I. OPENING

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, October 9, 2007 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL: Present – Chairman, Sandra Yerger; Vice Chairman, Tom Maxfield; Allan Johnson, Ted Beardsley, Tom McCormick, Laura Ray; Terry Boos, Hellertown Representative; and Rick Tralies, Boucher & James. Also present was Terry Clemons, Esquire. Absent: Dennis Aranyos, Bob Davis, Haz Hijazi, Glenn Clouser and Glenn Kaye

PLEDGE OF ALLEGIANCE

II. NEW BUSINESS

A. MARK WIRTH – QUESTIONS REGARDING NEIGHBORING PROPERTY WITH WETLANDS

Mrs. Yerger said Mark Wirth contacted her so he could speak about wetlands. Mark Wirth, 2438 Black River Road, Wanda Wirth, 2438 Black River Road, Edwin & Enola Wirth, Black River Road were present.

Mark Wirth said they are very concerned about a turn of events brought to his attention recently. He had copies of tracts of land bordering the Wirth farm which is labeled No. 2 which borders Black River Road, south of Black River Road and east of I-78 and 378 corridor. It also borders 2B which is owned by Andrew Warner and 2C which is also owned by Andrew Warner. Back in 1988, PennDOT and the State were granted the right of way to build the southern corridor of I-78, through Williams and Lower Saucon from Phillipsburg. When it passed over Black River Road, that was the fun part. In turn, the Army Corp of Engineers were brought in and they had to build an extensive riparian right-of-way over half a mile of swamp land, which you can see and we drive past most of it that goes from Black River Road to the front of Dr. Feelgoods. That part of the high way is built over a swamp and was very expensive. It had bog turtles and snapper turtles. The only way they could do that, was in 1965, they were trying to push the I-78 southern corridor through here and it was not done because Stabler Land property, which is Eastern Industries, who owns most of the east coast mines was not going to stop NJ Zinc Company from their processes. Until that was stopped, which is now Center Valley Parkway, the Promenade Mall and surrounding companies, and Jerry Johnson who owns the parking lot about Aldi's, who sits on a prominent board of SV Country Club. He's a very well respected man. He also has family members, who own property along Black River Road, which was 2B on part of the Wirth farm which the state turned into a wild land refuge, and 2C which was owned by Althea Stahler. His Dad's brother, Edwin owned part of the farm that is now owned by his brother. Mr. Johnson asked where this section is he is talking about? Mr. Wirth said all of it lies from the intersection of 378 across from the 378 produce stand and borders Colesvile Road and it's north of Colesville Road and runs down to Black River Road, and runs down to the property owned by Andrew Warner, which is also property 11 and 12. Mr. Warner acquired those properties. Mr. Wirth found out by posting the property that he thought it was still a wild land refuge There is a cement boat there which is about 150 tons, 32 feet long, 12 foot high, and is 4-1/2 inch of solid concrete and wire. No one wants to get rid of it. The property below Bob Lehman consists of properties 4B, next to him is 4A owned by Russell Oshakowski, and 5 is owned by Fodi Damu, a stone rancher which consists of five acres. No. 4 is owned by Andrew Warner which is a swatch of land between Layman and

