

A (virtual) agenda meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, January 19, 2021 at the commissioners meeting room of the Fayette County Courthouse, 61 East Main Street, Uniontown PA.

In attendance-

Commissioner Chairman Dave Lohr
Commissioner Scott Dunn (via Zoom)
Commissioner Vincent A. Vicites (via Zoom)
Chief Clerk Amy Revak
Chief County Solicitor Jack Purcell (via Zoom)

Commissioner Lohr welcomed everyone to the virtual meeting. He asked everyone to stand for a moment of silent prayer followed by the recitation of the pledge of allegiance.

A motion was made by Commissioner Vicites and seconded by Commissioner Dunn to amend the agenda to consider awarding Bid 20-11 for tires and repairs.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Fayette County Redevelopment Authority

Andrew French presented the agenda items.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda adoption of the attached resolution which approves an application being submitted by the County to the Pennsylvania Department of Community and Economic Development (DCED) HOME Investment Partnerships Program. This approval will authorize the Commissioners to sign and submit the application for assistance and will also approve execution of a Cooperation Agreement with the Redevelopment Authority for administration of the Program.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda adoption of the attached resolution which approves a 2021 Competitive Community Development Block Grant (CDBG) application for a sanitary sewer

system extension project in the West Leisenring Area of Dunbar Township. This approval will authorize the Commissioners to sign and submit the application for assistance and will also approve execution of a Cooperation Agreement which highlights the Redevelopment Authority's responsibilities for administration of the CDBG funding.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Assessment Office

Dave Doman presented the agenda items.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the following eight Veterans' Exemptions from real estate taxation. In each case, the named party has been qualified as a 100% disabled veteran by the Pennsylvania Department of Veterans' Affairs. The first four applications are new while the latter four are renewals.

Joseph & Melba A. Plesz, Jr. 1027 Church Street Leisenring, PA 15455
Parcel No. 09-15-0055 Acreage: 0.36 AC Improvements: R1
Deed: RB3264-2467 Municipality: Dunbar Township Effective Date: August 14, 2020

Thomas E. & Stephanie Sutton 23 Batya Road Smock, PA 15480
Parcel No. 13-08-0086 Acreage: 0.181 AC Improvements: R1
Deed: DB1289-1008 Municipality: Franklin Township Effective Date: September 1, 2020

Carl R. Rubnisky 508 Independence Avenue, Pad 216 Uniontown, PA 15401
Parcel No. 25-58-0216 Acreage: No Improvements: Mobile Home
Deed: None Municipality: North Union Township Effective Date: October 14, 2020

Robert L. & Brenda K. Fulton 339 Cavanaugh Road Normalville, PA 15469
Parcel No. 35-02-0007 Acreage: 4.5 AC Improvements: Mobile Home
Deed: DB1276-543 Municipality: Springfield Township Effective Date: September 18, 2020

Judith D. Ficek 17 Sleepy Hollow Road Farmington, PA 15437
Parcel No. 42-06-0069-11 Acreage: 2.04 AC Improvements: Doublewide BSMT RG
Deed: RB2827-320 Municipality: Wharton Township Effective Date: October 30, 2020

Michael J. & Patricia A. Golden 443 Pleasant View Road Smock, PA 15480
Parcel No. 22-02-0143 Acreage: 0.9615 AC Improvements: R1
Deed: DB1182-731 Municipality: Menallen Township Effective Date: November 4, 2020

Donald W. & Debra L. Wingard 119 JP Lane Connellsville, PA 15425

Parcel No. 04-25-0201 Acreage: 1.386 AC Improvements: R1 (Mobile Home)
Deed: RB3037-1044 Municipality: Bullskin Township Effective Date: November 17, 2020

Frederick A. & Borgia Markovich 200 Jefferson Drive Fayette City, PA 15438
Parcel No. 17-04-0008 Acreage: 1.826 AC Improvements: R1
Deed: RB536-37 Municipality: Jefferson Township Effective Date: November 17, 2020

