

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 1 of 13**

ROLL CALL                      SUPERVISORS – Bruce Trostle, Kelley Moyer-Schwille, Tim Kelly, and Dave Bush

SUPERVISOR ZOOMING – Kelly Wall

ATTENDEES                      Faye Romberger, Phillip Brath, P.E., Thomas Wargo, Chief, Darrell Dethlefs, Esquire, Linda Hagenbuch, Mark Hagenbuch, Scott Vance, Terry L Millman, Chris Hoover, Elisha Riggins, Bob Kubistek, Karsten Meier, Josef Brye, Dave Hammen, Cindi Snoke, Mark Snoke, S. Hummel, and Rob Douglass

ZOOM ATTENDEES      Peggie Williams, Jim Hess, Vicky Church, and Ryan Roy

Carroll Township’s Municipal Building was opened to the public. The meeting was televised on Carroll Township’s Comcast Cable TV Channel 95 and via the Zoom platform.

CALL TO ORDER                Chairman Kelly called the regularly scheduled meeting of the Carroll Township Board of Supervisors Meeting to order at 6:31 p.m. The location of the meeting is the Carroll Township Municipal Building, 555 Chestnut Grove Road, Dillsburg, Pennsylvania.

APPROVAL OF THE  
TREASURER’S  
REPORT                      It was moved by Supervisor Trostle, seconded by Supervisor Bush, and unanimously carried to approve the Treasurer’s Report dated April 11, 2022 as submitted, which includes the Open Bill List up to and including April 07, 2022 in the amount of \$95,932.84, Cash Flow Reports for March 2022, Compared to Budget Reports for March 2022, and Check Register Report for March 2022 to ratify the March 2022 Bill List.

PUBLIC COMMENT              Chairman Kelly asked for public comment.

Scott Vance – 104 Stonebridge Drive – stated that three to five residents are here tonight concerning the dedication of streets in the Stonebridge Crossing Development and Lots 98 and 99. They are Josef Brye -102 Stonebridge Drive, Terry Millman - 110 Stonebridge Drive, and Dave Hammen -106 Stonebridge Drive. Mr. Vance supplied the Board with some history on this development. There are 100 trees missing in Stonebridge Crossing Phase II, there are sidewalk repair concerns, Lots 98

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 2 of 13**

PUBLIC  
COMMENT  
CONTINUES

and 99 should be completed, and signage is missing at the entrance coming into the development off Spend-A-Buck Drive. He is asking the Board not to accept dedication of any of the streets or release any surety tonight until these issues are resolved. Lots 98 and 99 should be paved and the shared driveway be removed before accepting dedication.

Mark Hagenbuch – 128 W. Siddonsburg Road – stated the right-of-way being used by him and his neighbor is a permanent right-of-way. From the beginning the neighbor and himself were not interested in using Lots 98 and 99 as access to their properties. The sewer hookup is more than 150 feet from their properties, and they cannot be forced to connect. Lots 98 and 99 are not shown on the plan as being paved. The right-of-way is shown on the recorded plan as an egress. Lots 98 and 99 are a non-issue now.

Supervisor Bush asked Mr. Hagenbuch if the value of his property would be higher if he would use the proposed lot to access his property instead of the right-of-way.

Terry Millman – 110 Stonebridge Drive – asked the Board to make a final decision and move on.

Josef Brye – 102 Stonebridge Drive – stated that they were assured by the developer that the temporary driveway would be removed, and he is concerned about the speed on this driveway.

Ryan Roy – 108 Stonebridge Drive – stated that Lots 98 and 99 should be installed as in the original plan.

