

Thursday, May 25, 2006 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Thursday, May 25, 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
 Warren Hughes, County Manager
 Joseph Ferens, County Solicitor

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

- Proclamation /Other

Moved by Commissioner Hardy and seconded by Commissioner Vicites to proclaim May 2006 as Foster Care Month in Fayette County

Motion Passed Unanimously

Commissioner Zimmerlink informed the public that on Sunday, May 21, 2006 the Commissioners were invited to participate in a Welcome Home Warrior Citizen Ceremony and the Inactivation Ceremony of the 430th Adjunct General Ceremony in Hiller, PA. Commissioner Zimmerlink attended and accepted the return of the Fayette County flag along with a commemorative plaque. Commissioner Zimmerlink reminded the public that the soldiers of the unit requested a County flag which all of the soldiers signed and the flag was then flown over Iraq. On Sunday, Commissioner Zimmerlink thanked the soldiers and indicated that the Fayette County flag and plaque would be properly displayed in the Fayette County Courthouse.

- Controller

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

May 4, 2006 - \$8,475,000 for 14 days at 4.90% interest with First National Bank \$15,928.35; and May 18, 2006 - \$13,200,000 for 14 days at 5.05% interest with First National Bank \$25,568.22

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the following training services with Software Systems, Inc. which is in conjunction with the previously executed master agreement for the software and accounting system to be paid from the General Fund line item:

Quotation SSIQ1622 \$1,200.00 -treasurers office for vendors; commissioners office for requisitions/Po's and budgeting and Quotation SSIQ1623 \$2,400.00 -controllers office for payroll, GL, Project/Grant, crystal reports

Motion Passed Unanimously

Controller Mark Robert provided a Financial Report of the County's General Fund through May 24, 2006 showing funds due to the general fund of \$115,860.19. The net position of budget year 2006 is \$4,304,086.48 noting the 2006 revenues of \$12,134,750.43 and 2006 expenditures of \$8,906,538.92.

Commissioner Zimmerlink asked whether or not the Commissioners should be aware of any problem areas with this budget and Controller Roberts indicated none that he can see.

Commissioner Zimmerlink also asked Controller Roberts to review with County Manager Warren Hughes the issue of 2005 bills not yet paid and it is now May 2006.

- Juvenile Probation

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify an agreement between the Fayette County for the Juvenile Probation Office and IsecureTRAC Corporation of Nebraska to provide electronic monitoring equipment and services and insurance at a rate of \$0.50 per unit per day for a one-year period.

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 Combustion Service & Equipment Company of 2016 Babcock Blvd., Pittsburgh, PA, from June 1, 2006, through May 30, 2007 for HVAC mechanical equipment preventative maintenance at the CYS office building at an annual cost of \$1500.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising to lease 2 vehicles (2006 4 door Sedans) to be utilized by Fayette County CYS.

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 Blades 'N Spades of 243 Jess King Road, Grindstone, PA, from July 1, 2006, through June 30, 2007 for lawn maintenance services at the CYS property. Grass cutting \$60/cut; roadside bank trimming \$35/trim as needed and large hillside (rear) \$120/cut (2 times 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 Safeway Pest Control Services of 201 Brown Blvd., Uniontown, PA, from July 1, 2006, through June 30, 2007 for pest control services at the CYS building at a monthly cost of \$30.00.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the Fayette County CYS 2006-07 Independent Living Grant Application in the amount of \$54,000.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the participation of 10 youths & 2 staff in the 2006 Independent Living Retreat to be held at Jumonville Retreat Center from June 9 to June 11, 2006.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to appoint of Kelly A. Woods to the Fayette County Children & Youth Advisory Committee effective immediately to complete a vacated seat with the term to expire on September 30, 2007.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid No. 06-05: Furnishing, Delivery and Basic Set-up of twenty-nine (29) computers for the Adult Probation Office and Eight (8) desktop computers for Children & Youth Services to Vitalink. Adult Probation Office cost is \$36,157 and Children and Youth Services cost is \$7,072. Costs to be taken from prospective department's line item.

