

LAWRENCE COUNTY COMMISSIONERS' MEETING
SPECIAL PUBLIC MEETING
MINUTES OF Thursday, November 7, 2024

The Lawrence County Commissioners' Meeting was opened with the Pledge of Allegiance to the Flag followed by a Moment of Silence.

The Lawrence County Commissioners' Meeting of Thursday, November 7, 2024, was called to order by **Commissioner Daniel Vogler**, at 10:00 AM at the Lawrence County Commissioners Meeting Room. Deputy Chief Clerk, Vanessa Bayless called the roll. Those in attendance were **Commissioner Chris Sainato, Chad Strobel, Dave Cumo and Debbie Wachter from the New Castle News**. It was stated for the record that the meeting is being taped. Those wishing to speak shall be given five minutes. If they need more time, they are to see the Deputy Chief Clerk at another time, and she will arrange for them to meet with the Commissioners. Those speaking are to state for the record their names, addresses and the nature of their business.

Mr. Vogler stated this meeting was advertised in yesterday's paper per the Sunshine Law. He also stated that Commissioner Kennedy had minor surgery done yesterday and he is doing well.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC COMMENTS

None

MINUTES AND CORRESPONDENCE

A. Approval of Minutes:

1. October 29, 2024

Moved by Mr. Sainato, seconded by Mr. Vogler to table said minutes until next week's public meeting. Motion carried 2-0.

REPORTS

A. Commissioner Reports

CS, DV

Mr. Sainato stated he was pleased with how the Election ran on Tuesday. The results for Lawrence County were completed by 10PM. He thanked everyone in the Election Office for their hard work and also thanked the Sheriff, the Department of Public Safety and for the citizens that exercised their right to vote.

Mr. Vogler thanked Mr. Strobel and the fire chiefs in the County for working on the Countywide Burn Ban that Mr. Strobel will present this morning. He stated how serious this issue and public safety is.

NEW BUSINESS RESOLUTIONS

RESOLUTION R-2024-334

The regulations of outdoor burning in Lawrence County; and

WHEREAS, the County Commissioners are desirous of providing for the health, safety and welfare of the people of Lawrence County; and

WHEREAS, the County Commissioners in cooperation with its volunteer fire fighting organization and the Pennsylvania Bureau of Forestry is desirous of regulating the outdoor burning; and

WHEREAS, the County Commissioners are desirous of protecting the people of Lawrence in every possible way from the dangers and threats of uncontrolled and unsafe fires;

NOW THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY COMMISSIONERS, it is ordained as Follows:

1. Definition - Open burning is defined as the ignition and subsequent burning of any combustible material (garbage, leaves, grass, twigs, litter, paper, vegetative matter involved with land clearing, or any sort of debris) out-of-doors in either a burn barrel, (screened or unscreened) fire ring, or on the ground. The use of propane or gas stoves, charcoal briquet grills, or the use of tobacco in any form is not covered under this act. *Campfires in campgrounds are allowed in fire rings that confine and contain the campfire, and where all flammable materials have been removed for a radius of 5 feet.*
2. Prerequisite - Prior to the adoption the county shall have received a written recommendation from the district forester who has received or solicited verbal requests from at least ten fire chiefs or 50% of the fire chiefs in the county, whichever is less, from various sections of the county recommending and requesting the imposition of a temporary countywide burn ban on open fires.
3. Duration - Any burn ban imposed under this section shall remain in effect for no more than 30 days. The county commissioners, upon the recommendation of the district forester may extend the ban for up to an additional 30 days.
4. Construction - Any burn ban imposed shall supersede any municipal ordinance to the contrary.
5. Enforcement:
 - (a) Enforcing officials - Any sworn police officer when available, including the Pennsylvania State Police, shall be responsible for enforcing the provisions of this act.
 - (b) Limitation - Whenever a violation of this act occurs in a city, borough, incorporated town or township which has in effect an ordinance prohibiting open burning, the police officer may cite the violation under either the municipal ordinance or the county resolution.

Under no circumstances shall any person be cited for violations of both the county resolution and the municipal ordinance for the same violation.

6. Penalty - A person who violates this act commits a summary offense and shall, upon conviction, be sentenced to any a fine of not more than \$100 for the first offense, \$200 for the second offense and \$300 for the third offense.

7. Effective Date - The resolution shall require a minimum notice of 48 hours prior to the imposition of a temporary countywide burn ban.

Authority Act 1995-52 of the General Assembly of the Commonwealth of Pennsylvania.

Mr. Strobel discussed the Countywide Burn Ban. He stated the State and 15 County Fire Chiefs have recommended a Countywide Burn Ban to be put in order. Mr. Strobel stated he did receive a letter from DCNR recommending the ban. Since October 22nd, the County has had 35 phone calls for brush fires, combined with the lack of rain and no precipitation in the forecast for the near future, the State is recommending the ban. The County is (4) inches under the average amount of rain at this time. The County is abnormally dry and in the moderately drought conditions. Currently, there are 13 counties in the State, all State Parks and State Gamelands are enforcing a burn ban. Everyone takes this ban and public safety very seriously, with the amount of money being spent in emergency vehicles responding to phone calls, costs to residents' properties and firefighters risking their lives everyday.

This ban will be for 30 days, through December 7, 2024. Mr. Strobel would need to return with a recommendation from the State to extend the ban.

Mr. Strobel also stated this issue is statewide. In Lehigh Valley, they are calling in help from Minnesota and extending employees positions through Thanksgiving for assistance. He stated a copy of the Burn Ban Resolution will be sent to all municipalities, DCNR, local media and will be placed on our County website.

Mr. Vogler thanked Debbie Wachter for writing an article on the issue in a timely manner this week. He further thanked Mr. Strobel for talking with fire chiefs in the County.

Mr. Sainato asked if any local police department or state police can enforce this ban and Mr. Strobel stated they can. A first offense is a fine of not more than \$100, a 2nd offense is \$200 and a 3rd offense is \$300. A person cannot be cited for both the County ban and a municipal ordinance and this Countywide Ban shall supersede any municipal ordinance.

Moved by Mr. Sainato, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

PUBLIC COMMENTS

Mr. Vogler announced tomorrow, November 8th @ 8:30 there is a Special Election Hearing in the Commissioners' Meeting Room. On Monday, November 11th, the Courthouse will be closed in honor of Veterans' Day, on Tuesday, November 12th, the Commissioners will hold their regularly scheduled public meeting at 10:00AM in the Commissioners' Meeting Room and the quarterly Retirement Board Meeting will be held immediately following the Commissioners' Meeting on Tuesday, November 12th in the Commissioners' Meeting Room.

ADJOURNMENT

Moved by Mr. Sainato, seconded by Mr. Vogler to adjourn the Lawrence County Commissioners' meeting dated Thursday, November 7, 2024, at 10:25 am.