

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
December 19, 2012  
7:00 PM**

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

**ROLL CALL:** Those present included Mr. Rick Saunders, Mr. Robert Jesteadt, Sr., Mr. Thomas Smith and Mrs. Kelly Livermore. Mr. Dale Kerr entered the meeting at 7:30 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:** Mr. Brian LaChance

**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. Second by Mr. Jesteadt. All in favor. Motion carried.

**CORRESPONDENCE:**

Gannett Fleming: 2013 Annual Consulting Services

PennDot: State Fine Allocation Information

Highmark: 2013 Plan Approval: A motion to approve the Highmark Vision Plan for 2013 made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

United Concordia: 2013 Plan Approval: A motion to approve the United Concordia Plan for 2013 made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

Century Link: Notice of a 10% increase beginning 2013.

Central Pension Plan: Summary Plan Information

Prospect Library: Thank you for the donation.

Pa DEP: Release of Stage III Bond approved for Ancient Sun, Inc.

C.Berg: Letter of Interest for SEO.

EMC: Received notification for Potential claim (Greenwood)

Chuck Smith: Letter of Interest for SEO.

BCATO: Letter inquiring interest in service on committees.

Butler County Election Bureau: Ballot Approval Certification: A motion was made by Mr. Saunders to approve ballot certification with changes. Second was made by Mr. Jesteadt. All in favor. Motion carried.

Rodgers Insurance 2013 Renewal: Increase of 4%. Motion to approve renewal of the insurance policy for 2013 made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

PCS: Renewal for 2013.

Sunoco: Pipeline Safety for First Responders: Mr. Saunders would like the township to request a copy of the video.

BCHS: Surrender Contract

**PUBLIC COMMENT:** No comment.

## **COMMITTEE UPDATES:**

- Planning Commission:  
Sean Gramz submitted his interest in serving on the planning commission for another 4 year term. There are two alternate vacancies.  
  
LaChance Plan: Mr. LaChance provided a brief overview of his land development plan. The township holding tank ordinance allows for a holding tank to be used for a seasonal establishment. Mr. La Chance requested approval for a holding tank for his seasonal ice cream business. Mr. La Chance also does not have any areas on the three acres that he owns that will pit or perc. A request to use a small flow system as an alternate system on his plans provided DEP approves is requested. On a motion made by Mr. Saunders and seconded by Mr. Jesteadt, Mr. LaChance was granted approval for the use of a holding tank in accordance with the township ordinance and the use of a SFTF as an alternate provided DEP approval for his land development plan. All in favor. Motion carried.
- BCATO:  
No meeting until January 2013.
- COG:  
An application was submitted via COG for a student practicum experience with BCCC.
- ACT 32 COMMITTEE:  
No report.

## **ROAD DEPARTMENT REPORT:**

- A. Protech Asphalt: No information.
- B. Flagger Training: Mr. Saunders can provide the mandated training to the road department.

## **OLD BUSINESS:**

- A. Flood Management Ordinance: A motion to table was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- B. Indemnity Agreement for HOP: Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- C. Sewage and Assessment Permit Ordinances: Mrs. Livermore will meet with Mr. Smith to over the ordinances. Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- D. Joint UCC Ordinance and Agreement with Lancaster Township: Motion to approve the advertisement of the ordinance made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. FNB Signature Card: The signature card needs to be signed by the Board for the Capital Reserve Fund.

### **Mr. Kerr assumed the duties as Chair at 7:30 PM.**

**MINUTES:** Motion made (by Mr. Jesteadt to accept the October 17, 2012 minutes. Second by Mr. Kerr. All in favor. Motion carried.

**NEW BUSINESS:**

- A. 2013 Budget: Resolution 2012-14 adopting the 2013 Budget. Motion to adopt resolution 2012-14 made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- B. Adam Mfg: A cease and desist was ordered and the county and state are involved in addressing violations.
- C. 2013 Reorganization Meeting: Motion to advertise meetings for 2013 made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- D. DCED Report: Motion to remove 1% nonresident eit tax made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. Retirement: Motion to purchase a \$200.00 gift certificate from Mauers Trading Post for Larry's retirement made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- F. Lease Renewal: Motion made by Mr. Saunders to renew the administration office lease agreement with Muddy Creek BBQ (Don Bucci) with no increase. Second by Mr. Kerr. All in favor. Motion carried.
- G. Cell Phone Policy/Agreement: Forwarded to the union for approval.
- H. John Brown Trucking Signage Request: Mrs. Livermore will request a meeting (Route 19) with Penndot to discuss safety concerns with the turning lanes.
- I. Holiday: Motion was made by Mr. Kerr and seconded by Mr. Saunders to close the township office/road department on December 24, 2012 and pay straight time to employees for 8 hour shift. If the weather requires the road department to provide winter maintenance, the road crew will need to be out on the roads. All in favor. Motion carried.

**SOLICITORS COMMENTS:** Muddy Creek Township was notified via Mr. Thomas Smith of a first notice of claim Greenwood, A.

**SECRETARY'S COMMENTS:** None

**ADJOURNMENT:** Motion by Mr. Kerr to adjourn at 8:41 PM. Second by Mr. Kerr. All in favor. Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale Kerr, Chairman

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Rick Saunders

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Robert J. Jesteadt, Sr.

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Kelly A. Livermore, Secretary/Treasurer

(Seal)