

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, September 16, 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 a.m.

A silent prayer was observed.

The pledge of allegiance was recited.

Proclamations

Commissioner Ambrosini asked if anyone was present for the Ice Miners Youth Hockey Day proclamation. Brett Smith, on the board of the Fayette County Youth Ice Miners, the Fayette County hockey association. He said he is here to ask the commissioners to proclaim Nov. 8 as Fayette County Youth Ice Miners Hockey Day. He said at the Ice Mine there are a lot of people in the communities of Fayette County, Brownsville, Uniontown, Connellsville, all the little communities are not aware of our programs we offer. He said on November 8, along with the United States Hockey Association, we are offering all the kids in the communities around Fayette County the opportunity to try hockey for free, outfit them, have them come out and skate, try hockey to see if they like it. He said what the Fayette County Ice Miners do is they have programs other than this where we give back to the community, we have hats and gloves for kids where we are going out and collecting and we are going to make these available to the kids in the communities in schools or with the local affiliated churches that need hats and gloves to outfit them this year.

Mr. Smith said that is something they are going. He said their other mission is to take kids from these communities that are unable to afford hockey, they are putting together programs with sponsors to outfit these kids for the upcoming grade school year, if they start hockey in kindergarten, we will sponsor them all the way through sixth grade. He said these programs, if everybody is aware of sports and everything, it's a family oriented sport, it doesn't give the kids time to say, what am I going to do today because there is a lot of involvement in it. He said they are hoping to get these kids in the program and keep them active in sports because it involves their families. He said the kids do a lot, participate in parades, they are giving back to the community. He said they want to give back to let everybody know they have these programs and this facility is available to everybody in Fayette County. Commissioner Zapotosky said he spoke with someone involved with the junior hockey program. Mr. Smith said there are two programs out there, number one, we are the non-profit program. He said the Keystone ice miners, which are an affiliate of them. Commissioner Zapotosky said they have some exciting hockey. Mr. Smith said those youth that are coming in are 16 to 20 years old and they are participating. He said two different organizations, they are the non-profit organization and they are there for the kids. Commissioner Zapotosky said as a side note, they do have a hotel tax and with a 501 C 3 they can make application come April or May of 2015 and usually the applications come out in about February, so just as a form of interest, keep that in the back of your mind. Mr. Smith said absolutely.

Commissioner Zimmerlink read the proclamation for Proclaim November 8, 2014 Ice Miners Youth Hockey Day.

Commissioner Ambrosini read the proclamation for Employ Older Workers Week, September 21- 27, 2014. Matt Uram of the Area Agency on Aging said they appreciate that recognition. He said when you look at senior employment there is a startling demographic in that by 2020 we will have as many people between 0 and 15 as we do 60 and above. He said we are going to have a smallest workforce that we have had ever in the United States in modern times. He said when you are thinking about who is paying the tax base when you have that small of a workforce we are going to need the seniors more than ever to fill those shortages of jobs. He said seniors learn their trade early in life, they have raised their families, they have a work ethic, they go to school, they go to church, they are an excellent, excellent addition. He said he had a woman with him today who joined the Title Five program two years ago. He said that she exemplifies what the Title Five program means, and it is a federal program based on the Older Americans Act. He said she applied for and got a job on her own at Mount Citizens Action Group in Farmington.

Mr. Uram said she would tell them about it. The woman said at the time her husband had passed away in 2010 and she found herself looking for work. She said it was very difficult because of her age and she searched everywhere and finally got online and she found the southwest Pennsylvania Area Agency on Aging and got hired under the Title Five program. She said it was part time, but that is what she was looking for, it used the experience she already had and gave her new insight on how the recreation center operates and how the seniors benefit from all the programs. She said it also taught her patience and working with the seniors there was a very good opportunity for her and she was very grateful for that. Mr. Uram said even dealing with him she has to have a lot of patience. He said this program will increase the skills, she is making more money, she is spending more money in the stores and restaurants, she is adding to the tax base and when you look at that staggering statistic, you know we are going to have a very small workforce in the future and we need people with skills like this and he commended the commissioners for recognizing the importance of this program. He said lets support each other and have a better world, we are having bad things going on right now in our economy, but we will get out of it, this is America.

Commissioner Zapotosky read the proclamation for Hunger Action Month, September 2014. Tammy Knouse of Fayette County Community Action Agency said she wanted to thank everybody who has assisted with the food bank, as the commissioner's mentioned, they have 49 pantries and serve over 10,000 people and unfortunately they are the third county in the state with the highest food insecurity rate. She said they couldn't do it without everybody's assistance, a lot of the businesses and individual people do a lot of donations for us and that helps supplement the food that we have to purchase, so again, thank you. She said some of the staff are attending a softball game where the legislators will be playing and all the funds they will be collecting will be distributed out to the food banks.

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

Proclaim November 8, 2014 Ice Miners Youth Hockey Day

Employ Older Workers Week, September 21- 27, 2014

Hunger Action Month, September 2014

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Comment on Agenda Items

Ralph Mazza said the last item on the agenda, the prison, alternative methods of construction for the Fayette County Prison. He said he has never heard anybody except him talk about Michael Molnar's plans that he devised over a decade ago for the revision and enlargement of the county prison. He said what happened to them, did they disappear or something? He said does anybody have any knowledge of it besides me? Commissioner Ambrosini said he has never seen them. Mr. Mazza said did anybody ever look for them? Commissioner Zapotosky said he believes, and don't quote him on this, but Kimball had conducted, if that is the same study we are referring to. He said this was a 2003? Commissioner Ambrosini said he thinks the Kimball study was around 2001. Commissioner Zapotosky said they did a study in 2001. Mr. Mazza said this was a plan, drawing, done by Michael Molnar. Commissioner Zapotosky said he isn't familiar with that.

Mr. Mazza said he knows one person who is familiar with it, Sean Cavanagh. He said he can verify because he was commissioner at the time. He said he can verify that there was a plan drawn up, he just wondered, was it thrown out, or what, has anybody ever looked for it? Commissioner Ambrosini said he has looked and read all the studies that are available and he does not recall seeing or reading the Molnar study, so if it was produced, it is not available in the courthouse. Mr. Mazza said he is not daydreaming and Kimball was involved. Commissioner Ambrosini said he read the Kimball study, and that was a complete study for a new jail. Mr. Mazza said it was architectural drawings. Commissioner Ambrosini said they were artist conceptions, he didn't think there was a full set of architectural drawings developed. Mr. Mazza said it was his understanding that it was architectural drawings and plans. Mr. Cavanagh said he passed away and there is another architect, Jeanine, who should have all the records.

Mr. Cavanagh said Rosemary Molnar, his surviving spouse, told him that at Walmart the other day. Mr. Mazza said it is available. Mr. Cavanagh said it should be. Commissioner Zimmerlink said Mr. Mazza, what I can tell you that I know, and the other two commissioners, I know that they have a copy of this, it is dated back in 2006, it was after a meeting with the prison board and the county. She said she addressed it to at that time President Judge Capuzzi and the Criminal Justice Advisory Board, and it is dated of October of 2006, it was a summary of a prison board meeting that was held in 2006, October of 2006. She said it was actually a motion that she made that the Fayette County prison board had undertaken some steps to address the overcrowding issue, so they were part of the minutes of the prison board meeting and what we did back in 2006 was we had reviewed Commissioner Hardy's suggestions to build a new prison off site in the spring of 2005 Commissioner Vicites provided us with a CCAP prison overcrowding project, we had also two individuals, a Mr. Cadoo and a Dr. Harland on site.

Commissioner Zimmerlink said the board heard from various organizations regarding the work release program and alternative housing. She said they also had a, in 2006 a task force comprehensive study done on behalf of the Fayette County Prison. She said they also reviewed the proposal for renovations/construction of a new/extended county jail as proposed by Kimball and Associates. She said they also reviewed the proposal of Brennan Associates to build a new facility or expand the existing facility and that was in 2005. She said while she does not have any of the plans, the only thing that she does have is some numbers that said that Kimball and Associates had given around a \$7 million price tag for a 120-bed facility and then there was also a 110 bed facility that he had given and the third one was a phase two of the project after Molnar did his annex, the annex was done in 2002, according to the documentation that I have, the cost of

\$1.2 million for 80 beds. She said that was phase one and there was as phase two and phase two would have been either the 120 bed facility or a vertical on site which would have been 516 beds.

Commissioner Zimmerlink said she doesn't have any drawings, she has asked for drawings back in 2004, 2005. She said the only thing she has is that information and she has it in a memo that was dated back in 2006. Mr. Mazza said somebody should know how to get in touch with Rosemary Molnar. Commissioner Zimmerlink said that is what you need to do is look at what other options were presented. Mr. Mazza said he wondered because he never heard anybody mention it, besides me. Commissioner Ambrosini said, Mr. Mazza, one of the things they need to recognize is that even though there was studies done and there was architectural drawings or artist conceptual drawings, but there was never a contract issued to an architect that says plan the jail. Mr. Mazza said he didn't say that, but he saw them. Commissioner Ambrosini said that is why there are no detailed drawings because there was never a contract issued to an architect to make the drawings. Mr. Mazza said he is sure Michael Molnar didn't do it on his own, someone had to OK it. Commissioner Zapotosky said he will check with Kimball too because as Commissioner Cavanagh had eluded to Kimball was involved in some way, shape or form, correct Sean?

Mr. Cavanagh said correct. Mr. Mazza said like I said, I think somebody should get in touch with Rosemary Molnar and find out if she is in possession of the drawings, of the architectural drawings. He also said he wanted to ask if he is planning to have a prison work group meeting on Friday. Commissioner Ambrosini said that will be rescheduled because he has a conflict. Mr. Mazza said, you are still going to have a meeting with the prison work group. Commissioner Ambrosini said yes, with his original work group. Mr. Mazza said that means you're not convinced that almost the whole county is not in step with you building a Taj Mahal. Commissioner Ambrosini said he will discuss whether they will have any future meetings at that meeting. He said he owes those people at least one more meeting, simply because they spent two years of their lives working on a very comprehensive and well thought out design that will certainly, if implemented, will save taxpayers money. Mr. Mazza said they are obsolete.

Commissioner Ambrosini said they used every, it was a huge collaborative effort with every agency in the county that touches the judicial system including working with the highly regarded architect and engineering firm to devise probably a model for the whole state in fact. Mr. Mazza said you are very much out of touch with the public because most of the public thinks the whole thing was a farce. Geraldine Mazza said he thinks the commissioners should amend the agenda to do away with Mr. Ambrosini's working group, we don't need them, that is not their job, he appointed these people on his own and Mr. Ambrosini, you have done a lot of things on your own without a vote from the other two commissioners and you have gone ahead and done these things and she finds it ironic that your attorney Marie Jones, in court, told the judge that a single commissioner has no authority to act in official capacity.

Commissioner Ambrosini said Mrs. Mazza, I am pretty sure that Marie Jones, attorney Marie Jones was not referring to me when she made that statement. Mrs. Mazza said she was, she said the allegation that Al Ambrosini was acting in his official capacity, now who was she talking about, isn't your name Al Ambrosini? She said a single commissioner has no authority to be acting in official capacity, it's in the paper. She said the judge, let's see what judge was this, Judge Joy Flowers Conti, and it was recorded in Pittsburgh. She said so everything you have done on your own is null and void. Commissioner Ambrosini said that has to do with an ongoing case so he isn't going to respond to that. Mrs. Mazza said it can't just apply to one thing, one item, it applies to your whole administration, anything you have done on your own you have to authority to have done without the other two commissioners OKing it. Commissioner Ambrosini said the fact, and his is sure she is eventually referring to the prison project, the fact is. Mrs. Mazza said anything on any project on anything you have done without getting permission from the other two commissioners, I don't care if it was to tell somebody to sweep the floor. She said anything you

have done on your own, it's no good, you can't act that way, we have been trying to tell you that for three years.

