

Monday, December 31, 2007 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Monday, December 31, 2007 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

County Solicitor Sheryl Heid addressed item 13 - the hiring of a Planning Director stating the new hire would need to attend the Planning Commission Meetings and she urged the Commissioners to not Table the hiring.

Moved by Commissioner Hardy and seconded by Commissioner Zimmerlink to Amend the Agenda to include: Considering accepting the legal services of Reed Smith, pro bono, on the appeal by the Planning Office of ZHB Resolutions 07-24 and 07-27 and Consider proclaiming Fayette County support of the 250th Anniversary Celebration of Pittsburgh 250

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- Presentation of MH/MR Advisory Board Community Service Recognition Award

Harry Joseph presented the Mental Health Mental Retardation Advisory Board Community Service Recognition Award to Dr. Jo Ann Jankoski, Assistant Professor, Human Development & Family Studies at Penn State Eberly Campus.

Moved by Commissioner Hardy and seconded by Commissioner Vicites recognizing Dr. Jo Ann Jankoski as the recipient of the Mental Health Mental Retardation Advisory Board Community Service Recognition Award and to Proclaim support for the 250th Anniversary of the initiative Pittsburgh 250

Commissioner Zimmerlink aye
Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

- Controller

Moved by Commissioner Hardy and seconded by Commisisoner Vicites ratifying the investments of November 29, 2007 - \$12,050,000 for 14 days at 4.55% with Parkvale Bank \$21,029.73; December 13, 2007 - \$6,500,000 for 7 days at 4.60% with Parkvale Bank \$5,734.25 and \$4,950,000 for 14 days at 4.60% with Parkvale Bank \$8,733.70

Commissioner Zimmerlink aye

Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

- Report on the Financial Condition of the County

Controller Mark Roberts reported General Fund revenues of \$20,795,035.05 and expenditures of \$19,155,004.63 ending November 20, 2007. General Fund revenues of \$21,420,952.91 and expenditures of \$20,541,505.81 were reported as of December 28, 2007 with funds owed to the General Fund totally \$785,610.94 (Children & Youth Fund \$750,000 and Intermediate Punishment Fund \$35,610.940).

- Redevelopment Authority

Moved by Commissioner Hardy and seconded by Commissioner Vicites adopting the attached resolution which approves the 2007-2008 Emergency Shelter Grant (ESG) Application being submitted by the County on behalf of City Mission - Living Stones, Inc. This approval will authorize the Commissioners to sign and submit the application for assistance and will also approve execution of the attached Cooperation Agreement which highlights the Redevelopment Authority's responsibilities for administration of the County's 2007-2008 ESG Program

Commissioner Zimmerlink aye

Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

- Veterans Affairs

Commissioner Zimmerlink questioned why the information on the next two bids were not provided to the Commissioners. County Manager looked to the VA Director who indicated she had not provided it. Commissioner Zimmerlink suggested the Board Table the items.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to TABLE awarding Bid No. 07-28 Lease and delivery of one new 2008 minibus and TABLE awarding Bid No. 07-31 Flags and Grave Markers

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- Planning, Zoning and Community Development

County Manager reported 5 bids were received with 2 not meeting the specifications. Three bids meet the specifications (Bruce Mooney, International Baler Corp and Innovative Design Concepts Inc) with Bruce Mooney being the lowest bid.

Moved by Commissioner Hardy and seconded by Commissioner Vicites awarding Bid No. 07-27 Purchase of one Horizontal Door Baler for the County Recycling & Solid Waste Department to Bruce Mooney Associates, Inc. of Greensburg for \$46,340.00

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Harch and seconded by Commissioner Vicites to Ratify the approval of RZ - 07-15 Donald and Elizabeth Newell of Dawson Borough Consider ratifying the approval to extend R-2 High Density Residential Zone on property currently zoned B-1 General Business

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Hardy to Table RZ 07-16 Gloria Yanowsky Springfield Township Consider petition to extend A-1 Agricultural-Rural Zone on property currently zoned B-1 General Business pending the receipt of previously requested information

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to Approve RZ 07-27 Robert Mongell Dunbar Township Consider petition to extend B-2 Highway Business Zone on property currently zoned R-1 Moderate Density Residential

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Zimmerlink to accept the legal services on a pro bono basis excepting out of pocket disbursements from the law firm Reed Smith for the Fayette County Planning Office appeal of resolutions ZHB 07-24 and ZHB 07-27

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites nay

Motion passed 2-1

- Tax Assessment

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the following dates for the 2008 Real Estate & Per Capita taxes.

March 1 st billing date	
March 1 to April 30 th	2% Discount Period
May 1 st to June 30 th	Face Period
July 1 st to December 31 st	10% Penalty Period

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- Emergency Management

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying maintenance agreement/addendum for the 911 phone system

Commissioner Zimmerlink aye

Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- Children & Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites reappointing Debra Cooper to a 3-year term on the Fayette County Children & Youth Services Advisory Committee for a term to expire on December 31, 2010

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving an Addendum to the FY2007-08 contract between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and Auberle, 1101 Hartman St., McKeesport, PA 15132 for the provision of in-home services listed below.

