

**MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS  
TYRONE TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA  
January 18, 2017**

The Board of Supervisors Meeting for Wednesday June 15, 2016 was held at the Tyrone Township Municipal Building, 5280 Old Harrisburg Road, York Springs, PA 17372.

**Members Present:** Chairman Lee Roe, Vice-chair James Lady, Supervisor Russell Raub, Treasurer Laura Weaver.

**Others in Attendance:** Bill Hill, David Richwine, Tim and Dot Groft, Joseph Erb, Terry Sheldon, Dave Sharrer, Matt Sharrer, and Dan Sharrer.

**Call to Order:** Chairman Lee Roe called the meeting to order at 7:00 pm.

**Pledge of Allegiance:** Chairman Lee Roe led the Pledge of Allegiance.

**Approval of Previous Minutes:** Lady made a motion to approve the minutes from the re-organization meeting for January, 2017 Raub seconded the motion and the motion passed.

**Bills List:** Lady made a motion to approve the bills list. Raub seconded the motion and the motion passed.

**Public Comments on the Agenda:**

Tim Groft wants to know why the hike is so high for sewer rentals. Tim said it's hard to find renters that will pay the rent. Let alone to pay the sewer hike. Tim asks for an explanation on the hike

Lee Roe states the sewer price was set up low and was planned to be increased from \$30/month to \$50/month after the first two years and then \$70/month two years after the first increase. However, with the increasing costs of keeping up the sewer fund so the hike is \$25.00 this year, up to \$55/month. Rose discussed how we lost funds from the sewer fund last year and how the surplus this year was only because of one time tapping fees from Rutter's. Lee mentioned that some sewer repair expenses were higher than expected. In addition, he adds that the Sewer Fund hasn't begun to repay the borrowed funds from the General Fund. Roe also states we can't keep dumping funds into the Sewer Fund from the General Fund.

Tim Groft wants to know if the rates would be doubled again in six more months.

Russ guarantees that kind of rate increase would not occur as long as he is on the Board of Supervisors.

Tim Groft states that originally the lines were placed in between the buildings. However, since then Rutter's hooked into the alley in front of the buildings. He wanted to know if the township supervisors knew that Rutter's was coming to Tyrone Township.

Russ said that the board had an inkling that Rutter's was coming but didn't know when Rutter's would decide to begin building.

Tim Groft asks if Rutter's was paying their fair share of the sewer usage.

Russ asks Bill Hill to speak on how sewer rates were computed.

Bill Hill states that the sewer rates were based upon the number of properties on the addresses, and that it doesn't matter how many toilets were in each house.

Mrs. Groft wants to know why they couldn't just pay for one unit since they have 3 units they rent that each pay a separate fee and are all part of one property.

Tim Groft also spoke on how the man hole cover in the alley next to his rental property was supposed to have rocks laid down by Rutter's. He states rocks were never laid down on the man hole and that it would become a mud pit.

Bill Hill says that he recommended that Rutter's lay a tapper around the man whole. Hill states that Rutter's would take care of the rocks eventually but weren't there yet.

Lee Roe asks Adam (one of the owners of Walnut Grove Mobile Home Park) his thoughts on the sewer rates.

Adam says he is here about the sewer rates. Adam saw an 83% increase in his sewer rate. Adam says Mobile Home Park doesn't pass on the increase in the sewer rates to tenants. Walnut Grove are paid a flat fee monthly by each tenant, and this fee was already pre-determined for this year. He said it would take years to catch up from this sewer rate increase. He also states he wish he had known in advance to better prepare for this sewer rate increase. He spoke of another township increase that went up \$5.00/monthly increase and he felt he could handle this kind of increase. He said that Walnut Grove was highest user and wish the increase had been more gradual.

Lee Roe states that the township kept the rates artificially low and the township has borrowed almost \$80,000 from the general fund to fund the sewer fund. Roe spoke of the increases of \$20 every two years that was initially discussed by the Board of Supervisors years ago. Lee states that the Township needed to go to \$55 increase instead of increasing to \$50. Lee said it was impossible to know what other expenses would be incurred by the sewer plant in repairs over the next year. Lee apologized for not getting notices sooner out to the residents, but stated that we sent out notices as soon as we had the rate decided upon by the board of supervisors. Lee said no additional sewer rate increases would occur for two more years.

Adam says his budget cannot sustain as is. He states in the past that trying to hold rents steady for a few years then increasing by a large amount is too hard on his residents. He states that gradual increases every year makes for sense for everyone and is easier on most to handle.

