

Thursday, November 29, 2007 10:00 am

A meeting of the Fayette County Board of Commissioners was held on Thursday, November 29, 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

Bob Garbutt representing the water authority in North Union Township spoke in support of changing the rezoning of land owned by FayPenn Economic Development Council in North Union (RZ-07-14) so that the proposed paper mill business can be developed. Mr. Garbutt stated he traveled to Wisconsin to view an existing paper mill. The three North Union Township Supervisors spoke in support as well. Ron Cole and Barry Seneri of Fay Penn also spoke in favor.

Ralph Mazza questioned the proposed wage to which Mr. Seneri of Fay Penn stated the wage could be approximately \$10-\$12 plus benefits

Evelyn Hovanec spoke on the matter as well suggesting that more information be provided to the residents of North Union Township and Fayette County before a decision to rezone or pursue the paper mill development to determine the affects to the residents with their quality of life as well as tourism with respect to the Sheepskin Trail.

Controller

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify the investments of November 1, 2007 - \$13,775,000 for 14 days at 4.80% with First Federal \$25,361.14; November 15, 2007 \$13,200,000 for 14 days at 4.70% with First Federal \$23,796.17

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

Motion passed unanimously

Controller Mark Roberts provide a Report on the Financial Condition of the County

Veterans Affairs

Moved by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for Invitation to Bid (IFB) for flags and grave markers

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

Motion passed unanimously

Planning, Zoning and Community Development

Moved by Commissioner Hardy and seconded by Commissioner Vicites to Approve Rezoning Petition 07-11, Lynn Kendrich Broker, Lower Tyrone Twp. requesting an extension of a A-1 Agricultural-Rural Zone on property currently zoned M-2 Heavy Industrial

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to Approve Rezoning Petition 07-12, William H. Hickle, North Union Twp. requesting a change of zone from B-1 General Business and R-2 High Density Residential to A-1 Agricultural-Rural

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to Approve Rezoning Petition 07-13, Frederick O. and Billie D. Halsted, Upper Tyrone Twp. requesting an extension of a M-1 Light Industrial Zone on property currently zoned R-1 Low Density Residential

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

Motion passed 2-1

Moved by Commissioner Zimmerlink to TABLE the Rezoning Petition 07-14, Fay Penn Economic Development Council , North Union Twp., which requests a change of zone from A-1 Agricultural-Rural to M-1 Light Industrial to the December Commissioners Meeting

Commissioner Zimmerlink suggested the matter be tabled to allow the public an opportunity to learn more about this proposed paper mill business after confirmed with the Fay Penn representatives that 30 days would not negatively effect this matter.

Motion failed for a lack of a second. Commissioner Vicites stated this would be a good move towards economic development for Fayette County and that he did not want to chance a delay. Commissioner Vicites stated he has researched this issue and supports it.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to Approve the Rezoning Petition 07-14, Fay Penn Economic Development Council , North Union Twp., which requests a change of zone from A-1 Agricultural-Rural to M-1 Light Industrial

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

Motion passed 2-1

Moved by Commissioner Hardy and seconded by Commissioner Vicites to renew the insurance application/coverage for the year 2008 with Commercial Insurance for the Sheepskin Trail

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. 07-21 to Penn Development Services, LP for the Phase I construction of the Sheepskin Trail in the amount of \$647,927.00

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an application for a grant in the amount of \$5,000 from the Pennsylvania Historic Museum Commission for archiving (microfilm) Planning/Zoning records

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the purchase of a chassis for haul all truck (RP 235) in the amount of \$67,361 through the CoStars program

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. 07-22 Purchase One Four Wheel Drive vehicle for the UCC Department to Davies Ford of Connellsville in the amount of \$19,657

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

Motion passed unanimously

Moved by Commissioner Zimmerlink to TABLE the next agenda item questioning that agreement should have been done under the Request for Proposal process. Motion failed for lack of a second.

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve a contract between McMillen Engineering and the County of Fayette to provide planning consultation for the TIP/SPC process and general planning relating to the December Planning Commission Agenda. McMillen Engineering will provide up to 45 hours for the TIP/SPC process and up to 20 hours for the December Planning Commission Agenda at a discounted hourly rate of \$48.

