

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
ORGANIZATIONAL MEETING  
January 5, 2015  
9:30 AM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors Organizational Meeting was called to order by Mr. Kerr at 9:30 AM.

**ROLL CALL:** Those present included Mr. Dale Kerr, Mr. Robert Jesteadt, Sr. Mr. Eric Saunders and Mrs. Kelly Livermore.

**CHAIRPERSON:** Motion by Mr. Saunders to nominate Mr. Kerr as Board of Supervisors Chair for 2015, second Mr. Jesteadt. All in favor. Motion carried.

**VICE-CHAIRPERSON:** Motion by Mr. Jesteadt to nominate Mr. Saunders as Vice Chair for 2015, second Mr. Kerr. All in favor. Motion carried.

**SECRETARY/TREASURER/PERMIT ISSUANCE OFFICER:** Motion by Mr. Saunders to appoint Mrs. Livermore as Secretary/Treasurer, Permit Issuance Officer and Planning Commission Recording Secretary, second Mr. Jesteadt. All in favor. Motion carried.

**LOCAL TAX RATES FOR 2015 RESOLUTION 2015-01:** A motion was made by Mr. Saunders to adopt Resolution 2015-01. Second by Mr. Kerr. All in favor. Motion carried.

**WAGE AND SALARY RESOLUTION 2015-02:** Motion by Mr. Kerr to adopt Resolution 2015-02. Second by Mr. Jesteadt. All in favor. Motion carried.

**TREASURER'S BOND:** Motion by Mr. Saunders establishing the bond amount at \$500,000.00 for the year 2015, second by Mr. Jesteadt. All in favor. Motion carried.

**ROADMASTER:** Motion by Mr. Saunders to appoint Chairman, Dale Kerr, as Road master. Second by Mr. Jesteadt. All in favor. Motion carried.

**VACANCY BOARD:** Motion by Mr. Saunders to appoint Mr. Jim Jancse to the vacancy board. Second by Mr. Jesteadt. All in favor. Motion carried.

**BCATO REPRESENTATIVE:** Motion made by Mr. Saunders to appoint Mrs. Livermore as the township's representative at the Butler County Association of Township Officials. Second by Mr. Jesteadt. All in favor. Motion carried.

**BUTLER COUNTY COUNCIL OF GOVERNMENTS:** Motion made by Mr. Kerr to appoint Mr. Jesteadt as the township's representative at the Butler County Council of Governments. Second by Mr. Saunders. All in favor. Motion carried.

**DEPOSITORY:** Motion by Mr. Saunders selecting First National Bank for the Township's accounts, second by Mr. Kerr. All in favor. Motion carried.

**2015 MEETING SCHEDULE:** Motion by Mr. Saunders to schedule monthly meetings of the Board of Supervisors on the third Wednesday of each month (January, February and March) at 9:30 AM and April through December at 7:00 PM at the Muddy Creek BBQ. Second Mr. Jesteadt. All in favor. Motion carried.

**NEWSPAPER PUBLICATIONS:** Motion by Mr. Kerr designating The Butler Eagle, second by Mr. Saunders. All in favor. Motion carried.

**PLANNING APPOINTMENT/REAPPOINTMENTS:** Mr. Kerr made a motion to Appoint Mr. Gary Hite to a four year term ending on December 31, 2019.  
Appoint Mr. Larry Coble to a one year term as alternate ending on December 31, 2015.

**TOWNSHIP AUDITORS:** Mr. Hart and Mrs. Miller are serving as Auditors. No appointments.

**STATE CONVENTION DELEGATE:** Motion certifying Mr. Kerr as delegate to the 2015 PSATS State Convention mad by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

**STATE CONVENTION VOTING DELEGATE:** Motion to certifying Mr. Kerr as the Township's voting delegate to the 2015 PSATS State Convention made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

**2015 MILEAGE REIMBURSEMENT:** Motion by Mr. Kerr setting rate by IRS (.575/mile) second Mr. Jesteadt. All in favor. Motion carried.

**2015 FEE SCHEDULE:** Motion by Mr. Kerr to adopt Resolution 2015-03 setting the Township's 2015 Fee Schedule, second by Mr. Jesteadt. All in favor. Motion carried.

**PENSION ADMINISTRATIVE OFFICER:** Motion by Mr. Saunders to appoint the Secretary/Treasurer as Administrative Officer for the Pension Fund. Second by Mr. Jesteadt. All in favor. Motion carried.