Motion Passed Unanimously

- Emergency Management

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for two staff members to attend the Pennsylvania Emergency Management Agency quarterly training June 6-7 in Clarion. Cost is budgeted.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for James Bittner, Hazardous Mitigation Officer to attend a Debris Management Class, September 18-21, 2006 at the National Emergency Training Center, Emmetsburg MD. Minimum cost is budgeted.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a request for 4 staff members to attend the State Regional Counter Terrorism Task Force Symposium August 28 – 30, 2006 in State College. Minimum cost to county is budgeted.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve under the Phase II of our current contract with L. Robert Kimball & Associates, Inc. costs for “Systems Implementation and Vendor Oversight” at a cost not to exceed \$ 122,000.00 + cost. Funding is through the State Wireless Grant.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Revised Fayette County 9-1-1 Plan as per Act 78 of 1990 as amended by Act 17 of 1998 and Act 56 of 2003.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify agreement with McClure & Wolf Certified Public Accountants to complete the tri-annual audit of the 9-1-1 account for years 2003-2005 at a cost of \$ 6,200.00.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve agreement with InterAct Public Safety Systems for the Computer Aided Dispatch System for the 9-1-1 system as part of the wireless upgrade at the cost of \$ 296,280.00.

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>Fee-For Service Agreement 2005-2006</u> | <u>Contract Value</u> | <u>Period</u> |
|--|-----------------------|-------------------|
| Education and Training Consultant | \$8,000 | 7/1/05-6/30/06 |
| <u>Modification Agreement #2 – 2005-2006</u> | | |
| Mental Health Association in Fayette County | \$654,161 | 7/1/05-6/30/06 |
| <u>HealthChoices Reinvestments Contracts 2000 and 2004</u> | | |
| Outside In School, Inc. | \$180,000 | Apr.2006-Dec.2007 |

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the administrative entity agreement 2006-07 between Fayette County and Department of Public Welfare Office of Mental Retardation.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the fiscal year 2007-08 Fayette County Mental Retardation Plan.

Motion Passed Unanimously

- Planning, Zoning & Community Development

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the purchase of insurance from Essex for coverage for the entire portion of the Sheepskin Trail from Dunbar to the West Virginia state line in the amount of \$15,465 for a period of one year. The cost is for liability premium, TRIA premium, State Premium Tax, and State Stamping Fee.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the submission of a grant application in the amount of \$5,000 to DCED for taser belts for the court system with no county match.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Fayette County Subdivision and Land Development Ordinance effective July 1, 2006.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to place on the Agenda for the June Commissioners Meeting the adoption of the text portion of the proposed changes to the Fayette County Zoning Ordinance.

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to ratify the approval of the rezoning petition RZ 06-2 of Dominic and Roxann DeFrank which requested an extension of R-1 Medium Density Residential Zone on property currently zoned A-1 Agricultural-Rural for property located in Menallen Township.

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the rezoning petition RZ 06-3 of Laurence J. Massung which requested a change from A-1 Agricultural Rural to B-1 General Business for property located in Franklin Township.

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the rezoning petition RZ 06-6 of Sleighter Engineering, Inc. which requested a change from A-1 Agricultural-Rural to R-1 Medium Density Residential for property located in North Union Township.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Letter to Proceed for Widmer Engineering for the re-design of one segment (Dunbar area) of the Sheepskin Trail which cost is in the amount of \$12,500 (Resolution No.06-2-23-19 gave approval for this work pending insurance coverage and other issues being resolved) and also approve Widmer Engineering to proceed with Phase II design, as outlined in the contract with the County.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising of a RFQ to perform title searches for 75 gap properties which the County may purchase for the southern end of the Sheepskin Trail.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve to advertise for bid for the paving of the lot of the Goodwill Recycling Center in North Union Township. Grant monies are secured through DEP.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve agreement between County of Fayette and Reflection by Ray to perform photography services for the County to replace and/or add to those photos already posted on the official county website in the amount not to exceed \$500.00 to be paid from the website grant Contract # C000009259 DCED #23-321-1756.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a shared cost with the County of Fayette and the Office of Human & Community Services for intern/staffing services through Laurel Business Institute for the remaining technical website functions for the county website. The total cost of the services is \$1,875.00 to be shared between the Office of Human & Community Services funds and from the website grant Contract # C000009259 DCED #23-321-1756.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve change order for the DCED grant application for an extension of the Sheepskin Trail at Brown's Run and also to change the scope of work of said Grant which will utilize all of the awarded funds in the amount of \$50,000, (website 20,000; Sheepskin \$15,000; Browns Run \$15,000) but will change the amount originally designated for each project noting that the entire awarded grant of \$20,000 was not needed for the county website and the remaining approximate \$6,000 is requested to be used toward the trails)