Oshakowski. That property which is 80 feet wide in the front and 150 feet wide in the back and 350 and 400 feet on the other part is owned by Andrew Warner. It was 2 acres up for sale, two years ago, which was stated in the records. He found out that is one big lie because when they checked the tax codes, he purchased that property four years ago from the State. He also purchased 1, 2 and 3 on map. He and his family and the neighbors are concerned about all properties bought by Andrew Warner, which consist of nine properties. He would like to know how Mr. Warner purchased his aunt's property, 2B and 2C from the State four years ago and it was told that along with 15 other people on the list that border Manor Drive, in 1990 when I78 was done, that their properties would never be invaded and be a pristine wildlife refuge. He was told that by Mr. Riggerio from PennDOT. They do not have it on record. Mr. Warner already on No. 4, has cut down a walnut tree that was dead which wasn't even on his property. He cut it down Friday last week at 2 PM with a bulldozer, chipper, etc. and went in there. There's a natural sinkhole that's been there for over 150 years. It is now filled up with dirt and acts as a natural spillway before it floods into Black River Creek. He then proceeded to cut back into the tree line cutting down an old mature poplar tree and went in 25 yards into the state refuge area. Now we found out four years ago, he bought it from the state. How can't that be publicized? He contacted many people about this as he found out this man might run a housing development through there. There might even be a sewage connection there. Mr. Johnson said the township doesn't have any power who buys what. But when the person who buys the land wants to do something, he needs to go through all the channels. Mr. Wirth said he was already approved to build a bank, which was approved by the Township. Mr. Johnson said if he wants to do anything on his property, he has to go through the same thing as he did when he built the bank. You should call the Zoning Officer (ZO) and talk to him. Mr. Wirth said he contacted Mrs. Yerger. She said the complaint has to come from him. Mr. Wirth said all the families are distraught over it. He found out that Andrew Warner sits on the Board of Governors on SV Country Club and CEO or COO of Land Development Corp. FISSAR located in the State of Colorado that build multi, multi million dollars land developments. Mr. Warner called Mr. Wirth's mother the other day. He was on the phone for ½ hour. He was telling her things that were very disturbing to her. Mr. McCormick said what did he say? Mr. Wirth said he said he owns the property and never intends to build on it and wants to be able to walk through and enjoy the environment. A friend of his has hunted that farm, and there is no storm water drainage. The three major drainage swales are about 50 yard increments which run directly on to his brother's farm and into Black River Creek.

Attorney Clemons said he's just trying to get things moved along here. He understands that you want to make the EAC and representatives of the township aware of the concerns you have and activities that are occurring on this property for which there may not be permits. You've let them know that a number of property owners have that concern. The second thing you brought to their attention was there are some violations that have to do with the physical activities of the property. If you make a formal complaint to the ZO, he will inspect the property and determine if Mr. Warner is in compliance. The third thing you want to do is to make the township aware that there are folks here who are concerned about these activities going on. If there are any land development activities, they have to go through an extensive review process and meet high standards in this township. Those are the three objectives you had in coming here. Mr. Wirth said correct.

Mr. Johnson said thanks for the heads up as they are concerned about any environmentally valuable land in the township. Thanks for letting us know about it and we'll have our ZO check into it. If he submits a plan for approval, you'll have many times to come in here again. Tonight was a good night to give us a heads up on this situation.

Mrs. Yerger said any land development would have to go through a formal process. He has not submitted any development plans for any of that property. Mr. Wirth said this was trying to be hidden and the reason it was brought out, he knows personally of quite a few illegal hunters sneaking into a property owned by Dennis Benner. They'll come in and shoot deer and come in at

night and take the deer. Mrs. Yerger said that said, if the gentlemen is doing earth movement, tree removal, you need to call Chris Garges and report it to him – unpermited earth disturbance happening on this property.

Mr. Maxfield asked what he was filling the sinkhole with? Mr. Wirth said the poplar tree along with four or five small saplings and he took the chipper and put them into the riparian corridor. He put it in the Oshankowsi, property and found out they used to live across from the 378 produce stand which is now owned by Andrew Warner. Mr. Osankowski said he was given that house by Mr. Warner. How convenient. Mr. Maxfield said if these things are occurring, we will refer them to our ZO and you need to make a formal complaint.

