

523<sup>rd</sup> Meeting  
Pennsylvania State Association of Elected County Officials  
Senate Majority Caucus Room  
February 12, 2015

ATTENDANCE:

Hill (Commissioners ED)	Moser (Register – Butler)
*Smithson (Clerk/Prothy President – Bucks)	Wollyung (Sheriffs’ ED)
Wetherbee (Clerk/Prothy – Crawford)	Reese (Sheriff – Lancaster)
Svonavec (Clerk/Prothy – Somerset)	Appleby (Sheriffs’ Admin)
Ross (Coronoer – Blair)	Marburger (Treasurer – Butler)
Fix-Diller (Controller – Franklin)	Adamik (Treasurer – Adams)
Reissinger (Recorder – York)	Green (Controller – York)
Warman (Recorder – Indiana)	Petrille (Register – Bucks)
*Zugay (Recorder – Dauphin)	Connor (Coroner – Franklin)
Lutz (Recorder – Lebanon)	Shank (Solicitor)
Jacobs (Register – York)	Klotz (LGC)

**\*Alternate or Guest**

**Call to Order**

The meeting was called to Order by President Patty Streams-Warman at 10:07AM. Vice President Robb Green led an invocation and the assembly in the Pledge of Allegiance.

**Installation of Officers**

The President announced that officers would be installed for 2015 into the offices for which they had been elected. Judge Scott A. Evans of the Dauphin County Court of Common Pleas administered the oath of office to the following individuals for the following offices:

**Officers:** Robb Green – President  
Don Petrille - Secretary  
Jeff Conner - Treasurer

**Executive Committee:** Judy Moser, Chair  
Patricia Ross  
Diane Marburger  
Patty Streams-Warman, Past President  
Randi Reisinger

**Legislative Committee:** Bradley Jacobs, Chair  
Don Petrille  
Al Whitcomb

After a brief photo session the officers assumed their respective offices and commenced their duties.

### **Approval of Minutes**

Minutes of the November 13, 2014 and December 11, 2014 meetings were presented to the assembly. The minutes were prepared by Secretary Patty Ross. The November 13, 2014 minutes were amended to reflect that Barbara Bair's name was incorrectly listed as "Diane Bair." Upon MOTION, duly made and SECONDED, both sets of minutes were approved on a voice vote.

MOTION: Wollyung  
SECOND: Svonavec  
Vote: Voice unanimous

### **Approval of Treasurer's Report**

Treasurer Conner presented the Treasurer's report. Ms. Svonavec requested that letterhead be updated. Secretary Petrille indicated the letterhead was updated shortly before the meeting, and the Agenda should reflect the correct letterhead. Upon MOTION, duly made and SECONDED, the Treasurer's report for the period of November 1, 2014 to December 31, 2014 was approved on a voice vote.

MOTION: Marburger  
SECOND: Moser  
Vote: Voice unanimous

### **Organizational Duties**

The chair called for a nomination for a solicitor for the organization. Ms. Moser requested suggestions. Mr. Shank offered to name a few. Upon MOTION duly made, seconded and carried it was RESOLVED that Jeff Shank, Esquire be retained for another year as solicitor to PSAECO. Resolution 2015-1 is attached memorializing the appointment.

MOTION: Moser  
SECOND: Lutz  
Vote: Voice unanimous

The Treasurer presented Mr. Shank with his fee upon his appointment.

### **Executive Committee Report**

Ms. Moser delivered the Executive Committee report. Nearly 900 bills had been introduced by the legislature.

After the delivery of the Executive Committee Report, discussion ensued on pending legislation.

### **SB180**

Ms. Ross informed the body the SB180 was being considered by the Senate Judiciary Committee. She stated the Coroners' Association was very concerned with the bill, as the bill placed coroners at the disposal of medical professionals and for-profit entities engaged in the organ donation business, at the expense of their current statutory investigative powers. Mr. Conner informed the body the coroner is the highest law enforcement official in a county, as only they have the power to serve papers on a county sheriff. County coroners are concerned their investigative powers would be hampered, and that the safeguards in place to allow them to assert their investigative powers are cumbersome, time consuming and put biological, toxicological and other evidence at the risk of spoliation. Upon MOTION, duly made and SECONDED, and CARRIED, PSAECO RESOVLED to OPPOSE SB180 in its current form on a voice vote. A copy of the resolution is attached, along with forwarding letters to the appropriate committees.

