

Minutes for NAHBA Bi-Annual Teleconference Tuesday, April 10<sup>th</sup>, 12:00 pm EST

1. FHWA OAC Staffing Changes - Nelson Castellanos, FHWA-DC said that since Cathy O'Hara retired her position will be advertised. Mary Jane Daluge will move to relocation and her position will also be advertised. Clifford Pearson will take over some of the OAC duties. Nelson will send out an e-mail regarding these changes.
2. Beth Bender of Pennsylvania mentioned that she has had sign companies add gas price flippers or price packs to non-conforming signs and wanted to know if other states have had issues with this. Pennsylvania's rules prohibit the addition of any component to a nonconforming sign. Missouri's rules prohibit change of a technology and so far companies have removed any that have been added. Texas stated that they sometimes view these as cut-outs. Some states mentioned that if these additions are lit it would violate the addition of lighting to a nonconforming sign.
3. Jean Todd of Nebraska brought up that in Omaha, mortgage companies have been offering to pay monthly mortgage payments to home owners if they paint their homes bright company colors. Juanice Hughes of Florida stated that most of these instances in Florida were not on controlled routes and local control or ordinances prohibited this type of commercial advertising.
4. Juanice Hughes of Florida brought up billboard permitting on federal lands (excluding Indian reservations), specifically military bases. Ed Farley with Massachusetts said that they've had this issue come up on postal property. A representative with a company wanting to place advertising on federal property has stated that "state law does not trump federal". Nelson Castellanos stated that federal agencies must follow federal law. Mary Jane Daluge said that some checking should be done into the legality especially with quasi-federal agencies such as US Postal Service, Amtrak and railroads.
5. Donnie Smith with Kentucky asked what evidence states use to prove that illegal repair has been performed on a nonconforming sign. States mentioned that they use archived road footage video as well as yearly or biennial photos. Mr. Smith also asked what authority states have to enter private property to inspect signs especially the 660' set-back signs. Some states said that they have the authority by law or rules and some have language on the application for a sign permit allowing permission for agency personnel to enter the property.
6. Brooks Glasnapp, Iowa, stated that there are some signs in Iowa that say "I hate Best Buy" and "I was ripped off by Best Buy". Is this "personal opinion" or commercial advertising? Many states felt that it would depend if the signs were on the land owner's property and/or if he was receiving compensation for the advertising.
7. Ed Farley with Massachusetts asked what fee do states charge for a digital permit. He was directed to the survey data in the library resources of NAHBA's website. Survey data and how to request a survey was discussed as well the location of state pages for their laws, rules and state/federal agreements on the NAHBA website.
8. Jessica Sawyer invited all to attend the 2012 NAHBA Annual Conference August 19-21, 2012, in Spokane, WA and to remind everyone that NAHBA will co-locate with the Right of Way/Utilities Subcommittee AASHTO's conference in April 2013 in Savannah, GA.
9. Meeting Adjourned