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda a donation of \$1,500.00 to The Uniontown Public Library in lieu of a rental payment for the space they made available to the Assessment Department on very short notice to hold assessment appeal hearings when the courthouse was closed in the late summer/early fall period due to the pandemic. In all, the space was utilized for eleven days of hearings and the Library permitted the department to leave all of our computer and database equipment in place throughout the August to October timeframe. This saved considerable setup and teardown time after each day of hearings. The Library also provided free parking to all appellants and department staff during hearings.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Fayette County Behavioral Health Administration

Lisa Ferris presented the agenda item.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the following agreements and modifications:

	<u>Contract Value</u>	<u>Period</u>
<u>HealthChoices Fee-For Service Agreement 2021</u>		
Mahe Duessel, Certified Public Accountants	\$20,250	Year Ended 12/31/20
<u>HealthChoices Professional Services Agreement 2021</u>		
Advanced Metrics	\$142,000	01/01/21-12/31/21
<u>HealthChoices Reinvestment Agreement – 2017 Funds</u>		
Adelphoi Village – Family Support Services	\$54,096	N/A
Adelphoi Village – High Fidelity Wraparound	\$295,299	N/A

Cheryl B. McNeil, Ph.D	\$8,250	N/A
<u>Modification Agreement #1 2020-2021</u>		
Therapy House	\$15,000	07/01/20–06/30/21

Commissioner Dunn yes
 Commissioner Lohr yes
 Commissioner Vicites yes

Motion passed unanimously

Building and Grounds

Ray Eicher presented the agenda items.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda awarding Bid 21-01, Fayette County Courthouse, Conference Room Expansion to TBD.

Commissioner Dunn yes
 Commissioner Lohr yes
 Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda awarding Bid 20-11 for vehicle tires and repairs.

Commissioner Dunn yes
 Commissioner Lohr yes
 Commissioner Vicites yes

Motion passed unanimously

Children and Youth Services

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of a **FY2020-21** Purchase of Service Agreement Addendum between the County of Fayette, through Fayette County Children & Youth Services and **Family Care for Children and Youth, Inc.**, 25 Belford Blvd., Milton, PA 17847 for foster family placement services. The rates are as follows:

Child Preparation	\$ 2,900.00
Child Profiles	\$ 2,100.00
Family Profiles	\$ 2,700.00

For ICPC and out-of-state placements, as requested

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda a one-time purchase of 19 Microsoft Surface Laptops with 4yr warranties, 2 docking stations, and 2 workstation scanners. The purchase is a Costars purchase through CDW for the amount of \$24,419.94. The purchase is to replace current inventory of computers that were purchased 4 years ago.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Human Resources

Lorraine Conard presented the agenda items.

BUILDING & GROUNDS

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda the ratification of the hiring of Benny Bryner, Maintenance Worker I, SEIU, Paygrade 6, SR \$12.35/hr. (25,688.00 annually) effective December 14, 2020.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

FACT

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda the ratification of the retirement of Joseph Casteel, Full Time Bus Driver, effective December 22, 2020.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda the ratification of the voluntary demotion of Guido Scalese from Full Time Bus Driver to Part Time Bus Driver, SEIU, \$16.55/hr., effective January 4, 2021.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda the promotion of Crystal Williams to Full Time Bus Driver, Non-CDL, SEIU, Paygrade 8, SR \$13.54/hr. (\$26,403.00 annually) effective February 1, 2021.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

FCBHA

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda the ratification of the resignation of Nicole Conaway, Clerk Typist II, effective December 31,2020.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Office of Human and Community Services/FACT

Kim Renze presented the agenda item.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda an agreement with Keystone Petroleum for \$13,930 for upgrade to gasoline and diesel pump to PV200 system.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Planning, Zoning and Community Development

Chief Clerk Revak read the first three agenda items and Art Cappella read the last four agenda items.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the 2021 West Nile Virus grant proposal to the Pennsylvania Department of Environmental Protection.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the 2021 Agricultural Land Preservation program year.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of a Memorandum of Understanding for the Recovery to Reemployment project involving Telehealth Suite, a remote patient monitoring program.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of Art Cappella's signature authority in ECMS concerning Sheepskin Trail.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of Art Cappella's signature authority in ECMS concerning PennDOT-related bridge projects.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the Sheepskin Trail insurance payment to Commercial Insurance.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of an agreement between Fayette County and Bullskin Township relating to the Stafford Act Property, so the Fayette County Bridge Department may access the Bridge 72 property to either repair or provide maintenance in the future.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Tax Claim Bureau

Sarah Minnick presented the agenda item.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the following Repository bids opened on January 5, 2021, subject to all conditions being met. Total bid amount is \$2,945.01.