MOTION: Ross  
SECOND: Adamik  
Vote: Voice unanimous

### **HB239**

President Green informed the body HB239 was introduced which would allow counties to give retirees a cost of living increase which would not be required to compound back to the year of the previous cost of living increase. Thus, a county pension board could review its financial state and allow for a cost of increase which it could afford. President Green noted the proposal was fiscally sound, and unlike certain municipalities, there is no mandate that excess pension performance be distributed to retirees currently, rather than held to improve capital reserves.

Mr. Hill stated the Senate had no problem with this concept, but there were many questions in the House, and a Resolution would be helpful. Upon MOTION, duly made and SECONDED, and CARRIED, PSAECO RESOVLED to SUPPORT HB239 in its current form on a voice vote. A copy of the resolution is attached, along with forwarding letters to the appropriate committees.

MOTION: Green  
SECOND: Jacobs  
Vote: Voice unanimous

### **SB363**

Ms. Svonavec stated SB 363 is currently pending in the Senate, which purports to adjust salaries in case of a AOPC takeover of the Clerks of Court and Prothonotaries. Ms. Svonavec stated that her association is generally against the UJS takeover of their offices.

Secretary Petrille made certain comments stating that a) any takeover should be part of a broader plan, with the appropriate funding; b) if the courts takeover the court related offices, as in the federal system, it should be done by amending the state constitution, as opposed to trying to circumvent the state constitution by making up new offices to short cut the process, c) that Registers of Wills should remain independent or be granted formal minor judiciary status, given their quasi-judicial status, and d) if the state court system wants to take the system over, all employees should be transferred from county payroll to state payroll, for the sake of consistency.

Mr. Hill stated one of CCAP's goals is to fund and improve the administration of the court system, but SB363 might not be the way. His association believes a) funding and administration of judiciary should be done by state, b) that courts should have interbranch cooperation; and c) that the legislature should fund the courts. He stated the purpose of the bill was to adjust all judiciary salaries in one place, otherwise language to adjust salaries by percentage could be problematic.

Ms. Moser asked where the state funding for salaries comes from, and Mr. Hill stated the bill has a funding mechanism, and that accrued pension and benefits would not be met by the state. Mr. Hill admitted the point of the concept of the takeover is about control of the filing offices by the state courts, rather than by the counties.

Secretary Petrille pointed out if the bill was strictly for the purpose of adjusting salaries in the case of an AOPC takeover, then the bill should be tabled, and added as an amendment to any legislation authorizing the takeover.

Ms. Svonavec pointed out that AOPC is requesting uniformity and accountability between counties and the state, but notes that its judges are never accountable to the counties for administrative purposes.

Mr. Petrille related an anecdote regarding the management of his office whereby his independence from the judiciary allowed the courts and the Clerk of the Orphans' Court, along with the county administration, to jointly work together, equally, in order to devise a solution. The first solution proposed would have been to simply hire more staff, rather than to use other resources available. Solutions like this were not possible if an office holder is not on roughly equal footing with a president judge or administrative judge.

Clerks and Prothonotaries President Smithson requested Mr. Hill discuss CCAP's priorities. Mr. Hill related they were on the CCAP website, and he would outline them in his report. Clerks and Prothonotaries President Smithson also pointed out that each county court had local rules, and nothing in the legislation would prevent this lack of uniformity.

After the spirited discussion ended, no motion was made to take any official position on the legislation, but it was agreed to take the bill up again at the March meeting.

### **HB 231**

Ms. Adamik informed the body HB 231 would attempt to transfer the issuance of doe licenses away from the county treasurers. The licenses would be exclusively issued by a state agency. She stated the genesis of the bill was due to an administrative problem in one county that changed to a home rule form of government, and that the treasurers uniformly oppose this legislation. Upon MOTION, duly made and SECONDED, and CARRIED, PSAECO RESOVLED to OPPOSE HB 231 in its current form on a voice vote. A copy of the resolution is attached, along with forwarding letters to the appropriate committees.

