

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, February 19, 2013 in the Public Service Building, Uniontown, Pa.

In attendance-

Commission Chairman Alfred Ambrosini
Commissioner Vincent Zapotosky
Commissioner Angela M. Zimmerlink
Chief Clerk Amy Revak
County Solicitor Ken Burkley
Assistant County Solicitor John Cupp

Chairman Ambrosini called the meeting to order at 10:02 a.m.

A prayer was given by Rev. Ewing Marietta.

The pledge of allegiance was recited.

Public Comment on Agenda Items- None

Proclamations/Awards

Commissioner Ambrosini said the first proclamation is for February 26 to March 2, 2013 as USCAA National Basketball Championships Week in Fayette County. He said he would let the resident athlete read it for us, with Commissioner Zapotosky saying he is a “former” athlete.

Commissioner Zapotosky said first he wanted to acknowledge that it is a very prestigious event that will be held at Penn State starting the 26th of February. He said it will assemble some 30-plus teams who will compete for the National Championship of small college basketball. He urged everyone to make a trip out there to support Penn State and the fine student athletes. Commissioner Zapotosky then read the proclamation.

Commissioner Ambrosini then asked Commissioner Zimmerlink to read the proclamation of February 2013 as American Heart Month, which she read. Commissioner Ambrosini said a week prior to the meeting, the Heart Association had their annual Heart Ball at Nemaocolin Woodlands and he would encourage people to attend next year. He said it is a very worthwhile for research and development for heart problems.

Commissioner Ambrosini said the next proclamation is for March 2013 as Developmental Disabilities Awareness Month, and then read the proclamation. Members of the audience there to receive the proclamation then came forward to get

photographs with the commissioners. A representative from the American Heart Association then came forward to get photographs with the commissioners. She thanked the commissioners for proclaiming Heart Month, adding that it is National Heart Month as well. She said the board of directors is working to bring educational programs because in Fayette County death and mortality due to heart attack and stroke is one of the highest in the state. She said they appreciate support for the Heart Ball and Heart Walk, adding that they do programs in the schools also and they are honored to receive the proclamation.

Proclamations/Awards

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

Proclamation of February 26 to March 2, 2013 as USCAA National Basketball Championships Week in Fayette County

Proclamation of February 2013 as American Heart Month

Proclamation of March 2013 as Developmental Disabilities Awareness Month

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zapotosky said he wanted to thank everyone for the calls, cards and letters he has received in the past week and a half. He said they had a family tragedy and it was associated with mental health. He said mental health is something that needs to be treated no differently than diabetes or a heart condition. He said it isn't something that can be masked or shielded, adding that the results in this case were fatal.

Commissioner Zapotosky said he wanted to thank all the people that called and checked on him and his family. He asked everyone to understand that mental health is an illness.

Fayette County Redevelopment Authority

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the conveyance of two acres at the Fayette County Business Park to Mountain State Specialties, Inc. for \$210,000, in accordance with the attached resolution.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said that the intent of the business park was to look for new types of businesses and in this particular instance it is a transfer of an existing business from the Cherry Tree area to the Fayette County Business Park. She said while they anticipate having additional jobs created, about 10 to 15, she said she would like to see the business park, since it was set up to attract new businesses and not just transfer existing businesses from the county. She said hopefully the redevelopment authority can look to that in the future of vacancies in the park.

Commissioner Zapotosky said he had a point of clarification that it was 15 to 25 new jobs created by the business itself. He said there will be a secondary floor which will be built out and will have the potential to employ another 15 to 25 people. He said it did agree that it is relocation as opposed to creation but “nevertheless, it is still a positive.” Commissioner Ambrosini said he thinks that any time there is a business that needs to expand it will create some new building construction and the facilities they will vacate, there will be potential for them to attract a new tenant. He said all it all, it is a plus for Fayette County and we need to continue on the path of economic development.

Behavioral Health Administration

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

<u>Professional Agreements 2012-2013</u>	<u>Contract Value</u>	<u>Period</u>
Community Data Roundtable	\$3,000	7/1/12-6/30/13
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 following agreements and modifications:

<u>Professional Agreements 2012-2013</u>	<u>Contract Value</u>	<u>Period</u>
Children’s Outcomes Management Center of Advance Management Services	\$25,663	7/1/12-6/30/13
Commissioner Ambrosini yes Commissioner Zapotosky yes Commissioner Zimmerlink yes		

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the following agreements and modifications:

HealthChoices 10th Amendment to Amended Agreement 2013

Value Behavioral Health of Pennsylvania

2013

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink abstain

Motion passed 2-0

After the vote, Commissioner Zimmerlink said she was abstaining due to an open question that hasn't been answered to the county and the contract signing and approval by behavioral health. Commissioner Zapotosky said Harry Franks of Behavioral Health submitted in-depth documentation showing that it has been voted on by the board of commissioners going back to 2006, adding that he has the roll call. Commissioner Zimmerlink said they all voted on that, with Commissioner Zapotosky saying that he has the floor. He said there are nine amendments to this, which are primarily to date the contract, which Mr. Franks confirmed. Commissioner Zapotosky said the question he had asked Bob Calisti at the agenda meeting was how many counties utilize Value Behavioral Health and basically it is the entire western Pennsylvania area, or 13 counties.

Commissioner Zapotosky said there was an e-mail sent about modifications, such as a pay increase, with Mr. Franks confirming. Commissioner Zapotosky said it has been voted on unanimously going back to 2006. Commissioner Zimmerlink said it goes back farther than that because they all asked for the same information. She said it goes back to 1999 and every time it has come up, all the commissioners have unanimously supported the signing of the contract. She said they were told it was necessary and the reason she abstained is because of the issue now before them, which is whether or not the commissioners enter into approvals or contracts or resolutions when Value Behavioral Health enters into an agreement with providers. She said although Behavioral Health has given the commissioners a stack of information as well as a legal opinion from at least four different attorneys, with three of them having differing views. She said it is still not stated specifically whether or not the commissioners of the county are to approve contracts that behavioral health has with providers.

Commissioner Zimmerlink said that is the reason for her abstention and when I get that to be clear, she will be voting in the affirmative. Mr. Franks asked if there was a question, and Commissioner Zimmerlink said no, and it was already passed. Commissioner Zapotosky said it has been stated on several occasions that Value Behavioral Health sets up the network, with Mr. Franks adding that they set it up the network and deal with providers. Commissioner Zimmerlink said the commissioners should be approving the contracts, but the question is why on some and not on others.

She said there have been five different opinions with documents like that and hopefully in the near future it will get more resolved and they can move on. Commissioner Ambrosini said he thinks the Healthy Choices attorney made it pretty clear, adding that if he says something inappropriate he would like the county solicitors to stop him, adding that the fact of the matter is that the county commissioners are not involved with Value Behavioral Health setting up a network. He said that is done on behalf of the Department of Public Welfare and those contracts are strictly between Value Behavioral Health and the providers themselves. He said the county commissioners do not approve them and are not in any way involved in those contracts being developed and that was done intentionally by the state during the Tom Ridge administration to not create a liability issue for the counties, which he obviously is for.

Commissioner Ambrosini said if there are issues with the inpatient psychiatric services for mental assistance patients between the provider and Value Behavioral Health, which is a state agency on behalf of the Department of Public Welfare, which leaves the county completely out of the picture in terms of any lawsuits. He said it was set up intentionally to that end. Commissioner Ambrosini said he appreciates the work of that administration in those days and they continue to operate under those principals and rules. Commissioner Zimmerlink added, “as well we should.” She said in the past they have unanimously passed it and the question is why are they not being consistent in the behavioral health agreements and other types of providers, adding that is where the grey area is. She said obviously they have been passing them and she doesn’t have any intention of rescinding any of those resolutions but the reason she abstained is because of the consistency of saying do the commissioners give their approval between Value Behavioral Health and the provider. Mr. Franks said the contracts that are issued and endorsed by the county are those that are the base contract, but also when there are gains from year to year they are permitted to engage in reinvestment contracts. He explained that contractors are paid by Health Choices and are contracted through and the county doesn’t pay them.

Commissioner Zapotosky said that supersedes the mental health act of 1966, which Mr. Franks confirmed.

