

NORTH HEIDELBERG TOWNSHIP
BOARD OF SUPERVISORS

September 26, 2018

The regular monthly meeting of the Board of Supervisors of North Heidelberg Township was called to order at 7:00 P.M. The pledge of allegiance to the flag followed. Supervisors present were Chairman, Mitch Wolfe, Vice Chairman David Pool and Robert Klinger. Also in attendance were Bethany Emkey, Township Solicitor, Ryan Rhode, Township Engineer and Township Secretary Tanya Taatjes.

Minutes – The minutes from the August 22, 2018 meeting were reviewed with no additions or corrections. David Pool made a motion to approve the minutes as submitted. Bob Klinger seconded the motion, and the motion carried.

Treasurer’s Report – An asset listing is not included in the reports provided but a listing is available for insurance purposes. The escrow funds need to be reported under Long Term Liabilities to correct the balance sheet. A motion was made by Bob Klinger and seconded by David Pool to accept the Treasurer’s Report subject to review. Motion carried.

Public Comments on Agenda Items Only – Several Township residents expressed support of the proposed Noxious Weed Ordinance.

Tax Collectors Report- Township Tax Collector Kloma Kalbach reviewed the August Tax Collector’s Report. The Tax Collector requested reimbursement for a Township stamp at the cost of approximately \$20. The request was granted.

Correspondence – Township SEO Brain McFeaters and Carrie McFeaters were present to review the 2019 Fee Schedule and were available for questions. Chairman Wolfe also reviewed the Township’s estimated Liquid Fuels allocation for 2019.

Planning Commission – Planning Commission member Jeff Schatz recommended adding the Noxious Weed Ordinance to the Joint Zoning Ordinance. Solicitor Bethany Emkey recommended they be kept separate, explaining that noxious weeds are a property maintenance issue and zoning is a land use regulation. It was the Solicitor’s opinion that placing a property maintenance regulation into zoning would require enforcement through the zoning officer as well as an appeal process through the zoning hearing board, which would make it very expensive for the Township and the homeowner. Jeff Schatz recommended adding 502.A.6 (provided) to the Joint Zoning Ordinance. It was agreed that more research is needed and the discussion will continue later in the meeting. The Planning Commission also discussed changing the current zoning of the Blue Marsh Ski Area and recommended review by the BOS.

Kraft Code Services- Four permits were issued for the month. Township Engineer Ryan Rhodes has been working with Mr. and Mrs. Hoch to close out their construction escrow account. The BCCD is set to perform an inspection on October 5. They are requesting release of the escrow funds subject to BCCD approval and engineer review rather than waiting until the October 24 BOS

meeting. Supervisor Pool expressed concerns over the depth of the retaining pond and the run off leaving the site. A motion was made by Supervisor Klinger and seconded by Supervisor Pool for conditional escrow release pending the final inspection report from BCCD and Kraft Engineering Motion carried.

Road Report- Roadmaster Klinger explained that he is currently awaiting approval from BCCD for the Kricks Mill Road Grant Project. Chairman Wolfe made a motion to ratify submission of the application to BCCD for dirt and gravel on Kricks Mill Road including a Township contribution. The motion was seconded by Supervisor Klinger. Motion carried.

A draft road report was done on September 17 and will be available for review when completed.

Craig Clark passed his CDL test and the Township currently has 4 snow plow drivers for the winter. The Township would like to hire Landon Bernheiser on a part time basis to help with the Graeff Rd project. Jeff Schatz and others volunteered to help prepare Graeff Rd. Solicitor Emkey will research a volunteer release.

Salt and cinder have been ordered. An estimate was provided from Ebling's for a new pole pruner (\$479.99) and a blower (\$139.95). An additional estimate was requested. The Sterling required two new batteries. The Road Master will provide estimates for the pruner and blower at the next meeting.

Solicitor Items-

- a. Fireworks Ordinance- The Fireworks Ordinance has been advertised for consideration of enactment. Solicitor Emkey reviewed the contents of the Ordinance. Supervisor Pool expressed concern for potential damage to livestock and Township liability. A suggestion was made to require Township wide notice for both display and consumer fireworks. A motion was made by Supervisor Pool and seconded by Chairman Wolfe to table the Ordinance for an amended draft.
- b. Noxious Weed Ordinance-The Noxious Weed Ordinance has been advertised for consideration of enactment. A motion was made by David Pool and seconded by Mitch Wolfe to table the Noxious Weed Ordinance until the BOS meets with the CEO. Motion carried.

