hiring under human resources, Fayette County Behavioral Health, consider approving the hire of Sierra Schroyer, is this the daughter of this woman? Commissioner Ambrosini said yes it is. Mr. Kriss said within one month of hiring this woman we find another place for her daughter. Commissioner Zapotosky said it is a summertime job.

**Commissioner Ambrosini** said it is a college summertime. Commissioner Zapotosky said we are going to give her an opportunity to work, whether it was my son or your son or the son of anybody. He said she is 19 years old, let's not bring a 19-year-old into it, you have more class than that Mr. Kriss, I know you do. Please stop that. Commissioner Zapotosky said he answered the question. Commissioner Ambrosini said your time limit

is up Mr. Kriss. Commissioner Zimmerlink said no, no, wait, let me say something here, the citizen, I don't care which one comes up and talks, OK, you are limiting it to three minutes but it takes longer to question and then you guys just went on and on. She said the answer is no, I'm not related, OK, period. She said to answer your other question, Commissioner Zapotosky made a comment about assistants. She said yes, we obviously have the power and the authority to interview. She said she believes there was something in the newspaper, I don't know, I didn't check on it and he interviewed more than one, I interviewed more than one, she said she opened it up back at that time to other commissioner's to sit in if they wanted to, they don't have to if they don't want to, OK, so to answer your question, no, she's not related to me, to my knowledge, OK.

**Commissioner Zimmerlink** said to move on to the other questions, all this here, it is taking up this time, ask you next question, as far as the other one, you asked it, and it has been asked and answered, OK. Mr. Kriss then spoke about implementation of the UPI system. He said it was initially \$10 a parcel, and now it went to \$20 a parcel, is that correct? He said it was \$10 and today it is \$10, it is doubled. He said in the future, the commissioners could make it \$30, \$40 or \$50, it is your prerogative, is that right? Commissioner Ambrosini said in the time period when they were investigating this, the initial information that came to us was something that was an old document that other counties used in previous but they have since then increased their rate to \$20, we just want to be consistent with other counties. Mr. Kriss said when it was set at \$10 there were no objections, how all of a sudden is it follow the leader just to make it \$20. He said they are enacting the fee to get another \$20 to feed the monster. He said can this commission go up. Commissioner Ambrosini said his commission is a maximum of \$1.50 per parcel I believe in the contract. Mr. Kriss said so now it did go up from \$1 to \$1.50?

**Commissioner Ambrosini** said they haven't voted on it, so it didn't go up at all because we didn't accept it, that is on the agenda for today, Mr. Kriss. Commissioner Zimmerlink said no, wait a minute, no, what is on the agenda is to do the ordinance, is to pass the ordinance. Commissioner Ambrosini said yes and the ordinance includes the cost, the UPI. Commissioner Zimmerlink said where's that? Commissioner Ambrosini said the cost to the.. Mr. Kriss said they knew what the cost was. Commissioner Zapotosky said he suggested \$15 or up to \$20. He said he spoke with him on the phone and he asked for \$15 or \$20. He said he suggested \$20 because he felt they needed to get the program going, get the revenue and move from there, so I suggested \$20. Mr. Kriss said he wanted \$15 and you wanted \$20. Commissioner Zapotosky said you want to be able to be paid for services we are rendering, yes. Following a discussion between Mr. Kriss and Commissioner Zapotosky about a projection of revenue, Commissioner Ambrosini said Mr. Kriss, your time is up. Commissioner Zimmerlink said she will answer the question. Following a comment about no time limit, Commissioner Ambrosini said there is a resolution.

**Commissioner Zimmerlink** said she will answer the question since he asked it and nobody else answered, I'm going to answer it, OK. She said now, Section 10 says \$20, that is the fee, that is the fee for the citizen. She said that wasn't your question Mr. Kriss, your question was the fee for Mr. Murphy, OK, well the first question was answered

cause you said \$20 and you said that it may be revised from time to time as duly adopted by the commissioners, that is correct. She said that is in Section 10 page 11, your second question was about the fee of Mr. Murphy under the, and she thought he said, play back the tape, but that hasn't been voted on or agreed upon, that is incorrect, we did that last month or the month before, OK, so I, don't interrupt this public comment to set the record straight, this ordinance has nothing to do with the contract, it's not the contract for Tom Murphy, that was already passed at another meeting, this here is to adopt the ordinance that was advertised in the newspaper, by law you have to advertise the legal ordinance and Section 10, you're correct it states a \$20 fee. She said I was not part of making the \$20 fee, you heard Commissioner Zapotosky said he had a conversation with Mr. Murphy, so that is put on here, now it is up to us, it was put on, it was also advertised already so now it is up to us to vote on it later on in the meeting, but I don't recall what Mr. Murphy's percentage was, but I thought that it was a dollar amount and then a percentage or whatever was greater. She said she doesn't have, she should start bringing more, if you doubled it then of course it is higher.

**Mr. Kriss** said then he would get paid more. Commissioner Ambrosini said Mr. Kriss, what you are asking is not on the agenda for today. Mr. Kriss said how can they make a comment when they don't know the facts and figures of what they want to do there? Commissioner Ambrosini said it is 10 percent, Mr. Kriss, your time is up, we are not going to go into this long, lengthy debate, please take your seat. He said you are beyond your three minutes, please sit down, please sit down. Commissioner Ambrosini said now, here is the thing, the contract indicates that Mr. Murphy will get paid 10 percent per parcel up to a maximum of \$1.50 per parcel, that's the contract. Commissioner Zimmerlink said that was passed, to answer your question, that was passed at the prior meeting. She said she thought it was \$1 as well, but. Commissioner Ambrosini said it is all a matter of public record. Marybeth Homistek said the agenda is very disjointed today, she asked about approving a contract for engineering. Commissioner Zapotosky said they have done work with K2, Sleighter, they used to do work with Widmer, Fayette Engineering off of 119, so we have kind of spread it out a little bit. Ms. Homistek said on page seven, there is naming a chief solicitor, what is the starting salary of a chief solicitor?

**Commissioner Zapotosky** said the salary would be based on commensurate with education and experience. He said we have so called steps but we can pay somebody more because they bring more to the table. Ms. Homistek asked about Mr. Cupp. Commissioner Zimmerlink said Marybeth, you asked a specific question and your question was what is the starting salary of the chief county solicitor, the starting salary of the chief county solicitor is \$36,757.50 as per Dominick Carnicella. Ms. Homistek said they are going to jump it. Commissioner Zapotosky said the salary board still has to approve it. Ralph Mazza said he has a copy and page 7 has something scratched out at the top and he can't make out what it is. Commissioner Ambrosini said you might want to get another copy. Commissioner Zimmerlink asked Mr. Mazza where he got that. Mr. Mazza said he got it off the table. Commissioner Zimmerlink said what is scratched off is Act 13 monies for adult probation, did we not put it on the agenda at Tuesday's, at Tuesday's meeting? She said Mr. Mazza, to answer your question, what has been deleted here is there was a resolution to use Act 13 monies for the adult probation office

and that was at the Tuesday agenda meeting and it did not make it, it did not get voted on to make it to today's agenda. She said I don't know how you got that one, but that is why that's not off, according to the Chief Clerk. Geraldine Mazza asked if the county is in financial trouble, they are blacking out, there is a shorter page, it looks like the county is trying to save money.

**Commissioner Ambrosini** said the county is always trying to save money.

Commissioner Zimmerlink said to answer that, yes the county is in financial trouble, what page are you looking at? Mrs. Mazza said page seven. Commissioner Zimmerlink said where did you, Mrs. Mazza, did you get your copy here today too? That's what I thought you did. She said page seven, the first thing should say consider approval to name a web designer, OK and the last one should say ratification of transfers. Mrs. Mazza said her last one said something different. Commissioner Zimmerlink said no it isn't, so here are two other ones. Following comments by Mrs. Mazza, Commissioner Ambrosini asked if she had a comment. He asked if there were any other public comments on agenda items. Commissioner Zimmerlink said take your time, apparently the agendas are not correct, so the whole idea right now is to comment on agenda items, you can't comment if you don't know what those agenda items are, OK, and I don't care if it takes three minutes or four minutes, the public needs to know what the agenda items are. She said anyone who has an agenda that is messed up or doesn't have an agenda, please come up, we have three or four other ones, take a look at it and the county staff will do better next month. Correct, correct, correct, correct? We will, even though, Mary, you said correct, Chief Clerk, Chief Clerk, we'll all do better, correct? There we go. She said she expects some respond back when a commissioner speaks, thank you.

**Commissioner Zimmerlink** asked if anyone else had any questions or comments. She said let's try to work with the public, not work against them, that's why these meetings take so long. Mrs. Mazza said on page seven, consider making an appointment to the Fayette County Airport Authority. She asked if the new member is going to be muzzled too and not allowed to speak. Commissioner Ambrosini said you will have to ask the airport authority about that. Mrs. Mazza said they are appointed by the county commissioners. Commissioner Ambrosini said they are running the meeting according to Robert's Rules of Order. Commissioner Zaposky said they don't get their marching orders from the county commissioners. Commissioner Zimmerlink said they don't get them from her. Mrs. Mazza said did they come up with the muzzling and not speaking on their own. Commissioner Zaposky said she didn't know what she was talking about. Mrs. Mazza said didn't you see the paper today. Commissioner Zaposky said no, he didn't. Mrs. Mazza said she would tell him what it says before the board appoints somebody. She said Commissioner Ambrosini said he wants to appoint somebody to speak so that no misinformation gets out there. She said it seems that strange that it happened right after one of the board members mentioned that maybe the new jail is in the flight pattern of the airport and now she is not allowed to speak because she said that.

**Mrs. Mazza** said somebody told her she can't speak, somebody came up with the idea. She said it seems to her that the board can't give them the right to speak, they have the

right to speak and you are trying to muzzle everybody, you started in the public at commissioner's meetings and now you are going to boards and authorities and are trying to muzzle them. She said are we in Nazi Germany, because that is the way it is looking. She said it's not right and you know it's not right. She said you are supposed to be public servants and you are anything but a public servant. She said she isn't talking about the whole board, they know who she is talking about, you Mr. Ambrosini, you act like you are a God or something and everybody is supposed to bow down to you. Mrs. Mazza said he is not going to shut her up, she is going to stand up and talk as long as she wants. Commissioner Ambrosini said they are running the meeting according to Robert's Rules. Mrs. Mazza said Robert's rules don't give a right to public comment, she has a right and they can't shut her up. She said don't tell me you are giving me the right to speak because you don't give me any rights. She said the U.S. Constitution gives her the rights and the Sunshine law gives her the rights to stand up here and speak and I will speak as long as I want.

**Commissioner Ambrosini** said actually you can't because by resolution we have a time limit. Mrs. Mazza said to Commissioner Zapotosky to go get them, go get them. Commissioner Zimmerlink said, Mrs. Mazza, can I comment on that? Mrs. Mazza said sure. Commissioner Zimmerlink said your question was with appointment of an airport authority member if the commissioners will, you wanted to know if the new person will be stopped from speaking, while the commissioner said he has nothing to do with the airport, the commissioners do have responsibilities with the county airport. She said she is only going to address just the board members, OK, the board of county commissioners are responsible to appoint board members. She said those board members are to, they have a responsibility, a fiduciary responsibility to know the mission and the goal of the airport and then also to speak and carry out those goals and missions on behalf of us county commissioners. She said the same way with the housing authority over there, Bev Beal.

**Commissioner Zimmerlink** said so I will tell you, and I will tell Bev Beal of the housing authority, I will tell Myrna Giannapolis if she was here OK, she should not have said in that newspaper when the Herald-Standard said what is your comment, she should have not said she is not allowed to speak because she is a board member, OK, God gave her, you, them, everybody the right to speak, the United States Constitution gave them the right to speak and when I appoint, or support an appointment, and even if I don't vote for them, OK, for the appointment, they have a duty and a responsibility to speak on behalf of that authority. She said Myrna Giannapolis had an opinion and her opinion was that the proposed jail is in a flight path. She said if she didn't express that opinion and that concern, I would be very upset with her. She said just like she would be upset with Bev Beal if she didn't speak or any other member of a board, whether I supported you or not, that is your duty and your responsibility. She said if Bev Beal lays low, if Myrna Giannapolis lays low, and if anybody else lays low, she is going to be very disappointed in them, so she hopes that they don't.

**Commissioner Zimmerlink** said if Bev Beal was told that she couldn't speak and she would have, whatever you want to call it, a gag order, she said no, she would continue to speak, so I commend her for that. She said the same way Myrna better continue to

speak because if she has an opinion or if she has a concern she is supposed to say it and hopefully, and as the newspapers did, they reported it. She said that is your job as a board member. She said she hopes that whoever gets appointed, even though two people came up for an interview, but only the two assistants interviewed them because it was somehow those two individuals were told to come up on a specific day and it was sent an e-mail, here they are, nobody on this table interviewed, according to those two. Commissioner Ambrosini said he did interview them. Commissioner Zimmerlink said at the scheduled date, which was set at the agenda meeting they both confirmed that only those two sat in that interview, I asked me to give me their written notes. She said regardless of that, she hopes that whoever gets appointed is going to speak their piece, I doubt it, but I hope that they do. She said she hopes that every board member continues to speak because that is their responsibility as a board member for all the county boards. She said she trusts that answers her question as far as responsibility.

