

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, October 21, 2014 in the Public Service Building, Uniontown, Pa.

In attendance-

Commission Chairman Alfred Ambrosini
Commissioner Vincent Zapotosky
Commissioner Angela M. Zimmerlink
Chief Clerk Amy Revak
Solicitor John Cupp

Chairman Ambrosini called the meeting to order at 10:02 a.m.

A prayer was given by Rev. Ewing Marietta.

The pledge of allegiance was recited. Rev. Marietta gave an announcement about an event on October 26 in which they are holding a Day to Honor Heroes. He said there are 22 veterans dying a day due to suicides and they are going to have a day to honor veterans, to thank them for their service, he asked if anyone could be present because Jessica Lynch is coming to be in church 11 a.m. that day and there will be a motorcycle run to meet up at their church at 9 a.m. and they will meet her at the boarder at 10 o'clock to bring her to the church. He said if anyone wants to be involved with motorcycles be at the church at 9 a.m. and at 11 a.m. she will speak.

Proclamations/Resolutions

Commissioner Ambrosini read the proclamation for Domestic Violence Awareness Month. A representative said she is looking to create awareness and by wearing a pin it says no more, we are going to stand up, stand out and say something. She said two to three million women a year are affected, which means three to six million children are affected with violence in the home and it is time for it to stop. She said they want it to vanish and she thanked the commissioners for their support.

Commissioner Zimmerlink read the proclamation for National Business Women's Week. Denise Robinson thanked the commissioners for continuing to support them every year. She said National Business Women's Week started in 1924, so it is a long tradition. She said they would like to invite everyone to come and join in celebration this evening at State Theater from 6 to 8 p.m. with the showing of the documentary, Madame Presidenta, why not the U.S." and Heather Arnet, who is the executive director of the Women and Girls Foundation in Pittsburgh will be coming down and she went to Brazil to do research on this film. She said she will be coming down to answer questions after the showing. She said it is a free event and a celebration of women and businesses. Commissioner Zapotosky said he supports equal pay, and it is what 72, 74 cents? Ms. Robinson said it is up to 78. Commissioner Zapotosky said he is urging the legislature to focus on equal pay because it is not equal.

Ms. Robinson said there are branches in Masontown, Uniontown and Connellsville. In addition to Ms. Robinson, Debbie DeMasi was present representing Masontown. Commissioner Zapotosky said he wanted to point out that his mom was present, a member of the Masontown group, and she enjoys going to the meetings.

Commissioner Zapotosky asked if anyone was recovering from breast cancer. Geraldine Mazza said she is a survivor. Commissioner Zapotosky said it is important because it shows that this illness can be beat if we do the preventative testing to intercede before it does spread. Mrs. Mazza said mammograms are very important and every woman should have a mammogram whether you think there is something wrong or not, every year have a mammogram because early detection is the cure to cancer. Commissioner Zapotosky read the proclamation for Breast Cancer Awareness Month October 2014.

Commissioner Ambrosini said also on the list is the resolution in support of Cleaning Pennsylvania's Streams and Rivers but it isn't available. Commissioner Zimmerlink said they will still proclaim it.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the proclamations and resolutions.

Proclaim October 2014 Domestic Violence Awareness Month

National Business Women's Week

Resolution in support of Cleaning Pennsylvania's Streams and Rivers

Breast Cancer Awareness Month October 2014

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to public comment on agenda items, Commissioner Zapotosky said he would like to ask the board to consider making an amendment to the agenda.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to amend the agenda to send out letters requesting the prequalified architects that were doing work on the prison, that those letters of prequalification and letters of interest be sent out to all those that had responded, understanding that the scope of work has changed to either on campus, on site, well first on all it will be on campus or remodeling and then any additional structure and/or pod to increase the population either on campus or within the confines of the city of Uniontown.

Commissioner Ambrosini no

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

Public Comment on Agenda Items

Ralph Mazza said he considers the pledge of allegiance part of the agenda so he wanted to make a remark about the pledge of allegiance. He said he thinks they should instruct their Chief Clerk that when the pledge, he said he wanted to mention this at the last meeting but we had a pretty raucous meeting and it slipped his mind, which he is apt to do from time to time. He said when the pledge of allegiance is being recited they are talking about the symbol of our country and the Chief Clerk shouldn't be flitting back and forth, the very least she could have done was stopped and at least stood still if she didn't want to participate in the pledge and that irritates me, as a veteran especially it irritates me because I know what that flag means. He said I wish you would instruct her that whenever the pledge of allegiance is being said, you don't flit around between people, you stand and show the proper courtesy and respect to that flag. Commissioner Ambrosini thanked him for his comments.

Jeffrey Phillips said he is a new resident. He said he bought property in Fayette County last year. He said on the agenda, the second item, the prayer, he said he believes that they have a responsibility to have a prayer that is more ecumenical. He said it is a public building, paid by the taxpayers and having a prayer asking us to be guided by someone that we don't necessarily believe in is quite wrong and should be amended in your next meeting. A representative of the UMWA who represents the county corrections officers said he would like to rise up against the agenda item to alter the plans for the outdated prison. He said he wanted to suggest that the county move ahead with building a new facility for the safety of the officers and the safety of the public and cost effectiveness in the long term. The UMWA rep. said the path they are thinking about taking is a band aid and it puts in jeopardy the lives of the COs.

Commissioner Zapotosky said he had to ask a question. He said it is a band aid. He said he hasn't seen the plans so how can he estimate it is a band aid without having any information on it whatsoever. The UMWA rep. said the information that he has is that they are going to go to pods throughout the city or modify the existing building. Commissioner Zapotosky said that is what they are going to do at the Dunbar facility was utilization of the pods. He said if you are not going to do the pods, you are going to do bricks and mortar and you are increasing your cost considerably. He said by the way, for the record, we received a letter from Fay Penn dated 10 October and he said he will read the paragraph of substance. He said he has worked with the mine workers and the letter states, "The terms of the agreement of sale included a 90 day period of due diligence with closing taking place on or before 30 days following the conclusion of the due diligence period. A deposit of \$125,000 was to have been paid at the signing of the agreement of sale. The deposit was never received and these dates have long passed. Consequently, Fay-Penn deems the agreement to be null and void by its terms

and will proceed to market the property accordingly. As no hand money was ever exchanged, no refund is due to the county.”

Commissioner Zapotosky said so Fay-Penn, the owner of the property on which this site was going to be built on, has now said no, the property is free and clear and moves into the private sector once again. The UMWA rep. said it doesn't matter to them where they build a prison as long as they build it and get out of the old dungeon style prison. He said he met with folks last week, they toured some of the proposed site locations and, to be honest, he said he didn't even think out of the box the way that they think and some of their approach is half to three quarters of the cost i.e. the pods, and most prisons including state prisons are using the pods, and the second one is it saves 50 percent on your construction cost, so 50 percent would be a savings and in the end, that allows us to do more in the forms of contracts with the respective service unions, SEIU, UMWA, whomever, we are able to do that because this project would have definitely exceeded and you can debate this all night, would have exceeded \$40 million, there's no question, and we didn't even get to the ground yet and we were probably at \$34, \$35 million, not to mention when we get into the ground and they took core samples that were random and it showed pyrite.

Commissioner Zapotosky said by not doing samples on a grid fashion and we don't know the gridding of that pyrite in sections, A, B, C, D, E, we don't know. He said once we start digging, as you have seen in the Wal-Mart off of New Salem Road and Cherry Tree Exit, that property has remained vacant for the last 10 years, if not longer, simply because they didn't do it right, and they allowed the pyrite to take its course and the floors buckled, and it cost us a Wal-Mart for over a year and a half, it cost us a couple other retailers including a Shop N Save, so we are looking at doing this right, but we are also looking to do this to the benefit of our taxpayers, which all of you are, and if we don't do that right then we are doing a disservice to everybody in the room. The UMWA rep said his concern is the safety of the officers and you are pushing to renovate the prison and we would like to see the county take a step in the right direction rather than renovating the prison.

Commissioner Zapotosky said let's see what it looks like, and if it is not feasible or does not meet the standards, but I can assure you that the folks I have spoken with, maybe I watch too much property brothers, I don't know, but these folks think outside the box, a little different side of the brain than I use, at least, and what they have explained to me is that they can renovate that facility to our specifications, we will lose some cells because of the standards, it is not 12 by 7, but we can adjust basically to our needs where he said they are looking at a structure within 50, 60 feet and we can establish that as a program, a building a for commissary, a for kitchen, your guards are monitoring that kitchen, you've seen it, it's no resemblance to a kitchen, it's just a cubby hole where they throw out some hash every day so we are trying to do this, A, the right way, we are being observed by groups such as the ACLU to ensure we are providing safety not only for our prisoners but also for our COs and that takes more priority than anything. He said these guys got a life sentence, they work 25, 30 years so they spend more time in that jail than the inmates. He said that spirit will always be maintained.

Commissioner Ambrosini said if he could just address your comments. He said first of all, the design that has taken two years to develop, is the most efficient and effective design that we could do and one of the, the most important part is, and he said every jail architect will agree that you have to have this facility in one building. He said you cannot spread it out over multiple buildings throughout the city, all that does is create security issues, safety issues and inefficiencies that we are already experiencing simply by having to different facilities already in the city and we are experiencing the inefficient cost of the taxpayers' dollars. Commissioner Zapotosky said could you please cite those two inefficiencies? Commissioner Ambrosini said yes, the inefficiencies of the men's annex, which I am understanding now was temporary. Commissioner Zapotosky said until when. Commissioner Ambrosini said until the 2004 LR Kimball study came out that showed the new facility with vacant of the men's annex.

Commissioner Ambrosini said the 80 inmates that we are housing there at the annex were supposed to be part of the single facility of the RL Kimball. Commissioner Zapotosky said that was built to house, and if I'm wrong, please correct me, was built to house 500 inmates, am I correct on that? Commissioner Ambrosini said the LR Kimball study was projected that we should have 516 beds, some of those would be taken up by the men's annex. Commissioner Zapotosky said there were also a surplus of rooms that would have cost the taxpayers simply based on a vacancy sign out front. He said again, this is not a Super 8, this is not a Holiday Inn Express, it was interested, Jack the business manager of the prison, and I never heard, he was very eloquent, we are supposed to provide care, quality and control of the inmates, that's our mission statement as a county and that should be paramount in our minds. He said he would be more than delighted as they progress to show where they are at and to me, it's about numbers.

Commissioner Zapotosky said there is a room full of folks here and a number of retirees and these folks can't carry the cost of a facility that is not only going to be \$35 to \$40 million, but is going to have an amortization of over \$100 million. He said they have a responsibility to future generations and when they see my son and potentially his son will be burdened with the repayment of this facility, that's not fair. He said we are making a decision that is going to have an impact on our young people for decades to come and I think we can do better. He said if not at least explore the option and explore to a point where that proposal is not sufficient then we need to think outside the box and look for other alternatives, but I will not build a scaled down version of an SCI with 51 percent of the space that reflects conference rooms and other things. He said it doesn't reflect cell or the population, it only adds to that down the road, and when do you stop, we could build jails every day of the week for the next 100 years and we go to look at the rate of the. The UMWA rep said the problem with the pod system is the response. He said if you build a pod, what is the distance you are looking at for the pod?

Commissioner Zapotosky said that Commissioner Ambrosini has said that there will be a reduced need for staff. He said on a number of occasions he said that it would reduce it down to where it would be two COs for every 100 people. The UMWA rep. said there may be two people working in a unit but when an incident happens you need support. Commissioner Zapotosky said CERT teams and more aggressively. He said he

would be more than willing to work with you as we move along. Marybeth Homistek said she took a tour of the jail two weeks ago and she did not note one thing falling apart. She said she saw the ceiling falling apart because of purposeful neglect. She said the photos here show, even the elevator, there is a big dip in the elevator floor that could have been repaired by now, why hasn't it been? She said these series of pictures show water damage and there is rust and blistered paint and she said she asked several people on the tour why they haven't fixed that, why they hadn't scraped that paint and scraped that mold. She said if you are building a new house somewhere and your old house has leaks, wouldn't you fix the leaks until the new one is built so you can function in this old house? She said what she found ridiculous is this masking tape to hold the window pane in place which could have been replaced.

Ms. Homistek said this is not due diligence on Mr. Prinkey, the maintenance man, doesn't he notice these wires exposed and other things exposed. Commissioner Zapotosky said in all defense of Mr. Prinkey, he is chasing problems every day that one man cannot conquer. He said there is a need to get specs that would fit our needs, remodel and make changes to the elevator. Ms. Homistek asked if anyone noticed this stuff in the past three or four years. Commissioner Zapotosky said we have all noticed it. Ms. Homistek said the bucket catching the water through the light is electrical, so why don't you fix it? Commissioner Zapotosky said once every month he goes over and you make a request and you hope they do it. He said he thinks the modification will work and he thinks it will put the fears of the UMWA membership at ease, and also it will be responsible to the taxpayers. Ms. Homistek said since building new is not going to happen, it is time to fix this while you are remodeling or building pods because one of these is real close to the inmates cell and they could see this or be exposed to mold, so it is not safe for the inmates.

Commissioner Zapotosky said in the summer it is 98 degrees and yesterday it was 48, 47 degrees, so it is one extreme or the other. Ms. Homistek said if it weren't so overcrowded, the kitchen works effectively for serving 250 meals, it is very clean and tidy, very clean, spotless, the showers are spotless, very well maintained, the women's showers. She said you react to that Commissioner Ambrosini, did you look into the women's shower with no light? Commissioner Zapotosky said that women's shower on the third floor, it wasn't designed, they had to renovate that to a certain extent, to make it available because the women's population is increasing, more so than the male population. Ms. Homistek said they keep them all there because they don't have room at Muncy. She said her point is that certain things are maintained. She said it is all visual and she saw nothing wrong except for in the mug shot yesterday they are looking for a man from Holland so I hope we get him and put him in there too and lock him up.

Commissioner Zapotosky said the property in Dunbar is no longer available. Commissioner Ambrosini said actually it is still available and it will be available until they sell it to somebody else. He said that doesn't mean there isn't property in that area that couldn't become available. Commissioner Zimmerlink said can we get back to, this is public comment on agenda items, could the next person tell us which item. Melanie Phillips said she was curious about the line of credit for \$10 million, which will be an amortized note and she said she was curious what the rate is on the note.

Commissioner Ambrosini said that will be discussed during the meeting. Ms. Phillips said she is curious why they are using a line of credit in a low interest rate environment why they are not managing their debt and issuing debt as the project is undergoing instead of a line of credit. Commissioner Zapotosky said Mr. Lundquist is here from Susquehanna and he will explain, but he said until we get a fix as to what the true cost is for the project, this is to carry us over so we don't take a bond on 50 thousand, 38 thousand and we are sitting there before the money is really going to be put into the project and all we are doing is paying fees and commissions to the financial institutions.

Commissioner Zapotosky said this will act as a preventative so we don't waste that money. Commissioner Zimmerlink said ma'am, the first \$10 million, 2.5 will be taken to reimburse the general fund. She said the general fund, although it was not allocated at the time the budget was passed, the general fund proceeds of maybe \$2.3 million was used for all of the costs associated with the prison project at the Dunbar Township Business Park to date. She said that has to be returned to the general fund so we can meet our expenses through December 31. She said the first 2.5 will be reimbursed to the general fund. She said let me finish my thought on the \$10 million. Also, Children and Youth Services is seeking proposals and that item is on the agenda for an addition at their building, so roughly \$700,000 of that \$10 million is set aside for anticipated costs for the responses to the bids. She said the balance of that is for the prison project, correct? OK. She said Mr. Lundquist, whom the county paid \$25,000 to his agency to get the financing of this, he will come to the podium and answer all of the questions as it, for the interest rate, the term and our bond rating, OK.

