

A meeting of the Fayette County Board of Commissioners was held on Thursday, February 24, 2005 at 10:00 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 (latter part of meeting)

- Meeting called to order at 10:00 a.m.
- Silent Prayer
- Pledge of Allegiance
- Public Comment on Agenda Items - none

Moved by Commissioner Hardy and seconded by Commissioner Vicites for the following Proclamations: (Proclamations were read and presented)

National Safe Place Week March 13-19, 2005 (represented by Michelle Lindsey)
Mental Retardation Month March 2005 (represented by Rachel Darker)
Week of the Young Child April 3-9, 2005 (represented by Victoria Mangan)

Motion Passed Unanimously

- Controllers Office

County Controller Mark Roberts reported on the Financial Condition of the County with a cash balance of \$119,689 at January 1, 2005 and that some of the inter-county department loans have been repaid. He also confirmed Commissioner Zimmerlink's inquiry that the books for the General Fund for year end 12/31/04 were closed and that nothing was preventing the auditors from beginning the audit process. Commissioner Zimmerlink indicated that the auditors told her that the 04 audit could not be completed until the end of August and that part of the reason given by the auditors was that our books would not be closed until March or after. Commissioner Zimmerlink stated she told the auditors that was not acceptable to the Commissioners adding that another letter will be sent confirming the book closing. Commissioner Vicites concurred stating he would like to sign that letter as well.

- Redevelopment Authority

Moved by Commissioner Hardy and seconded by Commissioner Vicites to designate the Redevelopment Authority as the applicant, sponsor and administrator of the Redevelopment Assistance Capital Program (RACP) application to the Commonwealth of Pennsylvania to support the Fayette County Community Action Agency Campus Expansion Project (see attached Resolution)

Motion Passed Unanimously

- Sheriff's Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the agreement between the County of Fayette and Jeffrey E. Sakaguchi, 146 Chalk-Ohiopyle Road, Ohiopyle, Pa 15470 to provide contract Security Services, on a when-and-as needed basis, effective January 31, 2005, at a rate of \$8 per hour. Upon satisfactory completion of probation period of six (6) months of training there will be a salary increase to \$8.50 per hour.

Motion Passed Unanimously

- Prison

Heard from Warden Larry Medlock that 2 RFP's were received for the prison food contract one from Nutrition, Inc. the company who has been under contract with the County and one from Aramark. The Warden recommended awarding the contract to Nutrition, Inc. because although the cost was higher he has had a good relationship with Nutrition, Inc. and that the amount budgeted under his line item of over \$366,000 would cover the bid amount. Commissioner Zimmerlink pointed out that Nutrition, Inc. was over \$10,000 higher per year than Aramark and the Warden confirmed that there was a possibility that the line item would go over the budget amount because of the population. Commissioner Zimmerlink responded that was another reason to choose the lower bid. The Warden also reported the high marks of Nutrition, Inc. and Commissioner Zimmerlink stated that the website of Aramark also reports a very high rating of that company.

Moved by Commissioner Zimmerlink to award the Three (3) Year Food Service Contract to Aramark.

Motion died for a lack of a second.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award RFP. No. 04-12 the Three (3) year contract for providing 365 meals per day per year and program support services for an approximate 400 population to Nutrition, Inc.

Roll Call:

Commissioner Zimmerlink: nay

Commissioner Hardy: yes

Commissioner Vicites: yes

Motion Passed 2 to 1.

Commissioner Vicites stated that there were two reasons he wanted to go with Nutrition, Inc. that being the company employs about six people now who were at one time county employees and because the company would support local vendors. Commissioner Zimmerlink confirmed with the Warden and County Manager that the RFP suggested that occur for any company responding to the bid.

- Election Bureau

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for bids for Election Supplies for the May 17, 2005 Municipal Primary.

Motion Passed Unanimously

- Tax Claim Bureau

Commissioner Zimmerlink noted that a legal opinion was received on the next Agenda Item.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to direct the Tax Claim Bureau to set the fee for Tax Certificates at \$5.00 for county, \$5.00 for school and \$5.00 for municipality, effective March 1, 2005.

