

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING
January 2, 2012
3:00 p.m.**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors Organizational Meeting was called to order by Mr. Kerr at 3:50 p.m.

CHAIRPERSON PROTEM: Motion to appoint Mr. Kerr as Protem Chairperson made by Mr. Jesteadt. Second by Mr. Kerr. All in favor. Motion carried.

RECODING SECRETARY PROTEM: Motion to appoint Mrs. Livermore as protem secretary made by Mr. Kerr. Second by Mr. Jesteadt. All in favor. Motion carried.

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

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

RECOGNIZE NEWLY ELECTED SUPERVISOR/OFFICIALS: Mr. Kerr recognized Mr. Jesteadt.

CHAIRPERSON: Motion by Mr. Jesteadt to nominate Mr. Kerr as Board of Supervisors Chair for 2012, second Mr. Kerr. All in favor. Motion carried.

VICE-CHAIRPERSON: Motion by Mr. Jesteadt to nominate Mr. Saunders, second Mr. Kerr. All in favor. Motion carried.

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

WAGE AND SALARY RESOLUTION 2012-01: Motion by Mr. Kerr to adopt Resolution #2012-01. Second by Mr. Jesteadt. All in favor. Motion carried.

TREASURER'S BOND: Motion by Mr. Kerr establishing the bond amount at \$300,000.00 for the year 2012, second by Mr. Jesteadt. All in favor. Motion carried.

ROADMASTER: Motion by Mr. Jesteadt to appoint Chairman and Vice Chairman to share the duties of road master. Second by Mr. Kerr. All in favor. Motion carried.

VACANCY BOARD: Motion by Mr. Kerr to appoint Mr. Robert Ondo to the vacancy board. Second by Mr. Jesteadt. All in favor. Motion carried.

BCATO REPRESENTATIVE: Motion made by Mr. Kerr 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. Jesteadt. All in favor. Motion carried.

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

2011 MEETING SCHEDULE: Motion by Mr. Kerr to schedule monthly meetings of the Board of Supervisors on the third Wednesday of each month 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. Jesteadt. All in favor. Motion carried.

PLANNING APPOINTMENT: Mr. Kerr made a motion to appoint Mr. Don Hutchins to a four year term beginning 1/1/2012 and ending on 12/31/2016. Second by Mr. Jesteadt. All in favor. Motion carried. Motion to appoint Ms. Cindy Hinkle to a five year term ending on December 31, 2017. Mr. Kerr. Second by Mr. Jesteadt. All in favor. Motion carried.

TOWNSHIP AUDITORS: No auditors were elected or accepted write in appointment. Mrs. Livermore will contact Mr. Ondo to identify two candidates for auditor.

STATE CONVENTION DELEGATE: Motion made certifying Mr. Dale Kerr as delegate to the 2012 State Convention made by Mr. Jesteadt. Second by Mr. Kerr. All in favor. Motion carried.

STATE CONVENTION VOTING DELEGATE: Motion certifying Mr. Dale Kerr as the voting delegate to the 2012 State Convention made by Mr. Jesteadt. Second by Mr. Kerr. All in favor. Motion carried

MILEAGE REIMBURSEMENT: Motion by Mr. Kerr setting rate by IRS (.555/mile) second Mr. Jesteadt. All in favor. Motion carried.

FEE SCHEDULE: Motion by Mr. Kerr to adopt Resolution #2012-02 with amendments setting the Township's 2012 Fee Schedule, second by Mr. Jesteadt. All in favor. Motion carried.

HOLIDAY FOR NON-UNION EMPLOYEES: Motion by Mr. Kerr setting the holiday as follows: News Years Day, Christmas Day, Thanksgiving Day, Veteran's Day, Memorial Day, Labor Day, and the 4th of July, excluding part time Non –union and seasonal employees, second Mr. Jesteadt. All in favor. Motion carried.

SEWAGE ENFORCEMENT OFFICER: Motion by Mr. Kerr to appoint Doug Duncan as primary Sewage Enforcement Officer, second Mr. Kerr. Second by Mr. Jesteadt. 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. Motion carried.

BUILDING CODE ENFORCEMENT AGENCY: Motion by Mr. Kerr to adopt resolution #2012-03 appointing Professional Code Services as the Building Code Official and Inspection Agency. Second Mr. Jesteadt. All in favor. Motion carried.

