

**MINUTES SILVER CREEK TOWNSHIP  
REGULAR BOARD MEETING HELD ON AUGUST 8, 2018**

The meeting was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, August 8, 2018. The Pledge of Allegiance to the Flag of the United States of America was recited.

MEMBERS PRESENT: Supervisor Bill Saunders, Clerk Barb Runyon, Treasurer Maureen Kuriata, Trustee Bill Zuhl and Trustee Mike Glynn.

MEMBERS ABSENT: None.

**APPROVAL OF AGENDA**

Clerk Runyon moved to approve the Agenda with the addition of Ordinance 18-02, seconded by Treasurer Kuriata. Motion carried by voice vote.

**CALL FOR PUBLIC COMMENT**

No public comment.

**APPROVAL OF MINUTES**

Treasurer Kuriata, seconded by Trustee Bill Zuhl, to approve the Minutes of the July 11, 2018 Regular Board Meeting. Motion carried by voice vote.

**APPROVAL OF BILLS AND CLAIMS**

Treasurer Kuriata reported the bills and claims for August 8, 2018. Clerk Runyon moved, seconded by Supervisor Saunders, to approve the following bills and claims in the total amount of \$114,737.77 as follows:

FROM THE GENERAL FUND	\$ 34,841.24
FROM THE INDIAN LAKE SEWER FUND	\$ 21,861.53
FROM THE PUBLIC SAFETY FUND	\$ 45,854.13
FROM THE BUILDING DEPARTMENT FUND	\$ 5,944.53
FROM THE PARKS & RECS FUND	\$ 370.00
FROM THE INDIAN LAKE WEED CONTROL FUND	\$ 5,866.34
 GRAND TOTAL OF DISBURSEMENTS:	 \$114,737.77

Motion carried by unanimous roll call vote.

## **READING OF COMMUNICATION**

Clerk Runyon read a letter from a township resident who gave her appreciation to the Silver Creek Township Police Department, specifically Deputy Wray, for his professionalism and for following up on an incident at her home. She also thanked the Silver Creek Township Police Officers and Cass County Sheriff's Office for an awesome job in helping both she and her neighbors.

## **POLICE REPORT**

Chief Grice reported: 49 complaints, 10 warnings, 4 tickets issued, 1 accident policed, 1 arrest handled, 1 assist other agency, 5 assist other police agencies, 1 in Township, 2 in City of Dowagiac, 2 County assists, 0 out of county assist, 1 assist fire and ambulance departments, and 9 assist motorist & pedestrians.

## **HEALTH & SERVICE REPORTS**

**Indian Lake Fire Department:** 10 calls with 7 in Silver Creek Township

**Sister Lakes Fire Department:** No report.

**Pride Care:** No report.

## **BUILDING/ZONING INSPECTOR'S REPORT**

Inspector Herter reported 15 building permits at a total projected cost of \$358,962.00, and five zoning permits for the month of July.

## **BLIGHT AND LIQUOR REPORT**

Deputy Wray reported 6 liquor inspections; 14 open blight complaints beginning of July; 16 new blight complaints filed in July; 17 blight issues resolved; 13 open at the end of July. Total time spent on blight 32 hours.

## **APPEALS BOARD REPORT**

Zoning Board of Appeals had two hearings on July 18, 2018 at 7:00 p.m. with both requests being approved. They also had one hearing on July 24, 2018 which was denied.

Supervisor Saunders noted that Mr. Donley is no longer a resident of the township and Supervisor Saunders will be looking for his replacement on the Planning Commission and Zoning Board of Appeals.

Trustee Glynn questioned whether we knew for a fact that Mr. Donley was no longer a resident and whether anything else would be required by the township.

Supervisor Saunders stated that Mr. Donley has filed a request to Rescind his Principal Resident Exemption listing his current address in Berrien County.

Clerk Runyon noted that she had sent Mr. Donley an e-mail asking who she should be communicating with regarding Indian Lake Special Assessment District and also asking him to return his Silver Creek Township Code of Ordinance Book, but had not heard back from him.

