

MINUTES OF THE COLERAIN TOWNSHIP SUPERVISORS – the Regular Monthly Meeting Monday, May 3, 2021 of the Colerain Township Board of Supervisors was called to order by Chairman, Scott E. Shoemaker with a moment of silence followed by the Pledge to the Flag. Supervisors present were: Scott E. Shoemaker, Samuel R. Reinhart. Robin Church was in attendance via cell phone. Carmen B. Wiker, Secretary was also present. A listing of others in attendance will be kept on file.

As per the revision to the Sunshine Law dated 12/98, the audience was advised that the agenda was available to them. Each agenda item will be introduced, motioned and seconded by the Supervisor(s), item will be opened for discussion for the board, and then the audience, and then a vote called for by the Chairman. The Chairman will again ask for any comments the audience may have at the end of the meeting.

**Minutes** of the Regular Monthly Meeting April 21, 2021 were read and reviewed. Several audience members who attended that meeting disagreed with some of the statements concerning the 1790 Georgetown Road permit discussion. Scott tabled the Minutes for later in the meeting when the 1790 Georgetown Road topic will be discussed.

*A motion was made by Samuel R. Reinhart and seconded by Scott E. Shoemaker to table the Minutes. Scott called for the vote – All voted “Aye” – motion carried.*

### **Treasurer’s Reports**

- The Secretary read the Treasurer’s Reports

### **Unpaid Bills- General Fund**

- The Bills on Hand were reviewed. *A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve paying bills totaling \$ 12,134.53. Scott called for the vote – All voted “Aye” – motion carried.*

### **Tax Collector**

- Judy Beiler reported a total of \$ 107,618.75

### **Zoning Officer**

- Joe Chrisman reported a total of \$ 4,481.40

### **Sewage Enforcement**

- Marv Stoner reported a total of \$ 1,150.00

### **Storm Water**

- Nothing to report

### **SALDO**

- The Secretary reported \$ 100.00 for application fees.

**Road Master**

- Cleaned side gutters and mowing

**Co-Op's**

- Scott read the Belt-Loader, Chipper, and Roller 1<sup>st</sup> Quarter Treasurer's Reports

**Public Comment**

- Scott Kulicke asked the Board about how the funding works for the Co-op's and Scott explained that they were setup to pay for Maintenance only.

**Park**

- Ball teams are now using the Park, and the Pavilion needs a new roof.

**Emergency Management**

- Nothing to report

**Solanco Safety Committee**

- Nothing to Report

**Colerain Township Planning Commission**

- Minutes: The April Minutes were reviewed.

**Report on Decision of Hearing(s):** Nothing

**SALDO, Zoning and Sewage Enforcement:**

- Extension Request for Israel Kinsinger for 881 Pumping Station Road; Israel's current deadline is 5-4-21. A new 90-Day extension would make the deadline 8-1-21.

*A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve a new 90-Day Deadline for Israel Kinsinger. Scott called for the vote – All voted “Aye” – motion carried.*

**Storm Water**

- Design Escrow Release for Steven K. Esh for 1880 Georgetown Road. His review release has been approved by the Township Engineer.

*A motion was made by Samuel R. Reinhart and seconded by Scott E. Shoemaker to approve the design escrow release for Steven K. Esh. Scott called for the vote – All voted “Aye” – motion carried.*

**Upcoming Zoning Hearing(s)** None

**Next Meeting** for the Supervisors is Wednesday May 19, 2021 at 7:00 P.M.

### **Old Business:**

- LCATS Draft Resolution concerning request from several Townships to create a County Health Department. Scott and Sam attended the LCATS meeting related to this and overall, most Townships were against this.
- Scott Kulicke asked Scott and Sam if they are in support of the Resolution and they stated that they were.
- The Lancaster County Commissioner's Resolution Rescinding the COVID-19 Declaration of Disaster Emergency was reviewed.

### **New Business:**

- Kirkwood Mennonite Church- Gardell Good was in attendance to present his request for permission to install a private cemetery at the church at 422 Maple Shade Road. There appears to be very little as far as guidelines on this subject on a State level. There are several areas of concern that were expressed by the Board as well as residents in the audience. The main concerns were having room for a secondary sewer system, flooding from the tributary near the proposed site, and Zoning regulations. Gardell had spoken to the Zoning Officer on occasion and it was suggested he go to the Board of Supervisors and also have his attorney reach out to the Township Solicitor. Walter Todd asked the Board if they were aware that the Zoning Officer suggested the Church attorney talk to the Township Solicitor. In the end Gardell was asked to write up a justification letter along with a more definitive plan. Sam agreed to reach out to the Sewage Enforcement Officer.
- Wesley Road Big Truck traffic- Heather Kershner of 183 Wesley Road sent an email to the Township with concern over Large Truck Traffic on Wesley Road. There was a brief discussion including all residents on the attendance sheet as to the legality of putting up signs, the fact that the roads were not built for large trucks, widening the roads years and backfilling gutters with stumps which are now breaking down, more truck traffic in the Township in general, putting in speed bumps, and lack of enforcement if we did have signs. The Board agreed to look into this by talking to PennDot and the Township Solicitor.
- Roller Trailer- The Roller Trailer needs new brakes and Eden Township will take sure this happens since they house it. They checked with each member of the Co-Op about the estimate before proceeding. The cost for new electric brakes will be between \$ 800.00 and \$ 1,200.00.

