

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, December 17, 2013 in the Public Service Building, Uniontown, Pa.

In attendance-

Commissioner Vincent Zapotosky
Commissioner Angela M. Zimmerlink
Chief Clerk Amy Revak
County Solicitor Ken Burkley
Assistant County Solicitor John Cupp

Commissioner Zapotosky called the meeting to order at 10:03 a.m.

The Rev. Ewing Marietta said a prayer.

The pledge of allegiance was recited.

Commissioner Zapotosky said as everyone will note, “Two out of three ain’t bad,” adding that Commissioner Chairman Al Ambrosini is out ill from the meeting.

Award Presentation

Commissioner Zapotosky presented a \$15,000 check to Ben Moyer from Trout Unlimited. He said they utilized Marcellus Shale legacy money for some organizations. He said it is a very worthy organization and they wanted to offer the check. Commissioner Zimmerlink said she knew he was going to speak but she didn’t know a check would be offered. Commissioner Zapotosky said Jim Tobal was working on it before. Mr. Moyer thanked the commissioners for the appropriation, adding that the law was written to provide for these types of “gestures.” He said their organization is the Chestnut Ridge Chapter of a national organization. He said they have been working for 20 years raising money from Growing Greener and other sources to restore degraded watersheds in Fayette County. Mr. Moyer said this will be a huge help, adding that it improves not only the environment, but the economy as well and should make Fayette County a better place to visit. Commissioner Zapotosky said they hope to continue their work.

Commissioner Zimmerlink said just so other recipients know, she thinks everyone knows that she isn’t one to have a check presentation because the money is for those purposes. She said she didn’t want any other recipient to feel compelled to come to a commissioner’s meeting to get checks because they issue those as they are signed off on by two or three commissioners. She said if anyone wants to come and make a statement, that is fine but it isn’t necessary that they do so.

Public Comment on Agenda Items

Geraldine Mazza said under commissioners is listed a motion to advertise an RFQ for Fayette County solicitor positions. She asked if that means there will be more than one solicitor, will they get rid of the solicitor's we have and hire all new ones, just what does that mean? Commissioner Zapotosky said he didn't put the item on the agenda, but based on last month's conversation, his opinion is that he would like to solicit for an RFQ for solicitors in general and then make a determination. He said they have a good solicitor in Mr. Cupp and he hopes that his services will continue with the county. He said he would like to solicit for qualifications for solicitors, plural, adding that they have three now and whether or not three will be retained is a decision to be made by the board of commissioners. He said he thinks they should get qualifications and go from there, adding that he thought that was the consensus last month.

Commissioner Zapotosky said Mr. Mazza brought it up to Commissioner Ambrosini and that was why he supported it. Mrs. Mazza said she wanted to know why it was plural, and asked if the report is ready, which was supposed to be ready "today." Commissioner Zapotosky said he can't answer. Mrs. Mazza said the author of the report, Solicitor Ken Burkley, is absent, adding that he promised the report today. He asked if the commissioners got a copy of the report, with both responding that they did not. Commissioner Zimmerlink said she also asked if this is for multiple solicitors and asked if that was correct because there are times when there is an error made on the agenda. She said Commissioner Zapotosky said he thought it was the consensus, she disagreed because the only public statement made regarding an RFQ was at the last meeting, and Mr. Mazza did bring that up but it was never stated that they would do an RFQ for solicitor or solicitors. She said to the second part, one of the tasks in the agreement signed by two of the commissioners with interim county solicitor Ken Burkley was to prepare a report and provide his suggestions for reorganization of the office.

Commissioner Zimmerlink said that agreement was entered into in June of 2012 and today is December 16, 2013- and if Ken Burkley were here she would be telling this to him as well- \$4,000 a month for that period of time is in her calculation \$63,000 and no, we don't have a report, and at the last commissioner's meeting she did say that a report is needed because that was one of his tasks. She said she doesn't think they need a report to decide how to run the county's solicitors office but that is what was done and he was paid to do it, and her statement to him was that he was to provide that information before the budget process. She said having it done afterwards makes no sense. Commissioner Zapotosky said there were two aspects to his report, not just reorganization, but also the task of looking at litigation avoidance. He said he hasn't seen any report. Mrs. Mazza said it doesn't make any difference what was to be in it if there isn't a report. She said in the private sector he would have been long gone. Mrs. Mazza said she has one other thing- about the lease for Iowa Street. She said the agenda says to approve a lease, what is in the lease?

Commissioner Zapotosky said he received a copy of that information just yesterday. Commissioner Zimmerlink said she also received a copy only the day before from Commissioner Ambrosini. Commissioner Zapotosky said it was a three-page document and was in bullets, basically items one through 20, if you will. Commissioner Zimmerlink said it was outlining his proposal. Mrs. Mazza asked if they think the public ought to

know what is in the lease before they sign it. Commissioner Zapotosky said they haven't signed a lease yet. Commissioner Zimmerlink said not only should the public know, but also the commissioners would want to know and at the Tuesday agenda meeting it was placed on the agenda and the statement was made that the commissioners can't approve it if they don't have it and you haven't negotiated, and the response from Commissioner Ambrosini was that they should put it on the agenda and it can be tabled if the information isn't available. She said as of last Tuesday when it was placed on the agenda for formal approval today there is no lease. She said the letter was handed to us yesterday.

Mrs. Mazza said she doesn't understand how Mr. Ambrosini is trying to run this county. She said it seems like he is doing everything ____-backwards. She said as an example, the story in the paper today about all these sites. She said he wants a contract with the architect and all that and you don't even have a site yet. She said the site should have been the first thing that was finalized before you do anything else. She said everything with this prison system is all backwards. She said she doesn't know what the big rush is and she doesn't know what is being covered up. She said nothing is getting out to the public and they held so-called public meetings that were nothing but a bunch of baloney thrown at the people and it is too bad that Mr. Ambrosini isn't here, adding that maybe he got sick on purpose because he knew there was going to be flak today. She said this is just ridiculous the way this county is going. She said they are going to bankrupt this county and everything is done half baked, wrong way around. She said things that should be done first are left to be done, who knows when they will be done. She said she doesn't know what to say, she is at a loss to know how they are running this county.

Mrs. Mazza said she is at a loss to know who sequence of events is and all that, it is just "you're unnerving the whole county." She said it is just disgusting. Commissioner Zimmerlink said she agrees, adding that she isn't happy with the status of and end results of the prison working group herself. John Cofchin, Fayette County resident, said he has his 3 by 5 government approved question sheet here. He asked if the \$32 million bond issue would be the total bricks and mortar cost of the project inclusive from the infrastructure to the top of the concertina barb wire. Commissioner Zapotosky said they are estimating that the cost of the prison ranges from \$27 million to \$32 million, according to the study completed by Crabtree Rohrbaugh. Mr. Cofchin asked if it was the intention of the commissioners to float a \$32 million bond. Commissioner Zapotosky said he hasn't voted on a bond issue. Mr. Cofchin said he is asking about his intention, not his vote.