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

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

ALTERNATE ENGINEER: Motion by Mr. Kerr to appoint MESA as the alternate engineer, second by Mr. Jesteadt. All in favor. Motion carried.

CERTIFIED PUBLIC ACCOUNTANTS: Motion by Mr. Kerr to adopt Resolution #2012-04 appointing the Firm of Caruso & Caruso to perform the 2011 Annual Financial Audit at a cost not to exceed \$4200.00, second Mr. Jesteadt. All in favor. Motion carried.

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

EARNED INCOME TAX/ LOCAL SERVICES TAX COLLECTOR: Motion by Mr. Kerr to appoint Berkheimer Tax Administrator to collect the Current and Delinquent Local Services Tax and the current and delinquent Earned Income Tax. Second by Mr. Jesteadt. 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. Second by Mr. Jesteadt. All in favor. Motion carried.

EMA COORDINATOR: Motion by Mr. Kerr to appoint Mr. Vaughn Badger, if he accepts, second Mr. Jesteadt. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Kerr at 4:17 p.m. to adjourn, second Mr. Jesteadt. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale R. Kerr, Chair

Eric Saunders, Vice Chair

Robert J. Jesteadt, Supervisor

ATTEST:

Kelly Livermore
Secretary/Treasurer

(Seal)

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

January 18, 2012

7:00 PM

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:06 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

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

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: Audrey Badger, Robert Badger, Mike Hart.

Mr. Hart expressed his interest in serving as Muddy Creek Township Auditor. Mr. Hart was informed of the duties as they relate to Muddy Creek Township and the requirement to submit a Statement of Financial Interest Form. Mr. Hart acknowledged. Mr. Saunders made a motion to appoint Mr. Hart as township auditor to fill the term until the next municipal election. Second by Mr. Kerr. All in favor. Motion carried.

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

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

MINUTES: Motion made by Mr. Saunders to accept the December 21, 2011 minutes. Second by Mr. Kerr. All in favor. Motion carried. Motion made by Mr. Kerr to accept the January 2, 2012 organizational meeting minutes. Second motion made by Mr. Jesteadt. All in favor. Motion carried. Mr. Saunders abstained due to absence at the meeting.

CORRESPONDENCE:

- A. Butler County Humane Society: Surrender Contract
- B. Gannett Fleming 2012 Contract: Motion to approve the contract made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- C. 2012-2013 Costars Salt Contract: Motion made by Mr. Saunders to approve the order of 500 Tons of salt for the 12-13 winter season. Second by Mr. Jesteadt. All in favor. Motion carried.
- D. ADP: Notice of Temporary Payroll Tax Cut Continuation of 2011
- E. Larry Flinner: Notice of Retirement 12.31.2012: Motion to accept letter of retirement made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion Carried. Mrs. Livermore will send a letter to Mr. Flinner acknowledging the Boards acceptance of his retirement letter.
- F. Prospect Boys and Girls Club: Thank you for the donation.
- G. Central Pension Fund: Summary Plan Information
- H. Butler County 2012 Millage: Motion to authorize the submission of the 2012 millage form made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

- I. Mary Jo Meisel: Completed the 2011 year end outstanding taxes due with the list of property owners whose taxes are in arrears.
- J. Caruso and Caruso: 2010 Audit
- K. Portersville Fire Department: Donation and Fire Protection Notification

PUBLIC COMMENT:

No comment.

COMMITTEE UPDATES:

Planning Commission:

Organizational Meeting held on January 3, 2012 at 7:30 PM: Sean Gramz voted as Chair, Don Hutchins voted as Vice Chair, and Jim Jancse as Secretary.

The Commission voted to request payment of \$50/member in attendance at the meetings. This includes the seated alternates. The Board of Supervisors has not budgeted for payment of commission members to attend monthly meetings.

The Commission voted to request that the Township Secretary file all final plans at the courthouse and not rely on the applicant to file the plans. Mr. Saunders motioned to approve for the secretary to record final plans. The cost associated for the filing will be coded to the applicant's subdivision/land development fee. Second by Mr. Kerr. All in favor. Motion carried.

