



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

MAY 20, 2009

10:00 A.M.

MEMBERS PRESENT

Jeff Haste, Chairman
Dominic D. DiFrancesco, II, Vice Chairman
George P. Hartwick, III, Secretary

STAFF PRESENT

Chad Saylor, Chief Clerk; Marie E. Rebeck, Controller; Karla Miller, Treasurer's Office; William Tully, Esq., Solicitor, J. Scott Burford, Deputy Chief Clerk; Randy Baratucci, Director of Purchasing; Kay Lengle, Personnel; Bruce Foreman, Esq., Solicitor's Office; Gary Serhan, Deputy Controller; Dave Schreiber, Personnel; Leila Brown, Solicitor's Office; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; Carl Dickson, Director of Parks & Recreation; Jim Szymborski, Planning Commission; John Orr, Director of the Conservation District; August Memmi, Community & Economic Development; George Connor, Community & Economic Development; Carolyn Thompson, Court Administrator; Mike Potteiger, Director of Adult Probation; Melissa Wion, Personnel; Sue Cohick, Director of Children & Youth; Liz Tobin, Children & Youth; Joe Dougher, Children & Youth; Hope Rohde, Children & Youth; Jessica Keiter, Children & Youth; Roshun Mitchel, Children & Youth; Vicki Morley, Children & Youth; Roxanne Dagino, Children & Youth; Lindsey Miller, Children & Youth; Marilyn Sutton, Children & Youth; Currin Haines, Children & Youth; Stephanie Corl, Children & Youth; Molly Sullivan, Children & Youth; Sheri Courchaine, Children & Youth; Ashley Mellott, Children & Youth; Kim Monk, Children & Youth; Diane Schreiber, Children & Youth; Christiane Britton, Children & Youth; Courtney Bowers, Children & Youth; Joy Mokina, Children & Youth; Rick Vukmanic, Children & Youth; Brenda Hoffer, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Stephen Hetrick, Peggy Morehead, David Watters, Chris Dietz and Vicki Stoner

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:07 a.m.

MOMENT OF SILENCE

Everyone observed a moment of silence.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Haste: We have three sets of meeting minutes that we'll take up at next week's meeting.

PUBLIC HEARING

A complete set of Public Hearing Minutes are on file in the Commissioners' Office.

PUBLIC PARTICIPATION

Mr. Haste: At this point in time we'll open up the meeting for public participation. Is there anyone in the audience that would like to address the Board at this time? (There was none.)

DEPARTMENT DIRECTORS/GUESTS

A. Dauphin County Commissioners

1. Proclamation – Foster Parent Month

Mr. Hartwick: It is great to see the young people's faces that are here this morning. I believe I met most of the young kids who are here today. Today is really about the individuals in our community that are true heroes. People who step up and are not asked to be on the front page of the paper, they don't ask for recognition, they open up their homes, hearts and families to kids who are in need of care. We have and I know as a parent of five children I oftentimes have a challenge and difficulty getting out of the house in the morning and dealing with five of my own children, let alone opening up my home, heart and family to kids, through no fault of their own, have suffered through many different challenges, both emotional and sometimes physical. You give them stability and a place where they don't have to worry. I heard some of the kids in the

front row saying that it is just a matter of time until an adoption occurs. Trying to move kids from a situation into a permanent home particularly in an efficient way in a caring and loving foster home may be the difference between kids making choices to become productive members of our community and having the stability and understanding of what life means and what a household is supposed to be versus having the reality that may lead them down the path of continued thoughts and cycles of poverty and institutionalization that they might have come from. We are proud of our foster parents and it gives me great pride to see all the beautiful children who are going to be given opportunities as a result of these foster parents. We have a staff that is truly committed. They are not motivated by money, they are motivated by their ability to make a significant difference and have a higher calling to help people. I'm very proud of our staff and foster parents in Dauphin County.

(Mr. Hartwick read the Proclamation.)

