

**MEETING MINUTES OF THE  
PLUM CREEK MUNICIPAL AUTHORITY  
January 2021**

A regular meeting of the Board of The Plum Creek Municipal Authority was held on January 26, 2021 via a Zoom meeting.

Board members present (via Zoom) at the meeting were Ryan Achenbach, Jerry Weiss, Matt Gruber, Corby Lewis and Jim Ridderhoff. Also, in attendance were Joe Zerbe (PCMA Attorney), Nancy Wesner (PCMA Office), Mike Kreiser (SES), Jamie Lorah (SSM), Josh James (SSM), and property owners – Joe Haggerty, Richard Hardy, and David Mengel.

Ryan Achenbach called the meeting to order at 6:08 p.m.

Ryan Achenbach said he would like to welcome Jim Ridderhoff back. Ryan Achenbach said South Manheim did inquire if Jim Ridderhoff would be able to continue (due to health reasons) and Jim did affirm that he is able to and South Manheim will appoint him at their next meeting. Joe Zerbe said Jen or Nancy had sent a section of the Authorities Act and Jim would still be on the Board because even though his term ran out and he has not been reappointed – no one was reappointed in his place.

The first order of business was Reorganization. Upon motion by Jerry Weiss, seconded by Corby Lewis, and carried by all, the PCMA Board officer positions for 2021 are: Jim Ridderhoff – Treasurer & Co-Chairman, Jerry Weiss – Secretary & Co-Chairman, Matt Gruber – Co-Chairman, Corby Lewis – Co-Chairman, and Ryan Achenbach – Co-Chairman.

The minutes for the December 2020 meeting were accepted by motion of Jerry Weiss, seconded by Corby Lewis, carried by all.

The Treasurer's report for December 2020 was reviewed and accepted by motion of Corby Lewis, seconded by Matt Gruber, carried by all.

Mike Kreiser (SES), 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
- Mack pump truck was inspected and passed.
- Six new tires were put on the Mack pump truck at time of the inspection.
- Currently working on the Chapter 94 report and other required water audit reports for last year that need to be completed by the end of March.

In water operations, Mike Kreiser (SES) reported that:

- Continue normal operations.
- Water main break due to outside contractor digging into the retaining wall at Tonto Drive. Another leak was found on Stag Drive. Service line leak was fixed on Apache Cove. All were fixed and repaired.
- We are currently operating 2 wells presently. Our average yield is 250,500 gallons per day.
- All meter reads for the final quarter were completed.
- Booster Station at 12.5 PSI, as of January 11, 2021 (14.2 PSI – full).
- Booster Station: All pumps operational and rotating on monthly basis.

In sewage operations, Mike Kreiser (SES) reported that:

- Normal operations continue and plant ran well for December 2020.
- Approximately 25 septic pumps are in the backlog.

In engineering matters, Jamie Lorah (SSM), said she asked Josh James (SSM) to attend tonight's meeting in case there were any technical questions that came up about the Act 537 plan. Josh has been the one primarily making the revisions this past month as requested by the townships and their solicitors.

Jamie Lorah (SSM) said over this past month we did some revisions based on the townships comments which were received from both townships and their solicitors. Jamie said they gave a deadline to the townships to have their solicitors provide us with comments by the end of this month. Jamie said it seems that they have been looking at old versions of the Act 537 plan which is a little discouraging, but they are now making up for lost time and providing those comments to us. A lot of it seems to be more wording, things like definitions that they want to add, as well as comments about leaving things open for later use. Jamie said South Manheim township questioned the user fee and service fee at the time of the pumping. Jamie

said they have not made all the South Manheim township changes, that were provided by the township supervisor, there were some questions by one of the South Manheim township supervisors and before we make those changes, we wanted to review those changes with the Board. Another comment by South Manheim is to keep the option open regarding the use of PCMA's trucks. Jamie said they had comments on the ordinances from the solicitors and ultimately the townships will have to sign off on those ordinances so we are trying to accommodate any comments they might have about definitions, etc.

