

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

January 8, 2007

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

John T. Titzel
Lloyd W. Bucher
Peddrick M. Young, Sr.

TOWNSHIP PERSONNEL

Thomas Vernau, Manager
Jan Faust, Assistant Manager
Nancy Dietel, Finance Director
H. Edward Black Daniel Flint,
Township Engineer
Dan Christ John Eby, Planning and
Zoning Coordinator
Frank Williamson, Public Safety Director
Rich Mellinger, HR Specialist
Charles Snyder, Police Chief
Gregory Thomas, Police Sergeant
Donald Sentman, Police Corporal
Christopher Yohn, EMS Captain
Steven P. Miner, Solicitor
Trudy Metzler, Recording Secretary

President TITZEL called the Regular Meeting of the Board of Commissioners of Lower Allen Township to order at 7:30 p.m. followed by an opening prayer and the Pledge of Allegiance. He announced Proof of Publication was available for review.

APPROVAL OF MINUTES

Approval of Minutes from September 25, 2006 Regular Meeting of the Board of Commissioners

Commissioner CHRIST moved to approve the Minutes from the September 25, 2006 Regular Meeting of the Board of Commissioners as submitted. Commissioner BLACK seconded the motion. Motion carried 5-0.

Approval of Minutes from November 13, 2006 Regular Meeting of the Board of Commissioners

Commissioner YOUNG moved to approve the Minutes from the November 13, 2006 Regular Meeting of the Board of Commissioners as corrected. Vice-President BUCHER seconded the motion. Motion carried 5-0.

Approval of Minutes from December 11, 2006 Regular Meeting of the Board of Commissioners

Vice-President BUCHER moved to approve the Minutes from the December 11, 2006 Regular Meeting of the Board of Commissioners. Commissioner CHRIST seconded the motion. Motion carried 5-0.

PROMOTION CEREMONY FOR CORPORAL DONALD SENTMAN

Judge Charles Clement administered the Oath of Office to Donald Sentman, promoting him to Corporal in the Lower Allen Police Department.

APPROVE RESOLUTION 2007-R-02, RECOGNIZING SAMUEL MORGAN FOR 20 YEARS OF SERVICE TO LOWER ALLEN TOWNSHIP

Commissioner YOUNG moved to approve **Resolution 2007-R-02**, recognizing Samuel Morgan for 20 years of service to Lower Allen Township. Vice-President BUCHER seconded the motion. Motion carried 5-0.

APPROVE RESOLUTION 2007-R-03, RECOGNIZING MARK WILLIAMS FOR 25 YEARS OF SERVICE TO LOWER ALLEN TOWNSHIP

Commissioner YOUNG moved to approve **Resolution 2007-R-03**, recognizing Mark Williams for 25 years of service to Lower Allen Township. Commissioner BLACK seconded the motion. Motion carried 5-0.

EMPLOYEE RECOGNITION

The following employees were recognized for their years of service to Lower Allen Township:

Christopher Yohn	5 years
Tony Calaman	5 years
Linda Hockenberry	15 years
Tanya Thomas	5 years
Samuel Morgan	20 years
Mark Williams	25 years

Samuel Morgan and Mark Williams were also recognized for their Performance Award Nomination for Above and Beyond, as well as for Valor.

LIBERTY FORGE NOISE ENFORCEMENT REQUEST

Mr. Vernau advised the Board that a letter received from Liberty Forge informing the Township that golf operations would be continuing in the spring. With the proposed construction of the permanent banquet facility and restaurant, Liberty Forge would like the Board of Commissioners to consider its prior request that the Township take-over noise enforcement.

John Williams identified himself to the Board and advised the Board he was appearing before them for the purpose to comment regarding the carve-out for Liberty Forge. Mr. Williams hoped all the concerns have been addressed regarding the carve-out for the noise provisions of the Liquor Control Board.

Mr. Williams reviewed comments made at the December 26, 2006 Board of Commissioners meeting by Steven Urban, a licensed private investigator hired as a professional for Liberty Forge to ensure compliance with Lower Allen Township's Noise Ordinance. Those comments addressed misconceptions and erroneous statements concerning compliance by Liberty Forge, including erroneous statements in the record of the prior meeting of the Township.

Mr. Williams stated that for 2-1/2 years, Mr. Urban has documented that Liberty Forge has fully complied with the Township's Noise Ordinance with not a single violation. Also, there was no violation of the mediated accord that was made in early 2004 between Janey Gunn, the neighbor, and Liberty Forge.

