

**MINUTES SILVER CREEK TOWNSHIP
REGULAR BOARD MEETING HELD ON FEBRUARY 14, 2018**

The meeting was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, February 14, 2018. The Pledge of Allegiance to the Flag of the United States of America was recited.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Attorney John Magyar.

APPROVAL OF AGENDA

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve the February 14, 2018 Agenda with the addition of a Motion to Appoint Thom Brown as Alternate to the Silver Creek Township Zoning Board of Appeals. Motion carried by voice vote.

CALL FOR PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES

Trustee Glynn moved, seconded by Supervisor Saunders, to approve the January 10, 2018 Regular Board Meeting Minutes. Motion carried by voice vote.

APPROVAL OF BILLS AND CLAIMS

Treasurer Kuriata reported the bills and claims for February 14, 2018. Clerk Runyon moved, seconded by Trustee Glynn, to approve the following bills and claims in the total amount of \$62,482.31 as follows:

FROM THE GENERAL FUND	\$ 29,926.31
FROM THE INDIAN LAKE SEWER FUND	\$ 12,100.40
FROM THE PUBLIC SAFETY FUND	\$ 3,625.06
FROM THE BUILDING DEPARTMENT FUND	\$ 6,302.62
FROM THE INDIAN LAKE WEED CONTROL FUND	\$ 9,711.52
FROM THE PUBLIC IMPROVEMENT FUND	\$ 816.40
 GRAND TOTAL OF DISBURSEMENTS:	 \$ 62,482.31

Motion carried by unanimous roll call vote.

READING OF COMMUNICATION

A message was read from Ralph and Carol Niebling thanking Silver Creek Township Police for their excellent police work in tracking down and arresting two suspects that had broken into their garage and neighbor's garages and home.

POLICE REPORT

Chief Grice reported: 17 complaints, 1 accident policed, 2 arrests handled, 5 assist other police agencies, 0 in Township, 3 in City of Dowagiac, 2 County assists, 1 assist fire and ambulance departments, 2 assist motorist & pedestrians and 72 property inspections.

HEALTH & SERVICE REPORTS

Indian Lake Fire Department: 3 calls in Silver Creek Township

Sister Lakes Fire Department: No report.

Pride Care Ambulance Report: January - 7 priority one calls with the average response time of 7:32 minutes; 8 priority two calls with an average response time of 10:24 minutes; 0 priority three calls; a total of 15 calls with a combined average response time of 9:04 minutes.

TOWNSHIP ATTORNEY'S REPORT

Attorney Magyar reported that he met with a representative from Chase Bank and the information is finally filed with the legal department. Legal will review and get back with Attorney Magyar.

BUILDING/ZONING INSPECTOR'S REPORT

Inspector Herter reported eleven building permits at a total projected cost of \$642,500.00 and two zoning permits for the month of January.

BLIGHT AND LIQUOR INSPECTION REPORT

Nothing to report on blight, 5 liquor inspections with no violations.

APPEALS BOARD REPORT

ZBA will meet on February 27th at 7:00 p.m. Attorney Magyar recommended a court reporter be present at the ZBA and Planning Commission Hearing. After discussion, it was agreed to have a court reporter at the both the ZBA meeting on February 27th and the Planning Commission meeting on February 28th.

PLANNING/ZONING COMMISSION REPORT

Trustee Zuhl reported that the Planning Commission met on January 24, 2018 at 7:00 p.m. They reviewed building heights definition also landscaping with handrails. The next meeting is scheduled February 28, 2018 at 7:00 p.m.

STANDING INSPECTORS REPORT

Electrical Inspector: 4 permits
Plumbing Inspector: 2 permit
Mechanical Inspector: 7 permits

TREASURER'S REPORT

Treasurer Kuriata reported a \$417,687.37 General Fund balance and \$279,471.56 as the Indian Lake Sewer Fund balance.

OPERATIONAL REPORTS

Indian Lake and Sister Lakes Sewer: Treasurer Kuriata reported that the tri-annual sewer billings were sent out in January.

Parks and Recreation Committee: Trustee Glynn reported that the Russom Park Board met in January. He was advised that the playground slide was vandalized. Trustee Glynn reported it to Clerk Runyon and Supervisor Saunders. A claim has been filed and an insurance check received. Supervisor Saunders reported that the slide was under warranty and the only expense would be the installation. The parts will be sent to the installer who will install when the weather breaks.

Discussion was held about purchasing surveillance camera. Clerk Runyon will check with PAR Plan and a possible grant application.

Public Safety Committee: No report.

OLD BUSINESS

None.

NEW BUSINESS

RESOLUTION R18-02

Clerk Runyon moved, seconded by Supervisor Saunders, to approve the following resolution:

RESOLUTION R18-02

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE
OF ORDINANCES FOR THE SILVER CREEK TOWNSHIP, CASS COUNTY,
MICHIGAN AND DECLARING AN EMERGENCY**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2017 S-1 supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;
NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF SILVER CREEK TOWNSHIP:

- Section 1. That the 2017 S-1 supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Discussion was held.