Commissioner Zimmerlink said that item is on the agenda under number 10 or 11, we'll go through the agenda I think fairly quick here and if you are still here, if you could please wait around, he is the one who will have all that information. Ms. Phillips said she would like to reserve the right to come up and speak at that point. Commissioner Zimmerlink said yes you can, because you can't ask a question unless you have that information. She said her name was Melanie Phillips and she grew up in Fayette County and she doesn't live here currently but she does own property here and will be moving here shortly. Ron Stepanovich, a resident of Fayette County, said he is curious, Mr. Zapotosky has left, to ask him some questions concerning who has he been talking to and the cost savings that he has inferred to, is it going to be on the backs of non-union labor, is it going to be built non-union, is it going to be built with substandard material, and this company that he has talked to or will talk to, have they built prisons before, it's not like building a house, she said when you are talking about a house and it starts falling apart around you, you can keep putting money into it, and putting money into it and putting money into it, it's never going to come up to the standards that it should be.

Mr. Stepanovich said we can go on tour and we can take you on tour, talk to the correctional officers that work there. He said they go there every day and put up for your protection the things that they have to put up with. He said the water, the bucket, Mr. Zapotosky said he had the utmost concern about the workers there, I don't think he does or a lot of these things could have been taken care of a long time ago. He said this is nothing that is new and just came up today. He said it isn't last week or last month, this is years. He said some have been inherited, some have been there. He said quit

doing a band aid and wasting the money. He said there are people who are willing to pay if it is needed to protect people's lives. He said go spend some days in the prison, don't sit there and laugh and smirk about it, this is a serious thing. Following an exchange among audience members, Commissioner Ambrosini said he appreciates not having a debate back and forth, and the exchange continued. Mr. Stepanovich asked Commissioner Zapotosky who he talked to.

Commissioner Zapotosky said just some folks that he consulted with in the industry to give him a better, I don't want my assistant to be held in a room against her will or putting the fear of God in her by my colleague and a member of the media, but these are respectable individuals that he uses as an informational source based on their skill set, based on their professional design of other facilities, so he has talked to folks that know what they are doing. Mr. Stepanovich said it isn't Advanced Technology is it? Commissioner Zapotosky said he doesn't even know who Advanced Technology is. Who is Advanced Technology? Mr. Stepanovich said when you talk about cost savings are you talking about doing this non-union? Commissioner Zapotosky said no way, we have an agreement, we signed a labor agreement, you all know that, some of you guys were here. He said Commissioner Vicites and I signed a labor agreement a few years back and he said he remembers as he was walking out, he said he won't mention names but they were talking about it was such a political maneuver, and it's not a political maneuver, he said he is going to stand by that labor agreement come Hell or high water. Mr. Stepanovich said he is glad to hear that, he is here to remind him of that.

Commissioner Zapotosky said don't worry, I have a good memory, very good memory. Mr. Stepanovich said they want their correction officers to work in a safe environment every day they go to work. He said when you talk to some of these experts, you need to talk to your own correctional officers. Commissioner Zapotosky said "I do." He said he goes over there quite often with them. Commissioner Ambrosini said he wanted to add a few things to this because when he came into office one of the first things he did was start the process to look at what problems we do have. He said we obtained a number of, we retained Crabtree Rohrbaugh and Sleighter Engineering to look at the various issues and in case, you don't know this but the top two prison designers in the county are Crabtree and Rohrbaugh and L R Kimball Associates and both of those companies have issued assessment studies for the county. He said obviously Crabtree Rohrbaugh most recently and L R. Kimball and Associates 10 years ago, in February 2004, and they are virtually the same, even over that period of time and they are telling us that we need a new facility, not a remodeled facility and not another annex somewhere else but one facility because of the operating costs of a facility are every bit as important and maybe even more important than the original construction cost.

Commissioner Ambrosini said because you are going to pay those operating costs forever. Commissioner Zapotosky said are you saying that prison staff is an operating cost? Commissioner Ambrosini said that is about 65 percent of the operating cost. Commissioner Zapotosky said so what you are telling these members of this union, is first of all, this prison is going to see a reduction in the workforce and furthermore, how

we scored Crabtree was just that, we scored it, and the members of the scoring body were Commissioner Ambrosini, Controller Lally, Jim Killinger and Sean Lally. He said he walked back in the Controller's office and it was like they had free permission to cheat on each other because they are looking at each other's scorecard, never once asking me is maybe I wanted to score, and it was ironic that even in the bid specs they had it written that you had to do a prison between \$18 and \$32 million and it had to be a county prison. He said now if you were outside that scope, you lost points. He said Astorino is another firm that has built federal and state correctional facilities but because they missed that window they weren't the beneficiary of these bonus points and if you are going to tell this audience that that's not true, then I'm just going to throw my pen up and say, why are we even here? He said the fact remains that is how they secured Crabtree through a scoring system that was developed through specs that had no oversight, no due diligence and first of all, the other two commissioners were excluded from it.

Commissioner Zapotosky said he went back there and they didn't even offer to throw him a sheet to score because it was all cut and dried by then who was going to be the architect or they wouldn't have limited the scope of the specifications to \$18 to \$32 million and it must be a county jail. He said if you build a county jail for \$55 million, you're SOL. He said if you build a state correctional facility for \$150 million, you're SOL, although if you can build on that big you can build one to fit our needs, I would think. He said that is the way they scored it and that is no lie and he hopes those sheets are available still, I doubt that they are, it did not take any prison advisory group vote, it was simply decided by four people. He said I was there you can't lie. Commissioner Ambrosini said first of all, Astorino is an excellent architect but they never designed or built a single jail. He said they designed PNC Park which is a great ball field but they did not design a jail. Commissioner Zapotosky said they never did a state correctional facility?

Commissioner Ambrosini said no they did not, they have done a lot of hospitals and things like PNC Park. He said the major evaluation of all four architects that did submit proposals was done on their efficiency of design. He said it had nothing to do with, we did ask for a range because of the engineering estimates we knew this was going to be about a \$30 million facility. He said we did ask for designs in that same range so we could look at those efficiencies. He said the reason why we selected Crabtree Rohrbaugh is because they designed the most cost effective and efficient facility. Commissioner Zapotosky said we wouldn't see that because they were no request for the design specs that would show how much those facilities would cost, that was post-hiring them and for the record, they gave us three options, do nothing, that is a zero cost, remodel and they are the ones who brought up remodeling the current facility. Commissioner Ambrosini said we asked them to.

Commissioner Zapotosky said \$7 million and then now we are talking about the addition of 150 to 175 beds for the pods, we are looking at having another building that would be a standalone that would handle the commissary, the kitchen, infirmary and potentially work in conjunction with the booking center on the intake side, which is something that we definitely need. So, we are working on all that, we just never had an

opportunity, Commissioner, to put out two cents in. Commissioner Ambrosini said that is simply because unfortunately my two counterparts have chosen not to participate, it's been two years. Commissioner Zapotosky said the point has been raised, he said he has been sued on a number of occasions and a lot of those occasions were allegations of Sunshine Act violations. He said when the PNA, the Pennsylvania News(paper) Association put in the paper that these advisory board meetings were clear violations of the Sunshine Act, I would have had to be an idiot to walk in and take part in them. He said we have developed prison working group that is open to the public, you know where the last prison working group advisory meeting was? In Al's office, and I guarantee you there were members of the media there, no one has ever talked to me, I guess they are waiting for Kathy to walk in. He said he guesses they are waiting for Kathy to go in so they can beat her up for information.

Commissioner Ambrosini said Ron is still at the podium. Mr. Stepanovich said his concern is the safety of the corrections officers that work there and his second concern is the fact that it is done union and it won't be done with substandard materials that we are paying for. Geraldine Mazza said she wanted to talk about the prison. She said you know there is a lawsuit coming up against the zoning, you know that right, you know you don't have a second vote, you know that Fay Penn has put the land back on the market and yet you say you are going to build a prison. She said, how are you going to build a prison and you also said you were going to disband your prison working group. Commissioner Ambrosini said he never said that. Mrs. Mazza said yes you did, you said you were going to hold one more meeting to thank them for their volunteering. Commissioner Ambrosini said he never said he was going to disband it. Mrs. Mazza said they are not volunteers, all these county employees that attend these illegal meetings that you hold to construct the prison should be docked their pay for being there on county time. She said it is an illegal group that you have and you seem to think that they are running Fayette County government and she said she didn't know where he got that idea, "I don't know what planet you came from but they have, they have zero, zero influence or control over anything in this county, they're an illegal group," Mrs. Mazza said.

Mrs. Mazza said you don't advertise the meetings because you don't want the other two commissioners there and you don't want the public there. Commissioner Ambrosini said he sends out an e-mail every time. Commissioner Zapotosky said where was your last meeting at? Commissioner Ambrosini said it was in his office because the conference room was in use. Commissioner Zapotosky said it was in your office and it was comprised of you, and who else? He said two members of the media. Commissioner Ambrosini said the people who always attend, a lot of the department heads, in that meeting there was Lisa Ferris Kusniar, in charge of MH/MR. Mrs. Mazza asked if she got docked for the time she spent in your office when she should have been in her office? Commissioner Ambrosini said she still has to do her work. He said these are the people who are capable of making sure we have an excellent design with our facility because these are the people that have to, as part of their job. He said her role is she is responsible to develop mental health programming so we can treat people appropriately.

Mrs. Mazza said you don't have a prison yet and you have her attending meetings, who else was there? Commissioner Ambrosini said the warden, adult probation. Commissioner Zapotosky said he is going to get some video because what is good for the goose is good for the gander. Mrs. Mazza said Al, your warden really needs to go, when you look at something like that and he is the warden, I don't know why he is still working for the county cause that's outrageous and that is simply neglect, absolutely on purpose neglect to make a case to build Al's Taj Mahal. Commissioner Zapotosky said he wanted to make another point, adding that he wants them to remember this, and it was true, and it was sad, during a heat spell in August, the air conditioning system, which was, to say the least, antiquated and not maintained, went out, and actually, Commissioner Ambrosini and I went over. He said he felt the need to go into the population and it wasn't a pleasant odor but nevertheless, he felt bad for these, in some cases young men who were scared and who were being incarcerated, one because he was taking his daughter to the ER and he had a suspended license. He said you give me a choice, my choice is my daughter and I'll do the 30 days.

Commissioner Zapotosky said the problem was that they weren't getting the information that the system was malfunctioning. He said nobody told us anything and he knows Commissioner Ambrosini was there and he was with the security side and he stayed in that security area but these folks truly were suffering and I know they are inmates and it shouldn't be the Holiday Inn but we have to be humane because they are people after all. He said now we are buying a new air condition system to correct that problem. He said down the road he would look into converting that into potentially a women's facility and be able to offset that population increase because they could hold up to 80, 100 people and we would have to remodel it to make it more conform to 2-14 and then be able to maximize the space. He said he literally was told Friday that there was a section of land that he never even envisioned that they could do this, and bear with me, cause I could put a 200 bed facility right there.

Commissioner Zapotosky said he asked if he was serious and he said, we will build the facility, build a walkover and then you transfer the patients, the inmates and subsequently they stay where while we are doing the remodeling so the rental fees will be held at a minimum, but we will certainly incur some costs during the construction, but again, remember guys, six months ago, I was on, I was supporting all this, and I admit my faults and my mistakes and when I looked at the big picture there was just too many holes and too many questions that didn't get answered, at least didn't get answered in the right way, I asked for information, I made a request to Sleighter Engineering and they never responded. Mrs. Mazza said they were ordered not to. Commissioner Zapotosky said I guarantee you they did. He said they had lunches, at least I lost some weight, but maybe I did, they had a lot of lunches that I was not aware of, I mean they were meeting with people at Bud Murphy's, I mean if you wanted to keep this above plane, and all be a process of this, knowing at that time I'm a supporter, I'm not a lackey, I'm reasonable intelligent, I know right from wrong, at least, and I wasn't allowed to be involved in it and I had implored my colleague and those associated to please keep me posted, I relied on them basically telling me the truth and understanding that they were doing what was right and then it just didn't start adding up.

Commissioner Zapotosky said and then when he called, and he was a graduation party in New Jersey and he was told by Crabtree that they had the contractor already picked out, that they had the contract manager already picked out, I just said no that is not going to fly. Commissioner Ambrosini said they have to bid the contract out for a contractor. Commissioner Zapotosky said no, we were going to give Crabtree the ability to make recommendations because Craig Zimmerman told me that he used firms like Massara, and other firms and I said how about a project manager and they said no, we are going to go with a contract manager, construction manager and they cited Rob Sleighter and I said that's it, that's the fox watching the henhouse. Commissioner Ambrosini said that's not true. Commissioner Zapotosky said it is so true, Craig Zimmerman subsequently sent an e-mail that he copied Al and some others on and he said that he finally got Zapotosky to agree to meet, I hope that the two of you will be able to attend, I'm paraphrasing. He said the bottom line is, the e-mail is still on my system, that told me this thing was going down and again with the core sampling, now with that in mind and he said he always does this and he isn't going to do any more, he said he usually says he applauds Al for taking the project on, I talked to him about it when we first took office and I always say that was a great thing, but the way he has handled this has not been a great thing.

Commissioner Zapotosky said it has been something that was misleading, disingenuous, excluded individuals, and I'm telling you, I sit in this chair, I see it, and I was on the other side. Mrs. Mazza said we knew you were getting you know what all along Vince, you were the only one who didn't realize it. Commissioner Zapotosky said trust me, there is a lot more but I can't discuss any of that. Commissioner Ambrosini said the newspapers attended every meeting, so there was no secrets. He said he personally asked Commissioner Zapotosky to attend some of these meetings so he knows what is going on. Commissioner Zapotosky said your reporter, your Lois Lane, followed you even though it was a violation of the PNA and he said he was told over the weekend that there were articles in the Trib where you were still talking about the facility being new and this letter was sent well in advance, you didn't share this with the Trib cause when I gave her a copy she called me back within a half hour and said that my editor wants to do a story on this and all I said was there should be some disclosure, if he has another property site, where is it, I'm going to look at deed transactions of parcels around that area because to me, if we are not doing it on Fay Penn's, somebody must want it done somewhere.

Commissioner Ambrosini said here is the problem. Mrs. Mazza said she told him at the agenda meeting, she has the perfect place for the prison if you don't want to build it in town, off of 201, up on the hill, right in front of your house. She said you don't hire a contractor to do the study and then to build the prison. She said you did everything as Dr. Hovanec told you, ass backwards. She said you have plans for a prison, you have no ground, you have a lawsuit coming up against the zoning on that land, you did everything that Al Ambrosini wants. Commissioner Zapotosky said the potential litigation, and this is coming from the litigation avoidance man. He said the litigation that will follow on several events that have occurred over the last several weeks and this is coming from a guy, obviously Burkley wrote a report, we didn't follow it. He said let's move forward, I agree with Commissioner Zimmerlink after the public comment, let's

move forward and if you have any questions. Mrs. Mazza said she will comment after the meeting but she does want to say one more thing. She said back in May, two commissioners, Zimmerlink and Zapotosky, I made a suggestion to you, and I wish you two would follow up on it, I was very serious at the time and I am more serious today about it, remove that man as chairman and one of you take the chairmanship. She said he is a disgrace to Fayette County, a real disgrace, we need a new chairman, somebody with common sense who cares about the people.

Michael Cavanagh said he was there on the prison. He said Mrs. Mazza is a hard act to follow because she brought up many of the items that he wanted to talk about, and he thinks it bears repeating some of the things. He said he will agree with her, Commissioner Zapotosky and Commissioner Zimmerlink, if you have the ability to amend your agenda right now, please do so and take the chairmanship from this guy. He said this guy is delusional, you already have voted to stop the project, he has the letter from Fay Penn saying the land is back on the market, and he can conduct whatever meetings he wants to on his own time, but this is a Uniontown blurb from the Tribune Review, Panel to consider staffing needs for scuttled jail. He said it doesn't take too much common sense to sit back and look at that and say, we are going to convene a meeting to discuss staffing for a jail that is no longer on the planning books.

