

Thursday, October 26, 2006 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Thursday, October 26, 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

John Logan from the PennDOT Bureau of Aviation spoke on the zoning and compatible land uses with respect to the airport suggesting that the County, BOA and airport work together in developing that section of the zoning ordinance. Sam Cortis, manager of the airport authority agreed. They offered information and would provide a sample model which they believe would be beneficial.

Commissioner Zimmerlink agreed that their involvement was needed wondering why their input was not received prior to the adoption of the Zoning Ordinance last month. Commissioner Zimmerlink stated it was her understanding that the same language was to be used. Also, she stated that we have been told that the updated Ordinance was less restrictive with respect to cell tower and the airport and when she heard of a proposed construction of a cell tower near the airport and the Isaac Meason Historic Home red flags went up. Commissioner Zimmerlink asked that the parties get together and take care of the matter within 30-60 days.

Commissioner Vicites said that the County definitely needs their input. He said the airport is transforming and the Ordinance needs adjusted with the overlay. He said the issue needs to be looked at but maybe not in the next month because it can be worked with the expansion and overlay. Commissioner Vicites said amendments happen.

- Proclamations

Moved by Commissioner Hardy and seconded by Commissioner Vicites to proclaim October 2006 Breast Cancer Awareness Month.

On roll call the vote was:

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

Motion passed unanimously.

- **Bridge Department**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for bids for a 4-wheel drive Crew Cab Truck to be purchased in 2007 from the Liquid Fuel Funds.

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 a 1984 GMC 7-ton truck with snowplow from Bullskin Township for \$1,500 paid from the Liquid Fuel Funds.

On roll call the vote was:

Commissioner Zimmerlink: Aye

Commissioner Hardy: Aye

Commissioner Vicites: Aye

Motion passed unanimously.

- **Controller**

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

October 5, 2006 - \$9,950,000 for 14 days at 5.13% interest with Invest \$19,578.33; October 19, 2006 - \$7,750,000 for 28 days at 5.15% interest with First National Bank \$30,617.80

On roll call the vote was:

Commissioner Zimmerlink: Aye

Commissioner Hardy: Aye

Commissioner Vicites: Aye

Motion passed unanimously.

Next on the Agenda, Controller Mark Roberts reported on the Financial Report of the County. He reported the total 2006 revenues of \$18,229,708.21 and expenditures of \$15,745,296.71 for September 30, 2006 and the total 2006 revenues of \$20,105,444.03 and expenditures of \$16,826,220.22 for October 25 2006. He also stated that the investments have been doing very well.

Commissioner Zimmerlink asked Controller Roberts and County Manager Hughes to confirm that the information has been provided to put on the spreadsheets for the upcoming budget preparation. Both confirmed that the numbers were in as of September 30, 2006. Controller Roberts said that the numbers are much more accurate than those in prior years and that the numbers through September 30, 2006 in and accurate to the best of their ability.

- **Sheriff**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the awarding of Bid No. 06-15: Lease of One New 2006 Passenger Van Prison Package to Superior Automotive Group, at a monthly cost of \$648.28/month for 60 months or a total price of \$33,740.

On roll call the vote was:

Commissioner Zimmerlink: Aye

Commissioner Hardy: Aye

Commissioner Vicites: Aye

Motion passed unanimously.

- **Emergency Management/911**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve five staff members to attend Computer Aided Dispatch (CAD) training at InterAct Headquarters in Lithonia, GA, November 5-11, 2006 and to approve two staff members to attend a Multi-Hazard Emergency Planning for Schools Train-the-Trainer course, January 22-25 2007 at the National Emergency Training Center.

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 approve the grantee of the Growing Greener Discretionary II Monies to be the applicant and act on behalf of the County for their specific projects (Sheepskin Trail and County Park improvements). Other possible applicants; Conservation District, Mountain Watershed Association, individual municipalities.