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, are honored to recognize and applaud the many generous, loving and dedicated foster parents in Dauphin County and across the country who open their homes and hearts to young children and teens who need a warm, secure place to live;

Whereas, we, as a community and a family, thank you deeply for your kind-hearted efforts as we recognize the month of May, 2009 as National Foster Care Month;

Whereas, these exceptionally hard-working foster parents offer the most basic need yet the most meaningful gift – a safe, caring environment – for children who have often experienced horrific events, such as abuse and neglect, and need extra patience and support; foster parents are essential to supporting the 3,000-plus children in Pennsylvania who are currently in transition, awaiting a permanent home;

Whereas, we are very grateful for our Children and Youth employees who ensure that foster parents are properly trained and equipped to deal with the care and security critical to foster children; although foster parenting is not without challenges, the rewards are truly immeasurable, and eternal;

Whereas, foster parents come from all backgrounds, economic situations, races, religions and nationalities, and although they may only provide a loving home for a limited period of time, the impact on their child's life is everlasting;

Therefore, we join the 253,300 residents of Dauphin County in honoring the many nurturing foster parents for offering unconditional, self-sacrificing love and a warm, welcoming home to children in need; we thank and commend these hard-working families who open their homes to less fortunate children to enrich and shape their lives forever; and in grateful recognition thereof, we do hereby proudly proclaim May 2009 as "Foster Parents Month" in Dauphin County.

(Applause was given.)

Mr. DiFrancesco: To the foster parents in the room, thank you very much! I say that in recognition of all those that could not be here today to join us. I look around the room and I was very blessed to grow up in a family with a strong family ties. I had brothers and sisters. You look around the room at every one of these kids and what you see is pure innocence and potential. Through no fact of their own they were given a situation that was a challenge. I say thank you to each of you, because I know it takes a major

effort and a major commitment to provide the type of love that is necessary for these young children, but that innocence and potential can continue for the rest of their lives. You are their future. You are their chance. I would argue that there are none more important in this community than those of you who are willing to open up your homes, as George mentioned, and give your love to these young children who truly do not deserve whatever it is that has happened in their life. You are there to support them and make sure that they have every opportunity to grow. Whether it is a transition or whether ultimately they become a part of your permanent family I just want to thank you for the job that you do every day. It's God's work and it's critical in this community and I certainly hope that more people will realize that as adults they have a lot to give to a bunch of children who really need their love and attention. Thank you all for the effort and the work that you do.

Mr. Haste: I do not want to belabor the point, but just would like to say thank you to all the foster parents out there. Sitting here I think we should have children come into the meetings every time we have one, because it makes things different. We had a long night last night and I came in this morning really wasn't looking forward to a meeting, but when you come in with a room full of children it makes it a whole lot better. We should do that more often. As I was sitting here I was thinking of the impact that you have on these lives and the community. You folks truly are the leaders, because of what you can do in shaping the children's lives at such an impressionable age. Probably one of my best friends in life, I have two really close friends, one from high school and one from college. One of those is a result of having gone through a foster family. He is a very successful individual today. We talk at times about the difficulty that he had in his early childhood. He and his siblings, they got separated, one went to one foster home and the other two went to another foster home. If it wasn't for the foster parents what could have happened to those children and how their lives could have drastically different than what they were today. My one friend often says that his success probably would not have been able to happen if not for his foster parents. Whether it be a short or long period of time that you have in touching someone's life, I'm sure each one of you know that you have a major impact and we want to thank you for that.

(Mr. Hartwick mentioned all the people that were in the room.)

Mr. Hartwick: I know you all have seen the news recently about a recent tragic child death that occurred in Dauphin County. I want to set the record straight that regardless of comments that have been made by those members in State government, I believe we have the most committed, compassionate and caring group of individuals in Dauphin County that have, as their primary goal, the protection of our children in this community. I know we all take it personal when we have a tragic loss within our community those of us who are called to serve and protect our children. I know we are going to redouble our efforts to be able to focus on ensuring that we examine what happened here and never have it occur again. Let it be very clear that I have and this Board has full faith and confidence in our ability to protect and serve our kids and families within this community and move individuals along to permanency and support families. Despite

any comments that you have heard from the State, we truly do value and believe that we have the best Children & Youth Department out of all 67 counties and we appreciate all that you do for this County and for those children.

(Applause was given and pictures were taken.)

