

Thursday, November 30, 2006 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Thursday, November 30, 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
Judith 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

- Controller

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the following investments: November 2, 2006 - \$4,600,000 for 14 days at 5.18% interest with Invest \$9,139.51; November 16, 2006 - \$9,750,000 for 14 days at 5.17% interest with First National \$19,334.38

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Controller Mark Roberts reported on the Financial Condition of the County through November 30, 2006 on the Funds Owed to the General Fund and the net position to be \$2,359,398.53. The total revenues year to date is \$20,354,035.20 and the total expenses year to date is \$17,526,331.05.

Commissioner Zimmerlink requested that Mark Roberts provide the Commissioners Office with the closeout numbers for the General Fund through November 30, 2006 by the first few days in December so that the General Fund Budget could be finalized. Mr. Roberts indicated that his office is in a position to comply with the request.

- Emergency Management/911

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the request of the EMA Director to attend a KEMA workshop on December 12 & 13 at Harrisburg Area Community College – Public Safety Training Center which is budgeted.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract with L. Robert Kimball & Associates for updating of the 9-1-1 address mapping/GIS data as it relates to 9-1-1 wireless call processing. Contract amount not to exceed \$ 124,700.00, funded under the state wireless funding. Funding has been received.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract with L. Robert Kimball & Associates for support in validating the accuracy of the wireless services providers (WSP) wireless and tower infrastructures. Contract amount not to exceed \$ 80,120.00, funded under the state wireless funding.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the renewal of the service contract with Motorola for the 9-1-1 system. Total cost not to exceed \$ 232,000.00 of the next three years, paid quarterly and which is budgeted annually.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the County Certified HazMat Team Radiological Response Team members to attend refresher certification training January 26 & 27 2007 in Johnston, Cambria County which is budgeted.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

- **Planning, Zoning & Community Development**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to enter into a Cooperation Agreement with the following municipalities: Luzerne Township, Dunbar Township, and Markleysburg Borough effective January 1, 2007 through December 31, 2010.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

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

RZ 06-20, Kathleen Keller, Redstone Township approving a change from C-1 Conservation to A-1 Agricultural-Rural;

RZ06-21, Mickey Joseph, Dunbar Township approving a change from M-1 Light Industrial to R-1 Medium Density Residential

RZ06-22, Mark Weakland, Georges Township approving a change from A-1 Agricultural – Rural to M-1 Light Industrial

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

- **Tax Assessment**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve David Domen, Mapping Supervisor, to attend a workshop December 6th in Westmoreland County for GIS & Geospatial Technology.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the awarding of Bid No.06-17 Binding of 2007 Tax Duplicates to Larry Goldberg at \$25.00 per book.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

- **Veterans Affairs**

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to TABLE the Veterans Office taking over stewardship of the Waste Management trailer and consider request to allow the Connellsville Area Vo-Tech School to commence cosmetic repairs of the Waste Management trailer not to exceed (\$).

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for bids for grave markers and flags. The cost of which has been earmarked and will fall within the 2007 budget.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

- **Juvenile Probation Office**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid No. 06-18: Purchase and Delivery of one (1) new 2007 Seven Passenger Van to DAY Fleet Sales in the amount of \$15601.00.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the purchase of service agreements for the period 07/01/06 thru June 30, 2007 as listed below:

White Deer Run (Cove Prep)

Cove Prep (Torrence)	
Adolescent Male Sex Offender	\$250.00
Cove Forge BHS (Williamsburg)	
Adolescent Male MH RTF	\$209.17
Adolescent Male MH/MR RTF (Trust House)	\$266.43
White Deer Run of Allenwood	
Adolescent Detox	\$190.00
Adolescent Short-Term Rehab	\$181.00

Family Behavioral Resources

Psychiatric Evaluation	\$225.00
Psychiatric Med Checks	\$48.97
Therapist:	
Individual Intake per session	\$80.00
Individual Therapy per session	\$70.00

On roll call the vote was:

Commissioner Zimmerlink: Aye
 Commissioner Hardy: Aye
 Commissioner Vicites: Aye

Motion passed unanimously.

