

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING AGENDA
January 5, 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.

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Sean Gramz, and Tom Smith.

CHAIRPERSON PROTEM: Motion made by Mr. Saunders to appoint Mr. Kerr, second Mr. Gramz. All in favor. Motion carried.

RECORDING SECRETARY: Motion made by Mr. Saunders to appoint Mrs. Alice Wahl until end of January, second Mr. Kerr. All in favor. Motion carried.

CHAIRPERSON: Motion by Mr. Saunders to nominate Mr. Kerr, second Mr. Gramz. All in favor. Motion carried.

VICE-CHAIRPERSON: Motion by Mr. Kerr to nominate Mr. Saunders, second Mr. Saunders. All in favor. Motion carried.

2009 MEETING SCHEDULE: Motion by Mr. Kerr to accept the see attached dates. second Mr. Saunders. All in favor. Motion carried.

SECRETARY/TREASURER: Motion by Mr. Kerr to appoint Alice Wahl, second Mr. Kerr. All in favor. Motion carried.

SECRETARY COMPENSATION: Motion by Mr. Saunders setting secretary compensation at \$14.00/hr as long as Alice Wahl is here, second Mr. Gramz. All in favor. Motion carried.

TREASURER'S BOND: Motion by Mr. Kerr establishing the bond amount at \$300,000.00 for the year 2009, second Mr. Saunders. All in favor. Motion carried.

ROADMASTER: Motion by Mr. Saunders to appoint Chairman and Vice Chairman, second Mr. Kerr. All in favor. Motion carried.

VACANCY BOARD: Motion by Mr. Kerr to appoint Mr. Bob Ondo, if accepted. Second: Mr. Saunders All in favor. Motion carried.

DEPOSITORY: Motion by Mr. Kerr selecting First National Bank for the Township's accounts, second Mr. Saunders. All in favor. Motion carried.

NEWSPAPER PUBLICATIONS: Motion by Mr. Kerr designating The Butler Eagle, second Mr. Saunders. All in favor. Motion carried.

PLANNING APPOINTMENT/REAPPOINTMENTS: Sandy Burtner to 4 year term and Cindy Hinkle to fill out expired term of 2 years. Motion by Mr. Saunders to appoint Mr. Sean Gramz, second Mr. Kerr. All in favor. Motion carried.

STATE CONVENTION DELEGATE: Motion by Mr. Kerr certifying Mr. Gramz, and Ms. Burtner as delegates to the 2009 State Convention, second Mr. Saunders. All in favor. Motion carried.

STATE CONVENTION VOTING DELEGATE: Motion by Mr. Kerr certifying Mr. Gramz to be a voting delegate at the 2009 State Convention, second Mr. Saunders. All in favor. Motion carried.

MILEAGE REIMBURSEMENT: Motion by Mr. Gramz setting rate by IRS, as amended from time to time, at 50.5 cents per mile, second Mr. Kerr. All in favor. Motion carried.

FEE SCHEDULE: Motion by Mr. Saunders to accept Resolution #09-01 with amendments setting the Township's 2009 Fee Schedule with the changes that the SEO fees, PCS fees and the engineers fees be attached and costs be taken out, second Mr. Kerr. All in favor. Motion carried.

HOLIDAY FOR NON-UNION EMPLOYEES: Motion by Mr. Kerr setting the holiday as follows: News Years Day, Christmas Day, Thanksgiving Day, Veteran's Day, Memorial Day, Labor Day, and the 4th of July, excluding Non –union and seasonal employees, second Mr. Saunders. All in favor. Motion carried.

EMA COORDINATOR: Motion by Mr. Saunders to appoint Mr. Vaughn Badger, second Mr. Kerr. All in favor. Motion carried.

TAX RESOLUTION 09-02: Motion by Mr. Gramz accepting the 2008 tax rate, second Mr. Saunders. All in favor. Motion carried.

WAGE AND SALARY RESOLUTION 08-03: Motion by Mr. Kerr accepting the Wage and Salary rate with amendments, second Mr. Saunders. All in favor. Motion carried.

SEWAGE ENFORCEMENT OFFICER: Motion by Mr. Saunders to appoint Doug Duncan, second Mr. Kerr. Discussion on the Secretary handling the permits only. A vote was taken with Mr. Kerr and Mr. Saunders for and Mr. Gramz opposing. Motion carried.

ALTERNATE SEWAGE ENFORCEMENT OFFICER: Motion by Mr. Saunders to appoint Chuck Smith, second Mr. Saunders. A vote was taken with Mr. Kerr and Mr. Saunders for and Mr. Gramz opposing. Motion carried.

BUILDING CODE ENFORCEMENT AGENCY: Motion by Mr. Saunders appointing Professional Code Services, with 2 of 3 supervisors making a decision to call in PCS for an enforcement actions or that it is brought to a meeting. second Mr. Kerr. All in favor. Mr. Gramz obstinate from voting and doing any work in the township because he is employed by them. Motion carried.

