

**MINUTES SILVER CREEK TOWNSHIP
PUBLIC HEARING
REGULAR BOARD MEETING HELD ON JANUARY 9, 2019**

The meeting was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, January 09, 2019. 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.

PURPOSE OF PUBLIC HEARING: Review of the Silver Creek Township Community Park, Recreation, Open Space and Greenway Plan for 2019-2023 prepared by Wightman & Associates, Inc.

PUBLIC COMMENT

Clerk Runyon - the fencing around the retention pond has already been completed and can be removed from the plan. There were spelling and grammatical corrections on page 8 and in the description of the western bike trail. These were reported to Wightman & Associates, Inc. and they provided a corrected copy just prior to the meeting. On page 11, entitled Action program, the chronological list shows the intended purchase of a synthetic ice rink in 2020 but the purchase of the land in 2023, and these should be reversed. Also, notice of this public hearing was published on 12/7/2018 in the Dowagiac Daily News.

Trustee Glynn ó noted the survey had only 89 respondents total and only 40 were from the Township; the general fund was listed as the only funding source when other sources should be explored (ie: millage); this plan appears to be more of an outline and needs additional research to best serve the residents of Silver Creek Township.

Jim Humphries ó chairman of SCT Parks/Rec committee ó the newly formed committee had about a month or less to organize and compile a plan to meet the February 1st deadline for the DNR. Also the yearly list (Action Plan) is flexible and considered a list of goals based upon available finances.

Joe Moore ó Parks/Rec committee member noted they needed the 5 year plan done quickly and approved by the township board by February 1st, 2019 in order to be eligible to apply for DNR grants for the 2019 year, which become available as of April 1, 2019.

Ben Baker ó Wightman & Associates, Inc. ó a 5 year plan is required to secure DNR grants. Silver Creek Township's prior 5 year plan expired 12/31/18 ó they always expire at the end of the calendar year (despite it was approved in April of 2014). Typically your 5 year plan had to be to the DNR by March 1st, but it was recently moved to February 1st, thus there was a rush to complete this report. If SCT does not have plan approved by February 1st, 2019,

they cannot apply for any DNR grants in 2019. If a plan is approved later, then SCT can apply for DNR grants in 2020.

CORRESPONDENCE: Clerk Runyon read Anita Beach's letter which stated her disappointment with the survey and requesting a survey be mailed out to taxpayers.

FURTHER DISCUSSION/COMMENTS: Trustee Glynn - this plan needs more research and detail; Treasurer Kuriata if there is nothing on the plan to purchase this year, then we don't need to meet the February 1st deadline, so they can continue to work on it and have a better plan for next year.

MOTION TO CLOSE PUBLIC HEARING

Clerk Runyon moved, seconded by Trustee Glynn, to close the public hearing portion of this meeting. Motion carried by voice vote.

REGULAR MEETING CALLED TO ORDER

Regular meeting called to order by Supervisor Bill Saunders at 7:26 p.m.

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

MEMBERS ABSENT: None.

APPROVAL OF AGENDA

Trustee Zuhl requested Ordinance 19-01 (Solar Energy Systems) should be removed from this agenda because the planning commission is still discussing it.

Trustee Glynn moved, seconded by Trustee Zuhl, to approve the January 9, 2019 Agenda with the removal of Ordinance 19-01. Motion carried by voice vote.

PROSECUTING ATTORNEY

Prosecutor Victor Fitz spoke on the subject of legalized Marijuana and the need to protect our local communities. He stated the cartel and criminals are still involved with Marijuana even though it is now legal. He noted this township passed the opt-out ordinance and it is a good idea to protect our community until we can see the long term ramifications of the new marijuana laws.

PUBLIC COMMENT

Sheriff Behnke reported the following: there will be 2 upcoming low cost rabies vaccination clinics on February 9 and February 23, 2019 at Animal Control. The program known as Crimereports.com will now show the calls for service in your local area and is a great way for citizens to know what is going on in their neighborhood. Winter weather is now back so please drive carefully

APPROVAL OF MINUTES

Treasurer Kuriata moved, seconded by Clerk Runyon, to approve the Minutes of the December 12, 2018 Regular Board Meeting. Motion carried by voice vote.

