

**MINUTES  
SILVER CREEK TOWNSHIP  
OCTOBER 9, 2019**

**SPECIAL MEETING – PUBLIC HEARING  
2019 SPECIAL ASSESSMENTS DISTRICT RATES  
DEWEY LAKE, INDIAN LAKE, LITTLE CROOKED LAKE AND MAGICIAN LAKE  
and INN-D-INN DRIVE  
followed by the regular MONTHLY MEETING**

Special Meeting – Public Hearing called to order at 7:05 p.m. by Supervisor Saunders

Flag Ceremony

Roll Call - Present: Treasurer Kuriata, Clerk Behnke, Supervisor Saunders, Trustee Glynn  
Absent: Trustee Zuhl

Supervisor – Purpose of the public hearing is to hear objections to the proposed 2019 Special assessments for: Indian Lake, Dewey Lake, Little Crooked Lake and Magician Lake Weed Control; and Inn-D-Inn Drive.

Clerk Behnke – Read the notice published on in the newspaper on September 20<sup>th</sup> and September 23, 2019. The township assessor has prepared the rolls and they have been available for review in the clerk’s office during regular business hours and are available for review during this meeting. The roll for Indian Lake Weed Control District is in the total amount of \$122,275.81 with a proposed special assessment of up to \$5.85 per foot. The roll for Magician Lake Weed Control District is in the total amount of \$17,140.00 with a proposed special assessment of up to \$40.00 per occupied unit. The roll for Dewey Lake Weed Control District is in the total amount of \$22,100.13 with a proposed special assessment of up to \$100.00 per unit. The roll for Little Crooked Lake Weed Control District is in the total amount of \$2,712.06 with a proposed special assessment of up to \$47.58 per parcel. The roll for INN-D-INN Drive Improvement Special Assessment District is in the total amount of \$38,180.88 with a proposed special assessment of up to .25 Units \$522.00, .50 units \$1,044.12 per vacant garage lot. 1 unit, 1.25 units, 2 units per occupied lot.

**Public Hearing** : Supervisor Saunders called for public comment on the following:

Inn-D-Inn Drive – Assessor Bill Kays explained there was a recalculation done on 10/8/19 due to a previous error relating back to when Inn-D-Inn court was removed from SAD. He stated this caused an increase of 1.8 – 2.4% in the costs per unit. This new roll is available at this time as of 10/8/19 and at this time. Jim Rubino said thank you for doing this for us. The new amounts are as follows: .25 Units \$535.00; .50 units \$1,070.00; 1 unit \$1,465.00; 1.25 units \$2000.00; 2 units \$2,930.00; 2.5 units \$4,000.00.

Dewey Lake Weed Control – no one from the public commented.

Indian Lake Weed Control – \$5.85/foot; it was noted when a parcel was recently surveyed it added overall frontage so the total amount is higher than before (survey of the Emmons property).

Little Crooked Lake Control - no one from the public commented  
Magician Lake Weed Control – no one from the public commented

Discussion

Motion to adjourn the public hearing by Clerk Behnke; Supported by Treasurer Kuriata; carried by voice vote.

Adjournment of public hearing – 7:19pm

Regular Meeting called to order by Supervisor Saunders 7:19pm

Approval of Agenda – motion by Treasurer Kuriata to approve agenda with 1 addition: motion to add \$125 to property tax bill for violation of Noxious Weed Ordinance; Supported by Trustee Glynn; carried by voice vote

Public comment – no one commented

Approval of the Minutes of the regular board meeting on September 11, 2019. – motion by Treasurer Kuriata to approve the minutes with one correction on page 1 – address should be 51237 (not 15237); carried by voice vote

Approval of Bills and Claims – motion by Supervisor Saunders; Supported by Clerk Behnke;  
Roll call vote: Yes (4) Clerk Behnke, Supervisor Saunders, Trustee Glynn, Treasurer Kuriata  
No (0)  
Absent (1) Trustee Zuhl

Reading of Communications - none

Health and Safety Services Reports

Police Report – Chief Grice-5 liquor insp- 0 viol; 22 complaints; 1 warning; 3 tickets; 3 accidents; 7 arrests; 23 property inspections; 200 hours of policing; 1,334 miles.

Fire Report - Indian Lake – Chief Huggins – 4 calls, 1 fatal PI accident. Sister Lakes- 6 in Silver Creek; 2 in Bainbridge; 5 in Keeler. Ambulance Report- 25 total calls, avg resp. 9:24; P1 calls-8 ; P2 calls-17 ; P3calls-0 .

Building/Zoning Inspector's Report - Mechanical-4; Plumbing-5;  
Zoning Appeals Board Report – next meeting 10/30/19 at 7pm.