Motion Passed Unanimously

- Assessment Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the following individual for a Real Estate Tax Exemption as he has been approved by the Pennsylvania Veterans Office as being 100% disabled: Peter J. Adams, Jr., 1310 Vine Street, Connellsville, PA 15425.

Motion Passed Unanimously

Commissioner Zimmerlink requested a motion to TABLE the next Agenda Item until March 31, 2005 because the matter was under review for additional information and a legal opinion.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to **TABLE** consideration to approve a refund of purchase price of \$450.00 for land sold at County Auction to James Clark; Parcel 30-15-0069.

Motion Passed Unanimously

- Children and Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for the CYS Administrator to attend the March quarterly meeting of the Pennsylvania Children & Youth Administrators Association in State College, PA. Registration fee for the meetings total \$75.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising to lease two (2) copy machines.

Motion Passed Unanimously

- Emergency Management/911

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an agreement between the County of Fayette and MCImetro Access Transmission Services LLC for the Enhanced 911 Telephone Service.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to reject Bid No. 04-34: EMA/911 Computer System Upgrade and authorize the re-advertising of said bid. (Commissioner Zimmerlink noted that the Department reported they may be able to amend the scope of the RFP to save costs)

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for two (2) EMA/911 staff members to attend a Weapons of Mass Destruction Standardized Awareness Train-the-Trainer Class February 24-25, 2005 in Monroeville. Sponsored by Region 13 and presented by the Department of Homeland Security, Office of Domestic Preparedness, Center for Domestic Preparedness. Only expense will be travel.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for three (3) EMA/911 staff members to attend a Hazardous Weather/Flood Preparedness Class March 1-3, 2005 in Pittsburgh.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for the Counties 2 Radiological Officers to attend a refresher course March 12, 2005 in Somerset.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for the EMA Director to attend the Keystone Emergency Management Association Spring Workshop in State College April 19-20, 2005.

Motion Passed Unanimously

- Juvenile Probation Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify a Purchase of Service Agreement between the County of Fayette and Keystone Education Youth Services, 43 Buttonwood Drive, Exton, PA 19341, effective July 1, 2004 to June 30, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the awarding of Bid No. 04-38: Furnishing and Installation of a Telephone System at 34 Peter Street (Federal Building), Uniontown, PA 15401, to Buzcom, P.O. Box 453, Uniontown, PA 15401, being the lowest responsible bidder in the amount of \$8,457.07.

Motion Passed Unanimously

- Public Defender's Office

Public Defender Jeff Whiteko reported that there is a higher Court requirement for training of Public Defenders representing Capital Offense cases. The item is not budgeted in his line item because it was not known at the time of the budget process. It was confirmed that funds were available.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the request for four (4) staff to attend seminar on March 5, 2005 to be certified to represent defendants charged with first-degree murder. The cost of the seminar is \$289 per person less 10%, for a total of \$1,076.

Motion Passed Unanimously

- MH/MR Program

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the following agreements between the County of Fayette through the Fayette County MH/MR Program:

Crosskeys Human Svss, Inc.	\$ 941,690	7/1/04-6/30/05
Twin Trees, Inc.	\$ 1,584.931	7/1/04-6/30/05

HealthChoices Reinvestment Funds Contract
Goodwill Industries of Fayette County-yr 2002 funds \$35,000(Cash Basis)

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid No. 05-02 to purchase and installation of forty-four (44) Teknion, Inc. Boulevard Series Workstations for the new Fayette County MH/MR Building to WH Farwell Company, 86 West Main Street, Uniontown, PA 15401, in the amount of \$115,986.66.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Change Order Number GC-005 to Walter Mucci Construction Company, Inc., P.O. Box 308, Perryopolis, PA 15473, Total Add of \$4,254.42 to construct bulkheads to accommodate ceiling height changes on the first and second floor lobby areas for the new Fayette County MH/MR Building.

