

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, April 15, 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
Acting Chief Solicitor John Cupp

Chairman Ambrosini called the meeting to order at 10:00 a.m.

The Rev. Ewing Marietta said a prayer.

The pledge of allegiance was recited. Rev. Marietta announced that May 1 is the National Day of Prayer and he wanted to invite everyone to Marshall Plaza as they will have a prayer time from 3 to 7 and there will be music and food and he invited the commissioners to come and say a few words and the pastors are welcome as well, May 1 from 3 to 7.

Commissioner Ambrosini said there was an amendment to the agenda from Adult Probation. He said they needed to amend the agenda to add: consider amending the agenda to approve an extension of a contract with Ford Business for copy machines for 60 months under the current terms of the COSTARS contract.

Commissioner Zapotosky asked Jim Kovacs of the APO if they currently have a contract with Ford and he said yes. Commissioner Zapotosky asked if the terms of this contract are similar or identical or is it a continuation of the contract? Mr. Kovacs said it is a continuation of the pricing but they are picking up an additional copy machine for the same price with an additional 10,000 copies. Commissioner Zapotosky said there is a savings in this contract. Mr. Kovacs said it is on COSTARS. Commissioner Zimmerlink asked if he checked with other vendors under the COSTARS to see if there were any similar companies. Mr. Kovacs said they are happy with Ford and they would like to stay with them. Commissioner Zimmerlink asked when the term of the current contract ends. Mr. Kovacs said July 2014.

Adult Probation

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to amend the agenda to add: consider amending the agenda to approve an extension of a contract with Ford Business for copy machines for 60 months under the current terms of the COSTARS contract.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Proclamations

Commissioner Ambrosini said there was two proclamations and one employee award to give out.

Commissioner Zapotosky read the proclamation for the Foster Parent Appreciation Month May 2014. The foster parent recruiter said they are always in need of foster parents in Fayette County. She said they provide a tremendous service to the children that they serve in Fayette County. She said April Sinal is a foster and adoptive parent with their agency and she has been with them several years and they are grateful for families like hers.

Commissioner Ambrosini read the proclamation for Mental Health Awareness Month May 2014. After reading that he said that the employee that was being honored was not there yet so they would move on.

Public Comment on Agenda Items

Ralph Mazza said he wanted to address the resolution. He said 70 some years ago 16 million Americans, and he knows because he was one of them, got rid of two governments, one in the South Pacific and one in Europe, tyrants that threatened their way of life and freedom. He said 400,000 of us died and he didn't know how many were wounded and many didn't get over it. He said he will be damned if he will let a petty tyrant in a Fourth Class County tell me. Commissioner Ambrosini said Mr. Mazza he is going to ask him to be civil and not make personal attacks. Mr. Mazza said he will not have a petty tyrant tell him that he can't speak his mind whenever he wants to for how long he wants to. He said he is infringing on his freedom to speak. He said it is protected by the Bill and Rights and he and nobody else will tell him different. He said they use the Sunshine Act as a crutch to justify what they are trying to do and if anybody has violated the Sunshine Act more than you two guys have. Commissioner Zapotosky said he isn't going to accept an allegation of violating the law. He said commissioner, he is clearly out of order making allegations that they breached the law and he isn't going to engage in that.

Mr. Mazza said someone said that he who sacrifices security for freedom deserves neither and that's the way he feels. He said you are not going to infringe on my right to speak, he doesn't know about the rest of the people but he knows that his right to speak is going to be not infringed upon. He said he didn't spend time in Europe to please you and he is sure that neither one of you know what a battle is. He said not only his

generation, but all war veterans have secured the freedoms that we enjoy in this county and if you infringe upon anybody's right to speak, you are wrong. He said this is not a monarchy and you are not King Al. He said the divine right of kings was destroyed 800 years ago when the Magna Carta was signed by King John, there is no divine right of kings although he doesn't think they are aware of that. He said they can't spend a few hours one day a month listening to the people of this county express their opinions wants and needs then you are not much of a commissioner. He said you are not much of a public servant, I don't think you realize you are a public servant. Commissioner Ambrosini said this has nothing to do with rights. Mr. Mazza said it has to do with his right of free speech and the Sunshine Law said you have to give people the right to express their opinion. He said you can't say two minutes, three minutes or four minutes, you can, you have got to give them a right to express their opinions or express their needs or their questions or what not.

Mr. Mazza said the only reason these meetings last as long as they do is because you don't answer questions and when you do say something it is a fabrication of some sort of another that nobody understands that has nothing to do with the questions or opinions that the people are trying to find out, that's why these meetings take so long. He said you said to keep it in order and the only time that anybody was out of order here was your fellow commissioner. He said I was talking apples and he was talking oranges. He said he was talking the Sunshine Law and he was talking about a suit. Commissioner Zapotosky said Mr. Mazza, if I may, and I apologized, by you said, and I don't mean to play it back, but you made reference to the Sunshine Law and said that the two commissioners, Commissioner Ambrosini and myself, violated that law, that is not true. Mr. Mazza said he didn't know if there were two commissioners there and you said I was full of beans. Commissioner Zapotosky said you are going back a few months for that and I apologized for that. He said he did not violate the Sunshine Act then and he hasn't violated the act now.

Mr. Mazza said you sure did at the 8:30 meeting and you would have from the very beginning, Al would have anyhow, from the very beginning if Mrs. Zimmerlink hadn't pointed out to him that it was a public meeting and there had to be public comment. He said he was ready to vote on that thing, he thought holding it at 8:30 in the morning there would be nobody there and then you violated it because the people were in the hall and then they asked to move it and you didn't move it and the people that were in the hallway, the back hallway and the reception area couldn't even hear or be heard, that's a violation of the Sunshine Act so don't tell me you haven't violated the Sunshine Act and she saved your butt a dozen times saying you were in violation. Commissioner Zapotosky said then he suggests that he file the complaint with the state in Harrisburg. Mr. Mazza said they are worthless. Commissioner Zapotosky said not everybody can be worthless sir, not everybody. Mr. Mazza said he also wanted to know that if they informed their bodyguard back there that if anyone is removed, bodily removed, that he is liable, not you?

Commissioner Zapotosky said sir, with all due respect, in light of the fact that we had a bomb threat a week ago in out, you make light of it, excuse me Ms. Homistek. Mr. Mazza said what does that have to do with my freedom. Commissioner Zapotosky said he would prefer that they didn't mock security. He said security officers are there to protect the welfare and safety of the individuals in this room. He said he has seen it first-hand. Mr. Mazza said what does that have to do with liability? Commissioner Zapotosky said you made sure you made my security officer, our security officer, no he is here to protect not just us, he is here to protect everyone in this room too sir and in light of the fact that we are acknowledging. Mr. Mazza said you are doing exactly what he said, he is not answering his question. Commissioner Zapotosky said what is there to answer, he is security for this courthouse. Mr. Mazza said he asked him to, if you had told the security guard that if you asked anybody to be removed here that he is liable for any damages or injuries to that person. Commissioner Zapotosky said he didn't speak with him at all, so no, but I am glad you did, thank you.

Mr. Mazza said he's liable. Commissioner Zapotosky said he doesn't know, that is a legal question. Mr. Mazza said before he was in county government or knew anything about county government there was a person who was told to be removed from a county meeting just like this and the security guards were told to remove the person and they wouldn't remove the person because they knew, they were smart enough to know that they were the ones that were liable and that the commissioner that ordered it was not liable. Mr. Mazza said he knows, he has been attending these meetings for a long time and this is the worst county government we have ever had in all his years of coming. He said people would agree with that and there were 3,700 signatures in the worst weather this winter or they would have doubled the number we had. He said there were signatures that weren't counted because the people weren't voters, they were taxpayers but they weren't voters but they had a lot of people say there were going to go get registered. He said that is about all he has to say but he wants them to know that he is not going to stop him from saying what he wants to say and how he wants to say it and how long he wants to say it.

Marybeth Homistek of Fairchance said first she would pick up on resolution 14. She said regarding the Sunshine Law, it says that the commissioners must provide reasonable opportunity for residents to comment. She said she understands a reasonable amount of time and she doesn't think that one should go on for 15, 20 minutes about the same thing. She said a reasonable amount of time is fine but sometimes two minutes may not be enough to get the question out, so she understands limiting the comments part, a reasonable amount of time to speak, but then you drop down to C, where you have that speakers must register at least four business days in advance. She asked how that is possible when it doesn't hit and paper until Wednesday about Tuesday's meeting. She said that means you have to register Wednesday to get the four business days in before today which seems a bit unreasonable. She said why do you have to register to speak four days before, that seems like a rush is you don't read it until Wednesday's paper what is going to be on the agenda, then you have to

call right then to get on the agenda to speak Tuesday. Is that time necessary, she asked.

Commissioner Ambrosini said it is necessary to give the Chief Clerk time to put you on the agenda. He said you can certainly and most of you do come to the agenda meetings anyway. Ms. Homistek said that is a little restrictive. Commissioner Zimmerlink said she wanted to interrupt. She said that Commissioner Ambrosini said that you come to the agenda meeting anyway. She asked how many members of the public come to the agenda meetings. Commissioner Ambrosini said that is actually the place where you should come because that is the place where we talk about things, you can come to any meeting that you like, they are all public meetings. She said if you want to come to the agenda meeting, come, if you want to come to this meeting, come. Ms. Homistek said the second part of that is H on the second page of the amendment, the chairman may request any individual to leave the meeting when that person does not observe reasonable decorum and above that you have that you may rule out of order scandalous, impertinent and irrelevant comments. She said you want to stop our impertinent comments and have us and then remove us.

Ms. Homistek said you have the guard to, she believes, she understands, the stabbings the bomb threats, whatever, but that has never happened in the history of Fayette County. Commissioner Zapotosky said that is inaccurate, they were just a few months ago, we were unable to adjourn the meeting. Ms. Homistek said that wasn't a threat. Commissioner Zapotosky said there have been a number of incidents. Ms. Homistek said there haven't been when somebody in here acted out. Commissioner Ambrosini said there was an incident, and this was long before he was commissioner, when somebody made a terroristic threat in this room an individual about, I think it had reference to cutting off people's heads and that person, I believe was removed. Ms. Homistek said she understands things like that but to remove someone for an inappropriate comment, I mean, and then the flip of that is, does it work both ways because say a commissioner throws out a real rude, impertinent comment to a citizen, shouldn't they be removed also?

Commissioner Zapotosky said the meetings are always conducted by the chair and any Robert's Rules meeting always has the discretion to direct that something is out of order, that is at his discretion or whomever is chairman's discretion. He said as far as the other items in that paragraph, he said he would like to think that we have been given a pretty, I mean I have just been told that I violated the law, he has been called a tyrant, those are things in most meetings no one, and he did this when he was chairman, there were approaches on me or Commissioner Vicites or Commissioner Zimmerlink, he doesn't think anybody would allow a meeting to allow personal attacks, he thinks that is in poor taste. Ms. Homistek said couldn't they just be warned? Commissioner Zapotosky said how do you warn somebody, you warn somebody once, excuse me Commissioner please, I have the floor. Commissioner Zimmerlink said she didn't even say anything, she leaned back and that was before she even got the chance to say anything. Commissioner Zapotosky said this is ridiculous, he thought she was going to

comment and he was trying to stop that so they weren't both speaking at the same time. He asked Ms. Homistek to continue.

Ms. Homistek said her other part of that was if a commissioner yells out at someone at the audience, they have to abide by the rules, why do they have to have someone yell at them. Commissioner Ambrosini said he isn't sure that she has witnessed much in the way of us. Commissioner Zapotosky said that was him when Mr. Mazza addressed him and he got a little frustrated with the comment. He said he got a little vocal and he did apologize. He said they are going to cite one incident. Ms. Homistek said the second incident that she wants to reference the 8:30 meeting, which was held at the crack of dawn, 8:30, when someone made crude references and Mr. Killinger jumped up and pointed a finger at Mr. Kriss and began yelling, I'm gonna put this in your face, you talk facts. She asked why he didn't get removed, seriously, you are going to do this to us, we are going to get removed if we scandalous, impertinent, but we, people on your end, nothing happens. Commissioner Ambrosini said if what happened this morning would have been tolerated at the state level but the people of this county have the same right as any level of government, county, state or federal should all be conducted with the same decorum, the same professionalism and the same respect for the citizens.

Ms. Homistek said what about Mr. Killinger at the Wednesday meeting, and it is on video several places. Commissioner Zapotosky said Ms. Homistek, you have been speaking for over seven minutes right now and believe it or not, and you are going to continue to speak, that's fine with me, but the fact remains is these are business meetings, he is trying to say a sentence, please, it is going to be rough enough down the road, these are business meetings and these should be conducted as that. He said he does believe in worrying about security as an issue because he can't speak publicly about it, but there have been a number of incidents that would warrant some concern about welfare and safety. He said he is saying that because he knows it and these two know because he reported it. He said there have been a number of those. He said he doesn't begrudge anybody a right to speak, they can say what they have on their mind, but when it makes allegations of violating law, when there is a venue that you can pursue to determine if there was a breach of violating the law, i.e. the Sunshine Act and the reporting office in Harrisburg.

Commissioner Zapotosky said we are all humans and we all are subject to something touching the wrong nerve, so to speak, and that happened to me once, he said he has sat in that chair for four years and heard the same thing, this is the worst board of commissioners now and it was the worst board then, the board of commissioners then violated the Sunshine Act, the commissioners now do, and none of it has been determined of having any credibility whatsoever, in a court of law it did not and until the Commonwealth of Pennsylvania tells us that we have done something wrong. Ms. Homistek said she isn't saying they have done something wrong, she is just expressing that what is good for the goose is good for the gander. Commissioner Zapotosky said the gander gets it more times than the goose does, I assure you, if the gander is us. Ms.

Homistek said they would be the gander. Commissioner Zapotosky said he isn't going to comment on who the goose is, I'm being facetious ma'am, I am being facetious.

Commissioner Ambrosini said let me ask a question, is there any reason that you believe or should believe that we should conduct county government business any less professional than the state or federal government. Ms. Homistek said that is not the point. Commissioner Ambrosini said that is the point. He said Ms. Homistek, that is exactly the point. Ms. Homistek asked if that happened at the state level. Commissioner Ambrosini said he can guarantee her that at the state level, this would never be tolerated. He said an individual who called anyone on the floor of the house. Ms. Homistek said representatives yelling at people, would that be tolerated at the state level. Commissioner Ambrosini said there is a level of decorum and professionalism at the state level that. Ms. Homistek said they don't use it. Commissioner Ambrosini said we should have it here, don't you agree? Ms. Homistek said we should but we don't. She said you are referring to the state level behavior for us, therefore she thinks all outbursts on your end. Commissioner Ambrosini said now is the time to start. Commissioner Zapotosky said he agrees.

Ms. Homistek said we should respect you and you should respect us. Commissioner Ambrosini said that is all we ask. Ms. Homistek said if you so the same, it would stop. Commissioner Zapotosky said he couldn't agree more. Ms. Homistek said her other agenda item is "to increase the monthly contract reimbursement rate paid to Reverend Terry Sanders to make it commensurate with the level of professional Chaplain services he provides." She said they want to raise it from \$4,500 a year to \$12,000. She said her question is how many hours a week does the chaplain work at the prison. Commissioner Ambrosini said when they get to that item they will ask him to come up and go over those items. Ms. Homistek said roughly, is it 20, 40 hour, 10 hour? Commissioner Zapotosky said the chaplain provides, and he doesn't see his time sheet. Ms. Homistek said how about the Controller, you pay him. She said it is the title something or other, she looked it up last night and it isn't contracted, but he is paid.