Darryl Dethlefs, Township Solicitor, stated that there was a 2007 court case concerning this right-of-way and Lots 98 and 99. The developer sued the two property owners that they would be required to use Lots 98 and 99 as their access drives and remove the right-of-way. The developer lost the case. It is court case 2007SU3410 signed by Judge Border. He stated that he would give anyone a copy of the decision if they wanted it.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 3 of 13**

APPROVAL OF THE  
MARCH 07, 2022  
WORK SESSION  
MINUTES

It was moved by Supervisor Wall, seconded by Supervisor Moyer-Schwille, and carried to approve the March 07, 2022 Board of Supervisors Work Session Minutes as submitted.

Supervisor Trostle abstained from the vote because he was not present.

APPROVAL OF THE  
MARCH 14, 2022  
MINUTES

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Wall, and unanimously carried to approve the March 14, 2022 Board of Supervisors Meeting Minutes as submitted.

FINAL PLANS FOR  
TURKEYFOOT  
PROPERTIES, LLC

It was moved by Supervisor Trostle, seconded by Supervisor Moyer-Schwille, and carried to grant the following waiver requests for the Final Subdivision Plan for Turkeyfoot Properties, LLC – 3 Lots as per Phillip Brath’s Comment Letter dated March 31, 2022:

**III. Waivers Requested**

1. Provide a grading plan for all Subdivisions. (§ 435.26.N) Applicant requests a waiver. **The Planning Commission recommended granting the waiver.**
2. Provide a stormwater management plan at time of subdivision. (§ 435-27. I) Applicant requests a waiver. **The Planning Commission recommended granting the waiver.**
3. Provide an Existing Resources and Site Analysis Plan. (§ 435-27. K) Applicant requests a waiver. **The Planning Commission recommended granting the waiver.**
4. Provide a Preliminary Resource Impact and Conservation Plan. (§ 435-27. L) Applicant requests a waiver. **The Planning Commission recommended granting the waiver.**

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 4 of 13**

FINAL PLANS FOR  
TURKEYFOOT  
PROPERTIES, LLC  
CONTINUES

5. Where a subdivision or land development abuts an existing street of inadequate width, sufficient additional width shall be constructed, and ROW dedicated. (§435-39. D.1) Applicant requests a waiver, but is proposing a fee-in-lieu and modification of width required. **The Planning Commission recommended denying the waiver.** See below recommendations for proposed fee-in-lieu.
6. Provide curbing along existing street frontage per § 435-45. C. Applicant requests a waiver. **The Planning Commission recommended granting the waiver.**
7. Provide metes and bounds for easements that do not follow property lines. (§435-50. A) Applicant requests a modification due to natural and changing feature of the stream. **The Planning Commission recommended granting the waiver.**
8. Any application for subdivision or land development involving a private right-of-way shall be approved only at the discretion of the Township, and not as a matter of right on the part of the applicant. Applicant requests modification of this requirement and approval of the private right-of-way. This is a new request after the Planning Commission meeting.

Supervisors Bush and Wall voted no.

It was moved by Supervisor Trostle, seconded by Supervisor Moyer-Schwille, and carried to conditionally approve the Final Subdivision Plan for Turkeyfoot Properties, LLC – 3 Lots contingent upon addressing all of the following comments in Phillip Brath’s Comment Letter dated March 31, 2022:

**II. Subdivision (Chapter 435 / Ordinance No. 2018-242)**

1. Sewer Planning for Subdivision shall be approved prior to final plan approval. (§ 435-36. O.1/435-27. B)
2. Update waivers once approved with dates of action by the Board prior to recording the plan (§ 435-26. O)
3. All certificates must be signed, sealed by the individual responsible for the plan and dated after last submission revision date. (§ 435-28. B)

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 5 of 13**

FINAL PLANS FOR  
TURKEYFOOT  
PROPERTIES, LLC  
CONTINUES

4. The Owners must sign the plan and date after last plan revision. (§ 435-28.C/36. A)
5. Provide proposed Recreation Fee-in-lieu prior to recording plan. (§ 435-43/435-69).
6. All outstanding fees, including recreation fees, must be paid prior to recording Plan. (§ 435-36.M)

