

COMMISSIONERS GENERAL SESSION

July 22, 2024

**Present at the meeting were
Commissioners:**

R. Franklin Campbell – Chairman via WebEx
Brenda L. Watson – Vice Chairman
William G. Lyons - Secretary
Shannon Hines – Chief Clerk
William R. Bunt – Solicitor

Present from the Press: Paul Wyatt

Present from the Public: Shirley Baker, Gabrielle Brandt, Mary Ann Brownawell, Andrew Burke, Gladys Carns, Noah Cline, Jason Finnerty, Jim Frank, Rich Fultz, Karen Gabel, Kristie Gantt, Jeff Garman, Kathy Garman, Sarah Geesaman, Dave Hammar, Wayne Lesher, Taira Little, Robbyn Metz, Jedd Nessinger, Rich Pluta, Dave Pundock, Faith Pundock, Eric Reeser, Larry Reisinger, Robert Ressler, Megan Sellers, Marty Smith, Wes Smith, Ashley Weaver

Commissioner Watson opened the meeting at 10:00 a.m. on July 22, 2024 with the Pledge to the Flag and a moment of silence and said that Commissioner Campbell would be participating virtually. The meeting was recorded by the County and Paul Wyatt.

FY 24/25 Human Services Development Fund Public Hearing: Shannon Hines, Chief Clerk, stated that the Human Services Development Fund (HSDF) is part of a larger block grant that allows the County to provide funding directly to local human service organizations within Perry County. She commented that the hearing was focused on FY 2024/2025 HSDF funds and said the County receives \$50,000 of funding. Ms. Hines further stated that funds must be used for social services and service coordination for low-income adults, older adults, dependent and delinquent children, persons experiencing or at risk of homelessness, and individuals with substance use disorders, mental health issues or intellectual and developmental disabilities. She said some of the most common types of services HSDF funds are used for include transportation services, case management, life skills programs, and counseling. Ms. Hines said to date the County had received funding requests from the following organizations:

1. Neighbor Helping Neighbor Food Bank - food services for low-income adults \$12,000
2. Disabled American Veterans Chapter 49 - Veteran's in Need Program and Transportation Program \$10,000
3. Perry Human Services - Adult Services Program – Representative Payee and Homeless Assistance Program \$22,000
4. Cumberland-Perry Drug & Alcohol Commission – outpatient treatment support in the County \$9,500
5. Join Hands Ministry – financial literacy program \$7,500

She said the total dollar amount of the requests was \$61,000. Ms. Hines said if there are any organization interested in learning more, they should reach out to the Commissioners' office. She commented that a second hearing was scheduled for August 19 at the beginning of the Commissioners' meeting to review the entire block grant and Cumberland-Perry MH/IDD would be in attendance as well. She stated that no action was required.

Updates/Announcements: Commissioner Campbell thanked the organizations that provide the HSDF eligible services to the residents of the County.

Public Comments: Sheriff Dave Hammar stated that he wanted to address the meeting protocol item on the agenda. He specifically said he wanted to comment on the protocol regarding firearms. He quoted Pennsylvania Constitution article 1 Section 21 and the U.S. Constitution Second Amendment. Sheriff Hammar read Title 53, PA Consolidated Statute 2962, section G, and urged the Commissioners to review this information before taking any action or getting the County involved in a lawsuit.

Larry Reisinger said the citizens of Perry County deserve a thank you for their support of the Newport and New Bloomfield fundraisers at the fairgrounds and the Ickesburg carnival. He specifically noted the volunteers and expressed gratitude.

Shirley Baker commented on the meeting protocol item on the agenda. She specifically mentioned protocol #3 and said many times when you call and speak to someone on the phone, they do not give their title. Ms. Baker asked if people will be instructed to give their title when interacting with the public.

Sarah Geesaman, Director of Elections, said she recently did outreach at two nursing homes. She commented that she assisted residents with mail in ballot applications and answered questions. Ms. Geesaman said it had been many years since outreach at the nursing homes occurred and said it went well.

Wes Smith, Deputy Director EMA/911, recognized Dispatcher Stone and Dispatcher Hoover for the commendation recommendation from Newport EMS they received. He said that based on the actions of both dispatchers a one-year-old drowning victim is alive today. Mr. Smith read a message from the child's father thanking Dispatcher Stone and Dispatcher Hoover for guiding them through a traumatic situation.

Ashley Weaver said she was going to address the public meeting protocols. She commented that a member of the public can record a public meeting and they do not need to announce it in advance. Ms. Weaver said this does not violate Sunshine Act or the PA Wire Tap Law. She further noted that Open Records has classes on the Sunshine Act and a YouTube channel. She called out Sunshine Act violations under section 710.1c. Ms. Weaver said to type in on YouTube, Basics of the Sunshine Act for information and said you can email the PA Office of Open Records with questions about the law. She said to watch the section of the YouTube training video regarding limiting people's First Amendment and said people have the right to address their public officials in a public setting. Ms. Weaver referenced a federal court case which cost a school district \$300,000 and the Pennsylvania Constitution Article 1 section 7. She further said that if the meeting video feed is not working correctly the meeting should be stopped and the feed should be checked to make sure it is working properly. Ms. Weaver questioned why the Second Amendment is being restricted and asked about safety concerns. She provided additional court cases and statute examples and said the law must be upheld and not emotions.