Controller Lally said he is a 1099, he isn't subject to any time sheets. He said he is a 1099 employee that has the opportunity to work 140 hours a week or two work 2. Ms. Homistek said her question is that now they will pay him \$12,000 a month, couldn't that be advertised, \$12,000 a year, I'm sorry. Commissioner Zapotosky said he is also paying some \$300 a month in liability insurance. Ms. Homistek said this isn't just for the jail though. Rev. Sanders said that is for his position at the jail. Commissioner Zapotosky said so the 375 plus the 300, is it? So that is 675. Ms. Homistek said does that liability insurance also cover Genesis House? Rev. Sanders said no. Ms. Homistek said you also do other things. Commissioner Zapotosky said he can provide a copy of his contract. Ms. Homistek said the question is, if you are going to give him an \$8,000 raise, why can't that be advertised in the paper for other potential reverends and pastors for them to apply thinking that perhaps they will work at a cheaper rate for the county's dollar. She said put an RFQ or whatever that is, RFP and advertise it. She said maybe there is a reverend in this room that wouldn't mind working for \$10,000 a year. She said

why not explore options to save the taxpayers money. She said that is her comment on that and she asked Commissioner Zimmerlink if she had any answer, could this position be advertised? Commissioner Zimmerlink said that she said that at the agenda meeting.

Geraldine Mazza said before she makes her comments, Mr. Ambrosini, when and where was somebody threatened with cutting the heads off? She said she has been coming to these meetings for a lot of years and she can't recall, so can you tell me when that happened? Commissioner Ambrosini said he can't tell her exactly but he can say that the individual who made those comments, and he asked Solicitor Cupp if it would be in appropriate to mention a name? Mr. Cupp said it probably would. Commissioner Zimmerlink asked if it was in the paper. Solicitor Cupp said he believes it was but he didn't recall that. He said what he recalls is the incident because he was sitting in this chair at the time it happened and the commissioners were Sean Cavanagh, Vince Vicites and Harry Albert. He said he was back there and he quoted some Chinese newspaper about chopping people's heads off and he said it would be a good thing to start here and we went to the magistrate's office and I represented the county at the magistrate's office.

Solicitor Cupp said the magistrate said it didn't rise to the level of a terroristic threat, the court reinstated the charges, it went to a different magistrate, the guy was bound over from magistrate to court and entered a plea. He said he is going to guess it was about 1999 when it happened. Mrs. Mazza said it was about 20 years ago, back in the 90s, and she thinks she knows who he is talking about. Solicitor Cupp said you probably do. Mrs. Mazza said he no longer attends commissioner's meetings. Mr. Cupp said he doesn't think he lives in Fayette County anymore. Mrs. Mazza said you are right, he doesn't. She said she doesn't think he lives in Pennsylvania anymore. Mrs. Mazza said Mr. Ambrosini, when you go to the state of Representatives, state or federal, or you go to the Senate, when do they hold public comment? Commissioner Ambrosini said they don't. Mrs. Mazza asked why he is comparing them to us? Commissioner Ambrosini said they do have a gallery where people can observe. Mrs. Mazza said yes, they observe but there is no public speaking, you are exactly right.

Commissioner Ambrosini said that is a privilege that we are giving you here. Mrs. Mazza said you are not giving me a privilege, thank you very much, it is my right not your privilege. She said don't ever tell me you are giving me a privilege to speak because you are not. She said you are absolutely not giving me a privilege. Commissioner Ambrosini said if she has a comment on agenda items. Mrs. Mazza said under the agenda items, she wants to know under the prison on the raise for the chaplain, is that money in the budget? Commissioner Ambrosini said yes it is. Mrs. Mazza said it is in the budget, so you knew you were going to do this a long time ago? Commissioner Zapotosky said they had discussed it at a prison board meeting and at a commissioners' meeting. He said they never adopted anything formally but Rev. Sanders had brought it to their attention last year regarding the liability insurance. He asked the Reverend if the county was ever picking that up and he said no. Commissioner Zapotosky said that he will be able to explain in more detail regarding

that, adding that was associated with that increase. He said the \$12,000 was the 375 plus the insurance liability and the increase would be from 675 to 1,000, so it would be a \$325 increase.

Mrs. Mazza said do you think that Marybeth is correct that this should be advertised. She said she doesn't understand how you are spending all this money, where is it coming from. Commissioner Zapotosky said this was budgeted, that's all he can tell her. Mrs. Mazza said even if it was allotted, maybe we could get somebody to do it for less. Commissioner Zapotosky said the question is. Mrs. Mazza said it wasn't advertised, she thought there was a resolution that anything over \$10,000 has to be RFPed. Commissioner Zapotosky said the state changed the law and it is now \$18,000, just to let you know, but Rev. Sanders, how long have you been a chaplain, maybe it is time that you... Ms. Homistek said 2005 and Commissioner Zapotosky said thank you and asked Rev. Sanders to get up. Commissioner Zimmerlink said it was a public comment and Commissioner Zapotosky said there are questions that are being asked and there is somebody in the audience quoting what he started, the gentleman is here, I think he should respond. Commissioner Zimmerlink said she agrees, and he should have said the same thing when Marybeth Homistek asked the question and you said no.

Commissioner Zimmerlink said he is not being consistent in the meeting. Commissioner Zapotosky said first of all, nobody said no, he made inquiry with Rev. Sanders on some of the questions that Ms. Homistek had brought forth. Commissioner Zimmerlink said she asked a specific question and she was told no. Commissioner Zapotosky asked what the specific question was and asked her to repeat it. Commissioner Ambrosini said if they could finish all their comments and then when they get to the prison they will have the Rev. Sanders answer any of the questions you may ask. Mrs. Mazza said she thinks that most of these have been commented on but she wants to bring them up again. She said four business days to register before the meeting means that she doesn't know why anybody would register to start with because she certainly isn't going to, but they have to register on Wednesday after the agenda meeting which doesn't make sense. She said you are not giving the public time to learn what is on the agenda and call and register and why should somebody call the courthouse to say my name is so and so and I want to speak about such and such.

Mrs. Mazza said you are getting paid to sit there as commissioners and listen to the people, that is part of your job, agreed, whether it takes two hours or it takes four hours. She said the meetings go on and on because of the actions of the board of commissioners, that's why the meetings go on so long, it is your fault that they go on and on and on. Commissioner Ambrosini said the reason that the meetings go on and on and on is that we currently don't have any limitations on public comments and like all the other counties do. He said we have our neighboring counties, Westmoreland and Washington counties have basically the identical meeting rules and they conduct their. Mrs. Mazza said she lives in Fayette County, she doesn't live in Westmoreland County. Commissioner Ambrosini said in Fayette County, the citizens of this county have every right to conduct their meetings just as professionally and as efficient as any other

county. He said we are making great strides to raise the level of professionalism in this county beyond what it has been and this is just another step to making that happen. He said they have important business to conduct and the image that is projected outside of this room is less than desirable.

Commissioner Ambrosini said Fayette County is a great place. He said we have tremendous opportunities in this county and I particularly am happy I live here in Fayette County and he wants to make conditions better for everybody in this county and we can waste a lot of time here but it is keeping me from doing what is important. Mrs. Mazza said what is that, bringing jobs to Fayette County which you haven't mentioned since you got elected. Commissioner Ambrosini said they are working on that. Mrs. Mazza said she can tell him this, during Mr. Zapotosky's stint as chairman of commissioners, he didn't have a problem with public speaking and people acting out, same thing with Mrs. Zimmerlink. She said she never had a problem with people in long, long, long meetings, neither one of them did, maybe that should tell you something. She said as far as decorum, when was the last time you had somebody act up to the point where it got out of control? Commissioner Ambrosini said do you mean physically or verbally? Mrs. Mazza said either one.

Commissioner Ambrosini said it happened this morning. Mrs. Mazza said when? Commissioner Ambrosini said when your husband called me a tyrant. Mrs. Mazza said he was just telling the truth. Commissioner Ambrosini said the problem is this is just verbal attacks, it is petty, there is no place in this room for that lack of decorum, that lack of disrespect. Mrs. Mazza said that is not lack of decorum, Mr. Ambrosini, that's telling it like it is. She said you don't know because you fabricate so much stuff when you sit there at that table that people don't even believe anything you say anymore. Commissioner Ambrosini said that is your opinion. Mrs. Mazza said at the last meeting you said that you just wanted to hurry this meeting along because you had a 1:30 meeting scheduled in this room. Commissioner Ambrosini said they had a published meeting. Mrs. Mazza said no you didn't, there was no published meeting scheduled for this room and you sat there and you out and out told a fabrication. Commissioner Zapotosky said Mrs. Mazza we had a rezoning, we had one meeting. Mrs. Mazza said no you didn't. Commissioner Zapotosky said was that the month before? Kathy Winkler said they waiting outside.

Mrs. Mazza said your own assistant sat there and said, no there is no meeting scheduled here. Commissioner Zapotosky said traditionally we have rezonings scheduled at 1:30. Mrs. Mazza said traditionally. Commissioner Zapotosky said he was of the belief that they had that meeting that Tuesday, adding that he would check with the planning office. Mrs. Mazza said does anybody remember that Nicole said there was no meeting scheduled here? Commissioner Ambrosini said Mrs. Mazza, can we keep this to an agenda item comment please? Mrs. Mazza said that is an agenda item comment, you are saying that the citizens are out of order and it is just your opinion. She said she has one more thing she will say because you just don't get it Mr. Ambrosini. She said she wanted to quote something that she read in the paper today.

Commissioner Ambrosini asked if this has to do with an agenda item. Mrs. Mazza said that this says that Zimmerlink is part of a three person group, governing body, where members are not empowered to, my eyesight is bad you have to excuse me, I'm having trouble reading. She said Zimmerlink is part of the three person governing body where members are not empowered to act individually, she cannot be considered a policymaker under the statute. She said that was said by a Fayette County attorney in court on the front page of the Herald-Standard today.

Mrs. Mazza said so, Mr. Ambrosini, you are part of a three person group and you can not make individual. Commissioner Zimmerlink said decisions. Commissioner Ambrosini said did you leave a word out. Commissioner Zimmerlink said no, I didn't write that for her Commissioner Ambrosini, he asked me if I left a word out. She said Mrs. Mazza, did you and I have any correspondence at all, whether it was by letter, telephone call, e-mail, pigeon, since the last commissioner's meeting? Mrs. Mazza said she hasn't seen or talked to her, it was on the front page of the Herald-Standard. Ms. Homistek said she has the notes too, she was going to say that during public comment. Commissioner Ambrosini asked if there was any additional public comment. Commissioner Zimmerlink said if you are going to say that she and I spoke, which is not correct, make sure that you also say who you spoke with before you came down to the meeting just in case anyone comes up to the podium. Ms. Homistek asked who he spoke to. Commissioner Zimmerlink said he can answer that himself.

Mrs. Mazza said Mr. Ambrosini, you go around doing things all on your own, just like you were negotiating on that swampland where you want to put it. She said you are one person of a three member board and it is time you learn that you cannot do that. She said you are being unfair to Mr. Zapotosky and Mrs. Zimmerlink, very unfair, because they hold as much power as you do and you are not giving it to them and you are cheating the citizens of this county by doing things on your own. She said you are not the mighty all of everything. Commissioner Ambrosini said Mrs. Mazza, that is your opinion. Mrs. Mazza said there are lots of people in this county and some of them are smarter than even you think you are. Commissioner Ambrosini said Mrs. Mazza, you are welcome to your opinion but you are way off base. He said we vote on everything in this meeting. Mrs. Mazza said oh, come on Mr. Ambrosini, come on.

Charles Bittner of Uniontown said about the Reverend's raise. He said as everyone in this room knows, at least the commissioners do, he was locked up for 10 months and a day last year for child support. He said he might have saw the Reverend maybe three times in that time he was locked up. He said he dropped requests for spiritual visits from my spiritual, which I am Wiccan, and for one on one visitation to have spiritual time with her and that was never answered. He said he never received an answer written back, no note, nothing. He said he asked him to help him find a job because that was one of the stipulations of being in jail if he could find a job he could be released so he could go work for child support. He said he give his list of work skills which also includes being an Army veteran and he still hasn't heard from him, not one word about if he is helping me or what he is doing. He said he knows inmates over there who have dropped slips in for

church services to attend church services on a Sunday, no request, no answer, yes, no, nothing. He said he didn't receive any religious material to read for his religion, or did he receive any, I'm a Wiccan, I'm a nature based religion. He said he asked to go outside for time to be communed with nature, that was denied.

Mr. Bittner said really he didn't hear nothing about yes or no, he says denied. He said that he did come and see him one time when he was locked up and that was when he was put on psych meds because of a medical condition, which is against my religion. He said he let his spiritual advisors know in a letter about that and she got a little bit upset and called and asked him about it. He said he came down to my cellblock and almost begged me to call her to tell her to cool her jets down. He said he dropped in request slips, which he handed to the guard that day, and again still haven't heard anything, so it never went through. He said he doesn't see where the raise needs to come in. He said liability insurance, he knows that is important, but how much liability is it to walk through a gated community, that's all I have to say. Commissioner Ambrosini asked if there was any more public comment, adding that it must be on agenda items.

Kathryn Jones said she didn't need Commissioner Ambrosini's advice. Commissioner Ambrosini said it is the rules. Mrs. Jones said first of all, with regards to the resolution, she said she wasn't going to speak on the resolution because she is aware that their ability to curtail public speaking in certain situations is protected by court decisions. She said content they are going to run into trouble with. She said she knows that they don't seem to care about liability or what the law might say or, you just go and do your thing, but she is telling them right now you are going to get laughed at as hard as you got laughed at for trying to stop the video recording. She said keep that in mind, two minutes, three minutes, four minutes, whatever, that's awesome, but when you start messing with the content of what people have to say, you have crossed a line. Commissioner Ambrosini said what is this about trying to stop a video recording? Mrs. Jones said that was a part until they were told that they were absolutely out of line. Commissioner Ambrosini said are you accusing anyone up here of trying to stop a video recording?

Mrs. Jones said only that it was in the paper. Commissioner Zimmerlink said it is in the resolution. Mrs. Jones said oh, she didn't notice. Commissioner Ambrosini said point that out to us. Mrs. Jones said it was in the newspaper, she didn't say it was in the resolution. She said it was in the newspaper when they first started discussing limiting speech in these venues, the idea of limiting video recording was also mentioned, unfortunately the law did not support you. She said she didn't know why he was looking at the resolution, she didn't say that it said that. Someone said Number Three and Mrs. Jones said, no, no, this is out of line, out of line, number three, I really thought you had sense enough to take this out. Mrs. Jones said this is absolutely out of line, Mr. Cupp you know better. Solicitor Cupp said actually, he wrote that. Mrs. Jones said you know better. Solicitor Cupp said this is supported in other rules that are throughout the Commonwealth. Mrs. Jones said you know better. Solicitor Cupp said "I disagree with

you ma'am," adding that if she wants to express her opinion to the extent that it is limited, you are welcome to do that, but you and I disagree as to what that means.

Commissioner Zimmerlink said and so does the PNA attorney disagrees.

