

**Chanceford Township, York County
Board of Supervisors Regular Meeting
February 11, 2008**

MEETING DAY AND TIME: February 11, 2008

David Gemmill opened the regular meeting of the Chanceford Township Board of Supervisors at 7:05 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 Bradley Smith.

Others present: Township Engineer John Klinedinst, Solicitor Timothy Bupp, Zoning Officer Jeffrey Koons, Roadmaster Ronald Miller, Secretary-Treasurer Brenda Gohn and Office Assistant Amie Kauffman.

APPROVAL OF MINUTES:

Under the Engineer's Report/Susan Drive, the words "*They did dig holes on top of some of the trenches. Mr. Marshall was advised to follow through digging holes on top of the remaining trenches.*" are to be deleted. With this amendment, David Gemmill made the motion to approve the January 14, 2008 minutes. Seconded by Bradley Smith, motion carried.

FIRE CHIEF'S REPORT:

Chief Witmer reported there were 25 calls in January. Three volunteer firemen are attending the Hazmat training and four are attending pump operation 1 and 2 training.

AMBULANCE REPORT:

Captain Kauffman reported there were 68 calls in January.

Also, Brogue Ambulance Association is in the process of purchasing a new ambulance. Ford Motor Company has a new program allowing a \$3800.00 rebate on a new ambulance. A letter is required stating that Brogue Ambulance Association does service Chanceford Township.

Mr. Kauffman also requested a letter from the township to the York County Department of Emergency Services to allow MICU 36 Unit of Yoe as the third due ALS provider for all of Chanceford Township.

Mr. Kauffman was asked to provide copies of both letters for township execution.

MUDDY CREEK WCP:

Dr. Grissinger introduced Jake Romig of Ecostruction who gave a presentation on why this plan is so important. Mr. Romig stated that Trout Unlimited was the host for this project and applied for the funding through DCNR. There are 165 square miles and 15 municipalities involved in this project. It is a long term management strategy for the entire watershed. Mr. Romig emphasized that this plan is the Township's plan and one of the benefits of this plan is that anything in the plan is eligible for prioritized funding in

the future. He is asking for support from the Township by contacting York County Planning Commission and letting them know that the Township needs this plan. Fifty-one percent of the municipalities need to adopt a resolution recognizing the plan to qualify for the river register. A draft of the plan will be made available to the township for review.

Mr. Romig assured the Board that this plan is a completely separate issue from the Scenic Rivers Program.

A brief description along with the survey (to be completed by May 1) will be made available on the township website along with the next public meeting date.

John Klinedinst stated that the watershed will be included in the comprehensive plan.

SALEM CHURCH RD. PROJECT:

Edward Dickel was present to voice a complaint that he has not been kept informed on this project. He feels there are questions about the road base, the pile of tree stumps that disappeared and the super elevation apparently is not correct. Chairman Gemmill stated that the issues with the road base and stumps were addressed at the last meeting. John Klinedinst stated that the super elevation has been verified as correct.

Mr. Dickel requested reflectors and something be done about the speed limit.

The Board made the decision to put up reflectors or chevrons on the outside curve and contact York County Planning Commission to conduct a traffic study.

PUBLIC COMMENT:

Earl Dettinger was present to discuss subdividing six lots from his property located along Dettinger and Lucky Roads. He explained that the Planning Commission advised him to put these lots along Dettinger Road rather than Lucky Road due to what they considered to be higher quality soils along Lucky Road. At that meeting, he was advised to contact a soil scientist. The soil scientist, Mark Mills, reported to Mr. Dettinger that the land along Dettinger Road is too deeply sloped, too rocky, too many springs and it would never pass for sewage systems. John Klinedinst visited the site and stated it is definitely agricultural land of low quality and felt it would be a challenge to locate six lots on this type of land.

He was advised to get a recommendation in writing from Mark Mills stating that he looked at the entire property and part of the property that is land of low quality for agriculture is also not physically able to be used for building lots; and therefore, the only part left is the land along Lucky Road with the higher quality soils. He was advised to take this recommendation back to the Planning Commission in order to give them justification for revisiting this proposed subdivision.

Scott Zurin was present to request a driveway waiver for his proposed driveway off Myers Road. After discussion and verifying there is adequate sight distance, David Gemmill made the motion to grant the waiver from the requirements of the Driveway Ordinance to allow a 12 foot driveway to be constructed in a pre-existing 20 foot right of way. Seconded by Bradley Smith, motion carried unanimously.

Pitts Dockman was present to make two requests of the Board regarding the proposed airport ordinance. He would like the Board to authorize the Township Engineer to visit the site and verify that all hangers comply to the hazard area and setbacks before the ordinance is adopted. Also, he would like the Board to authorize the Township Solicitor to seek an additional extension from the judge.

Bradley Smith feels the Zoning Officer can verify compliance of the hangers.

