

**Thursday, April 26, 2007 10:00 am**

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

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to amend the Agenda to Add an item under the Commissioners portion of the Agenda - To consider solicitation of a Request for Proposal to provide Inmate Commissary Services for the County Jail

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

Public Comment on Agenda Items

Karen Kapel representing the US Postal Service spoke on National Letter Carriers Food Drive Day to be held on May 12, 2007.

Dr. Frye and Mike Onusko spoke on Emergency Management Week.

Elmer Swetz spoke on Older Americans Week.

Proclamations

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to proclaiming the following: May 12, 2007 National Letter Carriers Food Drive Day; Emergency Medical Services Week May 20-26, 2007; Older Americans Month May 2007; April 2007 as "Sexual Assault Awareness Month"; April 22<sup>nd</sup> through the 28<sup>th</sup>, 2007 as "Crime Victims' Rights Week" in Fayette County; ratify April 2007 as "Child Abuse Prevention Month" in Fayette County; Mental Health Awareness Month May 2007.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

## Controller

Prior to presenting his Agenda Items, Controller Mark Roberts spoke on the role and availability for information from the Controllers Office.

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

March 22, 2007 - \$2,450,000 for 14 days at 5.15% interest with First National \$4839.50; April 5, 2007 - \$2,275,000 for 14 days at 5.15% interest with First National \$4493.91; April 19, 2007 - \$4,025,000 for 14 days at 5.15% interest with First National \$7950.75

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

Controller Mark Roberts reported on the Financial Condition of the County by stating the General Fund through April 26, 2007 of total 2007 revenues of \$5,664,876.30 and total 2007 expenditures of \$6,182,606.64.

## Bridge Department

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites authorizing the advertising for invitation for bid (IFB) for dry-dock and five-year inspection of the Ferryboat. The cost will be shared with Washington County.

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Commissioner Zimmerlink indicated her desire to have written confirmation from the County Manager and Supervisor Paul Nixon showing how this service was awarded to the contractor for the prior 5-year inspection as her review could not locate any documentation adding that this was prior to her taking office.

Motion passed unanimously

## Planning, Zoning & Community Development

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Hardy to enter into an Agreement with CSX for the purchase of property on the southern end of the trail for construction of the Sheepskin Trail. The purchase price is \$86,174. (The County received a grant from the McKenna Foundation and there is no county match) and to agree to pay the 1% realty transfer fee with any other costs to be presented to the Commissioner prior to approval.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites authorizing the advertising for invitation for bid (IFB) for the construction of the Sheepskin Trail from the Yough River Trail to Dunbar Borough.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites ratifying a one year agreement between the County of Fayette and South Union Township for the administration of the Uniform Construction Code for conflict issues only.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites awarding RFP 07-02 for legal services within the UCC Department to Attorney Ewing Newcomer at a rate of \$75.00 per hour for meetings and research and \$100.00 per hour for court appearances, commencing April 26, 2007 and ending December 31, 2009.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the change of project for the Regional Trail Corporation for the Growing Greener Discretionary Monies. The commissioners approved \$16,100 for resurfacing a portion of the Yough Trail. The RTC is now requesting the discretionary monies be used as a portion of funding for the Stewart Crossing Project along the trail.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

### Tax Assessment

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the chief assessor to attend the Assessors Association of Pennsylvania annual conference at Seven Springs May 2-4<sup>th</sup>.

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites authorizing the advertising for invitation to bid (IFB) for lease of two 4-wheel drive vehicle.

Commissioner Zimmerlink confirmed with the County Manager that one of the vehicles used by the office is being repaired for a new transmission at a cost under \$2,000 and that the vehicle has low miles.

Commissioner Zimmerlink: nay

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed 2-1

### Emergency Management

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving 4 staff members to attend InterAct (CAD-Computer Aided Dispatch) Pennsylvania Users Group Meeting May 2 & 3, 2007 in State College.