MOTION TO AMEND RESOLUTION R18-02

Trustee Glynn moved, seconded by Supervisor Saunders to amend Resolution R18-02 as follows: Section 3 to read: This ordinance is for the immediate preservation of the peace, health, safety, and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law, and to delete "AND DECLARING AN EMERGENCY" in the title of the ordinance. Motion carried by voice vote.

RESOLUTION R18-02

Trustee Glynn moved, seconded by Clerk Runyon, to approve R18-02 as amended:

RESOLUTION R18-02

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE
OF ORDINANCES FOR THE SILVER CREEK TOWNSHIP, CASS COUNTY,
MICHIGAN**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2017 S-1 supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF SILVER CREEK TOWNSHIP:

- Section 1. That the 2017 S-1 supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared for the immediate preservation of the peace, health, safety, and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Resolution R18-02 carried by unanimous roll call vote.

MOTION TO SCHEDULE 2018 SPRING AND FALL TRASH DAYS

Treasurer Kuriata moved, seconded by Trustee Zuhl, to schedule Spring Trash Days for May 25, 26, 27 and 28, 2018 and Fall Trash Days for August 31, September 1, 2, 3, 2018. Motion carried by voice vote.

MOTION TO APPROVE AUDIT CONTRACT

Trustee Glynn moved, seconded by Clerk Runyon, to approve the Audit Contract with Kruggel Lawton CPA and authorize Supervisor Saunders to sign. Motion carried by unanimous roll call vote.

MOTION FOR INDIAN LAKE SEWER LINE-ITEM TRANSFER

Trustee Zuhl moved, seconded by Treasurer Kuriata, to transfer \$1,500 from 59-996 Contingencies and place it into 590-920 Electrical. Motion carried by voice vote.

MOTION TO APPOINT THOM BROWN AS ALTERNATE TO THE ZONING BOARD OF APPEALS

Clerk Runyon moved, seconded by Supervisor Saunders, to appoint Thom Brown as Alternate to the Silver Creek Township Zoning Board of Appeals for a term ending December 31, 2018. Motion carried by voice vote.

Trustee Glynn asked that two alternates be appointed to the Zoning Board of Appeals, and recommended the ZBA establish procedures. He also requested either an annual or possible semi-annual joint meeting with the Zoning Board of Appeals and the Planning Commission. Discussion was held, with the Board of Trustees in agreement.

DISCUSSION ON ROAD COMMISSION GRANT

Supervisor Saunders reported that the road commission has grant monies to cut back dangerous overhanging trees. He also said that he spoke with Commissioner Ausra who told him if there was a problem with dangerous trees, to call the road commission and they would take care of them.

Supervisor Saunders also reported that he has still not received prices from the Cass County Road Commission for 2018 road repair, noting if we do not hear from them soon, we may have to contract with an outside company. Discussion was held.

CASS COUNTY PLANNING COMMISSION

Trustee Zuhl reported that the Cass County Planning Commission has an opening due to Barbara Wood-Cooks resignation. Anyone interested should check the county website for information. Supervisor Saunders mentioned that Trustee Bill Zuhl was elected as Chairperson for the County Planning Commission.

DISCUSSION ON SELECTION PROCESS OF TOWNSHIP ATTORNEY

A lengthy discussion was held as to procedures on selecting a new township attorney due to Attorney Magyar's retirement. Clerk Runyon advised that she had sent an e-mail to the Cass County Clerk's asking who their township uses. Of the five that responded, four use Bauckham, Sparks, Thall, Seeber & Kaufman, P.C. and one Mowitt S. Drew. Attorney Magyar mentioned that Sara Bell Senica represents Jefferson and Penn Township.

Supervisor Saunders noted that she also represents St. Joseph Township. Further discussion was held.

MOTION FOR HIRING COMMITTEE

Treasurer Kuriata moved, seconded by Clerk Runyon, to appoint Clerk Runyon, Trustee Glynn and Attorney John Magyar to interview and recommend township attorney. Motion carried by voice vote.

OTHER BUSINESS

Clerk Runyon reminded everyone of the Budget Workshop on Saturday, February 24th at 10:00 a.m.

Chief Huggins of the Indian Lake Fire Department reported that their department will be practicing ice rescue on Sunday.

PUBLIC COMMENT

Todd Herter asked that the road commission look at the Chinese Maple Trees on his property that overhang onto the roadway. Supervisor Saunders will contact the Road Commission.

ADJOURNMENT

The meeting was adjourned at 8:20 p.m. by call of the Supervisor.

Prepared by: Clerk Barbara Runyon

Dated: 2-15-18