Crisis In-Home Services	\$ 54.04 per hour
Intensive Family Reunification Program	\$ 71.40 per hour

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving a purchase of service agreement between the County of Fayette through Children & Youth Services & Attorney Joseph M. Standish, 125 South Main Street, Masontown, PA 15461 at a rate of \$65.00 per hour. The county must have agreements with attorneys that provide legal representation of children in dependency matters. Mr. Standish has been appointed by the court to do so

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- MH/MR Program

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving agreements and modifications:

<u>Professional Agreement 2007-2008</u>	<u>Contract Value</u>	<u>Period</u>
Keffer Development Services, LLC	\$7,500/Annual Maint. \$ 85/hr Consultation	7/1/07-6/30/08

<u>Administrative Entity Contract 2007-2008 (Federal)</u>		
Transitional Employment Consultants (TEC)	\$ 13,630	7/1/07-6/30/08

<u>Administrative Entity Modification #1 2007-2008 (Federal)</u>		
Community Living Care, Inc.	\$ 74,606	7/1/07-6/30/08
Goodwill Industries of Fayette County	\$ 399,430	7/1/07-6/30/08
Twin Trees, Inc.	\$1,418,396	7/1/07-6/30/08
Verland-CLA	\$ 702,978	7/1/07-6/30/08

<u>Modification Agreement #1 2007-2008 (Base)</u>		
Twin Trees, Inc.	\$ 266,475	7/1/07-6/30/08
Verland-CLA	\$ 7,920	7/1/07-6/30/08

<u>HealthChoices Reinvestment Funds</u>		
Brownsville Tri-County Hospital	\$1,400,000	2006

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying the Calendar Year 2008 HealthChoices Behavioral Health Agreement between the Commonwealth of Pennsylvania and the County of Fayette as Amended

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- Human Resource Department

Under MH/MR

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the promotion of

Carol Over to the vacant County Deputy Mental Health Administrator 1 at \$29.64/hr. (\$57,798.00/yr) effective December 17, 2007

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the hiring of Julie Morris as Administrative Assistant 2 at \$13.36/hr. (\$26,052.00/yr), effective January 2, 2008

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Under the Office of Human and Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying the hiring of James Galley for the position of Small Transit Bus Driver at SEIU Grade 7 at \$9.47/hr. (\$18,466.50/yr) effective December 17, 2007

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to hire Sally Fosbrink for the position of Transportation Information Specialist at \$9.17/hr (\$17,881.50/yr), effective January 7, 2008

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites changing Shirley Vargo's full-time status of a small transit vehicle operator to a part-time operator effective January 28, 2008

Commissioner Zimmerlink aye
Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites accepting Anthony Sabec's resignation as a Technology Manager effective January 4, 2008

Commissioner Zimmerlink aye

Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

Under Children & Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicities approving an educational leave for John Fritts, caseworker from January 14, 2008 through May 8, 2008 in order to complete his master's degree in School Counseling

Commissioner Zimmerlink aye

Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying the reinstatement of Shawn Taylor as County Caseworker 2, effective December 26, 2007 at \$14.35/hr. (\$27,986/yr)

Commissioner Zimmerlink aye

Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

Under the Office of Planning Zoning & Community Development

Moved by Commissioner Hardy and seconded by Commissioner Vicites accepting the resignation of Teresa Furnier as Community Development Specialist effective January 4, 2008

Commissioner Zimmerlink aye

Commissioner Hardy aye

Commissioner Vicites aye

Motion passed unanimously

Commissioner Zimmerlink stated the next item should be Tabled to allow Commissioner-elect Zapotosky an opportunity to review the matter as he has requested. Commissioner Zimmerlink added that although County Solicitor Sheryl Heid said earlier in the meeting under Public Comment that this matter needed approved she disagreed saying that Commissioner Hardy and Vicites approved a contract with McMillen Engineering to have former Director Tammy Stenson perform some the required duties for a six month period. Commissioner Zimmerlink also added that it would be less than a week until the next Commissioners Meeting. Commissioner Vicites said there was no reason to not take action today as all Commissioners had an opportunity to sit in on the interviews adding that Ms. Rosiek is educated and that the HR Director, Jen Cline of Felice Associates made this hiring recommendation.

A Motion by Commissioner Zimmerlink to Table the next item failed for a lack of a second

Moved by Commissioner Hardy and seconded by Commissioner Vicites to hire Sara Rosiek as the Director of Planning effective January 2, 2008 at \$33,267/yr

Commissioner Zimmerlink	nay (for the purposes stated above)
Commissioner Hardy	aye
Commissioner Vicites	aye

Motion passed 2-1

Under the Tax Claim Bureau

Commissioner Zimmerlink stated the next item should be Tabled to allow Commissioner-elect Zapotosky an opportunity to review the matter as he has requested. Commissioner Vicites stated again that the Commissioners had an opportunity to sit in on the interviews and that this should be acted on because there are scheduled tax sales. Commissioner Zimmerlink said that it would be less than a week until the next Commissioners Meeting.