Atty. Bupp stated that a copy of the ordinance was sent to York County Planning Commission for their comments. In addition, copies were sent to PennDOT and Rep. Stan Saylor. Before requesting an extension of time, Atty. Bupp wants to wait and review the York County Planning Commission comments. Mr. Dockman feels there is enough reasonable question as to whether Baublitz Airport is a valid public airport to go to the judge now before the township continues to spend money on this proposed ordinance. Mr. Dockman was advised he may make additional comments at the end of the meeting.

James Stinchecum of 205 Pond Road was present to discuss his violation regarding a fence on his property that was installed in the stormwater easement. Mr. Stinchecum stated that the fence has been in existence at this location for six years and if he has to move the fence, he will lose use of valuable property. He feels it does not impede the flow of water and again requested a waiver.

Eric Bacon feels that if the other two parties were required to move their fences to comply, then the only fair thing to do is have Mr. Stinchecum move his fence as well since all were in violation. Mr. Stinchecum was advised he can appeal the Zoning Officer's decision to the Zoning Hearing Board.

Andy Dehoff of 12695 Gum Tree Road was present to voice his concern with the water run-off from Susan Drive. He was advised that this matter will be discussed later under the Engineer's Report.

Keith Barshinger, coordinator of Chanceford Girl's Softball, would like to build a 12' x 20' block concession/equipment building at Chanceford Crossings and ask for the Board's feedback. Due to the expense of a block building, David Gemmill suggested a portable building rather than something permanent. Mr. Barshinger stated that he also has an opportunity to buy a trailer for this use. Mr. Bacon feels they need to cover the liability for this building. The Secretary was directed to check with the insurance company regarding the liability. The Board feels that the Recreation Board and Chanceford Girl's Softball need to decide how they want to handle this building.

Also, Mr. Barshinger made the Board aware that there are several 45-50 foot trees that are dead half way up that need to be cut down for safety purposes before the season begins. Mr. Barshinger was asked to mark the trees and the road crew will look at them and decide whether they can cut them down.

The floor was closed.

ROADMASTER'S REPORT:

Ronald Miller reported he met with John Klinedinst to inspect water problems in the Township.

Work on Douglas Road has been started and should be completed this week weather pending.

Mr. Miller is waiting on prices from Hammaker for the Hively Road blacktop work.

John Klinedinst stated that C. S. Davidson is working on obtaining the permit for the intersection at Salem Church and Richmond Roads and he will check on the status of this permit.

ZONING OFFICER'S REPORT:

Jeffrey Koons had no report. However, David Gemmill stated he had a call from Carl Gemmill regarding the letter he received from Mr. Koons concerning his hardship permit. The Chairman asked Jeff to stop by and explain the letter to him.

ENGINEER'S REPORT:

537 Plan – Continue to work on the Plan.

Salem Church Rd. – Most of the damage to Salem Church Road on February 1 during the severe rain event was caused by runoff from Richmond Road. It caused an excessive amount of washing of the stone surface and more importantly washed out the bank. The inlet on the Dickel's side of the roadway then became clogged several times and had to be cleaned out due to the soil erosion. There was an onsite meeting with PennDOT to discuss the problem on Richmond Road and PennDOT was very responsive. Regarding Kinsley Construction, Inc., John Klinedinst feels we are in a weak position to make them fix the embankment since it was not their water or workmanship that caused the damage. However, Kinsley has agreed to come back and restore the embankment and do some regrading of the 2A since they did not choke in the #4 ballast. This will be done at no cost to the township. John Klinedinst recommended we accept this proposition because it is in the township's financial interest. Kinsley has forwarded their final payment application in the amount of \$4127.07. The township needs to have consent of surety from their bonding company before the check is released.

Eric Bacon made the motion to conditionally approve the final payment pending consent of surety and the work that needs to be completed in the spring with the Township Engineer's approval. Seconded by Bradley Smith, motion carried. David Gemmill abstained due to a conflict of interest.

Douglas Road – the permit has been issued and work is in progress.

Keener Subdivision – the Township Engineer inspected the site on February 11 and has the following report:

1. The concrete headwall was eliminated and replaced with a stone headwall (which is acceptable) with a vertical soil wall that needs to be graded out.
2. The elevation of the pipe was brought up about three feet.
3. Dimensions and stone gradation of the rock apron are not as shown on the plan. It is installed correctly and therefore, the plan needs to be modified.
4. The road needs to be widened to 16 feet.

5. A note needs to be put on the plan stating the owner of the lot is responsible for maintenance outside of the easement to the manhole.

John Klinedinst's recommendation is to have the developer post surety in the amount of \$1000.00 to guarantee the work is completed and submit a revised as constructed plan.

David Gemmill made the motion that the developer put up surety in the amount of \$1000.00, provide a revised as constructed plan and approval by the Solicitor that the amendments were made. Seconded by Eric Bacon, motion carried unanimously.

