

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
December 19, 2013  
7:00 PM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order at 7:00 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

**ROLL CALL:** Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Bob Jesteadt, 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:** Mr. Vernon Kerry and Mr. Bob Frye.

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

**ADMINISTRATIVE ACTION (Invoices):** Motion made by Mr. Saunders to pay the bills General Fund checks (10914-10939) and Liquid Fuel (721). Second by Mr. Jesteadt. All in favor. Motion carried.

**MINUTES:** Motion made by Mr. Saunders with a second by Mr. Jesteadt to adopt the November 20, 2013 meeting minutes. All in favor. Motion carried.

**CORRESPONDENCE:**

Butler COG: Renewal for 2014 (\$450).

Butler County Association of Township Officials: 2014 Membership (\$35.00)

Senate Engineering: 2014 Alternate Engineer Appointment.

Gannett Fleming: 2014 Engineer Appointment

Bankruptcy Court: Rescheduled Creditors Meeting (Love: Stanford Road)

Redevelopment Authority of Butler: Addresses of blighted properties in MCT.

Butler County: Sealed bids for the tax collector bonds

Prospect Library: Thank you for the donation.

Prospect Library: Statistics

EMC: Updated Physician Panel

Act 14,67,68 and 127 Notification: Flinner Well Pad (Jesteadt Property)

Central Pension Fund: Summary Plan Information

Don Bucci: 2014 Office Lease Agreement \*A motion was made by Mr. Kerr to approved the rental agreement with Mr. Bucci for the administrative/meeting room rental for 2014 at a cost of \$570.00 per month. Second by Mr. Saunders. All in favor. Motion carried.

Payroll Smarts: Proposal for providing Payroll services (local company)

First Energy: 20 enrollments to First Energy. The township will receive \$100

Municipal Code Association: SEO appointment for 2014

Butler County Humane Society: Surrender Contract

Pembrook: Testing report (drug and alcohol random for CDL)

Union Local 66: Increase in the township pension contribution obligation from 1.75/hour to \$2.01 per hour.

Bill Hynes: Letter of resignation from the planning commissions.

PA Dept of Agriculture: Invitation to Farm Show and the Annual Public Officials Day on 1/9/2014

Butler County Bureau of Election: Results of the election (write in) Diana Miller accepted 6 yr auditor and Thomas Marak accepted the constable position

Rex Energy: Permit notification for Dorsch Well – Lancaster Township

Rodgers Insurance : Premium Packet

PSATS: 3<sup>rd</sup> Place Township Citizens Communication Contest (Most Improved Newsletter).

**PUBLIC COMMENT**: None

### **COMMITTEE UPDATES:**

- Planning Commission: Kerry Lot Line Revision: Motion made by Mr. Saunders to approve the request to waive the alternate septic testing on each parcel, 2 foot contours and approve the plan. Second by Mr. Kerr. All in favor. Motion carried.  
A motion was made by Mr. Saunders to approve the non building waiver for the Lot 3 on the Kerry Plan. The waiver can be signed outside of the meeting. Second by Mr. Kerr. All in favor. Motion carried.

Oliver Plan: Revision need to be placed on the plan in accordance with the recommendations of the Planning Commission. Mrs. Livermore made several attempts to contact the surveyor for Mrs. Oliver but he has not returned the calls. A Motion was made by Mr. Saunders for Mrs. Livermore to send a letter to Mrs. Oliver detailing what needs to be changed or added to the plan and that she will not contact the surveyor to make the changes. Second by Mr. Kerr. All in favor. Motion carried.

- BCATO:  
No meeting until January.
- COG:  
No Meeting.
- ACT 32 COMMITTEE:  
No report.

### **ROAD DEPARTMENT REPORT:**

- A. Guiderails: Waiting to be scheduled.
- B. Wallace Road (Gearhart) Driveway. The engineer met with Mr. Gearhart to review the requirements of the board.

### **PERMITS ISSUED:**

Driveway Permits:

Kelner Way: Mr. Kelner continues to work on the SWM. The township engineer reviewed it and has a few comments on the plan. An easement agreement needs to be completed and recorded for the stormwater. Mr. Kelner submitted the cost estimate for the installation at \$849.00 with an escrow of \$934.00. The engineer reviewed the estimate and believes that

the costs are within current standards. A motion to approve the estimate and operation agreement made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Septic Permits: None

Building Permits:

Stone Church Road (Galcik): Garage

### **OLD BUSINESS:**

- A. Indemnity Agreement for HOP: Motion to table by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Oliver Small Flow: Motion to remove from agenda made by Mr. Saunders. Seconded by Mr. Kerr. All in favor. Motion carried.
- C. FEMA Flood Insurance Rate Map: Mr. Smith will confirm if the township needs to re-notify the residents impacted since the map has not changed since the proposed map was issued in 2010.

### **NEW BUSINESS:**

- A. Earned Income Tax Account: A \$10.00 dormant fee is being assessed.
- B. DeSuta Land Development Plan: Butler County Conservation District was contacted on went on the site Dec. 13. The representative from DeSuta informed Mr. Harrell from BCCD that he was working on the right of way for the Moore Property. Mr. Harrell informed the representative (DeSuta) that under no circumstances was a piece of equipment to be moved at the site or onto the site without the approval of both BCCD and MCT. There was an issued with the DeSuta NPDI and ESCP and thus a permit has not been issued.
- C. Granny Flat: Motion made by Mr. Saunders to approve Kradel (non medical) granny flat Second by Mr. Jesteadt. All in favor. Motion carried.
- D. 2014 Municipal Tax Information: Mrs. Livermore submitted the DCED form with the 2014 tax rates. No change made on the taxes.
- E. 2014 Budget Adoption: A motion was made by Mr. Saunders to adopt Resolution 2013-11 2014 BUDGET. Second by Mr. Jesteadt. All in favor. Motion carried.
- F. Tree Trimming Agreement: Motion to approve the agreement with Just Hangin Around Tree Service, with execution of agreement and insurance, made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion Carried.
- G. 2014 Meeting Schedule: A motion to advertise the 2014 meeting scheduled made by Mr. Kerr. Second by Mr. Jesteadt. All in favor. Motion carried.
- H. Budget Transfer: A motion to adopt resolution 2013-12 BUDGET TRANSFER FROM GENERAL FUND TO BUILDING FUND (\$40,000) made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- I. Health Care Stipend: A motion was made by Mr. Kerr and seconded by Mr. Jesteadt to pay the Secretary/Treasurer a health care stipend at the same rate as the township road workers. All in favor. Motion carried.
- J. Holiday Hours: A motion was made by Mr. Saunders to pay 8 hours holiday for December 24, 2013 to Road Department Employees and Secretary/Treasurer. No Holiday Overtime hours will be paid. 8 hours can be used on December 24, 2013 or other time before the end of the year. Second by Mr. Jesteadt. All in favor. Motion carried.

**SOLICITORS COMMENTS:** None.

**SECRETARY'S COMMENTS:** None

**ADJOURNMENT:** Motion by Mr. Saunders to adjourn at 7:45PM. 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)