Children & Youth Services

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a FY2011-12 **Purchase of Service Agreement** between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation Office and **Cornell Abraxas Group, Inc.**, 2840 Liberty Avenue, Suite 300, Pittsburgh, PA 15222 for placement & non-placement services on an as needed basis for CYS & JPO youth. The rates are as follows:

Initial Clothing - \$250.00

Abraxas I

D&A Treatment/Prevention
411230 Pioneer Dorm 1

\$171.36

411250	Seneca Dorm	
411220	Valley View Dorm	
411240	Mountain Top Dorm 2	
411260	Explorer Dorm 5	
411200	Evergreen Dorm 3	
411210	Building 1 Redwood	
411160	Frontier Dorm	
411190	Simmelkjaer Dorm	
406800	Dakota Dorm	
Intensive Residential Program		\$289.32
419760	Mohican Dorm	
Abraxas II		
454310	Community Based Intensive	\$147.75
Abraxas Center for Adolescent Females		
411500		\$187.73
Leadership Development Center:		
355310	Leadership Development Program	\$151.65
301400	Leadership Development Program- Female Unit	\$151.65
310320	Open Residential Fire Setter/ Sex Offender	\$293.55
Abraxas Youth Center:		
304420	Fire Setter/Sex Offender	\$307.73
303980	Detention	\$284.17
303970	Shelter	\$284.17
Abraxas Academy:		
217240	Habitual Offender	\$309.41
215700	Sexual Offender	\$309.41
222580	Sexual Offender II	\$309.41
222430	Detention	\$281.00
Erie Residential Mental Health		
405190		\$247.29

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 a FY2011-12 Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **Try-Again Homes**, Inc., Post Office Box 1228, 365 Jefferson Avenue, Washington, PA 15301 for foster care placements on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00

Foster Family Care - 425130

	Rate Per Day
Class AA	\$ 57.05
Class BB	\$ 58.05
Class CC	\$ 58.01
Class DD	\$ 58.61
Class EE	\$ 57.93
Class FF	\$ 77.03
Class GG	\$ 57.97
Class HH	\$ 57.05
Class II	\$ 58.05
Class JJ	\$ 57.93
Class KK	\$ 76.97
Class LL	\$ 76.97
Class MM	\$ 76.97

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zapotosky made a motion to table approving a three-year lease agreement for RFP 13-01 for office rental space between Constable Leasing and Fayette County Children and Youth Services at a cost of \$1,125.00 per month. He said there is some confusion regarding the specs and ADA compliance. He said the motion was to table and readvertise and eliminate the ADA requirement because they don't need to do it. Solicitor Burkley said they had numerous e-mails about it and he believed Commissioner Zapotosky sufficiently stated what the discussion was as far as the legalities were concerned.

Commissioner Zimmerlink said actually, as far as the e-mails, Attorneys Cupp and Burkley agreed with Public Works Director Bob Carson that the scope of work and the specs did state that there was an ADA requirement and that if we do not award the bid to this particular company because they have met all the requirements for ADA that there could be a risk for litigation for those individuals who may have not responded to the request for proposals for the bid. She said she had no intention of awarding the RFP because the scope of work has to be specific. She said she is a little confused because both solicitors were pretty adamant because they stated they had to award to that company. Solicitor Burkley said that was incorrect, because they have to award to the

one that is ADA compliant. He said what they said is if they are going to award based upon that spec; you cannot award it to a non-complying company. Commissioner Zimmerlink said the end result is if you don't award it to the non-complying company, they would be awarding it to this individual because there were only two responses. Attorney Burkley added that was if they were awarding, with Commissioner Zimmerlink saying they should not award because of the scope of work and the verbiage in the scope of work with respect to ADA requirements. Solicitor Burkley said he was interpreting that they said they must award and they were not saying that.

Commissioner Zimmerlink said she didn't think that any county solicitor would say, at least in her years, that they had to award with the specs saying it must be ADA compliant and therefore they must award to a bidder that is ADA compliant, with both Commissioner Zimmerlink and Solicitor Burkley adding, if they are going to award. She added that Bob Carson said the other individual was not ADA compliant. Commissioner Zapotosky said Gina D'Auria had spoken to someone with the U.S. Department of Justice who provided a clarification to the CFR. He said he did a site inspection of the facility and he has great concerns as it pertains to compliance. He said the parking lot does not come remotely close to meeting the ADA. "It meets Kennywood but not the ADA," Commissioner Zapotosky said.

Commissioner Zapotosky said they really need to take a look at this, adding that they don't have to be ADA compliant since there is a site that is. He said they should readvertise, open it up and go from there. Commissioner Zapotosky said his motion is to table, with Commissioner Ambrosini providing the second. After the vote, in which Ambrosini and Zapotosky said yes, then adding to readvertise, Commissioner Zimmerlink said the motion and the vote were to table and she voted no and they voted yes and now it is to readvertise. Commissioner Zapotosky said he wanted to rescind, then said he wanted to make a motion to readvertise. Commissioner Zimmerlink said she wanted to throw something out there. She said it is RFP 13-01. She asked why they would table, when they would reject those bids and then they would readvertise. Solicitor Burkley said if they table they will reconsider, with Commissioner Zapotosky apologizing for the incorrect wording. He said he wanted to make a motion to reject and readvertise with the exclusion of the ADA requirement. Solicitor Burkley said they should simply make a motion to reject it.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to reject all bids received for RFP 13-01 for office space rental for Children and Youth Services.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink said only commissioners can authorize to advertise, they don't do that in the normal course of business and they do it here by a motion. She said

if they want to make a motion to advertise for office rental space she will either second the motion or vote in the affirmative but they need to determine how specific they want to state about the ADA requirements. She said what they may want to do is state that in the scope of work that it does meet ADA compliance, with Solicitor Burkley saying they can have alternatives. Commissioner Zimmerlink said they can have the options of full compliance or meets the ADA requirements unless new construction, with Commissioner Zapotosky adding that it is grandfathered. She said they can do it that way, which she thinks would be the better way. Commissioner Zapotosky said if she wants to rephrase that he will second the motion. Solicitor Burkley asked Commissioner Zimmerlink to just make the motion. Commissioner Zimmerlink then said, so they don't have this problem again, what would be the appropriate language with options for full ADA compliance or meets the necessary requirements with Commissioner Zapotosky adding that either meeting ADA requirements or other requirements as set forth by the statute. Commissioner Zimmerlink said it has to be clearer, with Solicitor Burkley adding less verbose, maybe. Solicitor Burkley said Commissioner Zimmerlink said it the first time, with Commissioner Zimmerlink asking if anyone was listening to her, and Commissioner Ambrosini saying it is on tape.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to advertise an RFP for office rental space for the county to provide office space for Children and Youth Services with said requirements to have two options, one being full compliance of ADA requirements and the other is to otherwise meet the necessary ADA requirements.

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 award a contract for Bid 13- 03 for the purchase of six tablet computers to Vitalink Computer & Supplies of Markleysburg at a cost of \$12,299.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Controller

Controller Sean Lally presented the following 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:	19-Feb-13		
CASH:	Checking Account	United Bank	\$ 1,433,679.92
Funds Owed to General Fund			
	Temporary Loans		
	Victim Witness Fund	\$ 30,000.00	
	Children and Youth Fund	\$ 1,250,000.00	
	911 Project Fund	\$ 160,000.00	
	Internal Service Fund	\$ 420,000.00	
			\$ 1,860,000.00
	Arc Payments Due		
	Intermediate Punishment Fund-.3yrs	\$ 40,651.26	
	Offenders Supervision Fund-3yrs	\$ 87,758.28	
	Domestic Relations	\$ 94,110.66	
	Victim Witness	\$ 4,271.61	
	Records Improvement	\$ 2,325.32	
	Fredericktown Ferry	\$ 5,054.04	
	Liquid Fuels	\$ 20,387.00	
	Children and Youth	\$ 114,786.59	
	911 Fund	\$ 84,872.21	
			\$ 454,216.97
	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
	Funds General Fund Owes		
	Tax Anticipation Note	\$ 5,000,000.00	
Budget Year	Net Position		-\$1,173,417.11
			Year to Date
Total 2013 Revenues		\$	1,086,092.37
Total 2013 Expenditures		\$	3,470,710.79
Total 2012 Expenditures paid in 2013		\$	892,778.29
Capital Reserve Fund Balance		\$	62,510.40
Bond Fund Balance		\$	306,932.30