Motion Passed Unanimously

- Human Resource Department

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the following employment actions:

Within the Office of Children & Youth Services :

approve the hiring of Rebecca Plichta as County Caseworker 2 at a salary of \$15.33 (\$29,893.50) effective June 12, 2006.

approve the transfer of Georgette Carter from the Fayette County Mental Health Mental Retardation Office to the Fayette County Children & Youth Office as a Clerk Typist II at a salary of \$8.98 (\$17,517.00) effective June 26, 2006.

accept the resignation of Mildred I. Gibson, Clerk Typist II effective June 23, 2006 due to her retirement.

Within the Office of MH/MR:

accept the resignation of Kathleen Rerko, County Caseworker II effective May 19, 2006.

approve the hiring of Holly DeMao Ek as a County Caseworker II at a salary of \$14.58 per hour (\$28,431.00) effective June 12, 2006.

Within the Office of Human and Community Services:

accept the resignation of Jill Streit, Program Specialist, effective May 31, 2006.

accept the resignation of Cecil Burton, Part time Van driver effective April 14, 2006.

approve placement of Intern John Miller, who is a Laurel Business Institute student.

With the Office of Human Resources:

approve the agreement between the County of Fayette and the Private Industry Council (PIC) to place (5) interns throughout the County for the summer season. (Tax Claim, Veterans Affairs, District Attorney, Recorder of Deeds and MDJ Joseph George)

Motion Passed Unanimously

- Office of Human & Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the execution of grant agreements between the County of Fayette, FACT and the Federal Transit Administration for the following three programs: Section 5309 Bus & Bus Facility; Section 5307 Urbanized Area and Job Access Reverse Commute (JARC)

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the participation of two staff members in the 2006 National Transit Database Reporting Seminar (NTD) June 5-8, 2006 at the New Jersey Transit Corporation in Newark, New Jersey-Registration/Seminar fee-\$0 Lodging-\$1,175.12 (4 nights X 2 staff@ \$146.89 per night).

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the advertising of Fayette Area Coordinated Transportation, FACT's Fiscal Year 2006-2007 Plan of Projects for local, state, and federal funds.

Motion Passed Unanimously

- Tax Assessment Office

Next Agenda item was to Consider amending Resolution No. 06-4-27-5 which authorized LERTA for the business district of the City of Uniontown.

Commissioner Zimmerlink stated the Commissioners, Uniontown City, Uniontown School Board, representing attorneys and affected companies received a letter from Jim Hercik of the County's Tax Assessment Office indicating that the Uniontown School Board had not, at the time of last month's Commissioners Meeting approved LERTA and that the companies who applied for the LERTA program would not be eligible because all three taxing authorities must approve the LERTA program and also that the last date of the entity approving the same is the effective date.

Commissioner Vicites stated he did not believe it was necessary to amend the Resolution because the County approved the program and did not set a date for it to begin.

Solicitor Joe Ferens stated he spoke with Jim Hercik and that given the information he received he too does not believe it is necessary to amend the prior month's Resolution.

Commissioner Zimmerlink stated that the Minutes of the April 27, 2006 Commissioners Meeting would reflect the correct information.

- Commissioners

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the supplemental agreement to Bid Number 06-01 in the amount of \$70,951.00 to Maccabee for the Goodwill Recycling building. Maccabee as in the original bid is the lowest bidder. The cost is covered by the DEP grant at 100%.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to REJECT all Bids and to change the scope of work or type of materials on the bids received for renovation of the public restrooms at the Courthouse.