**IV. Roadway Widening Recommendations:**

1. Spring Lane is on the Township list of roads to be improved and widened.
2. Spring Lane Road is classified as a Collector Roadway; widening is required to the specifications of a collector road (36' wide). The section previously widened is 29' wide. This section should be widened to a minimum of 29'.
3. A general roadway improvement fee for non-engineered roadway widening improvements is being increased and set at \$49.00 per square yard for 2022.
4. The road improvement fee in lieu calculation:
  - a. The submitted plan shows Spring Lane as approximately 23-foot wide cartway.
    - i. Required widening on one side would be  $(29' - 23')/2$  or **3.0'**.
    - ii. The length of frontage is from **809 LF**.
    - iii. Therefore, required widening would equal **269.7 square yards**.
    - iv. Total required widening equals **269.7** square yards for \$49.00 per square yard.
  - b. The minimum recommended amount to accept for an offer of a fee in lieu of construction should be set at **\$13,215.00**.

Supervisors Bush and Wall voted no.

Supervisor Wall questioned the proposed bypass of U.S. Rt. 15 that would run through this property if it were rerouted.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 6 of 13**

STONEBRIDGE  
CROSSING  
PHASE I  
SURETY RELEASE  
DENIED

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to deny the release of any surety at this time for Stonebridge Crossing Phase I until the following outstanding issues are resolved:

1. The Bond is incorrect
2. Additional language needs to be added to the bond.
3. The liens on the property must be cleared.

STONEBRIDGE  
CROSSING  
PHASE II  
SURETY RELEASE  
DENIED

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to deny the release of any surety at this time for Stonebridge Crossing Phase II until the following outstanding issues are resolved:

1. The Bond is incorrect
2. Additional language needs to be added to the bond.
3. The liens on the property must be cleared.

MS4 ANNUAL  
PUBLIC MEETING  
PRESENTATION

Phillip Brath, P.E., Township Engineer from Gibson-Thomas Engineering, gave an Annual Public Meeting Presentation on MS4 (Municipal Separate Storm Sewer System).

MS4 – Public Education – Annual Reporting – As part of the compliance activates, the Township Engineer provides an overview of the MS4 (Municipal Separate Storm Sewer System) activities that have occurred during the year. This will constitute the Engineer’s Public Report for the year, ending June 30, 2021. The submission of Annual MS4 Status Reports is required by the General Permit. We must submit the annual reports to the DEP by September 30th of each year to describe activities conducted under the General Permit during the period of July 1 – June 3. We must also submit the annual installment payment of \$500.00 to DEP’s Bureau of Clean Water by September 30<sup>th</sup> of each year. Carroll Township received an NPDES (National Pollutant Discharge Elimination System) Permit in 2003 and renewal permits in 2015 and 2021. The current permit expires March 15, 2023. The Permit is NPDES Permit No. PAG133548.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 7 of 13**

MS4 ANNUAL  
PUBLIC MEETING  
PRESENTATION  
CONTINUES

MS4 – Why Are We Doing It? – Impaired Streams in Carroll Township – PA DEP 2014 Integrated 303(d) List Impairments: Chesapeake Bay (Nutrients/Sediment) – Yellow Breeches (Attaining Standard), Unnamed Tributaries to the Yellow Breeches (Siltation) – Dogwood Run & Stoney Run (Siltation) – Fishers Run (Siltation) – Conewago Creek (Siltation) – North Branch Bermudian Creek (Nutrients, Siltation).

Carroll Township is within the Yellow Breeches Creek Watershed.

Pollutant Reduction – Chesapeake Bay TMDL – Chesapeake Bay Pollutant Reduction Plan – Carroll Township falls under this requirement – The Township is working with York County Stormwater Consortium (YCSWC) on the “York County Regional Chesapeake Bay Pollutant Reduction Plan”

Pollutant Reduction Planning – York County Stormwater Consortium Pollutant Reduction Planning – YCSWC Chesapeake Bay PRP was submitted 09-15-2017 and again with a Revision 10/10/2017 and revised December 08, 2020. DEP approved the plan December 15, 2020.

