

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

June 12, 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. Jesteadt, Mr. Smith and Mrs. Kelly Livermore.

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: List attached to the meeting minutes.

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

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills General Fund checks 10691-10719) & Liquid Fuels 717. Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES: Motion made by Mr. Saunders with a second by Mr. Jesteadt to adopt the May 15, 2013, minutes. All in favor. Motion carried.

RATIFICATION: A motion to advertise the bid for a tractor/mower with bids being opened at a special meeting scheduled for June 26, 2013 was made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

Markosky Engineering Group: Mark West Pipe Line: Act 14,67,68 and 127 notifications. PA DEP General Permit #5 (Utility Line Stream Crossing), Permit #8 Temporary Road Crossing and ESCGP for Perry to Burgh Well.

Pa Labor and Industry: Notification of the expiration of Mr. Nath's certification. Mr. Nath has been recertified and Pa Labor and Industry notified.

Butler County: Notice of Assessment: Added the storage building on the township tax card.

Central Pension Fund: Annual Funding Notice

PUBLIC COMMENT:

Public discussion regarding the proposed Ordinance 67. A lengthy discussion was held regarding the "Assessment Permit Ordinance." The board will review the terminology regarding the "certificate of occupancy" in order to alleviate confusion for residential occupied structures versus miscellaneous use structures.

A motion to table the adoption of the ordinance was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

COMMITTEE UPDATES:

- Planning Commission:
No meeting held due to lack of agenda items.
- BCATO:
No summer meetings.
- COG:
No report.
- ACT 32 COMMITTEE:
No report.

ROAD DEPARTMENT REPORT:

- A. Red Truck: A motion to advertize on Municibid with a reserve of \$25,000 made by Saunders and seconded by Mr. Jesteadt.
- B. Road Damage: No action by CJ Long.
- C. Tractor/Mower: Bids will be received and opened on June 26, 2013.
- D. Paving: Youngblood Paving will be paving West Park Road.

OLD BUSINESS:

- A. Butler County Tourism Office Traffic Flow Pattern: Mr. Dave Johnston was present on behalf of Mr. Jack Cohen to provide information on the proposed traffic flow pattern for the August Pyrotechnic Convention at Coopers Lake Campground. It is estimated that for the actual public fireworks displays anywhere from 8,000 to 40,000 vehicles will be on site for the scheduled dates. The Tourism office is requesting to change traffic flow to two lanes in the same direction on Currie Road on the nights of the fireworks from 4:00 to 9:00PM and at the conclusion of the fireworks from approx. 11:00 PM to 1:00 AM. Mr. Saunders expressed concerned that the business on Currie which operates 24 hour a day have not been notified of this change. Mr. Johnston reported that as of the last bridge inspection on 11/9/2012, the county owned Book Road Bridge has no structural deficiencies. This is the first time the Board has been included in the discussion to change the traffic flow pattern for this event scheduled in August, 2013. Mr. Cohen from the tourism office was asked to attend an upcoming supervisors meeting to further discuss the request. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Indemnity Agreement for HOP: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- C. Sewage Ordinance: A motion to waive the requirement for an alternate sewage test site unless required by the Pa Department of Environmental Protection was made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.
- D. Prospect Multi Municipal Authority: Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. EIT Funds: No action. A motion to table was made by Mr. Saunders to approve SRASD prepare the agreement. Mr. Kerr seconded the motion. All in favor. Motion carried.
- F. Intermunicipal Agreement Ordinance: Draft Copies provided to the Board. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- G. Intern: Mr. Saunders made a motion to hire Derek Carr and Marnie Chuba as interns at a rate of \$9.50 per hour not to exceed a combined \$3,000.

H. Junk Cars: Mrs. Livermore has sent a certified letter to the owner of the property on 124 Geiger Lane regarding the Junk Yard Permit requirement. The letter has been returned unable to deliver. The letter was sent to the address on the tax record for the property. Two letters will be sent to the address of the property.

NEW BUSINESS:

- A. Resolution 2013-07: Budget for Bond Funds. A motion was made by Mr. Saunders to adopt Resolution 2013-07 for the deposit of funds to the Capital Projects line item in the general fund. Second by Mr. Kerr. All in favor. Motion carried.
- B. Chechack Driveway: Mr. Chechack requested approval for the use of a second driveway on his parcel. The second driveway will be the abandoned Oak Grove Road way. He will move his dumpster from that location and says that he will use the area for parking his boats. A motion was made by Mr. Saunders to approve the second driveway provided all paperwork/permit is obtained and adequate site distances are achieved. Second by Mr. Kerr. All in favor. Motion carried.

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: The administrative office will be closed the week of June 17 and will reopen on June 24. Summer hours will be Monday, Wednesday and Friday, 9-4. Mr. Saunders requested that Mrs. Livermore contact the sewage enforcement officer to identify the permit requirements for Mrs. Oliver's small flow treatment facility.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 9:10PM. Second by Mr. Jesteadt. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
June 26, 2013
Special Meeting
7:00 PM**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:05 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Jesteadt, 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. Jack Cohen

TRACTOR/MOWER BIDS:

US MUNICIPAL SUPPLY: \$58,000 W/no warranty on the tractor. Hours: 1881.62 A motion was made by Mr. Saunders to award the tractor bid to US Municipal Supply for \$58,000 less \$2,000 for rental. Second by Mr. Kerr. All in favor. Motion carried.

PUBLIC COMMENT:

Mr. Cohen reviewed the plans for the traffic pattern for the pyrotechnic convention in August. Mr. Cohen is requesting the make Currie Road two lanes in one direction on the days that the fireworks is open to the public from 9PM to 1AM. Mr. Cohen states that he was not aware he had to ask to change the traffic flow. Mr. Kerr stated that there is a 24 hour operation and that no one has approached the company. Mr. Cohen stated that Penn dot was supposed to speak with the business owner. Mr. Cohen confirmed that the sheriff and 9 other police officers will be directing traffic. Mr. Saunders states that he is concerned if there is an accident that the township will be liable for the approval of the change in direction and that there is liability on the citizens of Muddy Creek Township. Mr. Saunders does not support the change in traffic pattern for the event. Mr. Cohen informed the Board that Penn dot developed the plan for the traffic flow. Mr. Cohen said that he will invite the Sheriff to the next supervisors meeting to discuss the traffic direction. Mr. Kerr stated has requested that the county and the sponsors of the event prepare a hold harmless statement for Muddy Creek Township. Mrs. Livermore will make an inquiry with the township's insurance company regarding liability. A motion to table the discussion to the July supervisors meeting made by Mr. Kerr. Second by Mr. Jesteadt. All in favor. Motion carried.

SECRETARY'S COMMENTS: The road department is working on sealing off the septic at the garage to make a holding tank as a temporary repair until a new system is installed.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 7:57PM. Second by Mr. Jesteadt. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)