SOLICITOR: Motion by Mr. Saunders to appoint Mr. Thomas Smith, second Mr. Gramz. All in favor. Motion carried.

ENGINEER: Motion by Mr. Saunders to appoint Gannette Fleming, second Mr. Gramz. All in favor. Motion carried.

ALTERNATE ENGINEER: Motion by Mr. Saunders to appoint MESA, second Mr. Gramz. All in favor. Motion carried.

CERTIFIED PUBLIC ACCOUNTANTS: Motion by Mr. Saunders to accept Resolution #09-04 appointing the Firm of Caruso & Caruso to perform the 2008 Annual Financial Audit at a cost not to exceed \$5,130.00, second Mr. Kerr. All in favor. Motion carried.

REAL ESTATE TRANSFER TAX COLLECTOR: Motion by Mr. Saunders reappointing Butler County Recorder of Deeds, second Mr. Gramz. All in favor. Motion carried.

EARNED INCOME TAX COLLECTOR: Motion by Mr. Kerr to appoint Keystone Municipal to collect the Delinquent Emergency and Municipal Services Tax, Local Services Tax and the Earned Income Tax with the approval from Keystone Municipal that there will be no increase in the collecting rate, second Mr. Gramz. All in favor. Motion carried.

RIGHT TO KNOW OFFICER: Motion by Mr. Saunders that the Secretary be that officer. Second Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Kerr at 7:45 p.m. to adjourn, second Mr. Saunders. All in favor. Motion carried.

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
January 5, 2009**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Dale Kerr at 7:47 Pm.

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Sean Gramz, and Mr. Tom Smith.

VISITORS: Frank Smith, Steve Brandon, and Mel Price.

FINANCIAL STATEMENT: Rick Saunders made a motion to approve the check # 8656 written for salt from Dale McClymonds after last meeting. Second – Dale Kerr. A vote was taken and Sean Gramz opposed, but the motion carried. Three phone quotes for the salt must be done each time salt is needed because Penndot may not be able to supply it on time. Larry Flinner will bid it every Friday and turn it in with his time sheet.

Rick Saunders made a motion to pay the bills. Second – Dale Kerr. A vote was taken Sean Gramz opposed Check # 8656 and the motion carried. (He signed the check under protest.)

MINUTES: Minutes Tabled
Motion made by Rick Saunders to table the minutes.
Second – Dale Kerr. A vote was taken and the motion Carried.

CORRESPONDENCE:
A. Portersville Fire Department Contract Services – contract needs signed. Rick Saunders made a motion to sign. Second Dale Kerr. A vote was taken and the motion carried.

PUBLIC COMMENT:

REPORTS:
Planning: Planning minutes in draft form.

OLD BUSINESS:

1. EIT Tax Audit – Tabled
2. Debra Allen Property – Rick Saunders motion to table it and send them a letter to attend 1/26/09 meeting to discuss their plans. Second Dale Kerr. A vote was taken opposed by Sean Gramz, motion carried.
3. Salt Shed – Dale Kerr made a motion to make a down payment on the top for the salt shed of \$3710.00 half of the cost. Second Rick Saunders. It was budgeted for \$10,000.00. A vote was taken Dale and Rick for and Sean opposed. Motion carried. Check to be sign outside the meeting.
Sean Gramz made a motion to have an expense report for the salt brine and the salt building at the next meeting. Second Dale Kerr.

- A vote was taken and the motion carried.
4. Salt Brine – the system is completed.
 5. Levis Rd – Rick Saunders made a motion to table. Second – Dale Kerr.
A vote was taken and the motion carried.
 6. Flinner Property (Stone Church RD) – Rick Saunders made a motion to table.
Second Dale Kerr. A vote was taken and the motion carried.
 7. Open Records Law – Rick Saunders made a motion to table until later. 2nd Dale Kerr. A vote was taken and the motion carried.
 8. Letter the truck. Rick Saunders made a motion to table. Second Dale Kerr. A vote was taken and the motion carried.

NEW BUSINESS:

1. Resolution 09-02 Tax Levy : Tax Rate 1.5
Fire 1.5

Rick Saunders made a motion to adopt with the changes of the tax rate. Second Dale Kerr. A vote was taken and the motion carried.
2. Resolution 09-03 Wages & Salary – see attached. Removing permit officer.
The wages need to be the 2009 wages. Rick Saunders made a motion to table the resolution until contract is signed.
3. Rick Saunders made a motion to table Resolutions: 09-05, 09-06,09-07,09-08,and 09-09.
Due to some word changing that needs done. Second Dale Kerr. A vote was taken and the motion carried.
4. Sean Gramz asked for a legal opinion on the 2009 Budget. Solicitor said he was not involved. The time for a legal opinion on the budget should have been done when the budget was being worked on.
5. Sean Gramz made a motion to bring the truck back to the building and other equipment left outside. No second so the motion died. Rick Saunders said not until it can be housed safely inside the building.
6. Sean Gramz made a motion that the trip slip for all vehicles with mileage and daily inspections on it be turned in with timesheets including all equipment used that day. No second motion died.
7. Sean Gramz made a motion that Inspection reports with the CDL time sheets. No second motion died.
8. Sean Gramz made a motion for a time clock in the maintenance building. No second motion died.