Bidder Name	Parcel #	Twp/city/Boro	Amount
Anthony Livingston	05-07-0160	Connellsville	\$474.17
Jane Combs	30-26-0117	Redstone	\$411.00
Jane Combs	19-08-0082	Luzerne Twp	\$601.80
Tracy Wilson	03-07-0014	Brownsville	\$187.11

Tracy Wilson	03-07-0004	Brownsville	\$362.93
Porcha Akins	25-47-0058	North Union	\$428.00
Porcha Akins	25-38-0026-91	North Union	\$480.00

\$2,945.01

Rejected Bid

Jane Combs	30-24-0073	Redstone	Bid Already Received
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Commissioner Dunn yes
 Commissioner Lohr yes
 Commissioner Vicites yes

Motion passed unanimously

Commissioners

Chief Clerk Revak read the agenda items.

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the December 10, 2020 agenda meeting minutes.

Commissioner Dunn yes
 Commissioner Lohr yes
 Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the December 17, 2020 commissioners meeting minutes.

Commissioner Dunn yes
 Commissioner Lohr yes
 Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of the January 4, 2021 commissioners special meeting minutes.

Commissioner Dunn yes
 Commissioner Lohr yes
 Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval of a Fayette County Second Amendment Sanctuary Resolution. A copy of the Resolution is attached.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Lohr and seconded by Commissioner Dunn to consider placing on the agenda a motion to approval a Memorandum of Agreement between the County of Fayette and the Pittsburgh Regional Building Trades Council to mutually terminate a Project Labor Agreement between the parties dated July 21st, 2015, effective immediately. A copy of the Memorandum of Agreement is attached.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites no

Motion passed 2-1

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda approval to set the pay rate for the Fayette County tax collectors for a period of January 1, 2022 to December 31, 2025.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Board appointments

A motion was made by Commissioner Dunn and seconded by Commissioner Lohr to consider placing on the agenda the appointment of Commissioner Vicites as a Commissioner Liaison to the Behavioral Health Advisory Committee with a term to expire December 31, 2021.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to consider placing on the agenda reappointment of Joe Grata to the SPC nominating committee.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

Public Announcements- None

Public Comments- None

Adjournment:

A motion was made by Commissioner Dunn and seconded by Commissioner Vicites to adjourn the meeting.

Commissioner Dunn yes
Commissioner Lohr yes
Commissioner Vicites yes

Motion passed unanimously

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY
AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDS WITH
THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED)**

WHEREAS, the HOME Applicant is desirous of obtaining funds from DCED in the amount of **Five Hundred Thousand Dollars (\$500,000)** for affordable housing activities fundable under Title II of the National Affordable Housing Act of 1990 (42 U.S.C. 12701 et. seq.) and the implementing regulations at 24 CFR Part 92; and

WHEREAS, if obtained, these funds would be utilized to further support the **Fayette County Redevelopment Authority Homeowner Rehabilitation Program in Fayette County, Pennsylvania.**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Fayette that a housing need exists that has been identified in the Commonwealth of Pennsylvania Consolidated Plan and that the proposed housing activity will address this need.

BE IT FURTHER RESOLVED, that Fayette County hereby designates the Redevelopment Authority of the County of Fayette, Pennsylvania, to be the subrecipient of funds received pursuant to the application and that a Cooperation Agreement, by and between the County and the Authority, setting forth the terms under which the Authority and the County will perform their responsibilities, is hereby approved and its execution by the Fayette County Board of Commissioners is hereby authorized.

BE IT FURTHER RESOLVED, that the Redevelopment Authority has conducted the required citizen participation process on behalf of the County.

