

**Call to Order:**

A meeting of the Fayette County Prison Board was called to order on Wednesday, June 26, 2013 at 9:15am at the Fayette County Courthouse, Uniontown, Pennsylvania 15401 by Sheriff Brownfield.

Roll Call:

**The Following Board Members were Present at the Time of Roll Call:**

- Sheriff Gary Brownfield
- District Attorney Heneks
- Controller Sean Lally
- Commissioner Alfred F. Ambrosini
- Commissioner Zapotosky
- Commissioner Angela M. Zimmerlink

Moment of Silence

Pledge of Allegiance

Public Comment:

None

Approval of May 2013 Meeting Minutes:

**Moved by Controller Lally, Seconded by District Attorney Heneks, to Approve the May 2013 Meetings Minutes:**

- Sheriff Brownfield** - **Aye**
- Controller Lally** - **Aye**
- Commissioner Ambrosini** - **Aye**
- Commissioner Zapotosky** - **Aye**
- Commissioner Zimmerlink** - **Aye**
- District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**

Approval of June 2013 Bills:

**Commissioner Ambrosini** said he would like for Sheriff Brownfield to recess the Prison Board Meeting because there is a Pension board Meeting scheduled for 9:30am because of a legal requirement that needs to get done before the end of the month.

**Moved by Sheriff Brownfield, Seconded by Controller Lally, to Recess the Prison Board Meeting:**

- Sheriff Brownfield** - **Aye**
- Controller Lally** - **Aye**
- Commissioner Ambrosini** - **Aye**
- Commissioner Zapotosky** - **Aye**
- Commissioner Zimmerlink** - **Aye**
- District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**

**Moved by District Attorney Heneks, Seconded by Controller Lally, to Approve the June 2013 Bills:**

- Sheriff Brownfield** - **Aye**
- Controller Lally** - **Aye**
- Commissioner Ambrosini** - **Aye**
- Commissioner Zapotosky** - **Aye**
- Commissioner Zimmerlink** - **Aye**
- District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**

Population Report:

**Warden Brian Miller** said

263 Inmates Housed in Fayette County Prison (231 Males and 32 Females)  
10 inmates housed in Bedford County Prison  
7 inmates housed in Cambria County Prison  
31 inmates housed in Butler County Prison  
55 inmates housed in Greene County Prison (17 Males and 19 Females)

Court Administrator:

**Court Administrator Tammy Lambie** said the jail has been steady with rentals which is not good for anybody. She has heard the courts are getting bashed for starting their summary program but they are not responsible for the increase because the numbers were steady before their program.

**Captain Rutter** stated he thinks things have slowed down. It is nice to be able to track the constables who are serving at night to make sure they are serving the worse of the worse and the people they can't get during the day.

**Court Administrator Tammy Lambie** said everything was done to try to make everything as smooth as possible. Nobody wants to see high rentals and extra expenses.

**Captain Rutter** stated the judges have been working excellent with them by allowing the inmates to bring money down and set up payment plans.

**Court Administrator Tammy Lambie** said it is mandatory that the inmate have their hearing within 48 hours, which is occurring.

**Captain Rutter** stated he does not think there is any way to tell how many people came into the magistrate's office the first week but it was an incredible amount of people.

**District Attorney Heneks** said a couple of years ago the law changed (1543A) after a sixth offense, the person receives a mandatory 30 days in jail with a six month maximum jail sentence per 1543A. This caused people to accumulate more than six months.

**Court Administrator Tammy Lambie** stated the courts are pleased with how the jail has worked with them.

Personnel:

**Human Resource Director Dominick Carnicella** said he would like to call an executive session for a personal leave of absence.

