

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING
January 4, 2021
1:00 PM**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors Organizational Meeting was called to order by Mr. Saunders at 1:04 PM.

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Eric Saunders, and Mrs. Marnie Chuba.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

BOARD OF SUPERVISORS:

CHAIRPERSON: Motion by Mr. Saunders to nominate Mr. Kerr as Board of Supervisors Chair for 2021. Seconded by Mr. Kerr. All in favor. Motion carried.

VICE-CHAIRPERSON: Motion by Mr. Kerr to nominate Mr. Saunders as Vice Chair for 2021. Seconded by Mr. Saunders. All in favor. Motion carried.

ADMINISTRATIVE STAFF APPOINTMENTS:

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

ASSISTANT SECRETARY: Motion by Mr. Kerr and seconded by Mr. Saunders to appoint Marnie Chuba as Assistant Secretary. All in favor. Motion carried.

ROAD FOREMAN: Motion by Mr. Kerr and seconded by Mr. Saunders to appoint Glen Hempfling as Road Foreman. All in favor. Motion carried.

ROAD WORKER: Motion by Mr. Kerr and seconded by Mr. Saunders to appoint Cody Lunn as Road Worker. All in favor. Motion carried.

SEWAGE ENFORCEMENT OFFICER: Motion by Mr. Kerr and seconded by Mr. Saunders to appoint Doug Duncan as the Sewage Enforcement Officer. All in favor. Motion carried.

LOCAL TAX RATES FOR 2021 RESOLUTION 2021-01: A motion was made by Mr. Kerr to adopt **Resolution 2021-01**. Seconded by Mr. Saunders. All in favor. Motion carried.

WAGE AND SALARY RESOLUTION 2021-02: a motion by Mr. Saunders to adopt **Resolution 2021-02**. Seconded by Mr. Kerr. All in favor. Motion carried.

TREASURER'S BOND: Motion by Mr. Kerr establishing the bond amount at \$700,000 for the year 2021. Seconded by Mr. Saunders. All in favor. Motion carried.

ROADMASTER: Motion by Mr. Saunders to appoint Chairman, Dale Kerr, as Roadmaster. Seconded by Mr. Kerr. All in favor. Motion carried.

BOARD APPOINTMENTS:

VACANCY BOARD: Motion by Mr. Kerr to appoint Mr. Jim Jancse to the vacancy board. Seconded by Mr. Saunders. All in favor. Motion carried.

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

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

2021 MEETING SCHEDULE: Motion by Mr. Saunders 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 420 Stanford Road, Prospect, PA 16052. Seconded by Mr. Kerr. All in favor. Motion carried.

NEWSPAPER PUBLICATIONS: Motion by Mr. Saunders designating The Butler Eagle for the publication of the Township's legal notices. Seconded by Mr. Kerr. All in favor. Motion carried.

NON-UNION PART TIME REGULAR HOURLY EMPLOYEE PAID TIME OFF:

MUDDY CREEK TOWNSHIP HOLIDAYS: Motion by Mr. Saunders and seconded by Mr. Kerr to approve the following non-union hourly rate regular part time employees having three paid holidays (4th of July, Thanksgiving and Christmas) and one floater day to be used on one of the following holidays (New Year's Day, Memorial Day, Labor Day, or Veteran's Day). All in favor. Motion carried.

MUDDY CREEK TOWNSHIP PERSONAL DAYS: Motion by Mr. Kerr and seconded by Mr. Saunders to approve for Regular Part time Non-Union Hourly Employees to earn 2 Personal days (16 hours total to be taken in minimum of four (4) hour increments) during the 2021 calendar year. Unused personal time on December 31, 2021 will be forfeited. All in favor. Motion carried.

PSATS CONVENTION:

STATE CONVENTION DELEGATE: Motion certifying Mr. Kerr as delegate to the 2021 PSATS State Convention made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.

STATE CONVENTION VOTING DELEGATE: Motion certifying Mr. Kerr as the Township's voting delegate to the 2021 PSATS State Convention made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.