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

Motion passed 2-1

Tax Claim Bureau

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the following individuals for a 100% Real Estate Tax Exemption as they have been certified as 100% Disabled

Veterans by the Veterans Administration

Charles W. Martin	Dunbar Township	09-31-0108
Edward A Lessick	Dunbar Township	09-10-0045
William Rohaley	Menallen Township	22-02-0104
Douglas Miller	Bullskin Township	04-22-0014
Roy Bickford Jr.	Masontown Borough	21-08-0162
Kenneth Plummer	Menallen Township	22-21-0039-01
Mark T. Doorley	Uniontown City	38-04-0675

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to award Bid 07-26 Binding of 2008 Tax Duplicates to Larry Goldberg of Hopwood for a total of 297 books in the amount of \$7,870.50

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

Motion passed unanimously

District Attorney

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve an agreement/contract for Alexis Bisch for transcription services at the rate of \$2.50 per page through December 31, 2008

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 and modifications:

Modification Agreement #1 2006-2007 **Contract Value** **Period**

Clearfield-Jefferson MH/MR Program \$1,195 7/1/06-6/30/07

Modification Agreement #1 2007-2008

Clearfield-Jefferson MH/MR Program \$1,304 7/1/07-6/30/08

HealthChoices Agreement for Professional Services 2008

Obermayer Rebmann Maxwell & Hippel, LLP	\$275/per hr	1/1/08-12/31/08
MCF LLC	\$100/per hr	1/1/08-12/31/08
Tidgewell Associates, Inc.	\$150/per hr	1/1/08-12/31/08
Allegheny HealthChoices, Inc.	\$100/per hr	1/1/08-12/31/08

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 award RFP 07-06 Workers Compensation Insurance to Pcomp (The Pennsylvania Counties Workers Compensation Trust) at \$410,845.00

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

Motion passed unanimously

Under the MHMR Department

Moved by Commissioner Hardy and seconded by Commissioner Vicites the following personnel actions ratify the hiring of Theresa M. Battaglini as County Caseworker 2 at \$ 28,431.00 (\$14.58/hour), effective November 27, 2007; ratify the promotion of Darrell J. Tallerico, from County Information Technology Generalist 1 to County Information Technology Generalist Supervisor, at \$49,861.50 (\$25.57/hour), effective November 5, 2007 and approve the promotion of Robyn Brady, from County Caseworker 2 to Mental Health Program Specialist 1, at \$32,974.50 (\$16.91/hour), effective December 10, 2007

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

Motion passed unanimously

Moved by Commissioner Zimmerlink and seconded by Commissioner Vicites to approve the Fayette County MH/MR Program Compensation Plan for Fiscal Year 2007-2008 with the MODIFICATION of the increases for non-union to be 3% and Not 3.5% as stated.

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

Motion passed unanimously

Under Emergency Management (911)

Moved by Commissioner Hardy and seconded Commissioner Vicites to approve the hiring of Tina Carrigan as a part-time 911 Dispatcher at SEIU 911 Dispatcher Grade 9, Step A at \$10.62/hr., effective December 3, 2007

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

Motion passed unanimously

Under Office of Human and Community Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of George Hallas, Technician C, effective October 24, 2007

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

Motion passed unanimously

Under Children & Youth Services

Moved by Commissioner Hardy and seconded by Commissioner Vicites the following personnel actions the resignation of Shawn Taylor, County Caseworker 2 effective November 13, 2007; the ratification of the appointment of David L. Hixson, County Caseworker 1 effective November 14, 2007, at a starting salary of \$24,840/yr. (\$12.74/hr); the ratification of the appointment of William D. Sochko, Jr., County Caseworker 1 effective November 14, 2007, at a starting salary of \$24,840/yr. (\$12.74/hr). and accepting the resignation of William D. Sochko, Jr., County Caseworker 1 effective November 16, 2007

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

Motion passed unanimously

Under Building & Grounds

Moved by Commissioner Hardy and seconded by Commissioner Vicites to hire Alan Laub as Custodial Worker 1 at SEIU Grade 2, Step A at \$8.04/hr.(\$15,678.00/yr.) effective December 3, 2007

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

Motion passed unanimously

Under Tax Claim Bureau

Moved by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation due to retirement of Donna Yauger, effective December 31, 2007

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

Motion passed unanimously

Under Human & Community Services/FACT

Moved by Commissioner Hardy and seconded by Commissioner Vicites to approve the FFY 2008 Federal Transit Administration Certifications & Assurances.

