

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
September 18, 2013
7:00 PM**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:02 PM by Mr. Rick Saunders. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Robert Jesteadt, Mr. Thomas Smith and Mrs. Kelly Livermore. Mr. Dale Kerr was absent.

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

VISITORS: Mr. Tom Thompson, Mr. Rich Shaffer, Mr. Les Hulver, Ms. Darlene Oliver, Mr. Howard Stanford, Mr. Dave DeSuta, Mr. Rodney Dempsey, Mrs. Dora Hemphill, Mr. Ken Hemphill, Mrs. Vivian Caruso.

TREASURER'S REPORT: A motion was made by Mr. Saunders to accept the treasurer's report for the month of August. Second by Mr. Jesteadt. All in favor. Motion carried.

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills General Fund checks (10786-10816). Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES: Motion made by Mr. Saunders with a second by Mr. Jesteadt to adopt the August 21, 2013 meeting minutes. All in favor. Motion carried.

CORRESPONDENCE:

Advanced Treatment, Inc. Notification of Act 14, 67 & 68 as per DEP

Darlene Oliver: Notification of Act 14, 67, and 68 per DEP

Oliver/DEP: DEP Planning Module for Small Flow. Mrs. Oliver will require a lot line revision or easement. The septic will not be approved because it will be on a different parcel than the dwelling for which is services. A motion was made by Mr. Saunders to adopt Resolution 2013-08 (DEP Resolution for New Land Development). Second by Mr. Jesteadt. All in favor. Motion carried.

Butler County Property and Revenue: Thank you for permits.

US Bankruptcy Court: Notification of filing and meeting of debtors.

PSATS: News Bulletin.

Butler County Controller: CAFR financial report.

PennDot: Bridge weight restrictions.

Pipeline Safety: Training Oct 9

Butler County Property and Revenue: Appeal Hearings.

Pa DOT: 2014 Estimate \$83,689.72.

PSATS U/C: 2014 Increase from 8% to 8.725% due to an increase in claims from 2010 – 2012 over 250%.

Bronder: Agreement for Traffic Signal Maintenance 2013-2014. A motion to approve the agreement made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

HDH: Letter of interest if seeking bids for insurance coverage in 2014.

PUBLIC COMMENT: None

COMMITTEE UPDATES:

- **Planning Commission:**

HEMPHILL/HOGG LOT LINE: Mr. Hemphill presented his lot line plan. Mr. Hemphill requested a waiver of the 2 foot contours. Mr. Hemphill requested a waiver of the alternate septic test site for each parcel. The Muddy Creek Township Planning Commission recommended approval of the plan. A motion was made by Mr. Saunders to approval the waiver of the 2 foot contours and alternate septic test site for each parcel and approval of the plan. Second by Mr. Jesteadt. All in favor. Motion carried.

HULVER/SHAFFER: Mr. Hulver presented his lot line plan. Mr. Hulver requested a waiver of the 2 foot contours. Mr. Hulver requested a waiver of the alternate septic test site for each parcel. The Muddy Creek Township Planning Commission recommended approval of the plan. A motion was made by Mr. Saunders to approval the waiver of the 2 foot contours and alternate septic test site for each parcel and approval of the plan. Second by Mr. Jesteadt. All in favor. Motion carried.

DESUTA LAND DEVELOPMENT: Mr. Desuta requested approval from the Board o install a holding tank. Mr. Duncan performed testing on the parcel. The parcel did not perk anywhere. A motion was made by Mr. Saunders to install a holding tank in accordance with township ordinance 64. Second by Mr. Jesteadt. All in favor. Motion carried. A motion to approve the preliminary land development plan presented by Dave DeSuta with the recommendations of the Muddy Creek Planning Commission was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

- **BCATO:**

No report.

- **COG:**

Mr. Jesteadt reported that COG is cutting back on the number of meetings. At the last meeting, the discussion was focused on COG insurance.

