

A meeting of the Fayette County Prison Board was called to order on Wednesday, February 29, 2012 at 9:15am in the Commissioner’s Conference Room, Fayette County Courthouse Uniontown, Pennsylvania 15401. The following members were present at the time of roll call: Sheriff Gary Brownfield, Commissioner Alfred F. Ambrosini, Commissioner Vincent Zapotosky, Commissioner Angela M. Zimmerlink, and Controller Sean Lally. The following member was present after roll call: District Attorney Jack Heneks. Others in attendance at the time of roll call: Warden Brian Miller, Jeanine Wrona, Auditor Corey Johnson, Auditor, Human Resource Director Dominick Carnicella, Liz Zemba of the Tribune Review, and Jennifer Harr of the Herald Standard. Following the Moment of Silence and the Pledge of Allegiance, the business portion of the meeting began.

- Public Comment: None

- Approval of January 2012 Meeting Minutes:

Moved by Commissioner Zapotosky, Seconded by Controller Lally, and to Approve the January 2011 Meetings Minutes:

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

Motion passed unanimously

- Approval of February 2012 Bills

Moved by Commissioner Zapotosky, Seconded by Commissioner Zimmerlink, to Approve the February 2012 Bills:

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

Motion passed unanimously

Commissioner Zapotosky said he would like to comment about the audit. He said there have been some problems over the past several years according to the review and an item of discussion the board should consider is bringing in a consultant to look at financial monitoring of daily operations as well as a potential managing approach like inventory control and so forth. Commissioner Zapotosky also addressed some of the concerns Controller Lally had in the last page of his review which would be to bring someone in to see how the board is doing business at the prison to make sure what the board is doing is in best interest of the taxpayers and maximizing every dollar.

Sheriff Brownfield agreed with Commissioner Zapotosky but wasn't sure if the board could put that on the Agenda for the board or makes it a recommendation for the Commissioners.

Commissioner Zapotosky said some corrective action to be implemented pursuing to the audit findings. He just wanted to bring it out for discussion because the board is a governing body of the institution and the board should discuss it.

Auditor Johnson stated that as a result of the audit he believed there is a serious lack of financial policies and procedures and in his opinion that time and money well spent to hire somebody will help to implement the rules. He said that A) someone needs to establish policies and procedures and B) someone needs to maintain and continue with the policies and procedures, there is two separate issues not one. He agreed with Commissioner Zapotosky to hire an outside consultant who has experience to establish policies and procedures and to get things set up so eventually you can hire someone in the long run to fill that role on a long term basic. He also feels there should be a month or two of training for the consultant.

Commissioner Zimmerlink understands the audit but believes the competent staff within in Controllers Office, Commissioners Office, and Prison, everyone should be able to set those policies and procedures in writing and have a process of internal implementation.

Controller Lally said he respectfully disagrees with her line of thought. He can trace it back with his audit and research he has done in the last month and the key he had to create because there were so many mistakes in the process from the time the audit started to present. Controller Sean Lally came to the board the first time in March of 2010 and said there are deficiencies and produced letters from his solicitor stating the deficiencies exist and they need to be corrected. He also stated had numerous letters with Warden, Deputy Warden, and everybody involved. This has been going on since 2010, obviously it is beyond the scope of this board to contain this problem anyway that you cut it.

Commissioner Zimmerlink said someone needs specifically assigned to those duties within the prison and held accountable to perform them.

Controller Lally said it was assumed the deputy warden was responsible.

Commissioner Zapotosky stated he thinks the board has come to a point where it needs some level of expertise because the boards charge is very important and very crucial when you're talking about 6 million dollars of tax payer's funds. He continued by saying to look at this of more of an investment on the future of the prison and financial position, it's the right way to go. He added the post audit meeting was held but the board is back to square one.

Controller Lally said that he commended Commissioner Zimmerlink for putting that meeting together in August of 2011 but every item that the board discussed, everything said that was going to change did not.

Commissioner Ambrosini stated the auditors have provided some very thorough information and that there are a number of things the board doesn't have in house that would be able to affect the proper fix. Commissioner Ambrosini stated that the board is not just bringing in someone to fix a problem but go beyond fixing this problem and look at an additional revenue stream as a result of the prison operation. He added that at that point the board can use that same consultant to help determine the skill sets required for someone to come in and provide financial controls in the prison in addition to how organizationally the recording goes and how the interface of not only the controller's office but potentially the commissioner's office goes as well. He said he has seen all ready that the board is losing enough money in the prison that bringing in a permanent financial control type person will actually net the board positive revenue.

