

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
ORGANIZATIONAL MEETING  
January 4, 2016  
1:00 PM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors Organizational Meeting was called to order by Mr. Kerr at 1:07 PM.

**ROLL CALL:** Those present included Mr. Dale Kerr, Mr. Robert Jesteadt, Sr. Mr. Eric Saunders and Mrs. Kelly Livermore.

**CHAIRPERSON:** Motion by Mr. Saunders to nominate Mr. Kerr as Board of Supervisors Chair for 2016, second Mr. Jesteadt. All in favor. Motion carried.

**VICE-CHAIRPERSON:** Motion by Mr. Jesteadt to nominate Mr. Saunders as Vice Chair for 2016, second Mr. Kerr. All in favor. Motion carried.

**SECRETARY/TREASURER/PERMIT ISSUANCE OFFICER:** Motion by Mr. Saunders to appoint Mrs. Livermore as Secretary/Treasurer, Permit Issuance Officer and Planning Commission Recording Secretary, second Mr. Jesteadt. All in favor. Motion carried.

**LOCAL TAX RATES FOR 2065 RESOLUTION 2016-01:** A motion was made by Mr. Saunders to adopt Resolution 2015-01. Second by Mr. Kerr. All in favor. Motion carried.

**WAGE AND SALARY RESOLUTION 2016-02:** Motion by Mr. Kerr to adopt Resolution 2016-02. Second by Mr. Jesteadt. All in favor. Motion carried.

**TREASURER'S BOND:** Motion by Mr. Saunders establishing the bond amount at \$500,000.00 for the year 2016, second by Mr. Jesteadt. All in favor. Motion carried.

**ROADMASTER:** Motion by Mr. Saunders to appoint Chairman, Dale Kerr, as Road master. Second by Mr. Jesteadt. All in favor. Motion carried.

**VACANCY BOARD:** Motion by Mr. Saunders to appoint Mr. Jim Jancse to the vacancy board. Second by Mr. Jesteadt. All in favor. Motion carried.

**BCATO REPRESENTATIVE:** Motion made by Mr. Saunders to appoint Mrs. Livermore as the township's representative at the Butler County Association of Township Officials. Second by Mr. Jesteadt. All in favor. Motion carried.

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

**2016 MEETING SCHEDULE:** Motion by Mr. Kerr to schedule monthly meetings of the Board of Supervisors on the third Wednesday of each month (January, February and March) at 1:00 PM and April through December at 7:00 PM at the Muddy Creek BBQ. Second Mr. Jesteadt. All in favor. Motion carried.

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

**PLANNING APPOINTMENT/REAPPOINTMENTS:** Mr. Kerr made a motion to Appoint Mr. Don Hutchins to a four year term ending on December 31, 2020. Appoint Mr. Larry Coble to a one year term as alternate ending on December 31, 2016.

**TOWNSHIP AUDITORS:** A motion was made by Mr. Kerr and seconded by Mr. Jesteadt to appoint Mr. Hart for a two year term until December 31, 2017. All in favor. Motion carried.

**STATE CONVENTION DELEGATE:** Motion certifying Mr. Kerr as delegate to the 2016 PSATS State Convention made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

**STATE CONVENTION VOTING DELEGATE:** Motion to certifying Mr. Kerr as the Township's voting delegate to the 2016 PSATS State Convention made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

**2016 MILEAGE REIMBURSEMENT:** Motion by Mr. Saunders setting rate by IRS (.54/mile) second Mr. Jesteadt. All in favor. Motion carried.

**2016 FEE SCHEDULE:** Motion by Mr. Saunders to adopt Resolution 2016-03 setting the Township's 2016 Fee Schedule, second by Mr. Jesteadt. All in favor. Motion carried.

**PENSION ADMINISTRATIVE OFFICER:** Motion by Mr. Saunders to appoint the Secretary/Treasurer as Administrative Officer for the Pension Fund. Second by Mr. Jesteadt. All in favor. Motion carried.

**ADMINISTRATIVE OFFICER FOR PAUC ACCOUNT:** Motion by Mr. Saunders to appoint the Secretary/Treasurer as PAUC account administrative officer. Second by Mr. Jesteadt. All in favor. Motion carried.

