

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS**

**June 22, 2009**

**7:00 p.m.**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order by Mr. Kerr at 7:08 p.m. The Pledge of Allegiance was recited.

**ROLL CALL:** Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Sean Gramz, 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. Mr. Gramz acknowledged a recording device.

**VISITORS:** Larry Coble and Pat Moore, Matt Shilling

**TREASURER'S REPORT/FINANCIAL STATEMENT:** Motion made by Mr. Saunders to approve pay the bills. Second by Mr. Kerr. All in Favor. Motion Carried. The May General Fund Account Reconciliation was presented for the board to review.

**MINUTES:** The June 8, 2009 meeting minutes were presented. Motion by Mr. Saunders to approve, second Mr. Kerr. All in favor. Motion carried. Mr. Gramz abstained from voting due to his absence at the June 8, 2009 meeting.

**CORRESPONDENCE:**

PennDot Customer Service Survey: Kelly will complete on behalf of the Township  
Smart Transportation Quarterly: Copies will be made for each supervisor  
Municipal Employers Insurance Trust Newsletter:  
Gannett Fleming :Bride Deck Replacement: SR 4007, Section 253, DEP Permit Municipal  
Notification – West Park Bridge over Muddy Creek  
MDIA: Request written notification to terminate agreement  
DEP Heron Ridge Subdivision approval notification

**PUBLIC COMMENT:**

None

**PLANNING COMMISSION REPORT:**

- A. **Shilling Plan:** Mr. Shilling presented his plan for subdivision which was reviewed and approved by the MCT Planning Commission. Mr. Kerr motion to accept the plan contingent on the receipt of correspondence for the Butler County Planning Commission. Mr. Saunders seconded. All in favor. Motion carried. Mr. Saunders made a motion to sign and seal the plans outside of the meeting. Second by Mr. Kerr. All in favor. Motion carried.

- B. Alternate Membership: Mr. Gramz requested to add up to three additional alternate members to the Planning Commission. The alternates would be eligible to vote when the regular members are not in attendance. Mr. Smith will prepare a resolution for approval at the next supervisor's meeting for the appointment of alternate members. Mr. Larry Coble and Ms. Pat Moore expressed their interest in serving as an alternate member.

**ROAD DEPARTMENT REPORT:**

A report is being developed to provide updates at meetings on the status of road department projects which will include the condition of equipment .

**OLD BUSINESS:**

- A. EIT Tax Audit: Motion to table by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- B. Debra Allen Property: Motion by Mr. Kerr to send Mrs. Allen a letter identifying the violations and the requirements necessary to meet the Land Development and Subdivision Ordinance. Second by Mr. Saunders. All in favor. Motion carried.
- C. Shaffer Property: Doug Duncan, SEO, will be contacted to provide a letter which identifies all of the system options that have been exhausted. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Levis Road: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- E. Flinner Property: Mr. Saunders motioned to table, second by Mr. Kerr. All in favor. Motion carried.
- F. UCC Appeals Board: A response from COG has still not been received. Mr. Saunders is going to inquire about an Appeals Board to Portersville Borough. Mr. Kerr will inquire to Lancaster Township. Motion to table made by Mr. Kerr, second by Mr. Saunders. All in favor. Motion carried.

**NEW BUSINESS:**

- A. Swimming Pool Permits: Mr. Gramz previously inquired if swimming pool permits were issued for 275 Hufnagel Road, 1583 Perry Highway and Route 19 –Lechner residence. Mr. Saunders questioned whether they are temporary and do they require permits. Mrs. Livermore will contact the building code officer to identify the permit application review rates and inspection rates for these swimming pools. Mr. Gramz motioned for building code officer to notify the property owners of UCC code violations. Mr. Saunders stated he would not second a motion. Mr. Kerr declined to second the motion. The motion dies. Mrs. Livermore was instructed to identify the costs from the building code officer and send a courtesy letter to the property owners explaining the need for the permit and the costs associated with the permit.

- B. UCC Permits: Mr. Gramz inquired about a building permit being issued to 123 Moraine Drive for a deck. In addition, a tree fell onto two modular home (147 and 149 Moraine Drive). He has requested for the building code official to inspect these properties for structural damage. Mr. Kerr questioned whether the insurance company should handle the claim first and when the repairs are being made, the owners of the dwellings then apply for a building permit. Mr. Kerr requested an opinion from the building code officer.
- C. Budget Comparison: Mr. Gramz requested a budget variance report for the first six months of this current fiscal year for the next meeting.
- D. Administrative Procedures: Motion to table made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- E. Traffic Signal Insurance: Bronder Technical Services will be providing the detailed information on the signals at I-79 and Pilot Drive so that insurance can be obtained. Motion to table made by Mr. Saunders. Second by Mr. Kerr. Motion carried.
- F. Bronder Technical Services Contract: A motion to approve the maintenance agreement with BTS in the amount of \$1,800.00 beginning July 1, 2009 through June 30, 2010 was made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- G. Relay Switch: Mrs. Livermore was requested to contact Bronder Technical Service to inquire if a relay switch was to be initially installed at the Pilot Intersection. Mr. Thompson would also have this information.

**SOLICITORS COMMENTS**: None

**SECRETARY COMMENTS**: None

**ADJOURNMENT**: Motion by Mr. Saunders at 8:40 PM to adjourn, second 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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Sean Gramz

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Kelly A. Livermore, Secretary/Treasurer

(Seal)