**Commissioner Ambrosini** said let me go a step beyond that to answer that question, first of all, nobody including this county or the airport authority is restricting anybody's rights to give comment, they are more than free, that is your right to make whatever comment you want. He said the problem arises is when a person on a board or authority makes comments on behalf of the authority like they are facts when there may indeed not be facts. He said all that board is trying to do is determine as a board what the official response needs to be for whatever the issue is. He said there has been a lot of misinformation that has been put out and all that authority wants to do is make sure that whatever the media gets in terms of a response of whatever issue they are talking about that it is factual and it is accurate, that's all they are doing. He said all they were doing was setting up a process by which the board makes it's decisions as a whole and tells the media or the tenants or whoever they are talking to, whoever their audience is, what their official stance is on that issue and that hasn't been happening because of the misinformation that has been put out by one of the board members.

**Mrs. Mazza** said that it seems to her for somebody who doesn't know what is going on out there, he sure can explain why they are doing what they are doing. She said how come we didn't have that problem before you became commissioner? She said he is singing the same song about restricting public comment when you were going to appoint Amy Revak as the person to speak to to get your information. She said she has been coming to the meetings since the 1990s and she didn't hear anything about authorities and boards and misinformation until he became a commissioner. She said he is supposed to be a public servant, not King Al of Fayette County. Commissioner Ambrosini said first of all, Mrs. Mazza, your opinion of there were no problems before, I think most everybody here knows that is not correct, there has been a continuous program of misinformation for many years across many administrations in this courthouse, we are just trying to use some common sense.

**Commissioner Zimmerlink** said Mrs. Mazza, I disagree with everything Commissioner Ambrosini just said, there has not been misinformation, any board member has an opinion can express that opinion, if that board member says it at a meeting it gets reported if the reporter chooses to do that, if the reporter then wants to go an ask another individual their opinion then that reporter can or if it is said at a meeting, any

other board member can speak up. She said to say that Myrna Giannapolis gave misinformation about the airport is the most ridiculous thing I heard and the reason for that is because what she said is I have a concern, that's all she said, she didn't say it is in flight path, OK, she said I have a concern and therefore I want to look into it. She said that is her role, that is her duty, that is her responsibility, OK, the article that she read then the reporter did ask someone from BOA, OK, BOA, Bureau of Aviation. She said he too said that he had a concern, adding that she is paraphrasing that, however it is the responsibility of FAA. She said that is not called misinformation, that is called I have a concern, I am a representative of the BOA, I am a board member, so she again, hope that the board members continue and not get muzzled and be allowed to be muzzled, OK, and you want to talk about misinformation, I recall reading an article where Commissioner Ambrosini said the annex at the airport, the women's annex that it was county owned property, it's not county owned property. She said misinformation, that was beyond misinformation.

**Commissioner Zimmerlink** said OK, but again, board members, it is owned by the airport authority, go over to the Recorder of deeds, go up to the Tax Assessment office, get the information. She said a person's opinion should not be censored. Mrs. Mazza said people on those boards and authorities are citizens of this county and they have a right to their personal opinion and they have a right to express their personal opinion and you are not going to take that right away from them, just like it's my right to stand here and the public likes to question their political leaders. And she said he doesn't like to answer questions but that is part of his job, we pay you to sit there and answer questions for us and for you to deny answering a person's question and say we are not going to get into a debate or deny, you use that excuse all the time when you don't want to answer, you say you are not going to get into a debate, you are paid to sit there and answer the public's questions whether you like it or not.

**Commissioner Ambrosini** said he is paid to conduct a county business meeting and we have to put reasonable limits on public comment because we have other important things to do, we can't sit here for five, six hours. He said even though you think that is appropriate, it is not. He said by the way, let's talk for a minute about the misinformation, first of all, the board member in question on the airport authority has had a routine of providing misinformation, in fact there is documented proof Mrs. Mazza where she wrote to the FAA and BOA indicating that the airport was going to put a cell phone tower up on the facility. Mrs. Mazza said she has a right to do that, she has a right to speak. Commissioner Ambrosini said please. Mrs. Mazza said she has a right to do that if she wants to, whether you like it or not. Commissioner Ambrosini said no she does not, that is misinformation. He said if there was a cell phone tower on the airport of course the FAA would be concerned because you can't put tall objects on an airport. Mrs. Mazza said he just won't listen. Commissioner Ambrosini said no, you are the person who is not listening, you have had more than your share of time, please sit down.

**Mrs. Mazza** said no, I don't want to sit down, she has a right to talk about things that go on in this county. Commissioner Ambrosini said Mrs. Mazza, please sit down, please. He said they have by resolution how we are going to conduct this meeting, and by

Robert's rules. Mrs. Mazza said we don't know from one month to another what we are doing or what you pass. Commissioner Ambrosini said he knows about this one. Mrs. Mazza said you know about that one. Commissioner Ambrosini said please take your seat or. Mrs. Mazza said no, I will take my seat because I am done talking. Commissioner Ambrosini said please sit down. Mrs. Mazza said she would be happy next year. Commissioner Ambrosini said this is not a political meeting, Mr. Mazza you have already spoken. Mr. Mazza said no he didn't speak, he asked for a. Commissioner Zimmerlink said you asked for a corrected agenda, you did not speak, go ahead. Commissioner Ambrosini said what agenda item are you speaking on. Mr. Mazza said he didn't speak he asked why something was scratched out. He said his comment is if the person they are going to appoint to the airport another toady and in case they don't know what a toady is, a toady is a yes man. He said they are trying to take individuals and mold them into what you desire, this is not a police state.

**Commissioner Ambrosini** said he thinks he may be straying a bit from the agenda item. Mr. Mazza said Fayette County is still a part of the Commonwealth of Pennsylvania and the Commonwealth of Pennsylvania and is still part of the United States and according to the Bill of Rights every person has the right to speak and express their opinion and. Commissioner Ambrosini said Mr. Mazza, could you restrain your comments to the agenda item. He said, Mr. Mazza I will not tolerate personal attacks. Mr. Mazza said he doesn't care what he will tolerate, I am telling you if there is a person on any board who wants to express their opinion, they have a right to express their opinion. Commissioner Ambrosini said this is clearly disorderly conduct. Mr. Mazza said you are clearly trying to violate the Bill of Rights, I don't know what country you grew up in but it couldn't have been the United States of America. Commissioner Ambrosini said Mr. Mazza, I am going to have to ask you to cease and desist. Mr. Mazza said you evidently don't understand what the rights of the citizens are and you would understand if you ever served someplace and you don't understand what the rights of the citizens are in this county and in this country.

**Commissioner Ambrosini** said he understands and he understands that nobody has the right to be belligerent in a public meeting and personally attack someone. Mr. and Mrs. Mazza both began speaking and Mr. Mazza said he had a picture of something from Nazi Germany and it said lead and I will follow. Commissioner Ambrosini said his time is up and please sit down. Mr. Mazza said he doesn't care if his time is up. Commissioner Ambrosini said the meeting will be in recess for five minutes until security provides. (Various comments occur while meeting is in recess.)

**Following the** recess, Commissioner Ambrosini reconvened the meeting. Commissioner Zimmerlink said is this on, is this on, did you have it off during our recess? You kept this on during recess? OK, next time we recess it needs to be turned off, make sure any comments that were made during recess are not in the minutes, OK, thank you. Commissioner Ambrosini asked if there were any more public comments. Marybeth Homistek began to speak and Commissioner Ambrosini said according to the resolution we are limiting comments to one person, you can wait until the end of the meeting and make an additional comment please. Ms. Homistek asked about making an appointment to the airport authority. Commissioner Zimmerlink said they will do that

when the item comes up, it doesn't have a name on there because we will explain that part. Commissioner Ambrosini asked if there were any additional comments on agenda items.

**Diane Kriss** said she sees that they are planning on designing a website for the county jail, and are you planning on posting all the architect plans and plans for the bills and overrun costs and everything associated with it. Commissioner Ambrosini said they will post why the project is being done to begin with and they will post frequently asked questions and answers, we'll have pictures, we'll have costs, everything that has to do with the project will be included in the website so there is a factual source for people to go to if they are interested in knowing about this project. Mrs. Kriss asked if all the costs associated with it will be there. Commissioner Ambrosini said there will be contract costs, public information, it will all be included. Mrs. Kriss said that you also said that the FAA has no problem with it, did you get that in writing? Commissioner Ambrosini said he hasn't heard from the FAA. Mrs. Kriss said she read in the paper today and he said the FAA and the BOA had no problem with it. Commissioner Ambrosini said no. Mrs. Kriss said if they do, surely they can send it in writing and you could put it on the website so you know there is no problem.

**Commissioner Zimmerlink** said she can address that with the FAA if you like, FAA, I made contact with FAA and they said that they learned that there was a plans for the jail at a particular site and because the airport is under a state block grant program that there are rules and regulations that need to be followed. She said she got the response back, today is Thursday, I got the response back on Tuesday and the FAA representative said that they would be having a phone conversation for communications with the airport either this week, that was Tuesday when I heard that, later this week would either be today or tomorrow and that they would be asking them, asking the airport to complete at least two, if not more, required forms we would have to ask the airport manager, they had a meeting yesterday, but ask the airport manager if they received those two compliance forms that FAA wants them to complete and to send them in. She said it is not a courtesy, so when that was said by Commissioner Ambrosini, that is his statement, it is certainly not my statement. She said the county commissioners, we have obligations and it certainly isn't a courtesy to contact FAA, it's a requirement, it doesn't matter what we say, if FAA says they have concerns and they want some adjustments made then we as a county must abide.

**Commissioner Zimmerlink** said she personally isn't going to listen to what any other commissioner or board member tells her, she is going to listen to what FAA says so hopefully the airport will adequately respond back and the FAA will make their determination of if there is anything that needs to be changed or whatever their concerns are. Mrs. Kriss said that was a topic of the meeting. Commissioner Zimmerlink said one would think and there is a due diligence period from the time that the county signed the sales agreement to the time that, although the deed is signed, the deed has not been recorded and it, the title search and we have a due diligence period so all of those things have to be reviewed and approved and I hope that's done as well. Mrs. Kriss said she would like all the information posted on the website so they will know.

**Fayette County Community Action Agency Inc.**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to grant approval for Fayette County Community Action Agency Inc. to hold the Magic & Mistletoe fundraising event at the Fayette County Courthouse on Dec. 6, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Assessment Office**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following for a real estate tax exemption as he has been qualified as a 100% disabled veteran by the Veterans Administration of Pennsylvania effective for the 2014 tax year.

Vincent L Connors 230 Keefer Rd. Connellsville PA 15425 Parcel 04-25-0185

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to enter into a payment in lieu of tax agreement with Municipal Authority of Westmoreland County for the following parcels in Springfield Township in the amount of \$2,000.

Parcels 35-14-0049 (1,600 acres) & 35-13-0001 (100 acres)

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to send 6 assessors to Somerset County for continuing education classes at a cost of \$10.00 per person.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes

Commissioner Zimmerlink yes

**Motion passed unanimously**

**Behavioral Health Administration**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the following agreements and modifications, as listed:

	<b><u>Contract Value</u></b>	<b><u>Period</u></b>
<b><u>Modification Agreement #1 2013-2014</u></b> Fayette Resources, Inc.	\$325,126	7/1/13-6/30/14

<b><u>Modification Agreement #3 2013-2014</u></b> City Mission- Living Stones, Inc.	\$130,751	7/1/13-6/30/14
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**Professional Service Agreements 2013-2014**

Morris Morrison Development Group, LLC	\$3,350	04/14/14
Morris Morrison Development Group, LLC	\$3,350	04/14/14
Morris Morrison Development Group, LLC	\$3,350	04/21/14
Morris Morrison Development Group, LLC	\$3,350	04/21/14
Morris Morrison Development Group, LLC	\$3,350	05/12/14
Morris Morrison Development Group, LLC	\$3,350	05/21/14

**Professional Service Agreement 2014-2015**

Combustion Service & Equipment Co.	\$9,950	7/1/14-6/30/15
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**Goodwill of SW Pennsylvania**

Day Cleaning	\$70 each visit	7/1/14-6/30/15
Night Cleaning	\$110 each visit	7/1/14-6/30/15
Lawn Service	\$60 each cut	7/1/14-6/30/15

**HealthChoices Amendment #1 - 2014**

DPW/Fayette County	N/A	2014
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**HealthChoices 11<sup>Th</sup> Amendment to Amended Agreement 2014**

Value Behavioral Health of Pennsylvania	N/A	2014
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Commissioner Ambrosini yes

Commissioner Zapotosky yes

Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of a 2014 Chrysler Town & Country passenger van through the PA Department of General Services COSTARS program to replace an aging

vehicle. The total cost of the purchase is \$27,595.00. New Holland Auto Group, 508 West Main Street, New Holland, PA 17557, is an approved COSTARS vendor.