BE IT FURTHER RESOLVED, that the County will assure the provision of any other necessary funds to make the activity feasible.

BE IT FURTHER RESOLVED, that Fayette County will reimburse the Commonwealth for any expenditures found by the Department of Community and Economic Development to be ineligible.

BE IT FURTHER RESOLVED, that the appropriate officer of Fayette County is directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy of the Resolution to DCED.

(SEAL)

Dave Lohr, Chairman

Chief Clerk

Vince A. Vicites, First Vice-Chair

January 21, 2021

Date

Scott Dunn, Second Vice-Chair

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF FAYETTE COUNTY
AUTHORIZING SUBMISSION OF AN APPLICATION FOR
COMPETITIVE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
ON BEHALF OF DUNBAR TOWNSHIP**

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for activities which will benefit low and moderate income families, aid in the elimination or prevention of slums or blight, or meet other urgent community development needs; and

WHEREAS, the Pennsylvania Department of Community and Economic Development has set aside Community Development Block Grant (CDBG) funds for a Competitive funding round; and

WHEREAS, the County of Fayette and **Dunbar Township** have identified a critical need to fund the **West Leisenring Area Sanitary Sewer System Improvements Project** (hereinafter referred to as "the Program"); and

WHEREAS, the County of Fayette has prepared a Three-Year Community Development Plan as required by the Department of Community and Economic Development as part of its 2020 CDBG Program, which identifies and describes the need for this project; and

WHEREAS, the County of Fayette has, by resolution adopted the 19th day of December, 1985, designated the Redevelopment Authority of the County of Fayette, Pennsylvania, to be its agent in preparing applications and for administration of the grants, which designation assures that Fayette County meets the "General Qualifications Criteria" contained in the law and regulations governing the Program; and

WHEREAS, a form of Cooperation Agreement by and between the County of Fayette and the Redevelopment Authority of the County of Fayette, Pennsylvania has been approved by said Authority and offered for consideration by the Board of Commissioners; and

WHEREAS, in order to comply with the administration of the CDBG Program, the Redevelopment Authority has also prepared the following plans and policies: Citizen Participation, Code of Conduct and Conflict of Interest Policy, Drug Free Workplace Policy, Excessive Force Policy, Anti-Displacement Plan, MBE / WBE Plan, Section 3 Plan, Fair Housing Analysis and Annual Action Plan, 504 Plan, and CDBG Procurement Policy.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Fayette:

1. That the Program Application is hereby in all respects approved. The Clerk is hereby directed to file an overview of said Program Application with the minutes of this meeting.
2. That the following plans are approved in compliance with CDBG rules and regulations: Citizen Participation, Code of Conduct and Conflict of Interest Policy, Drug Free Workplace Policy, Excessive Force Policy, Anti-Displacement Plan, MBE / WBE Plan, Section 3 Plan, Fair Housing Analysis and Annual Action Plan, 504 Plan, and CDBG Procurement Policy.

3. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with Federal/State financial assistance under Title I, including those under Title VI relating to the prohibition of discrimination because of race, color, creed or national origin and other assurances as may be forthcoming from the State for the implementation of the Program.
3. That the Commissioners of Fayette County are authorized to file an application for financial assistance to carry out the Program and act as the authorized representative of the County of Fayette.
4. That the Commissioners are hereby authorized to provide such assurances and/or certifications as may be required by the Housing and Community Development Act of 1974, as amended, and any supplemental or revised data which the Department of Community and Economic Development may request in connection with its review of the application and including any revisions necessary to bring the application into conformity with the Department's final grant.
5. That a Cooperation Agreement, by and between the County of Fayette and the Redevelopment Authority of the County of Fayette, Pennsylvania, setting forth the terms under which the Authority and the County will perform their responsibilities, is hereby approved and its execution by the Fayette County Board of Commissioners is hereby authorized.

I hereby certify that the foregoing resolution is a true and correct copy of a Resolution duly adopted by the Fayette County Board of Commissioners at their meeting held the 21st day of January 2021.