Commissioner Zapotosky said he hasn't expressed his intention or his vote at this time. Mr. Cofchin said now is his opportunity. Commissioner Zapotosky said he can't answer, there hasn't been a site location and there are variables that he can't speak for. Mr. Cofchin asked if he can put a number of debt service and principal on the \$32 million bond annual cost, can you put a number on that? Commissioner Zapotosky said the Controller mentioned it was \$1.9 million. Mr. Cofchin said his final question is if the bond will be a performance bond. He asked if it would be related to the natural gas industry, it will be a general obligation bond, is that true? Commissioner Zapotosky said yes, it is. Mr. Cofchin said that isn't connected to natural gas or gambling revenue,

correct? He said that is based upon the full faith and taxing power of Fayette County, which commissioner Zapotosky confirmed. Mr. Cofchin asked if the gambling people go away and the natural gas doesn't continue to fall like manna from heaven, it will be the obligation of the taxpayers. Commissioner Zapotosky said the county would be obligated, or rather the taxpayers, the residents of Fayette County sir. Mr. Cofchin said Mr. Crabtree said something that everyone should pay attention to, which is the real potential savings is in the control of the number of employees related to the prison. He said early on he said because it is a state of the art prison, you will have fewer employees. He said that he did a 180 on that pretty quickly- so his question is will they have more employees with the new prison or fewer employees.

Commissioner Zapotosky said it is his understanding that because of the direct supervision method requires less staff, that is his understanding. Mr. Cofchin said he thought that too until Mr. Crabtree did a reverse on that, so it is his understanding that there will be fewer employees. Commissioner Zapotosky said that is his understanding. He said Mr. Crabtree isn't here and as far as the 180, he isn't aware of it, but he will speak with him about that. He said he hasn't spoken with Mr. Crabtree since his last public meeting but he will address the question and get back to him on that. Mr. Cofchin said his final question- asking Commissioner Zimmerlink- is that the final aspect of this is the hall of justice and rehabilitation center and can they tell them what that translates into regarding the rehabilitation programs, staffing, cost, what is your vision of how this is going to work? Commissioner Zapotosky said it is a correctional facility first and foremost as with any correctional facility. He said his vision of it is they are trying to implement different programs, i.e. veterans court, mental health court. Mr. Cofchin said those are extraneous from the prison, with Commissioner Zapotosky saying they have application.

Mr. Cofchin said he is talking about the rehabilitation aspect. Commissioner Zapotosky said he hopes they have a facility that provides for rehabilitation and not just from the correctional side, but those who need rehabilitation, whether it be MH or dual diagnosis type of conditions. He said we provide that now with our DRC. He said there is a myriad of good things they will do, whether it is the existing facility or a new facility. Mr. Cofchin said he wants to put a dollar figure on it and the problem is that when this project was first talked about the amount of cost that Fayette County was experiencing as far as sending prisoners out of town and the whole thing and that number grew like Pinocchio's nose grew and grew and grew and we are around \$1 million bucks or so. He said if we are spending \$1 million to send prisoners out of town but your solution is a multi-million dollar solution, only in the wacky world of politicians does that make sense. He said if you are spending \$2 or \$3 or \$4 million to solve a \$1 million a year program or problem, you need to revisit that.

Commissioner Zimmerlink said in response to the first question about the bond, the \$32 million. She said no, she isn't supportive of floating a bond, \$32 million, because she believes that the option that was chosen was not the best option. She said they haven't looked at alternatives and she has said them before and she is sure that you and members of the public know what her alternatives are. She said she stated it in the newspaper and she stated it here. She said there are less costly options they should be

considering regarding the bod. She said the second question was operational costs and she said she doesn't think they will really materialize but the Crabtree Slaughter prison needs study did state, adding that it is online but if they want a hard copy come to the commissioner's office and she will make a hard copy of it, his indication was that there would be less employees correctional officers/lieutenants that would be needed at the new facility because of the direct supervision method, which is the dorm style, which is what the annex is vs. actual cells. She said for the proposed women's annex it was stated that it is preliminarily budgeted for four new lieutenants, additional new hires. Four new lieutenants and four corrections officers. She said if eight individuals go to the new facility you would wonder if you need less then why would you send eight new ones up. He said his report did envision in his calculations that it would be less.

Commissioner Zimmerlink asked Mr. Cofchin what his third question was about the bond cost. She said they did receive a preliminary finance opportunity for the county prison project from Janney Montgomery Scott, they are our bond advisors. She said preliminarily it was provided and she is going to repeat it because if she is supposed to rely on it then she must answer his question. She said the bond debt service if you start in 2015, it would be the principal through 2043. She said the principal would be around \$42,000 and the interest would be about \$44,000 and the debt service would be \$85,792, that's one option. She said anyone can do the figures if you are an accountant. She said the proposed principal on another option is around 41 and debt proposed is debt service would be 85. She said existing debt service is 19.6, so the total adjusted debt service that would include the existing debt service that we have plus the proposed new debt service would put the county at 105.4. She said those are numbers, those are millions. She said that is something that obviously you look at when you make decisions on whether or not you want to enter into debt for future years and more importantly- because a lot of people say well, sometimes you have to bite the bullet.

Commissioner Zimmerlink said that's fine, yes you do have to bite the bullet, but before you start loading and biting and doing all of that, you look to make sure that all options have been properly explored, and they have not. She said regarding his last question on the hall of justice, rehab center. Mr. Cofchin said social engineering is one of the hardest things in the world to do, right? He said we all want our prisoners to be wonderful people and how many people believe that? He said check out some of the people who got arrested, are they going to be choir boys and girls tomorrow? I don't think so, let's be realistic. He said we are spending real money on this and we have to have a realistic expectation. Commissioner Zimmerlink said by the prison working group saying that is the name that they want to give and with Commissioner Ambrosini being quoted in the paper that he did not want the term jail in there because he wants people to know what goes on behind the walls, and she said she almost said that quote verbatim because it was in the Herald-Standard, that tells you right there, OK, what the concept is.

Commissioner Zimmerlink said it isn't a jail, it's a hall of justice, courtrooms and rehabilitation center, and you are absolutely right, the veteran's court, the drug court and the mental health court, they have been in operation, they have been set up for

over a year. She said they have not been fully and adequately implemented, and she isn't saying it just by her, she is saying this by the PD, the DA and the courts have said it as well. She said he is right, they are operational with or without a jail. She said the Day Reporting Center started up and the last she heard is that they had 30 individuals in the program with an additional 15 on the waiting list. She said the capacity is between 50 and 75, which it could be extended, day reporting. She said the type of programs that should be implemented, she spoke with Lisa Ferris and Rev. Saunders and they said they don't have any rooms to provide treatment and rehabilitation. She said why all of a sudden are they telling us they don't have any room to provide the service, what were they doing, not providing the service? She said you don't have to build a \$32 million plus facility because there are other places that you could walk the prisoners over right downtown and you can have your treatment there. She said there are other options.

