

Thursday, March 23, 2006 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Thursday, March 23, 2006 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

- Meeting called to Order
- Silent Prayer
- Pledge of Allegiance
- Public Comment on Agenda Items - None

- Proclamation

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to proclaim the following:

- “Child Abuse Prevention Month” April 2006
- “Sexual Assault Awareness Month” April 2006
- “Crime Victims Rights Awareness Week” April 23-29, 2006
- “Week of the Young Child” April 1-7, 2006
- “National Library Week” April 2-8, 2006
- “Bataan Death March” April 22, 2006
- Partnership of Dept of Health and Fayette County, regarding Sheepskin Trail

Motion Passed Unanimously

Commissioner Zimmerlink read the proclamation for the Week of the Young Child and the Commissioners presented the proclamation to Frances Brownfield.

Commissioner Vicites read the proclamation for the National Library Week and the Commissioners presented the proclamation to Debra Tidholm, Frazier Community Library, Louise Durinzi, German-Masontown Public Library, Jean Kennedy, Smithfield Public Library and Rev. Jalso, Brownsville Public Library. Debra Tidholm representing Frazier Community Library, spoke on the importance of libraries and thanked the Commissioners for their support.

Commissioner Vicites read the proclamation for the Partnership with the Department of Health and Fayette County for Steps to a Healthier PA. Kelly Loomis and Ben Neal accepted the proclamation.

- Fayette County Agricultural Improvement Association (Fair Board)

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an agreement to extend the current lease between the County of Fayette and the Fayette County Agricultural Improvement Association for the County Fairgrounds on Route 119 Dunbar Township, as attached, for a term of an additional thirty (30) years extending the same through June 28, 2052.

Upon question of the Motion, Solicitor Joe Ferens confirmed his review and approval of the lease.

Motion Passed Unanimously

- Redevelopment Authority

Moved by Commissioner Hardy and seconded by Commissioner Vicites to adopt a Resolution, as attached, which approves the 2006 Community Development Block Grant (CDBG) Application being submitted on behalf of Fayette County for non-entitlement areas including a Minority & Women's Business Plan and Anti-Displacement Plan in the amount of \$304,020 and for the eleven (11) Entitlement Townships of Bullskin, Dunbar, Georges, German, Luzerne, Menallen, North Union, Redstone, South Union, Washington, and Wharton in the amount of \$1,491,569 for a total grant application in the amount of \$1,795,589.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to adopt a Resolution, as attached, which approves an application being submitted by the County to the Pennsylvania Department of Community and Economic Development (DCED) HOME Investment Partnerships Program for a HOME application in the amount of \$206,000 for supporting a 4-unit transit housing development property by City Missions-Living Stones in the East End Community of Uniontown.

Motion Passed Unanimously

- Coroner

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the Mutual Aid Agreement between the coroners of the Tri-State area.

Motion Passed Unanimously

- Sheriff

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the agreement between the County of Fayette and Andrew P. Kopacko for contract security services for the Fayette County Sheriff's Office at \$8 per hour, effective March 22, 2006. Upon satisfactory completion of probationary period of six (6) months of training there will be a salary increase to \$8.50 per hour.

Motion Passed Unanimously

- Controller

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the following investments:

February 23, 2006 - \$5,250,000 for 14 days at 4.75% interest with Invest \$9,565.07 and March 9, 2006 - \$4,875,000 for 14 days at 4.60% interest with First National Bank \$8,601.37

Motion Passed Unanimously

The Controller then provided a Report on Financial Condition of the County stating the February 28, 2006 General Fund net position is (1,463,081.36) and for March 23, 2006 net position is (2,923,230.66)

- Tax Assessment

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Chief Assessor and four (4) assessors to attend the 58th Annual Conference and seminars at Hershey Lodge & Convention Center, May 17-19th.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract with Resource Technologies Corp., State College, PA to assist in GIS update for revaluation program and coordination of electronic data collection. Cost would be spread out over a three (3) year period not to exceed \$22,000.00 and which will be paid from the County's Bond fund.

Motion Passed Unanimously

- Children & Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a purchase of service agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County District Attorney, from January 1, 2006, through December 31, 2006. The contract is for \$44,000 per year.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a purchase of service agreement between the County of Fayette, through Fayette County Children & Youth Services and Children's Hospital of Philadelphia, from February 1, 2006, through June 30, 2006. Rates listed as: Evaluation Session at \$100 per hour per diem and Counseling Session at \$89.00 per hour per diem

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract with McClure & Wolf, of Uniontown, Pa., to conduct the Fayette County Children & Youth Single Audit for calendar year 2005. The cost for this professional service totals \$7,400, which is \$150 more than the firm charged for the 2004 audit.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for bids for 8 personal computers & accompanying software to be utilized by CYS staff in conjunction with the Adult Probation Office computer bid.