Mr. Stern, resident, said the Zoning Commission already approved Pierpont Development. At that Zoning Hearing Board (ZHB) he ended up combining properties which included the Oshankowski building. He pulled a fast one on us that by combining the property, he combined commercial with the residential and that was approved by the ZHB. How did he manage to buy properties from the state w/o anyone knowing. Mrs. Yerger said we aren't privied to what PennDOT and the State does. Mr. Maxfield said the properties of Pierpoint are GB 2 which are all commercial. The larger piece of property you have is R40 which is basically the one acre zone which is residential. Right now any sort of commercial endeavor could not occur within that R40 zone. He would have to go through a long process. Mr. Stern said the boat is on a V triangle property. It's not fenced in and the boat could collapse any day. Who is responsible for that? Mr. Johnson said the property owner. Mr. Stern said it's the state. Mr. Johnson said then the state is responsible. Mr. Stern said how did he get permission to get onto that property to cut those trees? Mr. Wirth said there is no access at all.

Mr. Roumeliotis, resident, 1457 Manor Drive, said he's been on the ZHB and been a resident for 22 years. We can sit at a table and say the state or local is responsible for monitoring what's gong on. People do a lot of things in this township w/o the government knowing what's going on. To sit here and say someone will take care of it, we're kidding ourselves. There's a swale by Colesville Road that is being filled up. It provides drainage for 378 and the abutting properties. There were two houses behind the drain swale. One was knocked down, one is still there. The township, its committees and boards have the fiduciary responsibility to act in the fairness of the public here. This gentlemen has a bonafide concern and everybody who have properties around him. Yes, there are people in this township that would love to develop anything in this township. We ask that someone take the lead, find out what's going on, and alleviate the issue.

Mr. Wirth said three years ago, he was a meeting with his father and addressed a situation with the property with the drainage swale that Andrew Warner now owns. They started to dump dirt and fill in right up to the billboard. The township stopped some of it and it was on hold for awhile. Then four years ago, a half year before A. Warner purchased those pieces of property, it's totally filled in and trees were cut down that were well developed. He hopes this is addressed. Ms. Yerger said call the ZO and he will investigate and we can proceed from there. Mrs. Yerger said this will be investigated.

Mr. Stern said it was reported that the trees were knocked down, but he doesn't know if it was reported or if the ZO even looked into it. Mrs. Yerger said this will be investigated.

MOTION BY: Mr. Maxfield moved to relay this information to our administration.
SECOND BY: Mrs. Yerger
ROLL CALL: All in Favor: Yes
Opposed: None

B. TERRY CLEMONS TO DISCUSS FOREST MANAGEMENT ISSUES

Mr. Clemons said he knows the question has come up concerning forestry practices and what the state law and what your ordinance provides. He has been involved in developing a forestry ordinance and providing regulations in the conservation easements concerning these practices. There are two keys to make sure that a proper forestry plan is implemented. No. 1 is that it is not just be a logging plan. It must be a forest management plan prepared by somebody who is qualified that calls for the implementation for sustainable forestry practices. That plan needs to be followed in advance to anybody coming in and doing logging. One component of a forest management plan is a timber harvest…someone coming in and taking trees out. You can't just come in and take all the 12 to 14 inch trees or take out the things that are growing the fastest. What's important to a success of a forest management plan is require that someone that is coming in for a timber harvest to demonstrate this has been done pursuant to a forest management plan that is designed to sustain hardwood forest which are native to this area and reviewed by someone who is qualified to do that. The second part of that is to make sure that the plan that is referred to is actually implemented so that the guy who comes in with the chain saw is doing what the forest management plan says to do. That means the plan should be reviewed by someone who is qualified to do so. The second part of that is to make sure that the plan that is referred to is actually implemented so that the guy who comes in with the chain saw is doing what the forest management plans says what you should do – like leaving specimen trees so those trees can regenerate the forest. The seedling trees need to remain and need light to regenerate themselves. It may also involved the guy with the chain saw taking out the evasive species or prime trees and take them to the saw mill. The key to that is to have someone knowledgeable to look at the forest management plan and also somebody knowledgeable to police the actual timber part of those so the principals are followed. What ought to happen is that there should be seedlings out there to regenerate and give you a new stand of hardwood forest that is what you want, especially in the highland region. When he approached the ordinance, he described himself as a tree hugger. He has trees on his property, and what he's finding is there are old trees that really need to be removed for the safety of the structure and time for them to make way for the next ones. You have to practice some of these management techniques. He knows the highlands area is an important area because it's a big expanse of forest and an area that you want to make sure you get it right.