Commissioner Ambrosini yes  
Commissioner Zaptosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Following the** vote, Commissioner Zaptosky said in the future he would like to try to look at some local dealerships, they want to try to keep the money in Fayette County and not in New Holland, wherever that's at, so please keep that in mind.

**Children & Youth Services**

**A motion** was made by Commissioner Zaptosky and seconded by Commissioner Zimmerlink to approve the **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Robert R. Harper, Jr., Esq.**, 80 E. Main Street, Uniontown, PA 15401. Attorney Harper was court appointed to represent children in dependency proceedings. The rate for his services is \$1,000.00 per month.

Commissioner Ambrosini yes  
Commissioner Zaptosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zaptosky and seconded by Commissioner Zimmerlink to approve the **reappointment** of **Mary Jane Glitz** to a 3-year term on the Fayette County Children & Youth Services Advisory Committee. Ms. Glitz's current term expires on April 30, 2014 The new term will expire on April 30, 2017. The Advisory Committee voted unanimously, at the April monthly meeting, to recommend her reappointment to the commissioners at the May meeting.

Commissioner Ambrosini yes  
Commissioner Zaptosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zaptosky and seconded by Commissioner Zimmerlink to seek bids for the replacement of 1 file server and 1 Microsoft Exchange Server.

Commissioner Ambrosini yes  
Commissioner Zaptosky yes

Commissioner Zimmerlink yes

**Motion passed unanimously**

**After a** motion was made, Commissioner Zimmerlink said Chief Clerk, when they say seek bids, they are saying a legal advertisement. Chief Clerk Revak answered yes and Commissioner Zimmerlink seconded the motion.

**A motion** was made by Commissioner Zapotosky to consider approval of a Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services and **Sleighter Engineering** 1331 Connellsville Road, Lemont Furnace, Pa. 15456 to provide Basic Project Services for the addition of the CYS Building. The total cost is **\$66,815**. The contract will also allow for onsite inspection oversight for \$65 per hours if it is requested.

**After the** motion was made, Commissioner Zimmerlink asked if that was not a RFP, wasn't that an RFP? Commissioner Ambrosini said an RFQ. Commissioner Zimmerlink said yeah, an RFQ, then we need to award RFQ number, not approve a purchase of service agreement. Do we know what the RFQ number is? If you look at the other ones, they are purchase of service agreements like that first one we just passed but this here would be to award an RFQ, whatever the number is. She said do either of you two have that from another meeting, an RFQ number? No. Attorney Heid said you need to ask the clerk to add it to the motion. Commissioner Ambrosini said we will just ask the clerk to put that RFQ number on this motion. Commissioner Zimmerlink said the motion would be to award RFQ 14- and the appropriate number between the Fayette County Children and Youth and Sleighter Engineering and then the rest of the resolution. She said eliminate the words approval of a purchase of service agreement.

**A motion** was made by Commissioner Zapotosky and seconded by commissioner Zimmerlink to award RFQ 13-05 between the County of Fayette through Fayette County Children and Youth Services and **Sleighter Engineering** 1331 Connellsville Road, Lemont Furnace, Pa. 15456 to provide Basic Project Services for the addition of the CYS Building. The total cost is **\$66,815**. The contract will also allow for onsite inspection oversight for \$65 per hours if it is requested.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Controller**

Auditor Eric Blanda of the Controller's office gave the financial condition of the county.

# Office of the Controller

Fayette County, Pennsylvania

**SEAN P. LALLY**  
Controller



Phone (724) 430-1217  
Fax (724) 430-1366

**FUND: GENERAL FUND**

**DATE: 15-May-14**

**CASH:**                      Checking Account                      United Bank                      \$9,963,624.70

**Funds Owed to General Fund**

Temporary Loans			
Victim Witness Fund	\$	30,000.00	
Children and Youth Fund	\$	2,000,000.00	
Bond Fund	\$	1,463,530.54	
Due to General Fund			
Ferry Insurance Policy	\$	9,796.00	
			\$ 3,503,326.54
Arc Payments Due			
Intermediate Punishment Fund-3yrs	\$	40,651.26	
Offenders Supervision Fund-3yrs	\$	87,758.28	
Victim Witness	\$	4,271.61	
Records Improvement	\$	2,325.32	
Fredericktown Ferry	\$	5,054.04	
			\$ 140,060.51
Central Service Payments			
C-17 Fund-2yrs	\$	9,005.00	
Offenders Sprvsn-3yr	\$	39,369.00	
Intermediate Punishment-3yrs	\$	19,532.00	
Victim Witness Fund	\$	10,780.00	
			\$ 78,686.00
<b>Funds General Fund Owes</b>			
Tax Anticipation Note	\$	8,440,000.00	
			\$ 8,440,000.00

**Budget Year                      Net Position                      \$5,245,697.75**

	<b>Year to Date</b>
Total 2014 Revenues	\$ 16,432,271.43
Total 2014 Expenditures	\$ 10,202,186.11
Total 2013 Expenditures paid in 2014	\$ 1,120,484.47

**Capital Reserve Fund Balance                      Fund 51                      \$ 234,349.87**

**Bond Fund Balance                      Fund 53                      \$ 210,531.61**

FAYETTE COUNTY COURTHOUSE • 61 EAST MAIN STREET • UNIONTOWN, PENNSYLVANIA 15401

**Commissioner Zapotosky asked about adding court related costs.**

## **Emergency Management Agency**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the purchase of a new E9-1-1 phone system from CenturyLink as part of the WestCore RFP to include PSAP and Shared capitol cost and PSAP and shared maintenance years 2-5. This is a (12) county regional project.

Nine Positions: Capital Cost PSAP	\$ 239,883.44
Capital Cost Shared	\$ 41,489.58
PSAP 2-5 Maintenance	\$ 44,412.88
Shared 2-5 Maintenance	\$ 36,493.08

TOTAL PROJECT COST \$ 362,278.98  
This is included in the 9-1-1 2014 budget.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

## **Fayette County Office of Human and Community Services**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a service agreement with Scheidt & Bachmann for smart cards of 5 years totaling \$67,780 for \$13,556 per year.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Commissioner Ambrosini** asked for a motion to consider ratifying the termination of the agreement with Brownsville Bus Lines for the Brownsville Express and Brownsville Republic fix route services, effective June 7, 2014.

**Commissioner Zapotosky** said he got a call from Jack Lawver the other day and Frank Ricco's son Ricky and they were a little concerned about this because they contended that they only received one letter and no correspondence after that and Mr. Ricco obviously at times doesn't apply himself 100 percent. He said he would ask that they would table this, set up a meeting with Mr. Ricco, his son as well as Jack Lawver and then decide if it is still something that you want to do to maintain them or terminate them. He said he thinks it is a courtesy, they have been a loyal provider and I make the motion to table. Commissioner Zimmerlink said she would like to hear from the director and also the solicitor because it is her understanding that, well this is to ratify the termination which means it was already sent, is that not correct Solicitor Heid? Solicitor Heid said that is correct.

**Commissioner Zimmerlink** asked FACT director Lori Groover-Smith to discuss the situation. Groover-Smith said she had provided the commissioners all the information that had been sent to Frank Ricco and his son Rick and she has had meetings and asked to discontinue the contract. Commissioner Zapotosky said there needs to be a discussion about the issue. Commissioner Zimmerlink said Lori, can I ask a question please, you sent the chronology of all of this to all three of us when you asked us to approve this prior, which would have been, you sent the letter June, you sent it 30 days prior, right? Groover-Smith said in April. Commissioner Zimmerlink said and you provided us with some information and that is why you had two commissioners give the OK for that. She said just confirm what I read, you and other members of your staff did meet with Frank Ricco, Rick Ricco and Jack Lawver, is that correct?

**Groover-Smith said** Attorney Heid met with them back in May and Commissioner Zapotosky asked May of this year? Groover-Smith said no, May when the contract was awarded and in October and in February they had meetings with them. Commissioner Zapotosky asked about the May meeting. Groover-Smith said that meeting was a part of the contract being awarded. She said then there were meetings in October after the first quarter and then again in February of 2014. Commissioner Zimmerlink said with all parties involved? Groover-Smith said yes. Commissioner Zimmerlink said, Solicitor Heid, you wrote the letter on behalf of the department based on at least two commissioners indicated that to send the termination letter. She asked if OHCS/FACT office has adhered to all requirements under federal and state regulations as far as notification and to inform the contractor of any violations or infringements of the terms of the contract. Solicitor Heid said they terminated the contract via 30-day notice, which is a provision that we have in our contract. She said she spoke with Jack Lawver and assured him they were not publicizing any bad comments about their company at all, we were just exercising our right to terminate the contract under the terms of the contract.

**Solicitor Heid** said she did confirm with the director that she did have the approval of at least two commissioners and so we moved forward with it, with the letter. Commissioner Zimmerlink said OK, and the letter has been sent. Groover-Smith said correct. Commissioner Zapotosky said you chose another company to replace them that will cost more money. Groover-Smith said correct. Commissioner Zapotosky said that is just another caveat to the whole thing. He said he doesn't support this, he doesn't think there has been enough exchange, he said they have talked to you and that's fine, but I haven't talked to them and I would like to have that opportunity. He said he wants to have a meeting so they can tell us if they can perform the duties and work from there. He said no disrespect, but phone calls just don't make it for him. Commissioner Zimmerlink said she will ask attorney Heid, did you meet with any of the signers of the contract, the principal owners as well as with the staff?

**Solicitor Heid** said met with them in October and we went over the terms of the contract and how important it was to meet the terms of the contract because it is providing services for citizens. Commissioner Zimmerlink asked Groover-Smith if she received telephone calls from any of the consumers with regard to the contractual services being provided. Groover-Smith said yes. Commissioner Zimmerlink said they

called the commissioner's office as well. She asked if there is a procedure to keep track of every complaint or concern to investigate and follow up? Groover-Smith said yes. Commissioner Zimmerlink asked if she did that. Groover-Smith said yes. Commissioner Zimmerlink asked if she made it known to the contractor what the problems were and ask them to improve? Groover-Smith said yes, and the attachments show where they were told to come into compliance.

**Commissioner Zapotosky** said he is asking to table it and for the commissioners to have the opportunity to meet with them and then they can make an informed decision, that's all he is asking here. Commissioner Zimmerlink said you made a motion, so. Commissioner Zapotosky said he made a motion to table. Commissioner Zimmerlink said you made a motion to table ratifying the termination, is that correct? Commissioner Zapotosky said yes, just so we can have an opportunity to talk to them, if we are not satisfied, we will vote again. He said it is unfair that they do that to someone who has been a constant provider to the service from its inception. Commissioner Zimmerlink said Kim Renze, what is your title please, remind me. Mr. Renze said operations manager. Commissioner Zimmerlink operations manager, you manage the operations, please give me your take on this.

**Mr. Renze** said all the contractual procedures were followed, all the principals have met, they have told the contract about violations and met with them and they assured us they would be corrected and they were for a time. Commissioner Zapotosky said if there were problems of that magnitude, why didn't you notify the commissioners? Mr. Renze said the commissioners have been receiving complaints all along. Commissioner Zapotosky said he hasn't gotten any complaints in a long while and if they are having problems, they should notify the commissioners immediately. Commissioner Zimmerlink said she will say that every commissioner can meet with the department head on a regular basis and when she received any consumer complaints, I did, I would make calls to Lori and she would either answer them or tell me she would get back about the investigation, which she did, whether it is this contract or any others, but you are saying that you did follow and try to rectify the situation. She said there is documentation to support all the incidents, correct?

**Commissioner Zimmerlink** said also, prior to at least two commissioners giving authorization to send the letter to terminate, which was 30 days ago, you also provided us with that information, so before two or three commissioners authorized your office to send the letter, we had that information 30 days ago, so that is when any questions or meetings should have been, so it falls back on the commissioners as well because you did come to us and ask us for that approval and I do recall that you said if there were any questions for us to meet with you. She said 30 days passed and you got two commissioners telling you to terminate so you followed our directive, is that not correct? Groover-Smith said correct. She said there were videos for verification.

**Commissioner Zimmerlink** said she didn't view the videos and she didn't intend to. She said your staff, you reviewed the videos, you reported back to us what was seen as well as provided a summary of each of the complaints, I can walk over to your office or you can walk to mine if you wanted to see any of them or the details, but you did

provide all of the background information to us, you met with Sheryl Heid, the county solicitor on this, she said that she followed and adhered to all those, our contractual obligations, that's already been said so thank you, I don't have any other questions. Commissioner Zapotosky said again, he would like to table it, he would like to meet with Jack Lawver, Rick Ricco and Mr. Ricco if he is healthy enough to meet and discuss this, that is all I am asking. Groover-Smith said that is going to take another month to meet. Commissioner Zapotosky said aren't they in Fayette County, he would like to keep things as much in Fayette County. Groover-Smith said the other provider is from Greene County. Commissioner Zapotosky said they were a higher bidder. He said they are supposed to take the lowest responsible bidder, he has heard that for the last 8 years. Commissioner Zimmerlink said "responsible bidder."