Commissioner Zimmerlink says the board doesn't need a consultant. She added it was discussed at a budget meeting and the money was not put in the budget. She continued there is money to do that because the taxes were increased and there is a surplus. Commissioner Zimmerlink suggested to internal hire and the title would be financial accounts receivable/payable. She said that person would be responsible for purchasing, vendor contacts, other contacts as well as the budgeting process.

Commissioner Ambrosini stated he disagrees with that because the board may not know all of the skill sets that, that person needs. He continued by saying that any board of this nature, always falls into the trap of always trying to micromanage something and he really thinks the board needs to go out and hire a consultant type expert. He added that the board should have some input but needs to keep away from the micromanaging.

Commissioner Zimmerlink said it's not a matter of micromanagement; it's a matter of elected officials meaning three commissioners who were elected to do a job, the controller who was elected and the sheriff who serves on a board and this prison board. She added that hiring assistance is done by Felice.

Commissioner Zapotosky stated Felice is a HR consultant and is not a drain to any of the financial aspects of the operation of the jail and there is a certain level of responsibility and scope of work and that does not fit what we're trying to accomplish.

Auditor Johnson said other counties have a fiscal director.

Commissioner Zapotosky said the board doesn't even know what other counties have and that's why he thinks the board needs to get some guidance.

Commissioner Zimmerlink said that it takes an e-mail.

Controller Lally said as a county controller I'm taking advice from not only my own concerning facts but from the people who are more skilled than I. They are recommending hiring a consultant on a temporary basis. They are recommending bringing a consultant in to establish a system of accountancy. That consultant in return would train a permanently hired employee to move forward.

Commissioner Zapotosky asked if there are consultants that do this type of work.

Controller Lally Actually I sent an e-mail that Auditor Johnson had sent me which I'm surprised that no one has it here but it basically stated that the position and his beliefs on the subject and it was sent out awhile ago.

Auditor Johnson said he recommended Sam Lynch of Susquehanna Group.

Auditor Johnson said to be honest, what is the board going to pay the person 35 45 55. He continued by saying that why you hire a consultant, they have 20 30 years experience and resources.

Sheriff Brownfield stated to let the record show that District Attorney Heneks just entered the meeting.

Auditor Johnson stated the reason why he recommends Sam Lynch is that he has worked with the counties and has helped looked at the prison. He continued by saying if the board is going to be paying someone all over to learn all that again and going to be gaining some efficiently back.

Controller Lally said that as a controller he has dedicated, Jeanine can testify, at least one month straight, solely on all the information that he has been gathering because every time he comes to the board with these recommendations, the board has a discussion without action. He continued by saying that is absolutely zero but and financial problems still keep rolling forward. He added that in his last letter he summated with \$39,000 in additional expenses that the board has amassed because of a lack of a financial consultant in that area in the prison. In his closing letter that he wrote to the board he really believes what he said, it is time for change. Controller Lally said change brings resistance but if the county does not think progressively than the board does not progress and is subject to the same old status quo and that's exactly what's happening here. He continued by saying it's not time to talk about it, it is initially time to make the recommendations to hire somebody and bring someone in to train them.

District Attorney Heneks said he endorses the idea of the consultant but has concerns that are even broader. He continued by saying that if the board is going to have a consultant for financial affairs than something for the board to think about is implications to prisoner housing, drug & alcohol rehabilitation on the imitates or lack of, lack of alternatives, and the issue of work release that other counties do. All those things go to the financial liability of the institution so he is certainly not opposed to this. He added that he would like to see the board go in the direction of a quote on quote consultant or at least to have some kind of study of the alternatives that the board needs to look at in the prison from both a financial standpoint and from also from the housing rehabilitation issue that is going on right now in the prison. District Attorney Heneks stated it concerns him that there is only ten days or so of drug & alcohol rehab impatient that a prisoner has and is either put back in jail or otherwise kept away from drug & alcohol rehab and all that is doing is bringing more people back to the jail. He continued by saying that he certainly endorses the financial issue but believes the board should go in the direction of looking at the entire prison process.