Motion Passed Unanimously

- Emergency Management

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the request of Roy Shipley to attend the Keystone Emergency Management Association (KEMA) Board meeting April 18, 2006 State College. Cost is budgeted.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the request for 4 staff members to attend the 25th Annual National Emergency Number Association (NENA) Conference & Trade Show June 10 -15 in Pittsburgh. Cost is budgeted.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the InterAct CML proposal in response to county RFP 05-18 and to enter into contract negotiations for the required ANI/ALI Controller equipment needed to implement wireless 9-1-1 in Fayette County at a cost not to exceed \$ 349,763.00. Wireless Funding

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the purchase of necessary computer equipment for the Phone and CAD system from Dell under State Contract at \$ 34,784.87. Wireless Funding

Motion Passed Unanimously

- MH/MR Program

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

<u>Modification Agreements#1 2005-06</u>	<u>Contract Value</u>	<u>Period</u>
ARC, Fayette	\$ 2,562,425	7/01/05 – 6/30/06
COMPRO of Achieva	\$ 23,500	7/01/05 – 6/30/06
Mental Health Association in Fayette County	\$640,261	7/01/05 – 6/30/06
<u>Modification Agreement #2 2005-2006</u>		
Goodwill Industries of Fayette County	\$ 791,799	7/01/05 – 6/30/06

Motion Passed Unanimously

- Planning, Zoning & Community Development

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the submission of a grant application to the National Road Heritage Park Board in the amount of \$16,505 (50% of total cost) to complete Phase II for the County Greenway, Open Space, and Trail Plan. The office will request in 2007 budget \$10% of county match required, with securing the remaining 40% from other grant sources.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the request for the Building Code Official (UCC) to attend a seminar on Energy Conservation in Jefferson Hills, PA on April 21, 2006. The cost is \$135.00 to be taken out of the UCC budget.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a Cooperative Agreement with North Union Township to perform inspections under the UCC that have a conflict with the third party agency hired by the Township.

Upon question of the Motion, Solicitor Joe Ferens confirmed to Commissioner Zimmerlink that he has reviewed and approved the agreement.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to send the Cooperative Agreement to municipalities for administration and enforcement of the UCC under the County beginning effective when adopted by municipality and expiring on December 31, 2010. Also, the fee schedule is to be adopted by those municipalities, with no increase in any category.

Upon question of the Motion, Solicitor Joe Ferens responded to Commissioner Zimmerlink stating that he has not yet reviewed the Agreement but will do so.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to amend the Building Permit Fee to eliminate the County Administrative Fees.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve RZ06-01 petition of Russell Morgan, Georges Township from B-1 to A-1 for residential purposes.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an amendment to contract with Environmental Planning Design to complete Phase 1 for the Countywide Parks and Recreation Plan.

Motion Passed Unanimously

- Human Resource Department

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the agreement with Experience Works for the temporary services of Lucy Truman for no more than 20 hours a week, at no cost for the Veteran Affairs Office.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the agreement with Janet Dugan to perform volunteer services, at no cost for the Office of Human and Community Services/FACT.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the agreement with Laurel Business Inst. for intern Andrienne Kichner to perform clerk duties for 7.5 hours a week for a maximum of 150 hours at no cost for the Tax Claim Bureau.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the promotion of Wanda Bryte from Accounts Clerk II to an Accountant I position Pay Grade 11 Step I \$12.55 per hour (\$24,472.50) effective April 3, 2006 for the Office of Human and Community Services.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the hiring of Tim Clark for the FACT Technician A Supervisor position Pay Grade 6 Step A at \$11.63 per hour (\$22,678.50) effective April 3, 2006 pending test results for the Office of Human and Community Services/FACT.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the promotion of Gina D'Auria from County Casework Supervisor to County Casework Manager 1, effective April 1, 2006 at \$43,000.00 at the Office of Children & Youth Services.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the promotion of Susan A. Wilson from County Caseworker 2 to County Mental Health Program Specialist 1 at \$16.91/hour (\$32,974.50), effective March 27, 2006 for the Mental Health Mental Retardation Office.

Motion Passed Unanimously

- Human & Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a revised Fiscal Year 2005-06 Human Services Development Fund (HSDF) Plan consisting of an agreement between the Fayette County Office of Human & Community Services and the Fayette County Community Action Agency, Inc. for the Forensic Task Force project in the amount of \$19,316.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the submission of the Fiscal Year 2006-07 Subsidized Child Care Program grant application in the amount of \$3,071,022 with the Pennsylvania Department of Public Welfare.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the awarding of RFP # 05-35 for the purchase of five (5) Accessible 14 (12+2) passenger small transit buses in the amount of \$50,966 per unit for a total cost of \$ 254,980 to Bus Services, Inc. upon the review and acceptance of the Pennsylvania Department of Transportation.