(SEAL)

Chief Clerk

**MEMORANDUM OF AGREEMENT BETWEEN
THE COUNTY OF FAYETTE AND THE PITTSBURGH REGIONAL BUILDING
TRADES COUNCIL**

Whereas, the County of Fayette (“the County”) and the Pittsburgh Regional Building Trades Council (“the Building Trades”) entered into a Project Labor Agreement (“PLA”) that applied to all construction projects costing the County in excess of \$500,000.00 on or about July 21st, 2015;

Whereas, as a result of the election on November 5th, 2019, there was a new Board of Commissioners for the County who have been sworn in and have taken office on behalf of the County;

Whereas, based upon discussions between the parties, a majority of the new Board of Commissioners and the Building Trades have decided to terminate the PLA;

Whereas, there are no current ongoing construction projects which are subject to the PLA;

Whereas, both the County and the Building Trades mutually desire to terminate the PLA at the next Board of Commissioners’ meeting scheduled for January 21st, 2021;

As a result, the County and the Building Trades agree as follows:

The Project Labor Agreement that was entered into on July 21st, 2015 between the County and the Building Trades is hereby mutually terminated effective January 21st, 2021 and will be of no further force or effect to any construction projects.

IN WITNESS WHEREOF, intending to be legally bound hereby, the parties hereto have caused this Memorandum of Agreement to terminate the PLA effective January 21, 2021 by the following:

Dated: January 21, 2021

ATTEST:

COUNTY OF FAYETTE
BOARD OF COMMISSIONERS

Chief Clerk

David Lohr

Scott Dunn

Vincent A. Vicites

PITTSBURGH REGIONAL
BUILDING TRADES COUNCIL

Thomas Melcher, Business Manager

William Brooks, President

Thomas McIntyre, Secretary/Treasurer

**Second Amendment Sanctuary Resolution For
Fayette County
Commonwealth Of Pennsylvania**

SECTION 1. TITLE

The title of this Resolution shall be known as the "Second Amendment Sanctuary Resolution" or "SASR."

SECTION 2. FINDINGS

The people of Fayette County, Pennsylvania, find and declare:

- A. Acting through the United States Constitution, the people created government to be their agent in the exercise of a few defined powers, while reserving to the citizens the right to decide on matters which concern their lives, liberty, and property in the ordinary course of affairs;
- B. The Second Amendment to the Constitution of the United States of America states, "A well-regulated Militia being necessary to the security of a free State, the right of the People to keep and bear arms, shall not be infringed";
- C. Article I, Section 21 of the Constitution of the Commonwealth of Pennsylvania states, "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned."
- D. The right of the people to keep and bear arms is further protected from infringement by State and Local Governments under the Ninth, Tenth, and Fourteenth Amendments to the Constitution of the United States of America.
- E. The Supreme Court of the United States of America in *District of Columbia v. Heller* recognized the individual's right to keep and bear arms, as protected by the Second Amendment of the Constitution of the United States of America. Justice Antonin Scalia's prevailing opinion in that case stated that the Second Amendment protects an individual's right to possess a firearm unconnected with service in a militia, and the right to use that firearm for traditionally lawful purposes, such as self-defense within the home;
- F. Section 1 of the Fourteenth Amendment to the Constitution of the United States of America states, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without

due process of law; nor deny to any person within its jurisdiction the equal protection of the laws”;

- G. The Supreme Court of the United States recognized in *McDonald v. City of Chicago* that the Second Amendment to the Constitution was incorporated by the Fourteenth Amendment and thereby made applicable to the States;

SECTION 3. ACTION

Therefore, it is resolved through the enactment of this Resolution, Fayette County, Pennsylvania, is hereby declared to be a Second Amendment Sanctuary.

SECTION 4. EFFECTIVE DATE

The effective date of this Resolution, The Second Amendment Sanctuary Resolution, or SASR, shall be immediately upon approval by the Fayette County Commissioners.

ADOPTED, this _____ day of _____, 2021, by the Board of Commissioners of Fayette County, Pennsylvania.

BOARD OF COMMISSIONERS

ATTESTED:

By _____
David Lohr, Chairman

Chief Clerk

By _____
Vince Vicites, First Vice-Chairman

By _____
Scott Dunn, Second Vice-Chairman