

Thursday, December 22, 2005 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Thursday, December 22, 2005 at 10:10 a.m. in the Conference Room, at the Public Service Building, Uniontown, PA.

Present: Commissioner Angela M. Zimmerlink, Chairwoman
 Commissioner Joseph A. Hardy, III, Vice-Chairman
 Commissioner Vincent A. Vicites, Secretary
 Judy M. Bodkin, Chief Clerk
 Warren Hughes, County Manager
 Joseph Ferens, County Solicitor

- Meeting called to Order
- Silent Prayer
- Pledge of Allegiance
- Public Comment on Agenda Items

Bruce Foster, to present Plaque to VA Director was scheduled to appear but did not.

Mr. Mazza questioned the legality and ethics of Commissioner Hardy paying part of the Felice Associates HR contract saying Felice would be beholden to one commissioner.

Solicitor Joe Ferens stated it was both legal and ethical and that anyone can make a donation to the county as Commissioner Hardy is doing.

Commissioner Zimmerlink reported the details of the Felice Associates contract (\$96,000 per year for HR services, \$95 per hour for representation at grievance and arbitration hearings and travel reimbursement with approximate 3% yearly increase. The contract between the County, Felice Associates and Joe Hardy, personally, has Joe Hardy paying a maximum of \$72,000 toward the three-year contract so that Jim Moore would be hired by Felice Associates as the on-site HR Director.

Commissioner Vicites commented on how Felice Associates would save the county \$450,000 compared to the Select HR, the former HR service agency adding that had the county hired a HR person as a county employee it would have cost the county more than \$96,000 a year.

Mrs. Mazza commented that Felice Associates had been the HR agency for years for the county and had not completed a HR manual in that timeframe and she questioned the additional \$95 per hour saying it would exceed the cost of simply hiring a county employee.

Frank Staszko, who for six months was the former county VA Director said a professional service company should handle HR's for the county.

Rob Hixson, who for three years was the former VA Director said it was a good idea for Commissioner Hardy to get a quality person to do HR services for more than \$35,000.

- Present Proclamation/Recognitions

25th Anniversary of the General Marshall Legacy was read and presented to Rev. Pete Malik.

- Redevelopment Authority of Fayette County

Commissioner Zimmerlink reported that at the request of Executive Director Andrew French considering allocating \$182,000 through Act 137 Affordable Housing Trust Funds to the RACF for housing initiatives, tabled from 12/1/05 would remain TABLED. County Solicitor Joe Ferens reported additional time is needed to review the issue and in response to Commissioner Zimmerlink's concern that this not be continually tabled indicated that it would not and that the delay could be because of possible litigation and other issues.

- County Prison

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award RFP 05-16-Furnishing of Health Care Services for the Fayette County Prison Inmates for a five (5) year period to Prime Care Medical for a total amount of \$2,422,472.55.

Motion Passed Unanimously

- Tax Assessment Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the following individual for a Real Estate Tax Exemption as approved by the Pa. Veterans Office as being 100% disabled : Mary M Kania, 590 Camp Riano Rd-Farmington PA 42-21-0077

Motion Passed Unanimously

- Controller

Mark Roberts, Controller provided a Report on the Financial Condition of the County and restated his request for additional staffing in his office and restated his view on part-time vs. full-time prison guards.

There were no Resolutions to consider under this item.

- Veterans Affairs

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid No. 05-32: Furnishing and Delivery of Flags and Grave Markers to Flags to Department of Corrections \$14,809 and Grave Markers to Temple Aluminum Foundry Inc. at \$8,784.

Motion Passed Unanimously

- Children & Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services, and George Yatsko, 25 South 2nd Street, Youngwood, PA for FY2005-06. The services include individual & group therapy for sex offenders & perpetrators of domestic violence at \$55.00 per hour for Therapy and \$20.00 per report (quarterly reports). On an as needed basis.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services, and JPO & the provider for placement services with Lutheran Children & Family Service of Eastern PA

Initial Clothing \$250.00	Per Diem
A. Group Home Level 1	\$100.92
B. Group Home Level 2	\$117.57
C. Foster Family Care Level 1	\$ 36.15
D. Foster Family Care Level 2	\$ 47.33
E. Foster Family Care Level 3	\$ 54.61
F. Board Extension	\$ 13.75
G. Caretaker – Baby	\$ 21.32
H. Caretaker – Mother	\$ 36.15

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the administrator to attend the January Quarterly meeting of the Pennsylvania Children & Youth Administrator’s Association to be held in Harrisburg, PA on January 18, 19, 20, 2006.