Commissioner Zapotosky said PNA, that's the. Commissioner Zimmerlink said so does the Pennsylvania Newspaper Association disagrees with the solicitor on that. She said she is just pointing that out. Mrs. Jones said she isn't really here to discuss it, because she doesn't care. She said they are well within their rights to limit, to give us a time limit, she does recognize that business needs to take place, but she thinks they are crossing the line by attempting to limit content. She said again this is not, she doesn't really want to go into this, this is not your kingdom, you don't sit there with that gavel in your hand and just go, I think it should be this way, and I think it should be this way, and this is the way it is going to be. She said that is not how it works. She said she doesn't want to be here, she is there because she has to be there. She said what she has seen from Commissioner Ambrosini is pretty sad, but let's get to why I am here so I can actually go home now.

Mrs. Jones said regarding Terry Sanders. She said Mr. Sanders, you and I have never met but we have talked many times over the phone, acknowledged? Rev. Sanders said correct. Mrs. Jones said she reached out to somebody who is very close to him and thinks a great deal of you and it tempered my comments for this morning. She said Mr. Sanders has been less than accommodating and to those who are not of his faith. She said Mr. Sanders ministry through Genesis House and the community she is not there to speak of, she said she has no idea about his church, she has no idea about his activities outside of the prison, so she will be really clear about that. She said she is strictly talking about his performance as a chaplain within the Fayette County Prison. She said he was ordered, Rev. Sanders was ordered by the prison board, you Mr. Zapotosky, you Mr. Ambrosini and you Ms. Zimmerlink, to provide a Wiccan inmate with the level of spiritual guidance entitled to him by Title 37 and he refused to do so for almost 30 days.

Mrs. Jones said not quite 30 days, but almost 30 days. She said their directives were ignored, he was insubordinate to this board, to the prison board, to you three commissioners, and to give a man a raise for the job performance that he doesn't perform really, is kind of uncalled for and it is a liability issue as well. She said if Mr. Bittner chose to, he could sue the county, he could sue the prison, he could sue this board, he could sue Mr. Sanders personally, but she is sure that all your liability premiums would cover that so it really wouldn't matter much, but Mr. Ambrosini, if you really want to raise the level of professionalism in this county, start at the prison, fire Brian Miller. She said do not, I won't say fire Rev. Sanders because when you work for that little money firing is kind of silly. She said the man does not deserve a raise, this is a position that requires an open mind and broad experience which Rev. Sanders does not have. She said she would encourage this board to not follow through with the raise and she would encourage the board to answer her question as to why your directives

were ignored by Rev. Sanders and she said she hopes this is the last time she has to be here.

Ms. Homistek said she had one question about Mr. Sanders, she asked if there is still a life skills class for women inmates at the prison. Rev. Sanders said yes. Ms. Homistek said bible study and weekly prayer. She asked if there is anything in the prison handbook about hiring people with records that you would find in the state. Commissioner Ambrosini said he wasn't sure he understood her question. Ms. Homistek said she didn't want to get personal, but. Commissioner Zapotosky said she wouldn't have brought it up, so continue. Ms. Homistek said could someone with a felony or in prison in the 90s, are they allowed to be employed at the jail? Commissioner Ambrosini said he would have to speak with HR, he didn't know what the rules were off the top of his head. Ms. Homistek said she knows that at the state level that wouldn't be tolerated, someone who had spent a year in prison for controller substance, for various things, should they be a chaplain?

Commissioner Ambrosini said he doesn't know the answer to that but he can look into it. Ms. Homistek said it is on UJS portal, it is several instances of drugs. Mrs. Jones said she will do the job for free and she will do it better. David Show said he is a lifelong resident of Fayette County and he has two brief statements and he will be as brief as he can. He said he wanted to state publicly that he has no intentions now nor in the future to ask permission from this board to express his First Amendment Rights. He said with all due respect as an American he doesn't need to ask permission to speak especially of his servants, and that is what they are, servants of the community. He said that said, if the time limits were truly being enacted for efficiency of meetings, one might accept those requests without much resistance. He said those in this room and across this county that have been paying attention know far better. He said inability and reluctance to answer questions are what cause the long meetings. He said purposely attempting to avoid the public by playing politics by changing meeting times and locations are what cause long meetings. He said being unprepared and failing to do due diligence prior to the meetings are what cause long meetings. He said do not attempt to put the blame on your lengthy meetings on the public, it's not the public's fault.

Mr. Show said the public wants to endure the long meetings for one reason, trust, they do not trust you. He said they take the time to attend the meetings because they question your decisions and fear your motives. He said it is your fault and not theirs and limiting their time will not fix that problem. He said his second statement is this, and it has to do with the prison issue and it was eluded to slightly today, he just wants to make a public statement that to his knowledge he doesn't know of a soul on either side of this prison issue that does not want to see resolution to the prison, that doesn't know there is a problem there. He said he doesn't know of a soul on the referendum board or any other that oppose the guards, the unions or their safety. He said it has been his impression that is now being pitted against the folks that oppose this prison. He said it is not that anyone doesn't want to see this prison fixed and it is not that anyone doesn't want to see the guards have a safe work environment. He said to have the impression

made or the potential future impression made that anyone is against that, it is not accurate and he said he just wanted to make sure that is a public statement.

Jim Killinger said he is commenting on item 18, resolution 14. He said there have always been laws, rules, policies and regulations regarding our society. He said they are in your home, they are in your place of employment, they are in your schools, they are in your government, they are in your military and all other organizations. He said if it is a young child at home, attending school, being employed, serving in the military, attending various meetings, he said he has never had a problem following the rules as long as he knows what is expected of him and others on an equal basis. He said you can't conduct a business meeting when there are those that want to debate using the First Amendment because their goal is to argue and further their cause at the expense of others to drag our meetings far beyond what is needed. He said the commissioners meetings are professional business and should be conducted as such by everyone present. He said these meetings must be controlled so that everyone has a voice and that is done by setting policy and making sure it is followed. He said time limits and other rules are without argument and must be put in place as resolution 14 calls for.

Mr. Killinger said there are those of you in this room who get the Herald-Standard newspaper where they have rules for the letter to the editor. He said he supposes that also is against the First Amendment. Rick Carlins of Farmington said he had hoped that Mr. Zapotosky would have been here, but maybe he will come in. He said he can't see this as anything more than silencing the opposition. He said he isn't sure it is the same thing but regarding the 1999 incident, nobody in this room has done anything to threaten anybody or anything like that, at least to his knowledge. He said the thing is when you tell the people that they can't talk and you are going to tell them what they are going to do and whether they like it or not, that kind of creates hostility from the people that you are telling not only that you are going to do it your way but they are going to have to pay for it because it is the taxpayers that are going to have to pay for the prison. He said he has heard them speak a little bit with regards to it is going to be transformational that we are going to end repeat offenders and treat the drug offenders and so forth so they are all better and healed.

Mr. Carlins said really there is no better teacher than pain, when they reach their limit, when they can't do this anymore, when they hurt bad enough, that is the only time they are going to change, it is not going to happen before that. He said that is human nature, that is the way it has been all through history. He said he isn't sure that you can cite a case where just trying to do good just because you love somebody and you want to change them you can explain to them what is the right way to go and they go there. He said do you have for instances of that? He said he is just saying that and he has heard and he doesn't know specifics or anything but the amount of money that is going to be paid for the property that was bought that was referred to as swampland and has been undermined and nobody in the area wants it, was beyond top dollar, it never could have been purchased for that kind of money in the open market by another citizen, nobody

would want to pay that kind of money for it, so we don't because that is the kind of decision we would make as taxpaying people.

Mr. Carlins said we don't want to pay that kind of money for it and we want to be able to speak to you and let you know that and if you didn't oppose the people so strongly just if we were allowed to talk, I have been self-employed all my life as a carpenter and you work on different places and some things require more patience and time than others do. He said it is not all the time that you are going to have this opposition, it is only when people realize what is being done to them and we just don't want it to be done to us, so you need to hear it, it is your job. He said again, he really wished that Mr. Zapotosky would have been here, I don't know why he had to walk out of the room during public comment. He said it is really, you are using every excuse you can in the book and he isn't going into any details about being threatening, it takes too long, this that, this is nothing more than silencing the opposition and we know that and really you shouldn't do that. He said you shouldn't do that, it is what we put you there for. He said this is just something that is going to require a little bit more work from you to listen to us and maybe look into other opinions other than what you have your mind set to do.

Commissioner Ambrosini asked if there were any additional public comments. Seeing none, he asked Director of Public Works Bob Carson to come forward. Commissioner Ambrosini said this is an award that we are going to present to you, it is a PComp award, the Pennsylvania Compensation agency that we are going to present to you, it is a PComp award, the Pennsylvania Counties Worker's Compensation Trust, a program of the County Commissioners Association of Pennsylvania, presents the 2014 PComp loss control award to Bob Carson for outstanding efforts to reduce claims for Fayette County, March 2014. He said Mr. Carson, I appreciate your exemplary work for the county and this is an acknowledgement of those efforts and he is sure he will find a nice place to put it on the wall in his office.

Mr. Carson said he appreciates the recognition and the award and he really didn't know he was going to get it. He said he was challenged at looking at the county's overall performance with worker's comp and our loss claims we took a good look at the numbers and sat and reviewed the information with PCorp and through those folks, they gave us some money to match what the commissioners would give us to make some safety improvements and we will move forward and hopefully we will continue to keep our losses down and work with these folks to use some of our money that we spend on annual premiums and get a little bit back to make improvements to the courthouse.

Fayette County Redevelopment Authority

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve an amendment to the Contract for Sale of Land between the Redevelopment Authority, Fayette County, and RET-FAY, LLC to permit the construction of a hotel development at the Fayette County Business Park.

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 Resolution which authorizes the Redevelopment Authority to make budget revisions to the County's Fiscal Year 2009, 2010, 2011, and 2012 Community Development Block Grant (CDBG) Programs.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Adult Probation Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve an extension of a contract with Ford Business for copy machines for 60 months under the current terms of the COSTARS contract.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Jim Kovacs said it is under the current terms and includes another copy machine.

Assessment Office

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the following for a real estate tax exemption as she has been qualified as a surviving spouse of a deemed 100% disabled veteran by the Veterans Administration of Pennsylvania effective for the 2014 tax year.

Mary A Hawk 146 Nemaquin Woodlands Farmington PA 42-22-0003-10

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 enter into an agreement with SeniorCare Network for a Payment in Lieu of Tax for the following parcels. The board of directors for the non-profit corporation have an appeal before Common Pleas Court to gain a tax exempt status. The agreement would be for an indefinite period.

Unlimited Senior Housing Inc. C/O Presbyterian Senior Care
1215 Hulton Rd. Oakmont PA 15139 Parcel 34-04-0057 – located 61 New Salem Rd.
Current County Revenue - \$10,174.59 – Proposed settlement \$2,647.56

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked Solicitor Cupp for the payment in lieu of taxes that it states for an indefinite period of time. Solicitor Cupp said that it did.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to enter into an agreement with SeniorCare Network for a Payment in Lieu of Tax for the following parcels. The board of directors for the non-profit corporation have an appeal before Common Pleas Court to gain a tax exempt status. The agreement would be for an indefinite period.

Unlimited Senior Housing for the Elderly Inc. C/O Presbyterian Senior Care
1215 Hulton Rd. Oakmont PA 15139 Parcel 38-04-0182 – located 125 E Main St.
Current County Revenue -\$7,473.50 – Proposed settlement \$1,882.25

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 send 4 certified assessor for a 3days/ 15 hours of continuing education classes to Seven Springs, Somerset County at a cost of \$450 per assessor. No overnight lodging.

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 the following agreements and modifications, as listed:

	<u>Contract Value</u>	<u>Period</u>
Base Contract Agreement 2013-2014 Rehab Links	\$7,000	7/1/13-6/30/14
Modification Agreement #1 2013-2014 Laurel House, Inc.	\$497,070	7/1/13-6/30/14
HealthChoices Agreement – 2012 Funds Fayette County Drug & Alcohol	\$5,000	2014-2015
Modification Agreement #1 HealthChoices – 2012 Funds Genesis House	\$66,077	2014-2015
Professional Service Agreements 2013-2014 Morris Morrison Development Group, LLC	\$3,350	03/18/14
Morris Morrison Development Group, LLC	\$3,350	03/28/14

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 exercise the lease purchase option on a 2011 Ford Escape leased through Ford Motor Credit Company for \$13,373.55 as an addition to the FCBHA fleet.

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 purchase of an Avaya IP Office telephone system through the PA Department of General Services COSTARS program to replace an aging system. The total cost of the purchase is \$43,989.96. Advent Communications

Systems, 250 Meadowlands Boulevard, Washington, PA 15301, is an approved COSTARS contractor.

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 upgrade of existing computer infrastructure to a complete virtual environment through the PA Department of General Services COSTARS program to assure HIPAA compliance. The total cost of the purchase is \$274,101.78. The purchase will be made through Dell who is an approved COSTARS vendor.

\$9,896.83 - upgrade existing equipment	\$96,485.10 - purchase new equipment
\$155,489.27 – software purchase	\$261,871.20 - total virtual environment
\$12,230.58 – total off site disaster recovery	

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Children & Youth Services

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the lease of two 2014 Ford Escapes through the state wide contract program at a cost \$46,570.00 for a 4-year lease.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Controller:

Controller Sean Lally gave the following financial condition of the county.

Office of the Controller

Fayette County, Pennsylvania

SEAN P. LALLY
Controller



Phone (724) 430-1217
Fax (724) 430-1366

FUND:	GENERAL FUND		
	DATE:	15-Apr-14	
CASH:	Checking Account	United Bank	\$3,212,613.70
Funds Owed to General Fund			
	Temporary Loans		
	Victim Witness Fund	\$ 30,000.00	
	Children and Youth Fund	\$ 2,000,000.00	
	Bond Fund	\$ 1,235,185.39	
	Due to General Fund		
	Ferry Insurance Policy	\$ 9,796.00	
			\$ 3,274,981.39
	Arc Payments Due		
	Intermediate Punishment Fund-.3yrs	\$ 40,651.26	
	Offenders Supervision Fund-3yrs	\$ 87,758.28	
	Victim Witness	\$ 4,271.61	
	Records Improvement	\$ 2,325.32	
	Fredericktown Ferry	\$ 5,054.04	
			\$ 140,060.51
	Central Service Payments		
	C-17 Fund-2yrs	\$ 9,005.00	
	Offenders Sprvsn-3yr	\$ 39,369.00	
	Intermediate Punishment-3yrs	\$ 19,532.00	
	Victim Witness Fund	\$ 10,780.00	
			\$ 78,686.00
	Funds General Fund Owes		
	Tax Anticipation Note	\$ 9,500,000.00	
			\$ 9,500,000.00
Budget Year	Net Position		-\$2,793,658.40
			Year to Date
Total 2014 Revenues		\$ 5,146,484.06	
Total 2014 Expenditures		\$ 7,929,761.64	
Total 2013 Expenditures paid in 2014		\$ 1,120,484.47	
Capital Reserve Fund Balance	Fund 51	\$ 247,095.03	
Bond Fund Balance	Fund 53	\$ 209,102.16	

After Controller Lally gave the report, Commissioner Zapotosky asked what the to date cost on out of county rentals is. Controller Lally said \$200,242.29, which is an increase of \$21,137.29 over last year at this time. Commissioner Zapotosky said last year's total amount was? Controller Lally said \$1,218,865. Commissioner Zapotosky said so we are on track for an increase of \$240,000. Controller Lally said if the numbers hold currently. Commissioner Zapotosky said in addition to the 1.2.