Mr. McCormick said if you could summarize it, what the current provision or current ordinance provides, and then after that, explain to him if there have been any requests to any of them that be changed. Mr. Maxfield said he thinks its overly adequate and very protective and designed to be that way because there were clear cutting problems in the past. The only request they had to change was from someone who said no reasonable lumberer would come to this community because the ordinance is too tough. It calls for site plan, identification of trees to be removed, minimal disturbance of under story, leaving of branches to make habitat, cover up bare areas. The ordinance was passed years ago. Mr. McCormick said has anyone come before us and said this should be amended? Mr. Maxfield said the concern is since we passed that ordinance, there's been part of the MPC of amendments went through within the last three years at the state level. Mr. Clemons said what happened was every time folks wanted to amend the planning code, all of the political interests get their finger into the pot. There were ordinances that required special approvals. The MPC said you have to permit forestry as a matter of right so it doesn't have to go through a land development process. Three years ago, half a dozen communities went through amending the ordinances so it didn't go through this land development process. Mr. McCormick said does our current ordinance require a land development process? Is our timbering ordinance impermissible under state law? Mr. Clemons said it is subject to challenge. Mr. Maxfield said reasonable or unreasonable and the challenger will try to prove it's unreasonable. Mrs. Yerger said

if that happens if you lose that challenge, then you lose a lot of discretion as far as how you can control it.

Mr. Clemons said let's talk about strict, more strict and less strict. This was a learning curve for him because his gut reaction is that ordinance that permits the fewest trees removed is the best ordinance because we want the trees to continue to produce oxygen. When he went through the process of looking at Solebury's ordinance, it was clear that just keeping all the trees there and not having them disturbed does not promote a healthy forest. Mr. McCormick said does our ordinance say to keep all the trees there and not have them disturbed or does it say in your legal opinion is our ordinance problematic or it is subject to challenge and perhaps down the line someone might challenge it and if so, can we handle it now. Mr. Beardsley said there was something else that came up and it was when we thought of acquiring conservation easements and some of those people want to retain the right to timber their property. The question came up how are we going to handle that and will there be enough profit there for them. Mrs. Yeager said if we are looking at potentially going with some of these preservations with some outside sources, they require you have timbering allowed in it.

Mr. McCormick said Mr. Reiss said he wants to do an easement and we may want to timber. Maybe we say you may timber it if it's in accordance with the local timbering ordinance which seems to allow timbering but only under certain circumstances. So the DCNR might come in and say they allowed them to timber, should an EAC on its own accord relax timbering standards. You are making a point that the best ordinance isn't necessarily the most restrictive and he believes that. Should we be doing this? Or are you saying it's okay.

Mr. Clemons said he hasn't formed an opinion about that ordinance. He's here because Sandy and Tom have talked to some folks who raised some issues. Mrs. Yerger said there have been some questions with Hellertown and we're hearing a couple of different opinions from professionals and we wanted to have a review process and visit this. The reason that I'm here is that Sandy and Tom who have talked to some folks who have raised some issues. Sandy said we're hearing some different opinions from professionals and they wanted to visit this and make sure we're on solid ground. This is the first step and we need input from the EAC. Mr. McCormick said he'd like to look at our ordinance and the municipal planning rules to make our environmental review and then look for Council's review.

Terry Boos said he hasn't seen the ordinance, but with forest management, one of the best ways to maintain a control on a timber sale is require all trees to be marked with a mark on the tree to be cut and that's done by a forester. At that point, he would say if it's not done by a professional forester, have a review process with the township, so the forester does a check somehow. Forest management, the big trees, the stuff that gets marked is easy to control. The biggest thing is under story requirements. Around here, we have high spice bush population. Under 80 year old canopy's, it can get quite thick, so you have to do a pretreatment in the spice bush before you do a timber harvest. That's where your forest management plan comes in.