Lee Roe agrees with Adam that this made sense, and he felt bad to raise sewer rents on everyone. He hopes that the Township could increase the sewer rates gradually in the future.

**New Business:** Lady made a motion to approve the Greg Kepner's lawn maintenance contract. Raub seconded the motion and the motion passed.

AG Comm/Terry Sheldon states that he saw two supervisors on the conditional use hearing meeting two weeks ago. Terry stated he got conditional use approval last week. Stated that he felt they had rectified items as requested. He wanted to address the two following issues:

1. Requested a modification of the flood plain to the planning committee

## 2. Terry spoke on traffic issues on the intersection

Russ states that he had some outstanding questions in regards to traffic. Raub asks, Will any of the improvements in phase 1 or 2 create additional truck traffic to the site in Tyrone Township?

AG Comm/Matt states that phase one will have no increase in truck traffic. Matt also states that phase two will have a minimal increase of truck traffic.

Russ asks specifically how many trucks do you see bringing raw product to the facility?

Matt states that 3 to 4 trucks per day will be bringing in to supply the extra loads the new flour mill would be producing

Russ asks how many loads per day of finished day will be going out.

Matt states that 3 to 4 trucks per day will be coming out with finished product.

Russ spoke on reduced truck frequency and what the impact would be on AG Comm. Russ felt there could be some offsetting. Russ felt the new methodology testing technology could possibly reduce the number of trucks per day.

Matt said that Russ was thinking of a new testing procedure where inbound traffic was not being held up on the scale. Said they will be testing beans while the truck is in transit instead of holding up traffic on the scale.

Russ asks the board if they want any more info.

Joseph E Erb -agrees that the board has the authority to place conditions on AG Comm because they should be treated as a commercial enterprise. He felt they were addressing the traffic concerns, and reducing the traffic as much as possible. He felt at present that applying for the land development plan would help reduce traffic concerns that AG Comm shares with the township. He said he discussed with the traffic planning commission that a traffic study was unnecessary and he agreed with them. He stated the board was concerned with the traffic on Oxford Road and that these concerns would be reduced with the changes that were made. He said time will tell whether these changes will make a reduction traffic. He asks for a notation on the land development plan that any future plans will be reduce the traffic concerns. He says that AG Comm recognizes these concerns and want to remove these concerns. He says if these improvements do not reduce traffic they will continue to work on improving the traffic.

Matt felt there would be a significant impact on the volume of traffic with the new improvements.

Russ said that board would like to see the necessary resources that AG Comm has on the parcel to improve things for AG Comm and the traffic. He felt that a traffic impact study would be a positive thing as it would memorialize the findings. Russ felt that things were very different in traffic today that a traffic study would help us to understand the road. However, Russ would rather see the traffic study

funds be spent on the land parcel to decrease the traffic volume. Russ asks that his engineer adding to the plan to use funds to improve things at their site.

Dick/AG Comm-states that he wants to fix the traffic situation. He says the number of trucks that come in at the same during harvest is impossible to tell. He states that two more scales being added will decrease the traffic volume. He says AG Comm is interested in doing everything they can to fix Oxford Road.

Russ asks if AG Comm would entertain suggestions to improve traffic.

Dick/AG Comm says that is hard to discuss. He said adding four scales would help but it's not even in the plans right now. He said they are taking 50% of the volume that would sit on the road at harvest at a cost of \$250,000 per scale. He said at harvest time there will always be increased traffic. He says AG Comm wants to fix it. Dick states phase one and two will reduce volume by 50%. He also says they need to negotiate with the neighboring property owners to purchase more land and that they hadn't even started negotiations yet. He spoke of upcoming grain harvests and that he can't delay completing phase one and two, or it will have to be pushed off by an entire year.

Matt says it would take four scales to provide huge relief of the traffic volume.

Jim Lady asks if it makes sense as an option to have scales at the tower.

Matt states that it makes more sense to have the scales at the tower but it takes more land to do that.

Joseph E Erb says that there should be a phase three to finish correcting the traffic issues.

Dick/AG Comm states existing scales would eventually be used for outbound traffic in a potential phase three and it would be another \$250,000 commitment.

Jim asks if AG Comm approached Penndot to widen the road unsuccessfully.

Dick/AG Comm states it would only have fixed south bound traffic, he said working with Penndot wouldn't make sense in the long run. They need more land and scales.

Joseph E Erb asks if it would help to give assurances that there would be a phase three with more scales and land.

Lee Roe and Jim Lady both say yes.

Dick/AG Comm says phase one and two will have a significant decrease in traffic, and says this is necessary.

Matt says phase one and two are time sensitive and that the window of time is closing because construction must be completed between harvest season.