Jamie Lorah (SSM) said Josh James (SSM) has made all the solicitor comments revisions that we have gotten to date. Josh said so far, he has received revisions from Wayne township solicitor, and I have made all those and kept track changes on the word documents. Josh said he has returned those to both Wayne township solicitor and South Manheim solicitor today. Josh said most of them were just language and definitions. They wanted to receive the redline copy back before the two met and they plan on meeting soon. The two sections that they did not go over yet are the enforcement section and the violations and penalties section. They want to go over the township codes together to make sure they matched. Josh said South Manheim's chairman asked about keeping the option open for using in-house equipment and staff and that has always been decided that we would not be doing that.

Jamie Lorah (SSM) said they would like some feedback and they could provide the Board with the comments that he gave us and have you weigh in on how you want us to address some of those questions. Jamie said you know the equipment is not going to make it much longer. The trucks are not in the best conditions. They have been costing a lot to keep them maintained and running – it is aging and has some operational issues. Jamie said the intention was always to have outside haulers be utilized and as long as that is still the way that the Authority wants to proceed then that is how they will address that comment with the chairman.

Jamie Lorah (SSM) said they wanted to put forth to the Board a question about timing. This has gone back and forth so many times and we just keep getting more and more comments from the townships and we are trying to accommodate because the townships must sign off. Jamie said last month we gave them a deadline of end of month so that we could at least have some kind of timeline to work with and not the continued iterations over and over again.

Jamie Lorah (SSM) said what would the Board like us to do in terms of offering deadlines to both the townships basically asking for their solicitors to provide their

final comments and it is like we can get them to mid-February. It will get everyone to get final comments and forces everyone to look at it.

Ryan Achenbach said he agrees with the need to come up with some sort of a deadline to get this moving along especially because it seemed to sit so long. Ryan is thinking in regard to both the first comment of using PCMA's equipment and also regarding the deadlines - I been reassured that Jim Ridderhoff is on the meeting tonight and since he has so much knowledge on the things that have been going on - I don't necessarily want to speak and come to a decision on both of those comments without his input. Ryan would like to propose, if the rest of the Board members agree, to attempt to have a workgroup session as soon as we can. The rest of the Board agreed to a workgroup session.

Corby Lewis said he thinks that the chairman of South Manheim would like to see it feathered in. Corby said have an outside hauler take over certain numbers at first because this is not something that we can just drop immediately, and everybody just goes to outside hauling. Corby thinks it is something that needs to be slowly worked in – say outside haulers get lots zero to one thousand - holding tanks are still covered by Plum Creek - remainder of the lots are still handled by Plum Creek for the time being and just kind of work it in, see how it goes, and try to iron out any waves as they come at us. Corby said he thinks that is what he was referring to.

Jamie Lorah (SSM) said she believes the intention was to have the administrator be in charge of ensuring that pumping's are occurring every three years for septic systems and that they are occurring on a regular basis for holding tanks. Jamie said Plum Creek would maintain a list of haulers that could be contacted, and all the property owners would have the ability to obtain that list. The list could be updated from time to time and it would not be part of the documents for the Act 537 plan because it is a live document, and it would change from time to time.

Jamie Lorah (SSM) said once the townships sign off on the Act 537 plan and what he was asking is to leave it check marked or on the documentation to allow that option to remain and we can discuss that in the workshop session that Ryan Achenbach was talking about. Josh James (SSM) said this is on the component 2m form – the question is with regards to services and/or service providers the proposed sewage management program is intended to and then check all boxes that apply – he wants to check the box that says conduct services directly using in-house personnel. Josh says does that mean that that option is always open, and they would not have to hire a private hauler and it would fall back on Plum Creek and they would be liable?

Jamie Lorah (SSM) said if you checked both use of equipment and outside haulers then it would leave that option open. Jamie said she thinks DEP would come back with comments and tell us how they want to proceed with that if you can only choose one option or another. Jamie said what you are doing is putting the responsibility on Plum Creek's operators or staff to do hauling to another site. Jamie said now you are talking about putting them on the road, making sure you know that they have all the necessary permits to haul to another site and there is certainly liabilities and things associated with that. Jamie said now you are taking those trucks off site to another location, hauling to that location, dumping it, and it would be the responsibility of PCMA employees to do so. Jamie said she would be concerned about having PCMA trucks go off site with the material and hauling it somewhere else. Jamie said now you are talking about PennDOT permitting for transportation to another facility and then the disposal.