Commissioner Ambrosini said Mrs. Mazza, just so you know, on the prison project particularly, there was a unanimous minus one vote with a six member prison board that voted to go ahead with the new prison and then every step along the way there were, when we needed commissioner approval, we got that. Mrs. Mazza said you haven't gotten commissioners approval for a lot of things you have done AI, there are a lot of things you have done that you never even told anybody you were doing it. Commissioner Ambrosini said Mrs. Mazza, let me inform you of the facts, in July of 2012, my first term, and I think it was a Friday July 13, I sent out an e-mail to pretty much everybody in the county and asked that they volunteer to be on the prison working group, including my two colleagues here. After comments from a couple people that they didn't get e-mails, Commissioner Ambrosini said you are not employed by the county.

Commissioner Zapotosky said he wanted to point out that the Herald-Standard, along with the Solicitor for the PNA, was quick to advise us that was in violation of the Sunshine Act. He said if they would have participated. Mrs. Mazza asked if Jim Killinger got an e-mail. Commissioner Ambrosini said he didn't get one, he read it in the paper. Mrs. Mazza said is he an employee of the county? Commissioner Ambrosini said he has invited members of the community with any skill sets that might contribute toward the design and development of this facility and there was a number of people that volunteered. He said not only did they have the key agencies in the county involved, we also had some very talented people in the community that contributed positively toward us developing a very comprehensive plan for our justice and rehabilitation center. Mrs. Mazza asked if he put in the paper, asking for volunteers. Commissioner Ambrosini said in was in one of the reports, an article in the newspaper, to explain what we were doing.

Commissioner Ambrosini said the other thing is, this committee the was formed, it simply was a project working group that you typically do to successfully accomplish tasks. He said it is developed for the purpose of acquiring information of all the different options that we could possibly look at for this needed facility not only for the two aspects, the overcrowding problem and the inefficiencies that we currently experience in our existing facilities, but also what can we do to help reduce recidivism, what programs can we implement inside the walls of this facility to help, for example, the 30 percent of our inmates that have behavioral health problems. Mrs. Mazza said you don't have to sell me on your plan AI. She said who put these people on this board? Commissioner Ambrosini said they were all volunteers. Mrs. Mazza said, and you took every volunteer that came out? Commissioner Ambrosini said every one. Mrs. Mazza said did the other two commissioners OK these people to be on this board. Commissioner Ambrosini said it was a working group, they don't have to. Mrs. Mazza said you can't have a board on your own, I just told you. She said a county commissioner has no authority to act in an official capacity on his own, so you had to get their OK to have this working group.

Commissioner Ambrosini said no. Mrs. Mazza said yes. Commissioner Zapotosky said it wasn't sanctioned by the board, he put the group together to formulate a plan for what was the criminal justice center. Commissioner Zimmerlink said it was sanctioned by the prison board, they voted on it, just so you know. Mrs. Mazza said since when does the prison board run the county. Commissioner Zimmerlink said I'm just telling you what he meant by unanimous minus one. Mrs. Mazza said she knew what he meant but the prison board doesn't run the county, and this is a county group and they have no authority to tell the commissioners what to do and how to build a prison or what kind of prison to build. She said you said in the beginning you organized to find land, once you found land that should have been the end of it. She said you voted here last October to meet with the other two commissioners and form a working group to plan the prison and as soon as the meeting was over you walked up to Mrs. Zimmerlink and said it would never happen and it didn't. She said she heard him because she was standing right there where Mr.

Cupp is sitting. She said you voted to have the meeting because you were forced into it, you were afraid to back down in front of the audience.

Commissioner Ambrosini said who else would be appropriate to design how a prison is going to be built other than all the stakeholders including the professional architects and engineers. Mrs. Mazza said the three of you together should hire the architect and hire the designers and stuff, the three of you should decide what goes into the prison and what does not and where the prison should be. She said you can't do it on your own because your own attorney said you can't do it on your own. Commissioner Ambrosini said before anything is voted on, everybody has an opportunity to have input. He said he is having a little trouble following her reasoning because we have to depend on the experts to help us. Commissioner Zapotosky said on a brighter note, if I may, we had an official working group the other day, last Tuesday at 2 p.m. and he would like to thank those who took time out of their schedules, and he thought it was beneficial and they can hopefully build on that and come up with a product in the end that is going to work and he wanted to thank all those in attendance, and it was a productive meeting. Mrs. Mazza said she heard it was very informative and when is it coming up? Commissioner Zapotosky said the fourth Tuesday at 10 a.m.

Commissioner Zimmerlink said just to, it's not a prison work, it's a commissioner's work session, and it's not here, it's at the courthouse, conference room. Mrs. Mazza said she hopes they start all over again, that's what the people of this county want and that's what they should get from their commissioners. Terry Kriss said he sees the silent soldiers here today, what is that all about? He said he sees a parade of employees. Commissioner Zapotosky said to his knowledge there was a union meeting with John Felice and some other parties and he is going to assume this was the byproduct of it, Marge, would you? Margie Yauger said the union is going to make a statement during public comment. Mr. Kriss said he appreciated the response, good luck on their endeavor, and apparently they are the only ones not given a raise by Mr. Ambrosini. Commissioner Ambrosini said he would like to remind everyone that we do have meeting rules and we do have a rule that we shall not personally attack anybody so I would ask that you abide by those rules.

Mr. Kriss said the prison work group failed, there were proven alternatives that exist that all your professionals that have all the knowledge but nobody else in the community knows squat, I think it is very unfair. Commissioner Ambrosini said there are other options, they are just not cost effective. Mr. Kriss said I am at the podium, please give me my respect. He said you had a selected work group and all you had in your gun sights were new, new, new, new. He said there was talk about a gentleman who drew something and he didn't do it for free, there is a file up there. He said Commissioner Zimmerlink has given us thoughts on putting up pods, they are called, so there are other alternatives. He said it seems like your group was focused only on one. He said that group had everything to gain by a new prison. He said nobody from the outside was invited in that working group. He said even when they had open meetings, you couldn't even ask a question, they were loaded, they were censored. He said there was no openness about that, your select working group was that, you wanted a new prison, damned be all, it didn't matter and we have proven that fact to you, have we not? He said there are alternatives, there are other ideas. He said that is the problem, you are still trying to sell us on this crap, we don't want a sales pitch no more, she is right, Al your sales pitch is old and stale, we don't want that no more. He said we don't want a Taj Mahal prison in Dunbar Township, get the message man.

Mr. Kriss said there are other alternatives. He said he sat at the February commissioners meeting where they crammed them at the commissioners room like sardines, you had to do it that day, had to buy it, I said that day we are sitting on the best piece of real estate for that jail right where we sat, and it's the truth. He said he doesn't care if you build vertical, horizontal or down in the ground, it doesn't matter to me, use the property. He said what is worse about this is what he is hearing through the community that there are judges out there saying that they don't want to look

out their window because they don't want to look at a new prison out their window, isn't that nice, I don't want to look out the Meason House and see one either. He said if that is a real excuse out there, shame on any judge to say such a thing as that, that's pure craziness and I hope it's not true but it is still ringing through the community. He said the property is there, build there, listen to some citizens, listen to your group or listen to your professionals, I understand your logic of hiring a pro to give you opinions and ideas but don't stack the deck and tell everybody else who is a player, you guys know nothing and your ideas are invalid, we have proven you different.

Commissioner Ambrosini said just to address at least one of your issues here, a while back you indicated we could buy the abandoned state facility for \$1 you said, well that dollar actually turned into \$20 million and it would have taken at least another \$20 million for renovations because it was not turnkey ready as you proclaimed. Mr. Kriss said he is only assuming and it is too late now. He said Al, I offered a viable, something of an alternative for the county, whether it was stupid or costly, that's OK, I don't care if you laugh at me but at least I had a thought as did many others in the community but it is always a laugh and a joke because your team knows all. Commissioner Ambrosini said you can try to discredit what I just said but the fact is I talked to the state and they told me they wanted \$20 million for the facility. Mrs. Mazza said what is your point? Commissioner Ambrosini said the point is that it was not a viable option. Mrs. Mazza said we are telling you that your plans are not good either and you are not listening to us. She said you didn't like his plan and we don't like your plan.

Commissioner Ambrosini said that's fine but here's the difference. Mr. Kriss said we don't have power and he does. Commissioner Ambrosini said, Mr. Kriss, the difference is we went through a professional process, professional studies, economic analysis with architects and engineers which basically prove that this is the most economical option. Mr. Kriss said you haven't proven that to anybody in the community and that is your problem, you can't prove what comes out of your mouth, you can't prove that. Commissioner Ambrosini said it is all documented. Mr. Kriss said they don't believe him. Mrs. Mazza said everything you say is a lie Al, we all know you lie. Commissioner Ambrosini said what is your credentials. Mr. Kriss said the same as yours, the same as yours, none. Commissioner Ambrosini said he isn't making the decision. Mr. Kriss said yes you are, you have made the decision for these two commissioners. Commissioner Ambrosini said he is relying on all the county agencies and the experts to inform us of what actually needs to be done. Mrs. Mazza said my expertise is common sense Al, common sense, which you don't have. Commissioner Ambrosini said he will ask that those comments, that some respect be garnered here in this meeting because they are the rules, let's not personally attack anybody.

Mrs. Mazza said you are attacking me. Commissioner Ambrosini said he is just asking what her skill sets are. Mrs. Mazza said common sense, common sense in 85 years of life. Commissioner Ambrosini said let's have one person at a time. He said Mr. Kriss has the podium. Mr. Kriss asked if they had any intention to end the contract with Crabtree or Sleighter. He said he is asking Commissioner Zapotosky, Commissioner Ambrosini and Commissioner Zimmerlink. He said number 15, are we going to have talks today about ending contracts with these two companies. Commissioner Ambrosini said the prison design is complete. He said so, if we are not going to build, and he said he personally would encourage his counterparts to reconsider this plan simply because it is very effective. He said the plan is complete, we spend over \$2 million. He said it is a great plan and we ought to continue with it. Mr. Kriss said the \$2 million that has been paid to Crabtree, and it is solely for design work, architect work, drawings, all that, it isn't hiring engineers and doing studies, it's strictly design work, am I correct about this, architectural work?

Commissioner Ambrosini said it is design work, all the packages are, also it's included in that cost is the development of all the bid packages which means that we are today ready to go out and ask contractors to give us costs. Mr. Kriss said with all these packages together, and as of today, he has been paid \$2 million today, is that correct? He asked if he has been paid all his

money. Commissioner Zapotosky said there were three options that were presented by Mr. Crabtree, the first was to do nothing, the second one was to refurbish the current facility at a cost of \$7 million and the latter was the construction of the new facility, in this case the Dunbar site, so that study has been completed. Mr. Kriss said there is no more billable time, we are all done here? Commissioner Zapotosky said he has some concerns and he is bringing them publicly, regarding the billable time that was paid when they did the due diligence at the fairgrounds site because that clearly was insufficient. He said he didn't want to disrespect anybody here, but water and sewage are two of the primary factors that come into building a house or building a 500-bed facility.

Commissioner Zapotosky said he has some concerns about that, under Section 9.5 of the contract, that might be something we can discuss. He said at this point he would give it to the solicitor before he makes any statement publicly. Mr. Kriss said are we caught up with these people or are there more bills coming. Commissioner Ambrosini said the bills that were submitted should be up to date. Mr. Kriss said OK, then all the work that he has done should be paid for. He asked if any of the three of them ever looked at his bills for this, he said if you are building a house and it says, blah, blah, blah, blah, blah and equals such. He said you guys cut checks for \$2 million. He said give me a time frame, was it 12 months or 18 months, from the time you started paying money to Crabtree, a year or 18, try to give me an idea. Commissioner Zapotosky said he doesn't know. Mr. Kriss said Al, you ought to know, give me an idea, 12 or 18 months, from the first day you cut a check to Crabtree, was it a year, September 2013 or March 2013, when? Commissioner Ambrosini said Crabtree did the economic analysis, that was a separate contract actually, and then after that we went through a process and looked at a number of, well we put a request for qualifications out.