**ASSISTANT TO THE SECRETARY:** Motion to appoint Marnie Chuba as Assistant to the Secretary made by Mr. Saunders. Seconded by Mr. Jesteadt. All in favor. Motion carried.

**SEWAGE ENFORCEMENT OFFICER:** Motion by Mr. Saunders to appoint Doug Duncan as primary Sewage Enforcement Officer, second Mr. Jesteadt. All in favor. Motion carried.

**ALTERNATE SEWAGE ENFORCEMENT OFFICER:** Motion by Mr. Kerr to appoint David Ice as alternate sewage enforcement officer. Second by Mr. Saunders. All in favor. Motion carried.

**BUILDING CODE ENFORCEMENT AGENCY:** Motion by Mr. Kerr to adopt resolution 2016-04 appointing Professional Code Services as the Building Code Official and Inspection Agency. Second Mr. Saunders. All in favor. Motion carried.

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

**ENGINEER:** Motion by Mr. Kerr to appoint Gannett Fleming as the engineer, second by Mr. Saunders. All in favor. Motion carried.

**ALTERNATE ENGINEER:** Motion by Mr. Kerr to appoint Senate Engineering as the alternate engineer, second by Mr. Saunders. All in favor. Motion carried.

**CERTIFIED PUBLIC ACCOUNTANTS:** Motion by Mr. Saunders to adopt Resolution 2016-05 appointing the Firm of Caruso & Spencer, CPAs to perform the 2015 Annual Financial Audit at a cost not to exceed \$4700.00, second Mr. Jesteadt. All in favor. Motion carried.

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

**DEPUTY REAL ESTATE TAX COLLECTOR:** Motion made by Mr. Kerr and seconded by Mr. Jesteadt to appoint Sherry Filges as Deputy Real Estate Tax Collector for 2016. All in favor. Motion carried.

**LST/DELINQUENT EIT:** Motion by Mr. Kerr to appoint Berkheimer Tax Administrator to collect the Current and Delinquent Local Services Tax and the delinquent Earned Income Tax. Second by Mr. Jesteadt. All in favor. Motion carried.

**EMERGENCY SERVICES:** Motion made by Mr. Kerr to appoint Portersville-Muddy Creek Township Volunteer Fire Department/Emergency Services as the Muddy Creek Township Fire Company/Emergency Service. Second by Mr. Jesteadt. All in favor. Motion carried.

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

**ADJOURNMENT:** Motion by Mr. Saunders at 1:16 PM to adjourn, second Mr. Jesteadt. All in favor. Motion carried.

## **MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale R. Kerr, Chair

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Eric Saunders, Vice Chair

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Robert J. Jesteadt, Supervisor

ATTEST:

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Kelly Livermore  
Secretary/Treasurer

(SEAL)

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
January 20, 2016  
1:00 PM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order at 1:03 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

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

**TREASURER'S REPORT:** A motion was made by Mr. Saunders to accept the treasurer's report for the month of December, 2015 – Final yearend report. Second by Mr. Kerr. All in favor. Motion carried.

**ADMINISTRATIVE ACTION (Invoices):** Motion made by Mr. Saunders to pay the bills General Fund checks (GF 11801-11840, \$106,926.34; Payroll (12/31/15, 1/14/16); electric (1/12/16). Second by Mr. Kerr. All in favor. Motion carried.

**MINUTES:**

A motion was made by Mr. Saunders to approve the November 18, 2015 meeting minutes. Second by Mr. Jesteadt. All in favor. Motion carried.

**CORRESPONDENCE:**

Portersville EMS: Request for 2016 funds

CoStars: Order for Salt (2016/17) Amount for Initial order (Aug-Oct31) and Winter tons required.

Dan Schaffer: Not using holding tanks right now. Nothing going on at the location. A motion by Mr. Saunders and seconded by Mr. Kerr to approve inspections to begin upon notification that Mr. Schaffer is remodeling or using the facility OR if deemed necessary by the SEO. All in favor. Motion carried.