Mr. Williams advised the Board that Liberty Forge cannot comply with the noise provisions of the Pennsylvania Liquor Control Board, which provides that not one decibel of sound can cross a property line. After Ms. Gunn involved the Liquor Control Board, the prior mediated accord was abrogated. After Liberty Forge was reported to the LCB in October, 2006, Liberty Forge met with the Enforcement Section and was told that there would be "regular property line patrols of the property of Liberty Forge" to determine if any sound crossed the property line. Mr. Williams stated that the noise provisions of the LCB are more demanding and strict than the Lower Allen Township noise ordinance.

After meetings with the LCB in December, Liberty Forge made the decision to immediately discontinue business operations. The licenses issued by the LCB are the amusement license and the liquor license, both essential to a banquet operation. Mr. Williams stated that the supervisor for LCE suggested that remedy was to secure a carve-out from the noise provisions of the Liquor Control Board. Commissioners, staff and solicitor have been furnished, by Liberty Forge and its counsel on Liquor Control Board matters, the documents necessary to effect a carve-out which is the adoption of a resolution and the filing of a petition with the Liquor Control Board. Mr. Williams stated that this matter has been pending before the Township for over four weeks. Mr. Williams further stated that he is not asking the Board to take action on this matter for his benefit or the benefit of Liberty Forge as a company, but for the benefits and advantages of continuing the operations of Liberty Forge and permitting it to grow.

Mr. Williams stated that in a letter dated January 2, 2007, the Township was notified that the Liberty Big-Top Tent would no longer be used regardless of the Board decision on a carve-out.

Mr. Williams advised the Board that Liberty Forge's attorney on permitting and planning, Mr. David Martineau, had a phone conversation today with Mr. Miner, Solicitor for the Township. Mr. Williams was left with the impression that Mr. Miner feels that this is a decision to be made by the Board, he sees no impediments, that it is not an issue that is has to be done for everyone, and a two-year carve-out is not practical.

Mr. Williams introduced Mr. Martineau and Mr. Bony Dawood, Chief Executive Officer for Dawood Engineers. Mr. Williams stated that Mr. Dawood has also met with members of the Staff and Manager regarding Liberty Forge's plans for moving forward.

Mr. Williams advised the Board he would answer any questions.

Vice-President BUCHER commented that he was surprised this was on the agenda. When Liberty Forge ceased operations, he was under the impression that Liberty Forge was seeking and developing a different business plan and he thought the carve-out was a non-issue.

Commissioner BLACK commented that the Commissioners do not have any information about what Mr. Williams is planning for Liberty Forge. Mr. Williams responded that Mr. Donawick is in attendance. Mr. Donawick met with Dan Flint as well as John Eby and the Township Manager. Mr. Williams has had a number of discussions with Dr. Park regarding his adjoining acreage. In the meeting with the Township, it was expressed that Dr. Park's acreage should be zoned similar to what the Township zoned Liberty Forge. A portion of the present property will be devoted to residential housing. Most of the programs would be retained including most of the golf course, which would include the driving range, etc. They are hoping to build a restaurant with banquet facilities in the activities area as well as a casual restaurant. Future development would include taking a substantial part of the property and develop a gated community. It would be a condominium complex with separate villages with difference price points for the villages. It would be controlled by individual condominium complexes with an overall super-condominium to manage the entire complex. There would be facilities for everything from sculpturing, art classes, woodworking, metal work, model airplanes, spa, etc. It is Mr. Williams' belief that 50% of the property must be in developed recreational area and will be a lifestyle community. Upon acquisition of the Park property there would be additional holes on the golf course and a high-end resort hotel with indoor and outdoor pools, hot mineral spring water, huge spa, etc.

Commissioner BLACK asked if there is a plan depicting these ideas. Mr. Williams responded that they are now in the planning stage. Commissioner BLACK inquired if the restaurant proposed between the creek and Lisburn Road would replace The Wedge. Mr. Williams advised the Board that under the new program The Wedge would become the community center. Commissioner BLACK inquired if there is a chance that the uses that would take place at the existing location would be less intense, i.e., quieter than what currently happens.

Commissioner BLACK commented that the Commissioners have been told that things are going to be changed, but no plan showing location has been provided and inquired if there would be a problem. Mr. Williams responded that the Commissioners are the judges and he is not asking for approval in advance. It is all subject to plans being submitted in the normal channels.