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the Enhanced 911 Service Agreement with IDT Corporation.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

Children & Youth Services

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving purchase of service agreement for FY2006-07 between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and Northwestern Human Services of Central/Western Region, 1320 Linglestown Road, Harrisburg, PA 17110. The rates are as follows:

Initial Clothing	\$250.00 total
Therapeutic Family Care	\$ 28.25 per day
Value Behavioral Health (Treatment)	\$106.00 per day
Value Behavioral Health Bundle Rate	\$134.25 per day
Therapeutic Family Care County Bundled Rate	\$134.25 per day
Foster Care Plus	\$ 84.10 per day
Respite Care Program	\$ 90.00 per day

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving purchase of service agreement for FY2006-07 between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and Community Resources of Fayette County, Inc. (Crime Victims' Center of Fayette County), 109 West Fayette Street, Uniontown, PA 15401. The rates are as follows:

Parenting Classes/Per Class of 8-10 weeks	\$750.00 per session
Counseling	\$ 45.00 per hour
Program Budget/Year	\$12,500 per year

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving purchase of service agreement for FY2006-07 between the County of Fayette, through Fayette County Children & Youth Services, and Fayette County Drug & Alcohol Commission, Inc. 100 New Salem Road, Uniontown, PA 15401. The rates are as follows:

Drug Testing	\$ 35.00 per test
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Assessments, Individual & Family Therapy	\$ 85.00 per hour
Group Therapy	\$26.00 per session
Medication Management	\$ 32.00 per session
Comprehensive Medical Examination	\$125.00 per exam

Commissioner Zimmerlink: aye  
 Commissioner Hardy: aye  
 Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving purchase of service agreement for FY2006-07 between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation Office, and Jefferson County Children & Youth Services, 155 Main Street – 3<sup>rd</sup> Floor, Brookville, PA 15825. The rates are as follows:

Initial Clothing	\$250.00 total
Foster Care Board Rate:	
Ages 0 - 5	\$ 22.00 per day
Ages 6 - 12	\$ 23.50 per day
Ages 13 - 18	\$ 25.00 per day
Mileage Reimbursement	\$ .36 per mile

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 Fayette County Children & Youth Services and Barbara H. Peck, 622 Louise Court, Canonsburg, PA 15317 for FY2006-07 for the provision of counseling services at a rate of \$40.00 per hour & \$20.00 per written report.

Commissioner Zimmerlink: aye  
 Commissioner Hardy: aye  
 Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the submission of the Fayette County CYS 2007-08 Independent Living Grant Application.

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 Fayette County Children & Youth Services and Bruce Shaffer, 1621 Jarrettown Road, Dresher, PA 19025, for the provision of training to youth enrolled in the Independent Living Program on July 18, 2007 at a cost of \$900.00.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the buy out of 2004 Ford Freestar passenger van at the end of the lease agreement, which expires on May 31, 2007 for an amount of \$10,826.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving enrollment of 2 CYS staff in the countywide Family Development Training and Credentialing Program.

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 the following agreements and modifications:

<u>Modification Agreement #1 2006-2007</u>	<u>Contract Value</u>	<u>Period</u>
Redstone Rehabilitation Services	\$ 13,000	7/1/06-6/30/07

<u>Administrative Entity Contract Modification #2 (Federal) 2006-2007</u>		
Goodwill Industries of Fayette County	\$ 416,773	7/1/06-6/30/07

<u>Modification Agreement #3 2006-2007</u>		
Arc, Fayette	\$ 989,398	7/1/06-6/30/07
Diversified Human Services, Inc.	\$ 51,964	7/1/06-6/30/07

<u>Administrative Entity Contract Modification #3 (Federal) 2006-2007</u>		
Arc, Fayette	\$ 2,122,427	7/1/06-6/30/07

Modification Agreement #4 2006-2007

Arc, Fayette \$ 929,398 7/1/06-6/30/07

HealthChoices Fee-For-Service Modification Agreement #1 2007

Allegheny HealthChoices, Inc. \$ 125,537 1/1/07-12/31/07

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the Administrative Entity Operating Agreement 2007-08 between Fayette County and Department of Public Welfare Office of Developmental Programs.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the Infant, Toddler and Families Medicaid Waiver Operating Agreement 2007-08 between Fayette County and Department of Public Welfare Office of Child Development and Early Learning.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving HealthChoices Behavioral Health Agreement for Calendar Year 2007 between Value Behavioral Health of PA and the County of Fayette as amended.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites awarding Bid #07-07 submitted by ASAP Software, 850 Asbury Dr., Buffalo Grove, IL 60089 at a total cost of \$42,341.28

for procurement of software upgrade.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the Fiscal Year 2008-09 Fayette County Mental Health Plan.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