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

Commissioner Zapotosky asked if they are expecting a series of payments from the state for CYS in March. Controller Lally said they are expecting a series of payments but they will not equal the \$1.25 million. Commissioner Zapotosky said they are trying,

and state Rep. Tim Mahoney spoke with the Governor's office and he is going to take the lead to set up a meeting in Harrisburg about the overmatch situation and some other matters pertaining to CYS and the delay in the reimbursement process. Controller Lally said one of the problems that have been explained to him is that a portion of the monies that are owed to the county, the state may renege on that obligation and that is \$1.16 million. Commissioner Zapotosky said that is the overmatch for 2011-12 that they cut and eliminated \$40 million. He said they have yet to get Philadelphia's report. He said they are working on it and he spoke with a state representative and a meeting is being scheduled with the Governor and his staff to get some resolution to how to address this. Commissioner Ambrosini said he would like to thank Commissioner Zapotosky for initiating those efforts because those are significant monies and it is important for two reasons, because it will be a fairly devastating to the county's general fund if the state doesn't reimburse us and the second item is it is a problem with their ability to serve the children in Fayette County. He said if they can't get the money it will be difficult to provide the services that CYS does so well at.

Commissioner Zapotosky said it isn't just state money, there is Act 148 money, which are federal dollars they are receiving reimbursement on for the year 2010. He said that just shows the delay and bureaucracy and it put the onus on the county to pay for these services and then have to sit and sit and sit and wait for reimbursement for these services and in some cases now not receiving them. He said he knows the delegation supports the efforts of CYS and the services that they provide; he just hopes that the administration does. He said the Governor needs to step up and see the social service cuts that he has made and the negative effect it is having on society and the community as a whole.

Courts

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to amend the last paragraph in the Constable Manual on the Fayette County Constable Service Invoice under "Approval of Issuing Authority" per President Judge John F. Wagner Jr. The Constable Association has reviewed and agreed to the proposed changes.

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 terminate the cleaning contract with Tabitha Coleman as of January 28, 2013, and to approve a cleaning contract for John W. Dennis of Gibbon Glade beginning Feb. 1, 2013 for Magisterial District Court 14-2-02 for \$100 a month.

Commissioner Ambrosini yes
Commissioner Zapotosky yes

Commissioner Zimmerlink yes

Motion passed unanimously

Emergency Management Agency

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the annual service agreements with Staley Communications for mobile command post equipment at an annual cost of \$3,000.00 and for mobile equipment at an annual cost of \$2,114.46. The total cost is \$5,116.46, which was included in the 2013 budget.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve an amendment to an agreement with the County of Allegheny acting on behalf of the Region 13 Task Force to extend Contract No. 107171OU until December 31, 2013 to provide DHS funding in an amount not to exceed \$47,380.00 for Region 13 Assistant expenses.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resource Department

Dominick Carnicella, Human Resource director, distributed copies of his agenda items. He then presented the agenda items.

Commissioners Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to hire Christy Spiker as the Receptionist/ Confidential Secretary at Non-Union Non-Supervisory Pay Grade 4 Step A at \$10.45/hr (\$20,377.50) effective March 11, 2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

Prior to making a motion on the next item, Commissioner Zapotosky asked Controller Lally if he had concerns with the position. Controller Lally said after reviewing the grant and his chief deputy looking it over, there is some ambiguity there and he thinks the county could open itself up to liability in the event that this employee would terminate and we would hire somebody else. He said the county could be on the hook for both the medical benefits as well as wages. He said he would recommend that it be tabled and reviewed among the commissioners and the director of this department. Controller Lally said it is also two organizations outside of the Controller's purview. Commissioner Zapotosky said his question is that the grant was written, not by us. He asked Mr. Carnicella if he found any problems regarding the grant as far as the ones Controller Lally has raised.

Mr. Carnicella said he didn't have any concerns and there was a meeting with the Chief Clerk, Community Action individuals and Gina D'Auria of CYS and the grant was reviewed and explained. He said it allowed for funding of salary and benefits of approximately \$40,000 combined for each year as well as other funding for other supervisory administrative portions of the grant. Commissioner Zimmerlink asked if he was aware of the Controller's concerns at the meeting and if they were discussed. Mr. Carnicella said no, he was made aware of the concerns on Thursday or Friday of last week, the day the interviews were held. He said Tammy Knouse of Community Action and Jacquie Fritts were there. He said they spoke with Controller Lally and didn't get into specific concerns at that time but they are looking to set up a meeting this week to address concerns.

Commissioner Zapotosky said there is an effective date of March 4, so they have the ability to take action pending review before the effective date. He said the solicitors would have the opportunity to take a look at the language of the grant. He said it is a federal grant, either HHS or Homeland, so the question would rise if we have a contact person and if we have had the opportunity to speak to that person. He said they have time before the effective date of March 4. Controller Lally said Dominick said it perfectly when he said that salary and benefits cannot exceed \$40,000 a year. He said it would be less of a salary than the people beneath this person. Commissioner Zimmerlink asked what the harm would be in tabling this until the next meeting, with Commissioner Zapotosky saying that he sees none. She said there are three options: passing it as on the agenda, tabling it until next month which gives 30 days, with Commissioner Zapotosky saying they can always ratify, and Commissioner Zimmerlink said the third option would be to have it pending solicitors review, and she doesn't like that. She said she prefers to have the information and then make a vote at the commissioners meeting because there will be 15 e-mails and different interpretation and this is the first time she heard there was a problem anyway. She said she prefers to hear about the problems before the matter is up on an agenda for a vote. Controller Lally said he only heard about the concerns Friday when he stepped into the meeting. She said it would be better to table as long as it isn't going to have any negative effect on the county receiving the grant. She asked Mr. Carnicella if there is a time frame in which the county would have to act on this in order to receive the grant. Mr. Carnicella said the only time frame he was made aware of from Community Action was that they had hoped to have an individual in place before the annual national training which is March 4, 5, 6 and 7.

Commissioner Zimmerlink said that causes a problem. Commissioner Zapotosky said to Controller Lally that his concern is that if this person would be terminated, that.... Controller Lally said he hasn't reviewed the grant in depth, Jeannine (Wrona) has been working on it but there are clauses in there that if this person is terminated or leaves the position that the grant ceases and the county would be picking up that position. He said there is a lot of ambiguity in how it is written. He said it is a very lengthy document, like 50 pages. Commissioner Zapotosky said the purpose of Community Action's concern is national training week, but it doesn't have any significant negative impact, should this person start March 4 or March 24. Mr. Carnicella said that is his understanding. Controller Lally said "an ounce of caution is a pound of cure."

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table approving the transfer of F/T 911 Dispatcher, Amanda Pierno, to the Program Manager of the Supervised Visitation/ Safe Exchange Program at an annual rate of \$33,592 effective March 4, 2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Evelyn Hovanec asked if she could make comment, with Commissioner Ambrosini saying not until the end of the meeting. Mrs. Hovanec commented that by then it will be too late.

CYS

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the resignation due to transfer of Caseworker Matthew Sulik to the Fayette County Assistance Office through DPW, effective February 15, 2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Election Bureau

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the hire of Billie Jo Guthrie as a Department Clerk II at SEIU Pay Grade 4 Step A \$10.35/hr (\$20,182.50) effective March 4, 2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes

Commissioner Zimmerlink no

Motion passed 2-1

FACT

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of F/T Bus Driver, Shirley Vargo, effective February 5, 2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Planning/ Zoning

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the inter-office transfer of Planning/Zoning Technician I, Sue Martin, to the Community Development Specialist at Non-Union Non-Supervisory Pay Grade 9 at her current off scale rate of \$17.16/hr (\$33,462) effective March 4, 2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

Prior to the vote, Commissioner Zapotosky said Ms. Martin would be taking the position of the grant writer and there would be a vacancy regarding her role, which Mr. Carnicella confirmed.

Tax Assessment

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the temporary hire of Kelli Ash as Department Clerk I at \$9.69/hr, effective January 22, 2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Information Technology

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to reject all bids received for Bid 13-04 for computers.