B. Stephen Hetrick, Retirement Collaborative, LLC

1. Voluntary Employee Benefits Retirement Collaborative

Mr. Hetrick: As part of our ongoing due diligence for the Deferred Compensation Plan, we analyze the investments that are in the plan. Currently there are three bond funds, 11 equity funds, one allocation fund, five investment models that we put together for participants based upon the funds that are available in the plan and one stable value fund.

The Stable Value Fund, we are not here because it's not meetings its due diligence requirements or that type of thing. It is because of AIG is one of the wrap providers within the plan. Just because AIG had their difficulties over the last year, we just wanted to bring forth the discussion that we have been having with the VEBC and some decisions that you could make regarding the Morley Stable Value Fund. It is the largest holding within the Deferred Compensation Plan at around \$3 million. The total plan is at \$11.1 million. The Deferred Compensation Plan's investment with Morley is only .08% of Morley's total holdings, which are around \$4 billion dollars. A stable value fund is designed to provide that stability of money going in, similar to like a money market where they try to have money go in at book value. So, like \$1 in and \$1 out. It doesn't guarantee that, like a lot of money markets don't typically guarantee that. The wrap contracts are used to provide that stability for benefit events. A benefit event is if somebody wants to move from the stable value to an equity fund or if they are retiring and they want to take the money out of the plan, if they want to be able to get it out at book value. The wrap contract provides that insurance that if Morley wasn't able to distribute that money at book value that it would be available by that wrap insurance. AIG is one of the wrap providers and they are currently in the contract. There are nine companies providing wraps and the contracts. It is hard to say whether AIG is even a problem, because the government is back stopping them. We know what the issues are. The government is saying that they are there to provide the back stop money. It may actually be that one of these other wrap providers would have more of a problem if a benefit event would take place. In our conversations with the representative from Morley Stable Value, in a conference call that we had, she explained that there has never been a benefit event with one of these wrap contracts in Morley's history. The likelihood of there being claims on one of these wrap contracts would be rare, because with such a large fund you would need to have the overwhelming majority of the participants move their money out of the Morley Stable Value Plan. There are market value adjustments for non-benefit events. That would be if the plan terminates. Say, you say we are not having a deferred compensation plan, we are doing it on this date and we have to distribute all the money at once. If that was the case, Morley could

impose a market value adjustment on that money. They have up to 365 days that they can hold the money before they issue it at book value. Really that is one of the two things that we are looking at here.

So if we go to the summary, we do not feel as does the Voluntary Employee Benefits Committee have an issue with Morley Stable Value Fund. They are out performing treasury bills, like a money market, index also. They are performing well. They have been meeting all their benefit obligations even during the financial crisis participants were moving the money in and out of the fund there were no issues with it. Again, AIG has been in the news and we thought it would be worthwhile to bring this forward to you.

Personally it is our firm's contention that we don't expect a V-shape recovery. We don't think we have hit the bottom and the market is going to go straight up from here and everything is going to be good. We are still in that period where we are working out of the economic and financial crisis and it is going to take some time. Because of that I don't see that there is going to be a lot of money flowing out of the stable value accounts, especially when you look at the demographics of people who are in retirement plans. Again, money flowing out of the stable value account would be what would trigger a benefit event. That would have an affect on the wraps. The other thing is general. All these stable value accounts are facing the same conditions, whether it is a pooled stable value like this one or whether it is an insurance account. I don't even like those quite as much, because all the money is in the general account of that insurance company and if the insurance company goes bankrupt the debtors could have claims against the money that is in that stable value account. I like this pooled structure better than having it just in an insurance company. Looking at other options everybody is kind of in the same boat.