Motion Passed Unanimously

- Planning, Zoning and Community Development

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to DENY RZ 04-19: Diana R. Omatick, Dunbar Township, which requests a change of zone from "M-1" Light Industrial and "A-1" Agricultural-Rural to "M-2" Heavy Industrial.

Roll Call:

Commissioner Zimmerlink: yes

Commissioner Hardy: no

Commissioner Vicites: yes

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a grant submission for the Violence Against Women Office's Safe Havens - Supervised Visitation and Safe Exchange Grant Program on behalf of Fayette County's only supervised visitation and exchange center, Children's Safe Parenting Center as presented by Fayette County Community Action Agency.

Motion Passed Unanimously

Commissioner Vicites stated that he fully supports this grant application and that because it is a highly competitive grant that all three Commissioners sign the application.

- Human Resource Department

Public Defender Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to rescind Resolution No. 05-1-31-33 - the hiring of Debra Tomko as Department Clerk I at \$7.54/hour, effective February 14, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the hiring of Angie M. Berdar as Department Clerk I at \$7.54/hour, effective February 16, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the promotion of Howard Judy from part-time 911 Dispatcher to full-time Investigator at \$9.50/hour, effective February 7, 2005.

Motion Passed Unanimously

Office of Human Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of Debra Durigon as the Operations Manager (\$13.21/hour, Pay Grade S10, Step A), effective February 14, 2005.

Motion Passed Unanimously

Planning, Zoning and Economic Development

Human Resource Director, Dave Rodgers agreed that the two following Agenda Items be TABLED because the county insurance carrier indicated that coverage for a new hire not having the proper certificates could not be provided. Mr. Rodgers stated that perhaps the Salary Board could create a "new" position, which would be an Assistant UCC Administrator and then name the individual interviewed to take the position pending passing the certification requirements and then that individual would become the UCC Administrator rather than the Assistant. Further he stated that Mark Yauger, the current UCC Administrator would continue to perform the necessary sign offs under a part-time basis. He further stated that the \$36,000 plus salary could be divided between these two positions. Commissioner Vicites stated that this matter must be dealt with as soon as possible.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to **TABLE** the two Agenda Items to accept the resignation of Mark Yauger, UCC Administrator and to hire a UCC Administrator.

Motion Passed Unanimously

MH/MR Program

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of Danielle N. Larson, County Care Management Manager, effective February 25, 2005.

Motion Passed Unanimously

Veterans Affairs

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of Robert Hixson, Director, effective March 16, 2005.

Motion Passed Unanimously

- Human and Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the submission of the Child Care Information Services of Fayette County grant application to the Pennsylvania Department of Public Welfare with the requested grant amount of \$3,038,417 for the provision of child care funding and resource and referral services.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the request for the Director to attend the Pennsylvania Association of County Human Service Administrators, PACHSA, 2005 Spring Quarterly Meeting on March 10, 2005 in Gettysburg, PA. Registration \$55 and lodging \$66.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the awarding of Bid No. 04-36: Sale of Four (4) Used Small Transit Buses (12+2) to the highest bidders listed below:

Frank Ricco, 525 National Pike East Brownsville, PA 15417
Bus #106 in the amount of \$250
Bus #109 in the amount of \$600
Bus #110 in the amount of \$600

Dansco Sales/Al Gaudino, 115 Cycle Drive, Freedom, PA 15042
Bus #119 in the amount of \$360

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the advertising for bids for office furniture and security system for the FACT Transit Center.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract with Medved Transfer Company, Route 40 East, Hopwood, PA 15445 for the relocation of office supplies, furniture and equipment to the FACT Transit Center, in an amount not to exceed \$3500.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract extension to April 29, 2005 with Mucci Construction for landscaping completion only.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract extension to March 11, 2005 with Bellisario Electric, Inc. for outstanding lighting concerns only.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a time extension two (2) full weeks beyond the date that the water is made available to W.G. Tomko, Inc. for work not completed related to the water line. An exact date is impossible to set for extending this contract due to the fact that the airport water line installation schedule is unknown.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Change Order GC-006 to Walter Mucci Construction, Total Add of \$1,781 for the furnishing and installation of Johnsonite Safe T Rib stair treads in stairwell 007/107.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Change Order HC-004 to Hranec Corporation, Total Add of \$379.50 for the provision of labor and materials to furnish and install an extended 10"x10" exhaust duct from the 12"x10" exhaust duct main branch over Electrical Equipment Room 017.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Change Order EC-002 to Bellisario Electric, Inc., Total Add of \$5,172.18 for the provision of the additional electrical items for Room 103, Room 112, Room 117, Room 120, Room 127 and Room 132.