2021 MILEAGE REIMBURSEMENT: Motion by Mr. Saunders setting the Township's mileage reimbursement rate by IRS (.56/mile). Seconded by Mr. Kerr. All in favor. Motion carried.

2021 FEE SCHEDULE: Motion by Mr. Saunders to continue to use 2020 Fee Schedule until January 20, 2021. Seconded by Mr. Kerr. All in favor. Motion carried.

ADMINISTRATIVE OFFICER:

PENSION ADMINISTRATIVE OFFICER: Motion by Mr. Saunders to appoint Kelly Livermore as Administrative Officer for the Pension Fund. Seconded by Mr. Kerr. All in favor. Motion carried.

ADMINISTRATIVE OFFICER FOR PA UNEMPLOYMENT COMPENSATION ACCOUNT: Motion by Mr. Saunders to appoint Kelly Livermore as PAUC account administrative officer. Seconded by Mr. Kerr. All in favor. Motion carried.

PROFESSIONAL SERVICES:

BUILDING CODE ENFORCEMENT AGENCY: Motion by Mr. Saunders to adopt **Resolution 2021-03** appointing Professional Code Services as the Building Code Official and Inspection Agency. Seconded by Mr. Kerr. All in favor. Motion carried.

SOLICITOR: Motion by Mr. Saunders to appoint Mr. Thomas L. Smith as Township Solicitor. Seconded by Mr. Kerr. All in favor. Motion carried.

ENGINEER: Motion by Mr. Saunders to appoint Gannett Fleming as Township Engineer. Seconded by Mr. Kerr. All in favor. Motion carried.

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

CERTIFIED PUBLIC ACCOUNTANTS FOR THE YEAR 2021: Motion made by Mr. Saunders to adopt **Resolution 2021-04**, appointing the firm of Caruso and Spencer to perform the 2020 Annual Audit at a cost not to exceed \$5,250.00. Seconded by Mr. Kerr. All in favor. Motion carried.

TAX SERVICES:

REAL ESTATE TRANSFER TAX COLLECTOR: Motion by Mr. Saunders reappointing Butler County Recorder of Deeds for Real Estate Transfer Tax Collector. Seconded by Mr. Kerr. All in favor. Motion carried.

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

DEPUTY TAX COLLECTOR: Motion by Mr. Saunders to appoint Helen Staiger, Tax Collector for Brady Township, as Deputy Tax Collector for 2021. Seconded by Mr. Kerr. All in favor. Motion carried.

EMERGENCY SERVICES:

EMERGENCY SERVICES PROVIDER: Motion made by Mr. Saunders to appoint Portersville-Muddy Creek Township Volunteer Fire Department as the Township's Emergency Service. Seconded by Mr. Kerr. Motion by Mr. Saunders appointing Portersville EMS as the Township's Ambulance Provider. Seconded by Mr. Kerr. All in favor. Motion carried.

EMERGENCY MANAGEMENT AGENCY COORDINATOR: Motion by Mr. Saunders appointing Mr. Vaughn Badger as the EMA Coordinator. Seconded by Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders at 1:13 PM to adjourn. Seconded by Mr. Kerr. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale R. Kerr, Chair

Eric Saunders, Vice Chair

Robert J. Jesteadt, Supervisor

ATTEST:

Kelly A. Livermore
Secretary/Treasurer

(SEAL)

Minutes prepared by:
Marnie Chuba, Assistant Secretary



**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
January 20, 2021
1:00 PM**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 1:04 PM by Mr. Saunders. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Robert Jesteadt (via phone), Mr. Thomas Smith, and Mrs. Kelly Livermore was present. Mr. Dale Kerr entered the meeting 1:11 PM.

NOTICE OF RECORDING POLICY: Mr. Saunders requested for anyone in the meeting to acknowledge the use of a recording device. No one acknowledged a recording device.

PUBLIC COMMENT/VISITORS:

Mark/Denise Glevicky: (Sawyer Road): New driveway on Sawyer Road. Mr. Glevickys proposed driveway does not meet the current ordinance. Mr. Glevicky can work with an engineer to have a road design speed study.