Terry Clemons said a typical strict ordinance will prohibit clear cutting. What you are saying you may want to go in and remove under story so you have an area where native species can reseed and grow so that it is selective cutting, but it is not necessarily prohibiting the clearing of an area so that maybe of hardwoods, the trees that really make up a forest can grow. Mr. Johnson said he read the ordinance, there's a situation where the landowner hires a forester to come up with a plan. Each forester can come up with a different plan. The township has to hire their own registered forester to review the land owners registered foresters statement. The township will have to charge the landowner a fee to review what their forester said because we can't argue with their forester.

Mr. McCormick said we have to come up with a game plan on what we should do. We should talk about it. What should the first step be? Let's determine what inadequacies there are in the current ordinance and what council would recommend to fix it. Ms. Yerger said she's in the forest stewardess program right now. She's the owner of a woodland. What she came away was there are two distinct management plans. We need to look at it that way, manage it for wildlife or manage it for commercially for timber forest. Mr. Maxfield said say for natural forest health. Mrs. Yeager said you need to treat it as an eco system. Another way to manage it is for those people who want to timber it for profit, and treat it like a crop. We need to decide which way we want to go with. Mr. Clemons said the MPC says you have to permit forestry as a commercial enterprise, not just adopt an ordinance that's going to assure that you protect habitat. You are not going to be satisfying the MPC unless you reach a balance.

Mr. Maxfield said he has been reading forest management plans and a lot of additional material that is not forestry based, and based on the same kind of approaches that Sandy is talking about, silver culture is exactly that, managing a forest for crop, but if we're looking at an eco forest, forests don't need to be managed. The problem with forest management is that forests don't manage themselves to make the best lumber, so lumber is what we're talking about as opposed to forests. The forestry management plans do talk about removal of undergrowth, but talk about that so that big trees and quality trees can grow. Removal of quality trees is why we have no more oak forests and only beech and poplar forests. A healthy forest is one that man's hands has not been in. When man gets in there, we have imbalance. Most forestry plans are based on the Penn State model and they talk about going in there and promoting quality tree growth. A healthy forest doesn't need us managing it. A dead tree has place as a habitat.

Mr. Clemons said nature hasn't been running the forestry operations here for a couple hundred years. We have the question if a forest is left free of our hands, what's going to grow in there? Multi floral rose, we say good, that's a place for rabbits to hide. Doesn't that require some hardwood trees, so aren't we back to say we need healthy native hardwoods to grow in this area. Mr. Maxfield said a beech is a beautiful tree, but it's not a quality tree. When he walked around the township, where there was a tree down, there was a oak stump, and it was filled with garlic mustard because it opened the canopy and let the sun come in. Multi flora rose cannot exist in woods where it doesn't get a lot of light. The problems out west with all the fires is because of the way the forests have been managed. Mr. Clemons said Malcolm Brooks from Solebury Township, he went on to his property as he was doing a timber harvest, and Mr. Clemons asked why did you leave this big tree. Mr. Brooks said that's the Momma, that one is going to provide a seedling which is going to be able to grow. Mr. Maxfield said we don't see that around here. Mr. Clemons said he's arguing, the first is, the MPC says you have to permit commercial forestry, so we have to make sure the commercial timbering that is done is done in a way that will be sustainable and we are going to have to have a consultant look at the forestry plan. We have to go beyond that, when somebody is doing a commercial timber harvest, the guy who is doing the chainsaw, complies with the law.