**Groover-Smith said** at this point she is recommending they go with the next lowest responsible bidder. Commissioner Zapotosky said he is moving to table until they have further discussions, it is the appropriate thing to do. Groover-Smith said if that is the case, she will have trouble certifying her numbers. Commissioner Ambrosini asked Groover-Smith when she needs to certify that. Groover-Smith said June 30. Commissioner Zimmerlink said by all means you said you are not comfortable with certifying, you are the director of that office, certify if you believe it needs to be certified, do not certify if you do not. Groover-Smith said someone else would have to certify. Commissioner Zimmerlink said you do not feel that it is right, so you are telling us that you do not feel comfortable certifying by June 30. Groover-Smith said not after viewing the video, she is not comfortable. Commissioner Zimmerlink said which would be who then would have to certify, I know the answer to this, I am just asking you. She said somebody has to certify, who would you be asking to do that?

**Groover-Smith said** the board of commissioners. Commissioner Zimmerlink said and failure to do that would do. Groover-Smith said loss of funding. Commissioner Zapotosky said he wants to table just to discuss with those involved. Commissioner Ambrosini said he is inclined to, let me say a few things first of all, I am inclined to respect Commissioner Zapotosky's wishes to look into this matter further but I am also concerned about any possible loss of funding. He said he wants to make sure what Lori is saying is that you have to certify by June 30 and it sounds like we may have time to review this and then ratify at our next meeting and still correct our issues by changing contracts, if that is necessary. Groover-Smith and Commissioner Zapotosky then discuss the contract issue and his desire to set up a meeting with the Ricco's. He again said he wanted to table. Groover-Smith said when she initially sent the e-mails, Commissioner Zapotosky said he would set up a courtesy call. Commissioner Zimmerlink said OK.

**Commissioner Zapotosky** said he was approached by Jack Lawver and he said they weren't aware of this until they read it in the paper. He said that he told him it was his understanding that they sent letters to his office and he didn't want to get into privacy issues but he said that he and Rick are basically running the operation and they never received anything, so, I don't know who is telling the truth, that's why I think if we table and meet next week, if we are still not satisfied, I will make a motion to terminate. Groover-Smith said she doesn't believe it was in the paper. Commissioner Zapotosky

said he found out somehow. Commissioner Zimmerlink said he found out cause he read the letter. You sent the letter, right, she said. Commissioner Zapotosky said they did at the agenda meeting. He said he just wants to be fair. Commissioner Ambrosini said should they go into executive session. Attorney Heid said only if they are getting into a legal matter. Commissioner Ambrosini asked in her opinion if there is one here. Solicitor Heid said that he asked a question on this matter and she was not involved until October with face to face meetings, but I believe you said you did have face to face meetings In October and February, and that included Jack Lawver and Rick. Groover-Smith said yes. Commissioner Zapotosky asked Groover-Smith to explain what a carrier's meeting is. Groover-Smith said they go over the contract with the carrier.

**Commissioner Zapotosky** said, then there wasn't a meeting to discuss these issues, you just met with him with a bunch of other carriers and discussed in general transportation. Groover-Smith said they did talk about specifics. Commissioner Zimmerlink said, so you are saying in February of 2004, 14, you and your staff specifically sat with the principals and reviewed the deficiencies. Groover-Smith said yes. She said they met about the issues. Commissioner Zapotosky asked if Mr. Ricco had looked at the buses? Groover-Smith said, has he looked at the buses? Commissioner Zimmerlink said, the buses? Commissioner Zapotosky said, yes there is a problem, has he looked at the buses, the drivers. Groover-Smith said the buses are fine, the issues are with not collecting fares, not following the route. Commissioner Zapotosky said that is something that could have been corrected. Groover-Smith said it could have been but obviously it has not been. Commissioner Zapotosky asked what is going on with the fares and Groover-Smith said there are issues. Commissioner Zapotosky asked if the service is OK. Groover-Smith said no, they are repeatedly off schedule, as was included in the packet. She said they are off schedule as in they were not meeting the set schedule of the route.

**Commissioner Zimmerlink** said that is why they need a fixed route, which is what you enumerated in your e-mail and attachments to the commissioners 30 days ago and two days ago. Commissioner Zapotosky said it sounds like it is personnel problems and he again said he wanted to table. Commissioner Zimmerlink said it has been brought up repeatedly and it is the same issues and she has the director and the operations manager who is stating that it is repeated issues, you attempted to correct them, they have not been corrected so you are exercising the termination clause under the contract pursuant to two commissioners telling you yes to do that and the letter has been sent, because the letter has already been sent, OK, because this is to ratify the termination. She said there is a motion by Commissioner Zapotosky, that is why we have agenda meetings and a week in between to hash this out plus 30 days ago so. Commissioner Zapotosky said after the agenda meeting Jack Lawver came to see him and he didn't know anything about it until then. Commissioner Zapotosky said he makes a motion to table. Commissioner Zimmerlink said there is a motion to table, you need a second on the motion.

**Commissioner Ambrosini** asked Groover-Smith about the timing, obviously you have a responsibility by June 30, we could set up a meeting very quickly to review all the details with the bus line and then go forward with the ratification in a special meeting if

we had to. He said all he is asking is, how critical is it that we make a decision today or a week from now. Groover-Smith said she thinks it is critical to provide services and she respectfully asked that they move forward today. Commissioner Zapotosky said the commissioners definitely need to sit down with the provider and come to some sort of conclusion. He said they are claiming that they are not aware of these letters. Groover-Smith said they have responses back from them acknowledging the letters. Commissioner Zimmerlink said so, you sent the letter and then the principals would be Frank Ricco, Rick Ricco or Jim Lawver, whoever it was, responded back and signed the letter, which is what you also included in our e-mail with attachments, which I saw, some of those that were signed by the principal. She said there is a motion. Commissioner Ambrosini seconded.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to table ratifying the termination of the agreement with Brownsville Bus Lines for the Brownsville Express and Brownsville Republic fix route services, effective June 7, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

### **Motion passed 2-1**

**In making** the second, Commissioner Ambrosini said it was to fully understand the situation and they will have that meeting quickly even if they have to have a special meeting. Commissioner Zapotosky said they need to have a meeting with the principals and commissioners. Commissioner Zapotosky said they could come back next month.

**Following the** vote, Commissioner Zimmerlink said, very quickly, two commissioners already gave approval, that was Commissioner Zimmerlink and Commissioner Ambrosini, based on that approval the director's, and I did not give approval without asking questions and reading the documentation, OK, and you had a second commissioner, Commissioner Ambrosini who also said that, so you did what you were told to do, OK, both of you, you carried out the directive of the two commissioners and then you met with the solicitor and she met the terms of the contract by signing the appropriate letter. She said it doesn't even make sense to table a ratification of a termination, OK, because the letter has already been sent and it says that it is effective June 7. Commissioner Zapotosky said you vote on the ratification. Commissioner Zimmerlink said what you just did is you tabled it, so I am making a point and what you did is you tabled this, that is all I am saying. Commissioner Ambrosini said until there is further information that is gathered by Commissioner Zapotosky.

**Commissioner Zimmerlink** said in other words, the letter that is out there is still out there, OK, the termination letter is still in effect, correct, Solicitor Heid? Solicitor Heid said there has been no action, we would have to correspond to undo. Commissioner Zimmerlink said what she asked you was, what I wanted you to confirm, is, a letter has been sent, and nothing has changed, at this point in time, thank you. Commissioner

Ambrosini asked what the termination date is in that letter. Solicitor Heid said she believes the termination date is June 6 and June 7 and Central Cab was to begin that day. Commissioner Zimmerlink said the next agenda item isn't going to be. Solicitor Heid said and the contract itself, is it up in October? Groover-Smith said no, June of 2015. Solicitor Heid said so if anyone is interested they could apply for that contract. Groover-Smith said it would be 2015. Commissioner Ambrosini then asked for a motion to consider entering into an agreement with Central Cab Co to operate Brownsville Express and Brownsville Republic fixed routes effective 6/7/14-6/30/15, with a rate of \$51.75 through 6/30/14 and a rate of \$53.75 from 7/1/14 to 6/30/15.

**Commissioner Zimmerlink** said Lori, this would be to award it to the next lowest responsible bidder, is that correct? Solicitor Heid said the next highest. Commissioner Zimmerlink said, I'm sorry, the next highest. She said it was done by an RFQ.

**A motion** was made by Commissioner Zimmerlink to award the RFQ to the next highest responsible bidder, Central Cab Company to do the Brownsville Express and Brownsville Republic fixed routes effective 6/7/14-6/30/15, with a rate of \$51.75 through 6/30/14 and a rate of \$53.75 from 7/1/14 to 6/30/15.

**After making** the motion, Commissioner Zimmerlink said based on the information that has been provided to us by staff. Commissioner Zapotosky said it isn't clear. Solicitor Heid said she did have a point of law that she wanted to bring up. She said if the motion is passed entering into an agreement while the termination letter/ratification has been tabled. Commissioner Zimmerlink said then they can choose not to second my motion and secondly, they, all they did in the prior motion was to table ratifying a resignation letter, the letter is already out there. So this board did not take any action to rescind that letter so my motion. Commissioner Zapotosky said they didn't know. Commissioner Zimmerlink said you know now. Commissioner Zapotosky said there was a motion to table. Commissioner Zimmerlink said she believes he is missing something. Commissioner Zapotosky asked what he is missing. Commissioner Zimmerlink said just don't second the motion and let's move on then. There was no second and the motion died.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to table entering into an agreement with Central Cab Company to do the Brownsville Express and Brownsville Republic fixed routes effective 6/7/14-6/30/15, with a rate of \$51.75 through 6/30/14 and a rate of \$53.75 from 7/1/14 to 6/30/15.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

**Motion passed 2-1**

## **Human Resources**

### **Bridge Department**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation due to retirement of Bridge Worker II, Thomas Maust, effective May 6, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**After the** vote, Commissioner Zimmerlink said do you need to go somewhere, you could come back after the meeting. Commissioner Zapotosky said he would like to talk to them. Commissioner Zimmerlink said Commissioner Zapotosky would like to talk to you after the meeting so if you have work to do, go do it and come back, I don't know how long this is going to take so use your best judgement, you see we are on page 3 and there's 12 pages, or whatever, OK. She said Commissioner Zapotosky would like to come back, OK.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to approve the hire of Michael Modispaw as a Bridge Worker I at SEIU Pay Grade 6 Step A, 11.04/hr (\$22,963.20 annually) effective May 21, 2014.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

### **Commissioners**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to ratify the resignation of administrative assistant Nicole Young, effective April 11, 2014.

Commissioner Ambrosini yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to ratify the hire of Mary Schroyer as Administrative Assistant at Non Union Non-Supervisory Pay Grade 9 \$12.61/hr. (\$24,589.50 annually) effective April 15, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink abstain

**Motion passed 2-0**

**CYS**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the promotion of Caseworker II, Nicole Robinson, to Casework Supervisor at Non Union Supervisory Pay Grade 16 Step A \$21.77/hr. (\$42,459.69 annually) effective May 27, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of the following 4 individuals as Caseworker I at \$15.12/hr. (\$29,484 annually): Brandy Zahand, Dayna Martin and Rebecca Pegg effective May 19, 2014 and Andrew Stepanik effective June 16, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of the following 2 individuals as Case Aide's at \$11.72/hr. (\$22,854 annually): Alexandra Amburn and Laura Lint effective June 2, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**EMA**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the resignation of Part Time Dispatcher, Marsha Fenton, effective April 29, 2014.

Commissioner Ambrosini yes

Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**FACT**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation due to retirement of Part Time Transportation Clerk I, Mabel Barber, effective April 22, 2014; and the resignations of the following: Part Time Program Specialist, Jill Streit, effective April 17, 2014; Technician D- Serviceperson, Dante Bizzozero, effective May 1, 2014 and Full Time Bus Driver, Bonnie Durstine, effective May 5, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion of the following 2 Part Time Bus Drivers to Full Time Bus Drivers, at SEIU Pay Grade 7 Step A \$11.40/hr. (\$22,230 annually): Jack Fleming and Scott Wise, effective May 19, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Human Resources**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table approval of the collective bargaining agreement between the County of Fayette Board of Commissioners and Prison employees represented by United Mine Workers of America (UMWA) for the period of January 1, 2014- December 31, 2016.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Prior to** making a motion, Commissioner Zapotosky said he hadn't had a chance to go through it in detail. Commissioner Zimmerlink said Commissioner Zapotosky made a motion to table because he said he hasn't had a chance to review it in detail, I second it.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the 300 hour volunteer internship of LBI Office and Business Administration major, Kim Hoskins, effective May 19, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table updating the County Smoking Policy to establish that smoking is prohibited within 30 feet of County building entrances and exits. Designated smoking areas shall also be at least 30 feet away from entrances and exits.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Prior to** making a motion, Commissioner Zimmerlink said to Chief Clerk Revak that she didn't recall at the agenda meeting that Dominick (Carnicella) made that specific motion with distance, did he mumble that and I missed it? Commissioner Zapotosky said when he talked to Mr. Cupp about the federal executive order, it mentioned 30 feet but he didn't remember any distance. Commissioner Zimmerlink said she is specifically talking about the agenda meeting in which us three commissioners approved to move forward for today's meeting, I don't recall Dominick saying at that agenda meeting for us to, I will tell you right now, I don't believe that I seconded or made a motion that had a designated distance in there, I don't recall that. She said is Commissioner Zapotosky and I having a senior moment here, or what? Chief Clerk Revak said she did not recall.

