

**MINUTES SILVER CREEK TOWNSHIP
PUBLIC HEARING AND
REGULAR BOARD MEETING HELD ON MARCH 8, 2017**

The Public Hearing was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, March 8, 2017. 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.

PRESENTATION OF PROPOSED BUDGET

Clerk Runyon presented the 2017/18 proposed General Fund, Capital Improvement, Parks and Recreation, Public Safety, Building Department and Indian Lake Sewer Budgets. Copies were provided for the public. She stated that the Board has conducted two budget workshop special meetings to discuss the proposed budgets, and it is now time to present it to the public for their review, comments, and suggestions. She noted that \$4,500 had been added to the General Fund capital outlay for the purchase of new voting equipment for the absentee counting board.

GENERAL FUND

Estimated General Fund Revenue for 2017/18 \$532,196.00 with estimated expenditures of \$571,722.67. Wages were increased by 1.5 percent; road contracts reported at \$160,604.00 and culvert repairs of \$54,693.00. The allocated millage rate is 0.6907 mills, and is subject to state mandated rollback, which will not be known until approximately June 2017.

CAPITAL IMPROVEMENT FUND

Clerk Runyon reported a current balance of \$143,633.81 in this account. Revenue is estimated at \$300.00 with \$25,000.00 in expenditures. The Board is recommending \$25,000.00 for a township generator.

PARKS AND RECREATIONS FUND

Clerk Runyon reported a current balance of approximately \$308,158.00 in this account. Revenue is estimated at \$800.00 and \$12,249.00 in expenses. Mowing expense is split with the City of Dowagiac; \$5,000.00 for Silver Creek Township's portion of a sign, and \$5,000 budgeted for contingencies.

PUBLIC SAFETY FUND

Estimated revenue is \$223,750.00 and \$223,750.00 in expenses. The public safety 1 mill was rolled back in 2016 to 0.9921 and is subject to a state mandated rollback. We will know in June if it will be rolled back again.

BUILDING DEPARTMENT

This is a self-funding budget. Revenue is estimated at \$74,865.00 with the same for expenses.

INDIAN LAKE SEWER

Revenue is budgeted at \$143,300.00 and expenditures at \$210,966.00. It's an older sewer system and has required an increase in maintenance and repairs.

CALL FOR PUBLIC COMMENT

Supervisor Saunders called for public comment on the proposed budgets.

Jean Rowe questioned office rental expense. Clerk Runyon responded that the Building Fund and Public Safety Fund reimburse the General Fund for office rent at \$100 per month. Jean then questioned election equipment. Clerk Runyon explained that the State of Michigan is mandating the purchase of new election equipment. They will pay for the equipment that is used at the poll, but will not pay for an absentee counting board tabulator as they have in the past. The cost of approximately \$4,300.00 was included in the budget for the AV counting board tabulator.

Tom Lehrer questioned \$4,000.00 in the treasurer's postage account. Treasurer Kuriata stated that she sends tax notices out and that the postage rate has increased. It is an estimate and what she doesn't use will remain in the general fund.

There was no other public comment.

ADJOURNED

Supervisor Saunders closed the public hearing at 7:10 p.m.

REGULAR BOARD MEETING

Supervisor Saunders called the regular board meeting to order at 7:10 p.m.

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 March 8, 2017 agenda with the addition of Resolution R17-10. Motion carried by voice vote.

PUBLIC COMMENT

No comments.

APPROVAL OF MINUTES

Trustee Glynn moved, seconded by Trustee Zuhl, to approve the February 7, 2017 Regular Board Meeting Minutes and the February 23, 2017 Budget Workshop Minutes. Motion carried by voice vote.

APPROVAL OF BILLS AND CLAIMS

Treasurer Kuriata reported the bills and claims for March 8, 2017. Clerk Runyon moved, seconded by Treasurer Kuriata, to approve the following bills and claims in the total amount of \$44,345.93 as follows:

FROM THE GENERAL FUND	\$ 23,893.79
FROM THE INDIAN LAKE SEWER FUND	\$ 9,945.26
FROM THE PUBLIC SAFETY FUND	\$ 4,709.97
FROM THE BUILDING DEPARTMENT FUND	\$ 5,431.09
FROM THE INDIAN LAKE WEED CONTROL FUND	\$ 165.82
FROM THE MAGICIAN LAKE WEED CONTROL FUND	\$ 100.00
FRO THE DEWEY LAKE WEED CONTROL FUND	\$ 100.00
 GRAND TOTAL OF DISBURSEMENTS:	 \$ 44,345.93

The motion carried by unanimous roll call vote.

