



**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS**

**August 19, 2020  
7:00 PM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order at 7:05 PM by Mr. Kerr. Pledge of Allegiance was recited.

**ROLL CALL:** Those present included Mr. Dale Kerr, Mr. Robert Jesteadt, Mr. Thomas Smith, and Mrs. Kelly Livermore was present. Mr. Rick Saunders entered the meeting at 7:07PM.

**NOTICE OF RECORDING POLICY:** Mr. Kerr requested for anyone in the meeting to acknowledge the use of a recording device. No one acknowledged a recording device.

**PUBLIC COMMENT/VISITORS:**

Josh Reinert – Thoroughbred Construction  
Jonathan Garczowski – Gateway Engineering  
Neal Lutz – Stone Church Road  
Reuben Pink – Caruso and Spencer

**TREASURER'S REPORT:**

A motion was made by Mr. Jesteadt to accept the treasurer's report for the month of July, 2020. Second by Mr. Saunders. All in favor. Motion carried.

**ADMINISTRATIVE ACTION (Invoices):** Motion made by Mr. Saunders to pay the bills General Fund checks (GF:13452-13477) (Highway Aid: 736); (Fire Tax: 1083-1085) Payroll (7/23/20,8/6/20, 8/20/20); Electric 8/19/20. Second by Mr. Jesteadt. All in favor. Motion carried.

\*2019 Audit: Mr. Pink reviewed the 2019 Audit. A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to accept the audit as presented. All in favor. Motion carried.

**MINUTES:**

A motion was made by Mr. Saunders and seconded by Mr. Kerr to approve the July 15, 2020 meeting minutes. All in favor. Motion carried.

**CORRESPONDENCE:**

Attorney Patrick Hammonds (Gordon/Lutz Lot Line Revision): Mr. Hammonds requested that the township waive the mortgage holder approval requirement for approval of the plan. The mortgage will be paid in full at the closing on the sale of the property. A motion was made by Mr. Kerr and seconded by Mr. Jesteadt to approve the request and the plan. All in favor. Motion carried. Mr. Saunders abstained as he was not in attendance at the meeting during the discussion.

**COMMITTEE UPDATES:**

**PLANNING COMMISSION:**

Thoroughbred Land Development Plan (Final):

1. A motion to approve the transportation scoping impact meeting checklist was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.
2. A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the Operations and Maintenance agreement for the Stormwater Management. All in favor. Motion carried.
3. A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the stormwater management plan with the condition that the construction cost estimate be provided and reviewed by the township engineer for approval, 110% of the construction cost of the stormwater facility be escrowed with the township and township engineer signs the plan. All in favor. Motion carried.
4. A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the land development plan with the condition that the plan and certificates be presented and reviewed for approval by the township engineer and the Highway Occupancy permit notation be included on the plan. All in favor. Motion carried.

EMERGENCY SERVICES: No report.

### **ROAD DEPARTMENT REPORT:**

Badger Hill Road (Bear Run Campground): A motion was made by Mr. Saunders and seconded by Mr. Jesteadt for Mr. Smith to prepare a letter to be sent to the owners with a deadline on the required submissions. All in favor. Motion carried.

Single Seal: scheduled for the week of 8/17/20.

Paving: Final Completion Report: A motion to approve the final completion report and release the payment upon inspection by Penndot was made by Mr. Kerr and seconded by Mr. Saunders. All in favor. Motion carried.

### **PERMITS:**

Septic: Sewage Hardship: Mr. Smith will prepare correspondence

Williams Road: New

Levis Road: New

Building:

Kildoo Road: A motion by Mr. Saunders and seconded by Mr. Jesteadt to approve the setback waiver on the front of the property due to terrain and septic location for the construction of a garage within 23 feet from the right of way. All in favor. Motion carried.

Driveway:

133 Johnson: New. A motion to approve the agriculture driveway (3<sup>rd</sup>) which access the horse barn was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

457 Pfeifer Road: New

Over Posted Weight: Burnside (Dodson): Cease and desist issued.

### **UNFINISHED BUSINESS:**

Communications Tower Ordinance and Subdivision and Land Development Ordinance: Review for updated DAS standards. Motion made by Mr. Saunders and seconded by Mr. Jesteadt to table. All in favor. Motion carried.

Subdivision and Land Development Ordinance: A motion to table made by Mr. Kerr and seconded by Mr. Saunders. All in favor. Motion carried.

Code Enforcement: A proposal was received by Richardson Inspection Services. The proposal was provided to the solicitor for review. A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to invite Mr. Richardson to the September meeting. All in favor. Motion carried.

Portersville Boundary (Brenneman Road): No Action. A motion to table made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Armstrong Service (Stanford Road): No Action. A motion to table made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Agriculture Security Area – 7 Year Review: Scheduled for advertising in October.

Impact Fee: Discussion on the process.

Amusement Tax Ordinance: Mr. Smith will research for both, events and device.

**NEW BUSINESS:**

Small Flow Treatment Facility Agreement: A motion to approve the agreement between the township and Graf Holdings LLC was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Resolution 2020-10: A motion to approve Resolution 2020-10: Small Flow Treatment Facility Land Development Plan was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Lake Side Lane: Private Lane Sign Agreement. A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the agreement between the township and Gary and Christine Miller. All in favor. Motion carried.

Portersville Food Pantry: Mrs. Livermore has been working with Mrs. Burns on locating funding for the Food Pantry.

Seasonal Workers: A motion to terminate the seasonal workers effective August 31, 2020 was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Thoroughbred Stormwater Construction Estimate: A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the estimate of \$19,466.00 with an escrow amount of \$21,412.60 pending approval by the township engineer. All in favor. Motion carried.

**SOLICITOR'S COMMENTS:** None

**SECRETARY'S COMMENTS:**

2021 Budget

Draft: October 21, 2020

Preliminary: November 18, 2020

Advertise: November 26, 2020

Adopt: December 16, 2020

**ADJOURNMENT:** Motion by Mr. Saunders to adjourn at 9:12 PM. Second by Mr. Jesteadt. All in favor. Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale Kerr, Chairman

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Kelly A. Livermore, Secretary/Treasurer

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Eric "Rick" Saunders

(Seal)

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Robert J. Jesteadt, Sr.