Susan Drive – was inspected with the Roadmasters on February 5. There were three issues identified

1. The primary problem is that there is an excessive amount of muddy runoff from the Brett Morris lot. There is no soil cover at all and no silt fence in the area above the Driveway.
2. There is no way of knowing if the infiltration trench along Susan Drive is working.
3. There is no channel to get the water from Susan Drive to the pipe on Gum Tree Road and is therefore running onto the Dehoff property.

John Klinedinst stated that he would like to get some soil erosion control done on the Morris lot and put a few openings in the top soil on the infiltration trenches to let the water down into the ballast more quickly. The grading along Gum Tree Road is an issue that will need to be discussed with PennDOT.

David Gemmill and Eric Bacon feel there is a problem with the hard compacted soil on top the trenches.

Bradley Smith stated that he received a call from David Marshall stating that he is willing to fix the problem. John Klinedinst pointed out that there is only fifty feet to work with which makes it more difficult to resolve.

William Frey of 12685 Gum Tree Road stated that he has more water now than he ever had because of this runoff and feels the problem would not exist if the road had been constructed properly.

Andy Dehoff voiced his concern with the seepage pit near his well.

Eric Bacon commented that if Mr. Marshall paves the road, he needs to make sure that the water gets to the trenches and into the ballast.

The Board directed John Klinedinst to set up a meeting with David Marshall and Andy Dehoff to rectify these problems.

Eric Bacon left the meeting at 9:54 p.m.

SOLICITOR'S REPORT:

Atty. Bupp reported that he and Jeff Koons are continuing to work on the Posey violation.

Mack/Newman properties – letters were sent out and visits made to both parties. However, nothing was done to correct their violations and therefore, DJ actions were filed against them. After the actions were filed the Newmans did move their shed and agreed to pay the court costs. Mr. Mack's hearing was held. He has a judgment against him. However, if he moves his shed, he will need to pay only the court costs as well.

Frank Shaffer – Atty. Bupp attended the oral argument. His attorney’s contention is that a subdivision or land development plan is not necessary because a planned community was filed. Atty. Bupp will keep the Board informed on this matter.

Proposed Airport Ordinance – Atty. Bupp mailed drafts to all parties involved and will have comments from the York County Planning Commission for the March meeting.

Atty. Bupp will keep the Board posted on Rep. Saylor’s proposed amendment to the Airport Act. The decision for a time extension for this ordinance will be made after York County Planning Commission’s comments are received and reviewed.

PENNDOT INVOICE:

PennDOT inquired as to how the township would like to handle the fees incurred regarding the PennDOT Bacon Road Facility. David Gemmill made the motion to receive payment rather than in trade as a part of the Agility Program. Seconded by Bradley Smith, motion carried.

CLOVER HILL MANOR:

Christopher Carr requested that he be allowed to pay the recreation fees for this project at the time he picks up the next building permit. David Gemmill made the motion to deny his request so as not to set a precedence. Seconded by Bradley Smith, motion carried.

APOLLO PARK:

York County Department of Parks and Recreation would like to construct a 60’ x 60’ parking area on Shenks Ferry Road and are inquiring about the required permits. John Klinedinst stated that they will need to submit a stormwater plan. A zoning permit will also be required. Bradley Smith made the motion to address Mr. Brant’s request for a permit to put in a parking lot along Shenks Ferry Road. Seconded by David Gemmill, motion carried.

OFFICE ASSISTANT’S REPORT:

Memorial Dedication Sign - Amie Kauffman reported that the cost for a 8” x 16” laser engraved sign with a photo is \$62.95 and the life expectancy for such a sign is fifteen to twenty years. The Office Assistant was directed to proceed when the picture becomes available.

Community Building – Amie reported that the bathroom fan vents in the exterior block wall were not sealed around and this was allowing rain to blow in and lay on the bathroom ceiling tiles. The Board directed the Office Assistant to contact the contractors to ask them to come back and complete this work.

The overhead garage door continues to leak during heavy rains, even though Drake Reed Door Co. had come back and sealed around the door track. The water is running in under the door itself. The Office Assistant was directed to contact Drake Reed Door Co. and find out possible solutions for this problem and what the cost of each solution is.

APPROVAL OF BILLS:

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

The Board approved the Roadmasters attending the Municipal Road Maintenance Symposium at the State Convention on May 12 and 13.

PUBLIC COMMENT:

Pitts Dockman reiterated what he said earlier at the meeting and again requested that they send John Klinedinst out to verify that all hangers are in compliance. Bradley Smith reiterated that he feels the Zoning Officer can investigate this matter.

Mr. Dockman would like the Township Solicitor to consider putting forth some of the documentation and some of the incidences that he has shown and give it some consideration.

David Gemmill stated that the township has exhausted everything it can and cannot step outside the law.

Bradley Smith stated that the township is under court order.

ADJOURNMENT:

There being no further business, David Gemmill made the motion to adjourn the meeting. Seconded by Bradley Smith, the meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Brenda C. Gohn
Secretary/Treasurer