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 purchase 110 computers including 40 for adult probation and 70 for the courthouse from CDWG of Chicago, Ill., utilizing the COSTARS contract at a cost of \$65,640.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to the vote, Commissioner Zimmerlink asked Chief Clerk Revak if there were any outstanding issues. Commissioner Zapotosky said there was a discussion about whether or not there was a need. Commissioner Zimmerlink again asked Chief Clerk Revak if there were any outstanding issues, and she replied no.

Juvenile Probation Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to enter into a lease agreement for a 2013 Chevrolet Traverse for a five-year term with Day Centennial Inc. fleet sales, with an annual payment of \$6,283.72 through a cooperative leasing program.

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 purchase a new computer server system for the JPO office with Vitalink Computer & Supplies of Markleysburg at a cost of \$11,722.

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 award a contract for RFP 13-03 to Sargent's Court Reporting Services, Inc., of Johnstown for stenographer services for the Commissioners rezoning/public hearings at a cost of \$65 a day and \$2.99 per page.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Works

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to advertise for bids to cut the grass at the 3 county parks and 3 dams, the Cemetery off of Wayland Smith Drive, and to have a breakout price for the Route 40 Toll House tourist attraction to determine cost and who would be responsible for paying the cost. The bid will include cleaning of park restrooms, emptying of garbage receptacles to dumpsters and then emptying of dumpsters by an approved solid waste hauler.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to the vote, Commissioner Zimmerlink said she asked Public Works Director Bob Carson about Searights Toll House being included, and she said she didn't get a response back and she asked Chief Clerk Revak if she did. Chief Clerk Revak said she had asked him about it because Commissioner Zimmerlink had brought it up at the agenda meeting and he said that the gentlemen who were doing it were getting older and were unable to do it and that is why it was included. Commissioner Zimmerlink asked if Mr. Carson were requested to take it over, is that how it came about. Chief Clerk Revak said she didn't know the answer to that.

Commissioner Zimmerlink said the state leased the toll house to the county years ago and the county leased it to the historical society and there is an agreement with the historical society that they would be responsible for the maintenance and operation of the toll house. She said there was a grant that the redevelopment authority had and the county as informed four years ago that there was \$15,000 in an account and she doesn't know how much is in that account now, but the county should be advertising for their own properties, which would be the three parks and the dams and the cemetery and not for the Toll House. She said regarding the toll house, the historical society has

an agreement with the county for the operation and so it shouldn't be included in the bid, adding that it hasn't been included in the past either. Commissioner Ambrosini said it would be appropriate to make the toll house a breakout price so we can determine who will pay for it. Commissioner Zimmerlink asked Commissioner Zapotosky if he was going to amend his motion, which he did.

Commissioners

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

1-7-13 to 2-4-13

Department	Cost Center	Debit	Credit
Assessment			
Materials/supplies	01413652000	\$35	
Telephone	01413653200		\$35
Building and Grounds			
Travel	01417453300	\$13.97	
Telephone	01417453200		\$13.97
Materials/supplies	24431252000	\$17.17	
Telephone	24431253200		\$17.17
Commissioners			
Contingency	01417952910	\$7,000	
Liability payments	01487053500		\$7,000
Private Industry	01417154310	\$10,430	
General fund	01417154313		\$10,430
Contingency	01417952910	\$2,675	
Telephone	01411153200		\$2,500
Telephone	01411253200		\$35
Telephone	24431253200		\$140
Contingency	01417952910	\$1,218	
Assoc. dues	01411154200		\$1,218
Controller			
Travel	01413353300	\$300	
Materials/supplies	01413352000		\$300
Election Bureau			
Materials/supplies	01412052000	\$200	
Telephone	01412053200		\$200
Juvenile Probation			
Grants JCJC	01423754100-231	\$1,332.75	
Grants Title IV	01423754100-230		\$1,332.75
Magisterial District Judges			

Materials/supplies	01418652000	\$500	
Utilities	01418653600		\$500
Prison			
Materials/supplies	01423252000	\$5,000	
Food	01423252290		\$5,000
Inmate welfare	01423252740	\$7,000	
Food	01423252290		\$7,000
Emergency	01423253190	\$1,000	
Food	01423252290		\$1,000
Training	01423253350	\$1,000	
Food	01423252290		\$1,000
Fuel/light	01423253600	\$18,000	
Food	01423252290		\$18,000
Rent	01423253830	\$10,000	
Food	01423252290		\$10,000
Uniforms	01423252735	\$11,000	
Medical	01423253020		\$11,000
Travel	01423253300	\$900	
Repairs	01423253730		\$900
Prothonotary			
Materials/supplies	01419552000	\$82.59	
Telephone	01419553200		\$82.59
Salary full time	01419551400	\$102	
Telephone	01419553200		\$102
Recorder of Deeds			
Materials/supplies	01415352000	\$52	
Telephone	01415353200		\$52
Sheriff			
Materials/supplies	01419752000	\$250	
Fuel	01419753300		\$250
Tax Claim			
Salary	01413851200	\$300	
Materials/supplies	01413852000		\$300
Tax collectors			
Contingency	01417952910	\$500	
Postage second mailing	01413753250		\$500
Contingency	01417952910	\$200	
Postage second mailing	01413753250		\$200
Veterans Affairs			
Burial/markers	01429452530	\$385	
Travel	01429453300		\$385
Materials/supplies	01429452000	\$25	
Photocopy	01429452200		\$25

Total Debits **\$79,518.48** **Total Credits** **\$79,518.48**

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 January 15, 2013 regular commissioner meeting minutes.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Board appointments

Fayette County Redevelopment Authority

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to appoint Dale Malinzak to the Fayette County Redevelopment Authority for an unexpired term, which will expire July 7, 2015, to correct a Jan. 15, 2013 motion which listed an incorrect expiration date of Jan. 5, 2018.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

After the vote, Commissioner Zimmerlink said it is a lot simpler to state to amend the resolution to clarify the effective date. She asked Chief Clerk Revak if she has the resolution number. Commissioner Zapotosky said she hasn't done the minutes, with Chief Clerk Revak saying she would do it after the minutes. Commissioner Zimmerlink said resolutions go into effect the day they do it, it doesn't have any effect on whether or not we approve the minutes, confirming with Solicitor Burkley that is the case. Commissioner Zapotosky said she doesn't have it typed up yet. Commissioner Zimmerlink said what needs to happen is to go through and if she needs help from Kathy Winkler, administrative assistant to Commissioner Zapotosky, who has done this before, and get the resolution numbers and when we have to modify resolutions, and it is a lot simpler to modify resolution number 01, whatever the number is. She asked if the former resolution must be rescinded, with Commissioner Zapotosky saying this was a motion to correct it. She said there is too much confusion on those, with three resolutions for one action which does not make sense.

Solicitor Burkley said there was a resolution from January 15 which has an incorrect date, and Commissioner Zapotosky said they just corrected it. He said it is cited in this resolution that it is a correction of the initial resolution which had the incorrect expiration date. He said by virtue of this resolution, would it act as a corrective measure? Commissioner Zimmerlink said it would, it would just be unclear. Solicitor Burkley said it does. Commissioner Zimmerlink said for future, do it that way.

Fayette County Airport Authority

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the resignation of Terrence "Tuffy" Shallenberger from the Fayette County Airport Authority.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve Sam Cortis to fill the unexpired term on the Fayette County Airport Authority to expire the first Monday in January 2016.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

Commissioner Zapotosky, in making the motion, said that Mr. Cortis used to be the manager of the Joseph A. Hardy/Fayette County Airport and he got a vertical position with the coal mines and it would be good to have his expertise back as a member of the board. Commissioner Zimmerlink asked Kathy Winkler if the appointments are supposed to be the first Monday of January. Mrs. Winkler said Lori said that, with Commissioner Zimmerlink responding that they are talking about the airport authority, and then asked what Lori Groover-Smith would have to do with the airport authority. Mrs. Winkler apologized, with Commissioner Zapotosky saying that is the next appointment. Commissioner Zimmerlink said all appointments for airport authority members expire the first Monday in January not at the end of December. She said if Mrs. Winkler looks at the information she gave them, they are all the first Monday for the year, and that was from prior information.

Commissioner Zimmerlink asked if Mrs. Winkler said that is changed, and Mrs. Winkler said when they looked at the resolutions they were different.