Courts

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to enter into a contract with State Constable Brian Kelly to work at the Fayette County Booking Center at a rate of \$15/hr. contract expiring 12/31/2014. Contract needs to be retroactive to February 25, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After a motion was made, Commissioner Zimmerlink said she asked this question at the agenda meeting and she said she is going to ask it again because it isn't a definitive answer. She asked if the individual has been paid since the February 25 date. Commissioner Zapotosky said he thinks that she answered no and that is the urgency to make this correction. Commissioner Zimmerlink asked Controller Lally if he was able to check and see if that person has been paid. Controller Lally said he hasn't gotten an answer yet. Commissioner Zapotosky said Ms. Revak, do you know? Commissioner Zimmerlink said the reasons he is asked is that if the bill was paid, they may have signed off on a requisition or something and it would be a ratification, that is what, and she asked that question and she wanted to make sure. Controller Lally said he understands. Chief Clerk Revak said that she said she hadn't submitted any payment yet because it can't be paid without a contract. Commissioner Zapotosky said that is correct.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a contract with HDS, Center for Hearing and Deaf Services, Inc., for interpreting services the court needs. Needed for a Nepalese interpreter. Will use services in future when necessary.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After a motion was approved, Commissioner Zimmerlink said just to understand this is not solely just for this type of interpreter, you have read the contract Solicitor Cupp, this is for all interpretative services, not just those needed for this. She said that is why they are entering into a contract, so this company can provide interpreting services for the courts.

Emergency Management Agency:

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following contract proposal from Motorola for maintenance services for the new radio system for 10 years. The first payment will not be due until 2015 and will run through 2023. The first two years maintenance is for existing equipment presently owned by Fayette County. Newly installed radio equipment is covered under warranty until 8-1-2016.

See attached payment schedule:

Year	Fayette Site Coverage	Annual (5%)	Multi-Year	Savings
1	8-1-14 through 7-31-15	Warranty	\$ -	\$ -
	Legacy Adds 1-1-15 through 12-31-15	\$ 30,888.00	\$ 30,024.00	\$ 864.00
2	8-1-15 through 7-31-16	Warranty	\$ -	\$ -
	Legacy Adds 1-1-16 through 12-31-16	\$ 32,432.40	\$ 30,162.00	\$ 2,270.00
3	8-1-16 through 12-31-16	Prorated	\$ 90,222.00	\$ -
4	1-1-17 through 12-31-17	\$ 275,497.83	\$ 247,182.00	\$ 28,315.83
5	1-1-18 through 12-31-18	\$ 289,272.72	\$ 250,782.00	\$ 38,490.72
6	1-1-19 through 12-31-19	\$ 303,735.56	\$ 254,532.00	\$ 49,203.56
7	1-1-20 through 12-31-20	\$ 318,922.00	\$ 258,360.00	\$ 60,562.00
8	1-1-21 through 12-31-21	\$ 334,893.87	\$ 262,632.00	\$ 72,261.87
9	1-1-22 through 12-31-22	\$ 351,612.51	\$ 266,169.00	\$ 85,443.51
10	1-1-23 through 12-31-23	\$ 369,192.64	\$ 270,174.00	\$ 99,018.64

Total	\$2,243,127.13	\$ 1,960,239.00	\$436,430.13
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Average Per Year Savings	\$43,643.01
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Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Fayette County Office of Human and Community Services

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the Consolidated Operating (Shared Ride, PWD, WTW, Fixed Route) & Consolidated Capital Application for FY 14-15 to be electronically submitted to PennDOT.

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 application of 5310 formula funding through FTA for FY 14-15 to be used for fixed route operations and capital.

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 advertising a public hearing/public participation plan of projects for 9 a.m. on May 9, 2014 at the Fayette Area Coordinated Transportation Office at the Joseph A. Hardy/Connellsville Airport/ Route 119.

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 discontinuing the Morgantown, WV fixed route provided by FACT as of July 1, 2014 due to poor ridership & end of 2-year demonstration.

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 awarding bid 14-03 for facility modifications to Waller Corporation of Washington for \$62,384. No other bids were received after advertising twice.

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 FACT's corrective action plan for the PennDOT's review on Shared Ride, Persons with Disabilities and Welfare to Work programs.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resource Department

CYS

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of Ronald Cobert from a Caseworker I position effective March 28, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the resignation of Samantha McClelland from a Caseworker II position effective April 17, 2014.

Commissioner Ambrosini yes

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Building and Grounds

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to hire of Travis Frankhouser as Maintenance Worker I at SEIU Pay Grade 5 Step A, \$10.70/hr. (\$22,256 annually) effective April 21, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked Bob Carson, director of public works, if this position was posted. Mr. Carson said that it was. He said there was one internal bid and that bidder withdrew his bid request and there were four applications. Commissioner Zimmerlink asked if this person here is a current county employee. Mr. Carson said he is not. He confirmed that there were four applications submitted and he interviewed all four. Commissioner Zimmerlink asked if he was recommending Travis Frankhouser. Mr. Carson said yes he was, he is fresh out of school.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to hire Brad Wendel as a Temporary Summer Clerk at \$7.50/hr. effective May 5, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zimmerlink asked how many individuals were interviewed, asking if it is through PIC. Mr. Carson said it is through the county's internships and he worked with us last year. Commissioner Zimmerlink asked if he interviewed anyone else and Mr. Carson said no one else applied for it. Mr. Carson asked the commissioners to jump ahead to public works. Commissioner Zimmerlink said to finish all the items under human resources first because it is easier on the staff.

EMA

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the promotion of Part Time 911 Dispatcher, Jackie Gregg, to Full Time 911 Dispatcher, at SEIU 911 Scale Pay Grade 9 Step A \$12.79/hr. (\$26,603.20 annually), effective April 21, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the temporary hire of 911 Dispatcher Trainee, Elizabeth D'Auria at \$8.50/hr. effective April 1, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

FACT

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion of Part Time Bus Driver, Jason Pischko, to Full Time Bus Driver at SEIU Pay Grade 7 Step A \$11.40/hr. (\$22,230 annually) effective April 16, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Jack Fleming, Scott Wise and Donald McDonald as a Part-Time Bus Driver, at \$11.40/hr., effective April 16, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

FCBHA

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of Clerk Typist II, Carma R. Krueger, effective March 28, 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 ratifying the resignation of Clerk Typist II, Sharon L Rankin, effective April 7, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the transfer and promotion of Christine Collier, County Caseworker 1 from Children and Youth Services, to County Caseworker 2 at FCBHA at \$15.54/hr. (\$30,303.00 annually), effective April 16, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Jamie L. Brame, Clerk Typist 2 at \$10.90/hr. (\$21,255.00 annually), effective April 28, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Mary Della Cseripko, Clerk Typist 2 at \$10.90/hr. (\$21,255.00 annually), effective April 28, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire of Nicole L. Kmetz, Clerk Typist 2 at \$10.90/hr. (\$21,255.00 annually), effective April 28, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prison

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the 180-hour volunteer internship of Saint Vincent Criminology Major, Anthony May, effective May 12, 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 Joel Harkins from the Investigator position effective April 11, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the hire Alexander Fogle as an Investigator at SEIU Pay Grade 9 Step A, \$12.23/hr. (\$23,848.50 annually) effective April 16, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Assessment

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the resignation of Jennifer Maddas from the Assessor I position effective April 7, 2014.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Works

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the purchase of steel shelving for the Clerk of Courts to use for their record storage in the Basement of the Federal Bldg. at 34 W. Peter St. Uniontown, PA. Shelving to be furnished by Shane Felter Industries, 1569 Pittsburgh Rd., Uniontown, PA. 15401 at a cost of \$6,482.00. Shelving units to be assembled by County employees as per the layout from Shane Felter Ind.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Mr. Carson asked the commissioners for the action. He said this is the same shelving that is used in the basement of the courthouse itself and it is a steel

racking system that makes it very, very flexible. He said they spoke with multiple vendors but none of them could give them as much storage with their design shelving as these could. Commissioner Zimmerlink said so, in other words you followed county code bid procedures and made some telephone quotes and/or quotes to seek other prices and Shane Felter meets your specifications and it is at the best rate. Mr. Carson said yes. Commissioner Zimmerlink said and the money is budgeted in which line item. She said maybe the Chief Clerk can help us out, was it budgeted for 2014? Mr. Carson said the Clerk of Courts asked for the money. Commissioner Zapotosky said he does not believe it was placed in the Clerk of Courts budget. Commissioner Zimmerlink asked if it was listed on the capital projects. Mr. Carson said the capital projects were all \$10,000 or more.

Commissioner Zimmerlink said anything on any other. Mr. Carson said he was going to take it out of equipment, they had to set up a line item for equipment, they lost a number of air conditioners. Commissioner Zimmerlink said she doesn't believe he should take it out of building and grounds budget. She said you budgeted those funds for requested repairs to the courthouse, right? Mr. Carson said in lieu of emergency repairs, we had one bid for air conditioning down here that we already had, he said they put money aside for that and they put additional money aside for, \$2,500 or \$4,000. Commissioner Zimmerlink said you are saying to take this out of your line item isn't going to cause you any issues for the remaining 2014 year, or that you are willing to take that risk. Mr. Carson said he is willing to take that risk.

Planning and Zoning

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Ambrosini to approve RZ 14-1 Fred Pounds, Dunbar Township, for an extension of B-1 General Business on property currently zone R-1 Moderate Density Residential.

Commissioner Ambrosini yes
Commissioner Zapotosky abstain
Commissioner Zimmerlink yes

Motion passed 2-0

After a motion was made, Commissioner Zapotosky said he did text Sarah (Rosiek) to ask is this was the hearing, when was it heard, and it was heard after the last commissioner's meeting but due to the length of the commissioner's meeting, the meeting was not convened until 3 p.m. Commissioner Zimmerlink said she doesn't think that is the one that was being referred to. Commissioner Zapotosky said that was after the last commissioner's meeting, that is all he is saying.

Prison

Commissioner Ambrosini asked for a motion to consider increasing the monthly contract reimbursement rate paid to Reverend Terry Sanders to make it commensurate with the level of professional chaplain services he is providing to the Fayette County Prison. This request is to increase his reimbursement rate from \$375 per month to \$1,000 per month retroactive to and effective January 1, 2014. The prison was given a 2014 budget allotment of \$12,000 for this purpose.

Commissioner Ambrosini then asked Rev. Sanders to come forward and enlighten everyone on what his job requirements are and what he does. Rev. Sanders said good morning to everyone. He said his job as a chaplain started out as him coming in as a volunteer after the chaplain Frank Lewis had left. He said after that he was asked if he would consider taking the chaplain position. He said at that time, there were things that were not in place such as the females were not having chapel services in the chapel, they were still having them on their range and so they weren't getting a full chapel experience and with the approval of former Warden Larry Medlock, they approved that to increase the chapel services for the women and by doing so the attendance increased and they believe they were able to make an additional improvement in their personal development. He said what he also did there, which was not being handled by his office at that time, he covers all the classes such as Alcoholics Anonymous and Narcotics Anonymous classes and any other treatment classes coming into our location under his office there was a question as to having a life skills class and it meets on Saturdays and is called Celebrate Recovery and it is a faith based class and it is lined up with some of the standard steps with Alcoholics Anonymous and Narcotics Anonymous, they talk about the whole approach of life transition for the women so it is a life skills class.

Rev. Sanders said there is child rearing and the total rehabilitation of your life. He said in addition to that, he does daily rounds in the facility and is there four times a week. He said typically he does it in the evening because during the day they do not have the facility that meets the requirements for him to have office space to be able to meet with anyone so he will come in the day if someone had a death in their family, one of the counselors will remove themselves and allow him to immediately be able to meet with that individual and we will begin to help them during their time of loss, bereavement. He said the other part of his job there is we try to help the men with the rehabilitation as far as employment. He said there was a statement made by Mr. Bittner that he didn't help him. He said the employment agencies that he is currently working with did not have employment that he was seeking. He said most of the jobs they have now are labor intense jobs and he has some physical disabilities so that is what he was told and he did meet with those folks in the prison.

Commissioner Zapotosky said if he may interrupt for a second, he is acting as a 1099 employee but is also representing the county, in regard to his personal exchanges with individuals in their particular issue that may prohibit them from engaging in employment or other matters based on the services you provide, without releasing, you don't want to talk about that unless you have the individuals permission to do that. He said he doesn't

want to get into specifics but physical disabilities or anything like that, would fall under some levels of privacy, so just exercise caution. Rev. Sanders said he has Sunday services every Sunday, one time for women and one time for men, and they do Wednesday Bible studies for men and women. He said there is a full scale of activities based on the spacing and time that they have been allotted to be able to do. He said they can only do so much and they also have other organizations coming in during the day, they have the courts coming in, mental health coming in, there are so many different things that are running through, in and out of the facility, he just wished he would have had the opportunity to bring to the meeting.

Rev. Sanders said since he has been the chaplain, one of the 500 or 1,000 men that he has under the chaplaincy been able to change, instead of having one come in and say that I haven't done my job. Commissioner Zapotosky asked if he believes he has brought about change to the inmates. Rev. Sanders said he does his job and he does it with efficiency and he does his job for all those involved. He said he wanted to speak briefly to something that was made to his charge that he did not provide services for a particular religious faith, and he did, he communicated as the board told him to call them to see when they could come in and he didn't get a return call. He said he did his due diligence. He said anybody that calls to come in as a clergy representative to see anybody in the institution, they call me and I return the call and I set up a clergy time, which is 5 o'clock in the evening.

Rev. Sanders said that is based on prime example, if you have a meeting at 5 p.m. and you are a clergy member and you have a parishioner in an institution and 5 o'clock a meeting is set but we have a situation that happens inside the institution which is a security breach, anybody from the outside is removed immediately from the building. He said that happens at a time when people don't understand, they think we are just not allowing them in our facility but the number one priorities at the institution is care, custody and control. He said those are of the utmost importance from the individuals coming from the outside for administration and for our workers and for those who are currently incarcerated in our institution. Commissioner Zapotosky said that is called a lockdown, right? Rev. Sanders said yes, they have to lock the facility until it is secure. He said he hopes that is sufficient.

Commissioner Zapotosky said if he could tell them how many hours, adding that he knows it is very difficult being a man of the clergy to reign in hours because your hours are 24/7/365. Rev. Sanders said yes. Commissioner Zapotosky said if you could ballpark it for the basis that the question was posed, can you give. Rev. Sanders said at minimum 40 hours a week, but that also includes when he gets a call on a Friday night at 11 o'clock from a staff lieutenant about somebody's mother dying and I need to go and talk to them and sit with them and hold their hand for two hours. He said people don't understand the full scope of what the position entails. Commissioner Zapotosky said it is difficult to understand in the field of clergy because it is 24/7, God doesn't have off and on hours. He said he understands that, thank you. Commissioner Zapotosky said the basis of this increase was not of salary in nature, at least, it was designed and

discussed at many prison board meetings regarding the Reverend's stipend. He asked Rev. Sanders how long he has been with the county. Rev. Sanders said he started in 2005 and in 2006 he took over as a full time chaplain and his stipend was at one point \$500.