DEP: Water Obstruction Encroachment: installation of a pedestrian bridge along North County Trail across Muddy Creek within Moraine State Park.

Kern Auto Parts: Closed

Central Pension Fund: Year ending January 31, 2015: Plan not in endangered status.

**VISITORS:** Mike Ferson, Jeff Prady, and Jean Peterson

**PUBLIC COMMENT:**

Jeff Prady (1000 Perry Highway): Mr. Prady stated that he wanted to clear a few things up in regards to a building permit and land development plan. Mr. Prady will inform the township of his intentions of submitting a land development plan.

Mr. Prady also commented on the gas well located across the street from his residence/buildings regarding his well and stormwater runoff.

Mike Ferson: Mr. Ferson discussed the location of the guiderail located on Yellow Creek Road and along his driveway. He requested to see a copy of something in writing which regulates the location of the guiderails. A copy of the contract which identifies the standards for installation will be forwarded to Mr. Ferson via USPS.

**COMMITTEE UPDATES:**

**PLANNING COMMISSION:**

Fletcher Plan: The Planning Commission recommended approval of the Fletcher Re-Subdivision plan.

Scheidelmantle Estate Plan: The plan was reviewed by the planning commission. Septic testing is required. The SEO is working with the Executrix to get the testing complete.

**ROAD DEPARTMENT REPORT:**

2000 Freightliner: Placed notice of sale on the PSATS website but no response. The insurance on the truck has been reduced to comprehensive only. A motion was made by Mr. Saunders and seconded by Mr. Kerr to place the truck for sale by public bids. All in favor. Motion carried.

Tree trimming: A motion to ratify the approval of the agreement of the Tree Trimming Agreement with Borty's tree service was made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.

Asplundh Tree Company: Will Nogee informed the township that Asplundh will be in the area in 2016 performing tree trimming for the electric company.

**PERMITS ISSUED:**

Septic Permits: Mr. Wimer is working to remove the trailers on his property.

Granny Flat Annual Registration: One application needs to be received. A certified letter will be sent to the property owner with notification of the requirements for submission.

**Building Permit:**

Enslin: Building Permit Extension: A motion to approve the extension for 9 months was made by Mr. Saunders and seconded by Mr. Kerr. All in favor.

SWM Plan: A motion to release the Adams Escrow upon approval of the engineer and receipt of as built drawings was made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.

**Over Posted Weight Permit:**

AWP: Approval for permit on Stone Church Road and Yellow Creek. Needs driveway permit.

Maple Ridge: Request to release bond (Bloomfield School) A motion to approve release of bond upon inspection with not incident of damage made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.

**Driveway Permit:**

Magnoni Driveway: Levis Road- No action.

Oak Grove Road: No response from letters sent.

Road Occupancy Permit: None.

Assessment Permit: None

**UNFINISHED BUSINESS:**

Prady Land Development. Discussed during public comment period. No further action.

Driveway Ordinance: Draft to be sent to supervisors for review.

**NEW BUSINESS:**

**2015 Survey of Financial Condition:** A motion was made by Mr. Saunders and seconded by Mr. Kerr to approve submission of the 2015 Survey of financial condition form. All in favor. Motion carried.

**EXECUTIVE SESSION:** A motion was made by Mr. Saunders at 2:03 PM to enter into executive session to discuss the Emergency Services. A second motion was made by Mr. Kerr. All in favor. Motion carried. A motion to exit the executive session was made at 2:35 by Mr. Saunders and seconded by Mr. Kerr. All in favor.

A motion was made by Mr. Saunders and seconded by Mr. Kerr to obtain information from neighboring emergency service providers about the requirements to obtain coverage in Muddy Creek Township if services were unable to be provided by Portersville EMS. All in favor. Motion carried.

**SOLICITORS COMMENTS:** None.

**SECRETARY’S COMMENTS:** None

**ADJOURNMENT:** Motion by Mr. Saunders to adjourn at 2:45 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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Eric “Rick” Saunders

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Robert J. Jesteadt, Sr.

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Kelly A. Livermore, Secretary/Treasurer

(Seal)