County Manager reported there were two bids received with the lowest bidder being approximately \$89,000 higher than the County's estimated total cost. He also reported that he and DRS Architects spoke and that the county employees of Building & Grounds could do some of the work and also that some materials could be substituted.

Commissioner Vicites agreed saying this could reduce overall costs.

Commissioner Zimmerlink stated she does not think the county employees of building & grounds have the expertise to do this type of work and that they are too busy keeping up with other needed work of county offices and buildings. Also she commented that the County Manager who is also the supervisor of Building & Grounds now reports that county employees of Building & Grounds could do some of the work but that should have earlier been taken into consideration before the Scope of Work was written into the specifications adding that anytime county employees of that department can do the work it should be done so that the money saved in contracting costs could be used for other county capital projects.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to waive toll collection for the Fredericktown Ferry for one day, July 1, 2006 which is the Riverfest 2006 event.

Commissioner Zimmerlink stated before the Motion was read that the Commissioners of Washington County indicated their agreement as well.

Motion Passed Unanimously

Next Agenda item concerned the leasing of two sites for Magisterial District Justice offices. Commissioner Zimmerlink stated that all Commissioners have the updated information. She informed the public that there were three tentative sites for Magistrate Haggerty 's office that included remaining at the present location and be renovated having monthly base rent at \$2,000 leasing from Dom/Susan Mongell or relocate to a new location on South Arch Street with new construction/renovation having a monthly base rent of \$1,800 leasing from Soberdash Brothers. The third location did not meet with specifications. The Courts will approve either location with their first preference being the South Arch Street site.

Also, Magistrate Blair's office must be relocated because it does not meet with new requirements. Three new sites were reviewed. One site did not meet the specifications. The other two sites were leasing from Agostini Group on Main Street or Kania group on Gallatin Avenue for \$1,600 monthly base rent. The Courts will approve either location with their first preference being the Gallatin Avenue site.

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to Reject RFP 06-04 and to approve lease agreements for Magisterial District Judge Mark Blair between the County and Paul and Richard Kania and for Magisterial District Judge Haggerty between the County and Soberdash Brothers.

Motion Passed Unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the Commissioners Meeting Minutes of April 27, 2006 with noted changes.

Motion Passed Unanimously

Public Announcement

HARD-TO-RECYCLE DROP OFF EVENT – Saturday, May 27, 2006 from 9:00 AM to 2:00 PM at the Fayette County Fairgrounds.

Commissioner Vicites stated that this program has been in operation for nearly 15 years and is beneficial to Fayette County. He also stated that there is one person in particular who has worked very hard in the program, that being, Lynn Capan.

Commissioner Zimmerlink urged all residents of Fayette County to take advantage of this event which is held twice a year. She also encouraged residents to take part in the local municipality Spring clean-up events and if they miss those events and their regular garbage refuse does not permit certain types of pick up to pay for a hauling service which is about \$40 per truck load and rid their properties of junk and debris.

Commissioner Zimmerlink stated that when she sought the office of Commissioner one of her campaign promises was to do what could be done to clean up Fayette County. She said that she knows it is Spring not because of the blooming flowers and shrubs but instead because of the numerous telephone calls she receives from residents complaining about high grass, debris and junk cars in their neighborhoods. She stated that she will be urging residents to clean up and asking local elected municipal officials to enforce their local ordinances.

Commissioner Zimmerlink also reported that in the coming months she plans on continuing to work with the Election Bureau to improve the overall process. She stated that her first year of office entailed watching the county process and noting some needed changes; her second year entailed working with the office in selecting new voting systems and implementing the HAVA and SURE requirements and this year will be continuing education to the voters on the new system; implementing a poll worker and constable training program; working to purge voter registration and other needed and required improvements.

Public Comment

Geraldine Mazza asked the Commissioners to do what they can to enforce the election rules as they pertain to not allowing people to enter the polling places with campaign paraphernalia.

Meeting adjourned.

Approved:

Attest:

Judith M. Bodkin, Chief Clerk