Mr. Cofchin said that you, but one correction. He said they talk about a \$32 million facility, it isn't a \$32 million facility, when you pay for it, it is almost \$60 million. He said just like when you buy your house and get a mortgage, you don't pay \$100,000, you pay \$220,000, \$230,000, whatever, so everybody should understand, it's not just \$32 million, it's a ton more than that. He said happy holidays and thanked the commissioners. Commissioner Zimmerlink said if you take out a \$32 million bond payable in 30 years at the interest rate of 4.65 percent the total payoff would be \$57 million. Mrs. Mazza asked why it is that whatever Al Ambrosini wants, it gets done. She said he is only one commissioner, one vote, and there are three of you, yet everybody seems to make him have his way. She said all he has to say is I want this and this is what we get. Commissioner Zapotosky asked if there were any additional comments on the agenda.

Kathryn Jones said what she has to say will be a reiteration of a couple of comments she made at the last meeting but a little less accusatory. She said she has appreciated everything that Commissioner Zapotosky and Commissioner Zimmerlink have done regarding her concerns. She said naturally the only one missing is the one who needs to hear what she has to say. She said Fayette County is still holding an inmate illegally and Fayette County is still drugging an inmate illegally and Fayette County is still in violation of the inmates civil rights regarding free expression of religion. She said at the prison board meeting where they discussed her concerns and she was given permission to carry out her duties as a clergy person, Warden Miller took it upon himself to intimidate the inmate in question without counsel or witnesses present. She said Warden Miller continues to run the facility as he is one, two, three commissioners, the district attorney, the public defender, she said she doesn't know who Brian Miller thinks he is but he is acting in detriment to county taxpayers, exposing us to incredible liability.

Kathryn Jones said also she must level the accusations and take them for what you will, significant Megan's Law violations taking place inside the prison including intimidation, abuse and endangerment of an inmate. She said an unidentified correction's officer has violated an inmate's rights by exposing his irrelevant history to other inmates to affect intimidation. She said the same thing happened in Bedford County and this is something they should take in consideration when they were sending

her neighbors out to other prisons. She also accused two Bedford County employees of Megan's law violations, intimidation, abuse and endangerment of an inmate. She said the district attorney of Bedford County has been aware of the allegations for two months and has taken no action that she is aware of. She said again, Fayette County liability, these are Fayette County inmates, our neighbors that we are sending off to be abused. She said regarding the Megan's Law violations, the precedent is out of SCI Pittsburgh where seven guards were charged and two were convicted. She said she is also accusing guards and Warden Miller of engaging in the same crimes. She said several years ago she personally spent 24 hours as an inmate in the Fayette County Prison and her son Jonathan Jones, whom she asked to stand, now a junior at Bucknell University on scholarship. She said she spent 24 hours in the Fayette County Prison for violation of the compulsory school attendance law.

Kathryn Jones said in that 24 hours, she was sexually intimidated by two guards, one male, one female. She said she was refused medication by a treatment specialist. She said it is an anecdotal piece of evidence and she was physically restrained and it was so overcrowded that her pant leg got caught in the cell door and she was left that way all night long. She said that is an anecdotal piece of evidence of the horrible, horrible conditions inside the Fayette County Prison and to take this concept we have going in this county and spend \$67 million to make it pretty, no, I'm afraid not. She said they need to table this discussion for at least six months until an investigation can be done into the treatment of inmates both here and at the facilities where we send them. She said she wanted to commissioners to request that the state police in Harrisburg, Megan's Law division, investigate the allegations that I have made today. She said she isn't interested in Joe D'Andrea or Heather Klum at the Fayette County barracks.

Kathryn Jones said this investigation has to come out of Harrisburg. She said we need an immediate disbanding of the prison working group. She said not one person on the list has an incentive for the truth to come out and they all have a vested interest in a new facility. She said they are illegitimate group and none of them have been hired, elected or anything to represent us as taxpayers. She said it is an illegitimate group, it should be disbanded immediately and they should be forbidden from discussing any county business any further until they are elected or appointed, something legitimate. She said she also demands, adding that she doesn't think she will get it but she will demand it anyway, an immediate return of all outstanding inmates. She said she wants our neighbors brought home because we don't know what is going on in these facilities but she does know that while it doesn't affect a Fayette County inmate, a tribal member from the state of New York had his dreads cut as a violation of his religious freedoms at Bedford County as well.

Kathryn Jones said this isn't something that is limited to Fayette County although Fayette County is extra good at it but the egregious violations are occurring statewide. She said she believes firmly that with or without the knowledge of the two commissioners present today, the prison has been deliberately stacked with inmates to create the illusion of a need for a new facility and if we were to release all illegally held prisoners, all non-violent offenders, and all those who have fallen through or been pushed through the cracks, we would not need a new facility at all. Commissioner

Zimmerlink said before Commissioner Zapotosky asked for another public comment, there was a comment made about a million dollars in out of county rentals. She said the number has been thrown all over the page but she wants to say for the record again to give the public the audited figures. She said the numbers for out of county are: 2007, \$9,585; 2008, \$51,990; 2009, \$25,967. She said thus far that isn't a million per year. 2010, \$495,164; 2011, \$265,847; 2012, it's \$695,000 and there are a few other but she doesn't have the rest. Roughly \$695,000. She said an unaudited number for 2013 and that is \$1 million. She said it may add a little credence to what the speaker just stated about the number of individuals in the jail. She said when you have statements that are made or stated that millions of dollars, it's not millions per year, she just gave the audited figures are.

Commissioner Zapotosky said for the last four years, we are looking at \$2.2 million. Commissioner Zimmerlink said people will start thinking \$2.9 million, with Commissioner Zapotosky adding that is not what he said. He said if \$1 million for 2013 unaudited, \$695,000 for 2012, that's \$1.7 million and \$265,000, that's 2.965 plus \$495,000, we're at over \$2 million for the last four years. Commissioner Zimmerlink said that is the important part to know, Commissioner Zapotosky just said over \$2 million, that is over the last four years. She said what has been said and repeated is we are spending millions per year. She said we aren't spending millions per year and then when she publicly stated those numbers and the Herald-Standard did put it on their web site in an article under a PDF file, and you saw that, now it is about \$700,000 a year. She said it isn't about \$700,000 and that was from statements made by elected officials, you just heard the number, what it is per year. She said what we need to do is address the issue and see if the building of a new facility is the best solution and viable option, and it is not.

