

**Chanceford Township, York County
Board of Supervisors Regular Meeting
September 25, 2007**

MEETING DAY AND TIME: September 25, 2007

David Gemmill opened the regular meeting of the Chanceford Township Board of Supervisors at 7:00 p.m. in the Community Bldg., 51 Muddy Creek Forks Rd., Brogue, PA. He led those in attendance in the pledge to the flag.

Members present: Chairman David Gemmill, Vice-chairman Eric Bacon, and Henry Tyson (arrived at 8:50 p.m.).

Others present: Engineer John Klinedinst, Solicitor Timothy Bupp. Zoning Officer Jeffrey Koons, Office Assistant Amie Kauffman, Planning Commission Members: John Shanbarger, Ralph Daugherty, John Urey and Mark Bupp.

APPROVAL OF MINUTES:

David Gemmill made the motion to approve the 9/10/07 minutes as written. Seconded by Eric Bacon, motion carried.

PLANNING MODULE:

Robert B. and Judy K. Burchett Plan #L-5168 – David Gemmill made the motion to send the planning module into DEP for approval. Seconded by Eric Bacon, motion carried.

SUBDIVISION PLAN FOR REVIEW:

Heindel Family Farms Final Plan #070396 – David Gemmill made the motion to approve the plan. Seconded by Eric Bacon, motion carried.

ENGINEER'S REPORT:

Salem Church Road – John Klinedinst and Roadmaster Ronald Miller visited the site to discuss the options for rebuilding the intersection. The Roadmaster will verify with PennDOT as to whether a permit is required for this work. The plans and specs will be advertised next week for the fill dirt to be put into the barn's old location.

Fake Road – John Klinedinst and the Roadmaster visited the site and determined that they need to install five infiltration trenches across the erosion channel of the field at the corner of Fake Road, Stamper Road, and Muddy Creek Forks Road belonging to Heindel Family Farms.

The bids for the Fake Road project are as follows:

Fawn View Construction Inc.	\$ 89,892.50
Gregory Contractors Inc.	\$134,301.00
Justice Excavating Inc.	\$114,698.25
Kinsley Construction Inc.	\$116,027.65
Doug Lamb Construction	\$146,878.00

David Gemmill made the motion for Attorney Bupp to prepare an Easement Agreement with Heindel Family Farms to install infiltration trenches in the grass waterway of their field. Seconded by Eric Bacon, motion carried.

David Gemmill made the motion to accept the bid from Fawn View Construction for the Fake Road Project for \$89, 892-50. Seconded by Eric Bacon, motion carried.

TRANSFER OF DWELLING RIGHTS:

The transfer of dwelling rights was discussed concerning what is hoped to be accomplished by changing this section of the Zoning Ordinance, and what problems might result from any changes.

John Shanbarger stated that he felt that the Township should check with Your County Planning Commission about the number of dwelling rights remaining in Chanceford Township and if there will need to be more residential zoning in the future.

David Gemmill stated his concern is to make sure that the soils are being tracked to insure that dwelling rights are being transferred to same or lesser soils.

John Klinedinst stated that the Comprehensive Plan will address the adequacy of dwelling rights, and that dwelling rights can be tracked by adding them to the G.I.S. map that will be created by the Comprehensive Plan.

Attorney Bupp stated that the Commonwealth of PA does not have a formal policy on dwelling rights in land preservation if they are retired, destroyed, or bound to that land. He is currently trying to contact Lancaster County to ask what their policy is.

John Klinedinst stated that the Residential Zone in Chanceford Township has no dwelling rights assigned to it. Therefore, there are no dwelling rights that can be transferred into or out of that zone.

David Gemmill felt that transfer of dwelling rights should be considered to allow businesses in the Agricultural Zone where a dwelling right is required as a condition of having a business. It was discussed that maybe the allowed uses in the Agricultural Zone should be examined. Mr. Klinedinst stated that the Comprehensive Plan will address what the Agricultural Zone will look like.

The Board determined that the Planning Commission should continue to explore and gather information on transfer of dwelling rights while the Comprehensive Plan is being discussed and then use all the information to determine what changes need to be implemented.

Eric Bacon also noted that the Act 537 Plan that is being started may also have an impact on the Comprehensive Plan, even more than the survey results from residents.

It was decided the best course of action is to do the Comprehensive Plan, the Act 537 Plan, and any Zoning Ordinance changes concurrently.

ATV ORDINANCE:

ATV Ordinances were discussed. The Planning Commission requested a model ordinance to review to base their recommendations on. The question was posed, who will enforce the ordinance? John Shanbarger stated that the Zoning Officer will enforce and the violations will be brought to his attention through complaints. All agreed that the ordinance has to be something that can be enforced.