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 of a Request for Proposal for Mobile Data System Communications

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 of the disposition of four FACT vehicles

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

Commissioners

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving the Commissioners Meeting Minutes of October 25, 2007

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to ratify an agreement for cleaning services at MDJ Mark Blair(14-1-01) between the County of Fayette and Melissa M. Renze at \$100 per month, effective November 9, 2007 through December 31, 2007

Commissioner Zimmerlink: aye

Commissioner Hardy: aye

Commissioner Vicites: aye

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites awarding 2007 County Aid Liquid Fuel Appropriation of \$3500 each to the City of Uniontown and Point Marion Borough with funds to be used by December 31, 2009

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 October 17-November 13, 2007:

	OFFICE	DEBIT	CREDIT
Commissioners Office			
014111	53010 Computer Services	\$1,000.00	
014111	51400 Salary Staff	\$4,600.00	
014111	53200 Telephone		\$5,600.00
Election Bureau			
014120	52000 Material & Supplies	\$500.00	
014120	53200 Telephone		\$500.00
Tax Claim Office			
014138	53015 Posting	\$200.00	
014138	53400 Advertising		\$200.00
Recorder of Deeds			
014153	54200 Assn. Dues	\$600.00	
014153	52000 Material & Supplies		\$600.00
Planning & Zoning			
014171	53010 ZHB	\$5,000.00	
014171	51350 ZHB Solicitor		\$5,000.00
Building & Grounds			
014174	53610 Utilities	\$180.00	
014174	53200 Telephone		\$180.00
Courts			
014184	53200 Telephone	\$100.00	
014184	53300 Travel		\$100.00
Magistrates			
014186	53010 Computer Services	\$7,000.00	
014186	53200 Telephone	\$1,000.00	
014186	53600 Utilities	\$3,000.00	
014186	54200 Assn. Dues	\$325.00	
014186	53530 Bond	\$752.00	
014186	51460 Contract Cleaning	\$1,900.00	
014186	53250 Postage		\$13,977.00
Jury Commissioner			
014185	53300 Travel	\$250.00	
014185	53200 Telephone		\$250.00

Constables

014999 59040	Unappropriated	\$20,000.00	
014192 53150	Constables		\$20,000.00

Legal Advertising

014999 59040	Unappropriated	\$5,000.00	
0141771 53400	Legal Advertising		\$5,000.00

Coroner

014193 54200	Assn. Dues	\$870.00	
014193 53170	Jury Fees	\$500.00	
014193 53180	Autopsies		\$1,370.00

TOTAL DEBITS	\$52,777.00
TOTAL CREDITS	\$52,777.00

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites awarding Bid No. 07-24 Purchase of gasoline and diesel fuel for use by the county to Center Independent for a one year period ending December 31, 2008 to Center Independent as being the lowest bid in accordance with the specifications

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites awarding Bid No. 07-23 Purchase tires/alignment of county vehicles to Gebe-Skocik of Uniontown for a one year period ending December 31, 2008 to Gebe-Skocik and Fike Chevrolet as attached

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites awarding Bid No. 07-25 Janitorial supplies for the county for a one year period ending December 31, 2008 as attached

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to reappoint Kenneth M. Finney, Jr. to the Fayette County Redevelopment Authority for a term ending June 30, 2013

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to appoint Mark F. Rush to the Workforce Investment Board to fill the vacancy left by Barbara Shaw with a term ending December 31, 2008

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites to propose the 2008 General Fund Budget on November 29, 2007 for adoption on December 31, 2007

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

Motion passed unanimously

Moved by Commissioner Hardy and seconded by Commissioner Vicites approving Tuesday, December 18, 2007 at 10:00 a.m. for the Agenda Meeting and Monday, December 31, 2007 at 10:00 a.m. for the Commissioners Meeting

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

Motion passed unanimously

Public Announcement

In recognition of Hunger & Homeless Awareness Week, Fayette Area Coordinated Transportation, FACT, in partnership with the Hunger & Homeless Task Force and various local businesses will sponsor a food drive in December 2007 with proceeds benefiting the Fayette County Food Bank. Martins Food December 11, 2007 from 9:00 a.m. to 3:00 p.m.

Public Comment

Ralph Mazza asked whether or not the Commissioners adopted Roberts Rule for its meeting and if so whether or not when a member made a Motion To Table if required a second because if not then the Motion To Table the Rezoning Case involving Fay Penn and the paper mill should have stood. County Solicitor Ferens indicated that the Motion failed for a lack of a second and that it was his understanding that would be proper.

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

Judith M. Bodkin, Chief Clerk