#### Veterans Affairs

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the request of the Director and Veterans Service Representative to attend the annual Pennsylvania County Directors Association conference from June 18th through June 21st in West Middlesex PA.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites amending resolution 07-3-22-31 to approve the Veterans Office taking over stewardship of the Waste Management trailer and rescind the request to allow the Connellsville Area Vo-Tech School to make repairs.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

#### Redevelopment Authority

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites adopting the resolution which approves the 2007 Community Development Block Grant (CDBG) Application being submitted on behalf of Fayette County and the eleven (11) Entitlement Townships of Bullskin, Dunbar, Georges, German, Luzerne, Menallen, North Union, Redstone, South Union, Washington, and Wharton for a

total of \$1,779,941.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites adopting the resolution which approves a modification to Dunbar Township's FY 2006 Community Development Block Grant (CDBG) Program.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

#### Human Resource Department

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites ratifying the hiring of Nicole Koons, County Caseworker II, \$14.58 per hour (\$28,431.00) effective April 23,2007 with Mental Health Mental Retardation and accepting the resignation of Brian Davis, Caseworker, effective May 18,2007 from the Office of Children & Youth Services.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

#### Commissioners

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the labor agreement between the County of Fayette and the UMWA -Probation effective 1/1/07 thru 12/31/09.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

#### Human & 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 Fayette County Community Action Agency, Inc. for the Family Development Credentialing (FDC) program in the

amount of \$7,500.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites authorizing the advertising for solicitation of Request for Qualifications (RFQ), for the provision of the fiscal year 2007-08 paratransit and public transit carrier services.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites authorizing the advertising for an Invitation for Bid (IFB), for one (1) grand accessible mini van for FACT, (Fayette Area Coordinated Transportation).

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the placing of a public notice of the intent to solicit bids for disposition on four (4) FACT, (Fayette Area Coordinated Transportation) vehicles and a chassis.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

#### Commissioners

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites approving the March 22, 2007 commissioners meeting minutes.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites amending resolution 07-3-22-28 to rescind the awarding of the 1993 Ford van #121 to Tony Theodori.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to apply for a 901 planning grant from DEP to revise the Fayette County Solid Waste Management Plan. The Grant request for the county is \$95,000.00.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites to select a consultant through the Request for Proposal process to aid in the preparation of the FC Solid Waste Management Plan and to be pay the cost from the DEP 901 planning grant funds if so awarded.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to enter into agreement between the County of Fayette(Courts) and AT&T for video conferencing feature for a three year period effective April 26, 2007.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye  
Commissioner Vicites: aye

Motion passed unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to authorize the solicitation of a Request for Proposal to provide Inmate Commissary Services for the County Jail.

Commissioner Zimmerlink: aye  
Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

Public Announcement

Effective April 1, 2007 the County of Fayette, Fayette Area Coordinated Transportation, FACT, is providing services through the PA Department of Transportation's Rural Transportation Program for Persons with Disabilities (PwD). Visit factbus.com or call (724) 628-RIDE for more information.

Hard-to-Recycle Drop Off Event – Saturday May 12, 2007 from 9:00 a.m. to 2:00 p.m. at the Fayette County Fairgrounds

Public Comment

Ralph Mazza suggested the Commissioners consider issuing a Citizen of the Month Award to Joe T. Joseph for all of the work he has done for Americanism Day and the area veterans.

Tanya Cellurale spoke on the zoning violations issued by the County on property owned by Jim and Marilyn Cellurale and Joey's Cellurale Auto Body. She questioned the status of a violation she believes exist with the neighboring property owned by Barbara Cellurale asking if the County has issued a violation notice. She provided the County with copies of a picture of another neighboring property, Terry & Diane Kriss, stating she believes there is a violation and that the County should take action.

Robert Q. Jones stated he has been waiting since September 2006 to receive his deed showing his ownership of property he purchased through a tax sale. He also aired complaints of the tax claim office.

Mike Merkosky, stated that he never gave Commissioner Zimmerlink permission to call him by his nickname PicHandle. He questioned there have been changes in his North Union Township area as a Democratic committeeman because it changed where people are to vote.

Mike Show and Marigrace Butela, tax collectors, presented the Commissioners with a large sized representation of a check issued by the County through National City Bank showing NSF.

Richard Frame stated complaints about Buddy Eicher, Zoning Officer in the County's Planning Office.

Steve Gavorchik expressed his concern that a traffic signal should be installed at Rt 51 and North View Lane.

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

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

Meeting Adjourned

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Judith M. Bodkin, Chief Clerk