READING OF COMMUNICATION

No communication.

POLICE REPORT

19 complaints, 3 warning, 4 tickets, 1 assist other police agency, 1 assist motorist and pedestrians, 58 property inspections. Officer Johnson also reported that the department has purchased new equipment: AED equipment, body cameras and first aid equipment.

HEALTH & SERVICE REPORTS

Indian Lake Fire Department: February – 5 calls total with 4 in Silver Creek Township. Double fatality has greatly impacted fireman.

Sister Lakes Fire Department: February – 8 calls, 5 in Silver Creek Township.

Pride Care Ambulance Report: February – 16 priority one calls in February with the average response time of 7:44 minutes.

TOWNSHIP ATTORNEY'S REPORT

Attorney Magyar reported he has had contact with Chase Bank and they are processing the bills for the repayment of the demolition of the M-51 property. He also reported that he has been in contact with an attorney representing Frank Ward regarding the ZBA hearing that was held in October. Attorney Magyar requests a transcript of the hearing. Clerk Runyon will order the transcript.

BUILDING/ZONING INSPECTOR'S REPORT

Building/Zoning Inspector Herter gave the building/zoning report: Five building permits at a total projected cost of \$240,080.00 and one zoning permit for the month of February.

Inspector Herter also reported that he had several complaints from contactors about Mechanical/Plumbing Inspector John Dobberteen not returning phone calls and his punctuality. Discussion was held. Supervisor Saunders will look into this matter. Trustee Zuhl asked Inspector Herter to provide Supervisor Saunders specifics to assist him when contacting Mr. Dobberteen.

BLIGHT AND LIQUOR INSPECTION REPORT

Deputy Johnson reported 5 liquor inspections with no violations. One is closed for the season.

APPEALS BOARD REPORT

No report.

PLANNING/ZONING COMMISSION REPORT

Trustee Zuhl reported that there was no meeting in February. The next meeting is scheduled on March 22, 2017 at 7:00 p.m.

STANDING INSPECTORS REPORT

Electrical Inspector: 5 permits
Plumbing Inspector: 4 permits
Mechanical Inspector: 3 permits

TREASURER'S REPORT

Treasurer Kuriata reported \$359,844.22 as the General fund balance and \$229,114.04 as the Indian Lake Sewer fund balance.

OPERATIONAL REPORTS

Indian Lake and Sister Lakes Sewer: Air relief valves will be repaired on the Indian Lake Sewer at an approximate cost of \$26,500.00. The SAW grant is going forward to GPS of the sewer system.

Parks and Recreation Committee: Next meeting will be in April.

Public Safety Committee: No report.

OLD BUSINESS

PLANNING COMMISSION ABSENCE

The township board was notified in writing at the last board meeting by Planning Commission Secretary Tom Lehrer, as is required in the Planning Commission's By-Laws, that Planning Commission Member Jerry Donley had missed three consecutive planning commission meetings.

Clerk Runyon questioned whether it was necessary to have planning commission meetings every month, and noted that this could affect other planning commission members who are also snowbirds, and wondered if they should revisit their by-laws.

Attorney Magyar agreed and noted that the busiest meetings are during the summer. He also reminded everyone that they had reappointed Mr. Donley with his term ending in 2018.

A lengthy discussion ensued with comments being made from the audience by Planning Commission Secretary Tom Lehrer and Zoning Board of Appeals Member Jean Rowe.

Motion Re. Absences

Trustee Glynn moved, seconded by Supervisor Saunders, to send a letter to Jerry Donley excusing his absences with his continued absenteeism being considered when his appointment expires in 2018. Motion carried by voice vote.

Clerk Runyon will compose a letter and send it to Board members for their approval.