APPROVAL OF BILLS AND CLAIMS

Treasurer Kuriata reported the bills and claims for January 9, 2019. Trustee Glynn moved and Treasurer Kuriata seconded the motion to approve payment of the bills and claims in the total amount of \$88,961.46 as follows:

FROM THE GENERAL FUND:	\$28,829.98
FROM THE INDIAN LAKE SEWER FUND:	\$10,811.45
FROM THE PUBLIC SAFETY FUND:	\$39,715.97
FROM THE BUILDING DEPARTMENT FUND:	\$ 6321.37
FROM THE MAGICIAN LAKE WEED CONTROL FUND:	\$ 2815.20
FROM THE INDIAN LAKE WEED CONTROL FUND:	\$ 467.49
FROM THE PARKS & RECREATION CONTROL FUND:	\$ 2,815.20
FROM THE MAGICIAN LAKE WEED CONTROL FUND:	\$ <u>0.0</u>

GRAND TOTAL OF DISBURSEMENTS: \$88,961.46

Motion carried by unanimous roll call vote.

READING OF COMMUNICATION

No communication reported.

POLICE REPORT

Chief Grice reported: 17 complaints, 2 warnings, 2 tickets issued, 2 accident policed, 0 arrest handled, 0 assist other agency, 5 assist other police agencies, 0 in Township , 16 in City of Dowagiac, 1 County assist, 0 out of county assist, 2 assist fire and ambulance departments, and 1 assist motorist & pedestrians, 74 property inspections. Four liquor inspections with no violations.

HEALTH & SERVICE REPORTS

Indian Lake Fire Department: 7 calls TOTAL; 3 in Silver Creek, 3 in Pokagon and 1 listed as other.

Sister Lakes Fire Department: No report.

Pride Care: 7-Priority 1 calls; 9 Priority 2 calls and 2 Priority 3 calls.

BUILDING/ZONING INSPECTOR'S REPORT

Administrator Herter ó no report for this month.

BLIGHT REPORT

No violations. There were 4 liquor inspections with no violations.

APPEALS BOARD REPORT

Trustee Glynn ó no report for this month.

PLANNING/ZONING COMMISSION REPORT

Trustee Zuhl reported the last meeting was 12/13/18 and they amended 115.083 to add Bulk Fuel storage as an approved use and they reviewed the Solar Energy Ordinance. Their next meeting date is 1/23/19 at 7pm.

STANDING INSPECTORS REPORT

For the month of October:

Electrical permits issued: 7

Plumbing permits issued: 1

Mechanical permits issued: 5

Sewer: 2

TREASURER'S REPORT

Treasurer Kuriata reported the General Fund balance of \$137,886.93 and the Indian Lake Sewer Fund balance of \$289, 774.43.

OPERATIONAL REPORTS

Indian Lake Sewer: Tri-annual bills will go out next week.

Sister Lakes Sewer: Tri-annual bills will go out next week. Next meeting is 1/10/19 2:30pm.

Parks and Recreation Committee: Jim Humphries reported the Silver Creek Parks Committee will meet tomorrow. Trustee Glynn reported the next meeting for the Russom Park board will be on the 1/15/19.

Public Safety Committee: No report.

OLD BUSINESS

ZONING ORDINANCE UPDATE

Building Administrator Herter reviewed the history of a recent complaint on a construction which took place three years ago. He did some research and talked with our legal counsel and is recommending the board adopt a policy which outlines a time limit of 18 months to report a violation of the zoning ordinance. Complaints need to be made in a timely manner so he can investigate them in a timely manner. Anyone can file a complaint, it does not have to be a person directly affected by the violation, similar to a blight complaint. The clerk will ask the Township attorney to prepare a policy and Resolution.

Administrator Herter reported the International Code Council provides guidelines for the average cost of building construction and these are used by the State of Michigan. The cost of building permits are determined based upon the estimated cost of the project. Administrator Herter would like to use the International Code Council table as a guideline when determining the cost of building permits. He asked the board consider adopting a resolution.