Ralph Mazza asked if that is deducting what it is to keep them in house. Commissioner Zimmerlink said this is the audited figures for what has been listed as writing a check to out of county cell. Mr. Mazza said the actual cost would be deducting what it costs to keep them in house. He said it costs to keep them here so when you send them away you have to deduct what it would cost to keep them here from what you are actually paying. He said if you kept them here it costs x amount of dollars so the one million that you are quoting is not a true figure. Commissioner Zapotosky said he didn't say it was, he was saying that is what the out of cost rentals we were paying out. He said x minus y is that figure. Commissioner Zimmerlink said one other statement before another citizen speaks, she said feel free to look at the Crabtree Sleighter study and what he gathered information from people here of what the average, per month and per year out of county inmate population was. She said they will be amazed at what those figures tell you. She said it isn't what they hear when they get a prison report and it says we have 38 out for the month. She said if that is the case then everyone knows that it spikes at holiday season but he was hired to perform a prison needs study and he was paid \$24,000 to do it, he provided that study and his information shows what the average is per year and per month. She said again, that needs to be taken into consideration when we then decide do we build a new facility or do we look at other alternatives.

Commissioner Zapotosky said that Mr. Crabtree did list in his study some of the other alternatives, whether it be refurbishing of the current facility, and that sort of thing, so he did give us some options, although primarily it was based on construction.

Commissioner Zimmerlink said there were three options, a no build option, which to waste your time doing that is silly, number two an off-site option and number three, and on site extension. She said however, he added a \$2 million parking garage, I mean come on. She said she isn't making it up. Evelyn Hovanec said the referendum group is pursuing its job. She said there is some disagreement about what the job of the election bureau is from what she hears coming out of the county offices. She said apparently the election bureau doesn't serve the people, it serves the county commissioners. She said they are still on track and are planning to get a referendum on the issue. She said she would hope that they don't have to do it, and that is one of the reasons why she attended the meeting. She said she was amazed the other day when she saw they were still looking for sites. She said they are floating bonds and they don't have a site and we are now out looking for another site. She said it makes no sense.

Commissioner Zimmerlink asked if she read today's paper. She said she can add another site. Mrs. Hovanec said people are coming to her and asking her. She said one of the best sites recommended to her is known as the Ice Mine. She said although it was an ice skating rink, it is a deal at 90,000 square feet on 13 to 14 acres for under \$5 million. She said all of the things are there, if they really want to do this, they have water, they have sewage, they have a huge ice rink that you could use any way you want to and a huge roller rink that you could use any way you want to. She said they have an industrial kitchen, they have offices, they have showers and lockers, they have all kinds of goodies and it is located a couple miles off of Route 119 and it is a nice narrow road and she has been there for other things. She said she is going to recommend that the commissioners add it to their list if they are still looking for sites.

Mrs. Hovanec said the person is at the Scottdale Bank in Connellsville who has called her and written to her and sent preliminary plans. She said she had no authority to do anything. She said she would be happy to forward the e mail if she can find it with the attached plans. She said that is number one and number two is the best of all options that they face now and she was happy to hear she isn't the only one who thinks this, we have gone at this, ass backward. She said what has happened is they have decided they want to build a building and now they have to decide why they want to build a building. She said after that they will decide what they are going to put in this building. She said the problem is they didn't know where they were going to build the building or if it had any infrastructure available. She said they didn't know much of anything and here we are now weekly with a new site. She said that proves her point that they went at this the wrong way. She said she isn't a genius and she isn't a construction engineer but she built her own house over a period of years. She said the first thing she had to do was find a lot she could afford. She said the lot didn't have anything on it so she had to make sure she got the people out there to say, adding that it cost \$2,000 to get the water in there. She said it cost her various things and she had to know that before she ever dreamed of a house.

Mrs. Hovanec said because there was no sewage at that time, she had a septic system with a perk test and that was a mess. She said anyway, she knew and she isn't even in this kind of business, and she was 30 years old, and she was there saying OK, check off. She said we haven't checked off anything, all we have done is we have dreamed. She said why we have dreamed this particular dream, she has no idea. She said she doesn't know where it came from. She said the other day the Herald-Standard had a front page of the problem in Fayette County, it is drugs and alcohol. She said she would be the first to say that is where we are and it is causing a lot of the other things, but why do we have that problem. She said to her you start at a problem and then you work out what the solutions are. She said "we" have a solution but "we had to find a problem." She said they don't have any idea what they are going to do once they have the building, if we have the building and we don't have any way to pay for it. She said this is a poorer county than any other, we are in the bottom 10, and here we are, going to build a modern, state of the art Taj Mahal prison and who knows what is going to go on there.

Mrs. Hovanec said we don't need any more of this, we need some reasonable people to sit down. She said she is assuming that the two people sitting at that front desk on that podium are reasonable people. She said this isn't about enemies or fighting with each other in the season of peace and joy. She said it is about addressing the problems that we have in a reasonable way. She said we are not doing that, we want it done now, and it isn't going to get done now. She said her alternative is to postpone it until they can do the job the right way, if it takes six months, fine, if it takes a year, two years, she doesn't really care. She said the prisoners aren't going anywhere. She said in the meantime, she is going to flip it and let's address the problems we face with the people who are in jail. She said you will never have enough spaces for everybody that is DUI in Fayette County and you are not going to have enough spaces for the people out there playing with drugs. She said we have to find another solution and we have to do that now, not two years down the line, not three years down the line. She said we let it go for a long time. She said they have tried the traditional system and it hasn't worked.

Mrs. Hovanec said maybe it is time to try something else. She said in her opinion they can go out and rent any building and after 41 years of teaching she can tell them that human beings don't care about the kind of building that they are in as long as it is safe, clean and in decent condition. She said she has watched students in Fayette County, where we have spent millions of dollars on Lafayette school and what are the results? She said below 70, 50s. She said she is thinking so much for a building. She said she went to school in a converted stable, but it had marble floors. She said in her mind that was the best education she could have had. She said education is the people and the programs and the interactions and the teaching the young people what they need to know to survive in this life. She said we are not teaching our people what they need to know to survive in this life. She said her recommendation is forget all this building stuff for now, let's get on with some programs and we can rent buildings, but don't rent them in a flood plain. She said she is sorry Mr. Burkley isn't here because she has questions for Mr. Burkley.

Mrs. Hovanec said they need the answer before we do anything else. She said she understands that over a year ago there was a meeting with the Dick Corporation of

Pittsburgh on January 22, 2013. She said that long ago somebody has been talking to contractors, somebody from the prison working group, she doesn't know who. Also, she said a member of PWG met with them and they never reported it, she said, adding that she knows this from someone who has access to Right to Know information. She asked why there wasn't a public advertisement for possible sites, which would have allowed Scottdale Bank and everybody else to say they have sites. She said that was never done. A site was selected, she doesn't know how many were selected, with numbers ranging from 18 to 21 being tossed out. She said they seem to consistently remove the minority commissioner from various important things, including the prison working group and now even from the budget. She said she read Commissioner Zimmerlink's blog and out of four or five sessions, she turned up by nobody else did.