Mr. Kriss said what month was that, was it a year ago? Commissioner Ambrosini said that was probably at least a year ago. Mr. Kriss said so you can say that Crabtree has been on the payroll for a year. Commissioner Ambrosini said probably closer to a year and a half. Mr. Kriss said, we'll say 18 months. He said he asked if any of the three of them ever sat and looked over any of these bills from Crabtree. Commissioner Zimmerlink said yes. Commissioner Ambrosini said we all have. Mr. Kriss said do you ever look at it, because he said he added up some numbers this morning. He said you guys make 50 grand a year, that is 1,000 bucks a week. He said when you look at Crabtree's time, 2 million bucks, that is \$500 an hour, an hour, for 40 hour weeks, 50 weeks out of the year for two consecutive years. He said knock that down, it is \$1,000 an hour for one year. He said put it in the middle, you are paying Crabtree 750 bucks an hour for 18 months to hit \$2 million. He said he doesn't know of a person in his world that draws that kind of money sitting down drawing. He said he isn't kidding, the President, the three of you 50 years at the going rate, you are paying by the day. He said \$1,000 an hour.

Mr. Kriss said guys, how do you look at bills of \$2 million for one year and just for drawings, no equipment, but you are going to spend 2 million bucks in a year in good conscious, where is my money going here guys? He said honestly, has anybody ever broke it down this way? He said \$1,000 an hour. Commissioner Ambrosini said it wasn't an individual, it was a company and there are multiple people. Mr. Kriss said how many multiple to earn a grand an hour Al for sitting down drawing. He said you said he is the leader in the industry, I bet he is, he sat down, revamped it and billed you like a guy in a candy store. He said \$2 million later, and you can in good conscious tell me, yeah I signed my name for all this stuff for drawings. He said he asked are they going to end the contract with Crabtree and Sleighter. Commissioner Zapotosky said as I said Mr. Kriss, that is something that I would prefer to discuss with legal counsel because of the ramifications that could follow. He said section 9.5 indicates that we do have the ability to terminate the contract, however it would be subject to potential negotiation and without the advice of counsel I don't want to publicly go on the record.

Mr. Kriss said so unfortunately in our case, the referendum group and me and my wife's case rolls on here because we are going to drag our feet. He said the three of you and the court system is going to let us in this room do your dirty work by putting the kybosh on this prison. He said it is going to take a Westmoreland County judge to say no to this crap so everybody can use a skirt to hide here, a Westmoreland County judge said it instead of you three pulling the plug and doing what you need to do to get this mess off your hands, getting down to real business and doing what you need to do. He said design what this county really needs, build what this county really needs. He said we are wasting our time and money, I don't want to keep coming here month after month begging and pleading with you three on this crap and I don't want it in my backyard, period, you all know that. He said he congratulates you for trying to do something here but let's do it. He said so far he is seeing mouth but he isn't seeing action, it's costing him money and one last thing, the last time he brought up the subject with Heid going on her own and filing an intervention on her own and costing me money, I didn't like that. He said you three told me you gave her no approval to do so, do you still stand by that word?

Commissioner Ambrosini said he thinks there is implied approval that the solicitors for the county should watch out for the county. Mr. Kriss said there is no implied thing there no, no, no, no, this is a woman who went on her own under no authority, chasing me a private citizen in a legal matter, with zero authority, none. He said you three admitted you gave her no authority. He said Vince, you said you didn't believe it when she got the word from Cupp. He said those were your words, you said somebody had to give her a directive and I agree with you 1,000 percent, somebody did give her a directive and it ended up costing you money. He said he wants repercussions for either this guy here or Heid, I don't want people jumping into my legal business with no authority. He said when he asked this gentleman for legal help, he writes e-mail that say, no I advise you to not get involved, his guy is like the Energizer Bunny who just keeps coming back to life. He said he saw that e-mail, it was very disrespectful to him as a person who is operating a historic entity in this county. He said for you to say to me or a fellow commission, to hell with this guy, let him sit there on his own and rot on the vine, he's the Energizer Bunny who won't go away, I'm not going away.

Mr. Kriss said you got it, 35 years, I'm not going anywhere. He said he doesn't like to be ridiculed by anybody. He said he is only standing up for something he is proud to believe in, not to be ridiculed. He said Heid and cupp need something to happen for jumping into these people's case and mine without authority, I want something done. He said if you don't do it, he will do something on his own, he doesn't want this solicitor jumping into my business on their own. Commissioner Ambrosini said they are responsible to protect the county. Mr. Kriss said they need your authority, they can't do that on their own. Commissioner Ambrosini said he disagrees. Mr. Kriss said he has an attorney who disagrees with him and he isn't an attorney. Commissioner Ambrosini said no, but he concurs with their efforts to protect the county. Mr. Kriss said sure you do, I believe you do, because you instructed her, that is why you are concurring. He said he wants something done, Commissioner Zapotosky, Commissioner Ambrosini, Commissioner Zimmerlink, I want something done for these rogue actions by these people. He said when he needs help and is begging for help he can't get it for putting up with the crap around my house but when we get a county prison, no problem Mr. Kriss, we'll step right into your legal business. He said he doesn't want to comment, he wants to know what they are doing with this, Vince what are you going to do with the Heid situation for doing what she did? He said anything, or are you just going to blow it off and it don't matter. Commissioner Ambrosini said he is probably going to thank her for protecting the county.

Commissioner Zapotosky said he didn't want to give his this, but this is a part of the process. Mr. Kriss asked if he understood his position. Commissioner Zapotosky said that he did. Mr. Kriss asked if he thought that anybody in the room would like the county stepping into their legal matters when they are not authorized to do that, commissioner? Commissioner Zimmerlink said in order

for her to answer that question she has to back up. She said she will ask Solicitor Cupp, did you direct Solicitor Heid to file an intervention on the zoning hearing case on behalf of the county for both cases, the Hovanec and other case and the Kriss and other case? Solicitor Cupp said they had a discussion on that. Commissioner Zimmerlink said she didn't ask that, did you direct her to do it? She said the three of us said we did not give her direction, did you direct her to file it? Solicitor Cupp said his recollection is that he didn't direct her, he let her use her own judgment.

Commissioner Zimmerlink said that Solicitor Heid said at the last meeting that she got the direction from Solicitor Cupp, the point being regardless of whether it is Solicitor Heid, Solicitor Cupp, direction, indirection, all of that should be reviewed prior to taking action with the three county commissioners and then majority rules but I can tell you and I'll tell the public that at no time did any of the three county solicitors review, discuss any intervention with me prior to taking that action and that should not have occurred. She said whether or not any of them discussed it with the other two commissioners, I believe that they have already been on record that says that they did not but you have one commissioner who said that it is an implied approval and it is not an implied approval. Commissioner Zapotosky said the only case example is the windmills in which we did have to vote to intervene. Mr. Kriss said that is his point, the commissioners did use their authority, correct, so there is a precedent set, you can't say this is the first time you have been down the road. He said these are seasoned attorneys, seasoned veterans that have worked for this county that know the whole deal, this is another example of whoever has the power, that's the direction we go today, and damned be the public, that being me, and I'm tired of that game.

Commissioner Zimmerlink said she will answer, she will respond to the other statement that you made on the Crabtree, Sleighter invoices and things of that nature, she is the one who placed the item on the agenda, so she is the one who wants to review it, she is the one who has been on record saying that we need to explore other options so obviously I am going to explore other options and also she did not approve entering into the agreements and although she read the bills and shook her head when she saw the billable hours, her name did not go on the requisitions. She said so it's not, the commissioners, OK, Zimmerlink did not approve it. She said the second question is will we terminate any agreements. She said she needs some information from the solicitors and she will get the information via a review from them and they will discuss that when the item comes up on the agenda, one of things that they need to discuss is not only the Sleighter and Crabtree agreement, but the agreement of sale and resolution that was passed to purchase the property for \$1.25 million at the Dunbar Township Business Park.

Commissioner Zimmerlink said there is a due diligence period and she needs to find out from our solicitor if the county has met that due diligence period and I believe the answer is no because it was signed in April and 90 days and we are well past 90 days so what effect does that have as far as the commissioners and the responsibility if you have to move forward with the agreement of sale and the other thing is there is a pending case, there is a zoning case, as we all know and actions that later not be taken on behalf of purchasing that property obviously we have to look into that because I would ask Solicitor Cupp right now would you as the solicitor give recommendation to the county commissioners to pursue the agreement of sale because, given the fact that there are two zoning appeal cases before the courts? She said if they came to us and said it's past the due diligence period, please you need to schedule the closing and they presented that to us, what would your opinion be at this time given the fact that there are two zoning cases.

Solicitor Cupp said he thinks that the question she is asking is if we have done our due diligence. He said they have pursued the legal remedies to the extent that they are available in the system, in other words we filed the application, and I realize that is not a legal question, but we filed them and they are being processed through the court system so that would give us more time to do what we need to do to close. Commissioner Zimmerlink said let me finish my question, OK. She said she understands the due diligence part, her question is would he recommend that the county

sign, begin the closing process of the real estate given the fact that you have two zoning appeal cases, the purchase of the property is contingent on those two cases for a special exception, the courts have not ruled, so if the county purchases that property, if we move forward on it, depending on the outcome of the zoning hearing cases it could have a negative impact on our purchase, is that not right or not, so what would you suggest we do so far as.

Solicitor Cupp said he thinks that everything she said is accurate and if we were to close before the cases were determined we would run the risk of not purchasing what we wanted to purchase. He said does that answer your question? Commissioner Zimmerlink indicated that it did. Commissioner Zapotosky said he wanted to ask a question. He said the two zoning matters before the courts, those were voted on by the board of commissioners? He said he knows the answer to the question, it's no. Solicitor Cupp said he isn't sure he understood the question. Commissioner Zapotosky said did we vote to file the variance or special exception. He said he knew the answer to the question, he was, would that not in itself raise a legal issue as to the validity of those respective actions? Someone from the audience said it would make it null and void. Commissioner Zimmerlink said let's back up. She said a question is being asked to the solicitor, so can we have the solicitor speak please.

Solicitor Cupp said the answer to the question is whether or not there was an agency on the part of the applicant who has signed the applications, and that is the legal question, one of the legal questions that is before the court. Commissioner Zapotosky said what is the agency, may he ask? Solicitor Cupp said sure, one person who is a member of a board can act as an agent of the board. Commissioner Zapotosky said if given authorization to do so. Solicitor Cupp said that is another interesting question. After Commissioner Ambrosini asked if anyone else had comments on agenda items. Marybeth Homistek said she wanted to ask the Controller, but since she wasn't there, did they know how much it cost, the usual is \$200,000, but we really don't know the cost, it's really only 60 or 70, but we don't know the cost of gas, have you found out yet, does she know, do you think if she comes later she will have the data, how much exactly is spent per month for the rentals. Commissioner Zapotosky said she won't be here today. He said they posed that question at the commissioners work session Tuesday to Warden Miller to give us a concrete number as to out of county rentals over a period of time because that tells us where our shortfall lies regarding the amount of beds we need and we were tossing around 100, 150, that was our number that we need to meet to satisfy the population issue.

Commissioner Zapotosky said many were saying, 40, 52, he was going back and forth so we have yet to get that, I know I haven't gotten that average and that is what you've got to base it on. Ms. Homistek said some of the myths out there and lies and it is just pounded in everybody's head that it is costing us \$200,000 a month, which is not true. Commissioner Zapotosky said he thinks it was \$200 a day. Ms. Homistek said the statements over the past year, Mr. Ambrosini said it is costing us \$200,000 a month. Commissioner Ambrosini said it is \$200,000 a month, but it is not only for out of county rentals, it's for the inefficiency, the way we operate our facility now, so it's a combination of everything, if we build the new designed prison, we can save that money and more, by the way. He said more, because we can actually increase our revenues, for example. Ms. Homistek said that wasn't her question, her other question is, Mr. Ambrosini, you always ask Mrs. Mazza what her credentials are, and her expertise, I recall about six months ago, you asked cousin Evelyn if she had a plan for the prison and she probably could have come up with one by now and it would have been a viable option.