NEW BUSINESS

Trustee Zuhl moved, seconded by Treasurer Kuriata, to approve the following resolution R17-04:

RESOLUTION R17-04
SILVER CREEK TOWNSHIP, CASS COUNTY, MICHIGAN
2017/2018 FISCAL YEAR TOWNSHIP MEETING DATES

WHEREAS, the board is required by resolution to provide the date, time and location of their board meetings;

FURTHER, the meetings must be posted within 10 days after the townships fiscal year beginning April 1, 2017;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of Silver Creek, Cass County, Michigan does hereby establish that there shall be one regular board meeting each month as follows:

- a. Regular meetings shall be held on the 2nd Wednesday of each month and shall commence promptly at 7:00 p.m., with the exception of April 2017 meeting being on the 1st Wednesday of the month and commencing at 7:00 p.m.
- b. All regular meetings shall be held at the Silver Creek Township Hall located at 32764 Dixon Street, Dowagiac, Michigan 49047.
- c. Dates of said meetings shall be: April 5, May 10, June 14, July 12, August 9, September 13, October 11 , November 8, December 13 , 2017, January 10 , February 14 and March 14 , 2018.

Resolution R17-04 carried by unanimous roll call vote.

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve Resolution R17-05 as follows:

**RESOLUTION R17-05
SILVER CREEK TOWNSHIP FISCAL YEAR 2017/2018
GENERAL APPROPRIATIONS RESOLUTION**

The Silver Creek Township Board resolves:

SECTION 1: **Title** – This resolution shall be known as the Silver Creek Township 2017-2018 General Appropriations Act.

SECTION 2: **Chief Administrative Officer** - The Supervisor shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in this Act.

SECTION 3: **Fiscal Officer** – The Clerk shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer enumerated in this Act.

SECTION 4: **Public Hearing on the Budget** - Pursuant to MCLA 141.412; MCLA 141.413, notice of a public hearing on the proposed budget was published in the Dowagiac Daily News on February 27 and 28, 2017, and a public hearing on the proposed budget was held on March 8, 2017.

SECTION 5: **Estimated Revenues for Fiscal year 2017/2018** – Estimated township **General Fund Revenues**, including an allocated millage of 0.6907 of mills, subject to State mandated rollback for 2017, and various miscellaneous revenues shall total approximately \$532,196.00; estimated township **Public Safety Revenues** for fiscal year 2017/2018, including up to 1 mill voter authorized millage, rolled back to 0.9921 in 2016 and is subject to State mandated rollback for 2017, is \$223,750.00; estimated township **Building Department Revenues** for 2017/2018 is \$74,865.00; estimated township **Indian Lake Sewer Revenue** for fiscal year 2017/2018 is \$143,300.00; estimated township **Parks and Recreation Fund** for fiscal year 2017/2018 is \$950.00; estimated township **Capital Improvement Fund** for fiscal year 2017/2018 is \$300.00.

SECTION 6: **Millage Levy** – The Silver Creek Township Board shall cause to be levied and collected the general property tax on all real and personal property within the Township upon the current tax roll an amount equal to 0.6907 mills, subject to state mandated rollback, and as set forth by the Tax Allocation Board. The Silver Creek Township Board shall cause to be levied and collected the Fire and

Safety Millage on all real and personal property within the township upon the current tax roll an amount equal to 0.9921 mills as authorized and approved by the electorate.

SECTION 7: Estimated Expenditures for 2017/2018 Fiscal Year – Estimated township **General Fund Expenditures** is \$571,722.67; estimated township **Public Safety Expenditures** is 223,750.00, estimated township **Building Department Expenditures** is \$74,865.00, estimated township **Indian Lake Sewer Expenditure** is \$210,966.00; estimated township **Parks and Recreation Fund Expenditure** is \$12,249.00; and estimated **Capital Improvement Fund** is \$25,000.00.

SECTION 8: Adoption of Budget by Reference – The general fund budget of Silver Creek Township is hereby adopted by reference, with revenues and activities as indicated in Section 5 and 7 of this Act.

SECTION 9: Adoption of Budget by Line Item - The Board of Trustees of Silver Creek Township adopts the 2017/18 fiscal year general fund budget by line item.

SECTION 10: Transfer Authority – The Clerk shall have the authority to make transfers among the various line items without prior board approval, if the amount to be transferred does not exceed \$750. The Board shall be notified at the next meeting of any such transfers made, and reserves the right to modify, amend or nullify any such transfers. Any line item transfers over \$750 shall require prior approval of the board.

SECTION 11: Limit on Obligations and Payments – No obligation shall be incurred against, and no payment shall be made from any appropriation account unless there is sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation, unless the Supervisor, upon recommendation of the Clerk, deems a line item transfer exceeding \$750 is appropriate, wherein the board will be notified of such transfer at the next board meeting (see Section 9. **Transfer of Authority**).

