

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
July 27, 2011
7:00 PM**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:01 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Thomas Smith and Mrs. Kelly Livermore. Absent: Mr. Sean Gramz.

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.

VISITORS: Mr. Larry Coble, Ms. Belinda Arndt, Ms. Darlene Oliver

TREASURER'S REPORT: Copies of the treasurer's report for the month ending June, 2011 was reviewed. Motion to accept the report made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills. Second by Mr. Kerr. All in favor. Motion carried.

MINUTES: Motion to accept the June 22, 2011 minutes made by Mr. Saunders. Second motion made by Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

- A. Sovereign Consulting Inc. Notice of Reportable Release at Pilot Travel Center.
- B. PSATS 457 Plan: Retirement Savings Plan for employees and elected officials.
- C. RE Gas: Proposed Cheeseman Compressor Station. On a motion by Mr. Saunders and seconded by Mr. Kerr, the board accepted the bond rider for the bonding of Cheeseman Road. All in favor. Motion carried. Mr. Saunders made a motion to sign the new over posted weight agreement between the township and Rex Energy for Cheeseman Road. Second by Mr. Kerr. All in favor. Motion carried. Mrs. Livermore will inform Rex Energy that they will need a land development plan for the compressor station on Cheeseman Road.
- D. Eileen Adams: Ms. Adams has requested the removal of her parcel on Hufnagel road from the Agricultural Securities. Mr. Smith will investigate the requirements to remove the parcel.
- E. Concerned Citizen Complaint: Lake Arthur Estates complaint. Mr. Kerr gave the complaint to Beau Sechan. Mrs. Livermore requested a copy of the park rules from Mrs. Sechan but did not receive a copy.
- F. Doug Duncan: Submitted a resolution for dye testing. Mr. Smith will be reviewing the septic ordinance to make changes which address the dye testing. Mr. Duncan also submitted a hold harmless affidavit. Mr. Saunders motioned to approve the affidavit and Mrs. Livermore will prepare a resolution for the next meeting. Mr. Kerr seconded. All in favor. Motion carried.
- G. Congressman Mike Kelly: Letter asking for feedback.

- H. Highmark Blue Shield: Protected Health Information
- I. Peoples Natural Gas: New customer service center
- J. H.A. Berkheimer: 2010 EIT Audit.
- K. Philip Lope: Family Fireworks would like a permit for the year. Mr. Saunders requested that the fire chief be notified to inspect prior to each display. A 14 day notice needs to be accomplished for proper notification. The firework display applicant is responsible for notifying adjacent property owners of display. The permit is active for one year. The applicant must supply one million dollar liability coverage and displays will be for commercial display applicants only. Mr. Saunders motion for Mr. Smith to respond to Mr. Lope's letter. Second by Mr. Kerr. All in favor. Motion carried.

PUBLIC COMMENT:

None

COMMITTEE UPDATES:

A. Planning:

Erin Guidish land development plan for review at the July 28, 2011 meeting.

B. Butler County Association of Township Officials: No meeting.

C. Butler County Council of Governments: Mrs. Livermore will be attending the COG secretaries and managers meeting on August 1 from 9AM to 11AM.

ROAD DEPARTMENT REPORT:

A. Three Year Plan: Mrs. Livermore completed the three year plan with input provided by Mr. Flinner and Mr. Hempfling. A copy will be forwarded to each supervisor.

B. Intersection Site Hindrance: Mr. Flinner reported that a tree on the property located on the corner of State Route 488 and Wallace road is hindering vision for motorist pulling from Wallace Road onto Route 488. The tree appears to be in the Penndot right of way. Mrs. Livermore will send a letter to Penndot notifying them of the issue.

C. Borough Roads: The condition of the Portersville Borough roads if not attended to will cause damage to the snow plows. Mr. Kerr will be meeting with Mr. Knapko from Penndot to identify the boundary line on Levis and Stanford.

D. Currie Road: The condition of Currie Road is deteriorating and a concern was voiced by residents who use the road. Currie Road will be reviewed and prioritized for future road work.

E. Road Study Results: Each supervisor was provided with the results of the Gannett Fleming Road Study. The study identified the need to place a 10 Ton restriction on the following roads:

Hufnagel, Sawyer, Ragan, Kildoo, Burnside, Sunset Ridge, Kelly, Pfeifer and Stone Church Roads.

Mr. Saunders made a motion to accept the engineers study and post the noted roads with 10 Ton weight limits. Mr. Kerr seconded the motion. All in favor. Motion carried.

F. Pfeifer Ditch: The road department has completed one half of the cleaning and will complete the rest this week.

OLD BUSINESS:

- A. Darlene Oliver Building Permit: FEMA has released information that the updated FIRM will not be released until 2015 due to fiscal constraints. Mrs. Oliver needs to complete a Letter of Map Amendment and submit to FEMA to remove the portion of her property from the flood map. Once the portion of her property that she wants to install the home is no longer in the flood zone she can obtain a building permit to install a mobile home. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. National Flood Insurance Ordinance. The ordinance was forwarded to DCED for review. Despite the new release information on the FIRM, DCED will continue to review the ordinance with the adoption date being identified when the map is released. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Traffic Lights: No action. Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Hardship Hookups:
Mr. Grupp and Ms. Parson need to complete the septic waiver application so that the board can confirm annually that a family member is living in the unit on the parcel. Ms. Parson also needs to complete a driveway permit because the driveway was installed and is hindering the flow of storm water. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

- A. 2004-05-06 EIT Claims: Two new claims have been made for the EIT for 2004-05-06. One is a new municipality and one is a municipality that a letter was sent to previously to request updated claims. Mrs. Livermore has sent letters to the respective municipality to verify via claim. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. IRS Abatement: Mrs. Livermore continues to work with the Tax Advocate to get the 2007 quarters fees and penalties abated. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Stanford Road Project: No quotes via fax were received. Mr. Saunders has phone quotes. A motion to contract with Krut and son for the drilling of the water well was made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried. Mr. Saunders will contact Mr. Krut.
- D. UCC/Man Camps: The man camps are considered temporary. Mr. Nath's recommendation was for the supervisors to determine will require UCC compliance. Mr. Saunders made a motion to not require the UCC inspection of man camps. Second by Mr. Kerr. All in favor. Motion carried.

- E. Resolution 2011-07: Motion made by Mr. Saunders to adopt resolution 2011-07 "Disposition of Records". Second by Mr. Kerr. All in favor. Motion carried.
- F. Resolution 2011-08: Motion made by Mrs. Saunders to adopt resolution 2011-08 "Butler County 2010 Hazard Mitigation Plan". Second by Mr. Kerr. All in favor. Motion carried.
- G. Pa COG conference: Motion to approve Mrs. Livermore attendance at the PA COG Conference at an estimated cost of \$285.00 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

SOLICITORS COMMENTS: None

SECRETARY'S COMMENTS: Loan Adjustment papers. Mrs. Livermore requested approval for the amendment of the loan payment scheduled from monthly to semi annually. Motion to approve the amendment made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

Mrs. Livermore reported that Ms. Arndt's last day will be August 11. She has worked on building/septic and driveway permits, new filing, the newsletter and record purging.

Mr. Gramz is not able to make Wednesday meetings due to work schedule conflict. He said that he is available on Tuesdays. The board agreed to add three Tuesday meetings (August 30, October 4 and November 29, 2011).

Mrs. Livermore has not received an updated bond from Protech. Mr. Saunders made a motion that if a bond for a one year extension was not received by August 10, 2011, Mrs. Livermore will file a claim on the bond on August 11, 2011. Motion seconded by Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 9:06PM, second Mr. Saunders. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

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