MOTION: Adamik  
SECOND: Reese  
Vote: Voice unanimous

### **Legislative Committee Report**

Mr. Jacobs gave the legislative committee report. The legislative committee is still looking for some volunteers to serve as committee liaisons to monitor legislation, communicate with committee chairs and help the legislative committee with its monthly reports.

Upon MOTION, duly made and SECONDED, and CARRIED, the Executive Committee and Legislative Committee Reports were accepted.

MOTION: Adamik  
SECOND: Ross  
Vote: Voice unanimous

### **Old Business**

The legislative dinner was deemed a success by attendance, and financially it nearly broke even.

### **New Business**

There was no new business that was not addressed during the committee reports.

### **Local Government Commission**

Mr. Klotz reported that Article XVII of the county code rewrite was almost completed with input from the subcommittee consisting of Treasurers, Controllers and Commissioners' representatives. He reported that Articles XIII through XVIII will go to the entire county code committee for review. The next rewrite meeting will occur after the **April 9, 2015** PSAECO meeting. The next items for subcommittee review include special powers of counties, primarily commissioners and veterans affairs.

### **CCAP Report**

Mr. Hill briefly outlined CCAP's priorities for the ensuing legislative session, as outlined in a press conference which occurred in the Capitol on February 11, 2015. The priorities included:

1. Funding 911 services
2. Maintaining shale gas impact fee
3. Human services funding system reform
4. Commonwealth responsibilities for adequate court funding
5. Creation of new revenue opportunities for counties and tax fairness
6. Funding for inmates with mental illness and drug dependency
7. Drug abuse prevention
8. Transportation infrastructure
9. Solid waste management and recycling funding
10. Hotel tax and tourism funding.

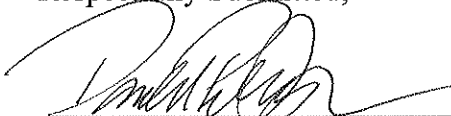
### **Adjournment**

Upon MOTION, duly made and SECONDED, and CARRIED, the meeting was then adjourned.

MOTION: Reese  
SECOND: Green  
Vote: Voice unanimous

Next meeting – March 12, 2015, State Capitol, Senate Majority Caucus Room

Respectfully Submitted,



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Donald Petrille, Jr.  
Secretary



*Pennsylvania State Association of  
Elected County Officials*  
**PSAECO**


**PSAECO RESOLUTION  
2015-1**

**RESOLVED**, that the Pennsylvania State Association of Elected County Officials, ("PSAECO") appoints JEFFREY SHANK, as its solicitor for the 2015 calendar year.

**MOVED:** Judy Moser  
**SECONDED:** Donna Lutz

**ADOPTED:** February 12, 2015

**Attest:**

  
\_\_\_\_\_  
Donald Petrille, Jr., Esquire  
Secretary

\_\_\_\_\_  
Robert P. Green  
President



# Pennsylvania State Association of Elected County Officials PSAECO

*Via Electronic and Regular Mail*

February 17, 2015

Senator Jake Corman  
Room 350 Main Capitol  
Senate Box 203034  
Harrisburg, PA 17120-3034

Senator Jay Costa  
Room 535 Main Capitol  
Senate Box 203043  
Harrisburg, PA 17120-3043

**Re: PSAECO Resolution  
Opposition to SB180**

Dear Senators Corman and Costa:

The Pennsylvania State Association of Elected County Officials, ("PSAECO") has passed a resolution in opposition to the Senate Bill 180. A copy of the resolution is attached for your review.

PSAECO's opposition to this bill is consistent with the official position of the Pennsylvania State Coroners Association. While it is our understanding that the coroners do not oppose the expansion of organ and tissue donation pathways in the Commonwealth, the concern over this specific position is that the legislation, as written, will unduly interfere with the ability of coroners and medical examiners to conduct full, fair, complete and scientific investigations which will produce reliable evidence for the criminal justice system.

As this bill is considered by the legislature, PSAECO respectfully requests that you do not offer any support for this bill, unless is amended to provide county coroners assurances and protections, so that they may perform their mandatory statutory duties without interference.

