

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
October 4, 2011
7:00 PM**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:04 PM by Mr. Rick Saunders. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Sean Gramz, Mr. Thomas Smith and Mrs. Kelly Livermore. Mr. Kerr entered the meeting at 7:26 PM.

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.

VISITORS: Ms. Pat Moore

TREASURER'S REPORT: No treasurer's report.

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

CORRESPONDENCE:

- A. Morris Knowles: Request for release of Cheeseman Road Bond by XTO. Mr. Kerr met with a representative from Morris Knowles (company who moved the drilling rig off the Cheeseman property). The township needs to meet with Rex Energy due to the condition of the roadway. XTO will fix the berms.
- B. PSATS Unemployment Compensation: Notice of Amount for compensation paid.
- C. 2012 PSATS UC Rate: The rate for 2012 is 4%.
- D. Auditor General: General Municipal Pension System State Aid is \$1,372.14.
- E. Penn dot: Estimated liquid fuels fund for 2012 is \$89,800.60.
- F. Auditor General: Volunteer Fire Relief Association: \$23,566.02.

PUBLIC COMMENT:

No comment

COMMITTEE UPDATES:

Planning Commission: Guidish (Land Development Plan): Mr. Saunders made a motion to approve the Erin Guidish land development plan. Second by Mr. Gramz. All in favor. Motion carried.

BCATO: Working on fall conference

COG: The fall conference is being held on October 26, 2011 at Prospect Fire Hall.

ROAD DEPARTMENT REPORT:

A. Three Year Plan: No Action

B. Tree 488/Wallace: The tree was trimmed by the road department. Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.

C. Borough Roads: A letter was sent to Portersville Borough. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

D. Grader Storage: No action. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

E. Protech Asphalt Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

At 7:26 PM, Mr. Kerr took over as the chair of the meeting.

MINUTES: Motion to accept the September 21, 2011 minutes made by Mr. Saunders. Second motion made by Mr. Kerr. All in favor. Motion carried. Mr. Gramz abstained.

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. Gramz. All in favor. Motion carried.

C. Hardship Hookups: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

D. Fireworks Display Ordinance: Ordinance draft distributed. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.

E. Sewage Ordinance: Mr. Smith will meet with Mr. Duncan. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

F. Newsletter: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

G. Township Building: No report on the LOMA from Mr. Sperdute. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

H. 2012 Budget: Worksheets have been distributed. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

I. Hufnagel (Adams) Driveway Permit: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: None.

EXECUTIVE SESSION: A motion was made at 7:40 PM by Mr. Kerr to enter into executive session to discuss legal issues. Second by Mr. Saunders. All in favor. Motion carried. Motion to exit executive session made by Mr. Saunders at 8:14 PM. Second by Mr. Gramz. All in favor. Motion carried.

A. Seasonal – Winter Maintenance Worker: Motion to send a certified letter to Mr. Watson to recall him back for work beginning on December 15, 2011 and ending on March 30, 2012. He is to be on call and shall be ready to work within three hours of being notified. He will be called by a township representative. The rate will be \$10.00/hour Second by Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8: 14PM, second Mr. Gramz. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

(Seal)

DRAFT

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
October 26, 2011
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. Rick Saunders, Mr. Dale Kerr Mr. Thomas Smith and Mrs. Kelly Livermore. Mr. Sean Gramz was absent.

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. Pat Moore, Mr. Dan Moore.

TREASURER'S REPORT: A motion was made by Mr. Saunders to accept the treasurer's report for the month of September. 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 October 4, 2011 minutes made by Mr. Saunders. Second motion made by Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