Commissioner Ambrosini said cousin, for full disclosure, Dr. Evelyn Hovanec is my second cousin on my mother's side. Ms. Homistek said everybody knows that since you called her cousin Evelyn. Commissioner Ambrosini said she is actually my second cousin on my mother's side and I love her dearly, she's a nice lady. Ms. Homistek said you were there at her most recent illness. Commissioner Ambrosini said let's not get personal, continue. Ms. Homistek said since we are

now at ground zero with the debacle at Dunbar, this is a new beginning, why don't we all stop and start fresh and everybody have a voice and get working on it and let's just forget about the mistakes at Dunbar because it's not going to happen. Commissioner Ambrosini said there were no mistakes. Ms. Homistek said you didn't do a grid, everything was wrong there. Commissioner Ambrosini said the only people being defeated here are the taxpayers.

Sean Cavanagh said he was speaking on the prison issue. He said first of all, it was very good that Commissioner Zapotosky and Zimmerlink talk to Kimball, they have plans. He said Rosemary Molnar, Michael Molnar did die, he did make plans, and he will address that more, the best thing is to know what is out there. He said in Friday's letter to the editor, Commissioner Zimmerlink laid it all out there, and it is pretty common sense. He said Commissioner Ambrosini, there is a word out there called tunnel vision, ethnocentrism is the word in anthropology, self-centered thinking and group think. He said group think is yeah we can do this, we can do this, we can all jump off a bridge, everybody is going to be OK, and we are convincing ourselves we are going to be OK. Commissioner Ambrosini said Mr. Cavanagh, let's try to keep it professional. Mr. Cavanagh said he is being very professional, he learned that from Professor Wamsley at California University, an anthropology teacher, God rest his soul. He said he is going to talk about your comments, Commissioner Ambrosini, who did an economic analysis. He said the prison working group wants to build the finest facility in the state. He said for economic analysis, he asked his 9-year-old if you take the jail, all those workers who park here, who eat her, all those visitors, that is really going to be a devastating impact on the downtown. He said Uniontown is the county seat. He said I don't care if you look at me, let me finish, Uniontown is the county seat, it is the heart, it is the heart of the entire county. He said the entire county is important, but the county seat, we can't have it looking like Monessen. He said we don't want to keep losing stuff from the city of Uniontown.

Mr. Cavanagh said, back to it, we can build the finest state of the art facility in the state, you are not listening Commissioner Ambrosini, you do not have Commissioner Zapotosky's support, you are not going to get it from his vote, he's not going to reverse, he would be insane. He said Mrs. Zimmerlink has been consistent throughout the entire process. He said you, you want a new jail, this is your signature thing that you are building your whole administration on and it is not a good thing. He said to say that we want a Taj Mahal, Fayette County can't afford the most state of the art prison facility. He said in the 67 counties in the Commonwealth of Pennsylvania, he said I don't know if you get it, most of the people who are in Fayette County are middle class, poor, senior citizens, that's a fact, we all know the statistics of Fayette County. He said he said it before, mama said it, and my mom wasn't a rocket scientist, but she did have some common sense, you can't have champagne tastes with a beer pocketbook. He said he bets everybody in this room would love to build a brand new mansion, would you like to, but can you afford to? He said you can't afford to, but can you fix up what you have?

Mr. Cavanagh said maybe you can put an addition on what you have. He said now you, you are a retiree from Allegheny Power, you have a good pension, you are also employed by the county and make money. You personally are better off than the majority of the people in Fayette County, you personally, and a great leader, even Teddy Roosevelt understood you have to help the people, he busted up the trusts, the elite, Rockefeller, Carnegie, he busted them up, he stood up for what this country is all about. He said you need to stand up for the people you represent. He said clearly it all comes out in the end who you represent. He said when he was county commissioner, first elected in 1995, I was pressured to build a jail. He said he was pressured by many forces. He said he told them to pound salt, it wasn't his biggest issue that he was concerned about. He said he got elected and worked well with Vince Vicites and Ron Nehls and we floated a bond, which was brought up last month. He said the first thing they did was build a Children and Youth building. He said they built a mental health building, but those things needed to be done. He said we reassessed the county, it wasn't done since the 50s.

Mr. Cavanagh said they worked to expand the airport and they worked to promote tourism. He said they took a 600-acre county farmland and turned it into one of the finest industrial parks, it brings in over a million in tax base a year, an economic generator, a prison doesn't do that. He said to say we didn't address the issue, we did hire Kimball with Michael Molnar, there are plans and he is glad that two of the commissioners are going to go in and look at that and we built an annex to alleviate the overcrowding. He said there is no doubt that the prison needs revamped but just as Commissioner Zapotosky said earlier, Crabtree out of his own mouth, said a million dollars, \$7 million, \$45 million, they need to do some additions, something, the math doesn't work. He said you talk about that you owe the prison working group, who you really owe is every citizen, be they Republican or Democrat, independent, whatever their party is, a fair, like Roosevelt says, a square deal, you have to give them a square deal. He said you had it in your mind, I want a prison, I want a prison, and this is what I want, you are not getting it. He said the other two commissioners are not going to let him.

Mr. Cavanagh said he thanked the prison working group, he thanks them for their effort, he said the prison working group right, it's the county commissioners working group. He said he thinks if those gentlemen and ladies want to stay on it, they should stay involved, if they are volunteers and they are patriots and they want to do what is right for Fayette County, they should continue to come to those prison group meetings and provide it, but they have to understand the parameters now, the game has changed, Mr. Zapotosky changed the game because that is not going to happen so what we are asking, what we are demanding is that we are not going to sock it to the taxpayers of Fayette County and don't give them these great tax increases, live within our means, so, again, ethnocentrism, tunnel vision, blinders, whatever you call it, you are trying to continue to sell your shtick, your shtick ain't working, your sales pitch, you cannot close the deal, the deal is over. He said now, at the beginning of this administration, you talk about Westmoreland County is going to make the decisions, you hired a Westmoreland County solicitor, you slapped every attorney in the face in Fayette County, and now, now the beauty thing is you have a \$5,000 platinum fundraiser in Champion, PA at the mountain retreat where you have filet, rack of lamb and sea bass, you're not even having your fundraiser in Fayette County.

Commissioner Zapotosky said last week he got an invitation and he called late, he attended the Uniontown City Council meeting and they voted unanimously to support the project as it progressed within the confines of the city so we do have the support of city council. Mr. Cavanagh said again, the economic impact, personally, I live here, I pay taxes, I have kids here, we are all stakeholders here, we don't want our county seat to get any worse, we want it to improve and get better, so reality check is here, the game has changed, the other two commissioners have provided leadership through the prison working group, live within your means and look at all the alternatives, look at the Kimball plans and the Molnar plans, it might have saved you over \$2 million in engineering fees, which went down the drain, and quite frankly I am sick and tired of it, but today's meeting clearly showed Commissioner Ambrosini, you are on your own planet, you said you are a pilot and flew, I don't know what you are doing up at 30,000 feet but get your feet on the ground, listen to the people you work for, the taxpayers, and do what's right. "The time is always right to do what's right," he said.

Commissioner Ambrosini said first of all, the place where I am having this dinner is in Fayette County. He said the other thing is when you were a commissioner, and you did the reassessment, was that popular, did the people really want that? He said he is pretty sure they did not. He said sometimes we need leadership, as you well know, you have to do things that aren't maybe politically correct or even popular. He said the fact of the matter is that there is an economic study that shows that we will actually save taxpayers money by putting a more efficient facility in place over what we have now. He said he would encourage you and everybody to go online, this economic study has been on the county website for over a year and he would encourage people to look at that. He said his efforts are to take care of 136,000 people in Fayette County. He said

he doesn't worry about special interests. He said he worried about saving the county's money, the county taxpayer's money. Mrs. Mazza said that is why you threw \$2 million down the drain. Commissioner Ambrosini said he didn't throw it down the drain.

Commissioner Ambrosini said the fact of the matter is when he decided to do some public service, he didn't do that because he needed money, he said he doesn't need a job and he is in a unique position that he doesn't have to worry about whether he gets re-elected or not, that is not important to me. Mrs. Mazza said does that mean you are not going to run, yeah, you are not going to run, it would be nice if you signed a letter of resignation. Commissioner Ambrosini said please, Mrs. Mazza, please, so the unique position that I am in, I get to suggest and recommend what is good for the taxpayers of this county. He said when he worked for Allegheny Power, and Mr. Cavanagh mentioned that he worked for Allegheny Power, whatever they did, whether they upgraded new systems in a new power station or built a new power station, whatever, as long as the numbers worked out where we provided a benefit to the stockholders, then that is what we did. He said there was no popular demand or whatever, it was what worked out for the stockholders. He said when he moved into the public sector, it's really very similar, if he is doing something in the public sector and it benefits the taxpayers, we should do it. He said there really is no difference. Mrs. Mazza said you haven't done anything to benefit the taxpayers, Mr. Ambrosini.

Commissioner Ambrosini said that is an opinion. Mr. Cavanagh said about the reassessment, it wasn't done since 1956 and we had three county commissioners to vote on it. He said nobody ever wants to do a reassessment but you have to be fair and they took all over the county and had meetings all over the county and talked with people and people had opportunities to appeal and do different things, so it definitely wasn't the most popular thing but let me tell you, you can't get to second base with one foot on first. He said your other two commissioners are not letting you proceed with this project, so I agree. He said you have to make tough decisions and sometimes unpopular. He said that you say you are not worried about getting reelected and then you are having \$5,000 a plate platinum dinners, it's both sides of the thing.

Commissioner Ambrosini said it doesn't mean he isn't going to run, it just means I'm not worried about it. Mr. Cavanagh said that you said you aren't worried about it because you are comfortable as you said and you don't need the money and this and that, and again I appeal to you, that the citizens that you represent, one of the poorest counties in the state, middle class and senior citizens, and they don't have your resources and they can't afford to keep paying these property taxes, so let me just tell you, economics, \$40 million and a lot of people think that would escalate to \$100 million. Commissioner Ambrosini said it was actually 32. Mr. Cavanagh said that Commissioner Zapotosky said \$7 million for a remodel and then an addition, so really, you are not in reality, you spend \$40 million or \$7 million, what is going to hurt the taxpayers of Fayette County? He said you don't understand.

Commissioner Ambrosini said no, you don't understand, and I will tell you why, first of all it is \$32 million, not 40, and if you renovate the existing jail for 7 point some million dollars, you are reducing the number of beds to meet code. He said you are not going to increase it, you still need to do an addition and a vertical addition is going to cost more than a horizontal building. Mr. Kriss said less than your Taj Mahal. Commissioner Ambrosini said Mr. Kriss, please. Mr. Cavanagh said you are not addressing the issue, you have to put in sewage, you have to put in roads, you have to put in the infrastructure, you have to take out all that pyrite, then you have to put the soil back in, then you have to compact it, how much will that cost and not one brick was laid. He said you got \$2 million in fees and that hasn't paid for a sewage update, and that's not all the grants and all the different things. Commissioner Ambrosini said it is still a cost savings.

Mr. Cavanagh said he knows the other two are not going to go for you and now it should be your responsibility to do something very responsible and let's move on because I am sick and tired of

talking about a prison, I want to talk about economic development, tourism, making our county great, not just building a jail , he said quite frankly, most people in jail aren't the nicest people, we don't need them to have a Taj Mahal, we have to have good quality care and stuff but they don't need to live in a Taj Mahal. Commissioner Ambrosini said the question about, and that is a word he keeps hearing, the Taj Mahal, the fact of the matter is, this facility just like all jail facilities, or most jail facilities, are just going to be concrete floors, painted concrete block walls, the cell sizes are set by the federal government, you have two bunks, you have a stainless steel facility with no toilet seat, and a little bowl and that's that. Mr. Cofchin asked why it costs so much money then. Commissioner Ambrosini said it is just the cost of construction. Commissioner Zimmerlink said the courtroom is not brick with no toilet seats, so it is more than \$32 million, but if we could move on to continue with the public comment on agenda items, before you go to the next person, I just want to make two comments on Mr. Cavanagh's statements.

