

**MINUTES SILVER CREEK TOWNSHIP  
REGULAR BOARD MEETING HELD ON DECEMBER 10, 2014**

The meeting was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, December 10, 2014. The Pledge of Allegiance to the Flag of the United States of America was led by Supervisor Saunders.

MEMBERS PRESENT: Supervisor Bill Saunders, Treasurer Maureen Kuriata, Clerk Barbara Runyon, Trustee Joel Moore and Trustee Mike Glynn.

OTHERS PRESENT: Attorney John Magyar.

**APPROVAL OF AGENDA**

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve the December 10, 2014 Silver Creek Township Agenda. Motion carried by voice vote.

**PUBLIC COMMENT**

Bonnie Hague stated some township mailboxes are full and messages are not able to be left. Jackie Goodman questioned if the northern half of Silver Creek Township joins Cass/Van Buren Emergency Services Authority, if the southern and northern portion of the township would be under one contract or separate contracts. Supervisor Saunders advised that the entire township would have one contract. Jackie Goodman also questioned if the City was providing a building for Pride Care Ambulance how that will affect the southern half of Silver Creek Township. Supervisor Saunders advised that Pride Care Ambulances have always been housed in the City of Dowagiac, nothing will change. Bruce Nevins asked if it would change for the northern half. Supervisor Saunders advised service would remain the same.

**APPROVAL OF MINUTES**

Treasurer Kuriata moved, seconded by Supervisor Saunders, to approve the Minutes of the Regular Meeting of November 12, 2014 and the Special Meeting of November 22, 2014 with the change to the November 22, 2014 Minutes to reflect the meeting began at 10:00 a.m. rather than 7:00 p.m. Motion carried by voice vote.

**APPROVAL OF BILLS AND CLAIMS**

Treasurer Kuriata reported the bills and claims for December 10, 2014. Trustee Moore moved, seconded by Trustee Glynn, to approve the following bills and claims in the total amount of \$58,753.14 as follows:

FROM THE GENERAL FUND	\$34,671.95
FROM THE INDIAN LAKE SEWER FUND	\$ 6,685.34
FROM THE PUBLIC SAFETY FUND	\$ 5,945.76
FROM THE BUILDING DEPARTMENT FUND	\$ 6,609.04
FROM THE INDIAN LAKE WEED CONTROL FUND	\$ 616.05

FROM PARKS & RECREATION FUND	\$ 2,950.00
FROM CAPITAL IMPROVEMENT	\$ 1,275.00
<b>GRAND TOTAL OF DISBURSEMENTS:</b>	<b>\$58,753.14</b>

The Supervisor directed the Clerk to take roll:

Yes (5): Clerk Runyon, Treasurer Kuriata, Trustee Glynn, Trustee Moore and Supervisor Saunders.

No (0): None.

Absent (0): None.

Motion carried by roll call vote.

**READING OF COMMUNICATION**

No communication received.

**POLICE REPORT**

40 complaints; 18 warnings, 7 tickets, 7 accidents policed, 1 arrest, 1 assisted other police agencies, 1 assist fire & ambulance, and 4 assist motorist and pedestrians.

**HEALTH & SERVICE REPORTS**

**Indian Lake Fire Department:** 6 calls, 2 in Silver Creek Township

**Sister Lakes Fire Department:** 9 calls, 5 in Silver Creek Township.

**Pride Care Ambulance Report:** November - 10 calls with an average response time of 8:33 minutes. Extended response times with explanation were reported.

**TOWNSHIP ATTORNEY'S REPORT**

Attorney Magyar reported he has been working on township contracts for the Special Assessment Districts, and will be meeting with the Lake Association representatives to discuss the contracts. He further advised that he, Trustee Moore and Supervisor Saunders met with AYSO to discuss the Park Use Agreement. Changes were made to the proposed Agreement and the revised Park Use Agreement has been furnished to the township board for their review and final approval. Lastly, he advised that Judge Dodge has reversed his earlier ruling on the Silver Creek vs. O'Connor case and has awarded costs to the O'Connor.

**BUILDING & ZONING INSPECTOR'S REPORT**

Building and Zoning Inspector Todd Herter reported 5 building permits for a total estimated cost of \$487,452.00. He has issued three zoning compliance permits.

## BLIGHT ADMINISTRATOR'S REPORT

Walt Lehmann gave the blight report: 3 complaints investigated and pending; 3 letters sent out; 12 cases pending and 8 re-inspections in progress.

## APPEALS BOARD REPORT

Bruce Nevins reported that the Board of Appeals granted a side yard setback at their December 3, 2014 meeting.

## PLANNING/ZONING COMMISSION REPORT

Tom Lehrer provided the Planning Commission Report, reporting on the November 19<sup>th</sup> meeting where they reviewed the public input at from the October 22<sup>nd</sup> public hearing. Most comments were regarding Chapter 6 Waterfront Districts, and the Commission reviewed each one by one. The consultant from Lakeshore Environmental was instructed to amend 6.07, 6.07 B, 6.07 C and to review state regulations on above-ground storage tanks and report back to the commission.