Commissioner Zapotosky said when a staffing study was done previously. Mr. Cavanagh said then you have a press release and they have, and he keeps planning this prison that you guys have stopped. He said Commissioner Ambrosini, do you know how county government works? He said it is a majority rule, you have two votes who voted to stop this prison, you understand that I hope, apparently not because you keep going on with your planning process until somebody is going to see it your way, I guess. Commissioner Ambrosini said he thinks the citizens need to see what this facility is really going to cost because it is cost effective and in fact, this new facility will not cost us any more than the money we are already wasting. He said the money that was spent was not wasted. Mr. Cavanagh said they could have built a new annex and the population could have been stabilized and it could have already been built. He asked how much it cost to build the previous annex, about \$1.1 million?

Commissioner Ambrosini said we wasted \$4 million since then just in operational inefficiencies. Mr. Cavanagh said he wrote that word down, that is all he keeps saying, inefficiency, inefficiency, inefficiency. Commissioner Ambrosini said that is because it is costing the taxpayer's money. He said we have to build something that is going to operate efficiently and effectively. He said we had the experts design a very good solution for us. Commissioner Zapotosky said one of the solutions was to remodel the existing facility. Commissioner Ambrosini said that wasn't a solution, it was an option. Commissioner Zapotosky said it was an option, it was a \$7 million option, and I quote him, we could build it up to code. Commissioner Ambrosini said nobody ever recommended doing that because it wasn't cost effective. Following an outburst from various members of the audience in which Mrs. Mazza repeatedly spoke out, Mr. Cavanagh said you had a study done by the same people who you had planning the building and then you were going to have them oversee the building of it. He said you don't see any collusion or problem or conflict of interest or anything with that process.

Commissioner Ambrosini said no, because they were the experts. He said they did the cost assessment study, that was totally separate. He said then they looked at four different architects and they came out as the most cost effective and efficient design, that's why we selected them. Mr. Cavanagh said he recalls that the cost analysis came in higher than was projected. He said he applauds Commissioner Zapotosky for putting the brakes on this and telling the truth about some of the behind the scenes that have been going on and to show the public what you have been doing Commissioner Ambrosini. He said he applauds him for that and he applauds him for the remodeling. He said he personally wrote two letters to the editor and in his profession he travels to courthouses in Ohio, West Virginia, Pennsylvania, I can't tell you how many courthouses I have been to and almost always the prison is right behind the courthouse. He said there is a reason for that because it is efficient, and I will use your word, efficient, you don't have to take prisoners and drive them all over the place.

Commissioner Ambrosini said Mike, can you tell me in the last seven or eight years what county in Pennsylvania has built a prison right behind the courthouse. He said everybody is building them out of town. Commissioner Zapotosky said Washington County's was done, my boss did it before he left the office of commissioner and went to Congress, so it was 1994 was the final completion so I would imagine they started in 1993, 1992, to get that done and it was Dick Corporation that did the project. Commissioner Ambrosini said nobody today or over the last 10 or 12 years has built a jail in the city simply because it is not cost effective. He said let me explain to you what that is, Mike, cost effective means lower operating costs because you only build the facility on one level. He said the housing units has a mezzanine level. Commissioner Zapotosky said the pods can provide the same mezzanine level. Commissioner Ambrosini said we can argue about this all day long but here's the bottom line, the simple fact of the matter is he is trying to do something to save the county money to solve a problem. Mrs. Mazza said no you're not. Commissioner Ambrosini said so, sending inmates to seven different county jails over half of the state, is that cost effective, why hasn't this problem been solved when the previous reports. Mrs. Mazza said they are putting people in jail that don't belong there.

Mr. Cavanagh said let me give you a quick analysis of what you just said, you are planning on he said amortized \$100 million, I have been quoted as saying it will be \$100 million before you are done with it, but you wasted \$2.5 million right now of our money and you could have built an annex right behind the courthouse and the prison population could have been alleviated right now. Commissioner Ambrosini said Mike what you don't understand is that is not what we need. Mr. Cavanagh said you didn't want that because certain people, I am told there is a judge who doesn't want to look out a window and see a prison, you know what, he doesn't have a responsibility to the taxpayers, he can say whatever he wants, he makes \$200,000 a year, whatever judge that is, you have a responsibility to the taxpayers. Commissioner Ambrosini said exactly. Mr. Cavanagh said we can't afford a big, costly, expansive prison that you didn't even own the property and you are out there trying to do zoning, you violate your own zoning ordinance, we have to have 100 acres for a prison but we don't have to cause we are going to get a special exception to whatever zoning.

Commissioner Zapotosky said which was not run though this board. He said again, as he said at the last meeting, in his seven years, never once has he seen a commissioner intervene in a case without petitioning a majority support in signing the objection or the intervention. He said Angela and I, Commissioner Zimmerlink and I did it with the windmills. He said there have been a number of times they have intervened, became a party to the objection, never once did he see anybody act independently without even seeking counsel's support. He said again, this letter is saying there is no more project so as far as he is concerned any aspect of pursuit of a project on that site is moot, it's a waste of time and money unless there is an alternative plan and that would beg to look to see who the potential benefactors are of any of those sales, a sale or sales, to some of the property owners. He said the thing that really got him is that we were putting infrastructure in and using the back of a prison project to put that infrastructure in. He said if we are going to do that, and he supports the enhancement of all the business parks, but if we are going to do it, let's be open, let's say we are going to go through RUS, go through PennVEST, not conceal it in a prison project, that first of all, I would look at repositioning the prison to make those costs as deminimus as possible opposed to more expense because we are increasing the length. He said Hell, let's go back to the fairgrounds and work a deal out and it's a lot cheaper to get there.

Mr. Cavanagh said he is going to leave them with this, the buying of that property from Fay Penn he viewed as a more sinister plan because the taxpayers contribute money to Fay Penn to buy things and they get money and they are private, so they are there for the public good but the taxpayers and whatever funding streams they have, they buy that land and then you are asking the taxpayers to pay for it again. He said that is double taxation, \$1.25 million. Commissioner Zapotosky said Fay Penn goes through channels that I would deem as appropriate for the pursuit of development of the business parks. Mr. Cavanagh said he isn't doubting that. Commissioner Zapotosky said in this letter, I had met with Bob Sharpe the week before this letter was authored and I basically told him my reasons for not supporting the project. He said he has to compliment Fay Penn, Mr. Blaney as chairperson and he is sure this was not an easy thing for them to do, to say they are not going to pursue, at least the 125 but to their benefit. Mr. Cavanagh said that letter proves that this land deal has shut down, no cost to you guys so far hopefully as far as that goes but it is back on the thing, back on the market.

Commissioner Zapotosky said even though it is voided they will proceed to market the property, so definitely it's moot. Mr. Cavanagh said his last comment, you own the property behind the courthouse, OK, most counties their prisons are right behind the courthouse, do the remodel, do an addition, do an annex, keep it all on campus, you already own the land, the water and sewage is already there, roads, everything you need and there is nobody crying about that prison staying where it is. He said nobody wanted it in their backyard, I'm sure you don't want it in yours, Commissioner Ambrosini, I'm sure you don't want it in your backyard. Commissioner Zapotosky said his concern is they had members of the mineworkers here and granted, I support their fears because these are their rank and file members but we have been told that we would see a reduction and I repeat, a reduction in staff because with the new type of monitoring system it would be two people for every 80 and just simple math, we have 75 or 80

members of the UMWA over there, it's clear we would have to lay off or through attrition, so even that statement, and I supported labor all my life and I will continue to support it, but they were misguided based on what they were told and the bottom line is we were told it would take less people to monitor the inmates, so less people, less COs.

Commissioner Ambrosini said Commissioner, the statements that were made was that the staffing would be more efficient, we're not going to lay anybody off. Commissioner Zapotosky said what are you going to do with them? Commissioner Ambrosini said we are going to watch more inmates with them, that's what we are going to do because we are going to bring all the inmates from the surrounding counties back into. After a comment by Mrs. Mazza, he asked if she was suggesting that we leave them in surrounding counties, that doesn't make sense. Commissioner Zapotosky said that is only 47 to 60 and again, we have been told that based on, I can't remember the phrase of the type of system, open supervision something, and it would only require two COs, and obviously you multiply that because it is 24/7, 365, but it was clear that we would not need as many COs because there is no need. Commissioner Ambrosini said the staffing ratios are going to be better.

Commissioner Zimmerlink said where on the agenda is the issue of the staffing items, can we please move on. Joe Schiffbauer said this is concerning the prison, he is asking Commissioners Zapotosky and Zimmerlink to request an investigation by the county DA or state attorney general for these reasons: first is Commissioner Zapotosky's allegation at the most recent agenda planning meeting and you also mentioned it here, that a representative from Tom Crabtree's company told him that the contractor had already been picked out, I think that is a serious allegation. He said there was an illegal advertisement for bids for the new prison in the building trades that no county official claims to have given authorization for, county workers on county time attending meetings about the prison which is not authorized by the majority of commissioners, the intentional neglect of repairs to the existing prison in an effort to make it look as bad as possible, intentionally lying about the cost of the new prison using information given to the zoning board which did not include the planned second floor and planned juvenile detention facilities, county officials conspiring to hid airport overlay maps and Commissioner Ambrosini advocating violating state Sunshine laws by saying that the two other commissioners could attend the ad hoc prison meetings.

Commissioner Ambrosini said informational meetings Joe. Commissioner Zapotosky said again, informational meetings, the reporter. Commissioner Zimmerlink said please let him finish. Mr. Schiffbauer said consider what I am saying and I will get out of your way, what he is asking for is an investigation either by the county DA or the attorney general, these aren't specific allegations that I am just voicing my opinion on, I am asking for an investigation, OK. Melanie Phillips said she is a finance director for a living and she is responsible for a \$50 million plus budget and when they do capital projects in their municipality, they are well planned out and she doesn't see that here. She said when we do a new capital project, in fact long before they do a capital project, we know a capital project is coming up, we have plans for it well in advance, I have reviewed your financials and I have reviewed your budgets and you are using non-recurring revenues for recurring expenses which is financing 101 worst thing to do.

Mrs. Phillips said your financial condition gives me pause, I am about to move back to Fayette County and I have real concern about how the finances of the county are being handled. She says she doesn't see the type of financial management that you normally see in an organization and I can tell you from my review that you cannot afford a prison, you absolutely cannot afford the debt service. Commissioner Ambrosini asked if she read the assessment, the financial. Mrs. Phillips said she doesn't need to read the assessment. Commissioner Ambrosini said it has been on the website for over a year and a half. Mrs. Phillips said she did her own assessment as a professional finance person, you cannot afford the debt service on this and what she said she doesn't understand is why the efforts are not being focused on economic development because that is truly what this county needs. Commissioner Ambrosini said he agrees with that 100 percent. Mrs. Phillips said if Fayette County needs things like new prisons or infrastructure or whatever, you first need economic development in order to have the tax base to afford them.

Commissioner Zapotosky said there were some comments that this facility would provide economic development and he said on two different grant applications that were filed on the basis of economic development and both were denied citing there is no benefit to the economy, however, we would be putting in the backbone of economic development or the land itself by putting the cost associated with sewage, access road, on the backs of the electorate or the constituency, specific auspice of a correctional facility, and that is not being forthcoming, so. Aaron Loring, a county resident and corrections officer, said Mr. Zapotosky, you said it right, we do have a life sentence over there, and I hope that whichever way this pans out with the prison, that the correction's officers are included in it because nobody knows the safety, security, operational issues better than the officers. He said he can sit here and say why ideas may be incorrect but all he asks is that the correction's officers be included in these designs. Commissioner Zapotosky said he agrees, he thinks at times they fall victim to the information they receive by the management team and that is inconsistent with facts and truth and, quite frankly, corrective action is given in verbiage but it is never completed and he agrees, but the rank and file know more about the prison than anybody.

Mr. Loring said some of the things that were said today simply can't happen. He said whether you put in an annex, you can only put certain people in that type of setting because of security issues. He said the current annex isn't full and there is talk of filling another one. He said we can't put murderers down there and. Commissioner Zapotosky said you wouldn't see that, you would see a concerted effort to have more serious offenders in a lockdown facility but you do have a lot of folks that are in there for awaiting, a lot of them are still in the pre-trial, thank you. Commissioner Ambrosini asked Mrs. Mazza if she could wait until the end and she said no, she had one thing she wanted to say. Commissioner Ambrosini asked her to make it quick because they do have a business meeting to get to. Mrs. Mazza said if he wouldn't take up the public's time when they are trying to speak during public comment it would be done a lot faster. Commissioner Zapotosky said that is his fault today. Mrs. Mazza said he had his share of it too, and she only wanted to say, and she asked to take a minute because she lost her train of thought, contrary to what is being said around the county by a certain faction

of people who want to build this brand new prison, our group has never, ever said that we don't want a prison. She said their concern was as the public and the people who pay the bills, we wanted an open discussion and we wanted to be informed about what the plans were going to be for this prison. She said we know, and we always did know, that something had to be done with the old prison, we understand that and never, ever said that we were against doing something about the prison but you have to use common sense because this is a very poor county, the majority of the citizens are retired or on public assistance and we cannot afford a Taj Mahal.

Mrs. Mazza said if you hire an architect to build a prison and you tell him I want a prison and it is going to cost \$20 million cause that's all we can afford, that is what he will give you. She said if you tell him the sky's the limit, you are going to end up with what you have now, the Taj Mahal plan. She said you have never, ever AI told us what the exact cost is going to be, for the prison, for the infrastructure that you have to put in over there, for all the moving the dirt, taking the old dirt out, moving dirt in, compressing it, you don't have a final figure, and I would bet that if somebody sat down and figured it all out, you would be close to \$100 million. Commissioner Ambrosini said Mrs. Mazza, if I could answer that question, the prison design is complete, all the bid packages are done, all we have to do is put them out for bid, we don't have to accept any of the bids, but if we put them out for bid, we would know exactly to the penny what it is going to cost. Commissioner Zapotosky said we don't have the land to even use. Mrs. Mazza said tell me this, what construction company in their right mind would pay you money for a bid package when they know there is a controversy about this prison and your prison plans are never going to be built.

Mrs. Mazza said what construction guy would be that dumb to give you money for a bid package. She said do you know anyone who would send you a check for, what was it \$498, who is dumb enough to give you that kind of money for a bid package for something that will never be built? She said why don't you just admit that your plans are dead and work with the two colleagues and get something done, let's get it done, let's get it whatever we are going to do, get it done and move on to all those jobs you were going to bring to the county when you ran for office. She said you were going to jump on your plane and go all over the country and bring all those jobs here. Commissioner Ambrosini said let's get along with the agenda, things are getting out of hand here. Terry Kriss said he wanted to comment under number 15, commissioners. He said, consider advertising a request for project manager for the prison project, Commissioners Zapotosky and Zimmerlink, I think you had a wonderful idea, I'm glad you have finally taken a step to move forward here, we need to get out of this mud pit that this guy has you bogged in.

Commissioner Zapotosky said the logic behind it was after he had spoken with Crabtree, one of the concerns he had was there were designating people, they basically had the fox watching the henhouse and they were given ultimate authority. He said the one thing we don't want anyone to have is the ultimate control over all of this, we want to have checks and balances. Mr. Kriss said that is why you don't have friends or family in business. Commissioner Zapotosky said he isn't in business with his friends or family. Mr. Kriss said he isn't saying they are but you are going to get the feel good answer, not

the reality answer, so he is glad to see they are going on the next step. He said as far as getting the ownership of that other building, he thinks it is another good idea, why not, is it going to be free to the county, free or \$1 transfer? Commissioner Zimmerlink said that is what they are working towards. Commissioner Zapotosky said the folks thought that was a gem because you don't realize how big it is until you get a look at the sides of it. He said it could make up for a lot of the space we need for commissary, for kitchen, for laundry, for whatever. He said that will allow us to open up the existing facility for either potential cells or conference for attorneys to meet with their client, I'd like to put a real chapel in instead of a little basement hole with a cross painted on it, that's not a place of worship, that's a basement somebody used an extra can of paint.