A complaint was made regarding overgrown weeds at 57 Stump Lane.

Old Business- The BOS met with a representative of Texas Eastern regarding the noise complaint. It was explained that additional work has been happening over the last 6-8 weeks increasing the venting, therefore increasing the noise. Texas Eastern requested addresses of the concerned residents to release their report. They are also planning on replacing their equipment in 2020.

New Business-

- a. Craig Clark requested business cards be made that would include Township information. A motion was made by Chairman Wolfe and seconded by Robert Klinger to approve the request. Motion carried.

- b. Metropolitan Development representative and Attorney for Metropolitan Mike Setley initiated an informal discussion regarding a change to the current zoning of the Blue Marsh Ski Area from HC to MDR to accommodate the development of a multifamily residential complex. The current zoning density for apartments was also discussed. Metropolitan Development expressed a desire for feedback from the Supervisors to determine if it should find an alternate site location or move forward with the project. If the Supervisors are receptive to the project, then Metropolitan may submit a request for a zoning amendment, including Payment of a fee in an escrow account to cover costs related to preparing the appropriate Ordinances. Solicitor Emkey clarified that in addition to the North Heidelberg's PC approval, it will need to go before the Joint Zoning Commission. Planning Commission member Jeff Schatz recommended addressing the current zoning issues regardless of Metropolitan's course of action.

A lengthy discussion ensued regarding demand for additional housing, potential increased traffic, lighting, Stormwater runoff, potential tax revenue versus current tax revenue, management of the property as well as possible zoning changes.

No further action is required at this time.

Action Items- None

Public Comment- Walter Stewart requested a compliance check on Robert Klinger's Industrial Property as well as a report from Township Engineer Rhodes regarding the culvert under North Hill Road. Township Engineer Rhodes explained that no written road assessment report was requested by the BOS, but a zoning report would be filed as requested. A request was made by both Walter and Tucker Stewart to have the section of North Hill Road paved. Township Engineer Rhodes recommended adding an additional culvert and ditching out against the hillside prior to paving.

Bills- A motion was made by Chairman Wolfe and seconded by Robert Klinger to pay bills and the Supervisors agreed to sign checks after the Executive Session. Motion carried.

An Executive Session was called at 9:15 to discuss personnel matters.

A motion was made by Robert Klinger and seconded by Mitch Wolfe to increase Craig Clark's hourly wage to \$21.00 an hour and include 2 weeks paid vacation and holiday's pursuant to the Employee Handbook schedule, effective September 28, 2018. Motion carried.

A motion was made by Mitch Wolfe and seconded by Robert Klinger to increase Tanya Taatjes hourly wage to \$18.00 an hour effective October 12, 2018. Motion carried.

A motion was made by Mitch Wolfe and seconded by David Pool for Roadmaster Klinger to hire Landon Bernheiser for part time work (1-2 days per week) at \$16.00 an hour. Motion carried.

A motion was made by David Pool and seconded by Robert Klinger to hire snow plow drivers with a CDL on a part time basis for \$16.00 an hour. Motion carried.

The BOS discussed recommending to the PC to rezone the former Blue Marsh Ski Property. No further action was taken at this time. The meeting was adjourned at 10:20 p.m.

Next Regular Meeting, Wednesday, October 24, 2018.

Respectfully submitted,

Tanya Taatjes, Secretary

People in attendance:

1. Laura Anne Scheetz
2. JD Lange, Jr
3. George Ferrero
4. Jeff Schlaybach
5. Sheila Stewart
6. Walter Stewart
7. David Hopkins
8. Alice Deanin
9. John Kalbach
10. Kloma Kalbach
11. Jeff Schatz
12. Harold Hoch
13. Robin Hoch
14. Donna Terefenko
15. Brian McFeaters
16. Carrie McFeaters
17. Melody Gift-Gluvensky
18. Ronald Gluvensky
19. Ken Kiebach
20. Barry Goodhart
21. Doug Freeman
22. Mike Settley
23. Sheila Gallagher
24. Russell Getz
25. Brian Swanson
26. LuAnn Wolfe
27. Geneva Aulenbach
28. John Ruth
29. Jenny Black
30. Fred & M. Lewis
31. Kevin Black
32. Bev McHale
33. John Kissling
34. Jim Reazor
35. Toni Reazor
36. Tucker Stewart
37. Randy Lutz