NOXIOUS WEED ORDINANCE

The township attorney's suggested changes for this ordinance was provided to all the board members for their review. Discussion followed. Trustee Glynn thoroughly reviewed the ordinance and the attorney's recommendations. Trustee Glynn's only concern was that we keep the word "both" in the language as previously discussed. Clerk Runyon suggested the ordinance wording should be retyped to reflect all the changes suggested by our attorney and keeping the wording "both", then it can be reviewed and approved at our next meeting. We need the attorney to clarify what was identified as section 5.a.

MOTION TO APPOINT DAVE GRABEMEYER TO ZBA

Supervisor Saunders moved, seconded by Trustee Glynn, to appoint Dave Grabemeyer to the ZBA for a 3 year term, ending December 31, 2021.

NEW BUSINESS

MOTION TO APPOINT LORRI BEHNKE AS S.C. TOWNSHIP CLERK

Treasurer Kuriata moved, seconded by Trustee Glynn, to appoint Lorri Behnke to the position of Silver Creek Township Clerk, effective February 1, 2019. The Supervisor requested a roll call vote.

Yes (4): Supervisor Saunders; Treasurer Kuriata; Trustee Glynn; Trustee Zuhl

No (0)

Abstain (1): Clerk Runyon

Absent (0)

Motion carried by roll call vote.

RESOLUTION R19-01 TO ADD LORRI BEHNKE TO SCT BANK ACCOUNTS

Trustee Glynn moved, seconded by Treasurer Kuriata, to adopt resolution R19-01 as follows:

RESOLUTION R19-01

**RESOLUTION TO ADD SILVER CREEK TOWNSHIP CLERK
LORRI BEHNKE TO THE
TOWNSHIP BANK ACCOUNTS**

WHEREAS, Lorri Behnke was appointed to the position of Silver Creek Township Clerk effective February 1, 2019, replacing Barb Runyon, who resigned from office effective February 1, 2019.

WHEREAS, Clerk Lorri Behnke is required to be placed on all township bank accounts with Silver Creek Township Treasurer Maureen Kuriata;

THEREFORE BE IT RESOLVED, that Clerk Lorri Behnke be added to these accounts effective immediately.

Motion carried by unanimous roll call vote.

RESOLUTION R19-02 INDIAN LAKE WEED- SPEC. ASSESS. AMENDMENT

Trustee Zuhl moved, seconded by Clerk Runyon, to adopt Resolution 19-02 as follows:

RESOLUTION 19-02

INDIAN LAKE SPECIAL ASSESSMENT 2018 WINTER TAX ROLL AMENDMENT

WHEREAS, in 2018 the Indiana Lake Weed Control Special Assessment Winter 2018 Tax roll was approved by the Silver Creek Township Board of Trustees at the October 10, 2018 Board of Trustees meeting; and

WHEREAS, it was brought to the Silver Creek Township's Assessor's attention that parcel # 14-130-335-008-00, Patrick and Rosemarie Parenti, were over charged by \$62.72 for the Indian Lake Weed Control District.

NOW THEREFORE BE IT RESOLVED, that the tax bill for above named will be amended to reflect this correction.

Motion carried by unanimous roll call vote.

RESOLUTION R19-03 2019 POVERTY EXEMPTION GUIDELINES

Supervisor Saunders moved, seconded by Trustee Zuhl, to accept the Poverty Exemption Guidelines, Asset Standards and Application pursuant to MCL 211.7u , for implementation by the Board of Review.

Motion carried by unanimous roll call vote.

RESOLUTION R19-04 2019-2023 SILVER CREEK TOWNSHIP COMMUNITY PARK, RECREATION, OPEN SPACE AND GREENWAY PLAN

Clerk Runyon clarified this should be a Resolution.

Clerk Runyon moved, seconded by Supervisor Saunders to approve Resolution R19-04 as follows:

RESOLUTION NO. R19-04

WHEREAS, the Township has undertaken a Five Year Parks and Recreation Plan which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain recreation facilities during the period between 2019 and 2023, and

WHEREAS, a public hearing was held on January 9, 2019 at the Township Hall to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Parks and Recreation Plan, and

WHEREAS, the Township has developed the plan for the benefit of the entire community and to adopt the plan as a document to assist in meeting the recreation needs of the community, and

WHEREAS, after concluding the public hearing, the Township Board voted to adopt said Parks and Recreation Plan.