Commissioner BLACK responded that he is not referring to the plan but that Mr. Williams is asking the Commissioners to take action at this meeting to carve-out Liberty Forge for noise purposes, but under the new plan the Commissioners may not have a problem. Mr. Williams stated that due to the complexity of the proposed plan, it would take 6 to 9 months to develop the plan.

Commissioner BLACK commented that the Board knows that Liberty Forge has complied with the noise ordinance for 2-1/2 years. When Staff researched this issue with the LCB, Staff was told that the removal of Liberty Forge's license was never a question, it was not imminent. Mr. Williams responded that prior to the meeting with the LCE, Liberty Forge was told it would happen and at the meeting they said it would happen. There were five people from Liberty Forge's staff, including Mr. Urban, present at the meeting. Mr. Williams further responded that whatever LCE told Staff, he has verified differently by five other people.

Commissioner CHRIST commented that he felt research should be done with Mt. Holly Springs regarding the success of the carve-out of the Deer Lodge, what it has entailed cost-wise, what the impact has been on the neighbors of the Deer Lodge and the history has been since the carve-out was enacted last August.

Commissioner CHRIST inquired if Mr. Williams is seeking the same relief from Upper Allen Township as the property straddles the township lines. Mr. Williams stated that although Upper Allen Township is part of the overall development, as far as LCE purposes Upper Allen is a dry township and they have nothing to act on. Liberty Forge does not conduct any liquor beverage operations in Upper Allen Township.

Commissioner CHRIST further inquired if the carve-out of the noise ordinance sought by Liberty Forge would only refer to amplified music at the establishments that serve liquor or does it apply to noise in general. Mr. Williams advised that it applies to noise in general but amplified is in the definition of the objectionable feature.

Commissioner YOUNG asked if carve-out referred to is strictly for Liberty Forge. Mr. Williams responded that it is.

President TITZEL inquired how many acres Mr. Williams planned to develop. Mr. Williams responded that if the Park property is acquired, the 35-acres in Upper Allen Township requires a minimum lot-size of 5 acres. There are a lot of steep slopes, wetlands as well as a stream on the Upper Allen portion. Right now Mr. Williams is focused on the 100-acres currently owned. Housing will be basically around the Gunn property where the noise issue exists. Mr. Williams further stated that he would love to buy the property. The owners have talked about selling but they have not given Mr. Williams a price.

President TITZEL asked for clarification of Mr. Williams' reference to a 2-year carve-out. Mr. Williams stated that it was suggested to the Township Manager by Mr. Miner as a possible option. Mr. Williams further stated that it is not practical.

Mr. Miner stated that he spoke with Mr. Martineau today and did not discuss anything regarding a time limitation on the carve-out. He told Mr. Martineau it was strictly what the Board decided on the carve-out. Mr. Miner emphasized that there was no discussion in his conversation today with Mr. Martineau about time-limitations. Mr. Williams inquired as to Mr. Miner's position with regard to the time-line. Mr. Miner again stated that it is up to the Board to decide.

Commissioner YOUNG inquired about the length of a carve-out as established by LCB. Mr. Miner stated that the document provided by Mr. Clark today as well as the petition to be filed with the LCB, the Township would have the right to review the carve-out, the length is not set in stone. Commissioner YOUNG commented that he was not making a statement either way. In the scenario of Restaurant Row in downtown Harrisburg he thought he had read where the initial carve-out was for a 2-year period. Commissioner YOUNG stated that he was attempting to ascertain if it was requested by the City of Harrisburg or was it something that comes down from the LCB and if the Board were to grant a carve-out and there was a specific timeframe, could the Township go back to the LCB and revoke the carve-out. Mr. Williams stated that as he understands it, the Board would give a carve-out but could revoke it at any time.

Vice-President BUCHER commented that almost every week it is in the newspaper that a municipality or the Liquor Control Board is attempting to revoke licenses for nuisance bars. And in nearly 100% of the cases, they are unable to do so and he does not understand why Liberty Forge would be so alarmed or why the Liquor Control Board would be able to close Liberty Forge when they are unable to do so with nuisance bars. Mr. Williams stated that the process begins with fines and the fines escalate. He further stated that he is not use to being in business and violating any law, nor was he going to be part of anything of the sort. He further stated that is what the patrolling officer told two of Liberty Forge's people, and they told them again at the meeting he attended. They said they would not start with the Liquor License, they would start with the Amusement License.