Rev. Sanders said his superior officer, Warden Brian Miller said he thinks I should get a raise, you have been at that same level and people appreciate what you do, and he ended up with \$375. He said he doesn't know how that happened but that is where they are now. Commissioner Zapotosky said for insurance liability, he has provided documentation on that to the prison board. He said it is \$300 a month, correct? He said technically, if the, you are losing \$75 a month at the \$375, you haven't been paid yet. Rev. Sanders said he wanted to say that there is one clergy in the room and he doesn't know if anybody else would understand, but he knows he has bills to pay but when you are doing you life's work, what you are supposed to do, if this were just a job for me, I would have left when I got the deduction, it's not just a job for me, this is my life's work, this is what I am supposed to be doing. He said when you know what you are supposed to be doing, and you still have your bills to pay, and you try to pay your bills, that's one thing and we have been doing that.

Rev. Sanders said his family members have been doing that. He said this is a passion for what he has been called to do and presently, those sitting on the panel there, you are doing what you have been called to do. He said he wants to continue to do what he believes the commissioners are trying to do, which is to pull our county up to the level where we are respectable. Commissioner Zapotosky said being that the prison board meeting is next week, is it next week or the week after? He said his son messed up his phone, he can't tell. Commissioner Ambrosini said the 30th is the last Wednesday, so it would be two weeks from tomorrow. Commissioner Zapotosky said the one thing he wanted to make sure of before he makes his motion is that Pastor Sanders receive the restitution from the \$375 that has not been paid to him as of today and he believes that is in the process, correct Chief Clerk.

Commissioner Zapotosky said if he provided documentation of the insurance liability, he would think that is another item for which he should be made whole on and then the balance of which, he is going to acknowledge the prison board meeting being in two weeks, a week and a half, that we allow for the prison board to make a recommendation to this board regarding their desires, and all three of us serve on it, Controller Lally as well, and that will provide clarification to this board in their meeting in May and we can make a determination as to whatever our intent is. He said Rev. Sanders your contract is not up at this time, right? You are a 1099, right, so I would make a motion that the county would consider reimbursement rates paid to Rev. Sanders in the amount \$375 per month as well as any additional cost made in the payment of ie, liability insurance coverage paid out of pocket to date by Rev. Sanders and then the matter regarding the full stipend as budgeted would be reviewed by the prison board and a recommendation made after their April meeting. Commissioner Zimmerlink said that is changing the

entire. Commissioner Zapotosky said we have done that before Commissioner and you have read a couple.

Commissioner Zimmerlink asked if she could finish her sentence. Commissioner Zapotosky said yes. Commissioner Zimmerlink said that is changing the entire agenda item and also there is nothing in the contract that discusses reimbursement in the current contract that discusses reimbursement. After Mr. Mazza asked her to speak up, Commissioner Zimmerlink said that, his proposed motion changes the entire resolution that we approved for the agenda item and it also does not reflect the terms of the current contract and the current contract does not discuss any reimbursement of insurance and nor did it, was it even raised when the RFP was done in 2011 and the contract entered into. Commissioner Zapotosky said he will acknowledge that and withdraw, he apologized for something that should have been corrected by either this board or the prison board. He said he would apologize and he would hope that the 375 to date is paid as soon as possible and then pastor if you don't mind, we will address the other and get a formal recommendation from the prison board as to the balance of that.

Commissioner Zimmerlink said you don't need a recommendation, the prison board would merely recommend. Commissioner Zapotosky said that is what he said. Commissioner Zimmerlink said they all know what the outcome of that is going to be and the second thing is, as she stated at the agenda meeting, the current contract was 375 a month. She said if the invoice was submitted and processed through the commissioner's staff and sent to the controller's office, if it was done for 375, then obviously it has to be paid under the terms of the contract. She said what was done instead was a request for \$1,000 a month, which was \$12,000 a year and that was the red flag that came up not only by me but also by the Controller's office. She said that is why she didn't sign off on it, you can't increase the terms of a contract without having a vote to change the contract itself.

Commissioner Zimmerlink said although it was approved by two commissioners, her fellow two commissioners and processed through the accounting system it was red flagged, not to not pay the 375, because that is not what the request was, it was red flagged by the Controller's office to say that he did not have the authority to pay the \$1,000 and that was correct, so the 375 should have been submitted and should have been paid for January, February and March. She said it wasn't a glitch in the system, it was something that should have been done. Commissioner Zapotosky said he was certain that there was action taken by the board of commissioners at a previous meeting, obviously that wasn't the case. He said it wasn't because the contract, as you stated specifically pertained to the stipend of 375. He said again he wants to see that if he is providing these services, as with anybody, providing services and dipping in to their own funds to cover costs that are basically being incurred.

Commissioner Zimmerlink said they are going to need a legal opinion on if the issue is raised of reimbursement of insurance Solicitor Cupp because the RFP went out

sometime in 2011 and the contract was awarded and if there was no mention in the RFP at that time and the contract awarded and signed off at that time, she doesn't want to get into it now, obviously you cannot address the issue. Commissioner Zapotosky said he has a motion to table, pending. Commissioner Zimmerlink said he didn't make a motion to table. Commissioner Zapotosky said he withdrew his motion that he was making, acknowledging. Commissioner Zimmerlink said so, you are making a motion to table, second, no I am not going to second to table, I'm sorry. She asked if he was making a motion to table, and said she wasn't going to second it, because she isn't going to vote to do it this way. Rev. Marietta said one of the things they do at his church is he has insurance to cover everything he does, public meetings, whatever, if he goes to a prison to speak, the church covers me, so we have 379.

Commissioner Zapotosky said this is something we need to talk to PCorp about, because I think, do we need to address PCorp on this pastor as well because. Commissioner Zimmerlink said that was brought up at the prison board meeting, I brought it up. She said nothing is going to happen until another commissioner returns and she will make her comment now. She said the way she looks at it is we are obligated to enter into a contract for goods and services, bids and proposals. She said in 2001 an RFP was done for chaplain services and a contract was issued and a contract was signed. She said that contract did not have any provisions for any increase in amounts. She said two commissioners and a solicitor believes the contract can be changed in this manner and I not only disagree with it but she also says that when you do something like this then you have two commissioners, whoever the two may be, by taking this action, not allowing the process for, the open bid process to occur in the county.

Commissioner Zimmerlink said whether they vote today or tomorrow or whether they wait for a recommendation by the prison board which we all know what it is going to be and come back again, regardless of that, if you vote to extend the contract with an increase amount, making it retroactive to January 2014 it is basically an invitation to all vendors in the county who have a contract that does not address increases to come to a commissioners meeting and ask for an increase. She said so the second Tuesday in May at the agenda meeting any vendor who wishes to, who doesn't have under their contract a provision for an increase, that is an open invitation to come here by two commissioners by placing this on the agenda and thinking about voting for it to say hey, we have increased insurance rates, we have other issues and we believe that we should be paid more, so that is sending out a message. She said it should not be done, this is no reflection pro or con on the services of the chaplain, what this is about is Commissioner Zimmerlink, my opinion as a county commissioner is the process in which to award contracts and seek services under the county code and to make certain that the county commissioners are seeking public bids for the services to make sure we are getting the services that we want and under the amount of money that we are being offered.

Commissioner Zimmerlink said there are a number of other chaplains and men and women of the cloth who should also be able to submit their interest. She said it was done in 2011 and it should be done, if you want to change it again it should be done by an RFP. She said that is her opinion, whether the solicitor and the commissioners agree with it or not, that's the proper way in which we should handle any increases in contracts. Commissioner Zapotosky said first of all, vendors, he thinks they agreed to extend the terms of a contract today with a vendor for an additional 60 months and he believes that vote to extend said contract was unanimous. Commissioner Zimmerlink said right, under another different circumstances it was to extend and I asked the questions about the COSTARS. She said that's apples and oranges. Commissioner Zapotosky said again, I was presenting my apple then, if you will, we did extend that contract today. He said that contract does go in excess of the \$18,000 threshold, because if we wanted to get, because some folks agree with the COSTARS program and some didn't.

Commissioner Zapotosky said he is a 1099. He said Controller Lally, we don't have that many 1099 employees, so we? Controller Lally said no. Commissioner Zapotosky said so his circumstances are, again this is an apple and orange because I do agree because your services aren't like a copy machine or anything like that, your services are unique in nature, we did RFP this back in 2011, I don't think we got anybody else to respond, so again I just want to table this, and I couldn't get a second to table, pending discussion by the prison board and subsequent action either thereafter or no action and the reverend will be paid \$375 and then the \$300 plus his insurance and be operating with a \$75 profit. Commissioner Zimmerlink said there is a motion on the floor Commissioner Zapotosky. Controller Lally said he just had one comment, Rev. Sanders is a 1099 employee under the provisions of county code in section 1802 paragraph five is, as John can contest to, is the service considered a professional service, if so that precludes the requirement of sending out an RFQ or an RFP for those services. He said he doesn't have that answer he isn't an attorney.

Commissioner Zapotosky said even if he was, it was below the state statute amount of \$18,000. Commissioner Zimmerlink said we did an RFP. Commissioner Zapotosky said required to bid. He said he would make a motion, which he thought that is what everybody want to do in the first place but he would make a motion to table.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to table increasing the monthly contract reimbursement rate paid to Reverend Terry Sanders to make it commensurate with the level of professional chaplain services he is providing to the Fayette County Prison. This request is to increase his reimbursement rate from \$375 per month to \$1,000 per month retroactive to and effective January 1, 2014. The prison was given a 2014 budget allotment of \$12,000 for this purpose.

Commissioner Ambrosini yes
Commissioner Zapotosky yes

Commissioner Zimmerlink no

Motion passed 2-1

Tax Claim

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a motion to accept the following bids from April 1st, 2014 Repository Sale Bid Opening, subject to all conditions being met, as listed.

Bidder	Amount of Bid	Twp/Municipality	Parcel Number
Lance Winterhalter	\$156.00	Vanderbilt	40-01-0077
Gregory Coop	\$100.00	Connellsville City	05-07-0321
Total \$256			

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 February 26, 2014 special commissioner 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 table approval of the March 18, 2014 regular commissioner meeting minutes.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Ambrosini asked for a motion to consider approval to establish rules for public comment at all commissioner meetings, as attached. Commissioner Zapotosky said Mr. Chairman, these are recommendations that you have made and Mr. Cupp has prepared them. He asked Mr. Cupp if he believes if these meet any, you said other counties use the same. Solicitor Cupp said they are similar to the resolutions used in other counties and that is the framework in which he drafted the resolution. Commissioner Zapotosky said again, his opinion on this after reviewing these the other day were based on one thing and one thing only, his desire to make sure these meetings do not become a spectacle, whether it be in the eyes of the people who are watching this on You Tube or wherever else it is televised, Herald-Standard or wherever, I do recall in the 90s as well and I can tell you that in the halls of Washington D.C. was discussed and laughed about, quite frankly, I say that with regret and embarrassment, the behavior and conduct of the commissioners and some cases as well as those who attend this.

Commissioner Zapotosky said he does agree that they have gone a little beyond the point of public opinion and when you make comments directly to an individual that challenge their credibility, their ability, when you make comments referring to them as tyrants, dictators, whatever, these are not rules that impose for one not to be able to speak, this is just rules being developed to present some structure for the meetings so I just wanted to say that, my father too, rest his soul, fought in the war, he was 16 months as a gunner in Korea and he sat in these meetings for the last five years, actually he was mocked because he was mom and dad, at these meetings. He said my father is no longer with us and I would love for him to be sitting in that chair right now. He said that he too used to remark after the meetings whether there were attacks coming at me or my colleagues, whether it be this board or previous boards, that this would not go on where he was a magistrate in Monessen for a number of years, it would not go on in Westmoreland or Washington and I have to agree. He said this may be Fayette County but we can debate or exchange and I'm guilty of some stuff from that October meeting I do admit and apologize, but we have to come to some understanding that, would we want our kids to come here and hear this, would you want your kids to behave like we do in this whole thing.

Commissioner Zapotosky said would you want your kids to tell their principal or teacher that they were a tyrant, would you want your kids to hear you cite that somebody has done something illegally, whether they have or have not? He said Commissioner please, I believe a couple of years back there were comments made about you while I was chairman and I believe I had the courtesy and respect to gavel them down. He said even his mother got up and said something because it wasn't right. He said he isn't saying he has all the answers for everything and you may disagree with 99, which clearly you do, 99.9 percent of what I stand for, and that's your right and that right is exercised every election. He said he knows, he has done it twice, some of us have done it once, some of us have done it three times, but the fact remains that is just not what we need to be, if we want to disagree, disagree, but let's do it with some understanding that we are first of all humans and second of all that we all have families

and he said he will be honest, security is a reason, I cite this because I am, and it is still being reviewed, received some e-mails that would be defined as a threat, not just to me, but to my family and one most recent was that we could come in here any time we wanted to, you saw it, both commissioners saw it, a firearm, if we didn't want to get you in the building, we can get you when you walked outside.

Commissioner Zapotosky said, to me, that is a concern, I have a son I have a wife, I have a family too. He said they have rights as well as you to see their husband and their father come home. He said he is asking them to comply and if it isn't working, they will fix it. He said asking that you comply with these is not in violation of your Constitutional rights, to me it is making the meetings more conducive for first of all, it's first purpose which is public business, second of all, if the concern for safety is an issue, and I have it, I have that right too. He said these folks and you all, so don't begrudge me my rights either. He said that is all he has to say, he isn't asking, he is just giving his opinion. He said he will make the motion with a stipulation to see how they work under implementation but as far as registering and all of that, he would like to discuss that at another meeting but as for today, I will make the motion as the resolution is written. He said he is talking about clarification of some items in the resolution. Commissioner Zimmerlink said let's do it now.

Commissioner Zapotosky said let's do it now. He said he has read it, he isn't allowed to amend the agenda, the item of the agenda. Commissioner Zimmerlink said no one says you can't amend the agenda. Commissioner Zapotosky said he would like to make some changes in the resolution if you don't mind, he would like to, if this is possible Mr. Cupp, because there were a couple of points he wanted to bring up under discussion and he just didn't want to challenge anyone here, the commissioner on her comments, Mr. Cupp, may I be able, if permissible, to change the item regarding the requirement day to contact the chief clerk to Thursday by the close of business. Solicitor Cupp said what you should do is make a motion that says what you want, that you want to approve resolution 14, as attached with the following amendments or changes, and make that your motion. Commissioner Zimmerlink said and here is what is going to happen, and he is permitted to do that obviously, but you just had a room full of individuals who came here to comment on a resolution that was provided. She said you gave them a resolution and told them to come up here and make their comment and now they are all gone and they don't even have an opportunity to comment on any of the changes.