Very Truly Yours,

Donald Petrilie, Jr.  
Secretary

cc: Speaker Turzai  
Leader Reed  
Leader Dermody  
Senator Greenleaf  
Senator Leach

DP/  
Attachment

**OFFICERS**

**President**  
Robert P. Green  
York County Controller  
28 East Market St.  
York, PA 17401

**Vice President**  
Don O'Shell  
York County Clerk of Courts  
York County Judicial Center  
45 North George Street  
York, PA 17401

**Secretary**  
Don Petrilie  
Hucks County Register of Wills  
55 E. Court Street  
Doylestown, PA 18901

**Treasurer**  
Jeffrey Conner  
Franklin County Coroner  
1497 Loudon Road  
Chambersburg, PA 17202

**Executive Committee**  
Judy Mover, Chair  
Patricia Ross  
Diane Marburger  
Patty Strawn-Warman  
Randi Reisinger

**Legislative Committee**  
Bradley Jacobs, Chair  
Don Petrilie  
Al Whitcomb

**Staff**  
Jeffrey S. Shank, Esq.  
222 South Market St.  
Suite 201  
Eltzbethtown, PA 17022

**MEMBER ASSOCIATIONS**

Pennsylvania State Association  
Of County Auditors

County Commissioners  
Association of Pennsylvania

Pennsylvania State Association  
of County Controllers

Pennsylvania State Coroners  
Association

Pennsylvania District Attorneys Association

Pennsylvania State Association  
of Jury Commissioners

Pennsylvania State Association of  
Prothonotaries & Clerks of Courts

Pennsylvania Recorders of Deeds  
Association

Register of Wills & Clerks of Orphans' Court  
Association of Pennsylvania

Sheriffs' Association of the  
Commonwealth of Pennsylvania

County Treasurers' Association of the  
Commonwealth of Pennsylvania





*Pennsylvania State Association of  
Elected County Officials*  
**PSAECO**

**PSAECO RESOLUTION  
2015-2**

**RESOLVED**, that the Pennsylvania State Association of Elected County Officials, ("PSAECO") after due consideration, discussion and deliberation by its Member Association, Representatives and Delegates regarding legislation currently introduced in the General Assembly of the Commonwealth of Pennsylvania, most specifically SB 180, (the "Proposed Legislation") concerning changes to Title 20 of the Pennsylvania Consolidated Statutes, relating to anatomical gifts, **OPPOSES** the passage of SB180 on the following grounds:

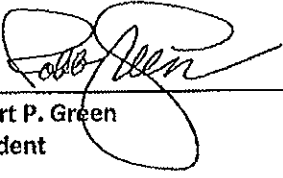
1. The Proposed Legislation will unduly interfere with the ability of county coroner's to conduct full, complete, impartial and exhaustive medical examinations in accordance with their duties under the County Code;
2. The Proposed Legislation will subject coroners to the authority and review of medical practitioners unfamiliar with criminal investigations;
3. The purported protections to medical examiners in the Proposed Legislation are insufficient to allow for them to perform their duties with an undue administrative burden and potential degradation of organs, tissues and chemicals which may be necessary evidence in a criminal investigation;
4. The Proposed Legislation has the capacity to compromise the integrity of evidence necessary for criminal proceedings; and
5. The goals of the legislation in increasing the availability of donated organ and tissue gifts can be accomplished through means that do not interfere with the duties of medical examiners.

**IT IS FURTHER RESOLVED**, that PSAECO is fully supportive of the noble goals of expanding the availability of life saving organ and tissue donation resources for Pennsylvania families, and would reconsider its position if the Proposed Legislation were to be amended to protect the ability of county coroners and other law enforcement in carrying out their official duties.

**ADOPTED:** February 12, 2015

**Attest:**

  
Donald Petrille, Jr., Esquire  
Secretary

  
Robert P. Green  
President



# Pennsylvania State Association of Elected County Officials PSAECO

*Via Electronic and Regular Mail*

**OFFICERS**

**President**

Robert P. Green  
York County Controller  
28 East Market St.  
York, PA 17401

**Vice President**

Don O'Shell  
York County Clerk of Courts  
York County Judicial Center  
45 North George Street  
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Bucks County Register of Wills  
55 E. Court Street  
Doylestown, PA 18901