Tom also advised that Jerry Donley had participated via speaker phone, and it was very difficult for Jerry to hear the comments being made, and actually made it more confusing. Supervisor Saunders mentioned a conference phone possibly working, and it was suggested that we test a conference phone to see if it was feasible.

## STANDING INSPECTORS REPORT

**Electrical Inspector:** 11 permits

**Plumbing Inspector:** 1 permits

**Mechanical Inspector:** 3 permits

**Liquor Inspector:** 5 inspections and no violations

## TREASURER'S REPORT

Treasurer Kuriata reported fund balances as follows:

General Fund	\$254,674.12
Indian Lake Sewer Maintenance Fund	\$199,661.01

## OPERATIONAL REPORTS

**Indian Lake & Sister Lakes Sewer:** Treasurer Kuriata reported that the sewer maintenance fees have gone out on the winter tax bill for both Indian Lake and Sister Lakes Sewer.

**Parks and Recreation Committee:** Trustee Moore reported the next Russom Park Board Meeting will be on January 19, 2015 at the Silver Creek Township Hall. No Silver Creek Township Parks Board Meeting is currently scheduled.

**Public Safety Committee:** Trustee Moore advised that the next Public Safety meeting is scheduled January 13, 2015 at 7:00 p.m. at the Silver Creek Township Hall.

**UNFINISHED BUSINESS**

Clerk Runyon updated the board on the Township Rental Agreement, indicating she is waiting for information on room capacity, and will present it at the next meeting.

**NEW BUSINESS**

**RESOLUTION R14-18**

Supervisor Saunders moved, seconded by Clerk Runyon, to approve Resolution R14-18 for Silver Creek to join the Cass/Van Buren Emergency Services Authority, as follows:

RESOLUTION R14-18

SILVER CREEK TOWNSHIP  
CASS COUNTY, MICHIGAN

RESOLUTION TO JOIN THE CASS/VAN BUREN EMERGENCY SERVICES AUTHORITY

WHEREAS, on November 19, 2011 Silver Creek Township entered into a three-year contract with Coloma Emergency Ambulance d/b/a Pride Care, a Michigan not for Profit Corporation, for ambulance services for the northern half of Silver Creek Township;

FURTHER, the southern portion of Silver Creek Township remained(s) under the authority of Cass/Van Buren Emergency Services Authority, who currently contracts with Pride Care.

WHEREAS, the contract between Silver Creek Township and Pride Care has now expired, and it would be in the best interest of Silver Creek Township to combine the northern and southern half of the township with Cass/Van Buren Emergency Service Authority to make the township whole;

NOW, THEREFORE BE IT RESOLVED, that the Silver Creek Township Board join the Cass /Van Buren Emergency Services Authority for the northern and southern half of Silver Creek Township, inclusive, effective retroactively to March 14, 2014.

Questions and discussion followed. Trustee Glynn questioned who taxpayers should go to if they have a complaint. Supervisor Saunders will take the complaints and refer them to the public safety committee.

The Supervisor requested the Clerk to take roll:

Yes (5): Treasurer Kuriata, Trustee Glynn, Trustee Moore, Supervisor Saunders, and Clerk Runyon.

No (0): None.

Absent (0): None.

Motion carried by roll call vote.

**MOTION TO TRANSFER BLIGHT TO POLICE DEPARTMENT**

Clerk Runyon moved, seconded by Treasurer Kuriata, to transfer the position of Blight Control Officer to the Silver Creek Township Police Department payroll, and to appoint Kenneth Wray as Blight Control Officer at the rate of \$16.00 per hour effective January 1, 2015. Discussion followed.

The Supervisor requested the Clerk to take roll:

Yes (5): Trustee Glynn, Trustee Moore, Supervisor Saunders, Clerk Runyon and Treasurer Kuriata.

No (0): None.

Absent (0): None.

Motion carried by roll call vote.

**MOTION TO OBJECT TO PARCEL TRANSFER**

Treasurer Kuriata moved, seconded by Clerk Runyon, to object to the transfer of Parcel 14-130-005-012-10 to Silver Creek Township by the Cass County Treasurer. Clerk Runyon explained that the parcel is 15 feet wide and 850 feet long. Discussion.

The Supervisor requested the Clerk to take roll:

Yes (5): Trustee Moore, Supervisor Saunders, Clerk Runyon, Treasurer Kuriata and Trustee Glynn.

No (0): None.

Absent (0): None.

Motion carried by roll call vote.