- **MH/MR Program**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the following Agreements/Contracts:

<u>Contract Agreements 2006-2007</u>	<u>Contract Value</u>	<u>Period</u>
COMPRO	\$23,500	7/1/06-6/30/07
Integrated Care Corporation	\$62,000	7/1/06-6/30/07

Administrative Entity Agreement 2006-2007 (FEDERAL)

Northwestern Human Services of PA	\$21,372	7/1/06-6/30/07
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Administrative Entity Modification Agreements #1 2006-2007

Community Living Care, Inc.	\$64,603	7/1/06-6/30/07
Life's Work of Western PA	\$34,523	7/1/06-6/30/07

Modification Agreement #1 2005-2006

Community Living Care, Inc.	\$50,487	7/1/05-6/30/06
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Modification Agreements #2 2005-2006

Crosskeys Human Services, Inc.	\$1,095,742	7/1/05-6/30/06
Paula Teacher and Associates	\$60,405	7/1/05-6/30/06

On roll call the vote was:

Commissioner Zimmerlink: Aye
 Commissioner Hardy: Aye
 Commissioner Vicites: Aye

Motion passed unanimously.

- **Human Resource Department**

Tax Claim

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the resignation of Diane Martin, Accounts Clerk I, as of 11/9/06.

On roll call the vote was:
Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Office of Human and Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the termination of Robert Swift as Small Transit Bus operator as of 11/20/06.

On roll call the vote was:
Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the promotion of Jerry Brame as FACT Dispatcher at \$13.60 /hour effective December 4, 2006.

On roll call the vote was:
Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to hire Kristine Peck as FCOHCS Accountant II at \$12.72/hour effective December 1, 2006

On roll call the vote was:
Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Building and Grounds

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of Allan Laub, Custodian, effective 11/3/06 and accept the retirement notice of Jerry Trainor, Custodian, effective 12/01/06.

On roll call the vote was:
Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to hire Edward Arendas and Walter Baird III as Custodians, Grade 2 SEIU at \$7.77 per hour (\$15,151.50) effective 12/04/06.

On roll call the vote was:
Commissioner Zimmerlink: Nay
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Commissioner Zimmerlink stated that in addition to posting the positions internally the positions should have been placed in the newspaper in order to have a pool of candidates to select from rather than sifting through dated applications. Jim Moore of Felice Associates confirmed that the

positions were not advertised. Commissioner Zimmerlink, again, reiterated her wishes and reminded her fellow Commissioners and Felice that this is not the first time this has occurred and that this practice should stop.

Motion passed 2-1.

The next item on the Agenda was to consider ratifying the approval of a policy change known as Policy 6/2 Travel & Business Expense. Commissioner Zimmerlink stated her discontent with her fellow Commissioners signing off on a policy change without first a deliberation and a formal vote. Commissioner Vicites stated he thought the matter would be placed on the Agenda for discussion even though it was signed off on. Commissioner Zimmerlink reiterated that the request was prepared by Jim Moore of Felice Associates and obtained two Commissioner signatures which means that the matter was already approved reminding her fellow Commissioners that they have told her on other matters that it only takes two Commissioner signatures to approve an item. Commissioner Zimmerlink stated that the written approval should not have been given and the Agenda item is to ratify the approval.

Jim Moore, HR Director Felice Associates explained this matter came up because of EMA's recent trip and from others so he was asked to put together appropriate changes to the policy. Mr. Moore stated that at times it is difficult to keep receipts to turn in for reimbursement and that he also looked at what other counties were paying for meal allowances. Commissioner Vicites stated he researched the matter through the Controller's Office to determine the number of overnight trips before agreeing to this concept.

Commissioner Zimmerlink reviewed the policy changed and disagreed with her fellow Commissioners to (1) increase the meal allowance from \$25 to \$35 and (2) disagreed that only a receipt would be required for costs exceeding \$15.00. She stated that a receipt should accompany all reimbursements. Commissioner Vicites agreed indicating that he did not realize that part was amended. Commissioner Zimmerlink suggested that her fellow Commissioners agree not to ratify an action taken by them and instead proposed another action.