The underlying bond fund that is the core of the Morley Stable Value Fund is very highly rated. If you look at the credit quality of the underlying bond instruments it is very high. They are holding a fair amount of cash right now and they also have a very short duration of around two years. What they are doing, like with AIG, is they are not putting any new money into the contracts. They are called evergreen contracts. As long as Morley is putting money in them and as long as Morley is meeting the obligations, because the wrap contracts, the providers want to make sure that they have good quality investments so they have investment guidelines that Morley would need to meet. As long as both sides are meeting their obligations and money is flowing into it, those contracts are going to stay indefinitely. Currently Morley is not putting any new money into the AIG contracts. So, after a two year period, as the duration of the bond portfolio lessens and those bonds are moved out, they could not have any contracts at all with AIG, because if they are not putting any new money into it they would expire. The other thing that is probably the biggest concern is that unlike the mutual funds, if we don't like a mutual fund, let's say a manager changes or they changed the whole philosophy around, we want to move out of it and move into another mutual fund, we can do that. We can flip that switch and move those funds very quickly. With stable value accounts, which are the norm in the industry, you've got that 365 day waiting period in order to get the money out at book value. You can always get the money sooner, but depending on

the market value adjustment you may have a little bit less or a little bit more than what the actual book value is. Right now it would be a little bit less.

There are two different options to look at. The first one is that we continue doing the due diligence, continue talking to Morley and keeping abreast of their holdings and that type of thing and reporting to the VEBC and if there are any concerns bring them before you. The other one would be to start a termination process with Morley. Termination process would just start that waiting period. It doesn't mean that we have to follow through and actually pull the money from Morley, but we would at least start that waiting period so if we did, in the future, want to move the money out we would not have to wait a full year to do it. I've got written confirmation from them that the termination process can be stopped just by faxing or mailing them a letter saying that we want to stop the process. It is our opinion and the Voluntary Employee Benefits Committee (VEBC) opinion that it would be best to start the termination process just so that we have it in there. We would do another managers search to see, if there is a problem with Morley in the future, who we would want to move to and then when we near the date, they will give us a 365 day window, but they could always say anytime before that they want to distribute the money. They would give us a month notice. Let's say that it is six months from now they say we are ready to pay out that money right now. If we think everything looks good and Morley is doing better than the other options we just send a letter saying that we want to stop the termination process. Then we have a new 365 day waiting period. Then you could, at that time, start a new 365 period by starting the termination process or maybe at that time the financial system is more stable and we don't have the concerns that we presently do and the situation with AIG is further clarified. Those are the two options. I don't think one differs that much from the other, because we would still do the monitoring. There is nothing that we can do right at this moment other than to start the termination process so we can start that waiting period. Again, Morley looks pretty strong. I would be surprised if there is a problem with AIG, because of the back stop that the government seems to be giving them. They have a very strong investment portfolio. We would recommend a decision, under the decision section option #2.

Mr. Haste: Is that the Committee's decision?

Mr. Hetrick: Yes.

Mr. Haste: Is there a motion?

Mr. Hartwick: Do you want to do it today or next week?

Mr. Haste: When do you need it?

Mr. Hetrick: It doesn't matter. We don't think this is a real pressing matter. I just think it is a prudent thing to do.

Mr. Haste: Let the record show that we will put it on next week's agenda for Option 2.

C. John Orr and Robert Christoff, Conservation District

1. Stormwater Management Initiative

Mr. Orr: I believe that you should have received a brief last week that outlines what I'm here for. We have an opportunity to break some new ground in Pennsylvania as far as stormwater management and at least looking at options that would break new ground.

The purpose of being here today is to update you on where we stand with this stormwater initiative and to verify that you are either in agreement or what you concerns may be with that. I won't go through everything that is in the written brief that I gave you, but historically stormwater management has largely been a function of local governments. Over the past ten years there has been a change primarily through DEP to change some of the regulation and authority with the State assuming a more active role. About a year ago, we received some insight as to what the new post construction stormwater management regulations would be and they are tied to the National Pollutant Discharge Elimination System Permitting (NPDES), which goes through our office and through DEP. It appeared at that point and it still appears today that there will be a need for a better way of doing business. The concerns with that are that the stormwater management plans are reviewed at the local level and the county/state level and there is little correlation between these two reviews. In fact you can have discrepancy in what the regulations call for. There is a redundancy in some areas of regulatory compliance and insufficiencies in some other areas. There is an insufficient and uncoordinated stormwater best management practice construction oversight or inspections. There is insufficient and uncoordinated long term monitoring of installed stormwater water best management practices. There are insufficient resources in terms of both available staff and expertise to adequately review stormwater management plans at all levels of government. There are insufficient staff resources at the local level to adequately inspect and monitor the stormwater best management practices over long term. As additional regulations are developed at the State and Federal level, the gap between the requirements and the resources available to address the requirements are increasing. As a result of the conditions, our stormwater management goals are being met on paper, but there is the real possibility that they will not have any significant positive impact on watershed hydrology or stream water quality and deficiencies will result in long term cost for operation and maintenance that probably will revert back to the local government.