Commissioner Zapotosky said there is only one change, actually. Commissioner Zimmerlink said regardless if there is one or 15. Ms. Homistek said if it benefits us. Commissioner Zimmerlink said it doesn't matter if it benefits us, no, you as the citizen, no, that's not the issue here. Commissioner Zapotosky said then he will make the motion as it stands, as it stands written. He said he will be bringing up amendments to this resolution at the next month's meeting, but as of today, I make the motion as it stands. He said that is the proper way to do it and we will do it that way. Commissioner Zimmerlink said she didn't say it was. Commissioner Zapotosky said I am saying commissioner, I'm just saying, that is the way we are going to do it, that's my motion, if it

gets a second great, if not it dies. Commissioner Zimmerlink said Solicitor Cupp, you can respond, I made a comment that was very clear and you can go ahead and make your. Commissioner Zapotosky said there is a motion on the floor Mr. Cupp to adopt the resolution as attached. Solicitor Cupp said you should call for a second. Commissioner Ambrosini said is there a second, I'll second the motion.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to consider approval to establish rules for public comment at all commissioner meetings, as attached.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

After the vote, Commissioner Zimmerlink said that is not what she asked him, she knows there is a motion and a second, she has been here since 2004, and she thanked him for that. She said you asked him for an opinion and you did not get an opportunity to state your opinion, therefore I was asking you to go ahead. She said that he says he now doesn't want your opinion at this time. Commissioner Zapotosky said Mr. Cupp, your opinion was, if I can quote you, is I can make a resolution, as attached, or I can make a resolution and have an amendment to that resolution. He said he chose to make the resolution as you stated as attached since there was some discussion on whether or not it would be official to make a resolution and an amendment when folks have left the building. Commissioner Zimmerlink said so there is a motion by Commissioner Zapotosky and a second by Commissioner Ambrosini to pass this resolution as stated. Commissioner Ambrosini asked if there were any other comments.

Commissioner Zimmerlink said for more than 10 years we had Commissioner Vicites, Commissioner Zimmerlink and Commissioner Hardy, none of us restricted citizens from questioning the actions of their commissioners or questioning the votes of their commissioners. She said what we did is we conducted our meetings, we took care of county business, we answered the citizens questions, and then we moved on. She said there was no need in the eyes of Hardy, Vicites and Zimmerlink to do any types of restrictions. She said now what we have here is we have two commissioners who complained because of the length of the meeting, this meeting here, I believe it is 20 after 12, it was started at 10, it was not all because of comments from the public, we had Rev. Sanders, who took an opportunity to speak, and we responded, which was right, we had proclamations, so you can't, as another citizen eloquently stated, you can't blame it on the citizens for holding up the meeting.

Commissioner Zimmerlink said it is not a matter of a two or three hour meeting. She said they also complained that they have to sit here and listen to the citizens. She said that is as citizens stated and as she has always stated, that is part of our job, we

represent the county, we represent you, you have an opportunity to publicly speak on any county issue and question our votes before we vote as well as after we vote. She said every citizen has that right to express their opinion at our public commissioner's meeting and to question us and she is not going to play a part, whether it is today, or at the next commissioner's meeting, I am not going to play a part in this type of restriction to citizen's right to question their county government or to question the commissioners.

Following applause, Mr. Mazza said, we have one public servant. Commissioner Zapotosky said this was also a resolution, this resolution was initially adopted in 1997 by Mr. Vicites, Mr. Cavanagh and Mr. Albert, it was unanimously carried. Mrs. Mazza said and it didn't work then and. Commissioner Zapotosky said again, Mrs. Mazza if it doesn't work, I will make a motion to abolish it. Commissioner Zimmerlink said the statement that commissioner Zapotosky said that this was the same as in 1997, is that correct, is that what you said? Commissioner Zapotosky said that is not the same, it is not the same, if you look at it and look at the attachments, I believe you have, it was 1997, Commissioner Vicites, Commissioner Nehls and Commissioner Cavanagh did not put the same restrictions, in as the two commissioners today did. She said it is very clear, anyone in this room can turn to the last two pages of the agenda, read what it says and then read the resolution that those two just passed, it is very clear that they are different.

Commissioner Zimmerlink said don't, don't, don't try to say that Vicites, Nehls and Cavanagh did this because that did not occur, it's in writing. Mrs. Mazza said she attended those meetings and this is far more restrictive. Commissioner Zimmerlink said not only that but the resolution itself is totally different. Commissioner Zapotosky said it was written by Mr. Cupp first of all and you give his acknowledgement for his understanding of the law, in the original resolution adopted in 97 it did allot for speakers to have registered four business days in advance of the chief clerk, shall be three minutes, the time allotted for the speakers, there is some similar language in there. He said and then it was amended also, just as an FYI, it was also amended one more time March 20 of 97, also and it was carried. She said citizens, you can read them, you have them attached. Commissioner Zapotosky said he will take a look at it and he would like to make some changes to it next month anyway.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the request of the Joseph A. Hardy/Connellsville Airport to use \$30,336.74, which is the balance of the county paid 2010 \$50,000 special hangar allocation for their operation expenses.

Commissioner Ambrosini yes
Commissioner Zapotosky yes
Commissioner Zimmerlink no

Motion passed 2-1

In making the motion, Commissioner Zapotosky said these were 2010 monies. After the vote, Commissioner Zimmerlink said she doesn't agree that the commissioners should be giving county tax dollars from our general fund to the airport authority to pay for any past due operating costs or for their fuel bills. She said she doesn't agree that it is an allowable use of the county general fund, two commissioners and a solicitor may believe otherwise, I do not. She said even if the county code is unclear and specific on the issue and leaves it up to interpretation. It is not only in the best interests of the county not only to begin paying past due bills of the county airport but it also sets a precedent for other municipal authorities who have either funding issues or who cannot pay their bills to then come into the commissioners second Tuesday of next month and say we as a municipal authority need some money for our past due fuel bills or any other bills and to ask that we also give them money. She said again it extends to any vendor, any municipal authority member to come in and to ask that we help pay their bills using our county general tax dollars.

Commissioner Zapotosky said just as a point of history, the county has budgeted money to the airport in previous budget years, this was monies that were provided in a match to an RCAP, correct Commissioner? Commissioner Ambrosini said that is correct. He said those monies were designated to go with the RCAP for construction and that subsequently did not occur, no fault of the airport authority, they are a direct partner with the county and they are in need of our help regarding some solvency matters and I think it is important, we always talk about airports, economic development, we talked about economic development earlier here today so is that a facet of economic development, I believe it is, I believe it is essential and that's why I voted for it. He said we have subsidized them before, we have given them money before. Commissioner Zimmerlink said the \$50,000 was given for a special project, for a hangar project, they used a portion of that towards the bid process and obtaining information from Baker Construction, Commissioners Zapotosky and Ambrosini said Baker Engineering.

Commissioner Zimmerlink said then they decided to scrap the project and basically what they are asking now is that they be allowed to use the balance to pay past due airplane fuel bills, right and any other operating expenses. She said as I said, of course I am going to support the airport, the airport needs to support itself, the airport has their own issues, they need to promptly address them, it is way past due that they have not addressed them in a fashion that even the FAA has been seeking and for the county to use general fund tax dollars to pay the operating expenses of the municipal authority, number one in my opinion, is not an allowable general fund use, even if Solicitor Cupp comes back with a review, because it is not very clear in the county code, specifically saying municipal authorities, the point is, is that they need to address their past due issues in the appropriate manner, using their revenue and the county general fund needs to the same and you are going to have, it opens up the door for other municipal authorities who have past due operating expenses to also say give us some money from the general fund to allow up to pay our bills. "That's why I voted no but it passed anyway," she said.

Commissioner Ambrosini said he wanted to point out a few things. He said the FAA report that found some deficiencies came out approximately three years ago. He said those deficiencies weren't handled until within the last 12 months when there was a new administration at the airport and all those issues have been resolved except for one which is weather related and can be handled now in the spring and summer. He said the other thing he wants to point out is there was a study done, an airport study that looked at 12 airports in the western half of Pennsylvania similar size to the Connellsville Airport and the municipalities or counties that ran those airports provided a minimum of 30 percent operating funds to those airports and a maximum of about 50 percent. He said if a dozen airports in the western half of Pennsylvania are providing operating funds, I am pretty sure it is within the county code rules. He said so and the airport as Commissioner Zapotosky indicated is an economic tool or this county so we want to make sure that it survives and thrives. He said he has to give credit to the airport management currently out there because they have been doing an exceptional job of keeping them solvent and solving the problems. He said they have done remarkable work in the last 12 months and he applauds them for that.

Commissioner Zimmerlink said the county code does address the obligation to support our county airport and we do support our county airport but not to use our county general fund tax dollars for past due inefficient operation expenses. After various comments by Mrs. Mazza, Commissioner Ambrosini said this is not public comment Mrs. Mazza.

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

3-10-14 to 3-25-14			
Department	Cost Center	Debit	Credit
Building and Grounds			
Salary full time	01417451400	\$1,820	
Materials/supplies	01417452000		\$1,820
Salary full time	01417451400	\$15	
Materials/supplies	01417452000		\$15
Clerk of Courts			
Postage	01419153250	\$810	
Contract computer services	01419153010		\$810
Controller			
Materials/supplies	01413352000	\$50.08	
Contract services computer	01413353010		\$50.08
Juvenile Probation			
Contract services	01423754100-231	\$55	
Telephone	01423753200		\$55

Magisterial District Judges			
General MDJ account	01418651400	\$453.21	
Bank cards acct.	0141860052350		\$453.21
Contract services	01418651400	\$392.64	
Rent Haggerty	01418653830102		\$392.64
Total Debits	\$3,595.93	Total Credits	\$3,595.93

Commissioner Ambrosini yes
 Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

Public Announcements

Commissioner Ambrosini announced that the Fayette County commissioners will be accepting letters of interest for the following: the Fayette County Health Center Board, the Fayette County Industrial Development Authority and the Fayette County Airport Authority. He said letters should be sent to Kathy Winkler in the commissioner’s office, 61 East Main St, Uniontown PA 15401 or by e-mail to kwinkler@fayettepa.org. The deadline for letters is Tuesday, April 22, 2014. He asked if there were any other public announcements. Ms. Homistek asked if they addressed the banner that is across the courthouse about the April 24 forum that is at Penn State about drug awareness because it is so common in Fayette County, prescription drug use, 6 p.m. at Penn State. She said there is a big banner draped across the courthouse and it’s in the paper a lot too about forums on drugs. Commissioner Ambrosini said if there are not any more public announcements, Ms. Homistek can make that one. Commissioner Zapotosky said she just did. Commissioner Ambrosini asked if there were any other public announcements.

Public Comments

An unidentified man said he sat there the whole time and then declined to identify himself when asked. He said his whole problem with this meeting, especially with the limiting the time and all that stuff, you guys, I think were elected by the people of this county. He said he thinks they get paid and for them to say that we as citizens can’t say anything for a specific period of time and if the meeting takes too long what difference does it make how long the meeting takes. He said if the people are saying things that are going to let you know how they feel. He said he isn’t somebody who wants to get up and talk in front of a lot of people but he is just saying, you already passed this thing there is nothing we can do about it, you can tell me to sit down right now and I’ll sit down, I am a law abiding citizen. He said he thinks law abiding citizens should have the opportunity to speak about what we have to say and not be curtailed by a paper that says you can only have two or three or four or five minutes, whatever it is. He said

somebody might have something to say that is a lot more important and they can't get it out in that period of time. He said that is just his opinion and he just wanted to state it.

Wendy Baur, who was standing at the podium, said next time she will realize that standing at a podium didn't mean anything. Commissioner Zimmerlink said the chair recognized the other gentleman. Ms. Baur said she goes to county commissioner's meetings for a living, and rest assured, they don't go like this. She said she has been to county commissioner meetings across the state, and they do not operate in this fashion. Commissioner Ambrosini asked her to state her name. She said Wendy Baur, I am a taxpayer and citizen and with the Department of Corrections and she was there to follow up on the rally from this past Friday. She said she will start with a few examples of the tour that preceded that rally. She said three of the five cameras in the control center have nothing on them, they don't work. She said the open control booth which is the hub and for those of you who don't understand prisons, the control booth is where you run your entire facility from. She said do you think you want inmates inside that control booth because rest assured, look around the country, those inmates could take that jail any day they want, they can take that jail, it will belong to them because they have access to what should be an unsecured area. She said it is not a secure area.

Ms. Baur said the laundry room has wires hanging out of the wall next to water running down the wall. She said hard rain like was going on Friday when they were here, brought raw sewage running through the basement of this facility. She said leaks in the roof have turned into buckets that have been there longer than some staff, it has become a joke in the facility that that bucket has worked here longer than I have. She said the county can't get enough buckets to hold the water coming out of the ceiling. She said to top it all off, there isn't proper ventilation in this facility, so do you as a taxpayer want to go spend 16 hours a day, much less being incarcerated there, she is just talking about the staff, who has to smell sewage in 110 degree weather because there is no air conditioning in this facility, really, that's what you expect out of these folks. She said it sounds more like a house of horrors and the next thing that should come on your agenda it taking well served advice from the Department of Corrections and West Virginia and doing what they did to Moundsville and turning it into a haunted house because that is what they did and that is apparently all that thing is good for. She said correction's officers do one of the most dangerous jobs in law enforcement.

Ms. Baur said they just completed a nationwide study that has the rate of the PTSD of a correction's officer is at 33 percent. She said that is higher than a returning Iraq war vet. She said they spend their shifts surrounded by people society has deemed to be dangerous and not allowed in our communities. She said every day they are outnumbered and every day they are outmanned and the only reason that they get to go home is because the inmates decided you get to go home today because rest assured there are more inmates in that facility than there are staff and any day if those inmates want to take that facility with your lack of cameras, your blind spots, the whole facility, they could take that facility any minute, you better pray to God that they don't and so far that they haven't. She said she isn't sure how the county hasn't been sued federally

except that they haven't had the right federal inmate incarcerated in your facility. She said all they have to do is take a step back and look at Allegheny County some years ago, they had a federal inmate who happened to know exactly what he was doing and that federal inmate filed lawsuits and you know what they got, a \$168 million brand new facility in Allegheny County and who got the rights to talk about that, let me tell you why it wasn't the taxpayers, because when a federal judge rules that this is unsafe and not going to happen. She said she is talking to the taxpayers right now, OK, and to the, I am talking to both parties because right now there is a big battle over this prison, a big battle over this prison and I don't want to.

Commissioner Zapotosky asked if he could ask a question. He said, you said that Allegheny County had a \$160 million. Ms. Baur said they had a \$168 million facility in Allegheny County. Commissioner Zapotosky said that was ordered by the federal judge? Ms. Baur said that was not ordered by a federal judge, what the federal judge did in Allegheny County did was give them certain criteria that you had to meet and their facility was as old as yours, they had certain criteria they had to meet, cell space was too small, overcrowding, many issues that ended up in federal court and because those issues ended up in federal court, a federal judge, Cahill, said, we can't do this anymore, this must cease and desist so at the end of that road because of the overcrowding here's what Allegheny was forced to do because of overcrowding, their capacity at Allegheny County Jail was 725 inmates, after the amount, if you have 730, pay five and let them out, if you have 740, pay 15 and let them out. She said that is why they had to get pushed into a building, a new facility, \$168 million. Commissioner Zapotosky said he saw her there and there were a lot of union members there. He said there was a gentleman and he can't remember his name, but he tours facilities nationwide, and he can't remember.

Ms. Baur said his name, adding that he is president of the corrections network. Commissioner Zapotosky said he had made reference to his tour of the prison. Ms. Baur said that is where she got her information and sadly this information has gone nationwide and Fayette County is now nationwide as the worst prison in the United States so we are on national news again. Commissioner Zapotosky said how many folks have been inside the prison, can I ask, and have you toured the whole facility? He said he just wanted to ask. Ms. Baur said she doesn't know how at this point your facility hasn't been taken over by the Department of Corrections or the federal government except for the fact that you have indicated to them that you are going to build a new facility, otherwise you are two steps away from us, taxpayers and people who work in corrections throughout this country from letting the ACLU coming down here and having a tour because I promise you, my hand to God, if the ACLU tours that facility on a rainy day, you will be shutting it down the very same day. Commissioner Zapotosky said if not sooner because they have already contacted us on a number of issues. Ms. Baur said for those of you who don't know what the prison federal rape elimination act, it is federal law is, there is no debating it, there is no getting around it, it is federal law, you will get in compliance with it or the DOJ will start to take over your facility.

