

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, May 15, 2012 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 Sheryl Heid

Chairman Ambrosini called the meeting to order.

A prayer was given by Pastor Ewing Marietta.

The pledge of allegiance was recited.

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to amend the agenda to:

Ratify the contracts of constables Philip Varndell of Farmington and Robert Mankovich of Uniontown to expire 12/31/2012 for the Fayette County Booking Center as independent contractors for \$15 an hour.

and

Approve the naming of a signatory on the RCAP (Rural Community Assistance Partnership) grant and to increase the grant amount for the Joseph A. Hardy/Connellsville Airport from \$1 million to \$2 million.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to the vote, Commissioner Zimmerlink asked when the airport grant request was received and if there is an increase to the county match. Commissioner Ambrosini said the request was received the day before. Commissioner Zapotosky said \$2 million was previously received in RCAP allocations, adding that he didn't want to jeopardize receiving an additional \$1 million. The existing grant is for a runway extension request.

Public Comment on Agenda Items

Mrs. Geraldine Mazza said the commissioners fit the job requirements for the applicant

and not the applicant for the job requirements for the newly hired chief clerk. She said they ignored the recommendation of Felice Associates of Greensburg, although she acknowledged that the commissioners will do what they want to do. She said it is up to the two Democratic commissioners what kind of leaders they want to be and what kind of legacy they want and where the county is going.

Commissioner Ambrosini said there is a different dynamic in the commissioners office, adding that there are things that have changed and things that will change, citing tools, processes and procedures. He also said steps are being taken to recover fees for the county prison after going through one of the worst audits at the prison. He said steps are being taken to change that he is somewhat surprised with some of the pushback they are getting. He said job descriptions will be changed and new jobs will be created. He asked everyone to judge them on the results and not the process.

Mrs. Mazza added that the chief clerk only met the minimum requirements and in her opinion what was done was wrong, adding that it wasn't anything personal against Amy Revak.

Commissioner Ambrosini said it is fine to have an opinion, but different when you are making the decisions.

Commissioner Zapotosky said human resources director Dominick Carnicella had responded during a salary board meeting that Revak exceeded the qualifications, adding that at no time did the language of the job description change.

Commissioner Zimmerlink said the job description did change at some point, directing Commissioner Zapotosky to ask Carnicella about it.

Commissioner Zapotosky said he recommended two qualified candidates and believes Revak, with her academic background will be able to perform the duties and perform them well.

Controller Sean Lally cited Section 520 of the county code pertaining to the chief clerk which states that the county commissioners shall appoint a chief clerk, who shall keep the books and accounts of the board of county commissioners, record and file their proceedings and papers, attest all orders and voucher checks issued by them and perform all other duties pertaining to his office as chief clerk- and he (or she) shall have general power to administer oaths and affirmations, pertaining to the business of the office of the county commissioners. Lally said he didn't think that was any different than the job description approved by the commissioners at the salary board meeting. Lally said that is directly out of the county code book, amended in 1995.

Evelyn Hovanec said that she made a copy of the job description, and it had financial requirements as well. She said the job description Lally read was mostly financial. She said as an English major she wouldn't have applied for the job and instead it should have been more of a public relations job to suit the qualifications. She agreed with

Mazza, saying the commissioners took a job description and flipped it. She said people don't wait 20 years to judge an administration, adding that the hiring practices have set the tone. She said they set the tone with a one mill increase, which wasn't needed. She said the commissioners aren't CEOs of a company, they are the servants of the people. She said if they flip that, they can't just make decisions and say, trust me because people won't. She said she backs Mazza, adding that it isn't about the people they hire, it's about the process, procedure and the openness, explaining to people. She suggested tabling the grant request, adding that the commissioners should take their time and think things through. She said they should hire someone who fits a job description and not someone who can almost fit a job description.

Michael Cavanagh said he agrees with Mazza and Hovanec. He said adding up the two hires that will be ratified, with benefits, it is almost \$109,000 if they take the full benefits. He said if six people were interviewed and then a seventh person was brought in at a corporation, that wouldn't have happened, the most qualified person would have been hired. He added that the other person is supposed to be a friend of Commissioner Ambrosini and a position was created for him.