About a year ago we did presentations to local government officials, all 40 municipalities were invited. We outlined some of these proposed concerns. There was interest from the local government level and we formed a work group, which is comprised of these local governments and they have been meeting. The conclusion that they have come up with is that we need, at this point, to formalize some sort of a work group. They are an ad hoc committee that really has no official vote as far as the individual municipalities. They are not officially recognized as having an authority to work. They like the option of exploring whether an authority could be established and the benefits of that to manage stormwater. What we have developed is a request for qualifications that

we are proposing to send out to consultants to get proposals on how to proceed. Part of that process would be that they would educate the municipalities of the different options. They would look at and explain the overlaps and the responsibilities of each of the levels of government. Then they would draw some conclusions. Then we would probably look for funding for a second phase, which would be an implementation phase.

Where you as Commissioners become involved with this is back in February Bob Christoff presented to you that there may be a request for an amendment to our current Act 167 Plan, which would require action by the Board. Why I am here is to get your perspective on this, whether you wish for us to proceed with this request for qualifications. The people from the Act 167 and plan reviews in DEP have reviewed the request and have given us their comments. It would be a substantial contract. We have received one ballpark estimate and that was in the neighborhood of about \$150,000.

Mr. Haste: For the first phase?

Mr. Orr: Yes, the first phase. DEP if they accept this through the Act 167 Plan would pay the customary 75% and the County would be responsible for the 25%, which would largely, if not entirely, be made up of in-kind work because we could credit all of the man hours as we understand of all the municipal officials that work and review this, their time in working on this plus all of our staff time we can take that as in-kind, which would offset the 25%. That is what I am here for. We do not need a vote. At this point we are just looking for whether you wish for us to proceed after the request for qualifications would come back we would interview the consultants then we would come back to you with some dollar amounts as negotiated out and then we would require your formal action. We don't want to proceed to that phase if you are not comfortable with this course of action.

Mr. Haste: So, the County's share would be \$32,000 to \$35,000?

Mr. Orr: In-kind service, yes.

Mr. Haste: Again, this working group has been together for a number of months.

Mr. Orr: In September Commissioner Haste attended one of their work group sessions. We do have a good distribution of municipalities, Derry Township, City of Harrisburg, Lower Swatara, West Hanover and East Hanover Townships, Washington Township, Upper Paxton Township, the Upper Dauphin COG, Lykens Borough, Wayne Township, Jefferson Township, Highspire Borough and two or three engineering firms, such as HRG, that represent multiple municipalities. We have 25% of the municipalities in this work group.

Mr. Haste: Everybody was invited to join correct?

Mr. Orr: Everybody was invited. But, they are unofficial and they feel that they need to get formalized if we are to proceed. We have taken it as far as we can.

Mr. Haste: I support it.

Mr. DiFrancesco: Yes.

Mr. Hartwick: Yes.

Mr. Orr: It could down the road involve the creation of some type of authority.

Mr. Haste: We will know that later.

Mr. Orr: That is a huge step for anybody, but then we will have a study that would outline all of that. This is the foundation to doing that research. That could be on a watershed basis or...

Mr. Haste: I think the key in this is we need to stay focused on this. It is driven by the local municipalities wanting it, not us trying to force it on them.

Mr. Orr: That's right. Ultimately the downside of this to the local municipalities is these State regulations that they are coming from the Federal government to the State government then down are good for water quality. There are best management practices that before we treated stormwater as a waste product and dumped it into the stream. These will control the amount of water going into the stream, but it will also maintain the water quality. That's good. The downside is that in the current regulations, as they are proposed, the developer is asked or mandated to sign on that they will maintain these BMP (best management practices) in perpetuity. That's impractical. A developer is not going to be here in 50 years. Then it may fall to a homeowners' association. Well the homeowners' associations aren't going to want to go out and spend money that they have to come up with to do this. If that falls then it reverts back to the local government and they are going to be taxed with potentially huge amounts of stormwater retrofit and best management practices maintenance. It is going to come out of the taxpayers. That is what we are trying to look at to see if there is a better way of doing this that everybody can win.

