

**MEETING MINUTES OF THE  
PLUM CREEK MUNICIPAL AUTHORITY  
February 2020**

A regular meeting of the Board of The Plum Creek Municipal Authority was held on February 18, 2020, at the Plum Creek Municipal Authority Business Office Building, South Manheim Township, Schuylkill County, Pennsylvania.

Board members present at the meeting were Jim Ridderhoff, Jerry Weiss, Matt Gruber, and Ryan Achenbach. Also, in attendance were Joe Zerbe (PCMA Attorney) and property owners – Gary Schultz, Joe Haggerty, Richard Hardy, David Mengel, Lisa Jones, and Susan Hummel.

Jim Ridderhoff called the meeting to order at 6:00 p.m.

The minutes for the January 2020 meeting were accepted by motion of Matt Gruber, seconded by Jerry Weiss, carried by all.

The Treasurer's report for January 2020 was reviewed and accepted by motion of Matt Gruber, seconded by Jerry Weiss, carried by all.

David Smith (SES), who did not attend, but submitted a written manager's report to the Board prior to the meeting:

- Copies of the following information has been submitted by SES to PA DEP on the authority's behalf and are viewable via PA DEP website via the eDMR (Discharge monitoring report and Discharge monitoring report supplemental report).
- There have been no water system violations and no wastewater system violations during this time.
- The Mack pump truck was repaired in January. An air bag was replaced along with replacing damaged piping to the pump truck.
- The Ford F-250 is going to be scheduled for an oil change and inspection by the end of March 2020.

In water operations, David reported that:

- Normal operations continue.

- Dave Bonkovich checked the north side of the lake. Several leaks have been located. We are going to schedule with Aungst Excavation to repair known leaks.
- We are currently operating 3 wells presently. Our average yield is 245,000 gallons per day.
- Booster Station is at 12.2 PSI, as of February 12, 2020. (14.2 PSI=full).
- Booster Station: All pumps operational and rotating on monthly basis.

In sewage operations, David reported that:

- Normal operations continue and plant ran well for January 2020.
- Both EQ tanks have a large amount of sediment in both tanks. Recommend having both tanks clean out.
- Approximately 18 septic pumps are in the backlog.

Gary Schultz said he was here at the November meeting regarding the asbestos and thinks the water should be tested before applying for a waiver. Jim Ridderhoff said you must do a water test and submit the results along with the waiver application. Jim said when the results of the asbestos test are received, they will be noted in our minutes and the minutes are published on our website.

In engineering matters, Dave Bright (SSM), who did not attend, but touched base with Jim Ridderhoff before the meeting. Jim said Dave (SSM) had two comments: 1) In the past three months the water pumping has been going up and he sees that as a problem, and so we should keep checking for leaks. Dave (SSM) also mentioned that will be a chronic problem of pumping more water than we use because our pipes are leaking. 2) Dave (SSM) talked about the monitoring report for asbestos. Dave (SSM) contacted DEP with questions and got the answers about renewing the waiver and the procedure on how to do it. Jim said we currently have been under a waiver for years.

Upon motion by Jim Ridderhoff, seconded by Jerry Weiss, and carried by all, the Board approved to have Dave Bright and his company Spotts, Stevens, and McCoy (SSM) submit the application for the waiver for asbestos testing for Plum Creek Municipal Authority.

Jim Ridderhoff asked Nancy to contact Dave Bright (SSM) and let him know to proceed with the waiver application.

Gary Schultz said he has a question – when you have a break – what do you replace it with – Schedule 40 or Schedule 80 pipe? Jim Ridderhoff said the gentlemen who would answer that question are not here. Jim said he will call Pat Aungst (who does our leak repairs) and find out the answer.

In legal matters, Joe Zerbe said routine legal matters were addressed, including filing and satisfying liens. Also, the payment of \$1,013.77 was received from Luckenbill Farms for the curb stop damage.

Susan Hummel (property owner) said she is new to Lake Wynonah and we went through this whole thing about deed restrictions. One of the deed restrictions, that she recalls, is that you cannot put anything in the common easement areas between properties, and yet she knows that is happening. Susan said she was told that these deed restrictions say that you cannot infringe on the areas between properties, I think in front of the lots, around the lots, the whole perimeter. Susan said she is assuming it is because people are probably trying to put septic systems in rather than holding tanks. She was wondering if there is a deed restriction saying you can't do it - then how is it that people are doing it. Susan asked is that part of Plum Creek's thing.