Commissioner Ambrosini said he did not create a position for him, that position was created early in January.

Cavanagh said he heard that Commissioner Ambrosini said he was going to hire someone for the position before it was created, to which Commissioner Ambrosini said that was incorrect.

Commissioner Zapotosky said Warren Hughes was the county manager for 16 years, and the county also employed a chief clerk. He said the chief clerk retired a few years ago and Hughes has retired. We filled the chief clerk's position, created when the county first formed. He said Hughes' position of county manager isn't being filled. Some of the job, which was buildings and grounds, under the public works position.

Cavanagh said Hughes did a fine job, and he understands the duties are being split. He said when Commissioner Ambrosini ran for office, he duped a lot of people, saying he was going to bring professionalism. He said Ambrosini accused a former commissioner of being pay to play, he raised taxes 28 percent and it wasn't needed. He said board appointments were political. He asked what it looks like when the county government reporter for the Herald-Standard is hired by the county. He said after Revak was hired, she wrote a story against one of their "buddies", Tim Mahoney's opponent. It just looks bad, despite talk about righting the ship. He said words and actions are not lining up with what he pretended when he was running. He said Commissioner Ambrosini has been political from the jump and again shutting out a third commissioner.

Commissioner Zapotosky said he wanted to comment on Commissioner Ambrosini's first four months and 15 days. He said it has been a very good start, adding that Commissioner Ambrosini has worked diligently since the day he took office. He said there has been nothing political about Commissioner Ambrosini in any way, shape or

form, adding that Cavanagh may disagree, which he has every right to do. He said although Cavanagh has a right to his opinion, it is the furthest thing from the truth.

Cavanagh said he has a right to his opinion, adding that Commissioner Ambrosini has been conducting himself contrary to what he is saying. He asked how you can interview six people with advanced degrees and then hire someone at the last second without the qualifications.

Commissioner Zapotosky said there were others interviewed after the first six. He said Mrs. Revak has a bachelor's degree from the University of Pittsburgh, which is a pretty credible institution of higher learning. He said Mrs. Revak has years of professional experience in her prior career of journalism. Contrary to statements made here, and it will be born out over the course of time. I think Mrs. Revak has the aptitude to do this job.

Cavanagh said he wasn't specifically commenting about a person, to which Commissioner Zapotosky said he had to be referring to Revak, adding that she is sitting "right there" and is the chief clerk. Cavanagh said he is commenting about the practice. Cavanagh asked if there were applicants with advanced degrees.

Commissioner Zapotosky said there could have been a physicist from MIT, which wouldn't mean they had more aptitude for the position. He said he thinks they made a very good choice and over the course of time it will prove itself to be accurate and hopefully at that time he would be willing to agree that she has had a successful tenure here. He said others were interviewed after the initial six, including a county employee.

Commissioner Ambrosini said there are a lot of things that are things that are looked at during interviews. He said there are red flags that pop up during interviews. He said he didn't want to make a comment to belittle anybody, adding that advanced degrees are fine but when the work experience is working at a video store it doesn't give him the experience that maybe they need in county government. He said the people who are being hired are people with a lot of experience cause they need to hit the ground running. He said he campaigned on his experience in corporate management in the energy industry. He challenged Cavanagh to find a problem with Bob Carson's qualifications, adding that he was insinuating that he was a friend of Ambrosini's. Commissioner Ambrosini said he has only known Carson for a few years and the county is lucky to get him and he can hit the ground running. He said the county needs to make improvements, saying the status quo has been the county always ranked at the bottom. He said he isn't happy with that, adding that his colleagues probably aren't either and changes need to be made. We need to create industrial jobs, and the only way to do that is with a public-private partnership. He said the county has lost its industrial base and 20,000 in population. Commissioner Ambrosini said he keeps getting "hammered" about the taxes and that decision was made in 2009 when the county had a \$3.5 million surplus and it was the first time a contribution had to go to the county pension in the amount of \$1.1 million. He said raising taxes a half a mill then could have been fine, but the cash reserve was spent in 2009, 2010 and 2011 and the

pension fund was underfunded. He said because of that the county has to pay between \$80,000 and \$100,000 more for the next 15 years. He said that was done because an election was coming up. Without a cash reserve now, and a need for an updated communication system for 911, a 3 percent salary increase a 6 percent health insurance costs. He said a half mill could have been done in 2009, but today that can't be done, it's simple mathematics. He said everybody knew the decision had to be made