Commissioner Zimmerlink said there was one that was scheduled and there was a quorum. Commissioner Zapotosky said he doesn't participate in the prison working group by choice. He said he goes in, he says hello and that's it. He said second of all, as far as the budget goes, he wasn't available last week for two occasions for medical reasons but we worked on it the other day, yesterday and he anticipates today. Mrs. Hovanec said to be honest, she doesn't see Commissioner Zapotosky as the biggest problem. Commissioner Zapotosky said that is comforting. She said her last question is who is driving this project. She said somebody is and it is not the county commissioners. She said somebody else is driving this project and it isn't the county commissioners and she would like to know who that person, persons or group is. She said she believes there have been outside influences and she believes they are very powerful outside influences. She said she is thinking of Fayette County as little Chicago and that is sad. She said this is a call to the people of Fayette County to take charge of their county. She said the time has come. She said she feels like Paul Revere but she can't ride a horse.

Mrs. Hovanec said she is saying, come on people, enough is enough is enough. She said she isn't blaming any individual but there are powers at work in this county that are destroying us as a county. She said that is why we are economically deficient because we are not making the best decisions for the citizens of Fayette County. She said her advice is to postpone for as long as we need to postpone and when they put together the next prison working group she wants to see the faces she sees on the street. She said telling people they are not right can lead to repercussions. She said so many Fayette County people are afraid to say anything in public. She said this was the county of the whiskey rebellion, the first rebellion against the federal government in 1790, this county along with Westmoreland and Washington. She said here we are and we should stand up and get others to stand up, otherwise this county has no future, it will always be what it is now, and she can go into detail about how this happened but I am already over. She said use whatever pressure you have to get the power structure to begin to listen to the people and not listen to whoever it is out there that is calling the shots.

Commissioner Zimmerlink said she wanted to make a few comments. She said regarding the Ice Mine, a representative from the Scottdale Bank did call her and she and Evelyn have not talked about the details of this and when she found out that the person called her as well she said it is pretty bad when you really have to reach out.

She said she did receive a phone call from a representative of the Scottsdale Bank and the purpose of his call was to ask her how he could get in contact with Commissioner Ambrosini because he had left several messages at the office and he hadn't received a telephone call back. She said she is repeating what the representative stated. She said the man also said he reached out to a relative of Commissioner Ambrosini because he knew her, to see if that site could be put on the list. She said she told him to call the commissioner's office back and she gave him both phone numbers and extensions and he said that is what he called and she left it at that. She said for postponing the whole jail, she made a motion a couple months ago to postpone and for us to meet and seek other alternatives and options and she didn't receive a second. She said she invites the public to read the prison board minutes in either February or September of 2007 where the prison board consisted of Judge Wagner, Mark Roberts, former Controller, Zimmerlink, Vicites, Hardy and the District Attorney at that time, Nancy Vernon.

Commissioner Zimmerlink said it was a unanimous vote to implement a certain criteria and plan to move forward and it specifically states in those minutes and it was unanimously approved that if we need to, even in past years, in 2007 we had not paid a lot of money in out of county rentals, that perhaps in the future we should start looking at it because we need to address all of those options. She said the board unanimously approved implementing those certain programs. She said it isn't that the then-prison board had their head stuck in the sand, just read the minutes on that. She said regarding Evelyn's statement about her being excluded from the budget, she said the budget meetings are advertised and you must have a quorum and they are scheduled for certain times of the day. She said you must have a quorum, which is two or more commissioners. She said at times we had three and at times we had two but when there was only one left that is when the meetings have to stop.

Commissioner Zimmerlink said that is what she meant by the budget meetings and she can say that Chief Clerk Revak and Sam Lynch financial consultant, they were ready at 2:30 p.m. on one day, and we knew that Commissioner Zapotosky had said he wasn't going to be available but we were waiting for Commissioner Ambrosini who said he would be available and there was a comment made, why just sit around. She said you have to sit around because it is a public meeting. She said she would come back to see if there was a second commissioner and if there is none, you can't hold a budget meeting. She said that is what was meant about the budget meetings. She said it goes through each and every date that we were scheduled and the times that we met, because people have been asking me, the times that we met and the times we had to conclude because we didn't have a quorum. An unidentified woman said she was reading in the paper today, and she knows previously \$24,000 was spent for a feasibility study, and obviously they are going to present the information especially through the contracted people who got the contract.

Commissioner Zimmerlink said they did present the information already, they held six public meetings, and Crabtree did have the report on a slide and it is available on our county web site. The woman asked if they got the contract as the architectural designers. Commissioner Zimmerlink said with regard to Crabtree Sleighter performing the prison needs study, there was no RFQ or bid process to seek that company, the

prison working group chose that company and it was selected by a 2-1 vote. She said a contract was signed later on and they performed that function and presented that packet of information. She said regarding the architectural services for building the new jail and also the architectural services for the women's annex, and RFQ was awarded to Crabtree Sleighter or just Crabtree, but no contracts have been signed and no discussions, at least with her present, and Commissioner Zapotosky can respond for himself, regarding the price, the cost, the fee that would be paid to Crabtree. She said in the RFQ they present that information but they don't put a price in there because it is a request for qualifications. She said the 7 percent figure thrown out by Commissioner Ambrosini is not in any documents so that still has to be negotiated and you have to enter into a contract. She said there is no signed contract with those individuals to perform that work.

Commissioner Zapotosky agreed there are no contracts for either site and he hasn't discussed with Mr. Crabtree or anyone. Commissioner Zimmerlink said whatever work Crabtree is performing, he isn't performing it under a contract. She said if it isn't being performed under a written contract. The woman said crony capitalism is here somewhere. Commissioner Zimmerlink said it seems like county code problems. Commissioner Zapotosky asked for additional public comment and there were none.

Adult Probation Office

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a contractual agreement between the County of Fayette and BI, Inc. for Amendment No. 4.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zapotosky said it was discussed at the agenda meeting and it would be a reduction in IP equipment. Jim Kovacs said it would be a reduction of \$1.15. Commissioner Zimmerlink asked if there was any new information to add and Mr. Kovacs said no.