SECTION 12: Payment of Bills – Pursuant to MCLA 41.74, all claims against the Township shall be approved by the Silver Creek Township Board prior to being paid. The Township Board shall receive a list of claims due for approval at the board meeting. The Township Clerk and Treasurer are authorized to pay certain claims (bills) prior to approval by the Township Board to avoid late penalties, service charges, interest or cancellation. These claims will be included on the list of claims for approval at the next board meeting and noted that it was paid early.

SECTION 13: Periodic Fiscal Reports – The fiscal officer shall transmit to the board at the end of the first three quarters, and at the end of each month occurring during the fourth quarter, a report of financial operations, including, but not limited to: A profit and loss statement for each Fund.

SECTION 14: Budget Monitoring – The Clerk shall report to the Township Board if the actual and probable revenue in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that the expenditures shall exceed an appropriation, the Clerk shall present to the Township Board recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year or request that the deficit be taken from the appropriate fund balance. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

SECTION 15: **Authorized salary, hourly and per diem rates** – included in the various activities are amounts of the salary, hourly and per diem rates for the officials and employees of the Township as follows:

All Boards and Commissions:	<u>Annual</u>
Member	\$55.00 per diem
Secretary	\$75.00 per diem
Chairman	\$75.00 per diem
Recording Secretary	\$55.00 per diem
Supervisor	\$29,870.11 annually
Clerk	\$30,563.19 annually
Deputy Clerk	Up to \$16.77 per hour
Treasurer	\$30,563.19 annually
Deputy Treasurer	Up to \$15.50 per hour
Trustees	\$5,900.49 annually plus \$55.00 per diem for special meetings (Trustees only)
Election Inspectors	\$12.00 per hour
Election Chairperson	\$25.00 additional per day
Assessor	\$35,430.21 annually
Building/Zoning Administrator	\$32,094.30 annually
Office Manager	\$100.00 monthly
Cleaning	\$80.00 per cleaning
Building Department Clerical	Up to \$16.00 per hour
Asst. Police Chief	\$18.00 per hour
Sergeant	\$17.50 per hour
Patrolmen	\$17.00 per hour
Board of Review Members	\$131.00 full day 65.50 ½ day
Mileage Reimbursement	53.5 cents per mile

Resolution R17-05 carried by unanimous roll call vote.

Treasurer Kuriata moved, seconded by Clerk Runyon, to approve Resolution R17-06 as follows:

TOWNSHIP OF SILVER CREEK
COUNTY OF CASS
STATE OF MICHIGAN
RESOLUTION NO. R17-06
2017/2018 SUPERVISOR SALARY

WHEREAS, according to MCL 49.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

THEREFORE BE IT RESOLVED, that effective April 1, 2017, the salary of the office of Silver Creek Township Supervisor, shall be \$29,870.11 annually.

The Clerk took a roll call vote:

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

No (0): None

Abstain (1): Supervisor Saunders

Absent (0): None

Resolution R-17-06 carried roll call vote.

Trustee Glynn moved, seconded by Trustee Zuhl, to approve Resolution R17-07 as follows:

**TOWNSHIP OF SILVER CREEK
COUNTY OF CASS
STATE OF MICHIGAN
RESOLUTION NO. R17-07
2017/2018 CLERK SALARY**

WHEREAS, according to MCL 49.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

THEREFORE BE IT RESOLVED, that effective April 1, 2017, the salary of the office of Silver Creek Township Clerk, shall be \$30,563.19 annually.

The Clerk took a roll call vote:

Yes (4): Treasurer Kuriata, Trustee Glynn, Trustee Zuhl and Supervisor Saunders.

No (0): None.

Abstain (1): Clerk Runyon

Absent (0): None.

Resolution R-17-07 carried roll call vote.

Supervisor Saunders moved, seconded by Trustee Zuhl, to adopt Resolution R17-08 as follows:

**TOWNSHIP OF SILVER CREEK
COUNTY OF CASS
STATE OF MICHIGAN
RESOLUTION NO. R17-08
2017/2018 TREASURER SALARY**

WHEREAS, according to MCL 49.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

THEREFORE BE IT RESOLVED, that effective April 1, 2017, the salary of the office of Silver Creek Township Treasurer shall be \$30,563.19 annually.

The Clerk took a roll call vote:

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

No (0): None

Abstain (1): Treasurer Kuriata.