President TITZEL stated that would like to know what the citations and fines are for the other establishments in the Township, which have liquor licenses. Mr. Vernau asked if President TITZEL was looking for noise citations or any type of citation and commented that only noise citations would be applicable to this deliberation. President TITZEL agreed.

Mr. Vernau asked Mr. Williams what operations currently exist at Liberty Forge that would fall under the noise ordinance. Mr. Williams advised that the banquet events were this past Saturday night and there are no other operations are being conducted.

Mr. Vernau asked Mr. Williams how soon that kind of operation would be happening. Mr. Williams responded that they could not consider that type of operation until they have a carve-out.

Mr. Vernau further asked that if the Board were to grant a carve-out, how soon would there be events that would have both a liquor license and noise. Mr. Williams stated that he does not feel that Liberty Forge can resume executing that type of business.

Mr. Vernau rephrased his question, asking how soon would Liberty Forge need the Township to take over noise enforcement. Mr. Williams stated they have already canceled events into 2008. He further stated that the sooner the Board grants the carve-out the sooner Liberty Forge can begin moving forward.

Mr. Vernau asked if the Board were to grant the carve-out tonight, how soon would Liberty Forge have a business serving liquor and creating noise. Mr. Williams stated that some events would begin to take place during the summer. Regarding the food at the outings, that decision has not been made but the intent is to have a caterer and the caterer would be executing those events. All events would take place at The Wedge. Mr. Williams further stated that the plans for the proposed restaurant along Lisburn Road have been reviewed with Mr. Flint and Mr. Eby by Richard Murphy. The changes recommended are being made that would satisfy Mr. Flint and Mr. Eby. Mr. Williams expects the footprint to be back to the Township within the next two weeks. Mr. Vernau clarified that it is not to satisfy Mr. Flint and Mr. Eby, it is to satisfy the adopted subdivision plan.

Mr. Vernau asked if he understand correctly that since Upper Allen Township is a dry township if there were residents of Upper Allen Township that complained about the noise to the LCE, the LCE would not be able to do anything. Mr. Urban stated that it is correct since the noise is not being generated on Upper Allen Township. Mr. Vernau stated that if Upper Allen Township residents are disturbed they are out of luck. Mr. Williams stated that he does share Mr. Urban's opinion. Mr. Urban stated that the Liquor Control Board has no jurisdiction on abutting land that does not hold a liquor license. Mr. Williams again disagreed. If the noise were coming from a licensed premise, a resident of Upper Allen would have a case.

Mr. Williams thanked the Board for its indulgence.

David Martineau, counsel for Liberty Forge, identified himself to the Board. Mr. Martineau stated that Liberty Forge's desire for a carve-out is to comply with the Township's noise ordinances in lieu of the extremely restrictive LCB ordinances. As indicated, Liberty Forge has been in compliance with Township ordinances without violations so extensive issues with enforcement should not be abnormal or anything greater than the Township is already enforcing.

Steve Urban identified himself to the Board. Mr. Urban stated that in the five times Township police have been called that there were no violations, the Township police were there a sixth time and it was because the music was turned off. There were three times during May and June that a decision was made to stop the DJ from performing due to a change in atmospheric pressure that was allowing lower amplified sound to travel to the lower property.

Mr. Urban advised the Board he was in attendance on his own accord as since December he has not been contracted at Liberty Forge.

Mr. Urban urged the Board to apply the carve-out. The police were called six times in 2-1/2 years with no violation. Mr. Urban stated that the cost involved is not extreme as the police department already has the piece of equipment required as it is needed to force the ordinance already on the books.

Randy Brown identified himself to the Board. Mr. Brown advised that he and Ms. Gunn reside at the same residence.

Mr. Brown stated that while it may be true that there was only one violation of the Township ordinances, the reason that has been true is that for the past 2-1/2 years Mr. Brown and/or Ms. Gunn made approximately 75 phone calls to Mr. Urban when the noise was very loud and allowed Mr. Urban to work through those situations, resulting in no calls being made to Township authorities. The reason there were no violations is that Mr. Brown and Ms. Gunn chose not to call the authorities, not because Liberty Forge was in compliance during that period of time.

Mr. Brown stressed that neither he nor Ms. Gunn ever complained when the noise was faint, nor did they complain when the noise was loud for a minute, i.e. if the door to the establishment was opened. Mr. Brown does not feel that they have been unreasonable in that respect, nor do they intend to be unreasonable.

