

February 3, 1997

A special meeting of the Mount Joy Township Supervisors was called to order by Chairman Beebe at 7:32 PM on Monday February 3rd, 1997. The meeting was called to address three items that were time sensitive. Two requests from Tax Collector Conover and a possible appeal of the recent decision allowing mining to resume on the Clapsaddle property.

11 citizens were present

Supervisors Dayhoff and Long were also present.

Assistant Secretary Long recorded the minutes as Mrs. Koontz was unable to attend.

After a short informal discussion a motion was made by Mr. Long to change the rate of compensation for the Tax Collector to 5% for all taxes collected at discount, at par, and at penalty. Motion seconded by Mr. Dayhoff, carried unanimously.

After a short explanation of Mrs. Conover's second request, as well as advise from Mr. Heiser our attorney, Mr. Beebe called for a motion to get a resolution written to authorize Mrs. Conover to make a \$5.00 charge to verify tax amounts to various interested parties. Mr. Long made a motion, second by Mr. Dayhoff. Carried unanimously.

Mr. Beebe explained the purpose of the rest of the meeting is to determine if the Supervisors want to appeal the decision of the zoning Hearing Board regarding granting a non-conforming use status to the mining/quarry operation on Mr. Clappsaddle's property.

Mr. Beebe asked who wants to appeal this decision.

Mr. Dayhoff responded he did on behalf of a Zoning Hearing Board member who approached him what some misgivings regarding a definition of what constitutes mining. There appeared to be some stock piling of material but not actual extraction. He discussed this with the attorney, the Zoning Enforcement Officer, and the other Supervisors.

Mr. Dayhoff then moved that the Supervisors appeal the Zoning Hearing Board's decision in this matter.

Mr. Long seconded the motion, stating reserves the right to be against it.

Mr. Long queried all present for a definitive answer to the question raised about the mining laws in PA.

Mr. Beebe explained we are here to decide to appeal or not appeal the decision of the Zoning Hearing Board. He also stated he is not inclined to appeal this decision as there have been no complaints from the citizens of the Township, as well as the fact that he has a great respect for the three members of the Zoning Hearing Board. Additionally the case has been heard and he has no desire to hear it again.

Mr. Long read a prepared statement into the record (copy attached) after which he withdrew his second.

Mr. Beebe announced the motion dies for the want of a second.

Mr. Dayhoff asked to make a statement, he stated the reason he has brought this up was to look into the facts, and be sure the process was complete.

There being no other business Mr. Long moved for adjournment, Mr. Dayhoff seconded, carried, adjourned at 8:12 p.m.

Submitted by Earnest E. Long, assistant secretary.