Trettel/Cravener: No one present to address with the Board.

Annual Report: Mrs. Livermore presented a copy of the annual report of the planning commission for 2011.

BCATO:

Mrs. Livermore reported that the committee is working on the spring conference. Mrs. Livermore continues to serve on the Tourism committee of the association.

COG:

Mr. Jesteadt attended the first meeting of the year. Mr. Jesteadt reported that there are opportunities for cost sharing with other townships. Mr. Furman from DCED was present at the COG meeting and informed the group that there is \$500,000 for approved projects. Mr. Jesteadt will check with Connoquenessing Township to inquire about future road projects and the joint bidding of asphalt. Mr. Kerr will check with Lancaster Township.

ROAD DEPARTMENT REPORT:

- A. Borough Roads: It is estimated that the resurfacing of the boroughs portion of Stanford Road will cost an estimated \$8,000. Mr. Kerr will be attending the next meeting. The township will continue to invoice the borough of winter maintenance.
- B. Protech Asphalt: No report has been submitted.

C. 422 Auction: 422 Auction had pipes checked on Currie Road. Mrs. Livermore will request a meeting with the county bridge engineer to get the plans for the replacement of the bridge on Currie Road.

D. Generator Hookup: Motion to approve for the road department to have an electrician install a connection for a generator at the road department building at an estimate cost of \$500.00 made by Mr. Saunders. Second by Mr. Jesteadt. Payment to be made from the building fund. All in favor. Motion carried.

OLD BUSINESS:

- A. Darlene Oliver Building Permit: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. National Flood Insurance Ordinance. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Hardship Hookups: Mrs. Parson called and said that she was not able to get the paperwork to the office. Mr. Ron Parson called and said that he would have the paperwork dropped off on Thursday, January 19. Motion made by Mr. Kerr to deem Mrs. Parson in violation if the complete application and agreement are not submitted Thursday, January 19th. Second by Mr. Saunders. All in favor. Motion carried.
- D. Sewage Ordinance: Motion to remove from the agenda by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. Township Building: A certified letter was sent to Mr. Sperdute to obtain all documents relative to the township. No response was received from Mr. Sperdute. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- F. Hufnagel (Adams) Driveway Permit: Mr. Rock called and claimed that he repaired his driveway. Mr. Artzburger called and said that he does not have a driveway in violation and that what the township believes is a driveway is actually a path for quads. No response from Adams. Mr. Kerr will investigate the Artzburger driveway. Mr. Flinner or Mr. Hempfling should investigate the Rock driveway.

NEW BUSINESS:

- A. Redistricting: Notification of the proposed redistricting still awaiting passage by the legislature. Muddy Creek would move to Elder A Vogel, Jr. district and remain in Richard Stevenson's district.
- B. Cheeseman Parcel: The parcel the well pad is located is part of the Agricultural Securities Program. Mrs. Livermore will send a letter to instruct the property owner to request that the portion that is consumed by the well be removed from the program.
- C. Bear Run Campground: Mr. Wehr has requested for No Outlet signage to be installed on Badger Hill Road and he is willing to cover the costs of the sign. Mr. Saunders has requested that two signs be installed and the anti theft screws be used. Motion made by Mr. Saunders for the sign installation on Badger Hill Road. Second by Mr. Kerr. Motion carried.
- D. Tenant Registration: Mrs. Livermore will be sending letters out for tenant registration to be distributed the beginning of February and due April 1, 2012. Mrs. Livermore stated that the ordinance requires that the tenant submit their social security numbers. Mr. Saunders and Mr. Kerr approved for the removal of the social security information from the forms.
- E. Auditor Position: Mr. Hart was appointed in the beginning of the meeting.

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: None.

EXECUTIVE SESSION: At 8:01 PM a motion was made by Mr. Saunders to enter into executive session to discuss personnel issues. Second by Mr. Jesteadt. All in favor. Motion carried. At 8:10 PM, a motion was made by Mr. Kerr to exit executive session. Second by Mr. Saunders. All in favor. Motion carried.

Unemployment Compensation: A motion was made by Mr. Kerr and seconded by Mr. Jesteadt to file relief of charges for Unemployment Compensation for the seasonal road worker. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:15PM. Second by Mr. Kerr. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)