Assessment Office

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

Theresa Biller 127 Hammondville Street Mount Pleasant PA 15666 Parcel 04-16-0015

Sherry Clark 109 Fairview Ave. Masontown PA 15461 Parcel 21-08-0108

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Behavioral Health Administration

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following agreements and modifications:

	<u>Contract Value</u>	<u>Period</u>
<u>HealthChoices Agreement for Professional Services - 2014</u>		
Mahe Duessel, Certified Public Accountants	\$17,990	Year Ended 12/31/13
<u>HealthChoices Agreement – 2012 Funds</u>		
Genesis House	\$26,077	2013-2014

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to award Bid Number 13-16 to Davies Ford, 2551 Memorial Boulevard, Connellsville, PA for the lease of one 2014 Ford Explorer 4WD (or equivalent model) at a monthly cost of Three Hundred Eighty-Three Dollars and Fifty-Nine Cents (**\$383.59**) for thirty-six (36) months, with a total cost of Thirteen Thousand Nine Hundred Forty-Two Dollars and Seventy-Four Cents (**\$13,942.74**) for the lease period with 18,000 miles per year allowance.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Children & Youth Services

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a **FY2012-13** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **The Children's Aid Home Programs of Somerset County, Inc.**, 1476 North Center Avenue, Somerset, PA 15001 for Residential and Foster Care Providers on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
312330 – Class FC – Foster Care	PER DAY \$ 71.22

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **The Children's Aid Home Programs of Somerset County, Inc.**, 1476 North Center Avenue, Somerset, PA 15001 for Residential and Foster Care Providers on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
	PER DAY
312330 – Class FC – Foster Care	\$ 71.22

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a **FY2012-13** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Glen Mills Schools, Inc.**, Post Office Box 5001, Concordville, PA 19331, for residential placement services for delinquent youth on an as needed basis. The rate are as follows:

Initial Clothing - \$250.00	
	PER DAY
113050 - Residential Program	\$ 129.32
113060 – Residential Program	\$ 129.32
112970 – Residential Program	\$ 129.32
112880 – Residential Program	\$ 129.32
112980 – Residential Program	\$ 129.32
112960 – Residential Program	\$ 129.32
112890 – Residential Program	\$ 129.32
113010 – Residential Program	\$ 129.32
112920 – Residential Program	\$ 129.32
112940 – Residential Program	\$ 129.32
113020 – Residential Program	\$ 129.32
112860 – Residential Program	\$ 129.32
137300 – Residential Program	\$ 129.32
113030 – Residential Program	\$ 129.32

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and **Glen Mills Schools, Inc.**, Post Office Box 5001, Concordville, PA 19331, for residential placement services for delinquent youth on an as needed basis. The rate are as follows:

Initial Clothing - \$250.00	
	PER DAY
113050 - Residential Program	\$ 135.79
113060 – Residential Program	\$ 135.79
112970 – Residential Program	\$ 135.79
112880 – Residential Program	\$ 135.79
112980 – Residential Program	\$ 135.79
112960 – Residential Program	\$ 135.79
112890 – Residential Program	\$ 135.79
113010 – Residential Program	\$ 135.79
112920 – Residential Program	\$ 135.79
112940 – Residential Program	\$ 135.79
113020 – Residential Program	\$ 135.79
112860 – Residential Program	\$ 135.79
137300 – Residential Program	\$ 135.79
113030 – Residential Program	\$ 135.79

Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a **FY2012-13** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **NHS Youth Services, Inc.**, 4391 Sturbridge Drive, Harrisburg, PA 17110 for Residential and Foster Care Providers on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
	PER DAY
303480 – Secure Residential	\$ 275.00
303470 – Secure Residential	\$ 251.00

Commissioner Zapotosky yes
 Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **NHS Youth Services,**

Inc., 4391 Sturbridge Drive, Harrisburg, PA 17110 for Residential and Foster Care Providers on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
	PER DAY
303480 – Secure Residential	\$ 275.00
303470 – Secure Residential	\$ 251.00

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify a **FY2012-13** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **NHS Pennsylvania**, 4391 Sturbridge Drive, Harrisburg, PA 17110 for Residential and Foster Care Providers on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
	PER DAY
211980 – Foster Family Care	
Unit ID – AA – Therapeutic FC	\$ 28.72
Unit ID – BB – Foster Care Plus	\$ 86.50

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and **NHS Pennsylvania**, 4391 Sturbridge Drive, Harrisburg, PA 17110 for Residential and Foster Care Providers on an as needed basis. The rates are as follows:

Initial Clothing - \$250.00	
	PER DAY
211980 – Foster Family Care	
Unit ID – AA – Therapeutic FC	\$ 28.72
Unit ID – BB – Foster Care Plus	\$ 86.50

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Controller

Joyce Barnett of the Controller's office presented 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:	17-Nov-13	
CASH:	Checking Account	United Bank	\$5,637,669.49
Funds Owed to General Fund			
	Temporary Loans		
	Victim Witness Fund	\$ 30,000.00	
	Children and Youth Fund	\$ 1,250,000.00	
	911 Project Fund	\$ 160,000.00	
	Due to General Fund		
	Ferry Insurance Policy	\$ 12,260.00	
			\$ 1,452,260.00
	Arc Payments Due		
	Intermediate Punishment Fund-.3yrs	\$ 40,651.26	
	Offenders Supervision Fund-3yrs	\$ 87,758.28	
	Domestic Relations	\$ 94,110.66	
	Victim Witness	\$ 4,271.61	
	Records Improvement	\$ 2,325.32	
	Fredericktown Ferry	\$ 5,054.04	
			\$ 234,171.17
	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	\$ 5,000,000.00	
Budget Year	Net Position		\$2,402,786.66
			Year to Date
Total 2013 Revenues			\$ 26,716,332.86
Total 2013 Expenditures			\$ 25,276,583.51
Total 2012 Expenditures paid in 2013			\$ 3,287,640.10
Capital Reserve Fund Balance			\$ 38,729.51
Bond Fund Balance			\$ 209,076.24

Commissioner Zimmerlink said she understands the Mrs. Barnett is there on behalf of the Controller, but it says that the general fund owes the tax anticipation note. She said no payment at all has been made throughout the entire year toward the TRAN note? Mrs. Barnett said as long as she has been here, it has been done that way. Commissioner Zimmerlink said in years past there have been discussions with the Controller before and after budget meetings to say that what we need to do is not wait until the end of the year and make those payments. Commissioner Zapotosky said we have spoken of that in previous years. Mrs. Barnett said she was unaware of that, but she will bring it up to the Controller and someone will get back to her.

Courts

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the renewal of the constable contracts for 2014 for Mark Pasquale, Kim Renze and Philip Michael at a rate of \$15 an hour.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Commissioner Zapotosky said this is a continuation of their contract at the Fayette County Booking Center until such a time as a new contract can be addressed. Commissioner Zapotosky said he would make a motion for \$15 an hour, not \$16 an hour, as was listed on the agenda.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to terminate the cleaning contract with Ashley Mansberry to clean MDJ Ron Haggerty's 14-1-02 office ending December 31, 2013 and to enter into a contract with Lori Hughes to clean MDJ Haggerty's office at a price of \$100 a month with the office being cleaned at least every other week, commencing January 2014 with a one-year total not to exceed \$1,200.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to terminate the cleaning contract with Lori Hughes ending December 31, 2013 at MDJ Dwight Shaner's 14-3-06 office.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to terminate the cleaning contract for the office of MDJ Joseph George Jr. 14-2-01 with Danita Jefferies ending December 31, 2013.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to enter into contracts with Ava Hayden for MDJ offices 14-3-04 and 14-2-01 for \$100 a month for each office.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to a motion, Tammy Lambie gave the name of Ava Hayden as the person who will clean both of those offices.