### **PLANNING/ZONING COMMISSION REPORT**

Trustee Zuhl reported that the Planning Commission held a meeting on July 25, 2018 and talked about tiny homes, rentals and solar energy. The next meeting will be on August 22, 2018 at 7:00 p.m.

### **STANDING INSPECTORS REPORT**

For the month of July:

Electrical permits issued: 6  
Plumbing permits issued: 4  
Mechanical permits issued: 5

### **TREASURER'S REPORT**

Treasurer Kuriata reported a \$194,524.14 General Fund balance and \$260,624.44 as the Indian Lake Sewer Fund balance. She also provided a CD Fund Detail Report.

### **CLERK REPORT**

Clerk Runyon provided the financial report, stating most of the funds are on track accordingly. The General Fund may have to be increased due to a recent culvert repair on Sink Road that had not been anticipated. Public Safety payroll is up but is largely due to summertime hours. Building Department budget will have to be amended due to new equipment for the BS&A installation.

Supervisor Saunders said that he received a phone call from Joe Bellina of the Cass County Road Commission advising that there was a \$13,000 cost to the township for engineering of the Sink Road culvert. Supervisor Saunders was in a meeting at the time of the phone call and was not able to discuss it with Mr. Bellina. He will contact him regarding this charge.

### **OPERATIONAL REPORTS**

**Indian Lake Sewer:** Treasurer Kuriata reported that the manhole covers have been completed, and that the SAW Grant is close to completion.

**Sister Lakes Sewer:** Treasurer Kuriata reported that Frank from Wightman & Associates is coming to the SLAUA meeting tomorrow to talk about their SAW Grant. The official presentation will take place in September.

**Parks and Recreation Committee:** No report.

**Public Safety Committee:** Chief Grice reported that he and Officer Wray had attended the July 31<sup>st</sup> Public Safety Committee meeting, and had nothing big to report.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

#### **MOTION TO CHANGE BUILDING DEPARTMENT DAYS OF BUSINESS**

Trustee Glynn moved, seconded by Clerk Runyon, to change the Building Department days of business to Monday from 10am to noon and Wednesday from 9am to noon effective August 13, 2018. Discussion. Motion carried by voice vote.

#### **ORDINANCE 18-01 –Decisions on the Zoning Board of Appeals**

Trustee Zuhl moved, seconded by Trustee Glynn, to adopt ordinance 18-01 as follows:

ORDINANCE 18-01 AMENDMENT TO  
SILVER CREEK TOWNSHIP  
CASS COUNTY, MICHIGAN  
ZONING ORDINANCE  
Ordinance #04-07

The Township of Silver Creek Ordains to Amend Ordinance 04-07 and as amended in 2015, Silver Creek Township Zoning Ordinance, as follows:

#### **Change 155.254(B) Decisions of the Zoning Board of Appeals to read:**

öAll decisions of the Zoning Board of Appeals shall become final after the date of the meeting at which the decision is made and the record of the meeting shall be the **written record** of said meeting.ö

The Supervisor requested the Clerk to take roll:

Yes (4): Supervisor Saunders, Clerk Runyon, Treasurer Kuriata and Trustee Glynn

No (0): None.

Abstain (1): Trustee Zuhl.

Absent (0): None.

Motion carried by roll call vote.

**MOTION TO INCREASE COST OF SEWER COVERS**

Treasurer Kuriata moved, seconded by Clerk Runyon, to increase the Building Department's charge for sewer covers to \$62.00 per cover. Discussion. Motion carried by unanimous roll call vote.

**MOTION TO PAY ELECTION INSPECTORS**

Clerk Runyon moved, seconded by Treasurer Kuriata, to immediately pay election inspectors for August 8, 2018 Primary. Motion carried by unanimous roll call vote.