Motion Passed Unanimously

- Commissioners

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Commissioner Meeting Minutes of December 30, 2004, January 10, 2005 and January 31, 2005.

Motion Passed Unanimously

Commissioner Zimmerlink explained the next Agenda Item as having a vacancy on the Airport Authority Board due to the resignation of Nick Ludi and that she felt Al Ambrosini would be a good selection because he was an engineer, a former project manager for Allegheny Power, a pilot and a member of a local aviation association.

Moved by Commissioner Zimmerlink to appoint Al Ambrosini to fill the unexpired term of Nick Ludi, Fayette County Airport Authority.

Motion failed for lack of a second.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to appoint Mark Wasler to fill the unexpired term of Nick Ludi, Fayette County Airport Authority for term ending the 1st Monday of January 2009.

Roll Call:

Commissioner Zimmerlink: nay
Commissioner Hardy: yes
Commissioner Vicites: yes

Motion Passed 2 to 1.

Commissioner Vicites explained that Mark Wasler was a local businessperson and more than a disc jockey and had an interest in the position. Commissioner Vicites stated he wanted to make changes to the Board. Commissioner Zimmerlink stated that she will support Mark Wasler and hopes that he does a good job, however, that her support for Al Ambrosini is because of his credentials and the need to have qualified members on the Airport Authority.

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to appoint Ed Yankovich under the category of Labor to the WorkForce Investment Board for a term expiring December 31, 2007.

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to appoint Rick Adabato to the EMSI board for a term expiring December 31, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites change the Commissioners Agenda Meeting from March 22 to March 29, 2005 and the Commissioner Regular Meeting from March 24 to March 31, 2005.

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to authorize the Commissioners to use either the RFP process, newspaper advertising or other allowable means under the County Code for seeking new building or site locations for the required new Magisterial District Judge offices due to consolidations effective 2006.

Motion Passed Unanimously

- Public Announcements

Commissioner Vicites reminded homeowners of the Act 72 deadline of March 1, 2005

- Public Comment (the full version of the public comments can be heard on tape)

Dan Visnauskas on behalf of the Board presented a letter dated February 24, 2005 asking the Commissioners to consider allowing the Authority to build an Annex and parking lot to the Health Center on a parcel of land owned by the County but that the County would first need to subdivide the parcel in question. The Health Center requests that the divided parcel be deeded to the Authority so that they could use that parcel as collateral for a loan to construction.

Both Commissioner Zimmerlink and Commissioner Vicites asked general questions and it was suggested that the appropriate parties meet to further discuss their proposal.

Rose Cindrick, union representative of CYS asked the Commissioners to consider the requests of the employees of CYS (Children & Youth Services) and their view that wages were increased but not in comparison to the increase cost of the healthcare and that their view that the County is reimbursed for a percentage of the healthcare costs. Ms. Cindric further requested that the parties return to the bargaining table.

Employees Brian Davis, Annie Younkin and Imelda McKercher (read statements and spoke) urging the Commissioners to consider the concerns of the employees of CY& Services and the concerns and needs of the children of Fayette County which they serve. They asked that the Commissioners consider the cost of the healthcare and their wages, as well in comparison to other counties.

Moved by Commissioner Zimmerlink to adjourn and seconded by Commissioner Vicites

Motion Passed Unanimously

Approved:

Attest:

Judith A. Bodkin, Chief Clerk