Keith Wehr and Todd Wehr (Bear Run Campground): Requesting a variance for the cease-and-desist order to remove and construct a deck on a rental unit at the campground. A motion to approve the request made by Mr. Jesteadt and seconded by Mr. Saunders. All in favor. Motion carried.

Larry Coble
Steve Brandon

TREASURER'S REPORT:

A motion was made by Mr. Saunders to accept the treasurer's report for the month of December, 2020. Second by Mr. Jesteadt. All in favor. Motion carried.

Mr. Kerr entered the meeting and assumed Chair duties at 1:11 PM.

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills General Fund checks (GF:13560-13630: Void 13626); Payroll (12/24/20, 1/7/21); (Fire Tax: 1086) Electric 1/12/21. Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES:

A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the December 16, 2020 meeting minutes. All in favor. Motion carried. Mr. Kerr abstained due to his absence at the meeting.

A motion was made by Mr. Saunders and seconded by Mr. Kerr to approve the January 4, 2021 meeting minutes. All in favor. Motion carried. Mr. Jesteadt abstained due to his absence at the meeting.

A motion was made by Mr. Saunders and seconded by Mr. Kerr to correct the November 18, 2020 meeting minutes to Mr. Saunders called the meeting to order.

CORRESPONDENCE:

Portersville Food Bank: Thank you for the donation.
Prospect Boys/Girls Club: Thank you for donation.

COMMITTEE UPDATES:

PLANNING COMMISSION: No meeting in January.

EMERGENCY SERVICES: Update COVID – 19 Restrictions: The township administration building will be limited to 10 persons.

ROAD DEPARTMENT REPORT:

Butler/Lawrence County Boundary: With the resurveying of the Butler County/Lawrence County Boundary Line, the township added some roadway to its inventory. PennDOT is determining how the township will assume ownership of roads that may be substandard to their roads.

PERMITS:

Septic:

Meyers: SFTF: Levis Road: Small Flow Treatment Facility

Schultheis: Subdivision Planning

Hardship: A motion was made by Mr. Saunders and seconded by Mr. Kerr to approve the annual application of Grubbs (Pfeiffer Road), Parson (Bauder School Road), Kradel (Thunder Mountain Lane). All in favor. Motion carried.

OWV: Salem Hardwood: Flinner/Sawyer Road

Driveway: McBride (Pfeiffer Road), Thomas (Yellow Creek Road), Glevicky (Sawyer)

*Mr. Kerr requested for the loggers to clean up the roadway on Sawyer Road.

UNFINISHED BUSINESS:

A motion was made by Mr. Jesteadt and seconded by Mr. Saunders to table Communication Tower Ordinance, Subdivision and Land Development Ordinance, Amusement Tax Ordinance and Solicitation Ordinance. All in favor. Motion carried.

Ordinance Enforcement: Three Driveways (Stanford Road), Over Posted Weight (Burnside Road), Driveway (West Park Road)

NEW BUSINESS:

Resolution 2021-05: A motion to adopt Resolution 2021-05 (2021 Fee Schedule) was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Interim Real Estate Tax Collection: Mr. Smith will investigate the requirements to adopt Interim Real Estate Tax Collection. A motion to table was made by Mr. Jesteadt and seconded by Mr. Saunders. All in favor. All I favor.

Resolution 2021-06: A motion to adopt Resolution 2021-06 (EIT Volunteer Service Credit Criteria) was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

Friends of Bantam Jeep Association v. County of Butler, SRASD and Muddy Creek Township –
Petition for Allowance of Tax Appeal Nunc Pro Tunc.

Back up SEO: A motion to appoint David Ice as back up Sewage Enforcement Officer was
made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

SOLICITOR’S COMMENTS: None

SECRETARY’S COMMENTS: None

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 1:41 PM. Second by Mr. Jesteadt. All
in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Kelly A. Livermore, Secretary/Treasurer

Eric “Rick” Saunders

Robert J. Jesteadt, Sr.

(Seal)