

**The following minutes will not become official until they are approved at the next Supervisors Meeting, October 10, 2011**

September 20, 2011

Pursuant to 53 P.S. 65604, Jack Ketterman, Chairman of the Board of Supervisors of Germany Township, Adams County, Pennsylvania, requested a Special Meeting of the Board of Supervisors to be held on September 20, 2011 at 11:30 a.m. at the Eagles Park. Notice was duly advertised in the Gettysburg Times on September 17, 2011 and posted at the Eagle Park and the Township office as required by the Sunshine Law and complies with Section 604 of the 2<sup>nd</sup> Class Township Code. Business to be conducted will consist of the following:

1. Bethel Assembly of God amended landscape plan.
2. Appeal of the Final Determination of the Pa. Office of Open Records in the matter of Steven Bitzel, Complainant, vs. Germany Township, Respondent, Docket No. AP-2011-1043.
3. Quail Valley Golf Course matter

Mr. Ketterman called the special meeting to order at 11:30 a.m. the following Supervisors were present, Richard Valko. Staff members present were Susan Hansen, Secretary/Treasurer, Carroll Dell Projects Coordinator/Planning Chairman and Attorney James.

Guest present, Carl and Mary Ann Cookerly

#### **Bethel Assembly of God Amended Landscape Plan**

Mr. Valko made a motion to approve the waiver/variance of Section 520-C.c and 520-C.d of the SALDO which will result in a reduction of planting units from the required 118 to 96. Mr. Ketterman seconded the motion. The motion passed unanimously.

Mr. Ketterman made a motion to accept and approve the Bethel Assembly of God revised Landscaping Plan. The original plan was recorded in the Land Records office of Adams County on October 29, 2008. Mr. Valko seconded the motion. The motion passed unanimously.

#### **Appeal of the Final Determination of the Pa. Office of Open Records in the matter of Steven Bitzel, Complainant, vs. Germany Township, Respondent, Docket No. AP-2011-1043.**

Mr. Ketterman made a motion to appeal the final determination of the Pennsylvania Office of Open Records in the matter of Steven Bitzel, Complainant, vs. Germany Township, Respondent, Docket Number AP-2011-1043. Mr. Valko seconded the motion. The motion passed unanimously.

Mr. Ketterman made a motion in the event a hearing is necessary for this petition the Board will appoint Attorney Jeffrey Cook to represent the Townships interest as a result with

**conflict of council for the Board.** Mr. Valko seconded the motion. The motion passed unanimously.

Mary Ann Cookerly asked the Board if the alleged photograph was presented to the Board at the July 11, 2011 meeting. Mr. Ketterman answered no. Mr. Bitzel alleges Mr. Ketterman had a photograph in his possession at the July 11, 2011 Supervisors meeting. Mr. Ketterman stated he gave Mr. Bitzel his file as requested and does not know what photograph Mr. Bitzel is asking for. Mr. Ketterman stated he has a brochure of noxious weeds in his folder but no photographs. The folder is still intact, nothing added nothing removed and will be kept that way in case of a hearing.

### **Quail Valley Golf Course matter**

At 12:00 p.m. Mr. Ketterman called for an executive session for the purpose of which to discuss correspondence from Attorney Eastman for the Quail Valley Golf Course matter involving Steven Bitzel.

The meeting was reopened at 12:32 p.m.

Mr. Ketterman made **a motion based on the letter dated September 9, 2011 from Attorney Eastman to the Township Solicitor David James involving Steven Bitzel and Quail Valley Golf Course, it is not Township business and the Township will not expend any funds as a result of that letter.** Mr. Valko seconded the motion. The motion passed unanimously.

There being no further business Mr. Valko made **a motion to adjourn the meeting at 12:36 p.m.** Mr. Ketterman seconded the motion. The motion passed unanimously.

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Jack Ketterman, Chairman

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Susan Hansen, Secretary