### Old Business:

- Bob Stanley was in attendance to follow up on the 1790 Georgetown Road permit issuance from the last meeting. There was a lengthy discussion with Bob Stanley with expressed concerns from residents Dick Croyle, Walt Todd Jr. and Scott Kulicke. The following items were discussed:
- April 21, 2021 Supervisors meeting Minutes. There was disagreement from Bob Stanley, Walter Todd, Jr. and Dick Croyle on two paragraphs of the Minutes. Mainly the sentence “Eric Frey did explain that Joe was to call him before issuance of any permits for a new single- family home on this property”. They do not remember him saying that. The Minutes were tabled. Bob provided the Secretary with his written statement from the April 21, 2021 Supervisor’s Meeting which he had read at that meeting.
- Dick Croyle suggested that there be a Court Reporter in attendance at all Supervisor’s meetings where the Township Solicitor is in attendance. The Board agreed.

*A motion was made by Samuel R. Reinhart and seconded by Scott E. Shoemaker to approve having a Court Reporter in attendance at any Supervisor’s Public meeting when the Township Solicitor is in attendance. Scott called for the vote – All voted “Aye” – motion carried.*

- Bob Stanley and Walter Todd, Jr.’s claim that during conversation with Eric Frey, Township Solicitor and Joe Chrisman, Zoning Officer on separate occasions. (Each speaking on different occasions and Eric and Joe not together) were told that no permit would be issued for 1790 Georgetown Road and that Eric stating that he would revoke any permits issued. Walt stated that Joe should have called either Eric or the Supervisors before issuing the permit.
- The difference between a Zoning Permit and a Building Permit and what if any inspections are required for a Zoning Permit. The Board explained that Ag Structures are exempt from the Building Code. Also, there was discussion as to whether or not a permit needed to be issued at all and if not why was one issued.
- Bob presented his Right to Know Request Grant documentation for the Inspections for 1790 Georgetown Road Permit in question. The Board was questioned about why there were inspections if Ag structures are exempt and they explained that they gave the Zoning Officer, Joe Chrisman permission to inspect footers on all Ag Structures. Walter Todd, Jr. former Supervisor who served during that time also remembered giving permission for footer inspections on Ag Structures. They were then questioned why hurricane straps were inspected in addition to footers. The Board will look into this.

- Bob also restated concerns regarding Sections 6.01, 10.04, 16.01.01, and 16.01.03 of the Zoning Ordinance which he feels the Zoning Officer violated, mainly 6.01 which states (in simple terms) you must have road access in order to be given permitting for any structure.
- The Board was asked how Joe Chrisman felt about issuing the permit; they spoke to him and feels comfortable. Bob read Section 16.1.03 again which states Zoning Officer duties so as to make sure the Board understood his reason for requesting Joe's resignation.
- Scott Kulicke reminded the Board that they have two separate issues to deal with. First, the issuance of the permit, and second Joe. He feels that Joe needs some sort of Supervision, and is not in step with the Board of Supervisors sentiments.
- Bob is interested in appealing the Zoning Officer's decision to issue the permit; if he would win what remedy would be taken? Scott Kulicke asked if is application fee would be refunded. Scott Shoemaker will talk to Eric about the remedy and no refund will be issued.
- Scott Shoemaker asked permission from Bob Stanley to drive back his driveway so as to look at the building project progress at 1790 Georgetown Road. Bob gave him permission.

**Any Other Business:**

- Dick Croyle expressed his interest in having another Joint Meeting with the Planning Commission, Zoning Hearing Board, Supervisors, and Zoning Officer.
- Scott Kulicke asked for an update on Frederick Way-nothing new since Lisa was here on April 21, 2021.

**Adjournment**

- *There being no further business to be brought before the board, the board, on motion by Samuel R. Reinhart and seconded by Scott E. Shoemaker agreed to adjourn at 8:55 P.M. Scott called for a vote – all voted 'aye' – motion carried.*

Respectfully Submitted,

Carmen B. Wiker, Secretary