Progress made by the YCSWC from 07/01/2020 through 06/30/2021 included completion of 6 projects (4 stream restoration, 1 riparian buffer and 1 basin retrofit, resulting in a sediment reduction of 364,213 lbs./year. An additional 5 projects are under construction (1 stream restoration, 2 bioretention, 1 bioretention/buffer planting, and 1 infiltration). Design was completed on 1 stream restoration project that is now seeking a permit for construction. Three projects are currently in the design phase. York County Stormwater Consortium Pollutant Reduction Planning is anticipated that 5 projects that are currently under construction will be completed. The stream restoration project currently seeking a permit will move into the construction phase and likely be completed. It is anticipated that the 3 projects with designs underway will move into the construction phase. Additionally, design is expected to begin on 2 stream restoration projects. Note that there are only 6 projects in the Yellow Breeches Watershed, however, Gibson-Thomas is working with others to find additional opportunities within the

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 8 of 13**

MS4 ANNUAL  
PUBLIC MEETING  
PRESENTATION  
CONTINUES

Township. The York County Stormwater Consortium is currently considering the addition of new projects to the Regional CBPRP.

Carroll Township Program Status – Education and Public Participation (MCM1 and MCM2): The Township will continue to improve these programs to educate businesses.

There are stormwater brochures available in the lobby, newspaper advertisement was placed with CAPCOG, education was provided by CAPCOG. Newsletter with MS4 information was sent out to residents and businesses. Continued to work with Yellow Breeches Watershed Association which also provides Public Education and Public Participation opportunities.

Carroll Township is working with a potential partner and the Consortium’s Contractor to look at a stream restoration project within the Township, within in the Yellow Breeches Watershed. The current considering projects is in the north-central part of the Township.

Illicit Discharge Detection and Elimination (IDD&E) (MCM3)  
– New GIS based storm sewer map and Municipal Asset Inventory – Continue to upgrade and update map – Continue to review questionable outfall locations as shown on the GIS map and add, remove or re-designate outfalls and outlets as needed.  
– Private system & BMP mapping is good but continues to need attention – Complete 2022 Outfall Inspections. Carroll Township has an Illicit Discharge Ordinance No, 2017-238 which prohibits the discharge of non-stormwater into the Township storm sewer systems. MS4 Coordinator reviews and acts on illicit discharge reports by the public.

Construction Site Stormwater Runoff Control (MCM4) - Plans are reviewed by the Township Engineer’s office for compliance with the Stormwater Management Ordinance. GTE and the Township also coordinate the Erosion & Sedimentation Design Plans with the York County Conservation District. The Township’s memo of understanding (MOU) with the County outlines the Conservation District responsibilities with respect



**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 9 of 13**

MS4 ANNUAL  
PUBLIC MEETING  
PRESENTATION  
CONTINUES

to MCM4. Most MCM4 compliance activities are delegated to the Conservation District, however the Township is still ultimately responsible for compliance.

Post-construction Stormwater Management in New Development and Re-development (MCM5) is implemented during and after construction – As-built Plans are required for all completed projects, which are reviewed by the Township Engineer for compliance with the Ordinance. – The Construction phase items of MCM5 are delegated in the MOU to the Conservation District. Continue the process of creating an inventory data list for all projects which are completed to follow-up the Operations and Maintenance (O&M) responsibilities. The permit requires a legal framework for enforcing and recording proper operation and maintenance of post construction stormwater management facilities (both private and municipally owned). Update and detail stormwater management BMPs on the GIS map. The Township has engaged with Homeowners Associations and private businesses regarding Operation and Maintenance of existing facilities. Pollution Prevention/Good Housekeeping for Municipal Operations (MCM6) – For the Township, most Municipal Operations are performed outside of the permit area, so the requirements for Carroll Township are minimal and mostly include cleaning inlets and maintenance (sweeping) of streets. Public Works Employees attend training at CAPCOG and other opportunities. MS4 Coordinator will also provide training where appropriate. Training attendance is mandatory and must be recorded. Leaf collection equipment is operational and was used this past year.