Commissioner Zapotosky said he would like to look at a real infirmary that will allow us to assess an inmate before we would ship them to the emergency room which would be a cost savings based on our insurance policy. He said there are so many things and we need to do and if we are able to secure that, I think we have the space. Mr. Kriss said he couldn't agree more, it's a great idea, it's cheap, it's close. Commissioner Zapotosky said he will pay homage where it is due, Commissioner Zimmerlink brought this up several months ago, so, it is what it is. Mr. Kriss said moving on, Marybeth, visiting the jail, she said everything she said here is on purpose neglect. He said there was a gentleman here from the UMWA, and he will have to disagree with a statement he made, that an old building could never be brought up to standards. He said what is the White House, what is the Capitol, do you understand how many hundreds of years old those buildings are? Commissioner Zapotosky said they are remodeling the Capitol rotunda as we speak. Mr. Kriss said any building can be updated and modernized to be reused, that is really a weak issue, anybody in the construction business knows that, it might cost more but to say it can't be done, that is totally inadequate. He said this is a shame, this isn't the building's fault, the building is old, just like we all get old and get cracks and get wrinkles, here's the sad part of this story, there is a paintbrush, a caulking gun and you guys have that ability in that building.

Mr. Kriss said one man can't do it all, I live in a 5,500 square foot, 212 year old historic mansion that needs maintenance every single day, if I don't do it, it is going to end up like that. He said he doesn't have manpower and staff to do it, but to say a jail, inmates, warden, people, staff, that we can't correct these and do it one at a time, there is no excuse, and Commissioner Zimmerlink, did you bring it to the public's attention that there are no work orders ever given for stuff, so there's no complaints, no work orders and no bees but yet the building is falling down. He said, commissioners, how do you let this happen when you sit there every day, surely, let's pick one project a week, one a month, if it requires one toilet, one pipe, you chip away at the problem, but to purposely let this building fall down so we can have a new one, that's craziness. Commissioner Zapotosky said he thinks a lot of the responsibility should be shouldered by past administrations. Mr. Kriss said he didn't want to go down that road, this address the issues now, most of this stuff could have been addressed under all your tenure.

Commissioner Zapotosky said those are not the major problems within the facility. Mr. Kriss said he agrees with him but they are some of the problems. Commissioner Zapotosky said visual problems. Mr. Kriss said any homeowner could fix these

problems. Commissioner Zapotosky said last year he had to put newspaper in the corner of one of the blocks to keep cold air from coming in, trust me, you don't want me with a caulking gun. Mr. Kriss said we have a building and maintenance guy, right, and we have a warden, are you telling me nobody is accountable for this and why haven't they been held accountable. He said Al, you hire these people, how come they can't get a caulking gun and a paintbrush or some plaster and fix what is needed to be fixed on a daily basis, they are getting paid to do the job, do something, instead of do nothing, let the building fall down, it's a great excuse why we need a new one. Commissioner Zapotosky said he thinks they need additional support staff over there. Mr. Kriss said he thinks somebody needs their ass fired over there, there is a band aid approach, this is bullshit, somebody's ass needs fired over this situation, to let it get to this, all because we want a new prison, that ain't leadership, that ain't taking care of the guards needs, nobody's needs, other than their own self interests. He said this has to stop. He said no one has ever told them they don't want them to have the tools or be safe, none of us have ever said that, we only wanted alternatives and listen to the people of this community.

Mr. Kriss said unfortunately the community was left out of this whole process and you damn well know that, right or wrong? He said we were shut out, nobody said no, no, no, he said it has become an attitude it is us against them. He said there is no us vs. them. He said we all live in the same community and I think we all want the same thing, we don't want to spend tons of money on a jail that we can't afford. He said something can be done, alternatives and now you guys are coming to common sense and making these alternatives a solution start to happen, we don't want this stuff forced down our throat. He said if you want to force something down my throat, force something that is going to be for economic development, a jail is not one of them. He said what you told me today, every time I come in here there is another twit to the story on how crappy it all is. And how one-sided, underhanded, unethical it has all become and I agree, Mr. Schiffbauer, there does need to be an investigation, there's no question about it, this is all back room dealings, every bit of this, every week we have a new scenario here with friendship, favoritism and game playing, nothing is reality here. He said Al, Cavanagh said it, panel to meet to discuss needs for scuttled jail, and in today's paper, that our Herald-Standard won't print, 58 acre site, you still want to press on with this.

Commissioner Ambrosini said it is a good design. He said he didn't design it. Commissioner Zapotosky said he is just disappointed that we were told that it is a violation of the Sunshine Act was the legal recommendation of the PNA. He said he doesn't know if they had at the first sanctioned prison working group commissioner's work session if we had those same media coverage, it's almost hilarious, it's hilariously sickening that he had to go through his staff member who was basically accosted verbally, promised things if she would concur with what they were trying to pursue and when I say they, there were two other, three other people in the room, one was Commissioner Ambrosini's staff member and she had requested a call to me and they would not allow her. Commissioner Ambrosini said that was not true.

Commissioner Zapotosky said Kathy, what did they say when you asked to contact me. Ms. Winkler said she asked if she could have him there and they said they didn't

know how you would react. Commissioner Zapotosky said she did it not worrying about her safety and well-being. He said even at that, she continues to have her door open, she continues to run like a chicken with her head cut off because she is the only staff member there that is accessible. He said currently other staff has been either told to be sequestered in the confines of the office and it bothers him that Kathy is picking up the slack for the entire upper floor. Commissioner Ambrosini said that is not true. Commissioner Zapotosky said Commissioner, is it true. Commissioner Zimmerlink said yeah. Commissioner Zapotosky said for God's sake, not everybody lies.

Mr. Kriss said Al, these meetings that you have, these people are not volunteers, they are not retirees, they are getting paid on the county dime. He said to take those people away from their duties and responsibilities to be planning for a prison that is nixed, I don't understand that, and I don't understand how you have the authority to do that. He said Commissioner Zapotosky, before you leave, one second, I don't understand how he has the authority to call these meetings, take the employees, take them to the airport, take them in a back room, take them to Bud Murphy's, how is he wasting the resources. Commissioner Zapotosky said he had a conversation with a second employee of the IT department, who came up to me the day after, and there was a witness to this, and he was basically saying derogatory things about me and Commissioner Zimmerlink. He said since that time he has had two or three department heads to say that he has done that before. He said I trusted you for 2 ½ years and you know the old, Et Te, Brute, or whatever, that's what I feel like. Mr. Kriss said you can stop that today. He said here is a guy who has everybody under his thumb in the courthouse because they believe.

Commissioner Zapotosky said they are afraid. Mr. Kriss said they are afraid because they think he is the exalted ruler of Fayette County, which he is not. He said here's the deal, you two, this has all be lip service for months, the both of you, take his chairmanship away, split the responsibility, split the workload, split the chair, work together and put this guy in a corner because he is going to undermine everything you continue to do and he will burn up my time and everybody else's time. He said \$2 ½ million pissed away, and you still want to continue down that road and I'm still spending money with an attorney to fight you on this, I'm sick of it, get rid of this bird, do it today, share the responsibility and share the chair. Commissioner Zapotosky said to Solicitor Cupp, in regard to reorganization, would that require a special meeting? Solicitor Cupp said it would require notice. Commissioner Zapotosky said that is what he thought. He said he thinks it has to be advertised. Solicitor Cupp said you have to give notice and notice isn't just saying it at this meeting, you will have to give some advanced notice. Mr. Kriss said you do realize I am still fighting for your nixed property, it's craziness and he said he is still waiting for the Sheryl Heid story about her sticking her nose in my business and costing me money as a rogue attorney. He said he wants to know what is going to happen to Sheryl Heid for that story, is she another one going to be swept under the run and it will be OK.

Commissioner Zapotosky said he has not influence over the media, especially the local media, for some reason there is a connection that he cannot overcome. He said he has been very forthcoming to the media and met with the publisher or editor and

expressed my disappointment in the way that was handled and now Ms. Winkler is considering other approaches because there is no reason why she should be afraid of any individual in the courthouse. He said she does work for the commissioner's office, that's why she runs to the door when the bell rings, which is quite often, or phone calls that have gone unanswered and no accessibility to any other assistant, on the rare occasion they have been outside that may have happened, but being there, that door is always closed and it is by no means an open door policy. Mr. Kriss said Commissioner Ambrosini, your team leader Killinger, I don't like being called an anarchist, we have never, ever called your group names, insulted them, we only gave our opinions and wanted to work with them. He said every time he sees a Killinger story, we are naysayers, obstructionists, or an anarchist, that is coming from your group, not our group.

Commissioner Zapotosky said they have a right to be skeptical, not cynical but skeptical. He said they refer to you in a derogatory manner when all you are doing is exercising your rights as a citizen. Mr. Kriss said he never called them names or anybody here but it gets to the point where I am the guy spending the money to fight this silly situation and Al you want to keep the ball rolling. Commissioner Zapotosky said a bitter pill is tough to swallow and ego and pride come in and all due respect ego should kick pride in the ass and we should be able to move on. Mr. Kriss said leave ego at the door and attitude, that's what needs to be done here, you guys need to start working together, 3 ½ years, this county has gone nowhere. He said every second of your time has been blown on this prison. Commissioner Zapotosky said in all due respect and he can say this and even though Commissioner Zimmerlink and I disagree with certain aspects of economic development, our goal is still the same and we have talked to agencies working on economic development even though some of you didn't like the TIF and even though Commissioner Zimmerlink wishes we would go another avenue. He said we all support the outcome and we are seeing growth, we are not seeing growth in the most important areas, which would be residential growth, an increase of disposal income, and that sort of thing, we are not seeing any of that.

Assessment Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the following for a real estate tax exemption as they have been determined as 100% disabled veterans by the Veterans Administration of Pennsylvania effective for the 2014 tax year.

David L Yeager 2 Suncrest Lane Uniontown PA 15401 Parcel 34-28-0018

Roberta Batcho 641 Morgantown Rd. Uniontown PA 15401 Parcel 34-24-0268

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Behavioral Health Administration

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve agreements and modifications, as listed.

	<u>Contract Value</u>	<u>Period</u>
<u>Base Contract Agreement 2013-2014</u>		
WJS Psychological Associates	\$5,226	2/14/14-6/30/14
<u>Modification Agreement #1 2013-2014</u>		
Mental Health Association	\$768,780	7/1/13-6/30/14
<u>Base Contract Agreement 2014-2015</u>		
WJS Psychological Associates	\$7,427	7/1/14-6/30/15

Commissioner Ambrosini yes

Commissioner Zapotosky yes

Commissioner Zimmerlink yes

Motion passed unanimously

Bridge Department

Commissioner Ambrosini asked for a motion to consider approval of a consultant for design work involved in the replacement of Fayette County Bridge No. 43.

Commissioner Zapotosky said he wanted to make a motion to recommend SAI Consulting Engineers. Commissioner Ambrosini asked if that was for both bridges. Commissioner Zapotosky said no, for Bridge 43. He said he spoke with Bill Arnold and he felt it would be better to split the work, as it is putting too much of a strain on one firm, but the need to get them done is paramount and he will even add to it.

Commissioner Zimmerlink said what they are supposed to do, and she spoke with Bill Arnold this morning as well, plus she said she read his memorandum that he sent to the Chief Clerk to give to the commissioners, and she sent that on October 8, and what our responsibility is to do is to nominate the top three consultants for both projects and then PennDOT would recommend the consultant to modify any of their, design.

Commissioner Zimmerlink said yes, what we should do and what we have done in the past is the commissioners nominate three for each of the bridge projects and then PennDOT would review and make the selection from out top three. She then made the following motion.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to select and rank accordingly for a consultant for design work involved in the replacement of Fayette County Bridge No. 43, SAI Consulting Engineers, Number 1,

Gibson-Thomas Engineering, Number 2 and Widmer Engineering, Number 3, and to send to PennDOT.

Commissioner Ambrosini no
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

Prior to the vote, Commissioner Zimmerlink said her motion was based on discussions with the bridge department and once they give that to PennDOT, PennDOT will make a selection of those three. Commissioner Ambrosini said the priority for the three engineers were sent to all three commissioners, separately, and he said that each commissioner, as he did last week, he rated them for the various bridge projects and he gave his rating to Art Cappella. He said his understanding was that each commissioner individually was to do that and send them to PennDOT and they would make the recommendation back to us. Commissioner Zimmerlink said she make a motion to rank and send to PennDOT. Commissioner Zapotosky said he seconded the motion, and he met with Bill Arnold and yesterday he met with Arthur and everything is copasetic, and Bill recommended, as Commissioner Zimmerlink had stated, SAI first, so, I seconded the motion, motion on the floor to be voted on.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to select and rank accordingly for a consultant for design work involved in the replacement of Fayette County Bridge No. 102, M.J. McTish and Associates, Number 1, Sucevic, Piccolomini & Kuchar, Number 2 and T.W. Engineering, Number 3, and to send to PennDOT.

Commissioner Ambrosini no
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

After the vote, Commissioner Ambrosini said his issue is not with the engineering firms, he thinks they are all good, his issue is with the process, that they are not independent of all three commissioners. Commissioner Zimmerlink said it is independent, we just had a vote. Commissioner Ambrosini said that is not the way he understood the process. Commissioner Zapotosky said they are still pending other bridges are awaiting design and a request, bridge number 162 is still out there but we haven't gotten anything back, that won't go out until next week and our problem is we only have \$57,000 in the account left and this project itself may require additional funds that we would have to determine as to where these funds would be coming from. He said the most important element is to ensure, as they talked about safety for 20 minutes, that our bridges are safe for our commuting traffic and especially those family vehicles that are going on a trip to the soccer field. He said they need to consider approval of a resolution to designate signature authority for the commissioners for the Weaver Mill Bridge

project between the county and the state. He said he would support signature authority to be Arthur Cappella with the direction commissioners providing him with the wishes of this board as to who the designated signature authority would be, and who the potential program design would be coming from, whether it would be, McTish? Commissioner Zimmerlink said that's two separate. Commissioner Zapotosky said he made the motion, seconded the motion on 102. Commissioner Zimmerlink said they are done with. Commissioner Zapotosky said he was just reading the bottom. Commissioner Zimmerlink said the next item on the agenda concerns the Weaver Mill Bridge, which has nothing to do with the other two. Commissioner Ambrosini said let's do that one now since the other ones carried.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a resolution to designate signature authority for the commissioners for the Weaver Mill Bridge project between the county and the state for Art Cappella, under consultation with the commissioners.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Following the vote, Commissioner Zapotosky said he was making reference that those do not come out until next week so it would be premature to make a motion on this until after the RFQ is responded to, and that response goes from PennDOT, back to Arthur and Bill Arnold, and they would subsequently review it.

Children and Youth Services

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Mars Home for Youth**, 521 Route 228, Mars, PA 16046, for residential and group home services on an as needed basis. The rate is as follows:

Initial Clothing - \$250.00	
Cert # 411720	
Residential	\$ 166.55 per day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify a **FY2013-14** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services and Fayette County Juvenile Probation Office (place of business: 34 West Peter Street, Uniontown, PA 15401) and **Alternative Living Solutions**, 2108 Tartan Court, Latrobe, PA 15650 for group home services on an as needed basis. The rates are as follows:

Initial Clothing	\$ 250.00
Cert #441000 - Broad Street Apt. Unit #GY	\$ 197.95
Cert #442110 - Georges Station Apt. Unit #GY	\$ 197.95
Cert #443720 - Deer Trail Apts. Unit #GY	\$ 197.95

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Families United Network, Inc.**, 276 Ashler Manor Drive, Muncy, PA 17756 for foster care and group home services on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
Cert. #311110 Foster Family Care	
Class CK	\$ 58.04/day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services, and **Avanco International, Inc.**, 11325 Random Hills Road, Suite 350, Fairfax, VA 22030, for CWIS FY 14-15 Phase I Upgrades. The fixed price for this service is \$27,791.11.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services / Fayette County Juvenile Probation, and **Crossroads Group Homes & Services, Inc.**, 1243 Roemer Boulevard, Farrell, PA 16121 for group home placement services on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00
Cert. #401940 – Unit # GI – service for girls \$ 146.39 per day
Cert. #409170 - Unit # BO – service for boys \$ 120.39 per day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation and **Preventative Care, Inc., George Junior Republic**, 233 George Junior Road, Grove City, PA 16127 for home, school and community-based prevention and aftercare services for children; violence, truancy, independent living or alternative to detention prior to adjudication on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00
Preventative Aftercare Services \$ 44.80/hr.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **George Junior Republic in Pennsylvania**, 233 George Junior Road, Grove City, PA 16127 for residential placement services on an as needed basis.

