

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
December 14, 2009  
7:00 p.m.**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order by Mr. Kerr at 7:00 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. No one acknowledged a recording device.

**VISITORS:** Audrey Badger, Bob Badger, Pat Moore, Vivian Caruso, Bill Leonard.

**TREASURER'S REPORT/FINANCIAL STATEMENT:** Motion made by Mr. Saunders to pay the bills presented. Second by Mr. Gramz. All in favor. Motion carried.

**MINUTES:** The November 23, 2009 meeting minutes were presented. Correction made changing the meeting date from December 7, 2009 to December 14, 2009. Motion by Mr. Saunders to accept the minutes with noted changes made by Mr. Kerr, second Mr. Kerr. Mr. Gramz abstained due to absence at the November 23, 2009 meeting. All in favor. Motion carried

**TAX COLLECTOR PRESENTATION:** Mr. Bill Leonard from Berkheimer Tax Administrator made a presentation to the Board of Supervisors on the proposal for the collection of the LST and EIT for 2010 and 2011.

**2007 and 2008 AUDIT REPORT:** Mrs. Vivian Caruso from Caruso and Caruso presented the 2007 and 2008 Muddy Creek Township Audit reports.

**CORRESPONDENCE:**

UPMC Health Renewal Letter  
PSATS 88<sup>th</sup> Annual Educational Conference and Trade Show  
Prospect Community Library: Thank you for the donation  
PCS: UCC Permit Status for 2009  
Doug Duncan: 2010 Proposal – SEO  
Thomas L. Smith: 2010 Proposal – Solicitor  
Tom Thompson: Notice about the Township's responsibility for two action items as part of the county's mitigation plan.  
Cindy Hinkle: Continuation of Planning Commission position  
Bill Brethauer: Resignation from Planning Commission position

**PUBLIC COMMENT:** None

**PLANNING COMMISSION REPORT:**

No report. Mrs. Livermore placed a legal ad for two positions on the planning commission.

## **ROAD DEPARTMENT REPORT:**

The O'Brien contractor did not want to be bonded and thus declined the contract. Mrs. Livermore presented the Pete Mathieu Construction proposal for \$8650.00. A motion to award the contract to Pete Mathieu Construction for \$8650.00 to repair the roof at the maintenance garage was made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

## **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 to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Intergovernmental Agreement with Portersville Borough/Muddy Creek Township: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. EIT/LST Collection: A motion was made by Mr. Saunders to not schedule a presentation from any other collection agency's who submitted proposals and to award the contract for 2010/2011 collection of LST/EIT taxes to Berkheimer Tax Administrator. Second by Mr. Gramz. All in favor. Motion carried.
- E. 2010 Meeting Schedule: A motion to table was made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- F. Relay Switch – Pilot Traffic Lights: Mrs. Livermore is waiting for a quote from Tom Thompson. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

## **NEW BUSINESS:**

- A. Butler County Association of Township Officials: Motion made by Mr. Saunders for Mrs. Livermore to serve as the representative for Muddy Creek Township on the BCATO. Second by Mr. Kerr. All in favor. Motion carried.
- B. Property/Health Insurance Premiums 2010: Motion made by Mr. Saunders to keep the same coverage EPO Option 2. Second by Mr. Kerr. All in favor. Motion carried.

Mrs. Livermore will compare the commercial package quotes. Rodgers Insurance Group is identified as the lowest quote. If the packages are comparable, motion by Mr. Saunders to approve the package before the next meeting. Second by Mr. Gramz. All in favor. Motion carried.

C. Chris Dusheck – Building Permit: On a motion by Mr. Gramz, Mrs. Livermore will contact Mr. Dusheck to inform him to contact the current BCO to request an extension. Second by Mr. Kerr. Mr. Saunders abstained due to his leaving the meeting room during discussion. All in favor. Motion carried.

**SOLICITORS COMMENTS:** None

**SECRETARY’S COMMENTS:** None

**ADJOURNMENT:** Motion by Mr. Saunders at 9:10 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)

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
December 28, 2009  
7:00 p.m.**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order by Mr. Kerr at 7:02 p.m. The Pledge of Allegiance was recited.