Motion Passed Unanimously

- Juvenile Probation Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the contracts between the Juvenile Probation Office and KidsPeace National Centers for July 1, 2005 through June 30, 2006 as listed below:

<u>Residential Treatment</u>	Per Diem
Therapeutic Residential Treatment	\$234.00
Specialized Community Residential	\$234.00
Transitional Residential	\$234.00
Dual Diagnosis Residential Treatment	\$306.00
Specialized(sexual disorders) Res. Treatment	\$314.00
Intensive Residential Treatment	\$379.00
Specialized Residential IQ 50-70	\$316.00

<u>Diagnostic Care</u>	
Shelter Care	\$253.00
Diagnostic Acute Care	\$253.00
<u>Foster Care and Family Services</u>	
Regular Family Care	\$50.00
Intake Services (60 day)	\$81.00
Specialized	\$86.00
Intensive	\$96.00
Juvenile Offenders Program	\$96.00
Mom/Baby Program	\$105.00
Aftercare	\$ 45.00 Hour
<u>Psychological Evaluation</u>	\$70.00 Hour
<u>Community Programs</u>	
Mentoring/Life Skills Services	40.00 Hour
Private Adoption	7,000.00 per child

Motion Passed Unanimously

- MH/MR Program

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Bid Number 05-33 submitted by Caldwell's Windoware, Inc. 166 Wabash Street, Pittsburgh, PA in the amount of \$10,372.00 for the purchase and installation of one hundred forty-four Levelor Mark I aluminum window blinds.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Bid Number 05-34 submitted by Superior Automotive Group, 1 Superior Way, Uniontown, PA at a monthly cost of \$380.81 for 36 months, with a total cost of \$13,942.61 for the leasing of a 2006 Chrysler Town & Country LX van.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve contracts/modifications between the County of Fayette through the Fayette County MH/MR Program as listed:

<u>Contract for 2005-2006</u>	<u>Contract Value</u>	<u>Period</u>
Northwestern Human Services of PA	\$ 105,896	7/1/05-6/30/06
<u>Modification Agreement #1 2005-2006</u>		
Fayette County Drug & Alcohol Commission	\$ 78,650	7/1/05-6/30/06
<u>Modification Agreement #2 2004-2005</u>		
Diversified Human Services, Inc.	\$ 72,856	7/1/04-6/30/05
Fayette Resources, Inc.	\$ 4,985,915	7/1/04-6/30/05
Twin Trees, Inc.	\$ 1,621,335	7/1/04-6/30/05
Verland-CLA	\$ 689,240	7/1/04-6/30/05

Motion Passed Unanimously

- Human Resources

MH/MR Program

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the resignation of Alicia J. Crouse, County Caseworker 2, effective December 16, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the reinstatement of Mary D. Sinwell as County Caseworker 2 at \$14.58/hour (\$28,431.00), effective December 19, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the promotion of Kimberly A. Bowser-Murtha from County Mental Health Program Specialist 2 TO County Mental Health Program Director at \$22.71/hour (\$44,284.50), effective January 2, 2006.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the promotion of David W. Rider from County Mental Health Program Specialist 1 to County Mental Health Program Specialist 2 at \$21.41/hour (\$41,749.50), effective January 2, 2006.

Motion Passed Unanimously

Children & Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the appointment of Dale E. Lemon to a substitute full-time Caseworker 1 position at Fayette County CYC, effective January 3, 2006, at a salary of \$23,500.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of Anna Younkin, County Caseworker 1, effective January 13, 2006.

Motion Passed Unanimously

Veterans Affairs

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify accepting the resignation of the Veterans Director (resignation had been withdrawn)

Commissioner Zimmerlink: No
Commissioner Hardy: Yes
Commissioner Vicites: Yes

Motion passed 2-1

Greg Robertson asked to speak. He indicated that he although he tendered his resignation to be effective January 1, 2006, he withdrew it on December 7, 2005. He stated that Commissioners Hardy and Vicites accepted his resignation by delivering their letter on December 8, 2005 even though it was dated December 2, 2005. Mr. Robertson stated that he would like to continue working as VA Director.