The rates per day are as follows:

Initial Clothing - \$250.00
Non-MA Placement Services
MULTIPLE 407440 RG
407440 – RG Alcoa \$151.50
407960 – RG Benton Cottage \$151.50
407880 – RG C Cottage \$151.50
407890 – RG D Cottage \$151.50
407840 – RG E Cottage \$151.50

407510 – RG Eden Hall	\$151.50
407850 – RG F Cottage	\$151.50
409760 - RG Forsha Home	\$151.50
407860 – RG G Cottage	\$151.50
407990 – RG Glenn Home	\$151.50
407950 – RG Hammermill Cottage	\$151.50
407500 – RG Henderson Cottage	\$151.50
407490 – RG Herr Cottage	\$151.50
407900 – RG J Cottage	\$151.50
407870 – RG Kavanaugh Cottage	\$151.50
408090 – RG Lobaugh Cottage	\$151.50
408100 – RG Madden Cottage	\$151.50
407970 – RG P Cottage	\$151.50
407460 – RG Patterson Cottage	\$151.50
409460 – RG Peters/Farley	\$151.50
407820 – RG Pew Home	\$151.50
407910 – RG Phillips Cottage	\$151.50
408130 – RG S Cottage	\$151.50
415630 – RG Sproull	\$151.50
408200 – RG V Cottage	\$151.50
408220 – RG W J Morris	\$151.50
408110 – RG Walker	\$151.50
408180 – Wettick	\$151.50
408230 – RG Y Cottage	\$151.50
407980 – RG Z Cottage	\$151.50
MULTIPLE 407440 RM	
407440 – RM Alcoa MA	\$ 65.82
407960 – RM Benton MA	\$ 65.82
407880 – RM C Cottage MA	\$ 65.82
407890 – RM D Cottage MA	\$ 65.82
407840 – RM E Cottage MA	\$ 65.82
407510 – RM Eden Hall MA	\$ 65.82
407850 – RM F Cottage MA	\$ 65.82
409760 – RM Forsha MA	\$ 65.82
407860 – RM G Cottage MA	\$ 65.82
407990 – RM Glenn MA	\$ 65.82
407950 – RM Hammermill MA	\$ 65.82
407500 – RM Henderson MA	\$ 65.82
407490 – RM Herr MA	\$ 65.82
407900 – RM J Cottage MA	\$ 65.82
407870 – RM Kavanaugh MA	\$ 65.82
408090 – RM Lobaugh MA	\$ 65.82
408100 – RM Madden MA	\$ 65.82
407970 – RM P Cottage MA	\$ 65.82
407460 – RM Patterson MA	\$ 65.82
409460 – RM Peters/Farley MA	\$ 65.82
407820 – RM Pew MA	\$ 65.82
407910 – RM Phillips MA	\$ 65.82
408130 – RM S Cottage MA	\$ 65.82
415630 – RM Sproull MA	\$ 65.82
408200 – RM V Cottage MA	\$ 65.82
408220 – RM W J Morris MA	\$ 65.82
408110 – RM Walker MA	\$ 65.82
408180 – RM Wettick MA	\$ 65.82
408230 – RM Y Cottage MA	\$ 65.82
407980 – RM Z Cottage MA	\$ 65.82

MULTIPLE 407830 CU	
434670 – CU Crisis Unit	\$181.20
407830 – CU Crisis Unit	\$181.20
407920 – DX Diagnostic	\$208.57
MA-Placement Services (Room & Board Only)	
MULTIPLE 408030 SM	
421370 – SM Special Needs MA	\$106.74
426370 – SM Special Needs MA	\$106.74
408030 – SM Special Needs MA	\$106.74
407480 – SM Special Needs MA	\$106.74
423860 – SM Special Needs MA	\$106.74
442950 – SM Special Needs MA	\$106.74
443740 – SM Special Needs MA	\$106.74
408080 – SM Special Needs MA	\$106.74
408070 – SM Special Needs MA	\$106.74
408020 – SM Special Needs MA	\$106.74
408150 – SM Special Needs MA	\$106.74
408140 – SM Special Needs MA	\$106.74
408120 – SM Special Needs MA	\$106.74
408060 – SM Special Needs MA	\$106.74
412900 – SM Special Needs MA	\$106.74
MULTIPLE 408030 SN	
421370 – SN Special Needs	\$236.19
426370 – SN Special Needs	\$236.19
408030 – SN Special Needs	\$236.19
407480 – SN Special Needs	\$236.19
423860 – SN Special Needs	\$236.19
442950 – SN Special Needs	\$236.19
443740 – SN Special Needs	\$236.19
408080 – SN Special Needs	\$236.19
408070 – SN Special Needs	\$236.19
408020 – SN Special Needs	\$236.19
408150 – SN Special Needs	\$236.19
408140 – SN Special Needs	\$236.19
408120 – SN Special Needs	\$236.19
408060 – SN Special Needs	\$236.19
412900 – SN Special Needs	\$236.19
MULTIPLE 415350 DA	
415350 – DA Memorial	\$158.09
408190 – DA Prasse	\$158.09
408210 – DA W Cottage	\$158.09
415350 – DM Memorial MA	\$ 68.81
408190 – DM Prasse MA	\$ 68.81
408210 – DM W Cottage MA	\$ 68.81
434670 – SC Shelter Care	\$150.02
MULTIPLE 452420	
452420 – GH H L Walker Home	\$138.02
420210 – GH New Wilmington Home	\$138.02
414640 – GH Omega House	\$138.02
416890 – GH Westmoreland Home	\$138.02
415750 – GH Zeta Home	\$138.02
MULTIPLE 441210	
441210 – IS Intensive	\$284.37
441220 – IS Intensive	\$284.37
442190 – IS Intensive	\$284.37

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services and Fayette County Juvenile Probation Office (place of business: 34 West Peter Street, Uniontown, PA 15401) and **Alternative Living Solutions**, 2108 Tartan Court, Latrobe, PA 15650 for group home services on an as needed basis. The rates are as follows:

Initial Clothing	\$ 250.00
Cert #441000 - Broad Street Apt. Unit #GY	\$ 197.95
Cert #442110 - Georges Station Apt. Unit #GY	\$ 197.95
Cert #443720 - Deer Trail Apts. Unit #GY	\$ 197.95

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette through Fayette County Children and Youth Services / Fayette County Juvenile Probation, and **City Mission – Living Stones, Inc.**, 155 N. Gallatin Avenue, Uniontown, PA 15401 for group home placement/shelter services on an as needed basis. The rates are as follows:

Initial Clothing	\$ 250.00
Home Again Shelter	
Cert #416250	\$ 168.30/day

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Keystone Adolescent Center**, 270 Sharon Road, Greenville, PA 16125 for Residential, Shelter and Foster Care Services on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00

Residential	RATE PER DAY
400130 – TM	\$130.00
434340 – TF	\$140.00
437070 – KF	\$163.25
463890 – KM	\$153.00
473470 - KM	\$153.00
Shelter	RATE PER DAY
410770-KF	\$163.25
Foster Care	RATE PER DAY
465860 – Foster Family Care	
Class AA	\$ 75.00
Class AB	\$108.00

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2014-15** Purchase of Service Agreements between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Family Care for Children and Youth, Inc.**, 25 Belford Blvd., Milton, PA 17847 for foster family placement services on an as needed basis. The rate are as follows:

Initial Clothing - \$250.00	
Foster Family Care – Cert # 310770	
Class FA	\$ 65.77
Class FB	\$ 57.55
Class FC	\$ 65.77
Class FD	\$ 34.95
Class FE	\$100.72
Class FV	\$ 65.77
Class FW	\$ 57.55
Class FX	\$ 65.77
Class FY	\$ 34.95
Class FZ	\$100.72
MA	\$ 62.54
MB	\$ 64.54
MC	\$ 67.54
MD	\$ 69.54

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zapotosky said he would make a motion based on discussion he had with Gina (D’Auria) that this has great application providing clearances, at times for \$9,000 and some other measures that ensure the payment will be made. He

said it is not your traditional credit card. Commissioner Zimmerlink said what did you just read? Commissioner Ambrosini said this one for Family Care.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **John Kopas, Esq.**, 556 Morgantown Road, Uniontown, PA 15401. Attorney Kopas was court appointed to represent children in dependency proceedings. The rate for his services is \$1,000.00 per month.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Zapotosky said for the record, these are individuals who are still being assigned by the judge.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Margaret Zylka House, Esq.**, 815-A Memorial Boulevard, Uniontown, PA 15401. Attorney House was court appointed to represent children in dependency proceedings. The rate for her services is \$1,000.00 per month.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Ambrosini asked for a motion to consider approval of an application of a credit card with United Bank with a credit limit of \$20,000 to be used for business purposes for the Agency. Commissioner Zimmerlink said at the agenda meeting last Tuesday, she asked for information, and you didn't send it to me Gina. Gina D'Auria said the e-mail explained the needed use of the credit card. Commissioner Zimmerlink said for the independent living program, what else? Hold on, state required clearances, for staff, and what else? Commissioner Zapotosky said the problem is that some of the certifications and the licensing totals up to about \$9,000 and you can't do it individually, you have to do it in one transaction. Commissioner Zimmerlink said for the out of town hotels, normally you do it in a manner which the Controller's office would cut a check, are you saying this is just to hold the room? Ms. D'Auria said they had a circumstance last July where her personal card was used to hold a room and it was actually charged and I would ask to use this instead. Commissioner Zimmerlink said she is OK with the independent program and the state required clearances for staff, for the out of town

holding of credit cards, that is opening it up to with all of our other departments, usually Joyce, can you tell us for the record, cause I know, for the record how is that handled?

Joyce Barnett said they try to get them to direct bill, which is they call the hotel and make arrangements to hold the rooms and you might have to give them a credit card. Commissioner Zimmerlink said just to hold it. Ms. Barnett said then it is direct billed so there is no out of pocket. Commissioner Zimmerlink said that is what she has always done and that is what they have approved, direct bill. Ms. D'Auria said some places do direct bill and others have refused to do that. Ms. Barnett said you will run into that, sometimes they will refuse to direct bill, she doesn't know why but in that case the person has gone on and paid and been reimbursed. Commissioner Zapotosky said what concerns him is that you have a policy there that if the request for reimbursement isn't in by such and such date that you won't process the check until the following week. He said that itself can create a period beyond the repayment date and then the employee is assessed with interest and penalty potentially.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the application of a credit card with United Bank with a credit limit of \$20,000 to be used solely for 1. The Independent Living Program 2. The state required clearance for staff and 3. For out of county reservations holding by the staff only if the direct bill option is denied and only if prior approval is submitted and given by a majority board of commissioners.

Before a second was made, Commissioner Zimmerlink said that would work for CY's concerns. Commissioner Zapotosky said his only thing is if we are in the middle of a month where there is no meeting, we would just submit that request to the Controller as well as the three commissioners and ask us to acknowledge so there wouldn't be any gray area. Commissioner Zimmerlink said it would be through a simple PO requisition.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve advertisement of bid packages for the addition of the CY's building.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said the bid packages will be advertised by Sleighter Engineering and handled by the Chief Clerk and it will be opened in the conference room. Commissioner Zapotosky asked if she could speak with Sleighter. He

said he called them numerous occasions asking for information about the justice/rehabilitation center and outside of a sporadic call here or there, asking Ms. Winkler who the guy was he spoke with, Derrick, he couldn't get a blueprint, because he couldn't get them anywhere else and nobody wanted to give them to him. Commissioner Zimmerlink asked if any commissioner wanted to see the bid specs before they are advertised and Commissioner Zapotosky said he would like to look at it. Commissioner Zimmerlink told the Chief Clerk to make sure that Commissioner Zapotosky said to make sure he sees it.

Controller

Acting Chief Deputy Controller Joyce Barnett gave the following financial condition of the county.

Office of the Controller

Fayette County, Pennsylvania

JEANINE B. WRONA

Acting Controller



Phone (724) 430-1217

Fax (724) 430-1366

FUND: GENERAL FUND

DATE: 21-Oct-14

CASH:

Checking Account United Bank \$2,453,721.55

Funds Owed to General Fund

Temporary Loans

Children and Youth Fund	\$ 500,000.00	
Bond Fund	\$ 2,009,542.20	
		\$ 2,509,542.20

Arc Payments Due

Intermediate Punishment Fund-.3yrs	\$ 40,651.26	
Offenders Supervision Fund-3yrs	\$ 87,758.28	
		\$ 128,409.54

Central Service Payments

C-17 Fund-3yrs	\$ 12,490.00	
Offenders Sprvsn-4yr	\$ 56,740.00	
Intermediate Punishment-4yrs	\$ 29,053.00	
		\$ 98,283.00

Funds General Fund Owes

Tax Anticipation Note	\$ 2,080,000.00	
		\$ 2,080,000.00

Budget Year	Net Position	\$3,109,956.29
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	Year to Date
Total 2014 Revenues	\$ 24,232,191.67
Total 2014 Expenditures	\$ 21,504,942.55
Total 2013 Expenditures paid in 2014	\$ 1,120,484.47

Capital Reserve Fund Balance	Fund 51	\$ 234,841.45
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Bond Fund Balance	Fund 53	\$ 213,084.63
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Act 13 Marcellus Shale Balance	Fund 13	Balance in Bank \$3,169,145.55
		Rec'd in 2014 \$1,676,780.45

FAYETTE COUNTY COURTHOUSE • 61 EAST MAIN STREET • UNIONTOWN, PENNSYLVANIA 15401

Commissioner Zapotosky asked Ms. Barnett about working on the gaming perspective, adding they would have to go through DCED to designate the redevelopment authority or what have you to draw down on those proceeds and 50

percent of them would have to go to economic development. He said can you check with Andrew French to see what the status of that is. Commissioner Zimmerlink said one other thing, yesterday the county received communication from Susquehanna Advisory Group and she had contacted the Acting Controller Jeanine Wrona to review some information and have it available today, so she wanted to go over something very quickly, you may have all of the information, to confirm what she is about to say, if she can. She said presently the county has an agreement with Susquehanna Advisory Group, the agreement was signed by the commissioners in January of 2014 and I received, we all received communication late yesterday that the company states that the county has a past due invoice and until that invoice is paid with Sam Lynch, who is charged under the agreement to work on the 2015 budget as well as pre-audit financial information, will no longer be performing those duties because of this outstanding invoice. She said that is your understanding also of the e-mail? Ms. Barnett said yes.

Commissioner Zimmerlink said first comment is, we do have an agreement, it is dated January 2014, and in that agreement it states that there are two tasks, Task One is for \$35,000, and that is for the group to provide technical assistance and advice for financial statements so that the county can have their audit done on a yearly basis. Task Two is for \$15,000 for technical advice, technical assistance, accounting assistance and advice for the preparation and development of the 2015 budget, correct? Commissioner Zapotosky said there have been amendments. Commissioner Zimmerlink said Task One is for \$35,000. She said she needs her to confirm if this is correct, the amount that has been billed and paid thus far is approximately \$25,000. She said of that \$25,000 an invoice was submitted and a portion of that invoice is paid, less \$3,100. She said that \$3,100 was withheld payment because there were questions concerning the work that was performed, OK. She said is it correct then that under Task One for the \$35,000 that the bill, the invoice that is in question that is past due 30 days is approximately \$3,100? Ms. Barnett said that is correct.

