

Minutes of South Beaver Township Regular Meeting

September 11, 2012

The regular September meeting of the South Beaver Township Board of Supervisors held in the South Beaver Municipal Building was called to order at 7:00 P.M. by Chairman Matthew Balik. The Pledge of Allegiance followed.

Officials present: Matthew Balik, Daniel Rastatter, Clair Young, Debbie Pettner, David Gropp, Craig Baker, Dan McLean

Others present: Kurt Magness, Richard Barger, Dan Nabor, Adam Wright, David Overstreet, Steve Hall, Jim Gade, Brett Bankert, Stephan Ault, Amy Dugan, Jim Lenneman, John Abbott, Dave Thompson

Clair Young made a motion to approve the minutes of the last meeting. Dan Rastatter seconded the motion. Motion carried.

There was no Treasurer's Report.

Dan McLean gave the Police Report and it will be filed. Dan McLean reported that due to the County upgrade new radios for the police and road departments were installed today. There is a radio for the Township office to be installed.

There was no Fire Report.

Kurt Magness gave the Road Report. Allen Road was single sealed. Court, Sterling, and Allen Roads were bermed. Lihi Road was being addressed. Dillon Well Drilling is repairing the pumps at the Fire Station and a new lid lock was put on the well.

We will continue to use our current gas cards through Voyager.

Dan Nabor of Cordak Drive was present to see what had been done about his complaints on his neighbor's property. Debris and high grass make it an eye sore. A letter had been sent out and the owner was cited. The owner paid the fine. He still hasn't cleaned up the property. Dan McLean will issue citations weekly to see if he will clean up the property. Solicitor David Gropp will look into issuing a civil citation, which would eventually put a lien against the property.

John Abbott said plans were submitted and the Township approved the plans for the road work on Lime Kiln and Moore Roads. The work was completed. There are deep ditch situations which need corrected. John Abbott submitted proposed plans to correct some of the issues. Dan Rastatter made a motion to accept the proposed repairs, that the road master be available to meet with John Abbott to discuss additional issues not addressed in the new plans, and under drains be installed where needed. Clair Young seconded the motion. Motion carried. Craig Baker took measurements and pictures to show the road was not built to slope. A corrective action plan is needed. Craig Baker will meet with John Abbott to determine areas still needing fixed.

Chesapeake Appalachia had a draft of a sample road maintenance agreement to be considered on Hodgson Road. The Township said a maintenance agreement did not work well the last time we entered into one and Hodgson Road is a busier road. Clair Young stated they need to fix the road to the Township's specs and then the Township will issue the permit.

Jim Gade of Stantec on behalf of Utica Gas Services relative to the Beaver Creek CDP Land Development project and related Thompson Subdivision Plan requested the Supervisors to grant Utica Gas Services a waiver so that Utica would not have to construct the proposed private roadway to comply with the specifications of the Township's Subdivision and Land Development Ordinance without the landowners involved signing a Consent, Waiver, and Release document. Utica had asked said landowners to sign and they now refuse to do so, including Dave Thompson, an Applicant for the Thompson Subdivision Plan approval. A lengthy discussion was held. In accordance with suggestion of Mr. Overstreet, Attorney for Chesapeake Energy Corporation and its affiliate organizations, to force resolve of the issues, Matt Balik made a motion to that the Board of Supervisors shall issue Conditional Approvals to Utica's Beaver Creek, CDP, Land Development Application and the related Thompson Subdivision Applications, setting forth conditions, including requirement of a Performance Bond for construction of the proposed private roadway to the Township Ordinance specifications, with provision that said Bond could be reduced in dollar amount sufficient to assure construction only of the Cul-de-Sac area at the terminus of Lime Kiln Road if no involved landowner files a land appeal to the Conditional Approvals within thirty days of issuance of same. If a land appeal is filed, the Performance Bond to assure construction of the proposed private roadway to the Township's Ordinance specifications would remain in effect and be held until the matter is settled by Court proceedings or other resolve reached by all parties involved. Dan Rastatter seconded the motion. Motion carried.

Debbie Pettner will send a list of items needing repaired to Lt. Col. Tom Niichel with the National Guard relative to a service program being offered by the National Guard.

An estimate from TEC Electric has been received for additional street lights to be installed at the intersection of State Routes 168 and 51. The estimate was \$2,495.00. We need to check into who maintains lights and the cost. A light might take away from the flasher. This item is tabled until the next meeting.

Matt Balik made a motion to adopt Ordinance No. 75, with provisions therein that all mineral/resource extraction be permitted only as a Conditional Use in the R-1, Residential Zoning Districts. Clair Young seconded the motion. Motion carried.

Dan Rastatter will get a quote to rent a trailer with a restroom and without a restroom to use as a temporary office when Carol Miller retires at the end of the year. A job description will need written and posted to replace Carol Miller. Debbie Pettner will fill in part time while Carol Miller is out on disability.

The Police Contract will need looked at by the end of the year.

Our next meeting will be on Tuesday, September 25, 2012 at 7:00 p.m.

Matt Balik made a motion to adjourn the meeting. Dan Rastatter seconded the motion. Motion carried. Matt adjourned the meeting at 10:10 p.m.

Respectfully submitted,

Debbie Pettner, Acting Township Secretary