Commissioner Zimmerlink said one, you stated about the volunteers of the prison working group and I know that he used that word volunteer because you heard that from Commissioner Ambrosini today and even prior. She said the prison working group consists of paid county employees, OK, so when they are there at 9:30 in the morning to 11:30, they are not volunteers, they're paid. "So let's get that out, OK," she said. Commissioner Zimmerlink said that is not to take away from any work that they may or may not have done, but if you are going to talk, the fact of the matter is, and the fact of the matter is, those were paid employees. She said there are at least to her recollection, and she has it there if anyone wants it, it's a public document, who the prison working group members were. She said some came, some didn't, to all of the meetings. She said that you had, to her knowledge, there were three citizens, OK, OK, three citizens, were they paid, I would think not, they were not paid, one Mr. Killinger said that he volunteered his time. She said there were two others and the others who may have been direct county employees, like behavioral health, CYS, EMA, prison, sheriff's office, she said the other ones were from offices that were paid by county and/or state funds, meaning they were paid, OK, and they were from Community Action and some other agencies. She said so the volunteers as she just said were about three of them, the rest were paid.

Commissioner Zimmerlink said the second thing is Commissioner Ambrosini said about this economic study that was done, when you say economic study commissioner, are you referring to the prison needs study? Commissioner Ambrosini said he is referring to the Crabtree Rohrbaugh economic financial study that was done about a year and a half ago, almost two years ago. Commissioner Zimmerlink said is it on the website, OK, the prison needs study, that is what it says, it doesn't say economic study. Commissioner Ambrosini said but it is a financial study. Commissioner Zimmerlink said so everyone knows, how they were selected is the wrong way because there was no RFP done. She said the Crabtree Sleighter, who performed the study, just happens to be also those who were awarded the architect and engineering contracts. She said secondly, she didn't hear the question, pardon me, the prison needs study, the prison needs study. Commissioner Zapotosky said that was the one where you did the scoring, correct Commissioner. Commissioner Zimmerlink said was it architect, she said do you have all your things there and maybe somebody could look it up because I don't think there was ever a, do you, let's ask the chief clerk.

Commissioner Zimmerlink said did you ever put any request for proposals for the prison needs study. Chief Clerk Revak said no. Commissioner Zimmerlink said no there was not. Commissioner Ambrosini said that he said that there was a proposal, back up, she said what she said was there was not a request for proposal done, there was no competitive bid, no proposal sent out by all these individuals to say I'll do this for x amount of dollars, OK, is that not right, that's right. She said, OK, so. Commissioner Ambrosini said there is no need to do one. Commissioner Zimmerlink said the question was whether it was done or not done, it was not done, OK. She said someone contacted somebody, OK, they wrote a letter and they were selected. She said now, after that was

done, the resolution said, that was passed with a 2 to 1 vote, unanimous minus one, for \$24,000. She said that is not what was paid. She said in the minutes it specifically even said, Commissioner Zapotosky asked Controller Lally if this was recommended and also asked Commissioner Ambrosini, is that a solid amount and the statement was yes. She said go to the Controller's office, go to the Chief Clerk, and the amount is not \$24,000, it was \$30,000 but the resolution says 24. She said so, again, just so everyone understands, it's not an economic study, it's a prison needs assessment, it is online, it said \$24,000, and \$30,000 was paid, it was not RFQed, whether you think it should have been or not, it was not, and the same people who did the study were awarded the contracts.

Commissioner Zimmerlink said the reason she is saying this is to follow up on what Mr. Cavanagh had made a comment about the study and what Mr. Ambrosini said, that's the only reason I mentioned it. Mr. Cavanagh said thank you for responding to me. He said the population of Fayette County in 1995 was I think 146,000, and what is the population now? Commissioner Ambrosini said 136 (thousand). Mr. Cavanagh said the population is declining and I understand crime does increase, but that has to be factored in, a declining population to in all this decision making of how many beds and all that. He said thank you for your time. Commissioner Zimmerlink said they can move on to the next public comment on agenda items. Margie Yauger, the chief steward for SEIU 668, said she just wanted a few minutes to make a comment/statement on Item Number 11, human resource department, in general. She said SEIU 668 members were here today in a silent protest. She said they are the sheriff's deputies, the FACT drivers, the 911 operators, the clerks in the courthouse, the maintenance workers and the magistrate secretaries. She said if you are dealing with any department in the county, most likely you have dealt with SEIU 668. She said the union has been in negotiations for over a year with the county and county representatives have been difficult to deal with.

Commissioner Ambrosini said he is going to have to ask her to wait until the end during general comments because what she is talking about is not on the agenda. Ms. Yauger said it is with the human resource department in general. Commissioner Ambrosini said it is not a specific agenda item, I'm sorry Margie. He asked if there were any additional public comments on agenda items and seeing none, moved on to the agenda.

Fayette County Redevelopment Authority

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to authorize the Fayette County Redevelopment Authority to revise the Homeless Prevention component of the four-year ending 2011 Emergency Solutions Grant (CDBG) Program as follows: under services, original budget \$33,950 to a revised budget of \$28,178.96 and under rental assistance, original budget \$25,875 to revised budget of \$31,646.04.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making the motion, Commissioner Zimmerlink said she would read it slow because after the agenda meeting, they received an e-mail from Andrew French, but it was after the agenda was printed.

Assessment Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to send five assessors to a Laurel Mountain Chapter Meeting in Somerset County for 3 credit hours of continuing education class. The training sessions will be held on September 19th and the cost per assessor is \$10.

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>		
NHS Pennsylvania	\$1,914	5/26/14-6/30/14
<u>Modification Agreement #1 2013-2014</u>		
Arc, Fayette	\$435,305	7/1/13-6/30/14
Crosskeys Human Services, Inc.	\$1,181,359	7/1/13-6/30/14
Integrated Care Corporation	\$85,000	7/1/13-6/30/14
Pathways of Southwestern PA	\$148,000	7/1/13-6/30/14
<u>Modification Agreement #2 2013-2014</u>		
Laurel House, Inc.	\$601,783	7/1/13-6/30/14
<u>Base Contract Agreement 2014-2015</u>		
Adelphoi Village	\$43,172	9/1/14-6/30/15
NHS Pennsylvania	\$19,906	7/1/14-6/30/15

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 advertise for bids for the lease of one 2015 Ford Explorer 4WD (or equivalent model) for Fayette County Behavioral Health Administration to replace a vehicle that is nearing lease end.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Children & Youth Services

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the attached Memorandum of Understanding with the Administrative Office of Pennsylvania Courts, CYS and Fayette County for a \$4,000 grant for a joint project for education between CYS staff and judicial staff for county youth.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

**Memorandum of Understanding Between
Administrative Office of Pennsylvania Courts
and Fayette County
September 2, 2014**

I. Parties:

This is a Memorandum of Understanding (MOU) by and between the Administrative Office of Pennsylvania Courts' Office of Children and Families in the Courts (hereinafter referred to as "AOPC") and Fayette County (hereinafter referred to as "County"). The Court Administrator of Pennsylvania and a designated County Official shall execute this document on behalf of the parties to the agreement.

II. Purpose:

This MOU shall serve as the agreement between AOPC and the County regarding the provision of a grant from AOPC to the County to pay for a Permanency Practice Initiative (hereinafter referred to as "PPI") educational workshop. The County will host one PPI educational forum that targets an array of community participants and highlights/strengthens, through data and programs, the mission of the PPI. The purpose of this MOU is to memorialize the details of this agreement, including the rights and responsibilities of each of the parties, and the terms and conditions governing this agreement.

III. Rights and Responsibilities of the Parties:

1. Prior to December 1, 2014, the County shall provide one educational forum which emphasizes the philosophy of and supports the PPI. The forum will be jointly sponsored by the court and the county.
2. The County may use funds for educational components of the forum, including speakers, educational materials, meals, travel, and meeting space. Funds may not be used to supplant current funding, including salaries, nor for the purchase of advertisement, gifts, memorabilia, alcohol, and entertainment. The County shall refrain from using any vendor that is suspended or debarred from providing goods and services to the Commonwealth or federal government.
3. By December 10, 2014, the County shall notify AOPC in writing and submit an invoice to the AOPC, including receipts, for said support at a cost not to exceed \$4,000.00
4. The County shall submit to the AOPC a copy of the forum agenda, a sign-in sheet and final report regarding the impact of this mini-grant (Attachment A) by December 10, 2014.
5. The AOPC shall reimburse the County, as per this MOU.

The AOPC shall have no further obligations to the County other than those specifically agreed to pursuant to the Memorandum.

7. The maximum grant in the amount of \$4,000.00 shall be provided to the County upon receipt of final invoice and is not to exceed \$4,000.00. The grant amount shall be provided by AOPC to the County for the sole purpose of enhancing the dependency process through furtherance of the Permanency Practice Initiative, and providing the forum described in Section II of this agreement.

8. This MOU shall become effective upon signature of the parties.

9. Amendments to this MOU must be mutually agreed upon and memorialized in writing by a document executed by the parties to this agreement, or their authorized designees.

Contact Persons:

The AOPC contact is:

Ms. Sandra Moore
Administrator, Office of Families and Children in the Courts
Administrative Office of Pennsylvania Courts
601 Commonwealth Avenue, Suite 1500
P.O. Box 61260
Harrisburg, PA 17106-1260
(717)231-3329

The County contact is:

Gina M. D'Auria, Administrator

Fayette County Children & Youth Services

130 Old New Salem Road

Uniontown, PA 15401

IN WITNESS WHEREOF, the parties hereto caused this Memorandum of Understanding to be executed by their duly authorized representatives.

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS:



Zygmunt A. Pines, Esq.
Court Administrator of Pennsylvania

9.5.14
Date

FAYETTE COUNTY

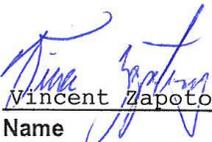


Alfred F. Ambrosini
Name

Chairman

Title

9/18/2014
Date



Vincent Zapotosky
Name

Vice-Chairman

Title

9/18/14
Date



Angela M. Zimmerlink
Name

Secretary

Title

9/18/14
Date

Prior to making a motion, Commissioner Zimmerlink said they did receive the copy of the memorandum, I read it, you have it, correct Chief Clerk. She said I don't mean you have it with you, but you were provided it and you gave it to us. She asked Solicitor Cupp if he reviewed it. Solicitor Cupp said he did not. Commissioner Zimmerlink said she would make a motion to approve the attached memorandum of understanding.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify a **FY2012-13** Purchase of Service Agreement between the County of Fayette, through Fayette

County Children & Youth Services / Fayette County Juvenile Probation, and **KidsPeace Corporation**, 4085 Independence Drive, Schnecksville, PA 18078, for intensive foster care and community services on an as needed basis. The rate is as follows:

Initial Clothing - \$250.00

Cert # 207090

AA – Foster Care \$ 101.91 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 & Youth Services & **The Children’s Institute of Pittsburgh (known as Project Star)**, 1405 Shady Avenue, Pittsburgh, PA 15217 for foster care placement on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00

436670 - Foster Family Care

	Rate Per Day
Class AA	\$ 81.55
Class CC	\$ 102.75

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 **KidsPeace Corporation**, 4085 Independence Drive, Schnecksville, PA 18078, for intensive foster care and community services on an as needed basis. The rate is as follows:

Initial Clothing - \$250.00

Cert # 207090

AA – Foster Care \$ 101.91 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 an **addendum** for a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation Office and **Cornell Abraxas Group, Inc.**, 2840 Liberty Avenue, Suite 300, Pittsburgh, PA 15222 for placement & non-placement services on an as needed basis for CYS & JPO youth. The rate is as follows:

Female D&A Treatment
419760 - Mohican Dorm \$ 208.24

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 and **Pressley Ridge**, 5500 Corporate Drive, Suite 400, Pittsburgh, PA 15237 for placements and in-home services on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
PLACEMENT	RATE
421800-Unit ID - FC	\$ 91.00/day
421800-Unit ID - ES	\$ 91.00/day
473810-Unit ID - CR	\$ 68.61/day
326620-Unit ID - AA	\$ 55.01/day
325520-Unit ID - BB	\$ 91.07/day
IN-HOME	
Family Preservation	\$ 70.11/hour

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 **Community Resources of Fayette County, Inc. a/k/a/ Crime Victims' Center of Fayette County**, 6 Oliver Square, Suite 108, Uniontown, PA 15401 for School & Community Program on as needed basis. The rate is \$12,500.00 for the contract period.