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to amend the Fayette County Policy and Procedure Manual Section 6.2 Travel and Business Expenses to read: "The Meal allowance is intended to reimburse employees when, because of travel, the employees are required to eat their normal breakfast or dinner meals away from home. The Meal allowance of up to a maximum of \$ 25.00 per day is to be used to reimburse employees only for those meals actually consumed away from home as a result of overnight travel. The actual expense for meals should be submitted with original receipts for all meals as an expense item up to the maximum of \$25.00 per day. Policy Change effective January 1, 2007".

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

- **Human & Community Service**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an amendment to the FY 2005-06 Transportation Agreement between the County of Fayette, FACT and the following paratransit carriers: Goodwill Industries, Inc. Mountain Citizen's Action Group and White Line Taxi & Transfer.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an amendment to the FY 2006-07 PA Department of Public Welfare, Human Services Development Fund agreement between the County of Fayette through the Fayette County Office of Human &

Community Services and the following providers: Albert Gallatin Human Services Agency, Inc., Counseling allocation increased to \$19,200 & Homemaker allocation increased to \$80,800; City Mission Case Management allocation increased to \$20,000; Fayette County Community Action Agency, Inc., Housing Counseling allocation increased to \$9,132 & Information & Referral allocation increased to \$28,900; Fayette County Drug & Alcohol Commission Education & Information allocation increased to \$81,250; Fayette County Housing Authority Aging Program allocation increased to \$25,500, Adult Daycare Program allocation increased to \$22,800, Case Management allocation increased to \$25,800 & Homemaker allocation increased to \$71,044; & Fayette County Mental Health/Mental Retardation Program Family Support Services allocation increased to \$15,000 & Adult Development Training allocation increased to \$239,000.

On roll call the vote was:

Commissioner Zimmerlink: Abstain
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed 2-0.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the advertising of an Invitation for Bid (IFB) for the procurement of van(s) for Fayette Area Coordinated Transportation, (FACT) department (Advertisement follows PA Department of Transportation's review and approval of IFB package).

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the participation of the FCOHCS Director in the PA Association of Human Service Administrators, (PACHSA), Winter Quarterly Meeting December 6 & 7, 2006 in Harrisburg (Registration fee: \$130 One night's lodging: \$122.08).

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve FFY 2007 Federal Transit Administration Certifications and Assurances.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

- **Commissioners**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid No. 06-19: Purchase and Installation of Vehicle Tires/Certain Work on county vehicles to Gebe-Skocik Tire of Uniontown, PA.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid No. 06-20: Gasoline and Diesel Fuel for the period January 1-December 31, 2007 to Center Independent, Uniontown, PA.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid No. 06-22: Purchase and Delivery of Janitorial Supplies to Sam Tell, Central Poly, Steratore, Ecolab and Janitor Supply for a one year period.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the Right of Way Agreement and Partial Release of Easement between the County of Fayette and Allegheny Power

Commissioner Zimmerlink asked County Solicitor Joe Ferens to confirm his review prior to Commissioners Hardy and Vicites approving the agreement prior to this meeting.

On roll call the vote was:

Commissioner Zimmerlink: Abstain
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed 2-0.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the budget transfers from October 20, 2006 to November 16, 2006

OFFICE	DEBIT	CREDIT
ELECTION BUREAU		
014120 53400 Advertising	\$2,000.00	
014120 51313 Election Workers		\$2,000.00
		<i>Funds needed to pay election workers.</i>

ASSESSMENT OFFICE		
014136 53250 Postage	\$200.00	
014136 54200 Association Dues		\$200.00
		<i>Funds needed for in-service training.</i>

COURTS		
014184 53200 Telephone	\$1,000.00	
014184 54200 Association Dues	\$2,500.00	
014184 51411 Salary Viewers		\$500.00
014184 52000 Material & Supplies		\$2,000.00
014184 53250 Postage		\$1,000.00
		<i>Funds needed for additional viewers salaries, supplies and postage.</i>

MAGISTRATES		
014186 51400 Salary – full time	\$6,000.00	
014186 51610 FICA	\$1,000.00	
014186 53600 Utilities		\$3,500.00
014186 52000 Material & Supplies	\$3,500.00	

Funds needed for utilities and supplies.