**Commissioner Zapotosky** said Dominick said he would discuss policy and he mentioned to Mr. Cupp that there was a federal executive order signed that had smoke free zones and they used an arbitrary number of 30 feet. Commissioner Zimmerlink said she did not recall Dominick even making that motion, Kathy or Mary, my notes do not show that, what do your notes show? Solicitor Heid said in what Solicitor Cupp submitted, it doesn't have feet. Commissioner Zimmerlink said the motion before us, I don't care if John Cupp attached a resolution that he wrote that he didn't discuss with us, and that's another issue, but the motion that is on the agenda right now is to update the county smoking policy and the resolution that is being presented by John Cupp has nothing to do with the policy and procedure, these are two separate documents. Solicitor Heid said she wanted to bring to the commissioner's attention that the facility that they provided for employees at the back door of the courthouse she believes is less than 30 feet which would be.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to deny updating the County Pay and Compensation Policy #4.1 to include; when a newly hired employee's start date falls after the beginning of a pay period, his/her pay for hours worked from their start date to the end of that pay period will be included in their paycheck for the subsequent pay period.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**Prior to** a motion, Commissioner Zapotosky said he disagreed with adopting the change, and he told Dominick the other day. He said you are asking somebody basically to go without funds for a period up to four weeks, now this is all based on data entry. He said it is all about getting the information, getting it to the Controller's office, and then putting the information in. He said there are single moms raising their kids and they need this job. He said to have them wait almost four weeks to get paid is not fair, we can do it a better way. Commissioner Zimmerlink said Commissioner Zapotosky, I will add to that. She said she was informed that there were some new hires with Fayette County Behavioral Health and those new hires, for whatever reason, and she was told it was the non-promptness of our human resource department the new hires would not be able to receive their paycheck in a timely manner and would have to wait at least four weeks and the Fayette County Behavioral Health actually notified Dominick and Jeanine Wrona, the deputy controller, and said that they will take monies out of their own funds so that the four new hires could be paid.

**Commissioner Zimmerlink** said she thinks it is great that they did that because employees should not have to wait, however they did not have any authorization to do that without coming to the commissioners because those funds, I don't know what account they took them from, but Fayette County Behavioral Health has funding from federal and state, so not that you or I or Commissioner Ambrosini would not have made some sort of arrangements, but you, they have no authorization to do that, however Dominick OKed it and the Deputy Controller OKed it, did you know about it, I didn't. Commissioner Zapotosky said no, he said Dominick's concept, even if they went the old school fashion and they hold the first weeks' pay and then the employee would at least get a partial pay the second week and then subsequently go into a full pay cycle. He said gas bills aren't late and it isn't fair to them so that is why I don't support this at all.

**After the** vote, Commissioner Ambrosini said he thinks the thing for them to do is to come back at a, because there are some physical constraints about how soon they can get timesheets through the payroll. Commissioner Zapotosky said he knows Christy does the payroll in the Controller's office, could we not find, there has to be some staff here to help her, it's all data entry. Commissioner Zimmerlink said from what she was

told the individuals were hired on a Friday, they came in on Monday and the paperwork was done, so yes, something occurred, it needs to be addressed and secondly to address the approval of having these monies taken from those other funds, again, not as if we would not have made arrangements but we have to be careful so our funding does not get jeopardized.

### **FCBHA**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the hire of Sierra Schroyer as a temporary clerk at \$7.25/hr., effective May 19, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

**Motion passed 2-1**

### **Tax Assessment**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the transfer and promotion of FACT Transportation Information Specialist, Sarah Byers, to an Assessor I at SEIU Pay Grade 11 Step A, \$13.08/hr. (\$25,506 annually) effective May 19, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

### **Planning and Zoning**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of Christian Sesek as a Temporary Summer Clerk at \$7.25/hr effective June 9, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

### **Prison**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the hire of Amanda Bloom as a Temporary Summer Clerk at \$7.25/hr effective May 19, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

### **Juvenile Probation Office**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve amending the current service agreement between the County of Fayette and BI Incorporated for juvenile electronic monitoring for a price reduction from our current rate of \$7.42 per day to \$5.00 per day as enumerated in the agreement and mandated as the “state rate”. The contract began 4/30/09 and “the term of this Agreement is for (1) year (unless terminated as provided herein) from the effective date of this Agreement. This Agreement, its terms and conditions, and authorized amendments are renewed automatically for succeeding periods of (1) year each on the anniversary of its original effective date unless otherwise terminated as provided for herein.”

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to enter into a parking lease agreement between the County of Fayette and Timothy R. Grindle for JPO staff parking for 14 parking spaces for a period of one (1) year commencing on April 1, 2014 and expiring at midnight on March 31, 2015 at a rate of \$22.50 (per Vehicle) a month for \$315.00 a month and \$3,780.00 a year.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

### **Planning and Zoning**

**Commissioner Ambrosini** asked for a motion to submit a grant application to DCED/Commonwealth Finance Agency for sanitary sewage at the Fayette County Justice Rehabilitation Center (FCJRC) in the amount of \$150,000. An application fee of

\$100 made payable to the Commonwealth Financing Agency is to be included with signature page and any supplemental information.

**Commissioner Zimmerlink** then said she would make a motion, but it needs to be changed because there is no Fayette County Justice and Rehab Center but there is a Dunbar Township Business Park. She said in making the motion we need to identify the location, the justice center doesn't have a location, the Dunbar Township Business Park, you put that in the resolution, attach the resolution. Commissioner Ambrosini said the Dunbar Township Business Park is not where the jail is going. It is not considered the Dunbar Township Business Park so that would be not correct. Solicitor Heid said that Commissioner Ambrosini made a point of clarification. Commissioner Zimmerlink said wait a minute. Solicitor Heid said there is a plan that has been submitted to the planning commission and part of the requirement of that plan is sewage approval, is that correct? Commissioner Ambrosini said that is correct. Solicitor Heid said so the plan, was it called Fayette County Justice and Rehabilitation Center? Commissioner Ambrosini said on the application.

**Commissioner Zimmerlink** said on the grant application? Solicitor Heid said no, on the plan that was submitted to the planning commission, I am the solicitor so that is why I am familiar with that. She said you could say located in the Dunbar Township Business Park, I believe that would be clear then. Commissioner Ambrosini said the property that was purchased from Fay Penn was not to his knowledge considered the business park. The business park is from 119 between Laurel Mall and Pechin's Road, he said. Solicitor Heid said for the purposes of identifying this maybe you could just name the plan and then say located in the Dunbar. Commissioner Ambrosini said Dunbar Township. Commissioner Zimmerlink asked Mary or Kathy if they had prior resolutions that identify the parcel numbers, 09, the two 09s and the 25. She said that is where the application is for, those parcels 09 and 25, is that not correct? Commissioner Ambrosini said they can include the parcel numbers. Commissioner Zimmerlink said to her knowledge it is called the Dunbar Township Business Park, do you have the parcel numbers? Commissioner Ambrosini said we can direct the clerk to put in the parcel numbers. Chief Clerk Revak said she had the numbers. Commissioner Zimmerlink asked what the parcel numbers are. Chief Clerk Revak said 25-16-0012 in North Union Township, 09-31-0041 in Dunbar Township and part of 09-31-0042 in Dunbar Township

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to submit a grant application to DCED/Commonwealth Finance Agency for sanitary sewage for parcel numbers 25-16-0012, 09-31-0041 and part of 09-31-0042 in the amount of \$150,000 with the application fee of \$100 made payable to the Commonwealth Financing Agency and to be included with signature page and any supplemental information.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

## **Public Works**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of a GrassHopper Zero Turn Mower Diesel Engine, Model 930D/3472 from Moose's Mowers; 122 Bitner Rd. Uniontown, PA.15401 through the PA State Contract / CoStars # 4400011386 in the amount of \$15,924.00 Funding for this would be from the Texas Eastern Gas line Right of way through Dunlap Creek Park in the amount of @ \$8,000.00 and then the balance over 3 years coming from the Parks Contracted Services line item.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of a Ventrac diesel Engine Articulating Tractor Model 4500 from Fletcher Sales and Service Inc. 315 Fletcher Lane; Greensburg, PA. 15601 through the PA State Contract / CoStars # 4400011404 in the amount of \$26,725.00 Funding for this would be from the Texas Eastern Gas line Right of way through Dunlap Creek Park in the amount of \$11,000.00 and then the balance over 5 years coming from the Parks Contracted Services line item.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a request from Penn State Cooperative Extension to have permission to hang two (2) Penn State University Extension signs on the Federal Bldg. at 34 W. Peter St. Uniontown, PA. 15401. They occupy the top floor. The signs would be purchased by PSU Ext. and attached to the exterior of the building by the County B & G Maint. Dept..Size of the signs are 2 ft X 4ft.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

## **Tax Claim**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the following bid from the May 6, 2014 Repository Sale Bid Opening, subject to all conditions being met.

Bidder	Amount of bid	Twp/Mun	Parcel
Zeus Universal LLC	\$251.00	Fayette City	12-03-0039

Total \$251

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Prior to** a motion Commissioner Zimmerlink said just move to accept the following bid, not all the motion, just move to accept the bid.

**Commissioners**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve Solicitor John Cupp to attend the CCAP Solicitor's Conference on June 27, 2014 in Harrisburg. The cost is a \$125 registration fee, \$92 for a hotel room plus 11 percent tax and mileage.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

**Motion passed 2-1**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to adopt an ordinance implementing an UPI system, as attached.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Following the** vote, Commissioner Zimmerlink said that is the, the ordinance has been properly advertised, correct? Solicitor Heid said she doesn't know anything in regards to this ordinance. Commissioner Zimmerlink said correct? She said OK, again for the record I do not agree to the contract with Tom Murphy but that has been done and now

we need to implement it and this is to adopt the ordinance which is part of the process. Commissioner Zimmerlink asked if they voted on that and Commissioner Ambrosini said yes.

**A motion** was made by Commissioner Zimmerlink to reject the four responses for a web designer for the Fayette County Justice and Rehabilitation Center under RFP 14-03.

**Commissioner Zapotosky** asked what her objection is. Commissioner Zimmerlink said as stated before, she believes that any information that wishes to be presented on behalf of the justice center we can do on our already county web site using the same individuals who provide the information all you have to do is just set up some extra pages on our already posted and paid for webpage. She said if a website designer is chosen under one of these four responders, X amount of dollars has to be paid obviously for design and hosting and the information that would be presented to the website designers to place it on there would be from the county, so whether you have it on your county website or you have it on a separate and apart website, the information is still being provided through the county staff and I believe it can be done, I know it can be done and we can add additional pages and frequently asked questions and all of that as just another link to our current website, so that is why I move to reject.

**Commissioner Zimmerlink** said as you recall I didn't second to advertise and your comment was you just wanted to get the advertisements in, responses in to take a look at the. Commissioner Zapotosky said the idea is that we can eventually adapt this to our county website. He said the county website is good but, so I'll make a motion, was there a motion? Commissioner Zimmerlink said she made a motion to reject. Commissioner Ambrosini asked for a second to the motion. The motion died when it did not receive a second.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to name SJ Myers and Associates of Vandergrift a web designer for the Fayette County Justice and Rehabilitation Center under RFP 14-03.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

### **Motion passed 2-1**

**Prior to** a vote, Commissioner Zimmerlink said the motion was simply to do the website designer and he didn't say who it was. She said there were four responses. She said Commissioner Zapotosky made a motion to approve the website designer under RFP 14 03 but he did not designate which one of the four. She said Commissioner Ambrosini designated but she didn't hear what he said, which one was it? Commissioner Ambrosini said SJ Myers Associates. Commissioner Zimmerlink said SJ Myers, just so you know, the county received four responses, correct, yeah, Civic Live out of, Civic Live, Smarty Webbuilders, WRIS and SJ Myers, SJ Myers is out of Vandergrift.

Commissioner Ambrosini said SJ Myers is the only local, the other three were out of state. Commissioner Zimmerlink said the cost proposal is \$9,950 and somewhere in here it has what the additional charges would be for anything that is not covered under the proposal. She said Commissioner Zapotosky made a motion to name a website designer for the justice rehab center under RFP 14 03. She said she made a motion to reject but didn't get a second and Commissioner Zapotosky made a motion to designate but he didn't say who it was so Commissioner Ambrosini said SJ Myers Associates, is that your motion? Commissioner Zapotosky said yes, that is my motion.