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 **Community Resources of Fayette County, Inc. a/k/a/ Crime Victims' Center of Fayette County**, 6 Oliver Square, Suite 108, Uniontown, PA 15401 for Parenting classes, Truancy Program, Counseling/Visitation/Life Skills, Community Awareness, Teen Life Skills, Teen Parenting on an as needed basis. The rates are as follows:

Parenting Classes	\$ 750.00/class of 11 wk duration
Truancy Elimination Program	\$ 55.00/hr. (not to exceed \$100,000/school yr)
Truancy education seminar for parents to include 3 hrs. of classroom and 1 hr. prep time	\$ 200.00

Direct work w/individual	\$ 50.00/hr.
Counseling/Visitation (life skills)	\$ 45.00/hr.
Victim/Community Awareness	
Competency Develop. Program	\$ 50.00/hr.
Teen Life Skills Program	\$ 50.00/hr.
Teen Parenting Program	\$ 50.00/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 Agreement between the County of Fayette, through Fayette County Juvenile Probation, and County of Jefferson on behalf of the **Jefferson County Detention Center**, a division of Jefferson County Juvenile Court, 16011 State Route 7, Steubenville, Ohio 43952 for placement of delinquent youth on an as needed basis. The rates are as follows:

\$145.00/day/bed

Rate includes an educational rate of \$30.00 per school day. Medical, psychological or other expenses are not included and would be an additional cost.

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 & **Carol Patterson**, Licensed Psychologist, with the physical address being: 161 Old Route 30 Unit #5, Greensburg, PA 15601 and a mailing address being: PO Box 549, Youngstown, PA 15696. Ms. Patterson will provide Evaluations, Court Testimony on an as needed basis. The rates are as follows:

Evaluation	\$425.00/eval
Court Testimony, Travel & Observation	\$110.00/hr
Mileage reimbursement	\$.56/mile

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 **appointment of a county resident**, Vincent J. DiPaolo, to a 3-year term on the Fayette County Children & Youth Services Advisory Committee. The term shall expire on July 31, 2017. The Advisory Committee voted unanimously, at the August monthly meeting, to recommend his appointment to the commissioners at the September meeting.

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 **resignation of** Fayette County Children & Youth Services Advisory Board Member, Deb Cooper, effective August 8, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Controller

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

FUND: GENERAL FUND

DATE: 16-Sep-14



Phone (724) 430-1217

Fax (724) 430-1366

CASH:

Checking Account United Bank \$6,236,202.91

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

Central Service Payments

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

Funds General Fund Owes \$ 98,283.00

Tax Anticipation Note	\$	4,200,000.00
		\$ 4,200,000.00

Budget Year Net Position \$4,772,437.65

		Year to Date
Total 2014 Revenues	\$	23,511,487.87
Total 2014 Expenditures	\$	19,285,207.52
Total 2013 Expenditures paid in 2014	\$	1,120,484.47

Capital Reserve Fund Balance	Fund 51		\$	234,744.98
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Bond Fund Balance	Fund 53		\$	213,075.85
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Act 13 Marcellus Shale Balance	Fund 13			\$3,167,843.70
		Balance in Bank		\$1,676,780.45
		Rec'd in 2014		

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

Emergency Management Agency

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the (SFY) 2014-2015 Hazardous Materials Response Fund Grant Agreement in the amount of \$ 11,045.00, at no county match.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resources

CYS

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the hire Alexandria Wallace as a Case Aide at \$11.71/hr. (\$22,834 annually) effective September 15, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Ambrosini asked for a motion for a caseworker, noting that Dominick Carnicella wasn't at the meeting. He said they will have to do no action on the second item under **CYS**. Commissioner Zapotosky said there is an e-mail with a couple of **CYS** names on it. He said it wasn't done in a manner.. Commissioner Ambrosini said it doesn't really say if she is a caseworker one or not. Commissioner Zapotosky asked Chief Clerk Revak if she had any comment on this, or if this is what she got. Chief Clerk Revak said she knows nothing beyond that. Commissioner Zimmerlink said the e-mail that we received this morning, Dominick gave that to you, right, this morning, which the Chief Clerk sent to us. She said he placed on there, he forwarded an e-mail from Gina, who is the director of **CYS**, in that e-mail he gives two names, two different names, two different start dates but the agenda clearly shows that there is only one position available. She said that kind of answers the question. She said two names, two different start dates and one position listed on the agenda.

Commissioner Zimmerlink said could someone check with the Tuesday agenda, this past Tuesday's agenda, wasn't there two and Dominick withdrew one? Wasn't there two caseworkers? Commissioner Zapotosky said there is one caseworker, a case aide, and then a caseworker one. Chief Clerk Revak said it was the same. Commissioner Zapotosky said it said aide and caseworker one. Commissioner Zimmerlink said in the e-mail it does not specify, those two names, it does not specify caseworker one or case aide, correct, it just has names. Chief Clerk Revak said there are two names. Commissioner Zimmerlink said she would make a motion to table.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table the hire of TBD as Caseworker I at \$15.12/hr. (29,484) effective TBD.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

FACT

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the resignation of P/T Bus Driver, Don McDonald effective August 15, 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 approve the hire of Valerie Johnson as P/T Bus Driver at \$11.40/hr. effective September 17, 2014, upon the recommendation of HR.

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 the hire of Robert McFadden as P/T Bus Driver at \$11.40/hr. effective September 17, 2014, upon the recommendation of HR.

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 the hire of Dennis Speelman as P/T Bus Driver at \$11.40/hr. effective September 17, 2014, upon the recommendation of HR.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making the motions, commissioner Zimmerlink said the names were obtained from an e-mail to the Chief Clerk from Dominick, that she then forwarded to the commissioners.

Human Resources

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Angela Wyandt as HR Coordinator at Non Union Non-Supervisory Pay Grade 10 Starting Rate \$13.09/hr. (\$25,525.50 annually) effective September 22, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Defender

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the resignation of Investigator, Alex Fogle effective September 12, 2014.

Commissioner Ambrosini yes
Commissioner Zaptosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Planning and Zoning

A motion was made by Commissioner Zaptosky and seconded by Commissioner Ambrosini to approve RZ 14-3 Allan J. & Kimberly S. Stewart, Nicholson Township, for a change of zone for five acres from A-1 Agricultural-Rural to B-1 General Business.

Commissioner Ambrosini yes
Commissioner Zaptosky yes
Commissioner Zimmerlink no

Motion passed 2-1

Public Works

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zaptosky to send Bob Carson to a Backflow Certification at CCAC Pittsburgh at a cost of \$509.40. Class to be held 9/17, 9/18, 9/24 & 9/25.

Commissioner Ambrosini yes
Commissioner Zaptosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zaptosky to accept the attached proposal from Grunau Company of Moon Township to install and upgrade the existing fire cycle system in the amount of \$6,950.00 for the Public Safety Building.

Commissioner Ambrosini yes
Commissioner Zaptosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Grunau Company
545 Moon Clinton Road
Moon Township, PA 15108
p 412.269.1950
f 412.269.1951
w www.grunauPA.com

July 22, 2014
Fayette County Emergency Management
Fayette County Public Service Building
24 East Main Street
Uniontown, Pennsylvania 15401
Attention: Bob Carson

bcarson@fayettepa.org

Subject: Viking Fire Cycle Upgrade

Bob: Grunau Company, Inc. under this proposal will provide the necessary labor, material, equipment, permits, testing, and taxes to perform the following scope of work in the amount of Six Thousand Nine Hundred Fifty Dollars (\$6,950.00).

1. Provide and install an upgrade of the existing fire cycle system per the manufacturer's recommendation.
2. Perform an acceptance test of the upgraded system.
3. System to be designed and installed as per standards defined by the National Fire Protection Association and the authority having jurisdiction.
4. Our proposal includes our standard insurance program and is valid for 30 days.
5. All invoices are due 30 days from invoice date.
6. Our standard terms and conditions apply.

Exclusions:

1. Cutting, patching or painting of walls and ceilings.
2. Painting, of sprinkler piping.
3. Overtime labor or shift work.
4. Permits or shop drawings.

Mr. Bob Carson

Page 2

July 22, 2014

Should you have any questions or comments, please do not hesitate to contact me at 412.269.1950.

Very truly yours,

GRUNAU COMPANY, INC.

Robert C. Schmitz

Robert C. Schmitz

Service Manager

RCS/sg

WO# 198155

This proposal is hereby agreed to and accepted by:

Name: _____ Date: _____

Signature: _____ Title: _____

P. O. #: _____

Prior to making a motion, Commissioner Zimmerlink asked Solicitor Cupp reviewed the contract.

Tax Claim

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to authorize the filing of a required petition to the Court of Common Pleas to void the 2014 free and clear sale of Redstone Township Parcel No. 30-20-0107 and authorize to transfer to the municipality of Redstone Township for \$1, contingent upon any filing costs associated with the transaction to be paid by Redstone Township.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioners

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the August 19, 2014 Commissioners regular meeting minutes.

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 authorization of the setting of Commissioner Work Sessions to be held, as needed, on the 2nd Tuesday of each month beginning at 2pm and the 4th Tuesday of each month beginning at 10am effective September 2014 with said purpose to address jail overcrowding, jail programs and all matters concerning new construction, renovation or expansion of the county jail and ratify the advertisement of said public notice.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Ambrosini asked for a motion to Consider discussion and possible action on Resolutions passed prior to August 19, 2014 concerning any and all matters pertaining to new construction of the Justice & Rehabilitation Center. After Commissioner Zapotosky made a motion, Commissioner Ambrosini asked what he was making a motion on. Commissioner Zapotosky said the motion is for a discussion on all

the measures passed prior to August 19, regarding rescinding those resolutions to be in compliance with any contractual obligations or what have you. Commissioner Zimmerlink said first of all, correct me if I am wrong or if I miss any, OK, we have an agreement with Crabtree Associates, an agreement with Sleighter Engineering, we have a contract award to, with SJ Myers for the website, let me back up. She said Crabtree, we already know some monies have been spent on that, given to him, Sleighter Engineering, we already know some invoices have been submitted and been paid, SJ Myers, that's the website company, the RFP was awarded and to my knowledge around \$5,000 has been paid and there is still some other work, I think he is billing the county in increments.

Commissioner Zimmerlink said the next one is the Dunbar Township Sewage agreement, correct? She said she didn't think that any monies has actually been allocated to any entities under that agreement although monies were set aside. She said the agreement of sale with Fay Penn, to her knowledge the \$125,000 hand money hasn't been paid, submitted, correct, but the agreement of sale is signed, right? She said when she doesn't hear any nos, she will assume she is right. She said and then Susquehanna Advisors, that contract was for \$25,000 and he has been paid the \$25,000. Commissioner Zapotosky said Mark Lundquist, you mean? Commissioner Zimmerlink said yea, SGA. She said have I missed anyone else, I think that's all we have, right? She said commissioner assistants and Chief Clerk you can chime in if I missed anything, you think. Chief Clerk Revak asked if she mentioned the sales agreement. She said do you know of anything else that passed your desk, Solicitor Cupp? Solicitor Cupp said he thinks she has got it.