Joseph E Erb states the protection for the board in a potential phase three could be included on the record. He says the new development could move forward with submission of a traffic study at the same time. He knows the township wants to address issues at Oxford Road and AG Comm agrees. However he feels this will take an additional phase, which would be phase three.

Dick/AG Comm states that a traffic study must be completed during harvest time. And says that harvest time is time and money. Dick states the only thing they can do is a potential phase three. He says phase three would nail the issues at Oxford Road.

Russ says he was willing to accept phase one as proposed to Jim, and that the board owes it to the Township to be sure more improvements would be made either during phase two or potential phase three.

Lee wants to know what is in phase three and what the potential timetable would be.

Dick/ AG Comm says it would take at least one and a half to two years to complete.

Matt says once phase two is complete that it would help with the planning of phase three.

Bill Hill wants to know if AG Comm is willing to post a bond about potential improvement to be made equivalent to the cost of a couple hundred of thousand dollars.

Lee states that things can happen and doesn't want an extended time frame to be stretched out forever.

Bill Hill says a percentage of the value of improvements would be the deposit amount.

Joseph E Erb says that engineers would decide the value of the bond. Roe agrees with this.

Raub asks if the project would be started the second week of February 2017, when would it be completed by.

Matt/Ag Comm says it would take 8 to 10 months to complete phase one if they start in February 2017 and September 2017 would begin phase two.

Russ says a phase three could start underway before phase two is even completed.

Joseph E Erb says that phase three was already thought of during the planning commission meeting

Russ thinks by sept 2018 that something for phase 3 should be underway.

Matt/Dick both agree that the above would be a reasonable timeframe.

Joseph E Erb asks if the board can give conditional agreement on the developer's agreement and bond upon review. To which Bill Hill agrees with.

Joseph E Erb states this enables AG Comm to move forward.

Jim makes a motion to accept the modified fill on the flood plain, Lee seconds it-all agree.

Approving conditionally phase one upon Erik's approval of William F. Hill and Associates and submission of draft developers agreement and suggested bond posting within ten days-Jim Lady 1<sup>st</sup>, Russ Raub 2<sup>nd</sup>, all approve.

**Old Business:** Bill Hill states the study done on Rutter's actual flow was 18.4 edu's of sewage. Hill suggests charging between 18-20 edu's rounding based upon current usage. Hill also recommends re-assessing the edu sewage usage every two years.

Russ asks if there is a way to be more fair to Rutter's to have them pay during higher periods of usage and lower during lower periods of usage.

Bill Hill-Sates there would be no easy way to determine Rutter's usage every month in a timely and cost effective manner. Bill says the Township need to bring Rutter's up to date on their actual sewage usage. Hill says that we have 3 months of good data usage.

It is decided that the Township will bill Rutter's at 20 edu's and that the Township will re-assess the actual sewage usage in one year.

Raub states we are going to back bill Rutter's until December 2015 for the original tapping fees and for back usage of sewer billings. As we were charging Rutter's for only 10 edu's per month and it has now been determined that they should be charged 20 edu's per month.

It is stated that the Township is still waiting on the codification.

**Public Participation:** Tim Groft wants to know what will happen with all the old sand mounds that are no longer in use.

Jim says they will remain as they are. Jim states he knows some residents who just put new septic systems in and the had to turn around and connect to the public sewer. Lady says the rate hike was discussed years ago, in Township Meetings. In these meetings, they discussed that every two years the rate would rise. Jim is hoping that the Waste Water Fund will be self-sustaining and that no more increases will occur for two more years.

Russ says that the original rates were set based upon what the Walnut Grove Mobile home park was already charging their tenants. Raub says that the Supervisors wanted to maintain the rates the same for mobile home park and the public in the village. Says that the original agreement said that Walnut Grove Mobile home park would not increase rates for two years. Says he was surprised that one of the owners who knew the rates wouldn't increase for two years and that they knew within a few dollars to what the rates would increase to.

Ed Weigle says he doesn't care why the rates were increased. He states that this percentage of rate increase is ridiculous.

Tim Groft agrees with Ed Weigle.

Jim says that DEP forced the Township to take ownership of the sewer plant and that he really struggled with the rate increase.

Ed Weigle says the last Board of Supervisors that should have continued the septic system out past route 234 from over the hill.

Jim Lady and Russ Raub both agree with Ed Weigle.

Jim Lady says more houses hooking into the sewer would have made the township more appealing.

Russ says the Township doesn't have any business being in the sewer business.

**Adjournment:** Jim makes the motion to adjourn and Roe seconds it, and all agree 9:08pm.