NOW, THEREFORE BE IT RESOLVED the Township Board hereby adopts the Silver Creek Township 2019-2023 Parks and Recreation Plan as a guideline for improving recreation for the residents of the Township.

Discussion: Trustee Glynn noted this seems like an outline and not an actual plan and perhaps the committee needs more time to complete a thorough research and plan. The Supervisor requested a roll call vote.

Yes (1): Supervisor Saunders;

No (4): Treasurer Kuriata; Trustee Glynn; Trustee Zuhl; Clerk Runyon

Absent (0)

Resolution R19-04 failed

MOTION FOR RENEWAL OF SPECIAL USE PERMIT

Treasurer Kuriata moved, seconded by Clerk Runyon, to renew the special use permit for parcel #14-130-016-009-00, Margaret Zuhl.

Trustee Zuhl abstained from Vote: Motion carried by roll call vote

MOTION TO EXTEND WINTER TAX BILLS TO FEBRUARY 28, 2019

Trustee Glynn moved, seconded by Treasurer Kuriata, to extend winter tax bills deadline to February 28, 2019.

Motion carried by unanimous roll call vote.

MOTION TO APPROVE 2018/19 AUDIT CONTRACT

Trustee Zuhl moved, seconded by Clerk Runyon, a motion to approve 2018/19 Audit Contract with Kruggel Lawton in the amount of \$8,200; and to authorize Supervisor Saunders to sign it.

Motion carried by unanimous roll call vote.

MOTION TO APPROVE RESTORATIVE LAKE SCIENCES CONTRACT

Supervisor Saunders moved, seconded by Clerk Runyon, to approve the Restorative Lake Sciences Contract for Dewey Lake SAD District and to authorize Supervisor Saunders to counter sign it.

Motion carried by unanimous roll call vote.

MOTION TO INDIAN LAKE SEWER LINE ITEM TRANSFERS

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve the line item transfers for Indian Lake Sewer as follows:

Transfer from	Transfer to	
590-930 Maint/Rep (\$16,000)	590-920 Electrical Service	\$1,800
	590-802 Sewage Disposal Service	\$14,000
	590-725 Payroll Tax Expense	\$200

TOTAL: \$16,000

Motion carried by unanimous roll call vote.

MOTION TO PURCHASE NEW COMPUTER FOR TREASURER

Treasurer Kuriata, seconded by Clerk Runyon, to approve the purchase of a new computer for the Treasurer to accommodate the BS&A program, in an amount of not more than \$2,000.00. Discussion.

Motion carried by unanimous roll call vote.

MOTION - LINE ITEM TRANSFER FOR NEW COMPUTER FOR TREASURER

Trustee Glynn moved, seconded by Supervisor Saunders, to approve the line item transfer of not more than \$2,000.00 from line item 996-998 (Contingencies) to 253-933 (Treasurer's computer) for purchase of a new computer.

Motion carried by unanimous roll call vote.

MOTION -ACCEPT PAVING BID FOR INN-D-INN IMPROVEMENT PROJECT

Discussion and review of three tentative bids for this project.

Trustee Zuhl moved, seconded by Treasurer Kuriata, to tentatively approve the bid from Reith-Riley in the amount of \$61,150 for paving Inn D Inn Drive, provided a Special Assessment District is approved. Discussion.

Motion carried by unanimous roll call vote.

OTHER BUSINESS

Jim Humphries asked how the Parks/Rec Committee should proceed on the Parks/Rec plan. Discussion of how to increase survey response and any costs involved; the board wanted more input from the community before completing a plan; the survey notice can go out with the tax bills in July and can be placed on the website to encourage more community input.

Resolution 19-05 to Recognize and thank Clerk Barb Runyon for her dedication, service and contributions while Silver Creek Township Clerk. This will be formalized at the next meeting.

PUBLIC COMMENT

No public comment

ADJOURNMENT

Supervisor Saunders adjourned the meeting at 8:55 p.m.

Prepared by: Lorri Behnke, deputy clerk Dated: January 10, 2019

To be approved: February 13, 2019.