Commissioner Zimmerlink said OK, so, that is why, now there are no other bills that are past due under that task, correct? Hold on, there are no other bills, invoices that are past due, past due meaning 30 days past due, correct, so as of today and as of yesterday, that the communication was received, there is one outstanding bill and it is a portion of an invoice that when the county received the invoice, there is \$3,100 that was questionable, the rest was paid, \$3,100 was held and then, I know that I as well as others had made contact with the individuals asking for an explanation. She said now, only two to three days ago, which was postmarked October 14 and/or 15, the county received another bill. Ms. Barnett said it was postmarked October 13. Commissioner Zimmerlink said OK, OK, and that was for the September billing, and the agreement says upon receipt we have 30 days to pay that, OK, so if we only received the bill. Ms. Barnett said that it says due upon receipt. Commissioner Zimmerlink said OK, due upon receipt, we received that on October 13. Ms. Barnett said it was postmarked on October 13, we probably did not receive it until 14 or 15.

Commissioner Zimmerlink said so, October 14 or 15, it is due upon receipt and it is only deemed delinquent if it is 30 days, if it is 30 days past due it is delinquent. She said therefore because we received it on the 14th or 15th, and we have 30 days to pay, that

bill is not delinquent in accordance with terms in the contract, and I am not asking you to, but certainly you are in accounting, that's very clear, you understand that, yes, OK, so if that, now that bill just came in and I just saw it, if that is paid within the next 30 days, then we have already paid \$25,000, you pay another \$17,000. Commissioner Zapotosky said you have gone over budget. Commissioner Zimmerlink said we are not over budget, it goes over and above the agreed upon contracted price. She said the contracted price is \$35,000 and the \$17,000 if that is added on would make it to be \$42,000, which is well over and above. She said the agreement clearly states, clearly states that in no event will our billing be more than \$35,000 unless unforeseen circumstances and we discuss the matter with you and receive your approval before we proceed.

Commissioner Zimmerlink said the county, at least I, didn't receive any request for that work to be done, nor did another commissioner, so therefore, as of today, or as of yesterday when I became, just received it the 14th or the 15th, that was not approved, OK. She said if that is approved that is going to make this bill over the contract price of \$42,000, plus we received notification that Sam Lynch is requesting an additional 32 hours' worth of work at \$175 an hour to complete the pre audit work, which is \$5,600, plus whatever his travel expenses, that is going to make this contract go to be \$48,000 when what we have agreed upon and has been voted on is \$35,000. She said so, to wrap this up, we received a notification that our financial consultant, who has been, had contracts with the county for years, is not going to come on site because we have a \$3,100 past due invoice, that is in dispute, and that I have in writing asked for clarification, detailed invoices and an on-site meeting, and that has never occurred, and it was only asked for just recently because we just recently became aware of it. She said so, that is the first issue, the second is the Task Two is the \$15,000, there has not been, there is not a requisition, we don't have the bill for that yet. Ms. Barnett said it has not reached her office

Commissioner Zimmerlink said it hasn't reached the commissioner's office, cause I signed all, as of yesterday at 5:30, it did not receive the commissioner's office because I went in and I signed everything, there are two or more signatures on it, so what we have here is a situation that I would like you to please take the four page, easily read agreement, and please give it to John Cupp, OK. She said John, as the county solicitor, you've seen this agreement, I know that you have, and we need to discuss this because to not have our financial consultant, they specifically said that the county breached the contract because we are 30 days past due. She said that bill is in dispute and in addition to that, they have breached the terms of the contract by providing \$17,000 worth of services in the month of September without having any prior approval, which in their writing, clearly states that they have to, so we need to have a review of that. Solicitor Cupp said he would like to request copies of their invoices because there may be language in there addressing it.

Commissioner Zimmerlink said by all means, they will give him the copies of the invoices but, just so you know, this all began because a commissioner questioned an invoice and asked that the invoices be detailed instead of saying, spoke with Chief Clerk for an hour, OK, which it says, or met with Children and Youth Services for an hour, we

needed to have more detail. She said when she questioned that, all of a sudden it was, well we are not going to do any more work for you because you have \$3,100 and they still haven't explained the dispute. Commissioner Zapotosky said also, if he may, he would like to see all the contracts that the county has with Susquehanna and any affiliate thereof and what monies have been paid and copies of that contract to show, because Mark Lundquist is here and we had hired him to do the financials on the prison. He said never once did they authorize Mr. Lynch to do anything on the prison and yet we got a bill for how much \$3,100, now unless Mark was subcontracting work out and I don't think he was. Commissioner Zimmerlink said he is shaking his head no, so that is a no, and also could you please tell me Joyce, did Susquehanna Group Advisors request any information from the controller's office so that he could provide financial information to another individual for our prison financing? Commissioner Zimmerlink said no.

Commissioner Zapotosky said he has his personal feelings that he will share another date, but this is just a bad business practice and Mark will take that back to his superiors and the tone of this e-mail, which clearly was written by, I don't think Mr. Morgan wrote the e-mail, is disrespectful, especially to a partner and that means the county and the relationship we have had with Susquehanna for the last six plus years. Commissioner Zimmerlink said they have had two budget meetings in which Mr. Lynch did not appear without any explanation by anyone, we asked. Commissioner Zapotosky said at least to the three commissioners. Commissioner Zimmerlink said that is also, let the public make note of this, we will continue with the budget process because that is what we are obligated to pass a budget, adopt a budget by year end and we will continue to do that, the Chief Clerk, who was hired, has been and is responsible for the preparation of the budget so she will continue to do that and insert that information and we will move ahead, so Joyce if you would please get that copy to John and John we need to move on that quickly because to have someone say that we have breached a contract when you disputed an invoice and they themselves breached it by not getting prior approval.

Emergency Management Agency

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Roy Shipley, Guy Napolillo and Vince Sherwood to attend the 2014 EPA Emergency Preparedness and HazMat Conference October 26-30 in Valley Forge, Pa. Only cost to County will be travel expense.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve Guy Napolillo to attend The SERTC (Security & Emergency Response Training Center in Pueblo, CO November 2-6, 2014 to take the Crude by Rail Emergency Response Course. Cost is being underwritten by Norfolk Southern Railroad.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a maintenance contract with Kelly Generator & Equipment for maintenance on (5) new generators as part of the radio project. Henry Clay, Ohio, Carmichaels, Franklin, Brownsville at a cost of \$ 3,550.00 beginning Nov. 1, 2014 and ending Oct. 31, 2015.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Sue Griffith and Craig Konopa to attend PIO training at the National Emergency Training Center in Emmitsburg, Md. November 3 – 7, 2014. Only cost will be travel.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the 2015 Service Agreement with Staley Communications for portable and mobile radio equipment to include equipment in Mobile Command Unit and to include fire and ems control stations. Total Cost for 2015 \$ 20,631.60.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources

Commissioners

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table approving the hire of Shanae Hodge as a PT Receptionist/ Secretary at \$10.85/hr. effective October 22, 2014 and to table approving the hire of Marlene Barchetti as a PT Receptionist/ Secretary at \$10.85/hr. effective October 22, 2014.

Commissioner Ambrosini no
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

Prior to a vote, Commissioner Zimmerlink said she was tabling to give the commissioner's an opportunity to review and discuss some of the changes that have been obviously made in the commissioner's office as to commissioner's assistants and their duties. She said they can't have assistants in a room from 8 to 4:30 and not see that assistant, we need to have more, using proper words, inefficiencies, effectiveness, no this is serious, inefficiencies and effectiveness within our office, so I would like to table both until we have an opportunity to review that.

CYS

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the hire of Sharon Cipriani as a Caseworker I at SEIU-CYS Starting Rate \$15.12/hr. (\$29,484 annually) effective September 22, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the hire of Laura Steyer as a Caseworker I at SEIU-CYS Starting Rate \$15.12/hr. (\$29,484 annually) effective September 29, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

FACT

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of FT Bus Driver, Sean Hixon effective September 22, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion of PT Bus driver, Valerie Johnston, to FT Bus Driver at SEIU Pay Grade 7 Step A \$11.40 hr. (\$22,230 annually) effective October 22, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Gary Eanes as a PT Bus Driver at \$11.40/hr. effective October 22, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the resignation of Transportation Specialist I, Julia Hair, effective October 15, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table approving the collective bargaining agreement between the County of Fayette Board of Commissioners and County employees represented by Service Employee International Union (SEIU) Master Unit, for the period of January 1, 2014-December 31, 2017.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

In making the motion, Commissioner Zapotosky said he wanted to have an opportunity to review the CBA. He said they have heard it is a good contract and remarks to that effect but they want to make sure they have a grip on what's the key component to the improvement, what the ramifications are short and long term and if there are any additional changes that need to be made, that we will be able to address those.

Public Defender

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the resignation of Assistant Public Defender, Deanna Fahringer effective September 26, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the hire of Lorraine Hufford as Department Clerk I at SEIU Pay Grade 2 Starting Rate \$9.69/hr. (\$18,895.50 annually) effective October 20, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the promotion of Department Clerk I, Jennifer Kondrla, to Legal Secretary III at SEIU Pay Grade 8 Starting Rate \$11.82/hr. (\$23,049.00) effective October 1, 2014.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the hire of Shane Gannon as Assistant Public Defender at Non-Supervisory/Non-Union Pay Grade 9 Starting Rate \$24,589.50 annually effective October 20, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the hire of Danny Bartolette as an Investigator at SEIU Pay Grade 9 Step A \$12.23/hr. (23,848.50 annually) effective October 15, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Assessment

A motion was made by Commissioner Ambrosini to approve the hire of Geno Gallo as a Mapping Technician at SEIU Pay Grade 7 Step A \$11.40/hr. (\$22,230 annually) effective November 3, 2014.

The motion died when it did not receive a second.

During the motion, Commissioner Zapotosky said there were a couple names and he was going to make a motion if this one was not successful for Jenna Adamovich. He said Jenna has been working with the Private Industry Council and they have a customized job training program that would release us of any financial obligation as far as the first few several months of her employ until they can make a determination based on training that she would have the aptitude, so again, wanting to bring people into the workforce. Commissioner Zimmerlink said do you know what the effective date of that is. Commissioner Ambrosini said this would probably be today. Commissioner Zapotosky said he would prefer to make it Monday of next week because there is some additional paperwork that needs to be completed. Commissioner Zimmerlink said why not say the next pay period. She said Joyce, if you know, I know you don't do payroll, but when you do not have an effective date, what is the next payroll, I don't even know

what it is. Ms. Barnett said we are in the middle of the pay period. Commissioner Zimmerlink asked if that gave enough time.

Commissioner Zapotosky said that should be good. He said if there is not a second, there was a motion on the floor, if there is not a second. Commissioner Zimmerlink said regardless we have to set a date and that hasn't been determined even with a proposed motion and there was not second, but, so let's figure out the dates so we can get a resolution. Commissioner Zapotosky said he would simply state that based on hiring today and providing that all the proper, well first of all we have a motion on Geno Gallo. Commissioner Ambrosini said what is the next pay period Joyce? Ms. Barnett said it ends on October 31, so Nov. 3. Commissioner Ambrosini then made the motion. He said this individual was interviewed by the department head and HR, Bill Lukach has recommended this individual along with the HR director. Commissioner Zapotosky said he just talked with the HR director out in the hall and he said he was in favor of Jenna Adamovich based on the recovery of the salary being incurred by the Private Industry Council.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Jenna Adamovich as a Mapping Technician at SEIU Pay Grade 7 Step A \$11.40/hr. (\$22,230 annually) effective November 3, 2014.

Commissioner Ambrosini no
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

Juvenile Probation Office

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve an agreement with Multi-Health Systems (MHS) Inc. for the per assessment usage of the in-house assessment tool, the Youth Level of Service (YLS), which is performed on every juvenile under supervision at JPO at a cost of \$1.25 per assessment.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Works

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a five-year extension with OTIS Elevator for a 5% discount.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table bidding out the mezzanine level for Boiler House. - Budgeted item for 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink said what exactly is being bid out, he just sent us something this morning at 9 o'clock, so this is to advertise for bids for what, for the construction of, for the purpose of, anyone know? Commissioner Zapotosky said they don't know the cost, so. Commissioner Zimmerlink said Bob Carson sent an e-mail but it was sent here at 9 o'clock, our meeting started at 10, this was asked for a week ago, so take some time here to read it first, this is for the mezzanine, does anyone know? Commissioner Ambrosini said it is a storage, a mezzanine level storage. Commissioner Zimmerlink said what is the bid for, is the bid for the purchase of or for the contracting of it. She said is it for the purchase of the mezzanine structure and then our staff put it in or is this to advertise for bid to hire a contractor, to advertise for bid for a company to do this. Commissioner Ambrosini said definitely for the material but he doesn't know about the labor part.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to advertise for a roof repair for the courthouse.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink said they know what the scope of work is. PHMC has tendered an executed Grant Agreement for \$50,000.00 toward the proposed roofing repairs. Commissioner Zapotosky this is to execute the grant agreement. Commissioner Zimmerlink said no, because in his e-mail he said he already has had a conference call to review the scope of work and that contract has been executed. Commissioner Zapotosky said he knows he got a call from Paul Sunyak several weeks ago in regard to us receiving the funds and that's all I can tell you.

After the vote, Commissioner Zimmerlink said please make a note Chief Clerk, I know that you had done this before, and I've done it, but send out another one, that all

agenda items are not only to be in in a timely manner but when we have an agenda on Tuesday, and commissioner assistants as well as Chief Clerk, all three of you can relay this back to department heads, we want this information, not the morning of, like Dominick gave it to me standing out in the hallway, it was at 9 o'clock, that's why we have our agenda meetings and regular commissioner's meetings a week, we need to, whoever takes the, you three can coordinate that, whoever takes the initiative on one of them and then follow through and make sure the department head gets back to the Chief Clerk so that information can be given to the commissioners in a timely manner so we can start making some decisions here not having to table and not sounding stupid and, OK. She said send that out and say as per order of the commissioners, unless there is a problem with that.

Commissioner Zapotosky said no, he has no problems, as a matter of fact, he emphasizes that they put the urgency, the need to be as descriptive as possible in the language they use. Commissioner Zimmerlink said that they attach to the supporting document. Commissioner Zapotosky said absolutely. Commissioner Zimmerlink said that is all she has.

Tax Claim

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a motion to accept the following bids from the October 7, 2014 Repository Sale Bid Opening, subject to all conditions being met.

High Bidder 10-07-2014	Amount of Bid	Twp/Municipalpty	Parcel Number
Thomas Kelly	\$451.00	Belle Vernon	01-04-0020
James Kane Record	\$315.00	Uniontown City	38-10-0437
Louis T. Coles	\$150.00	German Township Brownsville	15-22-0094
Charles Martin	\$212.46	Borough Redstone	02-10-0143
Donald Thompson	\$161.00	Township Redstone	30-11-0016
Donald Thompson	\$386.59	Township Redstone	30-11-0018
Donald Thompson	\$243.20	Township Brownsville	30-11-0023
Jeremy Wiley	\$320.00	Borough	02-06-0135

Total \$2,239.25

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Frank Mutnansky Jr. to fill the farmer representative position on the Fayette County Conservation District effective October 21, 2014 for a term to expire December 31, 2017.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a vote, Commissioner Zimmerlink said the reason it is effective today is due to a resignation of another board member. Commissioner Zapotosky said this is Frank's son, Frank had passed away a couple years ago, and his passion, he was very active in this.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to appoint Charlotte DeCarlo to fill the farmer representative position on the Fayette County Conservation District effective January 1, 2015 for a term to expire December 31, 2018.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said the person holding that seat now, his term doesn't expire until December 31, 2014 so this new individual will fill his vacant spot come.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table approval of the minutes of the Sept. 16, 2014 regular commissioners meeting.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked if anyone had a chance to read the 43 pages that was sent to us the other day? Commissioner Zapotosky said he did not,

Commissioner. He said he has not had a chance to go through that with everything else.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to enact an ordinance for the issuance of a draw down bank line of credit in a principal amount of up to \$10 million, to be designated County of Fayette General Obligation Note, Series 2014 for the purpose of funding the costs associated with the County's prison project and the County's CYS building project.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked Mark Lundquist to give his presentation, and to keep in mind the question that has been asked by the member of the public. Commissioner Zapotosky said also, please understand that we think you have done a wonderful job as to giving us the financial breakdown as to what is the best interest for the county, however, I don't know where this ship, whether it is the mother ship because it is, I got an e-mail that reads very insulting where there are items brought up about political issues and I have no idea whether Mr. Morgan or Mr. Lynch, I realize he has been operating with the chairman and that sort of thing. Mr. Lundquist said he is with SGA Financial Advisors services, an independent company, currently he is receiving administrative support from Susquehanna on a one-year basis as a transition, this is all related stuff, so I have never seen that e-mail.