**MOTION FOR LINE-ITEM TRANSFERS**

Clerk Runyon moved, seconded by Supervisor Saunders, for line item transfers in the following accounts:

**GENERAL FUND**

**Transfer from**

**Transfer to**

**Amount**

996-998 Contingency                      805-705 Plan Comm. Compensate      \$1621.25

**PARKS & RECREATION**

<b><u>Transfer from</u></b>	<b><u>Transfer to</u></b>	<b><u>Amount</u></b>
208-815 Contingency	208-806 Russom Park Capitol Imp	\$1,165.07
208-215 Contingency	208-802 Russom Park Maint	\$ 995.00

**BUILDING DEPARTMENT**

<b><u>Transfer from</u></b>	<b><u>Transfer to</u></b>	<b><u>Amount</u></b>
249-940 Rental Office	249-717 Electrical Inspector	\$1,000.00
249-958 Membership	249-717 Electrical Inspector	\$1,391.00

Discussion.

The Supervisor requested the Clerk to take roll:

Yes (5):        Supervisor Saunders, Clerk Runyon, Treasurer Kuriata, Trustee Glynn and Trustee Moore.

No (0):        None.

Absent (0):    None.

Motion carried by roll call vote.

**MOTION FOR PARKS & RECREATION BUDGET ADJUSTMENT**

Clerk Runyon moved, seconded by Treasurer Kuriata, to adjust the Parks & Recreation budget to add \$43,700.78 to Line Item 208-805 Russom Park Playground Equipment. Clerk Runyon explained that the original budget for playground equipment expense was not appropriated properly to reflect all the expenses. She also indicated that she estimates the township will receive approximately \$51,000.00 from the State Grant. Discussion.

The Supervisor requested the Clerk to take roll:

Yes (5):        Clerk Runyon, Treasurer Kuriata, Trustee Glynn, Trustee Moore, and Supervisor Saunders.

No (0):        None.

Absent (0):    None.

Motion carried by roll call vote.

**MOTION FOR RE-APPOINTMENTS TO PLANNING COMMISSION**

Trustee Glynn moved, seconded by Trustee Moore, to re-appoint Dave Grabmeyer and Terry Harris to Planning Commission for a term expiring 12-31-17. Motion carried by voice vote.

**MOTION FOR RE-APPOINTMENT TO ZBA**

Trustee Moore moved, seconded by Clerk Runyon, to re-appoint Bruce Nevins to Zoning Board of Appeals for a term expiring 12-31-17. Motion carried by voice vote.

**MOTION FOR RE-APPOINTMENTS TO  
BOARD OF REVIEW**

Supervisor Saunders moved, seconded by Treasurer Kuriata, to re-appoint Hank Ziemke, Bernard Herold and Patty Bartley to the Board of Review for a term ending 12-31-16. Motion carried by voice vote.

**MOTION TO APPOINT ALTERNATE TO  
BOARD OF REVIEW**

Trustee Glynn moved, seconded by Clerk Runyon, appoint David Pilot as alternate to the Board of Review for a term ending 12-31-16. Motion carried by voice vote.

**MOTION TO RE-APPOINT TO  
INTERNATIONAL PROPERTY MAINTENANCE CODE**

Treasurer Kuriata moved, seconded by Supervisor Saunders, to re-appoint Al Kaiser to the International Property Maintenance Code for a term ending 12-31-17. Motion carried by voice vote.

**MOTION TO RE-APPOINT ALTERNATE TO  
INTERNATIONAL PROPERTY MAINTENANCE CODE**

Trustee Glynn moved, seconded by Supervisor Saunders, to re-appoint Gary Weslowski as an alternate to the International Property Maintenance Code for a term ending 12-31-17. Motion carried by voice vote.

**OTHER BUSINESS**

Supervisor Saunders furnished the amended Park Use Agreement with AYSO and asked that board members review and advise of changes. It will be brought before the board in January. He also advised that he and Attorney Magyar are meeting with Dowagiac City Manager Kevin Anderson to discuss Russom Park Inter-Local Agreement.

**PUBLIC COMMENT**

There was no public comment.

**MOTION TO GO INTO CLOSED SESSION**

Clerk Runyon moved, seconded by Treasurer Kuriata, to go into closed session to discuss the Silver Creek Township vs. O'Connor lawsuit.

The Supervisor requested the Clerk to take roll:

Yes (5): Clerk Runyon, Treasurer Kuriata, Trustee Glynn, Trustee Moore, and Supervisor Saunders.

No (0): None.

Absent (0): None.

Motion carried by roll call vote.

Recessed to go into closed session at 7:58 p.m.

Reconvened to regular session at 8:32 p.m.

Supervisor Saunders advised that the closed session was to talk to our attorney concerning the Silver Creek vs. O'Connor lawsuit.

**MOTION**

Trustee Moore moved, seconded by Trustee Glynn, to wait to make a decision on Silver Creek vs. O'Connor until we have the Bill of Costs. Motion carried by voice vote.

**ADJOURNMENT**

The meeting was adjourned at 8:34 p.m. at the call of the Supervisor.

Dated: December 11, 2014  
To be approved at the  
January 14, 2015 Meeting

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Barbara Runyon, Clerk