Treasurer's Report – General Fund balance \$166,179.62; Indian Lake Sewer \$255,024.80

Operational Reports; Indian Lake Sewer – Motion by Treasurer Kuriata to put no more than \$23,227.21 of maintenance arrears on the Winter 2019 tax roll. Supported by Clerk Behnke. carried by voice vote.

Sister Lakes Area Sewer – Motion by Treasurer Kuriata to put no more than \$33,007.93 in maintenance arrears on the Winter 2019 tax roll. Supported by Supervisor Saunders. carried by voice vote.

SLAUA continued – Treasurer Kuriata noted the SLAUA board meeting discussed the problem with contractors who won’t provide an “as built drawing” from the sewer after they are done building the house. The building administrator suggested having a \$400 deposit at the time the permits are drawn for the project and a refund check will be issued when contractor brings in the as built drawing. They need to know where the sewer line is installed (from the house to the road). Right now she has 10 people who are living in completed homes and she doesn’t have the drawings. This information can be downloaded to BS&A software so it is available for future use. The township attorney will have to review the ordinance to see if an ordinance amendment is needed or if it can be done through a policy.

Parks & Recreation Committee - Russom park meeting is Tuesday 10/5/19 at 7pm; they are working on getting the mulch put in.

Public Safety Committee – Next meeting is Wed 10/16/19 at 7pm

**CONTINUED BUSINESS**

Update on Condemnation at 28622 Wilson, Drive (Dowagiac) – no update at this time  
 ORV meeting set for November 6, 2019 at 7pm at CCRC – ORV’s do not include golf carts.

**NEW BUSINESS**

<b>Motion</b>	<b>by</b>
Motion to approve a deadline for submission of additional agenda items to the clerk. Deadline will be 12 noon, one week prior to the meeting.	<i>Saunders ; Kuriata support</i>
<i>Motion carried by voice vote.</i>	
Motion to set Dewey Lake Weed Control Special Assessment	<i>Behnke</i>
<i>Roll call vote: Yes (4) Supervisor Saunders, Trustee Glynn, Treasurer Kuriata, Clerk Behnke No (0) Absent (1) Trustee Zuhl</i>	<i>Kuriata support</i>
Motion to set Indian Lake Weed Control Special Assessment	<i>Kuriata</i>
<i>After discussion; Motion withdrawn by Treasurer Kuriata</i>	<i>Saunders support</i>
Motion to set Indian Lake Weed Control Special Assessment; <u>This is not an approval of the plan amendment</u> ; this is an approval of only the budget submitted by ILIA with the following amendment: remove line item 241-708 and move \$5,500.00 in that line item into line item 241-701.	<i>Behnke Kuriata – support</i>
<i>Roll call vote: Yes (4) Trustee Glynn, Treasurer Kuriata , Clerk Behnke, Supervisor Saunders No (0) Absent (1) Trustee Zuhl</i>	
Motion to approve Little Crooked Weed Special Assessment	<i>Glynn Kuriata - support</i>

<p><i>Roll call vote: Yes (4) Treasurer Kuriata , Clerk Behnke, Supervisor Saunders, Trustee Glynn</i></p> <p><i>No (0)</i></p> <p><i>Absent (1) Trustee Zuhl</i></p>	
<p>Motion to approve Magician Lake Weed Special Assessment</p>	<p><b><i>Glynn Saunders - support</i></b></p>
<p><i>Roll call vote: Yes (4) Clerk Behnke, Supervisor Saunders, Trustee Glynn, Treasurer Kuriata</i></p> <p><i>No (0)</i></p> <p><i>Absent (1) Trustee Zuhl</i></p>	
<p>Motion to approve Inn-D-Inn Drive Special Assessment as prepared by the assessor and printed on 10/8/19.</p>	<p><b><i>Saunders Glynn – support</i></b></p>
<p><i>Roll call vote: Yes (4) Supervisor Saunders, Trustee Glynn, Treasurer Kuriata, Clerk Behnke</i></p> <p><i>No (0)</i></p> <p><i>Absent (1) Trustee Zuhl</i></p>	
<p>Motion to pay ZBA and BOR once per year, on the same schedule as the Planning Commission, beginning January of 2020.</p>	<p><b><i>Behnke Saunders - support</i></b></p>
<p><i>Roll call vote: Yes (4) Trustee Glynn, Treasurer Kuriata, Clerk Behnke, Supervisor Saunders</i></p> <p><i>No (0)</i></p> <p><i>Absent (1) Trustee Zuhl</i></p>	
<p>Motion to approve updated 2019-2023 Capital Improvement Plan previously approved by Silver Creek Township Planning Commission on 9/25/19.</p>	<p><b><i>Kuriata Glynn - support</i></b></p>
<p><i>Roll call vote: Yes (4) Treasurer Kuriata, Clerk Behnke, Supervisor Saunders , Trustee Glynn</i></p> <p><i>No (0)</i></p> <p><i>Absent (1) Trustee Zuhl</i></p>	
<p>Motion to approve the Capital Improvement Plan from Wightman &amp; Associates for Indian Lake Sewer.</p>	<p><b><i>Glynn Kuriata – support</i></b></p>
<p><i>Roll call vote: Yes (4) Clerk Behnke, Supervisor Saunders , Trustee Glynn , Treasurer Kuriata</i></p> <p><i>No (0)</i></p> <p><i>Absent (1) Trustee Zuhl</i></p>	
<p>Motion to add \$125 to property tax bill 14-130-155-078-00 for mowing following violation of the Noxious Weed Ordinance;</p>	<p><b><i>Kuriata Behnke – support</i></b></p>
<p><i>Roll call vote: Yes (4) Supervisor Saunders , Trustee Glynn , Treasurer Kuriata, Clerk Behnke</i></p> <p><i>No (0)</i></p> <p><i>Absent (1) Trustee Zuhl</i></p>	