Commissioner Zimmerlink said what she would like is for him to review the documents, and he can get those off of the Chief Clerk. She said she wants him to review the documents and to provide the commissioners with a summary of the termination clauses and the pros and cons at this stage in doing so, OK. She said do you know what I am asking for so if you have questions, OK. Solicitor Cupp said you want me to review the documents and suggest a mechanism for termination and advise as to whether or not it is appropriate. Commissioner Zimmerlink said you can't tell us what to do because you are not the commissioners, I understand, what I am asking is the pros and the cons and then the responsibility lies with us, if you give us the pros and the cons, alright, that's what I would like. She said we don't have to do that by a motion. Commissioner Zapotosky said he will withdraw his motion. He said he has no problems with the directive. Commissioner Zimmerlink said they can do that because, when they do, we can take action on some more quick than others, OK.

Commissioner Ambrosini said on the next item, did we get any applicants or people for the Conservation District Board. Commissioner Zapotosky said Kathy has two. Commissioner Zimmerlink said she was going to move to table this for our October 21, 2014 commissioner meeting. She said the reason for it was that she did check with the Conservation District and there is currently one vacancy, we had appointed Paul Diamond, he appeared for the first meeting, due to work related matters he then resigned. She said she doesn't know if that was ever put on our agenda or not, to accept his resignation, but that is one vacancy, there is actually not a body there, OK.

She said the other vacancy is not a vacancy yet. She said it is the former rep Larry, how do you pronounce his Chufcheck? And his term expires 12/31/14 and he indicated there is a possibility that he would not want to do it again due to some other issues, so that is why there would be two vacancies. She said the issue is that the Conservation District did send to the county the nominating lists and addresses and those letters were sent out and from her understanding there are at least two or three other entities that were supposed to, he believed sent letters back. She said you only received two and I asked him if there would be any issue taking this and making a decision by October 21 and he said not to go over that date. She said what we would need to do is, I would give you the names of those entities that asked them for their responses and then if they have none, we will go with those two and decide and if not, OK. She said she would make a motion, actually it is December, they are not January 2018 appointments, they are December 31, 2017.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table appointing a farmer representative to the Fayette County Conservation District Board for a four (4) year term which will expire on December 2017.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said that was for the first one, there are two agenda items, OK, and then she said she is going to make a motion to table a farmer representative to the Fayette County Conservation Board for a term to expire 12/31/17.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table appointing a farmer representative to the Fayette County Conservation District Board for a four (4) year term which will expire on 12/31/17.

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 following transfers:

8-13-14 to 8-27-14

Department	Cost Center	Debit	Credit
Bridge Department			

PA Highway supplies	24431252245	\$200.00	
Drug testing	24431251935		\$200.00
Materials/supplies	24431252000	\$2,600.00	
Bridge maintenance	42431153750		\$2,600.00
Building and grounds			
Contracted services, maint.	01417453011	\$450.00	
Training/conference	01417453350		\$450.00
HR			
Drug testing	01415551935	\$300.00	
Materials/supplies	01415552000		\$300.00
Prison			
Medical services	01423253020	\$15,000.00	
Food	01423252290	\$7,000.00	
Inmate welfare	01423252740	\$17,000.00	
Travel	01423253300	\$2,000.00	
Utilities	01423253600	\$16,000.00	
Materials/supplies	01423252000		\$37,000.00
Photocopy/printing	01423252200		\$4,000.00
R&M Building	01423253730		\$16,000.00
Magisterial District Judges			
Equipment	01418620352300	\$100.00	
Materials/supplies	01418620352000		\$100.00
Cleaning	01418600051460	\$600.00	
Materials/supplies	01418620352000		\$600.00
Materials/supplies	01418620152000	\$800.00	
Materials/supplies	01418620352000		\$800.00
Prothonotary			
Association dues	01419554200	\$248.64	
Part time	01419551450		\$248.64
Treasurer			
Salary full time	01413951400		\$11,924.25
Worker compensation	01413951615		\$55.00
Unemployment compensation	01413951612		\$108.00
Life insurance	01413951580		\$18.00
FICA	01413951610		\$912.21
Medical health insurance	01413951560	\$13,017.46	
Total Debits	\$75,316.10	Total Credits	\$75,316.10

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink said she wanted to make a motion for the next one: to consider, she said she was going to move to authorize, to authorize to solicit bids to purchase buildings and/or real estate within the city limits, within the Uniontown city limits for county jail operations, solicitation will be done in the legal notice of the newspaper and by sending notice of solicitation to the Fayette Board of Realtors and letters of solicitation to government entities within Fayette County who own real estate in Fayette County, within the city limits of Uniontown. Commissioner Zapotosky said, that's your motion? Commissioner Zimmerlink said Um Huh. Commissioner Zapotosky said second. Commissioner Ambrosini asked Chief Clerk Revak to read that back. Chief Clerk Revak said "to authorize to solicit bids to purchase building and/or real estate within the city limits." Commissioner Zimmerlink said "within the Uniontown city limits." Chief Clerk Revak said within the Uniontown city limits for Fayette County Jail operations." Commissioner Zimmerlink said "solicitation, go ahead." Chief Clerk Revak said "solicitation to be done by legal notice in the newspaper, and also by notification to the Fayette County Board of Realtors."

Commissioner Zimmerlink said no, this is solicitation to Fayette, not County, just Fayette Board of Realtors. Chief Clerk Revak said it's Fayette Board of Realtors? Commissioner Zimmerlink said that's what their website says, and. Chief Clerk Revak said, "and governmental entities who own real estate in the city limits of Uniontown." Commissioner Zimmerlink said yes, that's my motion. Commissioner Zapotosky said he seconded it. Commissioner Ambrosini said let me ask a question here. He said you do say the word purchase, authorize purchase, does that mean you want to purchase a building or buildings for specific purposes without any specifications. Commissioner Zapotosky said unless they want to give them to us. Commissioner Zimmerlink said this is to solicit bids, this isn't to buy. She said this is to authorize to solicit the bids. Commissioner Ambrosini said then should be say potential purchase, you are soliciting bids. Commissioner Zimmerlink said yea, we solicit the bids just like you would solicit a bid for vehicles and then you would either award it or not at a later date. Commissioner Ambrosini said I'm sorry, could you just read that back again.

Chief Clerk Revak said to authorize to solicit bids to purchase buildings and/or real estate within the Uniontown city limits for Fayette County jail operations, solicitation to be done by legal notice in the newspaper and notification to the Fayette Board of Realtors. Commissioner Zimmerlink said "notice of solicitation, not notification, notice of solicitation." Chief Clerk Revak said to the Fayette Board of Realtors and letters of solicitation to government entities who own real estate within the city limits of Uniontown. A vote was then taken.

Prison

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to authorize to solicit bids to purchase buildings and/or real estate within the Uniontown city limits for Fayette County jail operations, solicitation will be done in the legal notice of the newspaper and by sending notice of solicitation to the Fayette Board

of Realtors and letters of solicitation to government entities within Fayette County who own real estate in Fayette County, within the city limits of Uniontown.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink said the next one she would like to make a motion to solicit RF, request for proposals for modular prison units. Commissioner Zapotosky said he would second the motion. He said is that what you mean by alternative method of construction? Commissioner Zimmerlink said right, so the motion, by motion is to solicit a request for proposal for modular prison units.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to solicit a request for proposal for modular prison units.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Announcements

None

Public Comments:

Commissioner Ambrosini asked Commissioner Zapotosky to take the gavel and finish the meeting, saying that he just got notice that he had a family member that was involved in a serious automobile accident. Commissioner Zapotosky said he hopes that everything is OK. Commissioner Zimmerlink said before they move on, you have no questions on the two motions, are they clear? Solicitor Cupp said the second one was pretty clear. He said the first one, whenever you put your ad out you can set what your restrictions are or you can say, give us a proposal as to what you can do. Commissioner Zapotosky said he doesn't want to handcuff us by saying we want A, B, C or D. He said somebody may have E, F, G that they want. Commissioner Zimmerlink said that's why it said it in that manner. She said any time they have a resolution that is passed that says we are going to solicit bids, we don't have the scope of work attached to that motion that is what we then develop. Solicitor Cupp said you want them to give you the scope of work of what they can build.

Commissioner Zimmerlink said we need with the commissioners, in the commissioner work sessions, will develop that scope, that project, a description for scope of work, so that was clear so everyone understands, and I was asking for your legal opinion to

make sure that it was clear and in conjunction with county code for soliciting bids for purchase of real estate or buildings, so that's what. Solicitor Cupp said you can do that. Commissioner Zimmerlink said she wanted to make sure it was per the county code, so he said yes, so. Solicitor Cupp said he wants to see what they put out. Commissioner Zimmerlink said definitely, yes, we have to talk about it, the three of us have to talk about it. She said so we can, here's what I want to do, and this is another option, obviously, OK, is to see within the city limits of Uniontown, are there any buildings available, OK, is there any land available, we are still considering property here at the jail so we have options, the first option is to build an extension or a modular unit on our existing county owned land, OK. She said the other is to seek proposals from others, if there is a building or vacant land, within the city limits. Commissioner Zapotosky said plus they can incorporate programming and other potential needs that they may have outside of the scope of incarceration so there are other variables that come into play.

Commissioner Zimmerlink said the scope of work and not only are we going to place it in, as per county code, in the newspaper of general circulation which is required of us, but also to send that packet of information to Fayette Board of Realtors, there may be realtors out there who know within the city limits of the property, and that is permitted under county code, correct? Solicitor Cupp said you can send out notices. Commissioner Zimmerlink said OK. Solicitor Cupp said you should post a notice on the bulletin board down in the basement too. Commissioner Zimmerlink said she is supposed to do all of that, OK, and also there may be buildings or land that is owned by a government entity, OK, within the city limits that may be available, a structure, OK, so it goes to all three. Commissioner Zapotosky said it could be a multiple use, it could be a structure subsequently we need to demolish to pass. Commissioner Zimmerlink said so, my motion meets the requirements of the code, correct, OK, OK. Commissioner Zapotosky said, anything else commissioner? He then asked for public comment.

Margie Yauger said once again, she is the chief steward of SEIU and she would like to speak during public comment. She said the SEIU Local 668 members were here today in a silent protest. She said SEIU 668 members were here today in a silent protest. She said we are the sheriff's deputies, we are the FACT drivers, we are the 911 operators, we are the clerks in the courthouse, we are the maintenance workers and we are the magistrate secretaries. She said if you are dealing with any department in the county, most likely you have dealt with SEIU 668. She said the union has been in negotiations for over a year with the county and county representatives have been difficult to bargain with. She said they strive to make the negotiation process as efficient and fair as possible by being prepared and respectful. She said they are only seeking what is fair and reasonable compensation for their work. She said they are the lowest wage earners in the county and do the majority of the county's work. She said many of their workers qualify for public assistance from the state. She said they deserve to be treated with dignity and given a fair contract. She said they look to the public for their support to the union county workers in their ongoing negotiations so from here on out, when you see purple, think SEIU Local 668.

Marybeth Homistek said she wanted to clarify in her head the Sheryl Heid issue. She said that Commissioner Ambrosini said he was grateful for her intervening on his

agency behalf but did Ms. Heid actually do that on her own, Attorney Cupp, did she make that decision herself to intervene or ? Solicitor Cupp said they discussed it. Ms. Homistek said, so you were aware of what she might do. Solicitor Cupp said right. He asked if she understood what intervention means. Ms. Homistek said yes. Commissioner Zapotosky said Mr. Cupp, this isn't a test. Solicitor Cupp said he wasn't going to ask her questions, he was going to give an explanation, he wasn't trying to play that game. He said when they intervene that just means that the county has the opportunity to speak at the hearing, it means nothing beyond that. He said he thinks, and perhaps he is misinterpreting the newspaper articles, but he thinks there may be an impression that by the county intervening that we are appealing or contesting something, that is not true, we just have the right to participate. Ms. Homistek said but the commissioners, were they aware of you doing this, of Ms. Heid doing this. Commissioner Zimmerlink said we already, we all said that we were not aware. She said just so people do understand, that motion to intervene on both of the cases has since been withdrawn from both of the cases. She said she thinks that gives her some indication about that.