Mr. Hartwick: You said developers' interests are represented?

Mr. Orr: We have met with the Harrisburg Builders Exchange and they are 100% behind this. They want to join this work group.

Mr. Hartwick: I think we should have them.

Mr. Orr: That is a decision that we will present at the next meeting, but that is not my say. That is the local work group of the municipalities. They are very interested and very supportive.

Mr. Hartwick: They have expressed concerns to all of us about some of these future regulations.

Mr. Haste: And BMP stuff as well.

PERSONNEL

Ms. Lengle: Are there any questions on any of the Salary Board items? (There was none.) Are there any questions on the Personnel Transactions? (There was none.)

I do have a couple items that I would like to request a vote for approval today. They are not noted unfortunately. It is Vacancy #2, Vacancy #3, which is a resubmission, Personnel Changes #9 and #10.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve Vacancies #2 and #3 and Personnel Changes #9 and #10 of the Personnel Packet; motion carried.

Ms. Lengle: I also wanted to point out that there is a request from a Prison employee to participate in the education incentive program.

PURCHASE ORDERS

Mr. Baratucci: You should have all received your Purchase Order Packet yesterday. There is just one or two items that we need to fix up otherwise it all can be moved to next week for approval unless you have any questions.

In addition I gave you a copy of a purchase order. It is an item that we pulled last week, because we had some concern about running that through the end of the year for Tax Assessment. After the meeting we had discussed changing it until the middle of the year. So, since the purchase order was already in the system and we wanted to get it approved as soon as possible, because we do owe them some money, the idea was that we would just go ahead and print the P.O. and would hold it until this week and ask for your approval on that Manatron one that will cover us until June. I think the instructions to Steve Howe are to come back before the end of June if he feels he needs it longer. If you could approve that Purchase Order that was held from last week now and then the other ones will go through the regular process.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve the Manatron Purchase Order as mentioned above; motion carried.

TRAINING PACKET

Mr. Haste: On the Training Packet I believe we need to approve Item #2.

Mr. Saylor: Correct and Item #5 due to a registration deadline that we need to meet to get reduced rates.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve the Item #2 and Item #5 on the Training Packet; motion carried.

ITEMS FOR DISCUSSION

- A. Ratification of First Amendment to Contract No. C000030056 between the County and the PA Department of Community and Economic Development for the Volunteers of America project. **(***A VOTE IS REQUESTED 05/20/09***)**
- B. Appointment of Andrea L. Addison and Eugene D. Alexander to the Dauphin County Council on Aging. Terms will expire December 31, 2011.

Mr. Haste: I see we need to take action on Item A, which is a vote to ratify the First Amendment to the Contract between the County and the PA Department of Community and Economic Development for the Volunteers of America Project. We are a pass through on this, correct?

Mr. Saylor: That is correct. We adopted something at the last meeting and this is another document.

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve Matters Requiring Board Action Item A, listed above; motion carried.

SOLICITOR'S REPORT

Mr. Tully: All matters on the Solicitor's Report should be ready for action and vote next week. I would be happy to answer any questions. (There was none.)

CHIEF CLERK'S REPORT

Mr. Saylor: Commissioners, I have nothing unless there are questions of me. (There was none.)

COMMISSIONERS' COMMENTS

Mr. DiFrancesco: Yesterday Election Day basically went off without a hitch. Once again I want to commend the election workers and staff who volunteered to fill in the many holes that popped up across the County in terms of Boards of Elections that don't have enough people to run the polls and so forth. The County stepped up again and our employees did a great job yesterday.