Commissioner Zimmerlink said she would comment on the ARC payment and nothing else. She said it is the annual required contribution, not the annual retirement contribution and it is funded to a level that if every eligible county employee would retire, what would it take for the county to pay those benefits. She said there are 67 counties in Pennsylvania, adding that the 67 counties do not fund the ARC at that level, adding that she has documentation to show that. She said to find out if the decision on how to fund it was made for political reasons to ask the retirement board members and commissioners. She said it wasn't a political decision, adding that she has been in office since 2004 and it hasn't been made as a political decision during the administrations she served on. She said a company named Morrison advisors and the Hay group help to determine the ARC payment. It's not funded at 100 percent because we're allowed to do that.

Commissioner Zapotosky said it is an annual retirement contribution and money should be put in every year to offset when the market performs poorly. He said for 18 years before 2009 the county didn't have to put money into the pension plan. He said in 2008 when the financial markets experienced problems the county was affected. He said in one 21 day stretch, the county lost \$15 million. He said the plan has since rebounded but is still \$10 million shy. He said it will be addressed, and hopefully the overall payment the general fund has to expend will be reduced.

Hovanec said it is her understanding that the one-mill tax increase will potentially garner \$4 million, and she asked how much the ARC payment will be.

Zapotosky responded that it isn't simply the ARC payment for which money is needed, with Lally responding that \$1,169,000 was needed this year. He said there are numerous items in the budget that didn't decrease, they either stayed the same or increased. He confirmed with Lally that the prison is 23.8 percent of the county's budget and was a 17 percent increase.

Hovanec said that it wasn't necessary to raise taxes one full mill. She said the commissioners added to the burden of the taxpayers. She said she was in their position and needed computers but couldn't go out and raise taxes to get the money she needed.

Zapotosky said other items in the budget increased, citing Children and Youth Services.

Hovanec replied that she didn't know specifics, so she wouldn't address other aspects

of the budget, adding that now isn't the time to raise taxes, considering the economy. She said if taxes are raised, it should be explained why the increase was needed. She said one of the problems is a lack of communication. She said the newspaper is selective about what is printed and a local radio station that doesn't provide much information. She said she is wondering why the county is taking in \$4 million when there is \$1.3 million that is absolutely needed. She asked why taxes couldn't be raised only a half mill.

Commissioner Ambrosini said the county could have gotten away with a half mill tax increase if that would have been done in 2009. That was the year the county started to spend more money than was coming in.

Commissioner Zimmerlink called for a point of order. She said everything that was discussed should be discussed however, she said they are on public comment on agenda items, which means the public can comment on anything on the agenda from number 4 to the end of the page. She said at the end of the meeting is public comment on any matter. She said the commissioners can stay until 1:30 p.m., when rezoning will occur, but there are people with proclamations – adding that they need to get back to the point of order.

Melissa Troutman of Mountain Watershed Association spoke about seeking either a resolution or letter of support from the commissioners regarding legal court challenge by several regional municipalities to Act 13 of 2012.

Commissioner Zimmerlink asked to whom Troutman e-mailed her information, saying she didn't have a copy of either a resolution or letter of support. Troutman said a 120-day injunction has been given stopping the zoning portion of Act 13. She asked the commissioners to sign a letter of support, which she said would not prevent the county from collecting money as is designated in the law.

Troutman read the letter of support, which states agreement with the lawsuit, which hinders municipal officials from imposing zoning regulations. She said there is time to think about it, but she urged the commissioners to sign the letter of support. She said the commissioners can sign separate letters of support, but a resolution requires all three commissioners to sign.

Commissioner Zapotosky said he had learned from the manager of the Joseph A. Hardy/Connellsville Airport that the grant would not require any additional funds and the match is already been received.

