

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
September 15, 2010
7:00 p.m.**

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

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

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: Ms. Deb Allen, Mr. Bill Hynes, Mr. Larry Coble, Mr. Doug Vogel, Pat Moore.

TREASURER'S REPORT: Mrs. Livermore provided copies of the treasurer's report for the month ending August. 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 presented. Second by Mr. Gramz. All in favor. Motion carried. Mrs. Livermore was requested to provide information on check 9431 made to Walsh Equipment.

MINUTES: Motion to approve the minutes for June 16, 2010 made by Mr. Saunders with a second by Mr. Kerr. All in favor. Motion carried. Motion to rescind motion to approve June 16, 2010 minutes made by Mr. Kerr and second by Mr. Saunders. Motion to approve June 16, 2010 minutes made by Mr. Gramz with a second by Mr. Kerr. Mr. Saunders abstained due to absence at the meeting. All in favor. Motion carried. Motion to approve July 16, 2010 meeting minutes made by Mr. Saunders with a second by Mr. Kerr. Mr. Gramz abstained due to absence at the meeting. All in favor. Motion carried. Motion to approve the August 18, 2010 minutes made by Mr. Saunders with a second by Mr. Gramz. Mr. Kerr abstained due to absence at the meeting. All in favor. Motion carried.

CORRESPONDENCE:

- A. PSATS Wage and Salary survey is available for viewing.
- B. Complaint: James Spinneweber (119 Wallace Road) regarding septic at 117 Wallace Road.
- C. Act 14 Nonfiction from William P Deemer and Associations for notification of permit renewal at Lake Arthur Estates.
- D. Gannett Fleming: Review of driveway permits and ponding issues on driveways.
- E. Portersville Borough: Request to void maintenance agreement with Muddy Creek Township continuing to provide winter maintenance on Cheeseman, Bloomfield School, Levis and Stanford Roads. On a motion by Mr. Saunders and a second by Mr. Kerr, Mrs. Livermore will amend the agreement with the list roads that the township will continue to maintain.

PUBLIC COMMENT:

Mrs. Moore commented on the upcoming budget for equipment and that she does not support a business tax. She asked if there was currently a debt tax now. Mr. Gramz wanted to clarify that he

was not in support of a business tax, but merely presenting ideas on avenues to finance the critical need to replace trucks and maintain the township roads.

COMMITTEE UPDATES:

- A. Planning: Deb Allen Land Development Preliminary and Final plan recommended for approval. Motion made by Mr. Gramz to approve the plan. Second by Mr. Saunders. All in favor motion carried. Mrs. Allen has to present to Lancaster Township for approval and record the plan at the courthouse.
Mr. Saunders motioned to appoint Mr. Bill Hynes to fill the vacant position on the planning commission with a term to end 2015. Second by Mr. Kerr. All in favor. Motion carried.
Mr. Saunders motioned to approve the appointment of Ms. Alberta Slater to fill Ms. Burtner's position with a term to end 2014. Second by Mr. Gramz. All in favor. Motion carried.
- B. Butler County Association of Township Officials: Mrs. Livermore reported that the fall conference is scheduled for October 27 in the evening. Mr. Livermore requested to attend the conference for a fee of \$15.00. Motion to approve Mrs. Livermore's attendance made by Mr. Saunders. Second by Mr. Kerr. All in favor.
- C. Butler County Council of Governments: No update
- D. Butler County Tax Collection Committee: A transition team is currently in place.

ROAD DEPARTMENT REPORT:

- A. Stone Church Road (Slater/Stevenson Property) & West Park Road/Selvaggio and Luster property: Reports were received and provided to the Supervisors for further action.
- B. Weight Limit Report: The report was received and provided to the Supervisors and Road Department for further action.
- C. Protech Asphalt, Inc.: The notice of completion was received for approval. There were no samples but Protech did provide calibration and certifications. A motion to approve the notice of completion made by Mr. Saunders. Second by Mr. Kerr. Mr. Gramz abstained due to conflict of interest. All in favor. Motion carried.

OLD BUSINESS:

- A. Trash Collection Ordinance: Mr. Vogel was present to answer questions regarding the impact if the township uses one trash hauler.
- B. Schaffer Holding Tank: Mrs. Livermore has not recorded the agreement due to the need for Mr. Schaffer to pay for the NSF check and the cost to record. A letter was sent requesting payment. Motion to remove from the agenda made by Mr. Kerr. Second by Mr. Gramz. All in favor. (Mr. Saunders was out of the meeting from 8:09PM – 8:11 PM) Motion carried.

- C. EIT Tax Audit: A meeting with the school district has been scheduled for September 28, 2010.
- D. Debra Allen Property: Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. Relay Switch – Pilot Traffic Lights: The generator was purchased. The road department will need to have training with Bronder to properly connect the generator to the panel.
- F. USDA Grant: Status of grant is still pending. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- G. National Flood Insurance Rate Map/Project: A joint meeting with FEMA, Lancaster Township Residents and Muddy Creek Township Residents has been approved for either September 30th at the Zion English Lutheran Church on Perry Highway.
- H. Butler County Storm Water Management: Butler County is waiting for approval from the state. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- I. Road Bonding Ordinance: On a motion made by Mr. Saunders to table. Second by Mr. Kerr. All in favor. Motion carried.

NEW BUSINESS:

- A. 2011 Budget Schedule:

Meet with Road Department for Plan	September, 2010
Draft Budget Due to Secretary	October 1, 2010
Preliminary Budget:	October 20, 2010
Approve Preliminary Budget:	November 17, 2010
Advertise Budget:	November 23, 2010
Adopt Budget:	December 15, 2010
- B. Trick or Treat: Motion made by Mr. Saunders to approve trick or treat night for October 30, 2010 from 6:00 – 7:30 PM. Second by Mr. Kerr. All in favor. Motion carried.
- C. Highway Aid Audit (2008-2009): Mr. Jim Anderson was at the office on September 13 and 14, 2010.
- D. IRS Status: There has been no report from the IRS regarding the abatement request.
- E. October Meeting: Mrs. Livermore may not be at the October meeting but will have all of the packets and recording device in place for the meeting.
- F. Office Hours: Mrs. Livermore will have public office hours Monday, Tuesday, and Thursdays from 8:30 – 2:00 and Wednesdays 12:00 – 6:00 PM.
- G. Sam's Club Membership: Mr. Saunders made a motion to approve the township's application for a Sam's Club Membership. Second by Mr. Kerr. All in favor. Motion carried.

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: None.

Executive Session: A motion was made by Mr. Saunders at 8:20PM to enter into executive session to discuss real estate matters. Second by Mr. Kerr. All in favor. Motion carried.

A motion was made by Mr. Saunders to end the executive session at 9:00PM. Second by Mr. Kerr. All in favor. Motion carried.

Mr. Saunders made a motion to remove the township property on Perry Highway from the agenda. Second by Mr. Gramz. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Kerr at 9:01 PM to adjourn, second Mr. Saunders. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

(Seal)