Upon question of the Motion, Commissioner Zimmerlink noted that the award is not being made to the lowest bidder, Shepard Brothers bid because they did not meet the specifications of diesel engine as per the FACT office and Solicitor Ferens confirmed that was within the county code to do so. Commissioner Vicites asked Director Michelle Grant Shumar for the bid amount difference and was told that the total bid from Shepard Brothers was in the amount of \$247,784. Solicitor Ferens stated that did not matter because the bid was rejected for not meeting the specifications.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a Resolution for execution of grant agreements between the County of Fayette and the Pennsylvania Department of Transportation for the following Programs:

Urban Operating Assistance Welfare to Work Transportation Prog Sec 5310/CTCE

Urban Capital Assistance Free Transit Program for Sr Citizens Shared-Ride Program

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the filing of the Application for Approval Aboveground Tanks-Pumps-Drawing-Off Devices with the Pennsylvania Department of Labor & Industry for the FACT Transit Center Complex.

Motion Passed Unanimously

- Commissioners

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the following transfers to the General Fund Budget:

Transfer #8 2005 Budget

Tax collectors

014137 53250	Postage	Credit	\$204.00
014137 51470	Commissions	Debit	\$204.00

Community and Economic Development – Planning

014171 53130	ZHB Member	Credit	\$2,165.00
014870 51583	Insurance	Debit	\$2,165.00

Prison

014232 52290	Food	Credit	\$15,110.00
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14232 53195	Arbitration	Debit	\$15,110.00
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EMA

014291 53600	Utilities	Credit	\$425.00
014291 52000	M & Supplies	Debit	\$425.00

Courts

014184 53170	Subpoena/Witness	Credit	\$162.00
014184 51610	FICA	Debit	\$162.00

County Office List – Copy Machine Leases

014940 59010	Prior Year	Credit	\$5,678.45
014870 51583	Insurance	Debit	\$5,678.45

Total Debits	\$23,744.45
Total Credit	\$23,744.45

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Bridge Inventory and Inspection Reimbursement Agreement No. 121241 for Federal-Aid Highway Projects between the Commonwealth of Pennsylvania through the Department of Transportation and the County of Fayette and designate the Fayette County Board of Commissioners as signature authority for the County.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the lease agreement between the County of Fayette and Drew Rainey for Magisterial District 14-3-04 Magisterial District Judge Jesse Cramer in Belle Vernon.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for furnishing, delivery, and basic set-up for twenty-nine (29) desktop computers, upgrade 6 additional computers and software for the Fayette County Adult Probation Office in conjunction with the Children & Youth Service computer bid.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the agreement with ADT Security Services, Inc., 2858 Banksville Road, Pittsburgh, PA 15214 and the County of Fayette for fire protection services at the Federal Building for 3-year term, effective February 20, 2006 at \$32.81 per month.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the agreement between the County of Fayette and Angela N. Shultz of 152 Richhill School Road, Smithfield, Pennsylvania to provide janitorial services for the Magisterial District Office 14-03-02 – Magisterial District Judge Abraham at \$100 per month.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the agreement between the County of Fayette and Deanna Lynn Dull of PO Box 483, 105 Second St., Indianhead, Pennsylvania to provide janitorial services for the Magisterial District Office 14-03-07 Magisterial District Judge Breakiron at \$100 per month.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Minutes of the Commissioner Meeting for February 23, 2006.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for bids for air-conditioning units to replace the units in the Planning Office, Tax Claim Office and the former Juvenile Probation Office.

Motion Passed Unanimously

Public Announcement - None

Public Comment

Ralph Mazza commented on the Bridge Inspections and the award to Fayette Engineering. Mr. Mazza said that he did not receive an answer to his question at the last meeting and it was suggested that his question may have been misunderstood so he is asking the question again. He asked the Commissioners if the bid included a request for inspections of all 61 bridges and if all bidders received the same information ? Mr. Mazza questioned the bid of Fayette Engineering for inspecting 11 bridges at no charge.

Commissioner Zimmerlink asked if either of the two Commissioners wished to answer Mr. Mazza and after no response Commissioner Zimmerlink directed the question to Warren Hughes County Manager since he was involved in this process. Warren Hughes explained that all of the bidders received the same information and specifications. He said that the bidder was allowed to bid on any part of the bid making a comparison of one who sells a car and gives a price for the car and throws in the 4 tires for free. Mr. Mazza stated that the answers he is being given still do not add up right and that something in all of this is not right.

Jim Smith member of Fleet Reserve acknowledged that there was no representative present at the beginning of the meeting when asked in order for the Commissioners to present the proclamation for the Bataan Death March but asked if the Commissioners could read the Proclamation for the Bataan Death March. Commissioner Zimmerlink read the proclamation and urged the public to participate in the event that will be held on April 22, 2006. Commissioner Vicites stated he attended last year.

Ralph Mazza commented that he knew one of the Fayette County veterans who died as a result of the Bataan Death March and who will be honored on April 22, 2006. Mr. Mazza said the veterans name is Albert D'Auria of Connellsville.

Meeting adjourned at 11:00 a.m.

Approved:

Attest:

Judith M. Bodkin, Chief Clerk