Commissioner Zimmerlink said she was reading while people were talking and it states that the Commonwealth has already approved- adding that the statement that lets not stop anyone from looking for a grant- the Commonwealth has authorized and approved an additional grant amount of \$1 million. She said it also stated that the county (grantee) agreed to provide a match.

Commissioner Zapotosky said the match is from other sources.

Jim Rosenberg said the injunction deadline is Oct. 11, adding that it will be discussed in the afternoon, but that is the date.

Proclamations

Foster Care Month 2012

Fayette County foster parents Debbie Hudak and Shirley Carr were present to accept the proclamation.

Community Action Agency Month 2012

Lucinda Ekas-Brown was present to accept the proclamation for Fayette County Community Action Agency.

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

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Fayette County Controller

Financial Condition of the County

Lally presented the following financial condition of the county:

FUND:	GENERAL FUND		
	DATE:	5/15/12	
CASH:	Checking Account	Centra Bank	\$ 6,739,580.39
Funds Owed to General Fund	Temporary Loans		
	Victim Witness Fund	30,000.00	\$
	Children and Youth Fund	250,000.00	\$
			\$

		280,000.00
Arc Payments Due		
Intermediate Punishment	\$	
Fund-2yrs	22,569.82	
Offenders Supervision Fund-	\$	
2yrs	47,032.42	
	\$	
Domestic Relations-1yr	46,060.00	
		\$
		115,662.24
Central Service		
Payments		
C-17 Fund-	\$	
2yrs	5,365.00	
	\$	
Offenders Sprvsn-3yr	39,369.00	
	\$	
Intermediate Punishment-3yrs	19,532.00	
	\$	
FACT	16,827.00	
	\$	
Victim Witness Fund	5,390.00	
		\$
		86,483.00
Funds General Fund Owes		
Tran Note		\$4,500,000.00
Budget Year		
2012	Net Position	\$2,721,725.63
		Year to Date
Total 2012 Revenues		\$9,449,915.39
Total 2012 Expenditures		13,031,756.54
Total 2011 Expenditures paid in 2012		\$2,030,829.03
Capital Reserve Fund		
Balance		\$75,471.48
Bond Fund Balance		\$1,347,498.16

Fayette County Redevelopment Authority

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to approve the FY 2012 Community Development Block Grant (CDBG) Program, as attached

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Assessment Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to adopt disposition policy and procedures for the June 19, 2012 commissioners meeting.

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 sale of following County-Owned Real Estate from the county auction:

12-003	02-02-0152&0153	Brownsville	Cody & Brittney Carey
12-018	02-10-0145	Brownsville	David & Carmen Johnson
12-023	02-10-0258	Brownsville	Jeffrey & Shaneen Carson
12-057	12-03-0076	Fayette City	Jeffery & Shaneen Carson
12-079	19-15-0109	Luzerne	David & Carmen Johnson
12-095	25-04-0043	North Union	Hubie Coleman
12-123	38-10-0340	Uniontown	Maiese Group
12-127	38-13-0306	Uniontown	Kicreh Investments
12-128	38-13-0510	Uniontown	Kicreh Investments

Bridge Department

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zapotosky to award Bid # 12-05 to Campbell Transportation Company for a 5-year Coast Guard Dry-Docking Inspection in the amount of \$73,000. The motion also stated that Washington County will be responsible for half of the cost.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Behavioral Health Administration

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve Modification Agreement #1 2011-2012 with City Mission-Living Stones, Inc. in the amount of \$81,183 for the period of 7/1/2011 to 6/30/2012.

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 Professional Service Agreements for 2012-2013 with Combustion Service & Equipment Co. in the amount of \$9,950 for the period of 7/1/2012 to 6/30/2013 and with Goodwill of Southwestern Pennsylvania for Day Cleaning at a cost of \$45 each visit; Night Cleaning at a cost of \$105 each visit and Lawn Service for \$60 each cut, all for the period of 7/1/2012 to 6/30/2013.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Children & Youth Services

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the FY2011-12 Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and The Bair Foundation of Pennsylvania, 241 High Street, New Wilmington, PA 16142 for foster family placement services on an as needed basis. The rates are as follows: (As Attached)