Fayette County Transportation Executive Committee

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Gwen Ridgely to the Fayette County Transportation Executive Committee for a three-year term to expire the first Monday in January, 2016.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Fayette County Conservation District

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to appoint Don Bowser as a public representative to the Fayette County Conservation District for a four-year term to expire the first Monday of January 2016.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink abstain

Motion passed 2-0

Prior to the vote, Commissioner Zimmerlink clarified that they said Don Bowser, whom she said was the farm representative whose term expired in December of 2012. She said she doesn't understand when he was the farm rep. ending December 31, 2012 and he wasn't reappointed as the farm rep. Commissioner Zapotosky said he is interested in serving and he had spoke to him in the morning and Commissioner Zimmerlink said she wanted him to be the farm rep. She said there is a reason why the conservation district has different categories and now there are already all the categories for the farm rep. and you need one for the public representation, she said the purpose for the conservation district setting it up that way and the conservation district law was so you can have an equal balance throughout Fayette County, which she confirmed with Solicitor Cupp. She said the idea is to have an equal balance with farmers, members of the public or non-farmers. She said doing this is not meeting the mission and the goal of the state conservation district. I wish we would have kept him as the farm rep, Commissioner Zimmerlink said. She said she supports Don and he does a good job but the problem is that category is a public rep. and not a farm rep.

Commissioner Zapotosky said he is a member of the public, which Commissioner Zimmerlink said it is so he can bring different ideas. She said every county board that receives state and federal money has to have categories set up that way to meet those purposes. Commissioner Zapotosky then said he would make a motion.

UCC Appeals Board

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to table the following appointments:

Consider a motion to appoint a category 1 builder representing the Fayette County UCC Appeals Board for a two-year term to expire December 31, 2014

Consider a motion to appoint a category 2 engineer, representing the Fayette County UCC Appeals Board for a two-year term to expire on December 31, 2014

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Ambrosini said they needed to obtain more information. He said there seems to be some questions about the term duration and he said he wanted to get that straightened out before they make those appointments. Commissioner Zimmerlink told Mrs. Winkler after providing the second that the information is easily obtainable because after it was set up former Planning and Zoning director Tammy Stenson gave all the commissioners the guidelines of when the terms would be and the staggered terms and the categories. She said it exists and was done by resolution so she should just ask them for that. Commissioner Zapotosky said she did and they don't have it and that is the problem. Commissioner Zimmerlink said she would look through her records and she should have it from when it was created.

Behavioral Health Administration Board

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to rescind the January 2013 motion appointing Dr. Seraphine Thermitus as a physician representative to the Behavioral Health Administration board for a three-year term to expire Dec. 31, 2015.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to the motion, Commissioner Zimmerlink asked is he is not accepting, and Commissioners Zapotosky and Ambrosini said she is not.

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to table a motion to appoint a physician's representative to the Behavioral Health Administration for a three-year term to expire December 31, 2015.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Ambrosini said he wanted to table the motion because there were no physician representatives that inquired.

Southwestern Pennsylvania Commission

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Joe Grata as a citizen's representative to the Southwestern Pennsylvania Commission for a term to expire December 31, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Ambrosini said he wanted to table the motion, and Commissioner Zimmerlink said someone has been serving in that position since January of 2012 but they never formalized the appointment. She said he has been serving since prior to December 31, 2011 and he has been serving and attending meetings all of 2012 and so far in 2013 so she said she would like to formally make a motion to appoint Joe Grata as a citizen's rep. who has been serving since January 2012.

After the motion, Commissioner Zapotosky said Joe is a former writer for the Pittsburgh Post Gazette and is very active in the infrastructure aspects of the county.

Act 13 resolutions

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a resolution utilizing \$28,482.50 in 2012 Act 13 money for the records improvement department as authorized under Act 13, page 30, line 16 number 8- Records management, geographic information systems and information technology.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink said after the motion that the allocation was in the 2013 budget and she wanted to make sure that the public understands that position salary is to go toward an existing staff member who has been with the records department for a good many years but understand that position and that department has yet to take on any responsibilities as it relates to Marcellus Shale retrieval of documents or retention of

those documents. She said she doesn't want the public or anyone to misunderstand that we have now allocated Act 13 monies so that this individual can perform document retention for Marcellus Shale activities in Fayette County. She said it needs to be done but6 don't think that by \$28,000 going into that, it is basically a transfer of a line item. She said what needs to be done is monies need to be allocated and or a new hire for that position because there is a lot of work that needs to be done in maintaining those types of records. She said hopefully in the future they will be able to do that.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a resolution utilizing \$60,000 in 2012 Act 13 money for the conservation district as authorized under Act 13, page 30, line 8 number 4, environmental programs, including trails, parks and recreation, open space, flood plain management, conservation districts and agricultural preservation.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said it is the same is for that office as well. She said it is for staff increases so they can take on additional duties. She said fortunately Act 13 does have other money set aside for the conservation district and they will have to help them allocate that money as well in the future.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a resolution utilizing \$844,768.07 in 2012 Act 13 money as authorized under Act 13, page 30, line 5, number 3, emergency preparedness and public safety, including law enforcement and fire services, hazardous material response, 911, equipment acquisition and other services.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink abstain

Motion passed 2-0

Prior to the vote, Commissioner Zimmerlink said the general fund allocated and the commissioners approved the full amount of \$844,000 but the budget has that it is to be split \$506,000 would be paid from the Act 13 monies and the other remaining \$300,000 and some is from the debt service. She asked Chief Clerk Revak if that correct, with Chief Clerk Revak responding that is what was in the budget. Commissioner Zimmerlink asked who gave the Chief Clerk the numbers and Chief Clerk Revak responded that it was Commissioner Ambrosini. Commissioner Zimmerlink said the \$845,000 is the Motorola contract, with Chief Clerk Revak saying that is the annual payment. Commissioner Zimmerlink said an allocation of \$506,000 was for the Act 13 and the remaining was for the debt service. She said that number should be changed to

\$506,590. Commissioner Zapotosky said he had a question for Commissioner Ambrosini, asking if by virtue of the resolution he is proposing using \$844,000 of Act 13 money for the Motorola payment. Commissioner Ambrosini said that is correct. Commissioner Zimmerlink said the commissioners already passed the budget for 2013, with Commissioner Zapotosky saying they did the same thing with item number one but it was a smaller amount of \$28,000. Commissioner Zimmerlink said no, the difference between what they just passed was that the amounts listed on the agenda are the amounts that they have in the budget, whereas this particular motion is not the amount we have in the budget. She said "we have agreed \$506,590 from Marcellus Shale and the debt service of 300 and whatever the difference is."

Commissioner Zapotosky said this is reducing down the debt service utilizing Act 13 money. Commissioner Zimmerlink said if it is going to pass then next month there has to be a general fund budget transfer and they have to look to see how that changes the overall budget. She said she would think that both county solicitors agree that if they change a budget in a percentage that there are some issues. Solicitor Cupp said it is a transfer. Commissioner Zapotosky said it is a transfer and Commissioner Zimmerlink said it is a difference of \$300,000 of how they allocated the budget, which is totally different. She said she is raising that and it should be looked at for the next month's meeting. Commissioner Zapotosky directed Controller Lally to speak with Sam Lynch about it, adding that it is his understanding that they had the authority to adjust the Act 13 money to utilize what they would use it for and it could have fit items that they had already in the budget. He said one transfer of the \$300,000 will go somewhere else in the general fund and would go into one of the accounts.

Commissioner Zimmerlink said they are obviously permitted to allocate the money they received in all of those eight categories; they can put it all in one and allocate it however they wish. She said that isn't the issue, the issue is that they got a budget that passed indicating that of that \$800,000 and some only \$500,000 and some would be taken from the Act 13 and the other would be reducing the debt service. She said it will be more than a budget transfer on a sheet of paper next month. She asked Chief Clerk Revak if something changed from the discussion about the budget. Chief Clerk Revak said the amount was in the 2013 budget. Commissioner Ambrosini said there are allowable limits to change the budget and they aren't revamping the budget, this is just a line item and you can reduce the budget. He said he isn't sure they fall under the same rules as when you redo a budget but in any event you can go down further than you can go up percentage wise.