## **Other Business – none**

### **Public Comment**

*Since the board will now have agenda deadline 7 days before the meeting, will the agenda be on the website 5 days in advance of the meeting. Answer: the plan is to have it on the website by 5pm on the Thursday before the regular meeting.*

*Tom Carlson – clarification on ILIA budget, the harvester parking line item has been eliminated but he wants to clarify this item was not rent to park the harvester. He began work 40 years ago on the projects to improve water quality on Indian Lake. Indian Lake is now on the cutting edge of lake preservation. Numerous people come from all over the United States to see what we are doing. Our goal is to have the most desirable lake in Michigan and he believes Indian Lake is the jewel of Silver Creek Township. He likes the direction we are headed in and we all have the same goal in mind.*

*Question from a woman who lives on Indian Lake and she is very interested in communication and acceptable management practices and what management model does Silver Creek Township use to administer the SAD. She said as a taxpayer but not a member, she never gets a communication about what has been achieved and would like to see more specificity on the water quality, not just a report which says the quality of the water is good. She wants to know what the township board can do to help by saying here are the management practices we should be following. In some areas, the drain commissioner is involved. She would like to see what management practices the township follows and to what level will the township specify management practices and will you accept suggestions from the community as to what those should be? Someone asked can they not access the website? She replied she can but it doesn't contain the specificity she would like to see and although some information is on the website some places mail information to taxpayers. The "plan" is specific as to what is going to be done for the lake and the estimated costs. The "plan" does not include reaching a specific quantitative level. The board is responsible for administering the SAD and relies on lake associations to seek out and determine what is needed for each lake. The board needs to a more active role in the administration as that is what is legally required of our role. We are addressing on updating how we operate in our office, in our contracts and with the SADs. An acceptable water quality standard is a good question and at what point is it good enough for you to then go into maintenance mode. She wants to know if the board is going to have a management practice or process that will tell the taxpayers what the water quality is, etc. Bonnie Hague indicated they already have that on their website. Her concern is will there will a specific goal set so it can be measured when we meet it or if it is not met and where to go from there. Tom Carlson stated in addition to their website, they have open meetings which are a great place to come and learn and participate in the process. The township attorney noted lake management is more difficult than paving a road; it's easy to see what is done and the results. The "plan" is what are we going to do and cost estimates; it does not contain a goal. Also we operating under this current plan for 2 more years. Jim Rubino noted the lake was optimal a few years ago because of the filtration in the Mann drain, but unfortunately it was taken out and now they are using more chemicals and doing more testing to see how to address this situation.*

*Sharon Larson- asking for help from the township to pave roads in Cable Lake like was done on Inn-D-Inn Drive. She needs guidance and help and what percentage of people are needed to approve it. Mr. Rubino explained his experience in this process and offered his phone number to help her. Sharon said they are getting younger people in their neighborhood who would be more*

*supportive of a project like this. She wants something in writing to show to people to say what this will cost. She will need to get the cost estimates for that type of work. She said they currently pay for their own plowing; but out of 122 families, 38 did not pay their dues and it is \$6,000/yr to plow.*

*Robert Hague – in the September meeting bills were approved out of Indian Lake weed fund for AEP and legal fees – where did the legal fees come from? The township wasn't receiving the information it needed from ILIA and the communications were not helpful, so they were sent to our attorney. Legal fees in a SAD are allowed for administration of the SAD and the township administers the SAD.*

**Adjourned 9:35pm**