Joe Zerbe said this is the first time he is hearing about this. Obviously, the intent was always to get PCMA out of the sewage business, stop the trucks and the cost of the pumping, and the cost of running the sewage plant. Joe said he is not a board member, but he is not a big fan of this suggestion that we turn it over but keep our toes in the water. Joe said it opens you up to a whole bunch of responsibilities and liabilities that I do not think you were planning on doing.

Ryan Achenbach said one thing that concerns him right away is the fact we are attempting to keep the administrative duties of the remaining Plum Creek staff as minimal as possible to avoid having to put forth any fees to the Lake Wynonah community – try to keep them as minimal as possible. Ryan said if we are keeping the infrastructure of trucks and everything on the road and everything that goes along with that – I think we are wandering off the path regarding the intent that we went with. Ryan said he is not necessarily opposed to a defined plan to have PCMA equipment (Lake Wynonah is a unique community) and I am not that knowledgeable in regard to pump trucks - if the roads in here are something that they are not accustomed to and that somehow working alongside PCMA staff would be a benefit. Ryan said even an interim plan I would want it to be very defined and very limited to avoid all that liability.

Jamie Lorah (SSM) said Ryan Achenbach had a great point. Also, you must have some sort of fee structure for doing that and I am not sure how you would come up with fees for doing it that way and you would want to be competitive. Joe Zerbe said if the authority were at a lower price everyone would want the authority to do their pumping and then you would be back where you are. Jamie said exactly but you would want to be able to pay for your staff - so your right you would be in the

same boat with keeping the equipment maintained. Jamie said there is manifests and things that must be handled by PCMA – so that adds administrative time. Jamie said there is a manifest for how much was hauled and where and that will have to be maintained by PCMA. If you contract outside haulers, then they are the ones responsible for all of that. Ryan Achenbach and the other Board members agreed to finish the discussion in a workshop meeting.

Joe Haggerty said he would just like to add to what Corby Lewis was saying. Joe said he attended the South Manheim session, and he thinks they are concerned with the transition phase. They are a little concerned that there is going to be some issues initially, when the outside trucks come in, with the geography and the driveways. Joe said they know it is going to outside haulers, but he thinks they were a little bit nervous about pulling the plug all at once.

Joe Haggerty said another comment is when you are talking about taking the trucks out on the road and the risk – correct me if I am wrong - but when you have problems at the plant – don't you take the trucks out on the road? Mike Kreiser (SES) said we have to haul sludge which we do take to Pine Grove but that is the only time we have the trucks on the road. Ryan Achenbach asked Mike Kreiser how frequently do we take sludge to Pine Grove? Mike said we have a load once a month or every two months depending on what we are pulling from the residents. Ryan said if we were doing hauling using PCMA's equipment, they would be going outside the community, onto the public roads, much more frequently. Jamie Lorah (SSM) said possibly three to four times a day.

Mike Kreiser (SES) said a concern about shutting things down all at once - I guess my thought process is if everybody puts a request in a month before closing down - how do we determine who to go after because we are going to have a lot of people right at the last second that want us to come in and empty their tank. Mike said how do we choose who to take and who not to take at the last second. Corby Lewis said first come first serve and there would be a definitive date when it stops.

Jamie Lorah (SSM) said there is also the option of the delayed implementation of the shutdown of the plant, whereby you make it a six-month period, or whatever, of having an option to hire outside haulers and have them come in and utilizing PCMA for sensitive areas in that interim time period. Jamie said it is going to take some time to get the plant entirely shut down and abandoned.

Mike Kreiser (SES) said another option to consider, but it is not cost effective for Plum Creek, would be to use Plum Creek, for an interim, as a holding tank. Plum Creek's trucks can dump the sludge and septage there and then you could hire

someone with better on-road trucks to take it at that point in time to Pine Grove, but you would incur the costs of the trucks coming. You would be able to have the trucks come every other day or every three days and haul five or six loads to Pine Grove.

Ryan Achenbach said the Board can take all this information and come up with a final decision on whether to continue using PCMA's vehicles and imposing some sort of feathering deadline.