Mr. McCormick said we should talk about whether the current ordinance should be changed. We all should have the current MPC and the current ordinance and then go over it, then talk about enforcement, monitoring, etc. but we can't have an intelligent conversation until we find out if we should change it. Mr. Maxfield said he wants Terry Clemons to look at our ordinance. Mrs. Yerger said the seminar she is attending, point blank, if you don't have some kind of provision in your ordinance for clear cutting, you are subject to risk. Mr. Maxfield said something about clear cutting in our township should be based on slope. We need to look at it and if we need to make provisions for clear cutting, we have to do it. Mr. Clemons said we have to look at the ordinance and make an evaluation and does the ordinance achieve the policy objectives that you have as an EAC. A third issue is the policy question you will have to answer at some time, if the landowner says he can't operate within this ordinance and he's not going to preserve his property from

development which we would probably think of a lesser evil than taking down trees, what do we do with that policy resolution?

Mrs. Yerger said her attending the seminar, it's pretty much said that your municipality must allow for clear cutting which is not in our ordinance. Mr. Clemons said it says you have to permit commercial foresting. It's hard to let go of words like clear cutting. Clear cutting to him is someone comes out with a dozer and takes everything out. The way some ordinances define clear cutting is to take out a large area. They contrasted to selective cutting, take a tree here, and take a tree there. He's told for the health of the forest, you may need to take out trees from a large area to open up the canopy so these things can grow. That is also a form of clear cutting. This could end up as a definitional thing.

Mrs. Yerger said everyone will get a copy of the timbering ordinance. Mr. Maxfield said this timbering ordinance was written a long time ago, long before our natural resource protection ordinance and we need to see if there are conflicts there. Mr. Clemons said two other things referenced in this ordinance is removal of trees in anticipation of land development. If you come in for a land development and you have removed trees within the past three years, there is a presumption the trees were removed in anticipation of subdivision or land development and you have to count the areas you have removed. So somebody cannot come in and say they can come in and timber all these trees, and the next year he comes in and says he wants to do a land development plan and he only has five acres of trees because he took out 20 acres. This ordinance says we pull those back in and see what is permitted to do and has tree replacement provisions that are directed to subdivision and land development.

Mrs. Yerger said this will be tabled. Do you homework and we'll discuss it in November. Mr. Clemons read a part of the NRP and gave each member of the EAC a copy of it to read over.

C. ELECTRONICS RECYLDING DROP OFF DAY – OCTOBER 13, 2007 – 9 AM TO 12 PM

Mr. Maxfield said this is Saturday, October 13. EAC members discussed when they will be there to help out.

IV. OLD/MISCELLANEOUS BUSINESS

A. REVIEW AND APPROVAL OF MINUTES

Mr. Maxfield said they do not have the August 7, 2007 minutes yet.

The September 11, 2007 minutes, Mr. McCormick said he was not at that meeting, but was referred to in the document. Mr. Tralies said on the last page, second arrow, it should be Mr. Tralies. He didn't make a motion, but he did say that, page 6 of 6. Where it says Mr. McCormick, it should say Mr. Tralies. Glenn Kay or Bob Davis were not present either. Change the motions from Mr. McCormick to Mr. Maxfield. Ms. Ray said there is a Laura referred to (the blanks), please fill in with Laura Baird. Mr. Johnson said 2nd page, motion by Mr. Johnson, it should be Laura Baird, not Laura Ray.

Ms. Ray said she would like to see a corrected copy of the September 11, 2007 minutes before they are approved.

V. UPDATES/REPORTS

A. OPEN SPACE SUB-COMMITTEE – REVIEW FLOWCHART AND PROCEDURE LETTERS

Mrs. Yerger said Laura Ray has made changes on the Conservation Easement Procedure flow chart. She moved the 3rd one down a notch, and corrected the square box to a triangle box. Mrs. Yerger said the baseline, there's going to be a baseline report and analyses on these properties. She thinks the Open Space Committee and EAC needs to see this before the final approval from Council. They should review the base line. It should go down near the bottom of the flow chart. Mr. McCormick said second from the bottom, add, "EAC reviews appraisal and base line". Mr. McCormick said the letter was taken care of. Mrs. Yerger said we can get a recommendation or move to send this to Council for their approval.