**Treasurer**

Jeffrey Conner  
Franklin County Coroner  
1497 London Road  
Chambersburg, PA 17202

**Executive Committee**

Judy Maser, Chair  
Patricia Ross  
Diane Harburger  
Patty Streamis-Warman  
Randi Reisinger

**Legislative Committee**

Bradley Jacobs, Chair  
Don Petrilie  
Al Whittlecomb

**Solicitor**

Jeffrey S. Shank, Esq.  
222 South Market St.  
Suite 201  
Elizabethtown, PA 17022

**MEMBER ASSOCIATIONS**

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County Commissioners  
Association of Pennsylvania

Pennsylvania State Association  
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Pennsylvania State Coroners  
Association

Pennsylvania District Attorneys Association

Pennsylvania State Association  
of Jury Commissioners

Pennsylvania State Association of  
Prothonotaries & Clerks of Courts

Pennsylvania Recorders of Deeds  
Association

Register of Wills & Clerks of Orphans' Court  
Association of Pennsylvania

Sheriffs' Association of the  
Commonwealth of Pennsylvania

County Treasurers' Association of the  
Commonwealth of Pennsylvania

February 18, 2015

Representative Kate Harper  
Majority Chairman – House Local Government Committee  
209 Ryan Office Building  
PO Box 202061  
Harrisburg, PA 17120-2061

Representative Robert Freeman  
Minority Chairman – House Local Government Committee  
207 Irvis Office Building  
P.O. Box 202136  
Harrisburg, PA 17120-2136

*Re: PSAECO Resolution  
Support of Amendments to County Pension Law  
HB 239*

Dear Representatives Harper and Freeman:

The Pennsylvania State Association of Elected County Officials, (“PSAECO”) has passed a resolution in support of to the House Bill 239. A copy of the resolution is attached for your review.

PSAECO supports this bill because it will allow individual counties the flexibility to offer a cost of living increase, (“COLA”) to their respective retirees without incurring the burdensome costs of offering a COLA retroactively. In this manner, a county retirement board, made up of the county commissioners, county controller and county treasurer exercise their local discretion to offer a COLA, only if they, as trustees of the pension plan, believe the county and its taxpayers can afford it.

Interpretations of current law mandate that all COLAs in pension bills be retroactive to the date of the last COLA. This approach is unsustainable for county taxpayers, and does not afford retirees a chance to receive added earnings in their retirement.

As this bill is considered by the legislature, PSAECO respectfully requests that you offer your support to the bill and take appropriate action to move the bill out of committee. If you schedule hearings on the bill, PSAECO would welcome the opportunity to provide a representative or delegate to offer testimony on the bill.

Very Truly Yours,

Donald Petrilie, Jr.  
Secretary

cc: Local Government Committee Members

DP/  
Attachment



*Pennsylvania State Association of  
Elected County Officials  
PSAECO*

PSAECO RESOLUTION  
2015-3

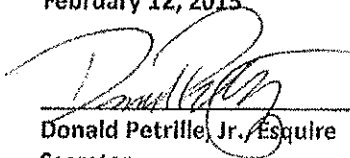
RESOLVED, that the Pennsylvania State Association of Elected County Officials, ("PSAECO"), after due consideration, discussion and deliberation by the Representatives and Delegates of its Member Associations, regarding legislation currently before the General Assembly of the Commonwealth of Pennsylvania, most specifically **HB 239**, (the "Proposed Legislation"), concerning amendments to the County Pension Law, Act 96 of 1971, as amended by Act 126 of 1986, **SUPPORTS** the passage of **HB239** on the following grounds:

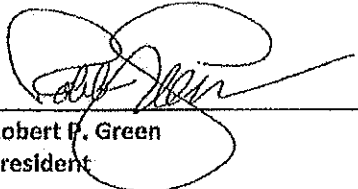
1. The Proposed Legislation gives flexibility to county commissioners, administrators, treasurers and controllers, acting as county retirement boards to enact a cost of living increase for retirees without the need to make such increases retroactive to the date of the last such increase;
2. Retroactive cost of living increases are fiscally unsustainable in the current business climate;
3. The legislation keeps control of pension decisions at the county level; and
4. The Proposed Legislation does not mandate any changes be made, particularly to underfunded pensions.