Matt Gruber and Jerry Weiss said that is Lake Wynonah's setbacks. Jim Ridderhoff said recently (within the last year or two years) DEP has eased up on some of its restrictions and has allowed drainage fields to be put in easement areas. Matt said a little bit closer to the road but doesn't think the side setbacks are any different. Jim said you are asking about the deed restrictions for the Lake Wynonah community and Susan said correct. Jim said we (PCMA) uphold them but we don't write them that is the Property Owners' Association. Joe Haggerty said yes, the Property Owners' Association does them for the members.

Ryan Achenbach said he believes Susan's question would be best served asking at an open board meeting in Lake Wynonah – if the deed restrictions were amended – how - and if it followed the guidelines on how the deed restrictions must be amended. Susan said she asked that question and she was told, by the person she asked, that there was no need to amend them because the utility company or whoever it was that was actually infringing on the area had a right to do that.

Ryan Achenbach said, his opinion on this is, he thinks it behooves everybody involved to move holding tanks owners over to septic's as easily as possible. If I am correct any property owner in Lake Wynonah, that chooses to do so, has to sign a waiver saying that if that utility easement must be used their responsible for the fact that they are in the way. So, there has been some bending and compromise in

regard to - is this for the greater good. Joe Haggerty said what you are saying is correct, so you are doing it, but you are doing it at your own risk. If that easement must be used and something happens to your drain field – you are taking that risk. Ryan said the Lake Wynonah property owner is taking that risk. Ryan said he supports it. We only have 149 holding tanks remaining and to be honest it is these remaining holding tanks that are the only concern in regard to the future of Plum Creek closing. If we didn't have any holding tanks, whatsoever, it would be a no brainer because nobody else will be essentially be affected. Ryan said it would fall back again for you to go back to the Board if it is a deed restriction – we don't change that – we don't have any effect on them whatsoever. So, if they gone to compromise on their end – is that within the deed restrictions still is how you must see it.

Ryan Achenbach said, from his point of view, he thinks it is a good compromise because he thinks septic tanks are a necessary thing for all holding tank owners to do as quickly and as efficiently as possible. Susan Hummel said she would agree. She has been following the minutes and she understands that it is becoming cost prohibited with the pumping and all that. Susan said she is one of those people that figure if there is a rule, we should all be aware of the rule, and figure out how do we amend or change the rule, or whatever it is. Susan said her only question was - did this Authority have anything to do with that rule. She guesses, from what she is hearing is, this Authority has nothing to do with that rule. Ryan said this Authority cannot override that rule. Susan thanked the Board.

David Mengel said Susan might be at the wrong place. The Sewage Enforcement Officer (SEO) for South Manheim or Wayne would have to okay this. So, maybe that is who Susan should be talking to. Ryan Achenbach said even the SEO has no authority to change the deed restriction in Lake Wynonah either. David said the SEO is the one who must approve the sand mound or whatever is in the easement. Ryan said it still must be approved and there is a permit application that must take place including signing off your right that if anything happens it is at your own risk. But, once again, that doesn't change the deed restrictions. Ryan said only the members in Lake Wynonah can change the deed restrictions through a vote.

Matt Gruber said he thinks when a septic is designed Lake Wynonah has Steve Moyer come out and he inspects to make sure the setbacks are met before any work can be done. Richard Hardy said if somebody doesn't agree to the setbacks, they can go to the township and asked for a variance and waivers are granted on individual / situation basis. Richard said you can be granted a waiver and that doesn't change any of the setback's regulations. Richard said he thinks that is what

we are doing here – we are looking at instance by instance – as long as the property owner agrees to the waiver that is given - it gives them the right to do that. Jerry Weiss said that is why there is a plot plan in the building permit application, for the Lake Wynonah Property Owners' Association (POA), you draw your home and where the septic/tanks are going to be – so everybody knows what is going on. Susan Hummel said a lot of it has to do with communication.

Ryan Achenbach said an important thing to point out, with having some newer members here, we have 149 holding tanks remaining in Lake Wynonah – of them only 67 are full-time residents. So, when we talk about the future of Plum Creek, we are still currently keeping a sewage system open that is revenue negative, and the biggest concern is 67 residents in the neighborhood.

Of the 82 part-time members with holding tanks, 65% have had no water usage since September. So, we are literally talking about around 4% to 5% of the neighborhood. If we can move them over to septic tanks, sand mounds, or something similar – it is such a miniscule number to be trying to keep a system going.