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 FY2011-12 Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and The Children's Aid Home Programs of Somerset County, Inc., 1476 North Center Avenue, Somerset, PA 15501 for foster family placement services

on an as needed basis. The rate is as follows:

Initial Clothing - \$250 Cert. # 312330 Class FC \$71.22 per day

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 / Fayette County Juvenile Probation, and Southwest Behavioral Care, Inc., 301 Downer Avenue, Monessen, PA 15062 for foster family placement services on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00
Cert # 414760 Unit ID AA \$36 per day
 Unit ID BB \$63 per day
 Unit ID CC \$46 per day
 Unit ID DD \$83 per day

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 Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and George Junior Republic in Pennsylvania, 233 George Junior Road, Grove City, PA 16127 for residential placement services on an as needed basis. The rates per day are as follows: (As Attached)

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 proposal from Zelenkofske Axelrod LLC to complete the 911

Triennial Audit for Years Period January 1, 2009 through December 31, 2011 at a total cost of \$6,000 for three years.

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 items to be purchased with grant money:

Staley Communications portable radio batteries and Impress Charger for \$882.03; Motorola Solutions (3) APZ P25 Mobil Radios to include install off State Contract for \$14,978.40; and CDW-G rack mount UPS for 9-1-1 servers off State Contract-- \$10,765.93.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Fayette Area Coordinated Transportation- Human Services

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to reject bid #'s 12-04 and authorize a rebidding request for gasoline tank purchase and installation.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resource Department

Building and Grounds

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of Maintenance Worker III, Lee Metz, effective May 4, 2012.

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 Maintenance Worker I, Samuel Murphy to Maintenance Worker III at SEIU Pay Grade 9 Step C \$12.47/hr (\$23,146.50) effective May 16, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

Following a discussion about the start date and salary for the position of chief clerk:

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to set the hire date and salary of Amy Revak as Chief Clerk at \$32,740.50 effective May 14, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink appointing the Chief Clerk, Amy Revak, as the Right To Know Officer effective May 14, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Following a discussion regarding the starting salary of the director of public works:

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the starting date and salary of Robert Carson as Director of Public Works at \$40,331 effective May 29, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

Children and Youth Services

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the hire of Kevin Newton as County Caseworker I at \$15.12/hr (\$29,493) effective May 21, 2012.

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 volunteer internship of LBI Office Administration major, Sandra Harbaugh, for a 150 hour internship effective May 16, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

EMA

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the resignation of Part-Time Dispatcher Jessica Sledge- Dotson effective May 19, 2012.

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 hires:

Tiffany Shade-Spolan as a Part-Time Dispatcher at \$12.42/hr effective May 20, 2012.

Christine Reinhard as a Part-Time Dispatcher at \$12.42/hr effective May 20, 2012.

Vicky Spells as a Part-Time Dispatcher at \$12.42/hr effective May 20, 2012.

Dustin Wisel as a Part-Time Dispatcher at \$12.42/hr effective May 20, 2012.

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 approve the rehire of Mary Michaels as Dispatcher at Non-Union Supervisory Pay Grade 6 Step C \$28,161.59 effective May 16, 2012.

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 hire of Latisha Goree as a Full-Time Bus Driver at SEIU Pay Grade 7 Step A \$11.07/hr (\$21,586.50) effective May 16, 2012.

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 hire of Steve Corcoran as a Part-Time Bus Driver at \$11.07/hr effective May 16, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resource Department

A motion was made by Commissioner Zapotosky and seconded by Commissioner

Zimmerlink to approve the agreement with the Private Industry Council for the Summer In School/ Work Experience 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 approve the volunteer internship of CAL U Business and Human Resources major, Donna Peffer, for a 240-hour internship effective May 17, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Information Technology

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Michael Miller as a Part Time IT Assistant at \$9.50/hr effective May 16, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prison

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the volunteer internship of CAL U Psychology major, Brittany Chiovitti, for a 240-hour internship effective May 15, 2012.

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 volunteer internship of CAL U Criminology major, Charlie Rothermel for a 240-hour internship effective May 21, 2012.