Ms. Baur said do you want the feds to come in and take over your facility or would you like the county to continue to run it? A couple of members of the audience said they would rather have the feds. Ms. Baur said they don't know what they are talking about because when the feds come in it will be like Allegheny County and it was \$168 million, so when the DOJ comes in here they aren't going to ask you as a taxpayer what your opinion is, they are going to tell you. Commissioner Zapotosky said, you have been in the facility before? Ms. Baur said she has. She said she isn't on one side or the other, she doesn't care if you pick the spot it's in, you find a new spot, she doesn't care what they do, all she is telling them is that their secret is out of the bag now and we all know and we that work in corrections across this United States, we will hold all these commissioners accountable, you will get a shovel in the ground and you will commence to getting a new facility done as quickly as possible because we are not going to stand back and let those people who work in there continue to work in that kind of environment, and God bless the inmates that are in there that have to live in that environment.

Commissioner Zapotosky said they have discussed this for over a year and there has been action taken from the beginning to move this project forward so he hopes. Ms. Baur said there is a lot of debate over where you put this thing and what everybody needs to understand is that we do not care where you put it, we don't, we are not here to support one location over another location, extensions, annexes new construction, she doesn't care about any of that, all she is there to tell them is that their secret is out of the bag now and we are going to get a new prison in this county so it is up to you guys to work with these taxpayers or whatever you've got going on, these resolutions, different plans, different construction zones, whatever it takes, get a new prison, get it built and this place here would be shut down, thank you for your time. Ms. Homistek said oh my God. Ms. Baur said it is not oh my God, you go home and sleep in your bed while there are corrections officers walking around..... Following exchanges between members of the audience, and repeated gaveling by Commissioner Ambrosini, Mr. Mazza said the last time he saw her she was campaigning for Rick Santorum and she still owes his wife a lunch. Mrs. Mazza said you lost a bet Wendy. Ms. Baur said lost a bet, lost the house, lost the Senate and lost the White House. Mr. Mazza said he wasn't aware she was a citizen of Fayette County. Ms. Baur said she is and she has been for more than 10 years and she pays taxes here just like everyone else.

Mr. Mazza said another thing is he heard that song before and he heard it with the Uniontown school and they purposely neglected and that is what they are doing, they purposely neglected the facility and because you could have fixed the building and fixed the sewage but you didn't want to do that and she is altogether wrong about the purpose of the referendum. He said the purpose of the referendum is not that we don't want anything done to the prison, we don't want a prison built, the purpose of the referendum was to include the people who were going to pay for it in the process, that's what the referendum was about, it was not about that we should or shouldn't have a new prison, it is about the people being involved, you've excluded the people completely, you have excluded the people. He said another thing with your analogy of

the magistrate with a public meeting Mr. Zapotosky is ludicrous. Commissioner Zapotosky said it is still a public meeting. Mr. Mazza said there is no public comment at a magistrate's court. He said another thing he wants to touch upon is since when is the public denied access to this room on the meeting day. He said last month there were six or seven people standing out there in the hall and we were denied access to this room because the guard was told not to let us in and here comes the Controller strolling down and he gets immediate access. He said we were still told not to come in. He said then Mr. Zapotosky you came in and it was open sesame.

Commissioner Zapotosky said he had no idea what he was talking about. Mr. Mazza said he is telling him. Commissioner Zapotosky said if you would have approached one of us or. Mr. Mazza said today. Commissioner Zapotosky said today? Mr. Mazza said today is fine, he is talking about last month, last month we were denied access, six or seven people had to stand out there in the hall until your mother came and then it was open sesame, they opened the door, but the Controller, the employee was allowed to come in and play with his smart phone. Commissioner Zapotosky said he doesn't know, he never heard that before, he doesn't have a clue, he is sitting there are 9:30, he doesn't know. Mr. Mazza said he read in the paper where Mr. Ambrosini was quoted as saying we have so much energy and that is the same song you were singing before the election and he knows that because he worked for him which he could kick himself in the butt for but you are still singing the same song and that is all you are doing is singing a song, there has been nothing else done, the only jobs we have come into the county is jobs that start and minimum wage. He said you can't build a house, provide property and create a tax base on minimum wage jobs and boy we sure have a slew of them in this county and all we have done is lose manufacturing jobs and we haven't done anything, people are still looking for jobs.

Mr. Mazza said the worst thing is we are still losing people, and who are we losing, our most precious asset, the youth of this county that go out and get education and learn things and they have nothing here to go to, they have to move out. He said how do I know that, I've got, we have four children and none of them are in Fayette County. He said they have all done well for themselves, they have gotten a good education and they have done very well for themselves but they had to leave this county and the youth of our county is our most precious resource and nobody has even done anything to change and keep that resource here, that's all I have to say, but I don't want to be denied access to this room. Mrs. Mazza said so you passed your resolution to restrict the county citizens from speaking. She said "I for one will not abide by those rules." She said she will come to the podium and she will say what she has to say, if it takes two minutes, five minutes, 10 minutes, 15 minutes, whatever, I will have my say.

Mrs. Mazza said she is just telling them that so they know she is not going to abide by the rules. She said she knows, Controller, Commissioners, you spend a lot of rhetoric speaking about paying \$60 a day to move an inmate to Greene County, Centre County, wherever you take them, and whatever it is up to, every time we hear the figure it goes up. She asked Controller Lally how much does it cost the taxpayers for you to sit here

and play on your smart phone at every commissioners' meeting. Controller Lally said he makes \$49,000 a year and if you want to break that into six hours a month and for me to text my office and if commissioners ask me questions, I think that is in the purview of what I am allowed to do. Mrs. Mazza said no, you are not here to answer questions of the commissioners. Controller Lally said I absolutely am, when they ask me questions, I answer them. Mrs. Mazza said last commissioners meeting you did not open your mouth because you were not asked any questions, you are the only controller in 20 years that I have been coming to these meetings that sits here during the entire meeting. She said we pay you to run the controller's office, to work in the controller's office, we don't pay you to sit here and play on your smart phone and that is what you do. She said the last meeting went past 3:30 and you sat here. Controller Lally said what is the point that the meeting went past 3:30? Mrs. Mazza said her point is that he should be in his office working, not here playing on your smart phone. Controller Lally said am I yelling at you? Mrs. Mazza said no, but I am yelling at you because you are not listening to me.

Controller Lally said the commissioner's, long before I was controller, designated that they would like the controller to come and read their financial report that is part of my job. Mrs. Mazza said the controller always came to commissioner's meetings. Controller Lally said not always and Mrs. Mazza said yes they did. Controller Lally said who is the controlling body in this room, the commissioners and they stated that they wanted to controller to read the financial report of the county as a part of stewardship. Mrs. Mazza said every commissioner before you came in the meeting after the meeting started, they waited their turn, they were called upon to give a financial report, they gave it, they asked the commissioners if they had any questions, they answered the questions if there were any and they went out the door and went to work. She said I'm not paying you to sit here. Controller Lally said maybe those citizens are. Mrs. Mazza said who wants to pay him to sit here and play on his smart phone. She said she didn't see any hands up, she said Mr. Lally each meeting after you give your report, please leave and go to work in your office, you are just proving to us that we don't need a controller. Controller Lally said is that right? Mrs. Mazza said yeah.

Commissioner Zapotosky said Controller Lally, your duty as a controller, first of all the issue you are referring to, the controller would attend the meetings but never present a financial report. He said it was actually discussed, and then, (when interrupted), can I finish, the year that they had the fiscal problems with the county, this is the Commissioner, you were chairman at that time, before you took office, the year you took office, then the controller started to read the reports because that was something that was acknowledged he didn't do it. He said Controller Lally does a great service to us by reading the reports and he is here to ask questions of his office as it relates to our office, which is closely intertwined. Mrs. Mazza said that has always been the way they did, the controller came in, read the financial report, asked the commissioners if they had any questions, answered the commissioner's questions, and you all have phones and if you have a question for him it is not difficult to punch in the controller's number and ask him the question on your phone. She said why should the taxpayers pay you to

sit here and do nothing? Commissioner Zapotosky said I don't think he is doing anything his job is to. Mrs. Mazza said no, he is playing on his smart phone throughout the meeting. Commissioner Zapotosky said Controller Lally you know your duties and your staff and I thank you for being here and you are right, you don't have to be here, it is your choice and a request and consideration of you, you don't have to do that, as an elected official you can choose.

Controller Lally said it is a double edged sword, we take a brow beating because somebody says why are we spending 6 hours in a meeting room that have comments that go over and above but yet when you take the effort to be here to listen to the citizens that may have questions for me, then I am not doing my job. He said Mrs. Mazza, this can never be a double standard. Mrs. Mazza said how many people ask you questions Sean. Controller Lally said a lot. Mrs. Mazza said oh, come on, Sean, you are full of it, unbelievable that you think you are so important. Ms. Homistek said before that, she had no idea who that woman was. Commissioner Zapotosky said she works in some association with a group that advocates on behalf of corrections officers, don't know if it is state, national or whatever. Mrs. Mazza said she used to be head of the Republican Party, she came up from North Carolina or South Carolina. Commissioner Zapotosky said she is definitely from the south, he thinks it is South Carolina. Mrs. Mazza said she remembers when she came up years ago. Commissioner Zapotosky said she was a Santorum, he isn't going to talk about Santorum. Ms. Homistek said her comment was a renegade thing. Commissioner Ambrosini asked her to focus on her comments.

Ms. Homistek said that Commissioner Ambrosini referenced Commissioner Zimmerlink at a meeting and Commissioner Ambrosini said he did not reference that. Ms. Homistek said he did because she said that they should address who he spoke to before the meeting. She said you were mumbling to her and she must have spoke to someone, so my question to you is who were you speaking to before the meeting, was it Mr. Killinger and his prepared statement perhaps. Commissioner Ambrosini said no. Ms. Homistek said or was it this lady from the jail. Commissioner Ambrosini said no. Ms. Homistek said you hinted that one of us spoke to her before the meeting because whoever spoke it was in reference to that, so my question is who did you, did you speak to anybody in this room, well the two people who have left, did you speak to any of them before the meeting? Commissioner Ambrosini said he has never spoke to Wendy Baur before today ever, in fact this is the first time I met the lady, Mr. Killinger is on the prison working group so I speak to him on a weekly basis. Ms. Homistek said before the meeting? Commissioner Ambrosini said no, I did not.

Ms. Homistek said then regarding, one other quick thing, what is the status of your plans for the women's annex, are you still planning on having a women's annex before the new prison opens in December 2015? She asked if they are looking at those hangars at the airport to use as temporary housing for the women? Commissioner Ambrosini said yes. He said we are still looking at that facility and what we are doing right now is trying to get a good estimate on what our projected inmate overage is going

to be for the next 24 months or actually from June of this year till the end of 15 because the cost of renovating any existing facility unfortunately is significant so we're assessing right now whether it will be a savings for the taxpayers or not. Ms. Homistek said we are sort of late in the game, why do something at this point? Commissioner Ambrosini said that's why we need to build a new jail, because we're wasting valuable taxpayer's dollars right now. Ms. Homistek asked if he signed a contract yet for anyone to build the jail, have you started constructing yet on that property? Commissioner Ambrosini said we are developing specifications right now. He said let me answer your question.

Commissioner Ambrosini said Marybeth, we hired an architect, which we have a contract with, he is working with all the stakeholders in Fayette County right now to make sure we have an adequate facility to address our needs here in Fayette County. He said once those specifications are completed for the design of the facility, we will prepare bid packages and send it out for a request for proposals for the various contractors that will bid on it. He said actually we will put it out, any contractor can bid. Ms. Homistek said did you not pay \$200,000 already to Sleighter Engineering? Commissioner Ambrosini said we have paid, he isn't sure exactly what the current rate is, but we are making progress. Ms. Homistek asked what they have to show for it. Commissioner Ambrosini said are you saying that we have made no progress? Ms. Homistek said physical, I'm not seeing any structure yet, that's what I mean. Ms. Homistek said we have the diagram and the architectural plans. Commissioner Ambrosini said he is a little confused, explain to my why you think we haven't made any progress. Ms. Homistek said because for, I don't know when the prison thing started. Commissioner Ambrosini said about a year and a half ago, this prison thing as you call it.

Ms. Homistek said there is no building yet, so what progress has been made. Commissioner Ambrosini said let's back up, he said a year and a half ago, he wrote and e-mail, it was on July 17, 2012, he wrote an e-mail out to all the county department heads, and I asked for those people to volunteer to be on what I call a prison working group, those were all the stakeholders, that's the courts, that the jail itself, the warden. Ms. Homistek said she knows all about that, it is everybody who is pro-prison. Commissioner Ambrosini said over the last year and a half they have been doing a lot of work and determining how we need to use this facility to address the needs of the individuals in Fayette County. Commissioner Zapotosky asked if other people were extended the same opportunity to join the prison working group? Commissioner Ambrosini said we extended the offer to people outside the county. Ms. Homistek asked if it was in the newspaper. Commissioner Ambrosini said yes it was, I'm sure several times. He said we got a number of those offers, which we accepted and we have been doing a very good job in determining what kind of facilities we need to the best of our abilities help the people of Fayette County and I am talking about the people that end up in our system, our judicial system that are mentally handicapped, have drug and alcohol problems, all these things that we have a very difficult time and I am sure Rev. Saunders can attest to this, we don't have the space to rehabilitate some of these people. He said can we help everybody, no, nobody is saying that we can but we can

help a lot of people. He said there has been, a lot of counties are doing a very good job of rehabilitating inmates and making them productive citizens, getting them from the revolving door of recidivism.

Commissioner Zapotosky said is there pro and anti-prison? Commissioner Ambrosini said he is answering her question, she hasn't seen anything to date and you don't know that we made progress or not, and I am explaining to you that we have made remarkable progress. He said is all you want to see a building pop out of the ground, is that what you are saying? Ms. Homistek said she doesn't know why they are spending money to pay these people and we don't know about it. She said if it weren't for Commissioner Zimmerlink's letter to the editor, citizens would not have known that we paid them all this money. Commissioner Ambrosini said first of all, everybody knows about this, we have put RFQs out for the architect, we have issued contracts, Mr. Lally has in his office, he has all the signed contracts. Commissioner Zimmerlink said she had asked for them for many, many weeks and was told they were not available, and when did those contracts come into, I have asked for those contracts at public meetings, I asked the chief clerk to provide me with a copy of a contract and she said that was not available and also contracts have never been, the architectural contracts have never been negotiated with the three commissioners and brought here into the meeting for a vote.