SUPERVISORS COMMENTS:

SOLICITORS COMMENTS: No decision on Kelner Appeal.

ADJOURNMENT: There being no other business Rick Saunders a motion to adjourn @ 10:00 pm. Second – Dale Kerr. A vote was taken and the motion carried.

Dale Kerr, Chairman

Sean Gramz

Rick Saunders

MINUTES

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
January 26, 2009**

CALL TO ORDER:

The Muddy Creek Township Board of Supervisors was called to order by Dale Kerr at 7:00 PM.

ROLL CALL:

Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Sean Gramz, Mr. Tom Smith, Ms. Alice Wahl.

VISITORS:

Kelly Livermore

FINANCIAL STATEMENT:

Dale Kerr made a motion to ratify the payment to Speedway. Second – Rick Saunders. A vote was taken and the motion carried.

Rick Saunders made the motion to pay the bills. Second – Dale Kerr. A vote was taken and the motion carried.

MINUTES:

Minutes from 12/29/08 and 1/5/09. Motion made by Dale Kerr to accept the minutes. Second – Rick Saunders. A vote was taken and the motion carried.

CORRESPONDENCE:

None

PUBLIC COMMENT:

None

PLANNING:

Sean Gramz was appointed to Chair the Planning Committee. Sandy Burtner was appointed to Secretary.

Tom Thompson from Gannett Fleming is to be contacted to investigate the work being completed at the John Brown Trucking Company.

OLD BUSINESS:

1. EIT Tax Audit: Tom Smith will contact Mr. Paparone to get information ie. Statements to identify the amount that was paid. Tom will work with the new secretary to send written correspondence to confirm the amount being

- requested by the townships. Motion made by Dale Kerr. Second – Rick Saunders. A vote was taken and the motion carried.
2. Debra Allen Property: A motion was made by Rick Saunders to table the discussion. Second – Dale Kerr. A vote was taken and the motion carried.
 3. Resolutions: Resolution 09-03 through 09-09 were tabled. Resolution 09-10 needs to be developed identifying the UCC service agreement with Professional Code Service (PCS) Agreement: Motion made by Rick Saunders to approve PCS agreement and authorize the Chairman to sign on behalf of the township. Second – Dale Kerr. A vote was taken, Sean Gramz abstained, the motion carried.

NEW BUSINESS:

1. Salt Shed: Rick Saunders made the motion to table the discussion. Second Dale Kerr. A vote was taken and the motion carried.
2. Salt Brine: Rick Saunders made the motion to table the discussion. Second Dale Kerr. A vote was taken and the motion carried.
3. Levis Road: Letter to the property owner was sent. Rick Saunders made the motion to table the discussion. Second Dale Kerr. A vote was taken and the motion carried.
4. Flinner Property: Rick Saunders made the motion to table the discussion. Second Dale Kerr. A vote was taken and the motion carried.
5. Lettering of the Truck: Dale Kerr made the motion to table to discussion. Second Rick Saunders. A vote was taken and the motion carried.
6. CDL: Municipalities are exempt from Federal Regulations.
7. Taxes: Motion to sign four checks outside of the meeting to pay taxes by Rick Saunders. Second – Dale Kerr. A vote was taken and the motion carried.
8. Secretary/Treasurer Position: A motion was made to hire Kelly Livermore effective 2/4/09 with an hourly wage of \$14.50/hour. A review will be made at 30 day increments with an increase of .50/hour each review period for the first 90 days. Second Rich Saunders. A vote was taken and the motion carried.
9. Maintenance Department: Review the need to hire a third employee.
10. Vests: Sean Gramz made a motion to purchase three vests for the maintenance department. Second – Dale Kerr. A vote was taken and the motion carried. Rick Saunders will purchase the vests.
11. Road Planning: Sean Gramz would like to develop a five to seven year plan

SOLICITOR'S COMMENTS:

None

SECRETARY'S COMMENTS:

Peachtree software is installed and accounts have been developed.

ADJOURNMENT: Dale Kerr motion to enter into executive session @7:45 PM. Second – Rick Saunders. A vote was taken and the motion carried. The Supervisors entered executive session at 7:45 PM and out of executive session at 8:15 PM. There being no other business, Dale Kerr motion to adjourn at 8:15 PM. Second – Rick Saunders. A vote was taken and the motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Sean Gramz

Rick Saunders

Kelly Livermore, Secretary/Treasurer

MINUTES