Commissioner Zimmerlink said it is still going to change the budget and the debt service. "OK, you got a motion," she said. Commissioner Zapotosky said in essence they are using \$300,000 less from the general fund. Commissioner Zimmerlink said they are using \$300,000 less from the debt service but they are also taking some from the Marcellus Shale impact fee that could be used for other purposes, which is why she supported having the Motorola payment be split between Act 13 monies and debt service so they would have an extra \$300,000 and utilize it for other impact fees. "That's the thing in a nutshell," she said. She said to have any extra \$300,000 to use for impacts. Commissioner Zapotosky said the Motorola project is an impact in itself

financially to the tune of \$8 million. He said he would support making the full payment for the first year and then in 2013 and 2014 do a strategic payment schedule utilizing portions of Act 13 and general fund monies.

During the vote, Commissioner Zimmerlink said she would abstain instead of voting no because she supports the Act 13 monies but it is the wrong number.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to grant approval of a resolution utilizing \$379,705 in 2012 Act 13 money as authorized under Act 13, page 30, line 20 number 11, for deposit into the county or municipality's capital reserve fund if the funds are used solely for a purpose set forth in this section.

After the motion, Commissioner Zimmerlink asked if it was going to be the county or municipality's capital reserve fund. Commissioner Zapotosky said the county. Commissioner Zimmerlink said you have a check for that amount, how will it be split, all in the county, all in a municipality; put \$2 in one and \$379,000 in another. She said they have to have direction and there isn't one general municipality's capital reserve. She said there are 24 townships and there are 42 municipalities. She asked what they are suggesting, saying you can't pass a resolution that doesn't make sense and that one doesn't make sense. Chief Clerk Revak said she can clarify that it is the language in Act 13, where it says county or municipality and the commissioners are saying county. She said it is quoting the language in the act, and he said county. Commissioner Ambrosini said they don't want to change the language of the act, but it will go into the county's capital reserve fund. Commissioner Zapotosky said they have the option to utilize the funds as set forth by the act.

Commissioner Zimmerlink said if you put it in the capital reserve it will be used for the county and then they are not addressing the issue of the request of the county's who are also asking for money. She said there isn't any issue for any remaining money to go into the capital reserve as long as the three commissioners understand that any time those monies will be used it comes to a vote. She said they should be addressing the request of the municipalities and they are asking for a certain sum of money. She said she would suggest \$10,000 for each of the 24 townships. Commissioner Zapotosky asked what criteria that would be established on.

Commissioner Zimmerlink said they would be following the same capital reserve language provided by Act 13 legislation as we, as the county would. She said it is for if the funds are used solely for a purpose set forth in this section. She said they would take \$240,000 and equally distribute that to the 24 townships for their capital reserve projects as allocated and approved by Act 13. Commissioner Zapotosky said he would support that if they would have more detail on how that would be implemented and he would be more than delighted to have that on the agenda for next month. Commissioner Zimmerlink said she didn't know what he meant by implemented, and Commissioner Zapotosky said would they have an application, does the county disburse the funds directly or are they allocated based on project. Commissioner Zimmerlink said that was

her motion, to equally distribute \$10,000 to the 24 townships. Commissioner Ambrosini said as a point of order, there is a motion on the floor. Commissioner Zimmerlink asked who made the motion, and Chief Clerk Revak read the motion as made by Commissioner Zapotosky. Commissioner Zapotosky said he stipulated county and Commissioner Ambrosini said he seconded it. Commissioner Zimmerlink said the motion is not as on the agenda and Commissioner Zapotosky said as a point of clarification, it says or so it could be the county or municipality. Commissioner Ambrosini said this would go into the county's capital reserve fund; this is just the language in the act. Solicitor Burkley said Commissioner Zimmerlink is correct in saying they need to state either county or municipality. Commissioner Ambrosini said that he stated that. Commissioner Zimmerlink said so they want to put \$379,000 in the county's capital reserve and not allocate anything to the municipalities. Commissioner Ambrosini said not at this time. Commissioner Zapotosky said they have the ability to amend when they develop a formula for the municipalities. He said to do it without structure is not good. He said it may be good in terms of the meeting but it isn't good in terms of accountability.

Commissioner Zimmerlink said once the county puts \$380,000 in the county's capital reserve that is for county approved projects, so you can't take any of that out and allocate it to a municipality. She asked for a nod from one or two of the county solicitors and Solicitor Burkley agreed. She said to say they will revisit this at the request of the municipality's and retrieve monies from that account and go to the municipalities, you can't do it, saying both solicitors agreed. She said if the intent is to put \$380,000 in the county's capital reserve, then put it in there but understand that is for county only capital projects and you can't come back and revisit it and take that money out and allocate it to any of the county municipality's. She said two solicitors are agreeing and she knows there was a point of order and that is why she gave an alternative, and her alternative was- there is a plan. She said the township supervisors have adequately in her opinion clearly indicated what their needs were. She said they may not have told them for every little project and that is OK. She said they are asking, as allowed, for a sum of money. She said that is why she suggested that they take \$10,000 for each of the 24 townships and then they as the elected official of that municipality knows best how to allocate their capital projects.

Commissioner Zimmerlink said they are responsible to complete a yearly report just as the counties are. So if, and she isn't suggesting in any way, shape or form you would utilize it incorrectly, when you have your reporting requirements that is where you would be questioned on it. She said obviously if they made the request for capital projects, they will use them for capital projects and she doesn't want to second guess township supervisors on their projects and their needs. Commissioner Zapotosky asked Controller Lally if for auditing purposes the county is responsible for the funds, to which he replied yes. He said when they disburse funds to someone they are still at the end in the auditing process accountable. He said in essence the county is responsible for the action taken by the municipalities. Controller Lally said they would be responsible for accounting for the money that is disbursed to the municipality, it is his understanding. Controller Lally said it would be up to the municipality to determine the use of the money if it falls under Act 13. Commissioner Zimmerlink said correct, while Controller Lally said

it is up to the municipality uses the money for, adding that definitions are extremely broad. He said once the money is turned over to the municipalities, they have to follow the act and if they don't, they will be responsible and not the county. Solicitor Burkley said if the money is designated for the county's account, the problem would be if the county then wanted to direct money to the municipality. He said he may have a problem with that, they have to designate all or a portion to the county or a municipality. Commissioner Zimmerlink said you can't designate it for the county and then take it out at a later date. Solicitor Burkley said he doesn't think Act 13 allows for that, it allows for either account or both.

Commissioner Zimmerlink said if they do both they give an amount. She said for the municipality's capital fund, you have to be clearer because there are 42 municipalities and 42 municipalities are not asking for the money, 24 townships are asking for the money. Controller Lally said as a simple solution, if the money is placed in the capital reserve fund there are restrictions and limitations and it can't be placed in the general fund. Commissioner Zimmerlink said they don't have to take action right now; they have to allocate the monies. She said they don't go in the general fund, there is a checking account set up for the monies and they have to be kept separate and apart. She said there was a point of order.

Commissioner Zapotosky said he wanted to rescind his motion and he wanted to make a motion for \$200,000 for the municipalities and the balance of \$179,000 to the county. Commissioner Zimmerlink said there is no capital reserve for the municipalities, they can't do that. Commissioner Zapotosky said she wanted to give them \$10,000, with Commissioner Zimmerlink saying \$10,000 for each of the 24 townships. Commissioner Zapotosky said he said \$200,000, what is the difference. Commissioner Zimmerlink said that he said into the municipality's capital reserve and there are 42 municipalities and she wants to give it to 24. Commissioner Zapotosky said the 24 applicable municipalities, how is that? Commissioner Zimmerlink asked how he would divide it, equally? Commissioner Zapotosky said he is saying he would designate the funds but he doesn't want to go into it blindly without some kind of structure. He said they need to decide if it will be done this year or in perpetuity as long as it is applicable but without having any structure that is irresponsible. Commissioner Zimmerlink said there is structure and they have talked about this, it is the third or fourth meeting. Commissioner Zapotosky said he has not seen any formal document regarding the approach for disbursement of these funds for municipalities.