- **ACT 32 COMMITTEE:**

No report.

- **AGRICULTURE SECURITY AREA ADVISORY BOARD:** A motion to schedule the seven year review hearing on October 16, 2013 at 7:00 PM was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

ROAD DEPARTMENT REPORT:

- A. **Red Truck:** Bid was awarded to the 2nd highest bidder for \$12,400. A resolution is needed to budget the funds.
- B. **Bauder Mill Bridge Guiderails:** Mrs. Livermore will check with the road department to inquire if they are able to install guiderails. If not, then quotes should be obtained. A motion was made by Mr. Saunders that if quotes were received between meetings and two supervisors agreed, the guiderails can be installed. Second by Mr. Jesteadt. All in favor. Motion carried.

- C. Bauder Mill Stormwater: Project completed.
- D. Logging Over Posted Weight Permit: A motion was made by Saunders and seconded by Mr. Jesteadt to release the Mitchelltree Brothers bond. All in favor. Motion carried.
- E. Crack seal Badger Hill Road: A motion was made by Mr. Saunders to crack seal the end of driveway where the township truck turns around at 190 Badger Hill Road and authorize the road department to request permission from the Commonwealth to construct a turnaround on state property on Badger Hill Road. Second by Mr. Jesteadt. All in favor. Motion carried.

2012 AUDIT:

Mrs. Vivian Caruso was present to provide the 2012 audit report for the Muddy Creek Township funds. A motion to accept the audit report was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

PERMITS ISSUED:

Driveway Permits:

854 Yellow Creek Road (resurface)

275 Levis Road (resurface)

Kelner Way: Mr. Kelner completed resurfacing on a portion of his roadway. Mr. Kelner is required to submit a stormwater plan. He is currently working on the plan and has submitted one which was forwarded to the engineer.

Septic Permits:

228 Hufnagel (repair)

357 Stanford (repair)

Building Permits:

Mr. Saunders motioned to approve a 6 month extension (March, 2014) request by Michele Hvizdak (Levis Road) permit # 17-2012. Second by Mr. Jesteadt. All in favor. Motion carried.

Cease and Desist: A cease and desist order was issued to Jones (415 E. Portersville Road) for the construction of a deck, walls, windows and roof on the deck.

OLD BUSINESS:

- A. Indemnity Agreement for HOP: Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- B. Inter-municipal Agreement Ordinance 68: A motion to adopt Ordinance 68 was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- C. Junk Cars: Mr. Saunders made a motion for Mrs. Livermore to send a letter to Mr. Gordon stating that he may not store any other cars on his property and that he has until June, 2014 to remove the vehicles. Second by Mr. Jesteadt. All in favor. Motion carried.
- D. Pilot Traffic Signals: Need confirmation that they are installed.
- E. Sewage Temporary Holding Tank Agreement: Motion by Mr. Saunders to adopt the agreement to be used for temporary holding tanks in accordance with Ordinance 64 in Muddy Creek Township. Second by Mr. Jesteadt. All in favor. \
- F. Letter to Sheriff Slupe: Signed by the Board.

NEW BUSINESS:

- A. Department of Auditor General: An auditor was on site on Monday, September 16, 2013 to review the liquid fuels account for 2012. One note was that the craftco rental should be re-coded. The review was positive.
- B. Affordable Care Act: Notifications was provided to all employees of the ACA exchanges.
- C. PSATS Webinar: A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the participation by Mrs. Livermore for BCO re certification at a cost of \$20/each. All in favor. Motion carried.
- D. Wallace Road Stormwater: The property on the corner of Wallace and East Portersville Road installed a drain and connected to the township system and filled in the ditch on Wallace Road. A motion was made by Mr. Saunders to authorize Mr. Smith to send a letter to the property owner referencing the ordinance violation. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. Insurance W/C Claim: Mrs. Livermore provided information.

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: None

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:14PM. Second by Mr. Jesteadt. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Eric "Rick" Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)