**Commissioner Zimmerlink** said the next item is to consider naming a chief solicitor for the county of Fayette at a recommended salary. She said there were four responses from attorneys. She said we had a response from Solicitor Sheryl Heid, a response from Solicitor John Cupp, a response from Solicitor John Zeglen and a response from Solicitor Gretchen Mundorff. She said there was a question earlier by a member of the, member here, citizen, what the starting salary is per the salary board, the starting salary for chief solicitor is \$36,757.50.

**A motion** was made by Commissioner Zimmerlink to name Gretchen Mundorff as chief solicitor of Fayette County under RFQ 14 02 at a starting salary of \$36,757.50. The motion died when it did not receive a second.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to name John Cupp as the chief solicitor for the county of Fayette at a recommended annual salary of \$50,500 from responses received under RFQ 14-02 contingent upon review and approval of the salary board.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

### **Motion passed 2-1**

**In making** the motion, Commissioner Zapotosky said that is a recommendation to the salary board and that could clearly be addressed. Commissioner Zimmerlink said the, as she just said the starting salary is \$36,757.50, with Mr. Cupp's longevity he would and if we treat Mr. Cupp as we treat all other employees which he would be an employee and is an employee with his longevity his amount would be \$41,379 so if you are going to name John Cupp as the solicitor it should be at the starting salary plus his longevity, which would be \$41,379 rather than saying here today let's recommend something and then going to a salary board meeting which is us three and the Controller, you know it is going to get passed because you both want it, unless the deputy controller or other controller is still here at the time votes no, which I doubt that. She said the thing is \$41,379 plus the benefits other than \$50,500.

**Commissioner Zimmerlink** said there are other positions here in the county, give an example, the Treasurer's office which was not funded for a deputy treasurer. She said that office in there is working so hard and they have one less individual in there because

the county budget, by 2-1 did not fund that position, we certainly shouldn't be giving, John Cupp didn't even ask for \$50,500. Commissioner Zapotosky said John Cupp is an outstanding attorney. Commissioner Zimmerlink said she isn't saying that he is or isn't, she is just saying that he did not request it during any discussions she had with him. Commissioner Zapotosky said John Cupp has done a wonderful job, we have a good team of solicitors and he is pleased that he wants to be the chief solicitor and his motion is going to be what it is and the salary board can reduce it if they choose to, but his motion is for John Cupp to be chief solicitor.

**Commissioner Ambrosini** asked for a motion for a first assistant solicitor. Commissioner Zimmerlink said there isn't a first assistant, and that isn't what is on the agenda. Commissioner Ambrosini said, let me read it. He then asked for a motion to consider naming an assistant solicitor for the county of Fayette at a recommended annual salary of \$26,071.58 from responses received under RFQ 14-02 contingent upon review and approval of the salary board.

**A motion** was made by Commissioner Zimmerlink to name Gretchen Mundorff as assistant county solicitor of Fayette County at a starting salary as designated on a current salary board for classification for \$24,589.50. The motion died when it did not receive a second.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to name Sheryl Heid as an assistant solicitor for the county of Fayette at a recommended annual salary of \$26,071.58 from responses received under RFQ 14-02 contingent upon review and approval of the salary board.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

**Motion passed 2-1**

**Commissioner Ambrosini** asked for a motion to consider naming an assistant solicitor for the county of Fayette at a recommended annual salary of \$26,014.51 from responses received under RFQ 14-02 contingent upon review and approval of the salary board.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to name John Zeglen as assistant solicitor for the County of Fayette at the starting rate as approved by our salary board of \$24,589.50.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**In making** the motion, Commissioner Zimmerlink added that she made a motion for Gretchen Mundorff and it had already been denied. After the vote, Commissioner Zimmerlink said she had a question. She said so you are agreeing, Commissioner Zapotosky to start the assistant solicitor out at \$24,589.50, which is the. Commissioner Ambrosini said contingent on a salary board. Commissioner Zimmerlink said no, no, that's not contingent on a salary board because that is what the amount is today. She said you would never go to the salary board next Wednesday or the following Wednesday and ask them to approve it because it is already approved at \$24,589. She said it is, my motion was to name John Zeglen at \$24,589.50, that is the current salary of the assistant county solicitor as per Dominick Carnicella who gave us that information three days ago. Commissioner Zapotosky said the salary board has the ability to create an additional stipend. Commissioner Zimmerlink said this isn't additional, this is what it is. Commissioner Zimmerlink asked Chief Clerk Revak to read the motion and she said "To name John Zeglen as assistant solicitor for the County of Fayette at the starting rate as approved by our salary board of \$24,589.50."

**Commissioner Zimmerlink** said that is what her motion was and that is what the second was. Commissioner Ambrosini said it was recommended and she just read back it is recommended. Commissioner Zimmerlink said her motion did not say that, her motion said to name John Zeglen as the assistant solicitor for the county of Fayette at \$24,589.50 which is the current salary as listed by the salary board and then there was a second. Commissioner Ambrosini said he thought he heard the clerk read back recommended. Commissioner Zimmerlink said she did, but she corrected herself. Chief Clerk Revak said she did, but she was initially reading from the agenda. Commissioner Zimmerlink said her motion said \$24,589.50, which is the current starting salary as per the salary board in our classifications. Solicitor Heid said Clerk Revak was asking if there was a vote, she knew there was a first and a second. Commissioner Ambrosini said still one point, it has to be approved by the salary board. Commissioner Zimmerlink said no it does not, and the reason it does not Commissioner Ambrosini is because the starting salary as per Dominick who informed us two or three days ago, the starting salary for an assistant solicitor is \$24,589.50 and that is why it does not need to be approved because it has been approved.

**Commissioner Zapotosky** said if it is brought forth to the salary board the salary board has the capability of increasing the salary. He said that's what salary boards do, they create jobs. Commissioner Zimmerlink said you can place that on the, the motion is to hire the individual at the starting salary, and you seconded it. She said if you wish to increase the starting salary you can put that on the salary board agenda. She said there is no need to say recommended salary board, that's why I didn't say it and that is why you didn't second it.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the March 18, 2014 regular commissioner meeting minutes.

Commissioner Ambrosini yes

Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a contract with Kathy Goodwin of Uniontown to provide transcription services for the District Attorney and Public Defender's office. The County shall pay to Contractor \$1.25 per page of transcription and typing for originals and \$1.50 per page for copies. The contract, effective April 9, 2014, can be terminated at any time with 30 days' notice of either party.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a contract with Geri Lee Ternitsky of Keisterville to provide transcription services for the District Attorney's office. The County shall pay to Contractor \$2.50 per page of transcription. The contract, effective April 9, 2014, can be terminated at any time with 30 days' notice of either party.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink to table amending the Articles of Incorporation for the Fayette County Health Center Authority to include a dissolution clause. She said at the agenda meeting she asked Solicitor Cupp to provide me with some information, he said he had a letter and he would send it to me and we could have a discussion and he hasn't done that. Commissioner Zapotosky said he spoke with him and asked his secretary to get the fax. Commissioner Zimmerlink said he could tell her. Commissioner Zapotosky said believe it or not, they were a tax exempt organization, a 501 C 3 since 19 whenever and nobody ever caught it. He said some 40 years later they are scrutinizing the articles and they found out they are missing that document in the articles of incorporation thus we can take action. Commissioner Zimmerlink said you said you have a copy of that. Commissioner Zimmerlink asked who sent the fax. Commissioner Zapotosky said Dan Visnauskis.

**Commissioner Zimmerlink** said Dan Visnauskis, chairman, make sure you provide copies. Commissioner Zapotosky said he just got this. Commissioner Zimmerlink said she understands, but she doesn't have it and everybody knows that I asked for it a week ago, thank you Commissioner Zapotosky for sharing that information with me,

please make sure you make copies. She said it was enough time to give it to him so there was enough time to get it to me. She said based on your statement and if you could please give me a copy at a later date, then the way in which you read it, that's fine, then I withdraw my motion. Commissioner Zapotosky said it shocked him that it took 40 years to figure out that paper was missing some information.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to amend the Articles of Incorporation for the Fayette County Health Center Authority to include a dissolution clause based on the letter submitted by Dan Visnauskis.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to allow the federal reimbursement rate to apply for those attending the Supervised Visitation Eastern Region Conference taking place June 30 - July 1, 2014 in Boston, Massachusetts.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to allow the federal reimbursement rate to apply for those who attended the Vera Institute of Justice, Center on Victimization and Safety Supervised Visitation Initiative On Solid Ground: Building the Foundation for Supervised Visitation Services August 13-14, 2013 in Vancouver, WA.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Prior to** a motion, Commissioner Zimmerlink said Chief Clerk, that date of August 13 and 14 of 2013 is correct based on what you told us at the agenda meeting, correct? She said were you and the other individual reimbursed, just not at the federal rate? Chief Clerk Revak said this was for one other person and she was reimbursed, but not at the federal rate. She said this would be to make those changes and give her the increase, correct, which would be retroactive date.

**A motion** was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to consider appointing Phillip Holt to the Fayette County Airport Authority to fill the unexpired term of Matt Thomas, which expires the first Monday in January, 2017.

Commissioner Ambrosini yes  
 Commissioner Zapotosky yes  
 Commissioner Zimmerlink no

**Motion passed 2-1**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the following transfers:

3-26-14 to 5-08-14			
Department	Cost Center	Debit	Credit
<b>Emergency Management</b>			
Capital outlay	4342911157000	\$3,180	
Contract services consultation	4342911153005		\$3,180
<b>Commissioners</b>			
Contingency	01417952910	\$34	
Life insurance MDJ	01418600051580		\$29
Life insurance veterans	01429451580		\$5
<b>Total Debits</b>	<b>\$3,214.00</b>	<b>Total Credits</b>	<b>\$3,214.00</b>

Commissioner Ambrosini yes  
 Commissioner Zapotosky yes  
 Commissioner Zimmerlink yes

**Motion passed unanimously**

**Commissioner Zimmerlink** said before they move on to public announcements, she said there were two items that she had on the agenda and they were voted on to move from last Tuesday to this agenda, unless I'm missing something, did I not make a motion and Commissioner Zapotosky seconded and it was unanimously approved to place on the agenda to consider authorizing an amount to be determined from the farmland from the Marcellus shale legacy fund for farm bureau. Commissioner Zapotosky said we never gave an amount. Commissioner Zimmerlink said that she said an amount to be determined. Commissioner Zapotosky said you put it on the agenda, we added it to the agenda, was that just an oversight on your part or are we missing something? Chief Clerk Revak said it was not on the original agenda, right? Commissioner Zapotosky said no.

**Commissioner Zimmerlink** said it was moved by me, seconded by Commissioner Zapotosky. Chief Clerk Revak said she had the exact wording. Commissioner

Zimmerlink said is there a reason it is not on this agenda? Chief Clerk Revak said it is an oversight. Commissioner Zimmerlink said the reason she didn't put an amount was that Susan Sickle, who was here a couple minutes ago and just left, but she said that she would provide the commissioners with a list of programs that she did afterwards, but could you read my motion. Chief Clerk Revak said the motion that was approved at the agenda meeting that should have been placed on the agenda said Consider allocating an amount TBD to the Fayette County Farm Bureau to the Act 13 Legacy Fund. Commissioner Ambrosini said his understanding is that they already allocated \$10,000 from the Act 13 money to the farm bureau and they were just to come up with the approved uses for that money. Commissioner Zapotosky said wasn't that 13 money and we are looking at 14 money now, aren't we?

**Commissioner Ambrosini** said yes but they never spent the 13 money until we received information on what the approved uses of what that money was going to be spent for. Commissioner Zimmerlink said the motion that the Chief Clerk read back was very clear, it said to designate an amount to be determined and it was passed unanimously, it's not on the agenda, I understand that, you made an error, we've moved on, I understand that, OK, what I am saying though Chief Clerk is you accurately read it back, the three of us approved that unanimously. She said it is very clear, it says from the farmland preservation and it says an amount to be determined. She said even though it is not printed on the agenda we are all in agreement that it was moved to be placed on the agenda. She said you can't approve an amount at this point because Susan Sickle left and she's not here to ask any questions so I am going to make a motion to table that resolution.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table allocating an amount TBD to the Fayette County Farm Bureau from the Act 13 Legacy Fund.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**Commissioner Zimmerlink** said one other item, well first off let me write, one second, the other item that I placed on the agenda and I got a second and it unanimously passed and it's not on here is to designate the smoking areas for county office buildings and when I made the motion I said for the entrances and Commissioner Zapotosky asked me to clarify and add exits, I did and he seconded it, we passed it unanimously to be placed on the agenda, you made an error and forgot to do that, OK, no this is totally different. Chief Clerk Revak read the motion, which said to consider designating a smoke free area for entrances and exits of the Fayette County Courthouse. Commissioner Zimmerlink said so you have that, correct, and we passed it unanimously, correct, OK, so that should be on this agenda, so I am going to make a motion to table.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table designating a smoke free area for entrances/exits of the Fayette County Courthouse.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

### **Public Announcements**

The Fayette County commissioners will be accepting letters of interest for the Fayette County Industrial Development Authority, for which three members are needed, and the Emergency Medical Service Board, for which one member is needed.

