

ATHENS TOWNSHIP SUPERVISORS

March 3, 2011 1:00 PM

Chairman Ronald Reagan called the meeting to order at 1:10 PM. Supervisors Jack Walter, Maurice Fay and Robin Smith were in attendance, as was Attorney John Thompson. Cheryl Wood-Walter was unable to attend. Others in attendance were Zoning Officer Edmund Reid, Planning Commission Vice Chairman Clif Cheeks, Tim Hanson and Jamie Ledbetter of Tennessee Gas Pipeline (TGP) and their attorney, Elizabeth Whitmer.

Voice of the Residents: None

Ron turned the meeting over to Attorney John Thompson. John explained that TGP had filed a sketch plan with Planning Commission asking for their input and then filed a land development. The land development was reviewed by Planning Commission and several deficiencies were found. TGP then withdrew their land development, claiming they were regulated by FERC and were exempt from our regulations through the Oil and Gas Act. Ed Reid later received a PA One Call for TGP to begin construction of their pipe yard, after which he issued a Cease and Desist order, which is the reason for this meeting.

Ed Reid explained that there were 2 issues of contention – the fencing of the facility and the paving of the parking area. He said he met with representatives of TGP at the site yesterday and they explained in better detail what they have planned for the site.

Elizabeth thanked the Board for holding this special meeting. She explained the pipe that will be at this location will be used to complete an 111-mile pipeline project. The pipe will be trucked here to the staging area and stacked, then they will put each piece (joint) into forms and enclose them in concrete. The concrete will be delivered and poured into the forms on-site. The following day they will remove the forms and do the next set of joints. They will then be loaded onto off-road trucks to take them where they will be used. The pipes will be setting on earthen berms and will be held together by “clips” to keep them from rolling.

Discussion was held as to the fencing of the property. Elizabeth asked if there was any concern about stealing and they said no. Jack said we are looking to have the facility fenced for safety reasons. Robin said the Valley Youth Soccer fields are very close by and children are curious. Elizabeth said they would be installing a 3-ft. silt fence – it would be obvious that you weren't supposed to be in there. They are supplying the pipe for a project that has to be in service by November, so their active time at this site will be from April/May through November. She said yesterday they had orange safety fence on stakes/”T” posts. They plan to have cable gates at the three entrances. Maurice said he thinks it's far enough away from the soccer fields – if the pipe is still there in August they could consider doing security sweeps. Maurice said we have a lot of nosey people around.

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Jamie said they could put a gate up on "Road B" closer to Lamoka Road to help keep people from driving down in there. They would have to work that out with the other landowners. Jack thinks they would cooperate.

Ron asked what their hours will be at the site. They will be from 7 AM to 5:30 PM. They will not allow any drivers to park there overnight.

Elizabeth said this facility will be monitored by FERC and DEP. They have to do weekly inspections and also need to inspect when they have a rain event of ½" or more. When there is activity, they will be inspecting every day.

Ron asked how close to the project they are. The project will run just south of Troy and down 220. Ron asked why they decided to locate here. They said it's hard to find a spot. Ron asked how many trucks they expect a day, and they will have between 6 – 10 trucks a day. The project will be putting another line next to the existing line (looping).

Tim said their lease runs through May of 2012, but they expect to be done in November and will need the additional time to reclaim the site. They will be scraping the topsoil off and creating the berms with the topsoil.

Ron said the road from Lamoka Road to the pipe yard is not paved. How will you keep the dirt from coming onto the township road, or into the Mill's Pride site. Jamie said they can install a rock entrance pad. Ron asked them to get us a copy of the engineering drawing for that, and Jamie said he will get that to us. Ron asked if Road B will handle their trucks and they said it's a good gravel-base road. Ron said there are utility lines down there that you have to be careful of. Robin said the drainage ditch along either side of Road B drains that entire hillside and field, so that can't be disrupted. Tim said they could put culverts at each entrance if needed.

Ron asked John Thompson if we can issue this as a temporary zoning permit, and he read the definition. Elizabeth asked what the length of a temporary permit is – 14 days?? Ron said such permits are good for up to a year. John asked if the only coating they're doing is concrete and they said yes.

Chairman Reagan took the Board into executive session at 1:43 PM. The regular meeting reconvened at 1:48 PM.

On motion of Ron, second by Jack, it was unanimous to lift the Cease and Desist order; to have Ed issue the temporary permit to Tennessee Gas Pipeline for their pipeyard with the following 3 conditions: 1) Assurance in writing that the pipe will be completely out of there by December 1, 2011 with final restoration by the end of the lease, 2) they

install orange fencing around the pipe area, and 3) we receive a copy of the rock entrance pad drawings and make sure it is working properly at the Lamoka Road intersection. Elizabeth thanked the Board.

Ed Reid said he was approached by Rick Heckman to see if he can burn brush from the cemetery property. He can burn limbs only – no leaves or garbage.

Ron, Ed, and Clif Cheeks and Kathie Hunter have been meeting to update our SALDO ordinance, and in their discussions, Kathie said we are not required to advertise all our subdivisions and land developments or hold a public hearing on each one – the MPC says “may”, not “shall”. Discussion was held. On motion of Jack, second by Maurice, it was unanimous not to advertise the subdivisions and/or land developments unless they are something Ed Reid feels we need to advertise.

Ron said Ruth brought some credit card issues to him concerning the use of the employee cards. The police department uses their employee credit cards to make purchases from their clothing allowances, and Ruth has a hard time getting a receipt for items. Right now the road crew purchases their items from their clothing allowance and then turn their receipts in for reimbursement. Maybe we should do that with the police department as well. Ron said they also are trying to use up their clothing allowance before the end of the year, and seem to be doing a lot of purchasing between Christmas and New Year’s. It was suggested they be required to spend their clothing allowance by November 1st, so we will also have some idea of what we need to budget. Discussion was held. On motion of Robin, second by Jack, it was unanimous to require the police department to purchase items from their clothing allowance themselves, and then submit the paid receipt to Ruth for reimbursement; and to have November 1st as the last day of the year to use their clothing allowances, except in extenuating circumstances. This will become effective on April 1, 2011.

Chairman Reagan took the Board into executive session at 2:03 PM for personnel issues. The regular meeting reconvened at 2:40 PM.

On motion of Ron, second by Maurice, it was unanimous to accept the resignation of Ty Reynard from the Planning Commission. Ty has resigned because of work commitments.

On motion of Ron, second by Robin, it was unanimous to appoint Marion Carling to fill out the term of Ty Reynard on Planning Commission (term to expire October 30, 2011) contingent upon her resignation as alternate to the Zoning Hearing Board.

On motion of Robin, second by Ron, it was unanimous to appoint Wally Haggerty as alternate to the Zoning Hearing Board.

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Robin advised the Board that Laurie Bowen has found another position and will not be able to give us 20 hours a week. On motion of Ron, second by Robin, it was unanimous to set Laurie's last day as March 11, 2011, and to advertise for a new Assistant Zoning Officer.

There being no further business, on motion of Robin, second by Maurice, it was unanimous to adjourn the meeting at 2:46 PM.

Respectfully submitted,

Robin L. Smith
Secretary