In legal matters, Joe Zerbe said routine legal matters were addressed, a lien was sent over to file, and at the beginning of the month Corby Lewis wanted a report on the powers of the Board and I got him a copy of the Municipalities Authority Act. Corby Lewis said he did not know the steps that needed to be taken to keep the ball rolling because we went so long without a meeting. Joe said these were odd times but agreed that we needed to start the Zoom meetings. Joe said another thing that was asked was about the reappointment meeting for the Authority. The Authority is not like a township or borough it did not have to meet on the first Monday after the new year. Joe said as long as he has been the solicitor for Plum Creek, we never had the reorganization meeting till the first meeting which is usually the third Tuesday of the month (except this month it was the fourth Tuesday).

David Mengel said he had a question about minutes. David said the way it stands now is the minutes from a meeting do not get approved until the next month's meeting then sometime after that they get on the website which makes it over a month till the minutes are posted. David wondered if there is some way the minutes could be approved faster like say within a week. David said if an email could be sent to the Board members with the minutes and have them approve it so they could be put on the website. Joe Zerbe said they would have to have a special meeting for that just to approve the minutes. Joe said they can not approve the minutes anywhere but at a public meeting. David said he knows the lake's being doing that when they have a media public meeting the minutes are approved and we look at them online before the next public meeting....so there must be some way of doing it. Joe Zerbe said he is not sure the lake is covered by the same rules as the Municipal Authority – the Municipal Authority is covered by the Sunshine Act. Joe Haggerty said we have workshop meetings in between our public meeting so minutes are usually approved at the next workshop meeting – that is why you can see them before the next open meeting. David said that is what he is talking about – you are talking about have a workshop meeting next week or so – could these minutes be approved by then and put on the website rather than

wait till the next public meeting. Joe Zerbe said all official action by the Authority has to be done at a public meeting under the Sunshine Act.

Ryan Achenbach said a letter from the homeowner at lot 462 was in the meeting packets. The homeowner was asking for a credit of \$80.00 on their sewage bill for a reason that was disclosed in their letter. Ryan and the other Board members agreed to discuss it in the workshop meeting.

Ryan Achenbach said he knows they have the list of letters received in February that we were not able to tackle. Ryan said he will get the letters organized that way the Board can go over them all at one time.

Upon motion by Corby Lewis, seconded by Matt Gruber, and carried by all, the following four agencies were reappointed for the year 2021:

- The engineering firm of Spotts, Stevens and McCoy (SSM Group)
- The legal firm of Zerbe Law Offices (previously Derenzo & Zerbe – Attorney Derenzo retired December 31st)
- The accounting firm of Jones & Co.
- The insurance agency of Seltzer Insurance

Ryan Achenbach said he is going to go into Zoom and see if he can reuse this meeting id and the password and create all the meetings through June.

Corby Lewis said Joe Clemas (PCMA) talked to us about the well houses needing some repairs. Corby said he would like to see what the other Board members have to say. Corby thinks we should have a priority list of things that need to be looked at in the well houses and then whatever is the highest priority put it out for bid to have repairs done. Corby said have at least three different quotes because some of the stuff there is a lot of leaks and if something happens in the middle of the night no one is going to discover it till the next day. Ryan Achenbach said we can add that to the agenda for the workshop. Mike Kreiser (SES) said within the next two weeks he will go around to the sites with Joe and prepare a list. Mike said he will try and get some costs for the next meeting. Ryan Achenbach and Corby Lewis said that would be great. Corby said Joe had shown us some pictures and it looked like it needed some attention. Jamie Lorah (SSM) said she is going to recommend that Mike Kreiser (SES) would be the best one to prepare the recommendations for prioritizing these types of repairs.



Jamie Lorah (SSM) asked Mike Kreiser (SES) if he is seeing any slow down at the wells that might require the Aqua Freed treatment that we had discussed. It is supposed to be a staged implementation. Mike said yes, he thinks we were supposed to be in a rotation and with this whole transition we have halted that over the last year. Mike said last year we should have done one and then this year we should have done another – so we are behind two wells already. Mike said he will get a price on that as well and bring it to the board. Matt Gruber said he thinks it was Well#1 that needed a lot of attention.

Matt Gruber said we did not give our employees raises last year so I think they are entitled to a raise. Matt said maybe that is something we can discuss at the workshop meeting. Ryan Achenbach said he will make a note and add it to the workshop discussion.

There being no further business, Corby Lewis motioned for adjournment, Matt Gruber seconded the motion, carried by all. Ryan Achenbach adjourned the meeting at 7:01 p.m.

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