DISTRICT ATTORNEY

014194 51400	Salary – full time	\$2,000.00	
014194 51560	Health Insurance	\$3,000.00	
014194 53200	Postage	\$1,000.00	
014194 52000	Material & Supplies		\$5,000.00
014194 53300	Travel		\$1,000.00

Funds needed for supplies and fuel expense.

PRISON

014232 53830	Cell Rental	\$10,000.00	
014232 52000	Material & Supplies		\$10,000.00

Funds needed for supplies.

ADULT PROBATION

014236 51610	FICA	\$4,000.00	
014236 52000	Material & Supplies		\$2,000.00
014236 53010	Computer Services		\$2,000.00

Funds needed for supplies and computer repairs.

VETERANS AFFAIRS

014294 51560	Health Care	\$2,000.00	
014294 52000	Material & Supplies		\$2,000.00

Funds needed to letter new van and phone repair.

TAX CLAIM/UNAPPROPRIATED

014999 59040	Unappropriated	\$1,500.00	
014138 52000	Material & Supplies		\$1,500.00

Budgeted insufficient funds in Material & Supplies.

TOTAL DEBITS	\$36,200.00	
TOTAL CREDITS		\$36,200.00

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Commissioners Meeting Minutes of October 26, 2006.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to propose the 2007 General Fund Budget on November 30, 2006 for adoption on December 21, 2006.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously.

Commissioner Vicites commented that past and future spending still needs to be monitored. He stated that this proposed budget has an approximate \$110,00 deficit and that will be looked at

before final approval. He stated that the proposed budget has no payment toward the debt as it has been satisfied and that the County will have a carry over balance from 2006 into 2007.

- **Public Announcement**

Commissioners Agenda Meeting will be December 19th and the Commissioners Meeting will be December 21, 2006. Also there will be a Rededication of WWII Memorial on Friday, December 8th at noon at the courthouse.

- **Public Comment**

Ralph Mazza questioned Commissioner Vicites' comment that the County has no debt and no payment would need to be made in 2007. Commissioner Vicites stated by debt he meant prior year deficit. Mr. Mazza also commented on his continued dissatisfaction that two Commissioners are signing off on matters without involving the Chair.

Marigrace Butela, tax collector for Dunbar Township representing the Fayette County Tax Collectors Association commented on a meeting that was held with representatives of the county and the tax collectors and questioned why Commissioner Zimmerlink was not present stating that she should have been. Ms. Butela also reiterated the tax collectors concern of the time frame for which reimbursement of postage is made. Commissioner Zimmerlink stated that although she was not present she had representatives of the County, such as Jim Hercik, John Cupp, Warren Hughes and Nancy Gabriel were present and that both Commissioner Vicites and his assistant Holly Sumey were present. Commissioner Zimmerlink asked Ms. Butela why she had not questioned why Commissioner Hardy was not present. Commissioner Hardy confirmed that he was not aware of the meeting but that he was informed of the substance of the meeting. Commissioner Vicites commented that should be paid in a timely manner, tax collectors and vendors. He further suggested that with the 2006 year end carry over perhaps this will not occur, however, County Manager Warren Hughes cautioned on counting on that given other issues. Mike Schloer, tax collector for Saltlick Township was also present, however, did not make a public comment.

Representatives of the South Union VFD, Fred Dobek, Adam Bucheit and Marty Reagan, commented on their request for the County to enter into a lease agreement with the VFD for the magisterial district office. Commissioner Zimmerlink reiterated the procedure as was what has been done in the past for all the offices. Commissioner Vicites stated that he would support this location because it is a VFD and they give back to the community stating that other lease agreements for the other magisterial districts are with private owners.

Chris Philips and Jackie Shrum of Experience Works reported on them showing close to 700 seniors between August and mid November on how to use the new electronic voting machines. Both indicated they wish to do the same for the upcoming Primary election and that they have worked closely with HART, the makers of the voting system.

Moved by Commissioner Hardy and seconded by Commissioner Zimmerlink to adjourn the meeting.

On roll call the vote was:

Commissioner Zimmerlink: Aye
Commissioner Hardy: Aye
Commissioner Vicites: Aye

Motion passed unanimously

Meeting Adjourned.

Judith M. Bodkin, Chief Clerk

