

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

May 18, 2011

7:00 PM

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:20 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.

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: Belinda Ardnt, Darlene Oliver, Howard Stanford, Howard Watson, Robert Jesteadt, Kevin Hadley

TREASURER'S REPORT: Copies of the treasurer's report for the month ending April, 2011 was reviewed. Motion to accept the report made by Mr. Kerr, second by Mr. Saunders. All in favor. Motion carried.

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Kerr to pay the bills. Second by Mr. Saunders. All in favor. Motion carried.

MINUTES: Motion to accept the April 20, 2011 minutes made by Mr. Saunders. Second motion made by Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

- A. Local 66 Pension Fund: Annual Funding Notice
- B. Unemployment Compensation Notice: Notice of payment for unemployment compensation.
- C. Christine Adams: Request an addendum for current SFTF agreement.
- D. Kevin/Dana Hadley: Intent to file and extension on subdivision application. 90 day extension granted on a Kerr/Saunders motion. All in favor. Motion carried.
- E. First National Bank: Fire Tax Fund check processed with \$37.00 fee.
- F. SEO: Fee Amendment: Motion by Mr. Saunders to accept the fee proposal from the Sewage Enforcement Officer. Second by Mr. Kerr. All in favor. Motion carried. New Tank Replacement (including holding tanks) per structure inspection is \$150.00 and Multiple Chemical Toilet inspection is \$150.00

PUBLIC COMMENT:

None.

COMMITTEE UPDATES:

A. Planning:

Hadley Subdivision: There was no quorum at the last Planning Commission meeting however the engineer reviewed the plan and the primary and secondary septic site is needed on the plan. The plan will be reviewed at the next Planning Commission meeting.

B. Butler County Association of Township Officials: May 19th is the convention.

C. Butler County Council of Governments: Cogcare information received. On a motion by Mr. Saunders and second by Mr. Kerr, Mrs. Livermore will send for a quote. All in favor. Motion carried.

ROAD DEPARTMENT REPORT:

Badger Hill Road Water Run Off: A letter was sent to the property owner.

Kirk Road: The driver of the truck is requesting a waiver on the requirements for the weight restricted road. The driver did report that he would be present at the meeting but failed to show. No action taken.

Curie Road Bridge Replacement: The County will be widening the bridge but not realigning. The project is being done by county staff and should be completed next year.

OLD BUSINESS:

- A. Darlene Oliver Building Permit: Mrs. Oliver was present to inquire about the status of her building permit. Mrs. Oliver was informed that due to the fact that the mobile home is in a flood plain, the township was not authorized to issue her a building permit. She has the option to hire an engineer to develop a flood plan which needs to identify the flood level. Then she needs to request a letter of map amendment from FEMA to amend the flood zone on the current map. Once this is completed, the board will be permitted to issue her a building permit. Otherwise, her option is to wait until the new maps are released which shows the location of the mobile home outside the flood zone. Mrs. Oliver asked if she could start putting in fill. She is permitted to do so but at her own risk. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. National Flood Insurance Ordinance. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Butler County Storm Water Management: A motion was made by Mr. Saunders to adopt Ordinance 65 "Storm water Management Ordinance". Second by Mr. Kerr. All in favor. Motion carried
- D. Traffic Lights: Bronder is checking on the price. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- E. 200 Bauder Mill Road: Mr. Watson and Mrs. Freidt were present. They requested clarification on the letter. They have to place hay bales in the ditch as well as plant grass. Motion to remove from the agenda made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

- F. Engineering Proposal: Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- G. Resolution 2011 -06: Records Disposition. Motion to adopt Resolution 2011-06 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- H. EIT Nonresident: Mrs. Livermore will contact Berkheimer to obtain a sample ordinance. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- I. Hardship Hookups: Letters were sent to property owners identified as having hardship septic hookups. Kradels from Thunder Mountain claim that their septic hookup was approved and not considered a hardship. They have separate tanks but the same distribution box. Mr. Saunders motioned to remove from the agenda. Second by Mr. Kerr. All in favor. Motion carried.

NEW BUSINESS:

- A. IRS. The IRS levy was sent from the bank. The IRS advocate has been out of the office but will return May 18th. Hartford is on hold again until a final amount for the claim is determined. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Resolution Authorizing Borrowing (2010-07): A motion was made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Records Retention/Destruction Training: Motion to approve the request to send the intern to training from \$149.00 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Ordinance 64: "An Ordinance regulating sewage holding tanks and portable toilets by establishing installation, operation, maintenance, inspection, testing and bonding requirements and administration, enforcement and appeal procedures and providing penalties for violations." A motion to adopt ordinance 64 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. Holding Tank Agreement: A motion to approve the Holding Tank Agreement made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- F. Escrow Master Agreement: A motion was made by Mr. Saunders to approve the Escrow Master Agreement. Second by Mr. Kerr. All in favor. Motion carried.
- G. Pfeifer Lot: Mrs. Pfeifer called to request the township clean out the ditch behind her house. She claims that the ditch is to be maintained by the township and has not been cleaned in over three years. Mr. Kerr spoke with Mrs. Pfeifer and informed her that the ground needs to dry up and the township would not be able to complete the task for three to four months.

SOLICITORS COMMENTS: None

SECRETARY'S COMMENTS: Mrs. Livermore reported that the Auditor General's office audited the Pension Fund. There have been no findings. The township does have to complete a yearly MMO (Minimum Municipal Obligation) by September 30 of each year. This essentially identifies the pension funding requirement for the next fiscal year. The township also needs to formally adopt by ordinance or resolution the pension union agreement identifying the terms of the pension plan and also the chief administrative officer. The township's amount received will not change until an update Act 205 form is submitted which occurs bi-annually.

The administrative office will be closed on May 19th for the BCATO conference.

Mrs. Livermore requested that the June meeting be cancelled and rescheduled for June 22, 2011. The Board needs to check schedules to confirm but see no problem with the change. A legal notice will be made announcing the change.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:35PM, second Mr. Kerr. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

(Seal)