I did talk to the Solicitor briefly yesterday and I'm asking him to get together with me to come up with basically a briefing packet for each municipality. For some reason and maybe it was the fact that it was an 11 way race for judge, I don't know what it was, but the amount of signs in right-of-ways, the size of signs in right-of-ways and all that stuff just seemed to multiply this year to the point where what I'm looking to do is make sure that the communities know what their rights are under the law in terms of regulating. For some reason all of a sudden this year all these 4x4 signs popped up in right-of-ways all over the place. Some of them were very close to highways. I just want to be very clear to try to help the municipalities out where we can so that they know what they can and cannot regulate based on law and case law. I'll be working with the Solicitor's Office.

Mr. Haste: That would be guidance from you to their solicitor right? They could choose to ignore.

Mr. DiFrancesco: Right.

Mr. Tully: We don't have any authority.

Mr. Haste: Maybe in addition to that it may accomplish the same thing you are trying to do, maybe it's not a bad idea to put a packet together that goes to the candidates so that when they become a candidate that they understand the rules of the municipalities. I like what you are saying about helping the municipality, but maybe we take back the municipality's regulations and put it into a packet where we give it to the candidates and say here is what you have to follow.

Mr. DiFrancesco: That would be very good and then hand it out as they register downstairs. That is a very good idea.

Mr. Hartwick: It is one preventative way, but is the enforcement mechanism?

Mr. DiFrancesco: The local governments would have to enforce.

Mr. Hartwick: I understand that, but if they are not enforcing it now what's to say that they will do later.

Mr. DiFrancesco: I'm not so sure that this phenomena of, the larger signs that I'm talking about this year are not the normal. We have seen the 4x8's go up in the past where they are on the farmland and are pushed back from the highway. This time, it seems like these 3x3's, 4x4's, whatever they were, were popping up literally feet away from the roadside. It was almost like a yard sign in people's yards. If the community thinks that is appropriate and it doesn't need to be regulated that is great. If they choose to regulate it, I want to be sure that they understand the rights of the campaign and the rights of the property owners under the law what they can and cannot regulate. That is what I'm trying to do is clarify. I had some people come up during this last election season, private landowners, who have had political signs placed in the right-of-

way, but on their private property. They don't know if they can touch them or not, because they don't want to get their name listed in the paper for tearing down political signs or whatever it might be. Things like that where people clearly understand that no it might be a right-of-way, but it is still your property and if you are a private business, farm or church that does not want a political signs on your property you have every right to keep your property cleared and clean. We want to make sure that we do that in a way that is substantiated and that all parties can understand. I agree with the Chairman that it is probably a good idea to provide that to each candidate that runs. Maybe we will never see the amount of paper and metal that we saw in this past election, but it was really highlighted in this past election. It was overwhelming.

Mr. Hartwick: We have another November full of it.

Mr. Haste: Not as many.

Mr. Hartwick: The ones who had the big signs a lot of them are still there. You are just asking for a clarification of the law to be able to be...

Mr. DiFrancesco: A resource document for the municipalities and for the candidates that basically tells them what the law is so they know what they can and cannot do. No action. Not changing any laws or doing anything, just providing information.

Mr. Hartwick: I mentioned it a little bit earlier in the meeting. I'll just be brief and part of the public record. I'm extremely disappointed by the response from the Department of Public Welfare over the recent tragic incident that occurred on Monday of last week with the child death that happened in Dauphin County. We've expressed those concerns and the District Attorney's Office has expressed those concerns. I want to make it clear that first of all the State of Pennsylvania does not have any corner on the market on grief. In a matter that we can clearly see the emotional outbursts from a family member, but what happened with the State Department of Public Welfare was absolutely uncalled for; and we are going to take steps to make sure that we remedy that situation and right the record particularly when all the facts of the case are disclosed. We have full faith and confidence in our caseworkers and they did everything within their power and rights in this case to protect the child that was involved. Without getting into any specifics of the case, I believe Sean McCormack, our Children & Youth Office, and the investigators in this case will clearly come to a conclusion and will bring whoever did this heinous crime to justice.

PUBLIC PARTICIPATION

Mr. Haste: We are again at the point in time in the meeting for public participation. Is there anyone in the audience that would like to address the Board at this time? (There was none.)

ADJOURNMENT

There being no further business, it was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board adjourn.

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz