

**MINUTES SILVER CREEK TOWNSHIP  
REGULAR BOARD MEETING HELD ON JULY 13, 2016**

The meeting was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, July 13, 2016. The Pledge of Allegiance to the Flag of the United States of America was led by Treasurer Kuriata.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Attorney John Magyar.

**APPROVAL OF AGENDA**

Trustee Moore moved, seconded by Trustee Glynn, to approve the July 13, 2016 Silver Creek Township Agenda. Motion carried by voice vote.

**PUBLIC COMMENT**

**DRUG ENFORCEMENT MILLAGE PRESENTATION**

Sergeant Dave Toxopeus overview of Drug Enforcement Millage presentation and their success in Cass County and encouraged everyone to vote "Yes" for the Drug Enforcement Millage Renewal.

Circuit Court Judge Candidate Scott Teter gave an update on his campaign and his qualifications for the position. He also gave the Drug Enforcement Team accolades for their work, and encouraged everyone to support the Drug Enforcement Millage Renewal.

Commissioner District 1 Candidate Terry Ausra introduced himself and said he is running for Cass County Commissioner, and if elected, would attend Silver Creek Township meetings and would be available to answer questions.

78<sup>th</sup> District State Representative Candidate Dean Hill introduced himself reporting he is running in Silver Creek Township's State Districts Representative District.

**APPROVAL OF MINUTES**

Trustee Glynn moved, seconded by Supervisor Saunders, to approve the June 8, 2016 Regular Meeting Minutes and June 22, 2016 Special Meeting Minutes. Motion carried by voice vote.

**APPROVAL OF BILLS AND CLAIMS**

Treasurer Kuriata reported the bills and claims for July 13, 2016. Trustee Moore moved, seconded by Clerk Runyon, to approve the following bills and claims in the total amount of \$142,806.61 as follows:

FROM THE GENERAL FUND	\$ 31,543.07
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FROM THE INDIAN LAKE SEWER FUND	\$ 14,739.55
FROM THE PUBLIC SAFETY FUND	\$ 40,698.13
FROM THE BUILDING DEPARTMENT FUND	\$ 4,825.16
FROM THE INDIAN LAKE WEED CONTROL FUND	\$ 50,815.70
FROM THE PARKS AND RECS FUND	\$ 185.00
GRAND TOTAL OF DISBURSEMENTS:	\$142,806.61

The motion carried by unanimous vote of members present.

**READING OF COMMUNICATION**

Clerk Runyon reported she received an e-mail from Kirt Ullig regarding his concern over the township purchasing the Starret property on California Road. She also received an e-mail from Connie Wittorp thanking the township for providing the paper shredding event.

**POLICE REPORT**

34 complaints; 11 warnings, 17 tickets, 2 accident policed, 3 arrests handled, 2 arrest-assist other policy agencies.

**HEALTH & SERVICE REPORTS**

**Indian Lake Fire Department:** 5 calls for the month 2 in Silver Creek Township.

**Sister Lakes Fire Department:** 14 calls for the month 8 in Silver Creek Township, average response time was 8.5 minutes.

**Pride Care Ambulance Report:** June 6 7 priority one calls with an average response time of 6:18 minutes.

**TOWNSHIP ATTORNEY'S REPORT**

Attorney Magyar reported that he has sent out two letters with case law attached on behalf of the Township for township zoning violations for boat on piers without property owners.

Supervisor Saunders said that the people in violation in Rainbow Park have contacted him and he has agreed to give them two weeks to get the boats off the pier. The other party in violation has requested a Saturday morning meeting with Attorney Magyar, Zoning Administrator Herter and himself.

Attorney Magyar also reported that he has a default judgment scheduled for hearing on the blighted property on M-51 north with JP Morgan Chase and a Judgment on the M-152 blighted property sometime in August.

**BUILDING/ZONING INSPECTOR'S REPORT**

Ten building permits were issued for a total project cost of \$688,590.00 and five zoning permits.

## **BLIGHT AND LIQUOR INSPECTION REPORT**

21 open blight complaints beginning of June; 6 new blight complaints filed; 6 blight residents notified; 19 blight issues resolved. Total time spent on blight 22.5 hours. Five liquor inspections.

## **APPEALS BOARD REPORT**

Jerry Donley reported there were no ZBA hearings in June. A hearing is scheduled on July 20<sup>th</sup> at 7:00 p.m.

## **PLANNING/ZONING COMMISSION REPORT**

Trustee Glynn reported that last month they discussed the private road ordinance. The next meeting is scheduled on July 27<sup>th</sup> at 7:00 p.m. at the township hall.

## **STANDING INSPECTORS REPORT**

**Electrical Inspector:** 0 permits

**Plumbing Inspector:** 4 permits

**Mechanical Inspector:** 9 permits

## **TREASURER'S REPORT**

Treasurer Kuriata reported \$370,370.05 as the General fund balance and \$235,238.33 as the Indian Lake Sewer fund balance. She also provided the CD Fund Detail Report in the board packet.