Commissioner Zimmerlink moved to rescind the prior Resolution. It died for a lack of a second.

- Human Resource Dept

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the Addendum to Agreement between Felice Associates, the County of Fayette and Joseph Hardy for a personal contribution for outsourcing its HR functions.

Commissioner Zimmerlink: No
Commissioner Hardy: Yes
Commissioner Vicites: Yes

Motion passed 2-1

- Human & Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Proposed Organizational Fiscal Plan prepared for the Fayette County Office of Human & Community Services by Jenkins & Quinn Transportation Specialists.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a revised Fiscal Year 2005-06 Human Services Development Fund (HSDF) Plan, and required Assurance of Compliance.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an agreement between the Fayette County Office of Human & Community Services' FACT division and the Westmoreland-Fayette Workforce Investment Board for the provision of transportation services for eligible Fayette County residents.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve agreement with Fayette Area Coordinated Transportation on behalf of the county's Consider approving a six-month (January 1 - June 30, 2006) Third Party Sponsorship veterans by paying 15% of the individual transportation fares for Fayette County veterans 65 or older and 100% for all veterans under 65 to and from the veterans hospitals in the greater Pittsburgh area.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify an agreement with Laurel Business Services for the services of temporary personnel for the Fayette County Office of Human & Community Services' FACT division effective December 15, 2005.

Motion Passed Unanimously

- Planning & Zoning

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify RZ 05-16 Edward and Betty Misiyany change from A-1 Agricultural-Rural to R-1 Medium Density Residential –Menallen Township

Commissioner Zimmerlink : Abstained (did not hear case)

Commissioner Hardy: Yes

Commissioner Vicites: Yes

Motion passed 2-0 with an abstention

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify RZ 05-17 Thomas L. Milan extension of A-1 Agricultural Rural on property currently zoned B-1 General Business – Redstone Township

Commissioner Zimmerlink : Abstained (did not hear case)

Commissioner Hardy: Yes

Commissioner Vicites: Yes

Motion passed 2-0 with an abstention

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify RZ 05-18 Wayne Martin extension of R-1 Medium Density Residential on property currently zoned B-1 General Business

Commissioner Zimmerlink : Abstained (did not hear case)

Commissioner Hardy: Yes

Commissioner Vicites: Yes

Motion passed 2-0 with an abstention

- Election Bureau

Moved by Commissioner Hardy and seconded by Commissioner Vicites to adopt the attached resolution to obligate grant funds in order to comply with the HAVA requirements. Amount of grant obligation is \$1,068,231.70.

Motion Passed Unanimously

Commissioner Zimmerlink stated that this is a state mandate and that it is not necessarily the opinion of the Commissioners that the county purchase electronic voting machines.

Commissioner Vicites stated that it is an unfunded mandate and that the state should not put this financial burden on the counties. He said that the entire amount should be funded by the state.

Commissioner Zimmerlink stated that whether it was funded entirely by the state of as it is shared with the county, it is the taxpayers who are funding it.

Commissioner Vicites explained how this HAVA law came about referencing the Florida election adding that Fayette County does not have problems with its lever machines.

- Commissioners

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approving LFF project description: Change for Saltlick Township Project #05-26-217-38CA to oil/chip TR738 Melcroft Road from the intersection of State Route 711/381 to the intersection of TR722 RedDog Road.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Commissioner Meeting Minutes of December 1, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify a contract with MAXIMUS to develop the County's Cost Allocation Plans for a period of three (3) years for a total amount of \$25,500.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to request of the Progress Fund to support their application for grant funds through the DCED for economic development along the Great Allegheny Passage.

Motion Passed Unanimously

- Public Announcement

Commissioner Zimmerlink reported that a Special Commissioners Meeting would be held at 10 am on December 29th to adopt a budget, make board appointments and possibly vote on the text portion of the Zoning Ordinance. Commissioner Vicites stated he wanted to meet with the Farm Board before the vote and Commissioner Zimmerlink stated that, at their request, she already met with them and that he and Commissioner Hardy needs to contact the Farm Board as they requested to review their concerns.

- Public Comment - none

Meeting adjourned at 11:10 a.m.

Approved:

Attest:

Judith M. Bodkin, Chief Clerk