**ADMINSITRATIVE OFFICER FOR PAUC ACCOUNT:** Motion by Mr. Saunders to appoint the Secretary/Treasurer as PAUC account administrative officer. Second by Mr. Jesteadt. All in favor. Motion carried.

**ASSISTANT TO THE SECRETARY:** Motion to appoint Marnie Chuba as Assistant to the Secretary made by Mr. Kerr. Seconded by Mr. Saunders. All in favor. Motion carried.

**SEWAGE ENFORCEMENT OFFICER:** Motion by Mr. Kerr to appoint Doug Duncan as primary Sewage Enforcement Officer, second Mr. Kerr. All in favor. Motion carried.

**ALTERNATE SEWAGE ENFORCEMENT OFFICER:** Motion by Mr. Kerr to appoint David Ice as alternate sewage enforcement officer. Second by Mr. Jesteadt. All in favor. Motion carried.

**BUILDING CODE ENFORCEMENT AGENCY:** Motion by Mr. Saunders to adopt resolution 2015-04 appointing Professional Code Services as the Building Code Official and Inspection Agency. Second Mr. Jesteadt. All in favor. Motion carried.

**SOLICITOR:** Motion by Mr. Saunders to appoint Mr. Thomas L. Smith, second by Mr. Jesteadt. All in favor. Motion carried.

**ENGINEER:** Motion by Mr. Saunders to appoint Gannett Fleming as the engineer, second by Mr. Jesteadt. All in favor. Motion carried.

**ALTERNATE ENGINEER:** Motion by Mr. Saunders to appoint Senate Engineering as the alternate engineer, second by Mr. Jesteadt. All in favor. Motion carried.

**CERTIFIED PUBLIC ACCOUNTANTS:** Motion by Mr. Kerr to adopt Resolution 2015-05 appointing the Firm of Caruso & Caruso, PC to perform the 2014 Annual Financial Audit at a cost not to exceed \$4335.00, second Mr. Saunders. All in favor. Motion carried.

**REAL ESTATE TRANSFER TAX COLLECTOR:** Motion by Mr. Saunders reappointing Butler County Recorder of Deeds, second by Mr. Jesteadt. All in favor. Motion carried.

**DEPUTY REAL ESTATE TAX COLLECTOR:** Motion made by Mr. Saunders and seconded by Mr. Jesteadt to appoint Sherry Filges as Deputy Real Estate Tax Collector for 2015. All in favor. Motion carried.

**LST/DELINQUENT EIT:** Motion by Mr. Kerr to appoint Berkheimer Tax Administrator to collect the Current and Delinquent Local Services Tax and the delinquent Earned Income Tax. Second by Mr. Saunders. All in favor. Motion carried.

**FIRE DEPARTMENT:** Motion made by Mr. Kerr to appoint Portersville-Muddy Creek Township Volunteer Fire Department as the Muddy Creek Township Fire Company/Emergency Service. Second by Mr. Saunders. All in favor. Motion carried.

**EMA COORDINATOR:** Motion by Mr. Kerr to appoint Mr. Vaughn Badger, second Mr. Saunders. All in favor. Motion carried.

**ADJOURNMENT:** Motion by Mr. Kerr at 9:47 AM. to adjourn, second Mr. Saunders. All in favor. Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale R. Kerr, Chair

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Eric Saunders, Vice Chair

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Robert J. Jesteadt, Supervisor

ATTEST:

\_\_\_\_\_  
Kelly Livermore  
Secretary/Treasurer

(SEAL)

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS**

**January 21, 2015**

**9:30 AM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order at 9:31 AM by Mr. Rick Saunders. Pledge of Allegiance was recited.

**ROLL CALL:** Those present included, Mr. Bob Jesteadt, Mr. Rick Saunders, Mr. Thomas Smith and Mrs. Kelly Livermore. Mr. Dale Kerr was absent until 10:06 AM.

**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.

**TREASURER'S REPORT:** A motion was made by Mr. Saunders to accept the treasurer's report for the month of December, 2014. Second by Mr. Jesteadt. All in favor. Motion carried.

**ADMINISTRATIVE ACTION (Invoices):** Motion made by Mr. Saunders to pay the bills General Fund checks (GF 11384-11434 with voided 11362-11383 and 11402-11403); Building Fund (1); Payroll (12/6/14, 12/18/14); electric (12/16/14). Second by Mr. Jesteadt. All in favor. Motion carried.

**MINUTES:**

A Motion to approve of the minutes of the December 17, 2014, made by Mr. Jesteadt with a second by Mr. Saunders. All in favor. Motion carried.