## **OPERATIONAL REPORTS**

**Indian Lake Sewer:** Treasurer Kuriata reported that Decatur Excavating is working with the City of Dowagiac on Hunt Drive and Jefferson Drive. Sewer bills will be going out next week.

**Sister Lakes Sewer:** Treasurer Kuriata reported that the sewer extension from CR690 is complete. Sewer bills will be going out next week.

**Parks and Recreation Committee:** Trustee Moore reported that the next Russom Park Meeting is July 19, 2016 at 6:00 p.m. He also reported that there was vehicle damage to the Russom Park soccer field fence. Discussion followed. Supervisor Saunders is checking on the matter.

## **MOTION**

Supervisor Saunders moved, seconded by Clerk Runyon, to repair the fence at Russom Park and come back at the next meeting for approval of payment. Motion carried by voice vote.

**Public Safety Committee:** Trustee Moore reported the Public Safety Committee met on July 5<sup>th</sup>.

## **UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**Motion to Rescind Resolution R16-11**

Trustee Moore moved, seconded by Trustee Glynn, to rescind Resolution R16-11 regarding the purchase of tax reverted property parcel #14-130-027-020-00 located at 54764 California Road, Dowagiac, MI. Motion carried by unanimous roll call vote.

**Motion Re. Tax Reverted Properties**

Treasurer Kurita moved, seconded by Clerk Runyon, not to purchase tax reverted properties offered by the Cass County Treasurer in Silver Creek Township. Motion carried by voice vote.

**RESOLUTION R16-12 LITTLE CROOKED LAKE CONTROL SPECIAL ASSESSMENT**

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve the following resolution:

**RESOLUTION R16-12  
SILVER CREEK TOWNSHIP, CASS COUNTY, MI  
LITTLE CROOKED LAKE WEED CONTROL SPECIAL ASSESSMENT**

Whereas, the Crooked Lakes Association request a five-year Little Crooked Lake Weed Control Special Assessment District effective 2016 for the 2017 program year; and  
BE IT HEREBY RESOLVED that the Township Board does hereby tentatively declare its intent to establish a special assessment district for weed control within the following described area:

Little Crooked Lakes Sections 5 & 6 within Silver Creek Township  
See attached parcels & Legal Descriptions Schedule A

by controlling aquatic weeds, together with work incidental thereto, all within the proposed district by Township Board action.

BE IT FUTHER RESOLVED that the Township Board does tentatively designate the special assessment district against the cost of the improvements is to be assessed as Little Crooked Lakes Weed Control Special Assessment District, which shall include the lands and premises more particularly described above.

BE IT FUTHER RESOLVED that a public hearing on any objections to the Board Action, to the improvement, the estimate of cost, and to the special assessment district proposed to be established for the assessment of the cost of such improvement be held on Wednesday, August 10, 2016 at a 6:30 p.m. at a special meeting of the Township Board at Silver Creek Township Hall, 32764 Dixon Street, Dowagiac, Michigan.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution and the same are hereby rescinded.

Discussion followed. Resolution carried by unanimous roll call vote.

### **OTHER BUSINESS**

Clerk Runyon read a letter from Craig Runyon of Niles Exterminating regarding an inspection he performed of the Ash Tree on Townhall Road. He noticed the beginning sights of powder post beetles exit holes and carpenter ant activity on the downed portion of the tree. It can be treated by spraying, but recommends getting a section of the wood out of the weather as soon as possible.

Supervisor Saunders advised that golf carts are not allowed on the roadways of Silver Creek. Pamphlets are being made up at this time to provide to the public.

### **PUBLIC COMMENT**

Stacey Hollenbeck questioned if the golf cart is legally plated if they can still be used. Undersheriff Richard Behnke responded that if it was plated prior to last year and is licensed, it can be driven by a licensed driver.

Someone from the public questioned how the law applied to farm use.

Undersheriff Behnke responded that it can driven from field to field and should be flagged.

Undersheriff Behnke reiterated the importance of the Drug Enforcement Millage Renewal and reminded everyone to get out and vote on August 2<sup>nd</sup>. He also reminded everyone that he is running for Cass County Sheriff and why he is the most qualified person for the job.

Chief Huggins reminded everyone that the Sister Lakes Triathlon is being held this weekend.

Raymond Anderson asked that Indian Lake put in a good public access with a ramp for fishing.

Supervisor Saunders stated that the DNR has tried but has had opposition, but believes it may happen in the future.

Bruce Nevins questioned whether the township will purchase tax reverted funds in the future or if the motion was just for this year's tax reverted properties.

Supervisor Saunders responded that the motion was for this year's properties only.

### **ADJOURNMENT**

The meeting was adjourned at 8:00 p.m. by the call of the Supervisor.

Barbara Runyon  
Silver Creek Township Clerk

Dated: July 14, 2016  
To be approved at the August 10, 2016 Regular Meeting