Susan Hummel said there is mass confusion when she goes to the Lake meetings. When somebody on the board tries to explain what is going on with you folks, she can see (sitting here) that you are much more aware about what is going on, and why, and all of that, and what she gets at the board meetings (POA) is somewhat different. Susan said it is very nice to come here and thanks the PCMA Board. Jim Ridderhoff said we will try to answer the questions if we can.

Joe Haggerty asked Jim Ridderhoff if he could give an update on the Act 537 from both townships. Jim said in the beginning of January both townships received their draft copies of the Act 537 and it then became their responsibility (each) to check it out, edit it, do whatever their going to do with it, before they approve of that. Jim said in answer to your specific question since the beginning of January there has been no comment back, to this Authority, from either township or the Sewage Enforcement Officers (SEO), so it is in their hands right now. There has been no communication with SSM Engineering either. Jim said he knows they are working on their revisions and Scot McCaffrey (SEO) has been working on his revisions, but nothing has been given to PCMA or SSM. Jim said we have to wait because that process must be complete before it goes to the next step which would be opened to public opinion.

David Mengel said in the minutes, from the last meeting, it is mentioned about EQ tanks having a large amount of sediment and recommends having both tanks

cleaned out. Jim Ridderhoff said in answer to your observation that comment has been in our minutes, from our operations manager, consistently for the last four months. If we were going to be continuing operations here those tanks would have to be cleaned out. If we are going to be discontinuing our sewage service, in the very near future, it would be cost wise to postpone that action. Ryan Achenbach said what you have is rolling recommendation that we have not made action on because we are hoping for this to close without that being necessary. Jim said over the years those tanks have been cleaned out several times.

David Mengel said he wanted to clarify numbers, regarding the sewage plant, that were reported in South Schuylkill News (“The Call”) newspaper at the township meetings. Jim Ridderhoff said his comment is that the numbers, we have said each and every time, of the cost of the repair of the plant, have been the same, but they have been reported incorrectly and published incorrectly by various newspapers and what you are assuming is that those numbers have changed – which they have not. Jim said he wants to correct David in his thinking that we have varied the numbers up and down – which we have not.

David Mengel said in the minutes, every month, you are reporting that the plant is running well. Jim Ridderhoff said of course it has to run well if it wasn’t running well, we would be in violation. Ryan Achenbach said running well and being in good condition can be mutually exclusive. You can have things that are operating and at the same time remember the fact that this was a temporary system meant for about 600 properties and the fact that we don’t have a catastrophic leak is probably a good day. So, you can say we are running well because nothing is leaking into the environment.

David Mengel said even in the water you are saying 100,000 gallons over what you should be pumping, but you checked half the community already. How long have all these leaks being going on and for how many years has this money been wasted? Ryan Achenbach said he thinks this leads to the fact that he hopes if David is a Lake Wynonah resident (which you clearly are) that you support the fact that we get out of this business, as soon as possible, so larger companies can take over. Ryan said we are currently holding this up for 67 full-time holding tanks that might be negatively affected, and we are trying to find a solution for that. Ryan said if we close - it is better for Lake Wynonah and he thinks that is the bottom line. We can bring in competing companies which we already have for trash, fuel delivery, and everything else. It won’t change for septic owners.

Ryan Achenbach said please spread the word that you can get a PENNVEST Loan for 1.75 percent for up to twenty years to move off a holding tank onto a septic

system. On the water side, hopefully we can activate the interest of Schuylkill Municipal Water Authority to take us over. They have the entire infrastructure and financial backing to re-do our infrastructure. If we do it alone, within our community here, as a Lake Wynonah resident, guess what we will have to pay that cost because the cost trickles down. Ryan said there is no magic fund here that is going to replace all our infrastructure when clearly, we are losing 100,000 gallons at whatever marker of time that is. Ryan said all the signs are there – please support us as we try to move this on to companies that can take over what was never supposed to be permanent in the first place.

Ryan Achenbach said he is putting together an informational letter which will hopefully bring things to light regarding things that were discussed here today and in prior meetings and our position for what are the benefits to closing and everything else. Ryan said we are going to try and get something out in a mailing and on the website.

There being no further business, Matt Gruber motioned for adjournment, Jerry Weiss seconded the motion, carried by all. Jim Ridderhoff adjourned the meeting at 6:45 p.m.

Meeting minutes were taken, prepared, and submitted by Nancy Wesner.