Third Party Reliance – County Conservation District, Partner Municipalities, Watershed Associations – York County Storm Water Consortium for CBPRP. Legal Structure/Agreements – complete in place with County and YCSWC.

Recordkeeping – Data Management and Documentation – Complete set of files and documents relating to all MCMs – always in process.

Annual Reporting – Reporting period end date for 2021-2022 is July 1, 2021 to June 30, 2022. Annual Report for 2020-2021

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 10 of 13**

MS4 ANNUAL  
PUBLIC MEETING  
PRESENTATION  
CONTINUES

was submitted on time, prior to September 30, 2021 required filing date. Annual Report for 2021-2022 to be submitted prior to September 30, 2022.

Residents – What can I do? – The goals of all MS4 program and the Township are to reduce the discharge of pollutants from the Township, to protect water quality and to satisfy requirements of the Clean Water Act. – What can you do? Get involved.

Storm water from your home and from the public streets goes into a storm sewer, which goes directly into streams. This water is not cleaned in any way and does not go to the waste water treatment plant. The Township needs all of its residents to assist us in keeping our storm water and storm water sewer system clean by doing the following:  
Dispose of water properly, clean up after your pets, use fertilizers properly and efficiently to prevent excess runoff, store materials, which could pollute stormwater, indoors, and wash your cars at a carwash or in the grass – do not let soapy water get to storm drains, do not blow grass clippings, dirt or leaves into the street. Residents may be the first to recognize “illicit” discharges such as dumping into storm sewers or coming out of from storm sewer outfalls. If you see an “illicit” discharge, please report that to the Township.

If you are part of a Homeowners Association or have a stormwater facility on your property, please remember that it is a facility, like equipment, like a house, you need to maintain it. Get drawings and instructions for maintenance. Keep it clean of debris, keep it clear of invasive plants and brush, mow it appropriately weekly (or as appropriate) at 3 – 6” for embankments, Monthly or twice a year for bottom, dependent upon features, make sure any structures, pipes or concrete are maintained, and remove sediment build up.

Do not be afraid of your BMP. You have a responsibility to maintain your BMP in the design condition as a minimum, but that does not mean you cannot make it better. Treat it like a feature of your property instead of a wilderness where no one is allowed to enter. Remember that typically, it was built by a Contractor for lowest cost at minimum requirements to meet the Ordinance. Research what you can do to make it better, more

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 11 of 13**

MS4 ANNUAL  
PUBLIC MEETING  
PRESENTATION  
CONTINUES

appealing, better for the environment. Talk to the Township to make sure planned changes are consistent with the design intent and if it requires any permitting.

Small improvements on your property can, in total, improve water quality and add value to your home: Rain Barrels, Downspout Planters, Sidewalk Stormwater Planter and Rain Gardens.

What Discharges are authorized by MS4 permit? – The following non-stormwater discharges are authorized by the General Permit: (as long as such discharges do not cause or contribute to pollution as defined in Pennsylvania’s Clean Streams Law)

1. Discharges or flows from firefighting activities. (Life Safety)
2. Discharges from portable water sources including water line flushing and fire hydrant flushing if such discharges do not contain detectable concentrations of Total Residual Chlorine.
3. Non-contaminated irrigation water, water from lawn maintenance, landscape drainage and flows from riparian habitats and wetlands.
4. Diverted stream flows and springs.
5. Non-contaminated pumped ground water and water from foundation and footing drains and crawl space pumps.
6. Non-contaminated HVAC condensation and water from geothermal systems.
7. Residential (i.e., not commercial) vehicle wash water where cleaning agents are not utilized.
8. Non-contaminated hydrostatic test water discharges if such discharges do not contain detectable concentrations of chlorine.

