

**West Donegal Township
Board of Supervisors Meeting
August 8, 2016**

The regular meeting of the Supervisors was held at 7:00 p.m. at the Township Municipal Building. Chairman, Roger Snyder called the meeting to order with the following Supervisors in attendance: Doug Hottenstein, Philip Dunn, John Yoder, and J. Clair Hilsher. Also in attendance were Zoning Officer, Wayne Miller, Township Manager, Gene Oldham, Township Roadmaster, Todd Garber, Office Manager, Jennifer Rabuck, Chief of NRLCPD, Mark Mayberry, and Township Solicitor, Josele Cleary.

I. Call Meeting to Order

II. Pledge of Allegiance, Silent Prayer, Tape Announcement

III. Roll Call of Supervisors – all of the Supervisors were present.

IV. Approval of the July 11, 2016 Meeting Minutes (July Workshop was cancelled) – Moved by Supervisor Yoder, seconded by Supervisor Hilsher to approve the July 11, 2016 meeting minutes. Motion carried.

V. Public Comments – Don Kreider inquired into how the Chief thinks National Night Out (NNO) went. Chief Mayberry noted that he thought NNO went really well. He thanked the supervisors of both municipalities, West Donegal Township and their staff, Mr. Oldham, the road department and the administrative staff. It was a group effort to pull it off and the great weather helped too. Mr. Snyder asked how the road closure worked out. Mr. Oldham noted that it was great. The fire police had the road blocked off and a lot of people utilized the shuttle busses.

VI. Reports – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the monthly reports. Motion carried.

VII. Presentations

A. Ironstone Ranch Star Barn Project

Matthew Creme, of Nikolaus & Hohenadel, reviewed the Star Barn and Master Plan for the Ironstone Ranch Star Barn Project. Mr. Creme also reviewed the 2nd access from the site to Newville Road. It was noted that this would not be an all access road but a 2nd access for emergency, livestock, carriage and overflow uses. Mr. Creme also reviewed several additional changes they will be presenting to the Zoning Hearing Board. 1) Making the Spring House into two lodging units; 2) Relocating the corn crib which will then have restrooms; 3) Adding a horse run in shed which will also house a gift shop with restrooms. Mr. Creme noted that they would also like to keep the paved construction road which will still put them within their pervious coverage percentage. It was noted that they are still requesting that while the Star Barn is under construction, that they be allowed to have the tent up for 7 months straight rather than the 7 days that is currently permitted. Supervisor Yoder asked if the spring house was originally a gazebo. Mr. Creme stated it was. Solicitor Cleary read the previous Zoning Hearing Board approval which stated the number of guests rooms approved. Mr. Creme stated that the number is not changing. Solicitor Cleary stated that the board has the right to have a representative at the Zoning Hearing Board to reaffirm the board's minimum conditions. Mr. Creme stated that they are not looking to avoid any conditions. Solicitor Cleary stated that the tent would need a variance, Supervisor Yoder stated that he was fine with the tent being up as long as it is not up past the 2018 season. Mr. Creme stated that there is a plan to gravel the tent area while the tent is up. Manager Oldham asked if the road is included in the 33% pervious coverage. Mr. Creme stated that it was and that they are currently at 32.1% with the plan. Supervisor Hottenstein asked what the weight limit of the bridge would be. Mr. Creme stated that that is still in discussion and that they are considering the allowance of busses or firetrucks. Solicitor Cleary stated that using the bridge for emergency purposes should be a condition sent to the Zoning Hearing Board.

Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to authorize the Zoning Officer to attend and represent the Supervisors and present and reaffirm the boards position at the September 7th Zoning Hearing Board. Motion carried.