Mr. Brown stated that if there is a plan to build a permanent facility at Liberty Forge, he does not understand why the issue is before the Board at this meeting. He is certain a permanent facility would resolve the problem with nothing else being done and feels it is the answer to Liberty Forge's problems, not a carve-out. Mr. Brown stated that he and Ms. Gunn do not wish Liberty Forge any ill will and would love to see it succeed. However, he does not want to give up his quality of life for something that is much less.

Mr. Brown stated that he and Ms. Gunn have the right to be outside and enjoy their property and they are not asking for complete silence throughout their property. It is 550-feet between where they entertain friends in their backyard and the property line. Mr. Brown commented that the Big Top Tent is not in the middle of the facility. It is approximately 150-feet from the property line which is part of the problem. If it was in the middle of the facility it may not have been a problem.

Regarding the mediation effort of 2-1/2 years ago, Mr. Brown stated that Ms. Gunn had unilaterally abrogated the agreement. Mr. Brown has a copy of the handwritten agreement of approximately 20 words and it says nothing of noise levels. The agreement stated that for next two events following the mediation, Mr. Brown and Ms. Gunn would call Liberty Forge and Mr. Urban before calling any other authorities. Mr. Brown and Ms. Gunn abided by the agreement for 2-1/2 years without calling any other authorities. The reason the agreement failed was that after 2-1/2 years there were no improvements in the noise levels and it was getting worse.

Mr. Brown advised the Board that he failed to see what threat currently exists that did not exist at the time of the mediation effort. The only difference was that over the past six-months the noise began to get worse, resulting in the LCB being contacted. When the LCB was contacted, a violation was found.

Mr. Brown stated that all Liberty Forge has to do is comply with a simple regulations that say people outside your property cannot be disturbed.

Regarding the Township's public concerts, Mr. Brown stated that they do not fall under the same jurisdiction and are individual, unique events and are not recurring events held under an LCB license. Mr. Brown advised the Board that their property is closer to the Township park than the Williams' residence or the LFGC Wedge restaurant.

Jennifer DeLaye identified herself to the Board. Ms. DeLaye is the president and CEO of JDK Catering, which is an off-premise catering firm that has done business in the community for 20-years. Although she has not done business with Liberty Forge, she has never catered any events in a location like Liberty Forge. She stressed that she has been a friend of Mr. Williams' for the years and saw the facility as it was being constructed. She urged the Board to consider the carve-out.

AUDIENCE PARTICIPATION: ANY ITEM ON THE AGENDA

President TITZEL inquired if anyone in the audience would like to address any item on the agenda.

There was no response.

CONSENT AGENDA

President TITZEL advised if any Commissioner, Staff member or anyone in attendance would like to have an item on the Consent Agenda removed for further discussion and asked if there was a request for the removal of an item(s) on the Consent Agenda. There was no response.

Commissioner YOUNG moved to approve the items on the Consent Agenda, those items being:

1. Warrants Journal of January 4, 2007 in the amount of \$154,521.84.
2. **Resolution 2007-R-01**, adopting an IRC Section 125 Premium Only Plan.
3. Buchart Horn Invoice #9 in the amount of \$843.52.
4. Renewing the agreement with Middle Department Inspection Agency, Inc. to perform inspection services on behalf of the Township on an as-needed basis for 2007.
5. Release of Improvement Security for SLD Docket #2003-03, Yetter Court Warehouse, contingent upon receipt of security insuring structural integrity of improvements for an 18-month period.

6. Request No. 4 for Improvement Security Reduction for SLD Docket #2003-06, Manor at Fair Oaks, Phase 2, establishing a new amount of \$34, 710.52 and a new expiration date of January 3, 2008.
7. Appointing a Consultant Selection Committee for the Lower Allen Community Park Soccer Field, Parking Lot and Loop Trail Improvements Project consisting of the following persons: Ed Black, Dan Christ, Scott Duncanson, Tom Vernau, Jan Faust and Dan Flint.
8. Approving the Letter of Agreement between Lower Allen Township and the Lower Allen Township Authority to provide the basis for certain routine and non-routine joint assistance and aid as may be requested or required in emergencies.

Commissioner CHRIST seconded the motion. Motion carried 5-0.

APPROVE PURCHASE OF 2007 HORTON AMBULANCE FROM VCI EMERGENCY VEHICLES

Commissioner YOUNG moved to approve the purchase of a 2007 Horton Ambulance from VCI Emergency Vehicles in the amount not to exceed \$139,958.00. Pricing is based on the COSTARS-13 Emergency Responders Vehicles Suppliers contract 013-017 and is within the budgeted amount. Commissioner CHRIST seconded the motion. Motion carried 5-0.