MOVED: Mark Reese  
SECONDED: Bradley C. Jacobs

ADOPTED: February 12, 2015

Attest:

  
\_\_\_\_\_  
Donald Petrillo, Jr., Esquire  
Secretary

  
\_\_\_\_\_  
Robert P. Green  
President



***Pennsylvania State Association of  
Elected County Officials  
PSAECO***

*Via: Electronic and Regular Mail*

**OFFICERS**

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York County Controller  
28 East Market St.  
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York County Judicial Center  
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Berks County Register of Wills  
55 E. Court Street  
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**Treasurer**

*Jeffrey Couner  
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Prothonotaries & Clerks of Courts*

*Pennsylvania Recorders of Deeds  
Association*

*Register of Wills & Clerks of Orphans' Court  
Association of Pennsylvania*

*Sheriffs' Association of the  
Commonwealth of Pennsylvania*

*County Treasurers' Association of the  
Commonwealth of Pennsylvania*

February 24, 2015

Representative Keith Gillespie  
Majority Chairman – House Game and Fisheries Committee  
45 East Wing  
PO Box 202047  
Harrisburg, PA 17120-2047

Representative Ted Harhai  
Minority Chairman – House Game and Fisheries Committee  
32 East Wing  
PO Box 202058  
Harrisburg, PA 17120-2058

**Re: *PSAECO Resolution  
Opposition to Transfer of Doe License Responsibility from  
County Treasurers to Commonwealth Agencies  
HB 231***

Dear Representatives Gillespie and Harhai:

The Pennsylvania State Association of Elected County Officials, (PSAECO) has passed a resolution in opposition to House Bill 231, which is currently in the House Game and Fisheries Committee. A copy of the resolution is attached for your review.

House Bill 231 purports to transfer the issuance of antlerless deer licenses from the county treasurers to a Commonwealth agency. PSAECO opposes HB 231 because it believes it will ultimately result in increased expense and added inconvenience for Pennsylvania's hunters. County Treasurers' Association of Pennsylvania also opposes this bill, according to our information. We also believe that the Commonwealth has no effective plan in place to assure the program runs uninterrupted. The bill is a solution in search of problem.

Currently, county treasurers possess the experience, expertise and systems to effectively administer the doe license program. County treasurers have the flexibility to effectively serve their constituents and meet their needs in a less cumbersome fashion than a state bureaucracy.

As this bill is considered by the legislature, PSAECO respectfully requests that you oppose this bill at the committee level. If you schedule hearings on the bill, PSAECO would welcome the opportunity to provide a representative or delegate to offer testimony on the bill.

Very Truly Yours,

Donald Pettille Jr.  
Secretary

cc: Game and Fisheries Committee Members

DP/

Attachment



*Pennsylvania State Association of  
Elected County Officials*  
PSAECO

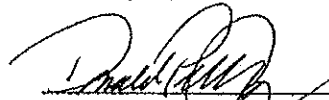
PSAECO RESOLUTION  
2015-4


RESOLVED, that the Pennsylvania State Association of Elected County Officials, ("PSAECO") after due consideration, discussion and deliberation by its Member Association, Representatives and Delegates regarding legislation currently introduced in the General Assembly of the Commonwealth of Pennsylvania, most specifically HB 231, (the "Proposed Legislation") concerning changes to Title 34 of the Pennsylvania Consolidated Statutes, relating to the issuance of antlerless deer licenses by a Commonwealth agency, rather than locally by a county treasurer, OPPOSES the passage of HB 231 on the following grounds:

1. The Proposed Legislation will interrupt the orderly and expected distribution of antlerless deer licenses;
2. The Proposed Legislation risks upsetting the apportionment of antlerless deer licenses between the various counties;
3. The Commonwealth has no plan in place to administer the antlerless deer license program, thus virtually assuring significant program interruptions; and
4. The county treasurers currently possess knowledge and expertise to efficiently issue antlerless deer licenses and transferring these duties to a Commonwealth agency will result in additional expense related to training and personnel.

ADOPTED: February 12, 2015

Attest:

  
\_\_\_\_\_  
Donald Petrillo, Jr., Esquire  
Secretary

  
\_\_\_\_\_  
Robert P. Green  
President