MOTION BY: Mr. McCormick moved to send this to Council for their approval.
SECOND BY: Ms. Ray – Second
ROLL CALL: All in Favor: Yes
Opposed: None

Mrs. Yerger said we need a motion to send this letter out if Council approves. Mr. Maxfield said it would be Council's decision. Mrs. Yerger said do we have a recommendation. Mr. McCormick said 10 acres. Mrs. Yerger said she has a brochure with the questions and answers. She has the document that was put together by Heritage Conservancy and is used by multiple, multiple townships. Look at it and see if they want to include it with their initial package. EAC can change it if they want to. Mr. McCormick said why don't we make a motion that it be mass reproduced right now and say enclosed is something you might find useful. Mrs. Yerger said they will have to reproduce them.

Mr. Beardsley said the Open Space Committee has a recommendation on appraisals. The EAC pay for the first one and if they need another one, the homeowner should probably pay for that, but it's not written in stone.

MOTION BY: Mr. McCormick moved for approval as stated above by Mr. Beardsley.
SECOND BY: Mr. Beardsley
ROLL CALL: All in Favor: Yes
Opposed: None

Mr. Beardsley said we were going to run ads in the newspapers. Mr. McCormick said it was in the newsletter. They'll run it again. Mr. Maxfield said hold off on this until the budget is approved in January. The EIT money starts dribbling in next year. Mr. McCormick said the ad will specify land owners with 10 acres or more. Mrs. Yerger said should we stipulate the 10 plus acres? Mr. Maxfield said you'll have people calling with 1/8 of an acre. Mrs. Yerger said what if it's 3 acres we absolutely want. Mr. McCormick said it'll take us 2 seconds to sort this out to see if we want the land or not. Everyone knows if they have 1/8 of an acre paved, they should not call. This will be sent to Council.

Mr. Beardsley said on the Martin property, he's wondering about the pipeline easement might be affected as it runs right through. He was wondering if the acreage that is part of the pipeline easement would be recruited in the conservation easement. The pipeline easement may supersede anything we say. Mrs. Yerger said he wouldn't get any kind of payment for that acreage. Mr. Beardsley said that pipeline has to be excluded from the easement. Mr. Maxfield said we might need provisions for crossing that and might need some linkage. Mrs. Yerger said give Laura Baird a call.

Mr. Beardsley said the issue came up about public access, and funding, is public access going to be required? Mrs. Yerger said if its county funding, yes, if it's DCNR funding, no. Mr. Maxfield said we'll need outside funding for a lot of cases. Mrs. Yerger said you have to decide the parameters

about public access. Is it limited to twice a year and you do property tours. You designate your property for that day, have volunteers, that satisfies public access issues. Whether that will meet county funding, she doesn't know. Would he allow hunting? If he does, that will count for DCNR as long as there is some public access. Mr. Johnson said from John Noble, he doesn't want it to be a park. Mrs. Yerger said you can have scout troops come three or four times a year and that qualifies it. Mr. Beardsley said a suggestion from Chris from Wildlands was put in there gravel parking spaces so people can get out and walk the loop and come back out and go home. He mentioned it to Mr. Noble and he kind of side stepped it. Mr. Johnson asked if they would want to do timbering on that property? Mr. Maxfield said there are really no trees left there. Mr. Noble didn't say he would go along with no timbering. He wanted to reserve the right to farm it. Mr. Maxfield said all three agreed to the riparian corridor. That was a condition – beefing up the riparian corridor. Mr. Maxfield said all of this has to be approved by Council

VI. ADJOURNMENT

MOTION BY: Mr. Beardsley moved to adjourn. The time was 9:26 PM.
SECOND BY: Mr. Johnson
ROLL CALL: All in Favor: Yes
Opposed: None