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 submittal of the grant application to DEP for the County's 2006 recycling application in the amount of \$499,848.00, as follows:

- (a) Fayette County Community Action Agency and Penn State Fayette Campus for purchase of haul-all boxes and various sized recycling containers to be placed inside the buildings and offices.
- (b) County submission to update the County's Recycling & Solid Waste Program and
- (c) County submission, on behalf of Goodwill for a fork lift, horizontal baler, three glass crushers, replace truck scales and install safety rub rails, skid loader, wire baskets, two oil burning furnaces and haul-all truck

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 Cooperation Agreement for the administration and enforcement of the UCC for the following municipalities: Bullskin, Franklin, Everson, Henry Clay, Fairchance, Georges, Belle Vernon, Stewart, Newell, Upper Tyrone, Springfield, Jefferson, Brownsville Township, German, Nicholson, and Redstone. The Agreement will take affect 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 take the required steps to amend the November 1, 2006 Zoning Ordinance sections pertaining to Communication Tower to revert back to the section referred to as Communication Antennas and Communications Equipment Buildings and/or the Airport Hazard Overlay and also to take into consideration and work with PennDOT, Bureau of Aviation.

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 professional activity, limited for Roskovensky (11-06-0109) to operate ReMax First Choice (real estate business) on property zoned R-1 in Fairchance Borough.

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 ratify the advertising for Request for Proposals (RFP) for the leasing of natural gas rights, described as 50.68 acres underlying tax map parcel 16-0800038 retained by the County located in Henry Clay Township.

On roll call the vote was:

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

Motion passed unanimously.

- **Children & Youth Services**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve purchase of service agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and Southwood Residential Treatment Facility 2575 Boyce Plaza Road Pittsburgh, PA 15241. The rates are as follows: (FY06-07)

| | |
|--|------------------|
| Initial Clothing | \$250.00 total |
| Inpatient Acute | \$543.54 per day |
| Southwood MRDD RTF | \$250.86 per day |
| Southwood SMB RTF | \$250.86 per day |
| Prosperity RTFs (Concord, Prosperity, Mansion) | \$185.12 per day |
| Promise House RTF | \$146.71 per day |

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 # 06-16 Leasing of Two (2) Four Door Sedans for Fayette County CYS to Fike Chevrolet of Masontown in the amount of \$303.10 per month.

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 ratify the advertising for bids for the purchase of a 2007 seven-passenger van.

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 agreements/modifications between the county of Fayette through the Fayette County MH/MR Program:

| <u>Modification Agreements #1 2005-2006</u> | <u>Contract Value</u> | <u>Period</u> |
|---|-----------------------|-----------------|
| Clearfield-Jefferson MH/MR Program | \$ 1,589 | 7/1/05-6/30/06 |
| National Mentor Healthcare LLC d/b/a PA Mentor | \$ 272,498 | 7/1/05-6/30/06 |
| <u>HealthChoices Fee-For Service Agreement 2007</u> | | |
| MCF LLC | \$ 100/per hr | 1/1/07-12/31/07 |
| <u>HealthChoices Professional Services Agreement 2007</u> | | |
| Obermayer Rebmann Maxwell & Hippel LLP | \$ 275/per hr | 1/1/07-12/31/07 |

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 renew a two-year agreement of HealthChoices Behavioral Health Agreement between Commonwealth of Pennsylvania and County of Fayette effective January 1, 2007.

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 accept the bid submitted by Superior Automotive Group, Uniontown, PA at a monthly cost of Three Hundred Eighty-Nine Dollars and Fifty-Two cents (\$389.52) for thirty-six (36) months, with a total cost of Fourteen Thousand Twenty-Two Dollars and Seventy-Two cents (\$14,022.72) for the lease period.

On roll call the vote was:

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

Motion passed unanimously.

- **Human Resource Department**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the Labor Agreement between the County of Fayette and Service Employees International Union Local 668, AFL-CIO, Children and Youth Services. Term of the agreement 1/1/06 thru 12/31/08.

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 the following personnel ratifications/hirings:

In the Office of MH/MR ratify the hiring of Melissa Pratt, County Caseworker 2, at \$14.58 per hour (\$28,431.00) effective October 23, 2006 and ratify the hiring of Hollie L. Shimatzki, County Caseworker 2, \$14.58 per hour (\$28,431.00) effective October 23, 2006.

In the Office of Tax Assessment approve the hiring of Tusha Snyder, Department Clerk II, Pay Grade 4 Step A at \$8.30 per hour (\$16,185.00) effective October 30, 2006.

In the Office of Human & Community Services approve the promotion of William Grenaldo as a Part Time Small Transit Bus Operator, SEIU Grade 7, \$9.15 per hour or \$17,842.50 per year, effective October 30, 2006.

In the Office of Human & Community Services approve the hiring of Jaylyn Dalzell as part-time Small Transit Bus Operator, SEIU Grade 7, \$9.15/hour or \$17,842.50 per year, effective October 30, 2006.

In the Office of Children & Youth Services approve the promotion of Valerie Mosco as County Casework Supervisor at \$17.95 per hour or \$35,000 per year effective November 17, 2006.

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 the County of Fayette/Fayette Area Coordinated Transportation Disadvantaged Business Enterprise, (DBE), Plan

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 two FCOHCS FACT division staffers in the PA Public Transit Association, (PPTA), Winter Meeting November 15 & 16, 2006 in Harrisburg.

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 third party sponsorship agreement between the County of Fayette, Fayette Area Coordinated Transportation and the Fayette County Housing Authority for the provision of transportation services to the Services to Seniors Program.

On roll call the vote was:

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

Motion passed 2-0.

- **Commissioners Office**

Moved by Commissioner Hardy and seconded by Commissioner Vicites to participate in the Goodwill Industries program to donate various obsolete computers, screens and keyboards belonging to the County.

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 the following:

(a) Gasoline and diesel fuel for the vehicles (b) bulk fuel for the ferryboat (c) cleaning supplies for all county buildings (d) purchase of tires and alignment work for county vehicles.

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 advertising for the 2007 Tax Anticipation Note

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 ratifying the transfers to the 2006 General Fund Budget, as attached.

On roll call the vote was:

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

Motion passed unanimously.

Next item on the Agenda was to accept the resignation of Charles Cook on the Agricultural Preservation Board. Commissioner Vicites placed the item on the Agenda due to a letter he received, however, he stated it is not a resignation as he thought but only that Mr. Cook did not wish to be nominated again for a new term when his term expires at the end of December. Accordingly, no action was taken. The Commissioners thanked Mr. Cook for his service.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the minutes of the Commissioners Meeting of September 28, 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 authorize the advertising for bids for copy machines under the county code procurement guidelines (or) under the state contract program.

On roll call the vote was:

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

Motion passed unanimously.

- Public Announcement

Commissioners Meeting for November will be Tuesday, November 28, 2006 and Thursday, November 30, 2006. Also, on November 30th the Commissioners plan to propose the 2007 General Fund Budget which will be available for public inspection for the required number of days for final adoption before December 31, 2006.

The December Meetings will be announced at a later date.

- Public Comment

Roger Victor requested to be placed on the Agenda. He was not present so Commissioner Zimmerlink stated he wanted to discuss a cooperative effort with Wal-Mart and others with respect to the county cemetery.

Jim Killinger contacted the Jury Commissioners Office and the Mayor of Uniontown concerning juror parking and perhaps having the City offer either free or minimal cost parking to jurors at the new parking facility in Uniontown. Mr. Killinger asked for Commissioner support for this. Commissioner Vicites added that this was taken into consideration when the parking garage was under conception and thought the capacity was available.

Marilyn Cellurale spoke on her request to get pictures which she said her neighbor Terry Kriss gave to the three Commissioners at the June meeting. Her concern is that she does not know what the Commissioners saw so she cannot defend herself from comments made by Mr. Kriss on the condition of property. Ms. Cellurale said she spoke with Joe Ferens, Judy Bodkin, Charmaine Sampson, Holly Sumey and Tammy Stenson and none of them have the photos which she said Mr. Kriss gave to the three Commissioners. Mrs. Cellurale said in order to take the pictures someone would have had to trespass. Solicitor Joe Ferens said, for obvious reasons, he is not handling the case but that he spoke with Solicitor John Cupp who agreed that the pictures are public documents. Commissioner Zimmerlink said the solicitor also indicated giving it to the Commissioners at a public meeting isn't the same as filing it with a public office and that Commissioners although may have an obligation to look into matters which taxpayers advise Commissioners have no obligation to keep everything they are given especially if another county office is looking into it. Ms. Cellurale said that these are two separate issues and two sets of pictures and that the set she is asking to see has nothing to do with her zoning violation case but instead the pictures referred to when Terry Kriss asked the Commissioners to look at what he lived near when he was giving his speech on the historic preservation. Commissioner Zimmerlink stated that Mr. Kriss did speak on the historic ordinance and cell towers and gave the Commissioners documents. Commissioner Vicites asked if he were given the pictures saying that if he were given pictures and if he has them he would give them to Ms. Cellurale. Commissioner Hardy asked his assistant, Charmaine Sampson, if there were pictures and she indicated she did not have any. Ms. Cellurale said that everyone may think her request is petty but that it is not and she just does not want the Commissioners to be influenced by the photos adding that she does support historic preservation.

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