A motion to approve the minutes of the January 5, 2015 organizational meeting minutes was made by Mr. Jesteadt and seconded by Mr. Saunders. All in favor. Motion carried.

**VISITORS/PUBLIC COMMENT:**

Tom Marak (107 Bauder School Road): requested information to get grant funding for equipment to carry out the duties of constable. Mr. Saunders informed Mr. Marak to contact local state legislator and representative.

George Wagner (168 Stanford Road), Engineer Tom Thompson, Andy Prengaman (1528 Perry Highway), Lee Prengaman (1528 Perry Highway), John Mushinski (268 Sawyer Road), Doug Duncan 1530 Perry Highway, Mark McClymonds (PO Box 296, Currie Road), Auditor Diana Miller (105 James Lane)

Mr. Wagner requested clarification of the Stormwater Management Ordinance in regards to the maintenance of existing driveways where gravel is installed on gravel. The ordinance requires that a stormwater management plan for any gravel on gravel for areas over 5,000 square feet.

\*Dale Kerr entered meeting

Mr. Lee Prengaman expressed concern with existing driveway and the requirement for maintenance of gravel on gravel.

Mr. Doug Duncan asked if the ordinance can be amended.

A motion was made by Mr. Kerr authorize the secretary/treasurer/permit officer to waive the stormwater management plan submission requirement for driveways/parking areas which were in

place prior to the adoption of the ordinance and where there is only gravel on gravel maintenance being performed. Each waiver will be made individually on a case by case basis. All in favor. Motion carried.

A motion was made by Mr. Kerr and seconded by Mr. Saunders to waive the stormwater requirement for Mr. Wagner on his three continuous parcels on Stanford Road provided that he completes the paperwork provided. All in favor. Motion carried.

The board asked Mr. Smith to prepare a draft amendment to the Stormwater Management Ordinance to address the maintenance of existing driveway/parking areas.

Mr. Wagner made a public apology.

### **CORRESPONDENCE:**

First Energy: Energy Efficiency Incentives for Govt Facilities  
Berkheimer 2014 EIT Distribution  
Tax Claim Bureau: Sale of Real Estate for Public Sale  
PSATS Township News  
ADP – W-2's received  
PaDOT: Culvert Pipe replacement on state route 422. No detour. No date on project but tentatively in 2017.

### **COMMITTEE UPDATES:**

PLANNING COMMISSION: No plans: January meeting was cancelled.  
COG: No report

### **ROAD DEPARTMENT REPORT:**

287 Bauder Mill: Under review by the engineer.  
Pinkerton Trail: Determine if the township continues to have jurisdiction over the original Stanford Road Right of Way.

### **PERMITS ISSUED:**

Septic Permits: Complaint received – Ridgeview Trailer Court – Under review by the SEO.  
Building Permits:  
Driveway Permits: Stanford Road (White): needs to submit a new driveway permit.  
Over Posted Weight Permits:

A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the extension request from MarkWest to extent over posted weight permit for Ragan/Flinner/Stone Church (2014-05) and Yellow Creek Road (2014-02). All in favor. Motion carried.

A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the over posted weight permit for Allegheny Wood Products for logging on Burnside (2015-02) and Stanford/Yellow Creek (2015-01)

Assessment Permits: None  
Grading Permits: None  
Road Occupancy Permit: None  
SWM Plan: None

**OLD BUSINESS:**

Muddy Creek Township Gas Lease: Rex not interested at this time to lease with the township.  
Ordinance 69 "Road Occupancy Ordinance": A motion to adopt Ordinance 69 was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Ordinance 70 "Intergovernmental Agreement Ordinance": A motion to adopt Ordinance 70 was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

**NEW BUSINESS:**

EIT Fund Distribution: Motion to table made by Mr. Kerr and seconded by Mr. Saunders. All in favor. Motion carried.

Holding Tank Agreement: A motion by Mr. Kerr and seconded by Mr. Saunders to approve the Rex Energy Holding tank agreements for the Adams well site. All in favor. Motion carried.

The Auditors held their annual meeting and set the working supervisor hourly rate as follows:

Road Worker \$13.00/hour  
Road Master \$19.52/hour

Mr. Saunders exited the meeting at 10:48 AM.

**SOLICITORS COMMENTS:** None.

**SECRETARY'S COMMENTS:** None

**ADJOURNMENT:** Motion by Mr. Kerr to adjourn at 10:59 AM. Second by Mr. Jesteadt. All in favor. Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale Kerr, Chairman

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Eric "Rick" Saunders

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Robert J. Jesteadt, Sr.

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Kelly A. Livermore, Secretary/Treasurer

(Seal)