

December 8, 1999

The Codorus Township Board of Supervisors met in regular session on December 8, 1999 at 7:30 P.M. Board members present were: Lamar Glatfelter, Brian Baer and Goldie Day. Others present were: Solicitor John Herrold, Irvin Rappoldt, Kelly Mills, Robert Finke, Rick Lego, Wayne & Irma Burkhardt, Marsha McKnight, Ann H. Corum, Robert Bull, F. Bernard & Helen Shaffer, Charles & Dorothy Allison, Charles Wheat, Melville G. & Ann Jones, Ennis Tyler, Charles Wisner, Rev. Richard Weaver, Jonathan Weaver, Wayne & Patricia Smith, Sheila Fink, Angela Gwinn, Joann & Leland Snyder, David & Brittany Rehbein, Marion J. Blume and Dennis Wagner.

Chairman Glatfelter opened the meeting with the Pledge.

The minutes were approved as written. The treasurer's report was presented to the Board.

Under public comments- Charles Wheat asked if there is anything new to report on the police study. He was told that we have nothing to report.

Marsha McKnight took the floor and asked the Board to go into private session and rescind the appointment of James Bailey to the Township Planning Commission. She doesn't feel that Jim should sit on the Planning Commission since there is a conflict of interest, that Jim is protected from any lawsuits, the solicitors protect him. She also asked if Jim has a Nutrient Management Plan and if the Township has a copy. She also wanted to know who checks Jim's operation. She feels that random checks should be made to make sure he is complying with regulations.

Solicitor Herrold said he disagrees with Marsha, that a Planning Commission member is not immune to being sued.

The Board told Marsha that Jim does have a Nutrient Management Plan. There is a copy at the Township office.

Gerry Jones reported that he talked to Charlie Pitts of Penn State. Mr. Pitts has not retired as previously reported. He asked Dr. Pitts for a copy of the fly report that was done in 1996, but has not received a copy.

Robert Bull reported that he talked to Tim Beck of the York Penn State Extension office. Mr. Beck has a new position with the YCCS. There are no regulatory agencies to monitor the egg producers, except the Nutrient Management Plan. Mr. Bull stated that the NRCS (National Resources Conservation Service) may be of help in this matter.

Charles Wisner talked to Glenn Beaver of the State Department of agriculture. He was in the area today and talked with Mr. Wisner. He said that Jim Bailey is doing the right thing by spreading manure at this time of year, since the ground is usually frozen. The warm weather has not cooperated with the spreading of manure. Mr. Wisner stated that this past Saturday Jim had manure spread behind the houses of the persons that were at the December 2nd meeting. The residents feel that this was done out of spite to those complaining at the above meeting.

Marsha McKnight had many more remarks about Jim's operation and the need to get him off the Planning Commission.

Leland Snyder said his concern is about factory farms. He feels that the Zoning Ordinance should be looked at for changes.

Lamar Glatfelter doesn't know if anything can be done to tighten up the zoning.

Word is out that Jim Bailey is buying the Keesey farm on Rockville Road and that Jim plans to use the large loafing building on the property to dry manure. Leland Snyder asked if a factory farm can be moved from one location to another.

The group of residents living in the Rockville area were all present due to the rumor that Jim is buying the Joyce Keesey farm. Their concerns are that their quality of life will be affected with water contamination, and other health problems.

Ann Corum said she knows that some nuisance cases have been won. If the residents band together and bring a nuisance case. She has a lawyer to recommend.

Solicitor Herrold explained that the State has various codes and the Pennsylvania Municipalities Planning Code regulates Zoning. There are certain duties that a Board of Supervisors is prohibited from enforcing. A Township Zoning Ordinance must allow most any use somewhere in the Township. There are also Federal laws that must be followed.

One resident asked if the Bailey operation isn't two separate operations. To him it seems like one operation is similar to a trucking company.

Sheila Fink stated that the manure from the Bailey operation was spread in back of the houses along Rt 516 for spite. It seems that only those at the December 2nd meeting had manure spread directly in back of their homes.

Many of the residents present stated their concerns about the large livestock operations in the Township and the problems associated with the operations. They are demanding that something be done.

Leland Snyder wanted to know what recourse the residents could take regarding their concerns. Solicitor Herrold told the group they could form a committee and bring some kind of action as residents, not involving the Board of Supervisors.

The residents decided to go this route and Melville G. Jones offered to take the lead. Residents will be asked to attend meetings, contribute to the cost of legal advice, etc.

As for Marsha McKnight's request at the beginning of the meeting, Solicitor Herrold said he would like to do some research before advising the board on removing a member of the Planning Commission before their term expires.

Irvin Rappoldt gave the report of building permits issued during the month of November. Eight permits were issued. He reported that Tom Diven is at work taking down the block wall. He also said that Charles Stackhouse is putting a full addition on his house for his parents. This is not a hardship case. The Board feels this is not in conformance with the zoning ordinance. Irvin was also told to get an agreement from Ruth Goeb regarding the addition she is putting onto her garage to house a diabetic friend. Also Irvin was told that the Duncans on Fairs School Road are operating a Bed & Breakfast without a permit. He will check this out and also the building on the William Davis/Debra Smith property where it is believed someone is living illegally.

Kelly Mills has requested that she be allowed to charge a \$3.00 fee for preparing duplicate tax bills for non-residents, especially mortgage companies; that she be permitted to charge for returned checks, and also that she be paid \$0.25 for each per capita tax that she liens. The cost for the additional monies for lienied per capita taxes would amount to an average of \$87.00 per year.

Goldie Day made a motion that the Board authorize the elected tax collector to charge non-residents \$3.00 for each duplicate bill prepared, that any fees charged to her account by the bank for returned checks be charged back to the party responsible in the amount charged by the bank. Also, this motion approves a request by Kelly for \$0.25 commission on all per capita taxes lienied, beginning January 1, 2000. Brian Baer seconded this motion. This motion carried. Vote 3-0.

Solicitor Herrold reported that the SPCA Agreement is still hanging around and some municipalities have opted to make an annual donation instead of signing the agreement.

Lamar Glatfelter made a motion that the Township make an annual donation in the amount of \$100.00 to the SPCA instead of signing the agreement, seconded by Brian Baer. This motion carried. Vote 3-0.

Lamar Glatfelter made a motion to re-appoint Leland Snyder to another 3-year term on the Township Zoning Hearing Board, seconded by Brian Baer. This motion carried. Vote 3-0. This term will run from January 1, 2000 to December 31, 2002.

Lamar Glatfelter made a motion to sign Resolution 99-4 regarding the Census 2000, seconded by Goldie Day. This motion carried. Vote 3-0.

The 2000 Budget has been legally advertised and open for public inspection.

Brian Baer made a motion to adopt the 2000 Budget as proposed, seconded by Lamar Glatfelter.


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This motion carried. Vote 3-0.

The bills were presented to the Board. Brian Baer made a motion to pay the bills, seconded by Lamar Glatfelter. This motion carried. Vote 3-0.

The meeting adjourned at 10:10 P.M. on motion by the Chairman.

Respectfully submitted,


Goldie Day, Secretary