Executive Session:

**Moved by Commissioner Ambrosini, Seconded by Commissioner Zapotosky, to Enter Into an Executive Session:**

<b>Sheriff Brownfield</b>	-	<b>Aye</b>
<b>Chief Deputy Controller Wrona</b>	-	<b>Aye</b>
<b>Commissioner Ambrosini</b>	-	<b>Aye</b>
<b>Commissioner Zapotosky</b>	-	<b>Aye</b>
<b>Commissioner Zimmerlink</b>	-	<b>Aye</b>
<b>District Attorney Heneks</b>	-	<b>Aye</b>

**Motion Passed Unanimously**

**Human Resource Director Dominick Carnicella** stated 60 individuals took a tour of the prison and was provided information about the correction officer's position. Under the 60, 40 elected to take the test to become a corrections officer, and 38 actual tested. Out of the 38; the top 10 individuals were interviewed and some were veterans. There are 10 individuals who he would like to recommend for the part time position.

**Sheriff Brownfield** said he knows Commissioner Zimmerlink had requested copies of the applications.

**Human Resource Director Dominick Carnicella** stated he had not seen the request.

**Commissioner Zimmerlink** said she has been asking since 2004.

Human Resource Director Dominick Carnicella said he will be giving a general background on each of the individuals. The top tester was Mathew Chapman. He would like to recommend him as a part time corrections officer at \$15.62 per hour effective July 15<sup>th</sup>, 2013.

**Moved by Commissioner Zapotosky, Seconded by Commissioner Ambrosini.**

Sheriff Brownfield - Aye  
Chief Deputy Controller Wrona - Aye  
Commissioner Ambrosini - Aye  
Commissioner Zapotosky - Aye  
Commissioner Zimmerlink - Abstain  
District Attorney Heneks - Aye

**Motion Passed Unanimously**

Human Resource Director Dominick Carnicella said to consider approving Robert Lippencott (He has eight years' experience as a corrections officer.) to be a part time corrections officer at \$15.62 per hour effective July 15<sup>th</sup>, 2013.

**Moved by Controller Lally, Seconded by Commissioner Zapotosky.**

Sheriff Brownfield - Aye  
Chief Deputy Controller Wrona - Aye  
Commissioner Ambrosini - Aye  
Commissioner Zapotosky - Aye  
Commissioner Zimmerlink - Abstain  
District Attorney Heneks - Aye

**Motion Passed Unanimously**

Human Resource Director Dominick Carnicella said to consider approving Keith Intorre as a part time corrections officer at \$15.62 per hour (Army National Guard's and tested high.) July 15<sup>th</sup>, 2013.

**Moved by Commissioner Zapotosky, Seconded by Commissioner Ambrosini.**

Sheriff Brownfield asked how long the county will lose him in the summer for training.

Human Resource Director Dominick Carnicella answered he thinks it is one weekend per year.

District Attorney Heneks stated two weeks.

Warden Brian Miller said one weekend per month.

Commissioner Zapotosky stated two weeks in the summer.

District Attorney Heneks said three weeks in a summer he thought.

Sheriff Brownfield - Aye  
Chief Deputy Controller Wrona - Aye  
Commissioner Ambrosini - Aye  
Commissioner Zapotosky - Aye  
Commissioner Zimmerlink - Abstain  
District Attorney Heneks - Aye

**Motion Passed Unanimously**

Human Resource Director Dominick Carnicella stated to consider approving Robert Neville as a part time corrections officer at \$15.62 per hour effective July 22<sup>nd</sup>, 2013.

**Moved by Commissioner Ambrosini, Seconded by Commissioner Zapotosky.**

Sheriff Brownfield - Aye  
Chief Deputy Controller Wrona - Aye  
Commissioner Ambrosini - Aye  
Commissioner Zapotosky - Aye  
Commissioner Zimmerlink - Abstain  
District Attorney Heneks - Aye

**Motion Passed Unanimously**

**Human Resource Director Dominick Carnicella** said to consider approving Aaron Loring as a part time corrections officer at \$15.62 per hour (He's worked with troubled youth for the last 12 years.) effective July 29<sup>th</sup>, 2013.