DILLSBURG  
VENTURES  
TIME EXTENSION

It was moved by Supervisor Bush, seconded by Supervisor Wall, and unanimously carried to grant Dillsburg Ventures – Village at South Mountain a one-month time extension from April 11, 2022 to May 9, 2022.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 12 of 13**

FOUR NO PUMPS  
FOR 2021  
ON-LOT  
MANAGEMENT  
DISTRICT

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to authorize Michael Pykosh, Township Solicitor, to proceed to the next step to notify these four homeowners that they are in violation of the Code of the Township of Carroll, Chapter 303, Article 1.

APPOINTMENTS TO  
CARROLL  
TOWNSHIP  
PLANNING  
COMMISSION

It was moved by Chairman Kelly, seconded by Supervisor Wall, and unanimously carried to appoint Ken Baker to the Carroll Township Planning Commission for a four-year term to fill the expired term of Alexis Isenberg which will expire March 2026.

It was moved by Chairman Kelly, seconded by Supervisor Wall, and unanimously carried to appoint Matthew McAneny to the Carroll Township Planning Commission to fill the unexpired term of Brian Linsenbach which will expire March 2025.

NORTHERN YORK  
COUNTY FIRE  
RESCUE  
MUNICIPAL  
AGREEMENT

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Wall, and unanimously carried to enter into a Municipal Agreement between Northern York County Fire Rescue and Carroll Township Board of Supervisors to release \$20,000.00 from the 2022 budget figure of \$91,250.00 to be used towards hiring part-time engine driver's salaries.

YCSWC  
COMMITTEE  
REPRESENTATIVES  
FOR CARROLL  
TOWNSHIP

It was moved by Supervisor Moyer-Schwille, seconded by Chairman Kelly, and unanimously carried to appoint Phillip Brath as the Primary and Brandon Slatt as the Alternate as Carroll Township's Representatives to serve on the York County Stormwater Consortium (YCSWC) Regional Committee.

NORTHERN YORK  
COUNTY EOP  
BASIC PLAN  
UPDATED 2022  
RESOLUTION  
2022-13

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Trostle, and unanimously carried to adopt Resolution Number 2022-13 to adopt the Northern York unified Emergency Management Agency (NEMA) Emergency Operations Plan (EOP) Basic Plan Updated 2022 as submitted and sign the Promulgation.

POLICE REPORT

Chief Thomas Wargo presented the Police Report for the month of March 2022.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
APRIL 11, 2022  
Page 13 of 13**

2022 PAY  
INCREASE FOR  
PART-TIME  
RECORD OFFICERS  
CARROLL TWP.  
POLICE DEPART.

It was moved by Supervisor Wall, seconded by Chairman Kelly, and unanimously carried to authorize an additional .75 percent per hour pay raise for Gene Baptisti and Dean McConnel Carroll Township Police Department Part-time Record Officers effective January 01, 2022. This will increase their pay from a 2 percent to a 2.75 percent increase for the year 2022.

FIRE REPORT

The Fire Report for Northern York County Fire Rescue for the Month of March 2022 is available.

PUBLIC  
COMMENT

Elisha Riggins – 203 Camp Ground Road – is questioning the requirements to be served by public sewer and water in different zoning districts. They are looking at moving their business to Carroll Township and the property they are looking at must be served by public sewer and water. There is no public sewer or water in this area. They are being taken care of by going to the Zoning Hearing Board. They would like the public sewer and water extended to this area.

COMMITTEE  
REPORTS

Phillip Brath stated that there is a meeting scheduled with York County Planning Commission to discuss the relocation of Rt. 15 and Rt. 74 next week around 8:00 – 8:30 a.m. here at the Township Building.

ADJOURNMENT

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to adjourn the meeting at 8:31 p.m.

Respectfully submitted,

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Faye L. Romberger, Secretary