Emergency Management

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the one-year 2014 Motorola radio system maintenance agreement in the amount of \$65,612.16. This is a budgeted maintenance item which covers the 9-1-1 public safety radio system.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Human Resource Department

Building and Grounds

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the 300-hour volunteer internship of PSU Fayette Business Major, Josh Suppa, effective December 30, 2013.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the 240-hour volunteer internship of CAL U Business Administration and Marketing Major, Jillian Swartz, effective January 21, 2014.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

CYS

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the 350-hour volunteer internship of PSU Fayette Human Service/Family Studies Major, Casey Fortuna, effective January 6, 2014.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the 240-hour volunteer internship of CAL U Social Work/Psychology Major, Kelly Dahlkemper, effective January 6, 2014.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

EMA

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to ratify the resignation of Full-Time 911 Dispatcher, Richard Lee, effective December 1, 2013.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

FCBHA

A motion was made by Commissioner Zapotosky to approve the 2014 Fayette County Behavioral Health Administration Compensation Plan for the period January 1, 2014 through December 31, 2014. The annual pay increase increment will be approximately

three percent (3%). The Longevity Increment will continue to be a movement of one step (approximately three percent (3%) on the approved salary schedule.

The motion died when it did not receive a second.

Human Resources

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the 350-hour volunteer internship of CAL U Human Resource Management Major Justin Fleming, effective December 18, 2013.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve an updated Workers Compensation panel of providers.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Claim

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to accept the resignation of Accounts Clerk I, Helen Kofman due to retirement, effective January 3, 2014.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Information Technology

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to advertise an RFP for local and long distance telephone service for Fayette County.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Juvenile Probation

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a purchase of services agreement between Fayette County and the Crime Victims Center of Uniontown from July 1, 2013 through December 31, 2014.

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 a 3-year contract with First Energy Solutions Corp of Akron, Ohio for electricity generation for Fayette County.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

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

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Tax Claim

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to accept the following bids from the December 3, 2013 Repository Sale Bid Opening, subject to all conditions being met.

Bidder	Parcel Number	Amount	Township
Clayton Holt	02-07-0168	\$200.00	Brownsville Borough
Mark Costello	02-074-0251	\$152.33	Brownsville Borough
Scott Jordan	24-02-0029	\$180.00	Nicholson Township

Total \$532.33

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to rescind the bid of Shane O'Brien submitted in July, 2013 for \$165.54 for parcel 05-07-0115 in Connellsville City.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said with the resolution that was just passed, that parcel number referred to WCVI building in Connellsville and there was an article in the paper, either the Courier and/or the Trib in which a statement was made on behalf of Commissioner Ambrosini that the county would do whatever would be necessary to expedite the process for the potential new owner. She said she wants to say as a matter of record that they cannot expedite, we have a repository procedure that has been properly drafted and reviewed by county solicitors and approved unanimously by the board so she didn't want anyone reading that to think that if there are other bidders out there the matter can be expedited because when this first started in May she had people say can't we move this process along, the answer is no, we have to follow the process and procedure so on behalf of the county they are not permitted to expedite the matters, we have to follow along with the procedure. Commissioner Zapotosky said the good news is it is working effectively and there is a potential buyer for the WCVI building.

Commissioners

A motion was made by Commissioner Zapotosky to table rescinding resolution 13-10-15-05 regarding commissioner work sessions.

Commissioner Zimmerlink said considering that she doesn't want to address it at all, she said she can't second his motion to table. Commissioner Zapotosky said it will just die then. Commissioner Zimmerlink said what will happen is that Commissioner Zapotosky said they will have to revisit it at another agenda meeting. He said that would also be applicable to the next item and Commissioner Zimmerlink said he would have to read it into the agenda. Commissioner Zapotosky then read into the record: Consider approval of a motion to conduct commissioner work sessions on the second Monday of each month at 10 a.m. for the purpose of discussing any and all county business. Commissioner Zapotosky said he wouldn't make a motion to table and it would have to be revisited. Commissioner Zimmerlink said for the record, there is a resolution that was

passed in January 2012 that set the work sessions weekly on Mondays and the second step never got activated which was to place a legal advertisement in the paper. She said she was just letting the public know.

A motion was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to table approval of the November 19, 2013 regular commissioner meeting minutes.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

In making the motion, Commissioner Zimmerlink said because they were just prepared, adding that she thanked the Chief Clerk, who worked long and hard, but she didn't have a chance to read them because they were sent at the very end of the day.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table approval of the 2014 TRAN note.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Commissioner Zimmerlink said after the vote that the reason that it cannot be discussed or voted on is because they don't have a number yet, meaning a number in which to seek proposals. Commissioner Zapotosky said at the agenda meeting there was attendance by a gentleman from the Susquehanna Group who had discussed options regarding the utilization of a taxable TAN opposed to what traditionally would be a tax deferred as well as utilizing the possibility of a line of credit figure as opposed to a fixed amount. Commissioner Zimmerlink said that is true and for the public, because it was stated at the agenda meeting, and if they didn't follow up and read any of the news articles, the reason that was suggested is if in the event that the commissioners are interested in floating a bond, then by floating a bond in the traditional bond method, having the TRAN note done in the traditional way would have a negative impact on the amount of funding and how the bond can be issued. She said that is why they are glad that they had brought to the commissioners attention that there are other funding options and that we should take a look at them because it would be a possible cost savings.

Commissioner Zimmerlink said not only cost savings, if we did the traditional TRAN issuance that would have a negative impact on the total, with Commissioner Zapotosky saying "capability on the bond side," and Commissioner Zimmerlink saying she was trying to think of the name of the general bond issuance. She said it would have a negative impact on the county issuing a total general bond issuance that would be tax deferred.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table adoption of a 2014 general fund budget.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

After the vote, Commissioner Zimmerlink said the reason the general fund budget has to be tabled is because—they had a budget meeting yesterday and it concluded at 2:30 p.m. and the commissioners have not sat down and discussed the debt service versus the millage rate, so that is what specifically has to be discussed. She said when she left at 2:30 p.m. there was still a deficit so they have to continue to work on that and there are other issues that the three of us have to review in order to prepare for the budget. Mrs. Hovanec asked when the budget has to be voted on and Commissioner Zapotosky said by midnight on December 31. Mrs. Hovanec asked if they are planning on working on Christmas Eve and Commissioner Zapotosky said they will have a budget passed. He said last year they hit the December 31 deadline. Mrs. Hovanec asked how they will do it publicly and the commissioners said they will call a special meeting. Commissioner Zimmerlink said the budget meetings were already advertised in mid-November which said the budget meetings would take place until a budget is passed. She said that was the terminology, it didn't have an ending date because you never know what would occur. She said budgets have to be passed at a public meeting. Kathryn Jones asked where they advertise for the public meetings.