Robbyn Metz stated that she would be commenting on the public meeting protocols. She said she was thankful that the state code was finally being followed on having meeting policies. Ms. Metz stated that there should be public deliberation on the protocols and called out the gun section saying it was infringing on Second Amendment rights. She questioned if safety was the issue and wondered if the Commissioners were only concerned about their safety. Ms. Metz commented that there are several Sunshine Act violations with the protocols and noted that Ashley Weaver outlined them perfectly. She said the meetings are advertised as being virtual and if the meeting feed is going down the meeting should be stopped. Ms. Metz said there are court cases regarding this issue and the Commissioners may have to attend training or be personally fined. She cautioned the Commissioners and said they should go back to the table before taking actions on the meeting protocols.

Wayne Leshar said he would also be commenting on the meeting protocols and said Bill Bunt must have written the policy. He again called for Bill Bunt's removal from County, taxpayer paid, benefits. He stated he will sue the County and cost the County money. Mr. Leshar said instead of working on stupid stuff like the meeting protocols the Commissioners should work on fiscal and benefits policies.

Megan Sellers stated that she is baffled by the Commissioners and the meeting protocols. She commented that Robbyn Metz saved the Commissioners by voicing concerns about the protocols and violations. Ms. Sellers said she would file something in the court system regarding the fact that the Commissioners passed something without deliberation. She further said she will never allow anyone to deny her of her rights and will continue to speak whenever she wants to speak as she has to work and cannot make it to the second public comment period. Ms. Sellers also stated that her firearm goes with her everywhere and carries legally. She said the Commissioners are proving that it is an illusion there are two political parties. Ms. Sellers stated that Republicans are trying to take

away Second Amendment rights. She also pointed out the Microsoft issue that recently occurred and said she has been asking that it be put on the ballot to remove the machines. Ms. Sellers said the voting software uses Microsoft and questioned how can the Commissioners ensure that what happened in Maricopa County, Arizona won't happen here on election night. She said she will keep showing up and the Commissioners will not tell her what she can or cannot say. Ms. Sellers stated that she is a threat to their power and their life is not in jeopardy.

Approval of Minutes: Commissioner Lyons made a motion to approve the minutes of the July 15, 2024 meeting. Commissioner Campbell seconded the motion. All agreed. Motion carried unanimously.

Meeting Business: Solicitor Bunt stated that Sheriff Hammar read parts of the law and several individuals referenced court cases. He requested that the court case information be emailed to the Chief Clerk and requested that the Commissioners table action on the public meeting protocols until he can review the information presented by the public.

Commissioner Lyons made a motion to table the approval of the Perry County Board of Commissioners Public Meeting Protocols. Commissioner Campbell seconded the motion. All agreed. Motion carried unanimously.

Commissioner Watson noted that the financial overview document as of June 30, 2024 was attached to the agenda.

Commissioner Lyons made a motion to approve Pennsylvania Subdivision Intrastate Allocation Participation Form for opioid settlement funding. Commissioner Campbell seconded the motion. All agreed. Motion carried unanimously.

Commissioner Watson noted that the ATCS professional service agreement was in regards to the damage to the Rhinesmith Building and said hourly rates would be billed per the contract. Commissioner Campbell made a motion to approve the professional service agreement with ATCS for engineering services. Commissioner Lyons seconded the motion. All agreed. Motion carried unanimously.

Employee Status: Commissioner Lyons made a motion to approve the appointment of Jessica Finkenbinder to the position of Aging Care Manager 1 at the Perry County Area Agency on Aging effective July 23, 2024 at an hourly rate of \$19.94. Commissioner Campbell seconded the motion. All agreed. Motion carried unanimously.

Solicitors Report: None

Post Comments: Ashley Weaver thanked Shannon Hines for her presentation, Wes Smith for the hard work 911 does, and Sheriff Hammar for standing up for the law and the Constitution. She also thanked the Commissioners for tabling the protocols and thanked Solicitor Bunt for asking for the court cases. Ms. Weaver said she will be emailing the legal information she spoke about.

Robbyn Metz stated that the financial overview document on the agenda should be identified as informational only since the Commissioners do not speak about it. She said she did a quick review of the document and there is a discrepancy again. Ms. Metz further commented that she wished people would take a few minutes to review the statement and do their own addition. She stated she did a right to know on the audits and said she received the information last week. Ms. Metz said the elected County auditors do a fantastic job and questioned why the Commissioners are not telling the public how well the departments are doing. She questioned why was the audit late, what was delayed because it was late, were there state penalties incurred, and were any grants held back due to the late budget. Ms. Metz said the Commissioners scheduled a meeting with her individually to discuss these concerns, but commented that these questions should be answered to the entire public.