Commissioner Zapotosky said nor do you know of him being authorized to receive any drawdown on the prison, you are the only one that we passed via resolution to draw down on it and there was no technical work in that \$3,100, you did all the technical study to reach your conclusion regarding what is in our best fiscal interest to hold us in a position where we are not paying, as you said, fees of four percent and letting a bunch of guys in some nice Brooks Brothers suits hold our money until we get an exact figure. Mr. Lundquist said Lisa Chiesa is with him and she is with Thorp Reed bond counsel and bank counsel and he said he will talk about the economics about what they put together for the county and let her walk you through the legal process. Ms. Chiesa said she knows they don't like to get things at the last minute, but here we go. Mr. Lundquist said this is the DCED documentation required for the borrowing. He said when he left last week he was anticipating being able to put together a wonderful package and he anticipated being able to give them final rates and terms from the bank last week.

Mr. Lundquist said the very last couple pages are going to be the final. He said the bank was able to go through their process and at 4:30 yesterday afternoon we were able to provide, Lisa and I, the final economic terms and conditions they were comfortable with. Commissioner Zapotosky said can you highlight. Mr. Lundquist said, here we go, first of all, First National Bank commitment on their own behalf and on behalf of United Bank, Scottdale Bank, First Federal, soon to become Community

whatever, S&T Bank and First Commonwealth Bank. He said as he has discussed with the commissioners before, the logic behind that was instead of doing a public bond issue where the county would be paying, would be taxing people and sending money off to far off people, we are going to support local businesses that support you, so in the last six or seven months, have met with all of the banks, all of the bankers, we had 12 different meetings, 12 different expressions of interest and so forth, and we put the package together, in the middle of August we were close to putting together a financing package that would have handled up to \$40 million over the next 2 1/2, 3 years for the county. He said obviously when the project scope changed, the financing backed off so we resurrected that a couple weeks ago recognizing that you wanted to get the 2014 piece put in place so we could take advantage of the tax opportunities that were available for you. He said in conversations with you in the last few weeks, we realized we want to get up to at least \$10 million that the federal tax law gives us to the county on a tax deferred basis in place.

Mr. Lundquist said we worked very, very quickly with First National Bank on its own behalf and on behalf of the others to put this package together and what they came back to us with yesterday at 4 o'clock is because of the nature of where we are they can only stretch out right now for the 10 years for us, talking with Lisa over the weekend, we had talked about trying to put a two-year note in place, so we could secure the money and the line of credit, and we realized we really don't want to hold a gun to the county's head and say you are going to have to refinance this in two to three years. He said what the bank has provided to us is two years of interest solely, a line of credit that will be available for the county to use as basically a checking account credit card type of approach so you can reimburse the general fund, you can fund the CYS project, if you decide you are buying property, you are moving forward with something, you get a contract, whatever, you can use, access that line of credit to make those payments and that money will be available to you for the next three years. He said the monies that you access in the 2014 fiscal year will be changed an interest rate of 2.6025 percent, how they come up with the extra 025 is their pricing formula. Commissioner Zimmerlink said 2.6, OK, got it, that's on page 3.

Mr. Lundquist said the monies you access in 2015 would be available to you at 3.0825 percent and if you access monies in 2016 because you haven't used the full amount of that credit, it would be 3.4225. He said you pay interest only during the first two years on the amounts that you draw down, so you draw down \$2.5 million in 2014, that's it, you are only paying interest on the \$2.5 million on the rest you don't pay interest until you access it. Ms. Chiesa said anything drawn in that year stays with that rate. Mr. Lundquist said you will pay interest only for two years, at the end of two years, and starting January of 2017, you will amortize whatever debt is outstanding over the rest of the term at those interest rates, 2.6, 3.0, 3.4, whatever it ends up being. He said as part of putting it together that way, it was designed to do exactly what I discussed with all of you, we want to envision once we draw this money down, once we decide the scope of the project, in the nature of financing, we very well may want to take that outstanding debt and roll it into a more permanent financing as part of that package, being able to secure the federal tax advantages that we can secure.

Commissioner Zimmerlink said a more permanent pool would be? Mr. Lundquist said it could be a 20 year bond or a bank loan, it could be a 25 year bank loan, whatever it works out to be. He said when they did the analysis in the spring we had received proposals from investment bankers and when we went through, when you go back to the spring we would have done a \$35 million or \$40 million bond issue, at that point in time if we had done a bond issue we would have borrowed at 3 ½ percent or whatever the market was, and invested that money at basically zero, so we would have been paying, as Commissioner Zapotosky said 3 ½ percent to Wall Street for the privilege of having their money sitting there. He said that is how we evolved over into this bank loan structure. He said we have it set up so you can capitalize interest so from a budgetary perspective next year and the following year, until you put the project in place, know what the costs are, if you desire to, you have the ability to access that money so that in 2015 and 2016 if you want, you can have a zero net budget impact.

Commissioner Zimmerlink said also, is another \$10 million available in 2015 and another \$10 million in 2016. Mr. Lundquist said we have not secured that yet, that is 100 percent contingent on the commissioners reaching a consensus on the project that they want to do and reasonable cost estimates and so forth. Commissioner Zimmerlink said wait a minute, let's back up, OK, OK, because the conversation that we've had before, OK, which we, was \$10 million and it would be the line of credit and available every year, 2014, 15, 16 and 17, OK. She said now this here is only one. Mr. Lundquist said the first one because, as he said last week, the bank for regulatory purposes needs to be able to point to a project and a cost estimate and a cost study because they will come back and say that DCED is going to require cost estimate, cost study and so forth and it is not sufficient to just say that we know we are going to spend at least \$25 million, you have to be able to say. Commissioner Zimmerlink said OK, so you need, so in order to go to the second year for an additional \$10 million drawdown, you would need from a majority vote of the commissioners a specified project. She said a specified project, we all know what that means, where it is going to be, and you said a cost estimate.

Commissioner Zimmerlink said, OK, and what is a reasonable, who determines reasonable? Ms. Chiesa said presumably you are going to have some consultant helping you out and they will be able to. Commissioner Zapotosky said so we could range it. Mr. Lundquist said with respect with the 10, 10, 10, 10, because the banks are unable to, the banks are very interested in the county and in supporting the county and the project, they were disappointed that we weren't prepared to get the future year's commitment put in place, but they recognize the legal requirements and more importantly, he is working with the loan officers and when they found out the regulatory requirements. Commissioner Zapotosky said he could point out the fact that they could set up some discussion with some of the bank officials just to let them know where we are at, what the early dollar amount looks like, even though we don't have a plan. Ms. Lundquist said when he was meeting with them a few weeks back through that process.

Commissioner Zapotosky said put that in the past because that is where that is. Mr. Lundquist there is a commitment to work forward but from your perspective, authorizing this today enables us to close in mid-November to recapitalize the general fund to get to

the end of the year and have the ability then if you enter into negotiations with the city and you want to purchase or renovate. Commissioner Zimmerlink said so, let me ask you this question though, OK, with the \$10 million, OK, what you just said, it would put us in the position that the \$2.5 million is reimbursed to the general fund, regardless of whether or not it should never have been taken out, it was a majority vote, it was done, so that gives us that opportunity to reimburse it. She said it also will allow them to award a bid for CYS, if it comes under that, or around that, and the balance of that would be about 6.8, so that 6.8, 6.9. Mr. Lundquist said that becomes credit that you can use for a prison project or whatever the majority of commissioners define your prison project obviously within the parameters of what your needs are. Commissioner Zimmerlink said would that amount need to be spent in the year 2014, the 6.8, no, it will still. Mr. Lundquist said that money, the federal tax rules require you to draw down at least \$50,000, \$100,000, so we will clearly pass that test, so that money will be available to you in 2015 and into 2016.

Commissioner Zimmerlink said the other important part is you say the defined project, now the county will not be in a position to define the project until we have a project manager and architect lined up to set what the proposed plan is so you are not telling me that we have to have something designated, that it is going to be this square feet. Ms. Chiesa said you do have to have an expectation today that within three years you will spend \$10 million on this project. Commissioner Zimmerlink said and that would include, not, that would include not the actual, the construction of, but all of the design planning things prior to, and that's what I need you to, very clearly state, so that it doesn't, it's not like a reasonable, when you say a reasonable plan, well first off, I don't like the word reasonable cause who's to, OK, it's what's going to be the approved plan, OK, and it would include and would be allowed to use the cost of that. Ms. Chiesa said architects, engineers. Commissioner Zapotosky said they are going to be making steps in the next following motions to ensure. Mr. Lundquist said with respect to one of the other questions that came forward, the bank will require that requisitions from the line of credit need to go through the commissioners monthly budget process.

Commissioner Zimmerlink said in a meeting with Mr. Lundquist, and the Controller's office, I was adamant on that, that it would be meeting with them, so it is not just a haphazard, it is done by resolution so that everyone knows exactly how much money was spent. Mr. Lundquist said the banks may want to set up a process with the controller's office. Commissioner Zimmerlink said yes, got it. Ms. Chiesa said that is the way to do it, the requisitions are approved at a meeting. Commissioner Zimmerlink said yes, and we have discussed that, myself and the Controller's office and then with you, Mr. Lundquist to make sure that we have that set and we will be meeting with you at a later time to get the intricacies. Mrs. Phillips asked what the county's bond rating is. Commissioner Zapotosky said they saw a decrease a few years back but he thinks since that time, we are back to like a 3A. Commissioner Zimmerlink said you don't know, you can find out. Ms. Chiesa said it isn't easy to calculate at this point in time. Mr. Lundquist said when they started looking at the bond alternatives they recognized quickly that they didn't know how fast the loan was going to be drawn down and in order to do the bond, let's say we go and borrow 3 percent in the bond market, and have \$25, \$35 million in bonds outstanding, we would have been borrowing at 3 percent but we

would have been putting that money in a bank account earning zero so, that's a negative arbitrage, the loss of the money.

Mr. Lundquist said they are trying to make sure they position the county so that from a budget basis they don't have to borrow an extra couple million dollars to pay interest over the next couple years. He said when they first did the studies at the beginning of the summer, they were looking at having \$3 million of economic advantage and it doesn't necessarily return the cash to them, but money they would have saved from the alternative from the bond issue. He said the law is the local government unit debt act is being applied. He said the county only wanted to borrow the \$2 ½ million to replenish the fund and if there is no consensus on what is going to happen and the only monies borrowed were the CYS project and the \$2 ½ million, the only \$6 plus million could be returned to the bank and the line of credit torn up and all the debt service will automatically drop. Commissioner Zapotosky said then there will be no fees associated. Mr. Lundquist said the 10 million was chosen because the federal tax law allows the county every year up to 10 million, so if we didn't use it, it would be gone forever and ever. He said the schedule that is attached to that is calculated on a worst case, highest possible interest rate because that is what we are required to show and we obviously anticipate it will be lower than that because we will be borrowing at 2.6 percent.

Commissioner Zapotosky said you have to present the worst case. Mr. Lundquist said that is the 3.4 percent. Commissioner Zapotosky said Mark, I have to tip my hat, you have done a great job with your disclosure and your willingness to engage us all, I complement that. He said he wishes that would trickle down to some of the other folks but unfortunately that wasn't the case and he isn't going to cry over spilled milk but I would hope you would emphasize to the mother ship that we wouldn't be in this position to a certain extent if they would have been more forthcoming. Mr. Lundquist said over the next few weeks he will get the exact terms of this, although they signed at 4:30 yesterday, he said he will start to anticipate the 2015, 16 pieces pending upon project size of \$31 to \$35 million. Commissioner Zimmerlink said in looking in this in her speed reading course here, for the most part you have provided this information to us, but let me go through three things, the first one, section 102, it says the chairman of the board of commissioners, any other commissioner and the chief clerk or their duly elected and acting successors, are hereby authorized to sign all such documents, no it has to be the majority of the commissioners, OK, the only one who has authority to execute these documents would be the commissioners.

Commissioner Zapotosky said that has to be a requirement. Commissioner Zimmerlink said and obviously, there are three commissioners and we want all three to sign, we're, I believe we are all in agreement with this, but if one is out of town or not able, follow county code, majority rules, but it is designated to the commissioners and no designee to authorize signatures. She said the next thing is Exhibit P, OK, obviously P is for project, looking through that she wanted to read because of what she asked before, that it would include on the design phase and it doesn't say that, it only says for previously incurred planning and design. She said it will be used to design and perform improvements to the CYS and the jail, OK, got it. She said can you go to the second page to the last, could you explain certificate of consulting engineer, that is once we

have one for this project, is that what you are saying? Ms. Chiesa said yes, you will see. Commissioner Zimmerlink said just so you know, let me ask you this question before you answer that, the consulting engineer for the CYS project, I believe he may have still been in the room when I asked Gina D'Auria that, that's Sleighter Engineering, so for that project, he would be signing off on that, but as you know. Ms. Chiesa said in certain circumstances that is going to be required for the construction part. Commissioner Zimmerlink said but you understand there may be two different consulting firms. She said she wanted to make sure they understand. She said Mr. Lundquist, you wanted to see if you could have an opportunity to talk with one of our county solicitors, did you have that opportunity, OK, alright.

Commissioner Zimmerlink said what do you need from us today, I'm sorry, Solicitor Cupp, you have had some conversations, I would hope with the commissioners on this, so is there any general or specific questions, because you have been involved in even prior bond issues and things of that nature so if you wanted to bring out, because we have to vote on this today for timeliness reasons too, so if you wanted to bring up a few questions they are both right here so this is the time, just based on your past experience. Solicitor Cupp said we had this on the agenda, this is the ordinance that was prepared by bond counsel, and I did my speed reading too, and from what I could see it appears to be exactly what we want. Commissioner Zimmerlink said we have utilized your services in the past so I know at least two commissioners are familiar with that language, OK. Ms. Chiesa said one thing she should point out, the form of the note is attached to this debt ordinance but that is a form, so we will have, once we get more discussions with the bank, we will be able to tighten that language up. Commissioner Zapotosky said we will have to subsequently come in and amend it. Mr. Lundquist said it won't have to be amended because the substance hasn't changed, it is really where the bills get paid or.

Commissioner Zapotosky said OK, thank you very much. Mr. Lundquist said the solicitor will be involved in the reviewing of the actual documents. Commissioner Zimmerlink asked if he had a copy of the agenda and asked him to look at how it is written on here, I know you said that you had given, submitted some language to the Chief Clerk, I want to make sure it is very clear language before this is passed. Mr. Lundquist said he would track down the county rating and he will send it to the commissioners and Amy. Commissioner Zapotosky said he knows when it was reduced. Commissioner Zimmerlink said you can provide that information in an e-mail to Amy and Amy can send it to the three commissioners and ma'am, you can call the Chief Clerk and get that information. Commissioner Zapotosky said he does recall when it was reduced, Controller Lally had taken the position of just sit and wait until we are able to put that request into consideration. He said that subsequently never happened and then it was his understanding that there was through the bonding rating system, that we had moved back into, I don't know if it was the category we were taken out of, but it was some increase from where we were dropped.