A Motion by Commissioner Zimmerlink to Table the matter failed for a lack of a second.

Moved by Commissioner Hardy and seconded by Commissioner Vicites hiring Sara Thomas as the Director of the Tax Claim Bureau effective January 2, 2008 at \$26,286.00/yr

Commissioner Zimmerlink	nay (for the reasons stated above)
Commissioner Hardy	aye
Commissioner Vicites	aye

Motion passed 2-1

Under Tax Assessment Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to hire Maria DeCarlo as the part-time Data Entry Clerk at \$8.00/hr. effective January 2, 2008

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- Human & Community Services/FACT

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving FFY 2008 County of Fayette/Fayette area Coordinated Transportation Disadvantaged Business Enterprise, (DBE), Plan

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to Table the awarding Bid # 07-29 Sale of County of Fayette, FACT Vehicles

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites authorizing the Director as signatory for the PA Department of Transportation's electronic access to DOTGRANT, the electronic grants management system

Commissioner Zimmerlink aye
Commissioner Hardy aye
Commissioner Vicites aye

Motion passed unanimously

- Commissioners Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving Commissioners Meeting Minutes of November 29, 2007

Commissioner Zimmerlink aye
 Commissioner Hardy aye
 Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying the following General Fund budget transfers dated November 13 – December 11, 2007.

<u>OFFICE</u>		<u>DEBIT</u>	<u>CREDIT</u>
Election Bureau			
014120 52000	Material & Supplies	\$800.00	
014120 53200	Telephone		\$800.00
Recorder of Deeds			
014999 59040	Unappropriated	\$1,886.18	
014153 51560	Health Care		\$1,886.18
Controllers Office			
014133 57000	Capital Outlay	\$2,000.00	
0141771 53400	Legal Advertisement		\$2,000.00
Assessment			
014136 53014	Mineral Assessment	\$4,000.00	
014136 53200	Telephone		\$2,000.00
014136 53300	Travel		\$2,000.00
Planning Office			
014171 52425	Magistrates Filing Fees	\$1,500.00	
014171 53403	Legal Advertising		\$1,500.00
Building & Grounds			
014174 53610	Utilities	\$1,200.00	
014174 53741	Auto Repair		\$1,000.00
014174 53300	Travel		\$200.00
Courts			
014184 54200	Association Dues	\$800.00	
014184 53010	Contract Computer Services		\$800.00
Clerk of Courts			
014191 52210	Micro Filming	\$1,000.00	

014191 51400	Salary Staff		\$1,000.00
Coroner/Jail			
014232 53830	Jail/Prison Cell Rental		\$14,000.00
014193 53180	Coroner/Autopsies		\$14,000.00
Jail			
014232 53830	Prison Cell Rental	\$36,400.00	
014232 53020	Inmate Medical Care		\$35,900.00
014232 53200	Telephone		\$500.00
		TOTAL DEBITS	\$63,586.18
		TOTAL CREDITS	\$63,586.18

Commissioner Zimmerlink aye
 Commissioner Hardy aye
 Commissioner Vicites aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites adopting the 2008 Fayette County General Fund Budget

Commissioner Zimmerlink aye
 Commissioner Hardy aye
 Commissioner Vicites aye

Motion passed unanimously

Commissioner Vicites stated expenses have been watched throughout the year and now a more realistic approach is taken; monies have been set aside for additional voting systems and the cost of wages and health benefits increased the overall budget.

- Public Announcement

Commissioner Zimmerlink reminder the Commissioners of the need to decide whether or not additional Eslate voting systems would be purchased saying she forwarded contact information to both Commissioner Vicites and Commissioner-elect Zapotosky last week. She urged them to review this and be able to make a decision because the Primary is April 22, 2008. She reminded them that the 2008 budget has funds for a purchase. Commissioner Vicites acknowledged he received Commissioner Zimmerlink's information but that he and Hart Intercivic had not been able to talk further.

Commissioner Vicites presented out-going Commissioner Hardy with a plaque thanking him for his 4 years as County Commissioner.

- Public Comment

Ralph Mazza thanked Commissioner Hardy for his service and added that he was disappointed in both Commissioner Hardy and Commissioner Vicites for voting on the 2 hires that Commissioner-elect Zapotosky requested be tabled.

Tanya Cellurale asked why the Agenda had to be amended. Commissioner Zimmerlink stated that the two items added were given to the Commissioners Office after the Agenda had been printed and distributed. Ms. Cellurale asked what ZHB cases were affected and Commissioner Zimmerlink re-read the Motion. Commissioner Zimmerlink confirmed to Ms. Cellurale that the law firm contacted the County by letter.

Ted Pritchard thanked Commissioner Hardy for his service.

Geraldine Mazza commented she was disappointed that Commissioner Hardy and Commissioner Vicites did not honor Commissioner-elect Zapotosky's request to table the two hirings adding that a few days would not have made a difference.

Meeting Adjourned

Judith M. Bodkin, Chief Clerk