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 volunteer internship of Gannon University Criminology major, Ted Mongell for an 80-hour internship effective May 18, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Defender

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the hire of Joel Harkins as Investigator at SEIU Pay Grade 9 Step A \$11.87/hr (\$23,146.50) effective April 23, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Claim

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Bethany Freed as the interim Director at \$15.12/hr during the period of the Director's maternity leave.

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 temporary hire of Helen Kofman as an Accounts Clerk I at \$9.71/hr effective May 16, 2012.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Assessment

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion of Tax Claim Accounts Clerk I, Beth Kerns, to Accounts Clerk III at SEIU Pay Grade 7 Step A \$11.07/hr (\$21,586.50) effective May 16, 2012.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Planning & Zoning Department

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to approve the registration of Commissioner Zapotosky and Arthur Cappella for the Department of Energy conference in Arlington, VA from July 9 - 11. (Hotel cost is \$169 per night and is reimbursed by the grant.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Mountain Watershed Association

Troutman asked the commissioners to sign a letter of support regarding the legal court challenge by several regional municipalities to Act 13 of 2012 (Oil & Gas). Another member of Mountain Watershed Association also urged the commissioners to support the effort.

Hovanec voiced support for passing either a resolution or letter. She said Fayette County is somewhat unique, as being one of only three counties in the state that handles zoning.

Commissioner Ambrosini said he has voiced opposition to some of the parts of the law involving a fee and lack of controls, adding that he would be in support of anything that changes elements of that.

Commissioner Zapotosky said he supports the letter, but not adopting a resolution.

Commissioner Zimmerlink said if the commissioners don't understand the status, shame on them.

A motion was made by Commissioner Zimmerlink to sign a letter of support to challenge Act 13 of 2012, which supports the current legal challenge of the law that pre-empts local zoning laws.

Commissioner Zapotosky said he has reservations on approving a resolution, adding that the commissioners can sign off on a letter separately. Commissioner Zimmerlink said she didn't make a motion for a resolution, and instead for a letter of support, supporting five municipalities, Allegheny County and two other entities challenging the pre-empting of local authority. Commissioner Zapotosky said the letter is phrased differently.

Following a discussion regarding the motion, in which Commissioner Ambrosini expressed concerns about the county being legally bound or hurt any proceeds coming to the county if a letter of support is approved, solicitor Sheryl Heid said a letter of support isn't legally binding. Hovanec said the funding wouldn't be impacted, adding that the commissioners should be aware of the issue.

Commissioner Ambrosini seconded the motion contingent on checking with the county solicitor, with Commissioner Zimmerlink responding that she wouldn't change the motion. Commissioner Zimmerlink disputed an assertion by Commissioner Zapotosky that an afternoon hearing was on the same topic. She said it is to take testimony on a change to the zoning ordinance, which has nothing to do with a letter of support. She said there is a June 4 court date and the commissioners monthly meeting isn't until June 19, adding she is comfortable with her motion. Rosenberg said Fayette County set a legal percent regarding oil and gas rights and if this lawsuit isn't supported, the citizens of Fayette County will have to be told why the county is giving away its power.

Troutman said Mountain Watershed will testify on June 6 after asked about the court process by Commissioner Ambrosini. Heid said Commissioner Zapotosky can write any letter he chooses, but the proposed letter is very broad. Commissioner Zimmerlink said the letter supports only returning the zoning authority to the municipalities under the municipal planning code.

Commissioner Zimmerlink said Heid and the commissioners should be up on the lawsuit, adding that Marcellus shale didn't come about yesterday. Commissioner Ambrosini questioned the use of the word legally, with Commissioner Zimmerlink saying legally challenged means it was challenged in the court, as opposed to morally challenged. Commissioner Zapotosky said the agenda called for a resolution, but now a motion is being proposed for a resolution. He said it is a resolution in the end.

Commissioner Zimmerlink declined to change her motion to take out the word legally, following a request by Commissioner Ambrosini. Commissioner Zapotosky said he would write his own letter.

Motion died due to lack of a second.

Fayette County Court Security

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to purchase seven (7) X-26 tazers from Witmer and Assoc. The X-26 tazers are to replace M-26 tazers and to be paid out of Capital Reserve Fund 51, each priced at \$804.95 totaling \$5,634.65

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to purchase five (5) Humane Restraint Transport Leg Braces from Handcuff Warehouse, to be paid out of Capital Reserve Fund 51. Each priced at \$238 totaling \$1,190.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the March 20, 2012 Commissioner Meeting minutes.