**ORDINANCE 18-02 – DECISIONS ON ZONING BOARD OF APPEALS**

Supervisor Saunders, seconded by Treasurer Kurita, to adopt ordinance 18-02 as follows:

ORDINANCE 18-02  
AMENDMENT TO  
SILVER CREEK TOWNSHIP  
CASS COUNTY, MICHIGAN  
ZONING ORDINANCE  
Ordinance #04-07

The Township of Silver Creek Ordains to Amend Ordinance 04-07 and as amended in 2015, Silver Creek Township Zoning Ordinance, as follows:

**Change Section 155.006 Definitions: BUILDING HEIGHT to read:**

öThe vertical distance measured from the established grade at ground to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, and gambrel roofs. On a structure having a flat roof, the parapet, if provided, may exceed the maximum building height by three feet. Where a building is located on sloping terrain, the height shall be measured from the average ground level of the grade at the building wall.ö

**Change Section 155.006 Definitions: HEIGHT to read:**

öThe vertical distance measured from the established grade at ground to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, and gambrel roofs. On a structure having a flat roof, the parapet, if provided, may exceed the maximum building height by three feet. Where a

building is located on sloping terrain, the height shall be measured from the average ground level of the grade at the building wall.ö

Supervisor Saunders requested the Clerk to take roll:

Yes (4): Supervisor Saunders, Clerk Runyon, Treasurer Kuriata, Trustee Glynn

No (0): None

Abstain (1): Trustee Zuhl

Absent (0): None

Motion carried by roll call vote.

### **OTHER BUSINESS**

Supervisor Saunders reported that the current township squad car has 80,000 miles, and he was told that squad cars are easier to sell if they have under 100,000 miles on them. He wondered if the Board would like to pursue looking into purchasing a new squad car. He went onto say that he spoke with Don Weber who could take our old car to auction for us to sell.

Chief Grice reported that Officer Wray has been obtaining quotes and asked for a State bid today. Officer Wray stated that the car is in need of some wiring repairs which may or may not be costly.

Clerk Runyon questioned advertising it in the newspaper and taking sealed bids, thinking we could get more money for it, noting that Supervisor Saunders thought it would be worth approximately \$3,500.

Supervisor Saunders indicated it would have a commercial title, and would be harder to sell, and that the \$3,500 was just an estimate.

Clerk Runyon advised that the township has approximately \$39,000.00 in their car replacement fund with another \$4,000.00 to be added this year. She questioned whether a new car would be within budget.

Officer Wray believed it would, stating the equipment from the old car would be transferred to the new car, with only a few new things required.

Trustee Glynn questioned whether it would be worth keeping the squad car for another year. If it's only valued at \$3,500 this year, in another year it we might get \$3,000. Does it make sense to keep it longer. Clerk Runyon agreed.

A lengthy discussion was held. Supervisor Saunders will check on the value of the sale of the old police car and report back to the Board. The Police Department will get quotes on a new squad car. Discussion will continue at the September board meeting.

### **BS&A BUILDING DEPARTMENT**

Clerk Runyon reported that Building/Zoning Administrator Herter, Building Secretary Lisa Garrison, Blight Officer Wray, Lindsay Krohne and herself had a conference call with BS&A on the implementation of the new building/zoning department software.

Jodi Nestich, township IT, also had a conference call with BS&A's IT department. Clerk Runyon reported that after Jodi's call, it appears that a server is no longer feasible and would be cost prohibitive. But there would be additional expenses will be required to purchase a new computer and laptop. She is not certain of the cost at this time, but Jodi will put together an estimate and will present it to the Board in September. Clerk Runyon apologized for not researching the hardware cost better before purchasing the software program. There is \$1,000 in the budget for computer and will cost much more. Discussion held.

### **PUBLIC COMMENT**

Comment by Todd Herter. Tim Hull asked that the township contact other local public agencies and either donate or give them an opportunity to purchase the old police car if a new one is purchased.

### **ADJOURNMENT**

Supervisor Saunders adjourned the meeting at 8:26 p.m.

Prepared by: Barbara Runyon  
To be approved: September 12, 2018

Dated: August 9, 2018

