

Fayette County Prison Board  
Meeting Minutes of May 25, 2016  
Commissioners Conference Room – 9:15 am

**Call To Order**

Sheriff Custer called the meeting to Order at 9:19 am.

**Roll Call**

The following members were present at Roll Call: Sheriff Custer, Controller Scott Abraham, Commissioner Vince Vicites, Commissioner Dave Lohr, Commissioner Angela Zimmerlink and District Attorney Rich Bower. A quorum was present.

**Moment of Silence and Pledge of Allegiance**

**Public Comment on Agenda Items:** None

**Moved** by DA Bower and seconded by Controller Abraham to approve the meeting minutes of April 2016

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	aye
DA Bower	aye

Motion passed unanimously 6-0

**Moved** by Commissioner Zimmerlink and seconded by DA Bower to approve the May bills as attached

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	aye
DA Bower	aye

Motion passed unanimously 6-0

**Population Report for April 2016**

Warden Brian Miller reported there were 202 males and 38 females in house. There are 2 males out of county.

**Moved** by DA Bower and seconded by Commissioner Lohr to accept the population report as presented

Before the vote Sheriff Custer asked if the Warden had the additional reports which at last month meeting Commissioner Zimmerlink requested be presented in forthcoming months. The Warden said he had not. Commissioner Zimmerlink suggested he either call his staff or go get the reports and she named at least 2 reports. DA suggested the board accept the report and move on to other matters as the Warden left the room to obtain the reports.

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	aye
DA Bower	aye

Motion passed unanimously 6-0

Sheriff Custer pointed out that the Board could not move on to other items until the Warden returned because he was presenting the next few items. DA Bower reported he gave the jail an Infiniti vehicle. Sheriff Custer reported that CYS is offering a 2004 Ford Van to the jail for \$500 and it has a cage as well.

**Moved** by DA Bower and seconded by Controller Abraham to recommend to the Commissioners to find \$500 to purchase from CYS a 2004 Ford Aerostar with cage for the jail use

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	abstain (noting recommending to self)
DA Bower	aye

Motion passed unanimously 5-0

**Population Report (continued)** as Warden returned.

A Q&A occurred between the Board and the Warden explaining the two reports (Top 20 charges within facility & Commitment Statistic Summary) Commissioner Zimmerlink said these reports have been asked for by the Courts and her for months. DA Bower said he would give the reports to the President Judge. Commissioner Vicites suggested these new reports be given to all the Judges. Commissioners Vicites and Lohr and DA Bower said having more detailed reports provides the Commissioners with specific information as they move ahead with jail project. Both Commissioner Vicites and DA Bower said the reports show that a 480 bed facility as proposed last administration was not needed. Sheriff Custer noted the last year average population has been 225-240.

DA Bower also added that the Agenda should include New Business and Old Business saying he would assist the Warden in preparing an outline of an agenda. Commissioner Zimmerlink reiterated her prior offer of help to the Warden and also reiterated her prior comments that one word items fail to give her and the public an understanding of what is requested to be voted upon.

### **Update on Maintenance Repair**

The Warden reviewed the log for the last month noting repairs of leaky faucets, toilet overflows, switch repairs etc. Commissioner Zimmerlink said those are the minor in-house repairs and asked if the beam in the annexed was repaired to which the Warden confirmed. He said he did not get to the A/C but would this week and he had not gotten with the engineer on the two wall cracks yet.

Commissioner Zimmerlink reported that roof bids were set to be advertised shortly and if need be a special commissioners meeting would be held to award the bid rather than waiting for another month. Commissioner Vicites said the bid opening was scheduled for June 15<sup>th</sup>.

Commissioner Lohr asked the Warden the status on some plumbing issues and the Warden said he has Neuman Plumbing working on it.

Commissioner Lohr asked the status of the medical provider. Warden Miller said PrimeCare is working on getting the proper license and would be up and running July 1<sup>st</sup>

**Moved** by DA Bower and seconded by Commissioner Lohr to accept the Maintenance Report

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	aye
DA Bower	aye

Motion passed unanimously 6-0

**Moved** by DA Bower and seconded by Commissioner Lohr to move to Executive Session to discuss disciplinary action on a CO (at 9:46am)

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	aye
DA Bower	aye

Motion passed unanimously 6-0

\* It is noted that DA Bower left during the executive session.

**Moved** by Controller Abraham and seconded by Commissioner Lohr to return to Regular Session (at 10:20 am)

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	aye
DA Bower	aye

Motion passed unanimously 6-0

Sheriff Custer reported that the executive session did not merit board action.

### **Public Comment**

Rick Carlins said a year or so ago he attended a prison board meeting suggesting that the inmates do a work program like road clean up which would serve the community, help tourism and help behavior of inmates. He asked the status.

Commissioner Zimmerlink brought the new members up to date on what transpired a year ago saying it was an unanimous vote to have the Warden implement the policy which was already in existence and then the work release program could also be implemented. The Warden said due to short staff it could not happen and that training was needed for non-Co's. Commissioner Zimmerlink said short staff was not an issue back when the board voted. Also that bridge and building and ground dept staff had previously been trained or certified. Commissioner Vicites agreed.

Chris Bennet Union Representative, Dan Eicher Correction Officer and Kevin Locke CO/union all spoke on the need to have a CO responsible for inmate transport and that they would grieve if done otherwise. The Sheriff said his office would be willing to do it if and when his office was not short-staffed. Chris Bennet said they would not grieve if the Sheriff's office transported the inmates but would if non-law enforcement did. Commissioner Zimmerlink asked the Warden if the regulations/law changed that a non-law enforcement person could do this if trained. The Warden said his understanding was that it could occur with proper training. Commissioner Vicites reiterated his desire to get that accomplished.

Chris Bennet Union Representative, Dan Eicher Correction Officer and Kevin Locke CO/union all spoke about comp time being denied. One saying he cannot attend his sister's rehearsal dinner. They said there is undue stress because of comp time being denied.

Jeri Lawe said she is the mother of a county inmate. She said her son will be going to the state facility. She said his stay in the county jail is under deplorable conditions. She named a number of issues from sanitation to leaky faucets. She said her son has a drug problem. She

said her son should be punished but the jail is 127 years old and a new jail needs built. She said she will become an activist on the jail issue. She questioned some of the repairs and said a roof was nice but it is an old building. She also questioned the commissary saying the food was not healthy.

Commissioner Vicites said the roof would be fixed regardless of future jail plans. He said the roof should have been fixed in the last 4 years and it wasn't.

Commissioner Lohr said the commissioners are the bosses of the county and that they are aware of the problems and are working towards solutions.

Rick Carlins said that jail is for punishment and should not be so comfortable adding that it does need to be sanitary.

The DA said he wanted to follow up on the Prime Care matter saying the reports should indicate the number of prisoners care for by Prime Care. He said a statistical analysis should be done.

Commissioner Lohr said about 7 of 10 inmates had drug issues. The Warden and present CO's said it was more like 8 of 10 inmates.

Commissioner Zimmerlink asked if any of the board received the policies from the Warden as she asked him at the last meeting to provide. All members said they had not been given them with the Warden saying he will send them this week.

**Moved** by DA Bower and seconded by Commissioner Lohr to adjourn (at 11:15 am)

Sheriff Custer	aye
Controller Abraham	aye
Commissioner Vicites	aye
Commissioner Lohr	aye
Commissioner Zimmerlink	aye
DA Bower	aye

Motion passed unanimously 6-0