Commissioner Zapotosky said he has spoken to Joe Petrucci (Menallen Township Supervisor) on numerous occasions, and he is here, about setting up a program comparable to liquid fuels, whatever is easiest and less burdensome, but also give some accountability. Evelyn Hovanec said she doesn't think anybody is ready to make a decision and Commissioner Zimmerlink said yes, she is ready to make a decision and that is why she made that motion because the request had been made on numerous occasions. She said they are permitted to do this under the act and that is why her resolution would be for \$10,000 equally distributed to the 24 townships for Act 13 2012 funds, period. For their capital reserve capital projects. She said that is very specific and that means that 24 of those townships receive \$10,000 apiece and they are to use it for

their capital projects. She said obviously they are responsible for their reporting requirements. She said you can't get any clearer than that and that is her suggestion, with Commissioner Zapotosky saying that he said \$200,000. Commissioner Zimmerlink said the reason she said \$10,000 for 24 is that there are 24 townships and they are all asking for money and you have to be specific in the amount, you can't just say 24 townships can share in \$200,000, that's where you have the question. She said then the controller is going to sit there and have 24 checks and how will he allocate it, he will allocate it if they have a resolution that says write a check for \$10,000 to each of the 24 townships.

Commissioner Zapotosky said it should be based on some language on the request. He said there may be projects in Menallen that need \$15,000 and there may be projects in Wharton that need \$12,000. He said they need to apply this based on the impact. He said all they are doing is giving them \$10,000 as a buffer for their budget. Commissioner Zimmerlink said no, it is for their capital projects, she asked the supervisors to correct her if she is wrong, but did they not request equal shares for the townships? She said they were at the podium a couple months ago and that is what they wanted. She said they wanted more. Commissioner Zapotosky said it was \$10,000 for townships and \$7,500 for entitlement townships. Supervisor Petrucci said for the first year they asked for \$15,000 for non-entitlement townships and \$10,000 for entitlement townships which would be 20 percent of the title. He said they wanted to work in percentages because they want to it to be in perpetuity and the way to do it because the amount changes each year is to work in percentages. He said that would give them a chance to plan budgets.

Commissioner Zapotosky said he agrees with them but to throw an arbitrary number out there they don't know if \$240,000 will be 20 percent, 30 percent or 10 percent. Supervisor Petrucci said the amount the county is getting is \$1.3 million, with Commissioner Zimmerlink adding it is \$1.4 million. Commissioner Zapotosky said it is less than 20 percent. Commissioner Zimmerlink said she knows they want perpetuity but they don't know how much money they are going to receive so until she feels comfortable next year with how much the Act 13 would be, she isn't prepared to say a percentage, that's why she prefers to say \$10,000 to those 24 townships. Supervisor Petrucci said they would be happy with that for the first year but they would like to revisit and talk about in perpetuity. He said it would give them some stability.

Commissioner Zapotosky said that is why they need to do it in a more formal structure so they have that stability, not just from their perspective but for their budgetary perspective. He said whether it be \$200,000, \$250,000 or \$300,000 they need to have some structure. Commissioner Zimmerlink said her structure was a \$10,000 payment for each of those 24 for this year. She said they would revisit it next year, see how many wells in Fayette County were drilled and they can work and figure out more of a calculation and at that time entertain the idea of a percentage versus a flat payment for next year. Commissioner Zapotosky said he would prefer to do it right the first time and then have it done. Commissioner Zimmerlink said it isn't a matter of right or wrong. Commissioner Zapotosky said if they are going to do it, they should do it the first time

and then move on with it. Commissioner Zimmerlink said it isn't a matter of right or wrong.

Commissioner Ambrosini said he had a couple points. He said it is the county's responsibility for that \$1.4 million just as it is for the municipalities for the \$2.4 million that they will get directly from the Act 13 money from the state. He said he has to agree with Commissioner Zapotosky that the \$2.4 million the townships will get directly from the PUC, adding that there are a lot of percentages, some of it goes to the PUC and that is how the state legislature devised it. He said he is sure everybody had the opportunity to lobby the state legislature, with the supervisors responding that they did not. Commissioner Ambrosini said regardless of that, they did get \$2.4 million. He said the way it was divided wasn't done uniformly among the municipalities. He said according to his list everybody got different amounts based on some algorithm the legislature had devised. He said because they didn't get an equal amount, it is incumbent upon the commissioners to look at the need since it is the county's responsibility. He said they should devise a system in which everybody gets the most value for the dollar. He said he would propose that they go back and look at devising an equitable method on how they devise how much Act 13 money the county gets to the municipalities. Commissioner Zapotosky said it has to be consistent that an annual contribution is based on whatever formulary is derived. He said that is his goal and he doesn't want \$10,000 this year and then the next year they are coming up with something. He said they should do it right the first time.

Commissioner Zapotosky said they should do it in a manner that guarantees a set percentage or a set amount of revenue every year for the life of the act or the duration of the funds. He said to arbitrarily do this is being irresponsible. He said they should do it right the first time so they don't have to come back and do this. Commissioner Zimmerlink said it is isn't a matter or right or wrong or being irresponsible. She said unless they know how much money they are going to receive from Act 13 in the year 2014 you can't do it. She said it is the county's impact fee and she doesn't want to give a certain percentage set because they have a responsibility for county projects as well. Commissioner Zapotosky asked how she came up with \$10,000 and Commissioner Zimmerlink said that is what they asked for at one time, adding that they had five proposals. She said there are four township supervisors shaking their heads. An unidentified township supervisor said 15 and 10 for those who had CDBG money and those that didn't. He said the county has bridges and other stuff. He said they have the roads and they are asking for the safety to maintain the roads. He mentioned bonding requirements.

Commissioner Zapotosky said that needs changed. The supervisor said he doesn't have a problem coming back every year. Supervisor Petrucci said they are pursuing a percentage because they can estimate by the number of permits how many wells will get drilled that year and they know what the formula is so they can do the projections. He said doing by percentage they can get close and they can budget. He told Commissioner Zimmerlink he loves her proposal, but that is why they want a percentage so they can have more stability to plan. He said if a small township needs a new truck that they use every day and if they know they are going to get money they

can project out for five years for a finance agreement. He said that puts township employees in a state vehicle. Commissioner Zimmerlink said she knows why they want to do it that way and since none of them have a crystal ball to see how much impact monies they are going to be receiving, especially for this first year, which is why she suggests not doing the percentage at this time. Supervisor Petrucci said he would agree not to do a percentage and they would be happy with the 10. He said in the future they can get to that.

Commissioner Zimmerlink said when they have a better understanding of how many wells are being drilled in the county and what are anticipated. She said there is no way they could have done it. She said even the state told all of the counties how much they were going to receive and they were figuring budgets and what did the state do, they said by the way we calculated it wrong. She said there is no way they can do that, it isn't being irresponsible because they don't know what the production is going to be, how many permits, the whole nine yards. She said that is why she is making this suggestion. She said they can revisit it after the 2012 impact fees monies are disbursed. Supervisor Petrucci said he likes what she is saying because they need money and he likes what he is saying because they need the stability and they need to get that together somehow. An unidentified supervisor said they need to get started on it and not just drop it. He said there are townships that have no money at all to buy ashes and \$10,000 would be a big help.

Commissioner Zimmerlink said that motion was rescinded by Commissioner Zapotosky and she was going to make a motion.

A motion was made by to approve a resolution utilizing \$240,000 of Act 13 2012 funds as authorized under Act 13, page 30, line 20, number 11, for distribution to the 24 townships of Fayette County equally. "That's my motion," Commissioner Zimmerlink said. The motion died due to a lack of a second.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve a resolution utilizing \$60,000 in 2012 Act 13 money for the Fayette County Redevelopment Authority as authorized under Act 13, page 30, line 25 number 13, local or regional planning initiatives under the act of July 31, 1968 (P.L. 805, No. 247), known as the Pennsylvania Municipalities Planning Code.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

After the vote, Commissioner Zimmerlink said that \$60,000 is for the redevelopment authority and basically what they want is to hire, and she asked them specifically and they sent a scope of work and they wish to hire a consultant to review impacts in Fayette County to address economic development. She said although it is allowed, that isn't a good use of the monies. Commissioner Zapotosky said economic development is

a good use. Commissioner Zimmerlink said she didn't say it was a good use, she said hiring a consultant for \$60,000 to do a study of what the economic impacts are for Fayette County is not a good use of the money. She said they have Fay-Penn and do they know how many economic development specialists they are supposed to have in Fayette County within Fay Penn and redevelopment? Do we need to give \$60,000 to a consultant?, No. She said one other word of caution for the Act 13 money. She said \$1.4 million was given to the county but over \$100,000 of that has to be removed because that is specifically used for open space and greenways. She said really what they are working with is \$1.3 million. She said if they add up what was just spent, they are over that amount. She asked Chief Clerk Revak why the ARC of \$100,000 wasn't put on the agenda. Commissioner Zapotosky said that was removed.