Letters should be sent to Kathy Winkler in the commissioner's office, 61 East Main St, Uniontown PA 15401 or by e-mail to [kwinkler@fayettepa.org](mailto:kwinkler@fayettepa.org) The deadline for letters is May 29, 2014.

**Commissioner Zapotosky** said he also wanted to make an announcement that downtown Uniontown is going to be doing a celebration, is it this weekend? He said it is a brew fest.

### **Public Comments**

**After Commissioner** Ambrosini informed Terry Kriss that his comments should be limited to three minutes, Mr. Kriss said every time he comes up, the first thing out of his mouth is to shut up and he has been to the point and done what he needs to do, so I ask you, quit hitting me over the head every time I come before you to shorten the comments down. Fair enough, I will be short, he said. Mr. Kriss said Commissioner Zapotosky, if you figure out the amount of time that you burned up on Frank Ricco and those bus lines today, nobody bitched and moaned about the amount of time you spent. Commissioner Zapotosky said that is county business. Mr. Kriss said you groveled and groveled and groveled for a half an hour. Commissioner Zapotosky said that is a bad choice of words. Mr. Kriss said you groveled for a half an hour. Commissioner Zapotosky said that is a bad choice of words, I didn't grovel. Mr. Kriss said you pleaded, you have these things that are done over and over and over.

**Commissioner Zapotosky** said have you been on the bus, have you been on the buses? He said he didn't grovel, he wants to set up a meeting to sit down and discuss it. Mr. Kriss said because it is Frank Ricco and election time you need Frank Ricco. He said you guys spent a lot of time but his point is that sometimes it takes more than two or three minutes to talk about something, and that's my point, I will stop it there. Mr. Kriss said Mr. Ambrosini, you said there is misinformation out there in the community. He asked who said there would be a women's annex at county owned Fayette County Airport? He said that was wrong, you were the person who was spreading false

information. Commissioner Ambrosini said he said publicly. Mr. Kriss said he was spreading false information. Commissioner Ambrosini said they looked at that. Mr. Kriss said Al, you spread false information.

**Commissioner Ambrosini** said the reason they are not putting it out there is purely economical. Commissioner Zimmerlink said just to know, I never had a discussion with my fellow two commissioners or anyone else to put it there or to say not to put it there, nor was I asked by anyone. Mr. Kriss said these two people here, the Mazzas, were your greatest supporters and in the last year, the disrespect you have shown is sickening. How do you go from your biggest supporters to your biggest haters? He said you laugh at them, you ridicule them. Commissioner Ambrosini said he does not do that. He said you are painting an improper picture. Mr. Kriss said watch yourself on TV one time and see how you react to people like me and the Mazzas, who were your supporters and you are somebody who doesn't give a damn about nothing. He said lastly, he said Mr. Cupp, he deserves, what is the amount commissioner? Commissioner Zimmerlink said \$50,500, she said the other one, 41.

**Commissioner Zapotosky** said first of all, it is a recommendation to the salary board and also Mr. Cupp is an outstanding attorney who goes above and beyond the call. Mr. Kriss said he didn't even ask for the money. He asked why they would want to toss out another \$9,000 for a website to tell us what we already know. Commissioner Zimmerlink said it is actually 10. Mr. Kriss said that is 10 grand, out the window. He said spending nine grand more to get someone to be your cheerleader isn't good business. Commissioner Ambrosini said that is his opinion. Commissioner Zimmerlink said he is stating his opinion, this is public comment and he is going through the items. Commissioner Ambrosini said he is just reminding him. Mr. Kriss said you just can't give people money because they are nice when they don't even ask. Commissioner Ambrosini said there are other people that would like to speak so I would ask you. Mr. Kriss said it is 1:30, so three hours we listened to county business, basically no problem, we heard a lot of mistakes, a lot of irregularities, a lot of groveling, a lot of inconsistency, she doesn't even get things that are supposed to be on here but Al always, always since you have been a commissioner, it's hurry up and go away.

**Commissioner Ambrosini** said everybody has three minutes. Mr. Kriss said you don't want to hear the truth, and the disrespect you have shown these two is sickening and everybody has witnessed it. Mrs. Mazza said how about giving \$20,000 and hiring somebody to work in the Treasurer's office? She said they had an employee move up and become Treasurer and she was never replaced and the people down there are working their butts off trying to keep up and you are not replacing an employee. Commissioner Zimmerlink said deputy clerk. Mrs. Mazza said you wouldn't miss the \$20,000 or whatever it would take. She said she has a suggestion, and this concerns Mrs. Zimmerlink and Mr. Zapotosky because they both have been chairmen before. She said there is about 20 months left in this administration and she suggests to the two of them that they vote out Mr. Ambrosini as chairman and you two divide up the remaining time between you and you can both take the time as chairman.

**Mrs. Mazza** said they will have some decent meetings for a change. She said give it a thought, please. She said when you were chairman, you listened, when somebody asked you a question you answered it and we didn't have all this disruption so, I'm being very serious, you can vote him out as chairman, divide the 20 months up and you can take half the time as chairman and you can take half the time as chairman and let's get on with county business cause this is ridiculous. She said nobody can talk to that man, there is no talking to him, he just doesn't get it. She said he has no concept of what a public servant is or what public servant is to do, he don't even know the rules and regulations of a meeting, so please, I am being very serious, consider it, you make a motion, you second it and take over. Mr. Mazza said he had a question, he said he asked someone who is up on prime land in Fayette County and he asked him what it was worth and he said \$9,000 to \$10,000 an acre. He said and at \$10,000 an acre it would have to be very prime.

**Mr. Mazza** said the last week or so there were two ads in the paper for prime land and one was 25 acres that had all the utilities and sewage and it was \$9,000 an acre. He said the other day there was one in there for 125 acres of prime land and it was \$9,000 an acre. He said his question is why is the county going to pay \$21,551 and change for a piece of garbage land? He said we are going to pay over twice the amount on land that has been deep mined, strip mined and still has a clause that US Steel can take it any time, it borders on swampland and the Sheepskin Trail and there's a railroad and there are supposed to be businesses brought it and a representative from the railroad told me it would never happen with a prison there and he said he would like to know why we are paying over twice as much for farmland that they couldn't get rid of when the going price in Fayette County is \$9,000 or \$10,000 an acre. Commissioner Ambrosini said Mr. Mazza, if you were here at last month's meeting, I believe we approved the sale of 6 ½ acres through the redevelopment authority in South Union Township and that property went for about \$138,000 an acre, is that too high?

**Mr. Mazza** said he is telling him what the average is. He said that land is out by Mount Braddock and at Mount Braddock you can buy a house and an acre of land for that amount of money and you are going to pay \$21,551 and change for garbage? He said it stinks to high heaven like the saying something smells in Denmark. Commissioner Ambrosini said it was appraised by two different people, one was an independent appraiser. Mr. Mazza said they were bought and paid for. Marybeth Homistek asked if they ever got the results of the geotechnical study? Commissioner Ambrosini said he did not, personally. Commissioner Zimmerlink said she has not. Ms. Homistek asked if they know if there is pyrite at the site. Commissioner Ambrosini said he is sure there is. Ms. Homistek said pyrite can damage buildings and dirt if exposed to air. She said if there are wetlands with the pyrite disturbed by building the jail.

**Commissioner Ambrosini** said it has already been disturbed previously. Ms. Homistek asked if they knew that sulfuric acid is created? Commissioner Ambrosini said the engineering firm is evaluating that and they will come up with whatever engineering solutions that need to be done, I'm not doing the engineering. Ms. Homistek said it will make sulfuric acid. Commissioner Ambrosini said what are your credentials? Ms. Homistek said she has several degrees. Commissioner Ambrosini said he would prefer

to trust the engineering firm. Ms. Homistek asked if the prison will be open and operational in December 2015. Commissioner Ambrosini said that is certainly a target and that is certainly a date that we will be pushing for. Ms. Homistek asked if they had broken ground out there yet, because this is June, so that is a year and a half to build. Commissioner Ambrosini said there are things they can do during construction to expedite things. Ms. Homistek said her third question is if the airport is private property. Commissioner Ambrosini said it is officially owned by and Commissioner Zimmerlink said I'm sorry, did you ask me that question? She said the airport is owned by the Fayette County Airport Authority as per the deed and all related documents. Ms. Homistek asked to her knowledge, are there no trespassing signs up there? Commissioner Zimmerlink said to her knowledge there is not. Ms. Homistek asked Commissioners Ambrosini and Zapotosky if there are no trespassing signs at the airport and they replied that they didn't think so.

**Ms. Homistek** asked if anyone could go to the airport and they replied yes. Ms. Homistek asked if anyone can drive around, look, and Commissioner Zimmerlink responded yes. Ms. Homistek asked if they have security at the airport. Commissioner Zimmerlink said you would have to ask that question to the airport manager if they have hired security or not, I don't know the answer. Ms. Homistek asked if she would be allowed to take a photograph. Commissioner Zimmerlink said you're a citizen, you drive a car, of course you can go out there, to my knowledge Marybeth there is no gate that stops you, and it is property that I have been on, Commissioner Ambrosini has been on, Commissioner Zapotosky has been on, maybe some of these people here, many people can drive up to the property, yes, the terminal is supposed to be open. Ms. Homistek said she was over there recently and hadn't been there in 50 years since she was a kid and she was in her car and a man came over to her and started yelling at her. She said he was yelling I know who you are, I know who you are, Blah, Blah, Blah, Blah, Blah, and he really accosted me and intimidated me and I was scared shitless. She said she has some PTSD issues from the military.

**Commissioner Zimmerlink** asked if she knew who that guy was and did you report it. Ms. Homistek said she called the state police and they said we have it on record and she finally figured out his name was Bud and he came over and his hands were in my car and she didn't know where he came from, she was in the car taking a picture. She said the week before they had mentioned about the women's annex using the hangar, so I was looking at the hangar. She said she worked at an airfield so she is familiar with airfields. She said he was yelling and telling me I called Mr. Ambrosini a liar and he was at all these meetings watching me do this, five minutes of bullying and then he said, you want to talk to Al so bad, there he is. She said he was there in a red truck. Commissioner Ambrosini said did you not want to talk to me? Commissioner Zimmerlink said so, your question is, whether it is private property and the answer is, to my knowledge no, yes you can go up there and take a picture to my knowledge, the Herald-Standard took a picture so I would imagine you could too. She asked if she was out on the runway or standing or driving on the runway, OK, you were just in there taking a picture.

**Ms. Homistek** said she was taking a picture and she was told they weren't hangars, they are warehouses. Commissioner Zimmerlink said you took a picture and to my knowledge you are permitted to do that. Ms. Homistek said to your knowledge Mr. Ambrosini, has the airport authority ever been in contact with Homeland Security for any reason? Commissioner Ambrosini said he can't answer that. Ms. Homistek said you can answer that. Commissioner Zapotosky said there was the Washington Security Group which is some contractor that the department of Homeland Security of D.C. Ms. Homistek said her question to him is was anybody's name turned into Homeland Security in the past month. Commissioner Ambrosini said you will have to talk to the airport about that, I'm just a tenant, I'm just a tenant. Ms. Homistek said she believes she was turned into Homeland Security for taking photos at the airport.

**Commissioner Zimmerlink** repeated what an unidentified resident said that the airport manager Bud reported that Marybeth was turned into the Homeland, if that is the case you should check with him and I would say if the airport manager, the lady in the back said she was at the meeting and that the individual was reported to Homeland Security because she was there taking pictures and that just happened to be you, well then you can tell them to include Herald-Standard cause they took the same picture, OK. She said that is just silliness right there, unless you did something wrong, the airport authority is responsible, the board members and the manager, if you were in your car and you took a picture then I would question that myself. Commissioner Zapotosky said you could do a FOIA, Freedom of Information Act request to the respective agency in question, and make a FOIA request.

**Commissioner Zimmerlink** said they need to follow up with private council, or the DA or the state police on those other issues because we can't, we have no authority on that. An unidentified resident asked when the geotechnical survey will be available and she said she is a little confused because Commissioner Ambrosini said the 2006 ordinance with the Airport Overlay was not adopted. She said Mrs. Zimmerlink, you were a commissioner then, was that ordinance passed, I am confused because the meeting minutes on your website list that it was adopted. Commissioner Ambrosini said he isn't sure he understands what you are saying, and maybe he will just ask Commissioner Zimmerlink what was adopted in 2006 in relation to the airport. Commissioner Zimmerlink said since this citizen and since this is under public comment, I am going to respond to you, so as not to use up your three minutes, and I will not respond to Commissioner Ambrosini.