Commissioner Zimmerlink said in the Herald-Standard, to follow county code, we chose the newspaper of general circulation. Mrs. Jones said general circulation doesn't mean sufficient circulation, she would like to see it in the Tribune Review as well. Mrs. Hovanec said a part of the community is served by the Tribune Review and Mrs. Jones said none of the community is served by the Herald-Standard. Commissioner Zimmerlink said we met the requirements by placing it in that particular newspaper, adding that she wasn't disagreeing with them, she is saying the requirements were met. Commissioner Zapotosky said there has been banter back and forth with the state with the utilization of the internet postings and that sort of thing but as of now. Mrs. Jones asked if he was saying they are not permitted by law to advertise on line. Commissioner Zapotosky said the state doesn't acknowledge, the county code doesn't acknowledge that as a formal. Commissioner Zimmerlink said they can do it as a supplement. She said she has asked that all public meetings be listed on the web site as well as the agendas but it takes two. Commissioner Zapotosky said they have posted some of that. Commissioner Zimmerlink said getting back to the general budget advertisement in years past it was published in other newspapers as well, but she would have to check. She said if it was reduced to one paper it was because of cost containment. She said they did meet the requirements and next budget she will make a note to also put it in the Trib and the Courier.

A motion was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to table making appointments to the Fayette County Conservation District board of directors for two farm representatives; two public representatives and one commissioner representative.

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Prior to making a motion, Commissioner Zapotosky said Warren Dick did call him back and said he wasn't interested. He said he didn't have names and he thought they were going to start doing interviews for the boards. Commissioner Zimmerlink said they do have some names for the farm representative. Commissioner Zimmerlink said all the names that were provided were for the farm representative positions, none for the public representative positions.

After the vote, Commissioner Zimmerlink asked Kathy Winkler, administrative assistant to Commissioner Zapotosky, if the article in the newspapers seeking letters of interest included the Fayette County Conservation District. Mrs. Winkler said she believed it did. Commissioner Zimmerlink asked her to double check, adding that we need some names of people willing to serve as public representatives and not farmers. She said the nominating entities nominate the farmers but right now we have not received any letters of interest from a member of the public that wishes to be on the Conservation District and we would have to go back to last year's letters of interest so if it is not in the newspaper can you check if the Conservation District is not in it.

No action was taken to consider approval of a lease for the temporary women's annex to be in effect until the new county prison is operational for parcel No. 38-12-0260 at 32 Iowa Street, Uniontown.

No action was taken to consider approval to advertise an RFQ for Fayette County solicitor positions.

Commissioner Zimmerlink said the prior item did not have a motion to table with Commissioner Zapotosky saying they just got the information yesterday. Commissioner Zimmerlink said no motion was made one way or the other to advertise for and RFP for solicitor positions. Since there are no motions, it will be addressed if a commissioner wants to put it on the agenda next month.

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

Department	Cost Center	Debit	Credit
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11/8/13 to 12/9/13

Controller			
Postage	01419153250		\$3,900
Contingency	01417952910	\$3,900	
Prison			
Arbitration costs	01423253145	\$2,500	
Emergency medical services	01423253190	\$1,000	
Training/conference	01423253350	\$1,500	
Indigent	01423254003		\$5,000
Medical services	01423253020	\$20,000	
Utilities	01423253600	\$10,000	
Materials/supplies	01423252000		\$30,000
Commissioners			
Contingency	01417952910	\$9,115	
Records phone	0141110153200		\$90
Jury commissioners phone	01418553200		\$75
Commissioners phone	01411153200		\$950
Election bureau ads	01417953400		\$8,000
Contingency	01417952910	\$129	
Life insurance controller	01413351580		\$14
Life insurance prothonotary	01419551580		\$10
Life insurance APO	01423651580		\$22
Life insurance intermediate punish	21423651580		\$48
Life insurance commissioners	01411151580		\$35
Contingency	01417952910	\$9,000	
Solicitor salary	01415151200		\$9,000
Courts			
Arbitrators	01418451412	\$2,000	
Attorney counsel fees	01418453141		\$2,000
Assessment			
Auction expense	01413652410	\$500	
Materials/supplies	01413652000		\$500
MDJs			
Salary full time	01418651400	\$5,000	
Materials/supplies	01418652000		\$5,000
Treasurer			
Travel	01413953300	\$911.78	
Postage	01413953250		\$911.78
Ass'n dues	01413954200	\$200	
Telephone	01413953200		\$200

UCC

Materials/supplies	01417252000	\$46.62	
Printing/photocopy	01417252200		\$46.62
Public Works			
Utilities	01417453610	\$935.20	
Utilities courthouse	01417452010		\$935.20
Travel	01417453600	\$7,200	
Supplies	01417453300		\$7,200
Sheriff			
Travel	01417953300	\$2,500	
Materials/supplies	01419752000		\$2,500
District Attorney			
Special investigator	01419451402	\$7,500	
Travel	01419453300		\$2,500
Postage	01419453250		\$3,500
Witness fees	01419453171		\$1,500
Total Debits	\$83,937.60	Total Credits	\$83,937.60

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

Public Announcements

Commissioner Zapotosky wished everyone a very happy and wonderful holiday season. Commissioner Zimmerlink said for public announcements, in the event you do not read newspapers, which she understands, no matter what newspaper it is, the commissioners are accepting letters of interest for individuals to serve on various boards within the county. She said those letters of interest, I believe Kathy Winkler chose a date of December 23. She said if anyone was interested and if you would like a list of various openings, feel free to contact me or Kathy Winkler or Nicole Young. Commissioner Zimmerlink asked if they were listed on the county website. Commissioner Zapotosky said the openings would be based on the expiration of the terms. Commissioner Zimmerlink said as of the last meeting, Commissioner Ambrosini directed Nicole Young to change all of those dates to January of 2013 which are all in error, just so you know. Commissioner Zapotosky said they would end of the 31st and commence on the 1st. Nicole Young said no further action has been taken, which Commissioner Zimmerlink said is incorrect. Chief Clerk Amy Revak said the list of openings can be placed on the county website. Commissioner Zimmerlink said it would be downloaded to the county website under "What's New" within the next 48 hours and urged people to go to the website if they are interested.

Public Comments

Commissioner Zapotosky asked for public comment, and the fire alarm went off and everyone evaluated the building. Commissioner Zimmerlink said they will return because the meeting hadn't been adjourned.

Adjournment

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

Commissioner Zapotosky yes
Commissioner Zimmerlink yes

Motion passed unanimously

The action was taken outside on the sidewalk following evacuation of the building due to a fire alarm after a fire was detected in the basement of the public safety building.