Commissioner Zimmerlink said it is in the budget that Act 13 monies would make the ARC payment so it couldn't have been removed. She said a budget was passed that said that 2012 Act 13 monies of \$110,000 would be used for ARC payments. A budget was already passed and a resolution was passed. She said because of that they should be adopting a resolution to withdraw the \$110,000 out of Act 13 checking account for those uses just like you did for item number one and item number two. She said they have to approve it. Commissioner Zimmerlink asked if she heard between the Controller and Chief Clerk if it will be used for that. Controller Lally said he would check on that and Chief Clerk Revak said she asked the controller about it. Commissioner Zimmerlink said the budget has been passed to reflect that \$110,000 would be used to fund the Arc payment. She said it would have to be a resolution, confirming with the solicitors. Solicitor Burkley said not knowing the specifics of that, he doesn't feel he can answer. She said Solicitor Cupp was at the meeting and he said they could adopt the budget without passing resolutions designating Act 13 allocations.

Solicitor Cupp said they didn't know what they were going to do with it, and Commissioner Zimmerlink said yes they did, they had a long conversation in the minutes for \$110,000 for an ARC payment. She said what she said they should do is have a resolution. She said the first two items under Act 13 resolutions were a part of the budget and why wouldn't it be done. She said it needs to be done for the March meeting if it isn't done today. Commissioner Zapotosky said they never formally designated via resolution \$110,000 under Act 13 for the payment of the ARC, they discussed it. Commissioner Zimmerlink said whenever they file the report; it will have to show that a resolution was passed for \$110,000. Commissioner Zapotosky said they didn't pass a resolution, with Commissioner Zimmerlink saying that is why she is saying they need to pass one. Commissioner Zapotosky said or not do it, with Commissioner Zimmerlink saying that if they don't do it, they will be looking at that budget and be \$110,000 less in the general fund budget just like the \$300,000 less in the budget.

Commissioner Zimmerlink said one other thing since they are done with all the agenda items; this is a question for the solicitors. She said the three commissioners approved by resolution to advertise and RFP for an adult reporting center. She said that was advertised and we received one response back and the bids were open. She said at last month's meeting it was tabled, it wasn't rejected and it wasn't awarded, it was only tabled. She said the reason it was tabled is so the new President Judge Wagner

could have an opportunity to review the whole concept of adult reporting centers. She said the county code as she understands is they must reject or award within a 30 day period. She said it was only tabled. She said the issue is there was a meeting on January 15 and it was tabled. She said somehow, and she doesn't know how this occurred, but a second advertisement was put in the newspaper to solicit requests for this adult reporting center. She said bids were opened and one bid was received. She said it was put in the newspaper and the amount was released that it would be \$50,000 a month and then she sees a legal notice that the county did an RFP for the same thing.

Commissioner Zapotosky said if memory serves correctly, Commissioner Zimmerlink sat at the table and was disappointed that the chief clerk only advertised in a local paper and your suggestion to her was that we look to advertise in papers that may attract other potential. Commissioner Zapotosky said the chief clerk acted based on the statements and Commissioner Zimmerlink said you can't do that. She said there was no vote, there was nothing and that is the problem. She said when the agenda item was discussed and it was tabled everyone had their comments and my comment was it should have been in other newspapers and from this point on make sure when you advertise of things of this nature that you do it not just in the Herald-Standard but also in the Tribune Review. She said that was the end of the discussion and the matter was tabled. She said somehow another advertisement was done. She saw that the two commissioners signed off on the requisition and it was put in the newspaper. She said she happened to see the legal notice and she was thinking, wait a minute, you can't do that. She said the commissioners have to make a decision on the first RFP and they have to have approval by commissioners at a vote to take that action. She said what should have occurred was to reject those proposals and readvertise. She said now the problem is there are now two other ones and the second process has been accomplished and two other proposals have been submitted. She said there may be a problem with that first individual because he did what was asked of him and provided a sealed bid and the public found out what the amount was and another bid was done and it came in lower. She said the solicitors need to look at that and see best how to clean it up so there is no litigation problem. She said just because she said she wished it would have occurred, they are all commissioners and they know you can't do that without approval. She said they need to look at that and see what kind of consequences, if any, they would have.

Commissioner Zapotosky said his concern that day is that the President Judge is going to have to support the actions that the board takes. He said the day reporting center will be a part of sentencing so without the President Judge's full support they would be entering into an agreement and if the judge isn't going to send anybody to a day center, they have an empty day center. He said that was his concern that the President Judge had to address and that is why he raised the point that he should be involved. He said the matter was presented to CJAB and was supported by CJAB and he too got the impression, and he agrees with Commissioner Zimmerlink that procedurally it was wrong but he thought the intent was for the Chief Clerk to readvertise to make it vaster in its appeal to potential providers. Commissioner Zimmerlink said you can't readvertise unless you reject. She said maybe get with me on that Amy, Chief Clerk, but if you open up bids you have to either award or reject and

then decide whether or not to readvertise. She said they have to address the issue now. Solicitor Burkley said it is what it is and they will look at it and get more facts from the three commissioners and the chief clerk and proceed. Commissioner Zimmerlink said it is more than a procedural issue, it is an important issue. Controller Lally said RFPs come from the Controller's office and he didn't recall seeing it. Commissioner Zimmerlink said it was done through a requisition and it was put in the newspaper and the bids were already opened.

Public Announcements—None

Public Comments

Commissioner Ambrosini asked that everyone limit their comments to five minutes. Ralph Mazza asked what the life of Act 13 is going to be because the life of the wells is determined to be 15 years. He said the revenue diminishes on each well as it is used. He said therefore the amount of money that the county receives is determined by the number of wells so if they drill more wells the amount of money that the county receives can go up but if no more wells are drilled the amount of money goes down. He said to determine what they will do with this money should be resolved and he thinks they did the townships a disservice. He said that is what he understands about Act 13 and asked if he was wrong, and Commissioner Zimmerlink said no. Solicitor Burkley said from a legal perspective, what he said is correct but from a technological perspective, with Mr. Mazza saying he is going on what he has learned as a member of the task force. Solicitor Burkley said he was at a seminar put on by a number of different agencies before the drilling started and they said they could be impacting us for the next 100 years. Mr. Mazza said they conducted four seminars in Fayette County and they all touched on different aspects of drilling these wells. He said he doesn't understand why there isn't some resolution on what to do with this money, adding that they did the townships a disservice.

Marci Ozorowski of Highlands Hospital in Connellsville with Pam Blocker said she was there again to ask the commissioners and the county solicitor to come to Highlands Hospital for a meeting with our administration and our attorney to discuss the awarding of a Value Behavioral Health contract to another county hospital. She said it is her understanding they have offered to have a public meeting but they don't feel at this time that would be the proper forum to resolve the situation. She said as a business there are things they would like to express to the commissioners privately that involve business statistics, etc. that they don't want their competition to be privy to. She said while she appreciates Harry Franks' opinion, it isn't a legal opinion. She said they have information that is contrary to some of his assertions. She said to express their sincerity, they have begun a petition drive to urge one last time that the commissioners reconsider and attend this private meeting. She said it reads "We the undersigned urge the commissioners of Fayette County to immediately schedule a meeting with the administration of Highlands Hospital to discuss the process of the awarding of the Value Behavioral contract within the county and its economic impacts on our facility and community." She said in case the commissioners are unaware, the hospital has already had to reduce staff and hours for employees who work in the mental health unit. She

said if that continues, they can only see a trickle down effect on the entire staff of the facility. She said without as many patients, you don't need as many housekeepers, dietary workers, lab and x-ray techs and as the second largest employer in the city, any loss can have a potential devastating economic impact. She said they are presenting the commissioners with over 500 signatures from employees, family members and community members and they are collecting more. She distributed them to the commissioners. She thanked them for their time.

Adjournment

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to adjourn the meeting.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