Ms. Homistek said just a general comment, it's really nothing to do with the commissioners, just what has been, the rumor mill and just a general statement that she is outraged at how someone is still stoking the flames in print on a blog spot about Kathy Winkler. Commissioner Zapotosky said Marybeth, we both know where that blog originated from and under what directive the blogster, is that a correct term, I don't know, Ms. Winkler did nothing wrong, Ms. Winkler was the victim and there will not be comment until such time as Ms. Winkler is prepared to provide it. Ms. Homistek said its lies and it is horrifying to read. Commissioner Zapotosky said it was a horrifying experience to say the least. He said one does not coincide with professionalism, litigation avoidance and the other mantras that appeared throughout the course of the 2011 campaign. Mrs. Mazza said that she just wanted to say that she just sort of feels sorry for the two of them because Al is bound and determined to put the prison out in Dunbar Township no matter what. She said he either he just doesn't get it or she doesn't know what it is with him but it seems that he dug in and he is ready for a fight over it.

Commissioner Zapotosky said that he was told today and she has since left, that if he showed up for this meeting today that I would be attacked, my assistant would be attacked, and my wife, it is having an effect on her, my mother is sitting here, God bless her, I love her to death and I thank her for coming. He said he agrees that some folks have taken this to another level. He said this is about, if you don't mind, if I may make a comment, there was a statement in the paper saying that Commissioner Zimmerlink and I could not work together, it was an editorial. He said Commissioner, do you think that we have worked together thus far, I mean, haven't we not been moving this project forward pursuant to the county code and been working well together. Commissioner Zimmerlink said as it relates to the August 19, 2014 motion and work sessions and the prison project, yes. Commissioner Zapotosky said yes, folks have taken this to an extreme, we are charged up here to solve the problem. He said we are charged to make that receipt as small as possible, not \$30 million, \$40 million, because it is going to be \$100 million bill to pay. He said it is not just \$30 million or \$40 million, my son is going to

inherit this cost, so I feel obligated and I feel obligated to that lady that lives in Ronco that's on a fixed income, or you folks, or everybody in the room.

Commissioner Zapotosky said it isn't about win or lose, it's about getting the thing done and done based on what we can afford. He said granted, I am culpable, I admit that I was a part of the problem, now I am part of the solution. Mrs. Mazza said but you got smart now and we appreciate it. She said this is a lot of nonsense over something that should have been so simple. She said if things had been done proper from the get go we wouldn't be here today. She said the thousands of people in the county, can we all be wrong about this prison? I don't think so, she said. Commissioner Zimmerlink said you obstructionist, you. Commissioner Zapotosky said Mrs. Mazza, I did a lot of self-reflecting in my decision making. He said it took a lot but he had to reflect on what he was doing. He said he wanted to thank Commissioner Zimmerlink publicly, things are going well and hopefully we are going to get it done and get it done right. Mrs. Mazza said the court date is in November and he just seems like he's got his feet dug in and he's going to fight this clear up until the time they cut the ribbon to open the new jail.

Commissioner Zimmerlink said without getting into the specific court case, that is one of the reasons why, depending on the, whether people agree with me or not, I have a vote and I wear different hats here, depending on the outcome of the zoning appeal, that may, if it comes back and says that the variance and the special exception was not permitted, then obviously it is going to have an effect on the purchase of that property, OK, right Solicitor Cupp? Solicitor Cupp said absolutely. Commissioner Zimmerlink said OK, so when people say or when they have their opinion in the Herald-Standard editorial board and it may be an incorrect opinion, or Commissioner Ambrosini says that Commissioner Zapotosky and I wasted time, energy, money and stopped the project, no that court case, those appeals is what helped to stop, it put, not helped to stop, but did slow it down because it put the county on notice, but it doesn't, your petition or the other party's petition, you would not have filed an appeal had it not been done, originally, OK, and you already know how that was done, so that's why it has to be reviewed in a systematic manner, OK, it's not that you as the obstructionist, the naysayers or the people who live next to the home or next to the property, the fact that there is a zoning, a legitimate zoning appeal were filed, legitimate that the judge is going to hear the case, now he may remand it back to the zoning hearing board or they may make a decision, we don't know.

Commissioner Zimmerlink said that outcome is definitely going to effect the purchase of that building, the purchase of that land. She said it not only makes common sense, it makes commissioner sense to me and you just heard from, does that not Solicitor Cupp, should we not take that into consideration before moving forward on any actions out at the Dunbar Township Business Park. Solicitor Cupp said that depends on how much money you may or may not be required to spend. Mrs. Mazza said anybody who came to that hearing, it was a shock that they granted a variance because all the evidence was clearly against it. Commissioner Zimmerlink said there is an appeal process and that is what happened and we need to know what the outcome of that, I need to know the outcome of that. Mrs. Mazza said it would be dumb to buy that land and find out you can't use it. She said it's no good for anything anyway. Mr. Kriss said

you saw the arrogance and attitude at that zoning hearing board meeting by those members, it was outrageous, it was unconscionable, the board was stacked and it was sickening. He said those who were there were treated with disrespect, and he hopes to never see anything like that again.

Mrs. Mazza said the evidence was to not grant the variance. Mr. Kriss said it was like the citizens were against them, like we were trying to kill them or take something away instead of coming there like honest, common citizens to get our point across, their eyes were closed, their ears were shut, and their minds were made up and they didn't even have the balls to make a decision in front of us. He said they hurried up and scurried out that door and come out when they are all gone, they are all gone now, let's make a decision, cowards. Commissioner Zapotosky said some folks are looking at this as win at all cost, we have to win for the people of Fayette County, that's our goal and that's our objective and it has to be that. Mr. Kriss said it isn't that way in this county, it's us against them kind of an attitude, and I don't know why that always is. Commissioner Zapotosky said he doesn't know what side he is on anymore because he is getting beat up from every side. Mr. Kriss said you are saying the right things, my friend all of a sudden, you are stepping in line and that is what you need to be doing.

Mr. Kriss said earlier someone said that 10,000 people in this community are being fed by the food bank, that we are the third largest provider of food, that is an appalling figure, for a population of 130,000 and some people, and we have to feed 10,000 of them, that's sad. He said that's why we don't need to be borrowing \$30, \$50, \$100 million for our prison when we need to feed 10,000 poor people in the county. Commissioner Zapotosky said that doesn't count the Meals on Wheels program. Mr. Kriss said that is a real eye opener, 10,000 poor people that have to be fed by us. Commissioner Zapotosky said if you ever get a chance, take a drive down Beeson, go into the food bank and it's unbelievable, they do a great job, my compliments to Community Action and Jim Stark, it's a . Mr. Kriss said unfortunately they shouldn't be feeding that many people in this time and day. Commissioner Zapotosky said nobody in this country should go hungry. Mr. Kriss said he agrees 100 percent, but that many in this county when agriculture is our biggest producer and we got to have people that need food, something doesn't add up. He said two, Commissioner Zimmerlink I want to thank you for making the motions today, during this prison debacle you have been consistent and he thanked her. He said she held her course the whole way through and have been calm, collected, and you offered ideas, it seems ironic now that everything you started to begin with is starting to come up now with alternative plans and things so good job.

Mr. Kriss said lastly, Commissioner Zimmerlink and Commissioner Zapotosky, and I only say this to you now and look you in the eyes and say it because you probably would have never believed me before but I think you have come out of the clouds and are more down to Earth and you are willing to listen to more things and believe more people and looking back three years ago when Al started his campaign to get rid of you and Vicites, that was a discussion at the airport when all this started, many meetings with Timmy and Al and Buddy Neckerauer there, I was a tenant for 13 years and I witnessed all this. He said what came out of their mouth was we better get rid of Vicites

but we are going to leave Vince hanging around so we can put him in a corner and pull him out when we need him. He said it was a very derogatory statement and you would have probably never believed it coming out of my mouth before but I am here to tell you that it was said by Al numerous times, they didn't want you, they knew they needed you to be a voice and vote against her. He said put him in the corner and only take him out when we need him, that's the respect that those two show you, and now that other person, he is the manager of our airport.

Commissioner Zapotosky said respect is earned and quite frankly, I hope I have earned that respect despite of the mistakes and he will admit that he made mistakes but the fact remains that nobody pulls me out, I will vote my conscious. He said he made some mistakes along the way, don't get him wrong, but this facility will be built and it will be built in the best interest of the taxpayers and working with Commissioner Zimmerlink I have the utmost confidence and quite frankly, I embrace all three of us to get the job done. Mr. Kriss said just remember what people have said and done about you, for the first two years, you were in that corner and you were being used. Commissioner Zapotosky said unfortunately a hangar is just that and you can hang yourself. Mr. Kriss said good for you to wake up and so what you are doing. He said do what you need to do for this county and not Al and Timmy and the Democratic Party. Mr. Mazza said that Al talked about the reassessment that was done in a prior administration and he compared it to what he has done on this prison and the reassessment was done openly and honestly and anybody that wasn't satisfied with their reassessment could appeal it and he knows because he said he sat in on some of them and if they had a valid case, a valid cause, their assessments were changed, but it was open and honest.

Mr. Mazza said this prison thing has been secretive and not in touch with the people at all. Commissioner Zapotosky said he looks forward to seeing them next Tuesday. He said let's keep our thoughts and prayers with Commissioner Ambrosini, who left here under bad circumstances. Commissioner Zimmerlink said there is only one comment she will make about the reassessment. She said since he brought it up, there was a statement made in the editorial, the Herald-Standard editorial that Zimmerlink wilted under public pressure for the prison just like she and he did, he meaning Commissioner Zapotosky did for the reassessment. She said first off, obviously I didn't wilt under pressure from the prison because I had no pressure, OK. She said secondly, as far as the reassessment at that time, it was three commissioners, all three, Vicites, Zapotosky and Zimmerlink decided to put that reassessment on hold. She said not because of pressure, but because the information that was gathered by the contracted company and our internal county tax assessment office was flawed, period, it was flawed, OK, and there is plenty of documentation to show that, and I would not, although the newspaper thought that we should have allowed it to go through the appeal process, well why, why would you want to have individuals pay, and they would have to take their time and energy and money, take off work and/or hire an attorney to go through the appeal process. She said sort of like what the Krisses are saying here and the Hovanec and group, they paid for the appeal for the zoning.

Commissioner Zimmerlink said they shouldn't be put in that situation but they filed the appeal. She said the same thing with the assessment though, the assessment, we

weren't' going to have all of those property owners when I knew that the system was flawed and the information gathered was flawed, have them go through the appeal process, that wouldn't have been the right thing to do, so that is why it was put on hold. She said and they say that \$600,000 was wasted, well our own tax assessor at the time, who happens to be a community representative on the editorial board, said that not all that money would certainly be wasted because some of the data, not all of it was flawed, but some of that data would still be able to be used for future assessments. She said do we need to do a reassessment, yes, we know that, OK, but it has to be done correctly and we cannot have flawed data. Mr. Mazza said that was part of the reason for the reassessment in the prior administration, there were too many properties throughout the county that were not assessed, if you were in the know, your property was assessed one way and if you weren't, your property was assessed another way and those were people paying next to nothing on large properties and then people on smaller properties were paying twice as much. He said that was one of the reasons for the reassessment. She said she was glad that she and Sean were here today because people were going to think that old man is off his rocker. Commissioner Zapotosky said it is out there, we just have to find it. He said he is going to call Scott Lundquist, he works for Kimball, he might have it. Mrs. Mazza said you know you can't go by what the Herald-Standard editorial prints. Commissioner Zimmerlink said she didn't say that.

Adjournment

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

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

