

Call to Order:

A meeting of the Fayette County Prison Board was called to order on Wednesday, July 27, 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
Controller Sean Lally
Commissioner Alfred F. Ambrosini
Commissioner Angela M. Zimmerlink

The Following Board Member was Present after Roll Call:

Commissioner Vincent Zapotosky

The Following Board Member was Absent at the Time of Roll Call:

District Attorney Jack Heneks

Moment of Silence

Pledge of Allegiance

Public Comment:

None

Approval of June 2013 Meeting Minutes:

Moved by Controller Lally, Seconded by Commissioner Zimmerlink, to Approve the June 2013 Meetings Minutes:

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

Motion Passed Unanimously

Approval of July 2013 Bills:

Moved by Commissioner Zimmerlink, Seconded by Controller Lally, to Approve the July 2013 Bills:

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

Controller Lally stated on the rentals, on his system, through the end of June 30th, \$224,000 was added to the regular budget. Right now the amount is \$535,428, not including July or August, and it is escalating very rapidly. He asked how many inmates are out.

Warden Brian Miller answered 112.

Controller Lally said that is over \$150,000 in additional cost.

Sheriff Brownfield stated there is surely additional cost in transporting. Roughly going to Centerville is an \$800 round trip.

Controller Lally said this is a crisis situation. There is no doubt the next two months the county is going to exceed the million dollar mark for out of county rentals. And that is for rent only.

Motion Passed Unanimously

Population Report:

Warden Brian Miller said

270 Inmates Housed in Fayette County Prison (235 Males and 35 Females)

37 Inmates Housed in Butler County Prison

10 Inmates Housed in Bedford County Prison

6 Inmates Housed in Armstrong County Prison
5 Inmates Housed in Cambria County Prison
13 Inmates Housed in Center County Prison
41 Inmates housed in Greene County Prison (13 Males and 28 Females)
112 Total Inmates Out of County

Commissioner Zapotosky stated to let the record reflect that he is present. He asked what the average cost is for daily rentals.

Warden Brian Miller answered the average is \$60 per day.

Commissioner Zapotosky asked what the monthly total is.

Controller Lally answered \$ 201,600.

Commissioner Ambrosini stated that is absent of transportation cost.

Personnel:

Human Resource Director Dominick Carnicella said he would like to request an executive session to review a grievance, personal leave of absence request, and a possible disciplinary action.

Commissioner Zimmerlink asked what step the grievance is at.

Human Resource Director Dominick Carnicella answered the third step.

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

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

Motion Passed Unanimously

Executive Session: 9:28am

Regular Session: 10:29am

Sheriff Brownfield stated to put it on record that Commissioner Zimmerlink had to leave at 10:00am but said she would be back at 10:30am.

Human Resource Director Dominick Carnicella stated to please consider accepting the resignation of part-time corrections officer Adam Gillingham effective July 18th, 2013

Moved by Commissioner Zapotosky, Seconded by Commissioner Ambrosini:

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

Motion Passed Unanimously

Human Resource Director Dominick Carnicella stated to consider hiring Richard Grimm as a part time corrections officer at \$15.62 per hour effective August 26th, 2013.

Moved by Commissioner Zapotosky and Seconded by Controller Lally:

Sheriff Brownfield asked if all procedures were followed.

Human Resource Director Dominick Carnicella answered that is correct.

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

Motion Passed Unanimously

Human Resource Director Dominick Carnicella said to please consider approving a 3 day suspension of employee x for violation of safety and security policies and procedures effective immediately.

Moved by Commissioner Zapotosky and Seconded by Commissioner Ambrosini, to Adjourn the Meeting:

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

Motion Passed Unanimously

Human Resource Director Dominick Carnicella stated to consider resolution of a third step grievance from Jessica Goode (former corrections officer).

Commissioner Zapotosky said he will make a motion to table this item to allow for additional language to be presented with the United Mine Workers as well as the county HR department and see if the language will be sufficient enough to advance the issue. And he will ask for that to be done by no later than 9th of August and then come back for a special meeting to make a decision.

Moved by Commissioner Zapotosky and Seconded by District Attorney Heneks, to:

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

Motion Passed Unanimously

Human Resource Director Dominick Carnicella stated to consider approving a personal leave of absence request from Mr. Hicks for a period to be determined.

Commissioner Zapotosky said he will make a motion to table this item until such a time when Mr. Hicks is able to present a clear description of what his personal need will entail (the length of time, and start date to completion date). Mr. Hicks said earlier he has the ability to bid on certain things and the board does not know what they are (the length of time) so until such a time when Mr. Hicks presents the board with more concrete detail he supports tabling this matter. Then such can be revisited. He asked Mr. Hick when this starts.

Union President/Corrections Officer Mike Hicks answered he would have to notify them and he cannot give those dates but will do it immediately.

Commissioner Zapotosky asked if he would get in touch with Dominick throughout the course of this.

Union President/Corrections Officer Mike Hicks answered yes.

Moved by Commissioner Zapotosky and Seconded by Sheriff Brownfield, to:

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

Motion Passed Unanimously

Court Administrator:

Court Administrator Tammy Lambie stated she has a few things she has been asked to relate. Last week there was several people from the jail who were on vacation and during that time there were issues with where people were being released to. They couldn't find the answerers because there was no one

at the jail to ask. The courts would like to have a meeting with the warden, commissioners, and anyone who needs to be involved to correct the problem. The list which has been talked about from the jail, the president judge looks at that to see how many cases are at the jail (for sentencing, verifications, summaries, and/or other reasons). She checked at the jail and the list is not available unless they open the files and look at each individual. The courts would also like to have a meeting with anyone who needs to be involved to get something generated on Brian's system to get the list.

District Attorney Heneks said he has also been asking for the list for over two years.

Court Administrator Tammy Lambie stated without the list things are being delayed. Something needs to be done to correct management issues.

Warden Brian Miller said his biggest problem and concern was a memo that was dated July 15, 2013 sent to the prison board by President Judge John Wagner (upon completion, an inmate should be returned to and released from Fayette County Prison not the facility they were temporary housed) . Last week the prison had three inmates and this week the prison has one inmate that are being housed in other county prisons. They cannot be released so it is costing \$65 a day until they get up to the prison to release them. When they are picked up and released, it is \$400 to do so.

Court Administrator Tammy Lambie stated she knows this is an issue and has looked at the expense. The court orders were changed to where the JPO office could release inmates from other intuitions as long as it was reported. There has been a judge's meeting since then and most of the judges are not in favor of that because they feel if the inmate is from Fayette County, they should get released from Fayette County.

District Attorney Heneks asked if the courts are going to provide the cost of transportation for the inmates.

Court Administrator Tammy Lambie answered no. Judge Wagner has reevaluated the situation and has a different opinion. A meeting needs to have the adult probation office and jail involved. She know the APO office is extremely busy (each APO officer handles around a 150 people) but they need to try to inform the jail when someone is going to be released to save on transportation costs.

Sheriff Brownfield said in a state institute or federal prison once an inmate is released it is their job to find a way home. He doesn't think the county should be a taxi service.

District Attorney Heneks stated the probation office may have to see them before they are released if they have a parole plan.

Public Comment:

Commissioner Ambrosini said he would like to provide the Prison Board with an update on the Prison Working Group. Crab Tree, Rohrbaugh, & Associates have been engaged to do an economic evaluation of the potential needs of prison issues. They are evaluating three options. It will basically break down with what each of the three options will cost the county per inmate per day. Another option is do nothing. That will result in a cost per inmate per day. The second option is to do a renovation and potential expansion of the existing facility on site. That will have a cost per inmate per day. The third option is to start clean and built a brand new facility to meet the needs of operational specifications that the prison working group is continuing to establish. They have started and should finish up the study in two to three months. They will be very clear (based on the results of the study) on the direction the county needs. In additional to those three options, they are also going to evaluate the top three sites out of around 17 and/or 18 sites that have been looked at in the last eight or nine months. This study will be very helpful to the Prison Board to make a decision.

District Attorney Heneks stated he is unclear to what the board's authority is as a board in regards to this. The county commissioners will have to authorize part of that. What do you envision from the board?

Commissioner Ambrosini answered that basically the role of the prison board as he sees it is once all the data and recommendations from the consultants are evaluated, the board will evaluate and make their recommendations to the commissioners.

District Attorney Heneks asked if the studies will be directed to the board.

Commissioner Ambrosini answered yes. A recap on a big issue is there is currently 112 inmates outside the county which is spread throughout six different facilities and as far as Center County state College. This is tremendous cost burden. The rental costs are known but the transportation cost is unknown.

Sheriff Brownfield said roughly the transportation costs are \$800 per transport.

Commissioner Ambrosini stated it has to be known where the inmates are, when their hearings are, and transportation costs.

Controller Lally said right now as of June 30th, the county has spent \$530,428 on out of county rentals. He does not have July's billing which 112 inmates at an average of \$60 per inmate. The county will be reaching about three quarter of a million dollars by July 31st. What will the trend will for the rest of the year? The county has been increasing at an average of 24% per month for the last four months.

Commissioner Ambrosini stated the prison process will go forward. Something needs to be done now. A suggestion from Warden Miller is to find a location near the prison to turn into a low security women's (pre-release) facility. Around 40 to 50 women in the prison would go there for around 2 ½ years (when the new prison is built). This will reduce the number of out of county rentals by at least 50 people and allow the higher security facilities for the male population. If the place would be close to the courthouse than meals could be transported there from the prison (like the annex). He thinks while the economic evaluation is being conducted, it would not be prudent to wait until the study is done. He thinks it would be prudent to prepare and go out for a RFQ (request for qualifications) for an architect capable of designing a prison. Right now he is going to ask for no more than a roll call of support for the steps of the prison by the prison board. The motion is that with a simple aye or nay, support from the individual board members to go forward with the steps just mentioned and to go forward with the RFQ, to determine the capable architect for the project.

Sheriff Brownfield said he would like to commend the prison working group. The current prison is dilapidated. This is something long overdue. When he first took office he knew of a study that was being conducted. The study stated the population would double and it has tripled. If the steps would have been taken to build a new prison than it would have cost 14 million. The longer this is put off the more expensive it is. Construction goes up every year. He would like to commend Commissioner Ambrosini for starting the group and the group for all the work they have done. There are a lot of people afraid of taxes increasing but the county is losing money from the taxpayers every day.

District Attorney Heneks stated he would echo with Sheriff Brownfield. From a district attorney's stand point, he fully recognizes there needs to be a new jail. There have been concerns expressed in the newspapers by others who think that somehow it is going to cost the taxpayer's money in the future when it is costing the taxpayers right now and will cost them less in the future if the necessary things are done now. Those things about costing the taxpayers in the future are completely miss guided and short sighted.

Controller Lally said statements were made that the reason the out of county rentals are so high is because of the 7,000 summary warrants when really they haven't had much effect at all on it. The numbers accumulated on June 30th was \$100,000 out and was still at \$435,428 even before that happened. So that statement is completely false. Economically speaking it would be a poor decision by inaction. It is costing over \$2,000,000.

District Attorney Heneks stated with some of things he has seen quoted, the prisoners are not being cuddled and this is not like building a condominium for them. It is hopeful to be building that is safe, secure, and efficient way of housing and transporting prisoners. The rehabilitation process is part of that.

Commissioner Ambrosini said the discussion to build a new prison is years past due and the county is suffering severe consequences for that right now on costs along with safety issues, and other issues.

Warden Brian Miller asked what the county would do if the six county prisons were no longer able to house inmates because they became over populated.

Sheriff Brownfield asked what would happen if the DOC came in and closed the prison because of repairs that have not been made or cannot be made.

Commissioner Ambrosini stated there are a couple things that the prison working group is looking at which is building a new facility of adequate size to handle the population, expansion possibilities in terms of additional 60 bed pods that could be easily be added on. The county doesn't want to accrue capital cost for facilities that will not be used. The county will build what is needed with the ability to expand in very a short time period. It needs to be horizontal. A new facility will be much more cost effective from an operational perspective and maintenance perspective. New modern supervisory techniques can be used for the safety of the inmates and corrections officers and to lower operational costs. A court room, offices for hearings, central booking, and training rooms could be incorporated too.

District Attorney Heneks said pleas at the request of Judge Wagner will be in on a certain day to have sentences scheduled in a couple of days instead of a month to get people into the state as quickly as possible.

Controller Lally stated the walls are 36 inches thick in the prison. How can a door be cut at an economical price and how do you widen the hallways to make them ADA acceptable without major cost.

Commissioner Ambrosini said his motion is this. He is asking for a roll call vote with each prison board member with a simple aye or nay whether they are in support or not with going forward with the request from quotations for the architectural firm and also for the potential of establishing a women's facility with about 50 female inmates to help elevate the significant problem of external inmates outside the county.

District Attorney Heneks stated his only question is, if this will be put on the agenda to vote.

Commissioner Ambrosini said this is just a vote of support for moving forward.

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

Adjournment:

Moved by Controller Lally and Seconded by District Attorney Heneks, to Adjourn the Meeting:

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

Motion Passed Unanimously