- A. Bonnie Nicklas: A request to extend a building permit for 30 days or until November 20, 2011 to remove the old house. She had a modular home built on the property and is demolishing her old home. Motion to extend until November 30, 2011 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Penn Dot: Notice of Turn back allocation for 2012 is \$20,080.00.
- C. EMC: Thirty Day Notice of Estimate renewal premium and change in defense cost modification.
- D. Auditor General: Notice of the allocation for 2011 and the increase in Foreign Fire Tax should only be considered a one time amount and should not be budgeted for annually. A letter is being forwarded to the fire department with the check.
- E. Morris Knowles: Request for the release of the over posted weight bond for Cheeseman Road. A motion made by Mr. Saunders to release the bond. Second by Mr. Kerr. All in favor. Motion carried.
- F. Rex Energy: Road Occupancy Permit. Bore under Cheeseman Road for the metering station. Motion by Mr. Saunders to approve the road occupancy permit made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- G. US Dept of Commerce: Census Governments Survey
- H. Butler County Planning Commission: CDBG due January 2012.
- I. Pa DEP: Lake Arthur Estates MHP Permit notice

- J. Pa DOT: Public Officials meeting followed by a public plans display held in an open house format for the I 79 over state route 422 interchange project (meeting 4 to 5 on Wednesday, November 16, 2011 at the Worth Grange Hall located at 811 West Park Road, Slippery Rock, PA. The plans will be on display from 5:30 to 7:00 at the same location. Residents can attend at that time. Penn Dot is looking at rehab or replacement of the bridges that carry I-79 over route 422.
- K. Rex Energy: Requesting the release of cash bond for \$6,000 for the temporary holding tanks. Motion to release the bond less the cost for the inspections made by Mr. Saunders. Second by Mr. Kerr. All I favor. Motion carried.
- L. Dan Moore: Requests an extension on the lot line revision. Motion to extend for 90 days until January 26, 2012.

PUBLIC COMMENT:

No comment

COMMITTEE UPDATES:

Planning Commission: Moore Plan needs to be reviewed by the Lawrence County Planning Commission and Slippery Rock Planning Commission. Two Planning Commission Members terms to expire on 12.31.11 (Ms. Hinkle and Mr. Hutchins).

BCATO: Fall conference is tonight. The group will not meet again until January 2012.

COG: November 10th a seminar will be held on using SHACOG and costars. Need to RSVP.

ROAD DEPARTMENT REPORT:

A. Three Year Plan: Motion made by Mr. Saunders to remove from the agenda. Second by Mr. Kerr. All in favor. Motion carried.

B. Tree 488/Wallace: Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor.

C. Borough Roads: A letter was sent to Portersville Borough. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

D. Grader Storage: Mr. Flinner is working on this project. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

E. Protech Asphalt: Mrs. Livermore will contact the bond company to schedule an inspection to include the township.

F. 422 Auction: The Township is waiting to get information on the condition of Currie Road. Mr. Thoma should be notified that the township will contact him when a confirmed plan has been developed.

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: Motion to approve the Kradel application made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried. A discussion was held on the Parsons property.
- D. Fireworks Display Ordinance: Mr. Smith forwarded the recommended changes to Mr. Lope. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- E. Sewage Ordinance: Mr. Smith and Mr. Duncan continue to work on this issue. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- F. Newsletter: A draft was distributed. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- G. Township Building: No report on the LOMA from Mr. Sperdute. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- H. 2012 Budget: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- I. Hufnagel (Adams) Driveway Permit: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried. A certified letter needs sent to the property owner on Bloornfield School addressing the driveway.

NEW BUSINESS:

- A. IRS Adjustment Bond Claim: A claim in the amount of \$4,321.73 has been requested.
- B. Resolution 2011-09 (Building Fund: Resolution to transfer \$100,000 from the General Fund to the Building Fund). Motion to adopt resolution 2011-09 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Resolution 2011-10 (Temporary Holding Tank Fees): Motion to adopt resolution 2011-10 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Rex Energy: The size of the driveway requires a storm water management plan. Mr. Smith recommends accepting the DEP ESCGP-1 in lieu of a storm water management plan. Motion to accept a DEP approved ESCGP-1 plan in place of the storm water management plan from Rex Energy for the Cheeseman Driveway (meter station) site made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: None.

EXECUTIVE SESSION: A motion was made at 8:15 PM by Mr. Saunders to enter into executive session to discuss contract negotiations. Second by Mr. Kerr. All in favor. Motion carried. Motion to exit executive session made by Mr. Saunders at 8:30 PM. Second by Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8: 31PM, second Mr. Kerr. All in favor.
Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

(Seal)

DRAFT