Commissioner Zimmerlink said and I have asked. Commissioner Ambrosini said we did vote, we made resolutions. Commissioner Zimmerlink said you did not vote on the terms of the contract after you issued an RFQ for negotiated things. Ms. Homistek said without reading this Sunday, Mrs. Mazza did you know that we. Commissioner Zimmerlink said anyone can go to the controller's office and ask for copies of the contracts because I know they are. Mrs. Mazza said she only gets misinformation and she only knows what Mr. Ambrosini thinks we should know. She said everything is done behind closed doors. Commissioner Ambrosini said that is not true. Mrs. Mazza said you do everything behind closed doors, you have been negotiating about that swampland since October and nobody knew it till the commissioners meeting last month it came out that you have been negotiating on your own and you are not permitted to do that as a county commissioner, you are a board of three, you are supposed to have equal power and you give no power to Vince or to Angela. Commissioner Ambrosini said that is not true, that is absolutely incorrect. Mrs. Mazza said what is incorrect about it, did she know. Commissioner Ambrosini said everything you just said. Mrs. Mazza said did she know in October that you were negotiating to buy that property behind Laurel Mall to put the prison there, did you know that Mrs. Zimmerlink?

Commissioner Zimmerlink said no she didn't. Commissioner Ambrosini said that is because he wasn't negotiating. Mrs. Mazza said, you said you were. She said you made the statement that you have been negotiating since October. Commissioner Ambrosini said he has been talking to about 25 different property owners over the last year. Commissioner Zimmerlink said are you referring to this particular site at the Dunbar Township Business Park, is that what you are referring to? She said she didn't

know until it was brought publicly but yes, he did have a letter that he provided to us at that time of the meeting and it was dated December of 2013 and it said pursuant to our discussions and it is from Michael Jordan of Fay Penn pursuant to our discussions, here is our offer. She said so, no she did not know in December, January or February, until the end of February. Mrs. Mazza said did this board not pass a resolution that they were going to advertise for suggestions from the public for sites for a prison? Commissioner Zimmerlink said yes. Mrs. Mazza said it has never appeared in the paper, never been advertised, is that correct? Commissioner Zimmerlink said correct and we also, a resolution was passed to award an RFQ at a 7 percent. She said that resolution was passed and then two or three days later in the newspaper Commissioner Ambrosini said no, it's not seven percent and it would be negotiated.

Commissioner Ambrosini said no I didn't, I did not say that. Commissioner Zimmerlink said either you didn't say it or the newspaper made it up, I don't know which it was. She said she doesn't believe the newspaper made it up. She said as far as having the contracts for Crabtree or Sleighter to come in, I've asked for those, it's not been up at the commissioner's conference room to sign off, if there. Commissioner Ambrosini said they absolutely were, they absolutely were commissioner and that is incorrect. He said there was a contract for you to sign off on and you refused to. Commissioner Zimmerlink said if there was a contract up there that said what the stated negotiated price was, don't ya think I would have said something here in this meeting, and that is not accurate. Controller Lally asked where she got the number. Commissioner Zimmerlink said off your New World system. Controller Lally said on the documents attached were copies of the contract. Commissioner Zimmerlink said she had asked for those contracts, those contracts never came here to a commissioner's vote. Controller Lally said it was from 2/4 of 2014. Commissioner Zimmerlink said pull the resolutions and show me that we entered into a contract and the stated amount, give me the resolutions. Give me the resolutions, give me the resolutions, she said. Controller Lally said will you listen. Commissioner Zimmerlink said no, I will not listen to that.

Commissioner Zimmerlink said where is there a resolution that says that. There is no resolution to that effect, there is none. Controller Lally said you asked if these contracts were attached. Mrs. Mazza said there was a resolution at a commissioners meeting that we picked a site and we will hold work sessions, commissioners will hold work sessions to decide what will go into the prison, do either one of you recall that? Commissioner Zimmerlink said yes, I recall that. Mrs. Mazza said the resolution passed 3 to nothing. She said as soon as the meeting was over, she heard Mr. Ambrosini say to Mrs. Zimmerlink, we're not going to do that. Commissioner Zimmerlink said just as the RFQs were issued, those contracts never came back to these commissioners to vote, OK, never occurred, find me a resolution that approved that, it did not. She said the same way with issuing the contract with Crabtree/Sleighter for \$24,000, \$30,000 was paid. She said if anyone read what she wrote, it is accurate, it said that the resolution said \$24,000, the statements made in the minutes said it was firm, and somehow it was paid for more than \$30,000. She said it was never approved. She said and neither were any

of these things that Controller Lally states is attached to any documents, they were never back here at this commissioner's meeting to vote on.

Controller Lally said Angela, did my chief deputy come over and show you how to get on the system and use that? Commissioner Zimmerlink said when. Controller Lally said a month ago. Commissioner Zimmerlink said one time and you know what she did, she gave me Brian's number and I have called him three times and he has been very helpful from New World. Controller Lally said that's right and when you pull up the rest of the resolutions. Commissioner Zimmerlink said she is talking about whether these contracts were ever voted on here. Were these contracts ever voted on, no. Commissioner Ambrosini said yes. Commissioner Zimmerlink said no, no they were not, they were not, pull the resolutions that were voted on. She said RFQs were awarded. Controller Lally said he had contracts. Commissioner Zimmerlink said wait stop, pull a resolution that says that those contracts were voted on. There are none, there are none. She said it said that an RFQ was issued and it said that the fees would be negotiated. She said where did anyone come back and you say OK, we've negotiated the amount. There is no resolution, if there is provide it to me.

Commissioner Ambrosini said the resolution clearly states that the architectural, that Crabtree/Rohrbaugh will provide the architectural design work for seven percent, that was clearly stated and it is in the resolution. He said he would ask Solicitor Cupp at this point to go back and look at all the resolutions concerning the jail, the prison project, and to make sure they are appropriate for going forward and continuing to design and issue RFPs for, to the contractors for actual construction. Ms. Homistek said they passed a resolution with the fee at seven percent of the total cost of the new jail. She said a few days later the newspaper reported Ambrosini saying that was just an estimate. Commissioner Zimmerlink said here is a resolution dated October 15, 2013, an RFQ was issued for the renovation of an existing building for a women's county detention annex. She where's the contract. She said an RFQ was issued, which means we go back and we negotiate a price. She said when and where between October 15 of 2013 and today did a contract come back that says under the terms of the contract that this RFQ was issued, for how much? It never came back.

Commissioner Zimmerlink said there is no resolution that approved that and that was my point and my, also there were resolutions that were passed, another resolution here July 16 of 2013 to select Sleighter Engineering, Crabtree to perform a needs study for \$24,000. She said if you pull the, and that was passed by a 2-1 vote, if you pull the minutes the minutes clearly say that is a firm price yet \$30,000 was paid. She said where is the document and the resolution that came to this board to increase that amount, to increase that contract, there is none. She said you may have contracts that were signed and put on a New World website but nothing was brought back to this commissioner's meeting and voted on to execute the terms of that contract. Controller Lally said in the article that Commissioner Zimmerlink authored basically said that the Controller was authoring checks without contracts with signatures. Commissioner Zimmerlink said that were voted on, that were voted on. Controller Lally said they have

two commissioners' signatures, that is the majority of the commissioners. Commissioner Zimmerlink said "that were voted on." Controller Lally said they were dated in February of 2014, the first disbursement was on 3/7 of 2014. "That were voted on is what I said," Commissioner Zimmerlink said.

Controller Lally said no, you did not say that were voted on, your statement is pejorative at best. He said the facts of the matter is that I as Controller have signed documents in front of me, they were executed and I made the payment about a month after the contract came to me. He said he did his job. Ms. Homistek said it does say that no contract has been voted on in the paper, she does say that. She said a contract was supposed to be signed and it has been six months and no contract has been voted on and the two commissioners approved payments and the controller issued checks. Commissioner Zimmerlink said "I said voted on, didn't I?" Ms. Homistek said correct, unless they misquoted you, the contract was to be signed, well it has not been voted on. Ms. Homistek said there was article in the paper today and a statement by Marie Jones was pretty good, it said a commissioner is a part of a three person governing body whose members and not empowered to act alone. She said so one commissioner cannot be considered a policy maker. She said she thinks that is kind of applicable to what has been going on here, this money being paid.

Commissioner Ambrosini said which commissioner was she talking about. Ms. Homistek said she was referring to I believe Commissioner Zimmerlink, but the general statement that a commissioner is part of a three person governing body is true here, it is a three commissioner team up there, three commissioners were elected to represent us. Commissioner Ambrosini said I will ask you Marybeth, why was that lawsuit filed? Commissioner Zimmerlink said because you told her to file it, that's why, enough said. Ms. Homistek said who told her to file it. Commissioner Zimmerlink said enough said, I am not going into this Marybeth. She said and you know the reasons why. She said she isn't going to allow Commissioner Ambrosini to do what the other commissioners did to me years ago with lawsuits. She said she isn't going to get baited into that by anybody. Ms. Homistek said the three of you are supposed to act together. Commissioner Zimmerlink said that is absolutely right. Ms. Homistek said not to take money without a contract, which seems illegal.

Tom Thompson said the question was brought up about a tour of the prison of ordinary citizens, he said ordinary people from the street. He said he would like to get people and get their opinions, in writing at the end if they want to, he said he has never been to the prison and he would love to go. Ms. Homistek said she would love to go. Commissioner Ambrosini said he would be more than happy to have to take a tour, not a limited tour, to see everything. He said he would be, he would be, in fact, thank you for asking that question because there have been people actually on the referendum committee that I personally asked, I would give them a personal tour and they refused. The Mazza's asked who. Commissioner Ambrosini said Cousin Evelyn. He said yeah, and just for the interest of full disclosure. Mrs. Mazza said did you offer anybody else on the referendum committee. Commissioner Ambrosini said everybody, he offered

everybody but he particularly asked Evelyn Hovanec, I wanted to give her a personal tour, and she said no, I don't want to go in that place, I just don't want a new prison, that was her comment to me. After various comments, Commissioner Ambrosini said she absolutely did. Mr. Mazza asked if he read the referendum. Commissioner Ambrosini said yes. Mr. Mazza said, what does it say? Commissioner Ambrosini said, I will have to paraphrase, the first statement says that you demand that we rescind all resolutions having to do with the prison.

Mr. Mazza said why? He said if you read the whole thing you would tell us what you found, what the whole referendum is about, it's not against or for a new prison, it is about allowing the people of this county to have a say. Commissioner Ambrosini said what does that mean Ralph, explain that to me because I'm not sure I understand. Mr. Mazza said you had those phony baloney forums when you didn't answer any questions that you didn't want to answer. Commissioner Ambrosini said what part do you want to play, do you want to select the wall colors or what. Mr. Mazza said all it is is a sales pitch. Mr. Thompson said how would they do that, public notice? Commissioner Zimmerlink said when the Herald-Standard wanted a tour they contacted Tim Mahoney, OK. She said obviously you do not need to contact Tim Mahoney, a state representative for a county jail, I am just making reference to that. Mr. Thompson said this board, the county commissioners?

Commissioner Ambrosini said just call the warden, Warden Miller. Mr. Thompson said he is just an ordinary citizen, not a public official. Commissioner Ambrosini said we give kids tours through there, it doesn't have to be, we do school groups. He said he will give him a personal tour Mr. Thompson said he wants other people, pro and con. Commissioner Ambrosini said that's fine. Commissioner Zimmerlink said and then whenever you come back from the tour remember that I have made motions to and suggestions for options to repair that jail, renovate that jail and other options and never got a second, remember that, remember that. She said yet she has to hear that a bucket has been sitting there for 15 years, I mean come on, come on. Commissioner Ambrosini said call Warden Miller, he'll give you all the information you need and set up a time and he will give you a tour, a group a tour of whomever you choose. He said there may be some limits to the size of the tour. Mr. Thompson said three, four, five, half a dozen. He said what the criteria is for the citizens. Commissioner Ambrosini said anybody who wants a tour, there's no limits. Ms. Homistek said she called him twice and never got a call back. Commissioner Zimmerlink said can you guys discuss that at a later time, we wouldn't want anyone to say that the commissioner's meeting is going on because of citizen's exchanging the information, do that after.

Adjournment

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

Commissioner Ambrosini yes
Commissioner Zimmerlink yes

Motion passed unanimously

Resolution 14 -

WHEREAS, Fayette County holds regular meetings of the Board of Commissioners whereas public comment is invited; and

WHEREAS, as a result of said comments, there has been confusion and discord, as well as protracted debates that are inappropriate with such a forum; and

WHEREAS, the County Commissioners adopted rules for public comment on March 20, 1997 and April 3, 1997; and

WHEREAS, the rules previously adopted are lacking in detail; and

WHEREAS, the Fayette County Commissioners do not want to deprive anyone of his/her right to comment on the actions of county government, and

WHEREAS, the Board of Commissioners seeks to fully comply with the "Sunshine Act" of October 15, 1998, P.L. 729, No. 93, 65 Pa. C.S.A. Sec. 701, et seq., as amended, by providing a reasonable opportunity at each public meeting for residents and/or taxpayers of Fayette County to comment on matters of local concern, official actions or deliberations which are or may be brought before the Board,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners shall amend resolutions 97-3-20-1 and 97-4-3-1 and incorporate them into the following rules in order to conduct all public meetings in an orderly manner and to provide for public participation in such meetings, hereby establishes public meeting rules and regulations as follows:

1. There will provided at the beginning and/or end of the agenda for each public meeting, an opportunity for residents/taxpayers of the County to make comment on matters which are or may be before the Board of Commissioners. Such time on the agenda shall be title "Public Comment." The following guidelines shall be established for this portion of the public meeting:

A. Comment shall only be received after the commenting party (hereinafter "speaker") is recognized by the Chairman conducting the

meeting.

- B. The speaker must announce his/her name and address prior to addressing the Board of Commissioners and allow sufficient opportunity for the Chief Clerk to record it in the minutes.
 - C. The time allotted for speakers who have registered at least four (4) business days in advance with the Chief Clerk, shall be three (3) minutes.
 - D. The time allotted for speakers who have not registered at least four (4) business days in advance with the Chief Clerk, shall be two (2) minutes.
 - E. Should there be two public comment periods, the speaker must advise the chief clerk which period he/she wishes to comment. A speaker may comment during both periods but shall be limited to three (3) minutes total for each public meeting. The Chairman may waive such limitation in his/her discretion. Each speaker may address the assembly one time only during each comment period.
 - F. The total time for all comments, during all comment periods, shall be limited to thirty (30) minutes.
 - G. The Chairman may rule out of order scandalous, impertinent, irrelevant and redundant comments or comments made for the purpose of disruption or needlessly protracting the proceedings.
 - H. The Chairman may request any individual to leave the meeting when that individual does not observe reasonable decorum. Further, the Chairman may contact law enforcement officers to remove a disorderly person when his/her conduct interferes with the orderly progress of the meeting.
 - I. The Chairman may call a recess or adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting.
2. A group of citizens registered to address the Board on the same issue may be required by the Chairman to designate a spokesman.
 3. Audio, video or stenographic recorders may be used to record all or any portion of the meeting, if and only if the person making such record has notified the Chief Clerk in advance. The operator of any recording device shall remain in the area set aside for the general public so as not to interfere in any way with the activities of the Board of Commissioners or the ability to the general public to observe the Board.
 4. In the event there is insufficient time for all public comments, the Chairman may continue the public comment to its next regular meeting or to a special meeting occurring in advance of the next regular meeting.

ADOPTED AS A RESOLUTION of Fayette County, Pennsylvania, this 15th day of April 2014.

Attest:

By the Commissioners

Amy Revak, Chief Clerk

Alfred Ambrosini, Chairman

Vince Zapotosky

Angela Zimmerlink