**Moved by Commissioner Ambrosini, Seconded by Commissioner Zapotosky.**

**Sheriff Brownfield** - **Aye**  
**Chief Deputy Controller Wrona** - **Aye**  
**Commissioner Ambrosini** - **Aye**  
**Commissioner Zapotosky** - **Aye**  
**Commissioner Zimmerlink** - **Abstain**  
**District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**

**Human Resource Director Dominick Carnicella** stated to consider approving Adam Gillingham as a part time corrections officer at \$15.62 per hour (He has a Bachelor's degree in criminal justice and experience with Adolph Village.) effective July 29<sup>th</sup>, 2013.

**Moved by Commissioner Zapotosky, Seconded by District Attorney Heneks.**

**Sheriff Brownfield** - **Aye**  
**Chief Deputy Controller Wrona** - **Aye**  
**Commissioner Ambrosini** - **Aye**  
**Commissioner Zapotosky** - **Aye**  
**Commissioner Zimmerlink** - **Abstain**  
**District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**

**Human Resource Director Dominick Carnicella** said to consider approving Timothy Arnold as a part time corrections officer. (He is a veteran with seven years' experience as a CO and security.) This is effective August 12<sup>th</sup>, 2013.

**Moved by Commissioner Zapotosky, Seconded by District Attorney Heneks.**

**Sheriff Brownfield** - **Aye**  
**Chief Deputy Controller Wrona** - **Aye**  
**Commissioner Ambrosini** - **Aye**  
**Commissioner Zapotosky** - **Aye**  
**Commissioner Zimmerlink** - **Abstain**  
**District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**

**Sheriff Brownfield** stated so far there are all males. He asked if there are any females with the influx of females prisoners.

**Warden Brian Miller** answered yes. He said there were not too many female applicants.

**Human Resource Director Dominick Carnicella** said there is one female he is recommending. He said to please consider approving Kenneth Whyel as a part time corrections, \$15.62 an hour, (He is a veteran.) and this would be effective August 12<sup>th</sup>, 2013.

**Moved by Commissioner Zapotosky, Seconded by Controller Lally.**

**Sheriff Brownfield** - **Aye**  
**Chief Deputy Controller Wrona** - **Aye**  
**Commissioner Ambrosini** - **Aye**  
**Commissioner Zapotosky** - **Aye**  
**Commissioner Zimmerlink** - **Abstain**  
**District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**

**Human Resource Director Dominick Carnicella** stated to consider approving Clyde Branson, part time corrections officer, \$15.62 per hour, (He is a veteran and 20 years' experience in loss control and security.) and this is effective August 19<sup>th</sup>, 2013.

**Moved by Commissioner Zapotosky, Seconded by District Attorney Heneks.**

<b>Sheriff Brownfield</b>	-	<b>Aye</b>
<b>Chief Deputy Controller Wrona</b>	-	<b>Aye</b>
<b>Commissioner Ambrosini</b>	-	<b>Aye</b>
<b>Commissioner Zapotosky</b>	-	<b>Aye</b>
<b>Commissioner Zimmerlink</b>	-	<b>Abstain</b>
<b>District Attorney Heneks</b>	-	<b>Aye</b>

**Motion Passed Unanimously**

**Human Resource Director Dominick Carnicella** said to consider approving Brittany Jones as a part time corrections officer, (She is a veteran and experience in Army and Military police.) \$15.62 per hour, and effective August 19<sup>th</sup>, 2013.

**Moved by Commissioner Zapotosky, Seconded by Commissioner Ambrosini.**

<b>Sheriff Brownfield</b>	-	<b>Aye</b>
<b>Chief Deputy Controller Wrona</b>	-	<b>Aye</b>
<b>Commissioner Ambrosini</b>	-	<b>Aye</b>
<b>Commissioner Zapotosky</b>	-	<b>Aye</b>
<b>Commissioner Zimmerlink</b>	-	<b>Abstain</b>
<b>District Attorney Heneks</b>	-	<b>Aye</b>

**Motion Passed Unanimously**

**Commissioner Zapotosky** stated five of the ten have Veteran's status.

**Human Resource Director Dominick Carnicella** said four Veterans and one in the reserve. The HR department has performed a review of the overtime situation of the prison. They did find 50% of the overtime cost is for filling in for call offs and so this should significantly help to offset some of the overtime costs. When an employee calls off they go through the part timers, if that has been exhausted then they start with the full time as an overtime situation, and if that is exhausted then they move to the current part time employees (mandating them for overtime).

**Controller Lally** asked what the policy is and how many call offs are allowed per person in the prison.

**Human Resource Director Dominick Carnicella** answered he tracks abuse of call offs and that is reviewed with the staff. There is not a set standard currently at this time in regards to how many times they can call off. They accrue vacation time and sick time throughout the year that they can use to call off. If they call off without one of those paid entitlements then they are subject to disciplinary action. It states in their contract, in the opinion of the county, if they fill the correction officer is abusing their time then they can require a doctor's slip for each instance of sick leave.

**Commissioner Zimmerlink** asked if all the call offs are legitimate.

**Human Resource Director Dominick Carnicella** answered not all of them are.

**Commissioner Zimmerlink** asked what are being done about it.

**Human Resource Director Dominick Carnicella** answered they are counseled and written up for abuse of time when they call off.

**Commissioner Zimmerlink** asked if the abuses are being followed through with.

**Human Resource Director Dominick Carnicella** answered yes.

**Union President/Corrections Officer Mike Hicks** stated right now they are currently short full time officers because of someone quitting, two officers becoming lieutenants, and an added post. Normally there are 45 full time officers. The full time officer's positions were filled by part time officers. They are 6 full timers short.

**Commissioner Zapotosky** said it was discussed at last month's meeting and established that the amount of staff is satisfied with 40.

**Warden Brian Miller** confirmed yes.

**Human Resource Director Dominick Carnicella** stated the required amount of bids with the collecting bargaining agreement is 40.

**Correction's Officer** said that number was decided before there was a new post created on the fourth floor.

**Union President/Corrections Officer Mike Hicks** stated the six full time positions were never filled, part timers are filling in, so that is a reason why overtime is going up.

**Human Resource Director Dominick Carnicella** said he understands, that something that has been discussed, but it needs more review by him and the warden.

**Warden Brian Miller** stated it is being reviewed because they do not know if that post is going to remain. There is to be 22 inmates per guard.

**Commissioner Zapotosky** asked if the number of inmates per guard requirement is satisfied.

**Warden Brian Miller** said there is 58 guards right now on staff.

**Commissioner Zapotosky** asked how many full time officers are there.

**Warden Brian Miller** answered 41.

**Commissioner Zapotosky** stated clearly the prison is in compliance then.

**Warden Brian Miller** answered right.

**Commissioner Ambrosini** asked what the rate is of full time correction officers quitting.

**Human Resource Director Dominick Carnicella** answered the turnover ratio is not very high and particularly this year.

**Sheriff Brownfield** said maybe one or two.

**Commissioner Ambrosini** asked if the prison will be having any retirements.

**Human Resource Director Dominick Carnicella** answered there maybe a couple who are eligible.

**Controller Sean Lally** asked if there is anything involving a 20 year retirement.

**Warden Brian Miller** answered yes.

**Commissioner Zapotosky** asked what the age is.

**Warden Miller** answered 55.

**District Attorney Heneks** asked if there is a requirement on how much time someone has to call off before their shift.

**Warden Brian Miller** answered two hours and for midnight shift it is one hour.

**District Attorney Heneks** asked how many call offs there are.

**Human Resource Director Dominick Carnicella** answered 50% of the overtime is a result of call offs.

**Commissioner Zapotosky** asked on a given day, around how many call offs would there be.

**Warden Brian Miller** answered on an average, there are around two call offs per day. If it is a holiday double the number and if it is a weekend triple the number.

**Sheriff Brownfield** asked if there is anything else.

**Human Resource Director Dominick Carnicella** answered there was a personal leave of absence that was discussed in executive session but no action was taken.

Public Comment:

**Union President/Corrections Officer Mike Hicks** stated there is an issue where the officer's need a private shower when they are assaulted.

**Sheriff Brownfield** asked if this was discussed a year and half ago.

**Union President/Corrections Officer Mike Hicks** answered yes but the same situation has occurred.

**Commissioner Zapotosky** said there was a shower with an attached room that locked.

**Union President/Corrections Officer Mike Hicks** stated the area is not private because inmates may be in the room.

**Warden Brian Miller** said it is private, inmates just need to be moved and if they don't want to use the prison shower the officer has the option to go home to shower while being paid.

**Union President/Corrections Officer Mike Hicks** stated there is no policy for when a guard is assaulted but he has been trying to for many years.

**Warden Brian Miller** said that was discussed at the last contract negotiation meeting but Union President/Corrections Officer Mike Hicks was not there to discuss it. He said there is another meeting this upcoming Friday.

**District Attorney Heneks** asked Union President/Corrections Officer Mike Hicks to provide the policy he developed for when a guard is assaulted to the county detective. It needs to be discussed on how to preserve evidence to when a guard is assaulted. There was an issue with SCI, whether or not a guard was assaulted. Evidence collection is an issue and may need confiscated for testing.

**Commissioner Zimmerlink** stated the previous issue involving the shower, she would like to see the problem resolved to avoid a possible grievance. She, an employee from the prison, anyone else from the board, and a union member will go over to the prison either today or tomorrow.

**Union President/Corrections Officer Mike Hicks** said there is another issue with a need for a caged vehicle so inmates can be transported and staff are safe. The vehicle being used now does not have a proper cage.

**Commissioner Zapotosky** asked if this is part of the effective bargaining agreement.

**Union President/Corrections Officer Mike Hicks** answered not particularly.

**Commissioner Zapotosky** stated items like this can be included in the CBA. He asked if the last discussions were last Friday.

**Warden Brian Miller** said this issue was discussed at the meeting last Friday.

**Commissioner Zapotosky** asked who was at the meeting last Friday representing CO's.

**Warden Brian Miller** answered Frank was the only person.

**Commissioner Zapotosky** asked when the next discussion is.

**Warden Brian Miller** answered Friday.

**Commissioner Zapotosky** asked Mike if he would be there Friday.

**Union President/Corrections Officer Mike Hicks** answered yes.

**Controller Lally** stated all the wants and needs are fabulous but the county is facing the possibility of one and half million dollars in out of county rental fees that were unbudgeted for the prison this year. It is the balance cost versus needs.

**Union President/Corrections Officer Mike Hicks** said he understands that but a vehicle is needed.

**Sheriff Brownfield** stated he has never denied the prison to use his vehicle and they used to have keys until he received complaints of them using the lights and sirens in the vehicle.

**Commissioner Zimmerlink** asked if keys could be provided to them again.

**Sheriff Brownfield** answered yes.

**Commissioner Ambrosini** asked the sheriff if there are any spare cages.

**Sheriff Brownfield** answered yes but they are not made for the vehicle that needs it.

Adjournment:

**Moved by Commissioner Zapotosky and Seconded by Controller Lally, to Adjourn the Meeting:**

**Sheriff Brownfield** - **Aye**

**Chief Deputy Controller Wrona** - **Aye**

**Commissioner Ambrosini** - **Aye**

**Commissioner Zapotosky** - **Aye**

**Commissioner Zimmerlink** - **Aye**

**District Attorney Heneks** - **Aye**

**Motion Passed Unanimously**