**Commissioner Zimmerlink** said the first question regarding the geo, I certainly hope that that study is prepared and promptly given to me as a commissioner and be available for any public inspection because it will be a public document and to date I don't have that, as you heard Commissioner Ambrosini say, he does not have that, I don't know if it is completed or not. She said the sales agreement says that the closing must be done within 90 days from the date of the signing of the sales agreement, my recollection is that the sales agreement was signed by the two commissioners on April 9, I can double check but it was around that time so 90 days from that, the deed is actually prepared and signed by two commissioners, hopefully it is never recorded until the due diligence is done, we've also got to go through a title search and no RFP or

anything has been done on that. She said a 90 day due diligence would include a geo study, the FAA and any recommendations and requirements from zoning and planning, OK. She said to answer the second question about the zoning ordinance, that you are correct, the zoning ordinance was adopted in 2006, I don't recall the month at the top of my head, but it would have been unanimously adopted and it was done so after many, many months, as a matter of fact before I became a commissioner the zoning office staff and consultants were working on that well before 2004.

**Commissioner Zimmerlink** said the necessary public meetings were done and yes it was adopted, yes there is a text of the airport has an overlay in there, when I read the newspaper this morning and heard the misinformation stated that it was not, by Commissioner Ambrosini, I was very surprised that he would say that, if you pull from the website or come to my office or go see, well come to my office so you don't have to pay for it, or go on the county website, there is around 195 pages and the airport overlay text is on page 76 and it is probably two or three pages, so to say that it is not part of the ordinance is not accurate, is misinformation, is totally incorrect because the ordinance was passed unanimously, it didn't say except pages 76 and 77, 78, it said it is passed unanimously, it is the overlay restrictions text is part of that ordinance. The unidentified woman spoke about what was said at the airport meeting about adoption of the airport overlay and misinformation. Commissioner Zimmerlink said perhaps someone can do a follow-up story on that and get that information or if anyone wants to talk to me about it, I'll tell them. Commissioner Ambrosini said, as he said before, the information he received was from our planning and zoning department. Commissioner Zimmerlink said our planning and zoning department is incorrect if they told you that.

**Michael Cavanagh** said his election board hearing request that Commissioner Zimmerlink responded to, you guys have not responded to. He said unfortunately the assistant solicitor who is making money is an empty chair right here, are you going to respond to me in writing to that, I have a response from Commissioner Zimmerlink but I don't have a response from either one of you, I requested it, I tied up my day, I came to your office, you won't see me. Commissioner Zapotosky said regarding the ballot, they scratched the one Republican gubernatorial candidate, Larry and his team had to work about a week to put new ballots together. Mr. Cavanagh said he wanted to know if he will get a written response. Commissioner Zapotosky said I told you Michael the matter is in litigation and anything that has litigating factors. Mr. Cavanagh said you are misunderstanding me, I am asking an independent question about processes you guys have, you guys unanimously passed a resolution that said that we are going to hold a meeting or a hearing within a week of anybody filing referendum petitions, that's ancient history, it's 2012, right, that was passed unanimously, Mr. Ambrosini said oh, I didn't have time to do that for 30 days.

**Commissioner Ambrosini** said there was no legal requirement, there was no legal statute for, to put that referendum on the ballot. He said the referendum committee was notified, it was put in the paper, and not only in the beginning when the referendum committee came to the election bureau, even before they picked up a petition, they were told based on their reasoning for wanting to put this question on the ballot it was indicated that it was written by our solicitor that there was no legal statute that allowed

it. He said we are going to follow what our solicitor says because she knows the law, we're not attorneys and we don't pretend to be. Mr. Cavanagh asked who the three election board members are. Commissioner Ambrosini said the three commissioners. Mr. Cavanagh said who makes the decisions at the election board meetings, one, two, three, government 101 class, your solicitor advises you to make decisions but you need to hold a meeting and say, you violated the due process rights. Commissioner Zapotosky said all he has to say is the Supreme Court dismissed the case, the lower court dismissed the case.

**Mr. Cavanagh** said he isn't asking for that, he is talking about process in an election matter, that you are smart enough to understand, an election matter you have seven days to file and objection, was there an objection filed in this, by any citizen or anybody? Commissioner Zapotosky said the question that he first was asked was there a political body that submitted the documents. Mr. Cavanagh said you answered a question with a question. He said if you had done your job, they filed an appeal to the common pleas, Commissioner Zapotosky said which they did. He said this is representative government and Mr. Cavanagh said this is not representative government. Commissioner Zapotosky then left the meeting, while being questioned by various members of the public about his political future. Mr. Cavanagh asked Commissioner Ambrosini what the qualifications of his architectural team leader was. Commissioner Ambrosini said his qualifications were to go out and help us find a site. Mr. Cavanagh said he was a former state cop.

**Commissioner Ambrosini** said he didn't volunteer to be an architect. He said he is retired law enforcement and he had other qualifications. Mr. Cavanagh said the qualifications on everyone else were questioned but you hired him. Commissioner Ambrosini said he didn't hire him, he didn't volunteer to be an architect, Mike, don't you understand that's part of it. Commissioner Zimmerlink said Jim Killinger volunteered to be on the prison working group and he was named and accepted to be the team leader of the architectural group. Mr. Cavanagh asked if Commissioner Ambrosini would have the solicitor reply to him like he has asked many times. Commissioner Ambrosini said if she chooses. Mr. Cavanagh said you are a commissioner and you won't make a decision. Commissioner Ambrosini said his decision is that he trusts the people who are experts and that is who he goes through for advice, I don't pretend to be anybody I am not. Commissioner Ambrosini said OK, and he exited the meeting.

## **Adjournment**

WHEREAS, the County of Fayette desires to establish a Uniform Parcel Identification System; and

WHEREAS, such policy benefits property owners and researchers; and

WHEREAS, an ordinance is necessary to implement such,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners adopts the following ordinance

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF FAYETTE, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A UNIFORM PARCEL IDENTIFIER SYSTEM; PROVIDING FOR A DEPOSITORY AGENCY FOR THE COUNTY'S TAX MAPS, INCLUDING REVISIONS TO SUCH MAPS; PROVIDING FOR THE ASSIGNMENT BY SUCH AGENCY OF UNIFORM PARCEL IDENTIFIERS FOR EACH PARCEL ON THE TAX MAPS; REQUIRING PLAN OR SURVEY INFORMATION FOR CHANGES IN SIZE OR DESCRIPTION OF PARCELS; REQUIRING THAT UNIFORM PARCEL IDENTIFIERS BE AFFIXED TO DOCUMENTS PRESENTED FOR RECORDING; FIXING A FEE FOR ISSUANCE OF UNIFORM PARCEL IDENTIFIERS; AUTHORIZING RULES AND REGULATIONS FOR IMPLEMENTATION OF THE PARCEL IDENTIFIER SYSTEM; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE

Pursuant to the provisions of the Uniform Parcel Identifier Law, Act of January 15, 1988, P.L. 1, No. 1, §1 (21 P.S. §331, *et seq.*) And the Act of January 15, 1988, P.L. 8, No. 4, §2 (16 P.S. §9781.1), it is hereby enacted and ordained by the Commissioners of Fayette County as follows:

SECTION 1: Title - This Ordinance shall be known as the Fayette County Uniform Parcel Identifier Ordinance.

SECTION 2: Definitions - the words and phrases as set forth hereinafter when used in this Ordinance shall have the meaning given to them in this section, unless the context clearly indicates otherwise:

A. The terms "County Tax Map", "Governing Body", "Municipality" and "Uniform Parcel Identifier" shall be defined as set forth in the Uniform Parcel Identifier Law as cited hereinabove or as otherwise set forth below.

B. "Uniform Parcel Identifier" - A finite, punctuated sequence of numbers indicating the land parcel or other interest in real estate.

(1) In the case of a "unit" within the meaning of the Act of July 3, 1963 (P.L. 196, No. 117), known as the Unit Property Act, a designator for the number of the "unit" as indicated on the recorded "declaration plan" shall be included in the sequence of numbers forming the uniform parcel identifier for such "unit".

(2) In the case of a “unit” within the meaning of 68 Pa.C.S. Part II Subpart B (relating to Condominiums), a designator for the number of the “unit” as indicated on the recorded declaration shall be included in the sequence of numbers forming the uniform parcel identifier for such “unit”.

(3) In the case of an interest in real estate less than fee simple, an additional designator may be included in the sequence of numbers forming the uniform parcel identifier for such interest in order to distinguish such interest from the fee simple parcel of which such interest is a part.

C. “Document” - Any conveyance of real estate, mortgage or real estate or any other instrument affecting real estate in the County of Fayette, Pennsylvania. A “document” shall not include a Will or a Contract for a Deed or Agreement of Sale for the sale of realty whereby legal title does not pass to grantee until the total consideration specified in the contract or agreement has been paid. The foregoing shall not be interpreted to be an all inclusive listing.

SECTION 3 - A Uniform Parcel Identifier system is established in the County of Fayette in accordance with the provisions of this ordinance.

SECTION 4 - The Fayette County Tax Assessment Department is hereby designated as the permanent depository for all County Tax Maps, which designation may from time to time be changed by resolution, duly adopted by the Board of County of Commissioners.

SECTION 5 - The officials of the permanent depository, as from time to time designated by the Commissioners of Fayette County, shall record, revise, amend and maintain the County Tax Map(s) as authorized and required by Section 5 of the Uniform Parcel Identifier Law (21 P.S. § 335).

SECTION 6 - At the request of an owner subdividing or amalgamating or otherwise affecting for future transfer, mortgage, release or other purpose, of any parcel or parcels of realty within the County, or of parcels already designated on a County Tax Map, the officials of the permanent depository shall assign a uniform parcel identifier to each such parcel included in the proposed transfer, mortgage, release or other purpose, all as more particularly provided in Section 4(b) of the Uniform Parcel Identifier Law [21 P.S. 334(b)]. In the case of multiple described lots, tracts, parcels, or other described areas of land now contained in an existing and recorded “common deed” or document, a separate uniform parcel identifier shall be assigned for each lot, tract, parcel or other described area.

SECTION 7 - If the conveyance in the proposed transfer represents a change of size and/or a description of the real estate, the owner shall provide the Fayette County Geographic Information Systems Department with a metes and bounds description based on a precise and accurate survey or a recorded plan and a lot number with references to a recorded subdivision plan and Plat Book and page number(s). The plan or survey shall be prepared by a professional land surveyor as required by the Act of May 23, 1945, P.L. 913, as amended (63 P.S. § 148, *et seq.*), known as the Engineer, Land Surveyor and Geologist Registration Law. The metes and bounds description printed on the documents as presented for a uniform parcel identifier shall match the recorded survey. Any subdivision plan, land development, and/or condominium plan as approved by the

applicable municipality and properly recorded in the County Recorder of Deeds Office, which was prepared prior to the initial effective date of this ordinance and which contains metes and bounds shall be acceptable for compliance with the paragraph.

SECTION 8 - All documents pertaining to real estate presented for recording in the Office of Recorder of Deeds of Fayette County shall have the uniform parcel identifiers as provided for in this Ordinance along with the Fayette County tax map number, if different. All leases, including subsurface leases, must also have uniform parcel identifiers and the Fayette County tax map number, if different, for each surface parcel affixed to the document. The character and placement of such number on Documents shall be determined by the Recorder of Deeds in consultation with the officials of the permanent depository.

SECTION 9 - In accordance with the Act of January 15, 1988 P.L. 8, No. 4, §2 (16 P.S. §9781.1), the written recommendation of the Recorder of Deeds of Fayette County is attached hereto.

SECTION 10 - The County shall charge and collect a fee for the service provided pursuant to this Ordinance. Such fee shall be payable to the Recorder of Deeds as the agent for the County at the time that the Document is presented for recording with Recorder of Deeds. This fee shall be separate and distinct from any other charge or fee due upon presentation fro recording of any Document subject hereto. The fee may from time to time be revised by resolution, duly adopted by the Board of Commissioners of Fayette County. The initial fee is hereby established at Twenty (\$20.00) Dollars for each uniform parcel identifier affixed as required pursuant to the Act.

SECTION 11 - The index arranged by uniform parcel identifiers shall be merely for the convenience of the public and shall not constitute notice or the lack thereof for all deeds, mortgages or other instruments affecting real estate left for recording with the Recorder of Deed until further recommendation of the Recorder of Deeds to the Board of Commissioners.

SECTION 12 - The Fayette County Tax Assessment Office shall be authorized to issue rules and/or regulations to define with more particularity the instruments that affect real estate which are to be included or excluded from the definition of a “document” under this Ordinance.

SECTION 13 - The provisions of this Ordinance are severable. If any provisions of this Ordinance or its application to any person, entity or circumstances is held invalid by a Court of competent jurisdiction, such determined invalidity shall not affect any other provisions or application of this Ordinance.

SECTION 14- This Ordinance shall become effective in forty-five (45) days.

ENACTED AND ORDAINED by the Commissioners of Fayette County on this \_\_\_ day of May 2014.

COUNTY OF FAYETTE  
BOARD OF COMMISSIONERS

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Al Ambrosini, Chairman

ATTEST:

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Vince Zapotosky

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Amy Revak, Chief Clerk

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Angela Zimmerlink