OPEN FLOOR TO PUBLIC:

Scott Corbett was present to request that the Board read the complaint letters they received concerning the Girls Softball Team's leaders. Mr. Corbett questioned the Board as to when they would address the issue. Chairman Gemmill informed him that the Board would read the complaint letters, gather information and discuss the issue with their legal counsel, and then they would discuss it at the next Board of Supervisors meeting.

Jeffrey Heindel was present to inform the Board that his commercial property at 2555 Delta Road does not have an approved septic system installed on it. Mr. Heindel was not made aware of this when he purchased the property. He feels that the Township should check commercial properties for approved and adequate septic systems.

Chairman Gemmill informed Mr. Heindel that the Act 537 Plan that the Township will be doing should address some of these issues.

Martin Weiss was present to thank the Board for their help in having his neighbor begin removing trash from his property. Mr. Weiss also wanted to make the Board aware that there are still ATV issues with his neighbor's property.

Pitts Dockman presented the Board with a Progress Report developed by the Bureau of Aviation, and a map of Baublitz Airport dated 1987. Mr. Dockman requested that the Township require Baublitz Airport to meet the Zoning Ordinance.

Rev. Brandon Testerman asked the Board what their process will be for dealing with Mr. Corbett's request. Chairman Gemmill stated that the Board will read the complaints and then contact the Recreation Board and other pertinent parties, including the Board of Directors for the Girls Softball Team. Once they have gotten information from these parties, the Board will discuss the issue with the Township Solicitor in an executive session.

Linda Stern, Recreation Board Secretary, informed the Board that she did not have the minutes from the Recreation Board's September 17 meeting completed yet, but gave the following summary: The Recreation Board would like the Board of Supervisors to understand that this is the first year for Girls Softball back in Chanceford Township and the people involved are all new and that there are going to be some growing pains as people learn what their responsibilities are and how to handle situations. The Recreation Board requests that the Board of Supervisors contact Mr. Barshinger about the request that was presented to the Board by Mr. Corbett. The complaint letters were not presented to the Girls Softball Board of Directors before they were given to the Recreation Board and Board of Supervisors. The Recreation Board feels that the Girls Softball Board of Directors should have been given the opportunity to resolve the complaints before the Recreation Board or Board of Supervisors were involved.

The Recreation Board did suggest to the Girls Softball Board of Directors that they should vary their membership and have non-church members on the Board. Also, prayer at practices should be optional, not mandatory.

David Gemmill stated that the Board reserved the right to go back to the Recreation Board to gather more information if needed. Eric Bacon requested that the Recreation Board let the Board of Supervisors know what the Softball Board's determination is on this issue.

Floor closed at 8:23 p.m.

BROGUE RECREATION AREA FENCING:

The quotes to repair the existing outfield fence at the Brogue Recreation Area are as follows:

Security Fence Co. \$1,085.00

MarDon Builders, Inc. \$ 951.91

David Gemmill made the motion to allow MarDon Builders, Inc. to proceed with the fence repair at a cost of \$951.91, as long as they can provide proof of adequate insurance. Seconded by Eric Bacon, motion carried.

David Gemmill made the motion to table the quote for having the fence painted until the next meeting. Seconded by Eric Bacon, motioned carried.

COMMUNITY BUILDING RENOVATIONS:

The Board directed the Office Assistant to send a letter to Orbit Technologies giving them ten days to respond with their intentions about whether they are going to remove or leave the exterior dusk to dawn light fixture. If Orbit Technologies does not respond in ten days they are allowing the Township to keep the light at no charge.

The Office Assistant was also directed to call for prices on Fuel Oil for the Community Building and have the vendor with the lowest price fill the fuel tank.

RECREATION AGREEMENT:

David Gemmill made the motion to adopt Resolution No. 2007-06 Authorizing Cooperation Among Chanceford Township Recreation Board and Red Lion Borough Recreation Board. Seconded by Eric Bacon, motion carried.

APPROVAL OF BILLS:

Eric Bacon made the motion to pay all the bills in a manner approved by law. Seconded by David Gemmill, motion carried.

Henry Tyson arrived.

REOPEN FLOOR TO PUBLIC:

Pitts Dockman continued discussing the map he had presented to the Board. (copy of request attached)

Mr. Dockman was advised that the Township Solicitor needs to review the materials provided by Mr. Dockman before the Board can make a recommendation.

David Gemmill made the motion to include Mr. Dockman's information as part of the meeting minutes. Seconded by Eric Bacon, motion carried.

David Gemmill made the motion to close the floor to the public. Seconded by Henry Tyson, motion carried.

EMPLOYMENT HANDBOOK:

David Gemmill made the motion to temporarily suspend the implementation of the employment handbook until January 1, 2008 and until the Board can review it with the Solicitor to make sure the appropriate changes have been made. Seconded by Henry Tyson, motion carried.

ADJOURNMENT:

There being no further business, Eric Bacon made the motion to adjourn the meeting. Seconded by David Gemmill, the meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Brenda C. Gohn
Secretary-Treasurer

Minutes as taken by Amie Kauffman