Commissioner Zapotosky said we were at three stars or whatever, and then we were dropped two stars, and we were hoping by virtue of we had implemented a tax increase, thus we weren't living on surplus revenue, and we were finding different ways now i.e. a

tax increase, to increase our revenue, so I don't know. Commissioner Zimmerlink said we're good. Mr. Lundquist said a bond rating isn't required. Mrs. Phillips said, may I say something, you should all know what your bond rating is. Commissioner Zimmerlink said we know it, it's just that. Mrs. Phillips said you should be actively working at improving your bond rating. Commissioner Zimmerlink said we do. Mrs. Phillips said you should pay attention to that, it equates to real dollars. She said also, normally you do better when you go out to public bid, you get competition, paper. Commissioner Zimmerlink said they did. Mrs. Phillips said this is a privately placed note, it was not put out to public bid, so she is just throwing it out, normally you do get a better rate when you do go out public. Commissioner Zapotosky said it was put out. Commissioner Zimmerlink said with a number of banks. Mrs. Phillips said that is not public bid, sorry it's not.

Commissioner Zapotosky said we were trying to find financial institutions that had a niche, or. Commissioner Zimmerlink said let's just ask questions about this and then under public comment, whatever other comments that you have, go ahead, just about this particular issue. Mrs. Phillips said she is just saying that this just falls in line with what she was saying before, about how the finances of the county are being governed. She said she doesn't see good financial practices here, I see things that ring alarm bells for me, and she wouldn't run her municipality this way, and she has things that go out to public bid, this is a temporary borrowing, he just borrowed at 3.5 and she doesn't know what the bond rating is, so she can't judge if these rates are good, bad or ugly without knowing your bond rating, I just borrowed on a temporary basis for point 355 percent and they gave me a premium. Commissioner Zapotosky asked Ms. Barnett if she knew the bond rating, that's why we need Jeanine here. Commissioner Ambrosini asked Mr. Lundquist to respond. Mr. Lundquist said the quick response is when they first met with the commissioners, they were considering a bond issue alternative and they recognized that would cost \$2.5 to \$3 million more because we would have to borrow extra money and capitalize interest during the construction period and process. He said they went back and said we want to not take these bonds and place them with Wall Street, we want to put them with the banks on Main Street that are the ones that are employing the people that are sitting in this room who are being taxed to make those payments so rather than taking a million dollars a year out of the county and sending it someplace else, we advocated leaving the money in the community.

Mr. Lundquist said no single institution in town could do a \$30 million or a \$40 million financing for the county but they wanted to participate. He said it is a little bit of the mix and match and the way we set this up, is we have the money during the construction period so the commissioners can make decisions as they go through the process in terms of what the best financial decision is. Mrs. Phillips said she understands what he is saying, but she also has a problem with capitalizing interest during the construction period. Mr. Lundquist said that is completely different. Commissioner Zapotosky said he would suggest that she talk to Mark to get the questions answered. Commissioner Zimmerlink said did you read the agenda item? Mr. Lundquist said it was fine. The motion was then approved. Mr. Lundquist said he would get the documents to Amy to get signed and they will make the one change to the majority of commissioners rather than one commissioner and the clerk and she will advertise in the local papers the

enactment of the ordinance, we will file with the state and that will put us probably in a mid-November timeframe. Ms. Chiesa said Mark had made mention that no single bank could take all of the paper. She said assuming that we are going to continue that path, First National Bank has asked my law firm, Clark Hill, if we would represent them in any participation of this loan. She said that is representing you as bond counsel and representing them and we don't think there is a directly adverse position in there because they will have your paper by the time we are representing them but basically you are going to be selling the mortgage. She said she has the waiver of conflict request.

Commissioner Zimmerlink asked if that needs to be voted on. Commissioner Zapotosky said they will have to address that at another time because they sure can't do it right now. Commissioner Zimmerlink said when is that meeting. Ms. Chiesa said they aren't doing anything with the banks yet, so. Commissioner Zimmerlink asked if it would be needed before the end of the year, for the commissioner's to receive the \$10 million, because if it is, they can amend the agenda and include that document. Commissioner Zapotosky said he would like to amend the agenda to note series 2014 for the purpose of funding the costs associated with the county prison and the county CYS building project, is that what we want to do? Mr. Lundquist said we don't want to amend it, it is just adding another item to the. Commissioner Zapotosky said a waiver of conflict allowing legal counsel. He said let's, that's too much verbiage. He asked Solicitor Cupp to shorten it to a sentence or less. Commissioner Ambrosini said while they are waiting, he wanted to thank Mark also, noting that it has been a long process, he has done an outstanding job in terms of providing the county with the least possible interest rate, that is achievable with all the flexibility, again he appreciates his efforts for the county. He also thanked Ms. Chiesa.

Commissioner Zimmerlink said basically what you are asking is that the county execute and acknowledge the agreement that there is no conflict of interest between the First National Bank and your law firm and the county and that we accept that. Ms. Chiesa said yes, and if they would ever determine that there may be one, we would have to resign from everybody. Commissioner Zimmerlink asked Solicitor Cupp to make a motion. He said resolve that the county of Fayette waives a potential conflict of interest between Clark Hill PLC and the County in respect to Clark Hill's representation of First National Bank of Pennsylvania in the county of Fayette's bond issue. Commissioner Zimmerlink asked Chief Clerk Revak to read it back and she said she didn't get all that. Commissioner Zimmerlink asked him to repeat it because one of them will have to make the motion, so clearly and slowly, resolve that the County of Fayette waives any potential conflict of interest with Clark Hill PLC and First National Bank and Fayette County with regard to representation. Solicitor Cupp said wait a minute, he is getting. Commissioner Zimmerlink said take your time. Commissioner Zimmerlink said they will put it on the agenda for November.

Commissioner Ambrosini asked for a motion to consider advertising a Request for Qualifications for a Project Manager to oversee the renovation of and expansion to the existing county jail within the city limits of Uniontown. Commissioner Zimmerlink said she was going to clean this up a little.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to seek proposals for a project manager whose services will be associated with the planning, design and management of the renovations to and/or expansion of the county jail within the Uniontown city limits, as further defined by a majority of the Commissioners.

Commissioner Ambrosini no
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

Commissioner Ambrosini asked for a motion to consider transferring ownership from the City of Uniontown to Fayette County for parcel no. 38-04-0197, formerly known as the Uniontown city jail located at East Peter and Court Street in Uniontown Fayette Co.

Commissioner Zimmerlink said she is going to change it and she is going to read what she is going to say and then she asked Solicitor Cupp to tell her.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to request the City of Uniontown to transfer ownership to the County of Fayette of parcel no. 38-04-0197 formerly known as the city jail for a –0- purchase price with the County paying all recording fees and further in the event the City seeks a purchase price from the County the County is hereby authorized to obtain appraisals and enter into negotiations in accordance with County Code as directed by a majority of the Commissioners.

Commissioner Ambrosini no
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed 2-1

Following a suggestion from Solicitor Cupp, Commissioner Zimmerlink re-read the motion and it was voted on.

Commissioner Zimmerlink asked Commissioner Zapotosky if he has the amended agenda item and he said he was going off the top.

A motion was made by Commissioner Zapotosky to amend the agenda to solicit Letters of Interest and Statement of Qualifications from Pre-Qualified Architectural/Engineering Firms for the renovation and/or expansion of the county jail with the Uniontown city limits, as further defined by a majority of the Commissioners.

Prior to a vote, Commissioner Zapotosky said pre-qualified are those that were sent out and had subsequently responded because it is a niche group that builds prisons, not every firm builds prisons, that is what he means by pre-qualified, and also they had submitted or they submitted letters of interest to us previously, we just amended the scope, we are requesting engineering firms and a letter of interest, a statement of qualifications, the project description will be determined by a majority and it has to a certain extent, and that is my amendment to this agenda, October of 2014.

Commissioner Zimmerlink then read the motion. Commissioner Zapotosky said there were letters and he was assuming somebody in the prison working group or somebody sent out letters to architects, because they have told me, that they obtained, they had posted their skills in some professional magazines and some had looked online through CCAP and that is how they responded to a number of these, and he has letters that he is receiving that will show that so he will be able to provide that language too.

Commissioner Zimmerlink said there is a motion.

Solicitor Cupp said there is a motion to amend the agenda. Commissioner Zimmerlink said they did that already. Commissioner Ambrosini said previously RFQs just went out as an open invitation, there was no prequalification's for that, because we had architects that were experienced in jail design, we had architects that never designed a jail before. Commissioner Zapotosky said you said Astorino never designed a jail before, which is clearly wrong. He said they built PNC Park, which is pretty impressive by the way, not as nice as Fenway Park, but they did it. He said the way to narrow the field was by making that statement which he went ballistic on because they were violating several provisions in the county code, when you said you had to build between \$18 million and \$32 million you then skewed the overall integrity of the request for qualifications because you separated folks like Kimball, they built more jails than anybody in the Commonwealth, not just the commonwealth, the nation. He said there were other firms as well and they did not receive the benefit of the doubt in the scoring process. He said even when he voiced his concern to Mr. Killinger about the language of it, it went through one ear and out the other. He said he walked into a room and there was, he wanted to add somebody, Jim Custer from the Sheriff's department, was also involved in the scoring.

Commissioner Zapotosky said yet the two commissioners were excluded, which is a disgrace to the whole process, an arrogant disgrace to the whole process. He said these motions meet the standard of the law and he checked into it and if there is gray area he is sure there will be somebody coming out and telling us and then they will further advance it with a statement from Mr. Cupp. He said again, they are on the path, and he would urge Commissioner Ambrosini to participate, because they could accomplish this if they do it the right way and they could build a facility for long term, granted nothing lasts forever, but if they build facilities and provide proper maintenance, this thing could work. Commissioner Ambrosini said first of all, just to address that, we asked the four architects that submitted bids, that is they did design a jail about the same size that we had planned, then we would like to see those, we did not restrict them. He said they could submit anything that they wanted. Commissioner Zimmerlink said may I have a point of order please, we have there's a motion. Commissioner

Zapotosky said you didn't ask me and you didn't ask Commissioner Zimmerlink and to me that is an abomination. Commissioner Zimmerlink said the motion needs to be cleaned.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to solicit Letters of Interest and Statement of Qualifications from Pre-Qualified Architectural/Engineering Firms for the renovation and/or expansion of the county jail with the Uniontown city limits, as further defined by a majority of the Commissioners.

Commissioner Ambrosini no
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed 2-1

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the following transfers:

9-15-14 to 10-9-14

Department	Cost Center	Debit	Credit
Commissioners			
Materials/supplies	01411152000	\$147.00	
Records materials/supplies	0141110152000		\$147.00
Contingency	01417952910	\$358.50	
Life insurance APO	01423651580		\$235.50
Life insurance comm.	01411151580		\$123.00
District Attorney			
Extradition	01419452375	\$4,000.00	
Materials/supplies	01419452000		\$4,000.00
Witness fees	01419453171	\$500.00	
Fuels/lubricants	01419752231		\$500.00
EMA			
Contract services/maint.	4342911553011	\$45,000.00	
Rental of equipt. Towers	4342911553835200		\$45,000.00
Travel	01429153300	\$1,800.00	
Travel	39429153300		\$1,800.00
Human Resource			
Drug testing employees	01415551935	\$200.00	
Materials/supplies	01415552000		\$200.00
JPO			
Equipment	01423752300	\$634.60	
Materials/supplies	01423752000		\$634.60
MDJs			
Constables	14418653150	\$5,000.00	
Materials/supplies	14418652000		\$5,000.00
Central	01418600053300	\$200.00	
Abraham m/s	01418630252000		\$200.00
Central m/s	01418600052000	\$300.00	
Abraham m/s	01418630252000		\$300.00
Central	01418600053200	\$400.00	

Abraham utilities	01418630253600		\$400.00
Defino utilities	01418620353600	\$300.00	
Defino m/s	01418620352000		\$300.00
Central	01418600052300	\$100.00	
Defino m/s	01418620352000		\$100.00
Prison			
Rental of building	01423253830010	\$72,000.00	
Prisoners out of county	01423253840		\$72,000.00
Materials/supplies	01423252000	\$12,930.00	
Capital outlay	01423257000		\$12,930.00
Expenses inmate welfare	01423252740	\$15,000.00	
Medical services	01423253020	\$2,500.00	
Professional service	01423253100	\$7,500.00	
Arbitration costs	01423253600	\$2,500.00	
Utilities	01423253600	\$10,000.00	
R&M Building	01423253730	\$10,000.00	
Prisoners out of county	01423253840		\$47,500.00
Total Debits	\$191,370.10	Total Credits	\$191,370.10

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Announcements- none

Prior to public comment, Commissioner Ambrosini asked for everyone to keep it brief, adding there was a meeting scheduled for 1:30 p.m.

Public Comments

Mrs. Mazza said Commissioner Ambrosini voted no for the last two items and it seems he is bound and determined to put road blocks up for those who are trying to get the prison situation and get it over and done with. She asked if his intention is to do everything he can to create havoc to impede the work they are trying to get done. Commissioner Ambrosini said Mrs. Mazza, he just disagrees with what they want to do, they have two votes, they can do whatever they want. He said we already looked at various scenarios over the last two years, a lot of people assisted. Mrs. Mazza said your hand picked little group if you shared with them, maybe. Commissioner Ambrosini said professionals, can we move on? Mrs. Mazza said she is talking about the three years, the same old cost effective rhetoric, I'm the kind of Fayette County, I'm the chairman of the county commissioners. She said why don't you do us all a favor Al, resign as chairman, I won't ask you to resign as commissioner, just resign as chairman, step aside and let the other two commissioners go ahead and do what is best for the people of this county like they want to do because you certainly don't care about the people of this county. Commissioner Ambrosini said actually that is all he cares about.

Mr. Mazza said he wanted to clarify two things, he said Mr. Ambrosini, you denied that you said you were going to disband the prison work group. He said a couple of meetings ago. Commissioner Ambrosini said he said that he was going to meet with them again to make a decision which direction they were going to go. Mr. Mazza said he knows exactly what he said, and he asked if they were going to disband them now that your project was down the toilet and you said you were going to meet with them, you had a meeting set up for Friday form that week, you were going to meet with them, thank them for their efforts, and to disband, that is exactly what you said. Commissioner Ambrosini said that he never said disband. Mr. Mazza said they had a group that made up two thirds of the audience and you had a guy say that 2/3 of the people were in favor of your project, and he knows 3700 people who aren't and your favorite newspaper also had a poll and it showed that the people weren't in favor of your project. He said he has been asking for Mike Molnar's plans for three meetings and he may have located them. He said Vince Vicites has a set of those plans, so if you want to see the plans, I would get in touch with Vince Vicites and ask him for a copy, that's it.

Commissioner Zimmerlink said she wanted to make a very quick comment, because there was some discussion regarding Fay Penn and this letter. She said she wanted to make it clear, the letter was sent out Oct. 10 and specifically the reason why the property in question, the 58 acres in the Dunbar Township Business Park is now on the market is because of these two sentences written by the chairman of Fay Penn: She said the agreement of sale was signed April 14, 2014 by the majority of commissioners.

The terms of the agreement of sale included a 90 day period of due diligence with closing taking place on or before 30 days following the conclusion of the due diligence period. She said the period was 90 days from April 10, 2014 and it clearly states the closing is to take place on or before 30 says following the conclusion of the due diligence period. Consequently, Fay-Penn deems the agreement to be null and void by its terms and will proceed to market the property accordingly.

Adjournment

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to adjourn the meeting.

Commissioner Ambrosini yes
Commissioner Zimmerlink yes

Motion passed unanimously