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 sale of county-owned real estate known as 9980 National Pike, Wharton Township, Parcel ID 42160154 (approx 6.1 acres referred to as the amphitheatre property) to RMZ Holdings, Inc. for the total purchase price of \$210,000, with the settlement agreement to show a credit of \$3,000 for rents paid.

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 execute the automated rain gauge agreement between the county of Fayette EMA and RMZ Holdings Inc.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Following a discussion regarding the need to replace Carson as the local elected official on the Southwestern Pennsylvania Commission:

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Dan Shimshock of German Township to the Southwestern PA Commission for the Local Elected Official category to fill the unexpired Term ending December 31, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Following a discussion about the process for selecting an underwriter for the county's two bonds in which Commissioner Zapotosky pointed out that Janney Montgomery Scott didn't properly mail the proposal and Commissioner Zimmerlink said it was addressed to chief clerk Amy Revak because she was supposed to start on May 7 and the opportune time to refinance is in July and August and if the calculations are incorrect a special meeting would be needed:

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to award a professional service agreement for Underwriter Services in connection with Fayette County's proposed refunding opportunity for its General Obligation Bonds, Series 2002 and Series 2007 to Public Financial Inc. of Harrisburg in the amount not to exceed \$37,000.

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 award a professional service agreement for Bond Counsel in connection with Fayette County's proposed refunding opportunity for its General Obligation Bonds, Series 2002 and Series 2007 to Thorp Reed at \$12,000 plus billing separate for out of pocket expenses.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Amended items

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to ratify the contracts with Phillip Varndell and Robert Mankovich to work at the Fayette County Booking Center at \$15 an hour to expire Dec. 31, 2012.

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 name Commissioner Ambrosini as signature authority for the ongoing airport RACP grant with the Fayette County Airport Authority.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Ambrosini and seconded by Commissioner Zimmerlink to amend the agreement dated March 26, 2009, resolution 09-3-26-42 to substitute the amount of \$1 million for the amount of \$2 million for the grant to the Joseph A. Hardy/Connellsville Airport.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Announcements

Fayette County's Hard to Recycle Drop off Event will be May 19, 2012 from 9 a.m. to 2 p.m. at the Fayette County Fairgrounds. For information, call 724 430-4884.

Public Comment

Ralph Mazza addressed comments previously made about rehiring Felice and Associates of Greensburg as the county's human resource firm. He said he was told it would cost the county \$122,400 a year. He said he had been previously told by former Commissioner Vincent A. Vicites that the cost would be \$98,000 a year and the difference was to subsidize the director. Mazza said that wasn't quite true, adding that former Commissioner Joseph A. Hardy subsidized that department because he wanted a particular person for the job and that person wanted a salary of \$65,000 and Felice would only pay \$45,000 a year.

Ralph Mazza said if we had our own human resource department we could pay a person \$60,000 a year including benefits. He said subtracting that from \$122,400 a year would give the county a savings of \$62,400 a year over four years is almost a quarter of a million dollars. He added that another reason was labor lawyer costs and he said the highest priced labor lawyer he could find was \$200 an hour, although he also found out that the most that was paid was \$170 an hour. Mazza said he is familiar with labor contracts, and most is cut and dried except for a few items. He said by having our own human resources department, we could save a lot of money.

Dave Lohr addressed Commissioner Zimmerlink, asking if she was aware that what she says sometimes doesn't sit well with other people on the street. He said a month ago she was at a tax meeting in Hopwood and she referred to her fellow two commissioners as spending money like drunken sailors. He said the majority of nuclear warheads in this world are controlled and managed by those drunken sailors and the same ones went into Afghanistan as Navy Seals, adding that he takes a little offense to that and asked her to watch how she says things. He said the county needs to have a strong face and that doesn't look good.

Evelyn Hovanec responded that now we have the language police, adding that the term drunken sailors for hundreds of years is just something that is said and is not meant to be taken in a negative way.

Adjournment

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

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously