

Thursday, September 22, 2005 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Thursday, September 22, 2005 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

Steve Grabowski (spelling) questioned Agenda Item 10 – approving the Fee Schedule for the text Zoning Ordinance and its affect when the text is later adopted because he understood the new ordinance would not allow appeals on certain parcels if under 5 acres.

Commissioner Zimmerlink suggested Tammy Shell, Director of Planning Zoning respond to his concerns when she arrives later this morning for this meeting.

- Present Proclamation/Recognitions

Moved by Commissioner Hardy and seconded by Commissioner Vicites to :

Proclaim October 2, 2005 as Alexandra Shaney Day
Proclaim September 18-24, 2005 as Employ The Older Worker Week
Recognition of Fire/Police of Fayette County.
Proclaim October 2005 as Domestic Violence Month

Motion Passed Unanimously

Family and friends of Alexandra Shaney spoke and accepted the Proclamation.
Representatives for Services to Seniors spoke and accepted the Proclamation.
Representatives for the Fayette County fire and police spoke and accepted the Recognition.
It was announced that a vigil would be held on October 5th for Domestic Violence Awareness Month.

- Controller's Office

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the following investments: September 1, 2005 - \$6,364,000 for 14 days at 3.45% interest with FNB \$8,421.40
September 15, 2005 - \$7,525,000 for 14 days at 3.54% interest with Invest \$10,217.51

Motion Passed Unanimously

Mark Roberts, Controller provided a Report on the Financial Condition of the County.

- Election Bureau

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertisement for bids for election supplies for the November 9th Municipal Election.

Motion Passed Unanimously

- Bridge Department

The next item on the Agenda was: Consider awarding an RFP 05-12 Bridge Inspections services for 61 county owned bridges.

Paul Nixon, Director of the Bridge Department reviewed his chart and the results by explaining how the calculation was done. He stated : to get to the figures you take the total cost of the project and subtract the 11 bridges not funded by PennDOT; to get to the figures you take the total of the 11 bridges under 20 feet that are not funded by PennDOT; take the total cost of the project and subtract the figure from the 11 bridges for 3 years; take the amount of 80% of the balance not paid in the 3 yr period; take the first amount and get the difference between the two; take the 11 bridge cost and that gives you the 20% that the county pays.

Commissioner Zimmerlink reviewed his chart and it was confirmed that the lowest total bid was approximately \$179,000 and the highest was approximately \$394,000 for a 3 year period for which the county pays 20% and PennDOT pays 80% with Mr. Nixon adding that any bridge over 20 feet the county pays 20% and PennDOT pays 80%. When asked if the chart took out the 11 bridges only for Fayette Engineering Mr. Nixon said no they are taken out for all of them and Fayette Engineering is not charging for the 11 bridges but the other bidders are.

The chart was reviewed: (complete chart available upon request)

| | | | | | | |
|-------------------------|-----------|-----|-----------|-----|-----------|------------|
| Eads Group | \$179,000 | 80% | \$121,000 | 20% | \$57,000 | 61 bridges |
| Fayette Engineering | \$220,000 | 80% | \$176,000 | 20% | \$44,000 | 50 bridges |
| Pennoni Associates | \$228,000 | 80% | \$158,000 | 20% | \$67,000 | 61 bridges |
| Widmer Engineering | \$235,000 | 80% | \$170,000 | 20% | \$65,000 | 61 bridges |
| Erdman Anthony | \$251,000 | 80% | \$171,000 | 20% | \$79,000 | 61 bridges |
| Benatec Associates | \$337,000 | 80% | \$233,000 | 20% | \$104,000 | 61 bridges |
| Wilbur Smith Associates | \$338,000 | 80% | \$225,000 | 20% | \$112,000 | 61 bridges |
| Mackin Engineering | \$394,000 | 80% | \$267,000 | 20% | \$127,000 | 61 bridges |

Mr. Nixon was asked who he recommended as he recommended Fayette Engineering when the first RFP was done in July. He stated he would recommend Fayette Engineering again because it is the best cost to the county and that he has worked with them since 1996 and they are dependable, adding that it is up to the Commissioners.

Commissioner Vicites said he mentioned before the thought to consider more than one firm possibly 3 being that it is over a 3 year period and may want to consider the three lowest bidders and asked how the other Commissioners felt about it. Mr. Nixon said that it would cost the county more money comparing Fayette Engineering at \$43,000 and the second lowest if \$57,000 a \$10,000 difference and Commissioner Vicites pointed out that on average it is a few thousand dollars difference but it does provide competitive bidding between the three and diversity adding that it is only a suggestion.

County Solicitor Joe Ferens cautioned against making changes now because the way in which the specifications and RFP were written and responded adding that we can do what we want because it is professional services.

Commissioner Vicites said he wanted to make it clear that he mentioned this several months ago and this is not something he is just now bringing up but it did not get into the RFP but he did not write the RFP.

Commissioner Zimmerlink opened the floor for any Commissioner to make a Motion.

Moved by Commissioner Hardy for Fayette Engineering with a second by Commissioner Vicites.

Commissioner Zimmerlink: nay
Commissioner Hardy: yes
Commissioner Vicites: yes

(Awards RFP 05-12 Bridge Inspections services for 61 county owned bridges.)

Motion Passed 2-1

- Emergency Management Agency

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify a contract with L. Robert Kimball & Associates, Inc. for Wireless 9-1-1 Requirements Specifications and Implementation/Support. Funding is under the State Wireless Grant.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve EMA Director to attend the Keystone Emergency Managements Fall meeting October 18th, in State College.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve 2 EMA staff members to attend the annually required Office of Domestic Preparedness State “Exercise Planning Workshop: October 27th at PEMA Headquarters, Harrisburg.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve 2 EMA staff members to attend a National Fire Academy Class (Command and Control of Fire Department Operations at Target Hazards) being sponsored by Region 13 RCTTF in cooperation with the State Fire Academy Oct 3 -8, 2005 in Mars PA.

Motion Passed Unanimously

Representatives of the National Weather Service then presented an Award to Fayette County in recognition of its preparedness.

- Children & Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and Perseus House, Inc., 1511 Peach Street, Erie, Pa. 16501 for FY2005-06 as follows:

These services will be used on an as needed basis at the rates listed below.

Initial Clothing \$250.00

Per Day

| | |
|--|------------------|
| Perseus House Male ITP | \$205.99 |
| Perseus House Shelter - Males/Females | \$ 180.26 |
| Andromeda House Females ITU | \$ 191.22 |
| Florence Crittenton - Pregnant/Parenting Clients | \$ 217.15 |
| Babies | \$ 38.00 |
| Mother/Baby | \$ 255.15 |
| Perseus House Enhanced Male RTF | \$ 580.67 |
| Perseus House Male RTF | \$ 217.31 |
| Andromeda House Female RTF | \$ 217.70 |
| Out of Home Therapeutic Stabilization: | |
| Room & Board | \$ 34.82 |
| Mental Health | <u>\$ 131.92</u> |

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to reappoint Vincent Roskovensky, Sushi Warman, Jean Stillwagon, & Adrienne Wilson to the Fayette County Children & Youth Services Advisory Committee for terms expiring September 30, 2008.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the request for the administrator to attend the 2005 Fall Quarterly meeting of the Pennsylvania Children & Youth Administrator’s Association to be held in State College, PA on October 26-28, 2005.

Motion Passed Unanimously

- MH/MR Program

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

| <u>Contracts for 2005-2006</u> | <u>Contract Value</u> | <u>Period</u> |
|---|-----------------------|----------------|
| Arc, Fayette | \$ 2,523,042 | 7/1/05-6/30/06 |
| Fayette Resources, Inc. | \$ 4,805,866 | 7/1/05-6/30/06 |
| Fayette Emergency Medical Services | \$ 13,410 | 7/1/05-6/30/06 |
| Fee-For-Service Agreement 2005-2006 Tammy Hart | \$ 12,600 | 7/1/05-6/30/06 |
| Modification Agreement #1 2004-2005 Arc, Fayette | \$ 2,398,373 | 7/1/04-6/30/05 |

Modification Agreements #4 2004-2005
REM-Pennsylvania Community Services \$ 249,024 7/1/04-6/30/05

HealthChoices Reinvestment Funds Agreement

Chestnut Ridge Counseling Services, Inc. \$ 477,083 2001(CTT Adolescent)

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving Change Order Number PC-003 to Vrabel Plumbing Company, 13 Dewey Lane, Gibsonia, PA 15044 for the new MH/MR building, in the amount of \$500. The change order covers additional labor to have the subcontractor for the fire protection system on site during the Labor and Industry inspection. The additional cost will be paid for using MH/MR funds already budgeted.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving Amendment #3, effective July 1, 2005, to the HealthChoices Behavioral Health Agreement between Commonwealth of Pennsylvania and County of Fayette.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving purchase services agreement between Fayette County MH/MR Program and Keffer Software, Inc. to provide ClientTrek client data training software to meet Commonwealth of Pennsylvania reporting requirements at \$136,000 for the period 9/16/05-7/1/07.

Motion Passed Unanimously

- Planning, Zoning & Community Development

Moved by Commissioner Hardy and seconded by Commissioner Vicites awarding Bid No. 05-19: Purchase of one 2005 4WD High Clearance Vehicle for the UCC Office to Fike Chevrolet Jeep, 213 North Main Street, Masontown, PA 15461 for a 2005 Jeep Liberty Sport in the amount of \$19,900. The cost covered with UCC funds/grant received.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the submittal of a grant application for the German-Masontown Park Skate Board Park. The cost is unknown and the grant requires a match from the County. The recreation board is working on a cost estimate for the office to prepare the grant (\$75,000 – \$85,000 with a 50/50 match).

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the submittal of a grant application for the Sheepskin Trail to secure up to \$400,000 for the construction phase for the northern end of the trail. The funding source is PennDOT with no match required.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Zimmerlink approving the Fee Schedule for the proposed Fayette County Zoning Ordinance and the Fayette County Subdivision and Land Development Ordinance with an effective date of October 1, 2005.

Discussion: Commissioner Vicites stated his preference of adopting the Fee Schedule and text Ordinance at the same time. Commissioner Zimmerlink asked Tammy Shell, Director of Planning Zoning if there is any caveat that should be brought to the Commissioners attention as to why we would not want to adopt the Fee Schedule even though the new text ordinance is not yet finalized and her response was no. Commissioner Vicites said he is for the Fee Schedule it is just that he did not want to implement it before the text is adopted and we get into the new ordinance transitionally and at the same time.

Motion Passed Unanimously

The next item on the Agenda is to : Consider approving Notice to Proceed with EPD consultants to revise/finalize the text portion of the Fayette County Zoning Ordinance in an amount not to exceed \$ 4,845.00 .

Discussion: The County Manager and Commissioner Zimmerlink concurred that the unappropriated line item was approximately \$158,000 with approximately \$130,000 actually been used. Based on the information Commissioner Zimmerlink asked if the approximate balance is \$24,000 and the County Manager said correct. Commissioner Zimmerlink and Commissioner Vicites commented on taking the consultant fee from this line item and its affect for other invoices.

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the Notice to Proceed with EPD consultants to revise/finalize the text portion of the Fayette County Zoning Ordinance in an amount not to exceed \$ 4,845.00 to be taken from the unappropriated line item of the General Fund.

Motion Passed Unanimously

- Human Resources

Veterans Affairs

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the separation of Harland Headlee as Interim Director of Veterans Affairs effective September 16, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying the hiring of Greg Robertson as Director of Veterans Affairs effective September 12, 2005 at \$13.75 / hour which is a salary of \$26,812.50.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the Director and one staff member, at the Director's discretion to attend certification training. Cost of training of \$1255 to be reallocated from line item "Burial/Graves" which is anticipated to have a \$10k surplus at year-end.

Discussion: County Manager confirmed a review showed a possible surplus to cover this costs. Commissioner Zimmerlink suggested better budgeting in that line item for next year and questioned how a surplus in this department could be found so quickly to pay for training yet a few months ago there were issues with the former Director complaining of not having funds for supplies. The county manager said he worked on this and that at no time did the Veterans Office go without supplies to conduct its business.

Motion Passed Unanimously

MH/MR

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying the separation of Samuel Silva, County Caseworker 2 effective September 16, 2005.

Motion Passed Unanimously

Tax Claim

Moved by Commissioner Hardy and seconded by Commissioner Vicites accepting the resignation of Marsha Osbourn, Accounts Clerk II, effective September 9, 2005.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying the hiring of Jamie Rankin as temporary Clerk at \$6.50/hour effective September 19 to September 23, 2005.

Motion Passed Unanimously

Public Defender

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the hiring of Tammy Golden as a temporary employee at \$6.50 to start no later than 10/3/05.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites accepting the resignation of Krista Martin, Assistant Public Defender, effective 9/9/05.

Motion Passed Unanimously

- Human and Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving an agreement between the County of Fayette, Office of Human & Community Services and Communities in Schools for early care & education support services per the Department of Public Welfare Child Care Resource Developers initiative (RFP05-09).

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites appointing Greg Robertson, Director, Fayette County Office of Veterans Affairs to fill the unexpired term of Frank Staszko on the Fayette County Transportation Executive Committee ending December 31, 2006.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites reappointing Gloria Wilson, representative to the persons with disabilities community to the Fayette County Transportation Executive Committee for a term to expire 10/31/07.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the filing of an application with the Pennsylvania Department of Transportation for an emergency fare increase for FACT's demand response transportation programs

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites permitting FACT to expand the county's fuel purchasing program in the short term to include FACT subcontractors and in the long term to lay the groundwork for the fueling station, one of the next capital projects planned for the FACT Transit Center complex.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving an agreement between the County of Fayette, Office of Human & Community Services and Joseph ZaVisca for the completion of a fare increase application for Fayette Area Coordinated Transportation for submission to the Pennsylvania Department of Transportation to be billed on an hourly basis, not to exceed \$10, 800 in addition to travel costs not to exceed \$1400.

Motion Passed Unanimously

Commissioner Vicites said that in the future he like to see RFP's for this type of thing.

FACT Transit Center

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving an agreement between the County of Fayette, Office of Human & Community Services, FACT, and Boyd Contracting for facility cleaning services as per bid.

Motion Passed Unanimously

It was confirmed this was the lowest bid.

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving an agreement between the County of Fayette, Office of Human & Community services, FACT and Smalley Electric for closed circuit television system in the amount of \$23,150. (Bid No. 05-12)

Motion Passed Unanimously

- Commissioners

Moved by Commissioner Hardy and seconded by Commissioner Vicites to appoint Fay-Penn as the designated agency to apply for Local Economic Development Assistance Program (LEDA) funds for 2005-2006 with available funding for Fayette County in the amount of \$51,876. (Resolution attached)

Motion Passed Unanimously

The next item was to consider awarding Bid No. 05-18: Replacement of the Roof Court House Annex Building and the repair of the parapet of the same building.

Commissioner Zimmerlink asked the county solicitor if he had an opportunity to review this matter and some of the issues and questions that arose and he indicated that he had not. Commissioner Zimmerlink and Commissioner Vicites commented on Tabling the matter to allow the solicitor to review and the Commissioners could make a decision next week and ratify their decision at the October meeting. Commissioner Hardy asked if the matter could be resolved before October.

Moved by Commissioner Vicites and seconded by Commissioner Zimmerlink to TABLE the awarding of Bid No. 05-18: Replacement of the Roof Court House Annex Building and the repair of the parapet of the same building.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the termination of / and terminating leases for the following Magisterial District Judge Offices:

| | | | | | |
|---------|-------------------|----------|---------|----------------------|----------|
| 14-3-01 | Masontown Boro | (ratify) | 14-2-02 | North Union Township | (ratify) |
| 14-3-03 | Redstone Township | (ratify) | 14-2-03 | Brownsville Boro | (ratify) |
| 14-3-05 | Perryopolis Boro | (ratify) | 14-3-02 | Fairchance Boro | (ratify) |
| 14-3-08 | Markleysburg | (ratify) | 14-3-06 | Dunbar Township | |

Discussion: Commissioner Vicites asked why some were being ratified and the last one was not and Commissioner Zimmerlink stated that those 7 being ratified already had action taken and the last district should have action taken next week.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying Intent to Lease Agreements and to execute lease agreements for Magisterial District Judge Offices 14-2-03 Brownsville Boro with Jim and Sam Davis and 14-3-02 Masontown with Mario Tiberi at \$1500 per month for either a 5 year or 6 year term.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites ratifying RFP No. 05-10: Vending Machines award to Williams Vending, Uniontown PA for a one year contract with a 25% net commission to the county.

Motion Passed Unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving Commissioners Meeting Minutes of August 25, 2005.

Motion Passed Unanimously

The next item was to : Consider adjournment of the September 26, 2005 Tax Claim Sale for 30 days. Commissioner Vicites stated that since Tuesday when this item was placed on the Agenda he learned that the sale was a week earlier because it was moved up three weeks from last year. He is not asking for an adjournment.

No action was taken

- Public Announcements : None
- Public Comment:

Rich Fearer asked the Commissioners to take into consideration a county-wide curfew and provided materials to the Commissioners for review.

Ken White of Rolling Thunder provided his views on why the former director of the Veterans Office quit stating that the director quit out of frustration for lack of cooperation from the Commissioners and supplies to his office. Ken White asked that the Commissioners to support the Veterans Office.

Abe Fotta commented on the need for the Commissioners to obtain a copy of a Comprehensive Plan and urged the Commissioners and public to become more informed.

Moved by Commissioner Vicites to adjourn and seconded by Commissioner Hardy.

Motion Passed Unanimously

Meeting adjourned at 11:55 a.m.

Approved:

Attest:

Judith A. Bodkin, Chief Clerk