**ROLL CALL:** Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mrs. Kelly Livermore, and Mr. Thomas Smith. 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:** Mr. Daniel Scheaffer.

**TREASURER'S REPORT/FINANCIAL STATEMENT:** Motion made by Mr. Saunders to pay the bills presented. Second by Mr. Kerr. All in favor. Motion carried.

**MINUTES:** Motion to accept the December 14, 2009 minutes made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

**CORRESPONDENCE:**

Thomas Domville: Emergency Action Plan (Merriman Dam) on file at the office.  
Muddy Creek Plaza: Lease Agreement for the Township office/meetings  
Department of Revenue: Past year reports filing  
University of Pittsburgh: 2009 Emergency Resource Guide  
Maher Duessel Report  
Michael J. Baker Inc. interest in engineering for the township  
Portersville/Muddy Creek Township Fire Protection  
PCS: BCO Contract Renewal for 2010  
PSATS: Unemployment Compensation

**PUBLIC COMMENT:** Mr. Sheaffer has questions about the holding tank ordinance.

**PLANNING COMMISSION REPORT:**

Mrs. Livermore reported that two positions need to be filled. One to complete Mr. Erdner's term and the second to be appointed for four year term.

**ROAD DEPARTMENT REPORT:**

Mrs. Livermore is working with Pete Matieu to obtain the necessary paperwork for the roof. A motion by Mr. Saunders and second by Mr. Kerr to order 100 ton of salt to be paid for from the 2009 budget. All in favor. Motion carried.

## **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 to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Intergovernmental Agreement with Portersville Borough/Muddy Creek Township: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Relay Switch – Pilot Traffic Lights: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

## **NEW BUSINESS:**

- A. Resolution 09-17 Adoption of the 2010 Budget: Motion by Mr. Saunders to approve the 2010 budget by adoption of resolution 09-17. Second by Mr. Kerr. All in favor. Motion carried.
- B. Resolution 09-18 Establishment of Local Tax Rates: Motion by Mr. Kerr to approve the local tax rates for 2010 by adoption of resolution 09-18. Second by Mr. Saunders. All in favor. Motion carried.
- C. Resolution 09-19 Appointment of EIT Tax Collector: Motion by Mr. Saunders to appoint Berkheimer as EIT Tax Collector for 2010-2011 by adoption of resolution 09-19. Second by Mr. Kerr. All in favor. Motion carried.
- D. Resolution 09-20 Appointment of EIT/LST Delinquent Tax Collector and fees: Motion by Mr. Saunders to appoint Berkheimer as the Delinquent EIT/LST Tax Collector for 2010-2011 by adoption of resolution 09-20. Second by Mr. Kerr. All in favor. Motion carried.
- E. Resolution 09-21 Appointment of the Tax Hearing Officer: Motion by Mr. Saunders to appoint Berkheimer as the Tax Hearing Officer for 2010-2011 by adoption of resolution 09-21. Second by Mr. Kerr. All in favor. Motion carried.
- F. Resolution 09-22 Appointment of LST Tax Collector: Motion by Mr. Saunders to appoint Berkheimer as LST Tax Collector for 2010-2011 by adoption of resolution 09-22. Second by Mr. Kerr. All in favor. Motion carried.
- G. Resolution 09-23 Appointment of Township Liaison: Motion by Mr. Saunders to appoint Mrs. Livermore as the liaison between the township and Berkheimer for 2010-2011 by adoption of resolution 09-23. Second by Mr. Kerr. All in favor. Motion carried.
- H. Tax Collector Fire Tax Collection: Mrs. Livermore paid the tax collector (Mary Jo Meisel) duplicate for the collection of the fire tax. She is working with Mrs. Meisel for repayment to the township.
- I. Auditor: There are two vacancies for auditor. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

**SOLICITORS COMMENTS:** None

**SECRETARY'S COMMENTS:** None

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