ANY BUSINESS PERTINENT TO THE TOWNSHIP

President TITZEL asked if anyone in the audience would like to address the Board on any business pertinent to the Township.

There was no response.

COMMUNITY DEVELOPMENT

Discussion Re: Miller Bridge Repairs Update

Mr. Flint advised the Board that the grant for repairs to Miller Bridge has been received by York County. Those funds will become available in February and shortly thereafter repairs should start.

Authorize Staff to Prepare and Advertise an Ordinance Amending Chapter 209, Vehicles and Traffic, of the Code of Lower Allen

Commissioner CHRIST moved to authorize Staff to prepare and advertise an Ordinance amending Chapter 209, Vehicles and Traffic, of the Code of Lower Allen. Commissioner YOUNG seconded the motion. Motion carried 5-0.

Discussion RE: Zoning Hearing Board Dockets

Mr. Eby advised the Board of the following from December's hearings:

Docket 2006-08, 14 Essex Road, Sandy Fuhrman

This was a special exception to expand the hours of operation of a daycare, in-home occupation.

The Township had no opposition from the public nor did Staff present an opinion or opposition.

The application was approved.

Docket 2006-09, B. J. McNally, 3045 Lisburn Road

This application was to establish a yoga/meditation center as a home occupation with a sign.

The Solicitor was authorized to represent the Board and ensure that the complicated, lengthy application was presented properly.

The applicant was attempting to propose that she would lease some space to practitioners of healing arts within the home, rather than actual employees. The Board denied that request. The modified approval was to approve the home occupation with the sign.

Docket 2007-01, Erect Single Family Home on a Lot in Spring Lake Colony Subdivision (dates back to 1894)

Mr. Eby advised the Board that this is an odd remnant surrounded by three unopened streets.

The property has unique physical characteristics and could state a case due to hardships. It was Staff's recommendation to let the application stand on its own merits. Discussion ensued.

Board agreed with Staff's recommendation for no representation.

MANAGER

Discussion RE: West Shore School District Cost Sharing

Mr. Vernau advised the Board that Fairview Township does not pay any portion of their crossing signal. New Cumberland is paying 100% of their crossing signal. It appears the school district does not have any hard and fast rules regarding cost sharing; it is whatever can be worked-out with the municipality.

Mr. Vernau advised the Board that the signal permit must be filed by the municipality. However, the municipality is not responsible for the cost of the signal.

West Shore School District was requested to help with the cost of the crosswalk and florescent sign post painting, which the School District declined stating it was not their responsibility and that residents other than school students use the walks.

Mr. Vernau requested the Boards direction. Extensive discussion ensued.

The Board directed Mr. Vernau to pursue negotiations with the School District.

Discussion RE: Unnamed Tributaries

Mr. Vernau advised the Board that there are several unnamed tributaries of Cedar Run and inquired if the Board had any interest in naming the tributaries. General discussion ensued.

Additional research will be conducted and it will be an agenda item for additional discussion at a future meeting.

Discussion RE: County Solid Waste Authority

Mr. Vernau advised the Board that Mr. Moore was advised by the State that the paving of a portion of Yetter tract would be a legitimate use of the grant money. The County Solid Waste Authority has not received anything in writing.

Mr. Vernau advised the Board that they must decide if there is interest in proceeding with the concept of a long-term lease. Extensive discussion ensued.

The Board was in tentative agreement and directed Mr. Vernau to work out the terms to be presented to the Board at the next meeting.

OTHER BUSINESS

Commissioner BLACK inquired as to the status of the building negotiations. Mr. Vernau advised the Board that the negotiations are going well.

Commissioner CHRIST advised the Board that the Chapter 170 language of Clean-Air Proposal was verbatim from a federal code. Primary target of the regulations is truck stops, but would apply to trucks at warehouses as well. A letter of support of the regulations from the Board was requested. Discussion ensued. The Board will take the proposal under advisement.

Vice-President BUCHER inquired if a follow-up of the Windsor Park traffic calming would be done. Mr. Flint advised that it would run for a few months and then a follow-up would be done.

ADJOURN TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners adjourned to Executive Session at 10:26 p.m. for personnel and legal issues.

ATTENDANCE REGISTER

An Attendance Register is made part of the record.