Absent (0): None.

Resolution R-17-08 carried roll call vote.

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve Resolution R17-09 as follows:

**TOWNSHIP OF SILVER CREEK
COUNTY OF CASS
STATE OF MICHIGAN
RESOLUTION NO. R17-09
2017/2018 TRUSTEE SALARY**

WHEREAS, according to MCL 49.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

BE IT RESOLVED, that effective April 1, 2017, the salary of the office of Silver Creek Township Trustee shall be \$5,900.49 annually.

The Clerk took a roll call vote:

Yes (3): Supervisor Saunders, Clerk Runyon and Treasurer Kuriata

No (0): None

Abstain (2): Trustee Glynn and Trustee Zuhl

Absent (0): None

Resolution R-17-09 carried roll call vote.

MOTION TO APPROVE ROAD CONTRACTS

Trustee Zuhl moved, seconded by Supervisor Saunders, to approve the 2017 Cass County Road Commission Road Contracts as follows:

Middle Crossing \$34,021.76

Swisher Street	\$29,055.99
Downey Street	\$19,511.13
Garret Road	\$20,992.42
Leach Road	\$ 4,729.97
Leach Road	\$14,735.06
Priest Street	\$19,314.04
Red Mill Road	\$9,812.69
Downey Street	\$1,143.70
Downey Street	\$778.67
Karl Street	\$3,386.30
Lake Shore Drive	\$3,121.75

TOTAL CONTRACTS AMOUNT: \$160,603.48

Discussion was held. Motion carried by unanimous roll call vote.

MOTION AUTHORIZING FIRE DEPARTMENT BURN

Supervisor Saunders moved, seconded by Clerk Runyon, to allow Sister Lakes and Indian Lake Volunteer Fire Departments to do a training burn of the prairie behind the township hall. Discussion held. Motion carried by voice vote.

MOTION TO AUTHORIZE VALVE REPLACEMENT FOR INDIAN LAKE SEWER

Treasurer Kuriata moved, seconded by Clerk Runyon, to authorize Ferguson Enterprises, Inc. to replace valves on the Indian Lake Sewer Lift Stations at a total cost of \$26,515.23, with said amount being taken out of the Indian Lake Sewer Fund balance. Motion carried by unanimous roll call vote.

MOTION FOR YEAR-END LINE ITEM ADJUSTMENTS

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve year-end line item adjustments as follows:

PUBLIC SAFETY FUND

Transfer \$2,403.00 from 207-960 Contingencies with \$1,202.00 going into the 207-866 New Equipment Fund and \$33.00 going into 207-911 Life Insurance; and \$1,168.00 going into 207-729 Police Uniforms.

INDIAN LAKE SEWER

Transfer \$3,270.00 from 590-996 Contingencies and \$1,000.00 from 590-804 Engineer Fees and place the \$4,270.00 into 590-930 Maintenance.

Motion carried by voice vote.

Clerk Runyon moved, seconded by Treasurer Kuriata, to approve Resolution R17-10 as follows:

**Silver Creek Township
Cass County, Michigan
Resolution R17-10**

WHEREAS, the Silver Creek Township Board wishes to apply to the Secretary of State for a grant to purchase a new voting system, which includes precinct tabulators, accessible voting devices for use by individuals with disabilities, and related Election Management System (EMS) software.

WHEREAS, partial funding for the new voting system will be provided by the State, and will include a combination of Federal Help America Vote Act and State-appropriated funds. Local funding obligations are detailed in the attached Election Source quote.

WHEREAS, the Silver Creek Township Board plans to begin implementation of the new voting system in 2017.

WHEREAS, the deadline for submitting the required State Grant Application is April 14, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Silver Creek Township Clerk is authorized to submit this Grant Application on behalf of Silver Creek Township, Cass County on this day of 8th day of March, 2017.

Resolution R17-10 carried by unanimous roll call vote.

OTHER BUSINESS

None.

PUBLIC COMMENT

Bruce Nevins questioned where and what surface seal is. Supervisor Saunders responded that it was off Karl Street and that the sealer reactivates surface to give better strength.

ADJOURNMENT

The meeting was adjourned at 8:35 p.m. by the call of the Supervisor.



Barbara Runyon
Silver Creek Township Clerk

Dated: March 8, 2017
To be approved at the April 5, 2017 Regular Meeting