Wayne Leshar commented that Wes Smith and the 911 staff do a good job. He questioned if EMS would benefit if they were given \$50,000 instead of the Economic Development Authority in which one of the Commissioners sit on the board. He said the balance sheet is crap and not worth looking at. Mr. Leshar asked why the Commissioners do not talk about why the audit took two years and what's being done to prevent it in the future. He said Commissioner Watson should spearhead this as she has been through several County audits. Mr. Leshar again called for Solicitor Bunt's removal from County paid benefits.

Sheriff Dave Hammar stated that the 911 Center does a phenomenal job and they are the calm in the storm during emergency situations.

Jedd Nessinger said he would not state his name as it was a violation of his Fourth Amendment rights and he has the right to privacy. He further stated that he does not need to sign into the meeting and can say "damn" at a public meeting. Mr. Nessinger said he knows this as he googled Sunshine Act and learned this in 10 minutes. He said based on his research he knows that the items on the meeting protocol document are illegal. He commented that the County Solicitor should know this and said Solicitor Bunt should be removed his position. Mr. Nessinger said Chief Clerk Hines was professional with him. He stated that the Director of Elections should be removed her position. He said he ran for State office and is in a Township position and transparency is needed.

Shirley Baker stated that she reached out to the Voter Registration Office regarding a petition to increase the number of supervisors in Buffalo Township. She said she was looking for guidelines. She further said Solicitor Bunt said he cannot provide legal advice to her. Ms. Baker said both staff members in the Voter Registration gave her incorrect information as they thought she was a staff member from the township. She said if she had listened to the information she received, she would have let down the people who had signed the petition. Ms. Baker said she was told the referendum could not be put on the November ballot, so she reached out to the Governor's Center for Local Government. She said the State representative was also provided the same information she received. She commented that she was concerned about how much wrong information is going out to the public and was very frustrated by the situation.

Solicitor Bunt said he had been contacted by DCED last week regarding filing of petition and referendum information, but noted that the name of the person asking about the filing was not disclosed. He commented that he and the DCED staff member reviewed the statute together and agreed the information he was providing was correct. Solicitor Bunt said he instructed the DCED staff person to inform the person who had reached out with the question, that he/she had the right to file the document. Solicitor Bunt further commented that he contacted the Voter Registration Office that they would be receiving the document in the near future for filing. He explained that there are two ways to file to handle a referendum, one if you're from the township and one if you're not from the township and he noted that this caused the confusion.

Jeff Garman said he knows a little about numbers and if the provided profit and loss statement is the best the County can do, he joins Wayne Leshar in asking for the removal of the person that prepares the document.

Jason Finnerty stated that the resolutions are coming back from the municipalities for the first annual amendment process of PICTURE PERRY. He said they are approaching about 50% adoption and he would be reaching out to the remaining municipalities. Mr. Finnerty said the County Hazard Mitigation Plan process continues to move forward. He noted that the second municipal kick off meeting occurred last week and encouraged the public to participate in the upcoming public meetings.

Comments from Press: None

Commissioner Lyons made a motion to adjourn at 10:44 a.m. Commissioner Campbell seconded the motion. All agreed. Motion carried unanimously.

Shannon Hines, Chief Clerk

William G. Lyons, Secretary

Perry County
 2024 Final General Fund Budget and Revenue and Expenditures
 30-Jun-24

Perry County
 Cash/Investment Balances as of 6/30/2024

TOTAL Unrestricted Cash/Investment Balances - 33,355,847

2024 General Fund Budget Summary

CURRENT ASSIGNMENTS FOR CASH/INVESTMENT BALANCES:

General Government	YTD	Broadband	6,400,000
Judicial Government	REVENUE	Building (New or Consolidation) plus Feasibility Study	6,900,000
Public Safety	2024	Infrastructure Bank	2,000,000
	14,273,608.20	Digital Records - Various Offices	400,000
	364,503.57	Public Defender's Office Reorganization	250,000
	689,398.36	Economic Development	3,000,000
Total Revenue	<u>15,327,510.13</u>	Farmland Preservation	250,000
		New Software System	500,000
<u>EXPENDITURES</u>	YTD	Security Measures on County Occupied Properties	500,000
General Government	EXPENDITURES	2024 Budget Deficit	3,100,000
Judicial Government	2024	Fund Balance Policy - Maintain at least 10% of CY General	2,700,000
Public Safety	3,614,806.96	Fund Expenditures on Hand	
Veterans Affairs	1,744,746.88	Unrestricted/Unassigned Funds	7,355,847
AG Extension	3,840,961.35		
	49,168.06		
	5,269.99		
Total Expenditures	<u>9,254,953.24</u>	Total Assignments of Cash/Investment Balances	<u>33,355,847</u>