Commissioner Zapotosky stated there's a potential for a grant and pertaining to the transition and the recessive and he would be glad to brief the board on it and if it's going to mean a \$200,000 grant.

District Attorney Heneks said he has been with the board for 2 years and there's talk about these things but there isn't always a conclusion by doing something so he is in favor of that and thinks the board should continue in that proactive approach.

Sheriff Brownfield said he don't think there are any commissioners who were here at the time but the former board of commissioners did a study done on the prison it's self. He continued by saying that he thinks the prison was built in 1868 to house less than 70 prisoners but at that time they had a study and were told by 2010 the population of the prison would double. He added that in 1998 there were less than 100 prisoners and now there is an average better than 250 a day, so it's more than doubled. Sheriff Brownfield stated the board spends thousands and thousands of dollars in other counties to help house the prisoners.

District Attorney Heneks said he get frustrated on a daily basic when there are people who violate probation or violate parole and the other alterative is because their taking illegal substances.

Controller Lally said he would like to make a motion that the prison votes to research and hire a consultant to handle the fiscal matters of the Fayette County Prison and in the same time train an outside employee that is hired for the duties of fiscal management.

- Controller Lally restated his motion that it is to review the current system, to establish a system for the board, and then to bring in a permanent employee at the same time so that they can be tot those methodologies from the consultant and then the consultant would go away and the permanent employee would stay.

Moved by Controller Lally, Seconded by Sheriff Brownfield, and to Approve the Motion:

Sheriff Brownfield	-	Aye
Controller Lally	-	Aye
Commissioner Ambrosini	-	Aye
Commisioner Zapotosky	-	Aye
District Attorney	-	Aye
Commissioner Zimmerlink	-	Nay

Motion passed 5-1

Commissioner Angela M. Zimmerlink asked Controller Lally to make it clear is this to hire a consultant or make a recommendation to hire a consultant. She continued by saying to make a recommendation, to review to hire a consultant.

Controller Lally said and a permanent employee.

Commissioner Ambrosini stated while he agrees with that and that's what it will end up being. He continued by saying he don't know how things are normally handled at the court house but he would recommend that the board consider forming a committee, maybe two or three people from the board that goes out and does the research. He also added that he thinks the board should look at financial consultants but somebody that is very well versatile in doing financial consulting with prison systems. Commissioner Ambrosini said he thinks that the board should select, a 2 or 3 person team from the

board to actually to do the research and come back to the board with a recommendation on which consultant should be hired.

Commissioner Zimmerlink said that's totally different on the motion that was just passed. She continued by saying having that pass, which it did, it then goes before the board of commissioners and the resolution on the agenda for the board of commissioners would be to hire a consultant and a full time employee.

Controller Lally said his intentions are as he stated what he said is what he said.

Commissioner Ambrosini stated that the board has a wide range of talent and he thinks the board could select 3 people to form a committee to recommend which consultant would be best to hire. He continued by saying he don't think Sean's recommendation is telling the commissioners to go and figure it out, he thinks what he is wanting from the commissioners is approval to hire a consultant. He also added the board is missing the part where who is actually going to go out and do the research to determine the best consultant to hire and he knows speaking for himself, the commissioners are busy and he's sure that they have methods with CCAP and so forth that requires a little more excessive search than that. Commissioner Ambrosini said that's why he's recommending the board form a committee to that work and recommend the consultant.

Commissioner Zimmerlink said that the county code has to be followed when retaining a service of consultants and things of that nature.

Auditor Johnson explained that he highly recommends the board form a committee and see what's out there.

Commissioner Zimmerlink said that there's no need to form a committee to do it and to just do a RFQ process.

Commissioner Ambrosini stated that if business is going to be done as usually, the board is going to end up in the same spot.

Commissioner Angela M. Zimmerlink said that it's not business as usually; it's following the county code.

Commissioner Alfred F. Ambrosini stated that all that is doing is throwing up roadblocks to keep from forging ahead and doing the things to improve.

Commissioner Angela M. Zimmerlink said it's not throwing up road blocks and to get the best possible cost and things involved, follow the county code, go to the commissioners, and ask for a RFQ4, and a consultant; just as it was done for Z&A and all the other financial consultants. She added that you prepare the RFQ, send it out, get responses, and then interview.

Commissioner Alfred F. Ambrosini stated he isn't going to tell the 3 person committee what to do because he doesn't micromanage. He continued by saying these 3 people will go through whatever process that is deemed necessary to try to locate several libel consultants that will be able to help the

board. He added that the commissioners or this board will decide which consultant to hire but feels confident that the board can select 3 people to go out and do the networking, communication process required or to recommend a good consultant. Commissioner Alfred F. Ambrosini said to keep in mind that part of the committee's responsibility is to go out and start looking for the consultant and through a learning curve process and learn about some of these consultants, and that's the key. He added the committee has to learn what skills and capabilities the consultants have and to what their previous experience is. He continued by saying it will take a little time to do that but is confident the committee can do that job and come back and provides a very good recommendation.

Controller Sean Lally said that it is his experience when things happen without an definitive date for completion of set projects it will extend indefinitely so if there's a motion to form a committee there should be a make a motion to set a definitive date and time to when the committee needs to respond to the board with their recommendations.

- Commissioner Ambrosini stated he'll make the motion for the board to form a minimum of a 3 person committee to research liable consultants and financial controls management of the prison, not to be limited to that but definitely that. From the time of formation the committee will have 2 months to go back to the board with a recommendation. The committee will consist of Controller Lally, Warden Miller.

Moved by Commissioner Ambrosini, Seconded by Controller Lally, to Approve the Motion:

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

Motion passed 4-1

- Population Report
Warden Miller reported a total of 265 inmates (238 Males and 27 females) in the county and a total of 8 inmates (2 Males and 6 Females) housed in Greene County

Although Controller Lally was next on the agenda, had asked in the Z&A report could go next due to their time constraints.

Commissioner Zimmerlink said she didn't have a problem with that but next time when there's an agenda item, it needs to be placed on the Agenda because there were 2 motions that were not. She continued by stating she don't make the law, she just follows it and there's also was to be a public comment. She added that matters to properly come before the board should be on the agenda to give other board members time to prepare.

Controller Sean Lally agreed it should have been an agenda item.

- Zelenfsko and Axelrot Audit Report

Auditor Johnson said he would briefly go over the financial statements and the scope of the audit for the commissary inmate account. Z&M Auditor Corey Johnson stated the reason for the disclaimer was because of both separate accounts which he could not get supporting documentation for. He continued by saying that last time he met to state his financial findings, warden and deputy warden agreed to provide what was asked of them by the 27th of February but did not.

Auditor Johnson stated that when you see income statement like he discussed before, the line items are very general because he didn't have support to break down the finance. He continued by saying that the inmate account cash level shouldn't be reconciled back into the system. He added that in terms of weaknesses; there were checks in the inmate and the commissary accounts that either had one signature or no signatures and operational expenses were being disbursed out of the inmate and commissary account. Z&M Auditor Corey Johnson said that again those accounts are to be used for certain things and the deputy warren is accrediting the prisoners account on the work release program before any funds were deposited into the account.

Commissioner Ambrosini asked what level the deficiencies are at.

Auditor Johnson said the highest level.

- Executive Session

Controller Sean Lally asked for an executive session which dealt with discipline issues of employees and also asked Warden Miller to leave.

Moved by Commissioner Ambrosini, Seconded by Sheriff Brownfield, and to Approve the Motion:

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

Motion passed 5-0

- Return to Regular Session

Moved by Sheriff Brownfield, Seconded by Controller Lally, to Approve the Motion:

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

Motion passed 4-0

Warden Miller asked to review personal matters even though not on agenda

- Accept the Resign of Bryan Antal, Correction Officer

Moved by Controller Lally, Seconded Commissioner Ambrosini, and to Approve the Motion:

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

Motion passed 4-0

Warden Miller said he would like David Bryson who is currently working as a temporary part-time employee due to one of the part-time corrections officer being in military training and would like to make him a permanent part-time to fill vacant part-time corrections officer effective 02/29/12

- To Hire David Bryson as Temporary Part-Time Corrections Officer

Moved by Controller Lally, Seconded by Commissioner Ambrosini, to Approve the Motion:

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

Motion passed 4-0

- Adjournment

Moved by District Attorney Heneks, Seconded By Sheriff Brownfield, and to Approve the Motion:

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

Motion passed 4-0