VIII. **Actions**

- A. Approve/Reject the resignation of Phil Dunn from the West Donegal Township Planning Commission – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the resignation of Phil Dunn from the Planning Commission. Motion carried.
- B. Approve/Reject the resignation of John Brandt from the West Donegal Township Planning Commission – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the resignation of John Brandt from the Planning Commission. Motion carried.
- C. Approve/Reject the appointment of Matthew Aungst to the position on the West Donegal Township Planning Commission filling John Brandt's position – Moved by Supervisor Dunn, seconded by Supervisor Yoder to approve the appointment of Matthew Aungst to the position on the Planning Commission created by the resignation of John Brandt. Motion carried.
- D. Approve/Reject the sending of letters to 252 & 262 Poplar Lane regarding stormwater as prepared by Josele Cleary – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the issuance of letters to 250 & 262 Poplar Lane regarding stormwater issues as prepared by Solicitor Josele Cleary. Motion carried.
- E. Approve/Reject the revised sidewalk letter and distribution procedure – Supervisors discussed that the letter and agreed that it now contained too much information for citizen's to understand and should be revised. Moved by Supervisor Yoder, seconded by Supervisor Hilsher to approve the sidewalk information letter after it is revised and include a copy of the ordinance and last page attachment that shows how to bevel the sidewalk. Motion carried.
- F. Approve/Reject the Rutts Road bids for roadway work – Manager Oldham noted that no bids were received again even after taking out the wearing and changing the time period from 60 to 90 days. Again there were lots of contractors who looked at the project. However, the timing of the project is affecting the bidding. It was agreed that this project would be put on hold and be advertised again in the late winter early spring or even perhaps after the Penn Dot bridge project on Bainbridge Road is complete.
- G. Approve/Reject the advertisement of the Hess Rod Culvert Project after review of documents by the Solicitor – Manager Oldham stated that since no bids were received for the Rutts Road project that maybe the advertising of this project should also be put on hold. He stated that he will have the draft documents ready to go and it was agreed to advertise in late winter, early spring.
- H. Approve/Reject the release of \$9,695.22 cash escrow for Kenneth & Judith Ebersole retaining \$4,761.07 for remaining items – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the release of \$9,695.22 cash escrow for Kenneth & Judith Ebersole retaining \$4,761.07 for remaining items. Motion carried.
- I. Approve/Reject the release of \$945,664.33 cash escrow for Exeter, retaining \$23,200 for remaining items – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the release of \$945,664.33 cash escrow for Exeter, retaining \$23,200 for remaining items. Motion carried.
- J. Approve/Reject the issuance of letters for District 2 on-lot septic pump outs nonresponse letters – It was noted that there are only three nonresponses. Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the issuance of letters for District 2 on-lot septic pump outs nonresponse letters. Motion carried.
- K. Approve/Reject a fireworks display for August 20th at Ironstone Ranch – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve a fireworks display for August 20th at Ironstone Ranch. Motion carried.
- L. Manager Oldham noted that the Township is in good financial position to make the budgeted \$100,000 transfer from the General Fund to the Capital Reserve Fund. Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the budgeted transfer of \$100,000 from the General Fund to the Capital Reserve Fund. Motion carried.

IX. **Discussion Items**

- A. Review of the proposed ordinance regarding tower regulations – Solicitor Cleary drafted an ordinance governing the erection of mini cell towers. She stated that they will not be allowed in residential zones, the height of the towers cannot exceed 50', and they must be put on existing poles as of the ordinance effective date. Moved by Supervisor Yoder, seconded by Supervisor Dunn to send the draft ordinance to the Lancaster County Planning Commission and the West Donegal Township Planning Commission for review and to advertise the ordinance for public review. Motion carried.
- B. Lisa Bailey vs West Donegal Township – There will be a conciliation conference on August 10, 2016 at 1:00 pm in which Township staff will attend along with Attorney Brown.
- C. Manager Oldham mentioned that Benecon has recommended a change in life insurance and short term disability insurance from Guardian to One America/American United Life Insurance to reduce costs and hold costs for 3 years.
- D. There will be a recognition banquet on August 26, 2016 for Ron Ford.
- E. Discussion of agreement between Margaret Susan Lisi and west Donegal Township – Solicitor Cleary prepared an agreement between West Donegal Township and Ms. Lisi, in regards to fixing where the water drainage is going, which will be sent to her.
- F. MS4 discussion – Manager Oldham noted that he attended a very informative seminar with the Department of Environmental Protection regarding MS4. Scott Hain, of David Miller & Associates was in attendance to discuss the MS4 matrix and things that will need to be completed regarding the MS4 program.
- G. There were no Zoning discussions
- H. Manager Oldham stated that he received a complaint regarding the site distance at Bossler & Oak Road in which you cannot see as you approach the bend in the road due to the corn crop. It was discussed that the Township should reach out to the landowner to see if the corn could be cut back making visibility better.
- I. Manager Oldham mentioned that we're approaching budget season and will need to have a meeting with the Fire Departments. It was discussed to reach out to them regarding a meeting on August 29th.
- J. Manager Oldham noted that he received a request by the Lancaster County Planning commission to use the Township building on October 27th for a meeting regarding the update of their comprehensive plan.

Manager Oldham thanked everyone for their assistance and stated that he thought that everyone who helped with National Night Out did a great job.

- X. **Executive Session** – there was no executive session.
- XI. **Bills Payable (Final Unpaid List)** – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the bills payable. Motion carried.
- XII. **Adjourn** – Moved by Supervisor Yoder, seconded by Supervisor Hilsher to adjourn the meeting at 8:22 pm. Motion carried.

Prepared by Jennifer Rabuck for

Philip Dunn, Secretary